

# Appendix F

# Stakeholder Comments

As per the RFP and contract an approach to a Stakeholder process was approved by the City. The goal was to gather input from stakeholders of perceptions, experiences and satisfaction with the Planning and Development Review Department functions. The input was used by the consultants in their technical analysis and identification of areas requiring more detailed study. The groups are listed in Table 89.

**Table 89**  
**Stakeholder Groups**

American Institute of Architects – Austin Chapter  
Austin Board of Realtors  
Austin Neighborhood Council  
Contractor Associations  
Greater Austin Chamber of Commerce  
Greater Austin Contractors & Engineers Association  
Home Builders Association of Greater Austin  
Minority Ethnic Chambers of Commerce  
National Association of Remodeling Industry  
Neighborhood Groups – South  
Neighborhood Groups - Central  
Neighborhood Groups – North  
PDRD 2013 Stakeholder Group  
Real Estate Council of Austin  
Special Interest Groups  
Specialty Contractors Associations

During the months of August, September, and October the consultants met with 16 groups either in focus groups or open public meetings. These included 2 Chamber groups, 9 industry related groups, 4 meetings with many groups of neighborhoods, and one special interest group. The detail about these groups and their comments are shown below. For ease of review, we have consolidated all of the comments by topic in Appendix I.

## **E. AMERICAN INSTITUTE OF ARCHITECTS – AUSTIN CHAPTER**

A group of 6 representatives of the American Institute of Architects met on September 4<sup>th</sup> at the AIA Offices. The consultant team was represented by Zucker Systems President Paul Zucker and no City staff were invited or present. Comments are presented in alphabetical order and do not represent the Association’s priorities.

## **Communication**

- There is no active email list for the industry to notice new or changed review items. Any changes need to be documented; and
- The architects meet once a month with the Residential Reviewers which is good.

## **Culture**

- The PDRD is not solution oriented;
- There is no way to get a reliable response;
- At least one or more plans examiners are anti-development; and
- Neighborhoods are involved in everything. There is no way for them to get what they want other than a public hearing.

## **Encroachment Permits**

All encroachment permits go to City Council which is unusual.

## **Fees**

There are fees for variances but no fee for an appeal on interpretations.

## **Inspections**

Inspectors seemed to be divorced from plan review.

## **Other Departments**

- There is confusion between the Watershed Department and the Planning and Development Department;
- Austin Energy is unpredictable;
- Fire Department, there is good communication but Fire is backed up; and
- Legal Department is backed up.

## **Policies/Codes**

- There is inconsistency re the electric review of low landscape lighting.

## **Process**

- First check is often not complete and new items added second check;
- The Austin solution to everything is a public hearing;

- Too many items go to the city Council;
- There are a thousand bites on all processes; and
- The self-certified plan reviews seemed to work well.

### **Site Plans**

- These are taking 8 months;
- Exemptions for some projects have a group meeting. This could be a model for other processes; and
- Site Plan requirements kill many small projects, 3 to 10 units.

### **Training**

It would be useful to have some joint industry/City training.

### **Website**

The new website is terrible. It has lost a good search function.

## **F. AUSTIN BOARD OF REALTORS**

A group of 5 representatives of the Austin Board of Realtors met on September 4<sup>th</sup> at the One Texas Center. The consultant team was represented by Zucker Systems President Paul Zucker and no City staff were invited or present. Comments are presented in alphabetical order and do not represent the Association's priorities.

### **Inspection**

- The plan reviewers and inspectors are not always on the same page;
- If the inspector changes, it creates a problem;
- The developer needs to leave the door unlocked for the inspector which can create a problem. Why can't a lock box be used? Most of the developers already have a lock box for sub-contractors; and
- A shorter window than the a.m. or p.m. would be desirable.

### **Land Status Determination**

These require records to 1951 which can be difficult to locate. It is suggested that the cutoff be 30 years which would be 1984.

## **McMansions**

You can't build a historically accurate house with these rules.

## **Office Hours**

There is too much variation in office hours and they are not well advertised. For example:

- Trees 12:30 to 3:30;
- Water 8 to 11 and 1 to 2, closed Thursdays; and
- Residential reviews 8 to 11, M, W, F.

Maybe once a month the Department should be open on Saturday.

## **Plan review**

New items are often added during the second check.

## **Post Construction**

Staff never re-visits the actual construction but should do so.

## **Processes**

- Once approved, you still have to wait in line for permit staff to go through the paper work again, a duplication;
- Problem at the end is they say they missed something; and
- Need better transparency, it is hard to find out the process.

## **Rules**

There is a rule that the last part of the house must be within 150 feet of a street. However, there are many deep lots where land becomes not useable.

## **Site Plans**

The issue is the smaller site plans, say 3 to 10 units. These go through the same process and same timelines as say 300 units. This then creates an incentive for 2 units which may not be what the City wants.

## **Website**

The website has gotten worse. Many of the links have disappeared.

## **G. AUSTIN NEIGHBORHOOD COUNCIL**

A group of 6 representatives of the Austin Neighborhood Council met on September 3<sup>rd</sup> at the Austin City Hall. The consultant team was represented by Zucker Systems President Paul Zucker and no City staff were invited or present. Comments are presented in alphabetical order and do not represent the Association's priorities.

### **Administrative Waivers**

There is no trust in Administrative Waivers and would not delegate these to staff.

### **City Attorney**

There are issues with the City Attorney's office. The office should be seen as a peer to an Assistant City Manager.

### **Code Enforcement**

- The Council would like to see more Code Enforcement;
- Generally Code Enforcement is not doing its job. It is a farm for retired police officers; and
- It would be desirable for this study to look at Code Enforcement.

### **Culture**

The City has a pro-development culture.

### **Imagine Austin**

- The Plan is too general and has too many conflicting policies; and
- There is a lack of consistency in how to interpret the plan.

### **Other Departments**

- Lots of PDRD staff transfer to Public Works or Solid Waste; and
- Some, but not all, feel that there are three conflicting agendas, Developers, Environmentalist, and Neighbors.

### **Processes**

A pre-meeting with neighbors should be required prior to filing an application.

