

Bertron, Cara

From: Karen McGraw [REDACTED]
Sent: Saturday, November 16, 2019 1:31 PM
To: Myers, Terri - BC; Papavasiliou, Alexander - BC; Valenzuela, Sarah - BC; Jacob, Mathew - BC; Tollett, Blake - BC; Reed, Emily - BC; Little, Kelly - BC; Heimsath, Ben - BC; Koch, Kevin - BC; Featherston, Witt
Cc: Bertron, Cara; Sadowsky, Steve
Subject: Austin's Preservation Program & Properties Threatened by LDC

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Chairman Reed and Commissioners,

Thank you for placing the Land Development Code rewrite on your agenda. The City is not consulting with any of its dozens of Boards and Commissions on this code rewrite and city-wide remapping although as proposed it will severely undermine existing codes and programs such as **Austin's entire Preservation program!**

Here's how:

*

Large areas of existing Local Historic Districts and National Register Districts are proposed for upzoning to Transition zones allowing 4-10 (or more) dwelling units on lots currently zoned Single Family for 1-2 units. This includes about half of the Hyde Park / Shadow Lawn and Aldridge Place HDs and many other areas.

*

The fake Preservation Incentive has nothing to do with preservation but will apply citywide.

a)

The purpose is to convince Austin citizens that something is being preserved so citizens will not protest this new LDC and mapping!

b)

In fact it will give every single family lot the option to "preserve" a home at least 30 years old to get an additional dwelling unit (up to 11 units in RM1 and 5 units in R4 in transition Zones)

c)

New dwelling units on a lot with a "preserved" home will be exempted from allowable FAR (building bulk).

d)

Adding dwelling units will increase building height (from 30-35' up to 45') and Impervious cover (from 45% up to 50-60%)

e)

This will jeopardize maintaining single family use by limiting to existing FAR, Height and Impervious cover unless new units are added.

f)

Front setbacks in RM1 are 10' and R4 are 15' so less than existing 25' and jeopardizing the context of the street.

g)

Changes to the existing home falls back to the remodel regulations requiring that only two walls of studs remain. This means all exterior finish, roof, doors, windows & porches may be removed and unlimited additions permitted both vertically and horizontally.

h)

Only properties in HD and NRD (non-binding) will be reviewed by the Historic Preservation Office or the HLC.

i)

A major remodel can happen prior to the new development on the site and the building will still be considered “preserved”.

The Mayor and City Staff claim that all preservation regulations will remain in place. So please consider this **likely scenario**:

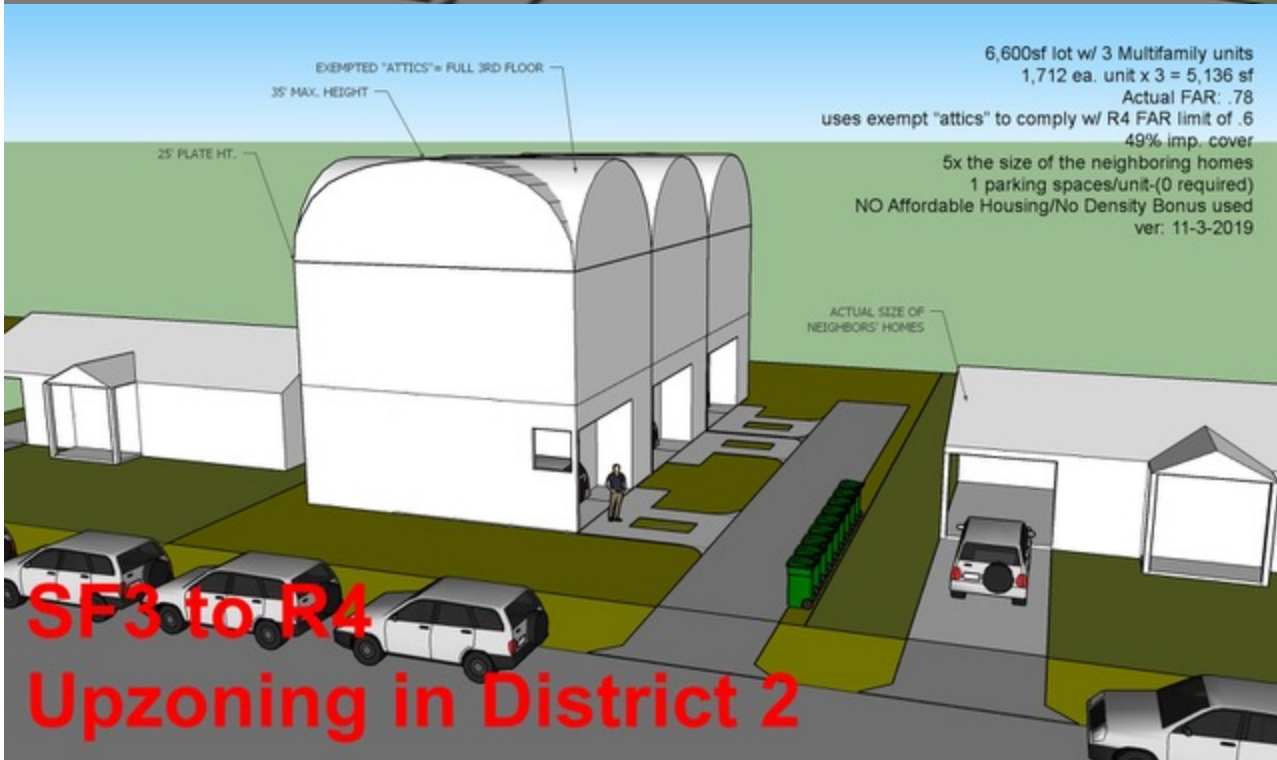
An **investor buys a building in an HD** that has been zoned RM1 and wants to achieve their entitlement to 10 dwelling units. They are going to fully utilize new transition zoning, “preserve” the existing building to get another unit, and add other buildings on the lot. They appear at the **Certificate of Appropriateness Committee** where they are told the project is not “appropriate” and must be scaled down. However, they demand to achieve their entitlements under the new code and mapping. This sets up quite a conflict and since the City Council has approved the zoning, it is likely IMO that the new development will win out even if it deems the property Non-contributing. This is only one of several scenarios that should be considered by the HLC. As redevelopments happen in HD and NRD districts, Austin’s current Preservation Program will lose ground.

