

ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0104 (North Burnet/Gateway CMU-M Rezoning)

DISTRICT: 7

ADDRESS: Area bounded by Loop 1/Mopac Expy.; US Hwy 183; Capital of Texas Hwy; Stonelake Blvd; York Blvd; and Tudor Blvd.

ZONING FROM: NBG-CMU-NP (Commercial Mixed-use Subdistrict) - NP

TO: NBG-CMU-M (Midway Zone) -NP

SITE AREA: 121.33 acres

PROPERTY OWNER: Various

AGENT: City of Austin – Planning Department

CASE MANAGER: Jorge E. Rousselin (512) 974-2975, jorge.rousselin@austintexas.gov

STAFF RECOMMENDATION:

Staff recommends NBG-CMU-M-NP, North Burnet/Gateway-Commercial Mixed Use-Midway Subdistrict- Neighborhood Plan Combining District, zoning.

PLANNING COMMISSION ACTION / RECOMMENDATION:

January 9, 2024 - The motion to close the public hearing and approve Staff recommendation made by Commissioner Cox, Second by Vice-Chair Azhar was approved on a vote of 10-0.

CITY COUNCIL ACTION:

December 14, 2023: Postponed to January 18, 2024

ORDINANCE NUMBER:

CASE MANAGER COMMENTS:

The subject rezoning area is a combination of multiple properties comprising 121.33 acres bounded by Loop 1/Mopac Expy.; US Hwy 183; Capital of Texas Hwy; Stonelake Blvd; York Blvd; and Tudor Blvd. The property is within the [North Burnet Gateway Neighborhood Planning area and Regulating Plan](#) (the Plan) and is zoned NBG-CMU-NP, (North Burnet Gateway-Commercial Mixed Use-Neighborhood Plan Combining District). The properties within the subject rezoning area are developed with various multi-story commercial, retail, hotel, office, multi-family, and mixed-use developments. The lots to the north are also developed various multi-story commercial, retail, hotel, office, multi-family, and mixed-use developments and are also zoned NBG-CMU-NP. To the south, east and west of this site there are the MoPac Expressway and US 183 Highways. The current CMU subdistrict allows a maximum floor-to-area ratio (FAR) of 3:1 and a maximum building height of up to 180 feet, when using a development bonus per the provisions of Article 6 of the Plan. Within the past year, the Council has approved changes to:

1. CMU-Gateway Subdistrict to allow for a maximum FAR of 12:1 and a maximum building height of up to 420 feet, when using a development bonus; ([Ordinance No. 20221027-044](#)).
2. TOD-Gateway Subdistrict and TOD-Midway Subdistrict to allow for a maximum FAR of 12:1 and a maximum building height of up to 491 feet, when using a development bonus. ([Ordinance No. 20230209-046](#)).
3. Creation of a new subdistrict: Commercial Mixed-use – Midway (CMU-M) which allows for a maximum FAR of 10:1 and a maximum building height of up to 350 feet, when using a development bonus. ([Ordinance No. 20231019-056](#)).

The Imagine Austin Comprehensive Plan identified the North Burnet/Gateway and Domain areas as a Regional Center and Austin's "second downtown." The North Burnet/Gateway Vision Plan was adopted in 2006, followed with adoption of the North Burnet/Gateway Regulating Plan in 2009 that set development and design standards for the area. Multiple amendments to the Plan since 2013 have facilitated the redevelopment of the area's older industrial, office, and warehouse sites in favor of mixed-use development with increased housing density, variety of office spaces, and vibrant store fronts for small retail business. The recent 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 have generated significant development interest and created a transition in development patterns and zoning of the properties to throughout the planning area (*please see the Area Case Histories table below*).

Commercial Mixed-use zones are intended for high density mixed-use development and appropriate for high rise residential, major employers, destination retail and large-scale civic uses.

The request is to rezone the subject parcels from NBG-NP (CMU Subdistrict) to NBG-CMU-M-NP (CMU-Midway Subdistrict) per the initiation of Code amendments by the City Council via [Resolution No. 20230504-020](#).

Therefore, the staff is recommending **APPROVAL** of the North Burnet Gateway-Neighborhood Plan (CMU-Midway Subdistrict) zoning for this property because the proposed zoning is compatible and consistent with the surrounding densities and uses.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

North Burnet/Gateway district is the designation for an identified area of existing low density, auto oriented commercial, warehouse, and industrial uses that is the subject of an approved master plan for redevelopment of the area into a higher density urban mixed-use neighborhood

that is more pedestrian friendly and takes advantage of the links to commuter rail transit and the area's key position in the urban core.

Commercial Mixed-Use Midway subdistrict is a high-density mixed-use sub district in the NBG Zoning District. It allows for development such as high density residential, high-rise office, and entertainment complexes, destination retail and large-scale civic uses.

Neighborhood Plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. The proposed zoning should promote consistency and orderly planning.

