

**PLANNING COMMISSION
DOWNTOWN DENSITY BONUS REQUEST
SITE PLAN REVIEW SHEET**

CASE NUMBER: SP-2023-0437C **PLANNING COMMISSION**
HEARING DATE: March 12, 2024

PROJECT NAME: 506 West

ADDRESS: 506, 508, and 508 ½ West Avenue

APPLICANT: Richard T. Suttle Jr., Armburst & Brown, PLLC
100 Congress Ave. Ste. 1300
Austin, TX 78701

URBAN DESIGN STAFF: Jorge E. Rousselin, CNU-A Phone: (512) 974-2975
Jorge.Rousselin@austintexas.gov

SITE PLAN
CASE MANAGER: Clarissa Davis Phone: (512) 974-1423
clarissa.davis@austintexas.gov

NEIGHBORHOOD PLAN: Downtown

PROPOSED DEVELOPMENT:

The applicant is requesting administrative approval for the construction of a 47-story mixed-use building comprised of retail and 359 residential units, garage parking, and streetscape improvements in accordance with the Downtown Density Bonus Program (DDBP).

PROJECT REQUEST:

In accordance with [LDC Section 25-2-586\(B\)\(6\)](#), the applicant is requesting, from City Council, additional floor to area ratio (FAR) from 15:1 to 20:1 for a proposed mixed-use building. The project is participating in the Downtown Density Bonus Program for bonus area up to 15:1 FAR to be granted administratively.

PRIOR BOARD AND COMMISSION ACTION:

Design Commission: May 22, 2023:

The motion that the project 506 West Residential, located at 506 and 508 West Avenue, complies with the Urban Design Guidelines for the City of Austin in accordance with the Land Development Code § 25-2-586 (C)(1)(a)(ii) with the following inclusions:

- Separate visual and/or auditory indications at the approach of path crossing for both pedestrians and vehicles for pedestrian safety examples: paver change for pedestrians and traffic arm or speed door for vehicles. (PS 10 – provide protection from cars)
- Great Streets standard benches (per Great Streets as a gatekeeper requirement)
- Lighting in compliance with Great Streets minimum standards
was approved on Chair Weaver's motion, Commissioner Rollason's second on an 8-0 vote. Commissioner Howard and Commissioner Ladner were absent.

Planning Commission: March 12, 2024

Set Council Public Hearing: March 21, 2024

Conduct Council Public Hearing: April 18, 2024

SUMMARY STAFF RECOMMENDATION:

Gatekeeper Requirements:

To participate in the Downtown Density Bonus Program, projects must first satisfy the gatekeeper requirements as described in LDC [25-2-586\(C\)\(1\)](#), which are:

1. To substantially comply with the Urban Design Guidelines
2. Execute a restrictive covenant committing to provide streetscape improvements along all public street frontages, consistent with the Great Streets Standards, and
3. 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 application is submitted.

For this project, the applicant has provided sufficient documentation to meet the gatekeeper requirements, as outlined below:

- The project will implement streetscape improvements consistent with Great Streets standards along West 14th Street and Lavaca Street with a pedestrian-oriented design featuring wide sidewalks, street trees, benches, bike racks, trash receptacles, and streetlights.
- The applicant has committed to achieving a minimum **two-star** rating under the Austin Energy Green Building Program.
- The applicant has provided documentation indicating they will comply with the Urban Design Guidelines.

Bonus Area Analysis:

The applicant seeks a total “Bonus Area” – defined by [Section 25-2-586\(A\)\(1\)](#) as “the gross floor area that exceeds the maximum floor-to-area ratio allowed with the site’s primary entitlement” – as the bonus area approved administratively between 8:1 and 15:1 FAR (as permitted by [Section 25-2-586\(B\)\(3\)](#)), and the bonus area above the administrative allowance of 5:1 FAR (as permitted by [Section 25-2-586\(B\)\(6\)](#)), up to a maximum 20:1 FAR.

The applicant has proposed to achieve the bonus area allowances through the following means:

1. Bonus area from 8:1 to 15:1 FAR: Pay **\$1,040,088 of fees-in-lieu** for affordable housing (to satisfy Section 25-2-586(E)(1)(b)(i).
2. Bonus area from 8:1 to 15:1 FAR: Pay **\$1,040,088 of fees-in-lieu to the Shoal Creek Conservancy to be allocated towards the Third Street Bike-Pedestrian Bridge & Trestle Improvement** to satisfy Sections 25-2-586(E)(1)(b)(ii) and Section 25-2-586(E)(12).
3. Bonus area from 15:1 to 20:1 FAR: Pay **\$742,920 of fees-in-lieu** for affordable housing (to satisfy Section 25-2-586(E)(1)(b)(i).
4. Bonus area from 15:1 to 20:1 FAR: Pay **\$742,920 of fees-in-lieu of fees-in-lieu to the Shoal Creek Conservancy to be allocated towards the Third Street Bike-Pedestrian Bridge & Trestle Improvement** to satisfy Sections 25-2-586(E)(1)(b)(ii) and Section 25-2-586(E)(12).