Please schedule a Public Hearing so you can have a conversation with the citizen participants and make appropriate detailed recommendations to the City Council.

I am attaching models provided by architect Chris Allen to illustrate this proposed new upzoning.
Thank you,

Karen McGraw AIA
Karen McGraw Architect PLLC
4315 Avenue C
Austin, Texas 78751

RM1 Rosedale



SF3 to R4 Upzoning in District 2

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Bertron, Cara

From: Michael Curry [REDACTED]
Sent: Saturday, November 16, 2019 9:49 PM
To: Myers, Terri - BC; Valenzuela, Sarah - BC; Alexander.Papavasiliou@austintexas.gov; Jacob, Mathew - BC; Tollett, Blake - BC; Reed, Emily - BC; Little, Kelly - BC; Heimsath, Ben - BC; Koch, Kevin - BC; Featherston, Witt
Cc: Bertron, Cara; Sadowsky, Steve
Subject: LDC Revision's War on Preservation

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Chairman Reed and Commissioners,

By its own admission, the City seeks to incentivize the redevelopment of longstanding communities in Austin. This redevelopment will occur in Local Historic Districts and National Register Historic Districts. It will also occur outside those districts in our oldest neighborhoods. This is not an unintended consequence, it is the intended consequence. And, for homeowners who choose to preserve their home, the City, through this revision, is doing yeoman's work to make these neighborhoods less livable by promoting incompatible redevelopment and reducing or eliminating parking requirements regardless of the width of the street and the absence of sidewalks. Not content with these disruptive policies, the City is incentivizing high traffic generating commercial uses near neighborhoods and schools and, again, reducing or eliminating parking requirements so that patrons will use neighborhood streets as a commercial parking lot. The City is working very hard to make preservation history – which is to say, make preservation a thing of the past.

Which brings us to the Preservation Incentive. I don't have to tell you, because I'm sure you know, that this is an out and out fraud. The Orwellian-inspired term "preservation incentive" describes regulations that do not require the home to be "preserved" and, in fact, incentivize a partial demolition by rewarding the demolition (as opposed to a removal) with an additional unit and manufactured FAR. A speculator who might not remove the house to build two units, might find it profitable to partially demolish the home (including the front façade and everything that distinguishes the house from a construction site) for the option to build three.

I don't know what to recommend to you. Minimally, I would urge you to recommend that Historic Districts and National Register Historic Districts and, of course, those structures with an historic designation not be upzoned but, instead, be given an equivalent zoning, and for other areas insist that the "Preservation Incentive" actually require the house to be preserved. Hopefully, that would be accompanied by a strong statement of disapproval of the revisions' assault on our centrally-located existing neighborhoods on both sides of the Interstate.

