Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: 47
AGENDA DATE: Thu 11/04/2004

SUBJECT: Consider recommendations regarding redevelopment in the Rainey Street Subdistrict of the Waterfront Overlay District, including initiation of appropriate amendments to City development regulations. (Public hearing held and closed on October 21, 2004.)

AMOUNT & SOURCE OF FUNDING: N/A

FISCAL NOTE: N/A

REQUESTING DEPARTMENT: Neighborhood Planning and Zoning
DIRECTOR'S AUTHORIZATION: Alice Glasco

FOR MORE INFORMATION CONTACT: George Adams, 974-2146; Sylvia Arzola, 974-6448

PRIOR COUNCIL ACTION: 2/12/04 The City Council approved a resolution initiating rezoning of the Rainey Street area and directing the City Manager to review the regulations of the Rainey Street Subdistrict of the Waterfront Overlay District.

BOARD AND COMMISSION ACTION: Reviewed by Design Commission, Downtown Commission, Historic Landmark Commission, Parks Board and Planning Commission; and Zoning and Platting Commission.

PURCHASING: N/A

MBE / WBE: N/A

On February 12, 2004 the City Council approved a resolution directing the City Manager to prepare recommendations for re-zoning the Rainey Street area, amending the regulations of the Rainey Street Subdistrict of the Waterfront Overlay District, identifying development incentive proposals to promote a variety of goals and presenting the recommendations to City boards and commissions.

As a result of this direction, an interdepartmental team of City staff developed the recommendations included in the attached report titled The Rainey Street Subdistrict of the Waterfront Overlay District

Proposed Zoning & Code Amendment Recommendations for Redevelopment. The major staff recommendations include rezoning all property not currently zoned CBD or DMU within the area to CBD, limiting building height to 60 feet through an amendment to the Rainey Street Subdistrict of the Waterfront Overlay District and providing an administrative development bonus permitting CBD height, density and 10:1 Floor-to-Area Ratios (FAR) for Projects that meet Great Streets, affordable housing, Green Building and other site-specific goals. Staff also proposes amending the Waterfront Overlay District regulations to assure high-quality urban design, pedestrian-orientation and parkland protection. Other recommendations include a proposed strategy to preserve historic resources in the area, suggested transportation improvements, measures to enhance parks and open space, promote tree preservation and replacement, and proposals to protect and enhance the Mexican American Cultural Center (MACC).

Rezoning applications for the area are included in 8 zoning cases also scheduled for the October 7, 2004 City Council agenda. If recommended by the Council, proposed amendments to the Waterfront Overlay District and recommendations for historic preservation, transportation improvements, parks and open space, tree preservation and proposals to protect and enhance the Mexican American Cultural Center (MACC) will require additional time and resources to fully implement.

The staff recommendations are summarized in Table 1 (attached) and described in more detail in the attached report. An overview of the Board and Commission recommendations is provided in Table 2 (attached).

AUSTIN DESIGN COMMISSION

October 5, 2004

Mayor Will Wynn
Mayor Pro Tem Jackie Goodman
Council Member Raul Alvarez
Council Member Betty Dunkerley
Council Member Daryl Slusher
Council Member Danny Thomas
Council Member Brewster McCracken

Re: Design Commission Recommendations on Staff Proposals for the Rainey Street District

Dear Mayor and Members of the City Council;

This letter is in response to the staff recommendations for the rezoning and overlay amendments to the Rainey Street District. The City Council resolution for Rainey Street calls for the "preservation of Trees and the historic character of the area, a strong mixed income residential component, pedestrian friendly environment, use of green building techniques, and the use of urban design criteria that are typically included in the City's performance based economic incentive policy." Staff recommendations call for conditional CBD zoning that would allow for significantly higher density and the creation of a Historic Enclave in order to reference the National Register Historic District designation that this area currently holds. Both the Council resolution and staff recommendations attempt to strike a balance between the district as it stands and the dense development that may follow the new zoning changes. However, it is the Design Commission's opinion that striking this balance will not serve the desired density (and overlay conditions) and does not do justice to the neighborhood as a Historic District.

While we lament the loss of the National Register Historic District and the Trees that will inevitably be sacrificed by the proposed development of Rainey Street as part of the CBD, The Design Commission supports the remaining goals of Council's resolution for Rainey Street. In reviewing staff recommendations, we have come to the conclusion that there are a number of issues, particularly related to the size of the blocks, parking, building massing, open space and planting requirements, and compliance with the Waterfront Overlay, that need further consideration and understanding. Rainey Street presents a unique opportunity for a mixed income Residential Density District Downtown, and city staff has worked diligently in order to gather stakeholder input and provide recommendations in a tight deadline. However, as our attached comment spreadsheet indicates, there are still outstanding issues that should be addressed before a final decision is made regarding Zoning Changes to the Rainey Street District.

Neighborhood Planning and Zoning Department
P.O. Box 1088
Austin, Texas 78767

We appreciate the opportunity to advise Council on this matter and hope to see another draft of this proposal prior to final reading. Please contact us if you have any questions regarding our attached spreadsheet.

Sincerely,

John C. Patterson
Chair
The Austin Design Commission

Enclosure: Design Commission Recommendations on Staff Proposals for the Rainey Street Area (Oct. 4, 2004)

Cc Alice Glasco, NPZD
Jana McCann, NPZD
George Adams, NPZD

Design Commission Recommendations on Staff Proposals for the Rainey Street Area (Oct. 4, 2004)

Staff's Recommendation	Design Commission
1. Rezone property not currently zoned CBD or DMU to CBD, limit building height to 60' through an amendment to the Waterfront Overlay District & offer Development Bonus permitting density of 10:1 FAR if the following criteria are met: 1) Great Streets streetscapes constructed; 2) Provides a residential component (min. 30 units) that includes affordable housing (10% at 80% MFI), 3) Meets required 3-Star Green Building rating; and, if applicable: 4) relocate & restore significant historic structures to Historic Enclave, 5) dedicate ROW to create Red River extension.	Primary Recommendation: Allow CBD zoning with unlimited FAR, requiring each project:1. meets great streets, provides a residential component that includes a robust affordable housing component that addresses a wide range of income levels (80% MFI and below), a 3 star green building rating, and participation in open space improvements in the Rainey Street District. Secondary Recommendation: Limit height to current zoning regulations with a development bonus for meeting the above criteria (the rationale being that a 60' height limit would still allow feasible development but the current zoning (35' typ) would require participation in development bonus incentives).
2. Amend the regulations of the Rainey Street Subdistrict of the Waterfront Overlay District to:	
a. Require 10' streetfront setback along all streets with a 60' ROW.	No Position: It may not be feasible to provide encapsulated parking within the building, given the typical neighborhood block size and R.O.W. The Design Commission recommends further site-specific study to develop prototypes for encapsulated parking
b. Limit building basewall height to 45' along all streets with 60' ROW or less, adjacent to historic enclave properties & along Waller Creek.	No Position. See Item 2a
c. Require 15' building stepback above basewall along Rainey St., Waller Creek & adjacent to historic enclave properties.	Require 15' stepback above basewall at all street frontages
d. Require 30' setback from the top of bank of Waller Creek.	Require pedestrian oriented uses and/or open space improvements within 30' from the top of bank of Waller Creek that will contribute to the potential of Waller Creek as a vibrant outdoor space.
e. Require pedestrian-oriented uses along Cesar Chavez Blvd., Rainey St., River St. & Waller Creek, per overall WOD regs (50% of net area of ground floor min.).	Support
f. Require ground floor residential units to have principal entrance directly from street.	Support
g. Prohibit drive-through services/facilities in Subdistrict.	Support
h. Allow Cocktail Lounge as a Conditional Use.	Support
i. Require parking garages to be encapsulated up to 45' basewall level.	No Position. See item 2a
j. Preserve alley access but permit use of aerial development rights above 20'.	Support. In addition, allow development rights underground (below alley).
k. Require dedication of mid-block pedestrian passages every 300' - 400' for projects with greater than 500' of street frontage & require same 15' stepback from 45' basewall from pedestrian passage. (20' ROW width min.)	Recommendation that COA purchase R.O.W. that would allow for east/west street extensions creating blocks more compatible with downtown.

Design Commission Recommendations on Staff Proposals for the Rainey Street Area (Oct. 4, 2004)

l. Require a 45' maximum building height for building masses within 50' of River St. right-of-way.	No position. Require staff to develop urban design guidelines that include special treatment of River Street as a gateway to the MACC. No intra-district compatibility.
m. Require 100% replacement for Class I & II Trees, 50% for Class III & IV.	Support. Recommend considering the provision of a neighborhood park, pocket parks, or plazas as an alternate means for meeting the tree replacement requirement. Where provided, these open space amenities should be linked to each other and to Town Lake, Waller Creek, and the Convention Center. See item 6.
3. Create Historic Enclave	Against. If the entire district cannot be preserved, we understand that the Historic Enclave does not satisfy the Secretary of Interior's guidelines for preservation, would not support the National Register Historic District designation, and would limit development on surrounding blocks.
4. Extend Red River Street as a 60' ROW, minor arterial.	Support
5. Require Great Streets streetscape improvements to qualify for Development Bonus.	Support
6. Establish & Assess Park Fee.	Support. Develop a Rainey Street District Open Space Master plan and require participation for Development (or development bonus) (See 2m)
7. Construct new trail along northern edge of MACC site.	Support
8. Construct planned Waller Creek pedestrian bridge.	Support
9. Explore opportunities for public-private development on northern portion of MACC site to generate funding for Cultural Center.	Support
10. Proceed with plans for building new Austin Energy (AE) substation now.	Support

Board and Commission Recommendations on Staff Proposals for the Rainey Street Area (Oct. 8, 2004)

Final Staff Recommendation	Downtown Commission Report (Dec. 2003)	Downtown Comm.	Design Commission	Historic Landmark Comm.	MACC Advisory Board	Parks Board	Planning Comm.
1. Rezone property not currently zoned CBD or DMU to CBD, limit building height to 60' through an amendment to the Waterfront Overlay District & offer Development Bonus permitting density of 10:1 FAR if the following criteria are met: 1) Great Streets streetscapes constructed; 2) Provides a residential component (min. 30 units) that includes affordable housing (10% of units at 80% MFI), 3) Meets required 3-Star Green Building rating; and, if applicable: 4) relocate & restore significant historic structures to Historic Enclave, 5) dedicate ROW to create Red River extension.	Zone CBD. Did not propose development bonus.	For	Primary Recommendation:Allow CBD zoning with unlimited FAR, assuming each project: 1) meets great streets; 2) provides a residential component that includes a robust affordable housing component that addresses a wide range of income levels (80% MFI and below); and 3) meets a 3 star green building rating, and participation in open space improvements in the Rainey Street District. Secondary Reccomendation: Limit height to current zoning regulations with a development bonus for meeting the above criteria (the rationale being that a 60' height limit would still allow feasible development but the current zoning [35' typical] would require participation.	Limited recommendations to Historic Preservation-related items (see details below).	Did not have a quorum. No formal recommendation.	Limited recommendations to Parks-related items (see details below).	For
2. Amend the regulations of the Rainey Street Subdistrict of the Waterfront Overlay District to: Promote pedestrian-friendly, human-scale district.							

