

## **Comments on CodeNEXT 2.0 from The Hancock Neighborhood Association**

**October 19, 2017**

### **Our History and Our Neighborhood Character:**

The Hancock Neighborhood is one of the densest areas in the city. The Hancock Neighborhood's boundaries are Duval Street to the West and IH-35 to the East and 32<sup>nd</sup> Street to the South and 45<sup>th</sup> street to the north. The earliest plat maps of the Hancock Neighborhood were laid out in 1847. By 1900, as Austin was growing northward, farm and dairy land were transformed to residential subdivisions. Today, the neighborhood has a rich diversity of housing types and architectural styles representing the various decades of its development.

There are many neighborhoods surrounding Austin's downtown and UT which share a similar history of residential development and remain stable, viable places to live. These neighborhoods contribute significantly to the city's unique charm and character, factors that have made Austin the safe, attractive place it is today.

From its beginnings until the present, the neighborhood has been populated by young families, singles, renters, owners, retirees, professionals, small business owners, artists, professors and students.

The neighborhood residents have been consistently committed to preserving the qualities of the neighborhood and values of the larger community. Residents have maintained and renovated their homes. Hancock Neighborhood Association (HNA) took the lead in advancing implementation of the reclaimed water line for the Austin Parks and Recreation Department's Hancock Golf Course. HNA also gathered supporting documents for the listing of Hancock Golf Course in the National Register of Historic Places. Residents volunteer twice a year to clean up Waller Creek and residents have implemented an aggressive graffiti removal program. Community activities include regularly scheduled gatherings at the Hancock Community Center, a July 4<sup>th</sup> parade, an annual native plant swap, and many residents have created Wildlife Habitat yards. It has worked to encourage preservation of its historic homes and streetscapes, negotiated to require affordable units for the Concordia development and maintains a pedestrian and running path around the public golf course so that it is usable to non-golfers.

The Hancock Neighborhood reflects the City's comprehensive plan, *Imagine Austin*. It is walkable, has diverse housing types and supports small, locally

owned businesses, including grocery stores and restaurants. As far back as World II, the neighborhood has had garage apartments, rented to army recruits during and after the war. Post-war, garage apartments have been rented mostly to students

Neighborhood residents spent hundreds of hours developing a neighborhood plan and future land use map (FLUM). Hancock accepted the small lot in-fill tool, has never opposed group homes, which we have, nor has it ever opposed an affordable housing development, large or small.

With this background, we are now challenged with what we perceive to be a threat to our neighborhood and to other neighborhoods surrounding the downtown. The threat is CodeNEXT.

**Here is what we want from the CodeNEXT Process:**

We want a Code process that fully explains, in specific terms, the impacts of proposed zoning changes on the lives of residents who own property and who rent.

We want a Code that treats all areas of the City the same instead of exacerbating more economic and social segregation.

We want a Code with planning strategies proven to be successful best practices.

We want a Code that adheres to the existing Central Austin Combined Neighborhood Plan which prescribes the continuation of single-family uses and quality future development on the perimeters and on undeveloped land, such as the former Concordia parcel.

We want the City Council to provide neighborhoods that lack affordable housing the opportunity and tools to create such housing, such as Community Development Corporations.

We want a Code that has transparent and clearly defined administrative procedures and does not create barriers to citizen participation. We agree with the conclusion of the League of Women Voters that "...serious concerns about CodeNext remain regarding increased impediments to public participation, diminished transparency given the enhanced administrative authority, and questionable waivers that will be allowing adjustments to the development regulations."

We want a Code that strengthens efforts to preserve historic homes, sites and neighborhoods. Austin should incentivize historic preservation and affordable rental apartments and homes which currently exist, rather than demolition.

We want a Code that is not a tool for redevelopment and which does not accelerate displacement of people.

We want a Code that honors the occupancy ordinance passed by two different City Councils.

**We the residents of Hancock reject the following:**

We, the residents of the Hancock Neighborhood reject the re-zoning of the Hancock Neighborhood from SF-3 to R3C which increases the number of units per lot and decreases the minimum lot size. The increased entitlement in R3C zoning will encourage demolitions and result in the displacement of residents, particularly renters and seniors.

