



Letter of Support for Austin City Council Agenda Item Concerning a Sound Assessment Policy

Dear Mayor and Council,

The Music Venue Alliance of Austin was formed in 2016 with the goal of achieving industry-wide policy improvements to support the places where live music happens.

One of our first priorities was to repair relationships with our neighbors and community organizations. The lack of consistent enforcement of existing sound impact policy had left venues and neighbors in a state of mistrust.

Further, the encroachment of new development in areas deemed to be attractive to residents and hotel guests because of their proximity to venues became a threat to those very businesses. Lawsuits filed by large development companies with unlimited resources against independently owned venues, that may very well have been operating within legal limits, threatened an already vulnerable ecosystem.

The Sound Assessment Policy before you today is the result of years of persistent research, community engagement, and negotiation. We believe this solution calls for necessary preemptive planning that will bring parties together before irreversible decisions are made that could pit venues and neighbors against each other.

Music Venue Alliance is grateful to City staff and all the community partners who have stayed at the table to arrive at this shared proposal.

We are proud to have been included in this process that proves that with enough time, vulnerability, commitment and leadership, Austin can repair old and deep divides.

Thank you for your support, and please consider MVA to be at your service in building solid relationships in our beloved city.

Take care,

Rebecca Reynolds
President and Founder
Music Venue Alliance Austin
512-825-9884





TO: Mayor Kirk Watson and Austin City Council Members

FROM: Taylor G. Smith, Deputy Director of Government Affairs *Taylor G. Smith*

DATE: September 9, 2024

SUBJECT: Item 5 – Sound Assessment Ordinance

The Austin Board of REALTORS® appreciates Council's desire to improve compatibility between residents and music-related business to ensure both can co-exist in an amicable manner and prosper together. Item 5 is a sound assessment ordinance that will help developers of new residential and hotel projects understand the sound levels in the area so they can take it into consideration when designing and constructing residences. The proposed ordinance establishes a new sound assessment requirement for residential and hotel development projects within proximity to an outdoor music venue or performance venue, while minimizing the impact to the development review process and housing affordability.

On behalf of our more than 20,000 Central Texas REALTORS®, **we ask Council to support City Staff's draft Sound Assessment Ordinance which reflects the hard work and agreements reached by stakeholders.** The proposed ordinance balances the concerns that our members raised while still achieving the intended goal of providing Austin residents with the ability to make informed housing decisions. We would like to thank City Staff for their dedicated work, stakeholder engagement process, and for facilitating successful stakeholder conversations which led to the develop an ordinance that can be collectively supported by most stakeholders.

ABoR believes that residents should be empowered with the resources they need to make informed housing decisions. However, we had significant concerns about the original proposed sound assessment and disclosure requirements because of the impact those regulations would have had on the housing market, property owners, and REALTORS® and real estate agents. The two main concerns from our ABoR members about the original proposal related to (1) the additional liability that would be imposed on property owners and real estate agents if a sound disclosure requirement was implemented; and (2) the impact that the regulations, like a sound assessment, would have had on the cost of new housing, particularly smaller new construction like one-to-five-unit developments. City Staff's proposed ordinance in Item 5 addresses both concerns by removing the disclosure requirement and replacing it with mapping tools, including a field on Property Profile Reports, and exempting smaller and missing middle new construction from the sound assessment requirement.

We look forward to continuing our partnership with City Staff to develop additional resources that are accessible to the public and that our member can provide to future clients about how to learn more about nearby music-related businesses prior to buying or leasing a residential property. These resources can help raise awareness about both the cultural and entertainment amenities in the area, as well as the potential sound impact.

Thank you for carefully considering this request. We appreciate your leadership, and we are here to partner with you as you work to address the housing affordability crisis our city is facing.

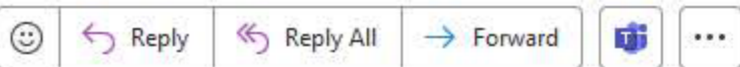
Cc: T.C. Broadnax, Austin City Manager



David Glenn

To: Block, Brian; Taylor Smith

Cc: Garrett, Elaine;



Tue 7/9/2024 11:33 AM

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Hey Brian,

Apologies for the delay on my end as well—I've been out of town since last Wednesday. We can support the proposal with those included changes. Thank you for your time, patience, and creativity working through this with us! This process has been a model for how we would like all future stakeholder processes to proceed and we've shared that feedback with DSD management and the City Manager's office.

Best,



David W. Glenn

Senior Director of Government Relations

Home Builders Association of Greater Austin

(512) 454-5588 (office) | (512) 982-9175 (direct)

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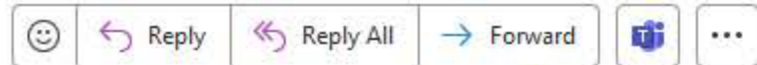
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Carrie Smith

To: Taylor Smith; Block, Brian; Elizabeth Patton

Cc: Garrett, Elaine;



Thu 7/11/2024 1:57 PM

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Brian,

Please accept my apologies for the delayed response. I needed to obtain board approval before providing an official response to the Sound Assessment and Disclosure Policy Proposal.

The Austin Apartment Association fully supports the revised language, which strikes a balance between the needs of future residents and property owners/managers. We sincerely appreciate your attentiveness to our members' concerns and your efforts in crafting a compromise that fulfills the City Council's resolution, helping Austinites make informed housing decisions. I echo Taylor and Elizabeth's sentiments regarding our desire to continue collaborating with you and your team to develop resources and educate our members on this new ordinance and the resources that will be available to Austin residents in the future.

Thank you once again for incorporating our feedback and creating an ordinance that achieves its intended purpose without leaving unintended consequences. We understand that this was no easy task, and we deeply appreciate your efforts.

Wishing you a wonderful rest of your day, and we look forward to working with you soon.

Warmest regards,

Carrie Smith

Sr Director of Government & Public Affairs

AUSTIN APARTMENT ASSOCIATION

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