## **Staff**

- Many of the staff were in Watershed Protections which was a problem so these staff were brought into the Planning and Development Department;
- There should be less planners if favor of more permit coordinators; and
- If there are to be planners, they need to be the most expert. Currently there are lots of bad planners.

## **Technology**

On-line applications would be helpful.

## **Website**

The PDRD organization charts should be on the website.

## **H. CONTRACTOR ASSOCIATIONS**

A group of 5 representatives of the Contractors Association met on October 2<sup>nd</sup> at one Texas Center. The group included 3 members of the Hispanic Contractors Association, a permit expediter and an association staff. The consultant team was represented by Zucker Systems President Paul Zucker and no City staff were invited or present. Comments are presented in alphabetical order and do not represent the Association's priorities.

### **Austin Energy**

When Austin Energy says this is it, all must follow, even if it doesn't meet the Rules.

### **Boards and Commissions**

There are too many boards and commissions.

### **Building Permits**

Building Permits and Site Plans don't work together.

### **Code**

- The Code is very complicated. It may be more expensive to pull a permit than it is to actually remodel; and
- In one example for a duplex, the inspector kept saying it was not up to code and had to re-pour three times.

## **Commercial Plan review**

There are three types, 2 day, 7 day, and 21 day but may take as long as 3 months. There is also confusion as to which projects use which process.

## **Expired Permits**

This process creates many problems, particularly in strip malls. The rules should be changed.

## **Fire Inspection**

You can't call for fire inspection until you have all the other approvals. Then it will take 7 to 15 days to get an inspection. They will do next day inspection for \$450, a racket.

## **Inspectors/Plan review**

There are different opinions between the plan reviewers and inspectors. The problem is in getting the C of O which is needed before you get a permanent loan.

## **Prior Studies**

There have been many prior studies but nothing ever changes.

## **Process**

- You have to go to too many places and agencies, you go in circles; and
- Small projects need to have a separate line from large projects. A staff should be assigned, more like they do with QT's and have separate staff members doing the smaller projects.

## **Positive Comments**

- The computer system telling you when you will be served is helpful;
- Having most of the functions in one building is helpful. However, you do still have to go to Austin Electric and Water;
- QT's for tenant improvements generally works well in 1 or 2 days; and
- Health reviewers are generally good but they are understaffed for restaurants and pools.

## **Site Development Permits**

- These take way too long. They lack consistency;

- There needs to be a separate process for small projects;
- If you add over 1,000 sq. ft. you need a new site plan. The area should be increased;
- Site Plan corrections take 2 to 4 weeks; and
- Need an on-line way to order site plans through two approved printers.

### **Staff**

- There is lots of staff but they have no authority. They are not allowed to do their job. There is too much power with the City Council;
- The building process may be understaffed. Commercial is half of what it once was; and
- It shouldn't be necessary to wait until someone is gone to fill a position.

### **Variances**

Many of these are for where staff made a mistake, the City already issued a permit, and the structure may already have been built. These often relate to impervious cover.

### **Water Department**

Having to go to two buildings is bizarre.

## **I. GREATER AUSTIN CHAMBER OF COMMERCE**

A group of 9 representatives of the Greater Austin Chamber of Commerce met on September 4<sup>th</sup> at the Chamber offices. The consultant team was represented by Zucker Systems President Paul Zucker and no City staff were invited or present. Comments are presented in alphabetical order and do not represent the Association's priorities.

### **Overview**

- Many people or businesses are afraid to do business in Austin which is a detriment to the growth of the City; and
- Things are so bad that it will be difficult to change. Hopefully at least some of the low hanging fruit can be addresses.

### **Codes**

- There is a lack of clarity and consistency the way the Codes are interpreted; and

- If something doesn't meet the Code, the staff needs to very clear why and with a specific reference to the code.

### **Communication**

There is a lack of communication with the staff and community.

### **Drainage**

There needs to be more clarity re drainage areas.

### **Fire Marshal**

- There is a new Fire Marshal and problems in the fire standards; and
- The Fire review is bad.

### **Other Communities**

The same permit in San Antonio can be obtained in one week but it takes 5 months in Austin.

### **Process**

- The City needs to set timelines and stick to them;
- There should be project managers;
- It should be determined what it would take to get a permit in 7 days;
- Once a permit is approved, it should be approved and not continually challenged;
- Sometimes a completeness check requires 4 cycles; and
- Austin seems to want as much as possible to go to the City Council

## **J. GREATER AUSTIN CONTRACTORS & ENGINEERS ASSOCIATION**

A group of 6 representatives of the Greater Austin Contractors & Engineers Association met on October 2<sup>nd</sup> at the Association office at 3636 Executive Center Drive. The consultant team was represented by Zucker Systems President Paul Zucker and no City staff were invited or present. Comments are presented in alphabetical order and do not represent the Association's priorities.

## **Customer Service**

There is a lack of a customer service emphasis. Staff has no concept of time and money.

## **Environment**

Environmental issues trump everything else, too ivory tower.

## **Parking**

The parking lot are often full of City vehicles. These spaces should be reserved for the public.

## **Performance**

There are no metrics except for timelines.

## **PDRD**

At the end of the day, PDRD has very little power.

## **Rules**

The Rules are not written for new urbanism. The need to be scratched and start over.

## **Site Plans/Subdivision**

- Although subdivisions have separate construction plans, construction plans are incorporated in the site plans;
- However, detailed calculations are also required for preliminary subdivision plans. This adds to the cost when changes are required;
- Staff provides 10 to 30 pages of comments on submittals;
- It is easy to have a standard set of plans approved. However, that is not what the City says it wants. But, doing anything non-standard in the direction the City says it wants is extremely difficult;
- It would be useful to have the Case Manager help you get it done but the applicant has to do all the problem solving between functions. Coordination is the applicant's responsibility; and
- A meeting should be required a week after comments are received.

## **Staffing**

- Surrounding community's process with fewer staff per valuation of construction;
- Twenty years ago you could meet with reviewers re the comments but you can't do this today; and
- It is hard for both the public and private sector to find and hire engineers.

