MLK Station Area Plan
An electronic version of the draft MLK Station Area Plan (which includes the Regulating Plan that establishes standards and regulations for properties with TOD Zoning) can be found at: http://www.ci.austin.tx.us/planning/tod/mlk_sap_activities.htm

I. Station Area Plan and Neighborhood Plan Amendment Cases

Station Area Plan case: C14-2008-0031
The zoning case that has been filed is City initiated. It will enact the MLK Station Area Plan and change the base district zoning for all properties within the boundaries of the Station Area to TOD zoning. The Station Area Plan includes a Regulating Plan, which establishes TOD Zoning and specifies the development and design standards applicable to all properties within the boundaries of the planning area.

Neighborhood Plan Amendments
- NPA-2008-0003.01 (Chestnut Neighborhood Plan)
- NPA-2008-0015.01 (East MLK Combined Neighborhood Plan)
- NPA-2008-0012.01 (Upper Boggy Creek Neighborhood Plan)
- NPA-2008-0008.01 (Rosewood Neighborhood Plan)

The plan amendment cases that have been filed are City initiated. They will amend neighborhood plans to do two things:

1. All properties within the Station Area Plan will have a future land use designation of Transit Oriented Development to clearly distinguish these properties on Future Land Use Maps (FLUMs). The Station Area Plans look at all of these properties in an integrated and holistic manner, so they should be designated on the FLUM as a unit even though there are multiple properties and property owners within the Station Area boundaries.

2. The main chapters of the MLK Station Area Plan will be included in each of the neighborhood plans being amended.

II. Log of City Council and Planning Commission action

City Council: February 12, 2009 (third reading)
The City Council postponed action on the Station Area Plan and associated plan amendments to March 12, 2009 (City Council initiated).

City Council: January 15, 2009 (third reading)
The City Council postponed action on the Station Area Plan and associated plan amendments to February 12, 2009 at property owner request.

City Council: December 11, 2008 (third reading)
The City Council postponed action on the Station Area Plan and associated plan amendments to January 15, 2009 at property owner request.

City Council: November 6, 2008 (second reading)
The City Council approved the Station Area Plan and associated plan amendments on second reading with specified amendments and specified that action on alternative compliance should be postponed to December 11, 2008. A record of their action is copied below.

City Council: October 23, 2008 (second reading)
The City Council postposted all action on the Station Area Plan and neighborhood plan amendments in response to a request for postponement from a property owner until November 6, 2008.

City Council: April 10, 2008 (first reading)
The City Council approved the Station Area Plan and associated plan amendments on first reading with several amendments. A record of their action is copied below.

Planning Commission: March 25, 2008
The Planning Commission unanimously recommended the Station Area Plan and associated plan amendments with several amendments. A record of their action is copied below.

MLK STATION AREA PLAN CITY COUNCIL ACTION

City Council second reading action – November 6, 2008
The second reading of the ordinance to adopt the station area plan and transit oriented development (TOD) district zoning, with the following major elements, was approved on Council Member Morrison's motion, Mayor Pro Tem McCracken's second on a 7-0 vote.

The main elements were as follows:
A. Zoning, development bonuses, and urban design regulations
- A regulating plan that establishes site development and urban design standards for properties within the TOD

B. Infrastructure
- A recommendation to implement short-term drainage improvements and water/wastewater upgrades in and around the TOD
- A recommendation to utilize traffic calming on new public connector streets in the TOD and annually monitor traffic patterns around the TOD.

C. Parks and open space
- A park acquisition strategy that supports the provision of on-site land dedication as properties in the TOD redevelop, the use of fees-in-lieu to construct park facilities and/or acquire parkland, and proactively engaging in parkland acquisition (the AE site is a prime candidate for both open space and affordable housing when redeveloped). Council Member McCracken's motion added these elements:
    - The parkland dedication fee must be spent within the Station Area Plan unless staff seeks a Council waiver;
    - The parkland and trail acquisition plan must be prepared before the third reading;
    - At least one park in the Station Area Plan must have family and children's amenities such as playscapes and these should be included in the trail and parkland acquisition plan.

