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**PLANNING COMMISSION  
DOWNTOWN DENSITY BONUS REQUEST  
SITE PLAN REVIEW SHEET**

**CASE NUMBER:** SP-2013-0454C      **PLANNING COMMISSION  
HEARING DATE:** April, 22, 2014

**PROJECT NAME:** 5th & West

**ADDRESS:** 718 W. 5<sup>th</sup> Street

**APPLICANT:** Riverside Resources Investments II, Ltd. (Nikelle Meade)  
Husch Blackwell, LLP.  
111 Congress Ave., Suite 1400  
Austin, TX 78701

**AGENT:** Texas Press Association (Michael Hodges)  
718 W. 5<sup>th</sup> Street  
Austin, Tx 78701

**CASE MANAGER:** Nikki Hoelter      Phone: (512) 974-2863  
[nikki.hoelter@austintexas.gov](mailto:nikki.hoelter@austintexas.gov)

**URBAN DESIGN STAFF:** Jim Robertson      Phone: (512) 974-3564  
[jim.robertson@austintexas.gov](mailto:jim.robertson@austintexas.gov)

**NEIGHBORHOOD PLAN:** Downtown

**PROPOSED DEVELOPMENT:**

The applicant is requesting administrative approval for the construction of a 40 Story, multi family residential building, which will include retail on the ground floor, garage parking and streetscape improvements.

**PROJECT REQUEST:**

1. Make a recommendation to the City Council on the use of the other community benefits in accordance with LDC Section 25-2-586(E)(1)-(11) and Section 25-2-586(E)(12(f).
2. In accordance with LDC Section 25-2-586(B)(6), make a recommendation to the City Council on a request for additional floor to area ratio (FAR) from 15:1 to 20:1 for a proposed multi-family high rise project that has participated in the Downtown Density Bonus Program and is processing a request for bonus area up to 15:1 FAR to be granted administratively.

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## **SUMMARY STAFF RECOMMENDATION:**

Note: Because there are frequent references to LDC Section 25-2-586(B)(3) and (B)(6) and Figure 2 (referenced in (B)(3)), we have attached those pages to this recommendation.

### **1. Staff Recommendation Regarding Gatekeeper Requirements:**

The applicant has provided documentation sufficient to meet the Gatekeeper Requirements contained in Section 25-2-586(C)(1).

- The applicant has committed to providing streetscape improvements consistent with the Great Streets Standards.
- The applicant has committed to achieve a minimum Two-Star rating under the Austin Energy Green Building Program.
- The applicant has provided documentation indicating substantial compliance with the Urban Design Guidelines.

### **2. Staff Recommendation Regarding Community Benefits:**

The applicant seeks a total “Bonus Area” (defined by Section 25-2-568(A)(1) as “the gross floor area that exceeds the maximum floor-to-area ratio allowed with the site’s primary entitlements”) of 12.0 FAR. That Bonus Area of 12.0 FAR can be thought of as having two parts: (1) the 7.0 FAR between the parcel’s primary entitlement of 8.0 and the maximum FAR of 15.0 allowed under 25-2-568(B)(3); and (2) the 5.0 FAR between the 15.0 allowed under 25-2-568(B)(3) and the 20.0 sought for the project as a whole.

The applicant has proposed to achieve the 12.0 FAR of Bonus Area as follows:

- 2.0 FAR: Austin Energy 3-Star Green Building.
- 6.0 FAR: Fee-in-lieu payment of \$499,860 for affordable housing.
- 4.0 FAR: A contribution of \$333,240 towards improvements along lower Shoal Creek.

Thus, the applicant has met the requirement of Section 25-2-586(B)(3)(d)(1) of offering community benefits “above” those offered to achieve the 15.0 FAR allowed in Figure 2.

### **Staff Recommendation Regarding the Appropriateness of the Project’s Proposed 20.0 FAR:**

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

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

- On the one hand, the DAP envisions a Downtown with “a dense and livable pattern of development that supports a vibrant day and nighttime environment” (DAP, p. 2), and recommends that the “City should continue to encourage high-density development that

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contributes to the economic vibrancy of the region and that helps to achieve other Downtown objectives” (DAP, p. 103).

- On the other hand, the DAP recognizes and underscores that “Downtown is not a monolithic or homogenous place,” but rather is a series of sub-areas “with different uses and activities, building types and heights and property ownership patterns” (DAP, p. 31).

This dichotomy – reflecting the tension between encouraging Downtown density while honoring the character of different Downtown “districts” – was reflected in the July 2009 “Downtown Density Bonus Program” report, which was the source of the Density Bonus Program and Figure 2. That report identified six “fundamental principles” for a Density Bonus Program, which included Principle 1, “Density Should Be Encouraged” and Principle 5, “Additional density should be allowed only where appropriate and compatible.” Figure 2 – the map identifying the maximum FARs and heights that could be achieved within the Density Bonus Program – attempted to strike a proper balance between these two goals, and was the product of substantial community input combined with the urban planning and design judgment of the project team.

Taking the same “balancing act” approach towards evaluating the proposed project at 5<sup>th</sup> Street and West Avenue, staff took into account the specific location of the project. That location is in a zone identified by Figure 2 as having a maximum administratively-approved FAR of 15.0. Further, that location falls about midway between two adjacent zones containing different FAR maximums: to the west is a zone with a maximum FAR of 5.0; to the east is a zone with a maximum FAR of 25.0. Considering that a project within the 15.0 FAR zone could be administratively granted an FAR of 15.0 immediately adjacent to the 5.0 FAR zone, it would seem logical that a project halfway from that location to the edge of the 25.0 FAR zone might be granted an FAR of 20.0.

Taking all of that into consideration, staff recommends in favor of the request for 20.0 FAR.

By adopting Section 25-2-586(B)(6) the City Council clearly assigned to the Planning Commission the role of providing its own recommendation, and reserved for itself (Council) the right to grant FAR that exceeds the maximum FAR allowed in Figure 2.

#### PROJECT INFORMATION

<b>SITE AREA</b>	17,685 square feet	.406 acres	
<b>EXISTING ZONING</b>	CBD		
<b>WATERSHED</b>	Town Lake (Urban)		
<b>WATERSHED ORDINANCE</b>	Comprehensive Watershed Ordinance (Urban)		
<b>TRAFFIC IMPACT ANALYSIS</b>	Not required		
<b>CAPITOL VIEW CORRIDOR</b>	Lamar Boulevard		
<b>PROPOSED ACCESS</b>	West 5 <sup>th</sup> and West Avenue		
	<b>Allowed/Required</b>	<b>Existing</b>	<b>Proposed</b>
<b>FLOOR-AREA RATIO</b>	8:1	0	0
<b>BUILDING COVERAGE</b>	100%	0	16,335 SF/ 97.9%
<b>IMPERVIOUS COVERAGE</b>	100%	0%	100%
<b>PARKING</b>	184	0	272

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# **EXISTING ZONING AND LAND USES**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	CBD	Office
<i>North</i>	CBD	Office
<i>South</i>	CBD	Multi-family
<i>East</i>	CBD	Office
<i>West</i>	CBD-CO & DMU	Multi-family and Office

## **ABUTTING STREETS**

<b>Street</b>	<b>Right-of-Way Width</b>	<b>Pavement Width</b>	<b>Classification</b>
W. 5 <sup>th</sup>			Arterial
West Avenue			

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**DOWNTOWN DENSITY BONUS PROGRAM  
APPLICATION- REVISED (SECOND)**

**PROJECT NAME:**

Fifth and West Residences

**SUBMISSION DATE:**

Original Submission: January 31, 2014  
First Revised Submission: March 19, 2014  
Second Revised Submission: April 1, 2014

**APPLICANT:**

Name: Riverside Resources Investments II, LTD.  
Address: Husch Blackwell, LLP  
111 Congress Ave., Suite 1400  
Austin, TX 78701  
Attn: Nikelle Meade  
Phone: Nikelle Meade: 512-479-1147  
Email: nikelle.meade@huschblackwell.com

**PROPERTY OWNER:**

Name: Texas Press Association  
Address: 718 W. 5<sup>th</sup> St.  
Austin, TX 78701  
Phone: Michael Hodges: 512-477-6755  
Email: N/A

**PROJECT LOCATION:**

501 West Avenue  
Austin, TX 78701

**SITE INFORMATION**

Size: 16,662 sq. ft.  
Zoning: CBD  
Entitlements: 8:1 FAR; unlimited height  
Additional Restrictions: 1-Star Green Building Mandatory, Capitol View Corridor,  
Residential Design Standards (See attached)  
Conditional Overlays: None  
Restrictive Covenants: None  
Nearby transit facilities: See attached bus route map

**BRIEF PROJECT DESCRIPTION (Uses)**

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Applicant is proposing to build a condominium tower with on-site parking and a pool area for residents.

# BUILDING INFORMATION

Total square footage (FAR calc.):	321,811 sq. ft.
Number of units:	162
Number of floors:	39
Height:	430'
FAR requested:	20:1

# GATEKEEPER REQUIREMENTS

1. Urban Design Guidelines: Applicant submitted a Design Commission project review application on January 29, 2014. The Design Commission's recommendation letter is attached.
2. Great Street Standards: Applicant will execute a restrictive covenant committing to provide streetscape improvements along all 5<sup>th</sup> St. and West Ave. Details of compliance with the great street standards are illustrated in the attached documents.
3. Austin Energy Green Building: Applicant will execute a restrictive covenant committing to achieve a minimum three star rating under the Austin Energy Green Building program. Applicant's AEGB Letter of Intent is attached.

# COMMUNITY BENEFITS

- Applicant is planning to achieve bonus density by paying 50% of its development bonus fee to the Affordable Housing Trust Fund. The additional development bonus fee will be in the form of Other Community Benefits—(attached).

# Density Bonus Calculation

Site Area:	16,662 sq. ft.
Square Foot Cost:	\$5.00/ sq. ft.

Current F.A.R.	8:1	-----
3-Star AEGB Rating	2:1	-----
Affordable Housing	6:1	\$499,860
Shoal Creek	4:1	\$333,240
	20:1	\$833,100

# RELATE PROJECT TO URBAN DESIGN GUIDELINES (See attached).

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**PROPOSED COMMUNITY BENEFITS**  
**DOWNTOWN DENSITY BONUS PROGRAM**

Allocation of Development Bonus Fee				
<u>Bonus Density</u>		<u>Community Benefit</u>	<u>Description</u>	<u>Downtown Austin Plan Urban Design Guidelines</u>
6:1	\$499,860	Affordable Housing Trust Fund	Per Section 25-2-586(E)(1)(b) of DDBP.	
2:1	-----	Green Building	The project will achieve a 3-Star AGEB rating per Section 25-2-586(E)(8) of DDBP.	<i>Improve Sustainability (Shared Value No. 3 in the UDG)</i>
4:1	\$333,240	Shoal Creek Conservancy	Funds will be directed toward flood mitigation and to make other improvements on Shoal Creek from the West Avenue bridge to the West 10th Street bridge. Shoal Creek Conservancy will attempt to form a public/private partnership with the Watershed Protection Department to achieve this goal.	<i>Increase watershed maintenance of Shoal Creek and implement a restoration and flood control plan (UI-3.1; 3.5; 3.6 of DAP)</i>
			Funds will be directed toward trail improvements to Shoal Creek from the West Avenue bridge to the West 10th Street bridge. Shoal Creek Conservancy will attempt to form a public/private partnership with the Public Works Department to achieve this goal.	<i>Improve Downtown's urban greenways (PR-1.3 of DAP); Encourage public/ private partnerships and conservancies aimed at building and operating parks and open space improvements (LI-1.2 of DAP)</i>
§ 25-2-586(E)(12) Requirements for Other Community Benefits				

(b) The Director will consider the following to make a determination:

(b)(i): if members of the general public will be able to enjoy the proposed other community benefit without paying for its access, use of enjoyment.

Flood mitigation and trail improvements to Shoal Creek can be enjoyed by the public at no cost.

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(b)(ii): if the proposed community benefit will connect to and be accessible from public right-of-way or other publicly-accessible space.

The Shoal Creek Trail is accessible by public right of way.

(b)(iii): if the proposed other community benefit will provide a public amenity that is particularly lacking in the proposed location.

The Shoal Creek suffers from a number of major challenges, including high flood risk. Flood risk is a major concern to residents of the Lower Shoal Creek neighborhood and this community benefit targets that concern. Additionally, Shoal Creek Trail suffers from erosion, graffiti, and vegetative overgrowth, among other issues, which makes it undesirable for recreational use. Improvements to the Trail will help to increase its use by local residents.

(b)(iv): if the proposed other community benefit will impose a significant burden on public resources for maintenance, management, policing, or other reasons.

This community benefit will help alleviate the burden on public resources for maintenance and management of Shoal Creek because it provides private funding for Creek improvements. Additionally, flood mitigation can help to reduce the public resources spent on flood damage.



# Fifth and West Residences Vicinity Map

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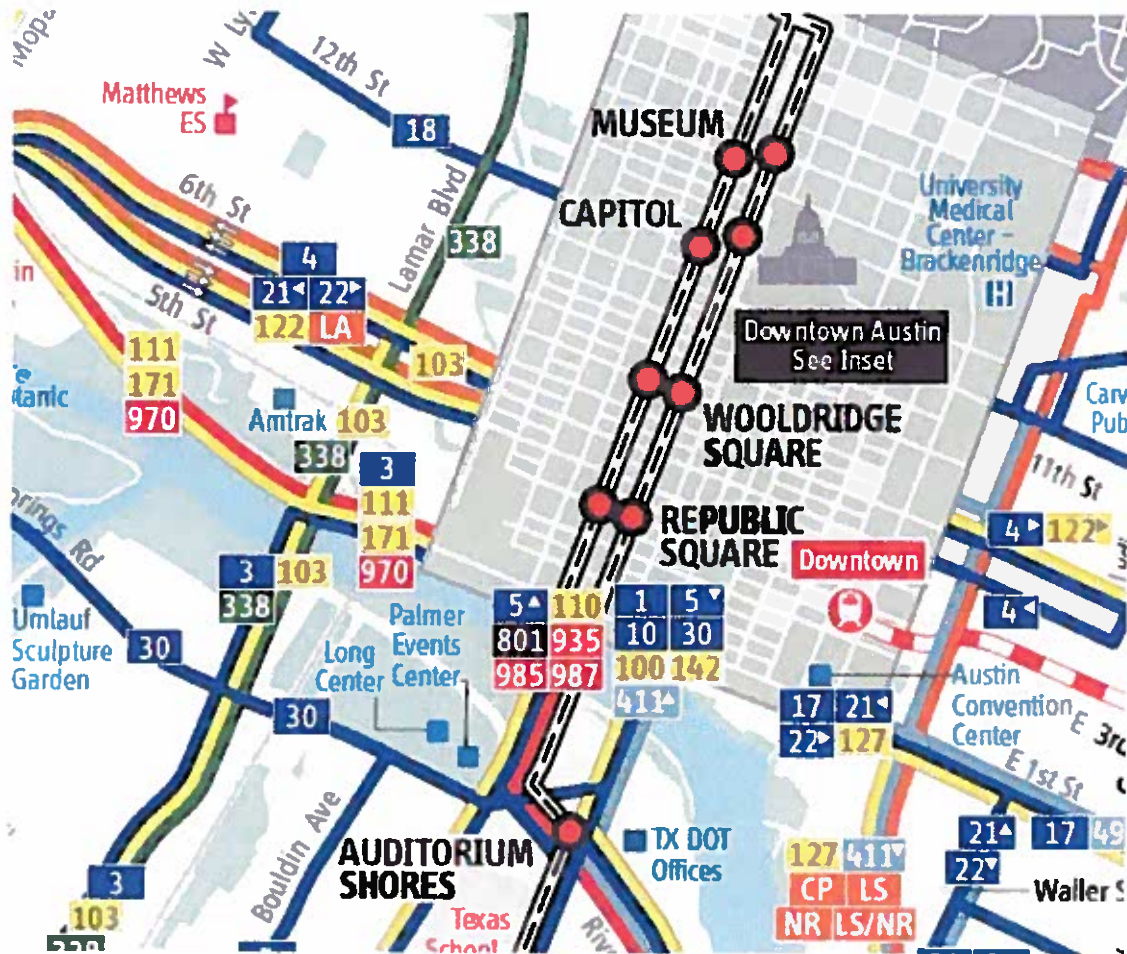


## VICINITY MAP

N.T.S.  
GRID NUMBER: H22 & J22  
MAPSCO PAGE: 584V & 585S

# Fifth and West Residences Bus Route Map

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# AUSTIN ENERGY GREEN BUILDING

## Letter of Intent

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This Letter of Intent demonstrates the intent of Riverside Resources (Participant's Company Name) to complete the necessary requirements to achieve an Austin Energy Green Building (AEGB) THREE Star Rating for a development / project that requires this rating.

Project Name: 5<sup>TH</sup> and West Residential  
Project Address: 718 West 5<sup>th</sup> Street, Austin, Texas, 78701  
Developer/Owner: Riverside Resources

This Letter of Intent must be included with the Administrative Site Plan application for all projects requiring an AEGB Rating. Signing this Letter demonstrates knowledge of this requirement and the process necessary to achieve an AEGB Rating. For best results, meet with an AEGB representative early in the design process. To achieve an AEGB Rating:

- I. Submit a Participation Request or Completed "Project Team" and "Project Information" Tabs within the AEGB Rating Packet to an AEGB representative prior to or within Schematic Design Phase.
- II. Submit a completed and signed AEGB Conditional Approval with the Building Permit application. AEGB will issue a Conditional Approval upon satisfactory review of the project's construction documents, including plans, specifications, mechanical plans, Manual J calculation (applicable for multi-family and single family projects), and the AEGB Rating Packet.
- III. Schedule AEGB inspections (separate from City of Austin inspections) of the project with the AEGB representative
  - a) After interior mechanical equipment has been installed and prior to installation of insulation.
  - b) At substantial completion of construction.
- IV. Submit a completed and signed AEGB Final Approval to receive the Certificate of Occupancy for this project. AEGB will issue a Final Approval upon substantial completion of the project and satisfactory fulfillment of the AEGB Rating, as described in Section 7 of the Building Criteria Manual.

This Letter of Intent is entered into by the parties, acting through their duly authorized representatives, effective as of the later of two signature dates entered below:

### PARTICIPANT:

Name: John L. Needham  
Signature: [Signature]  
Title: Manager  
Phone Number: (512) 476-7806  
Date: 3/11/14

### AUSTIN ENERGY GREEN BUILDING:

Name: Jeff Wacker  
Signature: [Signature]  
Title: AEGB Representative  
Phone Number: 512 482 5448  
Date: 3/4/13

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**NOTICE OF CONFIDENTIALITY RIGHTS:** If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

### RESTRICTIVE COVENANT

**Date:** \_\_\_\_\_, 2014

**Owner:** Riverside Resources Investments II, LTD

**Owner's Address:** 100 Congress Avenue, Suite 780  
Austin, Texas 78701

**City:** CITY OF AUSTIN, TEXAS, a Texas home-rule municipal corporation situated in the counties of Hays, Travis, and Williamson

**City's Address:** P.O. Box 1088  
Austin, Travis County, Texas 78767-1088

**Property:** All that parcel of land situated in Travis County, Texas, described in the attached **Exhibit A**

**Project:** A residential high-rise and related improvements to be built on the Property and identified as Case 2013-124346-SP in the City of Austin's Planning and Development Review Department

### RECITALS

- A. Owner is applying for a density bonus under Section 25-2-586 of the Austin City Code (the *Downtown Density Bonus Program*, or "**DDBP**").
- B. Per the Gatekeeper Requirements outlined in Section (C)(1) of the DDBP, the Owner is required to execute a restrictive covenant committing to (1) provide streetscape improvements along all public street frontages, consistent with the standards set forth in the City of Austin Great Streets Master Plan, and (2) achieve a minimum two-star rating under the Austin Energy Green Building ("**AEGB**") program.

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- C. Owner is seeking to achieve bonus area pursuant to Section (E)(8) of the DDBP by achieving a three-star rating under the AEGB program, and is therefore required to execute a restrictive covenant committing to achieve such rating.

**NOW, THEREFORE,** it is declared that the Owner of said Property, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid to the Owner, the receipt and sufficiency of which is hereby acknowledged, agrees that the Property shall be held, developed, used, sold and conveyed subject to the following covenants and restrictions impressed upon the Property by this Restrictive Covenant for the benefit of the City. This Restrictive Covenant shall run with the Property and shall be binding on the Owners of the Property, their heirs, successors and assigns.

1. **Site Development Covenants.** Development of the Property shall be limited by the following:
  - a. **Green Building.** The Project must achieve a minimum three-star rating under the AEGB program using the ratings in effect at the time the Project is registered with the AEGB program.
  - b. **Great Streets.** The Project must include streetscape improvements along the Property's public street frontages, consistent with the standards set forth in the City of Austin Great Streets Master Plan and Great Streets Streetscape Standards.
2. **Modification and Amendment.** This Restrictive Covenant may only be modified, amended or terminated upon the filing of a modification, amendment or termination in the Official Public Records of Travis County, Texas, executed, acknowledged and approved by (i) the Owner, or its heirs, successors and assigns; and (ii) the City. Such joint action shall only become effective after it is reduced to writing and signed by the parties. Notwithstanding the forgoing, this Restrictive Covenant shall automatically terminate and be of no further effect if any of the following events occur:
  - a. the City fails to grant the Project bonus area pursuant to the DDBP;
  - b. the site plan application for the Project is withdrawn, expires or is denied; or
  - c. there is a change in use (other than specified in the site plan), improvement, or city code which causes the Property to no longer require bonus density.

Although it is intended that the foregoing provision for the termination of this Agreement is self-operating, in the event that any of the foregoing events occur, the Owner is entitled, but not required, to record an affidavit in the Official Public Records of Travis County, Texas, certifying that such bonus area was not granted and that this Restrictive Covenant is terminated.

3. **Duration.** This Restrictive Covenant shall be effective in perpetuity, unless modified, amended, or terminated in accordance with Section 2 hereof.

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4. **Violation.** If any person or entity shall violate or attempt to violate this Restrictive Covenant, it shall be lawful for the City, but no other entity or individual, to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant to prevent the person or entity from taking such actions. If the City believes that the Owner has violated this Restrictive Covenant, the City shall give the Owner sixty (60) days' written notice of and an opportunity to cure such violation. During such 60-day cure period, the City may not pursue its remedies. Notwithstanding the forgoing, if the Project achieves a two-star AEGB rating, but not a three-star AEGB rating, then, pursuant to Section (E)(8) of the DDBP, the Owner, or its heirs, successors and assigns, must pay into the Affordable Housing Trust Fund the applicable development bonus fee for the bonus area initially granted for the green building community benefit—which shall be the City's sole remedy.
5. **No Waiver.** The failure to enforce any provision of this Restrictive Covenant at any time shall not constitute a waiver of the right thereafter to enforce any such provision or any other provision of the Restrictive Covenant. A violation of any provision of this Restrictive Covenant shall never be grounds for, nor give rise to the modification, amendment or termination of any provision of this Restrictive Covenant.
6. **Governing Law; Place of Performance.** This Restrictive Covenant and all rights and obligations hereunder shall be governed by the laws of the State of Texas. This Restrictive Covenant is performable in Travis County, Texas.
7. **Severability.** The provisions of this Restrictive Covenant are deemed to be independent and severable, and the invalidity or partial invalidity of any provision or portion does not affect the validity or enforceability of any other provision.
8. **Entire Agreement.** This Restrictive Covenant and the exhibits hereto contain all the representations and the entire agreement between the Parties with respect to the subject matter. Any prior correspondence, memoranda or agreements are superseded in total.
9. **Counterparts.** This Restrictive Covenant may be executed in any number of counterparts which will, together, be deemed to constitute one document.
10. **Interpretation.** Regardless of which Party prepared the initial draft of this Restrictive Covenant, this Restrictive Covenant shall, in the event of any dispute, however its meaning or application, be interpreted fairly and reasonably and neither more strongly for or against any Party.

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Executed effective the Date first above stated.

By: \_\_\_\_\_  
Name: Jeremy Smitheal  
Title: Managing Partner of Riverside Resources  
Investments II, LTD

STATE OF §  
COUNTY OF §

[Seal]

\_\_\_\_\_  
Notary Public, State of

**APPROVED AS TO FORM:**  
CITY OF AUSTIN, TEXAS  
LAW DEPARTMENT  
DEPARTMENT

**REVIEWED:**  
CITY OF AUSTIN, TEXAS  
PLANNING AND DEVELOPMENT REVIEW

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Assistant City Attorney

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

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**AFTER RECORDING PLEASE RETURN TO:**

City Of Austin

\_\_\_\_\_ Department

P.O. Box 1088

Austin, Texas 78767

**PROJECT INFORMATION:**

Project Name:

Fifth and West Residences

Project Case Manager:

Nikki Hoelter

Site Plan No.:

SP-2013-0454C

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**EXHIBIT A**

FIELD NOTES DESCRIBING LOT 1 AND THE WEST 57' OF LOT 2 BLOCK 49, ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT FILED AT THE GENERAL LAND OFFICE OF THE STATE OF TEXAS AND BEING THAT PROPERTY CONVEYED TO TEXAS PRESS ASSOCIATION IN A WARRANTY DEED RECORDED IN VOLUME 3752, PAGE 575 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a W' iron rod found in the north right of way line of W. 5<sup>th</sup> St being the southwest corner of Lot A, of the L.L. & P. S. Hirschfield Subdivision, a subdivision in the City of Austin, Travis County, Texas, recorded in Volume 69, Page 2 of the Plat Records of said County for the southeast corner hereof;

THENCE along the north right of way line of W. 5<sup>th</sup> Street and the south line of Lots 1 & 2, N 71° 04' 42" W, a distance of 128.32 feet to an "X" set in concrete at the intersection of the east right of way line of West Avenue and the north right of way line of W. 5<sup>th</sup> Street for the southwest corner of Lot 1 for the southwest corner hereof;

THENCE along the east right of way line of West Avenue and west line of Lot 1, N 19° 01' 13" E, a distance of 129.95 feet to a capped iron rod set in the south line of a 20' alley for the northwest corner hereof;

THENCE along the south line of said alley with the north line of Lots 1 & 2, S 71° 01' 00" E, a distance of 128.32 feet to a ½" iron rod found at the northwest corner of Lot A, for the northeast corner hereof; from which a ½" iron rod found bears S 71° 01' 00" E (Bearing Basis), a distance of 148.71 feet;

THENCE along the west line of Lot A and through said Lot 2 S 19° 01' 13" W, (Bearing Basis) a distance of 129.81 feet to the Place of Beginning hereof.

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## Austin Design Commission

To: City of Austin Staff  
From: Austin Design Commission  
Re: Review of W. 5th & West Project for substantial compliance with the  
Urban Design Guidelines  
Meeting date: February 24, 2014  
Applicant: Riverside Resources

March 3, 2014

The applicant is seeking a density bonus to raise the FAR from 8:1, past the allowable 15:1 to 20:1 FAR. The project is in a floodplain and is on a site sized approximately one quarter of a city block.

The applicant reported to have been working with the surrounding community groups to fine-tune the list of community benefits offered in connection with the density bonus sought. This list includes extending Great Streets improvements along both sides of West between 5th and 6th.

Positive attributes of the project address plazas and open space with the green roof deck and contributions to Shoal Creek. Additionally extension of Great Streets improvements is regarded as positive.

Concerns primarily center on the manner in which the building and the spaces within relate to the streetscape on both West 5th and West Avenue. The Working Group discussed possibilities of more engaging building materials and a kiosk type space at sidewalk elevation.

We recommend that the project, as presented, is not in substantial compliance with the Urban Design Guidelines. The floodplain seems to create unique difficulties for the project to address the streetscape as outlined in the Urban Design Guidelines. The project does not substantially meet guidelines of reinforcing pedestrian activity, enhancing the streetscape, , and providing pedestrian oriented uses at street level.

The Commission requests that Riverside Resources modify the design's interface with the public streetscape in such a way that the design provide for infrastructure which would support public uses in the spirit of the Great Streets program so as to activate the pedestrian realm. Infrastructural improvements should include, but not be limited to, provision for uses that would accommodate and encourage an animated public realm in which elements such as: pedestrian-scaled lighting in the areas in front of the proposed development, along with seating, together with sales kiosks, be designed to be compatible with the architectural character of the project. It is the sense of the Design Commission that if these criteria are met, then substantial compliance could be achieved.

Respectfully,

Dean Almy, Chair  
City of Austin Design Commission

Dean Almy,  
Chair

Evan Taniguchi,  
Vice Chair

Hope Hasbrouck,  
Secretary

Juan Cotera

James Shieh

Bart Whatley

Jeannie Wiginton

George Adams  
Executive Liaison

Jorge E. Rousselin  
Staff Liaison

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**Response to Design Commission Recommendations**

**Kiosk on sidewalk**

The project will include a retail kiosk on the 5<sup>th</sup> Street sidewalk, which will be operated by a third party. Because the kiosk will be located on the sidewalk, Riverside will seek necessary City approvals including a license agreement, or, if available, a permit for the kiosk and seating area to be located in the right of way.

This kiosk will cater to pedestrians and activate the sidewalk.

Example of a sidewalk kiosk is attached.

**Seating on sidewalk**

The retail kiosk will also be accompanied by café style tables and chairs on the sidewalk to be used by pedestrians and patrons of the sidewalk kiosk.

**Programmatic and pedestrian-scaled lighting**

Along with activating the street with a retail kiosk and outdoor seating the project will also consist of a variety of energy efficient pedestrian scaled fixtures. These will include in-grade accent lights, a variety of small bollard lights, and soft lights to accentuate the landscape design. The lower portion of the building will include some signature lighting to highlight architectural features without polluting the sky with an abundance of light.

