



Recommendation for Action

File #: 22-2160, **Agenda Item #:** 65.

6/16/2022

Posting Language

Conduct a public hearing and consider an ordinance granting additional floor-to-area ratio (FAR) entitlements to the project at 78, 80, 82 and 84 Rainey Street in accordance with the Downtown Density Bonus Program under City Code Section 25-2-586(B)(6).

Lead Department

Housing and Planning Department.

Fiscal Note

This item has no fiscal impact.

For More Information:

Rosie Truelove, Director, Housing and Planning Department, (512) 974-3064; Jorge E. Rousselin, Division Manager, Housing and Planning Department, (512) 974-2975.

Council Committee, Boards and Commission Action:

Planning Commission: February 22, 2022: Approved additional FAR from 15:1 to 20:1, as recommended by Staff. Vote of 11-0. Commissioner Praxis abstained. Commissioner Llanes Pulido was off the dais.

Design Commission: December 13, 2021: Recommended that the project at 78-84 Rainey Street substantially complies with the Urban Design Guidelines Commissioner J. Meiners seconded.

The motion was approved [6 ayes, 0 nays, 1 Recuse (D. Carroll)].

Additional Backup Information:

On February 27, 2014, City Council approved modifications to the Downtown Density Bonus Program (DDBP) via [Ordinance No. 20140227-054](https://www.austintexas.gov/edims/document.cfm?id=206958) <<https://www.austintexas.gov/edims/document.cfm?id=206958>> allowing an eligible project to request additional FAR after participating in the program as described in City Code Section [25-2-586](https://library.municode.com/tx/austin/codes/code_of_ordinances?nodId=TIT25LADE_CH25-2ZO_SUBCHAPTER_CUSDERE_ART3ADRECEDI_SPAGERE_S25-2-586DODEBOPR) <https://library.municode.com/tx/austin/codes/code_of_ordinances?nodId=TIT25LADE_CH25-2ZO_SUBCHAPTER_CUSDERE_ART3ADRECEDI_SPAGERE_S25-2-586DODEBOPR>. Prior to this Council action, the Central Urban Redevelopment Overlay (CURE) was used to achieve additional height and density for certain properties in downtown.

The applicant is seeking additional density (FAR) for the subject property located within the DDBP boundaries and within the Rainey District of downtown. The property is currently zoned Central Business District (CBD) and is subject to the provisions of the Rainey Street Subdistrict Regulations of the Waterfront Overlay under City Code Section [25-2-739](https://library.municode.com/tx/austin/codes/code_of_ordinances?nodId=TIT25LADE_CH25-2ZO_SUBCHAPTER_CUSDERE_ART3ADRECEDI_SPCSURE_S25-2-739RASTSURE) <https://library.municode.com/tx/austin/codes/code_of_ordinances?nodId=TIT25LADE_CH25-2ZO_SUBCHAPTER_CUSDERE_ART3ADRECEDI_SPCSURE_S25-2-739RASTSURE>. The site is currently occupied by multifamily and retail development.

The applicant is requesting approval for additional density (FAR) under the provisions of City Code Section [25-2-586\(B\)\(6\)](https://library.municode.com/tx/austin/codes/code_of_ordinances?nodId=TIT25LADE_CH25-2ZO_SUBCHAPTER_CUSDERE_ART3ADRECEDI_SPAGERE_S25-2-586DODEBOPR) <https://library.municode.com/tx/austin/codes/code_of_ordinances?nodId=TIT25LADE_CH25-2ZO_SUBCHAPTER_CUSDERE_ART3ADRECEDI_SPAGERE_S25-2-586DODEBOPR> for the construction of a 49 story multi-family residential building, which will include retail on the ground floor, garage parking and streetscape improvements in accordance with the DDBP.

Staff has reviewed the DDBP request and found it to be in compliance with the administrative provisions of the DDBP and the Rainey Street Subdistrict Regulations of the Waterfront Overlay under City Code Section 25-2-739 <https://library.municode.com/tx/austin/codes/code_of_ordinances?nodeId=TIT25LADE_CH25-2ZO_SUBCHAPTER_CUSDERE_ART3ADRECEDI_SPCSURE_S25-2-739RASTSURE>. Staff recommends **APPROVAL** of the request for 20:1 FAR as requested in site plan SP-2021-0129C.

Strategic Outcome(s):

Economic Opportunity and Affordability.