

7/24/2007



**MEMORANDUM**

**TO:** Mayor and Council

**FROM:** Greg Guernsey, Director  
Neighborhood Planning and Zoning Department

**DATE:** May 1, 2007

**RE:** Design Commission Density Bonus Task Force Interim Report

The Austin City Council approved Resolution No. 20060928-072 on September 28, 2006, directing the Austin Design Commission to prepare recommendations for Density Bonus options that would allow greater density in downtown areas in exchange for the amenities that provide public benefits. The Design Commission's Density Bonus Task Force has now completed its interim report, which is attached. Also attached are two documents about the Task Force's findings on the use of density bonuses in Portland, Oregon, which informed the Task Force's interim report.

The interim report addresses the following three issues: 1) Fundamental Recommendations to Accommodate Increased Density, 2) Urban Development Incentives, and 3) Implementation.

If you have questions or comments about these recommendations, please contact Eleanor McKinney, the chair of the Design Commission, at [ehmla@swbell.net](mailto:ehmla@swbell.net) / 512.445.5202, or you may contact me at (512) 974-2387.

Greg Guernsey, Director  
Neighborhood Planning and Zoning Department

c: Toby Hammett Futrell, City Manager  
Laura J. Huffman, Assistant City Manager  
George Adams, Assistant Director, Neighborhood Planning and Zoning

Attachments

**DESIGN COMMISSION  
DENSITY BONUS TASK FORCE  
Interim Recommendations Introduction  
Summer 2007**

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For many years, and particularly over the last 24 months, the City of Austin has used development incentives to encourage developers to provide amenities, design features and materials, specific building materials, etc., but this process has been primarily on a one-to-one basis with the developer. Significant projects seeking greater density, greater height and up-zoning have offered substantial community benefits in order to garner buy-in from citizens and gain approval from public officials. The process has evolved in an ad hoc and somewhat political fashion with each zoning case taking on a life of its own. Historically, negotiations with various interest groups have been used to gain support prior to public hearings with each case having its own peculiar outcome.

In an effort to level the playing field, make the process more predictable and equitable, and have it actually achieve benefits consistent with community values and goals, some cities have formalized a Density Bonus process. In a Density Bonus process entitlements are granted in accordance with a formalized menu of benefits, determined by the city, to be potentially provided by developers in exchange for increased entitlements.

In September 2006, the Austin City Council charged the Density Bonus Task Force (DBTF) of the Design Commission to prepare recommendations for Density Bonus options that would allow greater density in downtown areas in exchange for amenities that provide public benefit. Since then, the DBTF has been investigating the ways other cities use urban planning and design strategies for Density Bonuses and other strategies to achieve livable cities. The DBTF has studied the use of such policies and codes in Portland, Oregon; Vancouver, B.C.; Seattle, Washington; San Diego, California, and Boston, Massachusetts.

After researching the use of Density Bonus options in these other cities, the DBTF has confirmed that Density Bonuses are one of several development incentives that can be used to shape the growth of a city to match community values and goals. Therefore, it is the intent of the DBTF to offer interim recommendations about the best mechanisms to achieve each of the various community goals. The DBTF sees these recommendations working in tandem with the emerging Downtown Master Plan and other existing and emerging planning efforts. Also, the DBTF proposes that these recommendations be not only for downtown, but also for all density nodes in the city (TODs, Transit Corridors, Village Centers, Activity Centers, Town Centers, etc.).

The Design Commission has made some broad interim recommendations, and we are now reaching out to City Boards and Commissions to gather feedback regarding our previously made interim recommendations, and to solicit additional ideas and input before we make our final recommendations to Council. The following is an expanded version of our interim recommendations, preceded by two general questions, and with space provided for specific comments. Also attached are the letter and interim recommendations sent to Council on May 1, 2007.



**DESIGN COMMISSION  
DENSITY BONUS TASK FORCE  
Interim Recommendations Feedback Form  
Summer 2007**

**Fundamental Recommendations to Accommodate Increased Density**

In order to support the density that is desired, we recommend that the city employ four basic tools in redevelopment:

1. Coordinate Transit Planning and Implementation with Capital Metro to address increased density. Utilize fixed rail transit as a tool to guide density.
  
