

RESOLUTION NO.

WHEREAS, the North Burnet Gateway Regulating Plan was adopted by Council on March 12, 2009; and

WHEREAS, the North Burnet Gateway Plan envisions transit oriented development with dense mixed use development that transitions to single family residential development; and

WHEREAS, some of the existing properties are currently legally nonconforming according to adopted district use regulation and, if the occupant changes, the use must be the same type as the current existing legally nonconforming use; and

WHEREAS, the plan recognizes that the redevelopment is market driven and will occur over the next twenty to thirty years; and

WHEREAS, the plan does not allow for a phased-in redevelopment scenario by parcel that will work towards implementing the vision established and also takes into account short term changes in building ownership and occupancy; **NOW, THEREFORE**,

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

The City Manager is directed to process amendments to the North Burnet Gateway Regulating Plan to allow legally non-conforming uses to continue on a project by project basis (as opposed to an individual suite by suite basis within a building) in the Neighborhood Residential Subdistrict

with a plan to reinstate the City's standard nonconforming use regulations after a set period of time.

ADOPTED: _____, 2010 **ATTEST:** _____
Shirley A. Gentry
City Clerk