



**GRAVES DOUGHERTY HEARON & MOODY**  
A Professional Corporation

**Michael J. Whellan**  
512.480.5734  
512.480.5834 (fax)  
mwhellan@gdhm.com

MAILING ADDRESS:  
P.O. Box 98  
Austin, TX 78767-9998

June 12, 2017

Mr. Greg Guernsey, Director  
City of Austin  
Planning and Zoning Department  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, TX 78704

Re: 300 Colorado St. - Downtown Density Bonus Program Application and Summary  
of Application of the Urban Design Guidelines of Austin to the 3<sup>rd</sup> and Colorado  
Redevelopment Project; SP-2016-0463C

Dear Mr. Guernsey:

The property owner, Austin 3C Venture, LP, submits this letter and attachments, along with the Downtown Density Bonus Program Submittal Application. The owner is seeking to redevelop the property to allow for a proposed mixed-used 44-story building. The proposed building would have approximately 315 residential units, comprising approximately 357,000 square feet, and ground floor commercial space comprising approximately 7,200 square feet. The total FAR square footage would be approximately 429,000 square feet. It is anticipated that the building will be approximately 518 feet tall with a parking garage with approximately 360 parking spaces. The proposed increase in FAR is from 8:1 to approximately 25:1.

The site is in the Core/Waterfront District of the Downtown Austin Plan, is zoned Central Business District ("CBD") and is not within a capitol view corridor. There is an existing 62-year old building that is currently leased to Sullivan Steakhouse restaurant. The owner is unaware of any historical significance associated with the building and a demolition permit application will be sought, which will require appropriate review and approval prior to demolition to allow for the redevelopment to occur.

The project will meet the Gatekeeper Requirements, as provided in Section 25-2-586 of the City Code (*Downtown Density Bonus Program*). A site plan has already been filed (SP-2016-0463C) that provides streetscape improvements along 3<sup>rd</sup> and Colorado Streets, which are consistent with the Great Streets Standards. In addition, the owner intends to achieve a minimum two-star rating under the Austin Energy Green Building program and a copy of the signed Austin Energy Green Building Letter of Intent is attached to this letter.

The 3<sup>rd</sup> and Colorado location provides a multi-modal opportunity for tenants, guests, and employees. There are currently over nine (9) bus routes within 2 blocks of the site, and three (3) bike-share facilities within two blocks. Moreover, there are multiple offices that provide walkable employment opportunities within a quarter mile of this redevelopment location.

The Shared Values for Urban Areas provide a backdrop for consideration. This redevelopment project adheres to the majority of these core values and the design team will be prepared to answer questions related to these shared values. The material and design take into account the *human character* and create ways in which people can access the development in an open, thoughtful manner. The *density* bonus allows the redevelopment to better utilize the lot and create modern living spaces in an otherwise highly underutilized area 43 stories above the current 1-story building. Of course, a 44-story building is also more *sustainable* by providing housing for many people at a fraction of the infrastructure cost and environmental impact than a similarly dense suburban residential subdivision.

The proposed redevelopment project will include commercial uses on the ground floor, which provides a *diversity* of opportunities for tenants and the public, and an active street area. Obviously, the addition of approximately 315 residential dwelling units encourages and assists with the *economic vitality* of other commercial retail vendors in the downtown area that have patiently waited for more downtown households to help them succeed.

As noted above, a 62-year old one-story building currently exists at the site; and redeveloping the site will not undermine a *sense of time* associated with the location. In fact, the project will be consistent with the structure immediately across Colorado that was recently built. The architects believe that the design reflects the emerging contemporary character of the downtown area. The architectural design provides visual interest through articulation and materiality, yet provides a pedestrian scale connection that enhances the urban street fabric through materials and design detail. The use of large clear glass openings, and accentuated entry elements enhance the indoor-outdoor connection, and will allow patrons to observe surrounding activity on the street, which provides a layer of *safety* for the community.

The owner believes that the redevelopment project complies with the Urban Design Guidelines. To assist in the evaluation of the project, attached to this letter is a matrix of the Urban Design Guidelines and, where applicable, narrative responses.

We request that the redevelopment project be submitted to the Design Commission to allow the Commissioners to consider the plans and review the project in the context of the Urban Design Guidelines and provide you with feedback, in order to qualify for the Downtown Density Bonus Program. If you have any questions, please feel free to contact me.

Very truly yours,



Michael J. Whellan

MJW/jcs



**DOWNTOWN DENSITY BONUS PROGRAM (DDBP)  
SUBMITTAL APPLICATION**

**1. Project Name:**

3rd and Colorado Residential

**2. Property Owner**

Name:

Austin 3C Venture, LP/Graves, Dougherty, Hearon & Moody, PC

Address:

300 Colorado Street, Austin, Texas 78701

Phone:

512-322-3249

E-mail:

blepore@riversideresources.com

**3. Applicant/Authorized Agent**

Name:

Michael J. Whellan

Address:

Graves, Dougherty, Hearon & Moody, PC, 401 Congress Ave, Ste 2200

Phone:

512-480-5734 (Michael Whellan)

E-mail:

mwhellan@gdhm.com

**4. Anticipated Project Address:**

300 Colorado Street, Austin, Texas 78701

### 5.Site Information

- a. Lot area *(also include on site plan)*:

17,712 SF

- b. Existing zoning (include any zoning suffixes such as "H," "CO," etc. If the property has a conditional overlay (CO), provide explanation of conditions (attach additional pages as necessary):

CBD

- c. Existing entitlements:

- I. Current floor to area (FAR) limitation:

8:1 FAR

- II. Current height limitation (in feet) :

none

- III. Affected by Capitol View Corridors (CVCs) Yes/No?

☐ Yes

☒ No

If yes, please provide specify height allowed under CVC:

NA

### 6.Existing Deed Restrictions

Detail existing deed restrictions on the property (if any):

## 7. Building Information

- a. Total square footage - Only include the square footage that counts towards FAR; see [LDC 25-1-21\(40\), \(44\), and \(45\)](#):

429,237 sq. ft.

- b. Gross floor area devoted to the different land use categories included in the project (e.g., retail/restaurant, office, apartment, condominium, hotel):

Commercial: 7,274 SF  
Multifamily: 421,963 SF

- c. Number or units (if residential development):

315

- d. Number of rooms (if hotel or similar use):

- e. Number of floors:

44

- f. Height:

518 ft

- g. FAR requested:

25:1

## 8. Gatekeeper Requirements

Provide an explanation of how this project meets the *Gatekeeper* requirements of the DDBP as described in [Ordinance No. 20140227-054](#). Attach additional page(s) as necessary:

Please see attached letter.

**9. Community Benefits**

Detail which community benefits will be used and how they will be applied (affordable housing on site, fee in lieu of, affordable housing + community benefit, etc.). Attach additional page(s) as necessary:

Please see attached letter.

**10. Density Bonus Calculation**

Provide a calculation method of how the additional FAR is sought including site area and amount per square foot. Calculation should include all *Gatekeeper* items plus all community benefits:

Gatekeeper requirements will be met. Please see attached letter.

**11. Relate Project to the Urban Design Guidelines for Austin**

Provide detailed explanation of how the project substantially complies with the [Urban Design Guidelines for Austin](#) with reference to specific guidelines. Attach additional page(s) as necessary.

Please see attached letter.



## 12. Acknowledgements

- a. Applicant understands that a standard restrictive covenant template will be drafted by the City of Austin to address Gatekeeper requirements in accordance with 25-2-586(C)(1):

☒ Yes

☐ No

- b. Applicant understands that will be required to submit a copy of the project's signed Austin Energy Green Building Letter of Intent:

☒ Yes

☐ No

- c. Applicant has received and reviewed a copy of the [Downtown Density Bonus Ordinance](#):

☒ Yes

☐ No

- d. Applicant has received and reviewed a copy of the [Urban Design Guidelines for Austin](#):

☒ Yes

☐ No

- e. Applicant has scheduled presentation to the Design Commission Working Group and follow-up Design Commission Meeting by coordinating dates with program staff? ([Anne.Milne@austintexas.gov](mailto:Anne.Milne@austintexas.gov))

☒ Yes

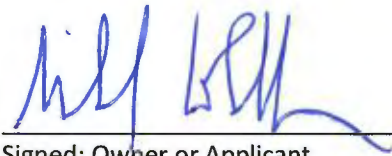
☐ No

- f. If considering in lieu fee or provision of on-site affordable housing as a public benefit, Applicant has scheduled a coordination meeting with the Neighborhood Housing and Community Development Department to detail program requirements and obtained a letter of affordability from NHCD:

☒ Yes

☐ No





Signed: Owner or Applicant

**Authorized Agent**

Michael J. Whellan

**Date Submitted**



## **DOWNTOWN DENSITY BONUS PROGRAM (DDBP) APPLICATION SUBMITTAL CHECKLIST**

### **Submitted:**

- ☒ Completed DDBP Application;
- ☒ Vicinity plan/aerial locating the project in its context, and showing a minimum 9 block area around the project;
- ☒ Location of nearby transit facilities;
- ☒ Drawings:
  - Site plan;
  - Floor plans;
  - Exterior elevations (all sides);
  - Three-dimensional views;
- ☒ Copy of the projects signed Austin Energy Green Building Letter of Intent;
- ☒ Other items that may be submitted but not required: Narrative / graphics / photos to further describe the project.
- ☒ Letter of affordability and acknowledgment from NHCD for affordable housing community benefit.



# City of Austin- Design Commission Project Review Application

The Design Commission provides advisory recommendations to the City Council to assist in developing public policy and to promote excellence in the design and development of the urban environment. This Project Review Application must be submitted before your project can be presented to the Design Commission for their review. This application primarily addresses inhabited buildings and structures and their effect on the public realm; please refer to Appendix A for infrastructure type projects.

## PROJECT INFORMATION

Project Name

3rd and Colorado

Project Location/Address

300 Colorado Street, Austin, Texas 78701

Applicant

Austin 3C Venture, LP

Property Owner

Mailing Address

100 Congress Avenue, Suite 1450,  
Austin, Texas 78701

Mailing Address

Telephone Number

Barrett Lepore 512-476-7806

Telephone Number

Project Start-Completion Dates

2018-2021

Applicant's Architect/Engineer

Stantec Consulting Services, Inc.

Current Design Phase of Project (Design Commission prefers to see projects right after approved schematic design).

Site Plan has been filed and schematic designs are available.

Is this Project subject to Site Plan and/or Zoning application approvals? Will it be presented to Planning Commission and/or City Council? If so, when?

Site Plan submitted: SP-2016-0463C; Planning Commission - NA, City Council - NA

The Design Commission expects the applicant's design team to present their project with those most knowledgeable and encourages the inclusion of subconsultants at the presentation, when deemed necessary.

Does this Project comply with Land Development Code Subchapter E? If not, please refer to website for Alternate Equivalent Compliance (AEC) requirements.

[https://www.municode.com/library/tx/austin/codes/code\\_of\\_ordinances?nodeId=TIT25LADE\\_CH25-2ZO\\_SUBCHAPTER\\_EDESTMIUS](https://www.municode.com/library/tx/austin/codes/code_of_ordinances?nodeId=TIT25LADE_CH25-2ZO_SUBCHAPTER_EDESTMIUS)

Yes.

The Design Commission review of projects is based on the planning/design principals the Urban Design Guidelines for Austin. Ensure that all applicable principals are addressed in the application questions and in your presentation.  
[https://www.austintexas.gov/sites/default/files/files/Boards\\_and\\_Commissions/Design\\_Commission\\_urban\\_design\\_guidelines\\_for\\_austin.pdf](https://www.austintexas.gov/sites/default/files/files/Boards_and_Commissions/Design_Commission_urban_design_guidelines_for_austin.pdf)

The Design Commission supports the vision and principals of Imagine Austin Comprehensive Plan, especially those that affect the urban environment and fabric. All projects should consider this vision and principals, many of which are similar to the Urban Design Guidelines. Refer to Appendix B for the most pertinent sections of Imagine Austin.

