

August 31, 2021

Ms. Rosie Truelove  
Planning and Zoning Department  
City of Austin  
1000 E 11<sup>th</sup> Street  
Austin, TX 78702

Via Electronic Delivery

Re: 80 Rainey – Downtown Density Bonus Program (“DDBP”) Application and Summary of Compliance with the City of Austin’s Urban Design Guidelines for a hotel and residential tower located at 78-84 Rainey Street related to site development permit application case SPC-2021-0129C.

Dear Ms. Truelove:

On behalf of the property owners, 80 Rainey Street Owner, LLC (“Owner”), please accept this letter and supporting documentation as a true and complete submittal application for the DDBP for the property located at 78-84 Rainey Street in the City of Austin, Travis County, Texas (the “Property”).

The Owner is seeking to develop the Property with a 49-story residential multifamily tower with pedestrian oriented uses in the basement, ground floor, second floor and 11<sup>th</sup> floor amenity level consisting of 482,317 square feet of residential habitable space and 15,280 square feet of bar, restaurant, café and amenity space at the levels at, below and above the street level and amenity level. The total gross square footage of the project is projected to be approximately 564,979 square feet. The site development permit application associated with this project is SPC-2021-0129C.

The Property is located within the Rainey Street subdistrict of the Waterfront Overlay which limits the maximum height to 40 feet. Per the site development regulations of the Rainey Street subdistrict, this height limitation may be exceeded to a base floor-to-area ratio (“FAR”) of 8:1, if 5% of on-site affordable housing is reserved for households earning no more than 80% of the Austin area Median Family Income (MFI). Upon complying with the Waterfront Overlay regulations in order to achieve the 8:1 FAR, participation in the Downtown Density Bonus Program will allow the Property to develop up to 15:1 FAR with unlimited height. The gross site area for the Property is 28,814 square feet resulting in a base entitlement of 230,512 square feet.

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Section 25-2-586(B)(6) of the Land Development Code allows a development to exceed the maximum FAR established in the Downtown Density Bonus Program by providing additional community benefits and with review and approval by the City Council. This project will seek a maximum FAR of 20:1.

The Property is situated in the Rainey Street District of the Downtown Austin Plan, is zoned Central Business District ("CBD").

To achieve the bonus FAR, the project will meet the Gatekeeper Requirements as provided in Section 25-2-586 of the City of Austin Land Development Code (*Downtown Density Bonus Program*). Streetscape and sidewalk improvements proposed along Rainey Street are consistent with Great Streets Standards. In addition, the owner intends to improve the grade and sidewalk at the adjacent property located at 86 Rainey Street with Great Streets enhancements.

The Owner intends to exceed the minimum two-star rating under the Austin Energy Green Building ("AEGB") program and will seek a three-star rating under the AEGB program. The redevelopment will also achieve substantial compliance with the City of Austin Urban Design Guidelines. To assist in the evaluation of this project, a detailed matrix is included with this submission which demonstrates how the project supports individual goals and objectives of the guidelines.

The location of the project supports the utilization of multimodal transportation options for residents, the community, and employees. There are several Capital Metro bus stops and an Austin B-cycle station located within ¼-mile of the Property; a map of the bus stops and B-Cycle station is included with this submission.

We respectfully request that the project be reviewed by the City of Austin Design Commission on its merits within the context of the Urban Design Guidelines in order to provide City Staff with feedback and advice in order to qualify for the Downtown Density Bonus Program.

Please do not hesitate to contact me should you or your team have any further questions.

Sincerely,



Amanda Swor

cc: Jorge Rousselin, Planning and Zoning Department (*via electronic delivery*)  
Renee Johns, Development Services Department (*via electronic delivery*)



## **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;
  - Floor plans;
  - Exterior elevations (all sides);
  - Three-dimensional views;
5. As part of the gatekeeper requirements,
  - Urban Design Guidelines checklist;
  - Great Streets;
  - 2 Star Austin Energy Green Building rating - submit copy of the projects signed Austin Energy Green Building Letter of Intent and Austin Energy Green Building checklist.;
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 Housing and Planning Department for detailing of affordable housing community benefits. Please contact [Alex Radtke](#) for more information.



