

**North Burnet/Gateway Zoning District  
Code Amendment and Associated Rezonings  
Motion Sheet - October 16, 2008**

<b>C20-2008-016: Amendment to Title 25 of the Land Development Code</b>			
<b>Motion #</b>	<b>Agenda Item #</b>	<b>Proposed Action</b>	<b>Staff Comments</b>
1	61	Approve an amendment to Title 25 of the Land Development Code (LDC) as recommended by staff to: 1. Create the North Burnet/Gateway (NBG) base zoning district and establish associated use and site development regulations as specified in the North Burnet/Gateway Regulating Plan; 2. Repeal existing North Burnet/Gateway Overlay District regulations; 3. Amend LDC Section 25-2 Subchapter E: Design Standards and Mixed Use to exempt development built pursuant to the North Burnet/Gateway NBG zoning district regulations; and 4. Approve a collector street plan for the North Burnet/Gateway Neighborhood Planning Area.	This code amendment is proposed by the Neighborhood Planning & Zoning Dept. in response to City Council direction that City staff develop a comprehensive set of zoning and site development regulations to fully implement the land use and urban design recommendations of the North Burnet/Gateway Neighborhood Master Plan, adopted November 1, 2007.

<b>C14-2008-0182: Proposed Rezonings: North Burnet/Gateway Zoning District</b>			
<b>Motion #</b>	<b>Agenda Item #</b>	<b>Proposed Action</b>	<b>Staff Comments</b>
2	62	Approve the rezonings of tracts in the North Burnet/Gateway neighborhood planning area to NBG-NP or NBG-H-NP as recommended by staff.	A tract map and table of the properties to be rezoned is provided in back up.

<b>Planning Commission Recommendation</b>	<b>Staff Recommendation</b>
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).	Staff concurs with this proposed change.
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).	Staff concurs with this proposed change.
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.)	Staff concurs with this proposed change, but recommends the addition of minimum design standard requirements to the NBG Regulating Plan for projects seeking a development bonus.

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<b>Planning Commission Recommendation (cont')</b>	<b>Staff Recommendation (cont')</b>
4. Revise the NBG Regulating Plan "Background" section to reflect the vision for the area to be more bicycle-friendly.	Staff concurs with this proposed change.
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.	Staff concurs with this proposed change. Staff also recommends requiring the off-street bikeway cross-section for specific new collector streets designated on the NBG Collector Street Plan. This is to ensure consistent bike facilities from property to property as the new collector streets are built.
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.	Staff concurs with this proposed change.
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.	Staff recommends no change from the 9/3/08 Draft NBG Regulating Plan (fee-in-lieu remains \$6 per sq. ft.).
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.	Staff recommends no change from the 9/3/08 Draft NBG Regulating Plan (allow granting of fee-in-lieu for residential projects to be handled administratively).
9. Amend the NBG Regulating Plan Development Bonus section to state that NHCD <u>shall</u> allocate money from the Housing Assistance Fund within 2 miles of the intersection of Burnet Rd. and Braker Lane.	Staff concurs with this proposed change.
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.	Staff concurs with this recommendation.