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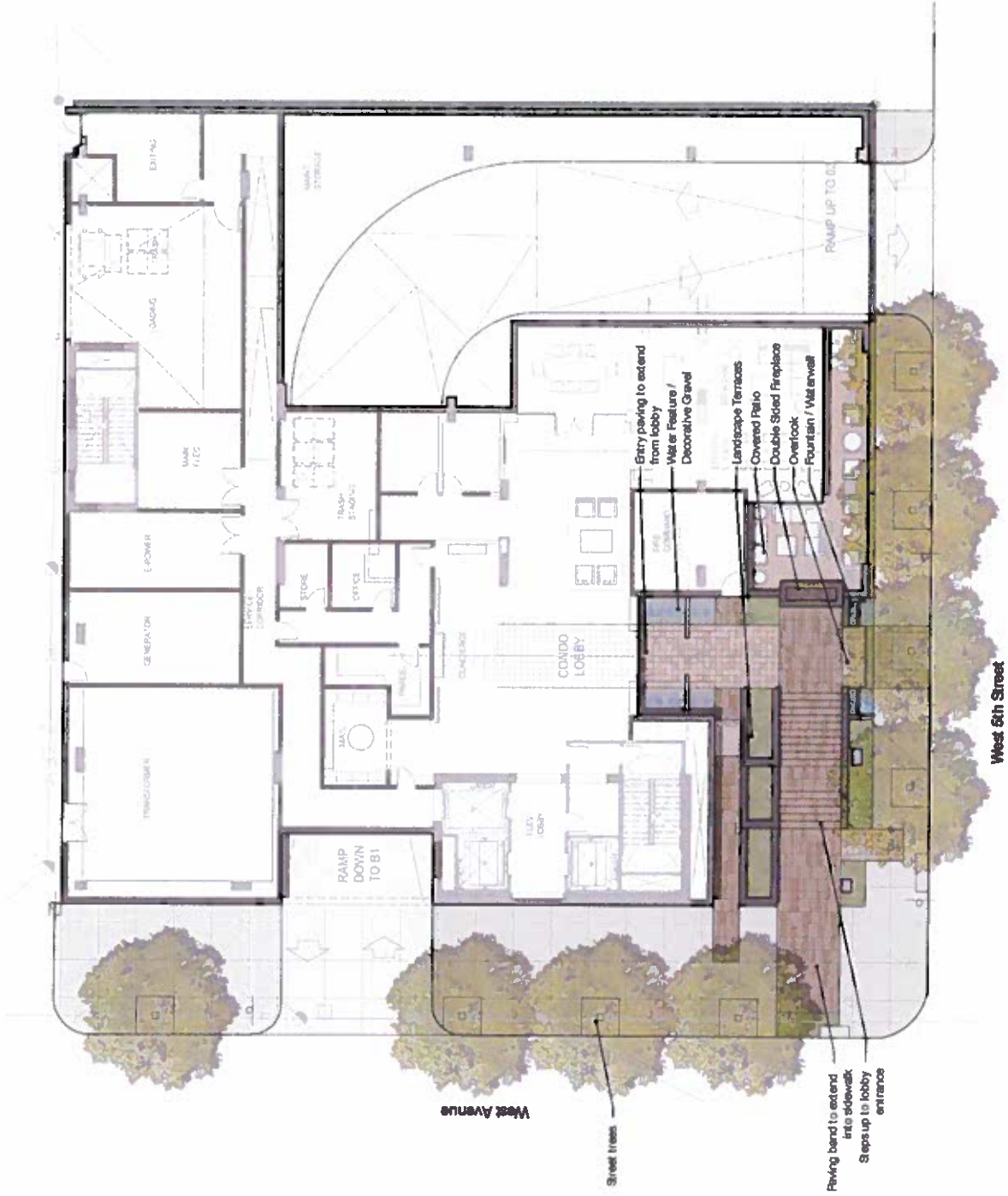


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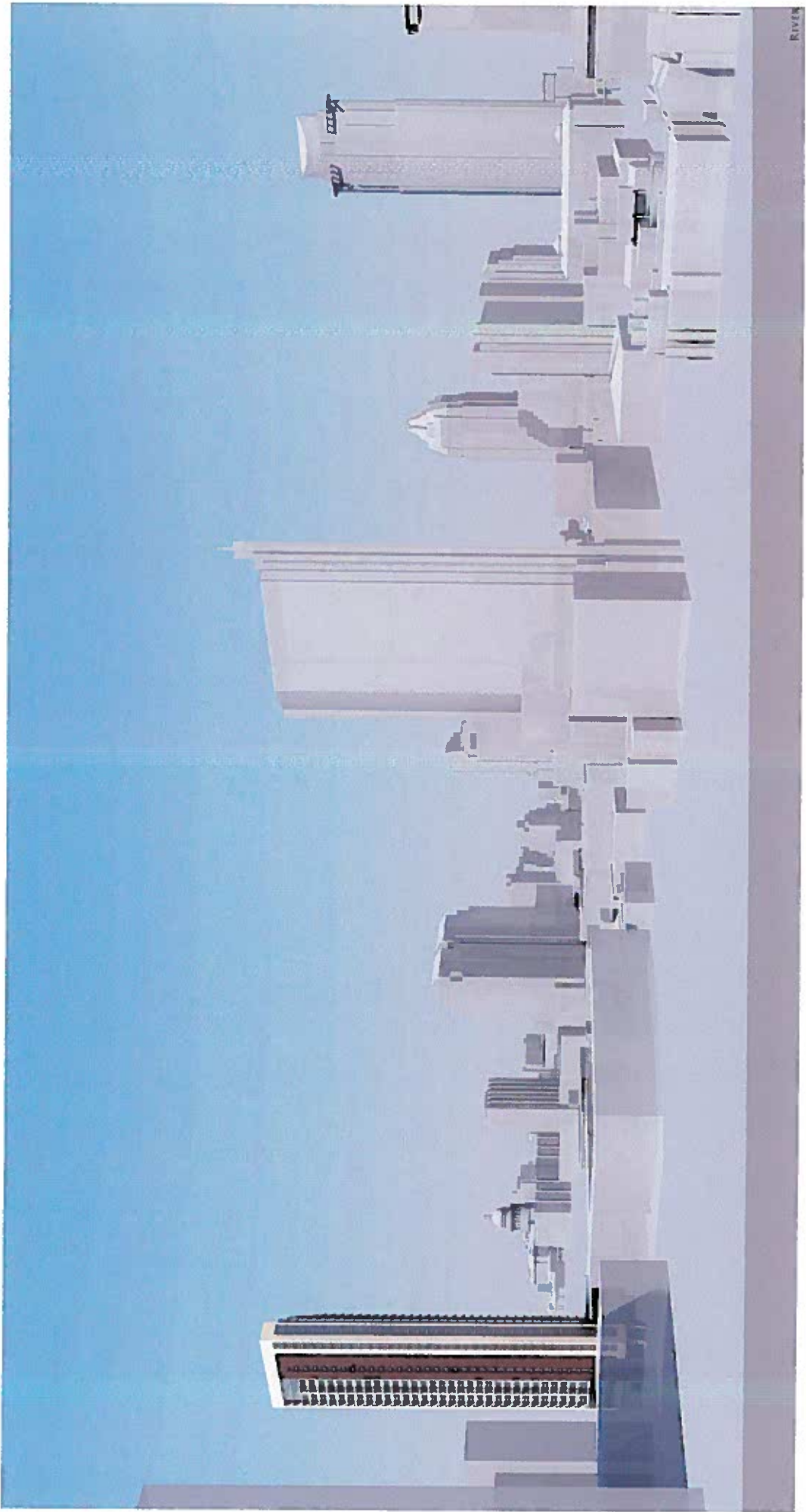


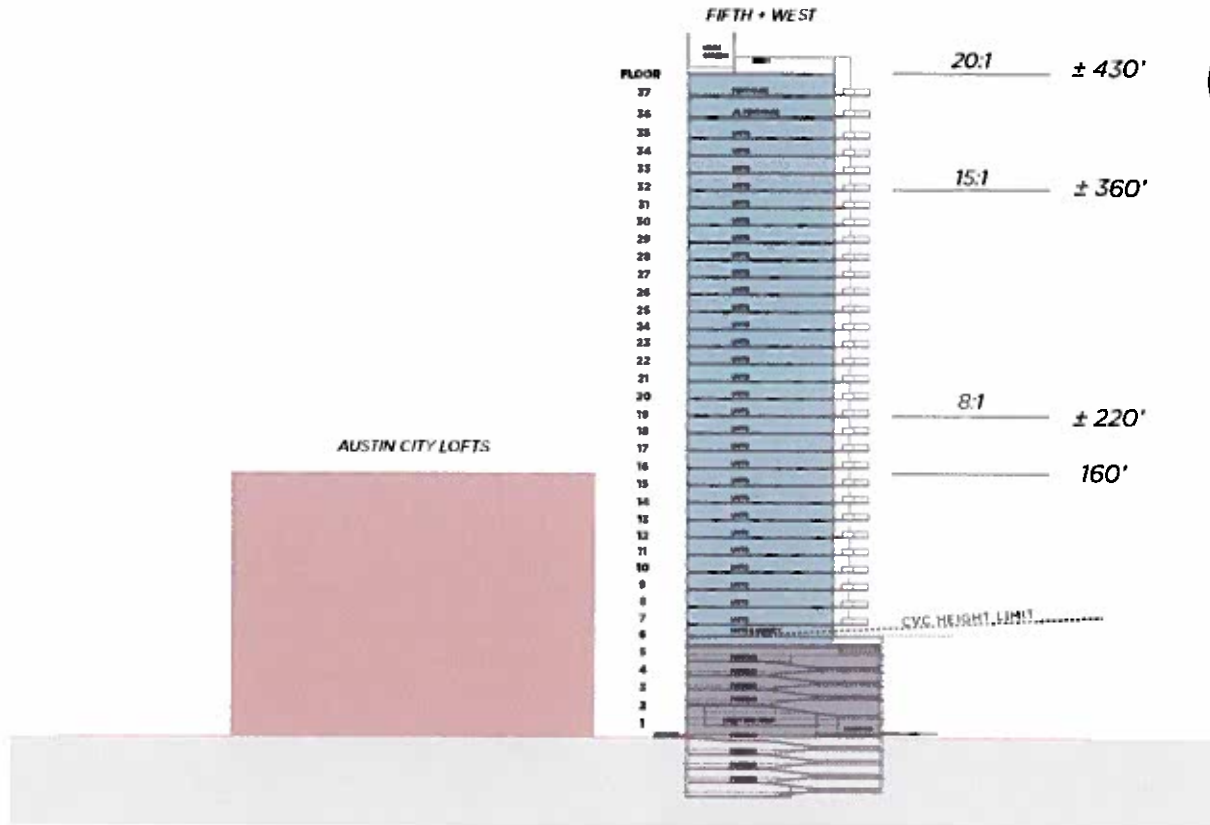
studio Outside  
ARCHITECTS + DESIGNERS

5th and West  
Austin, TX



C10  
26









LOOKING NORTHEAST



LOOKING NORTHWEST



LOOKING SOUTHEAST



FIFTH + WEST

LOOKING SOUTHWEST



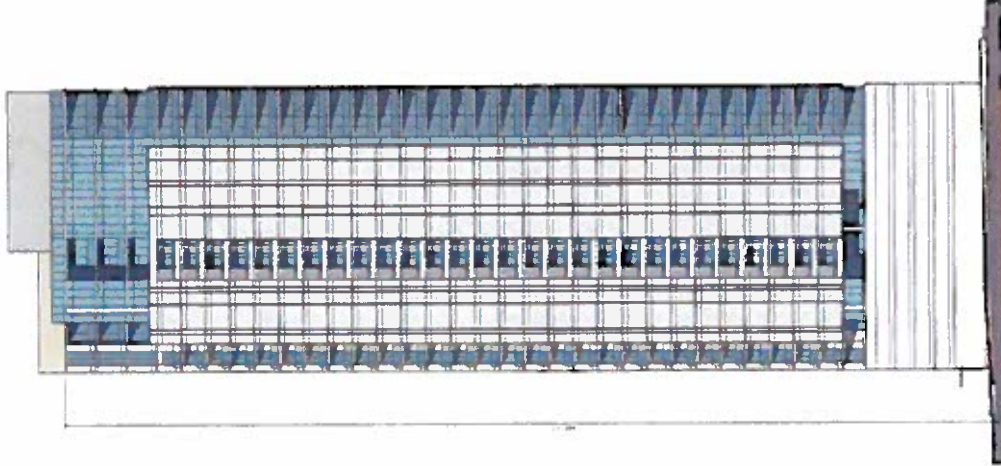
C10  
29

C10/30



5th & WEST  
CONDOMINIUMS  
AUSTIN, TEXAS

Project Name	5th & West Condominiums
Project Number	19036
Client	DAK 18 13
Architect	
Engineer	
Contractor	
Interior Designer	
Landscaper	
Other	
Revision	
By	
Date	
Checked By	
Date	
Approved By	
Date	
Notes	



EAST ELEVATION  
02

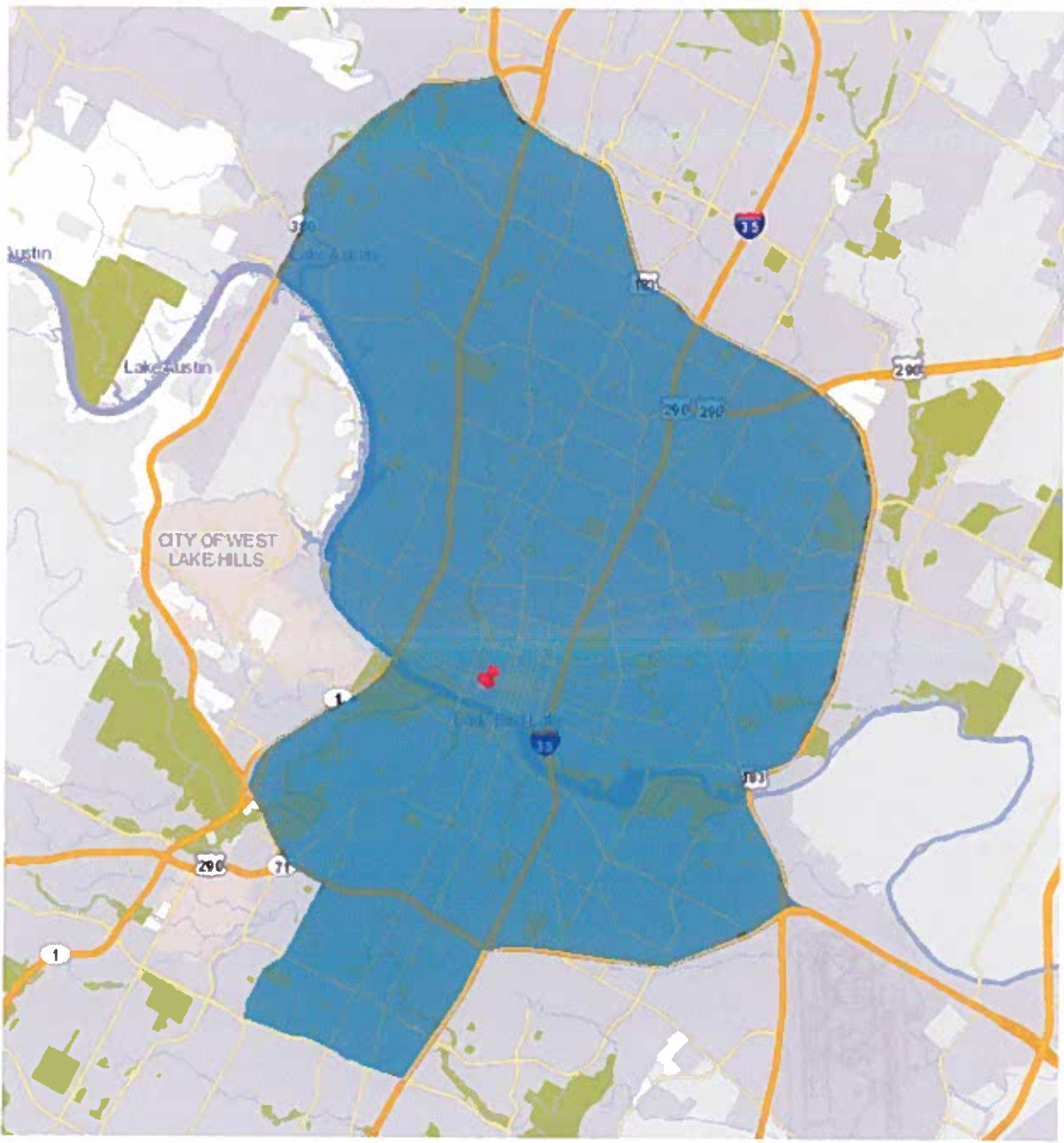
WEST ELEVATION  
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Fifth and West Residences  
Residential Design Standards Overlay

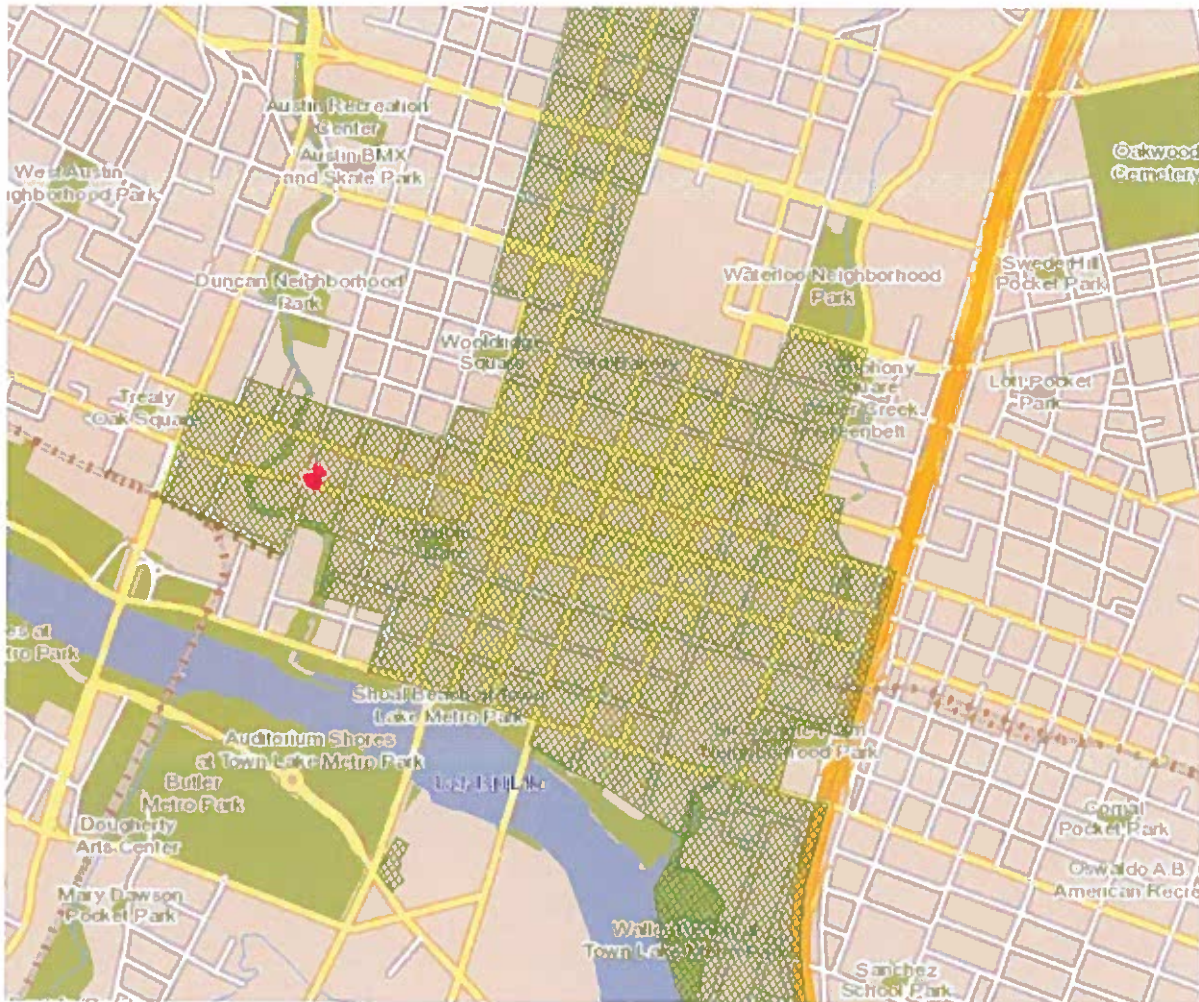
C10  
3/2





Fifth and West Residences  
Green Building Overlay

C10  
3/3



*10/23/21*

## URBAN DESIGN GUIDELINES

<u>Area Wide Guidelines</u>		
Project meets 6 of applicable 9		
<u>Guideline</u>	<u>Achieved?</u>	<u>Notes</u>
AW-1: Create dense development	X	20:1 FAR
AW-2: Create mixed-use development		Small lot; burdened by floodplain
AW-3: Limit development which closes downtown streets	X	Project does not close any streets or alleys
AW-4: Buffer neighborhood edges	N/A	No adjacent neighborhood streets
AW-5: Incorporate civic art in both public and private development		Proposed mitigation: none
AW-6: Protect important public views	X	Complies with Capitol View Corridor
AW-7: Avoid historical misrepresentations	X	Does not mimic past architectural style
AW-8: Respect adjacent historic buildings	N/A	No adjacent historic buildings
AW-9: Acknowledge that rooftops are seen from other buildings and the street	X	Mechanical equipment screened on roof; pool deck on roof of parking garage
AW-10: Avoid the development of theme environments	X	Project is not a theme environment
AW-11: Recycle existing building stock		Proposed mitigation: none
<u>Public Streetscape Guidelines</u>		
Project meets 11 of applicable 12		
<u>Guideline</u>	<u>Achieved?</u>	<u>Notes</u>
PS-1: Protect the pedestrian where the building meets the street	X	Clear sidewalk; not interrupted by columns
PS-2: Minimize curb cuts	X	Only one curb cut on each street
PS-3: Create a potential for two-way streets	X	Parking garage entrances/ exits designed for two-way street use
PS-4: Reinforce pedestrian activity	X	Coffee kiosk on 5 <sup>th</sup> Street; Great Streets streetscaping on 5 <sup>th</sup> St. and West Ave. and outdoor living room and terrace will improve the pedestrian experience in the neighborhood and support nearby retail
PS-5: Enhance key transit stops	N/A	No transit stops on the property

**Fifth and West Residences  
Design Commission**

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PS-6. Enhance the streetscape	X	Great Streets streetscaping on 5 <sup>th</sup> St. and West Ave.
PS-7. Avoid conflicts between pedestrians and utility equipment	X	Upgrading power poles; no utility boxes mounted on low poles
PS- 8. Install street trees	X	Great Streets streetscaping on 5 <sup>th</sup> St. and West Ave.
PS- 9. Provide pedestrian-scaled lighting	X	Great Streets streetscaping on 5 <sup>th</sup> St. and West Ave.
PS- 10. Provide protection from cars/promote curbside parking	X	Trees and benches on sidewalks offer protection
PS-11. Screen mechanical and utility equipment	X	All mechanical equipment is screened; dumpsters are hidden within the building; parking garage will be screened similar to the Whitley (photos attached)
PS-12. Provide generous street-level windows		Street level windows are prohibited by 25-year flood plain regulations
PS-13. Install pedestrian-friendly materials at street level	X	Masonry; variety of colors and textures

**Building Guidelines**

Project meets 6 of applicable 7

<u>Guideline</u>	<u>Achieved?</u>	<u>Notes</u>
B- 1. Build to the street	X	Built to the property line
B- 2. Provide multi-tenant, pedestrian-oriented development at the street level		Proposed mitigation: coffee kiosk on 5 <sup>th</sup> Street; extend streetscape improvements; outdoor terrace and living room
B-3. Accentuate primary entrances	X	Entry is accentuated with monumental outdoor steps, a canopy, terraced planting, and water features
B- 4. Encourage the inclusion of local character	X	Locally sourced materials for indoor and exterior use
B- 5. Control on-site parking	X	Partly underground parking; headlights are hidden; cars not visible from street; Car2Go memberships for residents
B- 6. Create quality construction	X	Reinforced concrete frame; masonry; architectural metal panel systems; glass and aluminum window wall systems
B- 7. Create buildings with human scale	X	Multi-level building; terrace and outdoor living room on first level

**Plaza and Open Space Guidelines**

Project meets 2 of applicable 3



**Fifth and West Residences  
Design Commission**

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<u>Guideline</u>	<u>Achieved?</u>	<u>Notes</u>
PZ-1. Treat the four squares with special consideration	N/A	Property does not face a public square
PZ- 2. Contribute to an open space network	X	Donation to Shoal Creek Conservancy will in part be used to enhance accessibility of Shoal Creek
PZ- 3. Emphasize connections to parks and greenways	N/A	Property is not adjacent to a park or greenway
PZ- 4. Incorporate open space into residential development (pool, deck, dog area)	X	5 <sup>th</sup> floor pet deck; 6 <sup>th</sup> floor pool and amenity terrace
PZ- 5. Develop green roofs		Proposed mitigation: 3-Star AEGB rating; high efficiency mechanical system; high efficiency light fixtures; elective vehicle charging stations
PZ- 6. Provide plazas in high use areas	N/A	Project is not an urban plaza
PZ- 7. Determine plaza function, size, and activity	N/A	Project is not an urban plaza
PZ- 8. Respond to microclimate in plaza design	N/A	Project is not an urban plaza
PZ- 9. Consider views, circulation, boundaries, and subspaces in plaza design	N/A	Project is not an urban plaza
PZ- 10. Provide an appropriate amount of plaza seating	N/A	Project is not an urban plaza
PZ- 11. Provide visual and spatial complexity in public spaces	N/A	Project is not an urban plaza
PZ- 12. Use plants to enliven urban spaces	N/A	Project is not an urban plaza
PZ- 13. Provide interactive civic art and fountains in plazas	N/A	Project is not an urban plaza
PZ- 14. Provide food service for plaza participants	N/A	Project is not an urban plaza
PZ- 15. Increase safety in plazas through wayfinding, lighting, & visibility	N/A	Project is not an urban plaza
PZ- 16. Consider plaza operations and maintenance	N/A	Project is not an urban plaza

Total number of Urban Design Guidelines: 47

Number of Guidelines applicable to Fifth and West Residences: 31

Number of Guidelines met by Fifth and West Residences: 25



## 2013 COMMERCIAL RATING SCORECARD PLANNER



PROJECT NAME

AEGB COMMERCIAL RATING STAR LEVELS	
1 Star	Basic Requirements
2 Stars	35 - 44 points
3 Stars	45 - 54 points
4 Stars	55 - 74 points
5 Stars	75 points or more

SUMMARY	
TOTAL POINTS MARKED YES	29
RATING ANTICIPATED	1 Star
TOTAL POINTS MARKED YES AND MAYBE	80
RATING ANTICIPATED	5 Stars

MEASURE	POINTS AVAILABLE	YES	MAYBE	NO	NOTES	RESPONSIBLE PARTY
BASIC REQUIREMENTS						
1. Plans & Specifications	Req'd	YES			Plans must be approved by AEGB for building permit application	GDA
2. Current Codes & Regulations	Req'd	YES				
3. Building Systems Commissioning	Req'd	YES				
4. Building Energy Performance	Req'd	YES				
5. Outdoor Water Use Reduction	Req'd	YES				
6. Indoor Water Use Reduction	Req'd	YES				
7. Low-Emitting Materials - Interior Paints & Coatings	Req'd	YES				
8. Storage & Collection of Recyclables	Req'd	YES				
9. Construction Waste Management	Req'd	YES				
INTEGRATED DESIGN						
1. Integrated Project Design	2		2		Perform energy and water related analysis to inform team on natural environment impact while preparing Owner's Project Requirements and Basis of Design. Refer to page 10 of Guide	
INTEGRATED DESIGN SUBTOTALS		0	2	0		
SITE						
1. Environmental Sensitivity	2	2			Points for redevelopment instead of building on new site	
2. Desired Development	2	2			Site is located within Urban Watershed Desired Development Zone	

MEASURE	POINTS AVAILABLE	YES	MAYBE	NO	NOTES	RESPONSIBLE PARTY
3. Density	2	2				
4. Diverse & Walkable Communities	1	1				
5. Brownfield Redevelopment	1		1		Site would need Phase II showing actionable pollution - not just suspected.	
6. Site Specific Design	1	1				
7. Public Transportation	1-3	3				
8. Bicycle Use	1	1				
9. Parking Capacity	1		1		20% less parking than the minimums per Land Development Code Chapter 25-6 Appendix A-1	
10. Electric Vehicle Charging Station	1		1		Charging stations to be installed for this point	
11. Protect & Restore Habitat	1		1		Would need to add 30% of site area as green area with native or adapted vegetation plants.	
12. Beneficial Open Space	1		1		30% site area for communal area	
13. Access to Local & Regional Produce	1		1		Partnership with local produce company	
14. Heat Island Reduction	1	1			Covered parking gets this point	
15. Light Pollution Reduction	1		1		Possible point for not providing up-lighting fixtures exceeding 50 watts each	
16. Integrated Pest Management	1		1		Property Management to ensure they control with least toxic methods.	
SITE SUBTOTALS		13	8	0		
ENERGY						
1. Building Energy Performance	1-16	3			Assuming 10% reduction. Whitley started out as 14%, but ended up at 6%. Need to manage insulation, glass and equip selections	
2. Renewables	1-4			1	Need to generate 1% renewable electricity with solar or wind on highrise	
3. Additional Commissioning	1-3	3			To be provided	
4. Advanced Energy Metering	1		1		Need recording meters for all units and base building	
5. Demand Response	2		2		Enroll in program to shed 20% or at least 20KW. May be achievable by shutting off common area lighting	
6. Green Energy	2		2		Available if necessary	

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38<sup>2</sup>



MEASURE	POINTS AVAILABLE	YES	MAYBE	NO	NOTES	RESPONSIBLE PARTY
7. District Cooling	1		1		To be determined	
<b>ENERGY SUBTOTALS 6 6 1</b>						
<b>WATER</b>						
1. Outdoor Water Use Reduction	1-3		3		No Irrigation is 3 points, 50% reduction is 1 point	
2. Building Water Use Reduction	1-6		6		6 points if the fixture list includes WC 1.28gpf, bathroom and kitchen faucets 2.2gpm and shower 2.5gpm	
3. Process Water Use Reduction	1-2		2		Energy star rated clothes washer, and compliant cooling tower if no district chilled water.	
4. Stormwater Management	1-2		2		Treat (sand oil separator) or capture (green roof) 50% of storm water volume.	
<b>WATER SUBTOTALS 0 13 0</b>						
<b>INDOOR ENVIRONMENTAL QUALITY (IEQ)</b>						
1. Indoor Chemical & Pollutant Source Control	1		1		exhaust janitor, chemical closets.	
2. Green Housekeeping	1		1		hepa filters on vacuums, less than 70bd motors, non-toxic chemicals	
3. Daylighting - Design	1		1		Daylight provides between 25 and 300FC from 9am to 3pm June 21 for 75% of the regularly occupied space.	
4. Daylighting - Controls	1			1		
5. Views to the Outside	1		1		75% regularly occupied space has view to outdoors between 2'6" to 7'6"	
6. Individual Controllability	1	1				
7. Low-Emitting Materials						
Interior Sealants & Adhesives		1				
Flooring Systems			1		achievable with carpet and vinyl	
Composite Wood & Agrifiber Products				1		
Insulation	1-5	1			no formaldehyde	
Ceiling & Wall Systems			1		all drywall must meet California Dept of Public Health Standard v1.1-2010	
Furniture				1		
Exterior Applied Products			1			

C10  
3/39

MEASURE	POINTS AVAILABLE	YES	MAYBE	NO	NOTES	RESPONSIBLE PARTY
8. Moisture Protection	1	1			No interior vinyl, install effective building envelope, design building to be positively pressurized at all times.	
9. Acoustic Quality	1		1		Interior noise must not exceed 45dBA or 70dBC	
10. Outdoor Pollutant Control	1		1		10" Walk-off mats at all entrances, including garage, and prohibited smoking	
11. Construction Indoor Air Quality	1		1		During construction, need photos, MERV filters, showing protection of all finishes and equipment.	
IEQ SUBTOTALS		3	11	3		
<b>MATERIALS &amp; RESOURCES</b>						
1. Additional Construction Waste Management	1		1		divert 75% by weight from landfill. Met this with demolished building. Diverted concrete, offset drywall to landfill	
2. Building Materials Use Reduction	1-3		3		Can achieve this with a life cycle cost analysis comparing your new building to a reference building.	
3. Sustainably Sourced Material	1-6	3	3		Steel, stone and concrete helped with this point	
4. Certified Wood	1		1			
5. PVC & Phthalate Free Material	1		1			
MATERIALS & RESOURCES SUBTOTALS		3	9	0		
<b>EDUCATION &amp; EQUITY</b>						
1. Educational Outreach	2		2			
2. Construction Worker Equity	1			1		
EDUCATION & EQUITY SUBTOTALS		0	2	1		
<b>INNOVATION</b>						
1. Innovation #1	1	1			public transportation	
2. Innovation #2	1	1			waste diversion with compost or recycling	
3. Innovation #3	1	1			extra bicycle storage	
4. Innovation #4	1	1			additional green energy for \$1,000	
5. Innovation #5	1				to be determined.	
INNOVATION SUBTOTALS		4	0	0		
GRAND TOTAL POINTS		100	29	51	5	

