

Date: June 22, 2023, revised July 6 2023
To: City of Austin Design Commission
From: Planning & Urban Design Working Group
Subject: Density Bonus Working Group review of Block 32 for substantial compliance with the Urban Design Guidelines
Meeting date: June 14, 2023; 12:00 pm; Virtual Microsoft Teams Meeting
Applicant: Amanda Morrow – Armburst & Brown, PLLC

The project is located at the north side of 3rd street between San Jacinto and Trinity

The project includes 2 phases. Phase 1 consists of mixed use of Residential Units (363 Units) w/ amenities and F&B/retail space (3,888 sq. ft.). Phase 2 consists of mixed use of Residential Units (363 Units) w/ amenities, Hotel (216 Rooms) and (per application) F&B/Retail Space (2,196 sq. ft.) Each phase includes 7 levels of above grade parking

The applicant is seeking a Density Bonus to raise the FAR from 8:1 to 25:1 to be divided between Phase 1 & Phase 2. Phase 1 is requesting 11.1:1 FAR resulting in a total project gross area of 392,552 gsf. Phase 2 is requesting 13.9:1 FAR resulting in a total gross area of 491,573 gsf. The total resulting gross are of both Phase 1 and Phase 2 results in 884,125 gsf. The site is 35,365 sf with a current allowable building size of approx.. 282,920 sf based on the current allowable 8:1 FAR.

The total proposed building height is 459'-4" (41 Floors) for Phase 1 and 595'-8" (55 Floors) for Phase 2. The maximum height achievable under the Density Bonus program is unlimited. This site is not affected by Capitol View Corridor height restrictions.

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

- Substantially comply with the City's Urban Design Guidelines
- Provide streetscape improvements along all public street frontages consistent with the Great Streets Program Standards
- Applicant must commit to a minimum of 2-star green building rating.

WORKING GROUP REVIEW OF PROJECT FOR COMPLIANCE WITH THE URBAN DESIGN GUIDELINES

AREA WIDE GUIDELINES

AW.1 Create dense development: Compliant

Recommendations:

- *Density should be expressed in terms of a floor to area ratio for commercial developments and units per acre for residential developments. Standards should be consistent with LEED Neighborhood Design Standards.*
- *It is recommended that all current limits on FAR be maintained, and that developments which adopt and abide by the Urban Design Guidelines along with Density Bonus and other specified requirements should be eligible for additional density on a case-by-case basis.*

Comment: An increase of 25:1 far (Phase 1 -11.1:1 and Phase 2 -13.9:1)is being requested from a base zoning FAR of 8:1. Project complies with this Section.

AW.2 Create mixed-use development: Partially Compliant

Recommendations:

- *At least two different uses per half block are required. Low occupancy uses such as warehouses, storage, and parking will not be counted in the evaluation of mixed use functions.*
- *Secondary uses should occur at street level and be adequate in size to create a sense of variety at street level. As the size of the project increases, number of street-level secondary uses should increase proportionally.*

Comment: Residential amenities and single tenant streetscape-oriented food and beverage uses are proposed.

Lobbies are considered low occupancy and may not be counted in evaluation of mixed-use functions. Applicant is encouraged to provide for activation opportunities at the ground floor level. Applicant should consider moving lobby to 2nd floor to allow for more activation at the ground floor level and/or providing dedicated M.E.P. for coffee kiosk and / or live music performances.

AW.3 Limit development which closes downtown streets –Create developments with Connectivity and Human Scale Circulation: Compliant

Recommendations:

- *Multi-block developments which close existing streets should not be permitted within the original Waller grid.*
 - *New Developments should be designed with networks of connected, circulation routes, focusing on multi modal transportation, pedestrian walkability, and open space.*
- * See map for outline of the original Waller Grid.
* See Guideline Area-Wide 6, Protect Public Views.

AW.4 Buffer neighborhood edges: Compliant

Recommendations:

- *Projects should be planned to minimize increased use of adjacent neighborhood streets.*
- *Projects with frontage on a neighborhood street should limit public access from that street and limit business associated parking on that street so as to avoid significantly altering the residential character and scale of the existing street.*
- *Communication with neighborhoods is vital to creating successful urban infill projects.*

AW.5 Incorporate civic art in both public and private development: Non-Compliant

Recommendations:

- *Encourage civic art that highlights nature's processes.*
- *Encourage developers of new projects to incorporate artists into the design team from the inception of planning in order to integrate works of art into their projects.*
- *Civic art should :*
 - *Be incorporated into public plazas and infrastructure projects such as bridges, transit systems, highways, roadways or water tunnels.*
 - *Explore opportunities to express local history and identity through functional and ornamental design elements and works of civic art.*
 - *Mark gateways and significant intersections of Austin.*
 - *Create a system of Historical/Cultural/Information points which could:*
 - *Establish a set of strategic points within the city that would both unify as well as mark unique places in the urban context.*
 - *Take the form of plaques mounted on buildings, information on transit shelters, murals, commemorative sculpture, elements in the sidewalk, walking tour brochures.*
 - *Provide elements, programs or brochures that tell what happened in a place.*
 - *Be commissioned for stand alone public art that provides community identity and that is not necessarily tied to a building project.*

Comment: Public art was not provided. Applicant is encouraged to provide public art viewable by general public and not just for the residents..This site provides for a unique opportunity to express public art with 3 facades facing streets. Consider dedicated spaces that are hardwired for live music and other small performances

AW.6 Protect important public views downtown: Compliant

Recommendations:

- *Development should not obscure existing views through the public right-of-way.*
- *Pedestrian bridges and building fly overs should not be permitted anywhere downtown.*

AW.7 Avoid historical misrepresentations: Compliant

Recommendations:

- *Buildings date the historical development of the city. It is important that any of past architectural styles not be exercised in such a way that the historical record becomes confused.*
- *New downtown buildings should be designed in such a way that they don't appear to have been built significantly earlier than they were.*
- *This guideline does not preclude consideration of the use of materials, scale or massing found on older buildings (See guideline Building 6, Create Quality Construction).*

