

Downtown Density Bonus Program

Staff Review and Assessment of Projects



**URBAN DESIGN
PLANNING & ZONING DEPARTMENT**



Background

THE DOWNTOWN AUSTIN PLAN AND DENSITY BONUSES

- 2005** – City Council directed the Downtown Austin Plan to recommend procedures for modifying FAR and height standards where appropriate
- 2006** – City Council:
 - 1. Directed the creation of an Affordable Housing Incentives Task Force
 - 2. Directed the Design Commission to make recommendations for Density Bonuses
- 2008** – City Council:
 - 1. Passes “interim” Density Bonus ordinance
 - 2. Directs Downtown Austin Plan to come forward with recommended Downtown Density Bonus Program

Background

THE DOWNTOWN AUSTIN PLAN AND DENSITY BONUSES

- 2013** – City Council adopts an ordinance to repeal and replace 25-2-586 relating to zoning regulations for the CURE combining district and Downtown Density Bonuses.
(Ordinance No. 20130627-105)
- 2014** – City Council:
1. Directed the creation of an Affordable Housing Incentives Task Force
 2. Directed the Design Commission to make recommendations for Density Bonuses
- 2014** – City Council adopts an ordinance amending 25-2 regarding Density Bonus Regulations in the Downtown Density Bonus Program and the Rainey St. Subdistrict.
(Ordinance No. 20140227-054)



Context

THE DENSITY BONUS PROGRAM IS AN INCENTIVE-BASED TOOL FOR ACHIEVING DOWNTOWN DENSITY

1. Providing for additional density in return for specified community benefits.
2. A density bonus program is most effective in mature urban areas where there is strong development pressure.
3. To be successful, bonuses must result in clear benefits to *both* the community and the developer.



Context

FUNDAMENTAL PRINCIPLES UNDERLYING THE DENSITY BONUS PROGRAM

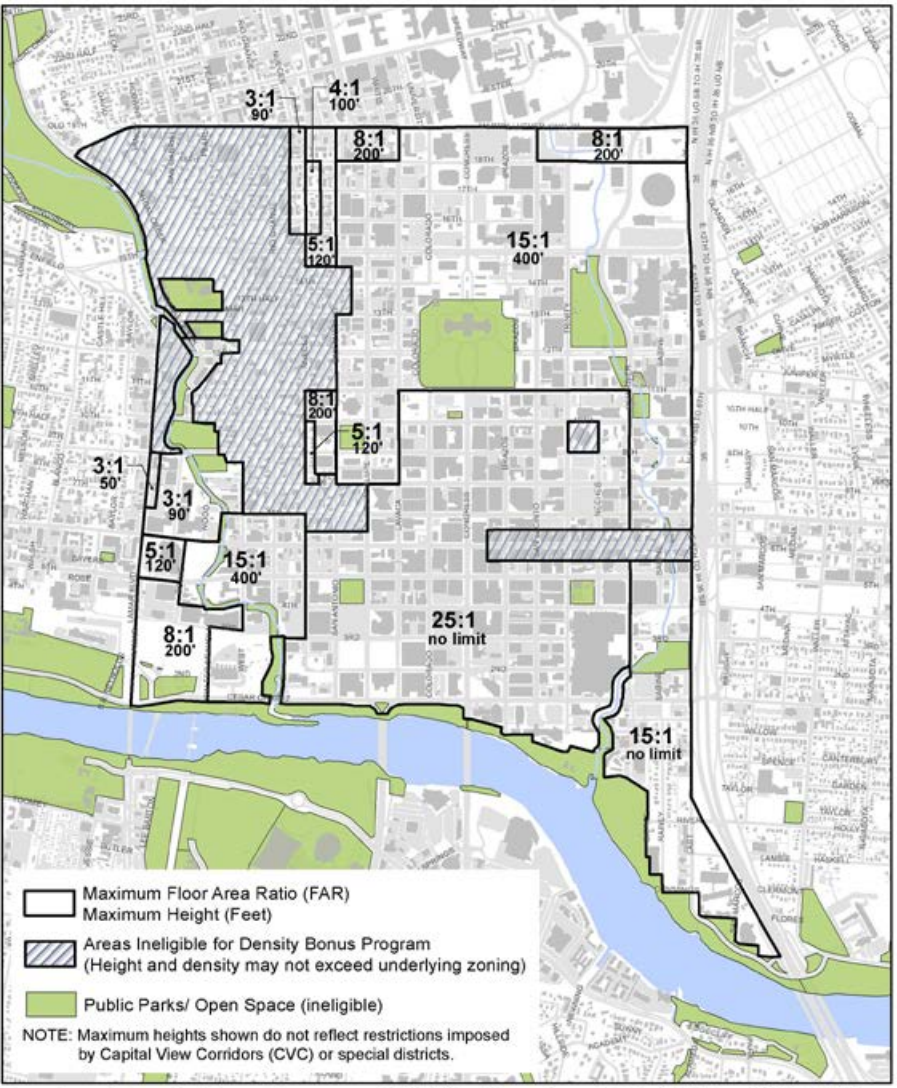
1. Density should be encouraged, not penalized.
2. Retain existing zoning as the baseline.
3. All development should provide high quality urban design.
4. There should be one, administrative, and predictable pathway to a density.
5. Allow additional density only where appropriate.

