



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

### **INSTRUCTIONS**

A property owner (**Owner**) or his/her representative (**Applicant**) acting on behalf of the Owner can initiate an administrative request to the Director of Planning (Director) seeking additional Floor-to-Area (FAR) entitlements as outlined in the Downtown Density Bonus Program as approved by [Ordinance No. 20140227-054](#).

In order for the Director to conduct an administrative review, the requirements listed below must be submitted. Once an application is deemed complete, the Director will inform the Applicant of review commencement.

**The following submittals are required in a complete PDF package of no more than 10 Mb in size with sheets no larger than 11x17 inches:**

1. Completed DDBP Application;
2. Vicinity plan locating the project in its context, and showing a minimum 9 block area around the project;
3. Location and nature of nearby transit facilities;
4. Drawings (submitted drawings should demonstrate compliance with Subchapter E Design Standards, as applicable):
  - Site plan;
  - Landscape plan;
  - Floor plans;
  - Exterior elevations (all sides);
  - Three-dimensional views;
5. As part of the gatekeeper requirements, submit copy of the projects signed Austin Energy Green Building Letter of Intent; and
6. Other items that may be submitted but not required: Narrative / graphics / photos to further describe the project.
7. Coordination memo acknowledgment from the City of Austin's Neighborhood Housing and Community Development Department (NHCD) detailing affordable housing community benefits. Please contact [Ms. Sandra Harkins](#) at NHCD for more information.



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

**1. Project Name**

The Republic

**2. Case Number**

SP-2018-0167C

**3. Property Owner**

Name:

LO/PPC OP GUADALUPE, LLC (authorized by Travis County)

Address:

2000 McKinney Avenue, Suite 1000, Dallas, Texas 75201

Phone:

E-mail:

**4. Applicant/Authorized Agent**

Name:

Richard Suttle, Armbrust & Brown

Address:

100 Congress Ave., Suite 1300, Austin, Texas 78701

Phone:

512-435-2310

E-mail:

rsuttle@abaustin.com

**5. Anticipated Project Address:**

401 West 4th Street, Austin, Texas 78701

## 6. Site Information

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

77,227 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  
The property is also located in the Downtown Parks Overlay.

- c. Existing entitlements:

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

8:1

- II. Current height limitation (in feet) :

None for CBD; 120-ft in Downtown Parks Overlay.

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

☐ Yes

☒ No

If yes, please provide specify height allowed under CVC:

## 7. Existing Deed Restrictions

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

## 8. Building Information

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

920,500 GSF

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

Office - 901,300 GSF  
Retail - 19,200 GSF

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

NA

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

NA

- e. Number of floors:

46

- f. Height:

708'-6"

- g. FAR requested:

11.92

- h. Number of parking spaces:

1,916

#### 9. 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:

The project substantially complies with the Urban Design Guidelines, as described in Item 12 below.

In addition, the project has included a schematic site plan, building elevations, and other documents to show the project in relation to its surroundings.

The project shall execute a restrictive covenant committing to streetscape improvements consistent with Great Streets standards.

Lastly, the project shall achieve a minimum two star rating under the Austin Energy Green Building program. A copy of the Letter of Intent is included with this submittal.

#### 10. 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:

The proposed use is office with ground floor commercial space which allows additional density by meeting the Gatekeeper requirements. The project shall meet the necessary Gatekeeper requirements.

**11. 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:

The project proposes to meet all Gatekeeper requirements to achieve an 11.92:1 FAR. The Gatekeeper requirements are incorporation of Great Streets Standards, a minimum two star rating under the Austin Energy Green Building program, and substantial compliance with the Urban Design Guidelines.

**12. 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.

See attached matrix detailing how the project will comply with the Urban Design Guidelines.



### 13. 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))

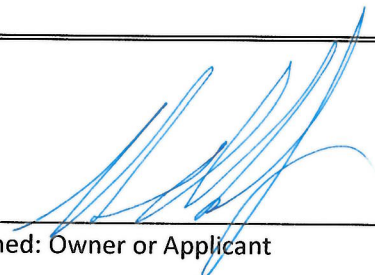
☒ Yes

☐ 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

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Signed: Owner or Applicant

**Authorized Agent**

Richard T. Suttle, Jr.

**Date Submitted**

08/22/2018





## **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;
- Landscape 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.



# 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: The Republic

Project Address: West 4th street & San Antonio 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: Seth Johnston  
Signature: [Signature]  
Title: SVP  
Phone Number: 512-322-3216  
Date: 4/10/18

### AUSTIN ENERGY GREEN BUILDING:

Name: Jeff Wacker  
Signature: [Signature]  
Title: AEGB Representative  
Phone Number: 512.482.5448  
Date: 5/2/18



OFFICE OF TRAVIS COUNTY JUDGE SARAH ECKHARDT

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April 12, 2018

City of Austin  
Development Services Department  
505 Barton Springs Road  
Austin, Texas 78704

Re: Authorization Letter for 308 Guadalupe Street also known as TCAD Parcel  
Number 0206010601 (the "Property")

To Whom It May Concern:

Please accept this letter appointing LO/PPC OP Guadalupe, LLC, and its consultants as authorized agent for the undersigned in connection with any such licenses, easements, permits, plats, zoning, site development permits, building permits and other agreements necessary for the above-referenced Property. This appointment includes complete authority for LO/PPC OP Guadalupe, LLC and its consultants to handle all aspects of the entitlement process for the use of the Property. All correspondence and contact should be directed thereto. Thank you for your assistance in connection with this matter.

Sincerely,

A handwritten signature in black ink, appearing to be "SE", is written over a large, faint, diagonal watermark that reads "NOT A PUBLIC RECORD".

Sarah Eckhardt, County Judge  
Travis County, Texas

# ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300  
AUSTIN, TEXAS 78701-2744  
512-435-2300

FACSIMILE 512-435-2380

Richard T. Suttle, Jr.  
(512) 435-2310  
rsuttle@abaustin.com

August 22, 2018

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

Re: Revised Downtown Density Bonus Application for 401 W. 4<sup>th</sup> Street (the  
"Application")

Dear Mr. Guernsey:

We are submitting this letter on behalf of LO/PPC OP GUADALUPE, LLC ("LO/PPC") to revise our original density bonus request for property located at 401 W. 4<sup>th</sup> Street (the "Property"). The original density bonus request was to allow a floor-to-area ratio ("FAR") of 9.15:1, however after further consideration LO/PPC would like to modify its request to allow an FAR of 11.92:1.

The Property is approximately 1.773 acres and is currently developed as a surface parking lot. Vehicular access to the site is located along 3<sup>rd</sup> Street, 4<sup>th</sup> Street, and San Antonio Street. The Property is zoned Central Business District ("CBD") and within the Core Waterfront District established by the Downtown Austin Plan. The site is adjacent to Republic Park and subject to the Downtown Parks Overlay. The maximum FAR within CBD is 8:1 with no height limitation. On a 1.773-acre site this would yield approximately 617,855 square feet of building area.

The purpose of this Application is to request a density bonus to exceed the 8:1 FAR limitation to construct a 46-story office building with ground floor retail and structured parking (the "Project"). The proposed building height is 708'-6" tall, which includes a penthouse and a structured roof to screen the mechanical equipment. Please note there is a not a residential component to this Project. The density bonus, if approved, would allow a 11.92:1 FAR, which

would yield approximately 920,500 square feet of building area. This is an increase of approximately 302,645 square feet when applying an 8:1 FAR.