AW.8 Respect adjacent historic buildings: Compliant

Recommendations:

- *Dense development should respond to adjacent historically zoned buildings and avoid creating awkward or incompatible design solutions.*
- *Compatible designs should not be created through historic replication, but should reflect a consideration of the scale, material and massing of the adjacent historic buildings.*
- *These may include small setbacks of upper stories so that at street level new buildings are consistent with the adjacent older building.*
- *Utilize transfer of development rights (tdrs) or other mechanisms to preserve the historic fabric.*

AW.9 Acknowledge that rooftops are not seen from other buildings and the street: Non-Compliant

Recommendations:

- *Roofs should be designed and constructed in such a way that they acknowledge their visibility from other buildings and from the street. Mechanical equipment should be screened when visible from the street or from potential or existing buildings nearby.*
- *Unused equipment should be removed from view.*
- *Utilize green roofs to provide for aesthetic as well as functional considerations.*

* See also guideline Streetscape 11, Screen Mechanical Equipment

Comment: Provide additional documentation that addresses the screening of mechanical equipment from adjacent buildings.

AW.10 Avoid the development of theme environments: Compliant

Recommendations:

Project complies with this Section.

- *Mock representations or caricatures of past of imaginary places, popularly referred to as "theme environments" or "theme parks" should not be created.*

AW.11 Recycle existing building stock: Non-Compliant

Recommendations

- *The recycling of Austin's building stock is highly encouraged.*

Comment: Proposed building is not reusing any existing building stock

Project complies with 7 of the 11 applicable Area Wide Guidelines.

GUIDELINES FOR THE PUBLIC STREETScape

PS.1 Protect the pedestrian where the building meets the street: Non Compliant

Recommendations:

- Overhead cover, offering adequate pedestrian protection from the sun and rain should be provided along the right-of-way where downtown buildings meet the street. This should occur between nine and fourteen feet above the level of the sidewalk, and should provide a minimum of eight feet of cover in width. Cover should not project closer to the curb than three feet.
- Overhead cover at the sidewalk may provide continuous protection without being continuous itself.
- Cover may take the form of either a projection from the building, an arcade, or a combination of the two. Arcades shall be open to the street.
- Projections may take the form of fabric awnings which are retractable, fabric awnings which are not retractable, or fixed non-fabric projected covers.
- Projected covers may be occupied by the building user, but should be accessed only from the building and not from the sidewalk. Where projected covers are occupied, they may also be supported by columns which fall in the right-of-way. Columns in the right-of-way should not interfere with pedestrians or emergency functions of the sidewalk. Maintain clear sidewalk width not interrupted by columns. Provide sufficient space between curb and columns to accommodate the potential of vehicles jumping the curb.
- Where buildings have been permitted to pull significantly away from the line, a free standing cover should be provided along the right-of-way.

Owners are encouraged in this condition to provide pedestrian cover additionally at the edge of the building where it does not touch the property line.

- Existing buildings which experience significant renovation should provide pedestrian protection as well. Landmark buildings may comply by installing a detached cover in front of the building.

Comment:

Garage Entrance: Applicant is proposing 3 driveway entrances across pedestrian routes. This is highly problematic for all persons navigating the street, especially while distracted, lost and/or moving quickly around the convention center. Provide a warning zone to notify pedestrians that they are encroaching into a vehicular way

PS.2 Minimize curb cuts-Non Compliant

Recommendations:

- Curb cuts should be minimized, and concentrated at mid-block.
- Development downtown should place curb cuts at original alley locations where possible.
- Specialty pedestrian paving, such as pavers, should continue at a level walking surface across mid-block curb cuts.
- Overhead cover should continue across curb cuts where possible.

Comment:

Garage Entrance: Applicant is proposing 3 driveway entrances across pedestrian routes.

PS.3 Create a potential for two-way streets: Complies

Recommendations:

- Driveways should be designed to function in both one-way and two-way street system.

PS.4 Reinforce pedestrian activity: NonCompliant

- Appropriately wide sidewalks should be provided from corner to corner along all property lines.
- Sidewalks should abut the street curb. Sidewalks extending on and of private property will meet at grade.
- Blocks without pedestrian connections should be identified and prioritized for sidewalk construction.
- Develop a Way Finding Master Plan which incorporates such tools as specialty pavements, signs and graphics to facilitate pedestrian movement.
- A new street sign system which unites downtown and other urban centers should be developed.
- Encourage street vendors, sidewalk cafes, etc. – food attracts pedestrian activity.
- Buildings should address the streetscape and reinforce pedestrian activity.

Comment: F & B space on Trinity Street and approximately 1/3 of the building frontage along 3rd street reinforces pedestrian activity, but remainder 2/3rds of 3rd street and entire frontage along San Jacinto do not provide for any engagement or activation for the general public. Proposed gabion wall could create a barrier between pedestrian and building use

Comment: Applicant is encouraged to move resident only uses to 2nd flr and provide more activation on street level

PS.5 Enhance key transit stops: Not Applicable

Recommendations:

- Reduce and consolidate the overall number of transit stops in throughout the city.
- Enhance and make markedly visible stops which are located near important pedestrian crossings, at bus route transfer stations and at culturally or historically important places.
- Adjacent developments should incorporate enhanced transit stops and shelters into their design.
- Developments should address enhanced transit stops as public places.
- Consider pedestrian comfort and safety and provide adequate space, shade, and trees at transit stops in the development of site plans.
- Transit station enhancements might include:
 - lighted transit “signal” indicating transit stop by name, e.g., “Fourth Street at Congress”, “Transfer Station”, “Convention Center Station”, “Brush Square Station”.
 - legible route number graphics
 - full shelter with benches
 - city location map
 - bus route map and schedule
 - public telephone • water fountain • waste receptacle
 - advertising surface
 - district related enhancements, such as particular paving type or logo
 - “Cultural Information Point”
(see downtown “culture framework plan” proposal)
- Incorporate civic art into key transit stops

This project is not immediately adjacent to any key transit stops so enhancement does not apply. Not applicable.

