

Comparison of Rainey District Density Bonus Program (Rainey DBP with Downtown Austin Plan Density Bonus Program (DAP DBP)

Late Backup

Rainey District Density Bonus Program (25-2-739)		
Downtown Austin Plan Density Bonus Program (25-2-586)		
	Rainey DBP	DAP DBP
Gatekeeper Requirements:		
Great Streets Improvements	No (but see (b) below)	Yes
2-Star Green Building	Maybe (see (g) below)	Yes
Substantial Compliance - Urban Design Guidelines	No	Yes
On-Site Affordable Housing	Required	Applicant can choose this or Fee
Affordable Housing Fee-in-Lieu Payment	Not an option	Applicant can choose this or on-site
Rainey point system:		
(a) 10 points if at least 10% floor area is residential and at least 10% is non-residential	An option	No
(b) 15 points for streetscape improvements including: street lights; conduit for traffic signals; shade trees; benches; trash receptacles.	An option	No (Great Streets required)
(c) 10 points for a non-residential or mixed-use building that provides "high bay" ground floor space and minimum 50% glass at ground floor.	An option	No
(d) 5 points if at least 10% of development used for plaza, park, etc.	An option	No
(e) 5 points if: parking is underground; or parking in interior court; or parking above ground (with certain conditions).	An option	No
(f) 5 points certain entrance requirements or stepbacks (if adjacent to historic structure).	An option	No

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(g) 5 points for 2-Star Green Building or 10 points for 3-Star	An option	2-Star mandatory; higher rating optional
(h) 5 points if improves pedestrian connectivity	An option	No
(i) 10 points for 10' front setback and building stepped back by 15' maximum 40' above grade.	An option	No
(j) 5 points for each historically significant structure preserved on-site or re-located within Rainey District	An option	No

Notes for "Comparison of Three Options for Modified Rainey District Density Bonus Program"

General Notes:

- Summary of Rainey Density Bonus Program (25-2-739):
 - Base entitlement = CBD zoning (8:1 FAR) and 40' height limit.
 - If provide 5% of "the dwelling units on the site" as affordable, the 40' height limit no longer applies.
 - If project wishes to exceed 8:1 FAR, the project can go to 12:1 FAR by accumulating 65 points in an "a la carte" menu of community benefits.
- Summary of Downtown Austin Plan (DAP) Density Bonus Program (25-2-586):
 - For property zoned CBD, the DAP DBP, kicks in above 8:1 FAR.
 - Any project that seeks to use the DAP DBP must comply with Gatekeeper Requirements: Great Streets; minimum 2-Star Green Building; substantial compliance with the Urban Design Guidelines.
 - Minimum 50% of Bonus Area must be achieved via affordable housing benefits (on-site or fee-in-lieu). Project may choose to achieve up to 100% of Bonus Area via affordable housing benefits.
 - Fee-in-lieu for non-residential projects = \$0/square foot.
 - Fee-in-lieu for residential projects in Rainey District = \$5/square foot.

Specific Notes:

Note 1:

Since 12/15ths of the total FAR is earned via the Rainey DB program, then the 5% affordable housing mandate must be applied to 12/15ths of the total unit count. $12/15 \times 420 \times 0.05 = 16.8 = 17$ units.

Note 2:

3/15ths of the total FAR/total square footage would have to be earned via the DAP DB program. $468,750 \text{ sf} \times 3/15 = 93,750 \text{ sf}$. At least one-half of that Bonus Area square footage would have to be achieved by providing affordable housing benefits; and the applicant could choose to achieve its entire Bonus Area via affordable housing benefits. If one assumes that the applicant chooses to make a fee-in-lieu payment (rather than provide on-site affordable housing), and if one applies the recommended Rainey District fee-in-lieu amount of \$5.00/sf of bonus area, this produces a minimum (50%) affordable housing fee-in-lieu payment of \$234,375 ($93,750 \text{ sf} \times 0.5 \times \$5.00/\text{sf}$), and a maximum (100%) fee-in-lieu payment of \$468,750 ($93,750 \text{ sf} \times \$5.00/\text{sf}$).

Note 3:

Whether the applicant would provide other community benefits (besides affordable housing) under the DAP DBP would depend upon whether the applicant chose to achieve less than 100% of its Bonus Area via affordable housing benefits.

Note 4:

Under Option 2, the entire 15:1 FAR is achieved via the Rainey density bonus program. As such, the 5% on-site affordable housing mandate applies to 100% of the units in the project. $420 \text{ units} \times 0.05 = 21 \text{ units}$.

Note 5:

Under Option 3, the Rainey density bonus program applies only up to 8:1 FAR. Consequently, the on-site affordable housing mandate applies only to 8/15ths of the total unit count. $420 \text{ units} \times 8/15 \times 0.05 = 11.2 = 12 \text{ units}$.

Note 6:

Under Option 3, all of the square footage above 8:1 FAR would be achieved via the Downtown density bonus program. That 7.0 FAR constitutes 218,750 square feet of Bonus Area ($31,250 \text{ sf site area} \times 7.0 \text{ FAR} = 218,750 \text{ sf}$).

Under the DAP DBP, minimum 50% of the bonus area must be achieved via affordable housing benefits. Assuming that the applicant chose to do so via a fee-in-lieu payment (at a rate of \$5.00/sf), this would produce a minimum fee-in-lieu payment of \$546,875. If the applicant chose to achieve 100% its Bonus area by paying a fee-in-lieu, and payment would be \$1,093,750.

Comparison of Three Options for Modified Rainey District Density Bonus Program

Option 1: Leave the existing Rainey DBP untouched; apply DAP DBP for FAR above 12:1.			
Option 2: Do not apply the DAP DBP to Rainey; modify Rainey DBP so it allows up to 15:1 FAR.			
Option 3: Modify Rainey DBP so it applies only up to 8:1 FAR; eliminate the Rainey program's "point system"; apply DAP DBP for FAR between 8:1 and 15:1.			
Hypothetical Scenario Description: Proposed Use = residential (420 units) with ground floor retail; Site area = 31,250 (125' x 250'); Zoning = CBD; Base Entitlement = 8:1 FAR = 250,000 sf; desired entitlement = 15:1 FAR = 468,750 sf.			
	Option 1	Option 2	Option 3
Number of affordable units required?	17 (Note 1)	21 (Note 4)	12 (Note 5)
Rainey point system apply?	Yes	Yes	No
DAP DBP Gatekeeper Requirements?	Yes	No	Yes
Affordable Housing Fee-in-Lieu?	\$234,375 - \$468,750 (Note 2)	No	\$546,875 - \$1,093,750 (Note 6)
Other DAP DBP community benefits?	Maybe (Note 3)	No	Maybe (Note 3)