

Downtown Density Bonus Program

Downtown Commission Update

21 May 2014



Purpose of Today's Presentation

1. Downtown Density Bonus Ordinance

- Overview
- Ordinance language
- Figure 2

2. Fifth and West DDBP Request

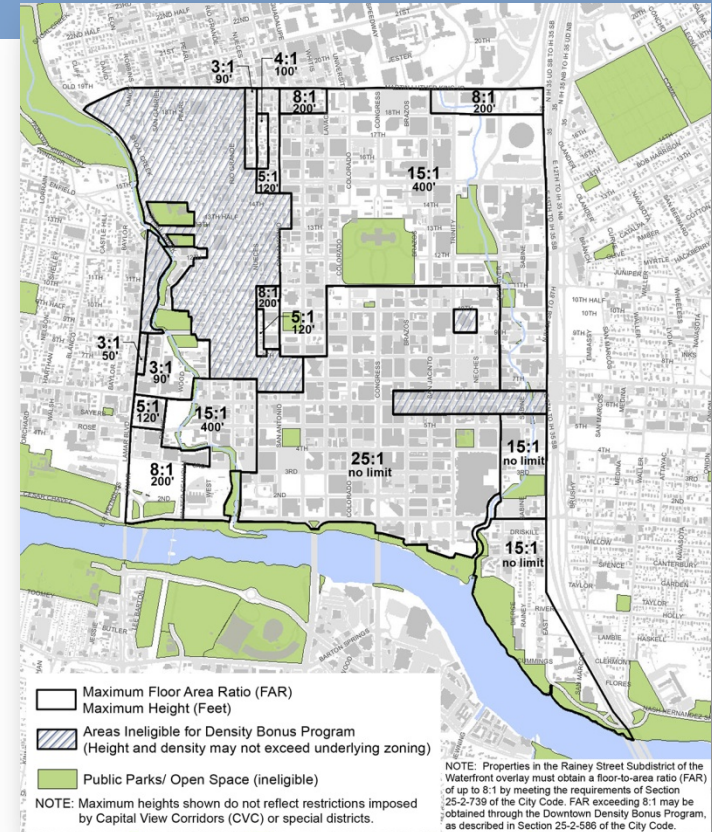
- Request
- Staff recommendation rationale

3. Next Steps



Downtown Density Bonus Program Overview

- Approved by City Council via Ordinance No. 20140227-054
- Addresses the following:
 - Where density bonus and additional height may be achieved;
 - Sets a compatible FAR and height limitation based on context;
 - Outlines program participation (*Gatekeeper* requirements); and
 - Lists community benefits that can be used to achieve greater height and density



Ordinance No. 20140227-054 Language

25-2-586 (B)(6):

- (6) Notwithstanding the limitation provided for in (B)(3) of this section, the city council may grant to an applicant floor-to-area ratio that exceeds the maximum floor-to-area ratio in Figure 2 if:
- (a) The applicant has already achieved the maximum floor-to-area ratio in Figure 2 by participating in the Downtown Density Bonus Program;
 - (b) The applicant submits a written request and rationale for the additional floor-to-area ratio to the director;
 - (c) **The director makes a written recommendation on the application** and then submits the recommendation to the Planning Commission for its review and recommendation; and *[Emphasis added]*

(Continued)