PS.6 Enhance the streetscape: Partial Compliant

Recommendations:

- *Dense development is encouraged to provide street furniture in the public right-of-way for pedestrian use. High priority should be given to streets identified in the Great Streets Program.*
- *Coordinate street furniture with the Great Streets program where applicable.*

- *Street furniture may be fixed to the sidewalk if adequate clear passage for pedestrians and emergency access is provided. Avoid intrusions into the accessible route.*
- *Cafe tables and kiosks may occupy a portion of the public right-of-way if adequate clear passage for pedestrians and emergency access is provided.*
- *The design of street furnishings should unify areas with distinct character. Participation from private property owners is encouraged.*
- *Appropriate planting may be provided as well.*
- *The use of Austin artisans and artists in the creation of street furniture is encouraged.*

This project as presented with the gabion walls provides for additional seating for pedestrians, but also create barriers for pedestrians to engage with the building.

PS.7 Avoid conflicts between pedestrians and utility equipment: Compliant.

Recommendations:

- *Utility connections and support should be located in the furnishings zone to avoid conflict with pedestrian movement in the right-of-way and maintain accessible routes.*
- *Placement of utilities should be considered as a design element and be clearly dimensioned on site plans - where the information is available.*
- *Above ground utilities should be visually compatible with other streetscape elements.*
- *Utility lines (wires) should be placed underground in the public right -of-way.*

PS.8 Install street trees: Not Applicable

Recommendations:

- *Trees should be provided along major pedestrian corridors.*
- *Consider that the life span of street trees in dense urban areas is frequently limited by soil volume. Provide as much soil volume as possible to support sustained tree growth in existing or new sidewalks. .*
- *Consider the use of structural soil or continuous street tree trenches to provide maximum soil area for roots to spread, and water and air to penetrate.*
- *Locate trees in expanded sidewalk areas in the parking zone to provide more area for root systems.*
- *Allow sufficient room for tree canopies to grow and develop without conflict with other building elements.*
- *Install irrigation systems to provide adequate water to establish and maintain trees. Provide drainage to storm sewer or install dry wells.*
- *In high pedestrian use areas, install tree guards to protect the trunks from damage*
- *Consider the design of street tree layout in relation to the buildings and other streetscape elements.*
- *Select trees which are adapted to the harsh conditions of a dense urban environment.*

PS.9 Provide pedestrian-scaled lighting: Non-Compliant

Recommendations:

- *Urban Streets should be lit by pedestrian-scaled fixtures emitting warm light.*
- *A minimum of 1 foot candle of warm light should be provided in all space between the building face and the curb along all streets.*
- *Lighting may be provided through the use of pedestrian-scaled pole fixtures, or fixtures may be attached to the face of the building. The type and size of pole fixtures should be as consistent as possible along a single block.*
- *The City of Austin is encouraged to create a set of recommendations for street*

lighting, outlining areas where a consistent character should be maintained, and describing that character.

Provide pedestrian scale lighting fixtures and show lighting in renderings for full compliance

PS.10 Provide protection from cars/promote curbside parking: Compliant

Recommendations:

- *Buffers from cars should be provided along the sidewalk edge.*
- *This protection may take the form of cars parked in metered parking spaces, trees, planters, or bollards.*
- *Curbside parking is encouraged along all busy downtown streets.*
- *Where right-of-way is 80' or less, parallel parking is encouraged.*

PS.11 Screen mechanical and utility equipment: Compliant

Recommendations:

- *Mechanical equipment should be screened from view and located away from the street edge.*
- *Particular attention should be given to mechanical equipment at street level. This should be screened in a way appropriate to the streetscape.*

Mechanical equipment is screened from view at the street level. Equipment is either screened and/or within building envelope. Project complies with this Section.

PS.12 Provide generous street-level windows: Partially Compliant

Recommendations:

- *The lower two levels of buildings, where they face the street, should be made highly transparent, through the use of windows or fixed glass panels.*
- *A minimum area of glass, meeting the most restrictive percentage described in the Design Standards, Subchapter E, is required.*
- *The use of reflective or highly tinted glass is discouraged.*

Large windows are provided at the street level, however the gabion walls (as presented) appear to obstruct large portions of fenestration. Provide more information on the form of the gabion wall and how it will obstruct the pedestrians visibility of the ground floor windows

PS.13 Install pedestrian-friendly materials at street level: Partially Compliant

Recommendations:

- *Building materials at street level should be pedestrian friendly and durable.*

Gabion walls can be harsh to pedestrians but also provide an alternative seating area. Provide more information regarding the texture of the rock and wire mesh to be used

Project complies with 4 of the 13 applicable Public Streetscape Guidelines.

PLAZAS AND OPEN SPACE GUIDELINES

PZ.1 Treat the Four Squares with special consideration: Not Applicable

Recommendations:

- *Development facing the four public squares established by the historic Waller Plan should receive special architectural consideration.*
- *Buildings facing the squares should provide a fairly consistent building height, and make an effort to establish the civic significance of the square through a unique architectural treatment.*
- *Primary building entrances should front the square.*
- *Loading docks should not face the public squares.*
- *Developers should also reference applicable existing requirements of the Downtown Parks Combining District ordinance (§13-2-174 in the Land*

Development Code).

Project does not front a public square, but Brush Square is adjacent to the fire station to the northeast and undergoing renovations to add a amphitheater.