Board and Commission Recommendations on Staff Proposals for the Rainey Street Area (Oct. 8, 2004)

Final Staff Recommendation	Downtown Commission Report (Dec. 2003)	Downtown Comm.	Design Commission	Historic Landmark Comm.	MACC Advisory Board	Parks Board	Planning Comm.
a. Require 10' streetfront setback along all streets with a 60' ROW.	Recommended 15'.	For	Recommend 10' setback only if it does not inhibit standard parking modules (unless there is regional parking that would reduce parking requirements for individual parcels)	No Position	No formal recommendation.	No Position	For
b. Limit building basewall height to 45' along all streets with 60' ROW or less, adjacent to historic enclave properties & along Waller Creek.	No Position	Against	Limit basewall height to 62' (which allows for parking clearances).	No Position	No formal recommendation.	No Position	For
c. Require 15' building stepback above basewall along Rainey St., Waller Creek & adjacent to historic enclave properties.	No Position	Against	Require stepback above 62' basewall everywhere.	No Position	No formal recommendation.	No Position	For
d. Require 30' setback from the top of bank of Waller Creek.	No Position	Against	Require pedestrian oriented development or open space improvements within 30' from the top of waller creek that will centribute to the potential of Waller Creek as a vibrant outdoor space.	No Position	No formal recommendation.	No Position	For
e. Require pedestrian-oriented space fronting Cesar Chavez Blvd., Rainey St., River St. & Waller Creek.	Recommended uses but did not specify location.	For	For	No Position	No formal recommendation.	No Position	For
f. Require ground floor residential units to have principal entrance directly from street.	Recommended	For	For	No Position	No formal recommendation.	No Position	For

Board and Commission Recommendations on Staff Proposals for the Rainey Street Area (Oct. 8, 2004)

g. Require parking garages to be encapsulated up to 45' basewall level.	Recommended	Against	Reduce encapsulation to first 2 floors. Incentivise underground parking and develop regional parking for the area.	No Position	No formal recommendation.	No Position	For
h. Require dedication of mid-block pedestrian passages every 300' – 400' for projects with greater than 300' of street frontage & require same 15' stepback from 45' basewall from pedestrian passage. (20' ROW width min.)	No Position	Against	COA should attempt to purchase R.O.W. that would allow for east/west street extensions creating blocks more compatible with downtown.	No Position	No formal recommendation.	No Position	For
Final Staff Recommendation	**Downtown Commission Report (Dec. 2003)**	**Downtown Comm.**	**Design Commission**	**Historic Landmark Comm.**	**MACC Advisory Board**	**Parks Board**	**Planning Comm.**
i. Require a 45' maximum building height for building masses within 50' of River St. right-of-way.	No Position	Against	Require special treatment of River Street as a gateway to the MACC. No intra-district compatability.	No Position	No formal recommendation.	No Position	For
j. Preserve alley access but permit use of aerial development rights above 20'.	Recommended	For	Allow development rights above 20' and underground. Allow alley to be vacated on entire block developments.	No Position	No formal recommendation.	No Position	For
Land use Restrictions.							
k. Prohibit drive-through services/facilities in Subdistrict.	No Position	For	For	No Position	No formal recommendation.	No Position	For
l. Allow Cocktail Lounge as a Conditional Use.	No Position	Against	Allow cocktail lounge as permitted by CBD zoning.	No Position	No formal recommendation.	No Position	For
Tree Preservation / Replacement							

Board and Commission Recommendations on Staff Proposals for the Rainey Street Area (Oct. 8, 2004)

Final Staff Recommendation	Downtown Commission Report (Dec. 2003)	Downtown Comm.	Design Commission	Historic Landmark Comm.	MACC Advisory Board	Parks Board	Planning Comm.
m. Require 100% replacement for Class I & II Trees, 50% for Class III & IV.	No Position	Against	If not feasible, require fund for pocket park/open space improvements to Waller Creek/ trail along the north edge of the MACC. All development shall contain Open Space components that, to the extent feasible: 1) Preserve existing trees. 2) Provide plazas, pocket parks & streetscape amenities that comprise a system of connected open spaces within the district. 3 Provide pedestrian connectivity to Town Lake, pocket parks within the district, to Waller Creek & across Chavez Street to the Convention Center and downtown. 4. Result in a district that has 20% green space.	No Position	No formal recommendation.	No Position	For

Board and Commission Recommendations on Staff Proposals for the Rainey Street Area (Oct. 8, 2004)

3. Create Historic Enclave	No Position	Against	**Primary Recommendation:** Preserve the integrity of the National Register Historic District as it exists today. **Secondary Recommendation:** If the district cannot be preserved, the Historic enclave does not satisfy the Secretary of Interior's guidelines for preservations, would not support the National Register Historic District designation, and would limit development on surrounding blocks.	Primary Recommendation: Preserve the integrity of the National Register Historic District as it exists today. Secondary Recommendation: If the Council chooses to move forward with one of the Historic Enclave options, the HLC prefers the option leaving the maximum number of buildings in their current location, ie, the Rainey Street Option.	No formal recommendation.	No Position	No Position
4. Extend Red River Street as a 60' ROW, minor arterial.	No Position	For	For	No Position	No formal recommendation.	No Position	For. Also recommended extending Lamble Street from East Ave. to Rainey St.

Board and Commission Recommendations on Staff Proposals for the Rainey Street Area (Oct. 8, 2004)

Staff Recommendation	Downtown Commission Report (Dec. 2003)	Downtown Comm.	Design Commission	Historic Landmark Comm.	MACC Advisory Board	Parks Board	Planning Comm.
5. Establish Park Fee (withdrawn, to be processed separately by PARD).	No Position	Against	For. Develop an open space plan for the Rainey Street District and require participation for Development Bonus.	No Position	No formal recommendation.	For	No Position
6. Construct new trail along northern edge of MACC site.	No Position	For	For	No Position	No formal recommendation.	For	For
7. Construct planned Waller Creek pedestrian bridge.	No Position	For	For	No Position	No formal recommendation.	For	For
8. Explore opportunities for public-private development on northern portion of MACC site to generate funding for Cultural Center.	No Position	For	No Position	No Position	No formal recommendation.	No Position	For
9. Proceed with plans for building new Austin Energy (AE) substation now.	Identified infrastructure as major issue.	For	For	No Position	No formal recommendation.	No Position	For

Board and Commission Recommendations on Staff Proposals for the Rainey Street Area (Oct. 8, 2004)

Zoning & Platting Comm.
Recommendations on 8 specific zoning cases are included in Exhibit A. ZAP to provide additional recommendations on October 19, 2004.

Board and Commission Recommendations on Staff Proposals for the Rainey Street Area (Oct. 8, 2004)

Zoning & Platting Comm.
ZAP to provide additional recommendations on October 19, 2004.

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ZAP to provide additional recommendations on October 19, 2004.

Board and Commission Recommendations on Staff Proposals for the Rainey Street Area (Oct. 8, 2004)

Zoning & Platting Comm.
ZAP to provide additional recommendations on October 19, 2004.

Exhibit A: **Zoning and Platting Commission Zoning Recommendations (Zoning Cases C14-04-0078 - 0083 and C14-04-0096 - 0097)**

C14-04-0078 - CBD-CO. The conditional overlay limits the property to DMU site development regulations. The properties already zoned CBD-CURE are to be excluded from this case as well as the properties along the west side of Rainey Street between Davis Street and River Street (see separate recommendation below for this area). In addition, properties in this area are to be subject to compatibility standards, unless they meet the development incentives to be determined in the Rainey Street District of the Waterfront Overlay.

For homes along the west side of Rainey Street between Davis Street and River Street in the National Registered Historic District, Commission recommends a change to GR-MU. The conditions would prohibit the issuance of a demolition permit, a relocation permit and an exterior remodel permit, until a study has been done by City staff on the historic properties.

C14-04-0079 - CBD-CO. The conditional overlay limits the property to DMU site development regulations. Properties along the west side of Rainey Street between Driskill Street and Davis Street are to excluded from this case (see separate recommendation below for this area). In addition, properties in this area are to be subject to compatibility standards, unless they meet the development incentives to be determined in the Rainey Street District of the Waterfront Overlay.

For homes along the west side of Rainey Street between Driskill Street and Davis Street in the National Registered Historic District, Commission recommends a change to GR-MU. The conditions would prohibits the issuance of a demolition permit, a relocation permit and an exterior remodel permit, until a study has been done by City staff on the historic properties.

C14-04-0080 - CBD-CO. The conditional overlay limits the property to DMU site development regulations. The properties already zoned CBD-CURE are to be excluded from this case. In addition, properties in this area are to be subject to compatibility standards, unless they meet the development incentives to be determined in the Rainey Street District of the Waterfront Overlay.

C14-04-0081 - CBD-CO. The conditional overlay limits the property to DMU site development regulations. The properties along the east side of Rainey Street between Driskill Street and River Street are to be excluded. In addition,

properties in this area are to be subject to compatibility standards, unless they meet the development incentives to be determined in the Rainey Street District of the Waterfront Overlay.

