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22 **WHEREAS**, the continuing shortage of housing options available to
23 households with low to moderate levels of income is harmful to the health,
24 prosperity, economic stability and general welfare of the City; and

25 **WHEREAS**, equitable transportation practices integrate transit into
26 walkable, livable, and affordable land use practices to enhance healthy living
27 within underserved communities; and

28 **WHEREAS**, Capital Metro's Project Connect proposed MetroRail Green
29 Line and MetroRapid Expo and MLK lines will connect Colony Park to
30 Downtown, and other beneficial city centers and assets, with high-capacity transit
31 lines and presents the opportunity to create thoughtful, equitable Transit-Oriented
32 Development (TOD); and

33 **WHEREAS**, the Council-adopted Equitable Transit-Oriented Policy Plan
34 (ETOD) cites Colony Park as having the highest priority for the implementation of
35 an ETOD in relation to its two future high-capacity transit stations; and

36 **WHEREAS**, the development of Colony Park is a significant component of
37 the Northeast Austin District and that the current project is limited by its focus
38 solely on the 208 acres of publicly-owned land; and

39 **WHEREAS**, Resolution No. 20140807-104 directed the inclusion of
40 neighboring connectivity, public amenity maintenance and governance, and
41 financing options within and adjacent to Colony Park; and

42 **WHEREAS**, Resolution No. 20141211-120 affirmed City Council's
43 commitment to implementing the Colony Park Master Plan and requested a TIRZ
44 to be studied for Colony Park; and

45 **WHEREAS**, the City Council rezoned Colony Park to Planned Unit
46 Development (PUD) district zoning in Ordinance No. 20141211-150 (“Colony
47 Park PUD”); and

48 **WHEREAS**, Resolution No. 20201112-043 directed the City Manager to
49 analyze and recommend a financing plan for the development of the City assets
50 within the Northeast Austin District area; and

51 **WHEREAS**, on May 19, 2020, the Economic Development Department
52 signed an Exclusive Negotiating Agreement (ENA) with Catellus Development
53 Corporation (Catellus) for the Colony Park Sustainable Community project; and

54 **WHEREAS**, on October 10, 2020, Catellus Development Corporation
55 prepared the Colony Park Sustainable Community ENA Phase 1 Report (“Phase 1
56 Report”) and presented the report to the City and the community; and

57 **WHEREAS**, the Phase 1 Report was subsequently updated on May 25,
58 2021 and provided project phasing, preliminary proforma, economic feasibility,
59 and comprehensive project funding recommendations; and

60 **WHEREAS**, the current zoning of the Colony Park PUD does not achieve
61 the Land Use Plan provided in the Phase 1 Report attached hereto as **Exhibit "A"**;
62 and **NOW, THEREFORE**,

63 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

64 City Council initiates the rezoning of the property commonly known as the
65 Colony Park PUD, generally located in the vicinity north of Loyola Land between
66 Johnny Morris Road and Decker Lane, from Planned Unit Development (PUD)

67 district to Planned Unit Development (PUD) district to amend the conditions of
68 zoning, including waivers or modifications of City Code requirements.

69 **BE IT FURTHER RESOLVED:**

70 City Council finds that Land Use Plan in the Phase 1 Report establishes the
71 elements of superiority and that the Land Use Plan is sufficient to approve the
72 requested rezoning initiated in this resolution without any additional review or
73 reevaluation under Section 2.4, Subpart B – (*Planned Unit Development*
74 *Standard*).

75 **BE IT FURTHER RESOLVED:**

76 City Council authorizes the City Manager to schedule this rezoning case for
77 public hearing at the Planning Commission without obtaining considerations or
78 recommendations by other boards, commissions, and committees; and requests the
79 Planning Commission consider this rezoning case without considerations or
80 recommendations from other boards, commissions, or committees.

81 **BE IT FURTHER RESOLVED:**

82 City Council authorizes the City Manager to process the application for
83 rezoning of the Colony Park PUD, identify modifications of City Code Title 25
84 necessary to implement the Land Use Plan provided in the Phase 1 Report, and
85 take necessary steps to ensure an efficient rezoning process to avoid unnecessary
86 delay and return a rezoning case for City Council consideration on or before
87 December 14, 2023.

88 **ADOPTED:** _____, 2023 **ATTEST:** _____

89 Myrna Rios
90 City Clerk
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