PZ.2 Contribute to an open space network: Not Applicable

Recommendations:

- *Identify major open spaces in the vicinity of proposed development.*
- *Consider pedestrian movement through and to open spaces when locating building entrances and pedestrian-oriented uses.*
- *Provide enhanced sidewalk connections to nearby open space.*
- *Use design elements such as building configuration and streetscape design, including lighting, to support visual and pedestrian connections to open space.*
- *Provide ancillary support services such as food service and recreational equipment for use in nearby open space.*

PZ.3 Emphasize connections to parks and greenways: Compliant

Recommendations:

- *Incorporate views and prevailing breezes into the site planning and design of proposed developments.*
- *Limit building heights to avoid undesirable shadows on parks and public squares.*
- *Provide clear, well-lit connecting pathways to parks and greenways.*
- *Provide pedestrian scaled light fixtures which create a warm light on urban greenways such as Waller Creek and downtown portions of Town Lake.*
- *Provide bicycle racks where appropriate..*

PZ.4 Incorporate open space into residential development (pool, deck, dog area) Non Compliant

Recommendations:

- *Provide public open spaces such as plazas where appropriate, especially at entryways.*
- *Provide community open spaces such as roof decks, pools and patios.*
- *Provide small private open spaces such as balconies and terraces associated with individual units.*

Comment:No public open spaces provided. Roof terrace for guests only. No supporting materials provided showing rooftop amenities

PZ.5 Develop green roofs: Non Compliant

Recommendations:

- *Provide a vegetative surface on a significant portion of the roof.*
- *Provide the infrastructure and maintenance to support the green roof.*
- *Incorporate amenity space for building users and/or public.*
- *Provide opportunities to grow gardens.*

Comment: Green roofs are not provided.

PZ.6 Provide plazas in high use areas- Partially Complies

Recommendations:

- *Consider the need for a new urban plaza based on the catchment area of potential users. The catchment area extends 450 feet in all directions from the center of the proposed plaza.*
- *Review the need for a high use corner location versus the oasis potential of a mid block cul-de sac or pedestrian thoroughfare.*
- *Consider the number of potential workers in the catchment area to ensure a lunchtime clientele.*

- *Provide diversity in ground level retail to encourage daytime use by workers, tourists, and shoppers.*
- *Design the plaza as a catalyst to enhance urban pedestrian and transit circulation patterns.*
- *Link the plaza to an urban open space plan which provides and encourages safe pedestrian walkways.*

Comment: Street plaza should include more tenant diversity at the ground level to encourage daytime use by workers, tourists and shoppers. Applicant is encouraged to provide activation and enhance the corner of San Jacinto and 3rd as a street plaza

PZ.7 Determine plaza function, size and activity- Non-Compliant

Recommendations:

- *Determine plaza function, which may include:*
 - *visual setback for building*
 - *transition zone from street to interior foyer*
 - *lunchtime relaxation and sidewalk cafes*
 - *transit stop*
 - *exhibits or performances*
- *Determine plaza activities, and consider:*
 - *if the plaza is to accommodate pedestrian traffic, eliminate barriers between the sidewalk and the street.*
 - *if the plaza is to accommodate stopping and relaxing, provide dense furnishings, focal elements, and defined edges.*
 - *if the plaza is to accommodate concerts or rallies, provide unimpeded open space.*
- *Provide active areas which accommodate public interaction as well as areas which provide a more relaxed and secure experience.*
- *Consider sight lines when designing plazas for public gathering or events.*
- *Encourage heavy use across varied activities to minimize vandalism.*

Comment: 2 benches are provided to meet Great Streets standards. Provide more information on the gabion wall design and identify portions that will be used to supplement Additional active areas which can accommodate public interactions is encouraged. Project currently does not comply with gatekeeper requirements of Great Streets

PZ.8 Respond to microclimate in plaza design- Partially Complies

Recommendations:

- *If possible, site the plaza to receive summer breezes from the southeast.*
- *Provide filtered shade by means of deciduous trees and vine covered trellises which reduce temperatures in summer, yet allow sun in the winter.*
- *Provide continuous shade by means of arcades, canopies, and awnings adjacent to buildings.*
- *Consider the use of ceiling fans in exterior overhead structures to create air movement.*
- *Minimize the amount of hard plaza pavement which retains heat. Provide only the amount necessary for projected pedestrian circulation and volume.*
- *Maximize the amount of vegetation in trees, shrubs, groundcovers, and vines which cool the surrounding areas.*
- *Calculate sun-shade patterns as seating locations are developed.*
- *Provide water features where appropriate.*
- *Consider the use of air-conditioned indoor public spaces adjacent to the outdoor spaces.*

Comment: Provide more information on the gabion wall, with consideration to prevailing SE breezes and heat retention. Provide more information on planting material in wall and landscaped areas

PZ.9 Consider views, circulation, boundaries and subspaces in plaza design-Partially Compliant

Recommendations:

- *Define the plaza as a distinct space.*
- *Create a strong connection between the plaza and the adjacent public right of way. Large grade changes may not be appropriate.*
- *Where appropriate, extend planting into the public right of way to draw attention to the plaza.*
- *Provide direct pedestrian routes from sidewalks to building entrances.*
- *Provide easy access to ground level retail as well as seating and viewing areas.*
- *Provide opportunities for pleasant meandering shortcuts.*
- *Guide pedestrian flow through the use of built elements.*
- *Accommodate the needs of the disabled, elderly, and parents with strollers with easy access to each level.*
- *Consider the transition between the interior and exterior building uses at the plaza level. Ensure that one does not interfere with the other.*
- *Design the edges with nooks and corners to provide a variety of seating and viewing opportunities.*
- *Provide subspaces to accommodate small groups within a larger plaza area.*
- *Make subspaces inviting with human-scale dimensions and elements.*
- *Define subspaces with grade changes, planting diversity, or seating arrangement.*

Comment: The planters along 3rd street as presented provide for an interesting and engaging pedestrian experience, however more development on the gabion walls is needed to understand how they will also shape these spaces

PZ.10 Provide an appropriate amount of plaza seating- Partially Compliant

Recommendations:

- *Provide one linear foot of seating per each perimeter linear foot of the plaza.*
- *Provide for a variety of seating locations which accommodate the needs of various sitters.*
- *Place seating in shaded areas as well as in sunny areas. Shade may be created by trees, trellises, canopies, umbrellas, or building walls.*
- *Place seating where sitters can watch passersby.*
- *At least 50% of recommended seating should be secondary, in the form of steps, planter seat wafts, retaining walls, or mounds of turf.*
- *Seating wall heights should be approximately 16-18"*
- *Provide benches that are wide enough to serve many needs.*
- *Provide some linear or circular seating which encourages interaction.*
- *Provide backless benches, right angle arrangements, or movable chairs and tables to accommodate groups.*
- *Provide seating materials that are inviting and which do not damage clothing.*

Comment: Only 2 benches are provided at each side of the street plazas. Additional active areas which can accommodate public interactions is encouraged

PZ.11 Provide visual and spatial complexity in plaza design- Partially Complies.

Recommendations:

- *Frame views out of the plaza, where appropriate, to visually link the plaza with the rest of the city.*
- *Visually connect subareas within the plaza.*
- *Physically separate subareas with modest level changes where appropriate.*
- *Physically connect level changes with ramps as well as steps.*
- *Provide an elevated area with wall or railing to lean on for people watching.*
- *Avoid dramatic grade changes which discourage public use.*
- *Where plazas are sunken, provide focal points to draw people downward.*
- *Where plazas are raised, use plantings or other elements to draw people*

upward.

- Use plants or other elements to define different areas within the plaza.

Comment: Provide more information on the design of the gabion walls

PZ.12 Use plants to enliven urban spaces- Partially Compliant.

Recommendations:

- Consider the impact of expanses of paving on the heat gain of the plaza.
- Cover at least 30% of the plaza surface in plant material.
- Select a variety of native and adapted plants -trees, evergreen shrubs, flowering shrubs, vines, groundcovers, perennials, and annuals - to provide color, texture, and fragrance.
- Use feathery-leafed trees to provide a see through effect to subspaces within the plaza.
- Consider the eventual height and mass of mature plants in regard to views, shade, and maintenance.
- Provide adequate soil depth and width to encourage healthy growth.
- Provide underground irrigation and drainage to all plantings to ensure their survival.

Comment: Provide more information on the design of the gabion walls and the planting presented. Provide calculations that include % of plaza surface covered in plant material

PZ.13 Provide interactive civic art and fountains in plaza. Not Compliant

Recommendations:

- Include civic art in the plaza design. Consider any built element as an opportunity for art, such as manhole covers, paving, railings, overhead structures, signage, etc.
- Select art which communicates a relationship to our sense of place, creates a sense of joy and delight and stimulates play and creativity.
- Include fountains for visual attraction, to screen traffic noise, and for cooling effects.
- Provide art, sculpture, and fountains with which people can interact by means of touch, movement, and play.
- Locate sculptures to not impede pedestrian circulation patterns and lines of sight.
- Scale sculptures and fountains to the size of the plaza.
- Link civic art in plazas with a downtown civic art plan. Consider the opportunities of a downtown art walk.

Comment: No civic art or water feature provided in presentation; Consider dedicated spaces that are hardwired for live music and other small performances

PZ.14 Provide food service for plaza participants- Partially Compliant

Recommendations:

- Locate food service in and next to the plaza.
- Consider a variety of food service options from cafes to vendors.
- Design the plaza to accommodate vendors. These can add vitality, promote security, and draw people to the ground level retail.
- Provide space for vendors which is highly visible and accessible, yet out of the way of direct pedestrian traffic.
- Provide comfortable places to sit and eat.
- Provide drinking fountains, rest rooms, telephones for users.
- Distribute trash containers around the plaza.

Comment: F&B outdoor limited to the 3rd and Trinity corner. Applicant is encouraged to include area for walk-up kiosk to activate street plaza interactions

PZ.15 Increase safety in plazas through wayfinding, lighting and visibility- Partial Compliant

Recommendations:

- Highlight the main building entrance with lighting, signage, materials and detailing
- Provide directional signs linking the plaza to transit stops, taxi stands, nearby neighborhood streets, and orientation within the district
- At adjacent interior lobbies, provide signs directing visitors to reception, elevators rest rooms, telephones, restaurants, etc.
- Provide lighting which promotes a feeling of safety at night. Be sure to light corners and out of the way locations.
- Link plaza lighting to streetscape lighting.
- Design for visibility from the street and the ability to see through from one part of the plaza to another.

Comment: Provide additional information on lighting with correct fixture noted on back-up materials

PZ.16 Consider plaza operations and maintenance- Non Compliant

Recommendations:

- *Develop management policies toward special events.*
- *If special events are planned, provide a flexible stage and audience area away from the main circulation path.*
- *If movable chairs and speakers are used, provide a place for interior storage.*
- *Provide for exterior electrical needs of lighting and speaker systems.*
- *Provide attachment locations for banners, decorations, and temporary signs.*
- *Provide information kiosks to post scheduled events.*
- *Provide locations for temporary concessions.*
- *Calculate the operational costs of running fountains and irrigation systems.*
- *Design fountains to prevent overspray onto adjacent paving.*
- *Program irrigation controllers to water in early morning for the most efficient use of water and to avoid interference with pedestrian traffic.*
- *Plan and provide for adequate maintenance, recognizing the specialized nature of maintaining plantings and site elements*
- *Have a maintenance plan in place prior to project completion*
- *Provide an adequate number of litter containers and an appropriate collection schedule. Coordinate with other plaza furnishings.*
- *Select built materials for durability and longevity.*
- *Select plant materials for low water use and low maintenance.*
- *Consider hiring a plaza manager to ensure that the plaza remains an inviting, user friendly urban amenity.*

Comment: Provide more information on the gabion wall and how it will be maintained

Project complies with 1 of the 16 applicable Plaza and Open Space Guidelines.

