

North Burnet/Gateway (NBG) Regulating Plan Amendments

**Staff recommendation on the
NBG Regulating Plan Amendments
in Response to Council Resolution No. 20230504-020**



North Burnet/Gateway (NBG) Area

Location and Context

Specific Regulating District

- Subdistricts are context-based
- Form-based standards
- Roadway Types
- Design standards
- Building standards
- Land uses

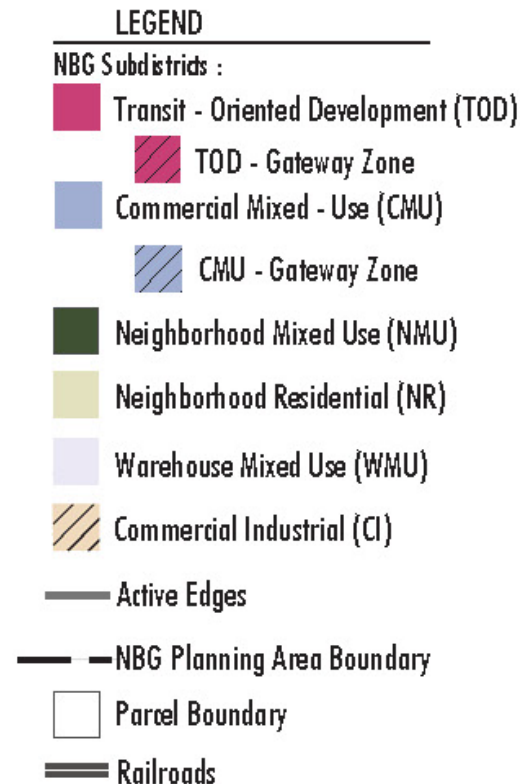
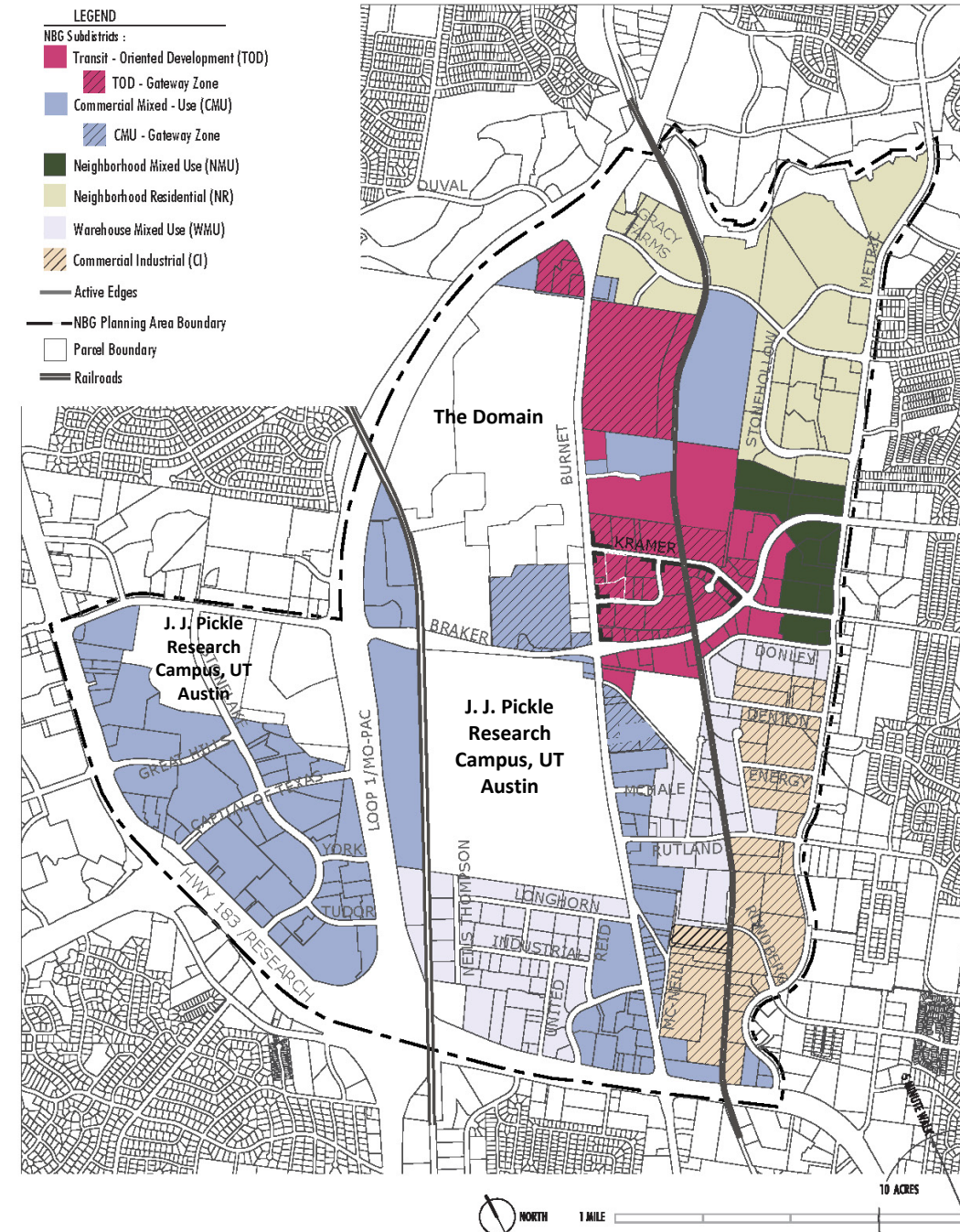


