



MEMORANDUM

TO: Urban Renewal Board Members

FROM: Courtney Banker, Project Coordinator, Housing and Planning Department

DATE: December 6, 2022

SUBJECT: **Applying Affordability Unlocked within the Urban Renewal Plan Area**

This memorandum provides context for process regarding applying Affordability Unlocked within the Urban Renewal Plan area.

Background

At the November 14, 2022 Urban Renewal Board (URB) meeting, the Austin Economic Development Commission (AEDC) and consulting team presented updated scenarios for redevelopment options regarding blocks 16 and 18. One development scenario contemplates utilizing the Affordability Unlocked Density Bonus (AU) program on these blocks in order to build more affordable housing by allowing (1) increased height and/or (2) decreased parking requirements.

Applying Affordability Unlocked within the URP

Blocks 16 and 18 are within the Urban Renewal Plan (URP) area and are subject to the URP (originally adopted December 17, 1999 and most recently amended September 15, 2022). URB members asked staff the following questions related to allowing AU within the URP. The questions and answers are below.

Question No. 1: Would the URP need to be amended to allow for AU?

Answer: Yes - if the URB wants properties to be eligible for AU, then the URP must be amended.

Question No. 2: Would the URP need to be expired to allow for AU?

Answer: If the URP expires, then the properties will be eligible for AU without any additional action from the URB, Planning Commission, or City Council.

Question No. 3: If the URB recommends to council that AU be applied to the URP, would it need to be approved by Planning Commission and then City Council?

Answer: Yes.

Additional Questions Related to AU, the URP, and NCCDs

When the URP, AU, and Neighborhood Conservation Combining Districts (NCCDs) are in question, the controlling requirements are stated below.

- When there is conflict between the URP and the applicable land use regulations or the development bonuses offered by AU, the URP controls.
- If the URP expires and there is a conflict between the NCCD and the development bonuses offered by AU, the development bonuses supersede the NCCD.

Examples:

1. If the zoning on the subject property allows 40 feet height but the URP only allows 25 feet, the developer may not exceed 25 feet.
2. If the URP limits height to 25 feet but AU allows 31.25 feet, the developer may not exceed 25 feet.
3. If the URP and the NCCD limit height to 25 feet but AU allows 31.25 feet, the developer may not exceed 25 feet (because of the URP).
4. If the URP no longer applies and the NCCD limits height to 25 feet but AU allows 31.25 feet, the developer may go up to 31.25 feet.

Questions

Please contact Courtney Banker, Project Coordinator with the Housing and Planning Department, at Courtney.Banker@austintexas.gov or Mandy DeMayo, Deputy Director with the Housing and Planning Department, at Mandy.DeMayo@austintexas.gov with any questions about this memorandum.