## **Street and Bridge**

Street and Bridge have no written code and do not participate in the review process. Then, they show up after it is built and require changes.

## **K. HOME BUILDERS ASSOCIATION OF GREATER AUSTIN**

A group of 10 home builders met on September 2<sup>nd</sup> at the Home Builders Assoc. offices. The consultant team was represented by Zucker Systems President Paul Zucker and no City staff were invited or present. Comments are presented in alphabetical order and do not represent the Association's priorities.

## **Austin Water Utilities and Austin Energy**

- These Departments are the biggest problem. There are conflicts in the standards;
- Although they have staff in the One Stop, that staff doesn't have adequate authority; and
- The Water Utility has financial problems due to low water sales.

## **Building Inspection**

- This is normally pretty good. Combination inspectors are used except for electrical and trees; and
- There is some inconsistency in inspection – the South area is a problem. It still depends on which inspector you get.

## **Decisions**

The Department Director will make a decision on issues between Divisions or Departments but it takes 3 to 4 weeks to get an appointment.

## **Expedited Review**

Expedited Review would be good but only if properly staffed.

## **Legal Department**

- Legal staff is not knowledgeable about code issues;
- Staff is new and is rotated; and
- Review of restrictions and conditions may take 3 months to a year.

## **Multiple Reviews**

After the first review, new items are added that should have been caught in the first review, staff takes too bites of the apple.

## **Neighborhood Plans**

- Neighborhood Plans are like a Zoning Overlay and may be amended only once a year; and
- There is a Contact Team for each project in a Neighborhood Plan area and they make a formal recommendation.

## **Other Communities**

Georgetown, Hutton, Round Rock and San Marcus are better to do business with than Austin. Austin is generally considered the worst.

## **Performance Standards**

Staff claims they meet performance standards but they manipulate the data to make it look better than it is.

## **Processes/Plan Review**

- Routine processes go well but anything that is different bogs down;
- The entire system is personnel based, there is a lack of clear procedures. It only works if you get the right staff person;
- A Check List was finally published but it took too long to get this;
- Plan review is the issue, not inspection;
- Permit expeditors are needed;
- They are required to submit duplicate plans;
- There is some inconsistency between plan reviewers;
- Much of what the plan reviewers do is irrelevant. For example, they want a window schedule to verify the presence of safety glass where it is needed, but

it is the field inspector that must determine the presence of safety glass in the right places, the same for framing details, truss plans, etc.; and

- Few, if any of the plan reviewers have field experience – either as a construction worker or a field inspector.

### **Site Plan and Subdivision Approval**

- They get Site Plan approval but then new things are added at the Final Plat stage. Staff even says out front that they may add additional items during a second review;
- Standards are 28 days for first review and 21 days for second review but these standards are generally not met; and
- The delay in subdivision review is an overriding concern.

### **Staffing**

- A technical review was started but then when staff went on leave, no one picked up the review, it just sat there;
- The Plan Review Coordinator was good but when he went on leave things broke down;
- The City is slow in filling vacant positions or new hires; and
- There is a need for more communication between all functions.

### **Standards**

It is hard to figure out for a remodel if you need sprinklers or not, needs to be clarified.

### **Technical Review**

Technical Review can take a month. Even with the Value Building Review it is three weeks. It should be only 1 to 2 weeks. Most other cities use 7 to 10 days.

### **Technology**

- There is poor technology and the Department is too paper based;
- Electronic review is desired, but they have been talking about it for over 5 years;
- The focus group likes MyPermitNow; and
- Austin is essentially the only City in south central Texas without online permitting, or well on their way.

## **Website**

It is hard to find anything on the website, they keep moving things around.

## **L. MINORITY ETHNIC CHAMBERS OF COMMERCE**

A group of 6 people met from 2 to 4 p.m. on September 30<sup>th</sup> at One Texas Center. The group consisted of a former City official, restaurant owner, construction company, permit process professional, organization director, and policy advisor for a city council candidate. The consultant team was represented by Zucker Systems President Paul Zucker and no City staff were invited or present. Comments are presented in alphabetical order and do not represent the Association's priorities.

## **Big Firms**

The perception is that the City favors big firms over the small firms.

## **Code Enforcement**

Code Enforcement act as police and won't give details as to the problem.

## **Culture**

The culture is, "not in my job description."

## **Dallas**

In Dallas you meet with several staff, red line the plans, and they sign it. There may be a fee for this. Dallas also has what they call a "quick team" with a 2 week timeline.

## **Expedited Plans**

The only department with expedited permits is Fire where you can pay \$250 for a next day inspection. Otherwise it may be 7 to 10 days to get an inspection. However, you can pay for after-hours inspections. Expedited permits would be acceptable if they actually worked.

## **Expired Permits**

Until an expired permit is cleared on a property, you can't get a new permit. This is a major problem for shopping centers or strip malls.

## **Hiring**

Austin has a bad system of hiring people from small cities that don't have a good background for managing a large city.

## **Inspections**

The inspectors may or may not agree with the plans. The City has a punitive rather than helpful attitude. The inspectors see themselves as a police department.

## **Leadership**

- There is a city-wide issue of lack of leadership. Managers are not allowed to lead;
- City Council members bully staff. The decisions should be made at a lower level;
- The City Manager and Assistant City Managers are by-passed and not strong; and
- There is a Serpico culture in Austin. The City is balkanized. Everyone is competing for power.

## **Process**

- You need a Health and Industrial Waste sign off for a restaurant before you submit;
- Then building permit process is either 7 days or 21 days but these timelines often are often not met;
- If you need to re-submit, you go back to the end of the line;
- Plans get lost all the time;
- You can't sit with a plan reviewer and walk through the plans and resolve issues. Also, the City does not want to do preliminary meetings;
- Even if the City makes a mistake, you go back through the same system; and
- All that was needed was to replace a walk in cooler. Was told it would take 3 to 4 days but actually took 7 weeks.

## **Staffing**

There is a lack of leadership but there also may be a shortage of staff.

## **This Study**

Many people are not aware that this study is underway.

## **Utilities**

Utilities has a “side fund” i.e. a reserve account.