GUIDELINES FOR BUILDINGS

B.1 Build to the street - Compliant

Recommendations:

- *Urban buildings should be built to the property line to the greatest extent*

possible when the property line is adjacent to the street - except where additional sidewalk width is needed or desired to create 12 -18'wide sidewalks.

- *Building facades should be viewed as part of the public realm and designed accordingly.*
- *Developments should meet the property lines at the lower four floors.*
- *Provisions will be made for exceptions such as arcades on the lower floor and for public plazas which follow the guidelines on outdoor spaces.*

B.2 Provide multi-tenant, pedestrian-oriented development at the street level Partially Compliant

Recommendations:

- *Buildings should provide street-level, pedestrian-oriented uses on all street fronts.*
- *A public plaza which follows the guidelines on outdoor spaces may be considered a pedestrian-oriented use. If a single building occupies an entire street front on a block, the public plaza may occupy no more than half the block. Pedestrian-oriented uses in the building should face the plaza. The plaza design should recognize the responsibility to define the street.*
- *No more than 25% of net street frontage should be occupied by uses which have no need for or discourage walk-in traffic. Drive-through facilities are not allowed.*
- *Building design should encourage multi-tenant occupancy at the lower two floors.*

Comment: This project provides multi-tenant use, but pedestrian-oriented development at the street level is minimal. Applicant is encouraged to move lobbies and residential only uses to the second floor to provide for more ground level activation and provide more publicly accessible activation on the ground floor at the corner of San Jacinto and 3rd St

B.3 Accentuate primary entrances Compliant

Recommendations:

- *Large buildings which front multiple streets should provide multiple entrances.*
- *Building entrances which connect to a central lobby should be distributed on different street facing facades.*
- *Primary building entrances should be accentuated. These entrances should be designed so that they are not easily confused with entrances into ground level businesses.*
- *Primary entrances should be recessed off the sidewalk to limit conflicts between swinging doors and pedestrians.*
- *Civic art and artistic crafting of building materials can help distinguish building entrances.*

B.4 Encourage the inclusion of local character – Non Compliant

Recommendations:

- *The use of quality local materials is encouraged / local character should be included in the design.*
- *Care should be taken to avoid nostalgic reproductions, but to use the materials in a meaningful manner*
- *Encourage the participation of local artists and artisans in detailing and materials.*
- *Building design should exhibit a response to the local climate.*

Comment: The facades the new building show very little local character. Local art or graphics or at least some use of local materials or indigenous features would tie the project to our local character. Applicant is encouraged to work with local artist to incorporate a more unique pattern on the garage screen (possible location) and provide art on blank walls along Trinity facing the convention center; Provide dedicated stage and electric for live music/performances

B.5 Control on-site parking – Partially Compliant

Recommendations:

- *Parking should be located below grade, or in interior courts above grade. It should not occur at grade along property lines which are adjacent to a street.*
- *Where above ground structured parking is located at the perimeter of a building, this should be screened in such a way that cars are not visible from adjacent buildings or the street.*

- Above ground parking should be designed in such a way that neighboring buildings are not adversely affected by headlights.
- Structured parking should not be treated in such a way that it is indistinguishable from inhabited areas of the building.
- Inhabitable space must occupy at least 50% of the cumulative length of the streetwall of the building. Where a building occupies an entire block, the inhabitable streetwall must be distributed so that it is not all located on one half of the block.
- Certain streets may be so important that parking in the streetwall along them will not be allowed.
- Shared Parking requirements can help alleviate parking requirements without building additional infrastructure.

Comment: No parking is provided below grade and the owners separation of parking for residence and office/work/live/suites is causing a unnecessary third driveway

B.6 Create quality construction- Compliant

- Buildings should be built as high-quality, long-term components of the urban fabric.
- Buildings should be constructed as maintenance free as possible and should be designed to achieve a life span greater than seventy-five years.
- A building is at the end of its lifespan when factors including operating or maintenance costs, repair or reconstruction costs, pressure for more flexible spaces, among others, outweigh the cost of building a new similar building.
- Buildings should have a built-in flexibility to their design and recognize that buildings frequently undergo alterations to conform to uses not considered in the original design.
- Consideration should be given to floor-to-floor heights and structural grids as they may impact possible future uses.
- Consideration should be given to the pedestrian's visual and tactile experience in the selection and configuration of building materials.
- Consideration should be given to the design of exterior walls and skins of buildings. These should not be considered sacrificial surfaces to be replaced several times in the life of the building.

B.7 Create buildings with human scale – Partially Compliant

- Buildings should be designed with a variety of scales, creating a scale and level of detail at the street level appropriate to the pedestrian.
- Clearly articulating different uses at lower building levels will aid in creating a sense of human scale in mid- and high-rise buildings. Addressing human scale may further be achieved through architectural detailing, and by variation in the three dimensional character of the building mass as it rises skyward.
- Monolithic, vertical extrusions of a maximum building footprint are strongly discouraged.
- The lower floors should be differentiated architecturally.
- Where existing adjacent buildings have a consistent massing, this should be continued.

Comment: Provide more information that represents the scale of the gabion wall and how it contributes to a sensitivity of human scale.

Comment: Applicant is encouraged to move resident only uses to 2nd flr and provide more activation on street level to create a more relatable human scale

Project complies with 3 of the 7 applicable Building Guidelines.