Figure 1 - 2 : North Burnet / Gateway (NBG) Zoning District Subdistrict Map

Revised 10-07-22



North Burnet/Gateway (NBG) Regulating Plan Amendment Focus

What has changed?

- Development pattern changes that have spurred increases in land use and zoning entitlements over the last 10 years
- The construction of two new Red Line commuter rail stations, one at the Uptown ATX campus and the other at McKalla to serve the Q2 Stadium
- City Council policy direction to increase zoning entitlements when using a development bonus



North Burnet/Gateway (NBG) Regulating Plan Amendment Focus

- Imagine Austin identified the NBG as a Regional Center and Austin's "second downtown"
- Previous amendments facilitated the redevelopment of the area's older industrial, office, and warehouse structures in favor of mixed-use development with housing density, office spaces, and vibrant store fronts for small retail business
- Council supports a comprehensive update to meet the City's short- and long-term priorities for housing, employment, small business development, and transportation



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Recent amendments to the NBG Regulating Plan

Council-initiated amendments to Commercial Mixed-Use (CMU) Gateway Subdistrict:

- Increase maximum building height up to 420 feet when using a development bonus.
- Increase maximum floor-to-area (FAR) ratio up to 12:1 when using a development bonus.
- Approved by Ordinance No. 20221027-044

Planning Commission-initiated amendments to Transit-Oriented District (TOD) Gateway and TOD-Midway subdistricts :

- Increase maximum building height up to 491 feet when using a development bonus.
- Increase maximum floor-to-area (FAR) ratio up to 12:1 when using a development bonus.
- Approved by Ordinance No. 20230209-046.

Council Resolution 20230504-020 direction

The City Manager is directed to process amendments necessary to accomplish the purposes set forth in this resolution and return with a draft ordinance for City Council consideration by October 19, 2023:

1. Keep the base entitlements the same and increase the allowable maximum height and FAR in all subdistricts through a development bonus;
2. Apply a wider variety of subdistricts to parcels in the North Burnet/Gateway Regulating Plan west of Mopac;
3. Amend sign regulations in the North Burnet/Gateway Regulating Plan to align with City Code Chapter 25-10 (Sign Regulations), including common area signage, directional signage, free standing and wall signage on buildings, wayfinding signage, park signage, and Capital Metro signage, and any other signage regulations;
4. Adjust the Land Use Standards for General Retail Sales (Figure 2-1) to remove square footage limitations in cases where a single project or property owner may provide retail space to multiple small businesses that will enhance the pedestrian experience;

Council Resolution 20230504-020 direction

5. Eliminate the current requirement for a 30-foot step-back for building facades at the 6th story and above, which limits potential housing developments, retail choices, or office development;
6. Eliminate the 120-foot height limit in the Transit-Oriented Development (TOD), Commercial Mixed Use (CMU), and CMU Gateway subdistricts when adjacent to and across the street from Neighborhood Residential (NR) subdistrict;
7. Amend Section 4.2.4 Compatibility Standards so that City Code Chapter 2, Article 10, Division 2 shall not apply within the North Burnet/Gateway Regulating Plan boundaries and eliminate Subsections 4.2.4.A. and 4.2.4.B.;
8. Align parking requirements with applicable Council actions associated with citywide parking requirement changes; and
9. Modify the development bonus provisions and fees for the North Burnet/Gateway Regulating Plan to allow maximum height and FAR to be achieved administratively with sufficient community benefit, and the maximums exceeded with council approval, similar to the Downtown Density Bonus Program, achieving greater community benefits such as housing and transit- and mobility-related improvements.