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40

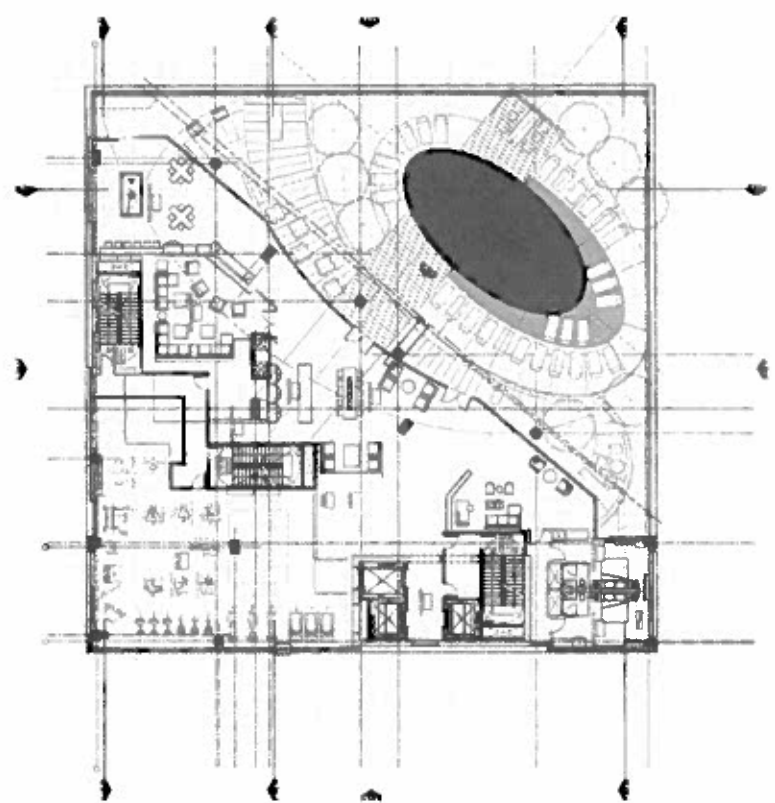


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1h

FIFTH + WEST

Room No.	Room Name	Area (sq. ft.)	Area (sq. m.)	Notes
101	RECEPTION	1,200	111.5	
102	LOBBY	2,500	232.3	
103	CONFERENCE	1,500	139.4	
104	OFFICE	3,000	278.7	
105	OFFICE	3,000	278.7	
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01 OVERALL FLOOR PLAN - LEVEL 6



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42



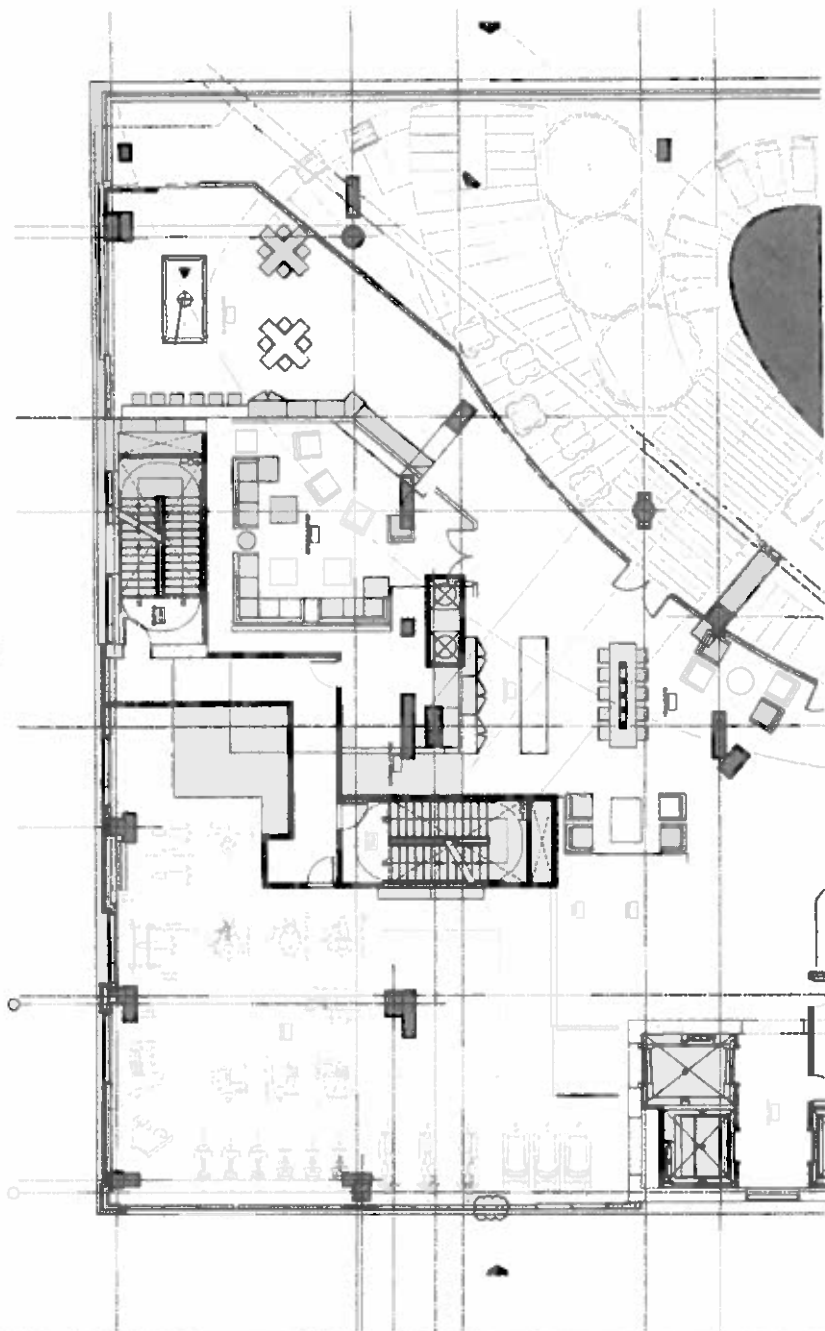
FIFTH + WEST

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KEY PLAN



(1) ENLARGED FLOOR PLAN - LEVEL 6 (AREA A)

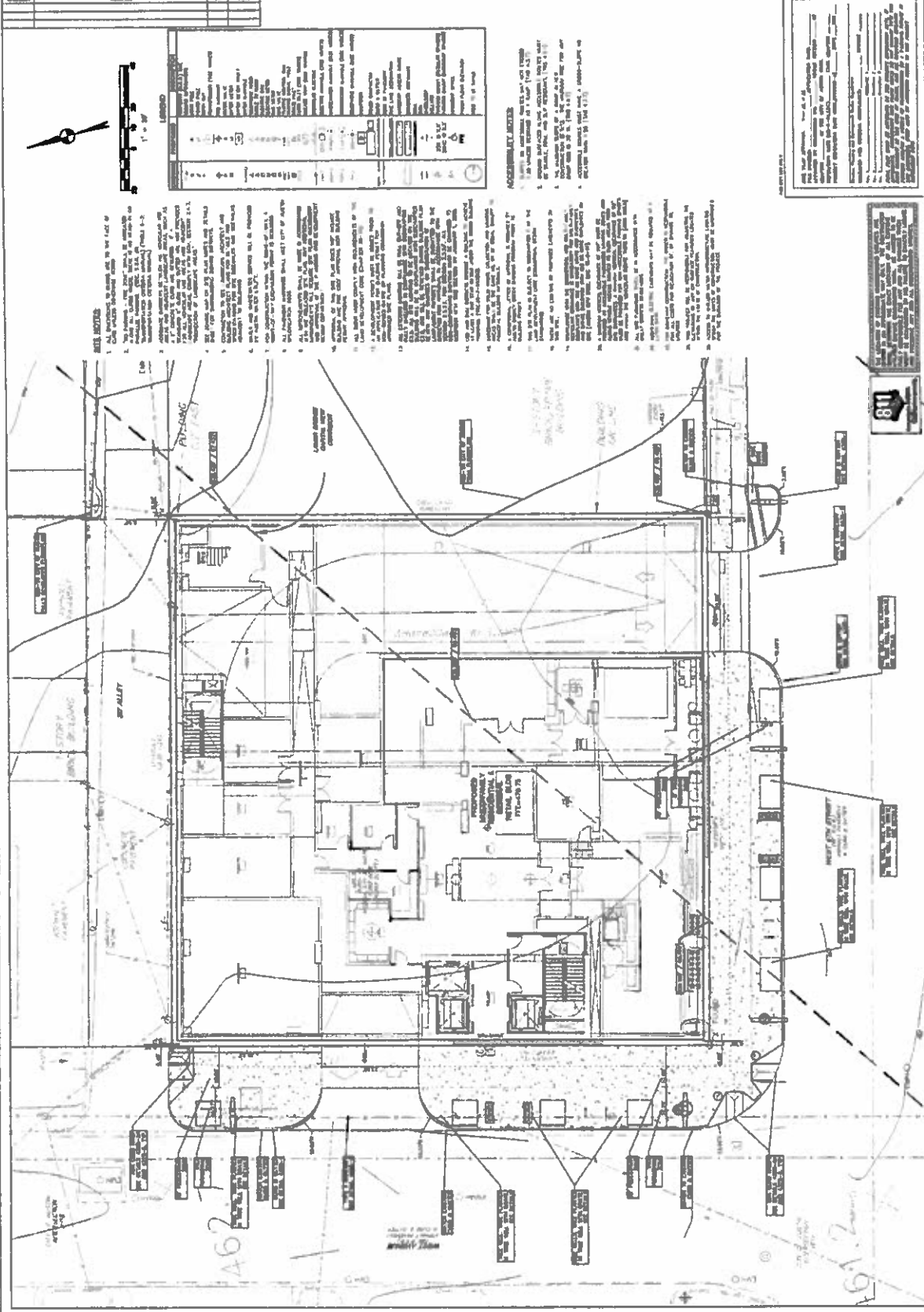


SPA-2013-0464C

## SITE PLAN



**BURY**



GLA

Case Information		Case Details		Case History		Case Status	
Case ID	Case Name	Case Type	Case Status	Case Date	Case Time	Case Location	Case Notes
10035	Case 10035	Case Type 1	Case Status 1	Case Date 1	Case Time 1	Case Location 1	Case Notes 1
10035	Case 10035	Case Type 2	Case Status 2	Case Date 2	Case Time 2	Case Location 2	Case Notes 2
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10035	Case 10035	Case Type 7	Case Status 7	Case Date 7	Case Time 7	Case Location 7	Case Notes 7
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10035	Case 10035	Case Type 9	Case Status 9	Case Date 9	Case Time 9	Case Location 9	Case Notes 9
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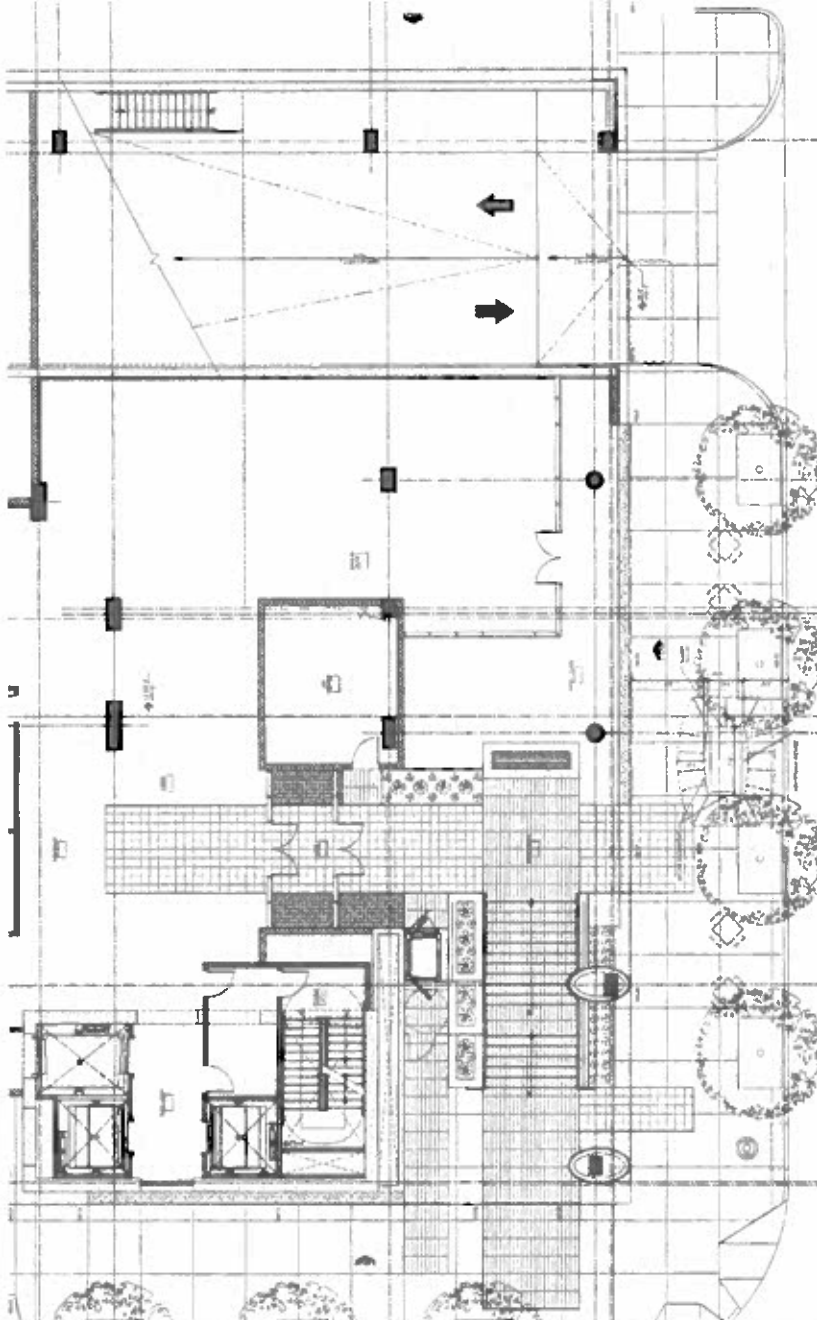
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45



KEY PLAN



ENLARGED FLOOR PLAN - LEVEL 1 (AREA B)



01/04



FIFTH + WEST

**GENERAL NOTES**

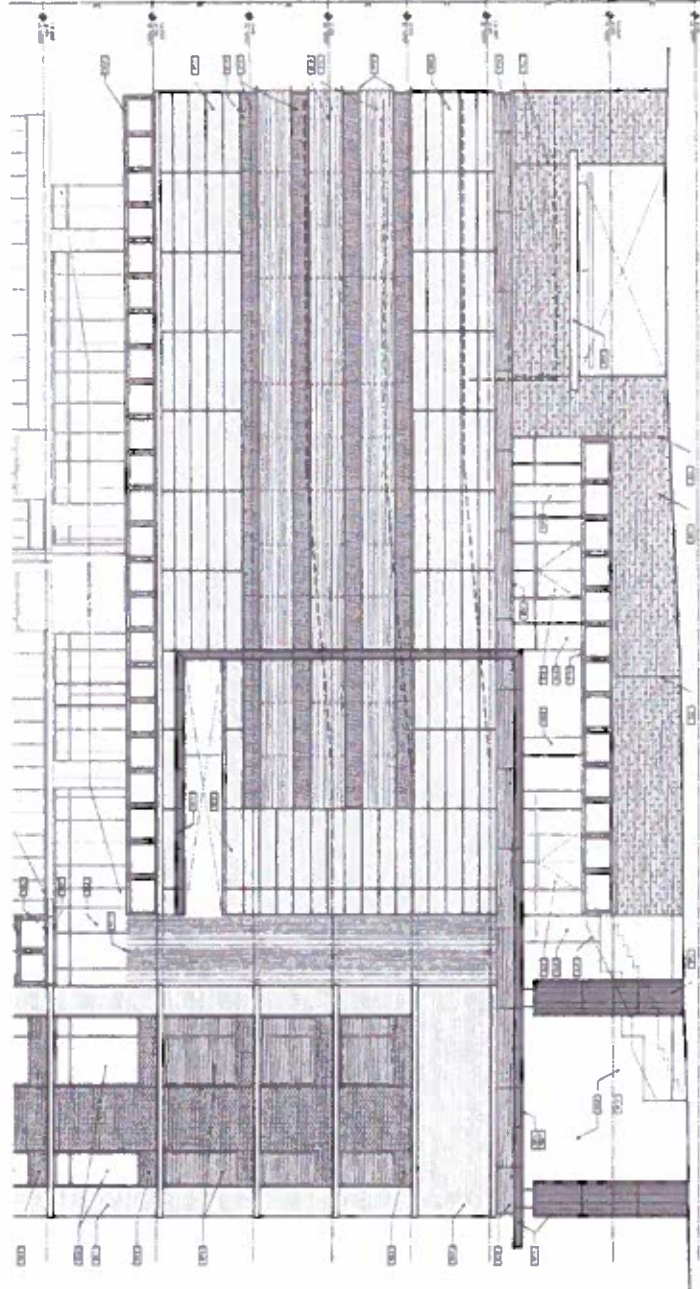
1. All work shall be in accordance with the latest edition of the Australian Standards (AS) and the relevant Building Code of Australia (BCA) provisions.
2. The design is based on the information provided by the client and the site investigation. It is the responsibility of the client to ensure that the information is accurate and complete.
3. The design is based on the assumption that the ground conditions are as shown on the site plan. It is the responsibility of the client to ensure that the ground conditions are as shown on the site plan.
4. The design is based on the assumption that the building is to be used for the purpose specified in the program of requirements. It is the responsibility of the client to ensure that the building is used for the purpose specified in the program of requirements.
5. The design is based on the assumption that the building is to be constructed in accordance with the program of requirements. It is the responsibility of the client to ensure that the building is constructed in accordance with the program of requirements.
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**MATERIAL LEGEND**

1. Concrete	2. Brickwork	3. Masonry	4. Plaster	5. Gypsum	6. Timber	7. Steel	8. Glass	9. Aluminium	10. Copper	11. Zinc	12. Lead	13. Tin	14. Iron	15. Nickel	16. Chromium	17. Manganese	18. Silicon	19. Boron	20. Fluorine	21. Chlorine	22. Sulfur	23. Phosphorus	24. Nitrogen	25. Oxygen	26. Hydrogen	27. Helium	28. Neon	29. Argon	30. Krypton	31. Xenon	32. Radon	33. Actinium	34. Thorium	35. Protactinium	36. Uranium	37. Neptunium	38. Plutonium	39. Americium	40. Curium	41. Berkelium	42. Californium	43. Einsteinium	44. Fermium	45. Mendelevium	46. Nobelium	47. Lawrencium	48. Rutherfordium	49. Dubnium	50. Seaborgium	51. Bohrium	52. Hassium	53. Meitnerium	54. Darmstadtium	55. Roentgenium	56. Copernicium	57. Nihonium	58. Flerovium	59. Livermorium	60. Tennessine	61. Oganesson
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SEE PLAN 01



01 ENLARGED SOUTH ELEVATION - LEVELS 1-4





FIFTH + WEST

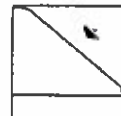
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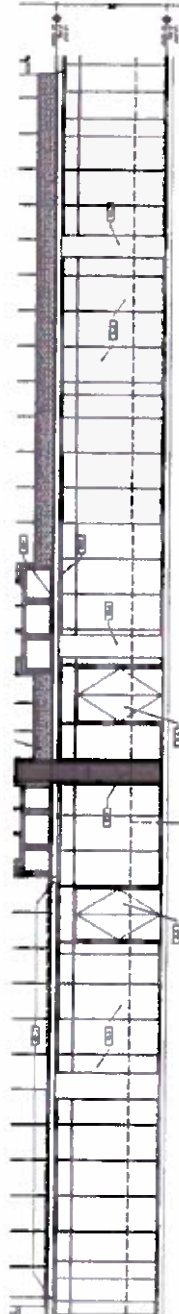
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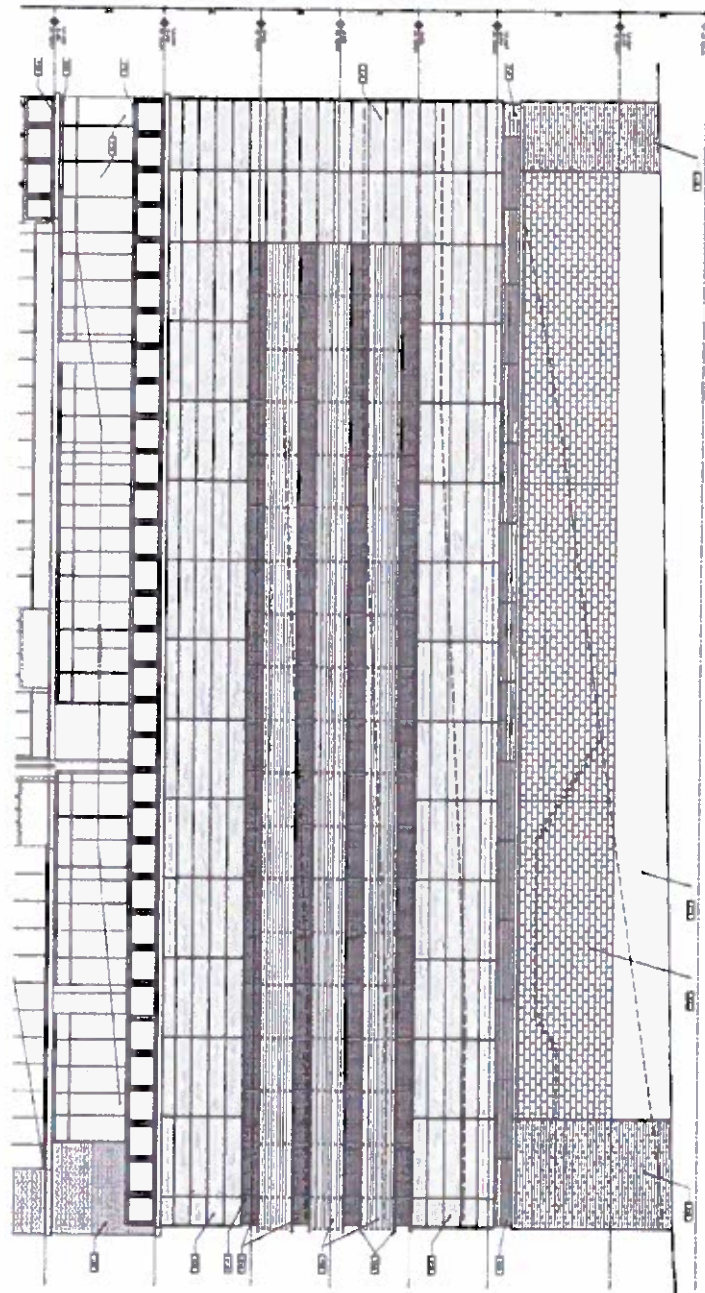
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**Index**



01 ENLARGED SOUTHEAST ELEVATION • LEVEL 6



02 ENLARGED EAST ELEVATION - LEVELS 1-6

8/10/18



FIFTH + WEST

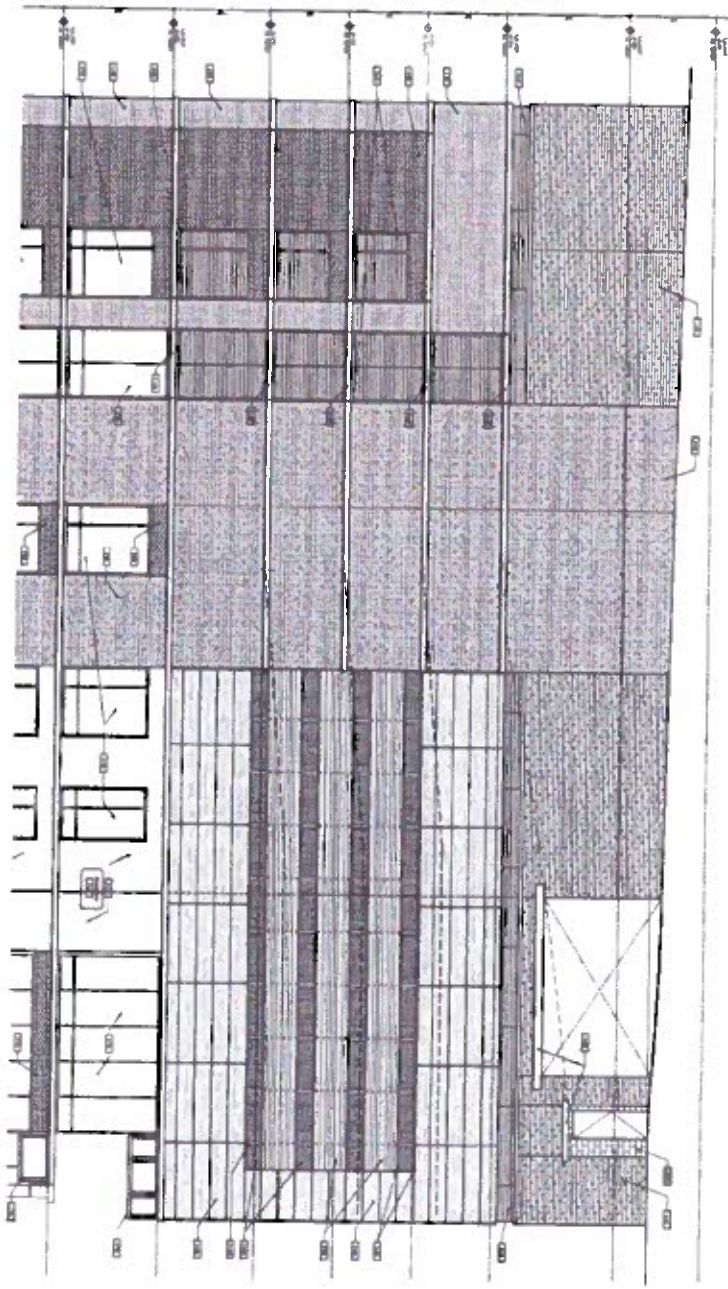
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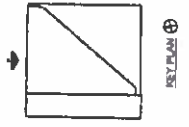
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MATERIAL LEGEND

1	CONCRETE
2	BRICK
3	GLASS
4	STEEL
5	WOOD
6	ROOFING
7	LANDSCAPE
8	PAVING
9	FINISH
10	MECHANICAL
11	ELECTRICAL
12	PLUMBING
13	HEATING
14	Cooling
15	Lighting
16	Acoustics
17	Vibration
18	Fire
19	Security
20	Accessibility
21	Energy
22	Water
23	Air
24	Soil
25	Foundation
26	Structural
27	Architectural
28	Interior
29	Exterior
30	Site
31	Context
32	History
33	Culture
34	Community
35	Environment
36	Climate
37	Geology
38	Hydrology
39	Ecology
40	Wildlife
41	Plants
42	Animals
43	Humans
44	Other



ENLARGED NORTH ELEVATION - LEVELS 1-8



A05 203





C10/50



FIFTH + WEST

A05 206

GENERAL NOTES

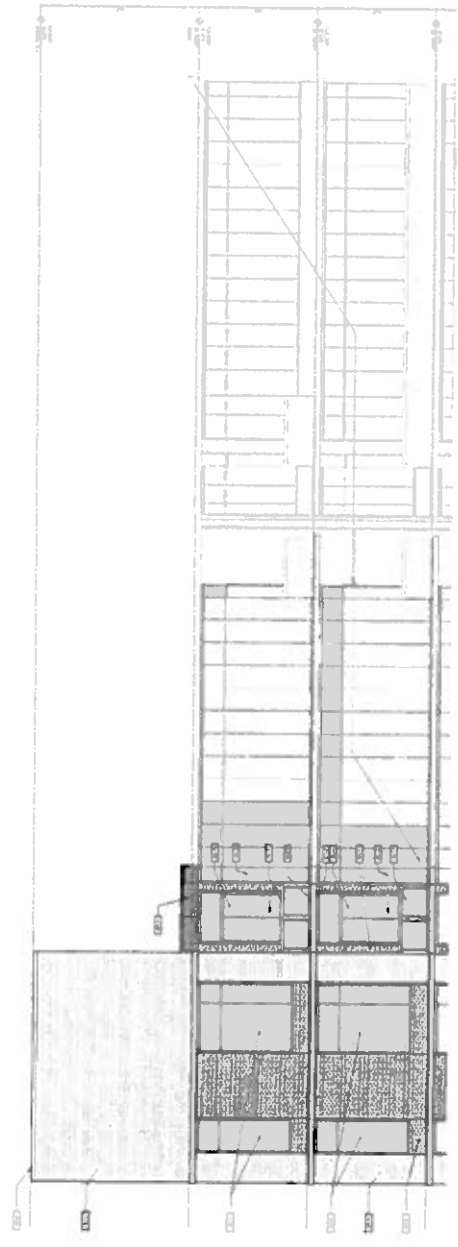
- 1. All dimensions are in millimeters unless otherwise stated.
- 2. All materials are to be of the highest quality and to meet the requirements of the relevant standards.
- 3. All work is to be carried out in accordance with the relevant standards and specifications.
- 4. All work is to be completed within the specified time frame.
- 5. All work is to be carried out in accordance with the relevant standards and specifications.
- 6. All work is to be completed within the specified time frame.
- 7. All work is to be carried out in accordance with the relevant standards and specifications.
- 8. All work is to be completed within the specified time frame.
- 9. All work is to be carried out in accordance with the relevant standards and specifications.
- 10. All work is to be completed within the specified time frame.

