

**Agenda Questions/Responses
April 28, 2005**

- 18. In the ordinance under 25-2-766.05 B – When the Station Area Plan is adopted, why does the district no longer function as an overlay?**

What does Council adopting neighborhood plan by zoning ordinance mean? Will it be individual zoning cases for all affected properties? What are the requirements for notification? Will it be everyone in the district? Or 200 feet around the property?

Which part of the ordinance specifies heights for the gateway, midway and transition zones? (Council Member Raul Alvarez)

1. Just as the East Austin Overlay was phased out as Neighborhood Plans and rezonings were adopted, the TOD Overlay District will be phased out once the Station Area Plans (SAP) and TOD zoning are adopted.

2. If this is referring to Section 25-2-766.05 (B) it means that the adoption of a SAP will rezone property within the boundaries to "TOD". The specific land uses and site development regulations included in the TOD zoning will be established as part of the Station Area Plan.

Yes, the TOD zoning will be handled as individual zoning cases for all affected properties and will replace existing zoning districts.

Notification will be handled the same as a current zoning case. Notification will go to all property owners, within the TOD boundary and within 300' of the boundary, registered neighborhood associations and contact teams.

3. Part 7 is the Exhibits or maps showing the TOD boundaries. We will confirm this is part of the back-up.

4. Sec. 25-2-766.02, but these have no regulatory effect unless enacted as part of a SAP.