## **M. NATIONAL ASSOCIATION OF REMODELING INDUSTRY**

A group of 5 representatives of the Remodeling Industry met on September 3<sup>rd</sup> at the BMC Austin Hardware & Millwork store. The consultant team was represented by Zucker Systems President Paul Zucker and no City staff were invited or present. Comments are presented in alphabetical order and do not represent the Association’s priorities.

## **Case Managers**

The DPDP is trying to have a planner be a case manager to coordinate Fire, Flood Plain, Historic, Technical Review and Trees. However, some feel the planner can’t be both a reviewer and a case manager.

## **Code Enforcement**

Code Enforcement is funded through a litter fee and has a large staff of 60.

## **Demolition Permits**

For a demolition permit an original tax certificate is needed from Travis County. There needs to be a way to handle this by email.

## **Escrow Accounts**

The City has escrow accounts for many things but not for building permits.

## **Fire Department**

- The Fire Department can be a problem and recently took 20 days for a 3,600 sq. ft. building; and
- The Fire Department marches to a different drummer.

## **Inspections**

- Inspection is pretty good;

- Inspection just changed to an A.M. and P.M. but it doesn't always work;
- Sometimes inspectors are in extended training and not available but the customer is not notified in advance;
- Even if inspectors have cell phones, they won't give out the numbers; and
- There is a problem when a new inspector goes into another zone and it leads to lots of failed inspections.

## **Ordinances**

Many staff don't understand their own ordinances.

## **Overlay Districts**

All the overlay districts make the Code difficult.

## **Prior Study**

Group members had met with others for two days a year and a half ago to discuss issues with the industry. The meetings were led by a facilitator that was considered very good. However, most of the ideas were not implemented.

## **Process**

- The City gave a mandate to process applications in 7 days. Staff is meeting the timelines they meet the timeline just to reject the application Staff seems to find the quickest thing they can find to reject an application;
- New comments are often added during the second review that should have been found in the first review;
- The second reviews go back to the bottom of the line but should be given priority with a shorter timeline;
- You are given only 2 reviews after which an additional fee of \$350 is required;
- Even if you get a permit, neighbors often complain;
- Some find they can submit for zoning review first and then technical review later. This may result in a change for technical review that can save expenses. This should be an option for all applicants;
- They are notified that plans are approved by email. But, then they have to go to the Permit Center and wait 3 hrs. for the permit and then go to another floor to pay and possible waits some more; and

- The professionals are in the same waiting lines as homeowners but there should be a separate line for the professionals, similar to the approach used for production builders.

### **Remodeling Fee**

The remodeling fee is based on a value of construction but should have a sliding scale and the size of the project increases.

### **Reviews**

- There is too much variation between reviewers; and
- Even after a plan approval and inspection, if a problem comes up, the City won't stand behind the review.

### **Staff**

- A reviewer is assigned when the application comes in but if that staff goes on vacation, the applications just sit; and
- There is a lack of training for reviewers, particularly for zoning.

## **N. NEIGHBORHOOD GROUPS – SOUTH**

A group of 19 residents met on October 1<sup>st</sup> at the Pleasant Hill Branch Library. Participants represented 10 different neighborhood groups. The consultant team was represented by Zucker Systems President Paul Zucker, and Zucker Systems CBO Brad Remp. No City staff were invited or present. Comments are presented in alphabetical order and do not represent the residents priorities.

### **Administrative Approvals**

There are “too many administrative approvals.”

### **Board of Adjustment**

Applications submitted to the Board of Adjustments are not complete and not adequately reviewed by staff prior to Board meetings. Staff includes a caveat that states they don't review applications for accuracy.

### **City Hall**

- Assistant City Manager is pro-development; and
- “I would like to see the lobbyists taken out of the process.”

## **Comprehensive Plan**

- Feeling that some items in adopted Comprehensive Plan were “force fed” to them by staff; and
- Group has concerns about how the new Comprehensive Plan will be implemented now that the Department has hired an Urban Designer as the new Assistant Director to implement the plan.

## **Developers**

- There is a concern that this study was initiated based entirely upon complaints just from developers; and
- The developers send their representatives to preliminary meetings to negotiate requirements with departments before public input process. Agreements with developers have already been established prior to public input making it difficult to incorporate public’s input.

## **Electronic Plan Review**

City’s efforts to implement digital plan reviews is intended to allow greater public review and make approved site plans more readily available to the public early in the review process.

## **Land Use Code**

- Some participants described the existing Land Use Code as an “inner tube with 1,000 patches;”
- There is a whole industry that works to get around the Code. In response, an Ordinance is adopted as a patch;
- The Code has had some measures added to protect neighborhoods;
- “Code interpretations by staff should be made available to the public;” and
- Applications for Zoning changes don’t require applicant to divulge intended use of the property, but should

## **McMansions**

Too many McMansion projects are allowed to pay an in-lieu fee rather than install sidewalks. ‘Can we get rid of fees in-lieu?’

## **Neighborhood Groups**

- Neighborhood groups thought they had a deal to not change zoning if they agreed to other concessions;

- The process to allow public input needs to be improved;
- “What is the appropriate place in the process for citizen input?”
- Some developers are willing to meet with neighbor groups while others are not. There should be a requirement for developers to meet with neighbors;
- Neighborhood groups want the City to acknowledge the existence of CCRs (Covenants, Conditions and Restrictions) for their neighborhoods; and
- Neighborhood groups believe Inspections, Code Compliance and Legal also need to do their jobs for the process to work.

### **Neighborhood Plans**

- Neighborhood Plans don’t work as intended. Developers go to elected officials to get what they want;
- The Neighborhood Plan adoption process is broken. After a while staff took over the process then alienated neighborhood participants by asking tough questions and
- “Our neighborhood has been neglected, they should be working on implementing the old plan rather than start on a new plan.”

### **Organization**

There needs to be better communication between Divisions and departments.

### **Planners**

“What can you do to get the Planning staff to stop lying to us?”

