

## **SHNA June 2014 Meeting Minutes**

Meeting begins at 7pm

### **Announcements:**

1. Ride the Cherry bomb trash dumping by Rob Siedenbergl

Rob discusses the measures taken to address the issue at the City. He called and asked about the company. The City will cite the company for not having a permit for their driver.

2. COA Love Your Block! grant - alley clean-up by Louisa Brinsmade

Louisa reports that the neighborhood response was unanimously in favor of an alley clean-up effort for the grant. The application has been submitted and the results will be announced on July 1.

### **Item #1 Code Next Diagnosis by Jeff Jack**

[Jeff Jack is on the Land development Rewrite Committee made up of 11 people (City Council appointed 7 members, and the City Manager appointed 4).]

Imagine Austin! - Why it didn't work: How would it sustain affordability and sustainability? The only place it mentions that issue is on Page #207 - protect neighborhoods/community. Tenets: Rewrite the LDC [Land Development Code] – which is the covenant between the community and the government. We are a “Home Rule” city, which means we have to have a zoning code. Our LDC is 700 pages.

The current rubric for rewriting the code is good for developers, not good for neighborhoods.

Imagine Austin! stressed the need for Austin to be “Compact and Connected” – a pedestrian friendly city. But when it's financially burdensome for the community, that's when it is a problem.

Problem: Do the improvements to the housing and transportation, etc, make Austin more affordable? As the city gets denser, the cost burdens households: more than 30% of our income is spent towards maintaining our households.

The other larger, denser cities than us, are San Francisco, New York City, etc., but as you know, they are not inhabited by the middle class any longer. The middle class can no longer afford to live in those cities.

We should increase the density in our neighborhoods - that's what the “New Urbanists” say. But it may make our neighborhoods less affordable. What is the density of your neighborhood? You should know that.

Developers want more opportunity to accommodate density other than our current zoning. Add another 750,000 people (as we are projected to do over the next 20 years), how much opportunity will we have to accommodate those people?

Our committee will be asking the hard questions that should have been asked in Imagine Austin!

It will take 2 and a half more years to get this LDC rewrite done.

Form-based code: shapes the buildings in a partnering way as opposed to the regulations we have today.

Look at Nashville - they did a similar rewrite process like us. But, they didn't allow the neighbors to annotate the pictures, and so when they looked at them and made decisions based on them, they didn't know what the neighbors were focusing on with their pictures. Oh, here's a picture of an office building (with great landscaping) – this must mean the neighbors want more office buildings in their neighborhood!

Here, we will have a similar problem: city staff and the consultants will choose the pictures and interpret them.

As for CODE Diagnostic:

It attempted to answer what is wrong with our code. We have conditional overlays on top of base zoning - only 42% of our land is actually following base zoning. We have over 600 combinations of zoning. Take them all and create: New base zoning districts. Condense down base zoning with conditional overlays into new base zoning classifications.

As for the "Opt in/Opt Out" (ie., Infill Tools) They want to do away with that too, because they feel that's too complicated.

The RFP was designed to attract a company that was pro-urbanism, pro density, etc...

At the end of the "flow chart", where do you apply the code? That mapping exercise is out in 2016, but what part of this new code applies to our neighborhood?

Code Diagnostic:

Administrative versus substantive issues in the code? This is not looking at that.

Administrative manager process is a big problem for a lot of people – the city hired another firm to handle looking at that.

We're told we have to increase the supply of housing – But, EPS did a study - the city built more housing, and supply increased, but prices didn't go down. We're attracting higher income people to Austin who have more disposable income.

So, until June 30, the city will take input. At the end of the year, it will go to the new city council. But... [City Council Members] Tovo and Morrison got a new statement in there that the recommendations will go to the new city council when it's elected and ask if they approve it or

want to start over. It took a lot to get that in there. I think it's no surprise that this city council is pro-development and pro-business.

If you put density where there is not infrastructure, what happens? A bond election, which raises your taxes.

What about this neighborhood? is it affordable? Not any longer.

But, on Page #207, the words "affordable for everyone" are in there. And that's how it should be.