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

**1. Project Name:**

**2. Property Owner**

Name:

Address:

Phone:

E-mail:

**3. Applicant/Authorized Agent**

Name:

Address:

Phone:

E-mail:

**4. Anticipated Project Address:**

**5.Site Information**

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

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):

c. Existing entitlements:

I. Current floor to area (FAR) limitation:

II. Current height limitation (in feet) :

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

Yes

No

If yes, please provide specify height allowed under CVC:

**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 \(45\)](#):

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

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

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

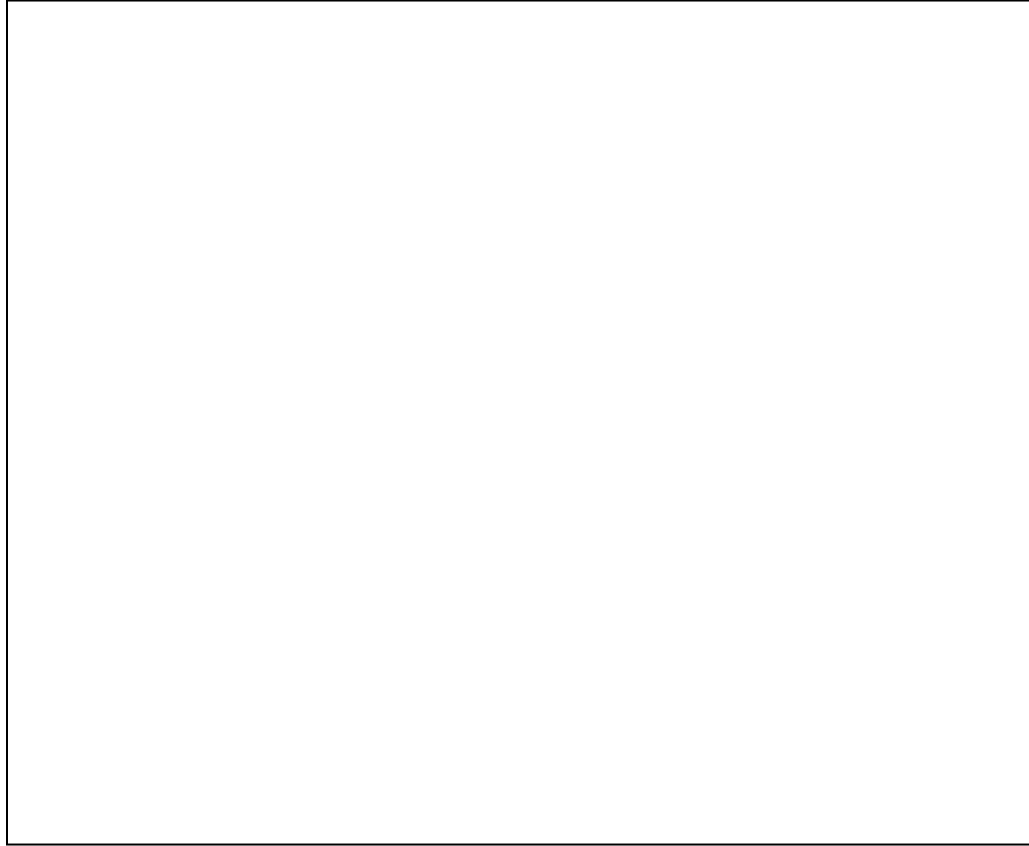
- e. Number of floors:

- f. Height:

- g. FAR requested:

**8. Gatekeeper Requirement (1 of 3): Urban Design Guidelines for Austin**

Provide detailed explanation of how the project substantially complies with the [Urban Design Guidelines for Austin \(referencing specific guidelines\) in order](#) to meet the first *Gatekeeper* requirement of the DDBP as described in LDC § 25-2-586 (C)(1)(a). Attach Urban Design Guidelines checklist and additional page(s) as necessary.



