

**ORDINANCE NO. 20140828-159**

**AN ORDINANCE AMENDING ORDINANCE NO. 20090312-035 FOR THE NORTH BURNET/GATEWAY ZONING DISTRICT TO MODIFY THE REGULATING PLAN, REZONING AND CHANGING THE ZONING MAP FROM NORTH BURNET/GATEWAY-NEIGHBORHOOD PLAN (NBG-NP) COMBINING DISTRICT (TRANSIT ORIENTED DEVELOPMENT SUBDISTRICT) TO NORTH BURNET/GATEWAY-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (NBG-CO-NP) COMBINING DISTRICT (COMMERCIAL MIXED USE SUBDISTRICT) FOR THE PROPERTY LOCATED AT 2800 ESPERANZA CROSSING.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The North Burnet/Gateway zoning district is comprised of approximately 1,443 acres of land, locally known as the area generally bounded by Metric Boulevard on the east, U.S. Highway 183 on the south and west, and Braker Lane, North Mopac Expressway, and Walnut Creek on the north and northwest, in the City of Austin, Travis County, Texas.

**PART 2.** North Burnet/Gateway zoning district was approved on March 12, 2009, under Ordinance No. 20090312-035 and amended under Ordinance No. 20111208-098.

**PART 3.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from north burnet/gateway-neighborhood plan (NBG-NP) combining district (transit oriented development subdistrict) to north burnet/gateway-conditional overlay-neighborhood plan (NBG-CO-NP) combining district (commercial mixed use subdistrict) on the property described in Zoning Case No. C14-2014-0058, on file at the Planning and Development Review Department, as follows:

Lot 3, Block A, Resubdivision of Lot 1A, Block "A" Amended Plat of Lots 1 and 2, Block "A" IBM Subdivision East Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Document No. 201200036 of the Official Public Records of Travis County, Texas (the "Property"),

locally known as 2800 Esperanza Crossing, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

**PART 4.** The North Burnet/Gateway Zoning District Regulating Plan identified and defined subdistricts within the plan area and established boundaries for each subdistrict. The Property currently is within the transit oriented development ("TOD") subdistrict and lies adjacent to the commercial mixed use ("CMU") subdistrict to its east as shown on Exhibit "B". The boundaries of the commercial mixed use subdistrict shall be expanded to include the entire Property as shown on Exhibit "C".

**PART 5.** The North Burnet/Gateway Zoning District Subdistrict Map (the "Map") and other applicable references affecting the Property that are provided in the Regulating Plan are revised to show the changes in the boundaries of the subdistricts for the Property. A revised Map shall be substituted where appropriate in the Regulating Plan documents.

**PART 6.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
- B. Vehicular access from the Property to Burnet Road is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

**PART 7.** Except as set forth in Part 5 and Part 6 of this ordinance, the Property is subject to Ordinance No. 20090312-035, and its terms and conditions remain in effect.

**PART 8.** This ordinance takes effect on September 8, 2014.

**PASSED AND APPROVED**

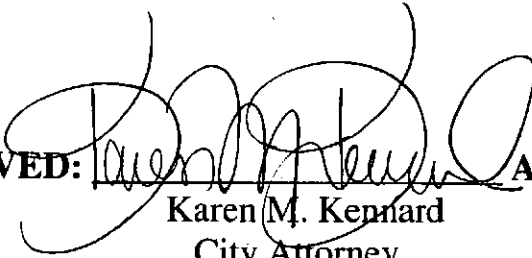
August 28, 2014

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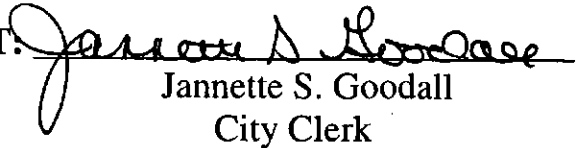
Dee Leffingwell  
Mayor