Timeline of Amendments

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Short-term items

- COJC – 8/16/23
- PC – 9/12/23
- Set Council Hearing – 9/14/23
- Conduct Council Hearing – 10/19/23

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Long-term items

- COJC – January 2024
- PC – February 2024
- Set Council Hearing – late February 2024
- Conduct Council Hearing – March 2024

1. Development bonus updates
2. Density Bonus Program creation
3. Parking recommendations

Request Recommendation to Planning Commission

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Discuss and consider a recommendation for adoption of an ordinance amending City Code Title 25 relating to the North Burnet/Gateway Regulating Plan (the Plan) to:

- Apply a wider variety of subdistricts to parcels in the North Burnet/Gateway Regulating Plan west of Mopac Expressway.
- Amend sign regulations.
- Amend the Land Use Standards.
- Amend building step-backs.
- Amend height limitations in certain districts.
- Amend compatibility standards.

Recommendations

2

Apply a wider variety of subdistricts to parcels in the North Burnet/Gateway Regulating Plan west of Mopac

Analysis

Land use patterns are changing west of MoPac

Recommendations

1. Creation of a new Subdistrict: Commercial Mixed-Use Midway (modify Figure 1-2)
2. Applies to certain properties west of MoPac
3. Under Tier 1 Development Bonus, would allow up to 350' max. ht. and 10:1 max FAR under CMU-M when using a development bonus
4. Allow applicant to request additional height FAR under proposed Tier 2

See Exhibit "A" and "B"



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TOD Gateway	Neighborhood Mixed Use	Commercial Industrial
TOD Midway	Neighborhood Residential	Red Line Stations
Commercial Mixed Use Gateway	Warehouse Mixed Use	
Commercial Mixed Use		
Commercial Mixed Use - Midway		

Recommendations

3

Amend sign regulations in the North Burnet/Gateway Regulating Plan to align with City Code Chapter 25-10 (Sign Regulations), including common area signage, directional signage, free standing and wall signage on buildings, wayfinding signage, park signage, and Capital Metro signage, and any other signage regulations

Analysis

Signs within the NBG are currently required to comply with the University Neighborhood Overlay Zoning District Signs (LDC Section 25-10- 133) per **Section 4.8.2.A:**

All development shall comply with UNO District Signs except development in the CMU-Gateway Subdistrict.

Recommendations

Amend Section 4.8.2 to include NBG-specific signage

See Exhibit "C"

Recommendations

4

Adjust the Land Use Standards for General Retail Sales (Figure 2-1) to remove square footage limitations in cases where a single project or property owner may provide retail space to multiple small businesses that will enhance the pedestrian experience

Analysis

Current Land Use Standards under Figure 2-1 place additional square footage requirements for General Retail Sales:

1. General Retail Sales (Convenience) - Use is limited to 5,000 sq. ft. in the NR Subdistrict.
2. General Retail Sales (General) - Use is limited to 50,000 sq. ft. gross floor area in TOD and NMU Subdistricts.

Recommendation

Amend Article 2, Figure 2-1: NBG Zoning District Land Use Table to remove square feet limitations for General Retail Sales (Convenience and General)

See Exhibit "D"

Recommendations

5

Eliminate the current requirement for a 30-foot step-back for building facades at the 6th story and above, which limits potential housing developments, retail choices, or office development

Analysis

Under the provisions in Figure 4-1 and Article 5.9, a 30-foot step-back is required for all development 6 stories or higher in all subdistricts. The intent was to minimize the canyon effect along certain roadway types and to lessen the scale and proportion impact on the pedestrian next to the public realm. While a step-back can lessen the visual and scale impact of development, it has hampered efforts to increase buildable space for housing. Furthermore, the step-back creates an inconsistent floorplate for parking and garage configurations as outlined in Article 5.8.