The staff recommends the NBG-NP (CMU-M Zone) district because location of the site is appropriate for the proposed intensity of uses, with a transition away from the intersection at Burnet Road to the east allowing for a FAR of up to 10:1 and a maximum building height of up to 350 feet, when using a development bonus. The subject rezoning area is located along major roads and expressways such as Capital of Texas Hwy.; US-183 Hwy., and Mopac Expy. and is within the boundaries of a "Regional Center" as designated on the Growth Concept Map in the Imagine Austin Comprehensive Plan.

4. The proposed zoning should allow for a reasonable use of the property.

The NBG-CMU-M-NP zoning district would allow for fair and reasonable use of the site. The proposed CMU-M Zone subdistrict will allow for high-density residential uses, which will provide desirable housing opportunities for the people that work in the surrounding office, commercial and industrial areas. This site is located near major employment, commercial and residential developments such as The Domain, J.J. Pickle Research Campus, IBM-Broadmoor Campus, Charles Schwab complex, etc.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|--|--|
| <i>Site</i> | NBG-NP (North Burnet/Gateway-Commercial Mixed-Use Subdistrict Neighborhood Plan) | Multi-tenant Office Buildings, Retail, Multifamily, Restaurants |
| <i>North</i> | NBG-NP (North Burnet/Gateway-Commercial Mixed-Use Subdistrict Neighborhood Plan) | Multi-tenant Office Buildings, Retail, Multifamily, Restaurants, Hotel |
| <i>South</i> | GO, GR, LO | Multi-tenant Office Buildings, Retail, Multifamily, Hotel |
| <i>East</i> | NBG-NP (North Burnet/Gateway-Warehouse -Mixed Use Subdistrict-Neighborhood Plan) | Mopac Expressway; Retail |
| <i>West</i> | GO, GR, LO | Multi-tenant Office Buildings, Retail, Multifamily, Hotel |

NEIGHBORHOOD PLANNING AREA: North Burnet/Gateway Neighborhood Plan AreaTIA: Not RequiredWATERSHED: Shoal CreekSCHOOLS: Austin I.S.D.

Hill Elementary School
 Padron elementary
 Burnet Middle School
 Anderson High School

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 North Burnet/Gateway Neighborhood Plan Staff Liaison
 North Growth Corridor Alliance
 SELTexas
 Shoal Creek Conservancy
 Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|--|--|---|---|
| C14-2023-0040 (10317 - 10423 McKalla Place) | NBG-WMU-NP to NBG-TOD (Gateway Zone)- NP | Pending - TIA | |
| C14-2022-0045 (10321 and 10401 Burnet Road) | NBG-CMU-NP to NBG-CMU (Gateway Zone)- NP | 5/10/22: Approved staff's recommendation of NBG-CMU (Gateway Zone)-NP zoning by consent (13-0); A. Azhar-1st, J. Mushtaler-2nd. | 6/09/22: Approved NBG-CMU (Gateway Zone)-NP zoning by consent on all 3 readings (11-0); N. Harper-Madison-1st, P. Renteria-2nd. |
| C14-2021-0101 (Verde Square: 10401 1/2, 10431, 10435, 10505, and 10509 Burnet Road) | NBG-CMU-NP to NBG-CMU (Gateway Zone)- NP | 8/24/21: Approved staff's recommendation for NBG- CMU(Gateway)-NP zoning by consent (11-0); C. Hempel-1st, R. Schneider - 2nd. | 9/30/21: The public hearing was conducted and a motion to close the public hearing and approve NBG-CMU-Gateway Zone-NP district zoning (was approved on Council Member Renteria's motion, Council Member Ellis' second on an 11-0 vote. |
| C14-2020-0128 (NBG Austin Energy | NBG-TOD-NP to P | 1/26/21: Approved staff's recommendation of P district | February 4, 2021: The public hearing was conducted and a |