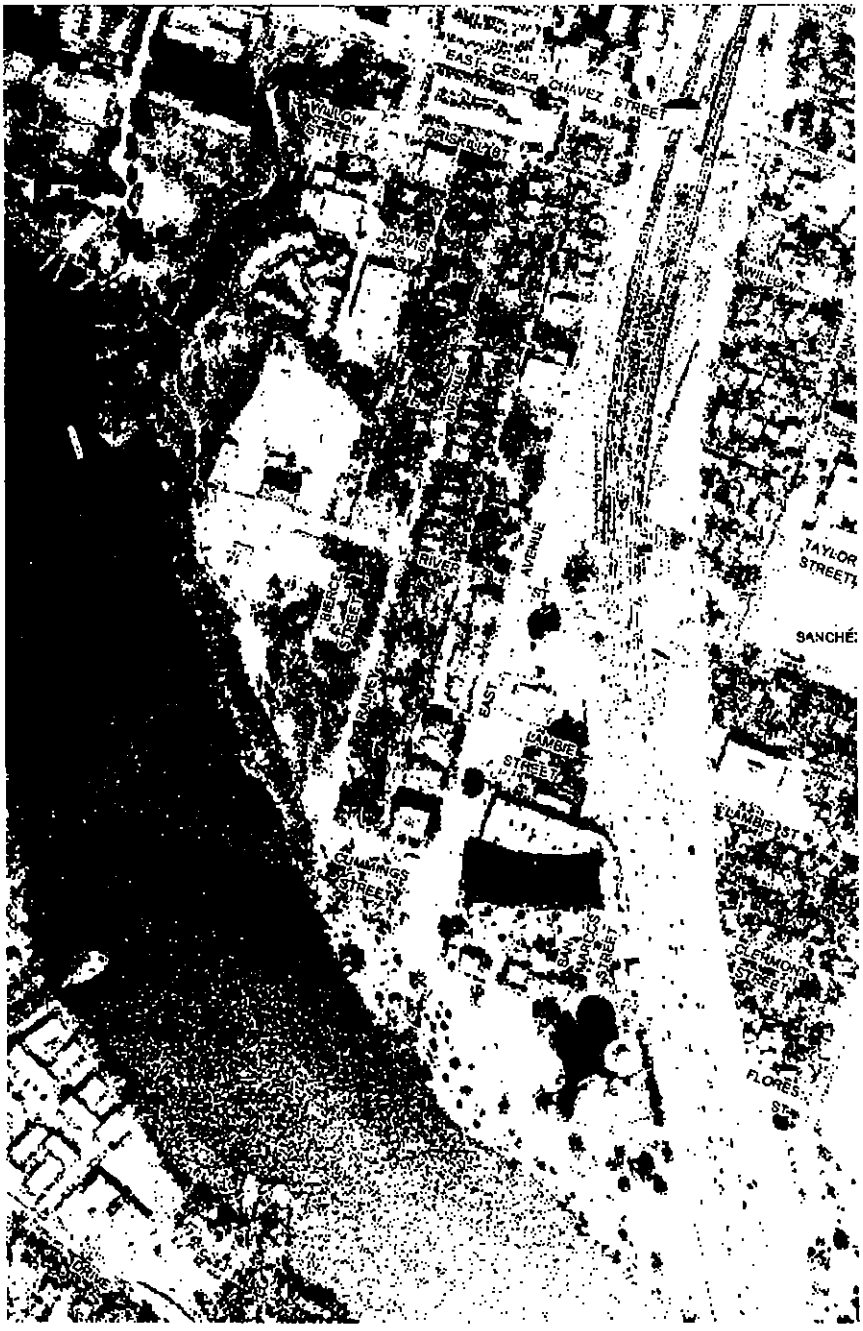
For homes along the east side of Rainey Street between Driskill Street and River Street in the National Registered Historic District, Commission recommends a change to GR-MU. The conditions would prohibit the issuance of a demolition permit, a relocation permit and an exterior remodel permit, until a study has been done by City staff on the historic properties.

C14-04-0082 - The Commission recommended staff recommendation.

C14-04-0083 - The Commission recommended staff recommendation.

C14-04-0096 - CBD-CO. The conditional overlay limits the property to DMU site development regulations. Excluding the properties already zoned DMU-CO. In addition, properties in this area are to be subject to compatibility standards, unless they meet the development incentives to be determined in the Rainey Street District of the Waterfront Overlay.

C14-04-0097 - CBD-CO. The conditional overlay limits the property to DMU site development regulations. In addition, properties in this area are to be subject to compatibility standards, unless they meet the development incentives to be determined in the Rainey Street District of the Waterfront Overlay.



DRAFT

The Rainey Street Subdistrict of the Waterfront Overlay District

Proposed Zoning & Code Amendment Recommendations for Redevelopment

City of Austin

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City of Austin Staff Team:

Austin Energy
- **Energy Transmission**
  - Judy Fowler
- **Green Building Program**
  - Katie Jensen

Economic Growth & Redevelopment Services
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- **Long Range Planning**
  - Teri McManus
  - Michael Poer
- **Transportation Engineering**
  - Alan Hughes

Watershed Protection & Development Review Department
- George Zapalac
- Michael Embesi

I. Executive Summary

Council Action to Initiate Re-zonings of the Rainey Street Area

On February 12, 2004 the Austin City Council approved a resolution directing the City Manager to prepare recommendations for re-zoning and amending the Waterfront Overlay District for the Rainey Street area.

As a result of this direction, an interdepartmental team of City staff developed the following recommendations after reviewing existing conditions, various studies [1] of the area and current zoning regulations. (See Appendix for Council resolution.)

In December 2003 the Downtown Commission released a report titled *Rainey Street Recommendations for Action*. The Report identified a number of recommendations for the Rainey Street area. Many of these recommendations are reflected in the Council resolution described above and have informed the staff recommendations included in this report. The major recommendations of the Downtown Commission include:

- Re-zone area to CBD zoning
- Revise regulations of the Rainey Street Subdistrict of the Waterfront Overlay District to:
    - Require 15' setbacks or more to allow for streetscape improvements on Rainey Street
    - Prohibit surface parking lots adjoining Rainey Street
    - Require structured parking to be encapsulated or architecturally-integrated with buildings
    - Require streetscape improvements
    - Require additional tree planting
    - Require ground-level, pedestrian-oriented uses
    - Require primary access along public streets
    - Preserve alleys for services
    - Further, Council should:
        - Examine potential incentives for historic preservation, affordable housing, tree preservation and streetscape improvements and consider upgrading utility infrastructure as an incentive and
        - Conduct an infrastructure study and identify estimated cost of improvements.

The Rainey Street Subdistrict of the Waterfront Overlay District

The Rainey Street area is a subdistrict of the Town Lake Waterfront Overlay District located in the southeast corner of downtown Austin, bounded by Cesar Chavez on the north, IH 35 on the east, Town Lake on the south and Waller Creek on the west (see Figure 1). The area includes a diverse mix of land uses including single-family

[1] Reports include the *Rainey Street Neighborhood Redevelopment Strategy* (March 2000), the Heritage Society of Austin report, *The Peculiar Genius of Rainey Street: A Social and Architectural History* (April 2000) and the Downtown Commission *Rainey Street Recommendations for Action* (December 2003).

residential, mid- and high-rise multi-family, office, auto repair, county buildings and the waterfront site for the proposed Mexican American Cultural Center, or the MACC (see Figure 2).

The Rainey Street Subdistrict is unique within downtown due to its proximity to Town Lake, Waller Creek and adjacent parkland, its mature tree canopy, its secluded feel and historic character. All of the properties along Rainey Street are within a National Register Historic District (see Figure 3).

Redevelopment Vision and Objectives for the Subdistrict

The 2003 Downtown Commission report's vision for the Rainey Street Subdistrict is that of a vibrant, pedestrian-friendly, mixed-use and mixed-income neighborhood. The report recommends facilitating redevelopment of the area by establishing certainty and clarity in development regulations, creating an active, mixed-use environment and providing development incentives to promote positive redevelopment that is unique and attractive. From this overall vision, City staff have developed the following more specific objectives which are the basis of the proposed re-zoning and amendments to the Rainey Street Subdistrict of the Waterfront Overlay District:

1. Maintain the Subdistrict's character as a leafy enclave with a strong relationship to water and parkland.
2. Maximize views and trail access to Town Lake and Waller Creek.
3. Create an active edge or front along Waller Creek.
4. Ensure that the MACC is not compromised by future development and that it is linked to the Convention Center, by foot and by car.
5. Increase building height and density as distance from waterfronts (Waller Creek, Town Lake) increases.
6. Maintain a sense of human scale through pedestrian-oriented streetscape improvements, building setbacks and stepbacks and retention of historic single-family houses.
7. Preserve and reuse the landmark-worthy houses currently in the historic district in a new "historic enclave".
8. Provide good access and connectivity throughout the Subdistrict, for all modes of transportation.
9. Enforce new building massing standards to prevent the potential "canyon effect".
10. Provide for incremental redevelopment to occur harmoniously, so that new next to old is compatible.
11. Provide a development bonus (and possibly other incentives) to encourage redevelopment consistent with the above objectives.

An overview of the staff recommendations is provided in Table 1 and a comparison of the Downtown Commission and staff recommendations is provided in Table 2.

Re-zonings and Code Amendments for the Rainey Street Subdistrict

Staff recommends re-zoning properties to CBD (Central Business District) that are not currently CBD or DMU (Downtown Mixed-Use) with an overall building height limit of **60 feet** to be established through an amendment to the Rainey Street Subdistrict of the Waterfront Overlay District. A development bonus in the form of allowing CBD-level density and 10:1 Floor-to-Area-Ratio (FAR) would be offered for projects that implement the following:

1. Provide a residential component that includes some affordable units,
2. Constructs "Great Streets" streetscape improvements, and
3. Achieves a 3 Star Green Building rating.

On certain parcels only, other Development Bonus criteria would need to be met meeting some other site-specific criteria. This approach is similar to that recently approved in the University Neighborhood Overlay (UNO).

In addition staff recommends adopting various amendments to the Waterfront Overlay District that define a context-sensitive, urban design approach: designating heights, setbacks, building stepbacks, etc., for new development throughout the Subdistrict. Other initiatives are suggested in this report, such as creating a park fee for projects not subject to the current Parkland Dedication Ordinance, extending Red River Street and assessing the feasibility of a public/private development on the MACC site.

Finally, rather than preserving the historic district as it exists today, staff suggests creating a smaller, "historic enclave" that would preserve the most significant structures in the district while allowing more intense development elsewhere. The following ***Table of Staff Recommendations for the Rainey Street Subdistrict*** charts each recommendation and provides a convenient reference for its consideration, adoption and implementation. The recommendations are presented in more detail under *Section III* of this report.

89 Rainey Street

86 Rainey Street

both

Recommendation	Location	Method of Implementation	Issues, Comments
3. Create Historic Enclave. a. Designate/Acquire significant structures for relocation on River Street properties. b. COA or other single entity must acquire or long term-lease River Street properties. c. To obtain Development Bonus, require Developer to relocate & renovate structures to Secretary of the Interior Standards, if designated structure(s) are to be removed as part of Developer's redevelopment project.	River Street, leading to MACC site. (Note that the City of Austin already own two parcels at the west end of River St., at the MACC entrance.)	Under review: Funding to acquire River Street properties could come from an upcoming bond package (2007?) or possibly through a non-profit entity associated with the MACC.	If Historic Enclave concept approved, Historic Landmark Commission would designate historically-significant structures to be relocated & approve a binding preservation plan. Relocating structures from the NRHD will eliminate their potential for having National Register status and for receiving federal funding/grants for renovation.
4. Extend Red River Street as a 60' ROW, minor arterial.	Extend southward to MACC site, then east through to East Ave. / IH 35 southbound frontage road.	AMATP Amendment; City of Austin CIP, funded by 2000 Transportation Bonds.	Dedication of ROW required to receive Development Bonus when affected parcels are to redevelop (if proposed development includes property designated for Red River ROW).
5. To receive Development Bonus, require "Great Streets" streetscape improvements, including constructing parking lane, along all roadways within Subdistrict of 60' ROW or less.	Includes Red River, Driskill, Davis, Rainey, Cummings, River streets.	May be implemented piecemeal, concurrent with redevelopment, as do other projects under the Great Streets Development Program.	No additional ROW required, but property owner would be required to dedicate sidewalk easement to City for that part of sidewalk on private property. Developer would be required to construct streetscape & parking lane to receive Development Bonus.
6. Establish & assess Park Fee.	Applies to all area projects not subject to Parkland Dedication Ordinance – Citywide.	Parkland Dedication Ordinance amendment - should be implemented Citywide.	Under current ordinance, only residential development that requires subdivision is subject to Parkland Dedication requirement.
7. Construct new trail along northern edge of MACC site. (See Figure 17.)	From proposed extension of Red River St. to existing Waller Creek trail.	City of Austin CIP	Possibly funded through Park Fee.
8. Construct planned Waller Creek pedestrian bridge. (See Figure 17.)	Immediately south of Cesar Chavez Blvd.	City of Austin CIP	Bridge would connect with future, funded trail extension on west side of Waller Creek. Possibly funded through Park Fee.
9. Explore opportunities for public-private development on northern portion of MACC site to generate funding for Cultural Center.	North east section of MACC site, with access from proposed Red River extension.	Feasibility study	Potential joint development site would be enhanced with Red River extension.
10. As part of Development Bonus, reserve 10% of parking spaces for public visitor parking.	Applies to properties within 500' of intersection of Rainey & River streets.		Provides off-site parking for MACC and possibly Historic Enclave structures.
11. Proceed with plans for building new Austin Energy (AE) substation now.	Possibly on AE-owned land on IH 35 frontage @ Lambie St.	Austin Energy CIP	Would be required to serve redevelopment of area.