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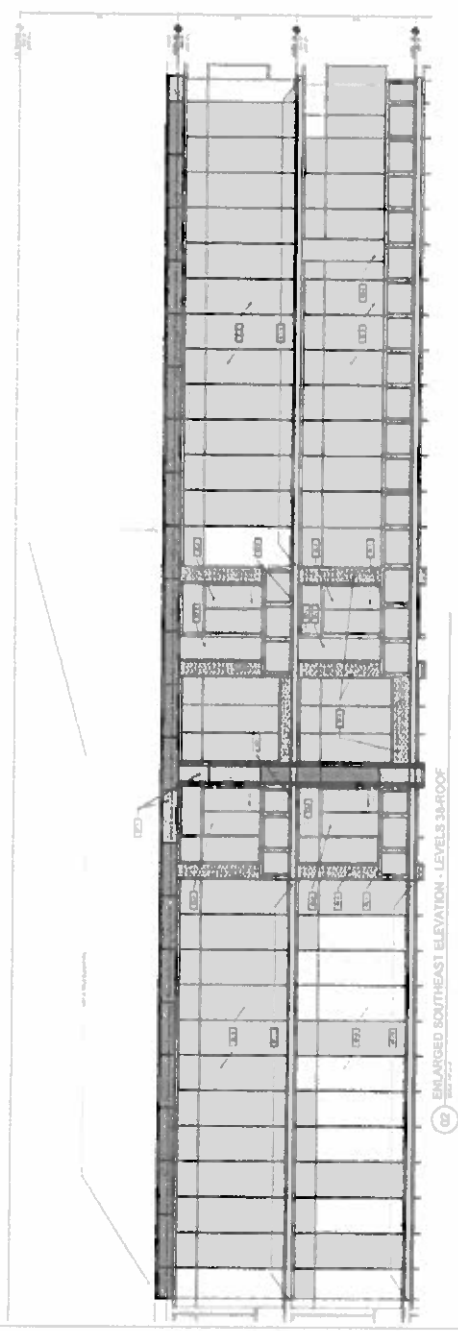
- 1. Concrete
- 2. Steel
- 3. Brick
- 4. Block
- 5. Glass
- 6. Timber
- 7. Insulation
- 8. Membrane
- 9. Paint
- 10. Finish
- 11. Cladding
- 12. Roofing
- 13. Drainage
- 14. Ventilation
- 15. Lighting
- 16. Heating
- 17. Cooling
- 18. Security
- 19. Accessibility
- 20. Sustainability

DETAILS

- 1. Detail 1: Window frame and glazing.
- 2. Detail 2: Door frame and hardware.
- 3. Detail 3: Roof edge and drainage.
- 4. Detail 4: Wall to floor junction.
- 5. Detail 5: Floor to ceiling junction.
- 6. Detail 6: Wall to wall junction.
- 7. Detail 7: Floor to floor junction.
- 8. Detail 8: Ceiling to ceiling junction.
- 9. Detail 9: Wall to roof junction.
- 10. Detail 10: Floor to roof junction.
- 11. Detail 11: Wall to wall junction.
- 12. Detail 12: Floor to floor junction.
- 13. Detail 13: Ceiling to ceiling junction.
- 14. Detail 14: Wall to roof junction.
- 15. Detail 15: Floor to roof junction.
- 16. Detail 16: Wall to wall junction.
- 17. Detail 17: Floor to floor junction.
- 18. Detail 18: Ceiling to ceiling junction.
- 19. Detail 19: Wall to roof junction.
- 20. Detail 20: Floor to roof junction.



01 ENLARGED SOUTH ELEVATION - LEVELS 39-ROOF



02 ENLARGED SOUTHEAST ELEVATION - LEVELS 38-ROOF

FIFTH + WEST

A05.207

## GENERAL NOTES

1. **What is the purpose of the study?**  
 The purpose of the study is to determine the effect of the use of a computer-aided design (CAD) system on the accuracy of the fabrication of a dental prosthesis.
2. **What is the research question?**  
 The research question is: Does the use of a CAD system improve the accuracy of the fabrication of a dental prosthesis compared to the traditional method?
3. **What is the hypothesis?**  
 The hypothesis is that the use of a CAD system will result in a more accurate fabrication of a dental prosthesis compared to the traditional method.
4. **What is the study design?**  
 The study design is a randomized controlled trial.
5. **What are the variables?**  
 The independent variable is the use of a CAD system. The dependent variable is the accuracy of the fabrication of a dental prosthesis.
6. **What are the results?**  
 The results show that the use of a CAD system resulted in a significantly more accurate fabrication of a dental prosthesis compared to the traditional method.
7. **What are the conclusions?**  
 The conclusion is that the use of a CAD system improves the accuracy of the fabrication of a dental prosthesis.
8. **What are the limitations?**  
 The limitations of the study are that it was a small-scale study and that it only focused on the accuracy of the fabrication of a dental prosthesis.
9. **What are the implications?**  
 The implications of the study are that the use of a CAD system can be recommended for the fabrication of a dental prosthesis.
10. **What are the future directions?**  
 Future directions include conducting a larger-scale study and investigating the effect of a CAD system on other aspects of dental prosthesis fabrication.

### MATERIAL LEGEND

And in summary (2004)	
Source: Statistical Agency of the Republic of Serbia	
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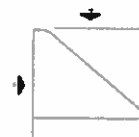
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**Product Vegetables**

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McGraw-Hill



View on an iPad

01 ENLARGED EAST ELEVATION - LEVELS 38-ROOF

ENLARGED NORTH ELEVATION - LEVELS 14-ROOF

C10/52

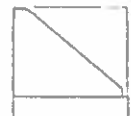


FIFTH + WEST

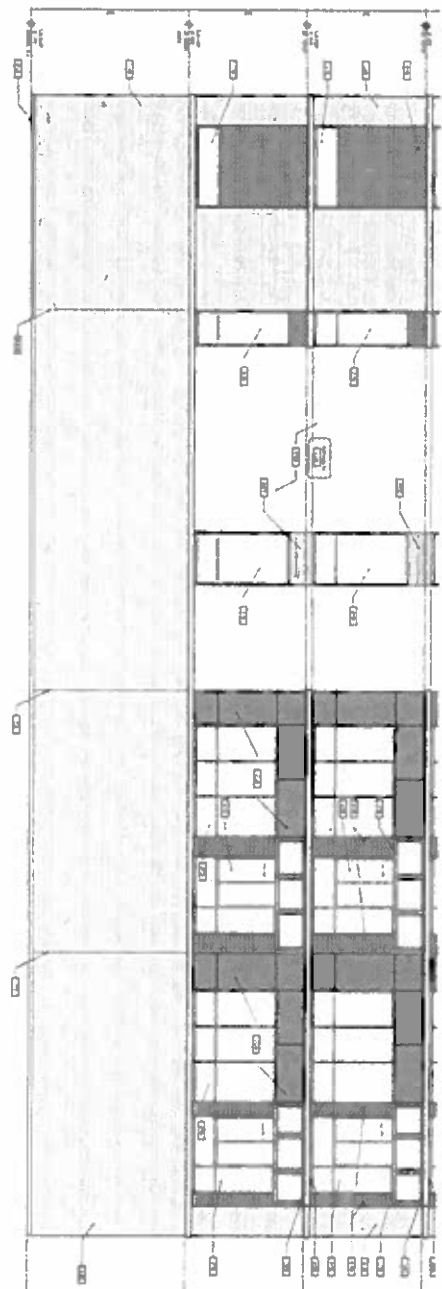
- GENERAL NOTES**
- 1. All dimensions are in millimeters unless otherwise stated.
  - 2. All materials are to be of the highest quality and to conform to the relevant standards.
  - 3. All work is to be completed in accordance with the relevant specifications.
  - 4. All materials are to be stored in a dry and secure location.
  - 5. All work is to be completed in a timely manner.
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  - 7. All materials are to be stored in a dry and secure location.
  - 8. All work is to be completed in a timely manner.
  - 9. All work is to be completed in accordance with the relevant specifications.
  - 10. All materials are to be stored in a dry and secure location.

**MATERIAL LEGEND**

1	Concrete
2	Brick
3	Block
4	Tile
5	Roofing
6	Cladding
7	Paint
8	Glazing
9	Insulation
10	Structural Steel
11	Reinforcement
12	Fasteners
13	Sealant
14	Handrails
15	Stairs
16	Windows
17	Doors
18	Partitions
19	Furniture
20	Lighting
21	Electrical
22	Plumbing
23	HVAC
24	Other



KEY PLAN

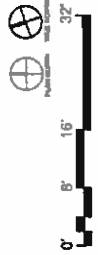
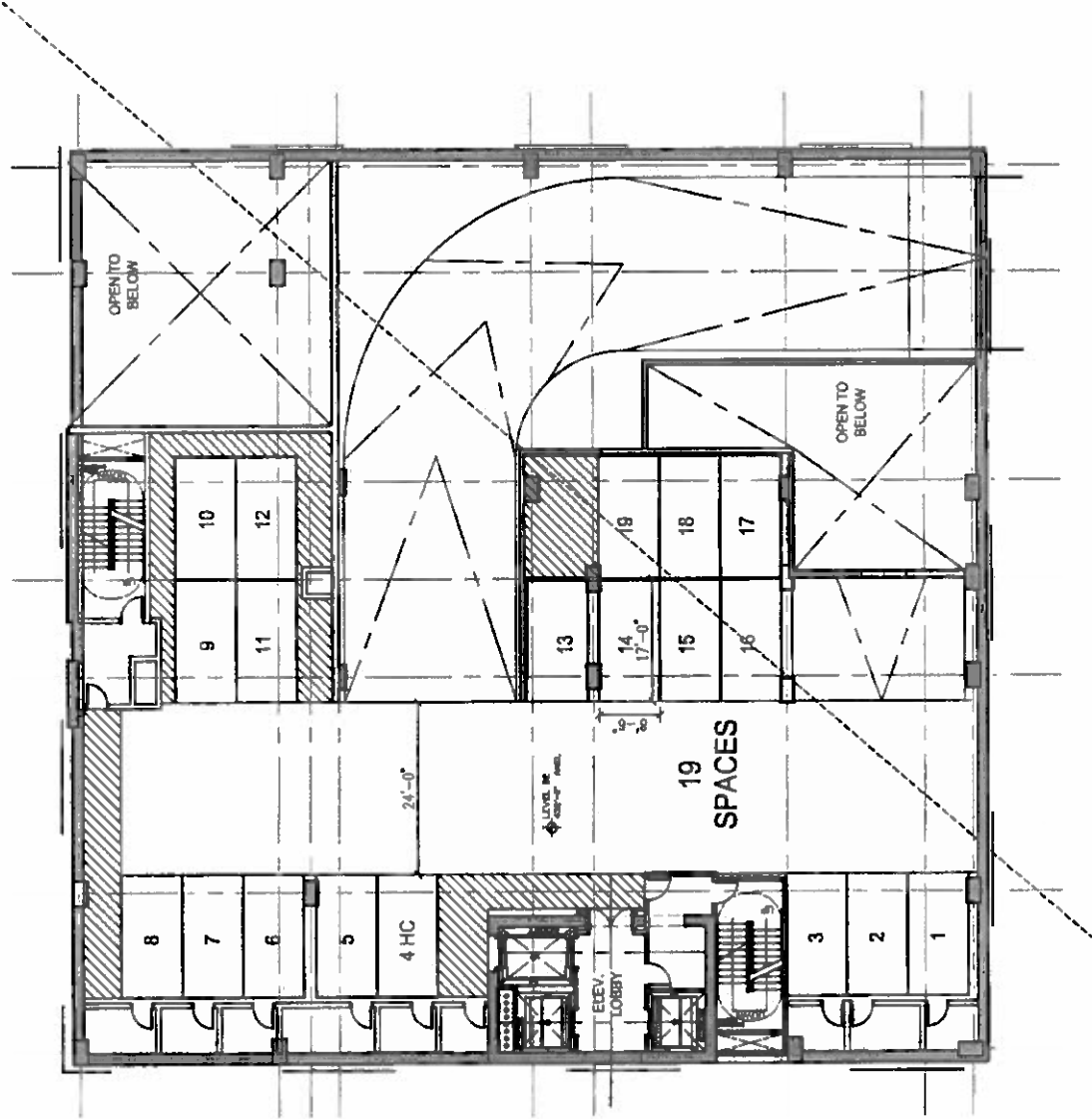


01 ENLARGED WEST ELEVATION - LEVELS 38-ROOF

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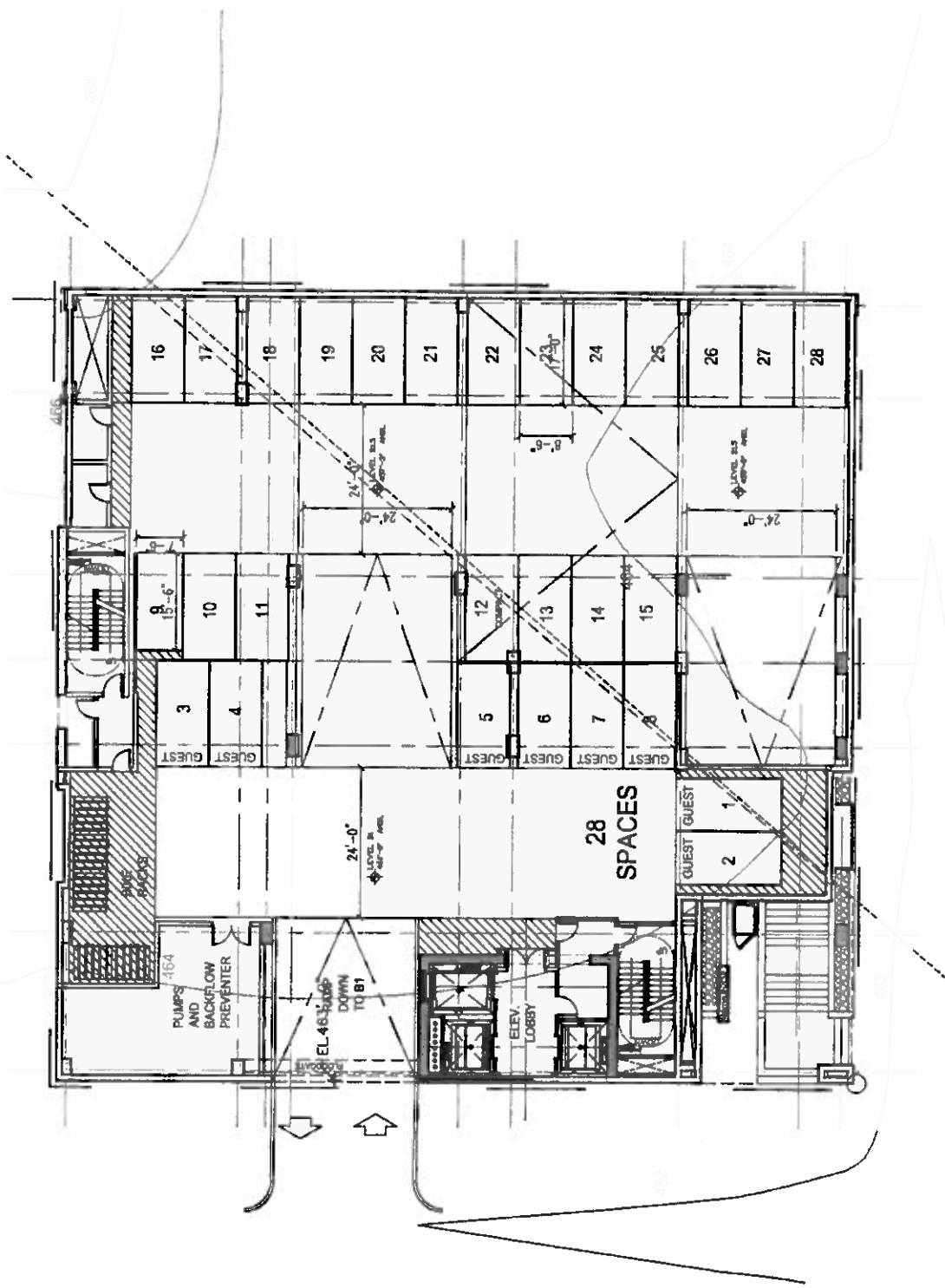
C10  
53

FLOOR L2

# 5TH AND WEST CONDOMINIUM

PROGRESS SET 11.22.13





FL 5000 B1

# 5TH AND WEST CONDOMINIUM

PR 11/22/13



C10  
55



These strategies are permitted under the provisions of Chapter 200, Laws of 1991, c. 22, § 2. These strategies are permissible and are not to be used for regulatory approval, monitoring or enforcement.

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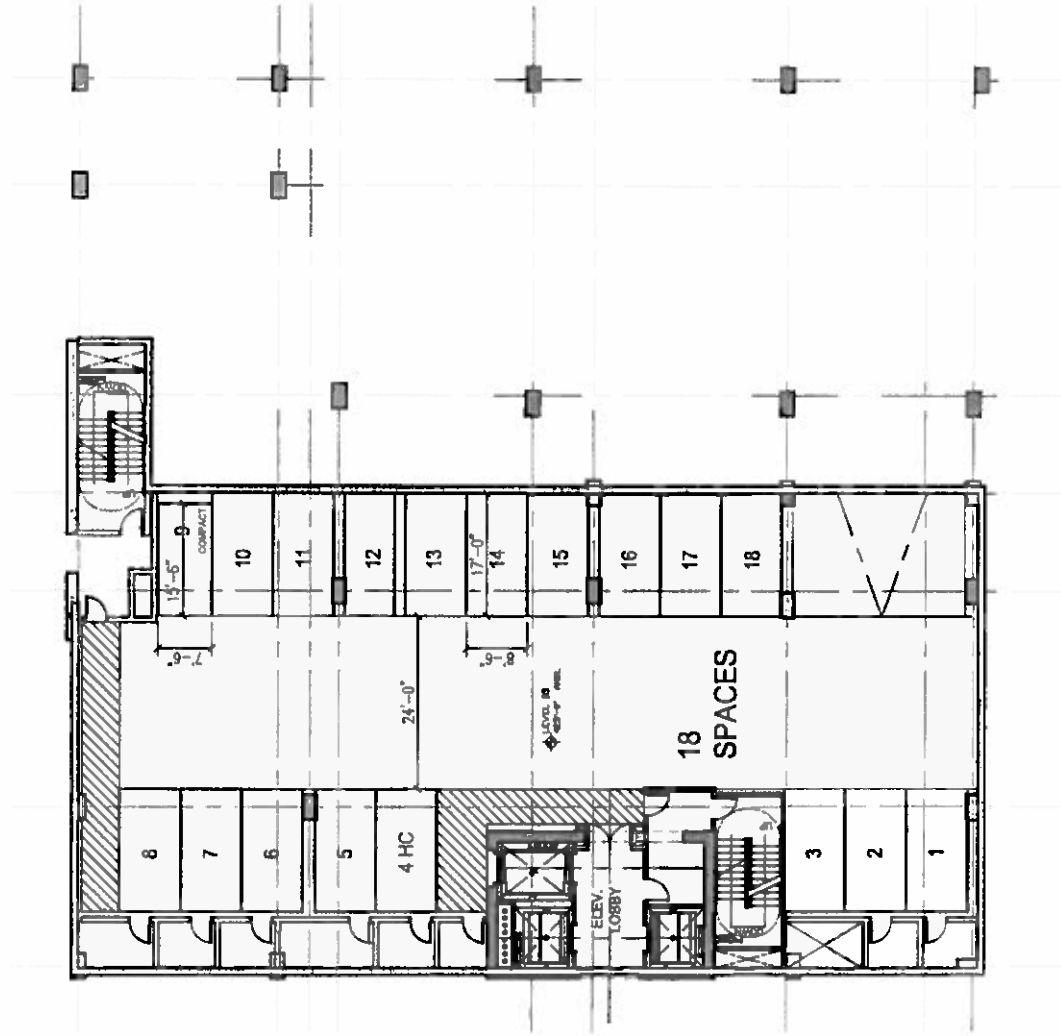
**FLOORS B2 - B4**

## 5TH AND WEST CONDOMINIUM

PROGRESS SET 11.22.13

4. 10/50

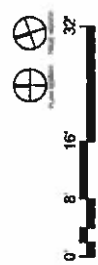




FLOOR B5

# **5TH AND WEST CONDOMINIUM** PROGRESS SET 11.22.13

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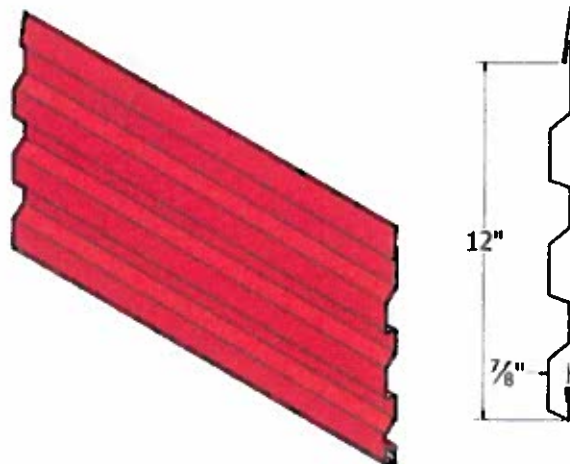
C10  
5/7

# ELITE SERIES WALL SYSTEMS

C10  
5/28



## CR Elite Wall Panel Series



- 22 or 24 Gauge Berridge Kynar 500®
- Horizontal or Vertical Orientation
- Factory Mitered Corners Available
- Hidden Fasteners
- Multi-Purpose: Wall, Soffit, Liner or Equipment Screen
- Spans over Open Framing or Solid Sheathing with approved Underlayment
- 21' Maximum Panel Length



**CLEBURNE SHEET METAL**

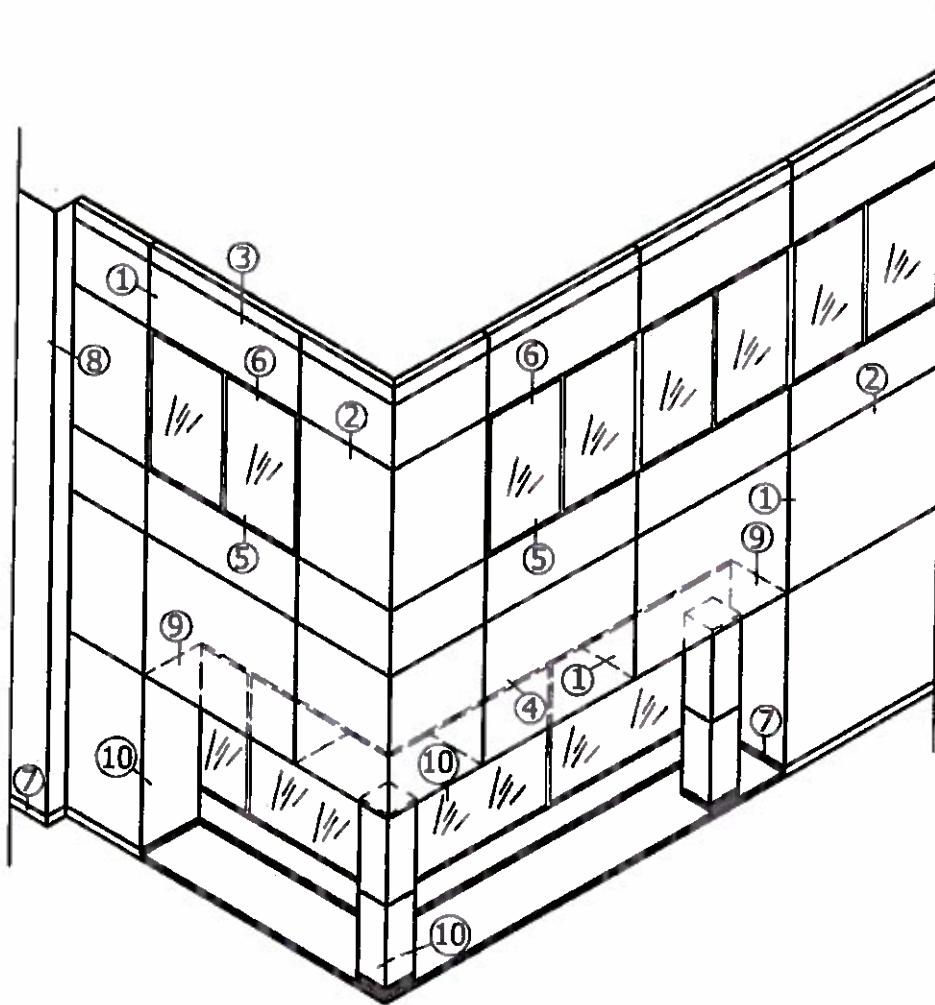
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Fort Worth, TX 76135

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C10/59



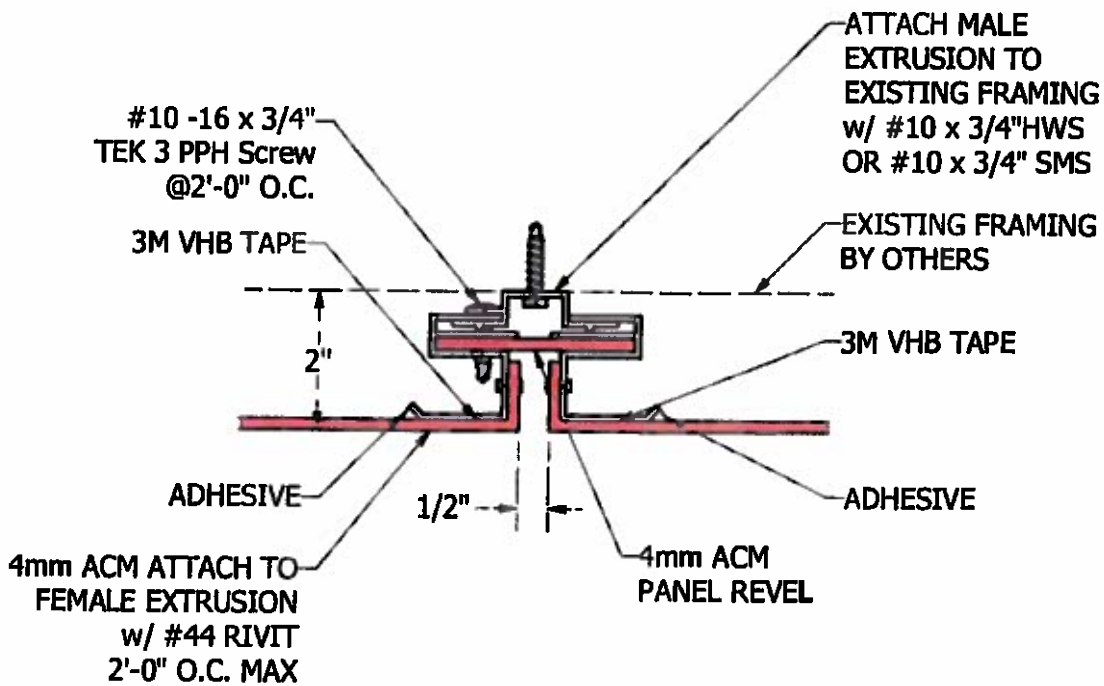
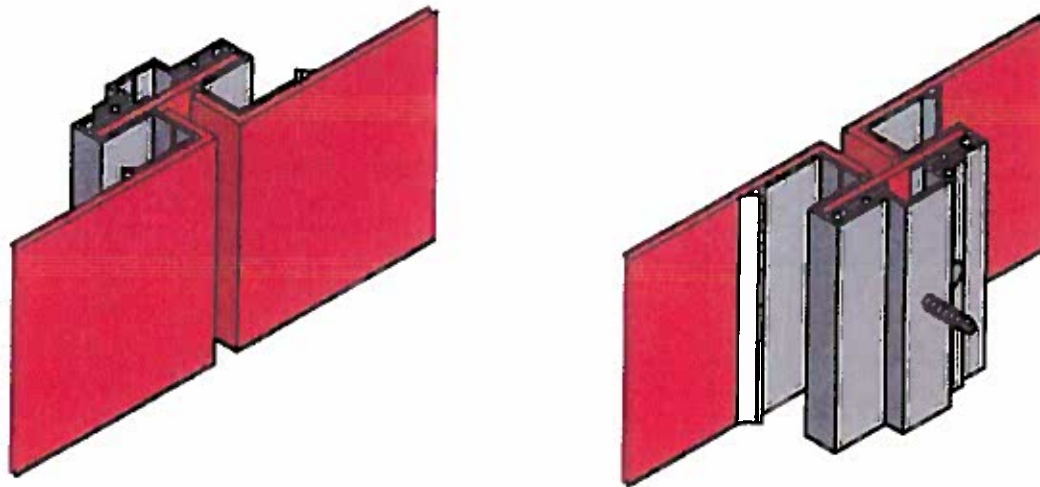
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**CLEBURNE SHEET METAL  
RAIN SCREEN DRY JOINT  
ALUMINUM COMPOSITE PANEL SYSTEM**

**PLAN**

C19  
60



**DETAIL "1"**

**CAULK ALL JOINTS** w/ M-1 STRUCTURAL ADHESIVE/  
SEALANT, CONFORMS TO ASTM C920, CA. PROP. 65,  
TTS-00230C CANADIAN SPEC. CAN 19, 13-M82,  
CRD-C-541 AND USDA APPROVED



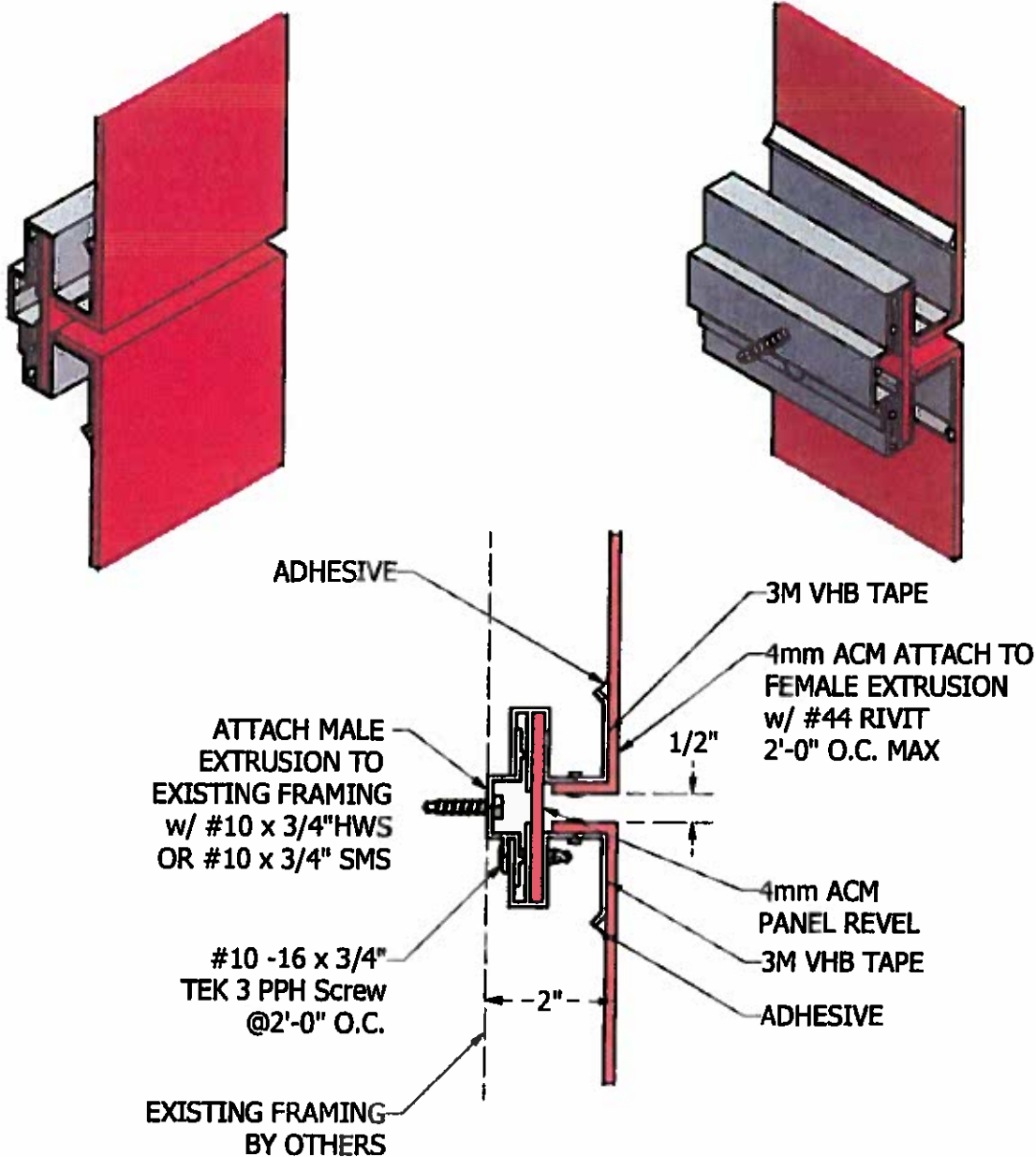
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**CLEBURNE SHEET METAL  
RAIN SCREEN DRY JOINT  
ALUMINUM COMPOSITE PANEL SYSTEM**