Context

AREAS OF ELIGIBILITY

No project may receive additional density unless it is one of the areas of eligibility as identified by this map.

Within each area of eligibility, there are specified FAR and height limits beyond which a project cannot go.



Downtown Density Bonus Program - Eligibility, Floor Area Ratio (FAR) and Height Map



LDC 25-2-586

DOWNTOWN DENSITY BONUS PROGRAM

25-2-586 (C) *Program Requirements.*

- (1) Gatekeeper Requirements.
 - (a) To receive bonus area, the director must determine that the project substantially complies with the Urban Design Guidelines.
 - (i) The applicant must submit to the director a schematic level site plan, building elevations, and other drawings, simulations or other documents necessary to fully describe the urban design character of the project and relationship of the project to its surroundings.
 - (ii) The Design Commission shall evaluate and make recommendations regarding whether the project complies with the Urban Design Guidelines **and the director shall consider comments and recommendations of the Design Commission.**
 - (b) The applicant shall execute a restrictive covenant committing to provide streetscape improvements along all public street frontages, consistent with the Great Streets Standards.
 - (c) The applicant shall execute a restrictive covenant committing to achieve a minimum two star rating under the Austin Energy Green Building program using the ratings in effect at the time the project is registered with the Austin Energy Green Building program. The applicant shall also provide the director with a copy of the project's signed Austin Energy Green Building Letter of Intent before the director may approve bonus area for a site.

(Emphasis added)




LDC 25-2-586

DOWNTOWN DENSITY BONUS PROGRAM

25-2-586 (C) *Program Requirements.*

- (2) After the director determines the applicant meets the gatekeeper requirements, the applicant shall provide sufficient written information so that the director can determine:
 - (a) the site's primary entitlement;
 - (b) the amount of bonus area that the applicant is requesting;
 - (c) the total dollar amount the applicant will pay if the applicant chooses to obtain the entire bonus area exclusively by paying a development bonus fee, and the amount of the fee to be dedicated to each community benefit; and,
 - (d) the community benefits the applicant proposes to provide to obtain bonus area if the bonus area will not be obtained exclusively by paying a development bonus fee.

(Emphasis added)




LDC 25-2-586

DOWNTOWN DENSITY BONUS PROGRAM

Simplified breakdown of process

- 1** Submittal of schematic site plan to director.
- 2** Design Commission evaluates project and makes a recommendation. The director shall consider the recommendations.
- 3** Applicant executes a restrictive covenant committing to Great Streets and Green Building requirements.
- 4** The director will issue a written notice of approval that indicates the project's allowable floor-to- area ratio and height. [LDC 25-2-586 (I)]



LDC 25-2-586

DOWNTOWN DENSITY BONUS PROGRAM

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A tall, modern glass skyscraper with a distinctive stepped top, reflecting the sky and clouds. The building is situated in an urban environment with a street in the foreground. Several cars are visible on the street, and a traffic light is positioned near the intersection. The overall scene is captured in a teal-tinted color scheme.