Table 1: Staff Recommendations for the Rainey Street Subdistrict

Recommendation	Location	Method of Implementation	Issues, Comments

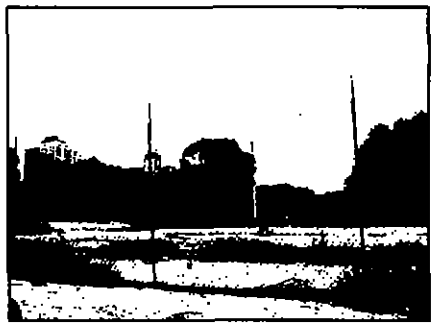
Recommendation	Location	Method of	Issues, Comments
1. Rezone property not currently zoned CBD or DMU to CBD, limit building height to 60' & offer Development Bonus permitting CBD-level density & 10:1 FAR if following criteria are met: **a. "Great Streets" streetscapes constructed** (see #5 below & Appendix) **b. a residential component** (min. 50 units) **that includes affordable housing** (10% at 80% MFI) **c. 3 Star Green Building rating met** (See Appendix) ***...& IF APPLICABLE:*** ▪ **relocate & restore significant historic structures to Historic Enclave** (see # 3 below) ▪ **dedicate ROW to create Red River extension** (see # 4 below,) ▪ **reserve 10% of parking spaces for public**	All tracts not currently zoned CBD or DMU.	Zoning cases. The Development Bonus would be implemented through amendments to the Rainey Street Subdistrict of the Waterfront Overlay District.	The Waterfront Overlay District permits residential uses in NO & less restrictive zoning districts. The optional Development Bonus would permit full CBD density with 10:1 FAR if criteria are met. Staff will approve Development Bonus administratively for any projects fulfilling these criteria.

Recommendation	Location	Method of	Issues, Comments
2. Amend the regulations of the Rainey Street Subdistrict of the Waterfront Overlay District to: a. Require 10' streetfront setback along all streets with a 60' ROW. b. Require building basewall height limited to 45' along all streets with 60' ROW or less, adjacent to historic enclave properties & along Waller Creek. c. Require 15' building stepback above basewall along Rainey St., Waller Creek & adjacent to historic enclave properties. d. Require 30' setback from the top of bank of Waller Creek. e. Require pedestrian-oriented uses along Cesar Chavez Blvd., Rainey St., River St. & Waller Creek, per overall WOD rate (50% of	Entire Rainey Street Subdistrict unless otherwise noted.	Waterfront Overlay District code amendments.	The proposed amendments to the Rainey Street Subdistrict of the Waterfront Overlay District are intended to create a dense, vibrant and human-scale environment that protects and strengthens the unique qualities of the area.

Recommendation	Location	Method of Implementation	Issues, Comments
3. Create Historic Enclave. a. Designate/Acquire significant structures for relocation on River Street properties. b. COA or other single entity must acquire or long term-lease River Street properties. c. To obtain Development Bonus, require Developer to relocate & renovate structures to Secretary of the Interior Standards, if designated structure(s) are to be removed as part of Developer's redevelopment project.	River Street, leading to MACC site. (Note that the City of Austin already own two parcels at the west end of River St., at the MACC entrance.)	Under review: Funding to acquire River Street properties could come from an upcoming bond package (2007?) or possibly through a non-profit entity associated with the MACC.	If Historic Enclave concept approved, Historic Landmark Commission would designate historically-significant structures to be relocated & approve a binding preservation plan. Relocating structures from the NRHD will eliminate their potential for having National Register status and for receiving federal funding/grants for renovation.
4. Extend Red River Street as a 60' ROW, minor arterial.	Extend southward to MACC site, then east through to East Ave. / IH 35 southbound frontage road.	AMATP Amendment; City of Austin CIP, funded by 2000 Transportation Bonds.	Dedication of ROW required to receive Development Bonus when affected parcels are to redevelop (if proposed development includes property designated for Red River ROW).
5. To receive Development Bonus, require "Great Streets" streetscape improvements, including constructing parking lane, along all roadways within Subdistrict of 60' ROW or less.	Includes Red River, Driskill, Davis, Rainey, Cummings, River streets.	May be implemented piecemeal, concurrent with redevelopment, as do other projects under the Great Streets Development Program.	No additional ROW required, but property owner would be required to dedicate sidewalk easement to City for that part of sidewalk on private property. Developer would be required to construct streetscape & parking lane to receive Development Bonus.
6. Establish & assess Park Fee.	Applies to all area projects not subject to Parkland Dedication Ordinance – Citywide.	Parkland Dedication Ordinance amendment - should be implemented Citywide.	Under current ordinance, only residential development that requires subdivision is subject to Parkland Dedication requirement.
7. Construct new trail along northern edge of MACC site. (See Figure 17.)	From proposed extension of Red River St. to existing Waller Creek trail.	City of Austin CIP	Possibly funded through Park Fee.
8. Construct planned Waller Creek pedestrian bridge. (See Figure 17.)	Immediately south of Cesar Chavez Blvd.	City of Austin CIP	Bridge would connect with future, funded trail extension on west side of Waller Creek. Possibly funded through Park Fee.
9. Explore opportunities for public-private development on northern portion of MACC site to generate funding for Cultural Center.	North east section of MACC site, with access from proposed Red River extension.	Feasibility study	Potential joint development site would be enhanced with Red River extension.
10. As part of Development Bonus, reserve 10% of parking spaces for public visitor parking.	Applies to properties within 500' of intersection of Rainey & River streets.		Provides off-site parking for MACC and possibly Historic Enclave structures.
11. Proceed with plans for building new Austin Energy (AE) substation now.	Possibly on AE-owned land on IH 35 frontage @ Lambie St.	Austin Energy CIP	Would be required to serve redevelopment of area.

Rainey Street looking South

Vacated Willow Street looking West



MACC Site

I I . C u r r e n t Development Regulations and Constraints

Development Restrictions

While the Rainey Street area has the potential to develop as a vibrant mixed-use neighborhood there are significant physical, financial and regulatory issues that, if left unaddressed, will prevent or slow redevelopment. The primary development restrictions identified by staff are briefly described below.

Regulatory Restrictions

Although some tracts of land within the area are zoned DMU or CBD, the properties currently zoned single-family residential and the associated compatibility standards severely limit development potential. Both of these limitations are removed by the proposed rezoning. This issue is presented in greater detail under the Zoning recommendation section of this report.

The Rainey Street National Register Historic District may also impact redevelopment. This issue is presented in greater detail under the Historic Preservation section of this report.

Utility & Transportation Infrastructure

Utilities

In general, existing public and private utilities are either not present or are inadequate to support significant redevelopment in the Rainey Street Subdistrict. The following information was received based on a request submitted to the City's Utility Coordination Committee. More detailed analysis will be required to identify the estimated cost of infrastructure adequate to serve future development.

- **Water/Wastewater**
  The existing water and wastewater facilities are sized for low-density residential uses and were constructed in the 1920s. In general, these utilities are undersized and too old to serve new development. A new 16-inch water line in Red River Street will be constructed to serve the MACC and the Rainey Street Apartments. Some additional capacity may be available from this line, however the area will need additional new capacity for any future redevelopment. For more information contact Jim Edwards, Austin Water Utility (AWU) (512) 972-0203, jim.edwards@ci.austin.tx.us.

- **Stormwater**
  The existing stormwater infrastructure is old, in poor condition and inadequate in size to serve new development. There are currently no plans to make improvements to this area. For more information, contact Arthur Romero, Watershed Protection & Development Review (WPDR), (512) 974-3353, arthur.romero@ci.austin.tx.us or, Mike Newman, WPDR, (512) 974-3372, mike.newman@ci.austin.tx.us

- **Electric**
  To support new, higher density development, a new electric substation must be constructed in the area. The estimated cost of a new substation adequate to serve redevelopment in the area is approximately $13 million dollars. Austin Energy owns a tract of land between East Avenue, Lambie Street and IH 35, immediately adjacent to the transmission circuit carrying power from the Pedernales Substation on the Holly Plant property to the Seaholm Substation adjacent to the Seaholm Plant. Without the construction of a new substation, Austin Energy cannot maintain adequate service for redevelopment of the Rainey Street area. The distribution feeders serving this area are all overhead lines built along the streets and back lot lines or alleys. For more information, contact Judy Fowler, Austin Energy (AE), (512) 322-6107, judy.fowler@ci.austin.tx.us

- **Telecommunications**
  Of the major telecommunication providers, only SBC and Time-Warner serve the area. Their facilities are only adequate for low-density, residential service.

Transportation

The following transportation issues were identified in the Rainey Street Subdistrict:

- First, two road segments within the Rainey Street area have been designated as *protected streets* by Public Works:
  - East Avenue from Lambie Street to River Street and
  - East Avenue from River Street to IH 35 frontage road.

  A moratorium on street cuts for these two segments is currently in effect until which time the streets are no longer in "smooth riding condition". If it is desired to make a street cut, however, a street cut justification form may be submitted to the Public Works Department requesting permission to cut a protected street. There are Street Damage Recovery Fees that would be assessed and a higher quality level of repair after the cut would be required. For more information, contact Jason Himes, Public Works (PW), (512) 974-8753, Jason.himes@ci.austin.tx.us

- The Texas Department of Transportation completed Phase I of a Major Investment Study (MIS) for reconstruction of IH 35. Future phases of the MIS have been suspended until further notice. For more information about the MIS, contact Charles Davidson, Texas Department of Transportation (TxDOT), (512) 832-7087, cdavid@dot.state.tx.us

Other Potential Development Restrictions
The following are beyond the scope of this report but are worth noting as potential restrictions on development in the area.

- **Property Aggregation**
  In order for significant redevelopment to occur in some portions of the Rainey Street area numerous small properties will need to be consolidated into larger tracts. The implementation of a historic enclave will also require consolidation of property.

