

Motion Sheet for the  
MLK Jr. Blvd Station Area Plan (Agenda Item 78),  
Associated Neighborhood Plan Amendments (Agenda Items 79-82)

Late Backup

April 10, 2008

**MLK Station Area Plan (Rezoning Case)**

Motion #	Agenda Item #	Proposed Action	Comments	Planning Commission Recommendation (3-25-08 & 4-08-08)	Votes Required
1	<p>#78</p> <p><i>McCracken / Martinez</i> <i>1st reading - PC's recommendation</i> <i>1+2</i> <i>w amendments</i></p> <p><i>+ 3 redps v. Upper Creek</i> <i>Boggy Planning Team</i></p> <p>78</p>	<p>Approve the MLK Jr Blvd Station Area Plan</p>	<p>The Draft Station Area Plan was distributed to Council members and additional recommended plan changes are included in backup materials</p>	<p><b>Motion #1:</b> The Planning Commission voted unanimously to approve the Draft MLK Station Area Plan and associated amendments to neighborhood plans as presented by Staff with the following amendments</p>	<p>4 for 1st Reading</p> <p>5 for all three readings</p>
				<p>1 Allow for alternative compliance to the provision of affordable housing required in exchange for a development bonus (Alternative compliance language prepared by staff included in this packet)</p> <p>2 Explore the impact that decreased transportation costs have on the budget for housing (Information from staff included in this packet)</p> <p>3 Prioritize fee-in-lieu funds generated from a development bonus in the MLK TOD District for future expenditure in the MLK TOD District</p> <p>4 The Director of the Neighborhood Housing and Community Development Department should work with the Community Development Commission to determine if a fee-in-lieu for affordable housing should be approved</p> <p>5 The Draft Plan should take a position on the request by the Chestnut Neighborhood to increase the compatibility setback from the homes on Miriam Avenue when the Plan is presented to the City Council (Information from staff included in this packet)</p>	
1 A		<p>Request to postpone action until April 24, 2008, or act on 1st reading only, for property at 2205 Alexander Avenue (Redeemer Presbyterian Church)</p>	<p>The Church has filed a separate rezoning application in order to move the 60-foot height entitlement it has on a portion of its site ("footprint" zoning) to another location on its property in order to accommodate their sanctuary in a location that better facilitates future development of the northern and southern ends of the 11 acre site. The rezoning case will be presented to the Council on April 24, 2008</p>	<p><b>Motion #2:</b> The Planning Commission voted unanimously to strongly recommend that for all TODs, the City Council</p>	
				<p>1 Establish a clear and firm plan to help developers achieve the 25% affordability goal in the TOD Ordinance using the tools presented by the affordable housing consultant, Diana McIver and Associates,</p> <p>2 Consider amending the scoring process for the allocation of affordable housing bond funds so that projects in TOD Districts are prioritized, and</p>	
				<p>3 Designate CIP funds to infrastructure improvement projects within and connecting to the TOD Districts</p>	
				<p>The Planning Commission voted unanimously to recommend the relocation of the height entitlement</p>	

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MLK Jr Blvd Station Area Plan (Agenda Item 78),  
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MLK Station Area Plan Neighborhood Plan Amendment Cases					
Motion #	Agenda Item #	Proposed Action	Comments	Planning Commission Recommendation (3-25-08 & 4-08-08)	Votes Required
1 B	N/A	Direct staff to amend affordable housing section of TOD Ordinance	In order to approve the MLK Regulating Plan height bonus, the TOD Ordinance must be amended so that the full housing goal is not a requirement of a height bonus	The Planning Commission voted unanimously to approve the Draft MLK Station Area Plan as presented by Staff (including height bonus as proposed)	4 for 1st Reading 5 for all three readings
2	79	Approve an amendment to the Chestnut Neighborhood Plan	<u>The plan amendment consists of</u> 1 All properties within the MLK TOD District will have a future land use designation of Transit Oriented Development to clearly distinguish these properties on the Future Land Use Map, and 2 The main chapters of the MLK Station Area Plan will be included in the neighborhood plan	See details of recommendation in page 1	4 for 1st Reading 5 for all three readings
3	80	Approve an amendment to the Rosewood Neighborhood Plan	See item 79 comments	See details of recommendation in page 1	
3 A		Request to postpone action until April 24, 2008, or act on 1st reading only, on property at 2205 Alexander Avenue (Redeemer Presbyterian Church)	See Motion 1 A	The Planning Commission voted unanimously to recommend the relocation of the height entitlement	
4	81	Approve an amendment to Upper Boggy Creek Neighborhood Plan	See item 79 comments	See details of recommendation in page 1	
5	82	Approve an amendment to the East MLK Combined Neighborhood Plan	See item 79 comments	See details of recommendation in page 1	

