

ZONING CHANGE REVIEW SHEET

CASE: C14-2024-0129 (Burnet and Rutland) DISTRICT: 7

ADDRESS: 9901 and 10025 Burnet Road and 2416, 2500, 2500 1/2, 2502, 2510 and 2522 1/2 Rutland Drive

ZONING FROM: NBG-CMU-NP, NBG-WMU-NP TO: NBG-CMU(Gateway Zone)-NP

SITE AREA: 5.80 acres

PROPERTY OWNER: Marquardt Family LP, Burnet Road Properties LLC, Get Investments LLC et al, Sanford Gottesman & Thomas D Simmons, Jr., Crow-Gottzman-Shafer #2

AGENT: Drenner Group, PC (Amanda Swor)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends NBG-CMU(Gateway)-NP, North Burnet/Gateway-Commercial Mixed Use-Gateway Zone-Neighborhood Plan, district zoning.

PLANNING COMMISSION ACTION / RECOMMENDATION:

October 22, 2024: Approved staff's recommendation NBG-CMU(Gateway)-NP zoning on consent (13-0); A. Woods-1st, F. Maxwell-2nd.

November 12, 2024:

CITY COUNCIL ACTION:

November 21, 2024

ORDINANCE NUMBER:

ISSUES:

Due to a posting error on the October 22, 2024 Planning Commission agenda, this case will need to be reconsidered at the November 12, 2024 Planning Commission meeting.

CASE MANAGER COMMENTS:

The property in question consists of 5.80 acres that make up of six lots developed with restaurant (Turnstile Coffee Beer Cocktails and Burgers), commercial warehouse (The Steam Team), retail and office (formerly High-Tech Flooring & Design), billboard, and office/warehouse (Capital Scientific, Inc. Lab Supplies) uses and a surface parking lot located at the northeast intersection of Burnet Road and Rutland Drive. The lots to the north are developed with office/warehouse uses (McKalla Business Park) zoned NBG-CMU-NP. To the south, across Rutland Drive, there is a restaurant, a retail center and a multi-tenant office/warehouse use (Rutland 9 Office Center) zoned NBG-CMU-NP. The lot to the east is multi-tenant office building (Epoch Building) zoned NBG-CMU(Gateway)-NP. Across Burnet Road to the west, there is a research and development use (University of Texas JJ Pickle Research Campus) zoned P.

The applicant is requesting to rezone the property from NBG-NP (CMU Subdistrict) to NBG-NP (CMU-Gateway Zone Subdistrict) to allow for the development of a residential project with associated ground floor uses (*please see Applicant's Request Letter-Exhibit C*). The CMU subdistrict allows an FAR of 3:1 and a maximum building height of up to 180 feet, with development bonuses. However, the CMU-Gateway Zone subdistrict allows for an FAR of 8:1 and a maximum building height of up of 308 feet, with development bonuses (*please see North Burnet Gateway - CMU subdistrict General Site Development Standards-Exhibit D*). Therefore, the proposed CMU-Gateway Zone subdistrict will allow for higher height and density development on this property adjacent to the Austin FC Soccer Stadium to the east.

The staff is recommending the applicant's request of North Burnet Gateway-Neighborhood Plan (CMU-Gateway Zone Subdistrict) zoning because the proposed zoning is compatible and consistent with the surrounding zoning and uses in this area. The gateway zones in the North Burnet Gateway Regulating Plan are in areas within close proximity to a transit. Gateway zones are connected to the designated Transit Corridors and allow for greater height and density due to the location to a rail station. The site under consideration fronts onto/takes access to Burnet Road, which is classified as a NBG Core Transit Corridor. These parcels of land are in close proximity to the new McKalla Rail Station, which is located to the north east along the redline adjacent to Q2 Stadium. The station opened on February 24, 2024 to coincide with the kick-off of the fourth season for Austin FC.

This site under consideration is located near major employment, commercial and residential developments such as The Domain, J.J. Pickle Research Campus, IBM-Broadmoor Campus, Charles Schwab complex, etc. and Q2 stadium.

The applicant agrees with the staff's recommendation.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

North Burnet/Gateway district is the designation for an identified area of existing low density, auto oriented commercial, warehouse, and industrial uses that is the subject of an approved master plan for redevelopment of the area into a higher density urban mixed-use neighborhood that is more pedestrian friendly and takes advantage of the links to commuter rail transit and the area's key position in the urban core.

Commercial Mixed Use subdistrict is a high density mixed use sub district in the NBG Zoning District. It allows for development such as high density residential, high rise office, and entertainment complexes, destination retail and large scale civic uses.