Thank you for your work,

Michael Curry

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Bertron, Cara

From: Jim Ellinger [REDACTED]
Sent: Monday, November 18, 2019 10:14 AM
To: Myers, Terri - BC; Papavasiliou, Alexander - BC; Valenzuela, Sarah - BC; Jacob, Mathew - BC; Tollett, Blake - BC; Reed, Emily - BC; Little, Kelly - BC; Heimsath, Ben - BC; Koch, Kevin - BC; Bertron, Cara; Sadowsky, Steve
Subject: Yet another objection to changes in LDC

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November 18th, 2019

Chairman Reed and Commissioners,

I am a thirty year resident of Hyde Park.

I am contacting the Commission to note my objections to the proposed Land Development Code because it will undermine many years of work by neighbors and property owners to identify and protect historic properties and to maintain a family-friendly neighborhood.

Hyde Park is made up of about 2/3rds renters, but the City is proposing to endanger family homes and historic properties by putting family homes into the hands of developers who may remove the houses and build multi-family projects via transition district up zoning. This is being done in HDs, NCCDs, and NRD historic districts.

The City of Austin has not yet asked for your opinion, which is a mistake. Please take the time to listen to more citizens and request that these districts remain with their current zoning designations.

Hyde Park has been through several planning processes and needs time to include its residents in further deliberations. This code was released October 4th and has provided an unreasonably short time for complicated deliberations.

I note that at a recent HPNA meeting, one of the Co-Presidents quipped, "Duval? Duval?! Duval north of 51st Street isn't even wide enough to STRIPE!"

Thank you,
James R. Ellinger & Karen E. Horan

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Bertron, Cara

From: Julie Strong [REDACTED]
Sent: Monday, November 18, 2019 9:48 AM
To: Myers, Terri - BC; Papavasiliou, Alexander - BC; Valenzuela, Sarah - BC; Jacob, Mathew - BC; Tollett, Blake - BC; Reed, Emily - BC; Little, Kelly - BC; Heimsath, Ben - BC; Koch, Kevin - BC; Featherston, Witt
Cc: Sadowsky, Steve; Bertron, Cara; Julie Strong
Subject: LDC and Preservation in Austin

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Dear Chairman Reed and Commissioners,

I am deeply concerned about the threat to Austin's historic preservation program specifically and to Austin's old neighborhoods in general by the proposed LDC. I am flummoxed by the intent of the provision called the Preservation Incentive in the code and just how it can benefit historic preservation in Austin. I am further concerned about the fact that the City's Boards and Commissions appear to have been excluded from the code rewrite, the reach of code designations (RM1, R4, etc.), and the mapping of the proposed transition zones. Below are some comments and a request.

I believe it would be a benefit if the Historic Landmark Commission would hold a public hearing to solicit comment from citizens about the proposed code and its impact on our landmarks and districts. Such a hearing would equip you with detailed concerns about the suggested code for making detailed recommendations to Council.

I seriously question the intent of the so-called Preservation Incentive in the code. I can't figure out how the incentive benefits historic preservation. If a developer wants to redevelop a property in, for example, RM1 zone (with its 6 allowable housing units) and is provided the opportunity to qualify for an additional unit by taking down a house at least 30-years old to a few walls of studs -- which I understand the preservation incentive allows -- how does this benefit preservation? Rather, it appears to me that the "preservation incentive" incentivizes demolition of potentially historic and historic houses. I believe the preservation incentive is a destructive component that warrants the Commission's scrutiny through a public hearing.

Finally, the transition zones as currently defined in the City maps will take up disproportionately large swaths of existing historic districts and potential districts because 1) Austin's old neighborhoods tend to be small to begin with; and 2) they are often criss crossed by multiple transit corridors. The result is that already small islands will be impacted in multiple areas from multiple directions by the reach and frequency of transition zones. It will not take too many years of redevelopment in RM1 and R4 transition zones to erode the historic districts and old neighborhoods in general.

For these reasons -- the absence of public input for your purposes and consideration, a potentially counter productive Preservation Incentive, and the overreach of code provisions and impact on historic neighborhoods --, **I urge you to schedule a public hearing soon and, among others, to recommend to Council that the process of code revision be slowed down.**

Thank you.