The Project shall adhere to Section 25-2-586 by meeting all of the Gatekeeper requirements. This includes, (i) a restrictive covenant committing to streetscape improvements consistent with Great Street standards, (ii) a commitment to achieve a minimum two-star rating under the Austin Energy Green Building program, and (iii) substantially compliance with the Urban Design Guidelines as outlined in the attached matrix worksheet.

A site plan has been filed with the City under Case No. SP-2018-0167C that provides streetscape improvements along San Antonio Street, W. 3<sup>rd</sup> Street, and Guadalupe Street consistent with Great Streets Standards. In addition to incorporating great streets along the adjoining right of way, the Project will incorporate a large plaza adjacent to Republic Square along 4<sup>th</sup> Street. The average depth of the plaza is 60 feet from back of curb. The plaza will provide for outdoor seating and gathering areas around landscape features creating a warm and inviting atmosphere. The plaza will allow a direct connection with the park and encourage greater pedestrian activity by providing for a cohesive transition to Republic Square. As recommended by the Downtown Austin Plan, the Project will create a strong edge to Republic Square, "creating greater contrast and focusing the public's attention on these unique urban features."

In addition to the plaza, the sites location provides an intermodal benefit to businesses with over ten bus routes and two bike-share facilities within a two-block radius. With the existing residential buildings and more planned or under construction in downtown, the site offers substantial walkable employment opportunities.

In summary, the request is to increase the allowed FAR from 8:1 to 11.92:1 in order to develop a pedestrian friendly project that enhances the public realm experience adjacent to Republic Park.

We appreciate your consideration of our project and look forward to meeting with you to answer any questions and provide further details.

Respectfully,

**ARMBRUST & BROWN, PLLC**



Richard T. Suttle, Jr.

cc: Amanda Morrow  
Chris Jessee  
Seth Johnston



# 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. The Design Commission reviews three types of projects:

1. **City projects** (see page ii for process)

The Commission reviews all municipal buildings and associated site plans to ensure they demonstrate compliance with city design and sustainability standards ([Council Resolution No. 20071129-046](#)), including those seeking [Subchapter E Design Standards Alternative Equivalent Compliance \(AEC\)](#) ([Council Resolution No. 20100923-086](#)).

2. **Destiny Bonus projects** (see page iv for process)

The Commission reviews density bonus projects for substantial compliance with the Urban Design Guidelines for Austin in accordance with the Gatekeeper requirements of [LDC 25-2-586](#) for the Downtown Density Bonus Program.

3. **Advisory Recommendations for Private projects** (see page ii for process)

The Commission will consider Project Review Applications from private projects during its regularly scheduled monthly public meetings and may issue an advisory recommendation in the form of a Project Review Letter to the Applicant.

This Project Review Application must be submitted before your project can be presented to the Design Commission for their review. Design Commission requests project be presented in their Conceptual/Schematic Design phase. This application primarily addresses inhabited buildings and structures and their effect on the public realm; please refer to Appendix A for infrastructure type projects.

The Commission's review of projects is based on the planning/design principles in the Urban Design Guidelines for Austin. Ensure that all applicable principles 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 principles of [Imagine Austin Comprehensive Plan](#), especially those that affect the urban environment and fabric. All projects should consider this vision and principles, many of which are similar to the Urban Design Guidelines. Refer to Appendix C for the most pertinent sections of Imagine Austin.

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

## EXHIBITS TO PRESENT

- 1) Completed Project Review Application (p.1-6)
- 2) Existing zoning classification, adjacent zoning & uses, future land use map classification, topography
- 3) Vicinity plan, including public transportation and connectivity on-site and within quarter mile
- 4) Site plan and landscape plan
- 5) Ground level, basement plan, and typical floor plan
- 6) Elevations and/or 3d views
- 7) Any letters of support or findings by other commissions
- 8) Staff reports, if any
- 9) Records of public participation

# PROJECT REVIEW PROCESS: CITY PROJECTS

The Design Commission reviews all municipal buildings and associated site development projects to ensure they demonstrate compliance with city design and sustainability standards ([Council Resolution No. 20071129-046](#)), including those seeking [Subchapter E Design Standards Alternative Equivalent Compliance \(AEC\)](#) ([Council Resolution No. 20100923-086](#)).

1. Applicants are encouraged to meet with the Office of the City Architect prior to submitting a Project Review Application, especially if seeking Alternative Equivalent Compliance (AEC) under Subchapter E Design Standards. (See Staff Contacts on page iv.)
2. Applicant submits completed Project Review Application, including Exhibits, to Commission Liaisons a minimum of ten (10) days prior to the Design Commission meeting. (See [Calendar of Regular Meetings](#) and "Exhibits to Present" on page i)
3. Commission Liaisons review Project Review Application for completeness. Once the Application is deemed complete, the project will be added to the agenda. (Agendas are posted online 72 hours prior to the meeting.)
4. Commission Liaisons post backup, including complete Project Review Application and letters/decisions from other Boards and Commissions, the Friday before the meeting. (See [Meeting Documents](#) website.)
5. Design Commission meets and hears a 15 minute presentation by the Owner/Applicant/Architect. The Commission asks questions and makes recommendations. At the end of the project review, the Design Commission may rely on the recommendations recorded in their meeting minutes or submit a Project Review Letter to City Staff in Development Services Department.
6. Design Commission may direct a Working Group to write the Project Review Letter. The Working Group will take comments from the full Design Commission meeting, add their comments, and coordinate with the Design Commission Chair to issue a Letter to applicable Development Services Department Staff. The Working Group shall meet prior to the next regularly-scheduled Design Commission to finalize comments on any project submittal. The goal is for this to happen in a one (1) month time frame.
7. Commission Liaisons will forward approved meeting minutes or Project Review Letters to applicable Development Services Staff.
8. Design Commission may request that an Owner/Applicant or City Staff submit an update report in the future so that the Commission can review progress as a project is further detailed.



## PROJECT REVIEW PROCESS: DENSITY BONUS PROJECTS

The Design Commission reviews density bonus projects for substantial compliance with the Urban Design Guidelines for Austin in accordance with the Gatekeeper requirements of LDC 25-2-586 for the Downtown Density Bonus Program.