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| Substation Rezoning: 2412 Kramer Lane) | | zoning (12-0, A. Azhar-1 st , P. Seeger-2 nd . | motion to close the public hearing and approve Ordinance No. 20210204-058 for public (P) district zoning was approved on Council Member Pool's motion, Council Member Tovo's second on an 11-0 vote. |
| C14-2019-0055 (Austin FC: 10414 McKalla Place and 10617 ½ Burnet Road) | LI-NP, NBG-NP to LI-PDA-NP | 5/14/19: To approve the staff's recommendation of LI-PDA zoning, with added condition to approve the Transportation Impact Analysis (TIA) with the site plan process, if practical (Vote: 11-2, K. McGraw and P. Seeger-No); G. Anderson-1 st , C. Kenny- 2 nd . | 6/06/19: The public hearing was conducted and a motion to close the public hearing and approve Ordinance 20190606-097 for limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning was approved on Council Member Pool's motion, Council Member Flannigan's second on a 10-0 vote. Council Member Harper-Madison was absent. |
| C14-2016-0074 (Element Hotel: 10728 Burnet Road) | MI-PDA to MI-PDA | 8/0916: Approved staff's recommendation of MI-PDA zoning on consent (8-0, K. McGraw, S. Oliver, P. Seeger, J. Thompson, T. White-absent); N. Zaragoza-1 st , J. Shieh-2 nd . | 9/22/16: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20160922-071 for MI-PDA zoning, to change a condition of zoning was approved on consent on Council Member Houston's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent. |
| C14-2014-0062 (The Kenzie: 3201 Esperanza Crossing) | MI-PDA to MI-PDA | 5/27/14: Approved staff's recommendation for MI-PDA zoning by consent (8-0, J. Nortey-absent); R. Hattfield-1 st , N. Zaragoza-2 nd . | 6/26/14: Approved MI-PDA zoning, to change a condition of zoning, on consent on all 3 readings (6-0, M. Martinez- off the dais); B. Spelman-1 st , S. Cole-2 nd . |
| C14-2013-0130 (Domain Entertainment District: 11824 Burnet Road) | MI-PDA to MI-PDA | 11/12/13: Approved staff's recommendation for MI-PDA zoning, with conditions for a limitation of 90,000 square feet of Cocktail Lounge use as permitted with no one user exceeding 13,000 sq. ft. within the designated 43.267acre area (outlined in Exhibit A) located within the Property., by consent (7-0-2, D. Chimenti and A. Hernandez-absent); | 12/12/13: Approved MI-PDA zoning on consent on all 3 readings (7-0); B. Spelman-1 st , S. Cole-2 nd . |

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| | | J. Nortey-1 st , B. Roark-2 nd . | |
| C14-2012-0002 (The Domain: 10728-11306 and 11500-11900 Burnet Road; 3300 West Braker Lane; 11105 and 11401-11925 Domain Drive, and 2900-3210 Esperanza Crossing) | MI-PDA to MI-PDA: To amend the PDA 1) To allow for a Cocktail Lounge use as a permitted use on a 2,198 sq. ft. parcel and 2) To relocate 1-acre of designated zero impervious area within a nine acre park to a new location within the same park. | 5/08/12: Approved MI-PDA zoning by consent (9-0); D. Anderson-1 st , S. Kirk-2 nd . | 6/28/12: Approved MI-PDA zoning to change a condition of zoning on all 3 readings (7-0); C. Riley-1 st , S. Cole-2 nd . |
| C14-2010-0087 (The Domain Rezoning-Simon: 11701, 11733 North Mopac Expressway; 11400, 11500 Domain Drive; 3311 Rogers Road; 3409 Esperanza Crossing; 11600 Century Oaks Terrace) | MI-PDA to MI-PDA: To amend the Domain zoning ordinance to request a change to the PDA overlay to allow 83% impervious cover for the overall site. | 8/24/10: Approved staff's recommendation of MI-PDA zoning with the condition that the applicant agree to a public restrictive covenant to limit one acre of land on the Endeavor- Domain site to zero percent impervious cover to offset the increase in impervious cover on the Simon-Domain property (8-1, Chimenti-No), with the following additional conditions: 1) Require the applicant to provide bicycle access for a portion Bicycle Route Segment #905.04 (Please see Public Works Department Memorandum – "Attachment B") to allow for continuity for bicycle traffic to and through the Domain development. 2) Require a public restrictive covenant that will limit one acre of land on the Endeavor- Domain site to zero percent impervious cover to be signed | 8/26/10: The public hearing will remain open and the first reading of the case was approved for MI-PDA zoning (7-0); Morrison-1 st , Spelman- 2 nd , with the following additional conditions: 1) The applicant is to provide bicycle access for a portion of Bicycle Route Segment #905.04 to allow for continuity for bicycle traffic to and through the Domain development. 2) A public restrictive covenant that will limit one acre of land on the Endeavor- Domain site to zero percent impervious cover will be signed and recorded before the third reading of this zoning case. 10/14/10: Approved MI-PDA zoning on 2 nd /3 rd readings (7-0); Spelman-1 st , Leffingwell-2 nd , with the following amendments: 1) Part 3, C, 1 of |