- **Retail Assessment**
  The Rainey Street Neighborhood Redevelopment Strategy, the Downtown Commission Rainey Street Recommendations for Action and the recently completed assessment of development for the Waller Creek Tunnel envision significant retail development in the area. Given other emerging retail districts within Downtown (the "Market District" area at 6th and Lamar and the Second Street Retail District) and the somewhat secluded location of Rainey Street, achieving successful retail uses within the core of the area may prove challenging. With adequate residential density, neighborhood-serving retail uses such as convenience retail, coffee shops, restaurants, dry cleaners and similar uses are certainly viable and desirable, particularly if located along Cesar Chavez or IH 35 where higher visibility would contribute to their success.

III. Recommendations

A. Historic Preservation

Before considering any re-zonings and accompanying Waterfront Overlay District code amendments, the National Register Historic District (NRHD) was considered and a historic preservation strategy proposed. The following provides a history of the area, an evaluation of the historic district and its implications for redevelopment, and proposes a strategy for preserving the most significant structures in the district in a "historic enclave".

A Brief History of Rainey Street

Rainey Street is the spine of the Driskill and Rainey Subdivision, platted in July 1885 by Jesse Lincoln Driskill and Frank Rainey. The subdivision stretched from Water Street (now Cesar Chavez) to River Street, and from Waller Creek to East Avenue, incorporating the portion of Red River Street south of Water Street and the west side of East Avenue below Water Street. Figure 4 is a copy of the original subdivision plat showing its original boundaries and lot configuration.

The first houses in the subdivision were built in 1885. By 1890 there were five houses on Rainey Street: nos. 70, 86, 88, 90, and 97. Ten more houses were built during the 1890s, and the neighborhood was characterized by Victorian-style, wood-frame houses owned by middle-class families. Nine more houses were built on the street from 1900 to 1916; thereafter, the middle-class character of Rainey Street began to change: the years from 1917 to 1934 marked a period of transition from middle-class owner-

occupants to working-class owners and renters. The architectural character of the street also began to change after World War I, with the construction of smaller, wood-frame bungalows in the late 1920s, reflecting this shift to working class family occupants. All of the lots on Rainey Street had been built upon by the mid-1930s, and no new construction occurred until the 1970s.

The ethnic makeup of the residents of Rainey Street shifted after World War II. In 1940 the majority of the families on the street were Anglo, but by 1960, 60% of the houses on Rainey Street were occupied by persons with Hispanic surnames. Just over half of the families living on Rainey Street in 1960 owned their own homes, and of those homeowners, just over half had Hispanic surnames.

Rainey Street National Register Historic District

The Rainey Street National Register Historic District was established in 1985 and comprises the two blocks of Rainey Street from Driskill Street on the north to River Street on the south. There are currently 35 houses within the historic district, one of which is currently under construction (August 2004). The National Register Historic District nomination (1985) identified 33 houses, of which 21 were deemed to be contributing to the historic character of the district. The Heritage Society of Austin commissioned a study of the Rainey Street Historic District in 2000 (*The Peculiar Genius of Rainey Street*) and identified 34 houses, of which 30 were determined to be contributing to the historic district. City Historic Preservation Office staff conducted a survey of the historic district in July 2004, and found that 26 of the 35 houses in the district were contributing (see Appendix). The *1984 Comprehensive Cultural Resources Survey* determined that eight of the buildings on Rainey Street were first priority for preservation. All eight of these houses are also contributing to the Historic District.

The Rainey Street National Register Historic District represents a significant collection of 19th and early 20th century houses, and clearly retains its viability as a historic district with 26 of the 35 principal structures (74%) contributing to its historic character. Eleven properties on Rainey Street, as well as the house at 91 Red River Street may also qualify for city historic landmark designation.

Implications of the National Register Historic District (NHRD) Designation

The NRHD recognizes buildings with historical significance, but does not provide any protection for those buildings, per se. In Austin, any application for the demolition or removal of a building within a NRHD must be heard by the City's Historic Landmark Commission, which may recommend historic zoning for the property if it merits individual landmark designation. The Historic Landmark Commission reviews applications for a demolition or relocation permit pursuant to thirteen criteria for historic landmark designation, including considerations of the building's ability to relate its history and historic context, its architectural merit and its associations with persons or events of historic significance to Austin.

Potential Historic Landmarks on Rainey Street

None of the Rainey Street houses are currently designated historic landmarks by the

City of Austin. However, twelve of the buildings may qualify for historic landmark designation, principally for their architectural significance. (See Figure 5 and Appendix). A brief description of the twelve potential candidates is included in the Appendix of this report.

Redevelopment-Oriented Preservation Recommendation: Historic Enclave on River Street

While the best preservation practice would be to retain the historic district entirely intact, economic and redevelopment pressures as well as the wishes of most Rainey Street property owners indicate an alternative solution that aims to balance preservation and redevelopment interests. The recommendation is to preserve the historic character of the area by creating a "historic enclave" along River Street (see Figure 6), where the most significant Rainey Street houses would be relocated, restored for commercial or cultural uses, while allowing more intense development outside the Enclave. This recommendation is predicated upon establishing measures to preserve the historic character of houses to be located in the historic enclave through deed restrictions, preservation covenants or preservation easements.

The recommended approach uses River Street-fronting parcels – some of which the City of Austin owns - as the final site for the highest priority houses from the Rainey Street NRHD. River Street is the principal entry to the Mexican-American Cultural Center (MACC), and it connects Rainey Street with neighborhoods with a similar social and architectural history on the east side of IH 35. The houses from Rainey Street would be sited on River Street to provide a gateway to the MACC and to create a street scene reminiscent of the historic appearance of Rainey Street. The River Street location for the Enclave creates an exciting opportunity for adaptive uses that complement or even directly serve the MACC.

The true significance of the historic district is its context and collection of buildings which reflect the architectural, developmental and social history of the neighborhood. River Street was part of the original Driskill and Rainey Subdivision, so this option recognizes the historic context of the district and retains the most representative examples of its architecture.

Other Rainey Street Redevelopment Alternatives Considered

- **Historic Enclave on Rainey Street near Davis Street**

This option would cluster the most significant historic houses on Rainey Street focused near the intersection of Davis Street. Although this particular placement is closer to the core CBD area, and hence, closer to less compatibly-scaled buildings, this option would keep more of the historic structures in their original location. This alternative is not being recommended due to its being closer to the core CBD and due to its isolation from other key public-oriented elements of the area, such as Waller Creek, the MACC or the Convention Center.

- **Preserve the entire NRHD as a low-scale retail/cultural district by up-zoning the district properties and developing a district preservation plan that would allow for**

compatible redevelopment and additions.
This redevelopment strategy would impose design standards in and possibly around the historic district to create a low-scale district, which would retain the character of the historic environment. Preservation of the district would allow new, appropriately scaled construction and additions to existing buildings, which complement the historic character of the street. The La Villita area of San Antonio and the Seville Square District of Pensacola, Florida are both retail districts using existing historic buildings to great advantage in retaining historic character and charm, promoting tourism and providing an upscale retail area in the heart of downtown. Rainey Street has the potential for success as a similar development.

This redevelopment option is not being recommended because the level of *compatible* redevelopment envisioned under this scenario would be so limited that this strategy would likely create a major disincentive for reinvestment in the area.

- **Preserve the NHRD as a low-scale, economically viable district by providing for the transfer of development rights (TDRs) to properties outside the district.**
Many cities have programs that allow "transferring" unusable development rights from small-scale, historic properties to sites being developed in higher-intensity development "receiving" zones. TDR programs preserve historic districts by allowing developers to purchase development rights from property owners in the district: the property owners in the district are therefore compensated for preserving the historic character of the district and the higher-intensity development occurs elsewhere. Most TDR programs require that the properties offering development rights have some sort of historic designation, and that the transferring property owners invest the proceeds of the sale of the development rights in preserving the structure. TDR programs have been used successfully on the East Coast in cities such as Philadelphia and New York.
Transferring development rights from property owners on Rainey Street would, in theory, allow the historic district to remain intact, would focus new development away from the historic district, and would allow property owners on Rainey Street to realize the full potential of the value of their property while retaining the historic buildings.

  This alternative is not recommended because of its complexity and because of a number of issues that could be raised about the use of zoning to create economic value through the creation of development rights for NRHD property owners, which may subsequently be sold to unrelated third parties at remote locations.

B. Current and Proposed Zoning for the Rainey Street Subdistrict

The current zoning in the Rainey Street area mirrors the diverse land use pattern of the district and reflects the incremental development that has taken place over the last 25 years. In large portions of the area the zoning limits development to single-family residential uses (see Figure 3).

Given the proximity of the Rainey Street area to downtown and to IH 35, more intensive zoning is warranted. Simply re-zoning the entire area to CBD per the recommendations of the Downtown Commission report would permit much more

development but would not guarantee the high-quality urban design character envisioned, nor would this achieve other goals for the area, including construction of streetscape improvements and the creation of a mixed-income residential area.

For this reason, staff recommends re-zoning those properties not currently zoned CBD (Central Business District) or DMU (Downtown Mixed-Use) to CBD but with a Waterfront Overlay provision limiting building heights to 60 feet. Unlimited height and 10:1 FAR may be achieved (through an administrative verification at the site plan approval stage), however, if projects that meet the following criteria:

1. **Construct "Great Streets" streetscapes.** This will require a dedication of a sidewalk easement to the City for most properties in the Subdistrict, as some of these improvements would be constructed on private property. (See Appendix for standards for the Great Streets Development Program.)
2. **Construct a residential component providing at least 50 dwelling units, some of which must be affordable:** 10% at 80% Median Family Income. (See Appendix for more information.)
3. **Obtain a 3 Star Green Building rating.** (See Appendix for more information.)

If applicable, the following Development Bonus criteria must also be met:

- **Relocate & restore significant historic structures to Historic Enclave site.**
- **Dedicate ROW to create Red River extension** when affected parcels are to redevelop - if proposed development includes property designated for future Red River ROW.
- **Reserve 10% of parking spaces for public visitor parking when a Project is within 500' of the intersection of River and Rainey Streets.**

The density or development bonus would permit CBD site development standards with a 10:1 floor-to-area ratio (FAR). This optional development bonus concept is similar to the recently approved, University Neighborhood Overlay (UNO) ordinance. In the case of the Rainey Street Subdistrict, the development bonus would be incorporated into the Waterfront Overlay District regulations. The development bonus would be *administratively* approved if the Great Streets, affordable housing, Green Building standards and other applicable criteria were met. (See Appendix for more detail on criteria. Proposed zoning is shown in Figure 7.)

C. Waterfront Overlay District and Proposed Amendments

The Waterfront Overlay District includes land adjacent to both sides of Town Lake from Tom Miller Dam in the west to Longhorn Dam on the east. The Waterfront Overlay is further divided into approximately 15 subdistricts, including the Rainey Street Subdistrict. The Waterfront Overlay District was recommended in the Town Lake Comprehensive Plan and was created to ensure future development would be compatible with the character of Town Lake.

Current Waterfront Overlay District regulations limit the type of land uses permitted along the waterfront, require minimum setbacks from the waterfront, offer limited development incentives for mixed-use and residential development and establish

minimum standards for building massing in certain subdistricts.