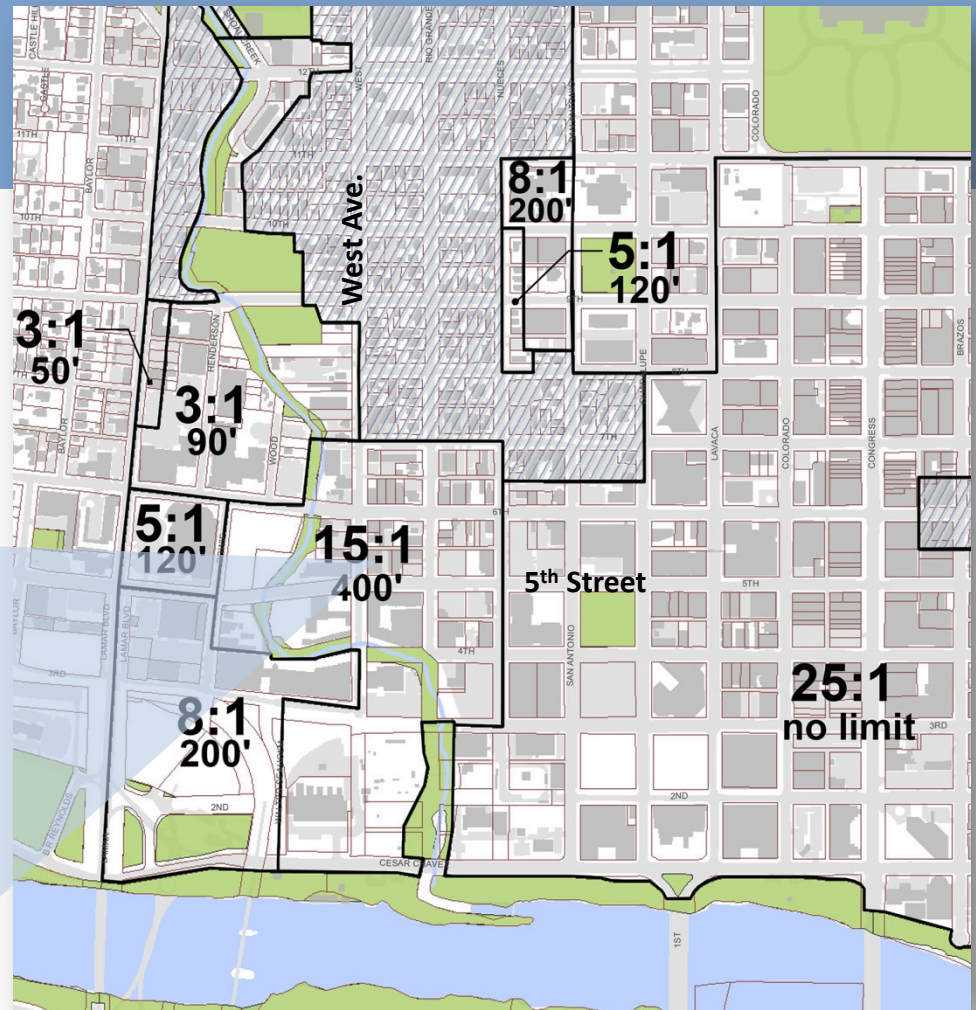
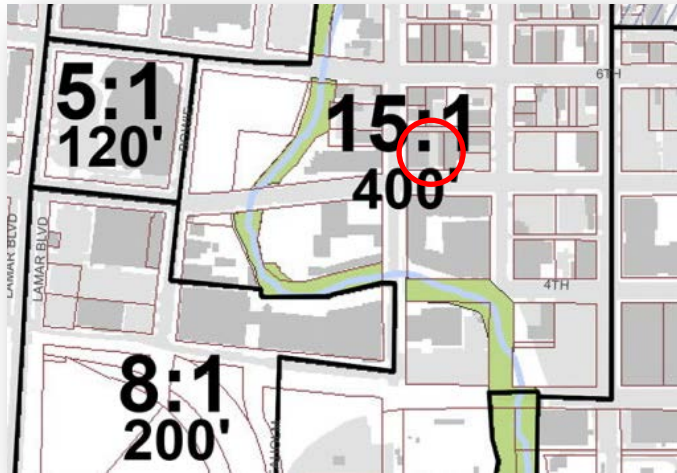
Downtown Density Bonus Program Overview

- (d) **The city council determines** that the additional floor-to-area ratio should be granted because:
- (i) The applicant has offered additional community benefits described in (E)(I)-(12) above and beyond those offered to achieve the floor-to-area ratio in Figure 2;
 - (ii) The applicant agrees to use the same methodology and bonus area granted for each community benefit as described in the downtown density bonus program to achieve the desired bonus area;
 - (iii) The city council determines that awarding the additional floor-to-area ratio substantially furthers the goals and objectives of the Downtown Austin Plan and the Imagine Austin Comprehensive Plan; and
 - (iv) The applicant has agreed that any residential parking space shall be offered separately from the dwelling unit.