All fees-in-lieu above, totaling **\$1,783,008.00** will be paid into the Affordable Housing Trust Fund and **\$1,783,008.00 to the Shoal Creek Conservancy to be allocated towards the Third Street Bike-Pedestrian Bridge & Trestle Improvement.**

With this, the applicant has met the Code requirement to go above and beyond what's required to achieve the administrative FAR allowance for community benefits Section 25-2-586(B)(6)(d)(1).

Staff recommends **APPROVAL** of the request for bonus area above what is allowed administratively by Section 25-2-586(B)(3), up to a maximum 20:1 FAR, due to the additional community benefits that will be realized in exchange for the additional bonus area.

PROJECT INFORMATION

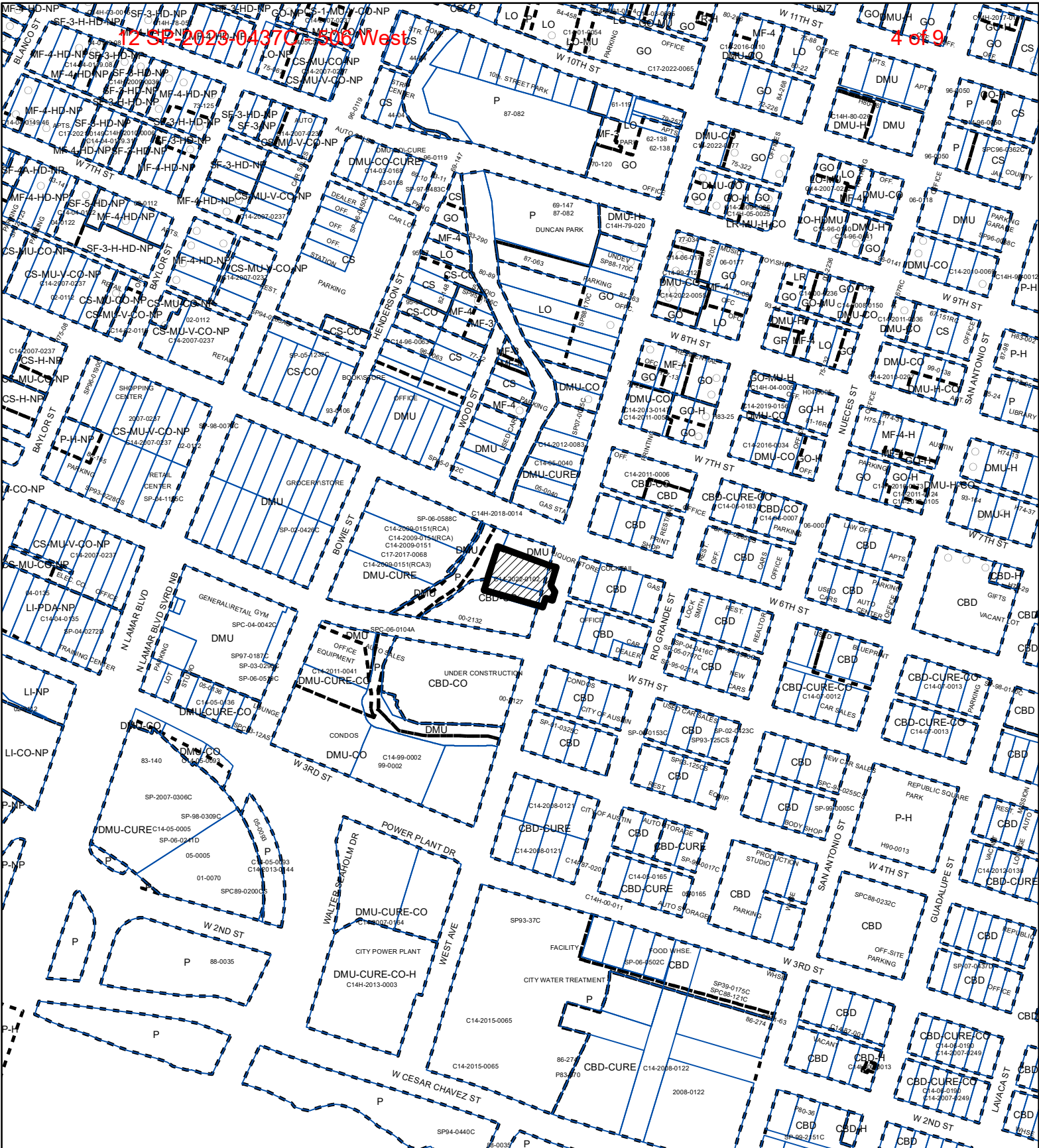
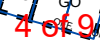
SITE AREA	24,764 square feet	0.57 acres
EXISTING ZONING	CBD	
TRAFFIC IMPACT ANALYSIS	N/A	
CAPITOL VIEW CORRIDOR	No	
PROPOSED ACCESS	West Ave.	
	Allowed/Required	Existing Proposed
FLOOR-AREA RATIO	8:1	N/A 20:1
BUILDING COVERAGE	100%	100% 100%




