

ORDINANCE NO. 20231130-092

AN ORDINANCE AMENDING ORDINANCE NO. 20090312-035 FOR THE NORTH BURNET/GATEWAY ZONING DISTRICT TO MODIFY THE REGULATING PLAN, REZONING AND CHANGING THE ZONING MAP FROM NORTH BURNET/GATEWAY-NEIGHBORHOOD PLAN (NBG-NP) COMBINING DISTRICT (WAREHOUSE MIXED USE SUBDISTRICT) TO NORTH BURNET/GATEWAY-NEIGHBORHOOD PLAN (NBG-NP) COMBINING DISTRICT (COMMERCIAL MIXED USE SUBDISTRICT-GATEWAY ZONE) FOR THE PROPERTY LOCATED AT 2404 RUTLAND DRIVE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The North Burnet/Gateway zoning district is comprised of approximately 1,443 acres of land, locally known as the area generally bounded by Metric Boulevard on the east, U.S. Highway 183 on the south and west, and Braker Lane, North Mopac Expressway, and Walnut Creek on the north and northwest, in the City of Austin, Travis County, Texas.

PART 2. The North Burnet/Gateway zoning district was approved on March 12, 2009, under Ordinance No. 20090312-035 and amended under Ordinance Nos. 20111208-098, 20120322-088, 20130425-104, 20140828-159, 20180628-088, 20190207-057, 20201210-073, 20211014-079, 20220127-082, 20220609-101, 20221027-044, 20230209-046, and 20231019-056.

PART 3. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from north burnet/gateway-neighborhood plan (NBG-NP) combining district (Warehouse Mixed Use Subdistrict) to north burnet/gateway-neighborhood plan (NBG-NP) combining district (Commercial Mixed Use Subdistrict-Gateway Zone) on the property described in Zoning Case No. C14-2023-0045 on file at the Planning Department, as follows:

LOT 2-B, RUTLAND ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof as recorded in Volume 36, Page 4 of the Plat Records of Travis County, Texas (the "Property"),

locally known as 2404 Rutland Drive in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit "A"**.

PART 4. The Regulating Plan for the North Burnet/Gateway Zoning District (the "Regulating Plan") identified and defined subdistricts within the plan area and established boundaries for each subdistrict. Currently, the Property is within the Warehouse Mixed

Use (WMU) Subdistrict, as shown on **Exhibit "B"**. Figure 1-2 of the Regulating Plan depicting the boundaries of the Commercial Mixed Use Subdistrict-Gateway Zone (CMU-Gateway Zone) is amended to include the Property, as shown on **Exhibit "C"**.

PART 5. Figure 4-3 of the Regulating Plan is amended to make the Property eligible for maximum floor-to-area ratio (FAR) allowed with a development bonus, with a maximum FAR of 12:1, as shown in **Exhibit "D"**.

PART 6. Figure 4-5 of the Regulating Plan is amended to make the Property eligible for maximum height allowed with a development bonus, with a maximum height of 420 feet, as shown on **Exhibit "E"**.

PART 7. Figure 1-2, Figure 4-3, and Figure 4-5 attached as Exhibits "C" through "E", are incorporated into the Regulating Plan, and the revised figures shall be substituted where appropriate in the Regulating Plan documents.

PART 8. Except as specifically provided in this Ordinance, the Property is subject to the terms and conditions of Ordinance No. 20090312-035, as amended.

PART 9. This ordinance takes effect on December 11, 2023.