[Emphasis added]

Figure 2

Figure 2 as approved by
Ordinance No. 20140227-054



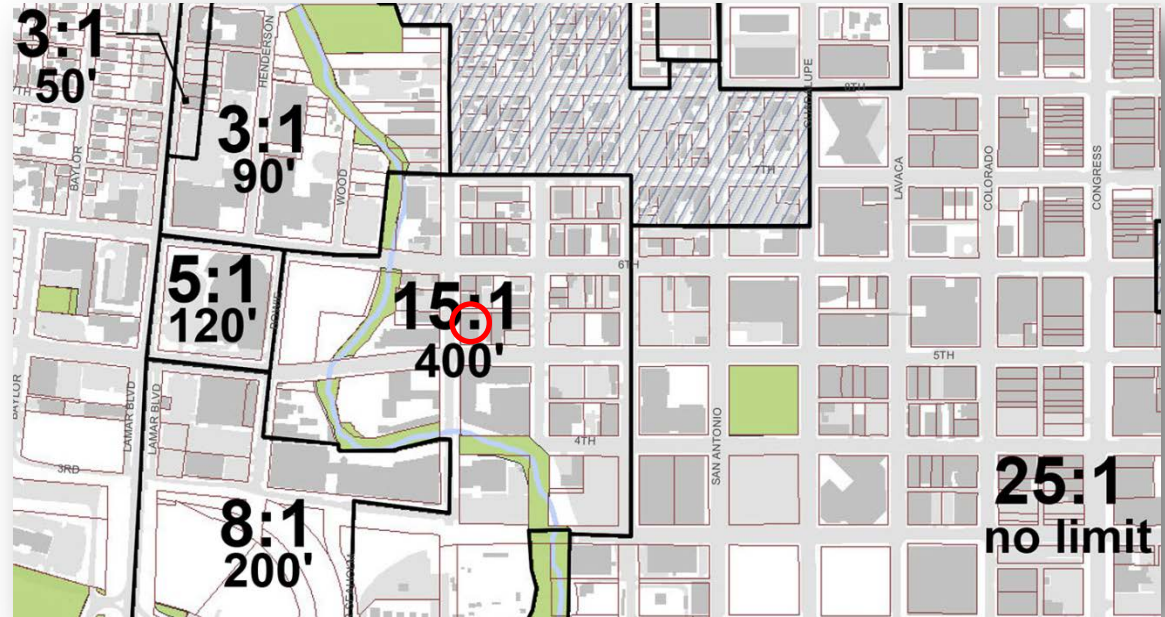
Fifth and West DDBP Request

Parcel Zoned:

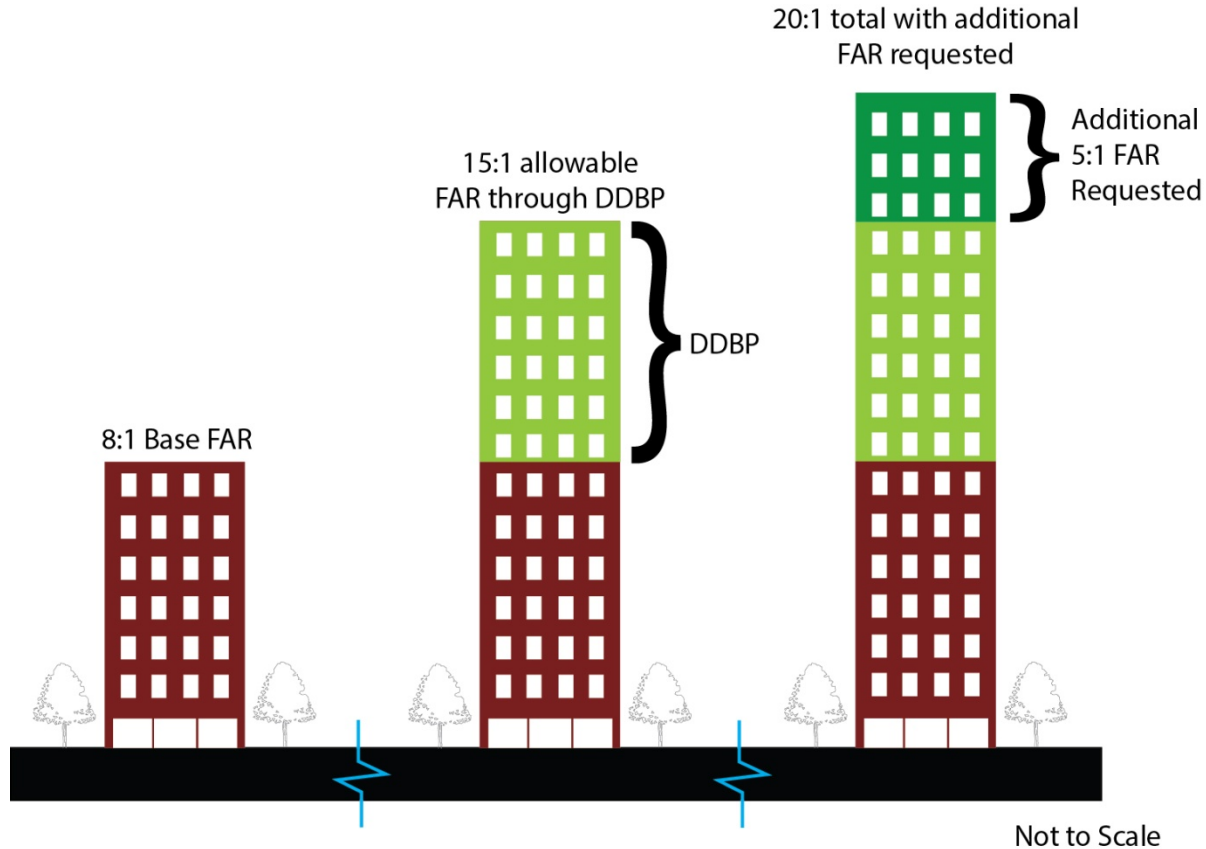
- CBD (FAR of 8:1)
(with Capitol View Corridor)
- Site Size: 16,662 sf

Seeking:

- 20:1 FAR (i.e., a “Bonus Area”
of 12:1 FAR (199,944 sf)



Fifth and West DDBP Request



Fifth and West DDBP Request

Request Summarized:

Consider an Ordinance granting additional floor-to-area ratio to the project at 718 West 5th Street in accordance with the Downtown Density Bonus Program:

1. In accordance with 25-2-586(E)(12)(f), the Applicant is proposing other community benefits beyond those addressed in 25-2-586(E)(1)-(11):
 - \$333,240 contribution to the Shoal Creek Conservancy for improvements to Shoal Creek; and
2. In accordance with 25-2-586(B)(6), the Applicant is requesting additional floor to area ratio (FAR) from 15:1 to 20:1 for a proposed multi-family high rise project that has participated in the Downtown Density Bonus Program and is processing a request for bonus area up to 15:1 FAR to be granted administratively.

Staff Recommendation Rationale

Section 25-2-586(B)(6) does not provide any specific criteria upon which to base a staff recommendation with respect to a request to exceed by 5.0 FAR the maximum FAR of 15.0 identified in 25-2-586(B)(3) and Figure 2. In the absence of specific criteria, staff's recommendation was arrived at as follows:

The Downtown Austin Plan (DAP) embodies two basic concepts pertinent to this analysis.