## PROJECT BACKGROUND

1] Provide project background including goals, scope, building/planning type, budget and schedule. Broadly address each of the "Shared Values for Urban Areas" that are listed on Page 6 of the Urban Design Guidelines. Attach additional pages as needed.

Please see attached.

2] Has this project included community outreach/involvement efforts? If so, please provide adequate documentation to confirm community acceptance of this project.

Ongoing.

## EXISTING CONDITIONS AND CONTEXT

1] What is the character (context) of the area surrounding the project? Check all that apply.

Urban ✓	Mixed Use ✓	Suburban	Other (please describe)
Rural	Downtown (CBD) ✓	Within ETJ	

2] Does the project site/location offer opportunities for "connectivity", either to public transportation, or bicycle and pedestrian routes, or multi-modal transportation. Please elaborate. Attach additional pages as needed.

Yes. Please see attachment.

3] Does the project site/location include any existing features that should be preserved, protected or celebrated, such as heritage trees, creeks or streams, endangered species (flora and/or fauna)? Attach additional pages as needed.

Not applicable.

4] Is this project within any City of Austin planning districts, master plans, neighborhood plans, regulatory districts, overlays, etc. If so, please elaborate as to how this project will be a "good fit". Attach additional pages as needed.

Downtown Neighborhood Planning Area. Green Building mandatory. Please see attached.

## INTEGRATION OF URBAN DESIGN GUIDELINES

1] Address in detail how this project specifically responds to the Urban Design Guidelines and the adjacent public realm. Public realm is defined as any publicly owned streets, pathways, right of ways, parks, publicly accessible open spaces and any public and civic building and facilities. The quality of our public realm is vital if we are to be successful in creating environments that people want to live and work in. Attach additional pages as needed.

Please see attached.

2] Will this project be a "good neighbor" to adjacent private properties, especially in more suburban areas? Describe the treatment of the transition area between properties, ie, fence, landscaping, etc.

Yes. Ground floor amenities can be utilized by adjacent residents and workers.

## ENVIRONMENTAL/SUSTAINABLE ISSUES

1] Does this project have any adverse effects on the environment, ie, air quality, noise, watershed protection, dark sky, heat islands, etc?

No.

2] Does this project incorporate any "green-building" methods and/or techniques, ie, solar/wind power, rainwater harvesting, green roofs, recycled materials, high-efficiency equipment, etc.?

Yes. The project will achieve a minimum 2 Star rating under the Austin Green Building Program.



3rd and Colorado DDBP Request  
Review of Substantial Compliance with Urban Design Guidelines

	Area Wide Guidelines		
	Guideline	Achieved? (Yes/No)	Applicant's Comments
1	AW-1: Create dense development	YES	This project will deliver 315 luxury apartments to downtown Austin and maximizes the allowable floor area ratio; FAR 25:1.
2	AW-2. Create mixed-use development	YES	This development is a mixed-use project that includes residential use in a high-rise tower, and commercial uses at the ground level which activate the street environment.
3	AW-3. Limit development which closed downtown streets	YES	No streets will be permanently closed for this project.
4	AW-4. Buffer neighborhood edges	N/A	The development site is within the center of downtown with similar uses such as commercial and multifamily structures in the surrounding blocks.
5	AW-5. Incorporate civic art in both public and private development	NO	Owner will install art in the lobby which will, in all likelihood, be visible to the public.
6	AW-6. Protect important public views	YES	This development project is not located in any protected view corridor.
7	AW-7. Avoid historical misrepresentations	YES	The building design is contemporary and appropriate, and is compatible with the surrounding building designs. The design does not attempt to interpret any historical design or elements.
8	AW-8. Respect adjacent historic buildings	YES	There are no historic buildings adjacent to the site.
9	AW-9. Acknowledge that rooftops are seen from other buildings and the street	YES	The roof of the podium portion of the project will be a resident amenity deck with a pool, landscaping, outdoor gathering and activity spaces that will enhance views from surrounding buildings. The tower roof will be used for mechanical equipment, and such equipment will be screened from view by surrounding buildings via architectural elements of the building exterior design.
10	AW-10. Avoid the development of theme environments	YES	There is no "theme" for the building. The exterior will relate to and respect the existing context in a sophisticated manner.
11	AW-11. Recycle existing building stock	NO	The 518' concrete and steel structure will not use recycled building stock for the core components.

	Public Streetscape Guidelines		
12	PS-1. Protect the pedestrian where the building meets the street	YES	Canopies and street tress will be provided along 3 <sup>rd</sup> Street and Colorado Street. In addition the implementation of the Great Street standards will provide street furniture.
13	PS-2. Minimize curb cuts	YES	The only planned curb cut is along Colorado St. for parking garage entrance and exit.

14	PS-3. Create a potential for two-way streets	YES	3 <sup>rd</sup> Street is two way; and, although Colorado Street is currently a one-way street it is planned to become two-way.
15	PS-4. Reinforce pedestrian activity	YES	The planned commercial space along 3 <sup>rd</sup> Street may employ some outdoor seating for al fresco dining to activate the street frontage. Street furniture, along with site accessories, and landscaping (Great Streets standards) will reinforce pedestrian activity.
16	PS-5. Enhance key transit stops	N/A	There are no existing bus stops on the site.
17	PS-6. Enhance the streetscape	YES	This project will enhance the streetscape and comply with the Great Streets Standards, which will include the planting of trees and pedestrian sitting areas.
18	PS-7. Avoid conflicts between pedestrians and utility equipment	YES	The utility equipment serving this building will be appropriately minimized or screened.
19	PS-8. Install street trees	YES	The development will implement the Great Street standards trees requirements.
20	PS-9. Provide pedestrian-scaled lighting	YES	Appropriate sidewalk lighting will be provided, subject to the night sky ordinance.
21	PS-10. Provide protection from cars/promote curbside parking	YES	Sidewalks within the boundaries of this project will comply with Great Street standards which include a landscaped zone between the curb and the sidewalk creating a buffer between pedestrians and vehicular traffic. In addition, there is a bikeway along 3 <sup>rd</sup> Street that provides a pedestrian buffer from the drive lanes.
22	PS-11. Screen mechanical and utility equipment	YES	All mechanical and utility equipment will be screened from view.
23	PS-12. Provide generous street-level windows	YES	The street-level building design provides large unobstructed glass openings to provide views into and out of the building. These openings will help to increase the transparency and connection between the exterior street and building interior.
24	PS-13. Install pedestrian-friendly materials at street level	YES	Pedestrian scale materials such as stone and/or masonry, transparent glazing, canopy overhangs, trellis structures, and landscaping will be used at the street level. Additionally, architectural indentations and projections in the ground level façade will visually and spatially break up the ground level to a pedestrian scale.



Building Guidelines		
B-1. Build to the street	YES	This redevelopment project will be built as close to the street as is legally possible.
B-2. Provide multi-tenant, pedestrian-oriented development at the street level	YES	The residential and commercial uses will create a mixed-use building, with the commercial uses (e.g. restaurant in all likelihood), and the residential lobby at the street level.
B-3. Accentuate primary entrances	YES	The building architecture provides accentuated entrance elements for residential and commercial uses, reinforced through streetscape design elements.
B-4. Encourage the inclusion of local character	YES	The design reflects the emerging contemporary character of downtown.
B-5. Control on-site parking	YES	Off-street parking will be provided for residents and their guests.
B-6. Create quality construction	YES	Exterior materials have been selected to enhance the projects desired luxury development status in the marketplace.
B-7. Create buildings with human scale	YES	The street level and lower levels of the building employ architectural design elements, materials, and detailing that relate to the pedestrian.

Plaza and Open Space Guidelines		
PZ-1. Treat the four squares with special consideration	N/A	The redevelopment site is not adjacent to one of Downtown Austin's four squares.
PZ-2. Contribute to an open space network	NO	
PZ-3. Emphasize connections to parks and greenways	NO	
PZ-4. Incorporate open space into residential development (pool, deck, dog area)	YES	There will be an outdoor amenity level podium with a pool and deck and activity spaces on the 12 <sup>th</sup> level to provide open space for residents. A dog park will be provided on the 11 <sup>th</sup> floor.
PZ-5. Develop green roofs	NO	
PZ-6. Provide plazas in high use areas	NO	
PZ-7. Determine plaza function, size, and activity	N/A	
PZ-8. Respond to microclimate in plaza design	N/A	
PZ-9. Consider views, circulation, boundaries, and subspaces in plaza design	N/A	

	<b>PZ-10. Provide an appropriate amount of plaza seating</b>	<b>N/A</b>	
	<b>PZ-11. Provide usual and spatial complexity in public spaces</b>	<b>N/A</b>	
	<b>PZ-12. Use plants to enliven urban spaces</b>	<b>N/A</b>	
	<b>PZ-13. Provide interactive civic art and fountains in plazas</b>	<b>N/A</b>	
	<b>PZ-14. Provide food service for plaza participants</b>	<b>N/A</b>	
	<b>PZ-15. Increase safety in plazas through wayfinding, lighting, &amp; visibility</b>	<b>N/A</b>	
	<b>PZ-16. Consider plaza operations and maintenance</b>	<b>N/A</b>	

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY 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.

**CONTRIBUTION DEED WITH  
GENERAL WARRANTY OF LIMITED APPLICATION**

THE STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

§

COUNTY OF TRAVIS

§

THAT BIG STEAK, LP, a Texas limited partnership ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid by AUSTIN 3C VENTURE, LP, a Texas limited partnership ("Grantee"), the receipt and sufficiency of which is hereby acknowledged and confessed, has CONTRIBUTED, GRANTED, BARGAINED and CONVEYED and by these presents does CONTRIBUTE, GRANT, BARGAIN and CONVEY unto Grantee, all of the following described real property in Travis County, Texas, together with Grantor's right, title and interest in and to all improvements, easements, appurtenances, rights-of-way, privileges, adjacent strips, gores of land, permits, licenses, entitlements and other matters belonging to or pertaining thereto (collectively the "Property"):

Lots 4, 5 and 6, Block 28 of the Original City of Austin, Travis County, Texas, according to the Plat on file at the General Land Office of the State of Texas

This conveyance is made and accepted subject to all of the following, to the extent (but no further) that each is valid and subsisting as of the date hereof and affects title to the Property (collectively, the "Existing Encumbrances"): (a) all restrictions, covenants, conditions, easements, rights-of-way, prescriptive rights, claims or other matters of any kind which affect any of the Property listed on Exhibit A attached hereto and incorporated herein for all purposes; (b) all discrepancies, conflicts or shortages in area or boundary lines; (c) all reservations, mineral severances, oil and gas leases, mineral leases, and other similar leases of any kind or nature; and (d) all taxes for the year 2017 and subsequent years and all related ad valorem tax liens.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee (but not to any transferee, assignee or successor of Grantee), forever, subject to the Existing Encumbrances; and Grantor hereby binds itself, its successors and assigns, to WARRANT AND FOREVER DEFEND the Property, subject to the Existing Encumbrances, unto Grantee against every person whomsoever lawfully claiming or to claim the same or any part thereof; provided that Grantor's liability hereunder to Grantee in respect to such general warranty is in all respects limited to the amounts, if any, recovered by Grantor in connection with any claim under any and all policies of title insurance (collectively the "Title Policy"), if any, covering and affecting the Property; provided further that, to the extent that they are valid and enforceable as of the effective date of this Deed, the warranties of predecessors in title to Grantor are expressly preserved and hereby transferred and

assigned by Grantor to Grantee, its successors and assigns, without the restrictions and limitations imposed by the immediately preceding proviso. Under no circumstances shall Grantor be liable to Grantee (or any other party) for any sum which is not recovered by or paid to Grantor under the "warrantor's coverage" provisions of the Title Policy, it being the intention of Grantor to limit Grantor's exposure hereunder to any loss incurred by reason of the breach by Grantor of this limited general warranty to those sums recovered by or paid to Grantor under the Title Policy as a "warrantor's policy."