Neighborhood Plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. *The proposed zoning should promote consistency and orderly planning.*

The staff recommends the NBG-NP (CMU-Gateway Zone) district because the proposed zoning is consistent with the intent of the North Burnet Gateway 2035 Master Plan, which supports the development of a mixture of high-density residential uses, commercial and civic uses to be developed on the property in question. The location of the site is appropriate for the proposed intensity of uses because the property in fronts onto Burnet Road, an arterial roadway and designated NBG Core Transit Corridor. The subject property is located within the boundaries of a "Regional Center" as designated on the Growth Concept Map in the Imagine Austin Comprehensive Plan.

3. *Zoning changes should promote an orderly relationship among land uses.*

NBG-NP (CMU-Gateway Zone) district zoning will be compatible with the surrounding residential, commercial and industrial land uses. There is NBG-CMU-NP zoning to the north and south and NBG-CMU(Gateway Zone)-NP zoning to the east of this site at the northwest corner of Rutland Drive and McKalla Place.

This location is appropriate for NBG-NP (CMU-Gateway Zone) district zoning because the site is at the northeast intersection of two major arterial roadways, Burnet Road and Rutland Drive, that are designated as NBG Core Transit Corridors.

4. *The proposed zoning should allow for a reasonable use of the property.*

The proposed CMU-Gateway Zone subdistrict will allow for high-density residential uses, which will provide desirable housing opportunities for the people that work in the surrounding office, commercial and industrial areas. This site is located near major employment, commercial and residential developments such as The Domain, J.J. Pickle

Research Campus, IBM-Broadmoor Campus, Charles Schwab complex, etc. and a large outdoor entertainment use (Q2 Stadium) and is within the vicinity of the new McKalla Rail Station, which is located to the northeast along the redline adjacent to Q2 Stadium. There are Capital Metro bus routes (383, 3, 803) and a bus stop (4756 for MetroRapid 803) located across from this property on Burnet Road.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	NBG-NP (North Burnet/Gateway-Commercial-Mixed Use Subdistrict-Neighborhood Plan, NBG-NP (North Burnet/Gateway-Warehouse-Mixed Use Subdistrict-Neighborhood Plan)	Restaurant (Turnstile Coffee Beer Cocktails and Burgers), Office/Commercial (The Steam Team), Retail and Office (formerly High-Tech Flooring & Design), Billboard, Office/Warehouse (Capital Scientific, Inc. Lab Supplies), Surface Parking Lot
<i>North</i>	NBG-NP (North Burnet/Gateway-Commercial-Mixed Use Subdistrict-Neighborhood Plan)	Office/Warehouse (McKalla Business Park: K1 Speed Indoor Kart Racing, Lander Premier Flooring, Healthline, Sesa Pure, etc.)
<i>South</i>	NBG-NP (North Burnet/Gateway-Commercial-Mixed Use Subdistrict-Neighborhood Plan, NBG-NP (North Burnet/Gateway-Warehouse-Mixed Use Subdistrict-Neighborhood Plan)	Restaurant (Jack in the Box), Retail Center (Aqua Tek Tropical Fish, Zola Hookah Lounge, Pho Hong Vietnamese Noodle Restaurant, Labor Finders, Andiamo Ristorante, Florist, Tattoo Shop, Barber Shop, THC Restart CBD, Progressive Insurance, Thundercloud Subs) and a Multi-tenant Office/Warehouse (Rutland 9 Office Center: Spectrum Communications, Magestro Integrations, etc.)
<i>East</i>	NBG-NP (North Burnet/Gateway-Commercial Mixed Use (Gateway Zone Subdistrict-Neighborhood Plan)	Multi-tenant Office Building (Epoch Building: Blue Cats, Sigma Sense, Insurance 360, former Enviroquip Inc, etc.)
<i>West</i>	P	Research and Development (JJ Pickle Research Campus)

NEIGHBORHOOD PLANNING AREA: North Burnet/Gateway Neighborhood Plan Area

TIA: Not Required

WATERSHED: Little Walnut Creek

SCHOOLS: Austin I.S.D.