### **Sidewalks**

- Neighborhood groups question that the in-lieu fees collected for sidewalk installations are not being applied to install sidewalks in their neighborhoods. They question where the in-lieu money has gone; and
- Staff recommended the applicant seek “fees in-lieu” after neighbors had already approved plan showing sidewalks.

### **Staff**

- PDRD needs to have an ongoing internal review process and hold people accountable for failures;
- City needs a comprehensive training program; and

- “Developers should not pay for Planning staff (i.e. fees). It creates a conflict of interest.

### **Subdivisions**

The City should avoid assigning adjacent sub-division reviews to separate staff members. A single contact person would improve consistency.

### **3-D Models**

City should consider requiring applicants to submit a 3-D model of their project so that participants in the review process could have a better understanding of the proposed project.

### **Transparency**

“City is not transparent.”

## **O. NEIGHBORHOOD GROUPS - CENTRAL**

A group of 11 residents met on October 29th at the Cepedia Branch Library. Participants represented several different neighborhood groups. The consultant team was represented by Zucker Systems President Paul Zucker, Zucker Systems CBO Brad Remp and Senior Associate Mac Birch. No City staff were invited or present. Comments are presented in alphabetical order and do not represent the residents priorities.

### **Overview**

The Stakeholders are not happy with PDRD as well as other City departments. The consultants are encouraged to look outside the department to City Attorney, Code Compliance, Energy, Finance, Fire, HR, IT, and Water.

### **Board of Adjustment**

- Belief that errors can't be corrected internally after Board of Adjustment decisions- applicant must go to court; and
- There was an old Board of Adjustment ruling on occupancies that staff would not enforce.

### **City Attorney**

- City Attorney is not involved early enough in the process;

- When staff does stand up then applicant goes over their head to get it overturned, frequently with the assistance of the City Attorney;
- City Attorney – staff reviewers don't want customers to go to City Attorney for relief from staff decisions;
- Suggested using legal interns from university of Texas;
- Complained that Staff writes the proposed ordinances and Attorney reviews, felt that City Attorney should write all ordinances;
- Lack of expertise by legal staff, they don't know anything about Water law;
- Believes there are advantages to including language in code that identifies intent of code. City Attorney removed previous intent language. There were 23 pages of intent language; and
- Sr. Members of staff misled Council with explanations, done with staff and attorney's office.

### **City Auditor**

The consultants should look at the recent City Auditor report; and

Auditor's office should be an ombudsman for residents to help oversee PDRD.

### **Code**

- Previous staff plan review had been fired for taking bribes;
- Both Plan Review and Inspections provide inconsistent interpretations;
- The code here is too hard to understand;
- Need to make the code more cohesive;
- Needs to be cleaned up to be understandable;
- Both sides are not serviced properly – everyone needs a good code that everyone can follow ;
- Too many people want to start over and create a new code, we should build on the existing code;
- Thinking the new code will fix everything is wrong - issues with older buildings being grandfathered. Need ability to recognize existing non-conforming uses. Staff says it is commercial and falls into a quagmire when trying to apply current standards;
- Neighborhood groups believe there are many scammers who look for loopholes in the codes that they must fill with new ordinance language;

- Residents express concern about losing data about ordinances, checking with IT, should check with City Clerk; and
- City has recently changed code codifiers.

### **Code Compliance**

- Code Compliance - complaint driven – considered a farm for retired police officers - large group. They don't respond unless a complaint has been filed;
- They (Code Compliance) don't do their jobs;
- Must call 311, even if a permit has been issued rather than call Code Compliance directly;
- Code Compliance officers do not have the expertise for building code issues;
- Many items in code have criminal penalties but are not being enforced;
- Suggested that our report include a recommendation to have Code Compliance reviewed in the future;
- Code enforcement efforts are not consistent in all neighborhoods; and
- Belief that code enforcement fines should be retained by City and not go to courts.

### **Committees**

The Staff manipulate committee memberships in attempt to influence outcomes.

### **Comprehensive Plan**

Staff position is that the intent is conveyed in the general plan/comprehensive plan.

### **DAC**

Belief that DAC will give applicant a site plan exemption but other sections of the Department will screw it up.

### **Fees**

Belief that Department should retain permit fees to provide adequate services including adequate staff training.

### **Historic Districts**

National Historic District - plans often have errors in calculations that staff doesn't check.

## **Inspections**

- Belief that critical conditions get lost before final approval, inspectors don't have access to information and therefore miss the requirements;
- Inspectors are reluctant to require removal of construction that does not comply with code; and
- Inspectors are focused on International Building Code, not the other code requirements

## **Neighborhood Plans**

- The existence of a Neighborhood Plans should be required to be noted on applications, no penalty for not including information; and
- Improper interpretations had been previously made because Director had no knowledge of existence of neighborhood plans.

## **Neighborhoods**

- Staff does not treat the interested neighbors with respect, and
- Some groups have come in to say they have had city employees represent the citizen groups.

## **Open Records**

Have open records requests that are not honored because it has not been assigned to a plan reviewer.

## **Plan Review**

- Previous staff plan review had been fired for taking bribes;
- Both Plan Review and Inspections provide inconsistent interpretations;
- Need better quality of plan review staff; and
- Neighbors believe Plan Reviewers initially tell applicants to get a variance rather than just tell them to change their plans to meet the code.

## **Planning Commission**

Commission approves plans without verifying compliance – when problems arise then applicant must go to Board of Adjustment to get a variance because it was a staff error.

## **PDRD**

- PDRD is the most dysfunctional of all organizations;
- They need a whole new staff. Department management is not trustworthy – frequently mislead Council and Citizens;
- Staff delays items they don't like, make up new rules to achieve their goals;
- Staff caters to developers and consider neighbors to be the enemy;
- Staff frequently states they have a ministerial duty to issue permits when requirements are met;
- Staff doesn't respond to public records requests, instead stating the records are not public documents while they are still be reviewed by staff;
- Staff often performs sloppy work and do appear sufficiently skilled to perform urban planning;
- Staff recommendations always favor the applicants, belief that staff must be taking bribes to recommend approval;
- Need integrity in that Department; and
- Major policies are not written - poor management practice.