OTHER THAN THE WARRANTY OF TITLE CONTAINED ABOVE, GRANTEE ACKNOWLEDGES AND AGREES THAT GRANTOR HAS NOT MADE, AND SPECIFICALLY NEGATES AND DISCLAIMS, ANY REPRESENTATIONS, WARRANTIES, PROMISES, COVENANTS, AGREEMENTS OR GUARANTIES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, OF, AS TO, CONCERNING OR WITH RESPECT TO THE PROPERTY AND THE CONVEYANCE OF THE PROPERTY EVIDENCED HEREBY IS MADE ON AN "AS IS" CONDITION AND BASIS WITH ALL FAULTS.

Grantee, by its acceptance hereof, assumes payment of ad valorem taxes and assessments for 2017 and subsequent years with respect to the Property.

*[Signature on following page]*

EXECUTED effective as of the 9 day of June, 2017.

**GRANTOR:**

**BIG STEAK, LP,**  
a Texas limited partnership

By: Big Steak GP, LLC,  
a Texas limited liability company  
General Partner

By: Scot W. Krieger  
Name: Scot W. Krieger  
Title: Managing Member

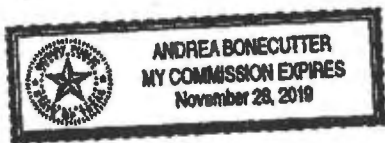
STATE OF TEXAS

§  
§  
§

COUNTY OF TRAVIS

This instrument was acknowledged before me on the 9<sup>th</sup> day of June, 2017, by Scot W. Krieger, Managing Member of Big Steak GP, LLC, a Texas limited liability company, General Partner of BIG STEAK, LP, a Texas limited partnership, on behalf of said entities.

[SEAL]



Andrea Bonecutter  
Notary Public, State of Texas

**Grantee's Address:**

100 Congress Avenue, Suite 1450  
Austin, Texas, 78701

**After Recording, Return to:**

Michael L. Cook  
Cook Brooks Johnson  
7800 North Mopac Expressway, Suite 215  
Austin, TX 78759

**EXHIBIT "A"**  
**PERMITTED ENCUMBRANCES**

1. The terms, conditions and stipulations of that certain Lease Agreement, as amended, dated September 14, 1995, executed by and between Austin CBD 29, Inc., a Texas corporation, as Lessor, and Steak Concepts, Inc., a Texas corporation, as Lessee, evidenced by Memorandum of Lease recorded in Volume 12570, Page 1230 of the Real Property Records of Travis County, Texas; as further evidenced by Supplemental Memorandum of Lease recorded under Document No. 2004160828, and affected by Blanket Conveyance, Bill of Sale and Assignment recorded under Document No. 2004191603, and by Subordination, Non-Disturbance and Attornment Agreement recorded under Document No. 2006005920 of the Official Public Records of Travis County, Texas.
2. The terms, conditions and stipulations of that certain Agreement of Sale and Purchase dated effective October 12, 2005, as evidenced by Memorandum of Parking Rights recorded under Document No. 2006005917 of the Official Public Records of Travis County, Texas.
3. Chain link fence inset and outset along the northwest line of Lot 4 as shown on survey dated December 16, 2005, revised January 4, 2006, prepared by Roy D. Smith, Registered Land Surveyor No. 4094 (the "Survey").
4. One story brick building and metal canopies encroaching into Colorado Street right of way as shown on the Survey.



**FILED AND RECORDED**  
**OFFICIAL PUBLIC RECORDS**

*Dana Debeauvoir*

DANA DEBEAUVOIR, COUNTY CLERK  
TRAVIS COUNTY, TEXAS

June 09 2017 03:30 PM

FEE: \$ 38.00 2017092759

May 4, 2017

City of Austin  
Planning and Zoning Department  
One Texas Center, 5th Floor  
505 Barton Springs Road  
Austin, Texas 78704

Re: 3<sup>rd</sup> and Colorado (300 Colorado Street)

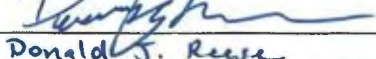
Dear Ladies and Gentlemen:

This letter is authorization by Austin 3C Venture, LP, the owner of that certain parcel of land being legally described as Lots 4-6, Block 28, Original City of Austin, Travis County, Texas, and locally known as 300 Colorado Street, Austin, Texas 78701 (the "Property"), for Graves, Dougherty, Hearon & Moody, P.C. and its representatives, including without limitation, Michael J. Whellan, to act as agent with the City of Austin in connection with rezoning, restrictive covenant amendments, variance requests, site development plans, site development permits, unified development agreements, easements, resubdivision, utility commitments, building permits and/or similar development authorizations and approvals relating to the Property with the City of Austin and to appear on its behalf at all necessary meetings of the departments, Design Commission, Planning and Zoning Commission, and City Council.

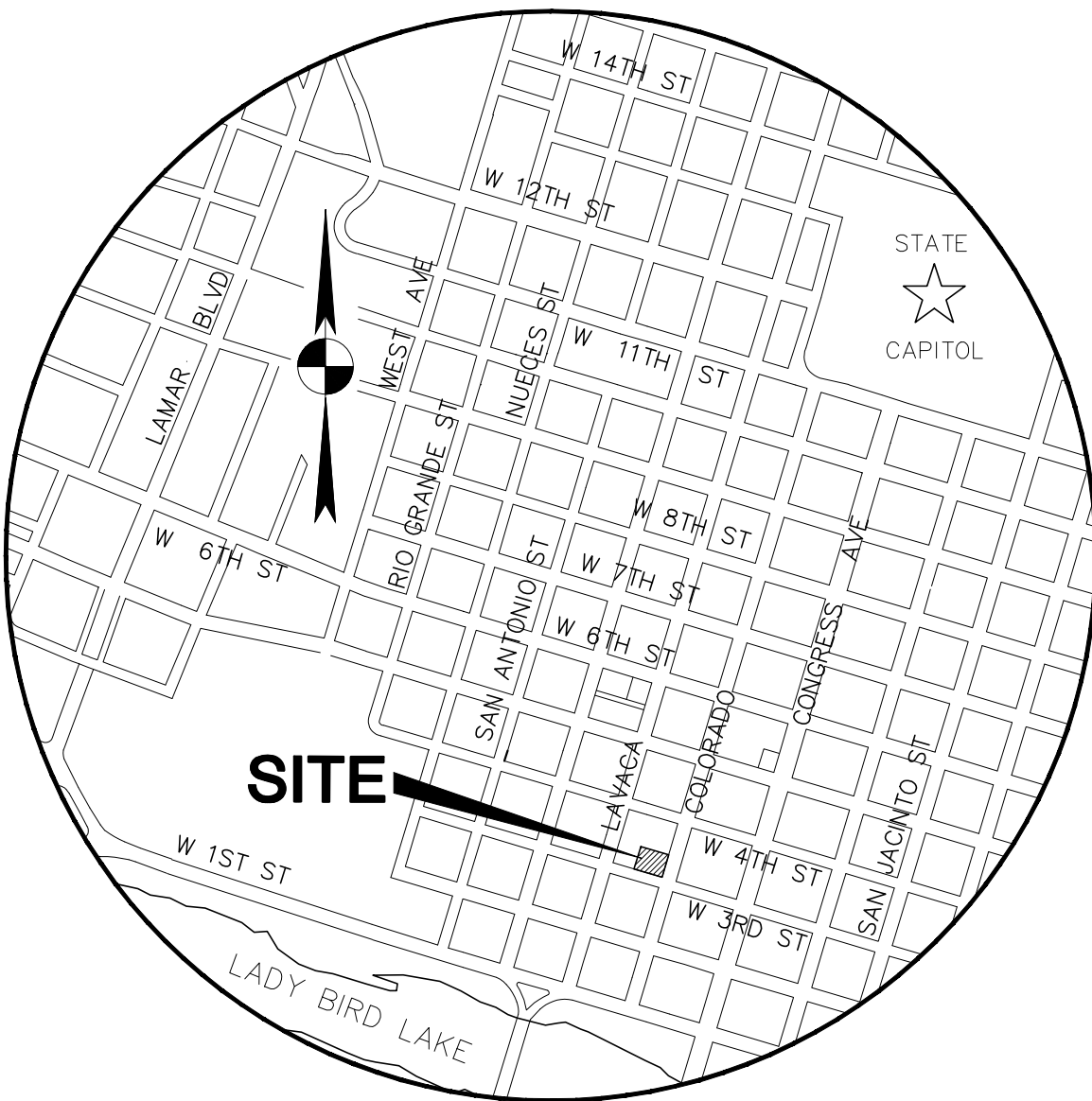
Austin 3C Venture, L.P.,  
a Texas limited partnership

By: Austin 3C Venture GP, L.P.,  
a Texas limited partnership  
its general partner

By: Austin 3C Venture Master GP, L.L.C.  
a Texas limited liability company,  
its general partner

By:   
Name: Donald J. Reese  
Title: Manager





**Stantec**

221 West Sixth Street, Suite 600  
Austin, Texas 78701  
Tel. (512) 328-0011 Fax (512) 328-0325  
TBPE # F-6324 TBPLS # F-10194230  
Copyright © 2017

3RD AND COLORADO RESIDENTIAL

AUSTIN 3C VENTURE, LP.