**9. Gatekeeper Requirement (2 of 3): Great Streets**

Provide an explanation of how this project meets Great Streets standards, the second *Gatekeeper* requirement of the DDBP as described in LDC § 25-2-586 (C)(1)(b). Attach additional page(s) as necessary:





**10. Gatekeeper Requirement (3 of 3): 2 Star Austin Energy Green Building**

Provide an explanation of how this project achieves a minimum two Star Austin Energy Green Building, in order to meet the third *Gatekeeper* requirement of the DDBP as described in [LDC § 25-2-586 \(C\)\(1\)\(c\)](#). Attach Austin Energy Green Building checklist and additional page(s) as necessary:



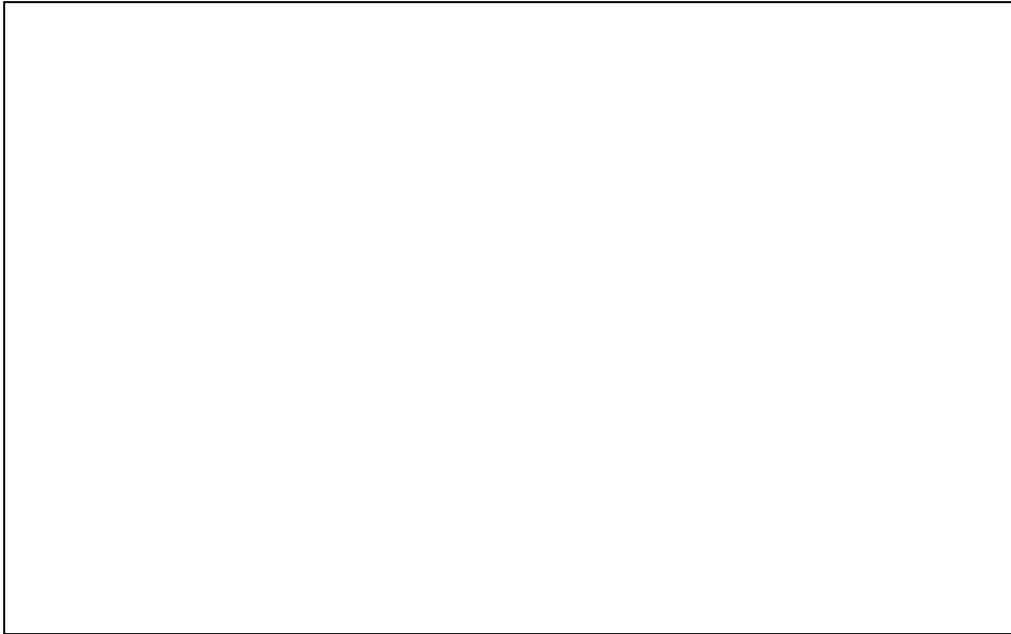
**11. Density Bonus Calculation**

Provide a calculation method of how the additional FAR is sought including site area and amount per square foot according to the Community Benefits calculations described in [LDC § 25-2-586 \(E\)\(1\)-\(12\)](#).

A large, empty rectangular box with a black border, intended for the user to provide a calculation method for the density bonus.

**12. Community Benefits: Onsite, Fee in lieu, or Combination**

Detail which community benefits from [LDC § 25-2-586 \(E\)](#) will be used and how they will be applied (on site, fee in lieu of, or combination of the two). Attach additional page(s) as necessary:

A large, empty rectangular box with a black border, intended for the user to detail which community benefits will be used and how they will be applied.

### 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? ([aaron.jenkins@austintexas.gov](mailto:aaron.jenkins@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**