If your neighbor builds a granny flat, it will go into your comparisons for your property taxes, and your fees will go up.

Those are the things we need to discuss in Code Talks - this June 12 and 14th, Code Talk, about compatibility: height limits, etc. The development committee wants to shift the burden to the neighborhoods, and single family homeowners to maintain compatibility. Otherwise, it will be changed.

Missing middle housing – where are the buffer zones?

There is a "commercial creep" into our neighborhoods.

Most of the committee is into streamlining our code. In the 80's I used to work for City Council Member Beverly Griffith, and at that time, I wanted to put it all on the computer – "zonability." We still can't get staff excited about it. If you pull the curtain back, then it exposes some of the administrative problems.

[Economic analysis (page 207) John Friganese?]

Now, we are going to provide a database for that "zonability."

Kris Bowen: We participating in the Community Character in a box. I have a question about page #207: 1) For existing neighborhood plans, and protection of those plans, how will your group recommend synthesizing those with the new code?

2) Compatibility standards -12th Street has NCCD standards, and I'm curious with this current rewrite - are all NCCDs fair game for re-interpretation?

Jack: We have a suspicion that that is what's at foot. They may suggest that we don't need all those NCCDs. And since this is going out to the community to talk about, it's one way to get around page #207. And then we have the neighborhood plans - what happens to those, and isn't that what the community wants? What was all of that for?

They've already figured out what they wanted, so they're creating a new "consensus"

Who is going to make these decisions about this new code? Is it this City Council or the next City Council.

For instance, there are those behind the “Accessory Dwelling Units” and “Micro-Units”. It means more impervious cover, no parking spaces, no height restrictions, it was get the city manager to start looking at it before the next city council takes office.

Be vigilant.

## **Agenda Item #2 – Mobility 35 and ReConnect Austin (debate between Girard Kinney and Bo McCarver)**

### **Girard Kinney (Representing ReConnect Austin):**

I am an East Austin resident, in Cherrywood neighborhood

Our proposal is called Reconnect Austin, not Cut and Cap anymore.  
I am an architect and planner, long time Austinite.

The ReConnect idea originated in the office of Sinclair Black and a group of citizens. Not a bunch of developers. It started 15 years ago, when TXDoT was talking about depressing the lanes, it goes the opportunity to reconnect the streets that were severed when I35 was built.

I got involved in the most recent attempt when Txdot decided to re-look at depressing the lanes again. Now saying they are going to rebuild I35, getting to the end of the useful life of some of the bridges. The embankments, limits the widening you could do on I35 also, so going to have to rebuild to increase capacity.

ReConnect Austin idea: you may remember last summer, ReConnect Austin idea resulted in ANC deciding to oppose the idea of depressed lanes. Many of us were disappointed in that vote. The idea of eliminating the barrier physical and emotional that I35 represents - the ReConnect Austin idea emerged, you saw they were proposing re-creating the original East Blvd on top of it, and it would reclaim real estate on both sides that could be used for buildings, parks, etc.. it was exciting to a lot of people.

TXDoT has 300' ft of ROW and they're not going to give up any of it.

Reconnect Ausitn said, why not build (Great Bridges) to reconnect all the bridges across I35?

Problem: Txdot says we have to get traffic into downtown. They have acknowledged they will be depressing the lanes, because elevated doesn't have any support. TXDoT has to be able to get a ramp up and out - coming north, various places to get off, but TXDoT says with a depressed lanes, you need longer ramps. Move the train crossing at 4th farther south, to give them room to start coming up on the ramp, and have everything come out at 6th street.

ReConnect Austin supports it, but there's an effort to ask City Council to ask TXDoT to just not build that ramp. The approach would be to ask TXDoT - just don't try to handle the connection to downtown with ramps, use the frontage roads. More pervious way of getting into downtown. Do it this way, not asking for ROW, but build vertical walls strong enough, so that if city decided to cap and build across the top, we could do that.

Sean Garretson: The timing... TXDoT is going through a year-long process. The end of public comment period is at the end of June.

Kinney: That time keeps changing. When you hear Kirk Watson talking, these decisions need to be made pretty soon. But, the last I heard is that the deadline was end of July.