SITE LOCATION MAP

DATE: 09/16/2016

SCALE: NTS

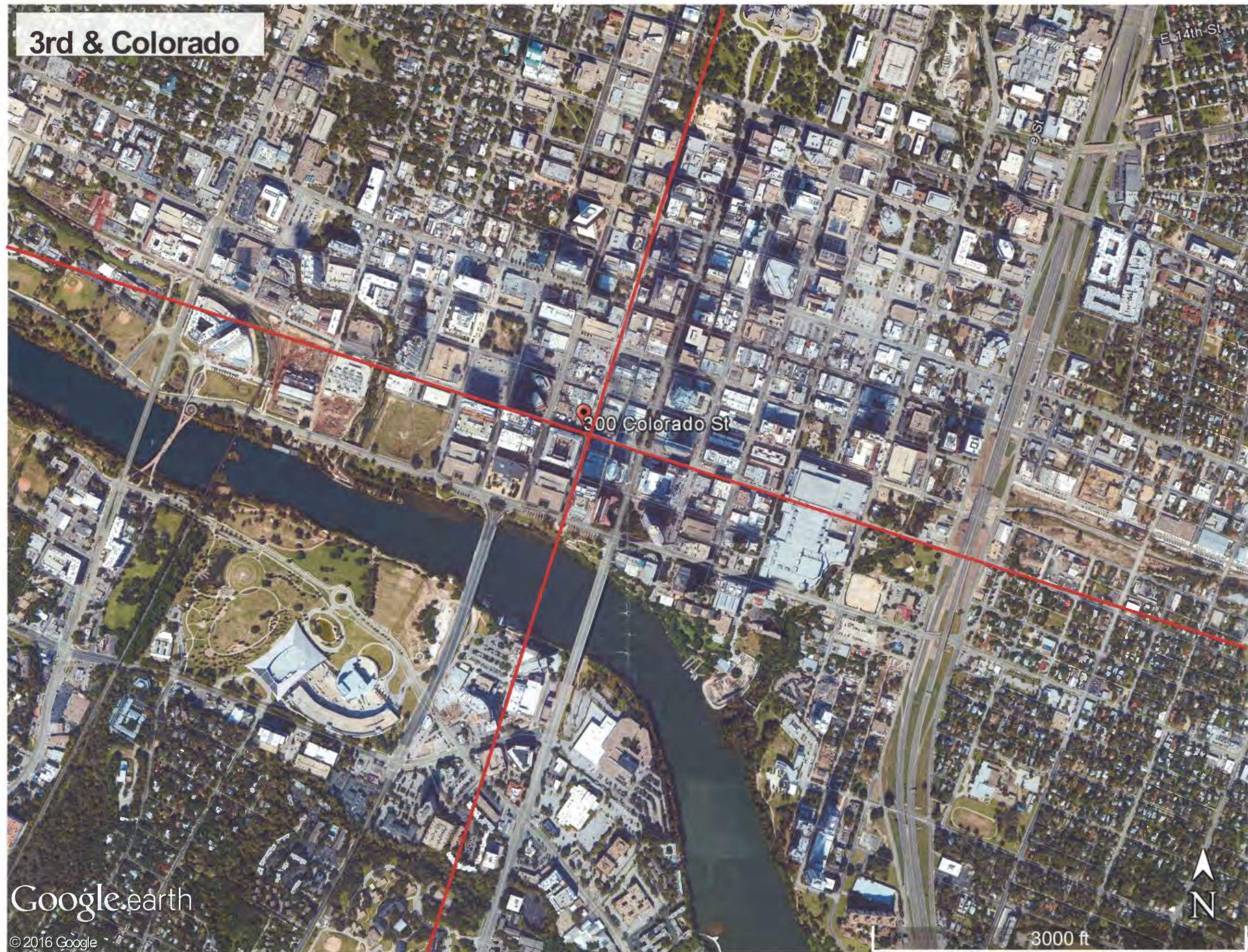
DRAWN BY: IF

V:\2220\active\222010669\civil\design\drawing\exhibits

PROJECT No. 222010669



3rd & Colorado



Google earth

© 2016 Google

3000 ft



3rd & Colorado

300 Colorado St

Google earth

© 2016 Google

900 ft





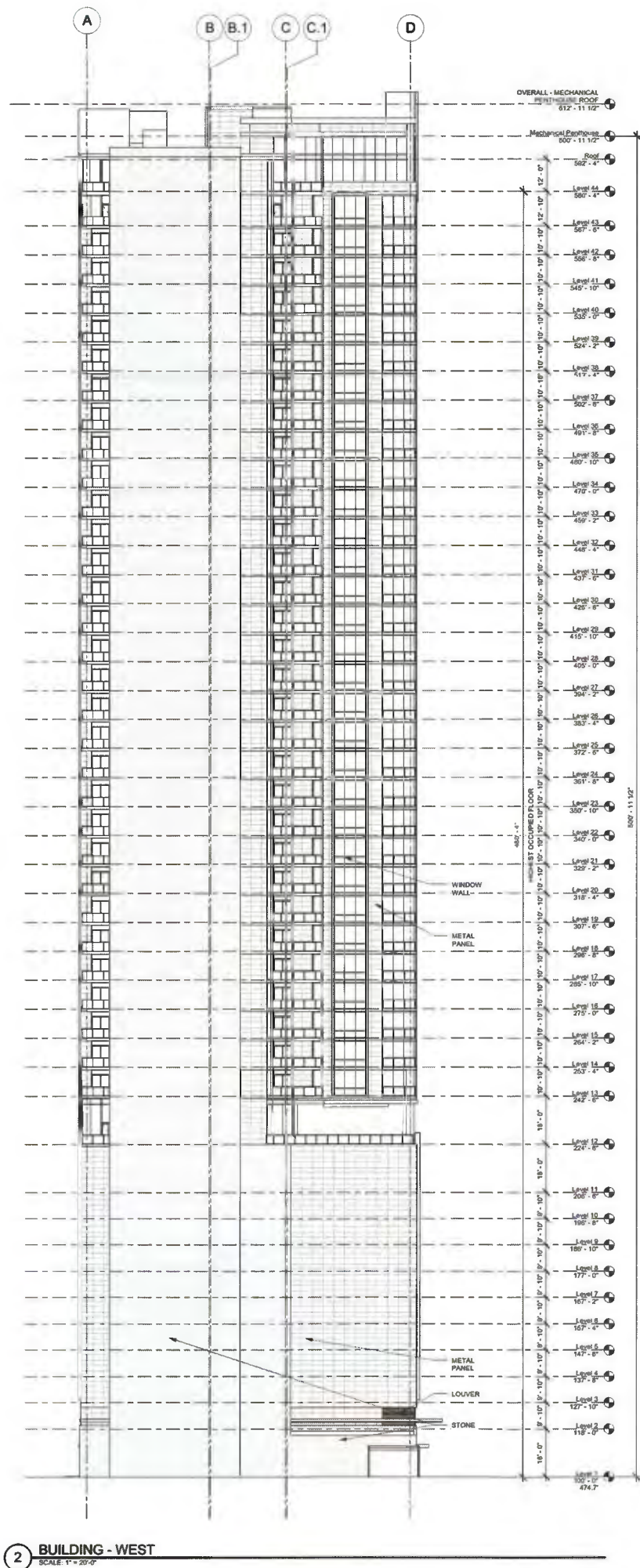








PLOTTED ON 4/20/2017 11:35:53 AM  
C:\Users\mchad\OneDrive\Documents\16009 - 3rd and Colorado - exterior elevations.rvt



















# AUSTIN ENERGY GREEN BUILDING

## Letter of Intent

This Letter of Intent demonstrates the intent of the project owner or an authorized representative to complete the necessary requirements to achieve an Austin Energy Green Building (AEGB) minimum TWO Star Rating for a development / project that requires this rating.

Project Name: Third and Colorado

Project Address: 300 Colorado Street, Austin, Texas, 78701

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 **Project Application in the AEGB Online Rating System** prior to or within Schematic Design Phase. Sign and upload the Letter of Intent to the Documents tab. Complete "Team" tab.
- 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 multifamily and single family projects), and the project's AEGB Rating Worksheet.
- 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 sheetrock.
  - 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.

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: Jaime S. Nien  
Signature: [Signature]  
Title: Manager  
Phone Number: 512-476-7806  
Date: 5/08/2017

Austin 3C Venture, L.P.,

By: Austin 3C Venture GP, L.P., its general partner

By: Austin 3C Venture Master GP, L.L.C., its general partner

### AUSTIN ENERGY GREEN BUILDING:

Name: Jeff Wacker  
Signature: [Signature]  
Title: AEGB Representative  
Phone Number: 512.482.5448  
Date: 5/4/17

3rd and Colorado Residential

2797 - Construction Phase

Austin Texas 78701

Barrett Lapore  
512-476-7806

Required

Ack.



Measures

GB Chk

Comments

1 Plans & Specifications

Provide access to the complete set of plans and specifications for review at all major milestones, and at a minimum the 100% Design Development and Building Permit Sets.



OPTION 1 – Hard Copies : Provide one half-size set of drawings and one set of specifications to AEGB.  
Mailing Address: Attn: Commercial Program, Austin Energy Green Building, 721 Barton Springs Road,  
Austin TX 78704-1145



OPTION 2 – Access to FTP/Project Management Site : In the space provided below, please provide the URL, User Name, and Password for your AEGB Representative to use. Plans should be PDFs.



OPTION 3 – Electronic Plans and Specifications: In the space provided below, provide the plans (in PDF format) and specifications.



2 Current Codes & Regulations

To ensure quality buildings and protect the health and safety of building occupants, our community, and the environment through compliance with all current codes and building-related environmental laws and regulations



Meet current City of Austin Codes with local amendments (including but not limited to energy, building, mechanical, plumbing, electrical, and current drainage and water quality standards applicable in project watershed), and applicable building-related laws and regulations.



3 Building Systems Commissioning

To meet the owner's project requirements for energy, water, indoor environmental quality, and durability through verification of the design, installation, and performance of all energy using building systems



Develop Owner Project Requirements (OPR) document:



Develop Basis of Design (BOD) document:



Designate a Commissioning Authority (CxA) :



Commission all energy using systems:



Include Commissioning specifications in the project specifications:



Define control sequencing and set points :



Develop Commissioning Plan (CxP) :



Verify that systems are installed and perform according to intent:



Develop Commissioning Report :



Develop and deliver Operations and Maintenance manuals :



Conduct training of Operations and Maintenance personnel:



4 Building Energy Performance

To reduce the environmental and economic impacts associated with energy use by achieving increased levels of energy efficiency for the building and its systems



HVAC System Efficiency: Meet the requirements of the 2012 International Energy Conservation Code, Section C406.2, Efficient HVAC performance. Compliance with this measure ensures compliance with the minimum requirements of Section C406 of the City of Austin Energy Code.



Portfolio Manager: Register the project with ENERGY STAR Portfolio Manager



Building Performance or Lighting Performance:



OPTION 1 – Prescriptive Performance Requirements: Surpass current Austin Energy Code requirement for building interior lighting by 15%.



OPTION 2 – Whole Building Energy Analysis : Demonstrate at a minimum a 4% improvement in the energy cost performance of the proposed building (2% if major renovation) compared to a baseline building that complies with the current City of Austin Energy Code using the performance rating method described in Appendix G of ANSI/ASHRAE/IESNA Standard 90.1-2010 with errata.



5 Outdoor Water Use Reduction

To reduce the environmental and economic impacts associated with water consumption, and lessen the burden on municipal water supply and treatment facilities by minimizing potable water use for landscape irrigation

COMMERCIAL RATING 2013



Required



35 - 44 Points



45 - 54 Points



55 - 74 Points



75 or more Points

☐ OPTION 1 – No Irrigation Required: Demonstrate that the landscape does not require a permanent irrigation system beyond a maximum two-year establishment period.

☒ OPTION 2 – Reduce or Eliminate Irrigation: Reduce the project's potable landscape irrigation water demand by 30% from the calculated baseline for the site's peak watering month as calculated in the AEGB Irrigation Water Use Reduction Calculator.

6 Indoor Water Use Reduction

To reduce the environmental and economic impacts associated with water consumption, and lessen the burden on municipal water supply and treatment facilities by increasing water efficiency within the building

☒ Building Water Use: OPTION 1 – Building Performance Requirements Demonstrate a 5% reduction in building water use over the baseline as calculated in the AEGB Building Water Use Reduction Calculator  
OPTION 2 – Prescriptive Performance Requirements Install water efficient flush and flow fixtures that do not exceed the flush/flow rates in Table 1 of the "Indoor Water Use Reduction" reference document below.

☒ Process Water Use: For all applicable appliances and equipment installed on the project, comply with the requirements below: • Residential-style Dishwashers: ENERGY STAR or equivalent • Pre-rinse Spray Valves: ≤ 1.3 gpm • Ice Machine: ENERGY STAR or equivalent with air-cooled or closed-loop cooling • Water Feature: at least 50% non-potable water supply

7 Low-Emitting Materials - Interior Paints & Coatings

To reduce the quantity of indoor air contaminants that are damaging to air quality and to the environment and to protect the health and comfort of installers and building occupants

☒ Interior Paints, Primers, and Anti-Corrosive Coatings: All paints, primers, and anti-corrosive coatings applied on-site to the interior of the building must not exceed the VOC limit of Green Seal Environmental Standard GS-11, Edition 3.1, 2013, Section 3.4.

☒ All Other Interior Coatings : Coatings applied on-site to the interior of the building must not exceed the currently effective VOC limits of South Coast Air Quality Management District (SCAQMD) Rule 1113 for clear wood finishes, floor coatings, stains, sealers and shellacs, and all other applicable coatings.

8 Storage & Collection of Recyclables

To reduce waste generated by building occupants and building operations extending the life of the landfill and saving energy and resources through the recycling process

☒ Identify the facility's top four recyclable material streams:

☒ Comply with the requirements of the Austin Resource Recovery Universal Recycling Ordinance (URO) (Austin Ordinance No. 20140612-010), regardless of size or type of project:

☒ Provide appropriately sized, easily-accessible, clearly-marked area(s) dedicated to the separation, storage, and collection of the following materials:: • Materials included in the URO: paper, cardboard, glass bottles and jars, aluminum cans, and plastic bottles #1-2 • The facility's top four recyclable material streams • Facilities with a major food service component or commercial kitchen, including restaurants and groceries, must provide separation, storage, and collection of kitchen scraps and other compostable materials • All projects over 100,000 square feet must provide safe storage and recycling of fluorescent lamps and batteries

☒ Per the URO, appropriate signage and on-going education about recycling must be provided for all building occupants:

9 Construction Waste Management

To reduce construction and demolition waste destined for the landfill or incineration facilities by reusing or recycling material thus, extending the life of the landfills, and saving energy, resources, and costs

☒ OPTION 1: Recycle and/or salvage at least 50% (by weight) of non-hazardous construction and demolition waste, excluding excavated soil, stone, and land clearing debris. Diverted material must include at least four material streams (i.e. concrete, metal, wood, gypsum wallboard, paper and cardboard, plastic).