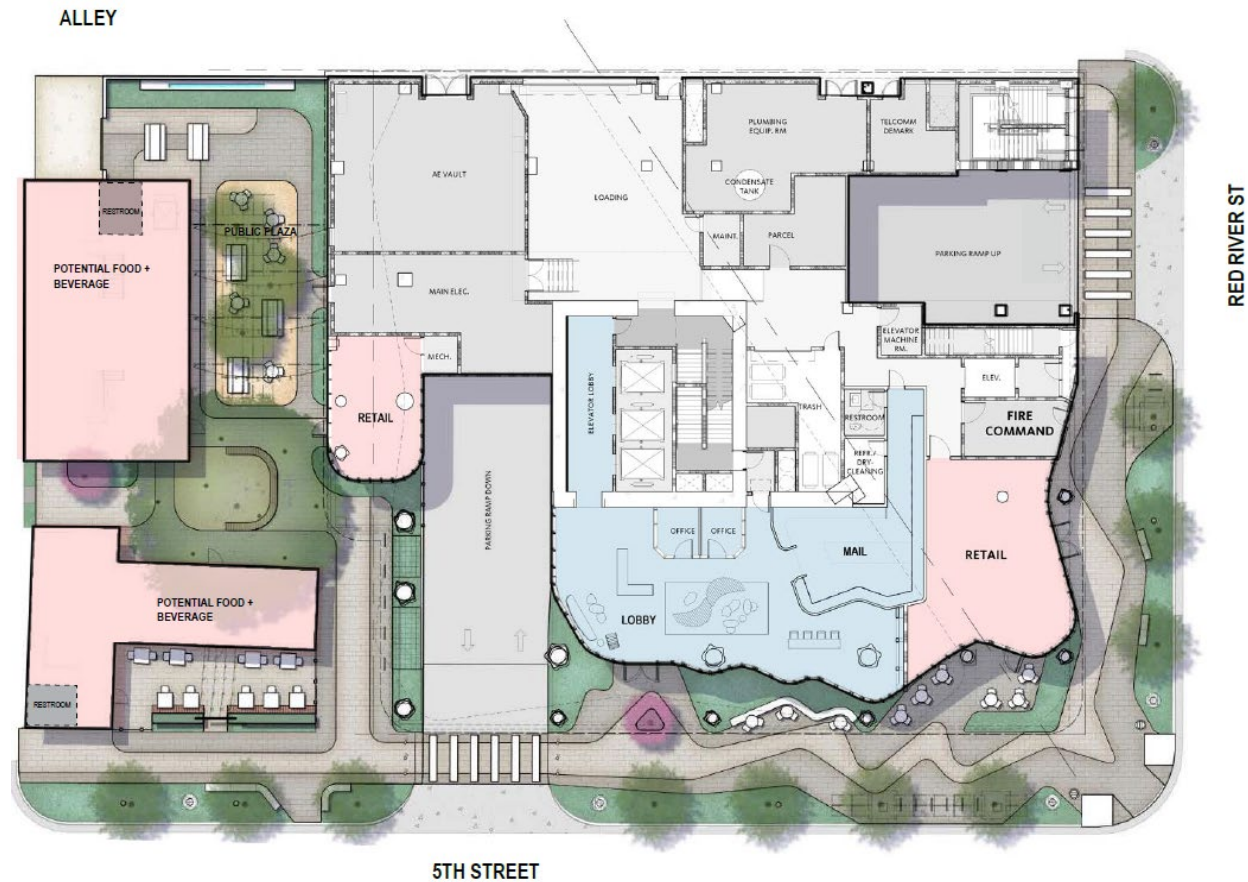
OVERALL RESULTS

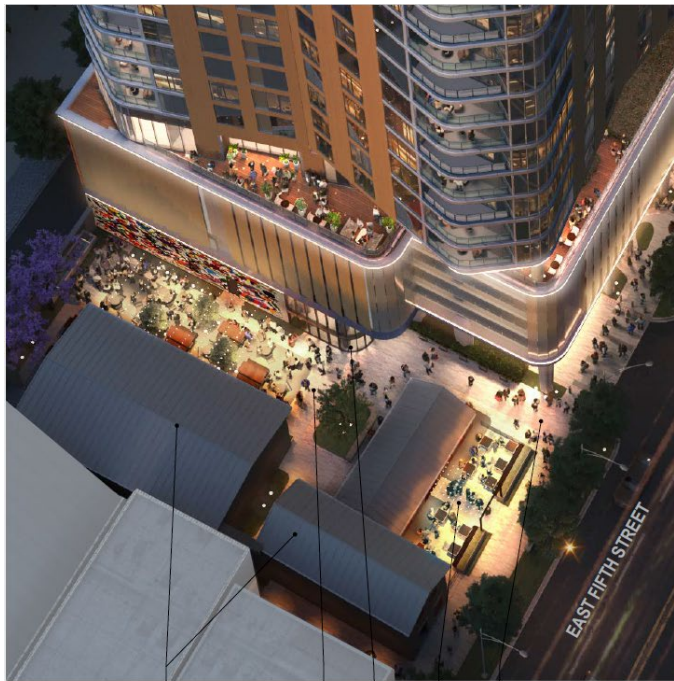
Areawide	7 out of 11 comply	1 partially comply	
Public Streetscape	4 out of 13 comply	3 partially comply	2 not applicable
Plazas and Open Space	1 out of 16 comply	8 partially comply	2 not applicable
Buildings	3 out of 7 comply	3 partially comply	
TOTAL	18 out of 47 comply	15 partially comply	4 not applicable

The Density Bonus Working Group has determined that Block 32 project may not be in substantial compliance with the Urban Design Guidelines. It should be noted that the findings of this Working Group Memo are not reflective of the Design Commission and should not be construed as a final determination. Not all categories have equal weight from a points determination perspective. Substantial Compliance is a judgement call based upon the overall contribution to the experience of the public. Bringing partial points to full compliance and any out of compliance items to full compliance increases the likelihood of support from the full Design Commission

WORKING GROUP COMMENTS

5th & Red River was also half a block and gave considerable plaza space. In consideration of this proposed hotel program being across the street from one of the four squares downtown and the to-be redeveloped Convention Center – we recommend evaluating the public space contribution in this highly activated area of downtown. The project is requesting maximum benefits from the Density Bonus Program and its offering back to the public realm could be greater.