2. Employ Systems Development Charges (SDCs) to cover additional basic services required by new development, e.g. Parkland Dedication fees, infrastructure and environmental services fees, etc. To the extent that fees in lieu of, like Parkland Dedication and affordable housing fees, can be paid at the end of projects it will be more palatable to developers and meet with less resistance. To the extent practicable, these fees could be paid at or near the time of Certificate of Occupancy stage rather than at the Site Planning stage.
  
3. Institute a digital 3-D modeling program, maintained by the city, into which proposed new developments can be inserted for public review.
  
4. Provide increase in F.A.R. as a Density Bonus in exchange for development consistent with Community values and goals.
  - A. Leave the existing F.A.R.s in the City as they are, and only grant additional F.A.R. as a development incentive tied to achieving identified community goals for the area or district in which the project exists.

B. F.A.R. to include above ground structured parking unless wrapped with occupied space for the purpose of enlivening the street wall.

C. Consider exempting from F.A.R. calculations square footage which embodies community values, e.g. historic preservation, spaces for non-profits and cultural facilities.

D. Review heights in relationship to urban core density, protection of public views, protection and creation of open space, historic preservation, and buffering neighborhood edges.

### **Implementing A Density Bonus Process**

Develop the Downtown Master Plan with input from stakeholders. Determine the overall Values and Goals for Downtown as the basis for plan proposals. Define downtown by recognizable Districts with common challenges and opportunities. Work within the districts to determine their specific values and goals. Develop a master plan for each district. Utilize the best mechanisms to achieve the particular goals for each distinct district.

#### **1. Density Bonus (DB) Program**

A. Determine a baseline for participation in the DB program. The baseline would include:

- Compliance with the Downtown Design Guidelines (currently being updated)
  
- Implementation of Great Streets on street frontages adjacent to property

B. Determine and prioritize the goals of a particular district and use the Density Bonus program to achieve those goals. Density Bonus options that we have reviewed include the following:

- Affordable and Workforce Housing
  
- Open Space and Connectivity

- Sustainability
- Civic Art and Cultural Facilities
- Historic Preservation
- Sound Mitigation

**2. Transfer of Development Rights (TDRs)**

**A. Determine the goals of a particular district and use TDRs to achieve those goals. TDRs that we have reviewed include the following:**

- Generation of Open Space
- Historic Preservation
- Saving of valuable community features

**3. Expand the use of Master Developer Agreements (MDAs) to achieve district goals such as open space, streetscape amenities, affordable housing, density requirements, Density Bonus options, etc. In return, the City would commit to financial assistance or infrastructure. MDAs would set out timelines for provisions.**

**Design Commission  
Density Bonus Task Force  
Interim Recommendations**

**4.23.07**

**Introduction**

After researching the use of Density Bonus options in other cities, we have confirmed that Density Bonuses are one of several development incentives that can be used to shape the growth of a city to match community values and goals. Therefore, it is our intent to offer interim recommendations about the best mechanisms to achieve each of the various community goals. We see these recommendations working in tandem with the emerging Downtown Master Plan and other existing and emerging planning efforts. Also, we propose that these recommendations be not only for downtown, but also for all density nodes in the city (TODs, Transit Corridors, Village Centers, Activity Centers, Town Centers, etc.)

**Fundamental Recommendations to Accommodate Increased Density**

In order to support the density that is desired, we recommend that the city employ four basic tools in redevelopment:

1. Coordinate Transit Planning and Implementation with Capital Metro to address increased density. Utilize fixed rail transit as a tool to guide density.
2. Employ Systems Development Charges (SDCs) to cover additional basic services required by new development, e.g. Parkland Dedication fees, infrastructure and environmental services fees, etc.
3. Institute a digital 3-D modeling program, maintained by the city, into which proposed new developments can be inserted for public review.
4. F.A.R. and Heights
  - A. Leave the existing F.A.R.s in the City as they are, and only grant additional F.A.R. as a development incentive tied to achieving identified community goals for the area or district in which the project exists.
  - B. F.A.R. to include above ground structured parking unless wrapped with occupied space for the purpose of enlivening the street wall.
  - C. Exempt from F.A.R. calculations square footage which embodies community values, e.g. historic preservation, spaces for non-profits and cultural facilities.
  - D. Review heights in relationship to urban core density, protection of views, protection and creation of open space, historic preservation, and buffering neighborhood edges.