1. **Six weeks prior to the target Design Commission meeting:** Applicant will contact Density Bonus Liaison with intent to schedule project on the next Design Commission agenda.
  - a. Density Bonus Liaison will provide application and submittal documentation to Applicant and notify Commission Liaisons.
2. **Five weeks prior to the target Design Commission meeting:** Density Bonus Liaison will contact Chair of Working Group to schedule a meeting, copying Commission Liaisons.
3. **By the end of the fourth week (24 calendar days) prior to the target Design Commission meeting:** The Applicant will submit all completed application requirements to Density Bonus Staff Liaison.
4. **By the end of the third week (17 calendar days) prior to the target Design Commission meeting:** Design Commission Working Group will meet to review Project Review Application and evaluate Applicant's presentation detailing substantial compliance with the Urban Design Guidelines for Austin.
  - a. Working Group will provide Applicant comments and suggestions on improving presentation and issue a recommendation to the Design Commission on achieving substantial compliance with the Urban Design Guidelines for Austin.
5. **By the end of the second week (10 calendar days) prior to the target Design Commission meeting:** Chair of the Working Group will send the Density Bonus and Commission Liaisons the Working Group's written recommendation to the Design Commission containing specific feedback given to the Applicant and, if lacking, detailing items to address to achieve substantial compliance with the Urban Design Guidelines for Austin.
6. **One week (7 calendar days) prior to the target Design Commission meeting:** Once the Density Bonus Liaison receives the revised project submittal from the Applicant and the Commission Liaison receive the written recommendation from the Working Group Chair, the Commission Liaison will place project on Design Commission agenda for discussion and possible action.
7. **Design Commission meeting:** At the meeting, Design Commission will review the project for substantial compliance with the Urban Design Guidelines for Austin based on Working Group recommendations and issue a final recommendation detailing to Planning and Zoning Department Staff items needed to be addressed in order to achieve substantial compliance.
8. **Within one week after Design Commission meeting:** The Chair will issue a formal written recommendation based on the action taken by the by the Commission detailing to Planning and Zoning Department Staff items needed to be addressed in order to achieve substantial compliance.

## GENERAL CONSIDERATIONS

### *Incomplete Applications*

Should Commission Liaisons determine that the Project Review Application is incomplete, the Application shall be returned to the Applicant and the project will not be posted on the agenda for consideration by the Commission.

**Submissions without the required Adobe PDF electronic file shall be deemed incomplete.**

### *Public Notice*

Posting of public notices on the proposed project site or giving notice to adjacent property owners is not required by the enabling ordinance of the Design Commission. The posted agenda for the Design Commission meetings serves to inform the public of subjects considered by the Commission. The Applicant shall note that the concomitant regulatory procedures by other boards and commissions have legal public notice requirements. Actions taken by the Austin Design Commission shall be in respect of and in compliance with such local ordinances and project review procedures.

### *Limits on Resubmissions*

Applicants are limited to two (2) resubmissions per design phase (as described herein) and shall notify Commission Staff of the intent and desire to resubmit project(s) for review within seven (7) days of the action vote by the Commission. The Commission shall consider such resubmissions prior to issuing the Project Review Letter.

### *Rebuttal of Project Review Letter*

Since the Commission issues advisory recommendations only, there is no instance for appeals to the Commission.

Rebuttals of such advisory recommendations may be made by the Applicant to the applicable city department, planning commission, or City Council in accordance with applicable standard processes and procedures.

## STAFF CONTACTS

By appointment, City Staff is available for consultation on submittal requirements. To schedule a pre-submission conference or for information on any of the above submittal requirements, please contact:

City of Austin, One Texas Center, 505 Barton Springs Rd., Austin, TX 78704

Commission Liaisons:

**Executive Liaison:** [Katie.Mulholland@austintexas.gov](mailto:Katie.Mulholland@austintexas.gov), (512) 974-3362

**Staff Liaison:** [Nichole.Koerth@austintexas.gov](mailto:Nichole.Koerth@austintexas.gov), (512) 974-2752  
Urban Design Division, Planning and Zoning Department, 5th floor

**City Architect (acting):** [Raymundo.Minjarez@austintexas.gov](mailto:Raymundo.Minjarez@austintexas.gov), (512) 974-1618  
Office of the City Architect, Public Works Department, 9<sup>th</sup> floor

**Density Bonus Liaison:** [Anne.Milne@austintexas.gov](mailto:Anne.Milne@austintexas.gov), (512) 974-2868  
Urban Design Division, Planning and Zoning Department, 5th floor

## A. PROJECT INFORMATION

Project Name

Project Type:

Infrastructure

City building & site

Density bonus

Private project

Other

Project Location/Address

Applicant

Property Owner

Applicant Mailing Address

Property Owner Mailing Address

Applicant Telephone Number

Property Owner Telephone Number

Project Start Date

Project Completion Date

Applicant's Architect

Applicant's Engineer

1] Indicate if proposed Project is required by City Ordinance to be reviewed by the Design Commission.

2] Describe the recommendation that you are requesting from the Design Commission.

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

4] 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?

5] Does this Project comply with Land Development Code Subchapter E? List specifically any Alternative Equivalent Compliance request if any. 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)

## B. PROJECT BACKGROUND

6] Provide project background including goals, scope, building/planning type, 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.

7] Has this project conducted community/stakeholder outreach? If so, please provide documentation to demonstrate community/stakeholder support of this project.

8] Is this project submitting for the Downtown Density Bonus Program? If so, please provide a completed Downtown Density Bonus Application.

9] Has the project been reviewed by COA Department (i.e. DAC) Staff? If so, please describe and cite any relevant comments or feedback that the Commission should be aware of.

10] Are there any limitations to compliance or planning principles due to the specific requirements of this project that the Commission should be aware of?

## C. EXISTING CONDITIONS AND CONTEXT

11] Identify connectivity to public transportation including, bicycle and pedestrian routes and/or multi-modal transportation. Does the project comply with ADA requirements? Provide a site context map and attach additional pages as needed.

12] Identify and describe any existing features that are required to be preserved and/or protected such as heritage trees, creeks or streams, endangered species (flora and/or fauna)? Attach additional site diagrams as needed.

13] Is this project within any City of Austin planning district, master plan, neighborhood plan, regulatory district, overlay, etc.? If so, please illustrate how this project conforms to the respective plan. Attach additional pages as needed. (See below for requirements.)

14] List any project program and/or site constraints that should be considered.

## D. RELATIONSHIP TO PUBLIC REALM

Public realm is defined as any publically 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.

15] The shared values outlined in the Urban Design Guidelines include Human Character, Density, Sustainability, Diversity, Economic Vitality, Civic Art, A Sense of Time, Unique Character, Authenticity, Safety and Connection to the Outdoors. How is the project addressing these unique community characteristics? Is the project developing any public amenities for urban continuity and vital place making?

16] Does this project encourage street level activity to engage and respond to functional needs such as shade, rest areas, multi-modal transportation storage and paths?

17] How will the project be a good neighbor to adjacent properties? For example, describe the treatment of the transition area between properties, i.e. fence, landscape improvements, etc.



## E. ENVIRONMENTAL/SUSTAINABLE ISSUES

The Austin Urban Design Guidelines set a goal that, "All development should take into consideration the need to conserve energy and resources. It should also strive for a small carbon footprint."

18] Please list any significant components of the project that contribute to meeting this goal. If the project has been designed to accommodate future inclusion of such components (for example, by being built "solar ready") please list them.

19] If the project is being designed to meet any sustainability/environmental standards or certifications (for example, LEED Silver), please list them here and attach relevant checklists or similar documents that demonstrate how the standard or certification will be achieved.

20] If the project contains other significant sustainability components not included above that the Commission should note, please list them here.

# APPENDIX A

## INFRASTRUCTURE PROJECTS

# APPENDIX B

## DENSITY-BONUS PROJECTS

# APPENDIX C

## IMAGINE AUSTIN RELATED POLICIES

### Land Use and Transportation Building Block

LUT P30: Protect and enhance the unique qualities of Austin's treasured public spaces and places such as parks, plazas, and streetscapes; and, where needed, enrich those areas lacking distinctive visual character or where the character has faded.