C/O  
6/1



DETAIL "2"

**CAULK ALL JOINTS** w/ M-1 STRUCTURAL ADHESIVE/ SEALANT, CONFORMS TO ASTM C920, CA. PROP. 65, TTS-00230C CANADIAN SPEC.CAN 19, 13-M82, CRD-C-541 AND USDA APPROVED

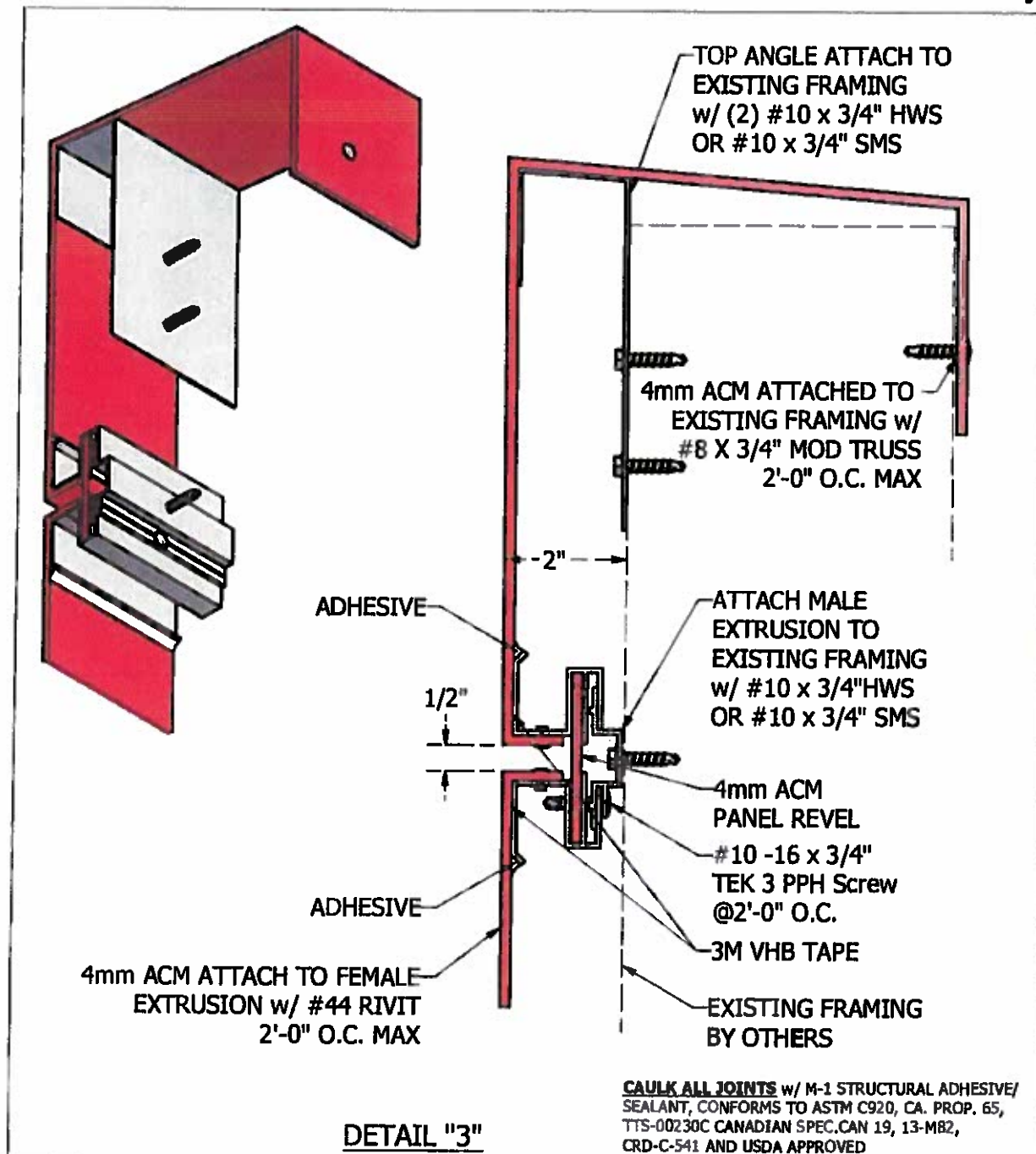


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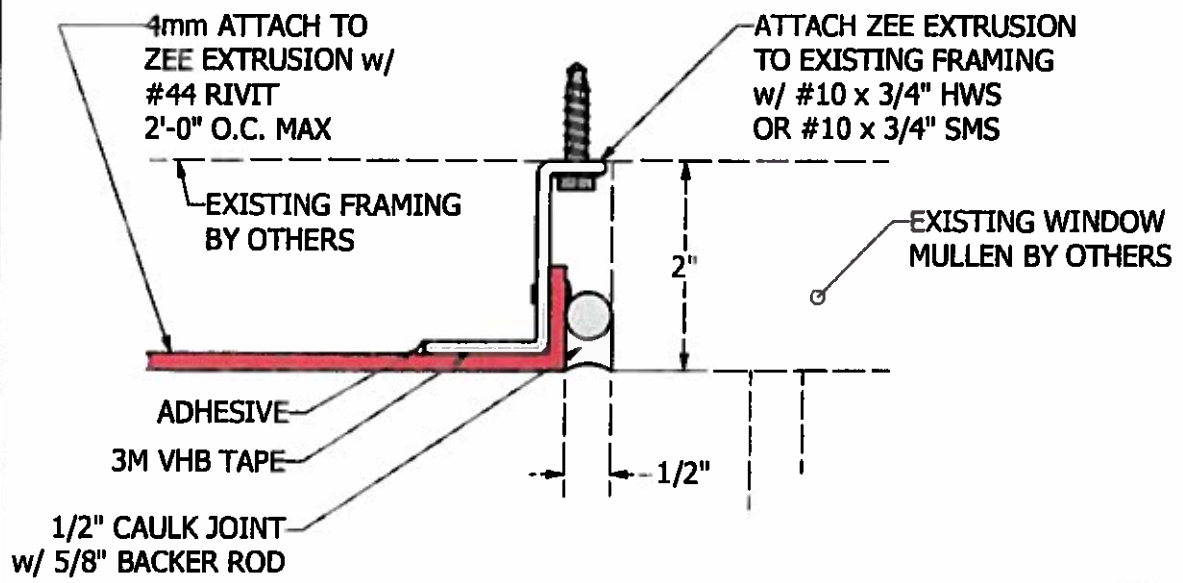
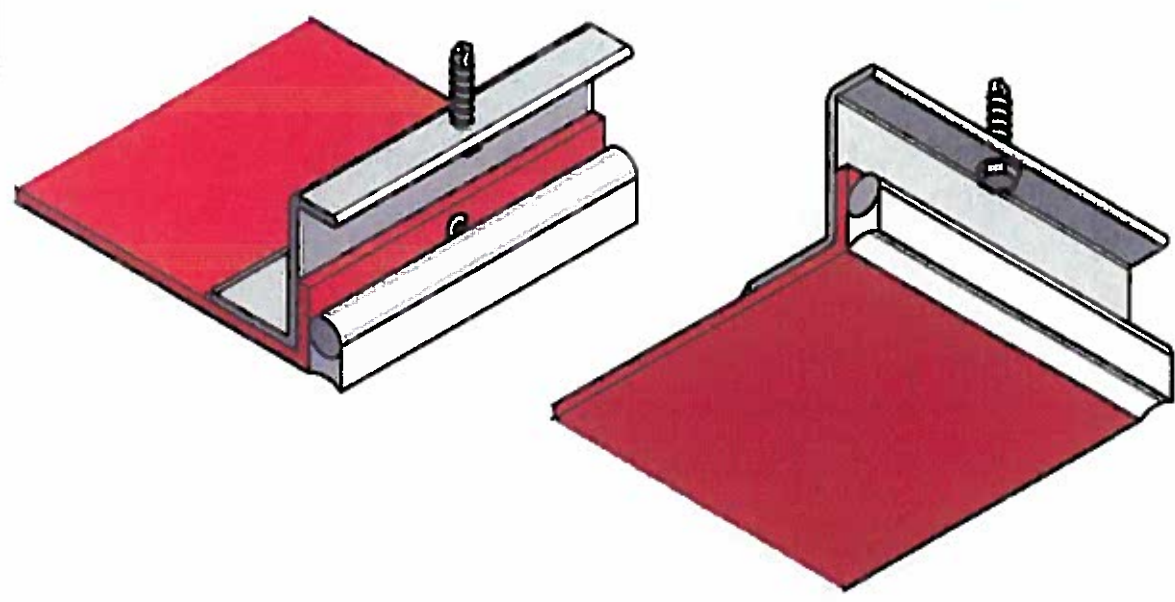
**CLEBURNE SHEET METAL  
RAIN SCREEN DRY JOINT  
ALUMINUM COMPOSITE PANEL SYSTEM**

C10  
102



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C12/63



**DETAIL "4"**

**CAULK ALL JOINTS** w/ M-1 STRUCTURAL ADHESIVE/ SEALANT, CONFORMS TO ASTM C920, CA. PROP. 65, TTS-00230C CANADIAN SPEC. CAN 19, 13-M82, CRD-C-541 AND USDA APPROVED

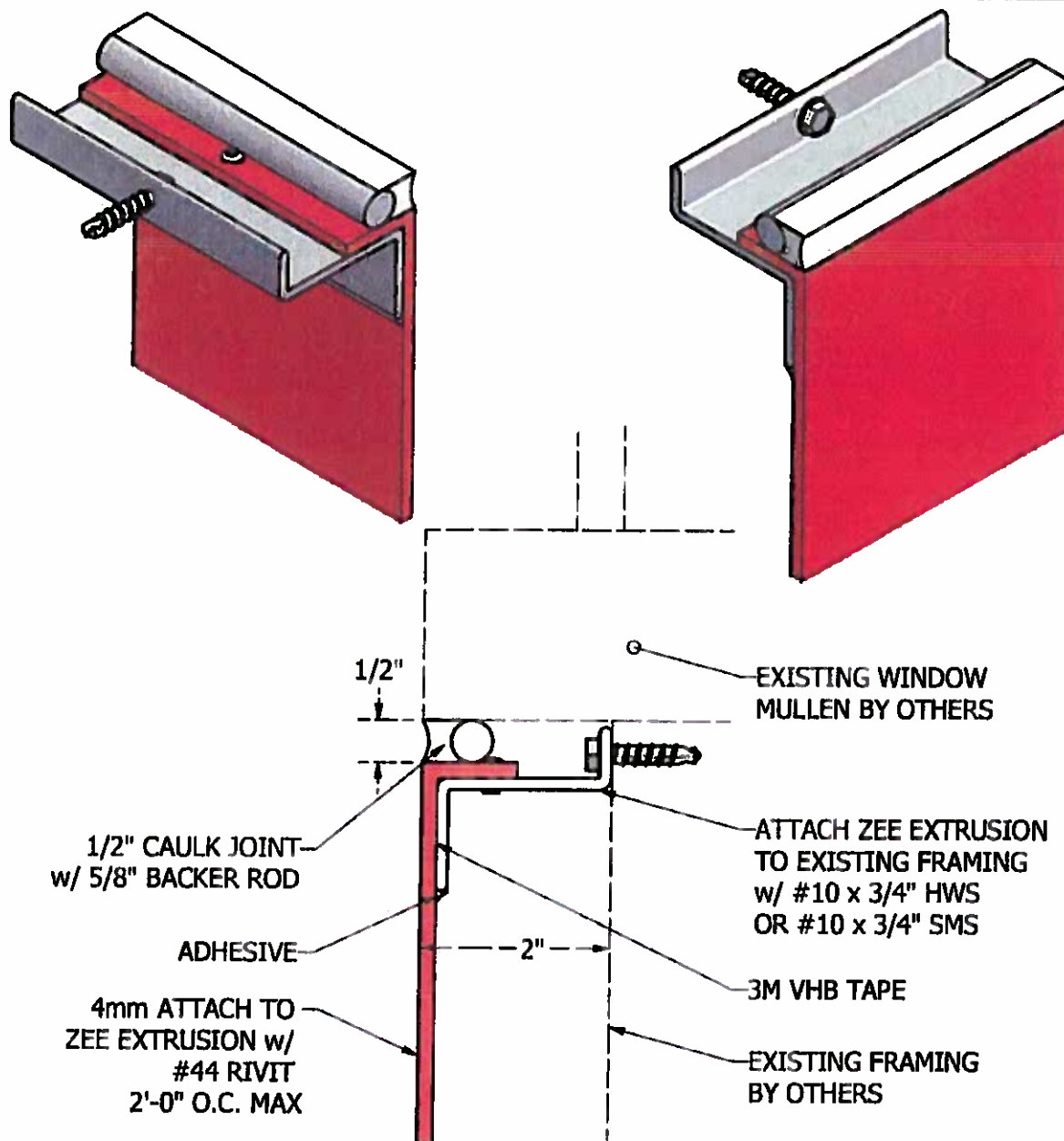


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**CLEBURNE SHEET METAL  
RAIN SCREEN DRY JOINT  
ALUMINUM COMPOSITE PANEL SYSTEM**

C/O  
64



**CAULK ALL JOINTS** w/ M-1 STRUCTURAL ADHESIVE/  
SEALANT, CONFORMS TO ASTM C920, CA. PROP. 65,  
TTS-00230C CANADIAN SPEC.CAN 19, 13-M82,  
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**DETAIL "5"**



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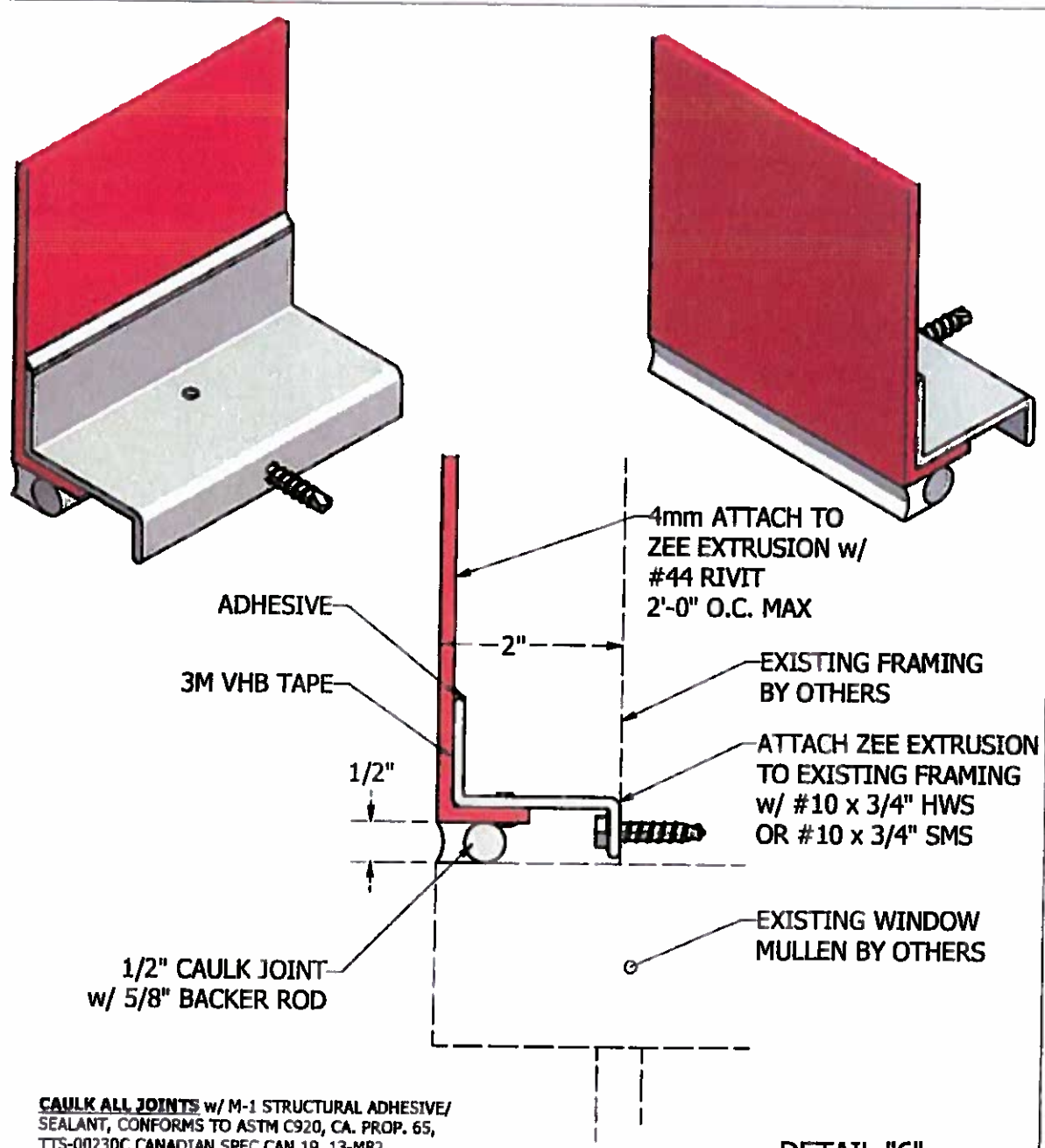
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**CLEBURNE SHEET METAL  
RAIN SCREEN DRY JOINT  
ALUMINUM COMPOSITE PANEL SYSTEM**

**5**



C10  
65



**CAULK ALL JOINTS** w/ M-1 STRUCTURAL ADHESIVE/  
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TTS-00230C CANADIAN SPEC. CAN 19, 13-M82,  
CRD-C-541 AND USDA APPROVED

**DETAIL "6"**

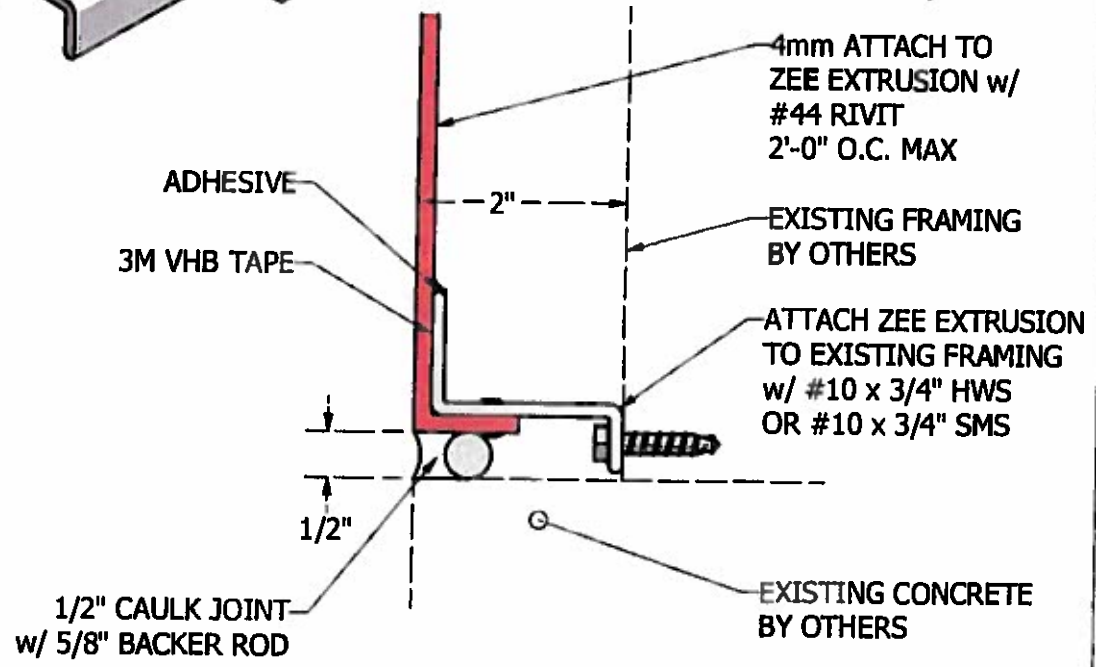
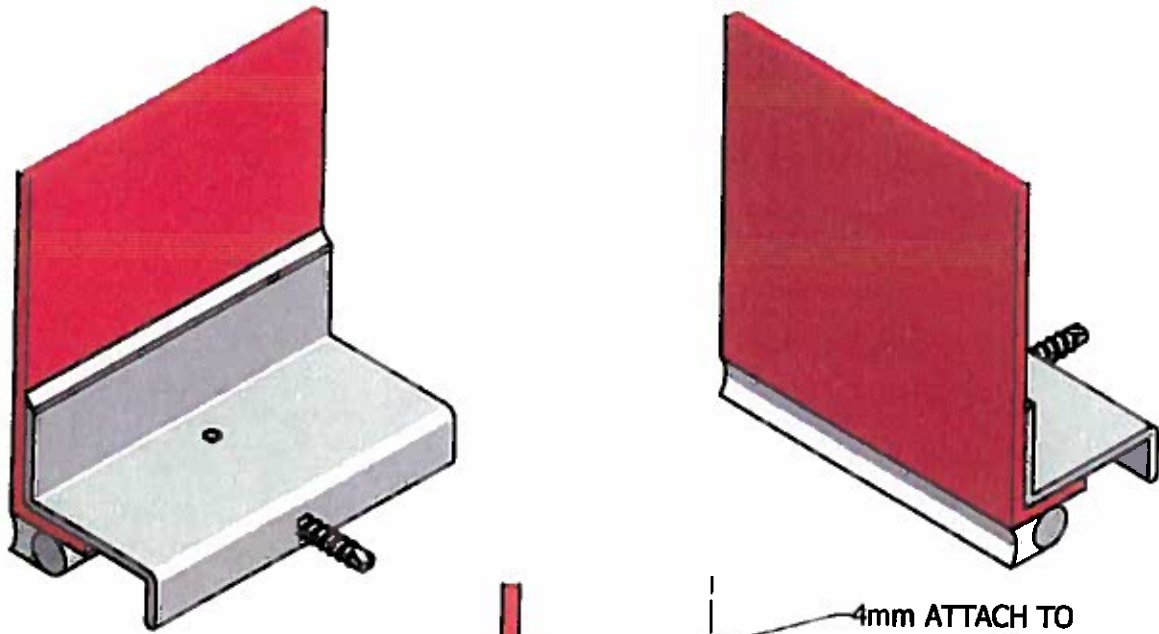


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**CLEBURNE SHEET METAL  
RAIN SCREEN DRY JOINT  
ALUMINUM COMPOSITE PANEL SYSTEM**

C10  
66



**DETAIL "7"**

**CAULK ALL JOINTS** w/ M-1 STRUCTURAL ADHESIVE/ SEALANT, CONFORMS TO ASTM C920, CA. PROP. 65, TTS-00230C CANADIAN SPEC. CAN 19, 13-M82, CRD-C-541 AND USDA APPROVED

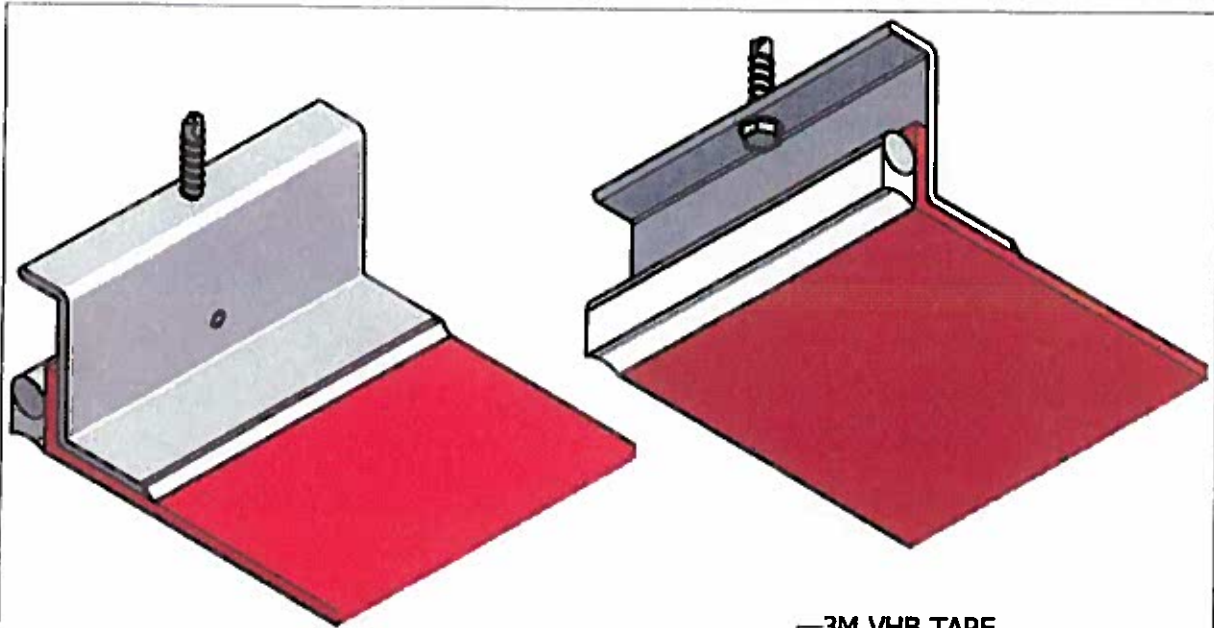


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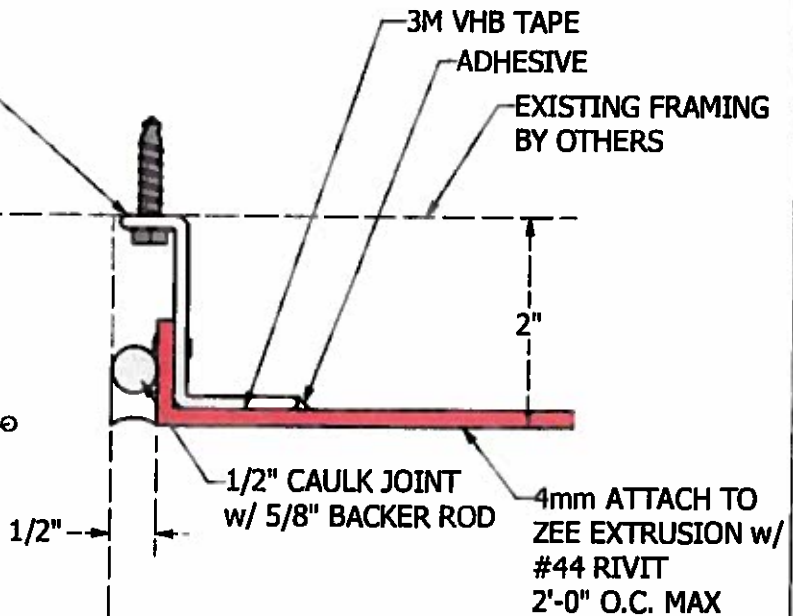
**CLEBURNE SHEET METAL  
RAIN SCREEN DRY JOINT  
ALUMINUM COMPOSITE PANEL SYSTEM**

CP  
6/1



ATTACH ZEE EXTRUSION  
TO EXISTING FRAMING  
w/ #10 x 3/4" HWS  
OR #10 x 3/4" SMS

EXISTING BUILDING



**DETAIL "8"**

**CAULK ALL JOINTS** w/ M-1 STRUCTURAL ADHESIVE/  
SEALANT, CONFORMS TO ASTM C920, CA. PROP. 65,  
TTS-00230C CANADIAN SPEC. CAN 19, 13-M82,  
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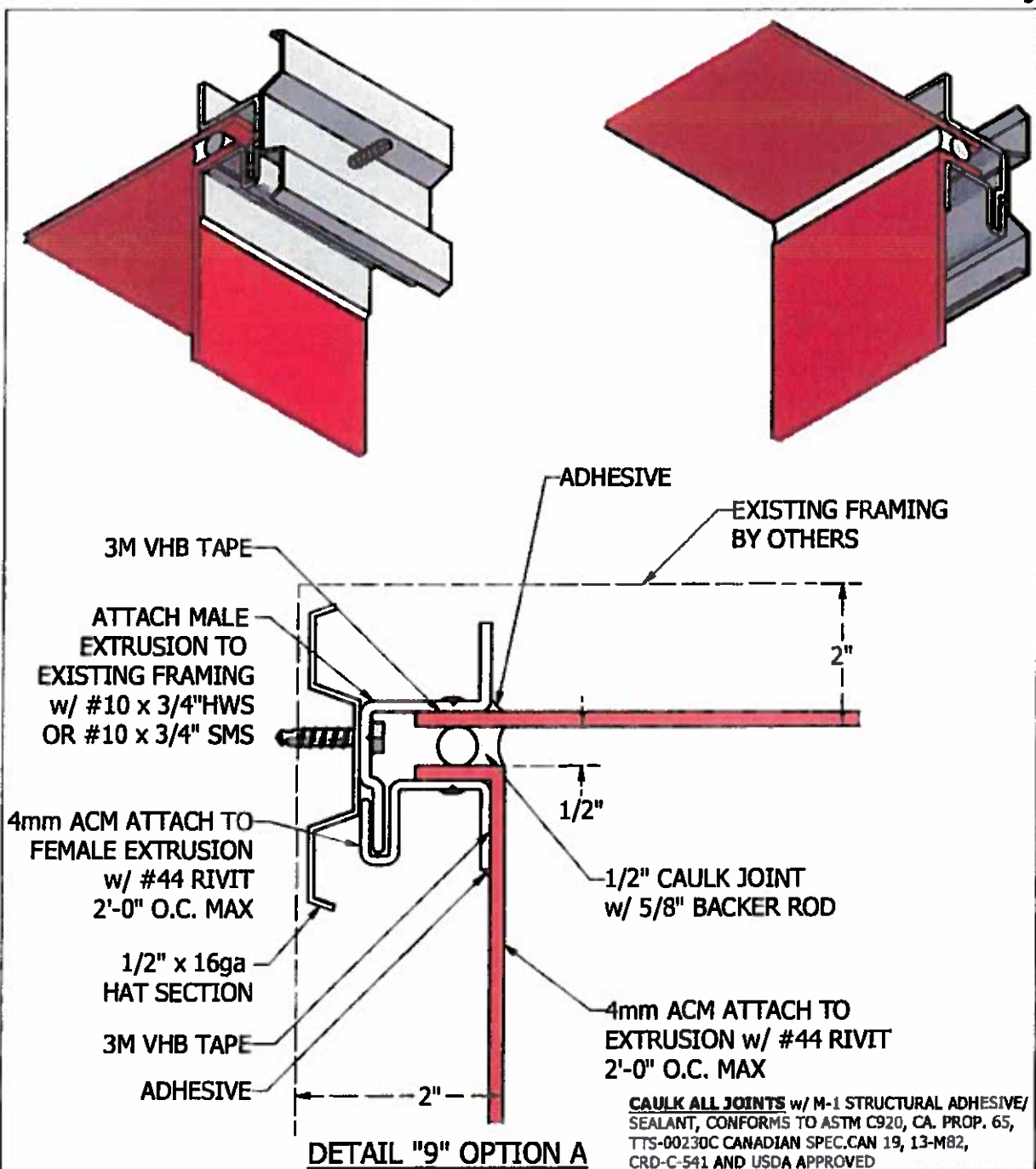