See Exhibit "B"

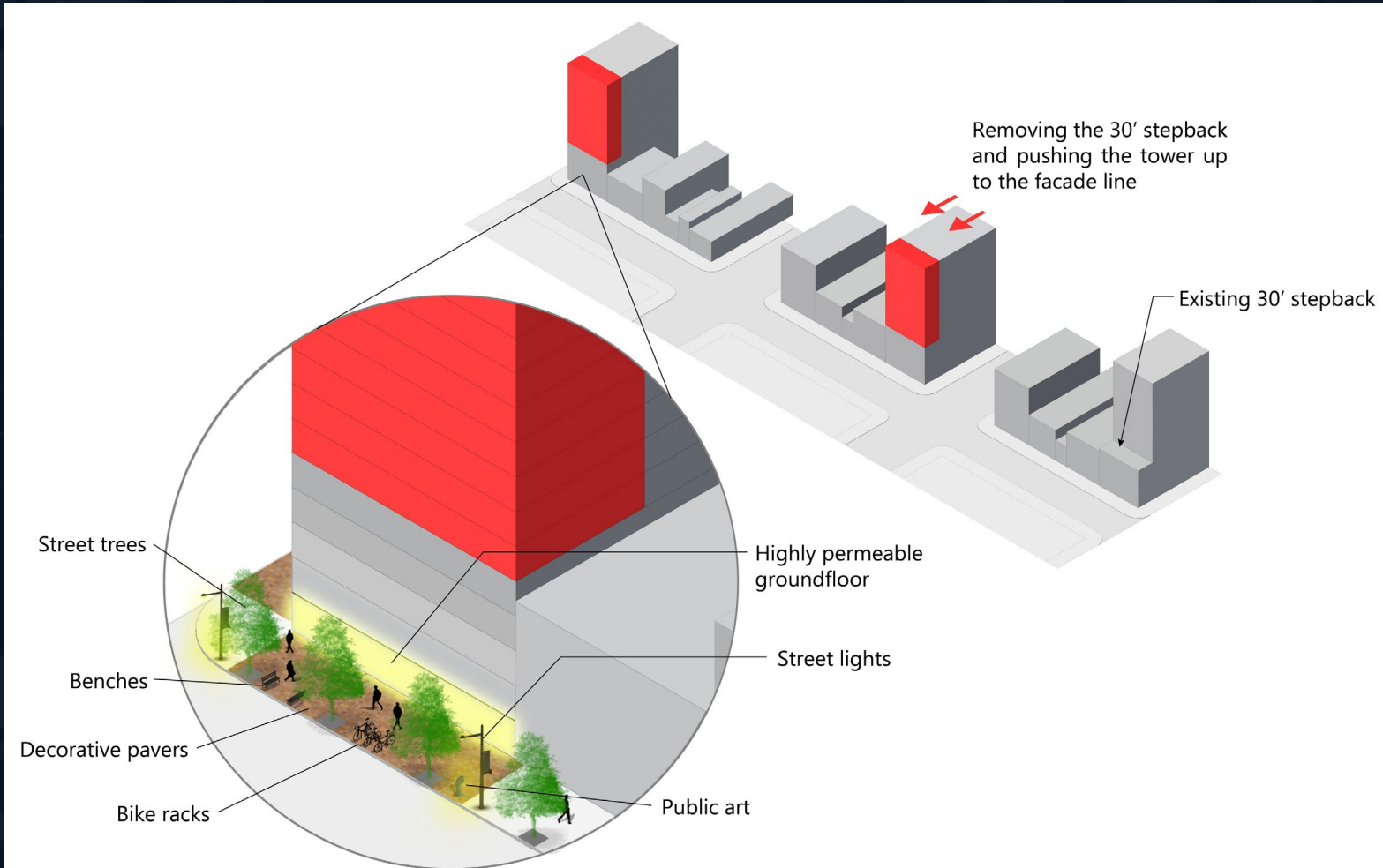
Recommendations

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Recommendation

Modify reference to 30'-step-back in Figure 4-1 to zero feet. Additionally, modify Article 5.9.

Since the 30'-stepback is being modified, Staff recommends the inclusion additional streetscape improvements with focus on where the building meets the streetscape to create a consistent pedestrian realm **as an additional community benefit under the bonus provisions.**



Recommendations

6

Eliminate the 120-foot height limit in the Transit-Oriented Development (TOD), Commercial Mixed Use (CMU), and CMU Gateway subdistricts when adjacent to and across the street from Neighborhood Residential (NR) subdistrict

Analysis

Provisions under Article 4, Figure 4-1, limit height to 120 feet if adjacent to or across the street from NR subdistrict.

