

**PLANNING COMMISSION HEARING**

DATE: September 9, 2008 TIME: 6:00 P.M.

The Planning Commission voted unanimously (8-0, Cm. Atkins absent) on Sept. 9, 2008 to recommend that the City Council:

[Agenda Item #1: C20-2008-016] Approve an amendment to the Land Development Code Title 25 to:

- Create the North Burnet/Gateway (NBG) base zoning district and establish associated use and site development regulations as specified in the NBG Regulating Plan
- Repeal existing (interim) North Burnet/Gateway Overlay District regulations
- Amend LDC Section 25-2 Subchapter E: Design Standards and Mixed Use to exempt development built pursuant to the NBG zoning district regulations; and
- Approve a collector street plan for the North Burnet/Gateway Neighborhood Planning Area

[Agenda Item #2: C14-2008-0182] Approve the rezonings of tracts in the North Burnet/Gateway neighborhood planning area to NBG-NP or NBG-H-NP (refer to tract map and tract table in the Legal Notice)

**With the following specific amendments:**

Changing By-Right entitlements on specific tracts

1. On the Braker Pointe tract (a portion of Tract 10) revise Figure 4-2 (Max. FAR by Right) and Figure 4-4 (Max. Height by Right) to reflect the base height and FAR allowed under the previous LI-PDA zoning prior to the 2006 Whole Foods zoning case (This change would allow 1.07: 1 FAR and 117 feet in height by Right).
2. On the Morse Family tract (a portion of Tract 7) revise Figure 4-2 (Max. FAR by Right) and Figure 4-6 (Max. Impervious Cover) to reflect the base FAR and impervious cover allowed under the previous CS zoning prior to the 2007 zoning change to MF-4. (This change would allow 2:1 FAR and 95% impervious cover).

Changes to Applicability Section

3. Revise Section 1.2.3 of the 9/3/08 Draft NBG Regulating Plan to be consistent with the applicability standards in LDC Chapter 25-2, Subchapter E: Design Standards & Mixed Use, Sections 1.2.2 and 1.2.3. (Note: City Council may consider amendments to the applicability section of Subchapter E later this year. The Planning Commission recommends that if Section 1.2 of Subchapter E is not amended by January, 2009, that staff bring a proposal to amend Section 1.2.3 of the NBG Regulating Plan back to Planning Commission and City Council for consideration.)

Bicycle Facility Recommendations

4. Revise the NBG Regulating Plan “Background” section to reflect the vision for the area to be more bicycle-friendly.
5. Amend Appendix A of the NBG Regulating Plan to include a new collector street cross-section that shows a separated off-street bicycle path.
6. Amend the NBG Regulating Plan to require development projects in the TOD Subdistrict to consult with the City of Austin Bicycle and Pedestrian Program about possible ways to achieve separated off-street bicycle paths.

Affordable Housing Recommendations

7. Amend the NBG Regulating Plan Development Bonus section to change the fee-in-lieu payment from \$6 per square foot of bonus area to \$10 per square foot of bonus area.
8. Amend the NBG Regulating Plan Development Bonus section to state that residential projects seeking a development bonus may not be granted a fee-in-lieu of providing housing on-site administratively.
9. Amend the NBG Regulating Plan Development Bonus section to state that NHCD shall allocate money from the Housing Assistance Fund within 2 miles of the intersection of Burnet Rd. and Braker Lane.
10. Planning Commission recommends that when the City-owned properties in the NBG area are redeveloped, the City strive to reach a 25% affordable housing goal on those properties.