☐ OPTION 2: Comply with the alternate compliance path detailed in the reference document below: "Construction Waste Management - Alternate Compliance" Option 2.

10 Tenant Requirements

To incorporate green building requirements in tenant or speculative space to achieve a whole building green building rating.

☒ OPTION 1 – Projects without Tenant Space: Project does not contain tenant or speculative space.

☐ OPTION 2 – Projects with Tenant Space : Institute tenant requirements that extend all Green Building basic requirements and applicable voluntary measures to tenant or speculative space within the project. Establish a responsible party and protocol for review and verification of tenant compliance with tenant requirements. Tenant requirements should include the following: • Tenant Requirements description and scope • Description of review and verification procedure • Stipulations and documentation requirements for all AEGB Basic Requirements and any voluntary measures pursued by the base building, as applicable to the tenant or speculative space scope. Rental dwelling units are exempt from tenant requirements.

Integrated Design				Pts /Max		Measures	GB Chk	Comments
Y	?	N						
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>					<input type="checkbox"/>	
To develop an early understanding of the interrelationships between building systems and the natural environment, set sustainability goals early in the design process, and implement green design and construction strategies to achieve a high-performance and cost-effective building								
<input type="checkbox"/> Beginning in the programming phase, and continuing throughout the design phases, identify and use opportunities to achieve synergies across disciplines and building systems. Perform an early analysis of the energy- and water-related systems and use multi-disciplinary design and decision-making to inform the project's design, as demonstrated by the owner's project requirements (OPR), basis of design (BOD), design documents, and construction documents. Refer to the "Integrated Project Design" reference document below for more information about the content of these two studies.								
<input type="checkbox"/> Daylight Modeling: The analysis should demonstrate a systematic comparison of exterior skin elements and features that indicate optimal levels of daylight efficiency as demonstrated by footcandle contour models, lighting model renderings, or photographs of study models. Demonstrate how this analysis informs the design of lighting controls and the integration of daylight and electrical lighting.								
<input type="checkbox"/> Water Balancing/ Budgeting: The analysis should demonstrate understanding of all water input and output to and from the building and site with the goal of living within the site's annual rainfall budget.								
<input type="checkbox"/> Water Quality and Conservation, Habitat, Building Massing Studies: The study should analyze at least one of the following:								
<input type="checkbox"/> Water Quality and Conservation:								
<input type="checkbox"/> Habitat Studies (plant and animal):								
<input type="checkbox"/> Building Massing and Location:								

Site				Pts /Max		Measures	GB Chk	Comments
Y	?	N						
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		2	2	1 Environmental Sensitivity To reduce the impact of population growth in Central Texas, preserve our natural resources, and enhance livability through careful site selection that utilizes existing infrastructure and supports the Imagine Austin Comprehensive Plan	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/> Project site is not in the Drinking Water Protected Zone, which includes the Barton Springs Area, Barton Creek Watershed, Edwards Aquifer Recharge and Contributing Zone, and Balcones Canyon Land. :								
<input checked="" type="checkbox"/> Project site is not a Greenfield:								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		2	2	2 Desired Development To reduce the impact of population growth in Central Texas, preserve our natural resources, and enhance livability through careful site selection that utilizes existing infrastructure and supports the Imagine Austin Comprehensive Plan	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/> Project site is located within the Urban Watershed Desired Development Zone.								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		2	2	3 Density To reduce the impact of population growth in Central Texas, preserve our natural resources, and enhance livability through careful site selection that utilizes existing infrastructure and supports the Imagine Austin Comprehensive Plan	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/> Project site is located within one of the centers or corridors as defined in the Imagine Austin Comprehensive Plan Growth Concept Map.								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		1	1	4 Diverse & Walkable Communities To promote livable, walkable, and bikeable communities, efficient transportation, connectivity, safe pedestrian access, and community-oriented business growth; to protect land and wildlife habitat by encouraging development in areas with existing infrastructure	<input type="checkbox"/>	
<input checked="" type="checkbox"/> Connectivity: Building is connected to neighboring properties via pedestrian and/or bicycle-only paths (shading is preferred) that are separate or protected from vehicular traffic.								
<input checked="" type="checkbox"/> Basic Services: Locate the building so that any functional entry is within 1/2-mile walking distance of at least 10 distinct basic services: Basic services include, but are not limited to: 1) Bank, 2) Place of Worship, 3) Convenience Grocery, 4) Daycare, 5) Cleaners, 6) Fire Station, 7) Beauty Salon, 8) Hardware, 9) Laundry, 10) Library, 11) Medical / Dental Office, 12) Senior Care Facility, 13) Park, 14) Pharmacy, 15) Post Office, 16) Restaurant, 17) School, 18) Supermarket, 19) Entertainment Venue, 20) Community Center, 21) Fitness Center, 22) Museum, 23) Retail Store								
<input checked="" type="checkbox"/> Route to Basic Services: Basic services must be accessible via a safe route intended for use by pedestrians that does not require crossing a road more than 5 lanes wide or 35 miles per hour, without a safe pedestrian crosswalk.								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		1	1	5 Brownfield Redevelopment To revitalize communities, utilize existing infrastructure, ease development pressure on undeveloped land, and improve and protect the environment by redeveloping brownfield sites	<input type="checkbox"/>	
<input checked="" type="checkbox"/> Develop on a site defined as a brownfield and requiring remediation by a local, state, or federal authority. :								
<input checked="" type="checkbox"/> Remediate site of contamination using established technologies that have minimal disruption on the site's natural features above and below ground. :								
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		1	1	6 Site Specific Design To reduce the impact of the structures on the environment through an early assessment of site conditions that informs sustainable design decisions	<input type="checkbox"/>	

☒ Assess site conditions before design in order to evaluate sustainable options and inform design decisions about the building's relationship to the specific site and local environment. Complete and document a site-specific study and incorporate study findings into the building design. Complete a site survey to evaluate the following conditions: • Local Climate • Topography • Soils • Hydrology • Vegetation • Local habitat • Human Use • Cultural or Historic Significance • Site Acoustics

<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	3	3	7 Public Transportation To reduce greenhouse gas emissions, air pollution, and other environmental and health impacts that are associated with automobile use	<input type="checkbox"/>
<input type="checkbox"/> OPTION 1a - Service Frequency: Qualifying transit stops provide a total of at least 72 Weekday Trips and 40 Weekend Trips.				
<input type="checkbox"/> OPTION 1b - Service Frequency: Qualifying transit stops provide a total of at least 144 Weekday Trips and 108 Weekend Trips.				
<input checked="" type="checkbox"/> OPTION 1c - Service Frequency: Qualifying transits stops provide a total of at least 360 Weekday Trips and 216 Weekend Trips.				
<input type="checkbox"/> OPTION 2 - Bus/Train Routes: Qualifying transit stops serve at least two (2) bus routes, one bus rapid transit route, or one rail line.				
<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	1	1	8 Bicycle Use To reduce greenhouse gas emissions, air pollution, and other environmental and health impacts that are associated with automobile use	<input type="checkbox"/>
<input checked="" type="checkbox"/> Bicycle Storage: Non-Residential Use • Provide bicycle parking for 10% of building occupants. Residential Use • Provide secure and sheltered bicycle storage that protects the bicycle from inclement weather for 15% of residential occupants. • Provide bicycle storage for visitors at a rate of one storage space per 20 dwelling units, but no fewer than four spaces.				
<input checked="" type="checkbox"/> Showers: Provide one shower with changing facilities for 0.4% of building occupants, but no less than one. Showers and changing facilities may be located in an adjacent building, if adjacent facility is no more than 200 yards from the project's main entrance. Retail projects may provide lockable changing areas, a bicycle maintenance and education program, or bicycle route assistance in lieu of showers.				
<input checked="" type="checkbox"/> Bicycle Network : Provide safe connectivity from bikeable public corridors to bicycle storage area(s) and building facilities.				
<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	1	1	9 Parking Capacity To reduce greenhouse gas emissions, air pollution, and other environmental and health impacts that are associated with automobile use	<input type="checkbox"/>
<input type="checkbox"/> OPTION 1 – No New Parking: If no new parking is provided in the building, the project must demonstrate how occupant transportation will be alternatively managed. Parking may be provided in a shared, off-site garage.				
<input type="checkbox"/> OPTION 2 – Projects with Parking Minimums: • Provide 20% less parking than the minimums defined in the Land Development Code Chapter 25-6, Appendix-A, Part 1. • Provide preferred parking for carpools and vanpools for 5% of total parking capacity. Preferred spaces must be indicated with signage. Residential portions of projects may provide infrastructure and support programs to facilitate shared vehicle use such as carpool coordination programs, car-share services, ride boards, and shuttle services to mass transit in lieu of assigned carpool spaces.				
<input type="checkbox"/> OPTION 3 – Projects without Parking Minimums : • For areas with no minimum parking capacity requirement provide 60% less than the base ratios defined in the Land Development Code Chapter 25-6 Appendix A, Part 1. • Provide preferred parking for carpools and vanpools for 5% of total parking capacity. Preferred spaces must be indicated with signage. Residential portions of projects may provide infrastructure and support programs to facilitate shared vehicle use such as carpool coordination programs, car-share services, ride boards, and shuttle services to mass transit in lieu of assigned carpool spaces.				
<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	1	1	10 Electric Vehicle Charging Stations To reduce greenhouse gas emissions, air pollution, and other environmental and health impacts that are associated with automobile use	<input type="checkbox"/>
<input checked="" type="checkbox"/> Charging Stations: Install electric vehicle charging station(s) per the requirements below. Participate in the Austin Energy "Plug-in-Everywhere" rebate program, if available.				
<input type="checkbox"/> OPTION 1 : Install a bank of Level 1 outlets, for at least 6% of the total parking spaces.				
<input checked="" type="checkbox"/> OPTION 2 : Install Level 2, communicating or non-communicating, electric vehicle charging stations, for at least 3% of the total parking spaces.				
<input type="checkbox"/> OPTION 3 : Install at least one DC Fast Charging electric vehicle charging station.				
<input checked="" type="checkbox"/> Accessibility: Electric Vehicle charging station installation must follow the TDLR Guidelines for Electrical Vehicle Charging Stations.				
<input checked="" type="checkbox"/> Signage: All parking spaces associated with charging stations should be designated with "EV Charging Only" signage.				
<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	1	11	11 Protect & Restore Habitat To conserve existing natural areas and restore damaged areas to provide habitat and promote biodiversity	<input type="checkbox"/>
<input type="checkbox"/> Greenfield Protection: Preserve and protect 40% of all portions of the site identified as greenfield area from development and construction activity.				