PASSED AND APPROVED

_____, November 30, 2023

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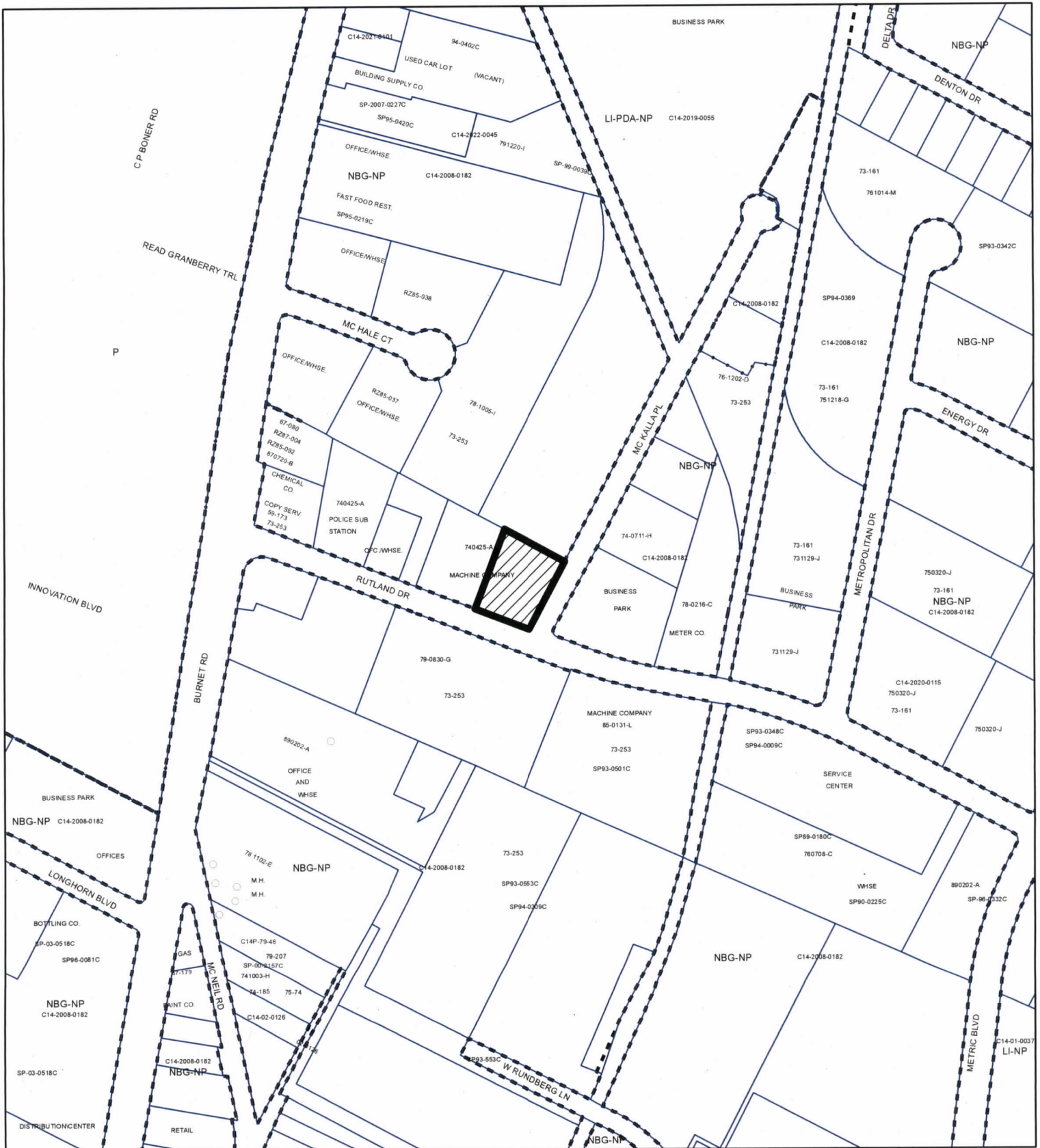
Kirk Watson
Mayor

APPROVED:

Anne L. Morgan
City Attorney

ATTEST:

Myrna Rios
City Clerk



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2023-0045

EXHIBIT A

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or



Created: 4/7/2023

1" = 400'