Review Process

Design Commission evaluates project and makes a recommendation. The director considers the Commission's recommendations.





Review Process

COMMISSION RECOMMENDATIONS AND STAFF REVIEW

Staff receives recommendations from the Design Commission and considers the recommendations prior to the issuance of a written notice of approval that indicates the project's allowable floor-to- area ratio and height:

Basic initial considerations:

1. How has the applicant considered and incorporated recommendations of the Design Commission?
2. If the applicant did not incorporate recommendations proposed by the Design Commission, why not? Are the recommendations technically feasible?
3. Staff discusses and analyzes Design Commission's recommendations.
4. Staff begins review of project while considering the Commission's recommendations.
5. Staff may work with the applicant to address Commission recommendations, if applicable.



Staff Review Process

STAFF REVIEW

While considering the Commission's recommendation, Staff reviews the project based on meeting the intent of the **Vision for Our Urban Places as described in the Urban Design Guidelines for Austin (Pg. 10)**

1. Promote an intuitive understanding of the layout of any urban place
2. Reinforce the sense of time and historical continuity
3. Foster physical continuity
4. Develop the public nature of all urban places
5. Encourage a diversity of uses, activities and sizes of development
6. Encourage public and private investment in the future of Austin
7. Reinforce the unique character of Austin
8. Create a safe urban environment
9. Create a comfortable urban environment
10. Create a hierarchy of transportation which begins with pedestrians
11. Actively promote civic art
12. Encourage a vibrant cultural atmosphere
13. Encourage intense street level activity
14. Maintain a sense of connection to the natural environment
15. Encourage an architecture whose design responds to functional needs and reinforces urban activities
16. Encourage quality building
17. Promote urban residential uses
18. Create an economically vibrant urban area
19. Strive for environmental balance
20. Create an interconnected system of attractive open spaces



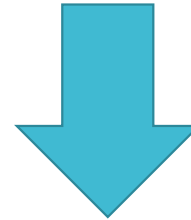
Staff Review Process

STAFF REVIEW

Staff conducts a review of specific guidelines that implement the vision statements.

Example:

1. Does the project promote an intuitive understanding of the layout of any urban place? ***[Area-wide Urban Guidelines]***
2. Does the project reinforce the sense of time and historical continuity? ***[Area-wide Urban Guidelines]***
3. Does the project foster physical continuity? ***[Area-wide Urban Guidelines]; [Guidelines for the Public Streetscape]; [Guidelines for Plazas and Open Space]***



20. Does the project create an interconnected system of attractive open spaces? ***[Area-wide Urban Guidelines]; [Guidelines for the Public Streetscape]; [Guidelines for Plazas and Open Space]; [Guidelines for Buildings]***



Staff Review Process

STAFF REVIEW

Staff also evaluates the project against specific guidelines in the following manner:

1. Does the project meet the goal or standard described in the guideline?
2. How does the proposed design address design constraints?
3. How could this design be improved to better meet the goals and values of the Urban Design Guidelines?
4. Does the design contribute to the implementation of the Downtown Austin Plan?
5. Is the proposed land use allowed by code?
6. How does the design respond to its context within Downtown?