The Rainey Street Subdistrict covers the entire study area. The Subdistrict is close to Downtown and East Austin yet has a character that is distinct from both of these adjacent districts. Part of its uniqueness is its physical separation from adjacent areas by Waller Creek, Town Lake and IH 35, and its relatively few street connections to the core Downtown.

The street and block pattern of the area has a much closer relationship to adjacent East Austin neighborhoods and to other inner-city residential subdivisions than to Downtown: for example, the narrow street rights-of-way (60-feet as opposed to 80-feet Downtown) and long blocks (up to 1100-feet as opposed to 276-feet Downtown). Because of this, intense redevelopment of the area could have negative consequences such as a strong "canyon effect" along smaller streets, if fully developed under standard CBD zoning. For this reason, staff proposes a series of amendments to the Rainey Street Subdistrict of the Waterfront Overlay District to address specific urban design needs such as providing adequate front setbacks for streetscape improvements. The Downtown Commission Report also recommended this approach and many of the staff recommendations are based on earlier work by the Downtown Commission.

Rainey Street looking south from River Street

Red River Street looking north toward the Convention Center & Hotel

Residential tower and Parkland

A description of the proposed amendments and a comparison of the Downtown Commission's and City staff's recommendations are listed in Table 2 below.

Table 2: Comparison Between Staff's & Downtown Commission's Recommendations for Amendments to the Waterfront Overlay District

Staff's Proposed Code Amendment to the Waterfront Overlay District	Specifically recommended by Downtown Commission (DC)	Rationale/Comments
10' front setback along all streets with 60' ROW or less.	Yes*	To provide area for streetscape improvements. DC recommended a 15' setback from Rainey St. only.
Building basewall height limited to 45' along all 60' ROW (or less) streets & Waller Creek.	No	To preserve human-scale along narrow streets. (WOD already applies the 45' basewall standard in several other subdistricts.)
15' building *step*back above basewall along all 60' ROW (or less) streets & Waller Creek.	No	To preserve human-scale along narrow streets.
Require pedestrian-oriented uses along Cesar Chavez Blvd., Rainey & River streets & Waller Creek.	Yes*	To ensure vitality of Subdistrict. *DC did not describe specific locations.
30' setback from the top of bank of Waller Creek.	No	Preserve ability to incorporate pedestrian-oriented uses and public access along creek.
Prohibit surface parking& drive-through uses throughout Subdistrict.	Yes*	*DC referenced only Rainey St. for parking prohibition & did not address drive-through uses at all.
Ground floor residential units shall have principal entrance to unit directly accessible to street.	Yes*	*DC recommended, "primary access be provided along public streets".
Preserve alley access but permit use of aerial development rights above 20'.	Yes*	*DC did not address aerial development rights.
Parking garages must be encapsulated up to the basewall height.	Yes	DC did not specify up to a certain height.
Require a 20'-wide, public-dedicated, mid-block pedestrian passages every 300'- 400' for projects with greater than 500' of street frontage.	No	To ensure east-west pedestrian access due to very long block lengths (up to 1100').
Require 100% replacement for Class I & II Trees, 50% for Class III & IV.	Yes*	*DC recommended "require adequate planting space for large Class I native shade tress at a min. ratio such as ten trees per acre".

Table 3 below charts the proposed building setbacks and stepbacks for the Subdistrict. Illustrations of the proposed building setbacks and stepbacks, setbacks along Waller Creek, the encapsulated parking garage concept, typical streetscape improvements and *recommended* (not required) building height and spacing limitations are shown in Figures 8 - 13.

Table 3: Proposed Building Setbacks and Stepbacks[2] for Rainey Street Subdistrict

Setback or Stepback	Street-fronting properties (60'ROW or less) & mid-block pedestrian passages	Waller Creek-fronting properties[3]
Front setback	15'	30' from top of bank[4]
Basewall[5] height	45'	45'
Stepback above basewall	15'	15'
Side setback adjacent to existing single-family structure (building type - not use)	5'	5'

Table 4 below sets forth recommended relationships between building height and length of street frontage in order to reduce the "canyon effect", provide human scale to the streetscape, and maintain views, light and air around building masses. *This is not required,* but is recommended.

Table 4: Recommended Relationship Between Building Height and Length

Length of Structure along Street Frontage[6]	Height of Structure
Less than 75'	Per Rainey Street Waterfront Overlay Amendments
75' to 125'	180'
126' to 276'	90'
276' +	60'

In addition to the above, it is recommended (not required) that structures greater than

[2] *Stepback* is defined as a horizontal setback from the face of a building aligned on the required setback line.
[3] Waller Creek frontages should be considered as street frontages and so, subject to the same requirements of street frontages in the Waterfront Overlay District and CBD zoning category.
[4] *Top of bank* is defined as the line where a distinct change in grade between the ravine of a creek or waterway and the surrounding topography is apparent. Top of Bank shall be defined by a legal survey and approved by the Director of Parks & Recreation.
[5] *Basewall* is defined as the vertical surface of a building beginning at the finished grade up to a level defined by a setback or an architectural treatment, including a cornice line or similar projection or demarcation, that visually separates the base of the building from the upper portion of the building.
[6] *Structure* is defined as a building or portion of a building with a distinct massing in terms of height, bulk, frontage or setback from the rest of a building.

120-feet in height should be located a minimum distance of 80-feet, or 50% of the height of the shorter structure - whichever is greater, from one another. An illustration of this concept is provided in Figure 13 and a model of one possible building massing using this concept is shown in Figure 14.

Residential uses are considered to be "pedestrian-oriented" in the Waterfront Overlay District. In the Rainey Street Subdistrict, ground floor residential units should have the principal entrance to the unit directly accessible from the street. A combination of architectural elements such as setbacks, landscaping, low fences, porches and raising the first floor level may be used to maintain privacy of ground floor residential units.

Finally, publicly-accessible, mid-block pedestrian passages, with a minimum width of 20 feet and aligned with streets shall be provided every 300 to 400 feet, through any development with a street frontage greater than 500 feet, and from street intersections to Waller Creek trail easements.

D. Transportation

Roadway access and capacity are the major transportation issues for the Rainey Street area. The area has indirect street connections to Downtown with Red River providing access from the north and Driskill and River streets providing access from the east (see Figure 15). This contributes to the character of the area and is acceptable given the current low-density development in the area. However, as the area develops and density increases additional roadway and pedestrian access will be needed.

Streets in the Rainey Street area typically have narrower rights-of-way than the rest of Downtown (60 feet as opposed to 80 feet) and longer blocks (up to 1100 feet as opposed to 276 feet). Increased roadway capacity, wider sidewalks and mid-block pedestrian passages will be needed to improve access and mobility to the area. Based on this staff recommends the following:

- Extend Red River south of its current terminus at Davis Street. There are a number of potential alignments that merit further study. The proposed extension will greatly improve access between the Rainey Street area and the remainder of Downtown. Two options are illustrated in Figure 16, but the preferred, until further study is done, would be the Option 2, ultimately connecting Red River to East Avenue and the IH 35 southbound frontage road. This alignment creates more developable block lengths and connectivity and strengthens east-west mobility through to the Interstate.

- Establish a typical downtown street section of 44 feet of pavement for Red River, Rainey all streets in the Subdistrict that currently have a 60-foot right-of-way or less. (No additional right-of-way is required.) See Figure 12.

- Preserve existing alleys to a height of 20 feet and allow, without special application or permit, aerial rights above that height for development.

E. Parks and Open Space

One of the unique attributes of the Rainey Street area is its proximity and access to Town Lake Park. The location and quality of public parkland adjacent to the Rainey Street area is a significant amenity for private sector redevelopment. For example, the area has direct access to the 20-mile Town Lake Loop trail system. This warrants special consideration to preserve and enhance parkland. The following recommendations address specific issues of access and long-term operation and maintenance issues for parkland in the area.

Park Fee

Redevelopment projects in the Rainey Street area have the potential to create hundreds of new residential units in close proximity to Town Lake. Many of these projects will not be subject to the Parkland Dedication ordinance because the ordinance only applies to residential subdivisions and much of the residential development in this area will not require a subdivision. In order to maintain and enhance parkland and facilities in the area and given the anticipated higher demand for recreational services, staff recommends establishing a fee per unit or per person on residential construction for projects in the area not subject to parkland dedication. These funds could be used to develop additional park and recreational amenities for the new residents.

Trail Connections and Improvements

Currently, there are several gaps in the trail along Waller Creek from Cesar Chavez to Town Lake. The west side of the creek has easements in place and City funds have been appropriated for completion of the trail. As part of the redevelopment of Rainey Street, the trail should be completed on the east side of Waller Creek from approximately Willow Street north to Cesar Chavez Boulevard. This will require construction of the trail, as the dedicated easements will be provided as part of the site plan approval process. Additional recommended trail improvements include providing trail access along the northern edge of the Mexican American Cultural Center site from the southern terminus of the proposed extension of Red River Street to the Waller Creek trail and construction of a pedestrian bridge over Waller Creek in the vicinity of Driskill, to connect with the future, funded trail extension on the west side of Waller Creek (see Figure 17).

F. Tree Preservation and Canopy Replacement

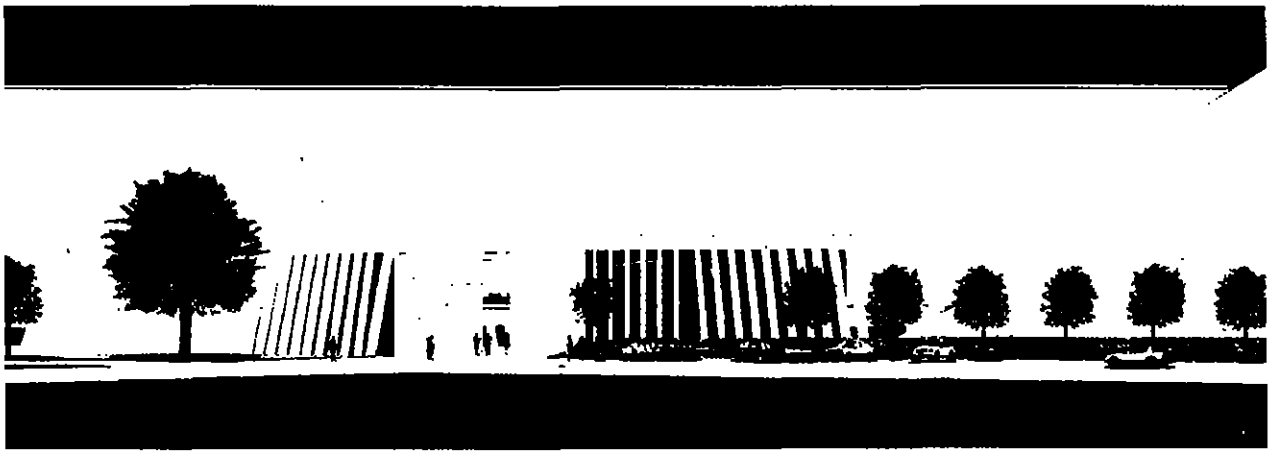
The Rainey Street neighborhood has a greater extent of canopy coverage than most of Downtown. Its mature shade trees are a key component of the neighborhood's character. They give human scale to the streetscape, have aesthetic appeal that translates into increased property value. The trees help reduce runoff and flooding and ameliorate the living environment through shading, transpiration, and cleaning pollutants from the air. For these reasons, existing Class I trees should be preserved in place to the maximum extent possible.

