

## **ORDINANCE AMENDMENT REVIEW SHEET**

**Amendment:** C20-2017-006 Regulating Plan for the North Burnet/Gateway Zoning District

**Description:** Consider an ordinance amending Title 25 of the City Code to add a new Commercial Mixed Use - Gateway Zone Subdistrict to the Regulating Plan.

**Proposed Language:** See attached draft ordinance and background information.

### **Summary of proposed code amendment**

- The proposed CMU-Gateway Zone Subdistrict will extend the FAR, height, and sign ordinance regulations of the Domain PDA to the three parcels at Braker Lane and Burnet Road.
  - Permit a base height entitlement of 140 feet.
  - Modify platting requirements of section 24-4-171 to permit a lot to abut a dedicated public street or Major Internal Drive.
  - Permit a FAR of 8:1 with a development bonus.
  - Permit a maximum building height of 308 feet with a development bonus.
  - Exempt development within the Subdistrict from the maximum parking requirements established in part 4.4.2.B.3 of the Regulating Plan.

**Background:** Initiated by City Council Resolution 20170831-058

In August 2017, City Council issued a resolution that directed staff to extend the FAR, height, platting requirements, and sign regulation of the Domain PDA to the adjacent properties near Burnet Road and Breaker Lane.

**Staff Recommendation:** Staff recommends the proposed code amendment.

### **Board and Commission Actions**

**February 21, 2018:** To be reviewed by the Codes and Ordinances Subcommittee.

**March 13, 2018:** To be reviewed by the Planning Commission.

### **Council Action**

**April 12, 2018:** A public hearing has been scheduled.

**Ordinance Number:** NA

**City Staff:** Anne Milne

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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE NO. 20090312-035 AND THE NORTH BURNET/GATEWAY ZONING DISTRICT TO MODIFY THE REGULATING PLAN TO ADD A NEW SUBDISTRICT TYPE.**

**BE IT ORDANINED BY THE CITY OF AUSTIN:**

**PART 1.** Figure 1-2 (*North Burnet/Gateway (NBG) Zoning District Subdistrict Map*) of the North Burnet/Gateway Zoning District, as adopted March 12, 2009 (Exhibit A) is amended to add a Commercial Mixed Use (CMU) – Gateway Zone.

(A) The properties in Figure 1-2 bounded by Breaker Lane, Burnet Road, Union Pacific Railroad, and Gault Lane and described in C20-2017-006 on file at the Planning and Zoning Department, locally known as 3310 W Breaker Lane, 3216 W Breaker Lane, 10721 Domain Drive, 10727 Domain Drive, and 11400 Burnet Road are changed from the Commercial Mixed Use (CMU) to the CMU - Gateway Zone.

**PART 2.** The design standards in Figure 4-1 of the North Burnet/Gateway Zoning District (*TOD: NBG Zoning District General Site Development Standards, Commercial Mixed Use Subdistrict*) are amended (Exhibit B) to include the following:

(A) Platting Requirements

If located in the CMU Gateway Zone: Section 24-4-171 (Access to Lots) of the City Code is modified to permit a lot to abut dedicated public street or a Major Internal Drive.

(B) Maximum Floor to Area Ratio (FAR) with Development Bonus:

CMU - Gateway Zone                      8:1

(C) Maximum Building Height with Development Bonus

CMU - Gateway Zone                      308 Feet

**PART 3.** Figure 4-3: Maximum Floor-to-Area-Ratio (FAR) with Development Bonus (Exhibit C) of the North Burnet/Gateway Zoning District, as adopted March 12, 2009 is amended to change the maximum floor-to-area ratio with development bonus from 3:1 to 8:1 for the properties in the CMU – Gateway Subdistrict.

**PART 4.** Figure 4-4: Maximum Height by Right (with no Development Bonus) of the North Burnet/Gateway Zoning District (Exhibit D), as adopted March 12, 2009 is amended to change the maximum base height from 120 feet to 140 feet for the properties in the CMU – Gateway Subdistrict.

**PART 5.** Figure 4-5: Maximum Height with Development Bonus of the North Burnet/Gateway Zoning District (Exhibit E) as adopted March 12, 2009 is amended to change the

maximum height with development bonus from 180 feet to 308 feet for the properties in the CMU – Gateway Subdistrict.

**PART 6.** Section 4.4.2.B of the North Burnet/Gateway Zoning District Parking Requirements (Exhibit F) is amended to include the following:

**3. Development in the CMU – Gateway Zone is not subject to a maximum parking requirement.**

**PART 7.** Section 4.8.2 Sign Regulations of the North Burnet/Gateway Zoning District (Exhibit G) is amended as follows:

- A.** Except as provided in Subsection B and Subsection C, all development to which this standard is applicable shall comply with the Sign Regulations in LDC Section 25-10-133, University Neighborhood Overlay Zoning District Signs.
- C.** Development in the CMU – Gateway Zone Subdistrict is not subject to LDC Section 25-10-133, University Neighborhood Overlay Zoning District. All development in the CMU – Gateway Subdistrict shall comply with the Sign Regulations established in Chapter 25-10-of the Land Development code.

**PART 8.** This ordinance takes effect on \_\_\_\_\_, 2018.

**PASSED AND APPROVED**

\_\_\_\_\_, 2018

\_\_\_\_\_  
Steve Adler, Mayor

**APPROVED:** \_\_\_\_\_  
City Attorney

**ATTEST:** \_\_\_\_\_  
City Clerk

**RESOLUTION NO. 20170831-058**

**WHEREAS**, the City of Austin adopted the North Burnet Gateway Regulating Plan in 2007 in anticipation of the completion of the Capital Metro Red Line rail project; and

**WHEREAS**, the North Burnet Gateway Regulating Plan was intended to promote density and transit oriented development in a mostly industrial area to take advantage of the new rail line; and

**WHEREAS**, the Domain was not included in the North Burnet Gateway Regulating Plan because the property had major industry-planned development area (MI-PDA) zoning that allowed the property owner to create a custom set of regulations prior to the adoption of the North Burnet Gateway Regulating Plan; and

**WHEREAS**, many people consider the Domain to be a desirable and successful development; and

**WHEREAS**, in the rectangle bounded by Braker Lane, Burnet Road, Union Pacific Railroad, and Gault Lane, the only property subject to the North Burnet Gateway Regulating Plan is owned by Street Lights Residential and Stonelake Capital Partners and is not zoned MI-PDA; and

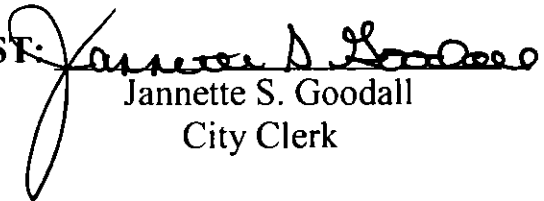
**WHEREAS**, these two property owners wish to comply with the same rules regarding floor-to-area ratio, height, platting requirements, and sign regulations as the rest of the properties within the Domain; **NOW, THEREFORE**,

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

The City Council initiates code amendments to City Code Title 25 (*Land Development Code*) and to the North Burnet Gateway Regulating Plan to bring the floor-to-area ratio, height, platting requirements, and sign regulations on the above mentioned properties in conformance with the adjacent properties within the Domain, and directs the city manager to process the amendments.

**ADOPTED:** August 31, 2017

**ATTEST:**

  
Jannette S. Goodall  
City Clerk