From: <u>Deb Norris</u>
To: <u>Dutton, Greg</u>

Subject: Re: Case No: C20-022-004 --Land development code

Date: Tuesday, November 1, 2022 5:59:04 PM

Attachments: image001.png

image002.png

*** External Email - Exercise Caution ***

Hello Greg,

Thanks for the quick response. Yes, I'd like to send in some comments – thank you for including these.

Re: public notice from the City of Austin related to a proposed amendment to Austin's land development code, Title 25, to "modify compatibility standards and parking requirements on certain roadways."

I am opposed to any amendment to increase the allowable height of properties in the light rail corridor, particularly in East Austin, but across the city as well. While the City/City Council is basing the proposed changes on a goal to improve the housing "affordability problem," it is erroneously equating taller buildings (ie. more units) with lower rent. Monstrous apartment and condo developments in Austin, and particularly in East Austin (where I live) have done nothing but ruin the views, changed the 'look and feel' of historic East Austin neighborhoods, advanced the gentrification of low income/minority neighborhoods, and contributed to more traffic. There has been no significant change in Austin's "affordability problem" with any of the new dense in-fill developments happening already — the statistics show that this is true.

Presumably, the City's solution to address concerns like mine is to require 10% of units to be "affordable," OR to allow developers to **pay their way out of the affordable units** by paying a fee instead. In talking to several local developers, the consensus I've heard is that it is often cheaper for them to pay the fee than to allot any affordable units. If this is true, then the end result of this code change will simply be more gigantic apartment/condo developments with no actual change in access to affordable housing. Furthermore, a 10% requirement is far too low to meet the needs of middle and low income people in Austin. I suggest a meaningful policy would be to remove the "fee" loophole and require at least 25% affordable units, with *perhaps* an option for developers to "buy down" the affordable percentage to a maximum of 10% by paying a fee. This way, a minimum number of affordable units are guaranteed.

(Also, where does that fee GO? What is done with that money that the City gets from developers to avoid making affordable units??)

Secondly, the City/City Counci is proposing to reduce the required number of parking spaces for the monstrous housing complexes that will be built within the designated light rail corridor. The assumption here is that if the City limits parking spaces, residents will be forced to get rid of their cars and they will start taking the light rail everywhere. This is essentially "wishful thinking policymaking." People's behaviors will not change simply because the City removes parking

resources. It's human behavior 101 – if there is a desired resource and scarce availability, people won't stop desiring the resource, they will simply find it elsewhere. For parking, that means if the City allows a development of say, 400 units, and -through this amendment—limits parking to, say, 100 spaces, 300 condo residents are NOT going to suddenly give up their cars. Instead, those 300 condo residents without a parking space in their development will start parking on nearby neighborhood streets. They will clog up the nearby neighborhoods with all of their cars (and traffic), which will have a very negative impact on the quality of life of residents in those neighborhoods. It will not solve the problem, it will just move the problem a few blocks away. For this reason, I am 100% opposed to the amendment to limit parking in these new light rail developments. Austin's public transport system/light rail is not at the caliber or scope of other big cities like New York or D.C., where it IS possible to survive without a car. The City is incredibly naïve and irresponsible in its thinking that less parking will mean less cars, in the same way that adding more bike lanes throughout the city, at the expense of car traffic lanes, has only made traffic worse. Why? Because nobody gave up their car once they saw a few more bike lanes. Instead, we all just drive the same roads, but now with fewer lanes and more congestion. (And I say this as a biker too – but this City just wasn't built from the start as a walkable/bike-able city, and to change that, you have to first change people's mindsets about biking and public transport in general.)

I ask the City/City Council to shelve these proposals and rethink more viable ways to improve the affordability and quality of life for the average Austinite.