D. Affordable housing and development bonuses
- 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
- An affordable housing strategy to reach the goal that includes: Council approval of fees-in-lieu where fees are focused back into the Station Area; prioritization of affordable housing projects in TODs for GO Bond funding; and City support for low income housing tax credit projects

E. Compatibility standards with new wording from Council Member Morrison:
- Current capability standards would apply for all properties in the TOD
- One can wave compatibility by adhering to the affordability standards outlined by the bonus guidelines
- Compatibility should not be waived within 100 feet of the TOD boundary, except if a development meets the affordability standards outlined by the bonus guidelines and owners of at least 66% of triggering property, both adjacent and within 25 feet, agree to the waiver.
- All affordable housing fee-in-lieu requests must be approved by the City Council.

F. Funding options
- Hiring a consultant to prepare a financial feasibility study to assess viability of a TIF in addition to evaluating other funding tools.

The motion to have the same compatibility standards for 2900 Manor Road as above, apply a TOD Mixed Use subdistrict to the property,and limit height to 40 feet in the area within 100 feet of the single family homes on Randolph was approved on Council Member Cole's motion, Mayor Pro Tem McCracken's second on a 7-0 vote. A friendly amendment was made by Council Member Martinez to keep public hearing open during third reading, which was accepted by Council Member Cole and Mayor Pro Tem McCracken who seconded the motion.

Staff direction was given to prepare a code amendment on Mayor Pro Tem McCracken's motion, Council Member Cole's second on a 7-0 vote. The amendments to the TOD Ordinance in the LDC would allow the height bonus strategy proposed in the MLK and Plaza Saltillo Station Area Plans. The TOD Ordinance currently requires 25% affordability for projects in the CP&R Zone if height is increased. The amendment would permit height increases (in accord with the proposed development bonuses in the Station Area Plans) with less than a 25% affordability requirement if the City is unable to finance the gap to reach the TOD Ordinance affordability goal (with the developer still required to provide 15% affordability).

<u>Neighborhood Plan Amendments</u>
1. The second reading of the ordinance to approve plan amendments to the Chestnut Neighborhood Plan to include the MLK Station Area Plan and change the future land use map to "TOD" for properties in the Station Area was approved on Mayor Pro Tem McCracken's motion, Mayor Wynn's second on a 7-0 vote.
2. The second reading of the ordinance to approve plan amendments to the Rosewood Neighborhood Plan to include the MLK Station Area Plan and change the future land use map to "TOD" for properties in the Station Area was approved on Mayor Pro Tem McCracken's motion, Mayor Wynn's second on a 7-0 vote.
3. The second reading of the ordinance to approve plan amendments to the Upper Boggy Creek Neighborhood Plan to include the MLK Station Area Plan and change the future land use map

to "TOD" for properties in the Station Area was approved on Mayor Pro Tem McCracken's motion, Mayor Wynn's second on a 7-0 vote.

4. The second reading of the ordinance to approve plan amendments to the East MLK Combined Neighborhood Plan to include the MLK Station Area Plan and change the future land use map to "TOD" for properties in the Station Area was approved on Mayor Pro Tem McCracken's motion, Mayor Wynn's second on a 7-0 vote.

City Council first reading action – April 10, 2008

The public hearing was closed and the first reading of the ordinance for the station area plan and transit oriented development (TOD) district zoning with the following amendments was approved on Council Member McCracken's motion, Council Member Martinez' second on a 7-0 vote.

