

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 20081211-082 TO AMEND THE REGULATING PLAN FOR THE PLAZA SALTILLO TOD STATION AREA PLAN BY AMENDING PROVISIONS REGARDING AN ADDITIONAL DENSITY BONUS PROGRAM APPLICABLE TO 1409 AND 1411 EAST 4TH STREET.

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

PART 1. Exhibit E to Ordinance No. 20081211-082 (*Regulating Plan for the Plaza Saltillo Station Area Plan*) is amended by amending Page i (*Contents*) to add “2.3.7 Urban Mixed Use Subdistrict” and renumber the remaining subsections as appropriate.

PART 2. Exhibit E to Ordinance No. 20081211-082 (*Regulating Plan for the Plaza Saltillo Station Area Plan*) is amended by amending Page ii (*Contents*) to add “4.3.4 Super Density Bonus”.

PART 3. Exhibit E to Ordinance No. 20081211-082 (*Regulating Plan for the Plaza Saltillo Station Area Plan*) is amended by amending Page vi to add “TOD Urban Mixed Use” as a new subdistrict as follows:

TOD Urban Mixed Use allowing high density multifamily or mixed use development, ideally with active ground floor uses and residential or office uses on the upper floors.

PART 4. Exhibit E to Ordinance No. 20081211-082 (*Regulating Plan for the Plaza Saltillo Station Area Plan*) is amended by amending Page 3, Figure 1-2 (*Applicability Summary Table – Land Use and Building Density, General Development Standards, Development Bonuses, and Parkland Dedication*) to add a new subsection 4.3.4 (*Super Density Bonus*) as shown on Exhibit A to this ordinance.

PART 5. Exhibit E to Ordinance No. 20081211-082 (*Regulating Plan for the Plaza Saltillo Station Area Plan*) is amended by adding a new subsection 2.3.7 (*TOD Urban Mixed-Use*) as follows and renumber the remaining subsections as appropriate:

2.3.7. TOD Urban Mixed Use

A. Typology

TOD Urban Mixed Use allows for high density residential or mixed use development and does not require that ground floor space be designed to accommodate active non-

1 residential uses, although it is encouraged. Active edges require that the ground floor
2 space be designed to accommodate non-residential uses and have a higher design
3 standard to promote the urban character of the area. This subdistrict is generally located
4 on arterial streets and in close proximity to the transit station. A wide array of retail,
5 office, and residential uses are permitted.
6

7 **B. Density Standards:**

8 1. Minimum Density: None

9 2. Maximum Density: 45 Dwelling Units per acre (unless a development bonus is
10 utilized); maximum Floor Area Ratios (FAR) are established in Subsection 4.2.8.
11

12 **C. Land Use**

13 Permitted, conditional, and prohibited uses are shown in Figure 2-2.
14

15 **PART 6.** Exhibit E to Ordinance No. 20081211-082 (*Regulating Plan for the Plaza*
16 *Saltillo Station Area Plan*) is amended by amending Page 19, Figure 2-1 (*Plaza Saltillo*
17 *Station Area Plan TOD Subdistricts*) to show the new TOD Urban Mixed Use subdistrict
18 on the Land Use and Design Concept Plan map, as shown on Exhibit B to this ordinance.
19

20 **PART 7.** Exhibit E to Ordinance No. 20081211-082 (*Regulating Plan for the Plaza*
21 *Saltillo Station Area Plan*) is amended by amending Page 21, Figure 2-2 (*Plaza Saltillo*
22 *TOD District Land Use Table*) to add “TOD Urban Mixed Use”, as shown on Exhibit C to
23 this ordinance.
24

25 **PART 8.** Exhibit E to Ordinance No. 20081211-082 (*Regulating Plan for the Plaza*
26 *Saltillo Station Area Plan*) is amended by amending Page 53, subsection 4.2.6(C)
27 (*Setbacks*) as follows:
28

29 C. If the street right-of-way is less than 60 feet in width, the minimum front yard
30 setback for buildings three or more stories in height shall be [30] 25 feet from the
31 centerline of the street to ensure adequate fire access.
32

33 **PART 9.** Exhibit E to Ordinance No. 20081211-082 (*Regulating Plan for the Plaza*
34 *Saltillo Station Area Plan*) is amended by amending Page 53, subsection 4.2.10(B)
35 (*Compatibility Standards*) as follows:
36

37 B. A waiver of compatibility standards may be granted if a development bonus is
38 utilized. The development bonus standards and requirements are established in

Subsections 4.3.2 Density Bonus, ~~and~~ 4.3.3 Density and Height Bonus, and 4.3.4 Super Density Bonus.