## **Urban Development Incentives**

Develop the Downtown Master Plan with input from stakeholders. Determine the overall Values and Goals for Downtown as the basis for plan proposals. Define downtown by recognizable Districts with common challenges and opportunities. Work within the districts to determine their specific values and goals. Develop a master plan for each district. Utilize the best mechanisms to achieve the goals.

### **1. Density Bonus (DB) Program**

A. Determine a baseline for participation in the DB program. The baseline would include:

- Compliance with the Downtown Design Guidelines (currently being updated)
- Implementation of Great Streets on street frontages adjacent to property

B. Determine and develop priorities of the goals of a particular district and use the Density Bonus program to achieve those goals. Density Bonus options that we have reviewed include the following:

- Affordable and Workforce Housing
- Open Space and Connectivity
- Sustainability
- Civic Art and Cultural Facilities
- Historic Preservation
- Sound Mitigation

### **2. Transfer of Development Rights (TDRs)**

A. Determine the goals of a particular district and use TDRs to achieve those goals. TDRs that we have reviewed include the following:

- Generation of Open Space
- Historic Preservation
- Saving of valuable community features

## **Implementation**

Expand the use of Master Developer Agreements (MDAs) to achieve district goals such as open space, streetscape amenities, affordable housing, density requirements, Density Bonus options, etc. In return, the City would commit to financial assistance or infrastructure. MDAs would set out timelines for provisions.





## Memorandum

**To:** Parks & Recreation Board Members

**From:** Ricardo Soliz, Division Manager  
Parks and Recreation Department

**Subject:** Design Commission's Density Bonus Task Force Recommendations

**Date:** July 20, 2007

Attached is a copy of the recommendations from the Design Commission's Task Force studying the concept of density bonuses for developments in the downtown and inner city areas to increase the acreage devoted to open space. The Design Commission is requesting a formal action from the board on their recommendations.

I have included an initial review of the Park & Recreation Planning & Design staff review of the recommendations for your information.

If you have any questions, you can reach me at 974-6765.

Ricardo Soliz  
Division Manager  
Planning, Design & Construction



# City of Austin

Parks and Recreation Department

200 South Lamar Blvd., Austin, Texas 78704-1099

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July 10, 2007

Eleanor McKinney, Chair  
Design Commission

Dear Ms. McKinney:

The Parks & Recreation Department has reviewed the Design Commission's Density Bonus Task Force recommendations and is generally supportive of the spirit behind the recommendations.

In regards to the Fundamental Recommendations to Accommodate Increased Density, PARD is supportive of the philosophy of:

- Coordinating transit planning as a tool to guide density,
- Employing a Systems Development Charges to cover additional basic services.
- Instituting a digital 3-D modeling program to view new developments.
- Providing increases in F.A.R.'s (Floor to Area Ratios) to promote community values & goals.

PARD is also supportive of the Implementing a Density Bonus Process that includes:

- A Density Bonus Program.
- Transferring of Development Rights.
- The expansion of Master Developer Agreements (MDA's) as a tool to achieve district goals, such as providing more open space, affordable housing opportunities.

We look forward to assisting you with defining many of these recommendations in more detail. If I can be of further assistance, you can reach me at 974-6765.

Sincerely,

Ricardo Soliz  
Division Manager  
Planning, Design & Construction

## **Resolution of the Parks & Recreation Board of the City of Austin**

**WHEREAS** the Parks and Recreation Board (Board) of the City of Austin was established to advise the City Manager and the City Council concerning the operation and general welfare of the public parks of the City, and;

**WHEREAS** the City of Austin and the State of Texas established a number of legally protected view corridors in the early 1980's as the primary mechanism for ensuring continued views of the State Capitol – Austin and the State of Texas' most prized and recognized symbol, and;

**WHEREAS** a number of corridors established at that time protect views originating from parks located around the City, including Waterloo Park, Wooldridge Square Park, Town Lake Park (from Barton Creek Pedestrian Bridge, Longhorn Shores, and Pleasant Valley at Lakeshore) and the Zilker Park Clubhouse, and;