PLAZA VIEW - SOUTH FACING



PLAZA ENTRY - EAST FIFTH STREET

HISTORIC BUILDING / POTENTIAL FUTURE FOOD + BEVERAGE PLAZA RETAIL PATIO PLAZA ENTRY

RETAIL

PLAZA EXPERIENCE

Stonelake CAPITAL PARTNERS Gensler dwg. O'Connell ARCHITECTS

DESIGN COMMISSION | 5TH + RED RIVER | 08/22/2022

Great project! Overall, the utilization of the gabion wall seems to be very interesting but please provide more information on the design and placement of this wall to illustrate it's relationship to the pedestrians and occupants of both buildings. (JS)

The stone walls surrounding the seating areas could act as heat sinks, absorbing heat during the day and releasing it slowly through the evening. Consider more breathable material with lower wall heights next to the cafe.

The Working Group appreciates this opportunity to preliminarily review and comment on this project and we look forward to a continued collaborative process while moving this project forward.

Respectfully,

A handwritten signature in black ink, reading "Jen Weaver".

Jen Weaver
Chair, Design Commission



**URBAN
DESIGN**
HOUSING & PLANNING

DOWNTOWN DENSITY BONUS PROGRAM (DDBP) SUBMITTAL

INSTRUCTIONS

A property owner (**Owner**) or their 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 per the [Land Development Code \(LDC\) 25-2-586](#).

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 Submittal;
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 [Great Streets Standards](#)):
 - Site plan;
 - Floor plans;
 - Exterior elevations (all sides);
 - Three-dimensional views;
5. As part of the gatekeeper requirements,
 - Urban Design Guidelines checklist;
 - Great Streets Compliance – Contact Jill Amezcua, Program Manager at: (jill.amezcua@austintexas.gov)
 - 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: (greenbuilding@austinenergy.com)
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 Brendan Kennedy, (Brendan.Kennedy@austintexas.gov), for more information.
8. Please submit all materials in PDF format (no larger than 10 MB) to:
Jorge E. Rousselin, Development Services Division Manager
Urban Design – Housing and Planning Department
jorge.rousselin@austintexas.gov
(512) 974-2975



**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):

35,365 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

c. Existing entitlements:

I. Current floor to area (FAR) limitation:

8:1

II. Current height limitation (in feet) :

None for CBD

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):

N/A

7. Building Information

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

884,125 SF

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

Phase 1
375,223 SF - Apartments Type A
13,198 SF - Amenity
4,131 SF - Retail
Phase 1 Total = 392,552 SF

Phase 2
375,223 SF - Apartments Type A
104,809 SF - Apartments Type B
11,541 SF - Amenity
Phase 2 Total = 491,753 SF

Total of Phase 1 + Phase 2 = 884,125 SF

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

Phase 1 - 363
Phase 2 - 493

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

0

- e. Number of floors:

Phase 1 - 41
Phase 2 - 54

- f. Height:

Phase 1 - 446'-4"
Phase 2 - 595'-8"

- g. FAR requested:

25:1

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.

The project substantially complies with the City of Austin Urban Design Guidelines as described in the Urban Design Guidelines matrix included with this submittal.

In addition, a site plan, building elevations, and 3D renderings have been included with this submittal to show the project in relation to its surroundings.

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:

The project shall execute a restrictive covenant committing to streetscape improvements consistent with Great Street Standards.

The exhibits show how the project complies with Great Street Standards.

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:

The project shall achieve a minimum two-star rating under Austin Energy Green Building Program.

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 \(E\)\(1\)-\(12\)](#).

Total site Base FAR 8:1; $8 \times 35,365 \text{ SF} = 282,920 \text{ SF}$

Phase 1 Density Bonus FAR 11.1:1 proposed
 $11.1 \times 35,365 \text{ SF} = 392,552 \text{ SF}$

Phase 2 Density Bonus FAR 13.9:1 proposed
 $13.9 \times 35,365 \text{ SF} = 491,573 \text{ SF}$

Total Site Density Bonus FAR 25:1 proposed;
 $25 \times 35,365 \text{ SF} = 884,125 \text{ SF}$

Total Density bonus SF requested:
 $884,125 \text{ SF} - 282,920 \text{ SF} = 601,205 \text{ SF}$

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:

100% of the requested development bonus will be achieved by paying a Development Bonus Fee into the Affordable Housing Trust Fund.

Phase 1 Density Bonus Requested 250,409 SF
Residential Use Fee $\$12/\text{SF} \times 250,409 \text{ SF} = \$3,004,908.00$

Phase 2 Density Bonus Requested 350,796 SF
Residential Use Fee $\$12/\text{SF} \times 350,796 \text{ SF} = \$4,209,552.00$

Total Density Bonus Requested Fee = $\$7,214,460.00$

100% of Bonus Area will be achieved by paying into the Affordable Housing Trust Fund.

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? Contact Sophia Benner at: sophia.benner@austintexas.gov.

Yes

No

- f. To confirm in-lieu fees or provision of on-site affordable housing as a public benefit, Applicant must detail program requirements and obtain a letter of affordability from the Housing Development Assistance team, Housing & Planning Department.

Yes

No

Brett Rhode

Signed: Owner or Applicant

Authorized Agent

Brett Rhode, Rhode Partners

Date Submitted

08/14/2023



**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 HPD 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: Block 32 Apartments

Project Address: 310 E. 3rd St., 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: Dustin Dorph

Signature: 

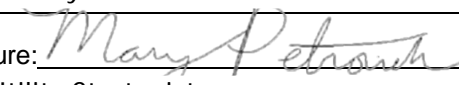
Title: Development Director

Phone Number: 571-414-8454

Date: 05/11/2023

AUSTIN ENERGY GREEN BUILDING:

Name: Mary Petrovich

Signature: 

Title: Utility Strategist

Phone Number: 512-661-8618

Date: 5/11/2023