We reject the statement that R3C zoning is equivalent to current SF-3 zoning. It is NOT comparable as R3C zoning allows 3 or more units per lot, ultimately encouraging the demolition of existing housing stock and increased crowding in an already-dense neighborhood. (note: Cottage Corner is limited to 3 units per lot on 5,000 sq. lot; Cottage Court is limited to 6 units per lot with a 10,000 sq. ft. minimum lot size; Duplex plus ADU on a 5,000 sq. ft. lot) Decreasing the lot size for a Duplex and an ADU will encourage demolitions and the displacement of residents. This is exacerbated by allowed increase of 0.57 FAR for duplexes on large lots, currently prohibited in Hancock neighborhood. By allowing 3 units on 5,000 sq. ft. lots, a density of 23 units per acre is a multi-family density and use.

We reject a Code that is using inflated housing needs based on Metropolitan Statistical Area numbers instead of the more accurate housing needs for the City of Austin provided by our City Demographer.

We reject the plan to map the entire City simultaneously for the purpose of denying property owners valid petition rights. According to Texas State law, a property owner has the right to protest a zoning change for their property or for neighboring properties, except if a City rezones the entire City.

We reject the idea that newer, denser housing will be more affordable than the housing that is replaced. The Code consultants have verified that the new housing will be up-scale, more expensive housing.

We reject a Code that overrides the current occupancy ordinance, which is a

stabilizing factor in our central city neighborhoods.

We reject a Code that eliminates Sub Chapter E which provides standards to create pedestrian-friendly environments.

We reject the plan to rezone neighborhoods according to their market desirability and re-development potential rather than preservation of character, enhancement and security.

We reject a Code that accelerates displacement and demolitions, particularly of older apartments and rental housing that offer affordable housing options and of historic buildings which fundamentally cannot be replaced.

We reject a Code that does not recognize and incorporate best practices, such as for Accessory Dwelling Units. ADUs are meant to provide affordable and compatible housing for renters, caretaker and family housing and rental income for families. Neither Austin's current Code nor the ADU ordinance in Code 2.0 facilitate affordable or compatible housing.

We reject a Code which reduces parking on properties by half, turning our neighborhood streets into impassable parking lots. Everyone will NOT run, walk, skate, or pedal to navigate the city until a quality public transit system is in place or a self-driving drone is in every garage.

We reject a Code that allows lots to be subdivided into 25' frontages(width) (note: after or before the Code passes someone could subdivide a lot and each lot could be 2300 sq. feet)

We reject a Code that doesn't address potential flooding from the increased density in neighborhoods.

We reject a Code that damages intact, viable neighborhoods to benefit loosely regulated redevelopment due to proximity to Austin's downtown. There is potential for increased density in our City's other downtowns such as the Domain. It would also be prudent to determine where new and large employers will be locating in the future and provide dense housing opportunities in those areas.

We reject a Code that does not analyze infrastructure capacity and costs associated with such intensive development in older neighborhoods that are already strained to keep up with existing demand.

We reject a Code in which increased housing would likely result in increased property appraisals and taxes on neighboring properties.

We reject a Code in which compatibility standards are reduced to “baked-in standards” that allow eight-story high-rises 100 feet from single family homes. Such out-of-scale development undermines the desirability of surrounding neighborhoods, forcing families, who are a stabilizing force in the City to move ever outward to the suburbs.

We, reject a Code that permits telecommunications uses in “residential house scale zones.” Further, we reject a Code that allows telecommunications in mixed use and multi- family residential zones and main street zones without a conditional use permit.

We reject a Code that is over 1300-pages long, is disorganized, incomplete, and filled with errors and inconsistencies.

We reject the timetable for the rewrite of the Code which proposes inadequate time for the public to understand, digest and provide feedback to the proposed Code.

We reject a Code draft that allows drive-through restaurants in Main Street zones and in some mix-used designations. In Code 2.0 Hancock has both a Main Street zone and mix-used zones. These new zones do not simply add the availability of residential uses. These new zones dramatically change what is permitted on existing commercially zoned property.

### **Our Requests**

The voting residents of the Hancock Neighborhood request that our current zoning be retained. In addition, we request that the planning staff, Code consultants and City Council take seriously the objections and requests delineated in this document.

Mark Harkrider, President, Hancock Neighborhood Association  
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