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| | | and recorded before the 3 rd reading of this zoning case at City Council. | the ordinance should read: “A pedestrian/bicycle entrance shall be provided between the existing pedestrian/bicycle trail under Mopac Expressway and the Simon Project internal drive as shown on the attached Exhibit B. A minimum 12-foot wide paved path shall be constructed with an associated curb cut connecting to the internal drive prior to issuance of a certificate of occupancy for a building on Lot 5A, Block A, the Domain Shopping Center Section 3 Subdivision.”; 2) Add a new paragraph to Part 3, Section D to read: “The two trees on the property numbered 5068 and 5081 as shown on Exhibit D may not be removed, unless the City Arborist approved otherwise based on the health of the individual trees.”; 3) The approved otherwise based on fourth WHEREAS of the restrictive covenant should read: “WHEREAS, the requirements of the Land Development Code for both the Endeavor Tract and the Simon Tract allow for a combined maximum of eighty percent (80%) net site area impervious cover resulting in a total allowable impervious cover area of 135.36 acres for the Endeavor Tract and 40.54 for the Simon Tract; and”. |
| C14-2010-0015 (The Domain Rezoning- Endeavor: 10712, 10728, 10800, 11000, 11500, 11600 Burnet Road; 11601 Domain Drive; 2900, 3001, 3101 Esperanza Crossing) | To rezone the property from MI-PDA to MI-PDA to amend the Domain zoning ordinance to modify the following conditions: 1) To provide updated bike lanes for the development by | 8/24/10: Approved staff’s recommendation for MI-PDA zoning (8-1, Tovo-No), with an amendment to the Public Works Department Memorandum – “Attachment A” to change the wording in the first line of item #2 from should to <u>shall</u> . The Commission also included findings for the justification for the approval of the proposed | 10/14/10: Approved MI-PDA zoning on all 3 readings on consent (7-0); Spelman-1 st , Cole-2 nd , with the following conditions: 1) Part 3, C, 1 of the ordinance should read: “The Domain-Endeavor Project shall provide internal bicycle routes for access and continuity to existing or planned bicycle routes as well as multi-use hike and bike trails as more |

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| | <p>routing sharrows and hike and bike paths throughout the site 2) To request a variance through the PDA to LDC Sec. 25-2-813 to allow an administrative approval of one large retail user exceeding 100,000 square feet to be constructed on the portion of the Domain property that is located north of Esperanza Crossing. Thereby, removing the requirement to secure approval of a Conditional Use Permit for this sole large retail user at this location.</p> | <p>variance to the “Big Box” ordinance, LDC Sec. 25-2-813:</p> <ol style="list-style-type: none"> 1) This request is a special circumstance because the property is located with a PDA overlay district. 2) This approval is in accordance with the North Burnett/Gateway Neighborhood Plan. 3) The approval for this case allows for the inclusion of the recommendations of the City of Austin Bicycle Program for the property. | <p>particularly detailed in the attached Exhibit C.”, 2) Part 3, C, 4 of the ordinance should read: “The sharrows shall be installed within one year of the effective date of this ordinance for existing roadways and at the time of construction for future roadways.”</p> |
| C14-06-0121 | MI-PDA to MI-PDA | <p>2/13/10: Approved staff’s rec. for MI-PDA zoning with additional conditions of:</p> <ul style="list-style-type: none"> • 2 star Green Building rating • natural landscaping of all water quality ponds (existing and future); • be in compliance with TIA conditions; • the applicant’s requested parkland dedication proposal; • height base of 140-ft; plus an additional 12-stories based on electing to provide some of the public benefits as listed in the North Burnett/Gateway Neighborhood Plan. • Maximum height of 308 feet. <p>Vote: (9-0); J.Reddy-1st,</p> | <p>3/01/07: Approved MI-PDA zoning with the addition of low albedo roofing materials, one star construction for the total site and two star construction for 50% of the office and residential construction (7-0); McCracken-1st, Dunkerley-2nd.</p> |

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| | | G. Stegeman-2 nd . | |
| C14-06-0154 | MI-PDA to MI-PDA | 8/08/06: Approved staff rec. of MI-PDA by consent (8-0) | 09/28/06: Approved MI-PDA (7-0); 1 st reading 10/05/06: Approved MI-PDA changes as a condition of zoning (6-0); 2 nd /3 rd readings |
| C14-04-0151 | MI-PDA to MI-PDA | 11/23/04: Approved staff recommendation of MI-PDA, with Environmental Board conditions (9-0). | 12/16/04: Approved MI-PDA (7-0); all 3 readings |
| C14-04-0146 | P to CH | 11/9/04: Approved staff's recommendation of CH zoning with conditions (9-0) | 12/2/04: Approved CH zoning (7-0); all 3 readings |
| C14-03-0017 | MI-PDA to MI-PDA | 6/11/03: Approved staff's recommendation of MI-PDA zoning, with inclusion of original PDA conditions (as read into the record) from Ordinance #000608-67 (8-0, R. Pratt-off dais) | 7/31/03: Granted MI-PDA on all 3 readings (7-0) |
| C14-03-0016 | MI to MI-PDA | 6/11/03: Approved staff's recommendation of MI-PDA zoning (8-0, R. Pratt-off dais) | 7/31/03: Granted MI-PDA on all 3 readings (7-0) |
| C14-03-0015 | MI to CS | 6/11/03: Approved staff's recommendation of CS-CO zoning (8-0, R. Pratt-off dais) | 7/31/03: Granted CS-CO on all 3 readings |
| C14-02-0062 | LI to CS-1 | 6/12/02: Approved CS-1 by consent (8-0) | 7/11/02: Approved PC rec. of CS-1 (7-0); all 3 readings |
| C14H-00-2177 | LI-PDA to LI-PDA | 10/24/00: Approved staff rec. of LI-PDA (TR1), LI-PDA-H (TR2) by consent (9-0) | 11/30/00: Approved LI-PDA (TR1) and LI-PDA-H (TR2); (7-0); all 3 readings |
| C14-00-2065 | MI to MI-PDA | 5/9/00: Approved staff rec. of MI-PDA by consent (8-0); with the following conditions: 1) That minimum lot size be 1 acre provided for any lots that directly abut Braker Lane and Burnet Road (but not both) and which are less than 3 acres in size. 2) The total number of additional curb cuts on Braker Lane & Burnet Road providing access to such lots shall not exceed 50 % of the total number of such lots. | 6/8/00: Approved MI-PDA, with changes agreed to with neighborhood association (7-0); all 3 readings |