**WHEREAS** the Downtown Commission of the City of Austin initiated a review of the view corridors in September of 2006, and recently forwarded a number of recommendations directly to the City Council for consideration, and;

**WHEREAS** some of the recommendations of the Downtown Commission encourage the elimination or degradation of protected views from various parks, including views currently benefiting Wooldridge Square Park and Town Lake Park, and;

**WHEREAS** even with the recent scrutiny applied to the corridors, there has been no finding of displaced private development or lost tax base resulting from the corridors, including the corridors protecting views from these public parks;

**THEREFORE, BE IT RESOVLED** that the Parks & Recreation Board opposes any and all recommended changes to Capitol view corridors that eliminate or degrade views currently benefiting the City's public parks, and;

**FURTHER, BE IT RESOLVED** that a copy of this Resolution be prepared and provided to the Mayor, the City Council, and the City Manager for their consideration.

Adopted on this, the \_\_\_\_th day of \_\_\_\_\_, 2007

By the Parks & Recreation Board of the City of Austin.

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Linda Guerrero, Chair  
Parks & Recreation Board

*The City work w/ The County & other interested  
stakeholders for Woodbridge & its Capitol View  
corridor*



## MEMORANDUM

**To:** Parks and Recreation Board

**From:** Warren W. Struss, Director  
Parks and Recreation Department

**Date:** July 24, 2007

**Subject:** Two-Slip Boat Dock at 7904 Big View  
Case Number SP-06-0481DS

A request has been received from Jeff Walker on the behalf of Gary Smith to revise an approved site plan at 7904 Big View.

The Parks and Recreation Department staff has reviewed plans for the proposed boat dock and finds they do not meet the requirements of Article XIII, Section 25-2-1176, (Regulations for the Construction of Boat Docks) of the Land Development Code. The Proposed two-slip boat dock extends further than 30 feet from the existing shoreline.

Approval of the Parks and Recreation Board is required for structures that extend further than 30 feet from the shoreline.