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From: robert guillory
To: Dutton, Greg
Cc: Greathouse, Stevie

Subject: Re: Automatic reply: Case # c20-022-004 title 25

Date: Monday, November 7, 2022 4:33:32 PM

Attachments: Outlook-45qvqtcq.pnq

Outlook-dw2al42z.png

*** External Email - Exercise Caution ***

Thank you Greg

When the stretch of VMU was established around Kinney to Goodrich on South Lamar the" associated parking discounts and off site parking allowance forced the business parking into" Zilker neighborhood. After near misses with children and pets we were forced to seek RPP" zone on oxford.

This is at property owners expense which is increasing annually, I wonder if this is costing out" participants causing the per resident cost to soar. (Recommendation here is to incorporate the" cost of this program into occupancy certificates and ticketing revenue.)

Thru traffic and speed of traffic has increased, mostly due to VMU business customers" seeking parking. Some very fast and reckless, possibly intoxicated.

I support the reduced cost housing effort, but I would like to see these permits require" adequate parking for tenants at a 1 parking spot per tenant, reserved, minimum.

I am concerned that as the existing off site surface parking that was required of the VMU" located businesses gets redeveloped, possibly into these proposed residential projects, the" parking demand will increase yet again. I do not know of any requirements for existing" businesses to replace contracted parking as they lose it.

Thank you for your considerations Robert Guillory

Sent from my iPhone

From: <u>Catherine Chamblee</u>
To: <u>Dutton, Greq</u>

Subject: Compatibility, Parking and Burnet Road

Date: Monday, November 14, 2022 10:09:43 PM

*** External Email - Exercise Caution ***

Good evening,

I live in Crestview and have today been trying to piece together what the plan is for Burnet Road in terms of" compatibility, and more concerning, plans to reduce parking requirements. The "if we do not build it, they won't" come" mentality in terms of building parking for cars is in the short term not well thought out, and in the long term" unsafe for those of us living in the surrounding neighborhoods. Crestview already has residential lots built with" limited parking requirements - this just means people in those homes park their second car in the roads. That coupled with the lack of sidewalks and lack of lighting is already becoming a huge safety hazard. It will be infinitely" compounded if the city follows through with a significantly reduced parking requirement for locations along Burnet" Road. People will choose to live there, but they will not forgo their vehicles, which will push more cars onto our" streets, and create more safety hazards for the many families, kids, and dog walkers that currently reside here (not to" mention the safety hazard to the alleged bikers in all the newly created bike lanes). Im gathering that the parking" reduction is with the idea those along the corridor will instead take mass transit. That mass transit however is not" slated for completion for years in the future. If you intend to curtail parking, do it at the point when the alternative" transportation actually exists, not before. I'll add too that Burnet is a 4 lane road through this area. Labeling it a "large corridor" does not make it a highway, nor does it make it equipped to handle the amount of ingress and egress" for the large population expected in structures the size the suggested changes allow for. I urge you to at least" consider downgrading the Burnet 45- Palm Way to a medium corridor. This statement might be better sent as a" written comment, in which case I can do so.

Sincerely,

Catherine Chamblee

1906 Madison Ave, Austin, TX 78757

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To: Planning Commission Chairperson Shaw and Commissioners Anderson, Azhar, Cox, Flores, Hempel, Howard, Mushtaler, Llanes-Pulido, Schneider, Shieh, and Thompson

Re: Item 19, PC 15 NOV Meeting, Compatibility on Corridor (C20-2022-004) Oppose for failure to meet AICP Ethics Standards and lack of Governance Process

Greetings Commissioners:

I am writing to explain why Compatibility on Corridor (CoC) has generated concern, dismay, and opposition. I ask that you realize the flaws in your community planning presumptions and governance assumptions and table it now. In the future, rework it to align with the AICP Code of Ethics and Professional Conduct in a manner that upholds internationally recognized good governance principles. Over 150 CoA planners are AICP certified and it has set the standard for community planning since the early last century. The AICP Code of Ethics is well known to those in public administration, community planning, and related fields.

Austinites have paid a lot more attention to land development code issues in recent months. Austinites are smart, whether through formal education or creative savvy. Smart people spot presumptions – believing something is true without having proof – quickly and easily.

