

Red River Cultural District Extended Hours Pilot Program Final Evaluation and Recommendations

Background:

On January 26, 2017, the City Council approved Ordinance No. 20170126-019, which created a pilot program extending decibel limits and hours to operate sound equipment at outdoor music venues located along Red River Street between 6th and 12th Streets (commonly referred to as the “Red River Cultural District”). The ordinance acknowledged the Austin Music Commission’s November 7, 2016 recommendation highlighting the impact of the Red River Cultural District on the local live music industry and encouraging a study to investigate the impact of extending the hours for amplified sound for the Red River District.

The ordinance emphasized the City’s commitment to ensuring that Red River live music venues continue to serve as incubators for local musicians and to protecting quality of life for residents and visitors, and it established the purpose of the pilot to collect meaningful data to determine the impact of extended hours on the venues and the public.

The pilot program temporarily allows five outdoor venues within the Red River Cultural District to play amplified music one additional hour on Thursday, Friday and Saturday nights from May 1, 2017 until Nov 1, 2017. The City Council approved Ordinance No. 2017019-007 that extended the pilot an additional six months to April 30, 2018. Extended hours include:

- Thursdays until 12 Midnight (current end time is 11pm)
- Fridays and Saturdays until 1:00 am (current end time is 12 midnight)

The ordinance directed the City Manager to provide updates on the economic, public safety and sound impacts of the pilot and to provide an evaluation that summarizes the data collected, identifies stakeholder feedback, and includes any recommended changes to City code.

Evaluation Findings: The results have shown the venues earning more revenue, venue staff and local musicians getting paid more, venues in compliance with sound level requirements, and significantly improved communication and relationships between venues and nearby neighborhoods. The findings below reflect data collected during the pilot period and are compared against baseline data from the same period in 2016 where possible:

- Venues are earning more revenue, venue staff are being paid more, and the total amount paid to local musicians has increased.
- The data show no quantifiable or measurable sound impact to the neighborhoods. There were fifteen nights when residents north of the University of Texas reported that music from downtown was audible, however that did not correspond with increased decibel levels in the neighborhood. 311 complaints have decreased.
- The addition of the night and weekend staff, hotline cell phone, and expanded communication between venues and residents have provided increased responsiveness to neighbors and significantly improved relationships.
- The data shows no discernable link between the pilot and crime.

Methodology: The Music and Entertainment Division (MED) measured the economic, sound, and public safety impacts related to the pilot program. There is a lag time to receive data from cooperating partners, departments and agencies, therefore not all of the data for the pilot are available through the current date.

Economic Impact

Staff measured mixed beverage tax revenues as reported by the State Comptroller's office, as well as the dollar amount of gross ticket sales, total number of tickets sold, amount paid to staff, number of local/regional acts, and total amount paid to local musicians.

Sound Impact

Staff utilized full spectrum sound monitors to measure sound data at the participating venues, neighborhood homes, and hotels. Sound complaints were tracked in two ways. Staff tracked the number of calls to the Red River Extended Hours Pilot hotline. Staff also used reports provided by Austin 311 listing the number of 311 complaints related to the pilot.

Crime Impact

To analyze crime impact, crime data related to the pilot area was provided and analyzed by APD.

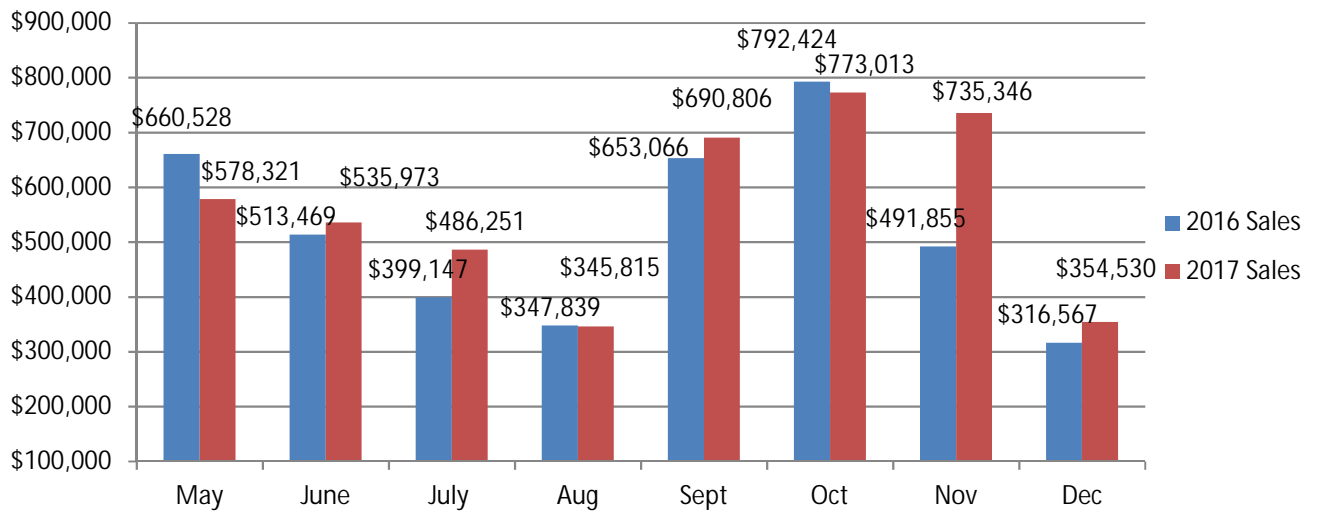
Economic Impact:

Venues are earning more revenue, venue staff are being paid more, and the total amount paid to local musicians has increased.

Aggregate Reported for District		Baseline	Pilot	% Change
		May-Oct, 16'	May-Oct, 17'	
	Dollar amount gross ticket sales	\$3,730,752	\$3,958,511	6%
	Total number of tickets sold	154,323	145,933	-5%
	Amount paid to staff	\$1,785,732	\$1,838,629	3%
	Number of local/regional acts	2,249	2,329	4%
	Total amount paid to local musicians	\$432,062	\$454,694	5%

Staff has analyzed eight months of mixed beverage sales data. The graph below compares sales for each month of the pilot to the same month of the previous year. Overall, the data show an 8% increase in mixed beverage sales from \$4,174,895 (May – December, 2016) to \$4,500,055 (May – December, 2017). Five of the eight months showed an aggregate increase in sales.

Mixed Beverage Sales



Sound Impact:

Overall, there was no quantitative sound impact on nearby neighborhood residents that can be detected by a sound meter. The sound monitor data (see below) from a residence that was tested nine times during the pilot provides the best sample size. The average decibel level during the loudest hour of the day at this home was under 45 dBA (consistent with a quiet urban area at nighttime), and there was no difference in decibel levels during the daytime compared to performance hours.

Even though sound impact did not register on a sound meter, there were occasions when neighborhood residents heard music coming from downtown. During the first ten (10) months there were fifteen (15) nights when neighbors called the Hotline to report sound impact in the neighborhood.

The night/weekend staff has become a resource for residents. This staff person answers phone complaints and investigates sound issues in real time. Communication between neighbors and venue managers has improved, and the staff team and stakeholders are committed to continuing to expand on this throughout the pilot and formalizing a structure to make it permanent.

Sound data was gathered on Thursday, Friday and Saturday nights at pilot venues on a rotating basis. The data from the venues shows that the average decibel level at the venue property line during the loudest performance hour of the night is well under the 85 dBA maximum.

Sound Monitor Data:

Neighborhood Residential (East 34th Street Home)

Average Decibel Level during the loudest hour of the day

Overall all day average	42.6 dBA	59.6 dBC
Daytime hour average	42.1 dBA	59.5 dBC
Performance hour average	43.1 dBA	59.6 dBC

5 of the 9 loudest hours were during daytime hours; 4 of the 9 were during performance hours

Pilot Venues

Average Decibel Level during the loudest performance hour

Venue	dBA	dBC
Cheer Up Charlies	76	89.3
Empire Control Room	74.5	86.9
Mohawk	79.1	87.8
The Sidewinder	76.1	84.8
Stubbs	73.9	84.9

*The sound level limit is 85 dBA

311 and Hotline Data:

- The number of 3-1-1 sound complaints decreased slightly during the first ten months of the pilot compared to the same time period in 2016. There were twenty-one (21) 3-1-1 sound complaints from May 2017 through February 2018, while there were twenty-four (24) 3-1-1 sound complaint calls from May 2016 through February 2017.
- There were fifteen (15) nights between May 2017 and February 2018 that we received calls to the Red River Pilot Hotline from neighbors to report that music could be heard in the neighborhood.

Crime Impact:

We have consulted with APD and they have stated that they reviewed the crime data and it does not suggest a link between the pilot and crime.

Stakeholder Outreach and Engagement

Extensive stakeholder input and feedback was gathered through nine neighborhood meetings; three focus group meetings with both venue representatives and residents; three online neighborhood engagement efforts via NextDoor, Neighborhood listserve and social media groups; two neighborhood surveys; four meetings with Red River District hotels and residential developments; and numerous meetings with the Red River merchants and Red River venues.