LUT 31: Define the community's goals for new public and private development using principles and design guidelines that capture the distinctive local character of Austin.

LUT P35: Infuse public art into Austin's urban fabric in streetscapes along roadways and in such places as parks, plazas, and other public gathering places.

LUT P41: Protect historic buildings, structures, sites, places, and districts in neighborhoods throughout the City.

LUT P43: Continue to protect and enhance important view corridors such as those of the Texas State Capitol District, Lady Bird Lake, and other public waterways

LUT P44: Preserve and protect historic parks and recreation areas.

### Economy Building Block

E P6: Support up-to-date infrastructure, flexible policies, and programs, and adaptive reuse of buildings, so that local, small, and creative businesses thrive and innovate.

### Conservation and Environment Policies Building Block

CE P3: Expand the City's green infrastructure network to include such elements as preserves and parks, trails, stream corridors, green streets, greenways, and agricultural lands.

CE P11: Integrate development with the natural environment through green building and site planning practices such as tree preservation and reduced impervious cover and regulations. Ensure new development provides necessary and adequate infrastructure improvements.

### City Facilities and Services Building Block

CFS P14: Integrate erosion, flood, and water quality control measures into all City of Austin capital improvement projects.

CFS P24: Increase the share of renewable energy sources, such as wind, solar, and biomass, used by Austin Energy to generate electricity, including infrastructure for on-site sources throughout the City.

CFS P29: Increase the use of joint or shared facilities between public safety and other service providers, when possible, to provide residents with efficient services, reduce costs, and maintain public safety infrastructure.

CFS P35: Distribute public buildings where neighborhood services are located and other accessible locations throughout the City.

CFS P36: Improve multimodal public transportation access to the City's public buildings and facilities, including the Austin-Bergstrom International Airport.

CFS P37: Integrate public buildings and facilities into active, walkable, mixed use neighborhoods and complete, healthy communities.

CFS P38: Reduce energy consumption and waste generation in all public buildings to meet the City's greenhouse gas reduction and zero waste goals.

CFS P39: Develop public buildings and facilities that create healthy work environments and educate the public about energy-efficient, sustainable building, and greening best practices.

CFS P44: Feature superior design in parks and recreational facilities and include opportunities for public art and sustainable design solutions.

#### Society Building Block

S P14: Locate emergency services within close proximity to all neighborhoods and continue to improve community outreach and relationships between police and neighbors

S P25: Increase sidewalks and bicycle lanes in neighborhoods to create safer routes to schools, parks, and transit stops.

#### Creativity Building Block

C P16: Increase the availability of significant public art to designate districts and/or their entrances and to assist visitors in navigating the area.

C P17: Define Austin's sense of place through high standards for architecture and urban design, public art, public spaces and parks, and arts education.



## MEMORANDUM

Date: July 12, 2018  
To: City of Austin Design Commission  
From: Planning & Urban Design Working Group  
Subject: Working Group Density Bonus Program review of 401 West 4<sup>th</sup> Street for substantial compliance with the Urban Design Guidelines.  
Meeting Date: June 29, 2018; 12:00 pm, One Texas Center, Room 500  
Applicant: Richard Suttle – Armbrust & Brown  
Architect: Duda Paine

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The project location is 401 West 4<sup>th</sup> Street.

Existing zoning for the project is CBD and it is within the Downtown Parks Overlay. The lot area is 77,227 square feet and the total proposed project area is 706,894 square feet. The project design includes 687,471 square feet of office space and 19,423 square feet of retail space.

The proposed FAR for this project is 9.15:1. This is above the 8:1 maximum allowance for CBD zoning, so an increase in FAR of 1.15:1 is being requested.

The proposed building height is 586 feet (38 stories) with 1,644 parking spaces

Per the Density Bonus Program ordinance, the applicant is required, at a minimum, to meet three gatekeeper requirements:

1. Substantially comply with the Urban Design Guidelines,
2. Provide streetscape improvements along all public street frontages consistent with the Great Streets Standards
3. Commit to a minimum of 2-star Austin Energy Green Building rating.

### WORKING GROUP COMMENTS REGARDING COMPLIANCE WITH URBAN DESIGN GUIDELINES

#### AREA WIDE GUIDELINES

1. Create dense development-  
706,894 square feet on 1.77 acres is a dense development. Note that this section specifically encourages walkability to reduce reliance on cars. Less parking and habitable space is preferred. This project has a large amount of parking. Project complies with this section.
2. Create mixed-use development-  
The project has two main uses office & retail, but office use does not occur at street level. Parking is not an acceptable use. For a project of this size, ground level retail is not adequate. This project does not substantially comply with this section. Provide more street level uses to comply.
3. Limit development which closes downtown streets-  
No street closures planned. Project complies with this section
4. Buffer neighborhood edges-  
The project is in CBD and does not border any neighborhoods. The project is not applicable with this section.

5. Incorporate civic art in both public and private development-  
Existing AIPP Art will remain on 3<sup>rd</sup> Street. Additional art may be added in plaza as well as on the walls at the AE Vaults facing 3<sup>rd</sup> Street. This project complies with this section.
6. Protect important public views-  
Project does not block any important views and is not in the CVC. This project complies with this section.
7. Avoid historical misrepresentations-  
Modern design. Project complies.
8. Respect adjacent historic buildings-  
There are no adjacent historic buildings. This project is not applicable with this section.
9. Acknowledge that rooftops are seen from other buildings and the street-  
Programmed amenity roof decks are a good part of this project. Mechanical equipment is screened. Project complies with this section.
10. Avoid the development of theme environments-  
The project does not use any themes. Project complies.
11. Recycle existing building stock-  
Existing site is a surface parking lot. There is no existing building stock. This project is not applicable with this section.

\*Project complies with 7 of the applicable 8 Area Wide Guidelines.

#### **GUIDELINES FOR THE PUBLIC STREETSCAPE**

1. Protect the pedestrian where the building meets the street-  
Overhead protection appears to be at least 8 feet deep on all sides. The project complies with this section.
2. Minimize curb cuts-  
There are three curb cuts planned for this project plus a drop off. No curb cut on Guadalupe, which has the most traffic. Curb cuts placed at original alley locations would be preferred. This project does not comply with this section.
3. Create a potential for two-way streets-  
Design of garage entries allows for two-way street. Project complies with this section.
4. Reinforce pedestrian activity-  
More retail (and more variety) would help as per AW2. It would also help to include signage to clearly signify the public areas. Project does comply.
5. Enhance key transit stops-  
There are no transit stops onsite. There is a major stop across the street at the park. This section is not applicable with this section.
6. Enhance the streetscape-  
Incorporation of Great Streets enhances streetscape. Consistency of hardscape material across curb cuts is positive. The lack of Great Streets at the drop off is not ideal. Project complies with this section.
7. Avoid conflicts between pedestrians and utility equipment-  
AE Vaults are on 3<sup>rd</sup> Street behind the facade. All connections are buried. There are no conflicts. Project complies with this section.
8. Install street trees-  
Street trees included with incorporation of Great Streets. Project complies with this section
9. Provide pedestrian-scaled lighting-  
It is unclear how this will be met. No lighting indicated on plans. Project does not comply with this section.
10. Provide protection from cars/promote curbside parking-  
Drop off creates conflict with automobiles and pedestrians. Project does not comply. Add bollards in this location to comply.
11. Screen mechanical and utility equipment-  
Equipment is screened and/or within building envelope. Project complies.
12. Provide generous street-level windows-  
Windows provided at retail and lobby locations. Project appears to comply



13. Install pedestrian-friendly materials at street level-  
Project will provide pedestrian paver and benches. Plaza to have multiple pavers as well. Project complies.