## **Politics**

- Homeowners who donate to Council campaigns get better voice when appearing before Council;
- Would like prohibition on ability of former employees to lobby Council or staff for approvals for at least five years after leaving City employment; and
- The City has a lobbying ordinance but few people register.

## **Process**

- Common for former City Employees to go to work as permit expeditors;
- Need to catch defects early rather than later after it has been built (ie. plan review while building is under construction);
- Applications are accepted that are incomplete or inaccurate;
- Staff is accepting applications for septic systems when it is obvious that the lot is too small. Staff does not review applications to confirm accuracy of data;
- Need more transparency in entire process;
- Belief there is not enough ways to provide input about a project;
- Neighbor groups want to have a chance to review permits after they have been approved;

- Cites example of 32 errors on an application that were not detected by staff before it went to Council;
- Staff can't provide a copy of an executed copy of development agreements;
- System is not transparent;
- Burden is placed on resident to prove they are right rather than have staff justify their decision based on code;
- Example of Staff giving the wrong zoning information to a customer. Told they could not build there based on wrong zoning interpretation;
- Comments identifying deficiencies are provided by staff but are cleared without explanation; and
- Everyone should be treated with respect. Developers have similar concerns about treatment by staff.

### **Staff**

- Belief that City does not hire people with appropriate expertise;
- Staff is not properly trained; ex; nobody knows how to interpret requirements for existing buildings;
- No accountability of staff; and
- Should not have the same Assistant Director over both development review and economic development.

### **Trees**

Seven heritage trees were lost because the applicant failed to disclose them on their application. No penalty was imposed on applicant for submitting incomplete information.

## **P. NEIGHBORHOOD GROUPS – NORTH**

A group of 7 residents met on October 29<sup>th</sup>. at the Old Quarry Branch Library. Participants represented several different neighborhood groups. The consultant team was represented by Zucker Systems President Paul Zucker, Zucker Systems CBO Brad Remp and Senior Associate Mac Birch and Mary Blaise. No City staff were invited or present. Comments are presented in alphabetical order and do not represent the residents priorities.

## **Auditor**

- 2009 Auditors Report was signed off by Council. PDRD was supposed to report on progress. They were lying when they stated they were making progress; and
- Staff continues to use the complicated code as an excuse for their poor performance.

## **Boards and Commissions**

- Developers can say anything and get Boards to approve; and
- Some Boards have been considered rubber stamps in the past but that it appears to be getting better.

## **Code Compliance**

- The Code Compliance Department is backing down on enforcement. They are only complaint driven. They will pass by violations they see;
- Other jurisdictions will shut your down if they see work without permit but not here;
- Complaints should include review of other conditions that should be enforced rather than just the item received through the complaint;
- Code compliance is not following up on deteriorated conditions. Now citizens must take people to court themselves;
- Code compliance staff does not have access to zoning code requirements;
- Developers go back later and go ahead and build what they want without any code compliance follow-up;
- They want GIS to be available to them so they can use it to prepare code complaints;
- The number one complaint is that work is being done without permits and there is insufficient follow up by code compliance;
- Most people don't know about how a strategic plan leads to accountability. There is no accountability in PDRD. Code Compliance Department was formerly part of PDRD. They should be pushed back into PDRD and the City must fine people for noncompliance. City is asking for voluntary enforcement, they are poor on actual enforcement. Code compliance is spineless;
- Would like code enforcement to take back some things that have gone to Police; and
- 311 complaints are being closed without it being resolved – closed actually only means it was sent to department - there is no follow-up with complainant?

## **Codes**

- Significant concerns expressed by people living in far north sections of the City. City of Austin has annexed areas that did not previously have codes. Is the City going to require updates to current codes? and
- There should be a reorganization of existing code.

## **Comprehensive Plan**

- With Imagine Austin there will be significant changes in the future; and
- Plan is to add density internal to City.

## **Fees**

- Greg Guernsey recently did a fee study. The Water District was not charging the max fee even though their director said they were;
- We have a bloated bureaucracy. It is currently micromanaged by Greg. They have very incompetent managers;
- The zoning department should be doing a better job in collecting fees;
- Staff will take any valuation a contractor provides and doesn't bother to check accuracy. It should be in the AMANDA system. It should be based on ICC valuation schedule;
- We should look at how the department will be funded; and
- A significant part of the budget should be generated through fees.

## **Neighborhood Plans**

- Our original neighborhood plan is now 14 years old. Interaction with staff was very good during the beginning. Staff tried to work with customers during off hours. Residents were told the City would update plans every 10 years. That effort has been delayed. Would like a schedule of when they will be updating the existing plan;
- There are approximately 40 plans in place. Some of these areas are not changing much so the need to update the plan is lower. Other areas that are changing need more attention;
- Wanted to have neighborhood plans still part of the process. Staff member was thwarted in their efforts to do good planning. There is no accountability for staff mistakes;
- Neighborhood groups want to make sure that Imagine Austin will respect and incorporate the existing neighborhood plans; and

- Director believes that the master plan will trump the neighborhood plans, however, the mayor stated that the neighborhood plans would be incorporated.

## **Office**

Signs in the department are very confusing

## **Permits**

The administration of the permit process is cumbersome, timeline is too long to get a permit.

## **Process**

- Standard Operating Procedures are not adequate, they are strongly needed in PDRD;
- Example - project about city sidewalks not being to proper grade. Staff making up the rules as they go along – just the tip of the ice berg;
- The process is broken. There is no trust. City Council is fighting with City Manager;
- Needing an SOP for the department. They don't follow the international planning code processes. There is no documentation of problems and responses to information requests are inadequate;
- Routinely wait 2 to 4 hours to see a planner. Their performance measure is 15 minutes;
- Staff has a very hard time in responding to requests of public records. Goal is to have all of this information available but it is very difficult;
- Department should have strategic plans that include performance measures that can be measured yearly;
- No online ability to accept permit applications and fees;
- Permits can be obtained online for trade permits on projects that already have a building permit; and
- The PDRD forms they use are very loose regarding accountability, no penalties for lying on official forms. Also lie to Boards. Must be some accountability. There should be language on forms that require signatures to validate accuracy of all statements and submittals.