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| | | 3) The foregoing limitation shall not apply to any lot of more than 3 acres, which abut Braker Lane and Burnet Road. | |
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OTHER STAFF COMMENTS:

Urban Design

| CMU-Midway Subdistrict | | | |
|------------------------------|---|--|---|
| | Current | Proposed | Street Type |
| Zoning | Commercial Mixed Use (CMU) | Commercial Mixed Use - Midway (CMU Midway) | Capital of Texas Hwy = NBG CTC; Stonelake Blvd = NBG CTC; |
| Land Use | Predominantly commercial with some multifamily | Mixed-use | York Blvd = NBG UR; Tudor Blvd = NBG UR; (Figure 1-3: NBG Roadway Types Map) |
| Lot Size | various | various | |
| Base Height & FAR | <p>Ranges from 45 feet to 120 feet, depending on the property</p> <p>Ranges from 0.75 to 3:1, depending on the property</p> <p>(Figure 4-2: Maximum FAR by Right and Figure 4-4: Maximum Height by Right)</p> | Base Height and FAR will not change | Figure 3-12: NBG Collector Street Plan shows required connections at the eastern edges of Capital of Texas Hwy and York Blvd. These connections correspond with required new collector street right-of-way dedication to connect Capital of Texas Hwy to Rutland Dr and York Blvd to Longhorn Blvd. |

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| Max Height & Max FAR with development bonus | 180 feet | 350 feet |
| | 3:1 | 10:1 |
| Dev. Bonus | Eligible | Eligible |
| Active Edge | No <i>(Figure 1-2)</i> | No <i>(Figure 1-2)</i> |
| Setbacks | No ground-level setback requirements, however, 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 | 80% <i>(Figure 4-6)</i> | 80% <i>(Figure 4-6)</i> |
| Compatibility Standards | Do not apply | Do not apply |

Environmental

1. The site is located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.
7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Fire

1. Approved

Parks and Recreation

1. Parkland dedication will be required at the time of subdivision or site plan applications for the new residential intensities proposed by this rezoning per City Code § 25-1-601, as amended.
2. The intensity of the proposed district creates an immense need for additional parkland in an area that currently has none. As noted in the resolution, additional bonus provisions ought to be considered that include community benefits; it is recommended that one of those benefits be public parkland. Bonuses ought to be granted if sufficient parkland is to be conveyed in accordance with the parks and open space exhibit included in the North Burnet Gateway Plan.
3. If the applicant wishes to discuss parkland dedication regulations and bonuses, please contact this reviewer: thomas.rowlinson@austintexas.gov.

Site Plan

1. For reference, it is this reviewer's understanding that the proposal is to re-zone several parcels within the North Burnet Gateway Regulating Plan Area from Commercial Mixed Use (CMU) to Commercial Mixed Use – Midway (CMU-M). That designation is expected to be incorporated into the North Burnet Gateway Regulating plan through an anticipated Plan Amendment, currently scheduled for Public Hearing.
2. Site plans will be required for any new development other than single-family or duplex residential.
3. Any new development is subject to the Compatibility, Building Placement, Design and other standards as described in the North Burnet Gateway Regulating Plan (as amended).
4. All new development within the North Burnet Gateway Regulating Plan Area is required to meet Green Building Standards.
5. Signage along MOPAC Expressway will be required to conform to Scenic Corridor regulations.
6. Portions of the subject site may require review pursuant to Wildland Urban Interface regulations.
7. While no Active Edge designations are proposed, ground floor structured parking within the North Burnet Gateway Regulating Plan can required compliance with some of the Active Edge requirements.