Staff Recommendation

The final staff recommendation is based on the pilot evaluation and key themes that were identified through stakeholder feedback and focus group discussions between both venues and residents that can help support both venue sustainability and residential quality of life and lead to better outcomes for both.

The key themes include:

- Continue and formalize communication and relationships between venues and residents, work collaboratively to understand each other's needs and resolve issues, and encourage mutual accountability
- City staff to continue monitoring for compliance, investigating issues, gathering data and finding solutions.

The staff recommendation for the pilot is as follows:

- The City Council amend the Code to allow the permanent extension of hours;

- MED staff is building upon past efforts and refining existing resources to ensure proactive response to sound complaints in the Red River Cultural District. MED formed the Entertainment Services Group in early 2017 which dedicates significant resources and numerous tools to monitor for compliance, document violations, target enforcement at venues with compliance issues, manage sound, and reduce sound impacts to neighbors. Staff will administratively continue to answer the hotline phone, use sound monitors at venues and in the neighborhoods, and utilize the night and weekend staff person to monitor compliance and investigate issues.
- A number of resources and best practices have resulted from the pilot which will be used to continue to resolve sound conflicts collaboratively with all impacted parties, including venues, neighbors, businesses, and neighborhood organizations.
- MED staff will create a forum for engagement and feedback for all outdoor venues and stakeholders to encourage mutual respect, accountability and effective communication around a solutions driven dialogue. Stakeholders will be encouraged to participate in good faith to foster positive dialogue and work collaboratively to provide solutions to address areas of stakeholder interests.

Stakeholder Engagement Procedural Framework

MED staff will involve stakeholders in the process of developing procedures for compliance monitoring and venue stakeholder collaboration. We have created a Procedural Framework that overviews our commitment to implement this and the approach we plan to take. However, in order to be inclusive we will convene stakeholders after the Red River Pilot is completed to participate in the process of finalizing the procedures for compliance monitoring and venue stakeholder collaboration. The Procedural Framework includes:

Compliance and Monitoring

- Ongoing use of **Night/Weekend Staff** position to monitor venues for compliance and investigate sound issues during nights and weekends.
- Ongoing use of the **Hotline Phone** so that citizens can report sound issues and staff can investigate while they are occurring and as resources allow.
- Enhanced **311 Sound Complaint Tracking** with all complaints logged and used to inform nighttime field visits to investigate issues and track data.
- Ongoing **Sound Monitoring** to proactively measure sound levels at venues in entertainment areas on a rotating basis. The sound data can be viewed in real time by the public via an app or web link.
- Ongoing use of the **Sound Engineering Consultant** to provide consultation and best practices to venues for enhancing sound quality, reducing sound impacts, and permit and code compliance.

Venue Stakeholder Collaboration Forums

- **Why:** The purpose of Venue Stakeholder Collaboration is to provide a forum for engagement between all outdoor venues and stakeholders to encourage mutual respect, accountability, and effective communication around a solutions driven dialogue.
- **Who:** All relevant parties, including venues, neighbors, businesses, and neighborhood and business organizations, are considered stakeholders.
 - Stakeholders are encouraged to participate in good faith to foster positive dialogue and work collaboratively to provide solutions addressing areas of stakeholder interests.
- **Where/How:**
 - Staff will use a data driven process to select engagement areas for in-person engagement.
 - The number of Outdoor Music Venue permits issued or the number of 311 complaints in a specific area may be used as a data driven selection process.

- Staff will coordinate and facilitate in-person venue stakeholder engagement meetings with selected areas annually as resources allow. Documented summaries of each meeting will be recorded and presented for public access.
 - Staff will create an online resource and forum for stakeholders to access the following:
 - Renewal dates for permitted outdoor music venues
 - Comments and feedback related to permitted entertainment venues, which will be used to help inform field visits to investigate issues, as well as outdoor music venue permit renewals and processes.
- **What:** Venue Stakeholder Collaboration Forums will feature Music & Entertainment topics to include, but not limited to the following:
 - Overall compliance data
 - Sound impact issues
 - Venue compliance concerns and how staff is investigating, validating, and resolving issues
 - Best practices and potential solutions for sound mitigation
 - Emerging topics related to entertainment and nightlife

Procedural Stakeholder Engagement Framework Development and Review

- This Procedural Framework was informed by stakeholders and reviewed prior to being presented at City Council on April 26th.
- After the City Council meeting on April 26th staff will engage stakeholders in a structured conversation about the procedural framework to develop comprehensive procedures and guidelines in writing.
- The procedures will be reviewed periodically with stakeholders and staff for improvement and enhancement.