\*Project complies with 9 of the 12 applicable Guidelines for Public Streetscape.

## **GUIDELINES FOR PLAZAS AND OPEN SPACE**

1. Treat the Four Squares with Special Consideration-  
Project provided a 60-foot setback from adjacent Republic Square Park. The setback contains a plaza as an extension of the park. Project complies.
2. Contribute to an Open Space Network-  
Plaza extends the open space from the park. Project complies.
3. Emphasize Connections to Parks and Greenways-  
Plaza setback allows for views and breezes. Project complies
4. Incorporate Open Space into Residential Development-  
There is no residential development- Section is not applicable.
5. Develop Green Roofs-  
Project provides a 25,500square foot roof terrace. At least 50% of terrace will be green roof. Project complies.
6. Provide Plazas in High Use Areas-  
A 18,000 square foot plaza is proposed. Project complies.
7. Determine Plaza Function, Size, and Activity-  
Plaza is being proposed as an extension of Republic Square with associated programming including; outdoor dining, and commerce. Project complies.
8. Respond to the Microclimate in Plaza Design-  
Plaza is designed with three zones but seems to be lacking adequate shade. A water feature might also help comfort levels. Project minimally complies.
9. Consider Views, Circulation, Boundaries, and Subspaces in Plaza Design-  
Views and circulation through plaza have been addressed but are bound by Great Streets. Project complies.
10. Provide an appropriate amount of Plaza Seating-  
Plaza seating is provided in addition to Great Streets seating. Project complies.
11. Provide Visual and Spatial Complexity in Public Spaces-  
Plaza is broken into 3 distinct experiences. Project complies.
12. Use Plants to Enliven Urban Spaces-  
Plaza provides more than 30% plant coverage. Project complies.
13. Provide Interactive Civic Art and Fountains in Plazas-  
No art or fountains are shown on plaza drawings or renderings. Project does not comply.
14. Provide Food Service for Plaza Participants-  
Unclear if food service will be provided. Drawings and renderings label everything as retail. Project does not comply.
15. Increase Safety in Plazas through Wayfinding, Lighting, & Visibility-  
Lobby entrance is signaled by hierarchy of the canopy, but lighting and wayfinding are unclear. Project does not substantially comply.
16. Consider Plaza Operations and Maintenance-  
Durable materials and indigenous plants appear to be specified. Project complies.

\*Project complies with 12 of the applicable 15 Guidelines for Plazas and Open Space.

## **GUIDELINES FOR BUILDINGS**

1. Build to the street-  
Project has 60-foot setback on park side but builds to street on 3 sides. Project substantially complies
2. Provide multi-tenant, pedestrian-oriented development at the street level-  
Project provides pedestrian-oriented development with ground level retail on all sides and public plaza

- on north side. Project complies.
3. Accentuate primary entrances-  
A hierarchy of canopies sets the main entry apart. Entries are recessed as well. Project complies.
  4. Encourage the inclusion of local character-  
Art walls along 3<sup>rd</sup> Street reflect local character, but the building does not. Project does not comply.  
Large glass tower does not reflect local materials or provide any local meaning.
  5. Control on-site parking-  
Parking is located above grade and is screened. Project complies with this section
  6. Create quality construction-  
Parking on north side is designed so that it could be converted to another use in the future. Project appears to comply.
  7. Create buildings with human scale-  
Lower floors are not differentiated architecturally. Parking volume does reflect massing of adjacent buildings.  
Ground floor canopies help to create pedestrian scale. Project minimally complies.

\*Project complies with 6 of the 7 Guidelines for Buildings.

This is a large building with broad massing covering almost a full block. While the ground level and landscaping seem to create a human scale, from a block or 2 away the building will have less of a comfortable scale. The landscaping and relationship to Republic Square is great. The 3<sup>rd</sup> Street facade is not as active, challenged by the 3 lanes of vehicular access and the 3 electrical vaults. AE needs to take a more reasonable position on below grade vaults as other large cities do. The proposed public art on 3<sup>rd</sup> Street will help to activate this area. The project would be stronger regarding the Urban Design Guidelines if the vehicular access points on San Antonio were reduced. Overall, large buildings with all above grade parking, such as this one, require a huge amount of ground floor space to be dedicated to services, utilities, and loading. It appears around 60% of the ground floor is non-pedestrian focused, and with upper levels that could relate to the street dedicated to car storage, a project like this really is a vertical suburban development. Below grade parking, below grade vaults, and vehicular access alignment with the original alley platting would go a long way to improve this project.

We have determined that this project, as presented, is in substantial compliance with the Urban Design Guidelines. However, to ensure a consensus is met we would recommend addressing the non-compliant issues before presenting to the full Commission. The Working Group has appreciated the opportunity to review and comment on this project.