<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>			<div>Habitat Restoration: Restore 30% of all portions of the site identified as previously developed with native or adapted vegetation. Turfgrass may not exceed 25% of the contributing vegetated area. Athletic fields are excluded from calculations.</div>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	12	<div>Beneficial Open Space To create exterior open space for interaction with the outdoor environment, including opportunities for social interaction, recreation and/or physical activities</div> <div><input checked="" type="checkbox"/> Open Space: Provide outdoor open space equal to at least 30% of the total site area (including building footprint).</div> <div><input checked="" type="checkbox"/> Native/Adapted Vegetation: A minimum of 7.5% of the total site area (including building footprint) must be vegetated with native or adapted plants or have overhead vegetated canopy coverage. Turfgrass may not contribute to the native/adapted vegetated area, but may contribute towards overall open space.</div> <div><input checked="" type="checkbox"/> Qualifications: Beneficial Open Space must be exterior space that is physically or visually accessible, and meets one of the following criteria • Communal site elements that accommodate outdoor dining, meetings, classes or other social activities • Pedestrian-oriented hardscape, including but not limited to, sidewalks and trails. • Recreation-oriented areas such as play grounds, pools, amenity decks, athletic courts or fields • Garden space that provides passive recreation opportunities, or is dedicated to food growing • A "Protected or Restored Habitat" that provides elements of human interaction through trail access, viewing platforms or an interpretive signage component • Wetlands or vegetated wet ponds with average side slope gradients of 1:4 (vertical: horizontal) or less • Vegetated roofs</div>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	13	<div>Access to Local &amp; Regional Produce To reduce environmental impact of globally sourced food production, and improve occupant health and productivity by supporting local, regional and urban agriculture, and by removing key barriers from consumption of healthy and local produce</div> <div><input checked="" type="checkbox"/> OPTION 1 - Produce Delivery: Implement a weekly local produce delivery program available on an elective basis to employees or residents of the building.</div> <div><input type="checkbox"/> OPTION 2 - Local Produce Purchasing Policy: Implement a local produce purchasing policy for the building's cafeteria.</div> <div><input type="checkbox"/> OPTION 3 - On-Site Produce Production: Integrate opportunities for agriculture appropriate to the scale and density of the project using the Floor Area Ratio (F.A.R.) as the basis for calculation. •For sites with an F.A.R. less than 0.50, at least 5.0% of the total site area should be dedicated to food production. •For sites with an F.A.R. equal to or greater than 0.50, at least 2.5% of the total site area should be dedicated to food production. The garden must be available to building occupants for participation.</div>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	14	<div>Heat Island Reduction To minimize the effects of heat island on microclimate, wildlife, and human habitat, and improve air quality</div> <div><input type="checkbox"/> OPTION 1 : Provide any combination of the following strategies for 50% of the site hardscape. • Vegetated open-grid pavement system (at least 50% pervious) • Paving materials or shade structures with a three-year aged solar reflectance (SR) value of at least 0.28. If three-year aged value information is not available, use materials with an initial SR of at least 0.33 • New or existing plants that provide shade over hardscape within 10 years of building occupancy • Shade structures covered by energy generation systems, such as solar thermal collectors, and photovoltaics</div> <div><input checked="" type="checkbox"/> OPTION 2 : Locate at least 50% of on-site parking spaces underground, or in structured parking with a concrete top deck surface, or roof material with a three-year aged SRI of at least 32. If three-year aged value information is not available, use materials with an initial SRI of at least 39 at installation. Parking garages with vegetated roofs or covered by energy generation systems also meet this requirement.</div>	<div><input type="checkbox"/></div> <div>by Cassidy Ellis on 7/31/2014 at 4:56 PM</div> <div>Heat Island Reduction:</div> <div>100% structured parking. Measure is on track</div>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	15	<div>Light Pollution Reduction To preserve nocturnal environments, and increase night sky access by reducing the adverse effects of excessive artificial light outdoors</div> <div><input type="checkbox"/> OPTION 1: Backlight, Uplight and Glare (BUG) Rating Method: UPLIGHT The Uplight (U) Rating, as defined in IESNA TM-15-11 Addendum A, of all exterior luminaires must not exceed the values in Table 1. LIGHT TRESPASS The Backlight (B), and Glare (G) Ratings, as defined in IESNA TM-15-11 Addendum A, of all exterior luminaires must not exceed the values in Table 3.</div> <div><input checked="" type="checkbox"/> OPTION 2: Calculation Method: UPLIGHT The percentage of total exterior fixture lumens emitted above the horizontal -- i.e. greater than 90 degrees from nadir (straight down) -- must not exceed the values in Table 2. LIGHT TRESPASS The vertical illuminance at the property line must not exceed the values in Table 4.</div>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	16	<div>Integrated Pest Management To preserve the site's ecological integrity, enhance biodiversity, and protect wildlife, public health and safety through the use of native and adapted plants, physical barriers, and least toxic pest control</div> <div><input checked="" type="checkbox"/> IPM program description and scope:</div> <div><input checked="" type="checkbox"/> Responsible party for implementing and operating the IPM Plan:</div> <div><input checked="" type="checkbox"/> Description of pest management strategies including pest identification, monitoring and inspection, evaluation of pest control need, and non-toxic pest control measures (structural, biological or other nonchemical options) approved for use on-site:</div>	<input type="checkbox"/>

- ☒ When non-toxic options are unreasonable or have been exhausted, define a list of "least toxic" chemical pesticides approved for use on-site. Pesticides that meet the San Francisco Integrated Pest Management Program's Tier 3 hazard criteria are considered "least toxic".;
- ☒ Notification procedure for building occupants when pesticides considered toxic are to be applied on site:
- ☒ An appropriate staffing plan including training procedures for maintenance personnel in approved pest management strategies:
- ☒ For projects using a third party pest management vendor, Vendor's pest management contract(s) must include requirements to meet IPM Plan requirements. Vendor's existing IPM Policy or Program may be used if it meets credit requirements.:

Energy			Pts	/Max	Measures	GB Chk	Comments
Y	?	N					
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16		<div>1.1 OPTION 1 Whole Building Energy Analysis</div> <div>To reduce the environmental and economic impacts associated with energy use by designing energy efficient buildings and associated systems</div> <div><input type="checkbox"/> 6% - New Construction: 4% - Major Renovation</div> <div><input type="checkbox"/> 8% - New Construction: 6% - Major Renovation</div> <div><input type="checkbox"/> 10% - New Construction: 8% - Major Renovation</div> <div><input type="checkbox"/> 12% - New Construction: 10% - Major Renovation</div> <div><input type="checkbox"/> 14% - New Construction: 12% - Major Renovation</div> <div><input type="checkbox"/> 16% - New Construction: 14% - Major Renovation</div> <div><input type="checkbox"/> 18% - New Construction: 16% - Major Renovation</div> <div><input type="checkbox"/> 20% - New Construction: 18% - Major Renovation</div> <div><input type="checkbox"/> 23% - New Construction: 21% - Major Renovation</div> <div><input type="checkbox"/> 26% - New Construction: 24% - Major Renovation</div> <div><input type="checkbox"/> 29% - New Construction: 27% - Major Renovation</div> <div><input type="checkbox"/> 32% - New Construction: 30% - Major Renovation</div> <div><input type="checkbox"/> 35% - New Construction: 33% - Major Renovation</div> <div><input type="checkbox"/> 40% - New Construction: 38% - Major Renovation</div> <div><input type="checkbox"/> 45% - New Construction: 43% - Major Renovation</div> <div><input type="checkbox"/> 50% - New Construction: 48% - Major Renovation</div>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4		<div>2 Renewables</div> <div>To reduce the environmental and economic impacts associated with fossil fuel energy by increasing on-site energy generation through the use of renewable energy technologies (such as photovoltaic panels, solar thermal, and wind turbines)</div> <div><input type="checkbox"/> 1% of building's annual electricity use:</div> <div><input type="checkbox"/> 4% of building's annual electricity use:</div> <div><input type="checkbox"/> 7% of building's annual electricity use:</div> <div><input type="checkbox"/> 10% of building's annual electricity use:</div>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3	3	<div>3 Additional Commissioning</div> <div>To meet the owner's project requirements for energy, water, indoor environmental quality, and durability through comprehensive verification of the design, installation, and performance of energy using building systems and thermal envelope</div> <div><input checked="" type="checkbox"/> Comprehensive Commissioning : Designate a Commissioning Authority (CxA) with documented commissioning experience on at least two other building projects with similar scope of work to complete the following commissioning activities in addition to the tasks required under the Building Systems Commissioning Basic Requirement: • Conduct a review of the design documents prior to 50% Construction Documents and early enough for the CxA's review to be incorporated into the design • Review contractor submittals • Verify seasonal testing • Provide re-commissioning services through the warranty period • Develop a continuous commissioning plan</div> <div><input checked="" type="checkbox"/> Thermal Envelope Commissioning: Designate a Commissioning Authority to verify that the building's thermal envelope performs according to the owner's project requirements and to complete the following commissioning activities in accordance with ASHRAE Guideline 0-2013 and the National Institute of Building Sciences (NIBS) Guideline 3-2012: Building Enclosure Commissioning Process: • Review contractor submittals • Verify seasonal testing • Provide re-commissioning services through the warranty period • Develop a continuous commissioning plan • All tasks required under the Building Systems Commissioning Basic Requirement must also incorporate the Envelope Commissioning scope and process, as applicable.</div>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	1	<div>4 Advanced Energy Metering</div> <div>To support energy management and identify opportunities for additional energy savings by tracking building-level and system-level energy use</div> <div><input checked="" type="checkbox"/> Install advanced energy metering for all whole-building electricity sources</div> <div><input type="checkbox"/> All individual energy end uses that represent 10% or more of the total annual consumption of the building. :</div>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2		<div>5 Demand Response</div> <div>To promote participation in demand response programs that reduce peak demand on the electric grid, increase system reliability, make generation and distribution systems more efficient, and reduce environmental impacts and greenhouse gas emissions</div> <div><input type="checkbox"/> Enroll in Austin Energy demand response programs to participate in demand response (DR) events for at least 10% of the estimated peak electricity demand or at least 20 kW, whichever is greater.:</div> <div><input type="checkbox"/> Design a system with capability for real-time, fully automated DR based on external initiation by a DR Program Provider (Open ADR 2.0). Semi-automated DR may be utilized in practice.:</div>	<input type="checkbox"/>	

				<input type="checkbox"/> Prepare a curtailment plan for meeting the contractual commitment during a DR event.: <input type="checkbox"/> Include the DR processes in the scope of work for the Commissioning Authority, including participation in at least one full test of the DR plan.:	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2	6 Green Energy To reduce the environmental impact (greenhouse gas emissions) associated with fossil fuel energy through the use of grid-source renewable energy technologies	<input type="checkbox"/>
				<input type="checkbox"/> OPTION 1 - Austin Energy GreenChoice®: Subscribe to Austin Energy GreenChoice® (minimum one-year and 100% renewable energy subscription contract, or equivalent terms). <input checked="" type="checkbox"/> OPTION 2 - Renewable Energy Credits (REC's): Obtain at a minimum a two-year contract for Texas RECs or other national RECs that are Green-e Energy certified for at least 50% of the building's annual electricity use.	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	7 District Cooling To increase demand for district cooling systems that make energy generation and distribution systems more efficient, increase system reliability, and reduce environmental impacts and greenhouse gas emissions	<input checked="" type="checkbox"/>
				<input checked="" type="checkbox"/> Tie into a district thermal energy system.	

Water					
Y	?	N	Pts	/Max	Measures
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2	3	1 Outdoor Water Use Reduction To reduce the environmental and economic impacts associated with water consumption, and lessen the burden on municipal water supply and treatment facilities by minimizing potable water use for landscape irrigation
				<input type="checkbox"/> OPTION 1 - No Irrigation Required: Demonstrate that the landscape does not require a permanent irrigation system beyond a maximum two-year establishment period.	
				<input type="checkbox"/> OPTION 2a - Reduce Irrigation Water Use by 50%: Reduce the project's potable landscape irrigation water demand by at least 50% from the calculated baseline for the site's peak watering month as calculated in the AEGB Irrigation Water Use Reduction Calculator.	
				<input checked="" type="checkbox"/> OPTION 2b - Reduce Irrigation Water Use by 75%: <input type="checkbox"/> OPTION 2c - Reduce Irrigation Water Use by 100%:	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3	6	2 Building Water Use Reduction To reduce the environmental and economic impacts associated with water consumption, and lessen the burden on municipal water supply and treatment facilities by increasing water efficiency within the building
				<input type="checkbox"/> 10%:	
				<input type="checkbox"/> 15%: <input checked="" type="checkbox"/> 20%: <input type="checkbox"/> 25%: <input type="checkbox"/> 30%: <input type="checkbox"/> 35%:	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2	3	3 Process Water Use Reduction To reduce the environmental and economic impacts associated with water consumption, and lessen the burden on municipal water supply and treatment facilities by increasing process water use efficiency
				<input type="checkbox"/> Meet the requirements for one category: <input type="checkbox"/> Meet the requirements for two categories:	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2	4	4 Stormwater Management To mitigate the impact of development on natural hydrology and ecosystems through green water quality controls for rainwater management
				<input type="checkbox"/> Stormwater Quality: Use green water quality controls as outlined in the City of Austin Environmental Criteria Manual (ECM) Section 1.6.7 to treat 50% of the Water Quality Volume (WQV). <input type="checkbox"/> Stormwater Quantity: Manage a volume of stormwater equal to 50% of the Water Quality Volume (WQV) by infiltration on site.	