Pillow Elementary School
 Burnet Middle School
 Anderson High School

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District,
 Austin Lost and Found Pets,
 Austin Neighborhoods Council,
 Friends of Austin Neighborhoods,
 Homeless Neighborhood Association,
 Neighborhood Empowerment Foundation,
 North Burnet/Gateway Neighborhood Plan Staff Liaison,
 North Growth Corridor Alliance,
 SELTexas,
 Shoal Creek Conservancy,
 Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2023-0150 (Kramer NBG Rezoning: 2111 & 2115 Kramer Lane; 2106 1/2 Donley Drive)	NBG-NMU-NP to NBG-TOD (Gateway Zone)-NP	2/13/24: Approved staff's recommendation of NBG-TOD(Gateway)-NP zoning by consent (12-0); A. Azhar-1st, F. Maxwell.	3/21/24: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20240321-049 for North Burnet/Gateway neighborhood plan (NBG-NP) combining district zoning (transit oriented development-gateway zone subdistrict) was approved on Council Member Qadri's motion, Council Member Ryan Alter's second on an 11-0 vote.
C14-2023-0149 (Donely NBG Rezoning: 2101, 2105, 2111 and 2201 Donley Drive)	NBG-WMU-NP to NBG-TOD (Gateway Zone)-NP	2/13/24: Approved staff's recommendation of NBG-TOD(Gateway)-NP zoning by consent (12-0); A. Azhar-1st, F. Maxwell-2nd.	3/21/24: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20240321-050 for North Burnet/Gateway Neighborhood plan (NBG-NP) combining district zoning (transit-oriented development-gateway zone) was approved on Council Member Qadri's motion, Council Member Ryan Alter's second on an 11-0 vote.

C14-2023-0040 (10317 - 10423 McKalla Place)	NBG-WMU-NP to NBG-TOD (Gateway Zone)-NP	12/12/23: Approved the staff's recommendation of NBG-TOD (Gateway)-NP zoning by consent (12-0, P. Howard-absent); F. Maxwell-1st, A. Azhar-2nd.	1/18/24: Approved staff's rec. of NBG-TOD (Gateway)-NP zoning by consent (11-0); Z. Qadri-1 st , P. Ellis-2 nd .
C14-2023-0045 (2404 Rutland Drive)	NBG-WMU-NP to NBG-CMU (Gateway Zone)- NP	9/12/23: Approved the applicant's request for NBG-CMU(Gateway Zone)-NP zoning (9-1-1, J. Mushtaler-No, G. Cox-abstain)	11/30/2023: Approved NBG-CMU(Gateway Zone)-NP zoning by consent on all 3 readings (10-0, R. Alter-off the dais); N. Harper-Madison-1st, P. Ellis-2nd.
C14-2022-0045 (10321 and 10401 Burnet Road)	NBG-CMU-NP to NBG-CMU (Gateway Zone)-NP	5/10/22: Approved staff's recommendation of NBG-CMU (Gateway Zone)-NP zoning by consent (13-0); A. Azhar-1st, J. Mushtaler-2nd.	6/09/22: Approved NBG-CMU (Gateway Zone)-NP zoning by consent on all 3 readings (11-0); N. Harper-Madison-1st, P. Renteria-2nd.
C14-2021-0101 (Verde Square: 10401 1/2, 10431, 10435, 10505, and 10509 Burnet Road)	NBG-CMU-NP to NBG-CMU (Gateway Zone)-NP	8/24/21: Approved staff's recommendation for NBG-CMU(Gateway)-NP zoning by consent (11-0); C. Hempel-1st, R. Schneider - 2nd.	9/30/21: The public hearing was conducted and a motion to close the public hearing and approve NBG-CMU-Gateway Zone-NP district zoning (was approved on Council Member Renteria's motion, Council Member Ellis' second on an 11-0 vote.
C14-2020-0128 (NBG Austin Energy Substation Rezoning: 2412 Kramer Lane)	NBG-TOD-NP to P	1/26/21: Approved staff's recommendation of P district zoning (12-0, A. Azhar-1 st , P. Seeger-2 nd .	February 4, 2021: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210204-058 for public (P) district zoning was approved on Council Member Pool's motion, Council Member Tovo's second on an 11-0 vote.
C14-2016-0074 (Element Hotel: 10728 Burnet Road)	MI-PDA to MI-PDA	8/09/16: Approved staff's recommendation of MI-PDA zoning on consent (8-0, K. McGraw, S. Oliver, P. Seeger, J. Thompson, T. White-absent); N. Zaragoza-1st, J. Shieh-2nd.	9/22/16: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20160922-071 for MI-PDA zoning, to change a condition of zoning was approved on consent on Council Member Houston's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

C14-2014-0062 (The Kenzie: 3201 Esperanza Crossing)	MI-PDA to MI-PDA	5/27/14: Approved staff's recommendation for MI-PDA zoning by consent (8-0, J. Northey-absent); R. Hattfield-1st, N. Zaragoza-2nd.	6/26/14: Approved MI-PDA zoning, to change a condition of zoning, on consent on all 3 readings (6-0, M. Martinez- off the dais); B. Spelman-1st, S. Cole-2nd.
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RELATED CASES:

C14-2018-0182 (North Burnet/Gateway NP Rezoning)

OTHER STAFF COMMENTS:

Comprehensive Planning

The subject property located at 2510 ½ Rutland Drive is currently developed as retail and warehouse-office on a 5.7-acre site.