Respectfully submitted,

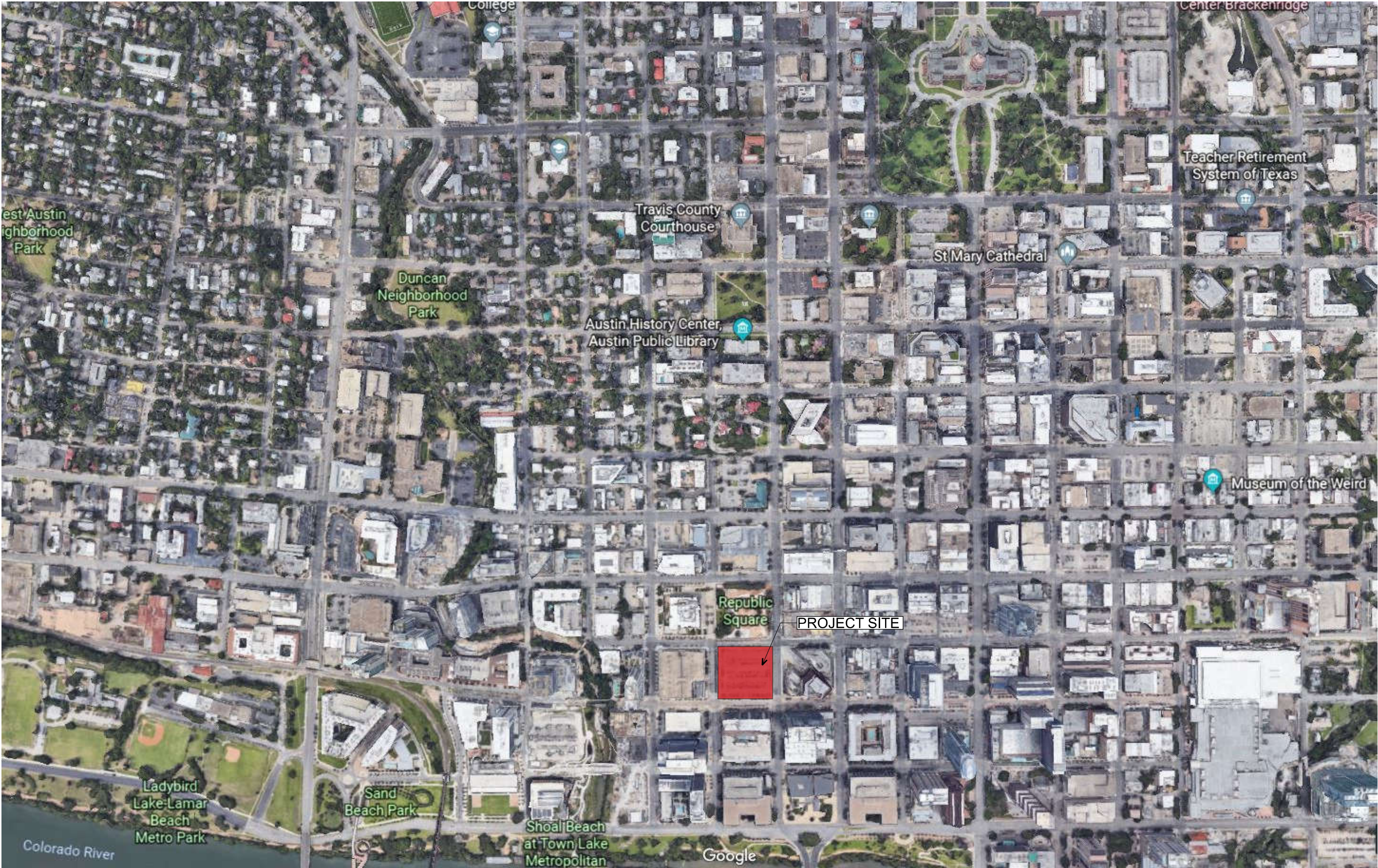


David Carroll, Chair  
City of Austin Design Commission

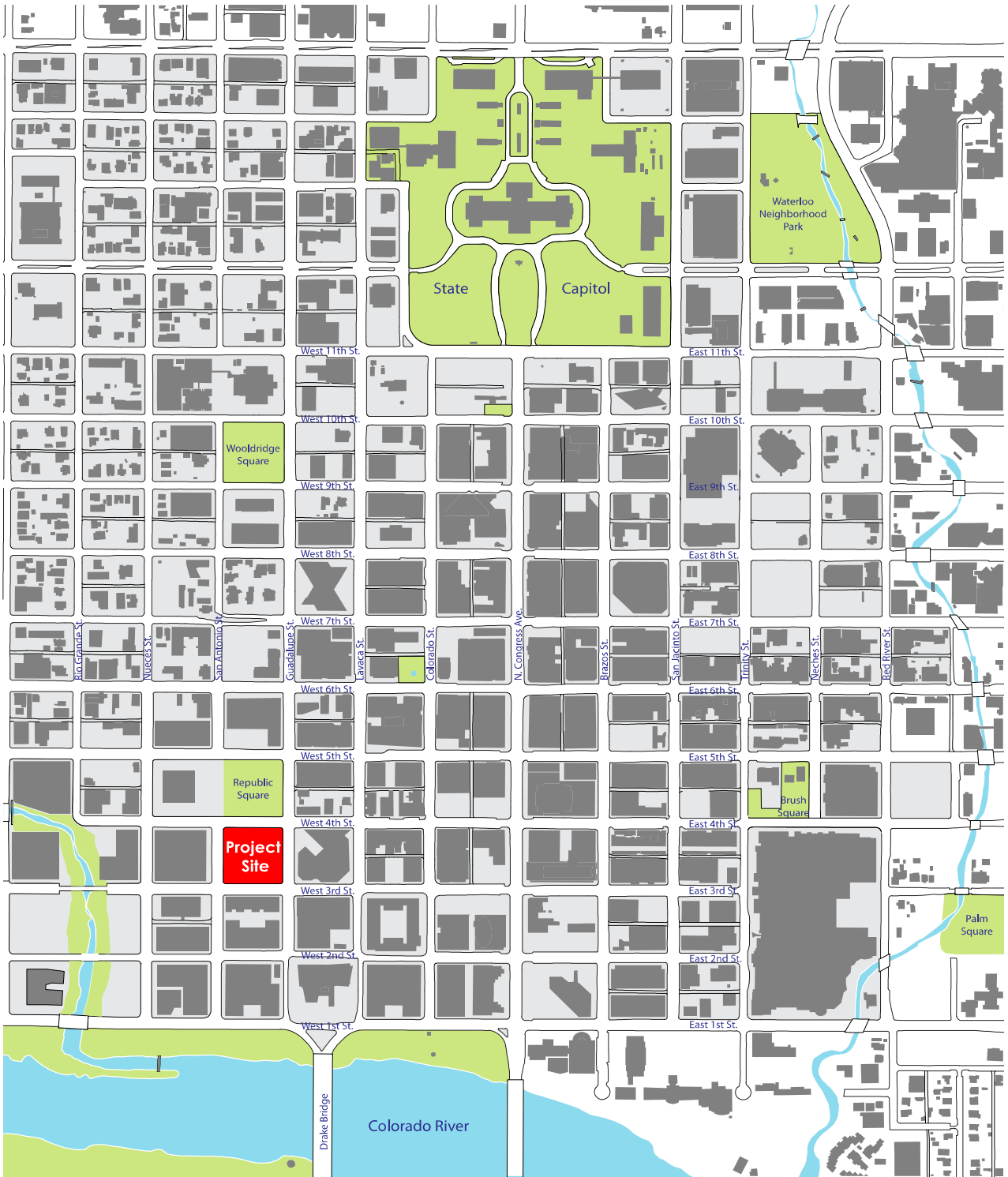
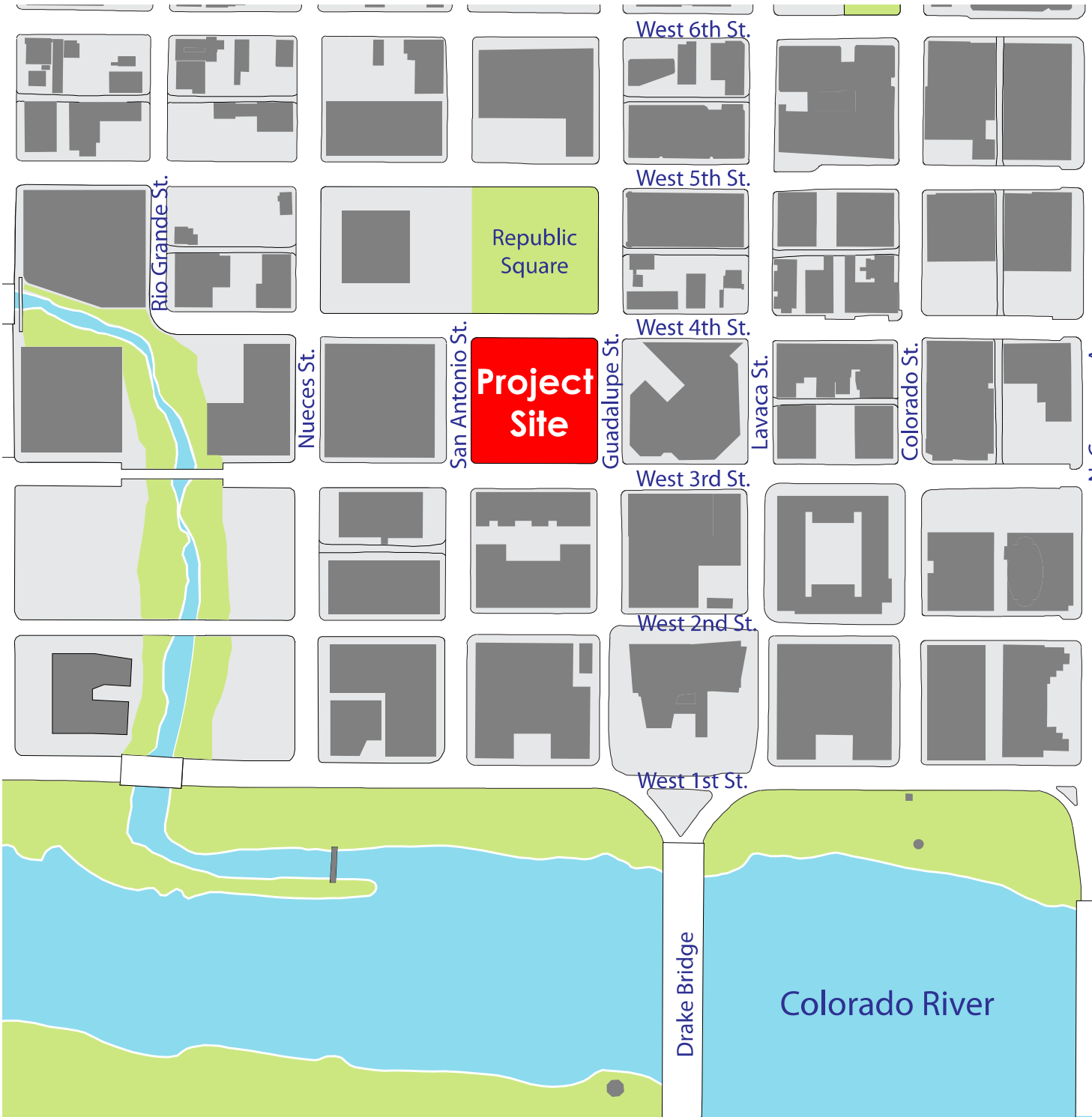
cc: Working Group Commissioners- Evan Taniguchi, Bart Whatley, Katie Halloran, Aan Coleman

