

A G E N D A



Recommendation for Council Action

Austin City Council	Item ID	59772	Agenda Number	40.
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Meeting Date:	6/23/2016	Department:	Planning and Zoning
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Subject

Approve an ordinance amending Ordinance No. 20090827-078, to correct a reference to the zoning for the property located at 4701, 4701-1/2, and 4703 Burnet Road.

Amount and Source of Funding

Fiscal Note

A fiscal note is not required.

Purchasing Language:

Prior Council Action:

August 27, 2009 - Council approved Ordinance No. 20090827-078 for the addition of vertical mixed use building combining district zoning overlay (V) was approved for Tracts 1-3, 11, 13-16, and 18-21 with dimensional standards, parking reduction and additional uses in office districts; for Tracts 4-10 with dimensional standards and additional uses in office districts; An affordability level of 60% of the median family income for 10% of rental units in a vertical mixed use building on Mayor Pro Tem Martinez' motion, Council Member Riley's second on an 6-0 vote with Council Member Spelman off the dais.

For More Information:

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Council Committee, Boards and Commission Action:

August 11, 2009 – Approved by the Planning Commission on a 6-0 vote with Commissioners Small, Anderson and Castillo absent. Approved Motion 1 to grant vertical mixed use building (V) district zoning with dimensional standards, parking reduction and additional uses in office districts to Tracts 1-3, 11, 13-16 and 18-21; Motion 2 to grant vertical mixed use building (V) district zoning with dimensional standards and additional uses in office districts to Tracts 4-10; Motion 3 to exclude Tract 17 from the vertical mixed use overlay district; Motion 4 to grant an affordability level of 60% of the median family income for 10% of rental units in a VMU building.

MBE / WBE:

Related Items:

Additional Backup Information

On August 27, 2009 the City Council approved a rezoning ordinance on all three readings that applied the vertical mixed use building overlay (V) to specific properties in the Brentwood Neighborhood Planning Area. The ordinance includes a table that references the zoning changes for each property identified to be re-zoned (Exhibit A).

The zoning identified in the "FROM" column of the table and the proposed zoning identified in the "TO" column were drafted incorrectly for 3 of the 8 properties that make up *Tract 11*. The zoning for the three properties should have been listed as what was approved in the Brentwood Neighborhood Planning Area Rezoning Ordinance (Exhibit B) as Tracts 56a, 57 and 56c in the Tract Table.

More specifically, the FROM zoning for 4701-1/2 Burnet Road should have been listed as CS-MU-CO-NP. The

FROM zoning for 4701 Burnet Road should have been listed as CS-MU-CO-NP and should not have included the second listing of zoning as GO-MU-CO-NP. The *FROM* zoning for 4703 Burnet Road should have been listed as CS-1-MU-CO-NP and should not have included the second zoning classification of GO-MU-CO-NP.

There were no re-zonings of these properties between the time of the Brentwood Neighborhood Planning Area re-zonings in 2004 and the Vertical Mixed Use Building re-zonings in 2009. Staff error went unnoticed as the draft VMU ordinance was approved by City Council on August 27, 2009.

This proposed amendment to the adopted Zoning Ordinance (No. 20090827-078) will correct the table for these properties as shown below. All other conditions of zoning identified in the Ordinance will remain unchanged.

TRA CT	TCAD PROP ID#	COA ADDRESS POINT	FROM	TO
11	223166	4701-1/2 Burnet Road	CS-MU-CO-NP	CS-MU-V-CO-NP
	223167	4701 Burnet Road	CS-MU-CO-NP	CS-MU-V-CO-NP
	223169	4703 Burnet Road	CS-1-MU-CO-NP	CS-1-MU-V-CO-NP