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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 a thoughtful Equitable Transit-Oriented  
32 Development (“ETOD”); and

33           **WHEREAS**, the Council-adopted ETOD Policy Plan cites Colony Park as  
34 having the highest priority for the implementation of an ETOD in relation to its  
35 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 the current project is limited by its focus solely  
38 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 Tax  
44 Increment Reinvestment Zone (“TIRZ”) 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 Land Use Plan in the Phase 1 Report was subsequently  
58           updated on May 25, 2021 (“Updated Land Use Plan”) to provide project phasing,  
59           preliminary proforma, economic feasibility, and comprehensive project funding  
60           recommendations; and

61           **WHEREAS**, the current zoning of the Colony Park PUD does not achieve  
62           the Updated Land Use Plan attached hereto as **Exhibit "A"**; **NOW,**  
63           **THEREFORE,**

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

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

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

70 **BE IT FURTHER RESOLVED:**

71 City Council finds that Updated Land Use Plan may be updated from time to  
72 time during the PUD amendment process. Provided that the updates allow the  
73 Updated Land Use Plan to remain substantially similar to Exhibit A of this  
74 Resolution, City Council finds that the Updated Land Use Plan establishes the  
75 elements of superiority and that the Updated Land Use Plan is sufficient to approve  
76 the requested rezoning initiated in this resolution without any additional review or  
77 reevaluation under Section 2.4, Subpart B – (*Planned Unit Development*  
78 *Standard*).

79 **BE IT FURTHER RESOLVED:**

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

85 **BE IT FURTHER RESOLVED:**

86 City Council authorizes the City Manager to process the application for  
87 rezoning of the Colony Park PUD, identify modifications of City Code Title 25  
88 necessary to implement the Updated Land Use Plan, take necessary steps to ensure  
89 an efficient rezoning process to avoid unnecessary delay, and return a rezoning  
90 case for City Council consideration on or before December 14, 2023.

91 **ADOPTED:** \_\_\_\_\_, 2023 **ATTEST:** \_\_\_\_\_

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Myrna Rios  
City Clerk

DRAFT