**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.

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Density Bonus Application

Area-Wide Guidelines			
	Urban Design Guideline	Achieved?	Applicant's Comments
AW.1	Create dense development	YES	The project is applying to exceed the density of 15:1 FAR, permitted administratively through the density bonus program by a 5:1 FAR through City Council approval. The total density requested is 20:1 FAR.
AW.2	Create mixed-use development	YES	The proposed project is 564,979 gross square feet and will provide a mix of residential, coworking, café, restaurant and cocktail lounge uses on multiple levels of the building as well as preserving and incorporating two Rainey Street bungalows at on the south portion of the property.
AW.3	Limit development which closes Downtown streets	YES	This project will not close any Downtown streets and will take all vehicular access from the existing alley. The project has worked with the Austin Transportation Department to ensure that project access is consistent with future plans for the Rainey Street District.
AW.4	Buffer neighborhood edges	YES	This project will be developed similarly in shape and size to other high-rise construction within the Rainey Street neighborhood. An exhibit to contextualize the project in the neighborhood has been included with this application.
AW.5	Incorporate civic art in both public and private development	YES	This project will incorporate two civic art pieces. Civic art will be incorporated into the project at the entrance to the pedestrian paseo between the Rainey Street bungalows and the restaurant/bar space on the ground floor of the building that will be visible to pedestrians along Rainey Street. In addition, a large mural will canvas the back of the building where neighboring and residential traffic circulate.
AW.6	Protect important public views	YES	The Project does not obscure important public views and is not located in a Capitol View Corridor.
AW.7	Avoid historical misinterpretations	YES	The exterior design aesthetic for the Project does not replicate any historical buildings and will not appear to be built earlier than it was. The project will maintain two existing restored bungalows on the property.
AW.8	Respect adjacent historic buildings	YES	No historic properties are adjacent to the site. The project is maintaining two bungalows on the property and have preserved the existing trees in the bungalow area to provide shade and

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Density Bonus Application

			scale and has also created a separation between the bungalows and the new project with a pedestrian paseo.
AW.9	Acknowledge that rooftops are seen from other buildings and the street	YES	All rooftop equipment will be screened from views from the street. In addition, the two amenity decks on levels 11 and 25 incorporate planting areas, water features, and pedestrian-scaled amenities that will enhance the view from adjacent properties.
AW.10	Avoid the development of theme environments	YES	This project will not be a themed development.
AW.11	Recycle existing building stock	YES	The bungalow currently located at 84 Rainey Street will be integrated into the project behind the bungalow at 76 Rainey, oriented to front on the pedestrian paseo connecting Rainey Street to the extension of Red River at the west side of the property. Additionally, the bungalow at 76 Rainey will be preserved in its current location.

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Public Streetscape Guidelines			
	Urban Design Guideline	Achieved?	Applicant's Comments
PS.1	Protect the pedestrian where the building meets the street	YES	The ground floor building façade along Rainey Street and the paseo are delineated and recessed along the entrance of the residential lobby and 11 <sup>th</sup> floor access lobby and at the south side of the building. This area will provide shade and weather protection for pedestrians at the main entry and users of the ground-floor uses.
PS.2	Minimize curb cuts	YES	Three (3) curb cuts currently exist on Rainey Street, this project is proposing to eliminate all curb cuts on Rainey Street. Vehicular access is to be taken off the west side of the property from the existing alley.
PS.3	Create a potential for two-way streets	YES	This project does not impact the Rainey Street configuration in any way, which is currently a two-way traffic lane. The project is designed to meet both current and projected traffic patterns for the Rainey Area. Additionally, the project proposes implementing Great Streets enhancements on the adjacent property at 86 Rainey, which will return 6 feet of pavement back to the street and eliminate the sidewalk's encroachment into the Rainey Street ROW.
PS.4	Reinforce pedestrian activity	YES	<p>The first two levels of this project are designed with pedestrian oriented uses. Additionally, this project proposes a much wider sidewalk than previously existed on site as well as proposing to extend Great Streets enhancements onto the adjacent property at 86 Rainey, providing an approximately 10-foot continuous sidewalk. The project's sidewalk and amenity zone will provide a total of approximately 18 feet in width for the pedestrian along the frontage of the building.</p> <p>The recessed ground-floor façade provides spaces for planting, outdoor seating and pedestrian scale elements. The pedestrian paseo facilitates a pedestrian connection through the west side of the property to the Rainey Street district.</p>
PS.5	Enhance key transit stops	N/A	No transit stops exist near the site. The project is providing the through paseo to provide a mid-block pedestrian connection that does not exist today.