Austinites are talking about CoC ordinance and amendments especially presuppositions that (1) corridors are one size fits all, (2) climate and heat islands don't have to be taken into consideration, and (3) staff and commissioners think it's acceptable to make planning decisions for neighborhoods and corridors without data, especially field data, about context. AICP Ethics Code sections A and B speak to these presumptions.

- The proposed CoC ordinance erroneously presumes that corridors are one size fits all. This is simply not true, since many context-sensitive factors affect the type of redevelopment appropriate for transportation corridors and segments of a corridor, including type, condition, age, and value of use, and size, shape, and location of land so one-size fits all regulations are empirically wrong. What will the Austin community have to do to show you this empirically? Would you be willing to come to neighborhoods and meet with us in the context?
- The proposed CoC presumes that increased ambient heat generated by loss of green cover and heat-reflecting buildings won't affect public use, traversing, and transit use on and around corridors. UT Austin's Project Cool Corridors only recently completed collecting survey data about using public transit (bus, train) in Austin weather and climate. Given the scale of the problem set, qualitative analysis is no substitute for building models about public transit use statistically controlling for individual characteristics, neighborhood environment, travel behavior, and perception of outdoor temperatures. Since no other properly designed attitudinal modeling research has been conducted, Austinites are puzzled why, with this data deficiency, this Commission is voting on the proposed CoC ordinance now. Why does this Commission think anecdotal narrative fragments from nonrepresentative stakeholders during listening sessions are sufficient for informed voting?
- Austinites have compared the backup materials for this meeting to understand the rationale for classifying certain corridors by type. The inconsistencies and choices reflect spatial and usage ignorance of neighborhoods and corridors. For example, Burnet Road between Palm Way and 45th Street: The map designates it as a medium corridor; the Roadways list designates it as a larger corridor, and Commissioner amendment #9 designates the 803 (Burnet to S. Lamar) and 801 MetroRapid routes as a larger corridor. For reference, 183 across Austin is considered a large corridor by CoC. The amendment to change MetroRapid routes from medium to large was made capriciously without data analysis to assess impact. The CapMetro ETOD Interactive Conditions Analysis dashboard assesses impact by station but no data are available for any of the MetroRapid stops. Why does this Commission think it can amend corridor type without impact analysis? This is not how other cities carry out civic design and community planning in 2022.

It is clear to Austinites that CoC requires much more reworking. Beyond these substantive problems, there are troubling procedural issues that retrench Austin's efforts to overcome its racist past.

Austinites have become more and more disappointed in Commission and Council governance practices that block public participation. Increasingly, many Austinites who support and take action to reduce and redress historic wounds of racial disparities now openly question this Council administration's patterns of public exclusion, including its commissions and boards.

In the case of C20-2022-004, the City of Austin sent information to <u>over 200,000 households</u> in English <u>only</u>. However, every mundane local rezoning case the City of Austin has sent my neighborhood has been, properly, in both English and Spanish. Austin is diverse, with over 50 different languages spoken daily. Institutional privileging of a single language in information sent to over half the households in the nation's 11th largest city is incomprehensible in 2022.

Sadly, many Austinites have concluded the City will violate civil rights norms and statutes to revise the land development code. Please, assure Austinites this isn't the case and table it for reworking, as Austinites want you to do. This ordinance proposal and process suffer from fatal substantive and procedural flaws.

Respectfully,

N.J. Frensley

D7 | nathalie.frensley.civic@gmail.com

From: <u>Kimberly Kohlhaas</u>

To: Compatibility on Corridors questions, urgent **Subject:** Thursday, November 17, 2022 1:11:17 PM

Date:

*** External Email - Exercise Caution ***

Hi Greg,

Thanks for all of your hard work on compatibility on corridors issues as City of Austin staff. I see in your summary to commission that in "June of 2022 the City Council adopted a resolution that directed staff to modify the application of compatibility to projects on certain corridors." So you were directed to do this work, directly from City Council. I am an architect and am not in agreement with the entire "relaxing compatibility" ideas discussed at the Planning Commission meeting, especially when a corridor is the backyard of residential homes.

