



Recommendation for Action

File #: 23-1812, **Agenda Item #:** 30.

5/4/2023

Posting Language

Conduct a public hearing and consider an ordinance amending City Code Section 25-2-586 (Downtown Density Bonus Program) relating to compliance with Great Street Standards for properties located along Texas Department of Transportation (TxDOT) frontages and establishing a fund for certain fees.

Lead Department

Planning Department.

Fiscal Note

This item has no fiscal impact.

Prior Council Action:

July 28, 2022- Council approved Resolution No. 20220728-093 on Council Member Kitchen's motion, Council Member Ellis' second on a 10-0 vote. Council Member Fuentes was off the dais to initiate a Code amendment to Title 25-2-586 (Downtown Density Bonus Program) relating to creating a fee-in-lieu option for the Great Streets requirement of the Downtown Density Bonus Program for projects unable to provide such streetscapes due to other jurisdictional opposition to their construction.

For More Information:

Jill Amezcua, (512) 978-1702, jill.amezcua@austintexas.gov.

Council Committee, Boards and Commission Action:

October 19, 2022 Codes and Ordinances Joint Committee (COJC): Due to lack of an affirmative vote item forwarded to Planning Commission without a recommendation.

March 28, 2023- Planning Commission approved the staff recommendation on a 12-1 vote with Commissioner Anderson voting nay.

Additional Backup Information:

On July 28, 2022, the City Council initiated a Code amendment to Title 25-2-586 (Downtown Density Bonus Program) based on Staff recommendations from a Fee-in-Lieu Memorandum to Council dated July 7, 2022. The proposed code amendment will: 1. allow a fee-in-lieu for properties located along Texas Department of Transportation (TxDOT) frontages that cannot comply with Great Streets standards; 2. require a fee-in-lieu and one-time fee for maintenance of Great Streets improvements for properties that utilize the fee-in-lieu option; and 3. create a specific fund for the design, construction, and maintenance of Great Street capital improvement projects within the Downtown area.

Staff has reviewed the request to provide an alternative option for properties located along TxDOT frontages that cannot comply with the City's Great Streets standards and recommends approval of the proposed code amendment.