Warren W. Struss, CPRP  
Director, Parks and Recreation Department



MEMORANDUM

To: Parks and Recreation Board

From: Warren W. Struss, Director  
Parks and Recreation Department

Date: July 24, 2007

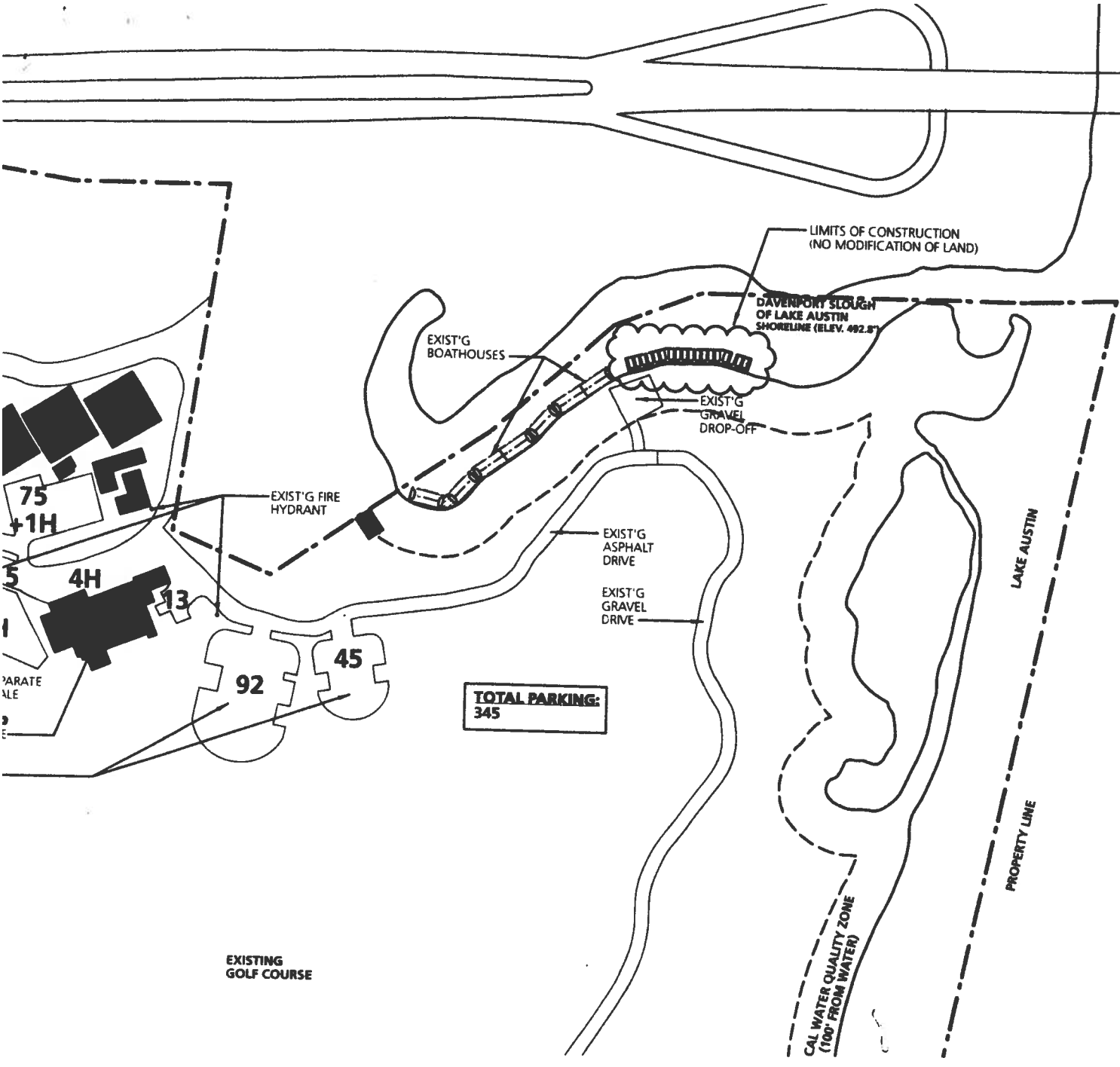
Subject: Austin Country Club Marina Expansion at 4408 Long Champ Dr.  
Case Number SP-2007-0287D

A request has been received from Bruce Aupperle to add an additional 18-slips to the existing Austin Country Club marina at 4408 Long Champ Dr.

The Parks and Recreation Department staff has reviewed plans for the proposed boat dock and finds they do not meet the requirements of Article XIII, Section 25-2-1176, (Regulations for the Construction of Boat Docks) of the Land Development Code.

Approval of the Parks and Recreation Board is required for the construction of more than two docks on a single lot.

Warren W. Struss, CPRP  
Director, Parks and Recreation Department



LIMITS OF CONSTRUCTION  
(NO MODIFICATION OF LAND)

DAVENPORT SLOUGH  
OF LAKE AUSTIN  
SHORELINE (ELEV. 492.8')

EXIST'G  
BOATHOUSES

EXIST'G  
GRAVEL  
DROP-OFF

EXIST'G FIRE  
HYDRANT

EXIST'G  
ASPHALT  
DRIVE

EXIST'G  
GRAVEL  
DRIVE

LAKE AUSTIN

PROPERTY LINE

CAL WATER QUALITY ZONE  
(100' FROM WATER)

EXISTING  
GOLF COURSE

TOTAL PARKING:  
345

75  
+1H

4H

13

92

45

PARATE  
ALE



## MEMORANDUM

**To:** Parks and Recreation Board

**From:** Warren W. Struss, Director  
Parks and Recreation Department

**Date:** July 24, 2007

**Subject:** Texas Rowing Center Expansion at 1541 W. Cesar Chavez.

A request has been received from Mathew Knifton with the Texas Rowing Center to add and additional 48 feet of dock measured parallel to the shoreline.

The Parks and Recreation Department staff has reviewed plans for the proposed boat dock and finds they meet the requirements of Article XIII, Section 25-2-1176, (Regulations for the Construction of Boat Docks) of the Land Development Code.

The Parks and Recreation Board shall make a recommendation to the Director regarding the Texas Rowing Center's dock expansion.

Warren W. Struss, CPRP  
Director, Parks and Recreation Department