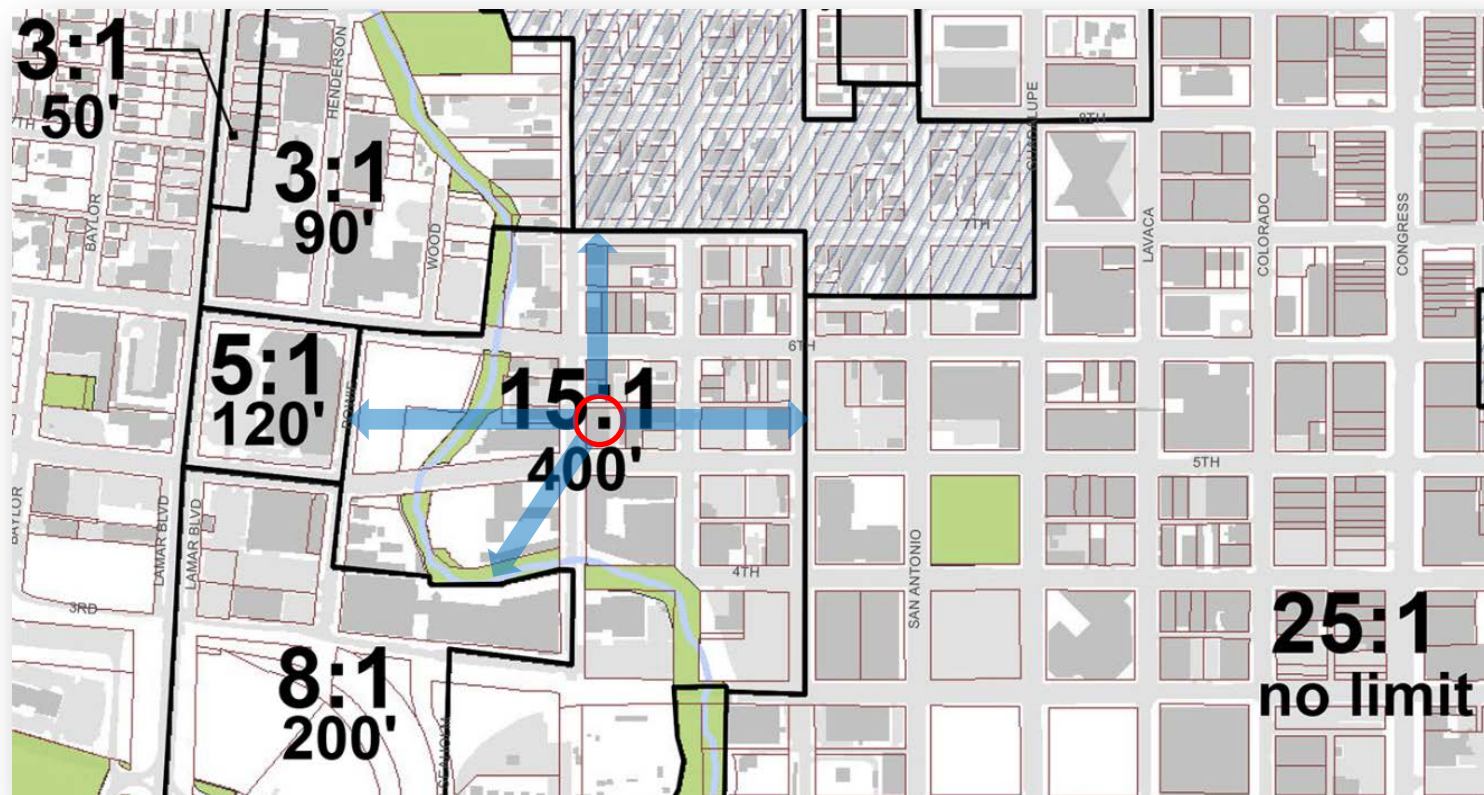
1. On the one hand, the DAP envisions a Downtown with “a dense and livable pattern of development that supports a vibrant day and nighttime environment” (DAP, p. 2), and recommends that the “City should continue to encourage high-density development that contributes to the economic vibrancy of the region and that helps to achieve other Downtown objectives” (DAP, p. 103).
2. On the other hand, the DAP recognizes and underscores that “Downtown is not a monolithic or homogenous place,” but rather is a series of sub-areas “with different uses and activities, building types and heights and property ownership patterns” (DAP, p. 31).

