

AGENDA



Thursday, February 12, 2009

**Public Hearings and Possible Actions
RECOMMENDATION FOR COUNCIL ACTION****Item No. 70**

Subject: Conduct a public hearing and consider an ordinance amending Chapter 25-2 of the City Code (Transit Oriented Development) related to compatibility standards and affordability requirements, and to eliminate a height prohibition in the Plaza Saltillo TOD; and other conforming amendments necessary to reflect adoption of transit oriented development (TOD) base district zoning and station area plans.

For More Information: Sonya Lopez, 974-7694; Sylvia Arzola, 974-6448.

Boards and Commission Action: Recommended by Planning Commission.

Prior Council Action: November 6, 2008 - Council recommended the initiation of code amendments to the TOD Ordinance. December 18, 2008 - Council approved a resolution to initiate code amendments to the Transit Oriented Development (TOD) Ordinance in order to adopt the Station Area Plans as proposed; January 29, 2009 - Council set the public hearing for the TOD Code amendments.

On November 6, 2008, the City Council approved second reading of the Station Area Plans and related neighborhood plan amendments. As part of their approval, Council directed staff to process code amendments to the Transit Oriented Development (TOD) Ordinance in order to adopt the Station Area Plans as proposed. The amendments include the following:

1. Removing the provision in Section 25-2-1052.F which states that compatibility standards are not triggered by single family properties inside a TOD District once a Station Area Plan is approved (all TODs).
2. Removing the provisions in Section 25-2-766.22.B.8(b) that prohibit a height increase (through a height bonus) on properties in the Community Preservation and Revitalization Zone (CP&R) unless 25% affordability is provided. This is necessary to allow the height bonus strategy in the MLK and Plaza Saltillo Station Area Plans where the developer is required to provide 15% affordability with the City financing the gap, if able, to reach the 25% goal.
3. Removing the provision in Section 25-2-766.22.B.8 that prohibits a height increase (through a height bonus) on properties in the Plaza Saltillo TOD outside of the 11-acre Capital Metro property. This is necessary to allow the height bonus strategy in the Plaza Saltillo Station Area Plan, which proposes a height bonus on the 11-acre Capital Metro property and a select number of other properties around the station.