EXISTING ZONING AND LAND USES

	ZONING	LAND USES
<i>Site</i>	CBD-CO	Restaurants (limited) and parking
<i>North</i>	DMU	Restaurant
<i>South</i>	CBD-CO	Mixed use residential building (Austin City Lofts)
<i>East</i>	MF-4	Cocktail lounges; Office; Condominiums (Fifth & West)
<i>West</i>	DMU; P; DMU- CURE	Shoal Creek Greenbelt Trail; Offices / Retail / Parking garage (Sixth + Lamar East Block)

ABUTTING STREETS

Street	ASMP Required ROW / Existing ROW	Pavement Width	ASMP Classification
West Ave	80'/84'	34'	Corridor Mobility – Level 3



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

Downtown Density Bonus

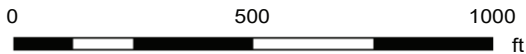
Site Plan Case#: SP-2023-0437C
Address: 506, 508, and 508 ½ West Avenue


$$1'' = 400'$$

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Created: 2/27/2024



DDBP CASE#: SP-2023-0437C
LOCATION: 506, 508, and 508 ½ West Avenue
SUBJECT AREA: 0.57 Acres
GRID: J23
MANAGER: Jorge Rousselin



Created: 03/04/2024

**AUSTIN CITY LOFTS OWNERS ASSOCIATION****800 West 5TH Street
Austin, TX 78703**

Dear Planning Commissioners,

The Austin City Lofts (ACL) Owners Association objects to the FAR increase (from 15:1 to 20:1) application filed for 506, 508 and 508 ½ West Avenue (Case No. SP-2023-0437C) and respectfully requests that you deny this application.

While density and height are naturally encouraged in the downtown area, the proposed development is wholly within Austin's 25-year floodplain and is located mid-block with access only to West Avenue. To our knowledge, there is no tower as dense and as tall as the one being proposed for 506 and 508 West Avenue located mid-block on a two-lane two-way short block (275') with stop lights on either end (W 5th & W 6th) anywhere downtown, much less within the 25-year floodplain.

There are two existing parking garage access points on this short block of West Avenue for Austin City Lofts and 5th & West Residences. Particularly during drive times, it is daunting to dangerous when exiting and/or entering these existing parking garages. Vehicles going north/south on West Avenue will back up and block garage access and the east/west traffic on W 5th and W 6th Streets. An additional 430 cars on this short block will only exacerbate an already perilous situation.

We understand that a traffic study will not be required based on the developer's calculations for trips per day but that does not take into consideration the changes in traffic flow as West Avenue has become an alternate corridor for north/south traffic from Caesar Chavez to 19th Street (The Independent, Seaholm District [Trader Joe's and others] and the Central Library.)

To be clear, ACL is not opposed to development of 506 and 508 West Avenue in a manner that is appropriate for land that is located wholly within Austin's 25-year floodplain and is mid-block with access to only a two-lane two-way street (West Avenue). However, the FAR variance from 15:1 to 20:1 dramatically increases the permissible height for any project constructed on these properties.

It is our understanding that the proposed 11-story above ground parking garage is not included in the calculation of the allowable FAR of 15:1 or the requested increase in FAR of 20:1.

The current site plans call for a luxury apartment tower with:

- Building height of 564'
- 50 stories
- 430 parking spaces
- An 11-story above ground parking garage

At a time when City Council is focused on regulations that reduce the overall number of new parking spaces built within downtown Austin to meet parking needs more efficiently and creating a more walkable, pedestrian-oriented built environment with fewer large above-ground parking structures, this would seem to be incongruous.

If this FAR increase to 20:1 is granted, the ACL building, its residents, and the residents in the surrounding area will be detrimentally impacted.

Accordingly, ACL requests that you deny the developer's application for a FAR increase from 15:1 to 20:1.

