

### Downtown Density Bonus Update Phase I – Planning Commission Amendments and Staff Responses

	Planning Commission Amendment	Staff Recommendation	Staff Response	Text Changes
1	Strike sections L, M & N of the draft ordinance	Neutral	Staff continue to support the inclusion of non-residential redevelopment requirements for the Downtown Density Bonus (DDB) Program. The non-residential redevelopment requirements are key protections for legacy and heritage businesses as well as cultural districts within Downtown. However, after hearing stakeholder feedback on the proposed language, staff will continue to engage with stakeholders to revise the proposal and incorporate updates of this provision as part of Phase II of the DDB update.	The text was removed from the draft ordinance.
2	<u>General Recommendation:</u> To delay implementation of sections L, M & N to Phase II of the DDB process.	Policy/ Programmatic/ Future Action	Staff continue to support the inclusion of non-residential redevelopment requirements for the Downtown Density Bonus (DDB) Program. The non-residential redevelopment requirements are key protections for legacy and heritage businesses as well as cultural districts within Downtown. However, after hearing stakeholder feedback on the proposed language, staff will continue to engage with stakeholders to revise the proposal and incorporate updates of this provision as part of Phase II of the DDB update.	The text was removed from the draft ordinance and these sections will be incorporated into future phases.
3	In PART 8, 25-2-65x, Letter C, Revise Line 151 to read: (C) If this section conflicts with (1) pecan street overlay (PS) district, the more restrictive provision controls or (2) Properties subject to Section 25-2-168 (Downtown Parks (DP) Overlay District are eligible DENSITY BONUS COMBINING DISTRICTS as outlined in PART 7.	Neutral	Staff continues to support application of the Downtown Parks Overlay to reduce shading on parkland to help protect heritage trees and surrounding ecosystems and to support additional parks-related policy goals as described in Attachment C: Downtown Parks Overlay of the staff report. However, staff acknowledges that applying the Parks Overlay to projects participating in the Downtown Density Bonus could have an adverse impact on participation in the Downtown Density Bonus, and welcomes discussion with policymakers on whether the Downtown Parks Overlay should be superseded by the Downtown Density Bonus.	The text was revised in the draft ordinance.

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4	<p><u>General Recommendation:</u> In Phase II expand the number of UDS options as outlined in Section R.</p>	<p>Policy/            Programmatic/            Future Action</p>	<p>The staff proposal in Phase II of the Downtown Density Bonus will continue to review these requirements and refine the language and applicability of the urban design standards.</p>	<p>This general recommendation is not in the scope of this specific code amendment and will be incorporated into future phases.</p>
5	<p><u>General Recommendation:</u> In Phase II revise section G + H number 2 to adjust the number of the optional urban design standards required for participation in the DB 400 and DB 850 programs.</p>	<p>Policy/            Programmatic/            Future Action</p>	<p>The staff proposal in Phase II of the Downtown Density Bonus will continue to review these requirements and refine the language and applicability of the urban design standards.</p>	<p>This general recommendation is not in the scope of this specific code amendment and will be incorporated into future phases.</p>

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6	<u>General Recommendation</u> : In Phase II revisit and revise UDS-6 (Upper Story Design) to match North Burnet Gateway + PC recommendations for UNO and remove stepback requirements.	Policy/ Programmatic/ Future Action	The staff proposal in Phase II of the Downtown Density Bonus will continue to review these requirements and refine the language and applicability of the urban design standards.	This general recommendation is not in the scope of this specific code amendment and will be incorporated into future phases.
7	Replace Section Q, Mandatory Urban Design Standards (UDS) and Section R, Optional Urban Design Standards (UDS) with revised standards as outlined in PC backup from the Design Commission, titled Downtown Density Bonus Urban Design Standards (see link: <a href="#">document.cfm</a> ).	Neutral	The Urban Design Standards recommended by the Planning Commission were reviewed by the City Attorney’s Office and those elements of the design standards which are achievable in a density bonus combining district have been incorporated into the draft ordinance. Staff supports continuing to review the omitted elements to explore ways these might be included in future zoning regulations or as community benefits, and collaborating with the Planning Commission in Phase II to refine the language and applicability.	The text in the draft ordinance reflects Urban Design Standards reviewed by the City Attorney’s Office.
8	<u>General Recommendation</u> : Offer incentives for supporting existing tenants.	Policy/ Programmatic/ Future Action	Staff continue to support the inclusion of non-residential redevelopment requirements for the Downtown Density Bonus (DDB) Program. After hearing stakeholder feedback on the proposed language, staff will continue to engage with stakeholders to revise the language and incorporate this provision as part of Phase II of the DDB update.	This general recommendation is not in the scope of this code amendment.

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9	<u>General Recommendation:</u> Revisit the Gatekeeper requirements related to Bird Friendly design in Phase II offering more options regarding this requirement.	Policy/ Programmatic/ Future Action	The staff proposal in Phase II of the Downtown Density Bonus will continue to review the gatekeeper requirements and refine the language and applicability within the program.	This general recommendation is not in the scope of this code amendment.
10	<u>General Recommendation:</u> For Optional Urban Design Standards, offer a weighted value for each item proportional to the amount of community benefit. Instead of requiring a minimum number of standards, require a minimum total value from the chosen standards.	Policy/ Programmatic/ Future Action	The staff proposal in Phase II of the Downtown Density Bonus will continue to review these requirements and refine the language and applicability of the urban design standards.	This general recommendation is not in the scope of this code amendment.
11	<u>General Recommendation:</u> Revisit the FIL calibration for DDB, particularly focusing on the cost difference between FIL fees and onsite affordability.	Policy/ Programmatic/ Future Action	The staff proposal includes annual calibration of the FIL for the DDB. As described in the financial analysis provided in the staff report, the market conditions currently do not make an increased FIL feasible, and staff will continue to review these affordability requirements as market conditions evolve.	This general recommendation is not in the scope of this code amendment.

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12	<u>General Recommendation:</u> Expedite the inclusion of the South Central Waterfront District to the map referenced in Appendix _x_ to provide options for that planning district to participate in DDB 400 and DDB 850.	Policy/ Programmatic/ Future Action	Staff will utilize community feedback and engagement from the Central City District Plan to help inform the proposed boundaries of the DDB program in future phases.	This general recommendation is not in the scope of this code amendment.
13	<u>General Recommendation:</u> Consider alternative equivalent means of complying with the Urban Design Standards Options	Policy/ Programmatic/ Future Action	Staff does not recommend the addition of alternative equivalent means of complying with the Urban Design Standards as these requirements are required to be equal amongst participating sites and the City Attorney’s Office does not believe alternative equivalent compliance would be feasible to incorporate into a density bonus program.	This general recommendation is not in the scope of this code amendment.