Transportation

1. The Austin Strategic Mobility Plan (ASMP) calls for 116 feet of right-of-way for Stonelake Boulevard. It is recommended that 58 feet of right-of-way from the centerline should be dedicated according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].
2. The Austin Strategic Mobility Plan (ASMP) calls for 116 feet of right-of-way for Tudor Boulevard. It is recommended that 58 feet of right-of-way from the centerline should be dedicated according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].
3. The Austin Strategic Mobility Plan (ASMP) calls for 116 feet of right-of-way for York Boulevard. It is recommended that 58 feet of right-of-way from the centerline should be dedicated according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

EXISTING STREET CHARACTERISTICS:

The adjacent street characteristics table is provided below:

| Name | ASMP Classification | ASMP Required ROW | Existing ROW | Existing Pavement | Sidewalks | Bicycle Route | Cap Metro (within ¼ mile) |
|------------------------------------|---------------------|-------------------|--------------|-------------------|-----------|---------------|---------------------------|
| N Capital of Tx Hwy | Level 4 | N/A | N/A | 84 feet | Yes | Yes | Yes |
| N Mopac Expressway SB | Level 4 | N/A | N/A | 32 feet | Yes | None | Yes |
| Research Boulevard Service Road NB | Level 4 | N/A | N/A | 44 feet | None | None | Yes |
| Stonelake Boulevard | Level 3 | 116 feet | 103 feet | 82 feet | Yes | Yes | Yes |
| Tudor Boulevard | Level 3 | 116 feet | 92 feet | 58 feet | Yes | None | No |
| York Boulevard | Level 3 | 116 feet | 88 feet | 58 feet | Yes | None | Yes |

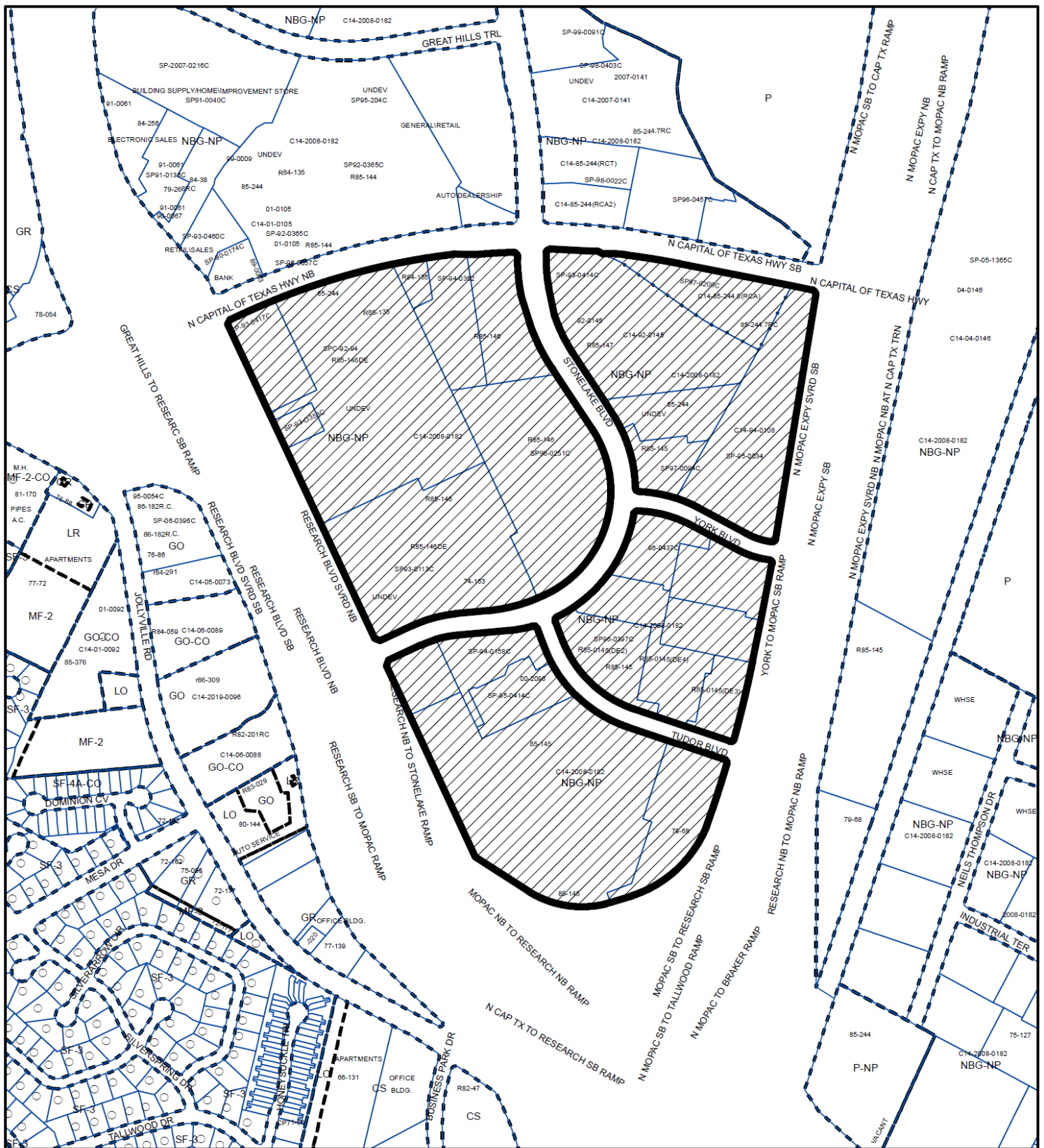
4. A transportation assessment/traffic Impact analysis shall be required at the time of site plan if triggered, when land uses and intensities will be known per LDC 25-6-113 and TCM 10.2.1.
5. Additional right-of-way may be required at the time of subdivision and/or site plan.