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RAIN SCREEN DRY JOINT  
ALUMINUM COMPOSITE PANEL SYSTEM**

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C10  
68



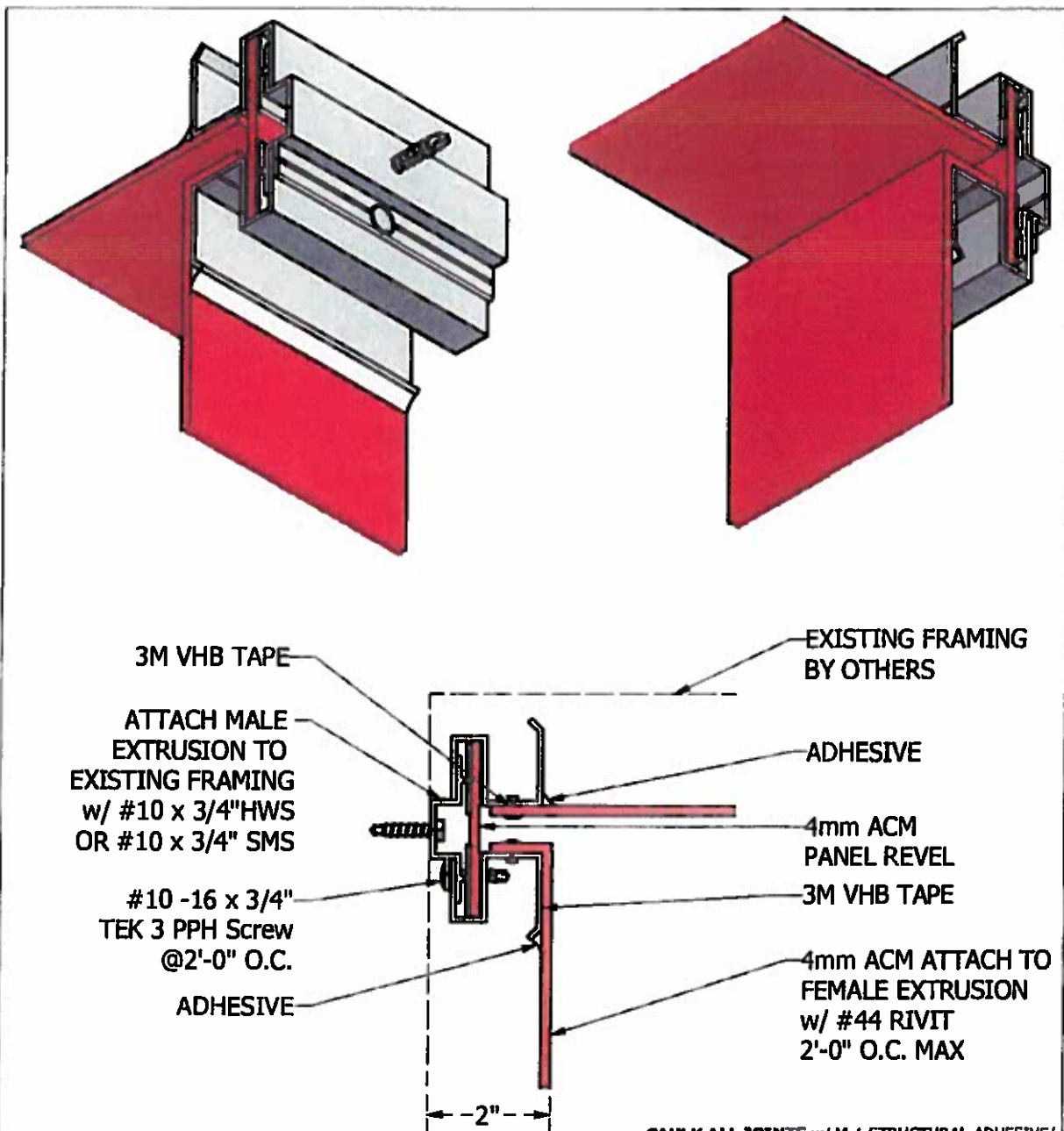
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	<p><b>9</b></p>



C/O  
6/9



**DETAIL "9" OPTION B**

**CAULK ALL JOINTS** w/ M-1 STRUCTURAL ADHESIVE/ SEALANT, CONFORMS TO ASTM C920, CA. PROP. 65, TTS-00230C CANADIAN SPEC. CAN 19, 13-MB2, CRD-C-541 AND USDA APPROVED



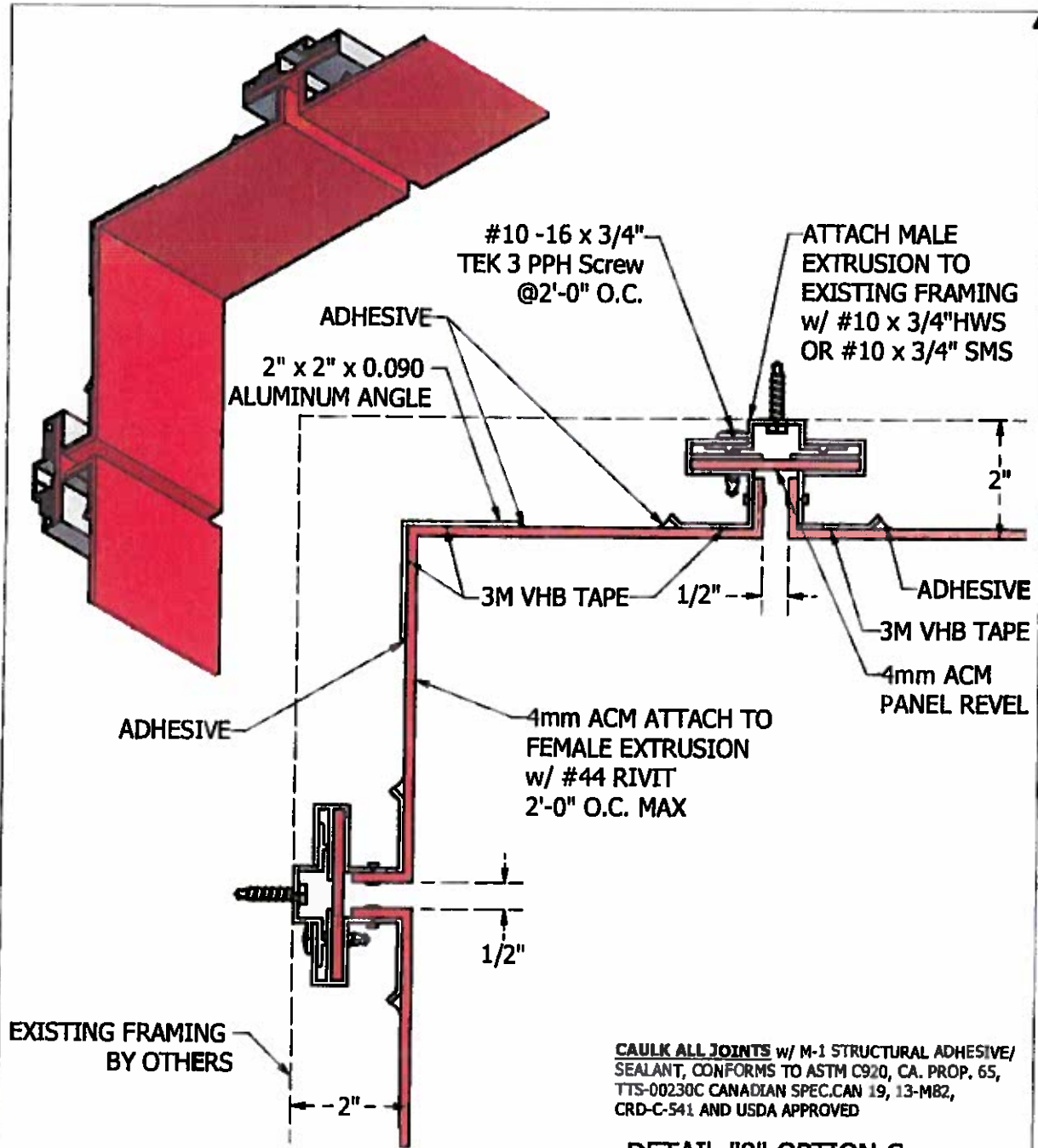
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**CLEBURNE SHEET METAL  
RAIN SCREEN DRY JOINT  
ALUMINUM COMPOSITE PANEL SYSTEM**

**9a**

C10  
10



DETAIL "9" OPTION C



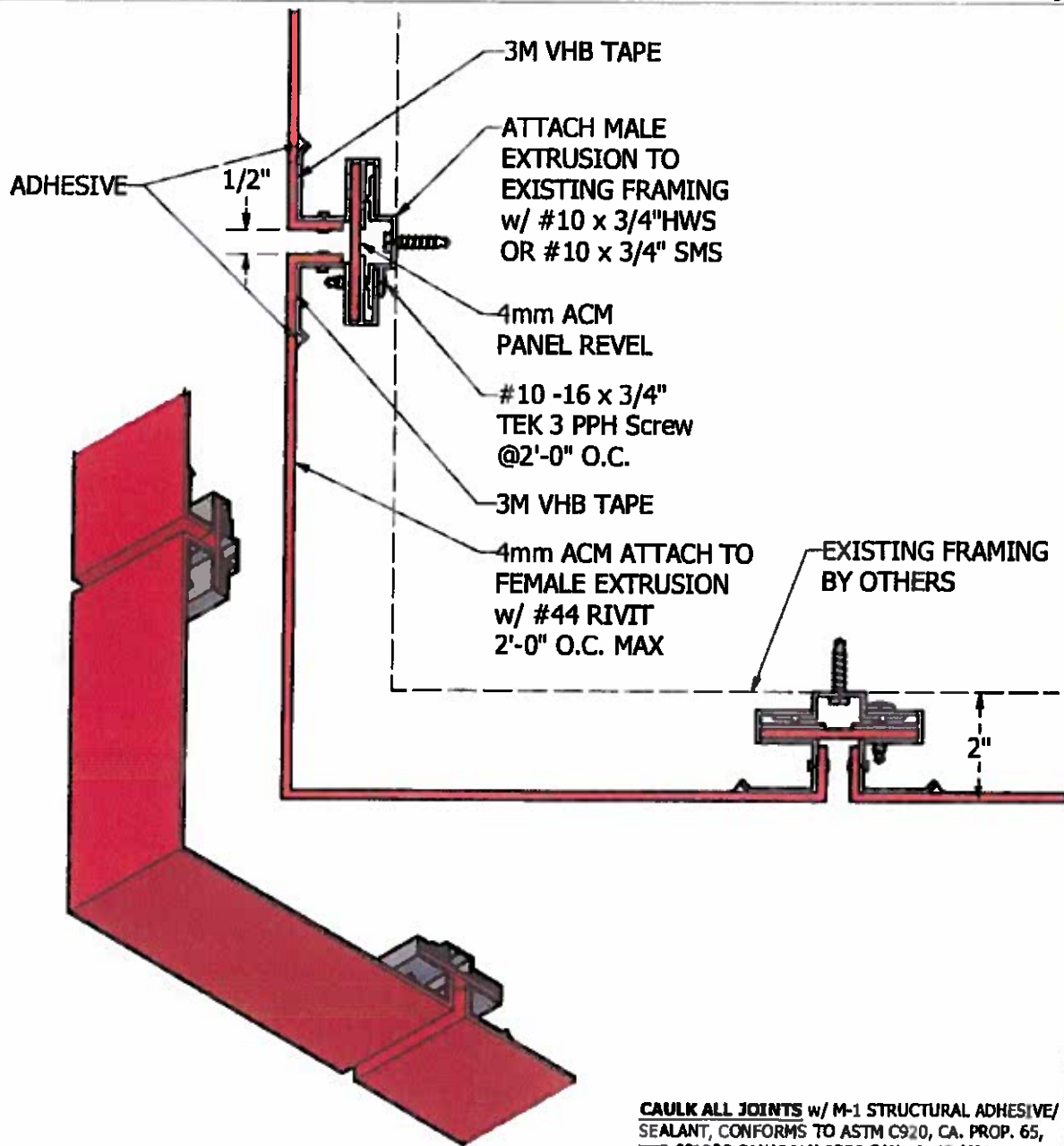
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**CLEBURNE SHEET METAL  
RAIN SCREEN DRY JOINT  
ALUMINUM COMPOSITE PANEL SYSTEM**

**9b**

C10/11



CAULK ALL JOINTS w/ M-1 STRUCTURAL ADHESIVE/ SEALANT, CONFORMS TO ASTM C920, CA. PROP. 65, TTS-00230C CANADIAN SPEC. CAN 19, 13-M82, CRD-C-541 AND USDA APPROVED

### DETAIL "10"



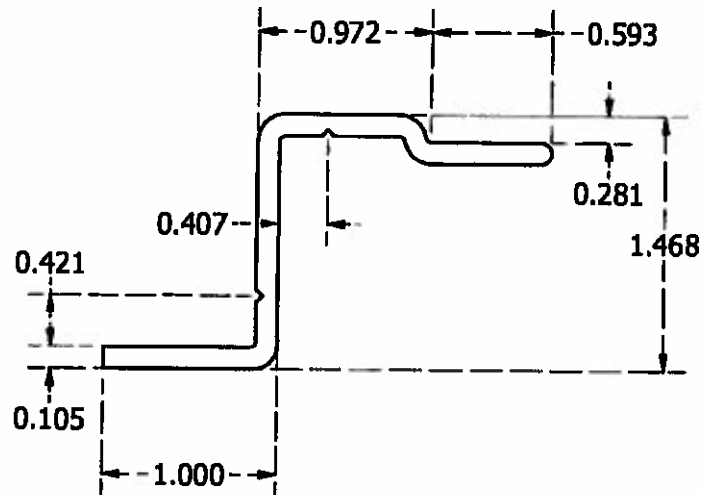
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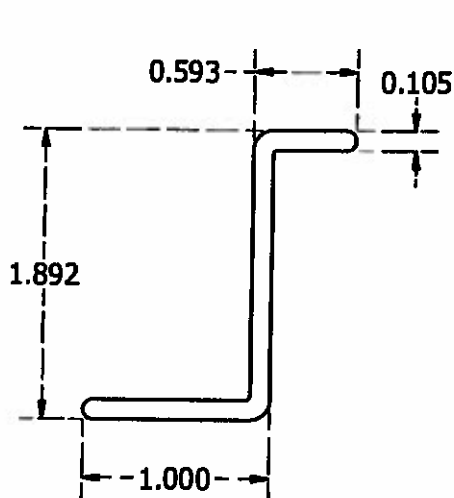
**CLEBURNE SHEET METAL  
RAIN SCREEN DRY JOINT  
ALUMINUM COMPOSITE PANEL SYSTEM**

**10**

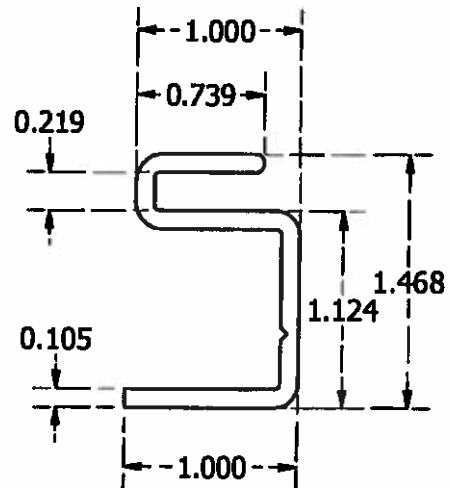
C/O 12



**MALE EXTRUSION**



**ZEE EXTRUSION**



**FEMALE EXTRUSION**



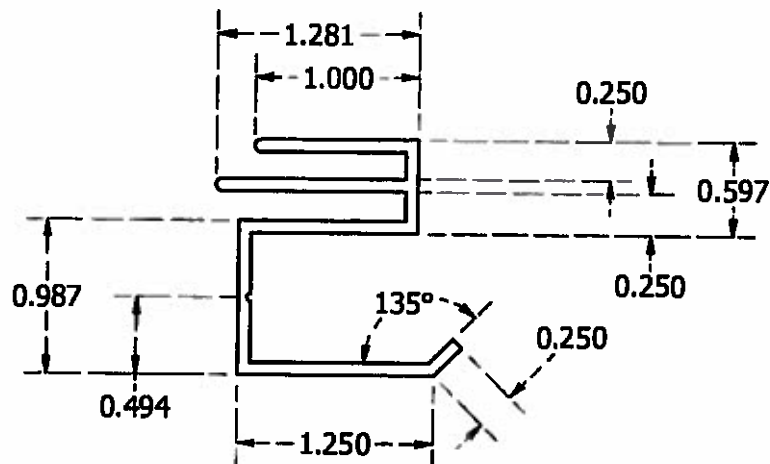
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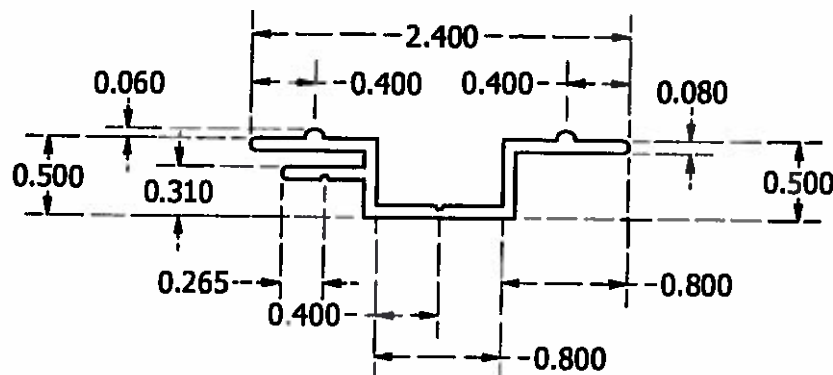
**CLEBURNE SHEET METAL  
RAIN SCREEN DRY JOINT  
ALUMINUM COMPOSITE PANEL SYSTEM**



C10  
13



**FEMALE EXTRUSION**



**MALE EXTRUSION**



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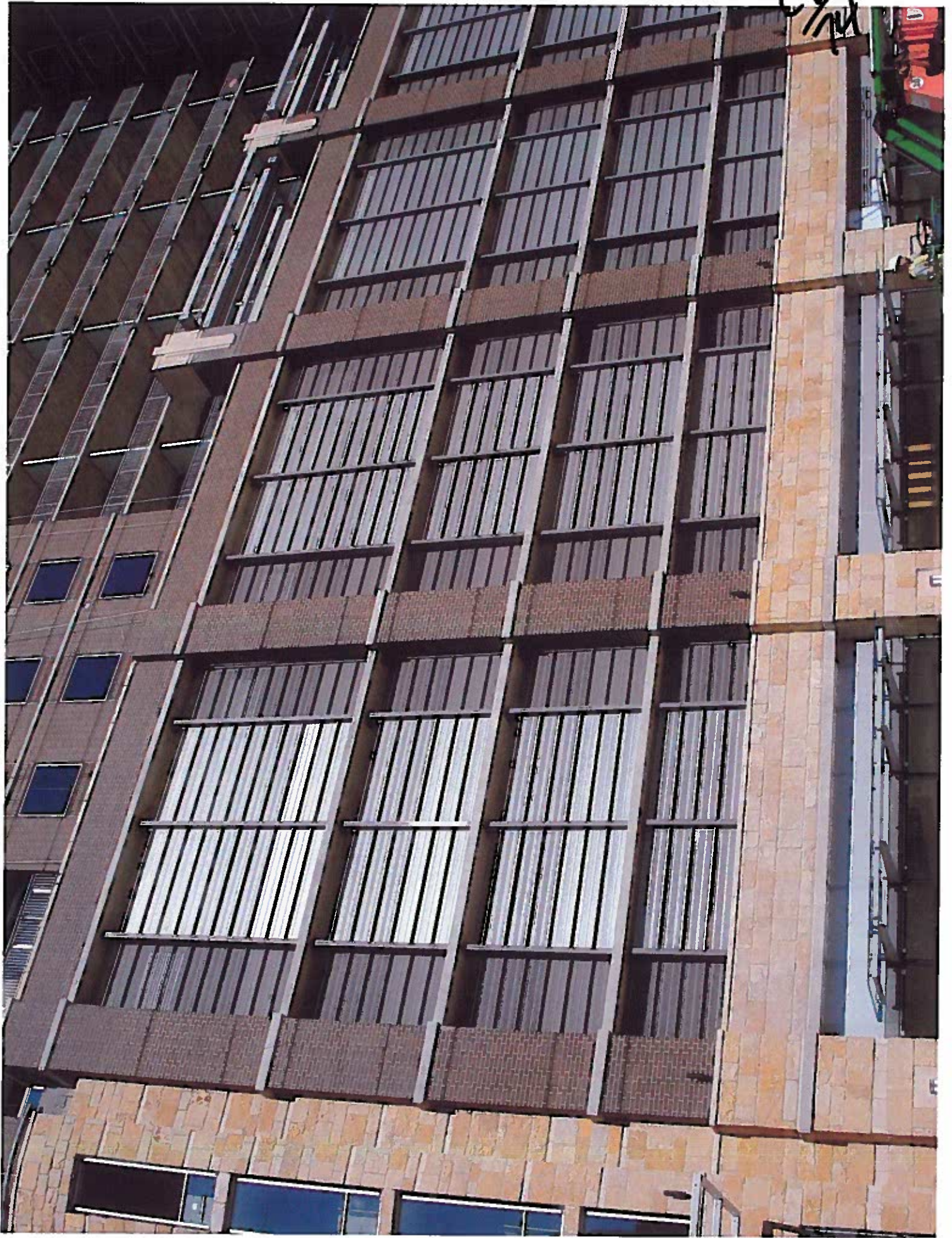
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**CLEBURNE SHEET METAL  
RAIN SCREEN DRY JOINT  
ALUMINUM COMPOSITE PANEL SYSTEM**

**12**

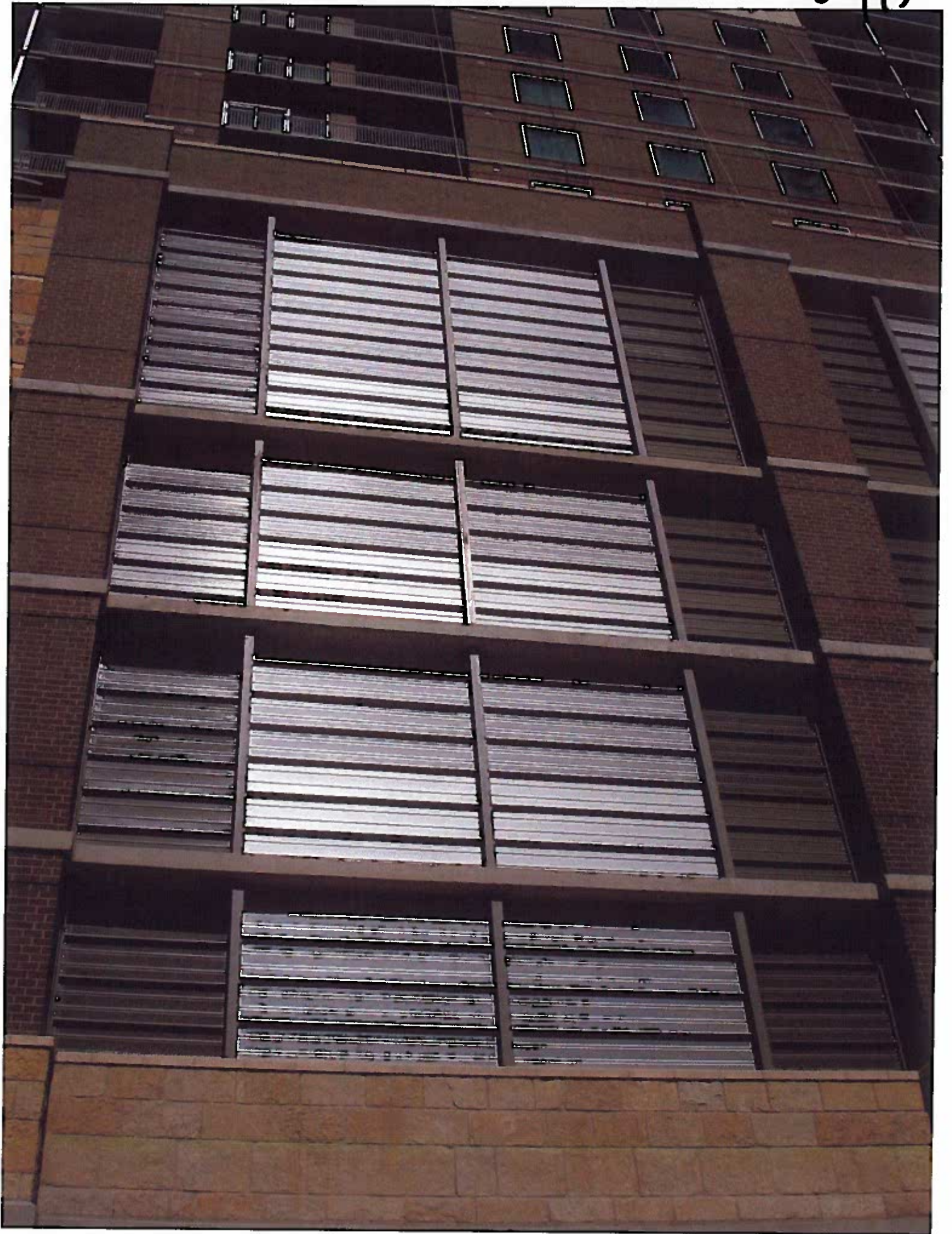


C10  
7/4



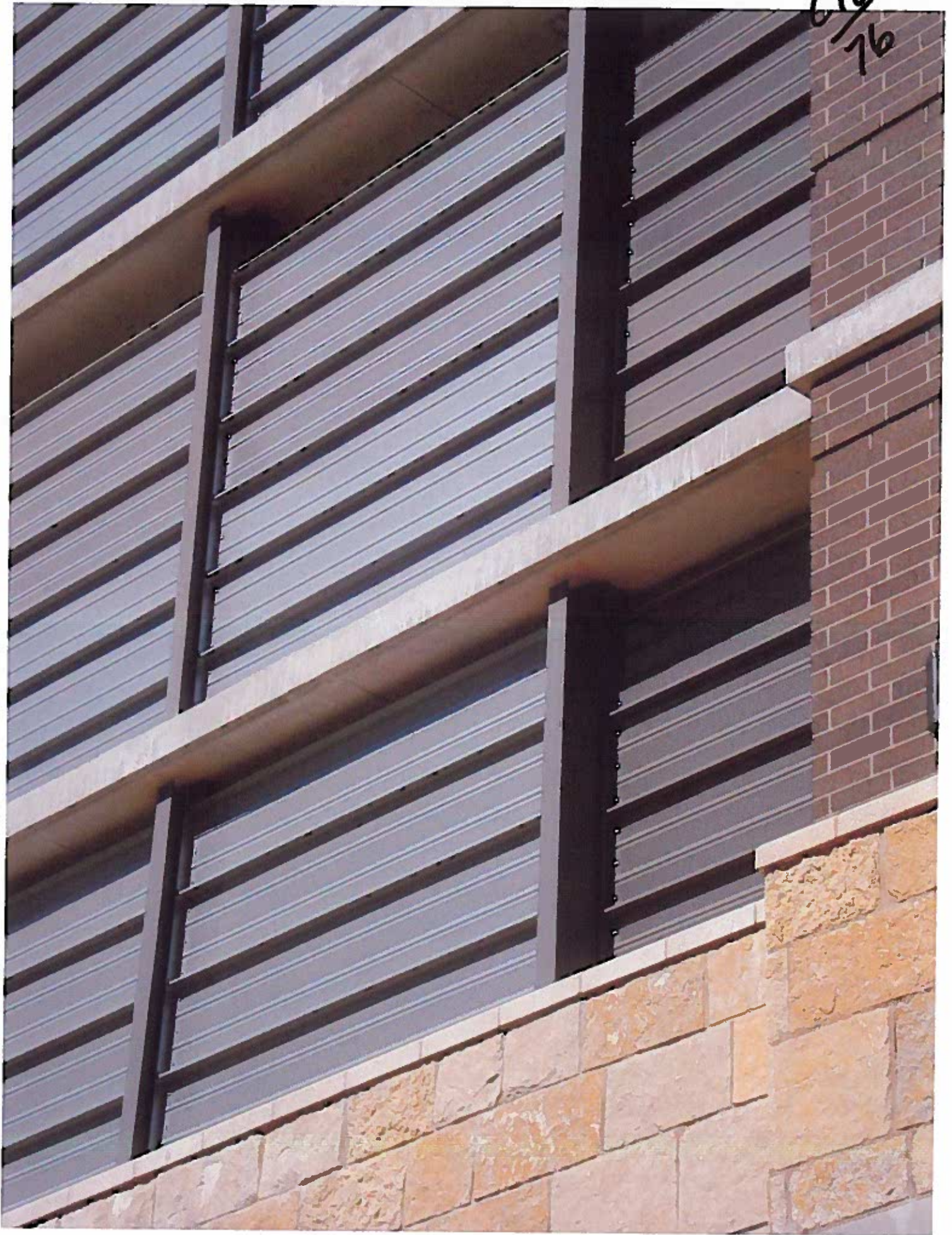


C10/15



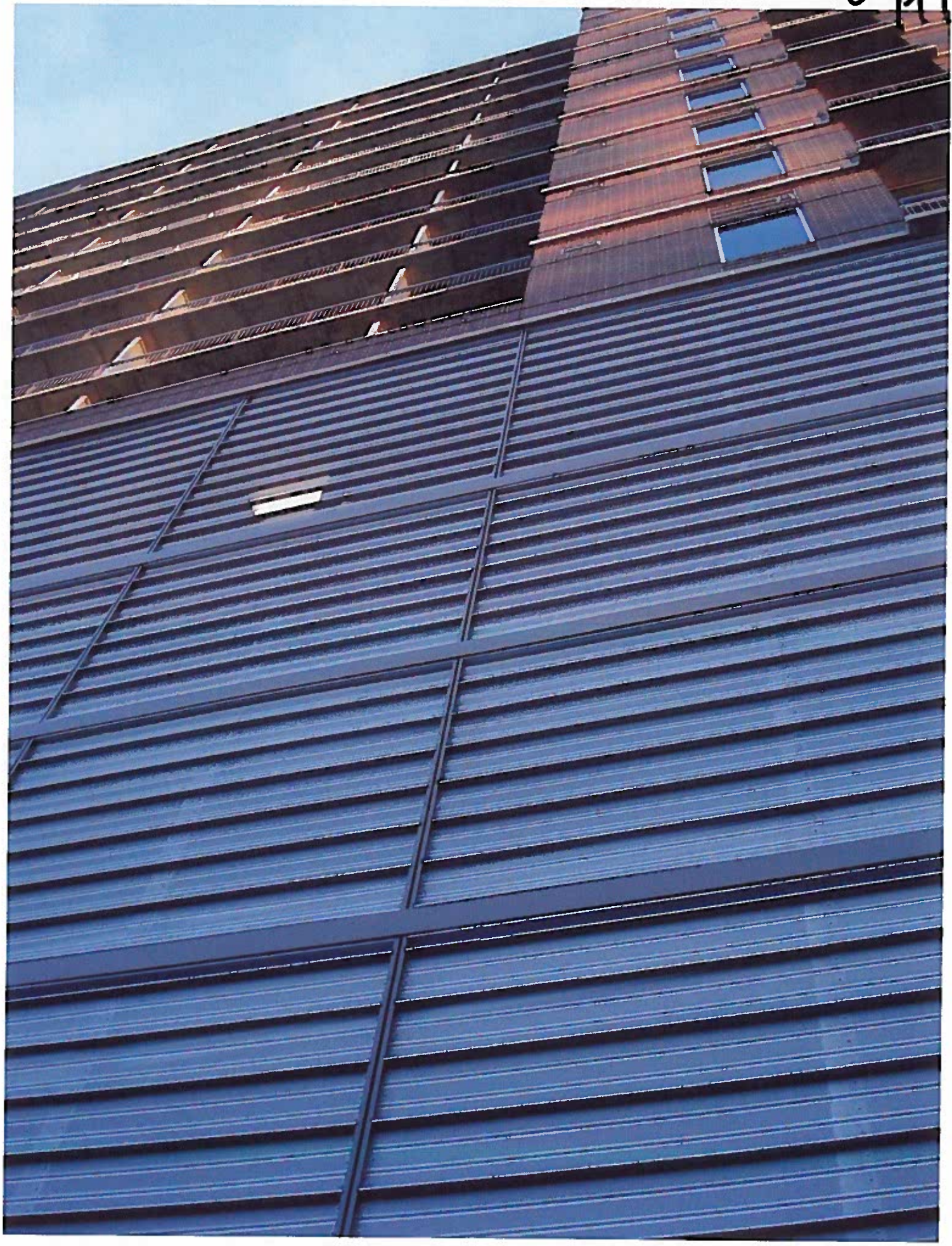


610  
76





C19/11





C10  
18

**ORDINANCE NO. 20140227-054**

**AN ORDINANCE AMENDING CITY CODE CHAPTER 25-2 REGARDING DENSITY BONUS REGULATIONS IN THE DOWNTOWN DENSITY BONUS PROGRAM AND THE RAINEY STREET SUBDISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** Section 25-2-586 (*Downtown Density Bonus Program*) of the City Code is amended to read as follows:

**§ 25-2-586 DOWNTOWN DENSITY BONUS PROGRAM.**

**(A) Definitions.** In this section:

- (1) BONUS AREA** means the greater of:

  - (a)** The gross floor area that exceeds the maximum allowable floor-to-area ratio allowed with the site's primary entitlements; or
  - (b)** The gross floor area contained within the portion of a structure that exceeds the maximum height allowed under the site's primary entitlements.
- (2) COMMUNITY BENEFIT** is a public amenity that exceeds the Gatekeeper Requirements of the Downtown Density Bonus Program as described in (C)(1) of this section and that is provided by an applicant in order to obtain bonus area.
- (3) CULTURAL USES** are uses that are eligible to participate in the City of Austin Core Cultural Funding Program.
- (4) DAY CARE SERVICES** is the provision of one or more of the three day care services defined in Section 25-2-6 (*Civic Uses Described*) of the City Code.
- (5) [(2)] DEVELOPMENT BONUS FEE** means the dollar amount an applicant pays to the City per square foot of bonus area.
- (6) [(3)] DIRECTOR** means director of the Planning and Development Review Department.
- (7) [(4)] DWELLING UNIT** means a single unit providing complete, independent living facilities for one or more persons, including

permanent provisions for living, sleeping, eating, cooking and sanitation.