Recommendation

Modify provisions under Article 4, Figure 4-1 to remove height limit of 120 feet if adjacent to or across the street from NR subdistrict as the provision has hampered efforts to increase buildable space for housing and **clarify development is allowed to use TOD Gateway development entitlements when using a development bonus.**

See Exhibit “B”

Recommendations

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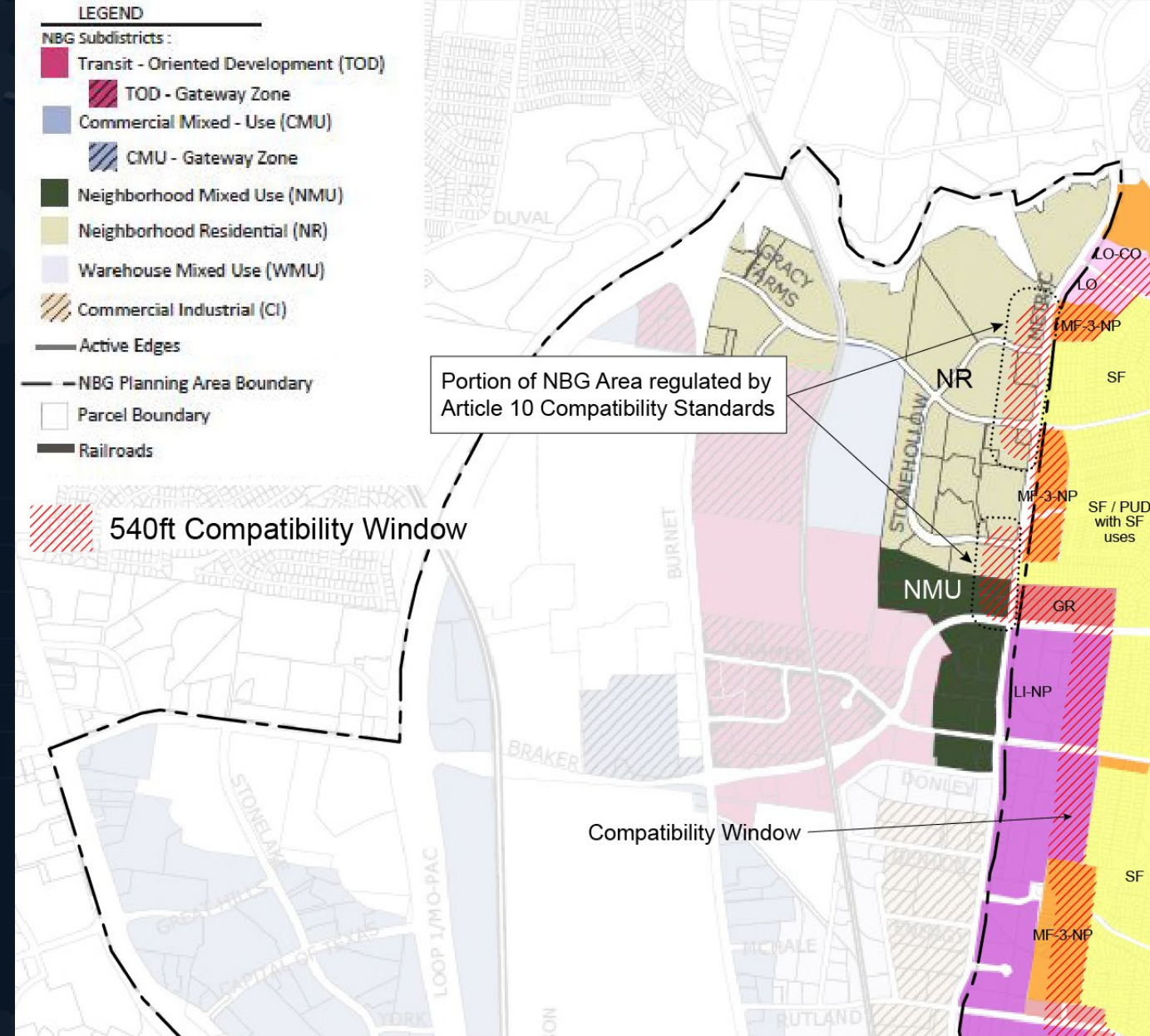
Amend Section 4.2.4 Compatibility Standards so that City Code Chapter 2, Article 10, Division 2 shall not apply within the North Burnet/Gateway Regulating Plan boundaries and eliminate Subsections 4.2.4.A. and 4.2.4.B.

Analysis

Current compatibility standards only apply to the Neighborhood Mixed Use (NMU) and Neighborhood Residential (NR) Subdistricts. There is a small number of properties affected by Compatibility Standards

Recommendation

Modify Article 4.2.4



See Exhibit "E"

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