Water Utility

1. No comments on zoning change.
2. FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.
3. Depending on the development plans submitted, water and or wastewater service extension requests may be required. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.
4. All new development within the proposed project will be subject to City Code Chapter 25-9 and any future amendments relating to reclaimed water connections, water benchmarking, and mandatory onsite water reuse.
5. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW




- A. Zoning Map
- B. Aerial Map
- C. North Burnet Gateway - CMU Subdistrict General Site Development Standards



ZONING

ZONING CASE#: C14-2023-0104



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

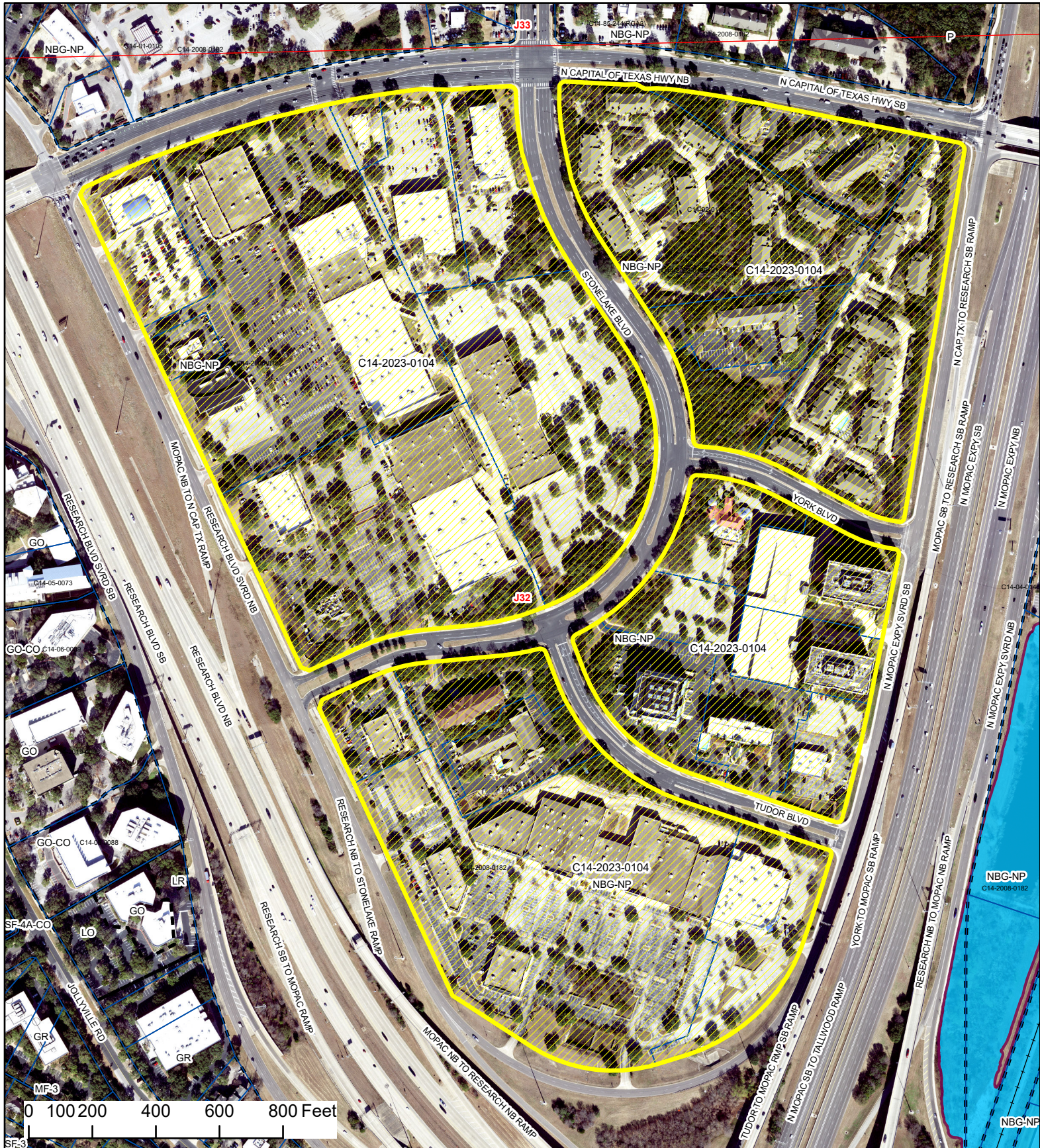
1" = 600'

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.