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- (8) FAMILY-FRIENDLY ELIGIBLE BEDROOM is any bedroom over one bedroom within a dwelling unit that provides on-site affordable housing that complies with all of the affordability requirements of Subsection (G) of this section.
- (9) [(5)] GREAT STREETS STREETSCAPE STANDARDS means design standards for streets within the boundaries of the Great Streets Master Plan.
- (10) LIVE MUSIC USE is the performance of live music at least four days a week in an indoor public or private facility of at least 2,500 square feet that is open to the general public and readily equipped with sound, staging, lighting and safety accoutrements to accommodate professional and semi-professional live music needs on a daily basis.
- (11) [(6)] MIXED-USE PROJECT means a project that has 25 percent or more of its floor area in a use different from a predominant use.
- (12) [(7)] NON-RESIDENTIAL PROJECT means a project for which the predominant use is not listed in Section 25-2-3 (*Residential Uses Described*), and which has less than 25 percent of its floor area devoted to uses described in Section 25-2-3 (*Residential Uses Described*).
- (13) [(8)] PRIMARY ENTITLEMENT means the height and floor-to-area ratio entitlement that a site derives from its current zoning. That entitlement may be derived from the base zoning or from a previous modification to the base zoning.
- (14) PUBLICLY ACCESSIBLE ON-SITE PLAZA is a publicly-accessible area provided by an applicant as a community benefit that complies with the Downtown Public Plaza Standards adopted by administrative rule.
- (15) [(9)] RESIDENTIAL PROJECT means a project for which the predominant use is within one or more of the classifications described in Section 25-2-3 (*Residential Uses Described*).

**(16) [(40)] URBAN DESIGN GUIDELINES** means guidelines for public streetscapes, plazas, open space and buildings in a dense area, adopted by City Council.

**(B) Downtown Density Bonus Maps and Table.**

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- (1) The downtown district boundaries are shown on the Downtown Districts Map (Figure 1). Properties in the downtown district that are eligible for density bonuses under this section are shown on the Eligibility, Floor-to-Area Ratio and Height Maps (Figure 2).
- (2) Properties in the Rainey Street Subdistrict may participate in the Downtown Density Bonus Program only for floor-to-area ratio that exceeds 8:1. To achieve floor-to-area ratio up to 8:1, properties in the Rainey Street Subdistrict must comply with Subsection (C)(4) of Section 25-2-739 (Rainey Street Subdistrict Regulations) of the City Code.
- (3)[(2)] The amount of floor-to-area ratio or height that may be achieved by a downtown density bonus for a site is limited by the maximum height or Floor-to-Area Ratio identified on Figure 2.
- (4) The maximum heights and maximum floor-to-area ratios on Figure 2 do not modify a site's primary entitlement. If the maximum height or maximum floor-to-area ratio allowed under a primary entitlement exceeds the height or floor-to-area ratio on Figure 2, the bonus area is calculated by using the site's primary entitlement that does not exceed the maximums shown on Figure 2.
- (5)[3] The development bonus fee may vary by use and downtown district. The applicable development bonus fee within each of the nine districts is established by ordinance.
- (6) Notwithstanding the limitation provided for in (B)(3) of this section, the city council may grant to an applicant floor-to-area ratio that exceeds the maximum floor-to-area ratio in Figure 2 if:
  - (a) The applicant has already achieved the maximum floor-to-area ratio in Figure 2 by participating in the Downtown Density Bonus Program;
  - (b) The applicant submits a written request and rationale for the additional floor-to-area ratio to the director;



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- (c) The director makes a written recommendation on the application and then submits the recommendation to the Planning Commission for its review and recommendation; and
  - (d) The city council determines that the additional floor-to-area ratio should be granted because:
    - (i) The applicant has offered additional community benefits described in (E)(1)-(12) above and beyond those offered to achieve the floor-to-area ratio in Figure 2;
    - (ii) The applicant agrees to use the same methodology and bonus area granted for each community benefit as described in the downtown density bonus program to achieve the desired bonus area;
    - (iii) The city council determines that awarding the additional floor-to-area ratio substantially furthers the goals and objectives of the Downtown Austin Plan and the Imagine Austin Comprehensive Plan; and
    - (iv) the applicant has agreed that any residential parking space shall be offered separately from the dwelling unit.

**(C) Program Requirements.**

**(1) Gatekeeper Requirements.**

- (a) To receive bonus area, the director must determine that the project substantially complies with the Urban Design Guidelines.
  - (i) The applicant must submit to the director a schematic level site plan, building elevations, and other drawings, simulations or other documents necessary to fully describe the urban design character of the project and relationship of the project to its surroundings.
  - (ii) The Design Commission shall evaluate and make recommendations regarding whether the project complies with the Urban Design Guidelines and the director shall consider comments and recommendations of the Design Commission.

- C/2
- (b) The applicant shall execute a restrictive covenant committing to provide streetscape improvements along all public street frontages, consistent with the Great Streets Standards.
  - (c) The applicant shall execute a restrictive covenant committing to achieve a minimum two star rating under the Austin Energy Green Building program using the ratings in effect at the time the project is registered with the Austin Energy Green Building program ~~[ratings application is submitted for the project]~~. The applicant shall also provide the director with a copy of the project's signed Austin Energy Green Building Letter of Intent before the director may approve bonus area for a site.
- (2) After the director determines the applicant meets the gatekeeper requirements, the applicant shall provide sufficient written information so that the director can determine:
- (a) the site's primary entitlement;
  - (b) the amount of bonus area that the applicant is requesting; ~~[and,]~~
  - (c) the total dollar amount the applicant will pay if the applicant chooses to obtain the entire bonus area exclusively by paying a development bonus fee~~[-]~~, and the amount of the fee to be dedicated to each community benefit; and,
  - (d) the community benefits the applicant proposes to provide to obtain bonus area if the bonus area will not be obtained exclusively by paying a development bonus fee.
- (D) **Changes in Design of Proposed Building.** If the design of a building changes after a bonus is granted under this section, the director shall review the new design for substantial compliance with the Urban Design Guidelines prior to building permit approval. A building permit for a final design will not be approved until the design substantially complies ~~[compliance]~~ with the gatekeeper requirements and the restrictive covenants are amended to reflect new or revised community benefits.
- (E) **Community Benefits.** A person may achieve ~~[density bonuses]~~ bonus area by providing community benefits outlined in this subsection ~~[section]~~. If the applicant chooses to achieve 100 percent of the desired bonus area by

providing community benefits described in (E)(1) – (12), the director may approve the bonus area administratively.

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(1) Affordable Housing Community Benefits.

(a) Affordable Housing Community Benefit. An applicant may use one or more of the following.

(i) On-site affordable housing. A project may achieve bonus area by providing on-site affordable housing within the project. The amount of bonus area that may be achieved for each one square foot of dwelling unit space that is devoted to on-site affordable housing is established by ordinance.

(ii) Family-friendly housing. A project providing on-site affordable housing may achieve additional bonus area by providing one or more family-friendly eligible bedrooms. The amount of bonus area that may be achieved for each family-friendly eligible bedroom is established by ordinance.

(iii)[(ii)] Development bonus fee for affordable housing. The project may achieve bonus area by paying a development bonus fee at the dollar per square foot amount set by ordinance. The fee will be paid into the Affordable Housing Trust Fund.

(b) Affordable housing community benefit percentages.

(i) A project must achieve at least 50 percent of the desired bonus area by providing affordable housing community benefits [~~on-site affordable housing, paying a development bonus fee, or a combination of the two~~].

~~[(ii)] [If an applicant chooses to achieve 100 percent of the desired bonus area exclusively by providing affordable housing community benefits, the approval for the bonus area can be granted administratively by the director.]~~

(ii)[(iii)] For any portion of the desired bonus area not achieved by providing affordable housing benefits, the applicant shall achieve bonus area by providing one or more of the

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[other] community benefits described in (E)(2) – (12) below.

(2) Rainey Street Subdistrict Historic Preservation Community Benefit.

- (a) A project may achieve bonus area for each historically significant building that is:
  - (i) rehabilitated; and
  - (ii) preserved on site, relocated to a site within the Rainey Street Subdistrict, or relocated to a location within the city limits as determined appropriate by the Historic Landmark Commission.
- (b) The amount of bonus area that may be achieved for on-site improvements for Rainey Street Subdistrict historic preservation is established by ordinance.
- (c) Buildings eligible for this community benefit include those buildings within the Rainey Street National Historic Register District that the City's historic preservation officer has determined contribute to the historic character of the Rainey Street National Historic Register District.
- (d) Requirements:
  - (i) Development using this community benefit option shall maintain the architectural integrity of the building as determined by the Historic Landmark Commission (HLC) whether or not the building is zoned H-Historic or HD-Local Historic District.
  - (ii) The HLC must review and approve modifications to a building before the City may grant a density bonus.
  - (iii) Development may use this option only in cases where a substantial percentage of the external walls and internal structure remain intact at project completion.
  - (iv) An applicant must provide a description of the rehabilitation that describes the existing conditions of the building and the proposed work. The applicant must submit photographs showing the major character-



defining features of the building prior to the start of work.

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- (v) Before the director may issue any type of certificate of occupancy, an applicant must submit documentation verifying that the work has been completed as proposed. The documentation must be submitted in a format similar to the Description of Rehabilitation portion of the United States Department of the Interior National Park Service Historic Preservation Certification Application.
- (vi) An applicant who cannot complete restoration as proposed must pay into the Historic Preservation Fund the applicable development bonus fee for the bonus area initially granted for this community benefit. The applicant's payment will be based on the development bonus fee in effect at the time the applicant pays the fee.

(3) Day Care Services Community Benefit.

- (a) A project may achieve bonus area by providing day care services within the project. The amount of bonus area that may be achieved for each square foot of day care services that are provided is established by ordinance.
- (b) Requirements:
  - (i) The applicant must execute a restrictive covenant that requires compliance with all relevant requirements of this section and that ensures continuation of operations and maintenance of the facility with the specified community benefit use for a period of at least 10 years, which is the life of the agreement.
  - (ii) City of Austin must approve of the operator and the lease terms, which shall be for no less than ten years.
  - (iii) The facility must comply with applicable state and local codes.
  - (iv) The facility must be open during normal business hours at least five days each week and fifty weeks each calendar year.
  - (v) The facility must be maintained and kept in a good state of repair throughout the life of the agreement.

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(vi) If the day care services use is non-operational for more than 180 consecutive days or for 180 days in any 365 day period, the owner must pay into the Affordable Housing Trust Fund the applicable development bonus fee for the bonus area initially granted for this community benefit. The payment will be a pro-rated amount based on the time left in the term of the agreement and based on the development bonus fee in effect when the owner pays.

(4) Cultural Uses Community Benefit.

(a) A project may achieve bonus area by providing on-site cultural uses within the project. The amount of bonus area that may be achieved for each square foot of cultural uses provided is established by ordinance.

(b) Requirements:

(i) The applicant must execute a restrictive covenant that requires compliance with all requirements of this section and that ensures continuation of operations and maintenance of the facility with the specified community benefit use for a period of at least 10 years, which is the life of the agreement.

(ii) City of Austin must approve of the operator and the lease terms, which shall be for no less than ten years.

(iii) Use must meet the definition of cultural uses and the space must be leased to a 501(c) organization.

(iv) If the required use is non-operational for more than 180 consecutive days or for 180 days in any 365 day period, the owner must pay into the Affordable Housing Trust Fund the applicable development bonus fee for the bonus area initially granted for this community benefit. The payment will be a pro-rated amount based on the time left in the term of the agreement and based on the development bonus fee in effect when the owner pays.

(5) Live Music Community Benefit.

(a) A project may achieve bonus area by providing an on-site live music use. The amount of bonus area that may be achieved for each square foot of live music use is established by ordinance.

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8/1

(b) Requirements:

- (i) The applicant must ensure continuation of operations and maintenance of the facility with the specified community benefit use for a period of at least 10 years, which is the life of the agreement.
- (ii) City of Austin must approve of the operator and the lease terms, which shall be for no less than ten years.
- (iii) The operator of the facility must maintain proper permitting and documentation to play amplified music in said space.
- (iv) The space must meet the City of Austin's sound-proofing specifications.
- (v) If the required use is non-operational for more than 180 consecutive days or for 180 days in any 365 day period, the owner must pay into the Affordable Housing Trust Fund the applicable development bonus fee for the bonus area initially granted for this community benefit. The payment will be a pro-rated amount based on the time left in the term of the agreement and based on the development bonus fee in effect when the owner pays.
- (vi) Venues may not charge an up-front fee to performing artists for the use of their facilities or require performing artists to guarantee a minimum attendance through pre-show ticket sales.

(6) On-Site Improvements for Historic Preservation Community Benefit.

- (a) A project may achieve bonus area by providing on-site improvements for historic preservation. The amount of bonus area that may be achieved for on-site improvements for historic preservation is established by ordinance.
- (b) Buildings Eligible for On-Site Improvements for Historic Preservation Community Benefit include:
  - (i) Buildings designated as City landmarks, Recorded Texas Historic Landmarks, State Antiquities Landmarks, or listed on the National Register of Historic Places;
  - (ii) Contributing properties within National Register or Local Historic Districts;

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- (iii) Buildings determined by the City's Historic Preservation Officer to be historically significant; or
- (iv) Buildings determined eligible for listing on the National Register of Historic Places by the State Historic Preservation Officer.
- (c) Requirements:

  - (i) Development using this community benefit option for on-site improvements shall maintain the architectural integrity of the building, as determined by the Historic Landmark Commission (HLC) whether or not the building is zoned H-Historic or HD-Local Historic District.
  - (ii) The HLC must review and approve modifications to a building before the City may grant a density bonus.
  - (iii) A project may be granted bonus area for on-site improvements for historic preservation only in cases where a substantial percentage of the external walls and internal structure remain intact at project completion.
  - (iv) Applicant must provide a description of rehabilitation that describes the existing condition of the building and the proposed work. The applicant must submit photographs showing the major character-defining features of the building prior to the start of work.
  - (v) Before the director may issue any type of Certificate of Occupancy, an applicant must submit documents verifying that the work has been completed as proposed. The documents must be submitted in a format similar to the Description of Rehabilitation portion of the United States Department of the Interior National Park Service Historic Preservation Certification Application.
  - (vi) If restoration cannot be completed as proposed, the owner must pay into the Historic Preservation Fund the applicable development bonus fee for the bonus area initially granted for this community benefit. The owner's payment will be based on the development bonus fee in effect at the time the owner pays the fee.



(7) Development Bonus Fee for Off-Site Historic Preservation Community Benefit.

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(a) The project may achieve bonus area by paying a development bonus fee at the dollar per square foot amount set by ordinance based on the district in which the proposed development is located. The fee will be paid into the Historic Preservation Fund.

(b) Requirements:

(i) The City of Austin will administer the Historic Preservation Fund.

(ii) This option cannot be used if developer is proposing to demolish all or a substantial percentage of a building the Historic Preservation Officer deems historically significant.

(8) Green Building Community Benefit.

(a) An applicant may achieve bonus area by constructing a project to green building standards that exceed the Gatekeeper requirements. The amount of bonus area that may be achieved for constructing a project to green building standards is established by ordinance.

(b) Requirements:

(i) The applicant shall execute a restrictive covenant committing to achieve a specified rating under the Austin Energy Green Building (AEGB) program using the ratings in effect at the time the ratings application is submitted for the project or Leadership in Energy & Environmental Design (LEED) program using the most recently launched version of the LEED for New Construction rating at the time of the project's registration.

(ii) The applicant shall also provide the director with a copy of the project's signed Austin Energy Green Building Letter of Intent for projects seeking AEGB rating or a copy of the completed LEED registration for projects seeking LEED rating before the director may approve bonus area for a site.

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- (iii) An applicant must submit an AEGB or LEED checklist indicating the measures the project intends to complete to meet the applicable green building requirement before the director may approve bonus area for a site.
- (iv) A project seeking an AEGB rating will be subject to at least one inspection during construction and an inspection at substantial completion. A project seeking LEED certification must submit the LEED design review results and an updated LEED checklist or scorecard indicating the project will be able to obtain LEED certification by substantial completion.
- (v) If the specified AEGB rating or LEED certification is not achieved within nine months from time of occupancy, an owner must pay into the Affordable Housing Trust Fund the applicable development bonus fee for the bonus area initially granted for this community benefit. The owner's payment will be based on the development bonus fee in effect when the owner pays.

(9) Publicly Accessible On-Site Plaza Community Benefit.

- (a) A project may achieve bonus area by providing a publicly accessible on-site plaza. The amount of bonus area that may be achieved by providing a publicly accessible on-site plaza is established by ordinance.
- (b) Requirements:
  - (i) If the required plaza is non-operational for more than 180 consecutive days or for 180 days in any 365 day period, the owner must pay into the Downtown Open Space Fund the applicable development bonus fee for the bonus area initially granted for this community benefit. The payment will be based on the development bonus fee in effect when the owner pays.

(10) Off-Site Open Space Development Bonus Fee Community Benefit.

- (a) The project may achieve bonus area by paying a development bonus fee for off-site open space at the dollar per square foot amount set by ordinance based on the district in which the

proposed development is located. The fee will be paid into the Downtown Open Space Fund.

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(b) Requirements:

- (i) City will administer the Downtown Open Space Fund.
- (ii) The development bonus fee option is only available for open space beyond what is already required by City Code.
- (iii) The applicant must deposit a nonrefundable cash payment with the City.

(11) Green Roof Community Benefit.

- (a) A project may achieve bonus area by providing green roofs. The amount of bonus area that may be achieved for the construction of green roofs is established by ordinance.

(b) Requirements:

- (i) Green Roofs must be built to the Vegetated ("Green") Roof Performance Standards in Appendix W of the Environmental Criteria Manual. The percent of vegetated roof cover is calculated as a portion of total roof area excluding mechanical equipment, photovoltaic panels, swimming pools, and skylights.
- (ii) If the green roof fails to meet the Vegetated ("Green") Roof Performance Standards for more than 180 consecutive days or for 180 days in any 365 day period, the owner must pay into the Downtown Open Space Fund the applicable development bonus fee for the bonus area initially granted for this community benefit. The payment will be based on the development bonus fee in effect when the owner pays.
- (iii) Green roof areas used to achieve bonus area through the Green Roof Community Benefit may not be used to achieve bonus area through the Publicly Accessible On-Site Plaza Community Benefit.

(12) [(2)] [Other Community Benefits.] Other Community Benefits.

- (a) An applicant may offer to provide other community benefits not described in (E)(1) – (11). The applicant must provide sufficient information about the other community benefits for the director to determine whether the other community benefits serve a public and municipal purpose considering the criteria listed below.
- (b) The director will consider the following to make a determination:
- (i) if members of the general public will be able to enjoy the proposed other community benefit without paying for its access, use or enjoyment;
  - (ii) if the proposed other community benefit will connect to and be accessible from public right-of-way or other publicly-accessible space;
  - (iii) if the proposed other community benefit will provide a public amenity that is particularly lacking in the proposed location;
  - (iv) if the proposed other community benefit will impose a significant burden on public resources for maintenance, management, policing, or other reasons; and,
  - (v) any other information provided by the applicant that shows the other community benefit serves a public and municipal purpose and furthers the City's comprehensive planning goals.
- (c) If a proposed other community benefit provides a partial benefit to a project, it will not be disqualified; the director will allocate only the cost of the public portion of the benefit to the other community benefits.
- (d) ~~(3)~~ If the director determines that the proposed benefit qualifies as a community benefit, the director shall:
- (i) ~~(a)~~ quantify the monetary cost for the proposed other community benefit by using standard industry sources as well as locally based data on development costs to quantify the monetary cost, without mark-up, for the proposed other community benefit; and,



(ii) [(b)] determine the cost to be applied towards achieving the desired bonus area. C19/93

(e) [(4)] The amount determined by the director may be applied to achieve bonus area on the same basis as the development bonus fee applicable to the type and location of the project.

(f) [(5)] The director's recommendation concerning the proposed other community benefit and the monetary value that is applied to achieve the bonus area shall be presented to the planning commission for recommendation and the city council for approval.

(g) [(6)] If the applicant proposes to achieve bonus area by providing other community benefits, the value of the ~~[affordable housing benefits plus the value of the]~~ public portion of the proposed other community benefits must be equal to or greater than the total dollar amount the applicant would pay if the payment were based on the applicable development bonus fee required to earn that requested bonus area [dollar amount that the director calculates in Section 25-2-586(C)(2)(e)].

(F) **Community Benefit Calculations [Development Bonus Fee] for Mixed-Use Projects.** Mixed-use projects shall provide community benefits [pay development bonus fees] in proportion to the amount of floor area in the project that is devoted to different use categories.

(G) **Affordability Requirements.** For purposes of this section, a unit is affordable for purchase or rental if, in addition to the other requirements of this section, the household is required to spend no more than 30 percent of its gross monthly income on mortgage or rental payments for the unit.

(1) Affordability requirements for owner-occupied units.

(a) On-site for sale affordable housing units shall be reserved, sold and transferred to an income eligible buyer subject to a resale restricted, shared equity agreement [as affordable through a City approved affordable housing land trust or other shared equity model] approved by the director of Neighborhood Housing and Community Development, for not less than 99 years from the date a certificate of occupancy is issued.

(b) The units shall be made available for ownership and occupancy by households earning no more than 120 percent of the Annual

Median Family Income for the City of Austin Metropolitan Statistical Area as determined by the director of Neighborhood Housing and Community Development.

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(2) Affordability requirements for rental units.

- (a) On-site rental affordability housing units shall be reserved as affordable for a minimum of 40 years following the issuance of the certificate of occupancy.
- (b) The units shall be made available for rental by households earning no more than 80 percent of the annual median family income for the City of Austin metropolitan statistical area as determined by the director of Neighborhood Housing and Community Development.
- (c) An applicant may not deny a prospective tenant affordable rental housing based solely on the prospective tenant's participation in the Housing Choice Voucher Program or in any other housing voucher program that provides rental assistance.

(3) Rules. The Neighborhood Housing and Community Development Office shall conduct compliance and monitoring of the affordability requirements of this ordinance. The director of Neighborhood Housing and Community Development shall establish compliance and monitoring rules and criteria for implementing the affordability requirements of this ordinance.

(H) **Applicant's obligation.** Before the director may issue any type of Certificate of Occupancy, an applicant must fulfill all obligations including but not limited to the payment of all fees and execution of restrictive covenants in order to ensure that the applicant provides all required community benefits. All approvals must be obtained and evidence of the approvals must be provided to the director prior to site plan submittal.

(I) **Director's approval.** Once an applicant meets the submission requirements of the downtown density bonus program and executes the necessary restrictive covenants to ensure that the applicant provides all required community benefits, the director will issue a written notice of approval that indicates the project's allowable floor-to- area ratio and height.

(J) **Appeal.**

- (1) An applicant may appeal to the city council the director's determination that the gatekeeper requirements have not been met.

- (2) An applicant must appeal the determination within 30 days from the date of the director's denial.
- (3) An appeal is subject to the procedures set forth in Section 25-2-282 (*Land Use Commission Public Hearing and Recommendation*) and Section 25-2-283 (*City Council Zoning Hearing and Action*) of the City Code.

**PART 2.** Subsection (C) of Section 25-2-739 (*Rainey Street Subdistrict Regulations*) of the City Code is repealed and replaced with a new Subsection (C) to read as follows:

- (C) This subsection applies to property in the Rainey Street Subdistrict zoned central business district (CBD) after April 17, 2005.
  - (1) For a building located on Red River Street from Cesar Chavez Street to Driskill Street or River Street from I-35 to River Street's western terminus, the development must have sidewalks not less than ten feet wide along the street frontage.
  - (2) A use with a drive-in service is prohibited.
  - (3) Except as provided in Subsection (C)(4) below, for a residential or mixed-use building the maximum building height is forty (40) feet.
  - (4) An applicant may exceed the forty foot height limit and achieve a floor-to-area ratio of 8:1 if at least five percent of the square footage of dwelling units developed within that floor-to-area ratio of 8:1 is available to house persons whose household income is eighty percent or below the median family income in the Austin statistical metropolitan area, as determined by the director of the Neighborhood Housing and Community Development Office.
    - (a) In meeting the five percent requirement, mixed-use projects shall provide on-site affordable housing in proportion to the amount of floor area in the project that is devoted to residential uses.
    - (b) The affordability period for housing units shall be forty years for rental housing and ninety-nine years for on-site for sale housing. The affordability period begins on the date a certificate of occupancy is issued.
    - (c) On-site affordable housing units offered for sale shall be reserved, sold, and transferred to an income eligible buyer subject to a resale restricted, shared equity agreement approved

by the director of Neighborhood Housing and Community Development.

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9/6
- (d) An applicant may not deny a prospective tenant affordable rental housing based solely on the prospective tenant's participation in the Housing Choice Voucher Program or in any other housing voucher program that provides rental assistance.
  - (e) The bedroom count mix for the affordable units must be proportional to the overall bedroom count mix within an overall development.
  - (f) A unit is affordable for purchase or rental if, in addition to the other requirements of this section, the household is required to spend no more than 30 percent of its gross monthly income on mortgage or rental payments for the unit.
- (5) Development in the Rainey Street Subdistrict may participate in the Downtown Density Bonus Program as provided below.
- (a) In order to achieve bonus area exceeding the floor-to-area ratio of 8:1 in the Rainey Street Subdistrict, development must comply with the requirements of Section 25-2-586 (*Downtown Density Bonus Program*) of the City Code. The requirements of the Downtown Density Bonus Program apply only to that portion of development that exceeds a floor-to-area ratio of 8:1.
  - (b) The maximum height and maximum floor-to-area ratio that development in the Rainey Street Subdistrict may achieve by participating in the Downtown Density Bonus Program are shown on Figure 2 of Section 25-2-586 (*Downtown Density Bonus Program*) of the City Code.
  - (c) The Neighborhood Housing and Community Development Office will conduct compliance and monitoring of the affordability requirements of this ordinance. The director of Neighborhood Housing and Community Development shall establish compliance and monitoring rules and criteria for implementing the affordability requirements of this ordinance.

**PART 3.** Existing Figure 2 of Section 25-2-586 (*Downtown Density Bonus Program*) of the City Code is repealed in its entirety and replaced with the new Figure 2 attached to this ordinance.



**PART 4.** One hundred fifty square feet of bonus area shall be granted for each family friendly eligible bedroom provided within a unit as described in 25-2-586(E)(1).

**PART 5.** 25,000 square feet of bonus area shall be granted for each historically significant building restored and preserved through the Rainey Street Subdistrict Historic Preservation community benefit described in 25-2-586(E)(2). C10/97

**PART 6.** Two square feet of bonus area shall be granted for each one square foot of space for day care services provided as described in 25-2-586(E)(3).

**PART 7.** Two square feet of bonus area shall be granted for each one square foot of space for cultural uses or live music uses provided as described in 25-2-586(E)(4) and 25-2-586(E)(5), respectively.

**PART 8.** Five square feet of bonus area shall be granted for each one square foot of an historic building preserved according to the on-site historic preservation requirements defined in 25-2-586(E)(6).

**PART 9.** One square foot of bonus area shall be granted for each district-specific development bonus fee for off-site historic preservation as described in 25-2-586(E)(7).

**PART 10.** Bonus area equal to 25% of the site's primary entitlement shall be granted for 3-star Austin Energy Green Building (AEGB) rating or LEED for New Construction Silver rating as defined in 25-2-586(E)(8).

**PART 11.** Five square feet of bonus area shall be granted for each one square foot of eligible plaza space as defined in 25-2-586(E)(9).

**PART 12.** One square foot of bonus area shall be granted for each district-specific development bonus fee for off-site open space as defined in 25-2-586(E)(10).

