



**DOWNTOWN COMMISSION  
MINUTES**

**REGULAR MEETING  
WEDNESDAY, JUNE 19, 2013**

The Downtown Commission convened in a meeting on Wednesday, June 19, 2013, at 301 W. 2nd St. in Austin, Texas.

Vice Chair Heather Way called the meeting to order at 5:40 p.m.

**Downtown Commissioners in Attendance:**

Heather Way (Vice Chair), Martin Barrera, Mandy Dealey, Jude Galligan, Richard MacKinnon, Sunshine Mathon, Lynn Osgood, Joel Sher, Hugh Simonich, Myron Smith

**City Staff in Attendance:**

Michael Knox, Mona Sanchez, Sue Lambe, EGRSO, Rey Hernandez, PARD, Gordon Derr, ATD, Jim Robertson, PDRD

**1. CALL TO ORDER & INTRODUCTIONS**

**2. CITIZEN COMMUNICATION: GENERAL**

There were no citizens speaking under general communications.

**3. APPROVAL OF MINUTES OF THE MAY 15, 2013 MEETING**

The minutes from the May 15, 2013 meeting were approved on a 9-0 vote on Commissioner Galligan's motion, and Commissioner Smith's second, with Commissioner Osgood abstaining.

**4. UPDATE ON BIKE SHARE**

The Commission received a presentation from Adrian Lipscombe with the Public Works Department Bicycle Program.

No action was taken.

**5. SEAHOLM SUBSTATION AIPP WALL PROJECT**

The Commission received a presentation from Sue Lambe with the EGRSO Arts in Public Places Program.

No action was taken.

**6. WOOLDRIDGE SQUARE DESIGN**

The Commission received a presentation from Rey Hernandez with the Parks and Recreation Department.

No action was taken.

**7. SPECIAL EVENTS ORDINANCE UPDATE**

The Commission received a presentation from Gordon Derr with the Austin Transportation Department.

No Action was taken.

**8. RAINEY STREET AREA ALLEY VACATION**

The Commission received a presentation from Michele Lynch with Metcalfe Wolff Stuart & Williams.

A motion to recommend denial of the vacation was approved on Commissioner Way's motion, Commissioner Osgood's second, on an 8-0 vote, with Commissioners Galligan and Sher abstaining.

A motion to recommend approval of the alley vacation, with conditions, failed on Commissioner Galligan's motion, Commissioner Sher's second, on a 6-4 vote. Those voting aye were: Commissioners Barrera, Dealey, Galligan, Sher, Simonich and Smith. Those voting nay were: Vice Chair Way, Commissioners Mathon, Osgood and MacKinnon.

The conditions are:

- The developer agrees to increase the ground floor commercial to 12,000 s.f.
- The developer agrees to pave the length of the alley to River Street.
- Require double paneled windows throughout the development for sound mitigation purposes.
- The 5% affordability requirement is for the life of the development.

A motion to recommend the Council direct staff to develop a district plan for the Rainey Street area with urban design standards and incentives for the development of pedestrian-oriented commercial uses, and to engage the development community in the creation of the plan, and that in addition to that plan, part of the City's master plan for the downtown alleys should look at possible future uses of the Rainey Street alleys, was approved on Commissioner Way's motion, Commissioner Dealey's second, on a 10-0 vote.

**A motioned to continue the Downtown Commission meeting past 10:00 p.m. was approved on Commissioner MacKinnon's motion, Commissioner Dealey's second, on a 10-0 vote.**

## **9. CODIFICATION THE DOWNTOWN DENSITY BONUS PROGRAM AND CURE AMENDMENTS**

The Commission received a presentation from Jim Robertson with the Planning and Development Review Department.

A motion to oppose the staff recommendation failed on Commissioner MacKinnon's motion, Commissioner Simonich's second, on a 3-5 vote with Commissioner Mathon abstaining. Those voting aye were: Commissioners MacKinnon, Simonich, and Sher. Those voting nay were: Commissioners Barrera, Commissioner Way, Commissioner Dealey, Commissioner Smith, and Commissioner Galligan.

A motion to recommended approval of the staff recommendation for the Downtown Density Bonus Program and CURE Amendments, with additional recommendations, was approved on Commissioner Dealey's motion, Commissioner Smith's second, on a vote of 8-1, with Commissioner MacKinnon voting no and Commissioner Osgood off the dais. The additional recommendations were:

- Council should also prohibit the use of PUDs Downtown as a means of obtaining bonus height or FAR.
- Council should direct staff to submit draft code amendments to Council by 12/31/13 codifying the balance of the Community Benefits, including calibrating those benefits.
- Recalibration should be conducted a minimum of every three years (rather than the staff-recommended five years).
- Any project committing to provide on-site affordable housing should also commit to accept Section 8 vouchers.
- Staff should develop and implement a mechanism to monitor projects that commit to provide on-site affordable housing to ensure that those commitments are honored, utilizing the UNO structure that addresses the same process.
- Affordable housing fees generated by this program should be directed to serve households at or below 30% MFI, including those with disabilities, families with children, and seniors, with a priority on providing housing for the chronically homeless, which may include low-barrier permanent supportive housing.

A motion to recommended the fee in lieu apply to both non-residential and residential projects failed on Commissioner Mathon's motion, Commissioner Way's second, on a 4-5 vote. Those voting aye were: Vice Chair Way, Commissioners Barrera, Mathon, and Simonich. Those voting nay were: Commissioners Dealey, Galligan, MacKinnon, Sher and Smith.

## **10. WORKING GROUPS**

- Commissioner Galligan reported on the Rainey Street Working Groups final recommendations.

A motion to accept the working group's recommendations was approved on Commissioner Barrera's motion on a vote of 8-0.

- Commissioner Smith reported on the Working Group developing a recommendation on which downtown projects the Planning Commission would seek the Downtown Commission's input before Planning Commission action.

The Working Group will bring their recommendations back in July.

- On behalf of Commissioner Osgood, Commissioner Way discussed the creation of the downtown open space Working Group with Commissioner Osgood serving as Chair.

A motion to create a Downtown Public Open Space Working Group with Commissioner Osgood as Chair was approved on Commissioner Way's motion, Commissioner Smith's second, on an 8-0 vote.

- Commissioners discussed the creation of an implementation of the downtown plan Working Group.

A motion to create the Downtown Plan Implementation Working Group and bring recommendations back to the Commission was approved on Commissioner Dealey's motion on a vote of 8-0. Vice Chair Way and Commissioners Dealey, Simonich and Smith indicated an interest in serving on the working group.

#### **11. NEW ITEMS FOR INFORMATION FROM COMMISSION MEMBERS**

- Commissioner MacKinnon reported on the Urban Transportation Commission's (UTC) discussion on social transportation and Sidecar. The UTC is forming a community stakeholders group to look at the current Council ordinance on social transportation, and will report back to the Council by August 8.

#### **12. ITEMS FROM STAFF**

- Staff had no new items.

#### **13. POTENTIAL FUTURE AGENDA ITEMS**

- Update on Special Events Ordinance
- Revisit Downtown Density Bonus Program and CURE
- Downtown Open Space Project Working Group
- Busking Initiative
- 4<sup>th</sup> Street Pedestrian Planning (MetroRapid Stations to Congress Ave.)

#### **ADJOURNMENT**

The meeting was adjourned at 10:35 p.m.