**APPROVED:**

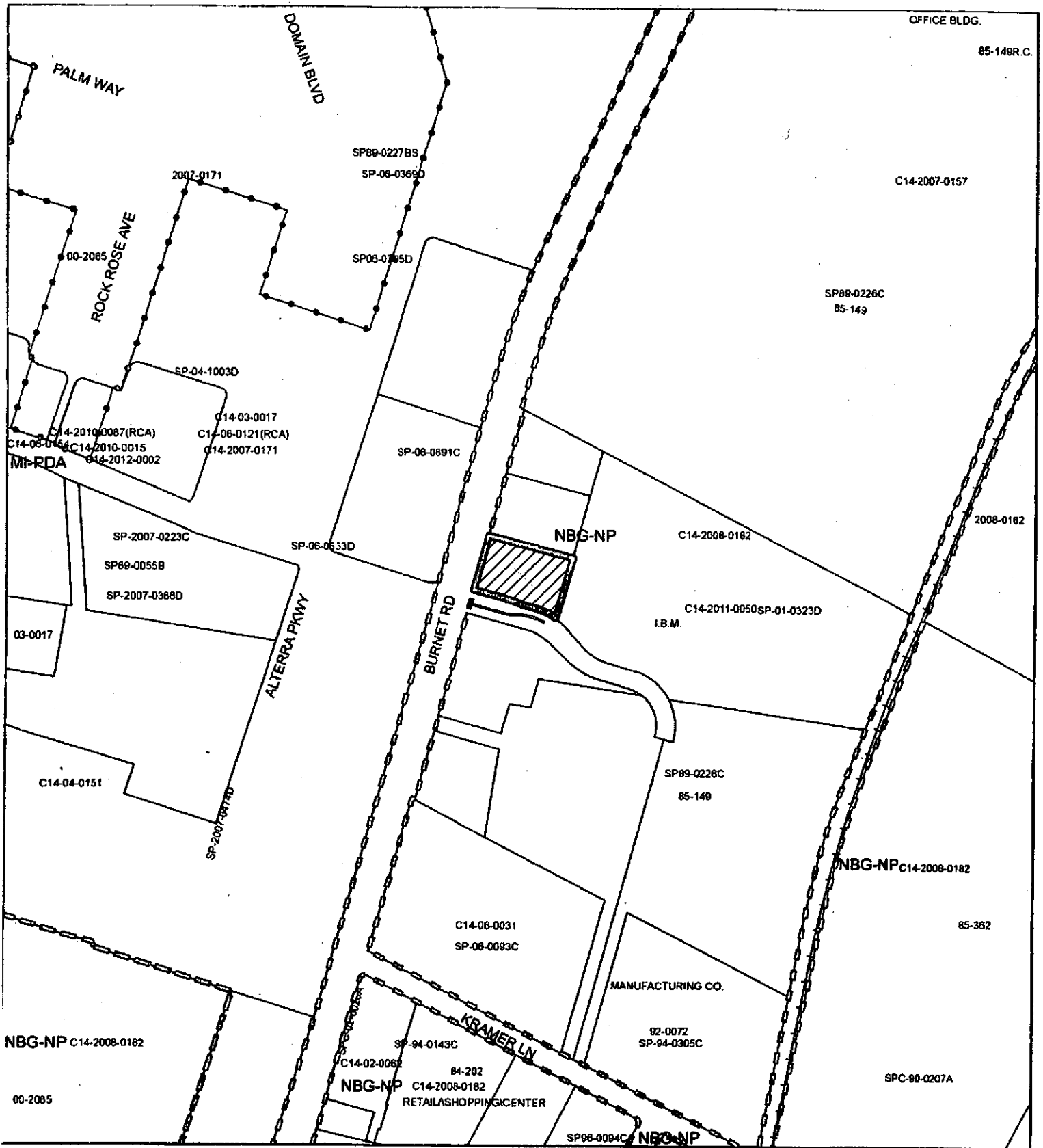


Karen M. Kennard  
City Attorney

**ATTEST:**



Jannette S. Goodall  
City Clerk






## ZONING

ZONING CASE#: C14-2014-0058

Exhibit A



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