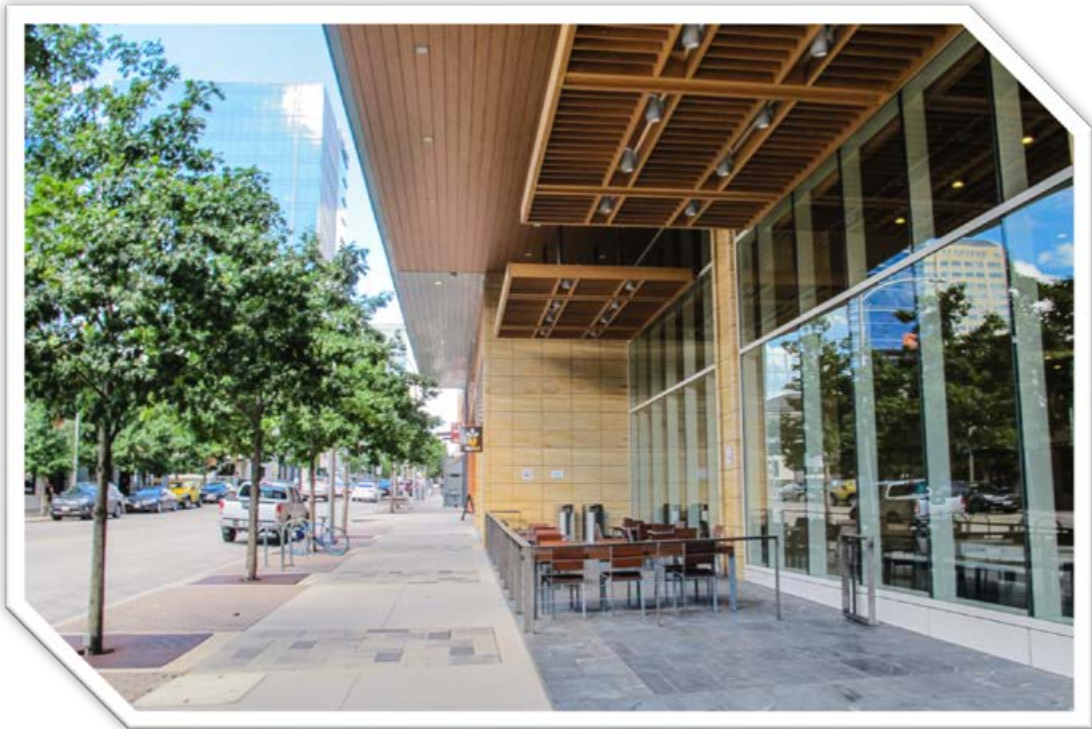


Staff Review Process

STAFF REVIEW

Purpose of review is to do a **qualitative assessment** of the project meeting the vision and specific guidelines contained in the Urban Design Guidelines for Austin.

This review helps staff arrive at determining the successful execution of the gatekeeper requirements of 25-2-586(C)(2).





Staff Review Process

STAFF REVIEW

Downtown Density Project review cannot address the following:

1. Require a specific allowed use under the base zoning entitlements;
2. Require different land use(s) allowed or not allowed in base zoning district;
3. Place a limit on the amount of parking, or, in the context of Downtown, require parking be waived; or
4. Require parking to be placed below grade.



Staff Review Process

Application Review

- Staff receives and reviews application for completeness, accuracy, and compliance all supporting material.
- Staff may meet with applicant to review program process, requirements, and proposed design.

Design Commission Working Group

- Meeting with the Design Commission Working Group is set for approximately 4 weeks before a formal Design Commission meeting.
- Applicant presents the proposed design to the Working Group.
- Working Group prepares a draft recommendation.

Design Commission Meeting

- Applicant presents to the Commission.
- Design Commission may make a recommendation on whether the proposed design substantially complies with the City's Urban Design Guidelines.
- Chair finalizes the Commission's recommendation letter and sends it to Staff.



Staff Review Process

Staff Review

- UD Staff will perform a review of the density bonus project as outlined in the Program Requirements including methodology described.

Restrictive Covenant

- Applicant will prepare and execute a restrictive covenant which binds the project to the requirements of the program as specified in 25-2-586(C)((1)(a)(b) and (c).

Feedback

- Once a project receives a bonus via the administrative process as outline in 25-2-586, UD staff will provide information about the final recommendation and result of the staff and Director review to the Design Commission.

An aerial, high-angle photograph of a city street, likely in a downtown area. The street is lined with modern, multi-story buildings. A white van is driving down the street, and a white car is parked on the right side. Pedestrians are visible on the sidewalks. The entire image is overlaid with a semi-transparent blue filter. The text 'Staff Review Process' is written in a large, bold, black font across the middle of the image.

Staff Review Process

Ultimately, it is the combined review of the Commission's recommendations in addition to Staff's assessment that lead to the Director's written notice.





Next Steps

Application

- Rework Application
- Emphasize Vision & Guidelines

Process

- Streamline process
- Density Bonus Manual

Feedback

- Provide regular updates to Design Commission



Questions?