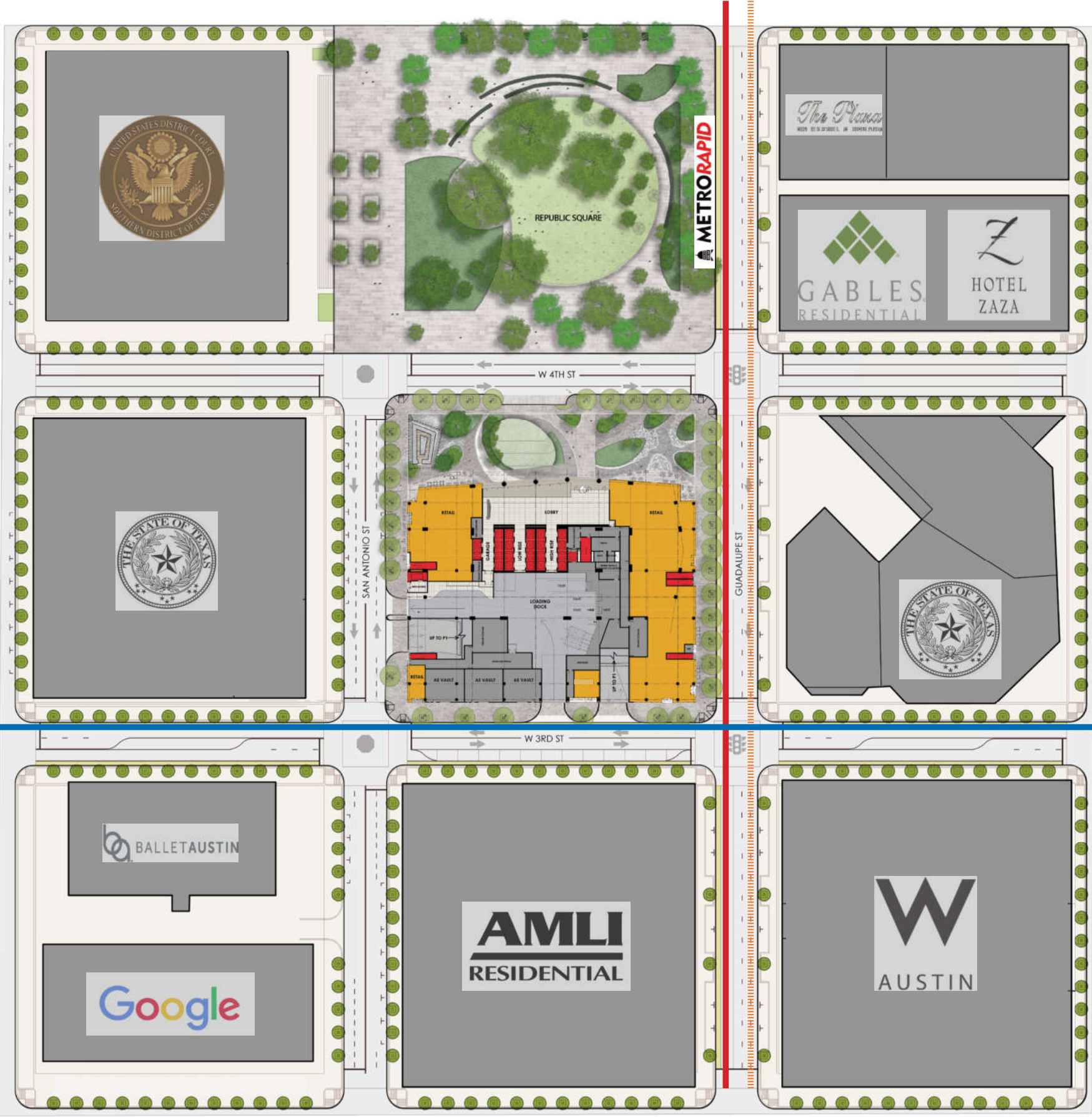
Benjamin Campbell, Executive Liaison to the Design Commission  
Anne Milne, Density Bonus Program Coordinator