This product is for informational purposes and may not have engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM 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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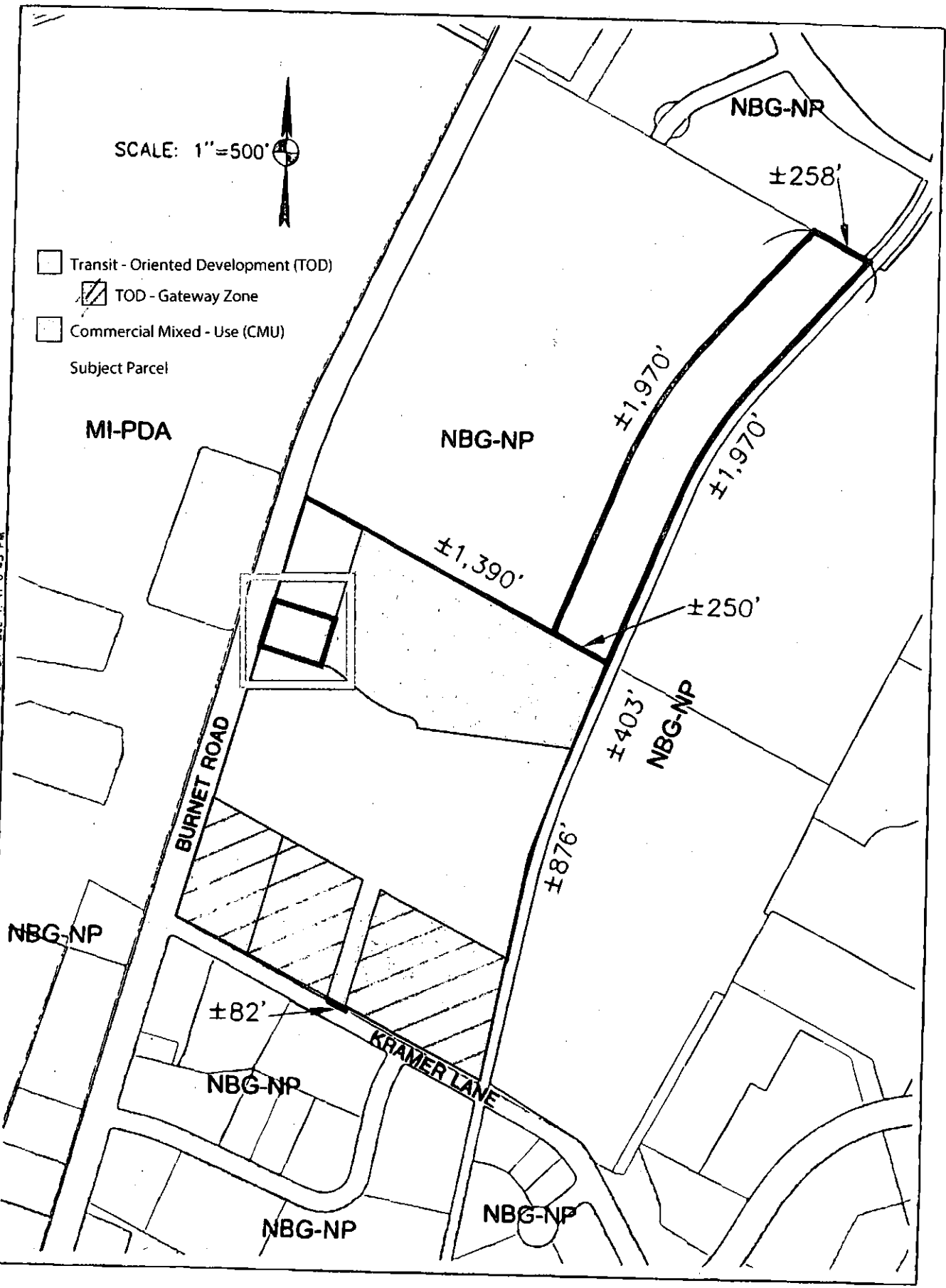