However, with redevelopment of the area, it is inevitable that some trees must be removed. Prior to making development decisions, the developer should hire an

arborist or landscape architect to evaluate the trees on the site and make recommendations concerning which are most valuable and are located so as to be feasibly preserved. In addition to the survey of trees with trunk diameter greater than 8" required by Code, canopy coverage for each development parcel is to be measured from aerial photographs.

To compensate for loss of canopy cover, 100% replacement must be achieved whenever trees are removed. Class III & IV trees or trees in very poor or hazardous condition may be replaced at 50% of the level required for Class I & II species. The canopy replacement value of each tree planted should be based on its average branch spread upon installation. A table of canopy coverage equivalents per caliper inch tree size should be developed to facilitate a developer's calculation of number of replacement trees required. Planting large (5" caliper or greater) Class I or II shade trees along the street according to the Great Streets standards will help to achieve the desired canopy coverage replacement.

However, the current extent of canopy coverage cannot be replaced with street trees alone due to the limited amount of street frontage available for tree planting. In lieu of street tree planting, a developer may opt for planting trees on other public land along Town Lake, Waller Creek, or at the MACC. Trees planted at the MACC should follow the master plan established for that project. Trees planted on parkland should be installed according to a master plan to be prepared by a landscape architect and adopted by the Parks Board.

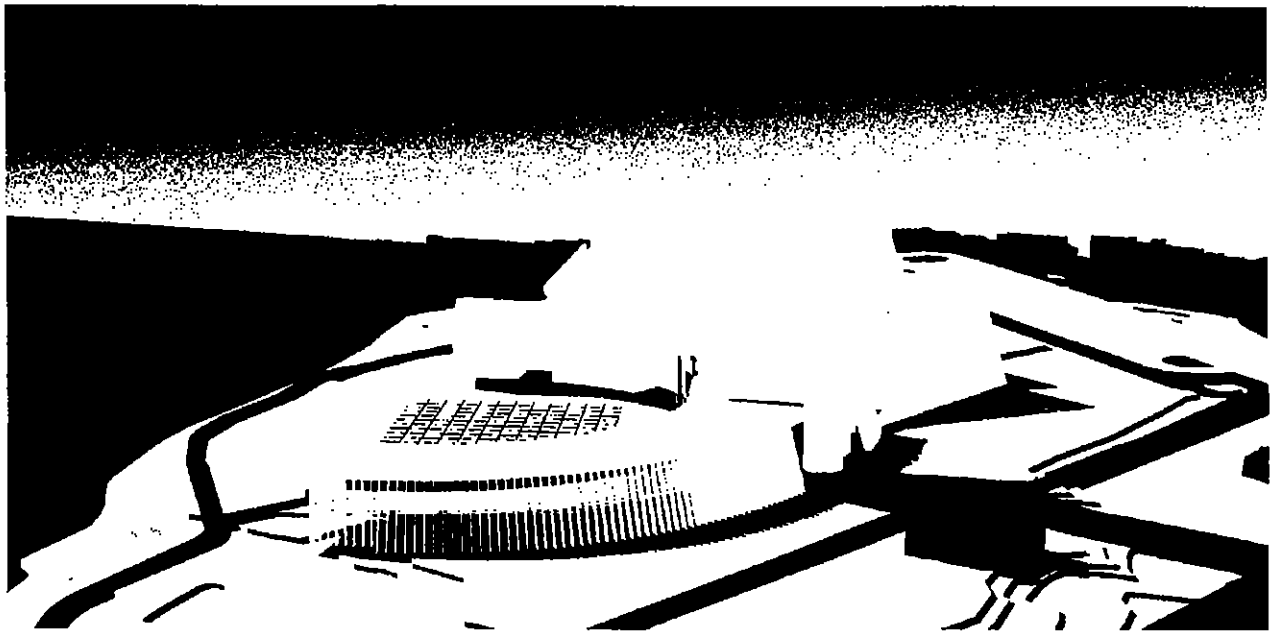


Rendering of River Street entrance of the MACC viewed from the east

G. Mexican American Cultural Center (MACC)

- The MACC is to be dedicated to the preservation, creation, presentation and promotion of Mexican American cultural arts and heritage and will provide a unique civic focus for Austin and the Rainey Street area. Programs and education curriculum include the areas of visual art, theater, dance, literature, music, multi-media and culinary arts. Redevelopment in the area has the potential to enliven and complement the MACC. Specific recommendations benefiting the MACC include:

- Improve vehicular access to the site by extending Red River Street southward.
- Improve pedestrian and recreational access by providing a trail connection between Red River Street and the Waller Creek trail along the northern edge of the MACC site.
- If the Historic Enclave along River Street is developed, encourage uses to house arts, restaurants, retail, galleries, cultural uses that complement or supplement those provided by the MACC.
- Through the development bonus option, require developers of proximate sites to provide public parking that could be used for the MACC's subsequent phases, possibly obviating the need for its own parking garage.
- Examine opportunities for public-private redevelopment on a portion of the MACC site as a potential source of funding for construction, operations and maintenance.



Aerial view of full build-out of the MACC showing Town Lake waterfront, looking northwest

IV. Potential Incentives for Redevelopment

In addition to the CBD-level development bonus incentive already proposed, four additional, potential incentives have been identified:

1. City's investment in infrastructure improvements,
2. City's partial reimbursement of streetscape improvement costs through the Great Streets Development Program (see Appendix),
3. Incentives available under the City's Economic Development Policy available through the City's Office of Economic Growth & Redevelopment Services, and
4. S.M.A.R.T. Housing incentives for projects that provide affordable housing beyond the development bonus requirements (see Appendix).

V. Implementation

Based on the staff evaluation of the Rainey Street area, simply re-zoning the Subdistrict properties is not adequate to achieve the outcome envisioned for the area. Many of the recommendations included in this report, if adopted by the City Council, will require follow-up by both public and private sector interests in the area. Additional implementation efforts will be needed, as described briefly below:

- The Historic Enclave concept may require some City funding, consolidation of property, relocation, renovation and management of historic structures,
- Establishment of a Park Impact Fee will require adoption by the City Council,
- Public funding of infrastructure (roads, utility improvements, etc.) will require identification of funding sources, design, engineering and construction.

APPENDIX
&
FIGURES

Potential Historic Landmarks on Rainey Street

- **70 Rainey Street**, a ca. 1885 wood frame house notable for its architecture, its status as one of the first two houses built on the street, and its associations with Herbert D. Thetreau an early stonemason, whose family owned the property from 1885 through the 1920s. (Listed as contributing to the NRHD and a Priority 3 in the 1984 survey.)

- **75 Rainey Street**, a ca. 1893 wood-frame house notable for its architecture and its associations with Herman Schuller, proprietor of the Union Depot House Saloon. (Listed as contributing to the NRHD and a Priority 1 in the 1984 survey.)

- **81 Rainey Street**, a ca. 1895 wood frame house notable for its architecture and its overall context within the neighborhood. The house was built for a widow, whose family owned the property through the 1950s. (Listed as contributing to the NRHD and a Priority 2 in the 1984 survey.)

- **84 Rainey Street**, a ca. 1891 wood-frame house notable for its architecture. (Listed as contributing to the NRHD and a Priority 1 in the 1984 survey).

- **86 Rainey Street**, a ca. 1889 wood-frame house notable for its architecture. (Listed as contributing to the NRHD and a Priority 1 in the 1984 survey.)

- **88 Rainey Street**, a ca. 1889 wood-frame house notable for its architecture. (Listed as contributing to the NRHD and a Priority 1 in the 1984 survey.)

- **89 Rainey Street**, a ca. 1904 wood-frame house notable for its architecture and its associations with Jonas J. Becker, a tailor, who owned the house from 1904 to 1922. (Listed as contributing to the NRHD and a Priority 1 in the 1984 survey.)

- **89 ½ Rainey Street**, a ca. 1927 frame bungalow notable for its architecture and its representation of the second phase of development on Rainey Street. (Listed as contributing to the NRHD and a Priority 3 in the 1984 survey.)

- **90 Rainey Street**, a ca. 1885 wood-frame house notable for its architecture, its status as one of the first two houses built on the street, and its associations with Evan Campbell, an early furniture dealer, who had the house built and resided here from 1885 into the 1890s. The house is in a very deteriorated state and has a tarp covering the roof. (Listed as contributing to the NRHD and a Priority 1 in the 1984 survey.)

- **93 Rainey Street**, a ca. 1895 wood-frame house notable for its architecture and its associations with Arthur Leser, the proprietor of the Austin Soap Factory, who owned the house from 1895 through the 1910s. (Listed as contributing to the NRHD and a Priority 1 in the 1984 survey.)

- **97 Rainey Street**, a ca. 1889 wood-frame house notable for its architecture and its association with Daniel Weaver, a grocer who owned the property from 1889 through the 1890s. (Listed as contributing to the NRHD and a Priority 1 in the 1984 survey).

- **609 Davis Street (outbuilding only).** The stone outbuilding on this property dates to the early 1870s and was likely the stable or carriage house of the Davis homestead (demolished), which was just west of the Driskill & Rainey Subdivision. Edmund Jackson Davis, Governor of Texas during the Reconstruction, owned this property and conveyed a portion, including this outbuilding to Driskill and Rainey in 1882.

In addition, the ca. 1903 house at **91 Red River Street**, within the Driskill & Rainey Subdivision - while not in the NRHD - may qualify for historic landmark designation for its architecture as well. The house at 91 ½ Red River Street would qualify as contributing to the district but not as an individual landmark. It appears to have been moved onto its current site in the mid-1930s.

