

**RESOLUTION NO. 20190131-039**

**WHEREAS**, the Austin City Council adopted the North Burnet/Gateway Neighborhood Plan in 2006, the 2035 North Burnet/Gateway Master Plan in 2007, and the North Burnet/Gateway Regulating Plan in 2009; and

**WHEREAS**, the City of Austin adopted the Imagine Austin Comprehensive Plan in 2012, which described the North Burnet/Gateway area as a Regional Center where “the greatest density of people and jobs and the tallest buildings in the region will be located;” and

**WHEREAS**, the North Burnet Gateway/Regulating Plan provides clear and consistent standards in addition to flexibility and responsiveness to market conditions and fluctuations (Section 1.1.10) to promote pedestrian-friendly design while also allowing for individuality, creativity, and artistic impression (Section 1.1.2); and

**WHEREAS**, the North Burnet/Gateway Regulating Plan permits Alternative Equivalent Compliance to encourage creative and original design, and to accommodate projects where an alternative design meets the intent of the plan (Section 1.4.1); and

**WHEREAS**, Alternative Equivalent Compliance is not available for the requirement that “a building façade at the 6<sup>th</sup> story and above must be stepped back 30 feet from the ground-level building façade line” for “Front and Street Side Upper-Story Building Facades” (Section 4.2, Figure 4-1 of the North Burnet/Gateway Regulating Plan); and

**WHEREAS**, similar regulating plans, such as the MLK, Plaza Saltillo, and Lamar Justin Transit Oriented Development (TOD) Regulating Plans, either do not require building step-backs, or in the case of the East Riverside Corridor (ERC)

Regulating Plan, the step-backs are eligible for Alternative Equivalent Compliance; and

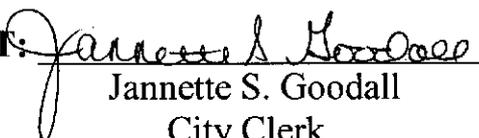
**WHEREAS**, alternative creative solutions can be preferable with the 30 foot step-back requirement at the 6<sup>th</sup> floor when the step-back results in the bulk of office lobby space being pushed further back into the floor plate, thereby providing less active space at the building street level; and

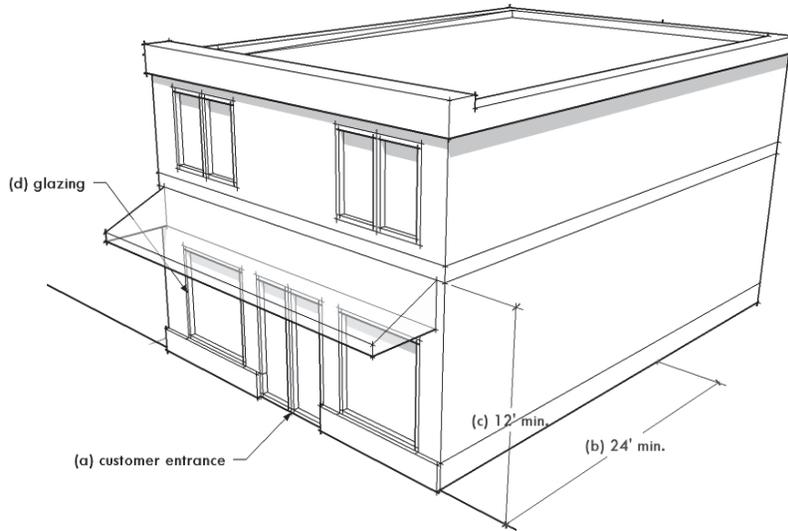
**WHEREAS**, allowing at least a portion, if not all of the façade to come all the way out to the property line can make buildings more dynamic and engaged with the street; **NOW, THEREFORE**,

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

The City Council initiates amendments to the North Burnet/Gateway Regulating Plan to add Front and Street Side Upper-Story Building Stepbacks as a development standard that allows Alternative Equivalent Compliance and directs the City Manager to process the amendments.

**ADOPTED:** January 31, 2019

**ATTEST:**   
Jannette S. Goodall  
City Clerk



**Figure 5-6:** Along an active edge, a building must be designed to accommodate pedestrian-oriented non-residential uses (illustrates active use area).

## 5.9. BUILDING STEP-BACK REQUIREMENT

### 5.9.1. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 5.9 Building Step-Back Requirement	●	●	●	●	●	●	●	●	●	●	Requirement applicable to all development 6 stories or higher.
See Figure 1-2 and Figure 1-3 for NBG Subdistricts and NBG Roadway Types.											

### 5.9.2. Standards

The street-facing building facades at the 6th story and above shall be stepped back from the street to maintain a pedestrian scale along the street frontage. The step back shall be a minimum of 30 feet deep, measured from the line of the street-facing facade.

**FIGURE 4 - 1 TOD : NBG ZONING DISTRICT GENERAL SITE DEVELOPMENT STANDARDS  
TRANSIT ORIENTED DEVELOPMENT (TOD) SUBDISTRICT**

LOT SIZE	
Minimum Lot Size	2,500 SF
Minimum Lot Width	20 Feet

MINIMUM SETBACKS	
<b>Front Yard and Street Side Yard*:</b>	
No ground-level front yard or street side yard setbacks are required. Instead, development must meet the building placement standards in Section 4.3.	
<b>Front and Street Side Upper-Story Building Facade Stepbacks:</b>	
The building facade at the 6th story and above must be stepped back 30 feet from the ground-level building facade line.	
<b>Interior Side Yard:</b>	0 Feet
<b>Rear Yard:</b>	0 Feet
* If the street right-of-way is less than 60 feet in width, the minimum front yard and street side yard setbacks for buildings three or more stories in height shall be 30 feet from the center line of the street to ensure fire access.	

MAXIMUM IMPERVIOUS COVER	
<b>If located in an urban watershed (Shoal or Little Walnut Creek) :</b>	
Established on Figure 4-6 (Based on the maximum impervious cover allowed by the property's zoning prior to adoption of the this Document.)	
<b>If located in a suburban watershed (Walnut Creek)*:</b> 80%	
* This requirement supersedes impervious cover requirements of Section 25-8-394(C) of the LDC.	

FLOOR TO AREA RATIO	
<b>Maximum Floor-to-Area Ratio (FAR) by Right:</b>	
Established on Figure 4-2 (Based on the maximum FAR allowed by the property's zoning prior to adoption of this Document)	
<b>Maximum Floor-to-Area Ratio (FAR) with Development Bonus:</b>	
TOD Gateway Zone	8:1
TOD Midway Zone	5:1
This FAR may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	



BUILDING HEIGHT	
<b>Minimum Building Height:</b>	
2 Stories	
<b>Maximum Building Height by Right:</b>	
Established on Figure 4-4 (Based on the maximum height allowed by the property's zoning prior to adoption of this Document.)	
<b>Maximum Building Height with Development Bonus*</b>	
TOD Gateway	360 Feet
TOD Midway	240 Feet
This building height may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	
<b>*Exception:</b> If adjacent to or across the street from NR subdistrict maximum height is 120 feet.	

**Typical example of buildings in the Transit Oriented Development Subdistrict.**