## **MLK Station Area Plan – CITY COUNCIL APRIL 10, 2008**

### **PLANNING COMMISSION RECOMMENDATION – SUPPLEMENTAL INFORMATION**

- 1. Recommend that Staff draft a proposal that would allow for alternative compliance to the provision of affordable housing required in exchange for a development bonus;**

#### Density Bonus Alternative Compliance Option:

(The sections referred to below are found within the MLK Station Area Regulating Plan)

The owner of a property that is developed utilizing the standards provided by 4.3.2.B may receive full or partial credit for the fulfillment of the affordability requirements of 4.3.2.C and 4.3.2.D, in proportion to the achieved percentage of the standards described below. The owner must provide to the Department of Neighborhood Housing and Community Development verifiable documentation that a development under the same ownership located within the boundaries of the TOD District:

- Not utilized the development standards provided by 4.3.2.B, and
- Fully or partially fulfilled the affordable unit requirements of 4.3.2.C; or
- Fully or partially fulfilled the fee-in-lieu requirements of 4.3.2.D. As an alternative to a contribution to the Housing Assistance Fund and subject to the approval of the Director of the NHCD, the owner may provide verifiable documentation of a contribution to a non-profit organization, if the contribution is for the purpose of development of affordable housing in the TOD district or within ½ mile of the TOD station

#### Height Bonus Alternative Compliance Option.

The owner of a property that is developed utilizing the standards provided by 4.3.3.B may receive full or partial credit for the fulfillment of the affordability requirements of 4.3.3.C and 4.3.3.D, in proportion to the achieved percentage of the standards described below. The owner must provide to the Department of Neighborhood Housing and Community Development verifiable documentation that a development under the same ownership located within the boundaries of the TOD District:

- Not utilized the development standards provided by 4.3.3.B; and
- Fully or partially fulfilled the affordable unit requirements of 4.3.3.C, or
- Fully or partially fulfilled the fee-in-lieu requirements of 4.3.3.D. As an alternative to a contribution to the Housing Assistance Fund and subject to the approval of the Director of the NHCD, the owner may provide verifiable documentation of a contribution to a non-profit organization, if the contribution is for the purpose of development of affordable housing in the TOD district or within ½ mile of the TOD station.

- 2. Recommend that Staff explore the impact that decreased transportation costs have on the budget for housing.**

While no specific data exists describing the potential impact that decreased transportation costs associated with the Capital Metrorail line would have on TOD households' housing budgets, national data does demonstrate a positive impact. According to the Center for Transit Oriented Development, the average American family spends 19% of its total household budget on transportation costs (or up to 25% in an "auto-dependent"

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neighborhood). However, a household in a "transit rich" neighborhood could have transportation costs as low as 9% of its total budget.

In a "transit rich" TOD area, those households that are able to reduce transportation costs (e.g. by owning fewer or no cars) could afford to dedicate a somewhat higher share of income to housing costs. A recent amendment to S.M.A.R.T. Housing policy allows income-qualified households to spend up to 35% of household income on a mortgage (if the household receives City-approved homebuyer counseling), and this policy change is consistent with the goal of providing broader options for households in TOD areas. By including transit-oriented standards in S.M.A.R.T. Housing since the inception of the policy, NHCD has continued to support the development of housing communities with access to transit.

- 5. The Draft Plan should take a position on the request by the Chestnut Neighborhood to increase the compatibility setback from the homes on Miriam Avenue when the Plan is presented to the City Council.**

The Draft MLK Plan proposes that Compatibility Standards to properties in the TOD District within 100 feet from single family homes outside the TOD District. The property east of Miriam Street is very close to the rail stop and provides much potential for the provision of housing, especially the provision of affordable housing. The Chestnut Neighborhood requests that Compatibility Standards extend into the TOD District 200 feet versus the 100 feet proposed in the Draft Plan.

- 6. Relocate the 60-foot height zoning footprint for Redeemer Presbyterian Church. See map below:**