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

EXHIBIT B

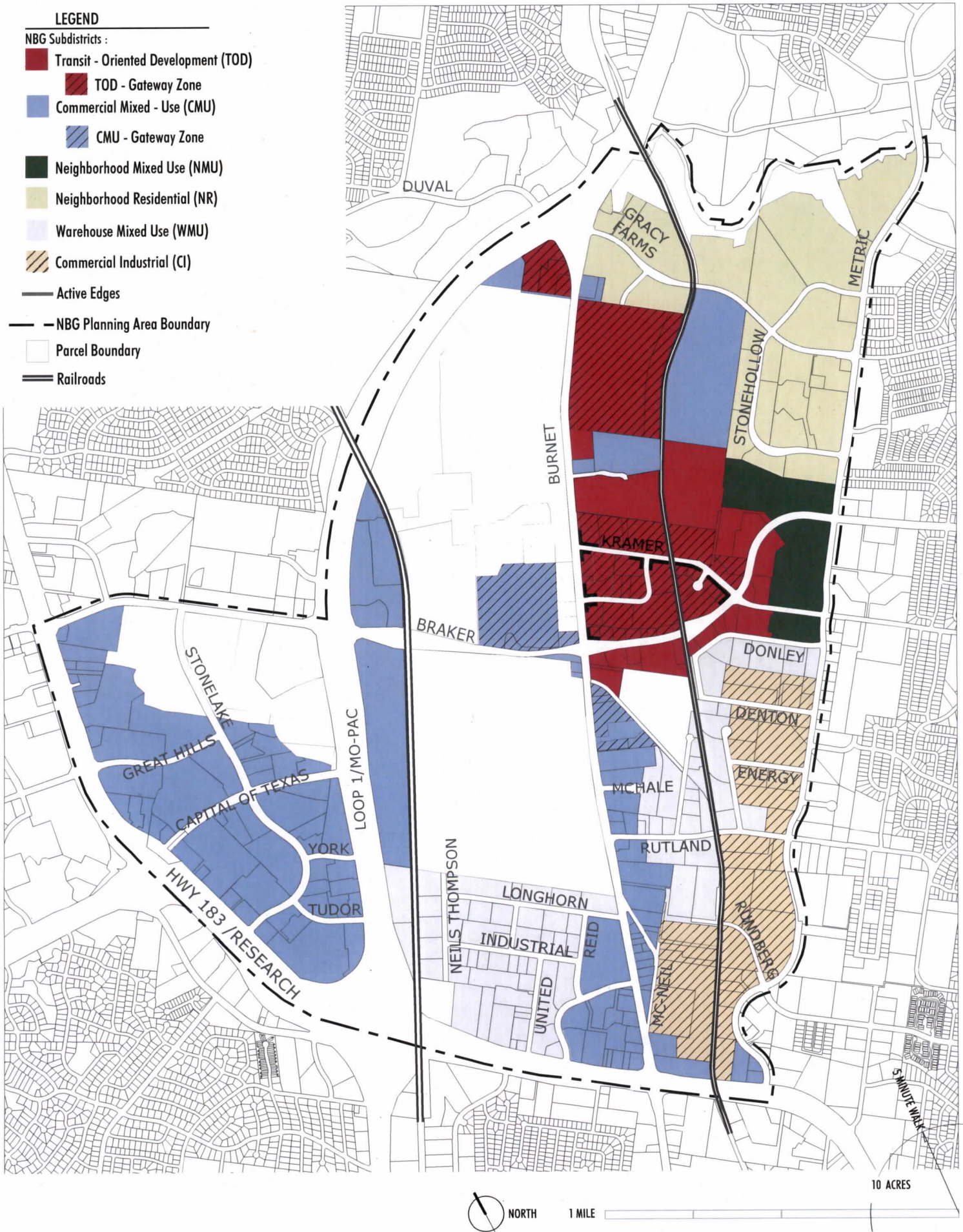


Figure 1 - 2 : North Burnet / Gateway (NBG) Zoning