## **Residential Review**

Residential review is just a zoning review, not a technical building code review, it is done in the field during construction. Staff does not confirm the accuracy of data on plans. Obvious errors. Applications are modified to stay below threshold that would trigger extra requirements.

## **Staff**

- Staff has been helpful and courteous. Management is overriding staff to make decisions. Most of what is going on is not being looked at;
- Have heard that staff must follow bosses direction or they won't be promoted. Staff is not being allowed to do their jobs;
- Needing an SOP for the department. They don't follow the international planning code processes. There is no documentation of problems and responses to information requests are inadequate;
- Good staff in planning, but managers are keeping staff from doing their job;
- Not sure what the role is of the Assistant Directors;
- The trust is broken;
- I like Greg Gurnsey. Greg is a nice guy, not a good manager;
- He says he can't find good people;
- They make errors all the time, they should list them on web, and be fined for them; and
- Staff should admit that permits are issued in error.

## **Technology**

- GIS system needs to be open and accessible;
- AMANDA and code should be more accessible by citizens. The status of code enforcement cases should be accessible to public; and
- We need a GIS system that ties all land history together and be available to staff and public.

## **Traffic**

Number one complaint is traffic. Why does city waive requirements for traffic impact analysis?

## **Zoning**

Zoning should go back and look at open cases. Problem with outstanding permits create problems to resolve on a 25 year old permit.

## **Q. PDRD 2013 STAKEHOLDER GROUP**

A group of 18 Stakeholders who had met for two days with PDRD in 2013 met on October 1<sup>st</sup> at One Texas Center. The consultant team was represented by Zucker Systems President Paul Zucker, and Zucker Systems CBO Brad Remp. No City staff were invited or present. Comments are presented in alphabetical order and do not represent the Stakeholder's priorities.

## **Austin Energy and Austin Water Utility**

Both of these organizations are bad and getting worse. Austin Energy doesn't give detailed comments.

## **Board of Adjustment**

Many items are going to the Board of Adjustment due to staff error.

## **City Council and Boards and Commissions**

Everything is being led or controlled by the City Council and Boards and Commissions. The City Council needs to stop trying to manage from the Dias.

## **Commercial Design Standards (Subchapter E)**

These standards are a joke, they don't fit Austin.

## **Culture**

- The staff attitude is that it is us against them; and
- How to stop things!

## **Design Commission**

The Design Commission is a waste of time.

## **Environmental Issues**

Environmental issues take precedent over everything else at all cost.

## **Fire Department**

The reviews are way too slow.

## **Grandfathering (Bill 1704)**

The grandfathering rules say that once you get an initial first approval you can proceed under the rules that were in place at that time. There is a City staff under the PDRD Director that makes decisions on this but it is a closed door process. There should be open meetings.

## **Industry Relations**

There are no standard meetings with the industry and communication is bad.

## **Leadership**

There is a lack of leadership and customer service in PDRD but also at other levels in the City. The City Manager and Assistant City Managers are not providing needed leadership.

## **Legal Department**

The Legal Department is a tough issue. They are very slow and don't have adequate expertise for the development functions.

## **Organization**

Plan review and inspection should get together in the same unit.

## **Performance**

No one is holding staff or PDRD to be accountable for performance.

## **Planning Commission and Zoning and Platting Commission**

These two organizations seem to work reasonably well.

## **Processes**

- Staff wants too much detail. They deal with the minutia. Staff wants perfection;
- It feels like "Groundhog Day" and you come back over and over again. It is not unusual to have 5 rounds or review;

- Staff provides almost random comments and they won't meet with you except for major projects;
- There is no deference given to the engineers seal;
- High rise may have less review than smaller projects.;
- In order to meet timelines, staff simply routinely denies projects;
- Some reviewing departments don't have access to AMANDA permit system (ex: Health and Industrial Waste);
- Tenant improvement projects used to take 7 days, now it takes 5 weeks;
- Some applicants will delay submitting plans in order to avoid being assigned to a particular plans reviewer;
- Permit applications are difficult to complete (ex: calculating slope);
- The quality of plan submittals vary dramatically;
- "Single point of failure", no backup staff assigned to cover during staff absences;
- City doesn't refer many professionals to State Boards for disciplinary action; and
- Problems must rise to the level of public embarrassment before management will address them.

### **Progress Since 2013**

There has been only little progress since this group met one and a half years ago.

### **Staffing**

- Many function have one staff member with no back-up that creates gaps in service;
- The wrong people are often hired and too late in the process leaving positions vacant for several months;
- PDRD is not understaffed, it is undermanaged;
- Staff is not well trained;
- There are 100 staff in Code Enforcement but too few commercial building plans examiners and inspectors;
- Some problem staff are transferred from department to department. An example is a staff person in residential plan review; and
- Staff are not accessible, they don't return phone calls or emails. Voice mail boxes are often full.

## **Zoning**

This process seems to work better than others.

## **R. REAL ESTATE COUNCIL OF AUSTIN**

A group of 8 Real Estate Council members met on September 3<sup>rd</sup> at the Real Estate Council offices. The consultant team was represented by Zucker Systems President Paul Zucker and no City staff were invited or present. Comments are presented in alphabetical order and do not represent the Association's priorities.

## **Austin Energy**

It finally recently took City Council action to get Austin Energy to use AMANDA.

## **Austin Neighborhood Council**

- This group doesn't represent the entire City, mostly downtown and special people; and
- The system is doing what it was designed to do, i.e. keep development out of the neighborhoods surrounding downtown for educated white liberals.

## **Case Managers**

There are case managers but they don't really act that way. The PDRD used to have Project Managers but the other departments did not like it so it was stopped.

## **Core Issue**

- The process is over politicized. Staff lives in fear of this so everything has to trickle up to the PDRD Director who really functions as a zoning clerk; and
- The issue is how staff relates to input from neighborhoods and City Council members.

## **Decisions**

All key decisions or solving problems need to go the PSRD Director.

## **Development Assistance Center**

The DAC is more functional than the other Divisions in the PDRD.