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PS.6	Enhance the streetscape	YES	The recessed ground-floor provides spaces for planting, restaurant patio space, and pedestrian scale elements, such as an artistic sculpture at the entry of the pedestrian paseo, to enhance the streetscape experience. The project will also provide Great Streets enhancements on the adjacent property at 86 Rainey Street.
PS.7	Avoid conflicts between pedestrian and utility equipment	YES	No utility appurtenances are proposed in the pedestrian zone of the streetscape with this project.
PS.8	Install street trees	YES	The project will add street trees along the Rainey Street frontage. Shade trees will provide a canopy for pedestrians and reduce the urban heat effect.
PS.9	Provide pedestrian-scaled lighting	YES	The pedestrian realm will be lit to provide a safe and interesting place. Such lighting will be in accordance with applicable City regulations.
PS.10	Provide protection from cars/promote curbside parking	YES	The car traffic related to the building will be routed through the extension of Red River Street south, to the west side of the building. No vehicular access will be taken into the project from Rainey Street.
PS.11	Screen mechanical and utility equipment	YES	All mechanical equipment is screened in accordance with Commercial Design Standards Section 2.6.2.
PS.12	Provide generous street-level windows	YES	The ground-floor level and second level will consist of generous 18-foot floor-to-ceiling windows along the Rainey Street frontage, exceeding Subchapter E requirements.
PS.13	Install pedestrian-friendly materials at street level	YES	The sidewalk design will include pedestrian scale and friendly materials, benches, plantings, lighting, and bike racks.

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Density Bonus Application

Plazas and Open Space Guidelines			
	Urban Design Guideline	Achieved?	Applicant's Comments
PZ.1	Treat the four squares with special consideration	N/A	The project is not adjacent to one of the four Downtown Austin squares.
PZ.2	Contribute to an open space network	YES	The project will provide a mid-block connection for pedestrians from Rainey Street, west towards the Mexican American Cultural Center and the Ann and Roy Butler Hike and Bike Trail.
PZ.3	Emphasize connections to parks and greenways	N/A	The site has no connectivity to adjacent greenspace. However, the project will provide a mid-block connection for pedestrians from Rainey Street, west towards the Mexican American Cultural Center and the Ann and Roy Butler Hike and Bike Trail.
PZ.4	Incorporate open space into residential development	YES	The project will consist of two open-air amenity decks that will provide open space for residents.
PZ.5	Develop green roofs	NO	This project will not have a true green roof, however, the project will provide extensive rooftop planters located on both amenity decks.
PZ.6	Provide plazas in high use areas	N/A	The small site will not support a public urban plaza.
PZ.7	Determine plaza function, size, and activity	N/A	The small site will not support a public urban plaza.
PZ.8	Respond to the microclimate in plaza design	N/A	The small site will not support a public urban plaza.
PZ.9	Consider views, circulation, boundaries, and subspaces in plaza design	N/A	The small site will not support a public urban plaza.
PZ.10	Provide an appropriate amount of plaza seating	N/A	The small site will not support a public urban plaza.
PZ.11	Provide visual and spatial complexity in public spaces	YES	Public art will be incorporated into the project at the entrance to the pedestrian paseo between the Rainey Street bungalows that engages with pedestrians as they enter the paseo. Activated uses along the ground floor of the building will be visible to pedestrians along Rainey Street and the paseo. A mural will canvas the back of the building where neighboring and resident traffic circulate. Plantings will be incorporated along the paseo and the front of the building as well as above the pedestrian space around the south and east facades of the parking garage.

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PZ.12	Use plants to enliven urban spaces	YES	We have incorporated as many plantings as possible along the pedestrian space, including greenery on two amenity decks, several exterior terraces located on residential floors and the south and east facades of the parking garage, in order to blend the structure into the urban canopy.
PZ.13	Provide interactive civic art and fountains in plazas	YES	Although this project is not providing a plaza, the rear entry will include a mural across the west side of the ground level of the building and a distinguishable gateway art piece that pedestrians will pass through at the property line with Rainey Street.
PZ.14	Provide food service for plaza participants	N/A	The small site will not support a public urban plaza. However, the site will provide many food options on the ground floor, along the paseo and on the second retail level.
PZ.15	Increase safety in plazas through wayfinding, lighting, and visibility	N/A	The small site will not support a public urban plaza.
PZ.16	Consider plaza operations and maintenance	N/A	The small site will not support a public urban plaza.