District Subdistrict Map

Revised 09-27-23

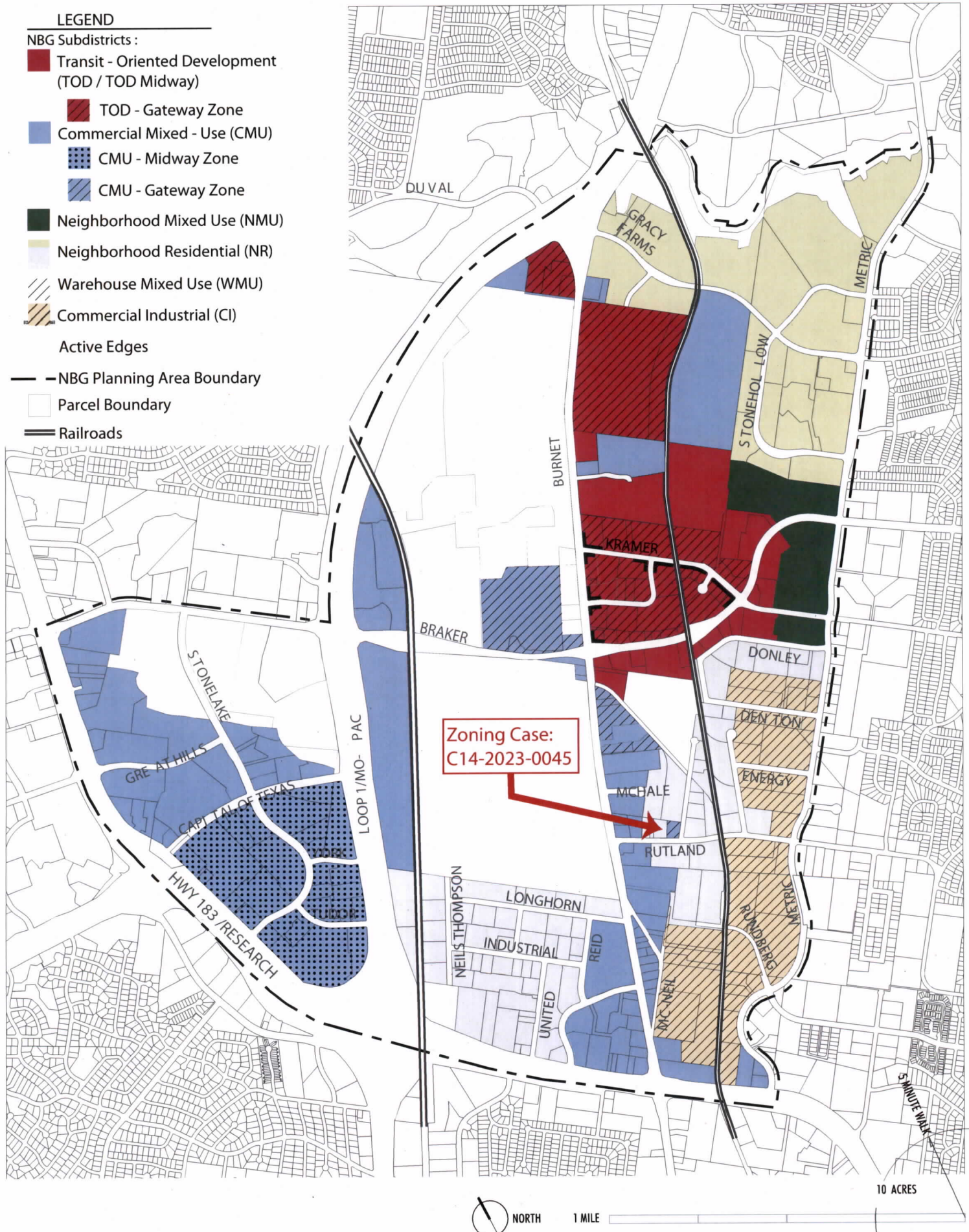


Figure 4-3 : Maximum Floor - to - Area- Ratio (FAR) with Development Bonus