Julie Strong
Resident Hancock Neighborhood

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Bertron, Cara

From: Lillian Beckwith [REDACTED]
Sent: Monday, November 18, 2019 11:26 AM
To: Terri.Myers@austintexas.gov; Alexander.Papavasiliou@austintexas.gov;
Sarah.Valenzuela@austintexas.gov; Mathew.Jacob@austintexas.gov;
Blake.Tollett@austintexas.gov; Emily.Reed@austintexas.gov;
Kelly.Little@austintexas.gov; Ben.Heimsath@austintexas.gov;
Kevin.Koch@austintexas.gov; Witt.Featherston@austintexas.gov; Bertron, Cara;
Sadowsky, Steve
Cc: [REDACTED]; Barbara Epstein
Subject: Code redevelopment

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Thank you for adding the new Land Development Code rewrite to your preservation agenda.
For an code that will impact Austin and so many homeowners forever, I respectfully ask that you consider holding a public hearing on this issue.
We have owned our 80 year-old home, in Hancock, for 28 years.
Thank you for your consideration,
Lillian and Tony Beckwith
602 Carolyn Ave

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Sent from my iPad

Bertron, Cara

From: david keene [REDACTED]
Sent: Monday, November 18, 2019 12:48 PM
To: Myers, Terri - BC; Papavasiliou, Alexander - BC; Valenzuela, Sarah - BC; Jacob, Mathew - BC; Tollett, Blake - BC; Reed, Emily - BC; Little, Kelly - BC; Heimsath, Ben - BC; Koch, Kevin - BC; Featherston, Witt; Bertron, Cara; Sadowsky, Steve; David Keene
Subject: Preservation Incentive in the new LDC City of Austin

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Dear Historic Landmark Commission, and Historic Preservation Office staff, City of Austin,

Here, below: my suggestions on how to improve the “Preservation Incentive” in the new Austin LDC – I know that you are now tasked with responding to the code writers, with suggestions for adjustments to it as well as to other elements of the LDC.

Note, I am not speaking for any other entity here. I am speaking only for myself and my family—longtime residents of Austin. (My wife, Liz Keene – one of the top IT managers at U.T. Austin – and I are homeowners in Wilshire Wood, in District 9. (I am a journalist – SmartCities, UCC, education and enterprise communications – and a content marketing consultant.)

However, I am on the City of Austin committee, or “working group”, under Cara Bertron, to create the new city-wide Historic District Design Guidelines. I am also on the Preservation Committee, of Preservation Austin. (The former, the working group, I am not speaking for, or with, here; the latter, Preservation Austin– PA is offering feedback and input on the LDC through various channels, that I am involved in, but this letter is separate from those channels.)

Challenge: As written in the Oct. 4 draft, the “**Preservation Incentive**” could spawn a herd of Trojan horses that end up threatening preservation – including preservation of existing affordable housing stock. And the main threat would be on interior residential streets not in Transition Areas where this issue is a more of a distraction and is overshadowed (forgive the pun) by larger issues. And forget for a moment about the “you only half to preserve 50% of the existing house”. Even if you “preserve” an entire modest to small sized house, it then allows you to put a 35’ feet high, 2 or 3 story house onto that lot, with NO FAR restrictions for the new/added building. Basically, it’s giving builders as many stories as they want above the 1st story, up to 35’ high, with zero FAR restrictions, and zero affordability parameters.

So, 5 feet from your side fence of your modest home, in your residential area (R2A), a builder could add (on the same R2A adjoining lot to yours, in addition to the house already there) a new, 3000 - 4000 sq. ft., 35’ high building that doubles, triples, or more, the FAR on that neighboring R2A lot.

Solution: A Better “Preservation Incentive”:

The Oct. 4 draft LDC increases the allowed FAR for Duplexes, to .6 (up from .4 previously). This is outside the so-called “Preservation Incentive”– but the effect will to encourage demolition of existing affordable houses (limited to .4 FAR) on R2A lots for example to replace them with new up-market Duplexes that get .6 FAR. Those new Duplex allowances create a tilted playing field against the

Preservation Incentive – many architects have voiced the opinion that their clients would prefer to demolish an older house to get the very generous .6 FAR for a brand new Duplex. Here is a better idea: Defining the allowed FAR for new buildings added in the Preservation Incentive at .6 (not .4, and not “unlimited” FAR which would encourage neighborhood-disruptive huge ADUs and 3-story new construction while demolishing up to 50% of the “preserved” home), and exempting the preserved building from FAR, would make this “Preservation Incentive” more effective at preservation of existing affordable housing while simultaneously allowing more density on those Preservation Incentive parcels than do the new Duplex rules.