Council Member McCracken proposed these amendments:

1. Change 10% to 25%
2. Direct the creation of a TIF to fund public responsibilities
3. Develop utility financing structure the same as we did for UNO
4. Come up with interim implementation plan prior to 2nd reading:
    a. Identify specific parks acquisition sites
    b. Do not up-zone the proposed park acquisition sites
    c. Prepare park acquisition plan for Council approval
    d. Financial subsidies on housing
5. Require mixed use
6. Identify rail stop at Manor
7. Enough ROW reserved for double tracking
8. If any utility or city department imposes requirements that alter this plan (including criteria manual requirements, etc.), they have to come to Council with a waiver application within 45 days
9. No fee-in-lieu on residential projects without Council waiver
10. Don't waive compatibility standards-make part of affordable housing density bonuses
11. Develop sustainable landscape standards, including green infrastructure standards
    a. Present proposal to make Appendix E mandatory

Accept the Planning Commission recommendations to approve the draft MLK Station Area Plan and associated amendment to neighborhood plans with the following amendments:

1. Allow for alternate compliance to the provision of affordable housing required in exchange for a development bonus.
2. Explore the impact that decreased transportation costs have on the budget for housing.
3. Prioritize fee-in-lieu funds generated from a development bonus in the MLK TOD District for future expenditure in the MLK TOD District.
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.
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 Planning Commission recommends that for all TODS, the City Council:

6. 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;
7. Consider amending the scoring process for the allocation of affordable housing bond funds so that projects in TOD Districts are prioritized; and
8. Designate CIP funds to infrastructure improvement projects within and connecting to the TOD Districts.

A friendly amendment was made by Council Member Leffingwell and accepted by the maker of the motion and Council Member Martinez who seconded the motion. The friendly amendment was to accept the three amendments proposed by the Upper Boggy Creek as follows:

1. The 100 foot zone for compatibility be 200 feet or 140 feet into the site for the triangular tip of the TOD.
2. That this property remain medium density residential even though the owner wants it changed to TOD Mixed Use.
3. That Alexander Street be extended through and connect to Clarkson.

Council Member McCracken asked staff to develop some sustainable site landscaping standards using native plants, less water, and acting as water detention.

<u>Neighborhood Plan Amendments</u>

1. The public hearing was closed and the first reading of the ordinance to include the MLK Jr. Blvd. Station Area Plan and change the land use designation on the future land use to transit oriented development (TOD) for certain properties in the Chestnut Neighborhood Plan was approved on Council Member Martinez' motion, Council Member Leffingwell's second on a 7-0 vote.
2. The public hearing was closed and the first reading of the ordinance to include the MLK Jr. Blvd. Station Area Plan and change the land use designation on the future land use to transit oriented development (TOD) for certain properties in the Rosewood Neighborhood Plan was approved on Council Member Martinez' motion, Council Member Leffingwell's second on a 7-0 vote.
3. The public hearing was closed and the first reading of the ordinance to include the MLK Jr. Blvd. Station Area Plan and change the land use designation on the future land use to transit oriented development (TOD) for certain properties in the Upper Boggy Creek Neighborhood Plan was approved on Council Member Martinez' motion, Council Member Leffingwell's second on a 7-0 vote.
4. The public hearing was closed and the first reading of the ordinance changing the land use designation on the future land use to transit oriented development (TOD) for certain properties in the East MLK Combined Neighborhood Plan was approved on Council Member Martinez' motion, Council Member Leffingwell's second on a 7-0 vote.

MLK STATION AREA PLAN PLANNING COMMISSION ACTION
MARCH 25, 2008

Motion #1: The Planning Commission voted unanimously to approve the Draft MLK Station Area Plan as presented by Staff and associated amendments to neighborhood plans with the following amendments:

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;
2. Recommend that Staff explore the impact that decreased transportation costs have on the budget for housing;
3. Prioritize fee-in-lieu funds generated from a development bonus in the MLK TOD District for future expenditure in the MLK TOD District;
4. In order for a project that wishes to take advantage of a development bonus to be approved for the fee-in-lieu option, the Director of the Neighborhood Housing and Community Development Department should work with the Community Development Commission to determine if a fee-in-lieu should be approved;
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; and
6. Planning Commission action on the Redeemer Presbyterian Church is postponed until April 8, 2008.

Motion #2: The Planning Commission voted unanimously to approve the following language for all TOD Districts:

<u>Strongly recommend that the City Council:</u>
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;
2. Consider amending the scoring process for the allocation of affordable housing bond funds so that projects in TOD Districts are prioritized; and
3. Designate CIP funds to infrastructure improvement projects within and connecting to the TOD Districts.