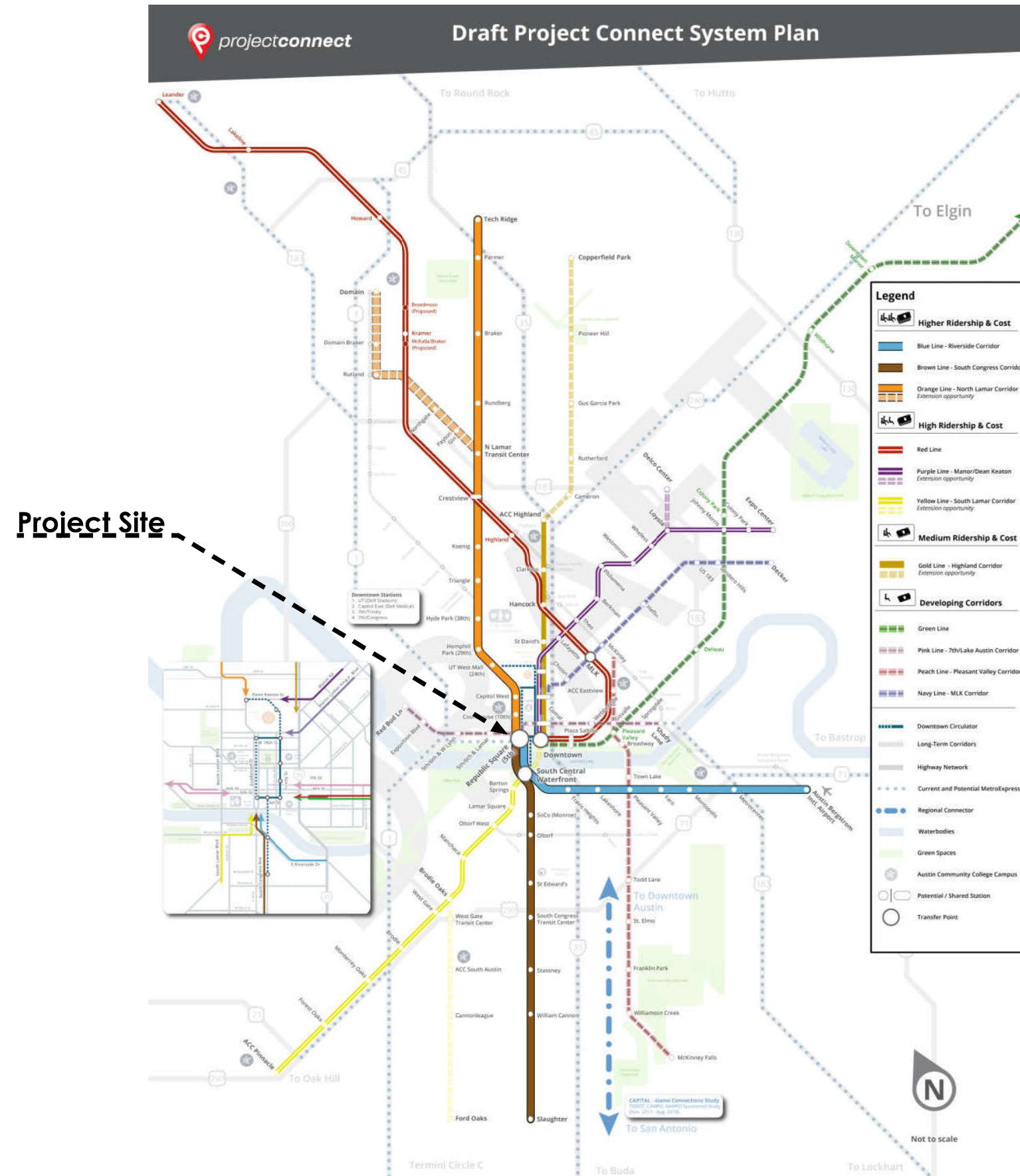


Transit Lines

-  Republic Square MetroRapid Station and Transfer Point
-  MetroRapid Line
-  Proposed Light Rail Line
-  Protected Bike Lane

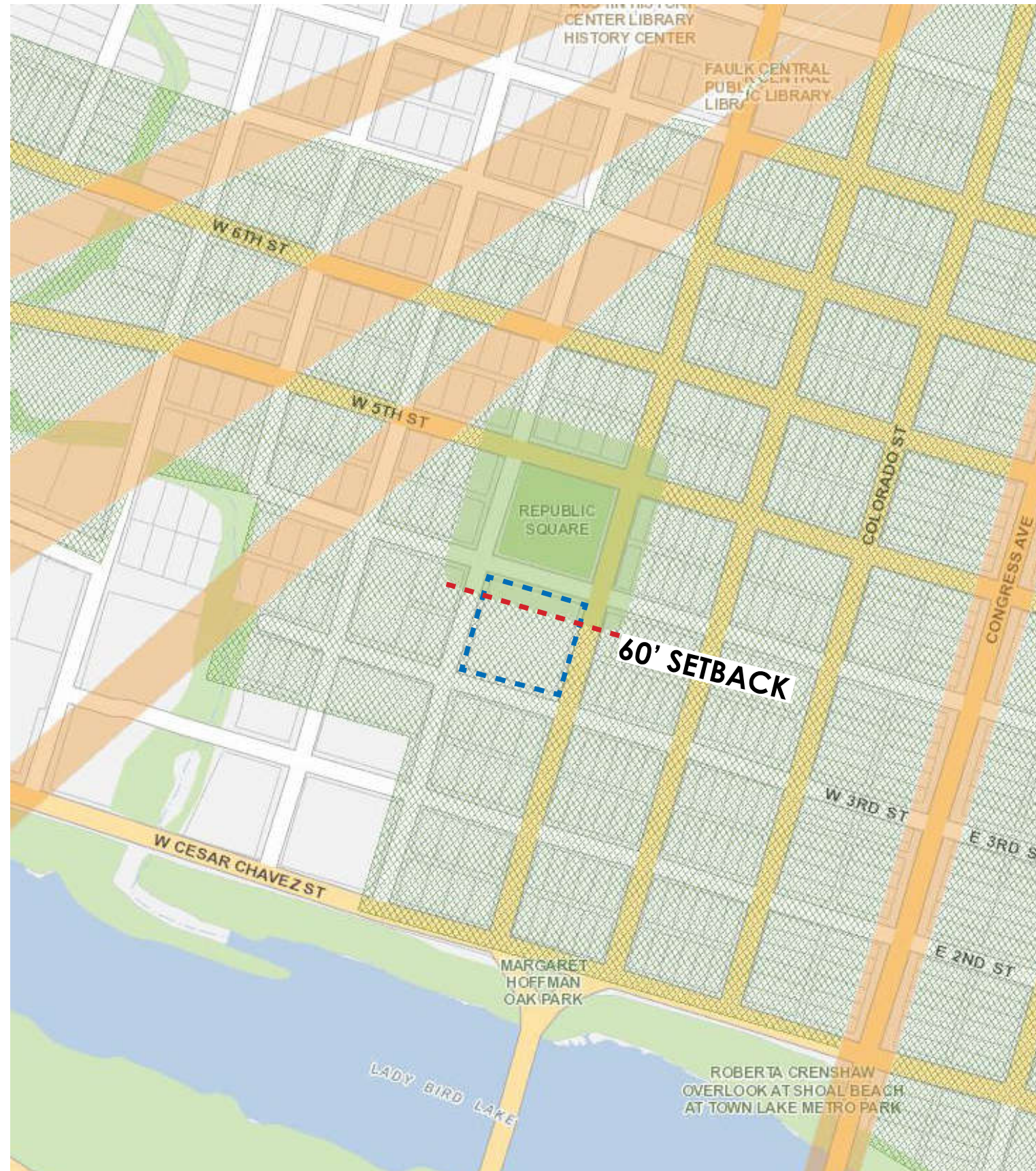








# Capital View Corridor and Parks Overlay Zoning Diagram



## 401 W 4TH STREET





