

MLK Station Area Plan Motion Sheet			
Station Area Plan, Regulating Plan and Implementation Items		Agenda Item	Voting
1	<p><b>Adopt the MLK Station Area Plan and identified implementation strategies from first and second reading Council action which include the following major elements:</b></p> <p><u>A. Regulating Plan</u></p> <ul style="list-style-type: none"><li>• The Regulating Plan establishes zoning standards and urban design requirements for properties within the TOD</li></ul> <p><u>B. Infrastructure</u></p> <ul style="list-style-type: none"><li>• A recommendation to implement short-term drainage improvements and water/wastewater upgrades in and around the TOD</li><li>• A recommendation to utilize traffic calming on new public connector streets in the TOD and annually monitor traffic patterns around the TOD.</li></ul> <p><u>C. Parks and open space</u></p> <ul style="list-style-type: none"><li>• Parkland dedication fees collected in a TOD District shall be spent in that TOD unless a Council waiver is granted.</li><li>• A park and trail acquisition plan prepared by the Parks and Recreation Department which addresses parks with amenities for families and children.</li></ul> <p><u>D. Affordable housing and development bonuses</u></p> <ul style="list-style-type: none"><li>• A development bonus strategy intended to achieve a minimum of 10-15% affordability from the private sector with City cost participation to reach the 25% affordability goal</li><li>• An affordable housing strategy that includes:<ul style="list-style-type: none"><li>-No administrative approval of fees-in-lieu allowed unless Council approval is granted;</li><li>-Fees collected shall be focused back into the Station Area vicinity;</li><li>-Additional points for projects in TODs seeking GO Bond funding;</li><li>-Support for low income housing tax credit projects</li></ul></li></ul> <p><u>E. Compatibility standards:</u></p> <p>Compatibility standards according to the Land Development Code shall apply within the TODs but if a development bonus is utilized and the required amount of affordable housing provided, compatibility standards shall be waived with the following exception: Within the first 100 feet of the TOD, height limitations triggered by properties outside the TOD may only be waived if the required percentage of affordable housing is provided as specified by a development bonus <u>and</u> if owners of at least 66% of triggering properties outside the TOD and within 25 feet of the subject property agree to the waiver. Within this 100-foot area, a required setback triggered by a property outside the TOD district may not be waived.</p> <p><u>F. Funding options</u></p> <p>Hire a consultant to prepare a financial feasibility study to assess viability of a TIF in addition to a staff evaluation of other funding tools and return to Council for further direction.</p>	Item 27	3rd reading = 4 votes
1.a. Alternative Compliance	<p><u>Alternative Compliance (second reading action postponed on 11/06/08, 12/11/08, 1/15/09, and 2/12/09)</u></p> <p>First reading Council action included direction to staff to create an alternative compliance provision in the MLK Regulating Plan; staff prepared language and it has been presented with back-up materials. The purpose of the alternative compliance provision is to allow for a future project in the TOD to get "credit" that could be used to meet the required amount of affordable housing for a density bonus. Alternative compliance was requested by an MLK TOD property owner who built a project that generated funds for affordable housing prior to the adoption of the SAP (i.e. without having received any type of development bonus). They would like this to count as a credit towards a future affordable housing requirement for the next phase of the development. Surrounding residents have expressed some concerns about alternative compliance and they have been engaged in discussions with the property owner.</p>		
1.b. Valid Petition - Public hearing open	<p><u>Valid petition at 2900 Manor Road</u></p> <p><i>The owner objects to Council first reading action that did the following:</i></p> <ol style="list-style-type: none"><li>1) Applied a Medium Density Residential subdistrict to the portion of the property that abuts single family homes on Randolph Road (The Medium Density Residential subdistrict does not permit non-residential uses. The owner wants entire property to be in the TOD Mixed Use subdistrict, which more closely resembles the mix of uses allowed under site's current CS zoning); and</li><li>2) Established a 200-foot compatibility area (versus 100 feet) from adjacent single family homes on Randolph Road.</li></ol> <p><i>Council second reading action, which aligns with the property owner request specified in the petition, stated the following:</i></p> <ol style="list-style-type: none"><li>1) The property shall have a land use subdistrict designation of TOD Mixed Use and height is limited to 40 feet within 100-feet of homes facing Randolph Road.</li><li>2) The compatibility standards language under letter E above applies.</li><li>3) The public hearing should be re-opened to allow for neighborhood comment.</li></ol> <p>The Cherrywood Neighborhood has met with the property owner and supports the property owner's request, on the condition that homeowners on Randolph Road may be involved in a potential future discussion to waive compatibility standards within the first 100 feet into the TOD if a development bonus is sought.</p>	Item 28	3rd reading = 4 votes  [Votes required to override petition = 6 votes]
Neighborhood Plan Amendments		Agenda Item	Voting
2 - 5	Approve plan amendments to the Chestnut, Rosewood, Upper Boggy Creek, and East MLK Neighborhood Plans to include the MLK Station Area Plan and change the future land use map to "TOD" for properties in the Station Area.	Items 29 through 32	3rd reading = 4 votes