Also in the Oct. 4 draft, for the Preservation Incentive:

By making the limitation on how much you can add on to the existing house a percentage not of “the \$ value of your preserved house” (as the Oct. 4 draft LDC said), and not a sq. ft. % of your existing/preserved house (as City code staff hinted at post-Oct. 4 LDC draft), but a % of the sq. ft. of your new buildings you’re adding when you use the Preservation Incentive – the city will get more density, while rewarding owners of preserved buildings with the ability to add to the preserved house with a formula that encourages the building of more and bigger new units.

The new Land Development Code (LDC) for Austin can – if crafted thoughtfully by City Council and City Staff – be effective in helping Austin achieve its goals, and dovetail with new, corollary initiatives that empower staff with tools that can mitigate the gentrification and displacement that upzoning alone cannot address and could in some cases exacerbate. A well-crafted “Preservation Incentive” can be one of the tools that helps with all of those efforts.

Thank you for your attention.

David Keene

President, digiDaybook
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Bertron, Cara

From: Mary Ann Osborne [REDACTED]
Sent: Monday, November 18, 2019 2:02 PM
To: Bertron, Cara
Subject: FW: Land Development Code and Preservation in Austin

*** External Email - Exercise Caution ***

From: Mary Ann Osborne <mary.ann.osborne@gmail.com>
Sent: Monday, November 18, 2019 1:58 PM
To: 'Terri Myers' <bc-Terri.Myers@austintexas.gov>; 'Alexander Papavasiliou' <bc-Alexander.Papavasiliou@austintexas.gov>; 'Sarah Valenzuela' <BC-Sarah.Valenzuela@austintexas.gov>; 'BC-Mathew.Jacob@austintexas.gov' <BC-Mathew.Jacob@austintexas.gov>; 'bc-Blake.Tollett@austintexas.gov' <bc-Blake.Tollett@austintexas.gov>; 'Emily Reed' <bc-Emily.Reed@austintexas.gov>; 'BC-Kelly.Little@austintexas.gov' <BC-Kelly.Little@austintexas.gov>; 'BC-Ben.Heimsath@austintexas.gov' <BC-Ben.Heimsath@austintexas.gov>; 'Kevin Koch' <BC-Kevin.Koch@austintexas.gov>; 'BC-Witt.Featherston@austintexas.gov' <BC-Witt.Featherston@austintexas.gov>
Cc: 'Cara' <Bertron@austintexas.gov>; 'Steve' <Steve.Sadowsky@austintexas.gov>
Subject: Land Development Code and Preservation in Austin

Dear Landmark Commissioners,

First, thank you for your efforts to review the proposed Land Development Code and suggest edits that will preserve some of Austin's most revered qualities. For many of us, the code development process feels like it is being forcibly imposed on neighborhoods without incorporating the citizen developed neighborhood plans. To move Austin's housing situation toward meeting future needs (which I support), careful deliberation, including consultation with neighborhoods, is required. This rushed, broad brush approach has the potential to defeat the proposed aspirations during the implementation process. I hope you will consider suggesting a slowing of the voting deadlines so that proper evaluation can take place.

In addition to the process, there are 2 areas of concern that I and many in the central Austin area share, "transit corridors/transition zones" and the "preservation incentive". The transit corridors/transition zones do not appear to be determined with any precision. Yes, there are areas where the streets are wide and vacant land exists on which dense housing is appropriate on either side. However, the encroachment into the neighborhood on narrower, less traveled streets in the proposed plan will most likely completely change the neighborhood character and not contribute to the missing middle housing goal. This is already happening, bungalows with ADUs demolished and replaced with duplex/triplex that are hardly affordable. Duval is a specific street slated as a transit corridor. It consists of 2.3 miles from UT to a dead end at 56th Street, hardly a major transit corridor. The transition zones off Duval would encroach into Hyde Park, a historic district as well as Hancock's 1 block area between Duval and the golf course. All of those homes, many of which have affordable ADUs, could potentially be lost.

The "preservation incentive" is clearly in need of revision. As currently written, it only requires 50% of the wall outline! There is NO consideration of building features such as the street facing façade, height, size, roof line, exterior finishes, doors, windows, porches. This is NOT preservation! Please request an opportunity to make revisions to this part of the proposed code.

Again, thank you for your efforts.

Best regards,

Mary Ann Osborne, Hancock resident

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