I am copying some friends who are neighbors, and we all have questions about what happened at the meeting with a last second amendment that was a huge surprise, never discussed, and seemed rushed and wrong- namely the amendment altering S. Lamar road from river to Manchaca road from a Medium to a Large Corridor.

- 1. As the original author of the corridor sizes, you had designated this portion of S Lamar as a Medium corridor for a reason, after studying it and analyzing it. The last second amendment was proposed after all community speakers had spoken, and it changed south Lamar from the river to Manchaca Rd to be a Large corridor instead of a Medium corridor... do you agree with this change? Do you know what initiated this change after all of the work you had done to demarcate this portion of S. Lamar as a Medium Corridor? Can you speak with us about how/why this is now a Large corridor and any thoughts you may have about it originally being designated Medium?
- 2. Changing from Medium to Large corridor will greatly impact all residences with this corridor in their backyard. I am trying to get a grasp on how this will affect these properties and called you to leave a message yesterday. Can we discuss on the phone or can you reply all and let us know how increasing from Medium to Large will impact properties on this corridor?
- 3. In your comments, you made it sound like not many people will be impacted by the relaxation of compatibility along corridors, but EVERYONE who uses the corridors will be impacted. This is never acknowledged. You do not have to own the adjacent properties to be impacted, but it will without a doubt damage our home and land values to have higher and denser and larger buildings in our backyards.

When does the community get input into what you do? It impacts all of us.

Thanks for your time and attention,

Kimberly Kohlhaas AIA, NCARB

Architect, Studio Kohlhaas Realtor, West Austin Properties 603 Josephine Street Austin, Texas 78704

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From: <u>Catherine Tucek</u>

To:

Cc: Respectfully, please "gum up the works" for District 1

Sunday, November 27, 2022 1:00:16 AM

Subject: Date:

*** External Email - Exercise Caution ***

Dear Council Member Harper-Madison:

Please stand up for your constituents along and nearby Manor Road and other modest District 1 roadways by opposing passage of Item 56, which targets us all for diminished compatibility protections, while those in West Austin remain protected.

To support this new ordinance (brought at the holidays) is to validate Council's cynical, typical year-end land use barrages. And even more egregiously, supporting this one holds the door open for the rest of your colleagues to come on in and walk all over East Austin.

A 'yes' from you is an official nod that more than a century of entrenched inequitable land use policy is acceptable. Signaling that west Austin may continue to rely on District 1 to bear the brunt of accommodating Austin's growth.

People across District 1 have questions about the rationale for and implications of classifying so many of our roadways as 'medium' and 'larger' corridors where developers will then be permitted to erect 65-, 75-, 85- foot plus buildings on shallow lots next to long standing residential areas.

For example, Manor Road is designated a 'larger' corridor, despite it having only two lanes.

Meanwhile, not designated at all in this proposal: Central and Far West Austin.

- Enfield (4 lanes), with a proposed route on Project Connect.
- Windsor (4 lanes).

Nearly all east/west roadways west of Texas Loop 1 (MO PAC)..

And the following roadways are medium. Compared to Manor?

- 45th (4 lanes).
- Koenig (4 lanes).
- 38 1/2 (4 lanes between Lamar and Loop 1).

Even the <u>wider</u> portion of Manor Rd to the south of the Mueller Development is *not* included as a corridor. <u>Why is that?</u>

Before the recent elections, you said about the ordinance in a work session:

"Even in this first pass, I'm detecting some pretty severe inequitable distribution,' Council

Member Natasha Harper-Madison said, pointing out that West Austin has fewer medium and large corridors than East Austin. *'I'm also concerned that we are leaving out the possibility of new housing along corridors in some of our more privileged parts of town.'*

And shockingly then I read in *The Monitor*:

"In the spirit of consensus, Adler urged members to exclude 'roads or streets that are going to gum us up in a way that stops us from being able to move forward.' As an example, Adler pointed to streets like 45th, Koenig and Speedway as places where residents and some Council members might oppose increased density."