Kris Bowen: The leading proposal is to cut and leave for later capping. If TXDoT is willing to go that far to provide Dallas that cap, then will they go that far for us?

Kinney: The long range view would be to do that capping all the way to 15th street. But for now we want to create that connectivity with the bridges. The last thing you want is 6th street to be our cross town highway.

[Council Member Mike] Martinez has pushed for years that 5th Street go through.

TXDoT has talked about widening the frontage road from 3 lanes to 4 roads.

Sean: We should decide if we want to support something with TXDoT - I've heard that UT and others have become more supportive of what you're talking about. We need to put out there what we want to see.

### **Bo McCarver (Representing ANC East Proposed Resolution against Mobility 35):**

I worked 19 yrs for TXDoT – They don't understand urban transportation, urban rail, their contractors [HTNB?] do not understand urban transportation.

On June 10, ANC will be talking about this resolution.

Actually, from Georgetown to San Marcos, some are talking about a toll road – We would end up with two classes of drivers: those who can afford the toll and those who cannot.

I don't think we oppose the cosmetics of ReConnect Austin, but we know what TXDoT is capable of.

Instead of all car lanes, we'd like to see 1-4 lines of rail included in their lane expansion plan for I35.

I've noticed with TXDoT's public input meetings that they use the "Delphi method": You go into a meeting, and they come out and tell you what you wanted and it looks remarkably like what they wanted.

We've given up on TXDoT. So, we want to go to the U.S. Dept of transportation for help. This resolution will get their attention. If we're going to do something, let's get people moving down the corridor.

80% of I35 traffic is local traffic.

The idea could be to “drop that [I35 Berlin] wall, and build on top of it and set up an opportunity for developers and gentrifiers. We’ll tax them out of their homes, and their jobs. We know the Department of Transportation won’t like that either.

We’re looking at the entire corridor, and let’s do something different, like rail.

Austin district is historically one of the weakest of the 25 districts in the country.

The bridges downtown are functionally deficient but not structurally deficient. No bridge is rated less than 7. If a bridge’s rating is less than 4, you’re in trouble. They were functionally out of date 30 years ago, which is when Dallas and Houston put in their rail. DART in Dallas, and Metro in Houston. But TXDOT fought it in Austin.

Lots of politics here in Texas, Perry is given money by the highway interests.

### **Agenda Item #3 – Updating the Bylaws, Discussion of June 1 Draft Version**

Kirsten: We have been working on this since January. The points have been debated and discussed by anyone who wanted to have input.

We would like to have membership discussion on this draft, gain feedback, make amendments, then present a final draft at the next meeting in August.

I’d like to open it up for discussion...

Rob Seidenberg: The most drastic difference is regarding membership. In the previous bylaws, all the property owners were members. What was the rationale behind not allowing property owner non-residents to be members? My perspective is that people push for owner-occupied housing vs rental, the rationale being that owners of property care more about the neighborhood and about their property. When we’ve had property owners who are not necessarily living here, what was the rationale behind stripping them of that vote?

Kirsten: The ten of us have put in many hours of very thoughtful and fraught discussion about that issue. What we came to - a majority opinion - was a neighborhood association’s purpose is to support and protect the interests of the residents. We looked at about 20 different neighborhood associations, and there was only one that allowed non-residents to vote in the neighborhood association.

Richard Ferris: So, if you’re a property owner, you don’t have the right to vote?

Rob: This is probably going to affect the homeowners who don’t live here. I live in my house, but when we talk about zoning. It doesn’t sit right with me.

Sean Garretson: You've done a lot of work, good work. I think you guys went a little too far. [I don't have the wording here, but Sean asked about the removal of Vice President from the list of Officers in the Board of Directors.

Kirsten: What we were very intent on doing was making sure each director had a robust list of duties. We didn't want anyone to think that there was an heir apparent to the presidency.

8:35pm – Library employee notified members that the library was closed.

[Louisa Brinsmade made a suggestion that we have a Special Called Meeting to further discuss the draft bylaws and the IH35 issue. (Does anyone remember what happened after that?)

Meeting adjourned.