## **Inspectors**

They may not agree with the plan review.

## **Legal**

- There are problems in the legal department; and
- Unified Development Agreements come down to one person who is a para legal.

## **Management**

The Department, PDRD, is being led by a zoning clerk.

## **Neighborhood Plans and Zoning**

- Neighborhood Plans can be changed only one time a year;
- The Neighborhood Contact Teams are formal and have By-laws; and
- Zoning can be changed more than once a year if consistent with the Neighborhood Plan.

## **Other Departments**

A dotted line is needed on the organization charts to a variety of other departments including:

- Austin Energy, the 2<sup>nd</sup> worst;
- Austin Water Utility, the worst – broke;
- Fire;
- Legal, big area of non-accountability;
- Parks;
- Public Works;
- Real Estate Department;
- Transportation Department; and
- Watershed Protection.

## **Processes**

- There are multiple reviews and they are not consistent;
- The processes have never been flow charted;
- Staff simply use canned comments since they don't know the Code;
- There is no development review committee; and
- There is delay and confusion, needed is predictability.

## **Site Plans/Subdivisions**

- There are too many silos;
- There is no one point of contact;
- There are too many specialists;
- Site Plan and Subdivisions are the big issues, not Building or Zoning; and
- The City used to meet on site plan cases and go through conditions but not anymore.

## **Staff**

- Staff doesn't understand the big picture;
- Staff need training; and
- Reviewers need to stay with the Code

## **Timing**

Reviews simply take too long and are unpredictable.

## **Water Utility**

The Water Utility say a line may not cross a lot line.

## **S. SPECIAL INTEREST GROUPS**

A group of 5 people met on September 30<sup>th</sup> at the Windsor Park Branch Library. The meeting was designed for a mixed group of SOS, Sierra Club, SBCA, HCC, ADAPT, ASLA, Preservation Austin, Heritage Tree Foundation, and PODER. The group consisted of three landscape architects and two people with a focus on historic preservation. The consultant team was represented by Zucker Systems President Paul Zucker and no City staff were invited or present. Comments are presented in alphabetical order and do not represent the groups priorities.

## **Culture**

- There is a high level of distrust. Staff don't respect each other or the public; and
- Staff is antagonistic to the private professionals.

## **Data Base**

The historic data base is not linked to AMANDA.

## **Environmental**

There is no documentation of interpretations in environmental review. Seems to be “secret memos.”

## **Historic Preservation**

- Building Inspectors may not know anything about historic preservation. There are no special inspectors for historic structures. There needs to be special trained inspectors;
- Landmarks are inspected every year but there is no documentation of this;
- The Preservation Office data base is not integrated into the Permitting Data Base but should be;
- The historic preservation function should be moved from current planning to Urban Design; and
- Historic preservation is not included in site plan review.

## **Leadership**

The lack of leadership in PDRD along with lack of training are the two key issues.

## **Organization**

The group would like to see the PDRD organization charts.

## **Phone Calls and Emails**

Most staff don't return either internal or external calls or emails. One person even has a message on the phone that says, “I don't respond to phone calls or emails, you will have to talk to me direct or to my supervisor.”

## **Rules**

The rule process is so bad that no one wants to change a rule. A rule can be waived by the Director.

## **Site Plan Review**

- The site plan review process is outdated. You must submit 25 copies of your plan. New staff aren't adequately trained for this function. Staff produces a combined report that, has a bad format. Many of the comments are boilerplate and may not even apply to the specific application, some reviewers don't even look at the plans, and some of the conditions are crazy;

- There is a case manager but they don't really manage the case, they are collators that simply paste together everyone's comments;
- Applicants need to call in to clear comments. Some staff will take phone calls, others will not;
- The second review is to be completed in 14 days. A few of the prior conditions or comments go away, but then new ones are added. The document also includes language that says, "these may not be all the comments." It is not unusual that it takes 6 months for a site plan review;
- For site plan exemptions there is a joint staff review team. A review team used to be used for regular site plans but is no longer used; and
- There are not licensed landscape architects reviewing the plans.

### **Staff**

People get promoted for the wrong reasons.

### **Training**

There is a total lack of training in PDRD. Cross training would be useful.

## **T. SPECIALTY CONTRACTORS ASSOCIATIONS**

A group of 6 representatives of the Specialty Contractors Association met on October 1<sup>st</sup> at One Texas Center. The group included representatives of plumbing, heating and air conditioning, and electricians. The consultant team was represented by Zucker Systems President Paul Zucker and no City staff were invited or present. Comments are presented in alphabetical order and do not represent the Association's priorities.

### **Change**

Nothing ever changes. This is the fourth focus group some have been in over 12 years.

### **Culture**

Staff is very negative. There is no customer service mentality and it all starts at the top.

## **Industry Meetings**

The industry has asked for monthly or quarterly meetings. Staff say they do but it is not consistent. An exception is the Supervisor for Plumbing/Mechanical Inspection who reaches out to them and works with them. He understands customer service.

## **Inspectors**

- They are angry. May relate to how PDRD operates and upper management;
- There is only one electrical inspector for all of downtown, totally understaffed;
- If more staff is needed, the fees should be raised;
- Better communication with the inspectors would be desirable so they don't have to wait and then an inspector doesn't show up;
- The issues are more with the combination inspectors rather than the commercial inspectors;
- One person had 10 staff working on site, the inspector simply walked through the house and then recorded the inspections as a "no show;" and
- They are willing to pay for overtime but the City has been reluctant to do that.

## **License Compliance**

There is a lack of license compliance checks. Code Enforcement should be doing more of this. Working without a license should be enforced.

## **Minor Issues**

Very minor issues in plumbing, mechanical or electrical may then require a building permit, and you wait in line.

## **One Texas Center**

The place is bizarre, like the Soviet Union.

## **Open Permits**

If there are open permits on a property you can't proceed. A major issue for certain types of properties.

## **Organization**

There are three plumbing departments, Industrial Waste, Austin Water, and PRDM.

## **Telephones and Emails**

For at least one person, in 12 years, no one answered the phone. There is no response to emails.

