

CODE CLARITY

PROBLEM/ISSUE: *Compartmentalization – There is an excessive number of required sets for site development permit review and review in different departments is not coordinated.*

- *Leads to excessive expensive in submission process.*
- *Leads to excessive review time frames (typically 6 months minimum)*
- *Leads to duplicate and/or conflicting comments between different departments.*

PROPOSED APPROACH: *Develop a more streamlined, cohesive, and coordinated review process, possibly with electronic submission and comment process – or an automated permit process.*

CASE STUDIES:

CODE USABILITY

PROBLEM/ISSUE: *The current format for the code and submission process discourages / inhibits small developers / businesses from developing smaller, often infill, projects.*

- *Small developers don't have deep pockets to outlast the lengthy review periods that are not so daunting for larger developers on larger sites.*
- *The complexity of the land development code prevents small business from improving their existing properties.*
- *Site Plan Exemptions are often the only way for small businesses to be able to contribute to the positive evolution of the urban fabric.*

PROPOSED APPROACH: *Find ways to encourage infill development in urban areas, by simplifying the code, so that solutions are easier to understand/find, and by simplifying the process, so that small business owners and small developers aren't faced with 6 month+ review times and even longer delays for variances, etc.*

Permit Automation would help.

CASE STUDIES: *enter examples here*

CODE UPDATE PROCESS

PROBLEM/ISSUE: *JN - Public improvements are discouraged within the current means for improvements on a project by project basis.*

- *Great Streets is infeasible for smaller than whole block developments. Even for larger developments, City reimbursements only cover about half the costs, and the requirement for License agreement process is lengthy, costly, and places the burden of significant infrastructure improvement on the developer.*
- *Improvements in the right of way (patios, balconies, canopies, etc.) are difficult to accomplish as they for the developer/owner into the license agreement process that can take months and require expensive, unrelated utility upgrades.*
- *Great streets improvements can conflict with historic districts inhibiting improvements in the ROW.*
- *By requiring developers to take responsibility for Great Streets improvements, we end up with a piecemeal approach to the upgrade of streetscapes (one block elects great streets, next block does not).*

PROPOSED APPROACH: *Create a more developer-friendly and cohesive approach to public improvements. Streamline the license agreement process – develop clear cut criteria for ROW improvements to reduce time in review and legal.*

CASE STUDIES: *901 Congress, 501 Congress*

CODE UPDATE PROCESS

PROBLEM/ISSUE: *JN – Compatibility currently only addresses relationship to residential properties through setbacks and height restrictions, inhibiting potential positive infill development that may encourage the vitality of neighborhoods. It also does not respond to different types of residential development and draws a hard line between single family (residential) and multi-family (commercial) when, in reality, a wide spectrum of smaller multi-family developments would create a more natural and desirable transition.*

PROPOSED APPROACH: *Perhaps allowances could be made to encourage neighborhood-based businesses and small business that benefit the neighborhood.*

Developers could be encouraged to incorporate more neighbor-friendly uses into setbacks (i.e. natural sided ponds or even parking with appropriate screening).

CASE STUDIES: *Art Gallery*

CODE UPDATE PROCESS

PROBLEM/ISSUE: *JN – Discouragement of Density – see slide on compatibility and residential to commercial transition (currently abrupt).*

PROPOSED APPROACH: *Possibly designate zones where increased density is desired and allow for development bonuses or reductions in restrictions.*

CASE STUDIES:

CODE REVIEW PROCESS

PROBLEM/ISSUE: *Parking – this was discussed as one of our major problem areas with the code, but I honestly don't remember exactly why. Perhaps we can revisit this one tomorrow to clarify.*

PROPOSED APPROACH:

CASE STUDIES:

CASE STUDY

ISSUE TITLE: *Great Streets discouraged*

SITE: *901 Congress*

ZONING: *CBD*

SIZE:

CODE SOURCE:

CONFLICT/OPPORTUNITY: *Our client had a desire to do Great Streets along 9th from Congress to the alley.*

