

## DOWNTOWN AUSTIN PLAN PHASE ONE

July 6, 2009

### MODIFICATIONS TO THE DENSITY BONUS REPORT

Since the publication of the May 11<sup>th</sup> draft of the Downtown Austin Plan Density Bonus report, the City and consultants have conducted considerable outreach to gain comments and input on the draft report recommendations. This outreach included:

- A Town Hall meeting with the community on May 18<sup>th</sup>;
- A joint-meeting of the Planning, Design, Downtown, and Community Development commissions on May 19<sup>th</sup>; and
- Subsequent focus group work sessions with key stakeholders, including: property owners, neighborhood representatives, developers, and advocates for affordable housing, historic preservation, and parks and open space.

As a result of these meetings and work sessions, the document has been refined and updated and is now available for review on-line. The following five substantive changes have been incorporated into the report:

**Publicly Accessible Open Space:** In response to comments from the Parks and Recreation Board and others, development projects will be permitted to gain additional density by providing on-site open space that is publicly accessible and that meets defined criteria outlined in the report. This open space could include plazas, courtyards, pocket parks, paseos, and other urban spaces that positively contribute to the pedestrian environment and the life and vitality of Downtown.

**Green Building and Sustainability:** In response to comments from numerous stakeholders and Austin Energy staff, the sustainability recommendations have been modified to provide developments that achieve a three-star Austin Energy's Green Building (AEGB) rating with a 25% density bonus above the existing zoning's Floor Area Ratio (FAR) limit. Projects which achieve a four-star rating will be awarded a 40% FAR bonus, and those with a five-star rating will be awarded a 50% FAR bonus.

**Warehouse District Transfer of Development Rights:** In response to advocates of historic preservation and to property owners and Downtown development interests, the policy recommendations have been modified to create a two-tiered Warehouse District. Within the one-block "Core Preservation Zone" along Fourth Street between Lavaca and Colorado streets, where there is the greatest concentration of intact warehouse structures, a 45-foot height limit is proposed; property owners within this area will be permitted to transfer their unused density up to an FAR of 25.0 to developers seeking a density bonus on projects elsewhere in the Downtown. In the remaining blocks of the Warehouse District, property owners will be permitted to participate in the Density Bonus Program up to an FAR of 25.0, or to transfer their unused density up to an FAR of 8.0. All development within the Warehouse District will be required to meet specific development standards that promote compatibility with the historic fabric of the area. These standards, which include street wall

step-backs, introduction of awnings and canopies, and preservation of the existing elevated sidewalks are outlined in the report.

**Judges Hill Neighborhood:** In response to neighborhood concerns regarding compatibility of adjacent urban development that could occur as a result of the Density Bonus Program, the boundaries of the exempted areas have been expanded to include the entire Judges Hill neighborhood including the portion of the neighborhood just east of Lamar Boulevard. In addition, areas previously proposed for density bonuses along the Martin Luther King Boulevard and 15<sup>th</sup> Street corridors west of Rio Grande Street have been exempted from the Density Bonus Program. The revised report also clarifies that all new development will be subject to the City's existing Compatibility Standards, until which time that form-based development standards may be adopted as part of the Phase Two DAP. These standards will be the subject of subsequent stakeholder meetings over the next six to eight months.

**Market and Lower Shoal Creek Districts:** In response to concerns from the OANA, OWANA, ANC and others, the proposed level of intensification and increased height within the Market and Lower Shoal Creek districts immediately east of Lamar Boulevard have been reduced from a proposed FAR limit of 5.0 and a maximum height of 400 feet to a FAR limit of 3.0 and a maximum height of 90 feet. This is intended to create an appropriate transition between these lower-density neighborhoods and the southwestern part of Downtown that is undergoing considerable redevelopment and intensification.

## **MODIFICATIONS TO THE AFFORDABLE HOUSING STRATEGY REPORT**

Only two *substantive* changes have been made to the DAP Affordable Housing Strategy. These are:

- 1) The deletion of the recommendation that parkland dedication fees be considered to be waived in order to reduce the development cost of affordable housing projects; and
- 2) The addition of the following short-term recommendation:

***Explore opportunities to buy down existing market-rate units for long-term affordability.*** In addition to incentivizing new, dedicated affordable housing development, the City should explore opportunities to create affordable units in existing construction through buy-down of market-rate units. Changing economic conditions may create opportunities for the City to create affordable units in existing developments in a more cost-effective manner or in a way that creates more public value than it could through new construction. The City need not constrain its use of proceeds from private development fees or other sources to new construction, except where required by programmatic regulations.

In addition one important, but non-substantive change, has been made to avoid confusion. The term "Downtown Impact Area" has been changed to "**Housing Fee Investment Area**" to better describe the geographic area immediately surrounding Downtown where in-lieu housing fees collected through the Density Bonus Program may be applied or invested. This is the same area described in the City's current, interim density bonus program.