RAINEY STREET NATIONAL REGISTER HISTORIC DISTRICT

Chart of Buildings with Determinations of Contributing or Non-Contributing to National Register District

C = contributing; NC = non-contributing; NR = National Register; HSA = Heritage Society of Austin

ADDRESS	CONST DATE	NR	HSA REPORT	STAFF	1984 SURVEY PRESERVATION PRIORITY	NOTES
67 Rainey St.	ca. 1930	NC	C	C	3	NC in NR nomination because of age or condition.
69 Rainey St.	ca. 1929	NC	C	C	3	NC in NR nomination because of age or condition.
70 Rainey St.	ca. 1885	C	C	C	3	
71 Rainey St.	ca. 1902	NC	C	C	2	NC in NR nomination because of condition.
72 Rainey St.	ca. 1985	NC	NC	NC	N/A	Moved to current site in 1985.
73 Rainey St.	ca. 1914	C	C	C	2	
74 Rainey St.	ca. 1974	NC	NC	NC	3	Moved to current site in 1974.
75 Rainey St.	ca. 1893	C	C	C	1	
75 ½ Rainey St.	ca. 1915	C	C	NC**	2	Would be C if vinyl siding removed.
76 Rainey St.	ca. 1917	C	C	C	2	
77 Rainey St.	ca. 1920	C	C	C	3	
78 Rainey St.	ca. 1913	C	C	C	3	
79 Rainey St.	ca. 1934	C	C	C	2	
80 Rainey St.	ca. 1927	NC	C	C	3	NC in NR nomination due to age or condition.
81 Rainey St.	ca. 1895	C	C	C	2	
81 ½ Rainey St.	ca. 1927	NC	NC	NC	2	Architectural modifications
82 Rainey St.	ca. 1906	NC	C	C	2	NC in NR nomination due to age or condition.
83 Rainey St.	ca. 1895	C	C	C	2	
84 Rainey St.	ca. 1891	C	C	C	1	
85 Rainey St.	ca. 1905/1935	C	C	C	2	
86 Rainey St.	ca. 1889/1920	C	C	C	1	
87 Rainey St.	ca. 2004	Not listed	Not listed	NC	N/A	New construction.
88 Rainey St.	ca. 1889	C	C	C	1	
88 ½ Rainey St.	ca. 1996	Not listed	NC	NC	N/A	New construction.
89 Rainey St.	ca. 1904	C	C	C	1	
89 ½ Rainey St.	ca. 1927	NC	C	C	3	NC in NR nomination due to age or condition.
609 Davis St.	ca. 1920	NC	C	NC	3	Asbestos siding; window modifications.

609 Davis St. Stone Outbuilding	ca. 1870	C	C	C	N/A	Oldest building in Rainey St. neighborhood – formerly stable or carriage house for Davis Homestead, home of Reconstruction-era Texas Governor E.J. Davis
90 Rainey St.	ca. 1885	C	C	C	1	House is deteriorating; no roof.
91 Rainey St.	ca. 1892	C	C	C	2	
92 Rainey St.	ca. 1927	C	C	C	3	
93 Rainey St.	ca. 1895	C	C	C	1	
94 Rainey St.	ca. 1928	NC	C	C	3	NC in NR nomination due to age or condition.
95 Rainey St.	ca. 1908	C	C	NC	2	Modern replacement windows.
96 Rainey St.	ca. 1895	NC	C	NC	2	Modern replacement windows.
97 Rainey St.	ca. 1889	C	C	C	1	
91 Red River St.	ca. 1903	N/A	N/A	C**	2	Would qualify as contributing to an expansion of the Rainey Street historic district.

Great Streets Development Program Requirements

The Great Streets Development Program is a reimbursement-type of incentive program open to developments located in the Downtown core that assists developers with the cost of making pedestrian-oriented streetscape improvements, typically limited to those in the public right-of-way. The program is administered by the City's Urban Design Office (UDO) which assists applicants in the determination of the maximum amount of reimbursement that they may expect from their successfully completed sidewalk project, the actual design of the applicant's sidewalk project and the execution and administration of a Community Facilities contract that allows the City to reimburse the Applicant.

All streets in the Rainey Street Subdistrict *except* East Avenue will be considered "High Priority" in the Great Streets Development Program, meaning that they could be eligible for reimbursement of up to $18 per square foot of the surface area of the sidewalk improvements. Applicants must have a sidewalk plan approved by the City's Urban Design Office which show the design and engineering of the following Great Streets elements according to the Great Street standards.

- 18-foot wide sidewalks, typical
- 22.5-foot corner curb radius / 10-foot alley curb radius / radius of curb cuts (varies)
- Accessible curb ramps with single flare at corners & alleys with tactile warning strips as appropriate
- On-street parking layout with parking meter locations designated
- Sidewalk paving material and pattern (may be plain concrete, scored)
- 5-inch caliper street trees planted per City standard detail at 22-feet on center, 4' from curb face (species are determined by UDO)
- Infrastructure (foundation, conduit) for the "Great Streets" Street lighting and traffic signal poles (CAD drawing of conduit layout and foundation design provided to Applicant's engineer by City)
- "Great Streets" standard bike racks, benches and waste bins per UDO-approved locations & quantities
- Any bus stop locations/shelters must be coordinated with Capital Metro

Applicants must adhere to the City's Site Development Permit/Review and License Agreement processes, and provide timely utility identification and coordination. A UDO staff member will be assigned for each project to assist the applicant through the City's interdepartmental coordination and review.

Residential Component & Affordable Housing Requirements

Compliance with the Development Bonus option requires a development to have a residential component of at least 50 dwelling units. Further, the Development Bonus requires a set aside of 10% of these dwelling units for persons whose household income is less than 80% of the median family income (MFI) for the Austin metropolitan statistical area, as determined by the Director of the Austin Neighborhood Housing and Community Development Department. These dwelling units shall be maintained as affordable at the 80% of MFI for a period of 15 years. In addition, minimum accessibility requirements will apply.

3 Star Green Building Rating Requirements

The Austin Energy Green Building Program (GBP) promotes sustainable, energy- and resource-efficient building systems and strategies in new construction and major renovations. Through residential, multi-family and commercial programs, building professionals have access to nationally-recognized experts and resources to assist them in minimizing the environmental, economic and health impacts of construction and development. Rating tools used by each of the individual programs allow developers, owners and building professionals to make better decisions about energy efficiency, water conservation, sustainable materials, health and safety and the community. Ratings are available on a five star scale for each program.

Single & Multi-Family Programs
The single family and multi-family residential programs utilize rating tools that require the completion of basic requirements as well as varying levels of voluntary measures. These measures cover categories including energy, testing, materials, water, health and safety, and community. A 3-star rating may be achieved by achieving between 90 and 129 of the total possible points available.

Commercial Green Building Program
The commercial program utilizes a rating tool that includes basic requirements, the completion of which allows the building to achieve a 1-star rating. (Currently, the Code requires that all CBD- and DMU-zoned development acquire a 1-star rating.) As proposed now, a 3-star rating is achieved when all the basic requirements and 50% of the voluntary measures have been successfully incorporated into the design and construction of the building(s). Basic requirements and voluntary measures encompass categories including sustainable sites, energy conservation, water conservation, indoor environmental quality and materials and resources.

Benefits of Green Building
The benefits of green building are multi-faceted, including economic, social, and environmental. Economic benefits can be realized through reduced energy and water consumption and waste generation; increased markets for recycled and reused materials; and using more durable systems and facilities that are easier and less expensive to operate and maintain. Since there is an emphasis toward purchasing locally available materials, transportation costs are reduced and the local economy is supported. Health and safety benefits are realized from improved indoor environmental quality, including better ventilation, daylighting and reduction of toxic chemicals from materials and finishes. Building professionals and occupants will not be exposed to high toxicity products, leading to healthier, happier, and more productive individuals. Even small improvements in health and productivity positively impact the bottom line within a short period of time. Environmental benefits include resource conservation, reduced storm water run-off and reduced emissions and releases of harmful compounds.

For more information, see the City's website **http://www.ci.austin.tx.us/greenbuilder/**
or contact Katie Jensen, Austin Energy Green Building Program at katie.jensen@ci.austin.tx.us or (512) 505-3707.

Examples of Downtown Buildings Achieving a 3-Star Rating
CarrAmerica (address & contract info)
American Institute for Learning (address & contract info)

ZONING AND PLATTING COMMISSION'S RAINEY STREET RECOMMENDATIONS (10-19-04)

1. Staff develop the codes and ordinances to reflect the...whatever the zoning is ultimately approved by Council...that hopefully will be in accordance with our (Commission) zoning recommendations ...(CBD-CO to DMU standards, CBD and GR-MU district zoning), ...and that we allow development bonuses for participation in great streetscapes, for providing residential components (includes affordable housing percentages), for green building and incorporating the compatibility standards that we requested Staff to draft.
   In addition, to recommend ordinance changes to allow the dedication of right-of-way to create the extension of Red River (Street). *Vote: 9-0 [K.J; M.W 2ND]*

2. For every item (on the "Board and Commission Recommendations on Staff Proposals of the Rainey Street Area" dated October 8th 2004) that shows Planning Commission "for" that the Zoning and Platting Commission is also for each one of those items. The second part of this motion is that we include a caveat we concur with the recommendations made by the Planning Commission that would create the necessary ordinances or amendments to the Code to bring about the changes for the Rainy Street area that are finally decided by Council, excepting where they differ...with the individual (Rainey St.) zoning cases that have been brought before and acted upon the Zoning and Platting Commission (on 10-19-04). *Vote: 9-0 [K.J; M.W 2ND] .*

3. Recommendation against the creation the proposal to create an historic enclave as proposed by Staff. Secondary recommendation: If the Council elects to create the enclave, then the enclave be sufficient to accommodate the twelve (historic) structures as identified by Staff. *Vote: 8-1 [J.D; J.M 2ND] B.B - NAY.*

4. Recommend that Lambie (Street) not be extended. *Vote: 9-0 [K.J; M.W 2ND]*

5. Recommendation for support a park fee. *Vote: 4-5 (motion failed) [J.M; C.H 2ND] J.G, T.R, M.W, J.P, K.J - NAY.*

6. For every item (on the "Board and Commission Recommendations on Staff Proposals of the Rainey Street Area" dated October 8th 2004) that shows Planning Commission "for" that the Zoning and Platting Commission is also for each one of those items. The second part of this motion is that we include a caveat we concur with the recommendations made by the Planning Commission that would create the necessary ordinances or amendments to the Code to bring about the changes for the Rainy Street area that are finally decided by Council, excepting where they differ...with the individual (Rainey St.) zoning cases that have been brought before and acted upon the Zoning and Platting Commission (on 10-19-04). *Vote: 9-0 [K.J; M.W 2ND].*

7. For every item (on the "Board and Commission Recommendations on Staff Proposals of the Rainey Street Area" dated October 8th 2004) that shows Planning Commission "for" that the Zoning and Platting Commission is also for each one of those items. The second part of this motion is that we include a caveat we concur with the recommendations made by the Planning Commission that would create the necessary ordinances or amendments to the Code to bring about the changes for the Rainy Street area that are finally decided by Council, excepting where they differ...with the individual (Rainey St.) zoning cases that have been brought before and acted upon the Zoning and Platting Commission (on 10-19-04). *Vote: 9-0 [K.J; M.W 2ND].*

8. For every item (on the "Board and Commission Recommendations on Staff Proposals of the Rainey Street Area" dated October 8th 2004) that shows Planning Commission "for" that the Zoning and Platting Commission is also for each one of those items. The second part of this motion is that we include a caveat we concur with the recommendations made by the Planning Commission that would create the necessary ordinances or amendments to the Code to bring about the changes for the Rainy Street area that are finally decided by Council, excepting where they differ...with the individual (Rainey St.) zoning cases that have been brought before and acted upon the Zoning and Platting Commission (on 10-19-04). *Vote: 9-0 [K.J; M.W 2ND].*

9. Recommendation for the plans for the (electrical) substation, with aesthetic treatment to the substation so it would not be an intrusion into the neighborhood. *Vote: 9-0 [K.J; M.W 2ND].*