Indoor Environmental Quality (IEQ)					
Y	?	N	Pts	/Max	Measures
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	1	1 Indoor Chemical & Pollutant Source Control To support the health, comfort, and productivity of building occupants by preventing prolonged exposure to potentially hazardous particulates and chemicals used, generated or stored inside buildings
				<input checked="" type="checkbox"/> Isolate: Construct a full-height, deck-to-deck partition or a hard lid ceiling enclosure between the space and adjacent occupied spaces.	
				<input checked="" type="checkbox"/> Ventilate: Provide ventilation directly to the outside of the building. <input checked="" type="checkbox"/> Negative Pressure: Operate the space at a negative pressure relative to surrounding areas under all operating conditions, and verify through commissioning.	

<div><div><input checked="" type="checkbox"/></div><div><input type="checkbox"/></div><div><input type="checkbox"/></div></div>	1	1	<div>2 Green Housekeeping</div> <div>To reduce the impact of housekeeping and cleaning products on the environment, building occupants, and maintenance personnel</div>	<div><input type="checkbox"/></div>
<div><div><input checked="" type="checkbox"/></div>Housekeeping Program: Housekeeping program description and scope.</div>				
<div><div><input checked="" type="checkbox"/></div>Responsible Party: Assign a responsible party for implementing and operating the housekeeping program.</div>				
<div><div><input checked="" type="checkbox"/></div>Purchasing Policy: Sustainable purchasing policies for cleaning materials and products, floor finishes and strippers, disposable janitorial paper products, and trash bags. Include list of approved products and reference to required standards, described in Tables 1-5 in the "Green Housekeeping" reference document below, by in-house staff or outsourced service providers.</div>				
<div><div><input checked="" type="checkbox"/></div>Staffing Plan: An appropriate staffing plan including training procedures for maintenance personnel in the hazards, use, maintenance, disposal and recycling of cleaning chemicals, dispensing equipment and packaging.</div>				
<div><div><input checked="" type="checkbox"/></div>Vendor Plan: For projects using a third party housekeeping vendor: Vendor's housekeeping contract(s) must include requirements to meet Green Housekeeping policy requirements. Vendor's existing Green Housekeeping Policy or Program may be used if it meets credit requirements All cleaning products and janitorial products used by vendor must meet requirements described in Tables 1-5 in the "Green Housekeeping" reference document below.</div>				
<div><div><input type="checkbox"/></div><div><input checked="" type="checkbox"/></div><div><input type="checkbox"/></div></div>	1		<div>3 Daylighting - Design</div> <div>To promote a healthy, productive, and comfortable indoor environment for building occupants by providing a connection to the outdoors through the introduction of daylight and views</div> <div><div><input checked="" type="checkbox"/> OPTION 1 - Illuminance Calculations: Demonstrate through computer simulations that illuminance levels from daylight sources are between 25 fc and 300 fc at 9 a.m. and 3 p.m. on a clear-sky day at the equinox for 75% of the regularly occupied floor area.</div><div><input type="checkbox"/> OPTION 2 - Measurements: Demonstrate through indoor light measurements that daylight illuminance levels between 25 fc and 300 fc have been achieved for 75% of the regularly occupied floor area.</div></div>	<div><input type="checkbox"/></div>
<div><div><input type="checkbox"/></div><div><input checked="" type="checkbox"/></div><div><input type="checkbox"/></div></div>	1	1	<div>4 Daylighting - Controls</div> <div>To reduce environmental and economic impacts associated with energy use by integrating daylighting systems, electric lighting systems, and controls</div> <div><div><input checked="" type="checkbox"/> OPTION 1 - Continuous Dimming: Use dimming ballasts and daylight-sensing automatic controls capable of reducing the power of general lighting in the daylight zone continuously to less than 35% of rated power at maximum light output.</div><div><input type="checkbox"/> OPTION 2 - Stepped Dimming: Use multi-level switching, and daylight-sensing controls capable of reducing light power automatically. The system must provide a minimum of two control steps such that at least one step is between 50% and 70% of design lighting power, and another step that is no greater than 35% of design power.</div></div>	<div><input type="checkbox"/></div>
<div><div><input checked="" type="checkbox"/></div><div><input type="checkbox"/></div><div><input type="checkbox"/></div></div>	1	1	<div>5 Views to the Outside</div> <div>To promote a healthy, productive, and comfortable indoor environment for building occupants by providing a connection to the outdoors through the introduction of daylight and views</div> <div><div><input checked="" type="checkbox"/> Glazing systems and interior partitions allow for a minimum of 75% of regularly occupied spaces a view of vision glazing (between 2'-6" and 7'-6" from finished floor height) and a view of the outdoors.</div></div>	<div><input type="checkbox"/></div>
<div><div><input checked="" type="checkbox"/></div><div><input type="checkbox"/></div><div><input type="checkbox"/></div></div>	1	1	<div>6 Individual Controllability</div> <div>To support the health, comfort, and productivity of the building occupants by accommodating their diverse thermal comfort preferences in the indoor environment</div> <div><div><input checked="" type="checkbox"/> Install and commission systems that provide for individual controllability of one or more of the following: air temperature, radiant temperature, air speed, and humidity, for at least 50% of the building occupants, and for all shared multi-occupant spaces. Individual controls must be accessible to occupants of the space that they control.</div></div>	<div><input type="checkbox"/></div>
<div><div><input checked="" type="checkbox"/></div><div><input type="checkbox"/></div><div><input type="checkbox"/></div></div>	2	5	<div>7 Low-Emitting Materials</div> <div>To reduce the quantity of indoor air contaminants that are damaging to air quality and to the environment, and to protect the health and comfort of installers and building occupants</div> <div><div><input type="checkbox"/> Meet the Requirements of one category:</div><div><div><input checked="" type="checkbox"/> Meet the Requirements of two categories:</div><div><input type="checkbox"/> Meet the Requirements of three categories:</div><div><input type="checkbox"/> Meet the Requirements of four categories:</div><div><input type="checkbox"/> Meet the Requirements of five categories:</div></div></div>	<div><input type="checkbox"/></div>
<div><div><input checked="" type="checkbox"/></div><div><input type="checkbox"/></div><div><input type="checkbox"/></div></div>	1		<div>8 Moisture Protection</div> <div>To protect the health and well-being of building occupants, and promote integrity and durability of the building's structure and envelope by avoiding moisture intrusion</div> <div><div><input type="checkbox"/> Vapor Barriers: No vinyl wall coverings or other vapor barriers, such as fiber reinforced plastic or vinyl (FRP or FRV) may be installed as the finish material on the interior of any exterior wall.</div></div>	<div><input type="checkbox"/></div>

				<input type="checkbox"/> Drainage Plane: Install effective building envelope drainage plane systems.		<input type="checkbox"/> Building Pressurization: Design the building to be pressurized under all operating conditions, and verify through commissioning.						
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	1	9 Acoustic Quality		<input type="checkbox"/>					
						To promote occupant well-being and productivity, and to create buildings that allow for better communication, acoustical privacy, and appropriate sound isolation through effective acoustical design						
						<input checked="" type="checkbox"/> Environmental Noise:						
						<input checked="" type="checkbox"/> Mechanical Systems Background Noise:						
						<input checked="" type="checkbox"/> Vibration Isolation:						
						<input checked="" type="checkbox"/> Sound Isolation:						
						<input checked="" type="checkbox"/> Reverberation Time:						
						<input checked="" type="checkbox"/> Sound Reinforcement and Masking Systems:						
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	1	10.1 OPTION 2 Outdoor Pollutant Control - Residential Buildings		<input type="checkbox"/>					
						To support the health and comfort of building occupants by minimizing exposure to potentially hazardous particulates and chemical pollutants						
						<input checked="" type="checkbox"/> Building Entrances: Install permanent entryway systems (grills, grates, mats), a minimum 6 feet long (10 feet recommended), in the primary direction of travel to capture dirt from entryways directly connected to the outdoors.						
						<input checked="" type="checkbox"/> Common Areas: • Prohibit smoking inside all common areas of the building. The prohibition must be communicated in building rental or lease agreements, or condo or co-op association covenants and restrictions. Make provisions for enforcement. • Entrances, operable windows, balconies, and fresh air intakes shall be located a minimum 30 feet away from designated smoking areas and air intakes shall meet the minimum separation distance requirements of ASHRAE 62.1-2004, Table 5-1. • Install appropriate signage to clearly designate where smoking is permitted and not permitted. Signage must be posted within 10 feet of all building entrances indicating the no-smoking policy.						
						<input checked="" type="checkbox"/> Residential Units: • Each unit must be compartmentalized to prevent excessive leakage between units. • Weather-strip all exterior doors and operable windows in the residential units to minimize leakage from outdoors. • Weather-strip all doors leading from residential units into common hallways. • Minimize uncontrolled pathways for the transfer of smoke and other indoor air pollutants between residential units by sealing penetrations in the walls, ceilings, and floors and by sealing vertical chases (including utility chases, garbage chutes, mail drops, and elevator shafts) adjacent to the units. • Demonstrate a maximum leakage of 0.23 cubic feet per minute per square foot (1.17 liters per second per square meter) at 50 Pa of enclosure (i.e., all surfaces enclosing the apartment, including exterior and party walls, floors, and ceilings).						
						<input checked="" type="checkbox"/> Additional Outdoor Pollutants: In addition to tobacco smoke, evaluate and design to mitigate the impact of any other outdoor air pollutant sources as applicable to the project site.						
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	1	11 Construction Indoor Air Quality		<input type="checkbox"/>					
						To prevent the introduction of potentially hazardous contaminants into the building during construction; and to protect the comfort and well-being of construction workers and building occupants						
						<input checked="" type="checkbox"/> Construction Indoor Air Quality Management Plan: Develop and implement a Construction Indoor Air Quality Management Plan that meets or exceeds the recommended control measures of the Sheet Metal and Air Conditioning National Contractor's Association (SMACNA) "IAQ Guidelines for Occupied Buildings Under Construction." The plan should include each of these key areas of IAQ protection: Scheduling, Source Control, HVAC Protection, Pathway Interruption, and Housekeeping.						
						<input checked="" type="checkbox"/> Filtration for Air Handling Equipment Used During Construction: If permanently installed air handlers are used during construction, filtration media with a minimum MERV of 8 shall be used at each return grille. Replace all media filters immediately prior to occupancy.						