Staff Recommendation Rationale

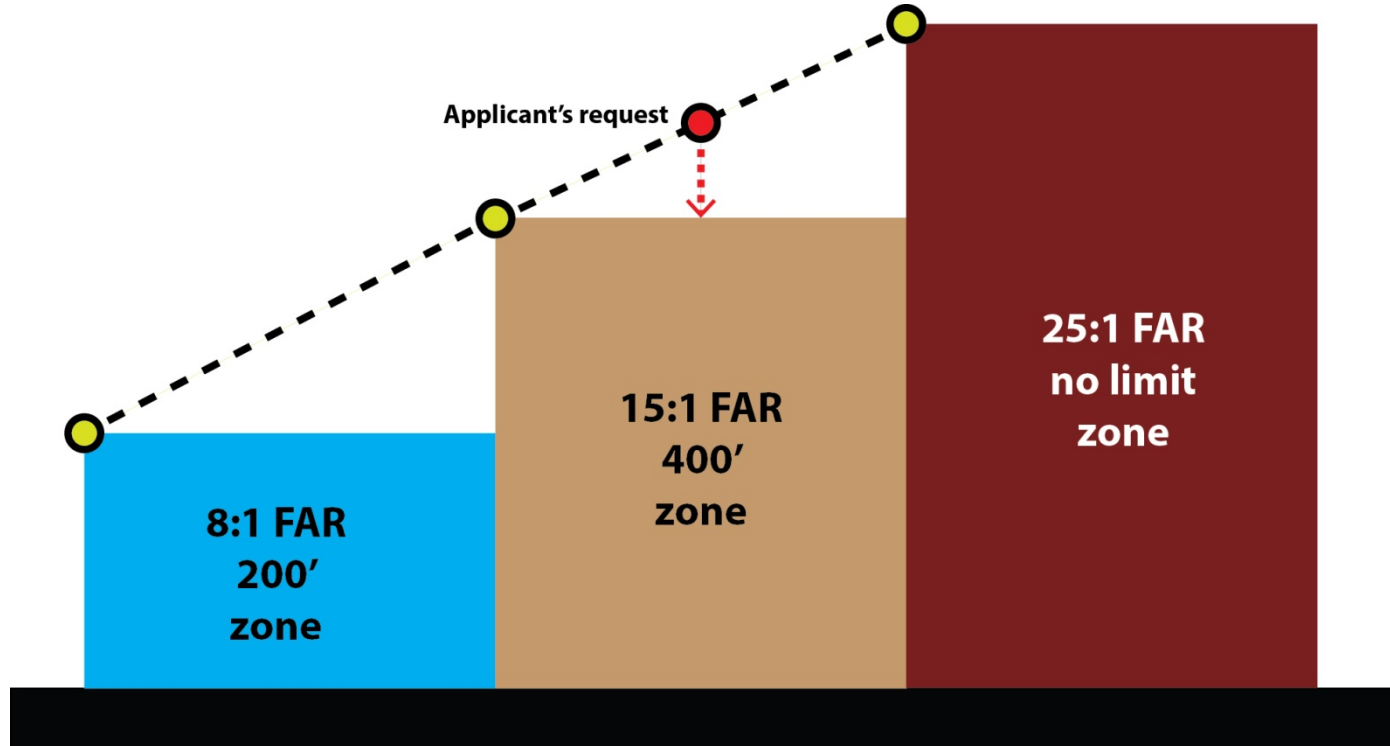
Staff took into account the specific location of the project:

1. That location is in a zone identified by Figure 2 as having a maximum administratively-approved FAR of 15.0 Further, that location falls about midway between two adjacent zones containing different FAR maximums: to the west is a zone with a maximum FAR of 5.0; to the east is a zone with a maximum FAR of 25.0.
2. **Considering that a project within the 15.0 FAR zone could be administratively granted an FAR of 15.0 immediately adjacent to the 5.0 FAR zone, it would seem logical that a project halfway from that location to the edge of the 25.0 FAR zone might be granted an FAR of 20.0.**