Exhibit B

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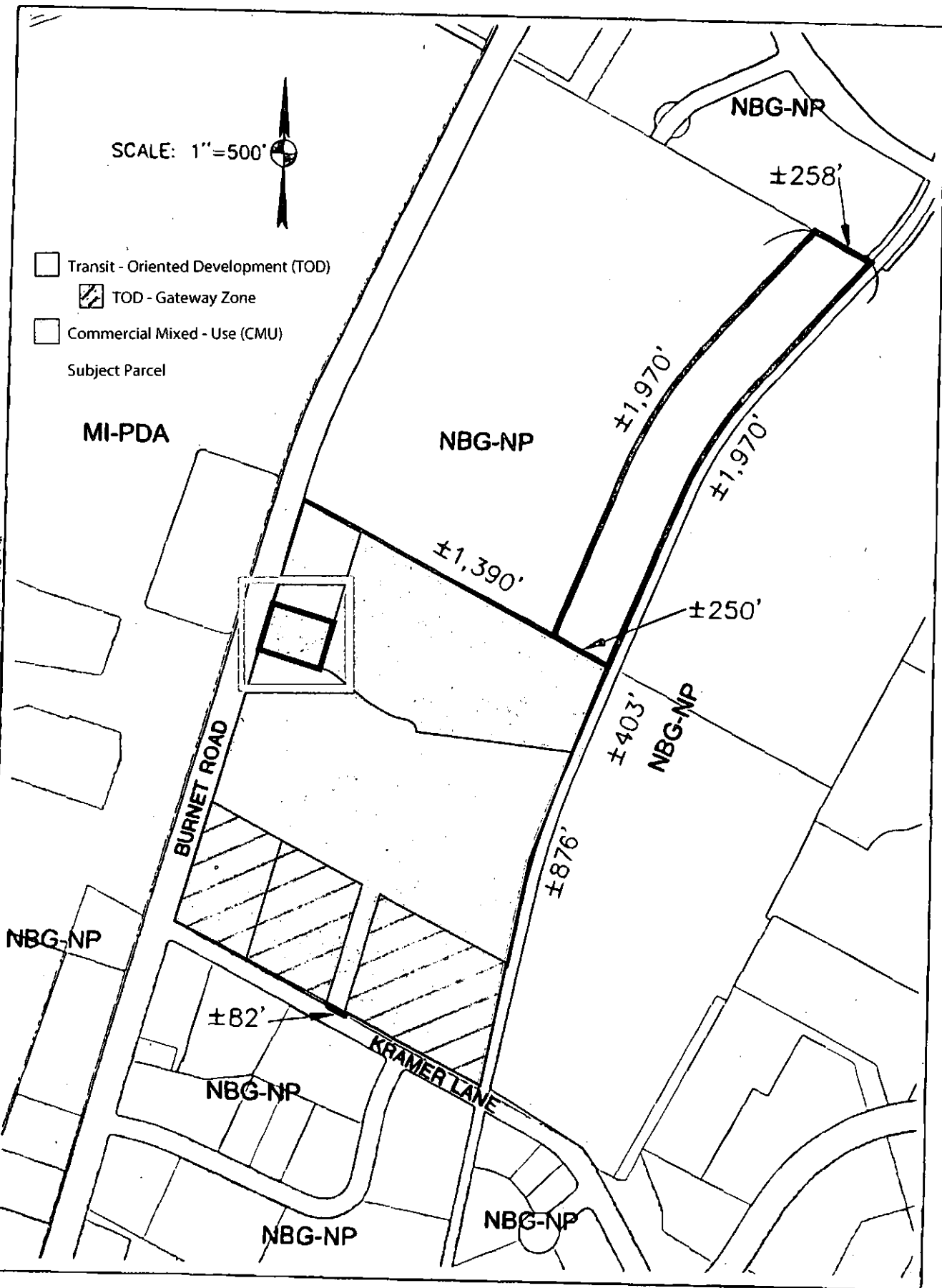


Exhibit C