**PART 13.** The Downtown Open Space Fund is established and is available only for capital improvements, operations and maintenance purposes of publicly-owned open space such as parks, parklets, and alleys in the Downtown Area. The fund supplements but does not supplant the Parks and Recreation Department budget. The fund is overseen by the Parks Department and disbursements may be made after the Parks Department considers input from the Parks and Recreation Board and from an applicant who pays into the fund to achieve bonus area.

**PART 14.** Bonus area shown in the chart below shall be granted for each one square foot of green roof provided as defined in 25-2-586(E)(11).

Percent Vegetated Roof Cover	Bonus Area Granted	Bonus Area Granted for Publicly Accessible Green Roofs	Bonus Area Granted for Green Roofs meeting the Downtown Public Plaza Standards
30-49%	2 bonus square feet	2 additional bonus square feet	2 additional bonus square feet
50% or greater	3 bonus square feet		

C10/98

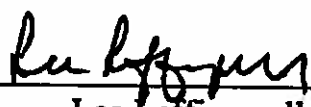
**PART 15.** The city manager shall evaluate and, if necessary, recommend adjusting the development bonus fee, the menu of community benefits, the on-site affordable housing bonus area and the allocation of money generated by the fee at least every three years. The city manager shall recommend the new fees, the menu of community benefits, the bonus area, and the allocation of monies and submit those recommendations to the city council for approval.


**PART 16.** The city manager shall consider rules that address the Planning Commission's recommendations related to the marketing of affordable housing units, the eligibility of full-time students to access affordable housing, ensuring that affordable housing units with family-friendly bedrooms are available to households with children, and serving the needs of Austin's downtown workers.

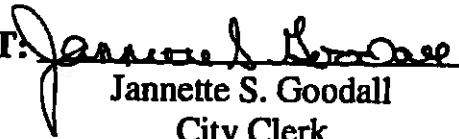
**PART 17.** This ordinance takes effect on March 10, 2014.

**PASSED AND APPROVED**

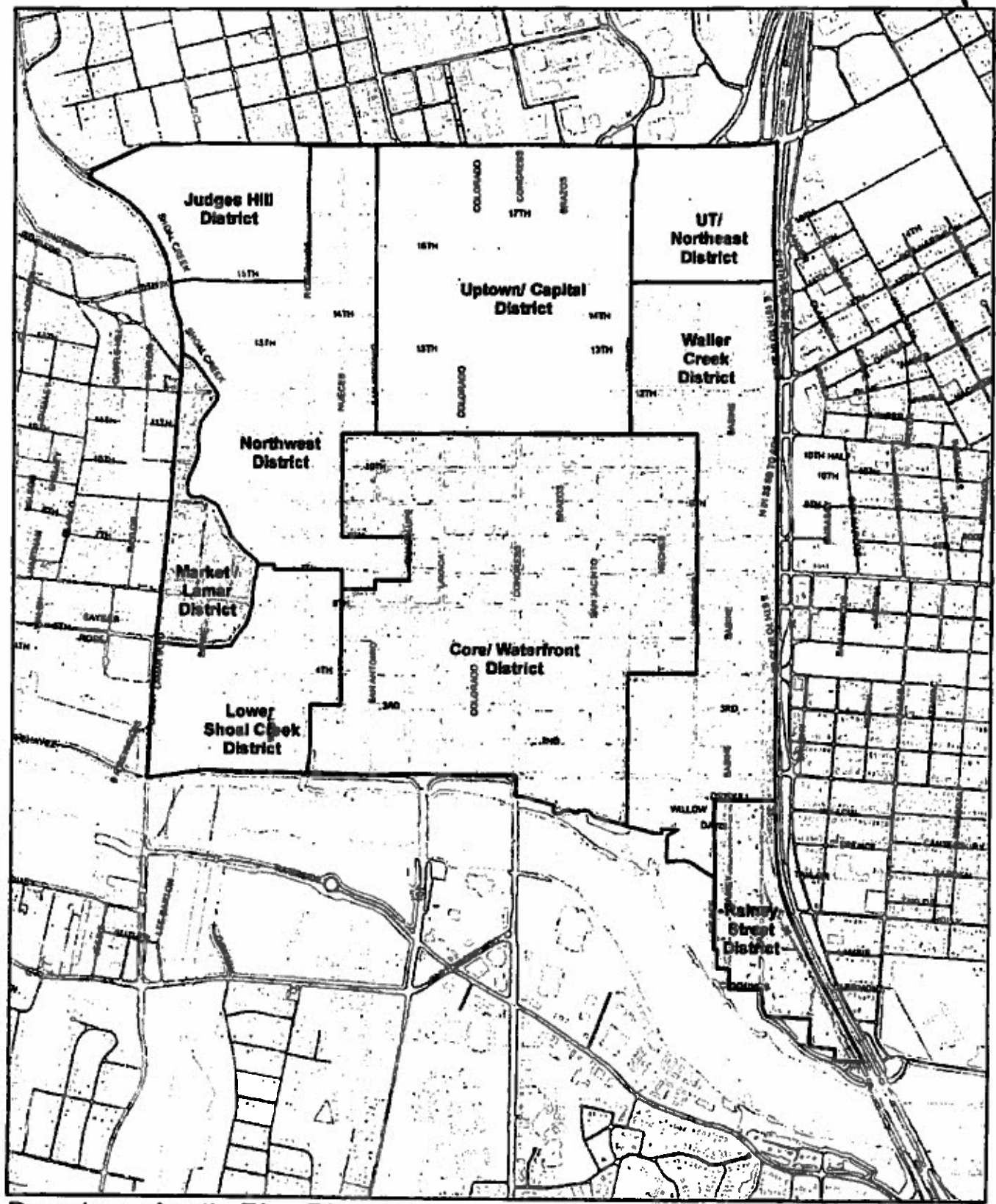
February 27, 2014

§  
§  
§   
Lee Leffingwell  
Mayor

APPROVED:   
Karen M. Kennard  
City Attorney

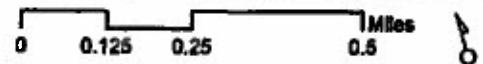
ATTEST:   
Jannette S. Goodall  
City Clerk

C10/99



**Downtown Austin Plan Districts**

Figure 1



PLANNING AND  
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**Legend:**

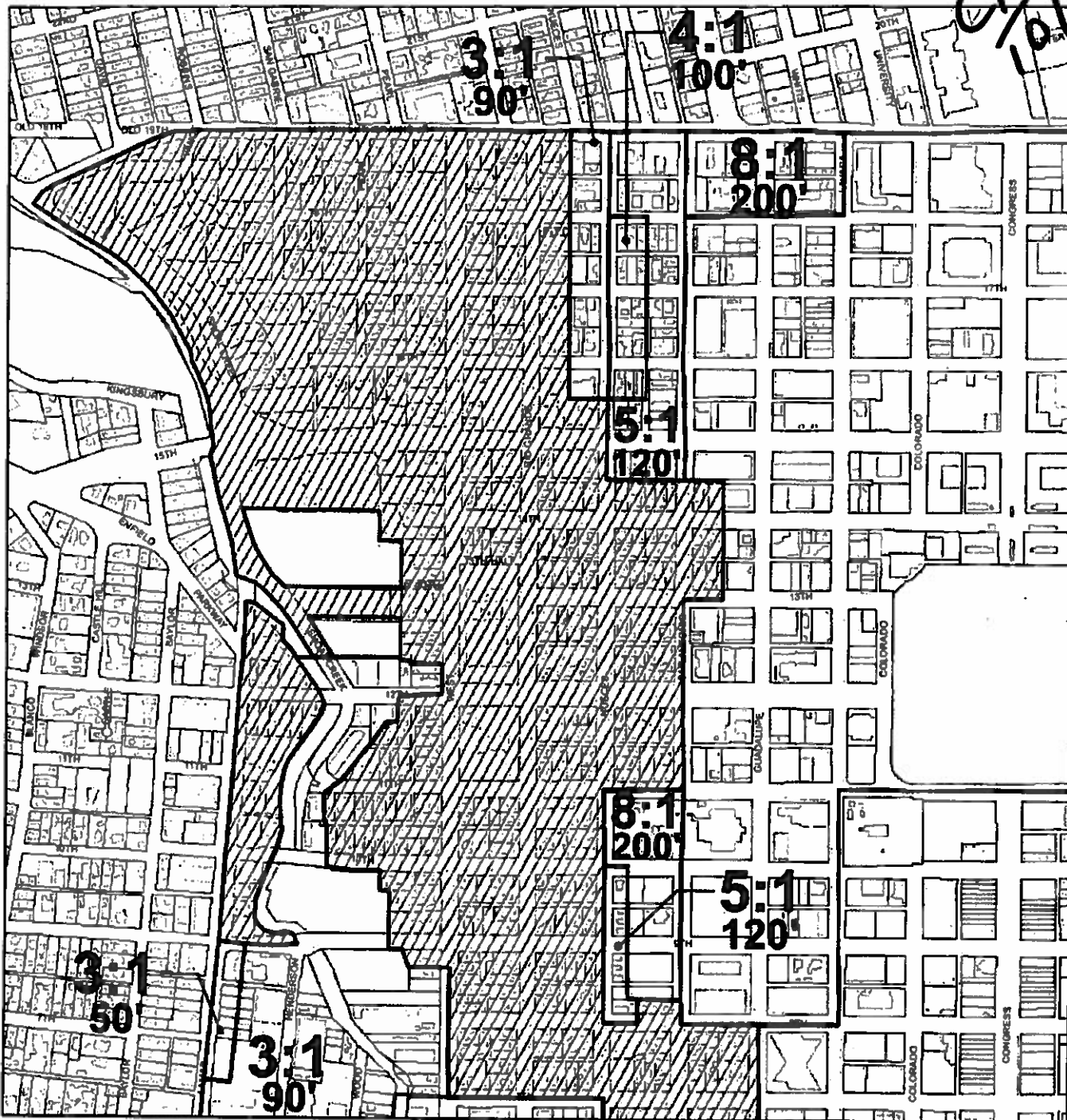
- Maximum Floor Area Ratio (FAR)
- Maximum Height (Feet)
- Areas Ineligible for Density Bonus Program (Height and density may not exceed underlying zoning)
- Public Parks/ Open Space (ineligible)

**NOTE:** Maximum heights shown do not reflect restrictions imposed by Capital View Corridors (CVC) or special districts.






**NOTE:** Properties in the Rainey Street Subdistrict of the Waterfront overlay must obtain a floor-to-area ratio (FAR) of up to 8:1 by meeting the requirements of Section 25-2-739 of the City Code. FAR exceeding 8:1 may be obtained through the Downtown Density Bonus Program, as described in Section 25-2-586 of the City Code.

**Downtown Density Bonus Program - Eligibility, Floor Area Ratio (FAR) and Height Map**  
Figure 2: Page 1



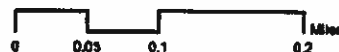


**Downtown Density Bonus Program - Eligibility, Floor Area Ratio (FAR) and Height Map**  
Figure 2: Page 2

-  Maximum Floor Area Ratio (FAR)
-  Maximum Height (Feet)
-  Areas Ineligible for Density Bonus Program  
(Height and density may not exceed underlying zoning)
-  Public Parks/ Open Space (Ineligible)
-  TCAD Parcels

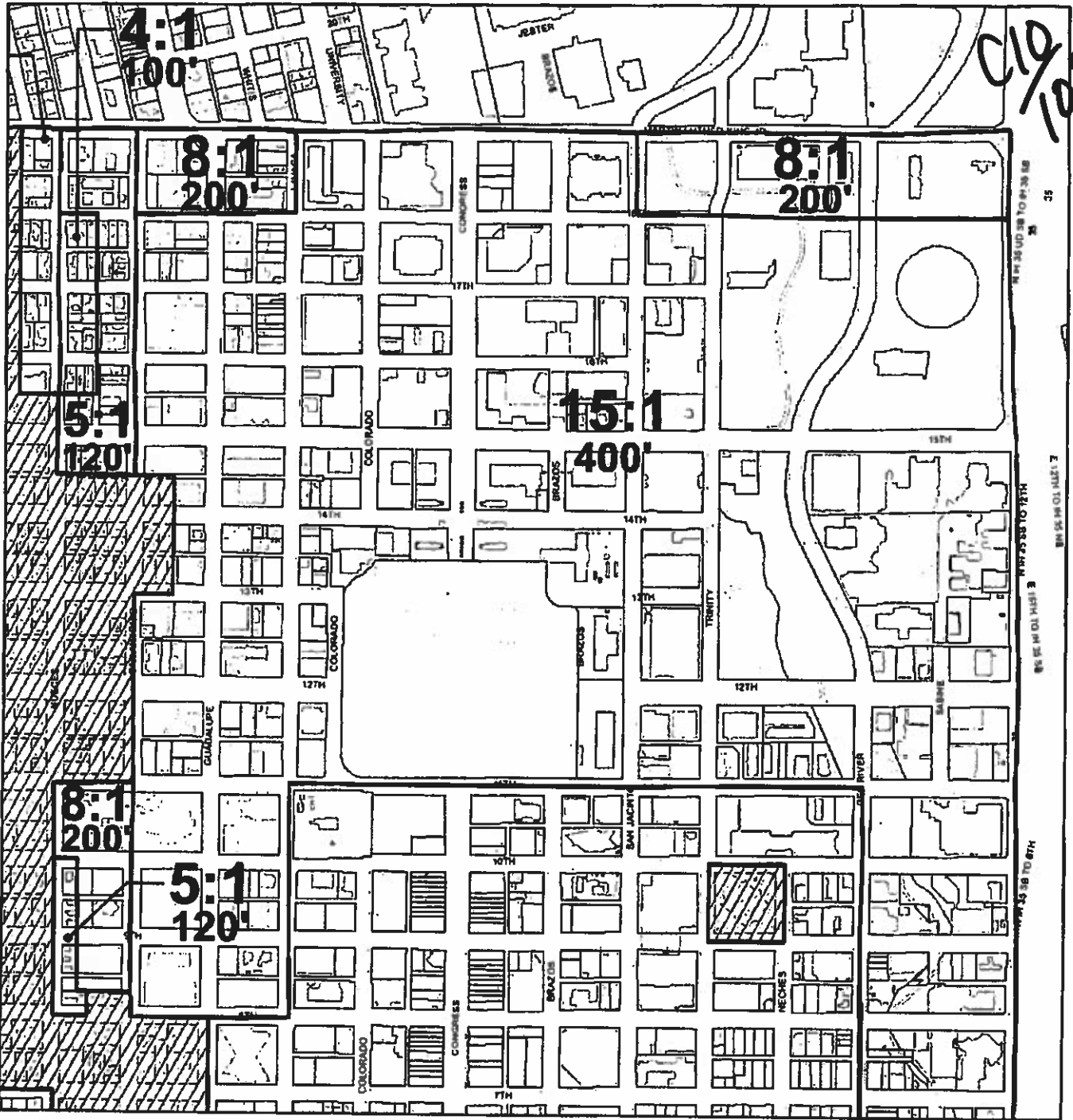
NOTE: Properties in the Rainey Street Subdistrict of the Waterfront overlay must obtain a floor-to-area ratio ( ) of up to 8:1 by meeting the requirements of Section 25-2-738 of the City Code. FAR exceeding 8:1 may be obtained through the Downtown Density Bonus Program, described in Section 25-2-88 of the City Code.

NOTE: Maximum heights shown do not reflect restriction imposed by Capital View Corridors (CVC) or special districts.



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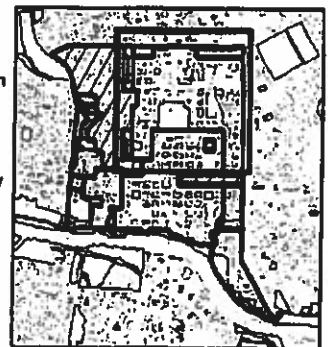
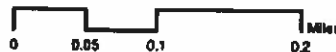


**Downtown Density Bonus Program - Eligibility, Floor Area Ratio (FAR) and Height Map**  
Figure 2: Page 3

- Maximum Floor Area Ratio (FAR)
- Maximum Height (Feet)
- Areas Ineligible for Density Bonus Program (Height and density may not exceed underlying zoning)
- Public Parks/ Open Space (Ineligible)
- TCAD Parcels

NOTE: Properties in the Rainey Street Subdistrict of the Waterfront overlay must obtain a floor-to-area ratio (FAR) of up to 8.1 by meeting the requirements of Section 25-2-736 of the City Code. FAR exceeding 8.1 may be obtained through the Downtown Density Bonus Program, as described in Section 25-2-586 of the City Code.

NOTE: Maximum heights shown do not reflect restrictions imposed by Capital View Corridors (CVC) or special districts.

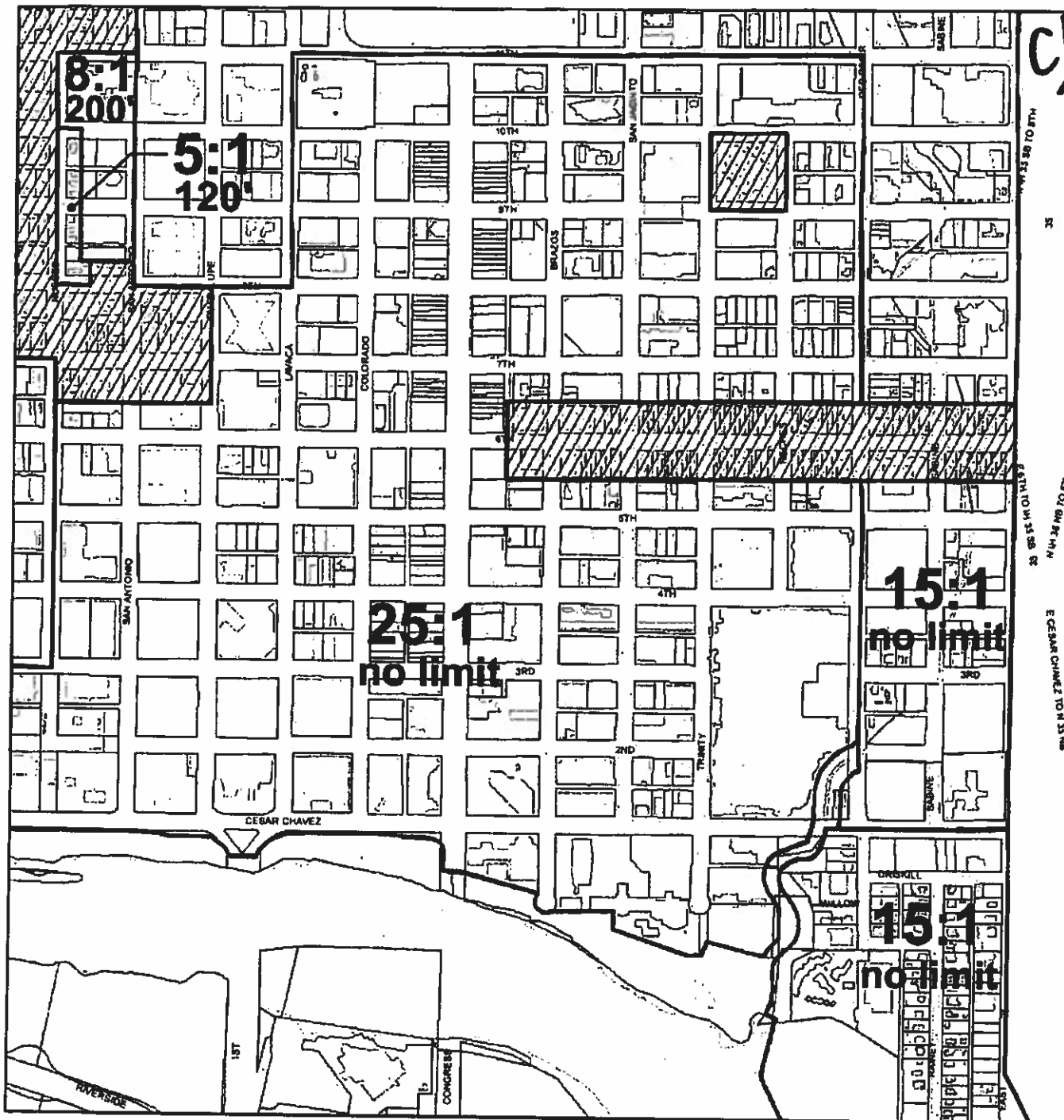


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10/2/2014

CP  
103



**Downtown Density Bonus Program - Eligibility, Floor Area Ratio (FAR) and Height Map**  
Figure 2: Page 4

- Maximum Floor Area Ratio (FAR)
- Maximum Height (Feet)
- Areas Ineligible for Density Bonus Program (Height and density may not exceed underlying zoning)
- Public Parks/ Open Space (ineligible)
- TCAD Parcels

NOTE: Properties in the Rainey Street Subdistrict of the Waterfront overlay must obtain a floor-to-area ratio (FAR) of up to 8:1 by meeting the requirements of Section 25-2-739 of the City Code. FAR exceeding 8:1 may be obtained through the Downtown Density Bonus Program, as described in Section 25-2-686 of the City Code.

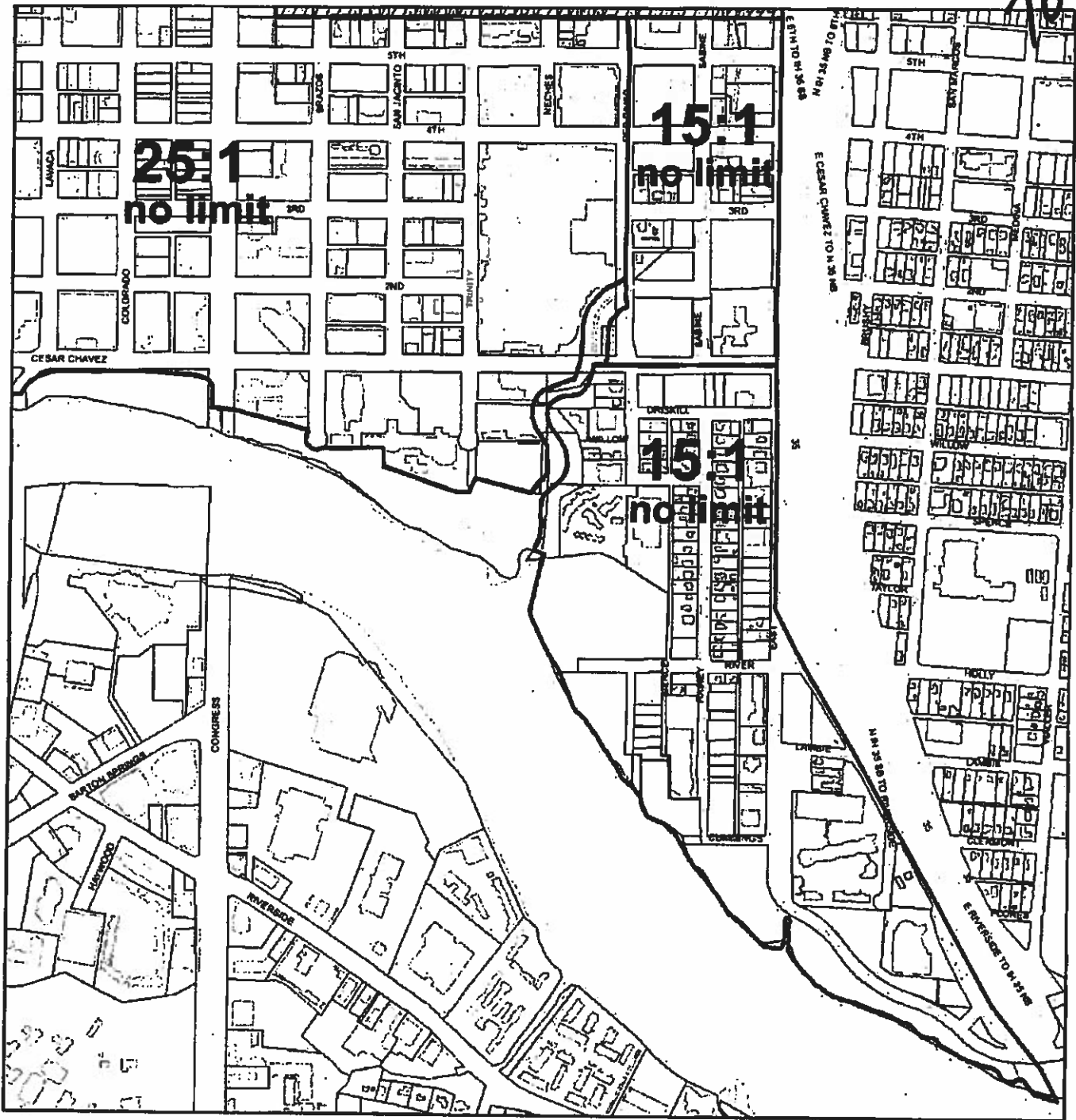
NOTE: Maximum heights shown do not reflect restrictions imposed by Capital View Corridors (CVC) or special districts.








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C10/104

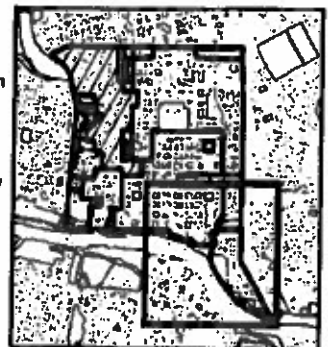
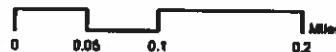


**Downtown Density Bonus Program - Eligibility, Floor Area Ratio (FAR) and Height Map**  
Figure 2: Page 5

-  Maximum Floor Area Ratio (FAR)
-  Maximum Height (Feet)
-  Areas Ineligible for Density Bonus Program (Height and density may not exceed underlying zoning)
-  Public Parks/ Open Space (Ineligible)
-  TCAD Parcels

NOTE: Properties in the Rainey Street Subdistrict of the Waterfront overlay must obtain a floor-to-area ratio (FAR) of up to 8:1 by meeting the requirements of Section 25-2-739 of the City Code. FAR exceeding 8:1 may be obtained through the Downtown Density Bonus Program, as described in Section 25-2-588 of the City Code.

NOTE: Maximum heights shown do not reflect restrictions imposed by Capital View Corridors (CVC) or special districts.

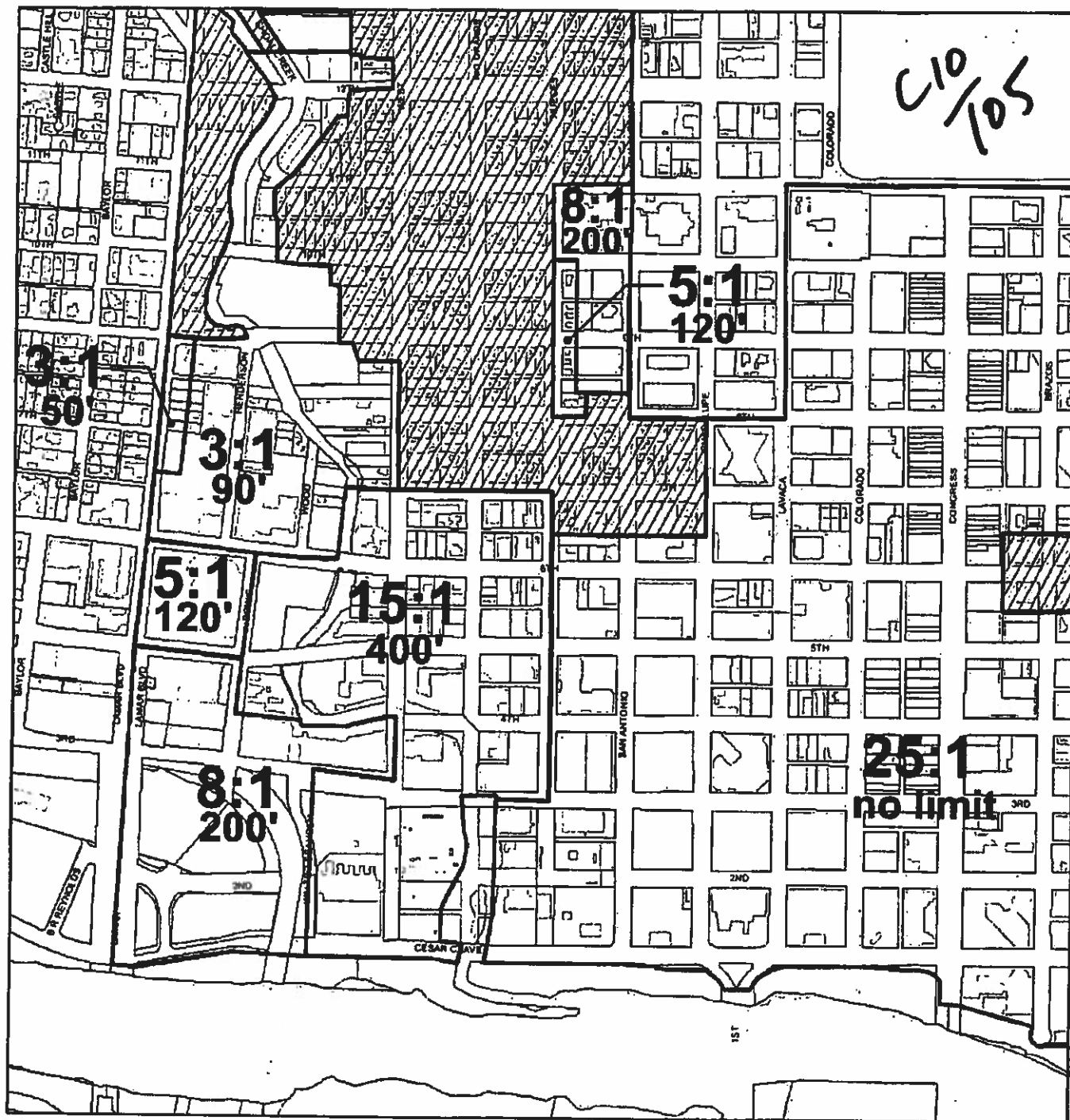


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10/17/2014



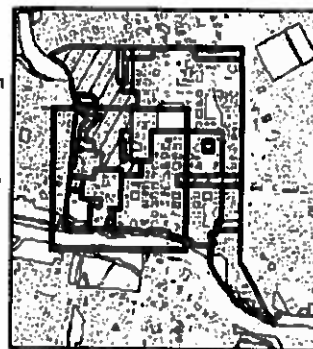
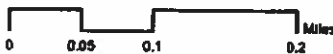


**Downtown Density Bonus Program - Eligibility, Floor Area Ratio (FAR) and Height Map**  
Figure 2: Page 6

- Maximum Floor Area Ratio (FAR)
- Maximum Height (Feet)
- Areas Ineligible for Density Bonus Program (Height and density may not exceed underlying zoning)
- Public Parks/ Open Space (Ineligible)
- TCAD Parcels

NOTE: Properties in the Rainey Street Subdistrict of the Waterfront overlay must obtain a floor-to-area ratio (FAR) of up to 8:1 by meeting the requirements of Section 25-2-739 of the City Code. FAR exceeding 8:1 may be obtained through the Downtown Density Bonus Program, as described in Section 25-2-586 of the City Code.

NOTE: Maximum heights shown do not reflect restrictions imposed by Capital View Corridors (CVC) or special districts.



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4/8/2014