PART 10. Exhibit E to Ordinance No. 20081211-082 (*Regulating Plan for the Plaza Saltillo Station Area Plan*) is amended by adding a new subsection 4.3.4 (*Super Density Bonus*) as follows:

4.3.4. Super Density Bonus

A. Applicability

Article 3

Site Development Standards

Subsection 4.3.4

Super Affordability

Application:

Properties, or portions of properties, in the TOD Urban Mixed Use Subdistrict are eligible for a bonus

B. Waiver of Site Development Standards and Building Height Allowance

A density and height bonus shall be granted to a development that meets the affordability standards in Subsection C below, which exempts the development from the following site development standards:

1. Maximum density requirement in Section 2.3;
2. Maximum Floor-to-Area Ratio (FAR) in Subsection 4.2.8; and
3. Chapter 25-2 Subchapter C, Article 10 of the LDC (Compatibility Standards) shall be waived with the following exceptions:
 - a. Height Limitations

In the TOD District within 100 feet of the TOD boundary, compatibility standards height limitations triggered by property outside of the TOD District shall be waived if owners of at least 66% of triggering properties within 25 feet of the site requesting the waiver agree. If there are no triggering properties within 25 feet, the height restriction shall be waived.

Building Height Allowance

Any building on the site receiving the bonus may reach a total of 85 feet in height as measured by the LDC.

1 4. Active Edge Requirements

2 The active edge requirements in Subsection 5.7.2 are waived with the following
3 exceptions:

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5 Commercial or mixed use projects shall follow Subsection 5.7.2.A.

6
7 Residential projects shall be designed according to the following standards:

8
9 a. The ground floor building façade shall be designed to reinforce
10 pedestrian activity. Each ground floor dwelling unit shall be designed
11 according to the following standards:

12
13 An entrance that opens directly onto the sidewalk according to
14 Section 5.3;

15
16 Entrances should be highlighted through architectural cues;

17
18 Entrances should be raised with stoops or porches to allow for
19 privacy;

20
21 The scale and detailing of the windows should reflect the residential
22 use of the building;

23
24 Landscaping between the sidewalk and building edge is encouraged.

25
26 b. Off street parking is not permitted along an active edge.

27
28 5. Parking Requirements

29 The minimum parking requirements may be reduced to 5 percent of the off-street
30 parking requirements established in Chapter 35-6, Appendix A provided that a
31 development include the following features or amenities:

32
33 Parking spaces shall be leased or sold separately from occupied spaces.

34
35 On-street parking spaces located adjacent to the site if road conditions
36 permit on-street parallel parking.

37
38 The provision of a car-sharing vehicle program that complies with the
39 requirements prescribed by the Director by administrative rule.

1
2 The minimum amount of bicycle parking provided shall be 200% of the
3 requirement established in part 4.4.5.

4
5 20% of required bike parking to be provided as fully enclosed lockable
6 bicycle parking spaces.

7
8 **C. Affordability Standards**

9 To be eligible for the development exemptions and height allowance in Subsection B
10 above, habitable space equal to a minimum of seventy-five percent of the entire square
11 footage of the development shall be reserved as affordable according to the following:

- 12
13 a. A minimum of 10% of the total square footage shall be provided at 40%
14 Median Family Income (MFI), or less;
15
16 b. A minimum of 25% of square footage shall be provided at 60% MFI or less;
17 and
18
19 c. A minimum of 40% of square footage shall be provided at 80% MFI, or less.

20
21 The requirement may be met by providing affordable owner-occupied units, rental
22 units, or a combination of both.

23
24 **1. Affordability Requirements for Owner-Occupied Units**

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26 The applicant shall be responsible for providing habitable space through a City
27 approved affordable housing land trust for not less than 99 years from the date a
28 certificate of occupancy is issued, for ownership and occupancy by households earning
29 no more than the required percentage of the Annual Median Family Income.

30
31 **2. Affordability Requirements for Rental Units**

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33 The applicant shall provide habitable space as affordable for a minimum of 40 years
34 following the issuance of the certificate of occupancy, for rental by households earning
35 no more than the required percentage of the Annual Median Family Income.
36
37
38
39

PART 11. This ordinance takes effect on _____, 2018.

PASSED AND APPROVED

_____, 2018 § _____
 § _____
 § _____
Steve Adler
Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan Jannette S. Goodall
City Attorney City Clerk