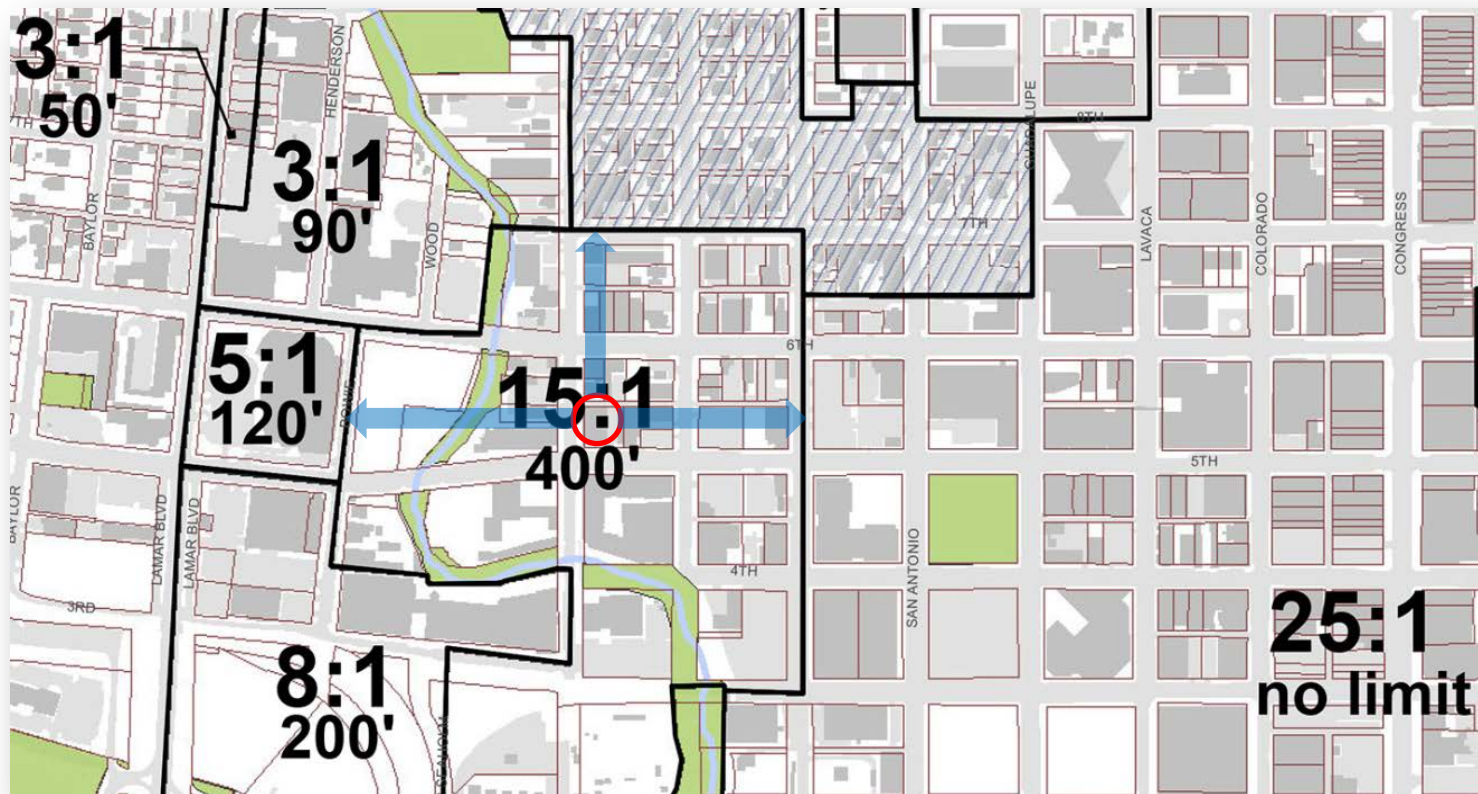
Staff Recommendation Rationale



Staff Recommendation Rationale



Staff Recommendation Rationale



What if
request was for
Additional
FAR exceeding
20:1?

Next Steps

1. Planning Commission recommendation on April 22, 2014:
The motion to approve staff's recommendation and to include the Capital View Corridor was approved by Commissioner Alfonso Hernandez, Commissioner Richard Hatfield seconded the motion on a vote of 7-0.
2. **City Council public hearing on May 22, 2014.**