Almost every major street in East Austin is designated a medium or larger corridor, but Central and Far West Austin need not make room?

So density is only for East Austin under our representative 10-1 system?

How best do you suggest that we gum up the works to achieve protections similar to those residents near roadways not on the table are slated to receive?

Will you gum up the works for District 1? For current residents whom you are elected to protect?

Manor is inappropriately designated – a smaller street that can't bear the traffic it already has. Please lower it to "medium" or vote "no" on Item 56.

Please advise when you available to meet with affected residents: I know time is short, as you will vote on December 1st.

Awaiting your reply, Catherine Tuček

Blackland Neighborhood resident

2200 E 22nd Street Austin, Texas 78722 believe this to be a malicious and/or phishing email, please forward this email to cybersecurity@austintexas.gov.



To: Austin City Council

The undersigned are owners of property affected by proposed amendments to Austin's Land Development Code in Case Number C-20-022-004 Modification to Compatibility Standards and Parking Requirements. We each protest any changes to zoning regulations, boundaries, classifications, or districts applicable to our property listed below or any lot or property located in whole or in part within 200 feet of our property.

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Lovi Pourto	Levi Burton	11228 Prairie Dove	r 11/30/22
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To: Austin City Council

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

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Printed Name

My Property Address

Date

Applyde Odura Jeffy Los Orlow 7507 Wyne 78745 11/25/2002

Mail it to: City of Austin. Planning and Zoning. P.O. Box 1088. Austin. Texas 78767

Official Protest Under Tex. Local Gov. Code Section 211.006

To: Austin City Council

I am an owner of property affected by proposed amendments to Austin's Land Development Code in Case Number **C-20-022-004** Modification to Compatibility Standards and Parking Requirements. I protest any changes to zoning regulations, boundaries, classifications, or districts applicable to my property or any lot or property located in whole or in part within 200 feet of my property.

Signature	Printed Name		rty Address	Date	11/23/	22
Alixinta Schlichter	Elizabeth	Schlechter	3207	Fairfax 1	Walk	78701
200	Robert Schl		//			

Mail it to: City of Austin. Planning and Zoning, P.O. Box 1088. Austin. Texas 78767

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To: Austin City Council

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Signature	Printed Name	My Property Address	Date
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To: Austin City Council

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Signature	Printed Name	My Property Address	
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John	Jesse Breedlon	1701 west 34H	11/27/22
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To: Austin City Council

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Signature	Printed Name	My Property Address	Date
SPR	Steven Bradley Hassuc	K 1716 W. 34 8 5	Mar 11/26/2022
Venn Volus	dessie Bloede	1714 W. 34th	St. 11/26/22
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Will Hand	Jeff Christia		1 1
m	Jonathan Ma	1600 W. 34	
Jim Rowan		3411 HAPPY HOLLOW L	
En Abolaly	GERALD BALAKA	1800 W 31th 51	11/26/22
les	ROBERT CANNING	1802 W. 340 St	· 11/20/22
mho	Jon Niermann	3313 Beverly Rd	11/26/22
Jun	JORDAN MYSKA ALLEN	3312 BRYKER D	R 11/26/22
Jaly Jensely	JIM & SALLY LUNDBERG	3401 OAKMONT	BUS 11/27/22
aegodi	Ali Corbin	1711 W. 34 +4 St	11/27/22
2×	JOEL GOTVALD	1802 W. 34th St	11/27/22

To: Austin City Council

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Printed Name	My Property Address	Date
-Patrice Koen	1706 W. 34th St.	11/28/22
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To: Austin City Council

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Signature	Printed Name	My Property Address	Date
MANEANAVE	A MALLOPEDO	1504 W34112	, 11/28/22
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To: Austin City Council