- *Reimbursement helped to pay, but only for about half of the improvements.*
- *The license agreement process caused the site development review process to drag out for over a year.*
- *LA process requires proposed improvements to go through each utility, providing them the opportunity to request additional utility upgrades unrelated to our project.*
- *Once the improvements are complete, they will stop at the alley on the 9th Street side with no future plans for upgrades beyond.*

CASE STUDY

ISSUE TITLE: *Improvements in the ROW discouraged*

SITE: *901 Congress*

ZONING: *CBD*

SIZE:

CODE SOURCE:

CONFLICT/OPPORTUNITY: *Our client had a desire to develop a balcony/covered walk along Congress and 9th (similar to Stephen F. Austin). License agreement process made the improvements very challenging to incorporate.*

•Utilities used the LA request as an opportunity to have the property owner to pay for expensive duct banks along Congress and 9th, even though the duct banks will not continue beyond the property in either direction on either street.

CASE STUDY

ISSUE TITLE: *Confusing and conflicting code*

SITE: *Northwest Campus*

ZONING: *GR-NCCD-NP (North University Neighborhood Conservation-NUNA)*

SIZE:

CODE SOURCE:

CONFLICT/OPPORTUNITY: *The Neighborhood Plan imposes building setbacks that conflict with Subchapter E. Subchapter E would allow for more significant improvements within the ROW (or building setback) that could encourage more significant pedestrian activity.*

The proposed project is for townhomes. We feel that the neighborhood would benefit if these townhomes were able to be pushed to the street in the spirit of Subchapter, enlivening the street wall / street scape. Instead the units are required to provide a “yard” between the street and the units, reducing their engagement with the street.

CASE STUDY

ISSUE TITLE: *Compartmentalization (Great Streets Staff vs Historic Landmark Commission)*

SITE: *501 Congress*

ZONING: *CBD*

SIZE:

CODE SOURCE:

CONFLICT/OPPORTUNITY: *The redevelopment of the corner of 5th and Congress offers the opportunity to enliven a long dormant (and derelict) prominent corner of downtown. The re-invisioned building will include retail on the first floor with prime space for restaurants/cafes. The design team had a desire to incorporate exterior seating along Congress, and to use improvements along Congress to reconcile the difference in grade between the building's ground floor and the sloping sidewalk.*

Members of Great Streets were discouraging about improvements along Congress providing Landmark Commission (completely different entity) as the primary roadblock. The developer, looking for path of least resistance, would not pursue improvements from the fear of a long, drawn out process with no guarantee of success.

CASE STUDY

ISSUE TITLE: *infill development discouraged*

SITE: *916 Congress*

ZONING: *CBD*

SIZE:

CODE SOURCE:

CONFLICT/OPPORTUNITY: *This lot is only 22' wide. With any significant redevelopment, the electrical service will be required to be increased, subsequently requiring an electrical vault to be installed (24' x 24' minimum with grade level access).*

The inability to look for anything other than a “one size fits all” means for electrical service, makes it extremely challenging to redevelop any of the narrow, mid-block buildings that sit mostly vacant right now because downtown lease rates are too high for such small buildings.

CASE STUDY

ISSUE TITLE: *Compartmentalization (Site Plan vs Transportation)*

SITE: *38th & Lamar*

ZONING: *GO*

SIZE:

CODE SOURCE:

CONFLICT/OPPORTUNITY: *Through site development process, the vast majority of comments related to Subchapter E. Site Plan and Transportation both had many of the same comments and some conflicting comments, based on interpretation of subchapter E.*

Only through a requested meeting with both departments at the same time were we able to work through resolution to the comments.

This also relates the extensive amount of man-hours it can take to help facilitate the process when two city review departments are unwilling to coordinate their comments between them.

CASE STUDY

ISSUE TITLE: *Public Improvements discouraged*

SITE: *38th & Lamar*

ZONING: *GO*

SIZE:

CODE SOURCE:

CONFLICT/OPPORTUNITY: *In developing a prominent corner in Central Austin, our client had a desire to locate overhead electrical underground on Lamar between 37th and 38th streets.*

Since improvements like this are generally shouldered by the developer, they happen one site at a time. In this case, the expense of taking utilities underground at 37th and back above ground at 38th could not be supported by the economics of the project. Therefore, the utilities remain above ground indefinitely.