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North Burnet/Gateway CMU-Midway Rezoning

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

ZONING CASE#: C14-2023-0104
 LOCATION: Area bounded by Loop 1, Mopac Expwy
 US Highway 183, Capital of Texas Hwy,
 Stonelake Blvd, York Blvd, Tudor Blvd;
 9700 Stonelake Blvd
 SUBJECT AREA: 121.33 Acres
 GRID: J32
 MANAGER: Jorge Rousselin



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

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FIGURE 4 - 1 CMU : NBG ZONING DISTRICT GENERAL SITE DEVELOPMENT STANDARDS
COMMERCIAL MIXED USE (CMU) SUBDISTRICT

Revised 10-25-23

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

| MINIMUM SETBACKS | |
|--|--------|
| Front Yard and Street Side Yard*: | |
| No ground-level front yard or street side yard setbacks are required. Instead, development must meet the building placement standards in Section 4.3. | |
| Interior Side Yard: | 0 Feet |
| Rear Yard: | 0 Feet |
| <p>* If the street right-of-way is less than 60 feet in width, the minimum front yard setback for buildings three or more stories in height shall be 30 feet from the center line of the street to ensure fire access.</p> | |

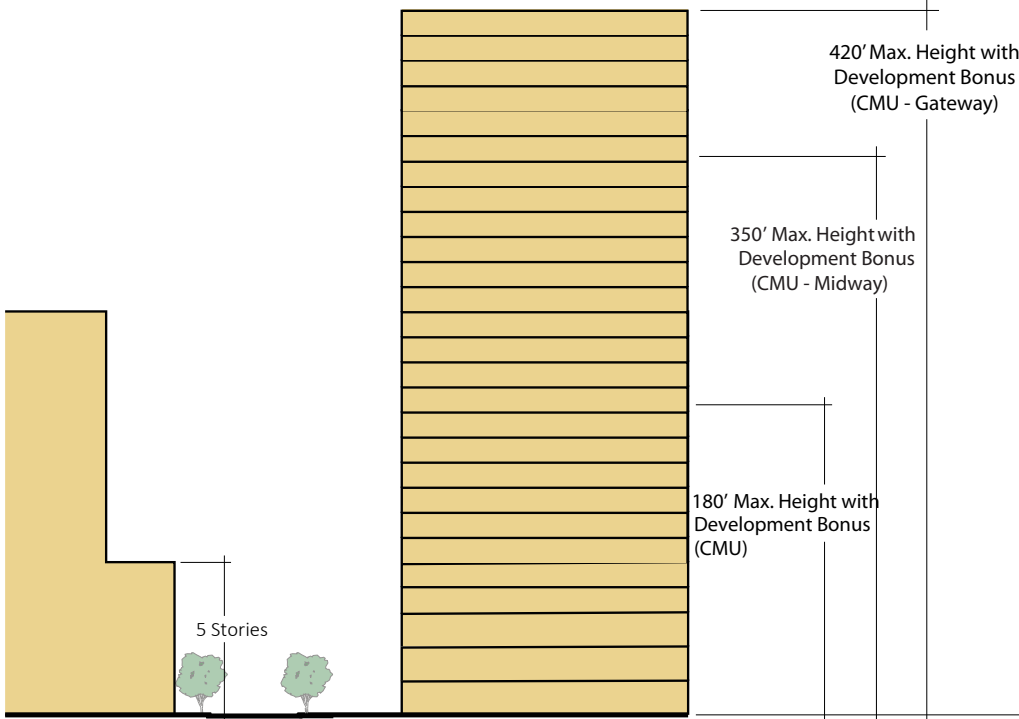
| MAXIMUM IMPERVIOUS COVER | |
|--|--|
| If located in an urban watershed (Shoal or Little Walnut Creek) : | |
| Established on Figure 4-6 (Based on the maximum impervious cover allowed by the property's zoning prior to adoption of the this Document.) | |
| If located in a suburban watershed (Walnut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

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

| FLOOR TO AREA RATIO | |
|---|------|
| Maximum Floor-to-Area Ratio (FAR) by Right: | |
| Established on Figure 4-2 (Based on the maximum FAR allowed by the property's zoning prior to adoption of this Document) | |
| Maximum Floor-to-Area Ratio (FAR) with Development Bonus: | |
| CMU Zone | 3:1 |
| CMU Midway Zone | 10:1 |
| CMU Gateway Zone | 12:1 |
| This FAR may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6. | |



Typical examples of buildings in the Commercial Mixed Use Subdistrict.



| BUILDING HEIGHT | |
|---|----------|
| Minimum Building Height: | |
| Not applicable | |
| Maximum Building Height by Right: | |
| Established on Figure 4-4 (Based on the maximum height allowed by the property's zoning prior to adoption of this Document.) | |
| Maximum Building Height with Development Bonus*: | |
| CMU Zone | 180 Feet |
| CMU Midway Zone | 350 Feet |
| CMU Gateway Zone | 420 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. | |