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Signature	Printed Name	My Property Address	Date
	Edward Mouly	3312 Beverly Re	11/28/22
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From: <u>Homewood Heights Neighborhood Association President</u>

To: <u>Dutton, Greg</u> **Subject:** Opposition to Item 56

Date: Thursday, December 1, 2022 9:05:47 AM

Attachments: Oak Springs Drive.pdf

*** External Email - Exercise Caution ***

Greg -- below is the statement from Homewood Heights, with the included attachment, for the record:

The Homewood Heights Neighborhood (District 1, South of 12th St, West of Airport Blvd, North of Oak Springs Drive, East of Hargrave St) opposes the relaxation of compatibility standards currently proposed.

Mapping

If adopted, Oak Springs Drive (ASMP Level 2 road) would be wrongly designated a "Large Corridor" -- equivalent to I-35, 183, MoPac (>500% larger roads). According to staff, the only rationale for this designation is that a bus route uses our two lane residential street filled with homes and an elementary school to cut between Airport Blvd to Webberville Rd.

I've polled residents in Homewood Heights, and <u>zero</u> agree that Oak Springs Drive is appropriately designated a "Large Corridor." For context, Homewood Heights is a neighborhood with a strong appetite for infill development and a warm welcome for new neighbors. According to data, our largest barrier to new housing is unbuilt entitlements being banked by speculative institutional investors. The second is loss of homes to the Short Term Rental buyers. The compatibility changes would exacerbate our largest barrier and have no effect on the latter.

Core Policy Contradictions

What would follow the inaccurate classification of Oak Springs Drive as a "Large Corridor" utterly contradicts the adopted Rosewood Neighborhood Plan, the Austin Strategic Mobility Plan, the Imagine Austin Comprehensive Plan, the UT Uprooted Study, the character of the built neighborhood, the LDC rewrite's missing middle objectives -- and critically, it would eliminate of the only protection in Title 25 for the steepest and most delicate topography in East Austin.

The extreme change in potential scale would also make other parts of the code unachievable. Requirements for privacy screening, limiting the projection of light onto residential properties, etc. would all be impossible, and materially impact neighboring residences.

Environmental Consequences

Relaxed compatibility, as presented today, invites construction of 65-100ft buildings sandwiched against an extremely steep loamy clay slope that runs between Oak Springs Drive and Crest Ave (steepest elevation change in East Austin, at >15%, and entirely stabilized by vegetation), bordered on all sides by single family homes.

This would have a canyon effect -- turning the vegetated slope north of Oak Springs into an eroding permanently shaded dead zone that destabilizes the geology under every home on

Crest Ave (top of the slope). Property damages would be significantly higher than Shoal Creek, current families would be displaced, and all of it would be traceable to the blunt policy change contemplated today. Even eliminating "bluff views" -- a characteristic that TCAD attributes over 30% of land value -- would constitute sufficient cause of action.

Inequity

None of these effects on our neighborhood are cogently derived from the 6/9/22 Council Resolution. Interested parties have not been properly notified. Nor are these changes in land use policy justified by voter approval of various transit bonds in 2016, 2018, and 2020. Indeed, the limited release of incomplete documents only weeks ago, and scheduling the first Planning Commission hearing on the night of the midterm elections, evidences an intent to limit public awareness and facilitate refinements necessary for a more legally durable balance.

It's fundamentally inequitable for the turn of a bus wheel to determine whether fully populated streets will be displaced, particularly when more of those wheels are turning in the Eastern Crescent. It's inequitable to selectively strip some residents of property rights (consumer protections) and not others. And it's a disservice to constituents to put this on a timeline that inherently excludes necessary public refinement.

We ask that you vote against the compatibility changes proposed today, or at a minimum allow more time for public engagement and refinement so that it doesn't become another costly sacrifice on the altar of state courts.

Christopher Page

President of the Homewood Heights Neighborhood Association

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