



**DOWNTOWN COMMISSION
MINUTES**

**SPECIAL-CALLED MEETING
WEDNESDAY, MARCH 23, 2011**

The Downtown Commission convened in a special called meeting on Wednesday, March 23, 2011, at 301 W. 2nd St. in Austin, Texas.

Chair Mandy Dealey called the Commission Meeting to order at 5:30 p.m.

Downtown Commission Members in Attendance:

Beth Atherton, Bryan Cady, Mandy Dealey, Linda Guerrero, Robert Knight, Dustin Lanier, Dan Leary, Michael McGill, Paul Oveisi, Chris Schorre, Joel Sher, Richard Weiss, Bruce Willenzik

City Staff in Attendance:

Michael Knox, EGRSO; Scott Gross, Austin Transportation Department

1. CALL TO ORDER AND INTRODUCTIONS

2. CITIZEN COMMUNICATION: GENERAL

There were no citizens wishing to speak on items not on the posted agenda.

3. APPROVAL OF MINUTES

The minutes from the February 16, 2011 meeting were approved on an 11-0-1 vote on commission member Schorre's motion, commission member Weiss' second, with commission member Leary abstaining and commission member Oveisi off the dais.

4. URBAN RAIL SCOPING

Scott Gross, Austin Transportation Department, briefed the commission on upcoming scoping meetings for the urban rail project.

5. DOWNTOWN AUSTIN PLAN — RECOMMENDATIONS ON ADDITIONS, MODIFICATIONS AND ADOPTION

The Downtown Commission, on a motion by commission member Schorre, a second by commission member Guerrero, approved on a 12-0 vote, the resolution "The Downtown Commission recommends adoption of the Downtown Austin Plan (November 2010 draft) with the following amendments":

- a. If cocktail lounge becomes a conditional use, Live Music Venues should be excluded as a conditional use for cocktail lounges with specific criteria that address this use. [motion by Oveisi, second by Willenzik, approved 12-0]
- b. The Downtown Commission supports the idea of preserving the historic fabric of the warehouse district, but the proposed plan: 1) isn't necessarily appropriate to equitably

compensate property owners and; 2) the forty-five foot height limit isn't necessarily appropriate to preserving the district. The Downtown Commission encourages the Council and City staff to further weigh these issues of historic preservation and equitable compensation. [motion by Oveisi, second by Knight, failed 6-4-2]

The Downtown Commission recommends the Planning Commission's modifications and a more equitable approach for achieving preservation in the warehouse district. [motion by McGill, failed for lack of second]

The Downtown Commission supports preservation of the Warehouse District. However, there needs to be a mechanism to equitably compensate property owners for the loss of their development rights or to incentivize historic preservation. [motion by Knight, second by Cady, approved 12-0]

- c. Retain CURE as an option for seeking additional density. [motion by Sher, second by Oveisi, failed 6-5-1]
- d. Consider the negative effects of requiring setbacks above 90' on sustainability, efficiency, marketability, development costs, lost development potential and unintended consequences. [motion by Knight, second by Oveisi, approved 8-3-1]
- e. Special relief from these standards must be given to properties that have Capital View Corridor (CVC) height limits of less than 200 feet or are within the Capital Dominance Zone. [motion by Sher, second by Knight, failed 6-3-3]
- f. Change the Density Bonus maximums in the Market District areas along Lamar Blvd. from 5:1 FAR – 120' height and 3:1 FAR – 90' height to 8:1 FAR – 200' height. [motion by Knight, second by McGill, approved 9-4]
- g. Establish a standard operating procedure for downtown development agreements that clearly spell out 1) the density bonuses and height increases to be permitted and 2) the associated list, quantity, form, and, if possible, dollar-value of the public benefits to be provided by the developer. [motion by Lanier, second by Dealey, approved 12-0]
- h. Density bonuses should be permitted in exchange for on-site open space that is publicly accessible and meets well-defined criteria or for fee-in-lieu that could be used to improve downtown parkland. The fee-in-lieu payments should go into a trust fund similar to the Housing Trust Fund for affordable housing. The trust fund should supplement, not supplant, the Parks and Recreation Department budget. Improvements involving use of trust fund dollars should be limited to the downtown area and should be spent within two to three years of receipt. City staff needs to clarify whether fee-in-lieu payments can only be used for park capital improvements or could also be used for operation and maintenance to enhance downtown parks, in which case PARD should have discretion for using the funds in either category. [motion by Guerrero, second by McGill, failed 7-4-1]
- i. The Downtown Commission is supportive of affordable housing in our downtown area and supports the exploration of how to make that happen. [Motion by Atherton, second by Guerrero]

[Substitute motion by Weiss, second by Sher, approved 12-0] The Downtown Commission supports affordable housing downtown and encourages the exploration of any and all mechanisms to encourage its development.

- j. Green roofs are a worthy public benefit and should be included in the Density Bonus Plan. [motion by Weiss, second by Oveisi, approved 12-0]
- k. All utilities in downtown should be located underground where possible including those currently in alleyways and on sidewalks. Additionally, the long term goal should be to replace or bury the power lines that currently traverse the Trail at Ladybird Lake in front of City Hall. [motion by McGill, second by Cady, approved 12-0]

6. NEW ITEMS FOR INFORMATION FROM COMMISSION MEMBERS

There were no items.

7. ITEMS FROM STAFF

There was no staff report.

8. POTENTIAL FUTURE AGENDA ITEMS

9. ADJOURNMENT

Chair Mandy Dealey adjourned the meeting at 9:00 p.m. without objection.