Materials and Resources

Y	?	N	Pts	/Max	Measures	GB Chk	Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	1	1 Additional Construction Waste Management To reduce construction and demolition waste destined for the landfill or incineration facilities by reusing or recycling material, thus extending the life of the landfills, and saving energy, resources, and costs	<input type="checkbox"/>	
					<input checked="" type="checkbox"/> OPTION 1: Recycle and/or salvage at least 75% (by weight) of non-hazardous construction and demolition waste, excluding excavated soil, stone, and land clearing debris. Diverted material must include at least four material streams (i.e. concrete, metal, wood, gypsum wallboard, paper and cardboard, plastic).		
					<input type="checkbox"/> OPTION 2: Comply with the alternate compliance path detailed in the reference document below: "Additional Construction Waste Management - Alternate Compliance" Option 2.		
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3		2 Building Materials Use Reduction To extend the life cycle of existing buildings, conserve resources, reduce waste, retain cultural assets, and reduce the environmental impacts of new buildings as they relate to materials manufacturing and transport	<input type="checkbox"/>	
					<input type="checkbox"/> OPTION 1a – Existing Building Reuse - 20%: Retain existing non-hazardous building envelope (including exterior skin and framing, excluding window assemblies and non-structural roofing material), structure (including structural floor and roof decking), and interior non-structural elements (walls, doors, floor coverings and ceiling surfaces).		
					<input type="checkbox"/> OPTION 1b – Existing Building Reuse - 40%:		
					<input type="checkbox"/> OPTION 1c – Existing Building Reuse - 60%:		

				<input type="checkbox"/> OPTION 2a – Whole Building Life Cycle Assessment (LCA) - Conduct LCA: For new construction, conduct a life-cycle assessment of the project's structure and enclosure compared with a reference building. Projects may achieve 1 point for completion of a Whole Building Life Cycle Assessment. Projects demonstrating an overall reduction in life cycle impact compared to a reference building may achieve additional points.		
				<input type="checkbox"/> OPTION 2b - Whole Building Life Cycle Assessment (LCA) - 5% Reduction:		
				<input type="checkbox"/> OPTION 2c - Whole Building Life Cycle Assessment (LCA) - 10% Reduction:		
				<input type="checkbox"/> OPTION 3 – Cradle-to-Cradle Certified Products : Install Cradle-to-Cradle v2 or v3 Silver or higher certified materials or products representing 2.5% of total building materials cost (excluding MEP), or 5 unique Cradle-to-Cradle v2 or v3 Silver or higher certified products (all divisions). Furniture may be included at the discretion of the project team.		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4	6	3 Sustainably Sourced Material To reduce the environmental impacts of materials and products acquired to construct buildings, support the use of indigenous resources, and promote the State economy	<input type="checkbox"/>
				<input type="checkbox"/> 25%:		
				<input type="checkbox"/> 35%:		
				<input type="checkbox"/> 45%:		
				<input checked="" type="checkbox"/> 55%:		
				<input type="checkbox"/> 65%:		
				<input type="checkbox"/> 75%:		
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		1	4 Certified Wood To encourage environmentally responsible forest management	<input type="checkbox"/>
				<input type="checkbox"/> At least 50%, by cost, of new wood-based materials are certified in accordance with the Forest Stewardship Council (FSC) guidelines for wood building components.		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		1	5 PVC & Phthalate Free Material To promote well-being by reducing human exposure to polyvinyl chloride (PVC) materials containing phthalate plasticizers	<input type="checkbox"/>
				<input type="checkbox"/> Use materials and products that do not contain PVC or Phthalates for 5 of the following categories (as applicable): • Flooring Systems (including carpet) • Wall Coverings (Including wall base) • Window Treatments • Roofing Systems • Windows and Doors • Furniture • Irrigation System • Interior Electrical Systems • Interior Sanitary Waste Piping and Ventilation • Interior Domestic Water • Building and Site Stormwater Piping		

Education and Equity

Y	?	N	Pts	/Max	Measures	GB Chk	Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		2	1 Educational Outreach To use the building as an educational tool to highlight the green building strategies implemented in the project	<input type="checkbox"/>	
<div><input type="checkbox"/> Comprehensive Signage Program: A comprehensive signage program installed in the building and site to educate the occupants and visitors on the project's green features and the benefits of green building. Educational elements may include windows to view energy saving mechanical equipment and signage calling attention to water conserving plumbing fixtures or landscape features.</div> <div><input type="checkbox"/> Case Study: A case study that educates design professionals and the public on the green building strategies implemented in the project. AEGb's template may be used to assist with developing your case study. The case study may be published on the AEGb website, at the discretion of AEGb, and with the permission of the project owner.</div> <div><input type="checkbox"/> Outreach Program: An educational outreach program to educate the community on sustainable design, construction, and operations using the project as an example. This program may include regular guided tours of the facility, community workshops, or public presentations.</div>							
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		1	2 Construction Worker Equity To create and promote safe and reliable jobs with fair compensation, while promoting sustainable development in Texas	<input type="checkbox"/>	
<div><input type="checkbox"/> Abide by the Code of Conduct in construction contracting outlined in the Better Builder program that upholds sustainable workforce standards, and ensures that construction workers have safe, living wage jobs, and become a Better Builder with the Workers Defense Project.</div>							

Innovations

Points	Measures	GB Chk	Comments
1	1 Extra Bike Storage	<input type="checkbox"/>	
1	2 Near Bike Exchange Station	<input type="checkbox"/>	
		<input type="checkbox"/>	
1	3 100% Covered Parking		

Totals

Y	?	Pts	/Max	Points
40	7	47	98	7





**GRAVES DOUGHERTY HEARON & MOODY**

A PROFESSIONAL CORPORATION

**Michael J. Whellan**  
512.480.5734  
512.480.5834 (fax)  
mwhellan@gdhm.com

MAILING ADDRESS:  
P.O. Box 98  
Austin, TX 78767-9998

June 14, 2017

Via Hand Delivery

Mr. Greg Guernsey, Director  
City of Austin  
Planning and Zoning Department  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, Texas 78704

RE: 300 Colorado Street - Downtown Density Bonus Program Application - Amended Supplemental Information; SP-2016-0463C; Corrected Density Bonus Fee

Dear Greg:

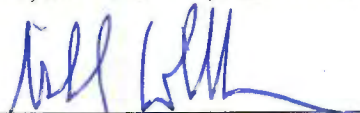
Please accept this letter as an amended supplement to the downtown density bonus program application that was filed yesterday. It was brought to my attention by the Neighborhood Housing and Community Development Project Coordinator that the density bonus fee that we included in the letter yesterday was incorrect.

The density bonus will be for an additional 287,541 FAR square feet, which totals a fee in-lieu of **\$2,875,410** as the community benefit contribution. The current site, with an 8:1 FAR, would yield 141,696 FAR square feet; and the proposed building will be 429,237 FAR square feet (24.23:1 FAR).

If you have any further questions, please feel free to call me.

Very truly yours,

GRAVES, DOUGHERTY, HEARON & MOODY, P.C.

By:   
Michael J. Whellan

MJW/jyl

cc: Ann Milne  
Katie Mullholland  
Rebecca Giello  
Regina Kopic  
Sandra Harkins



## City of Austin

---

P.O. Box 1088, Austin, TX 78767  
[www.cityofaustin.org/housing](http://www.cityofaustin.org/housing)

### Neighborhood Housing and Community Development Department

June 15, 2017

**Austin 3C Venture, LP/Graves, Dougherty, Hearon & Moody, PC – 300 Colorado (Project Id 402)  
Rainey Street Subdistrict and Downtown Density Bonus Program Certification Letter**

TO WHOM IT MAY CONCERN:

Austin 3C Venture, LP/Graves, Dougherty, Hearon & Moody, PC (contact: Michael J. Whellan; email: [mwhellan@gdhm.com](mailto:mwhellan@gdhm.com); (o) 512.480.5734) is planning to develop a **315 unit multi-family/mixed-use** development under site plan SP-2016-0463C. The project is located within the Downtown Density Bonus Plan, Core/Waterfront District that is located in the City's Land Development Code, 25-2-586. For compliance with the Downtown Density Bonus Program Affordable Housing Community Benefits, the applicant has elected to pay a fee-in-lieu for the desired bonus area, which the applicant has indicated the total bonus area is 287,541. The fee is calculated on \$10 per square foot times the bonus FAR of 287,541 which equals \$2,875,410. Prior to the issuance of the certificate of occupancy, the fee-in-lieu in the amount of \$2,875,410 must be paid in full to the Neighborhood Housing and Community Development Office, into the Affordable Housing Trust Fund.

Please contact me by phone 512.974.3128 or by email at [Sandra.harkins@austintexas.gov](mailto:Sandra.harkins@austintexas.gov) if you need additional information.

Sincerely

Sandra Harkins, Project Coordinator  
Neighborhood Housing and Community Development



## MEMORANDUM

Date: July 6, 2017  
To: Austin Design Commission  
From: Planning & Urban Design Working Group  
Subject: Working Group review of 300 Colorado Street for substantial compliance with the Urban Design Guidelines  
Applicant: Michael Whellan (Graves Dougherty Hearon & Moody)

---

The project location is 300 Colorado Street. The project includes uses of Residential, Retail/Restaurant. There are 315 dwelling units and approximately 360 parking spaces.

The applicant is seeking a density bonus to raise the FAR from 8:1 to 25:1 FAR (within 25:1 maximum allowance). The lot area is 17,712 sq ft, and the total project area is 357,000 res + 7200 retail sf (429,000 total sf FAR). The total building height is 518 feet (44 stories). The maximum height achievable under the density bonus program in this portion of downtown is unlimited ft.

The Design Commission provides advisory recommendations to the city council to assist in developing public policy and to department directors on administratively approved projects (city projects, density bonus) to promote excellence in the design and development of the urban environment. The commission seeks to foster a pedestrian-oriented, walkable city.

Per the downtown density bonus ordinance, the applicant is required to meet three gatekeeper requirements: substantially comply with the Urban Design Guidelines, provide streetscape improvements along all public street frontages consistent with the Great Streets Standards, and commit to a minimum of 2 star green building rating.

Once the gatekeeper requirements are met, the Planning and Zoning Director calculates the development bonus fee, which may vary by use and district. Currently, the development bonus fee for residential projects ranges from \$3-\$10 per square foot of bonus area. The applicant may choose to pay the development bonus fee in full, or to apply at least 50% of the development bonus fee to Affordable Housing Community Benefit (e.g., affordable housing onsite, fee-in-lieu, family-friendly housing). The remaining fee may be applied to a menu of Community Benefits options (e.g., affordable housing onsite or fee-in-lieu, family-friendly housing, day care, historic preservation, open space, plaza, green building, green roof, cultural uses, live music venue).

Projects with entitlement requests that meet the program requirements are administratively approved by the Planning & Zoning Director. For projects with requests that exceed the program, the Mayor and Council determine appropriate bonus area in light of the Community Benefit requirements provided.

Positive attributes of the project include: West party wall allowing an adjoining building, quality materials (stone, glass, aluminum at street level), building services located to alley for maximum active space at street, no residential amenity areas at ground level make way for more retail/restaurant space, above grade parking level façade materials integrated into overall building, only one curb cut located on Colorado Street.

Concerns/suggestions for the project: There are no Community Benefits being provided onsite. The applicant has opted to pay the fee-in-lieu. Furthermore, the relationship of the existing building to the Warehouse District, and potential for local historical designation, as described in the Downtown Austin Plan (DAP) is of note. The existing building is identified as a Priority in the DAP. The Working Group also found the lack of a detailed landscape plan made it difficult to fully envision the streetscape. Lastly, rooftop amenities are of private use only.

We are also curious about the perceived reduction of public benefits when a Great Streets streetscape is already in place and existing trees are to be replaced with younger ones. A future project could potentially seek to replace more mature streetscape trees to allow the construction staging area. The city may want to consider policies related to projects being built under the Downtown Density Bonus Program where the Great Streets streetscape exists and mature trees are in place.

We conclude that the project, as presented, is in substantial compliance with the Urban Design Guidelines. However, we do have concerns that center on the potential historic significance of the existing building. Research has indicated that the building is considerably older than indicated by the applicant. The Historic Preservation Office has concluded that the building is approximately 92 years old and has a rich history. Given this, and the DAP priority, it should be made clear that our conclusion of substantial compliance with the Urban Design Guidelines does not advocate that we support the demolition of the existing building. We would defer this decision to the recommendation of the Historic Landmark Commission.

The Working Group appreciates the opportunity to comment on this project. We look forward to continued discussion on ideas about the potential historic value of the existing building.

Respectfully submitted,

Planning & Urban Design Working Group of the Design Commission

Chair David Carroll

Commissioner Bart Whatley

Cc: Katie Mulholland, Executive Liaison to the Design Commission  
Anne Milne, Density Bonus Program Coordinator