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Building Guidelines			
	Urban Design Guideline	Achieved?	Applicant's Comments
B.1	Build to the street	YES	The ground floor of the project will be built up to the supplemental zone. The facade above the second floor will extend to the property line along Rainey Street frontage, allowing pedestrians room to navigate under the overhang of the third-floor floorplate.
B.2	Provide multi-tenant, pedestrian-oriented development at the street level	YES	The mid-block project will accommodate multiple tenants along the ground-floor level, adjacent to Rainey Street, and around on the south side of the property in the two bungalows along the pedestrian paseo. The project will also incorporate pedestrian-oriented uses in the bungalows.
B.3	Accentuate primary entrances	YES	The main entrance of the building will be accentuated with large areas of glass, have dedicated signage, and be recessed from the sidewalk pedestrian zone. The entrance to the pedestrian paseo, at the property line of Rainey Street, will incorporate distinguishable art and lighting fixtures.
B.4	Encourage the inclusion of local character	YES	The project will preserve two bungalows that currently exist along Rainey Street as well as many large trees. In addition, the project will provide local art and uses at the pedestrian level. The project's landscape architecture will incorporate many building materials and finishes which are locally sourced and have been historically and commonly used in Austin and the Rainey Street neighborhood.
B.5	Control on-site parking	YES	All parking for the project will be accessed from the existing alley removing three curb cuts along Rainey Street. In addition, the parking will be decoupled from the cost of the residential units in the building.
B.6	Create quality construction	YES	The project seeks to achieve a high-design aesthetic and will utilize a palette of quality materials with deference to durability, sustainability, and a long-term lifespan. The project will incorporate the latest energy efficiency technology, including but not limited to; mechanical systems, elevators, and sustainable interior finishes for the residential

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Density Bonus Application

			units, including SFC certified cabinets, man-made countertops, flooring and VOC free interior paint. The project is seeking a three-star AEGB certification.
B.7	Create buildings with human scale	YES	The design incorporates the Urban Design recommendations where applicable, and will have the appropriate pedestrian scale, level of detail, architectural variety, and vertical massing relief to satisfy the intent of this section. In addition, the project will preserve two bungalows along Rainey Street.

**80 RAINEY - DOWNTOWN DENSITY BONUS PROGRAM CALCULATIONS**

Net Residential Use SF 482,317  
 Net Residential Use Percentage 0.85

**Rainey Street Required (Below 8:1) On-Site Affordable Housing SF 9,797**  
**Additional (Above 8:1) On-Site Affordable Housing SF 6,638**

**Total On-Site Affordable Housing SF 16,435**

**TOTAL SITE AREA:** 28,814 SF  
**MAX. GSF PER ZONING (8:1 FAR):** 230,512 SF

**ACTUAL GSF (19.61:1 FAR):** 564,979 SF  
**PROPOSED GSF (20:1 FAR):** 576,280 SF

**TOTAL PROPOSED BONUS AREA : 334,467 SF**

TOTAL GSF BONUS AREA PER DDBP (8:1 TO 15:1 FAR): 201,698 SF  
 TOTAL GSF BONUS AREA PER DDBP (ABOVE 15:1 FAR): 132,769 SF

Community Benefit	FEE PER SF	BONUS AREA GENERATED	FEE INCURRED
AFFORDABLE HOUSING FEE IN-LIEU 8:1 TO 15:1	\$5	201,698 SF	
THREE-STAR AEGB COMMUNITY BENEFIT	25% BONUS OF 8:1	-57,628 SF	
<b>TOTAL FEE IN-LIEU BELOW 15:1 FAR:</b>		144,070 SF	\$ 720,350
AFFORDABLE HOUSING FEE IN-LIEU ABOVE 15:1	\$5	132,769 SF	
ADDITIONAL ON-SITE AFFORDABLE HOUSING COMMUNITY BENEFIT	10 SF PER 1 SF	-66,384.50	
<b>TOTAL FEE IN-LIEU ABOVE 15:1 FAR:</b>		66,384.50	\$ 331,923
<b>TOTAL FEE IN-LIEU (ABOVE 8:1) TO BE PAID =</b>			<b>\$ 1,052,273</b>



PAPPAGEORGE  
HAYMES

**DRENNER**  
GROUP

# 80 rainey

density bonus package

August 31, 2021