Thank you for your consideration of this request,

Ian Inglis
Board President
Austin City Lofts Owners Association



PUBLIC HEARING TO CONSIDER AN ORDINANCE FOR DOWNTOWN DENSITY BONUS

Mailing Date: March 1, 2024

Case Number: SP-2023-0437C

Este aviso le informa de una audiencia pública tratando de un cambio de derechos de desarrollo urbano dentro de una distancia de 500 pies de su propiedad. Si usted desea recibir información en español, por favor llame al (512) 974-1243.

The City of Austin has sent this letter to inform you that we have received a request for a site plan that requires approval by the Planning Commission. We are notifying you because City Ordinance requires that all property owners within 500 feet, residents who have a City utility account address within 500 feet, and registered environmental or neighborhood organizations whose declared boundaries are within 500 feet be notified when the City receives an application.

Project Location:	506, 508, and 508 ½ West Avenue
Owner:	506 West Avenue LP
Applicant:	Richard T. Suttle Jr., Armburst & Brown, PLLC (512) 435-2300

Proposed Change:

Increase Floor Area Ratio (FAR) beyond Administrative Allowance under City Code Section 25-2-586 (*Downtown Density Bonus Program*)

From: 15:1 FAR Administrative Allowance

To: 20:1 FAR

This application is scheduled to be heard by the **Planning Commission** on **March 12, 2024**, beginning at **6:00 p.m.** The meeting will be held **in-person** at City Hall Council Chambers, 301 West 2nd Street and **online** viewable at <http://www.atxn.tv>.

To participate at this Public Hearing, you may either attend virtually by viewing the meeting online and registering to speak in advance or by going to City Hall at 301 West 2nd Street and attending in-person. For additional information on how to participate in the meeting, please contact the case manager listed below by email or phone or go to the following website: City Council: https://www.austintexas.gov/page/land-use-commission-comment-process#pc_process

If you have any questions concerning this proposed change, please contact Jorge E. Rousselin of the Planning Department at 512-974-2975 or via email at Jorge.rousselin@austintexas.gov and refer to the Case Number at the top right of this notice. For additional information on the City of Austin's land development process, please visit our web site at: www.austintexas.gov/planning.

You can find more information on this application by inserting the case number at the following website: <https://abc.austintexas.gov/web/permit/public-search-other>.

PUBLIC HEARING INFORMATION

This request will be reviewed and acted upon after public hearings before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive case-related comments online which can be accessed through this link or QR code:
<https://bit.ly/ATXZoningComment>.



During its public hearing, the Planning Commission may grant or deny this request.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

Case Number: SP-2023-0437C

Contact: Jorge E. Rousselin, 512-974-2975

Public Hearing: March 12, 2024, Planning Commission

Connie Temple

Your Name (please print)

800 W 5th St. #802

Your address(es) affected by this application (optional)

Connie Temple
 Signature

3/5/24
 Date

☐ I am in favor
☒ I object

Daytime Telephone (Optional): (512) 592-8039

Comments: Please see comments on attached page.

If you use this form to comment, it may be returned to:

City of Austin, Planning Department

Jorge E. Rousselin

P. O. Box 1088, Austin, TX 78767

Or email to: jorge.rousselin@austintexas.gov

Subject: Comments Page | Case No. SP-2023-0437C

- **Case Number: SP-2023-0437C**
- Contact: Jorge E. Rousselin, 512-974-2975 jorge.rousselin@austintexas.gov
- Public Hearing: March 12, 2024, Planning Commission

I object to the increase in FAR from 15:1 to 20:1 for the project location: 506, 508 & 508 ½ West Avenue.

To be clear, I am not opposed to development of these properties in a manner that is appropriate for this location.

The current site plans call for:

- Building height of 564' and 50 stories.
- 430 parking spaces
- An 11-story above ground parking garage

All of the above properties are located wholly within Austin's 25-year floodplain, the only street access is a two-lane two-way street (West Avenue). Our block of West Avenue is a short block (275') with stop lights at both ends on W 5th and W 6th streets.

Traffic frequently backs up across both streets blocking the north/south traffic. Another 430 cars competing for parking garage ingress and egress on our short block will be hazardous.

At a time when City Council is focused on reducing downtown parking and large above ground parking structures, this variance request would seem to be incongruous. Council Member's Qadri approved amendment to Project Connect calls for modifications to downtown parking requirements like:

- Consideration of the above-ground structured parking to be included as part of the development's FAR calculation
- Implementing parking soft caps and requiring a fee for parking built above soft caps
- Reducing the maximum motor vehicle parking allowed for a development downtown from the existing maximums.

The requested FAR variance from 15:1 to 20:1 dramatically increases the permissible height for any project constructed on these properties.

If this FAR variance of 20:1 is approved, the ACL building, its residents and the residents in the surrounding area will likely be detrimentally impacted.

Sincerely,

Connie Temple
Board Director
Austin City Lofts Owners Association
800 W 5th St, Austin TX 78703