The site is approximately 750 feet from the Q2 stadium and seeking the CMU-Gateway zoning district intended to provide high-density mix of uses including high-rise residential, major employers, destination retail, and large-scale civic uses. The site is adjacent to a NBG Core Transit Corridor and two existing NBG Pedestrian Priority Collectors shown in Figure 1-3: *NBG Zoning District Roadway Types Map* and Figure 3-12 *NBG Zoning District Collector Street Plan*.

It appears existing zoning capacity established in the NBG Master and Regulating Plans was not ambitious enough to allow the subject property and others like it to respond to market forces which desire to fulfill the intent of the NBG plan through the creation of transit-supportive, higher-density mix of uses. The zoning request appears to be consistent with the intent of the North Burnet Gateway Master Plan as well as urban planning and design best practices primarily by increasing intensity and density of a mix of land uses in the urban core along a transit route within 2,000 feet of a station for the city's only operational rail line.

NBG Master Plan:

"1. Provide zoning entitlements that allow high density housing developments in the North Burnet/Gateway area (see "Land Use and Zoning" section of this chapter), to increase the supply of housing in Austin and begin to accommodate some of the housing demand that will be generated from expected population growth in the region. 2. Encourage high density housing in close proximity to transit to help reduce vehicle dependency." p94 NBG MP 'Housing'

"1f. Provide for a variety of housing options and affordability, so that people of all income levels can live and work in the area. Encourage housing to be developed in close proximity to potential jobsites as well as public transit so that residents may reduce their dependency on personal vehicles and save on transportation costs." p64 Master Plan Goals

“2a. Create more compact, denser development clustered in activity centers to encourage a greater percentage of travel accomplished by walking, biking, and transit.” p64 Master Plan Goals

NBG Regulating Plan:

“General Intent 1.1.6. To allow for and encourage significant higher density residential uses to accommodate some of the region’s expected population growth;” p13 NBG RP

“Site Development Standards Intent 4.1.3. Provide opportunities for roadside uses that enliven and enrich the roadway and pedestrian environment, such as outdoor dining, porches, patios, and landscape features;” p56 NBG RP

2510 ½ Rutland Drive		
	Current	Request
Zoning	NBG-NP CMU and WMU (Figure 1-2)	CMU-Gateway
Land Use	Restaurant, Vacant, Warehouse	Mixed-Use
Base Maximum Height	60 feet (Figure 4-4)	60 feet
Base Maximum FAR	1:1 (Figure 4-2)	1:1
Development Bonus	Maximum Height: 180 feet (Figure 4-5) Maximum FAR: 3:1 (Figure 4-3)	Maximum Height: 420 feet Maximum FAR: 12:1
Building Setbacks	Interior Side Yard: 0’ Rear Yard: 0’	Interior Side Yard: 0’ Rear Yard: 0’
Maximum Impervious Cover	80% or maximum allowed by LDC 25-8 (Figure 4-6)	80% or maximum allowed by LDC 25-8
Compatibility Standards	N/A (Figure 1-6)	N/A
Active Edge	N/A (Figure 1-2)	N/A
Adjacent Roadway Types	Burnet Road is a NBG Core Transit Corridor, Rutland Drive and McKalla Place are NBG Pedestrian Priority Collector existing streets (Figure 1-3)	Burnet Road is a NBG Core Transit Corridor, Rutland Drive and McKalla Place are NBG Pedestrian Priority Collector existing streets

Future Streets	N/A (Figure 1-3)	N/A
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Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 sq. ft. cumulative is exceeded, and on-site control for the two-year storm.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Fire

No comments.

Parks and Recreation

Parkland dedication will be required at the time of subdivision or site plan application for new residential units, per City Code § 25-1-601, as amended. The proposed development meets the criteria for land dedication in City Code Title 25, Article 14. As such, a partial land dedication will be required, as well as any remaining fees in-lieu. Residential units that are certified affordable and income-restricted are exempt from the parkland dedication requirements per City Code § 25-1-601(D)(4).

The surrounding neighborhood area is currently park deficient, defined as being outside walking distance to existing parks. The development as proposed will require parkland dedication for the new residential units that will serve the North Burnet/Gateway area through the additional park investment. The Parks and Recreation Department (PAR) is

open to discussing potential parkland configurations that would go toward satisfying the requirement at time of permitting (whether subdivision or site plan). Should there be any remaining fees in-lieu, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-609.

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: ann.desanctis@austintexas.gov

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

FYI this tract is in the North Burnet Neighborhood Planning Area.

This tract is already developed, and the proposed zoning change is a footprint within the existing development.

Transportation

ZONING REVIEW COMMENTS

The Austin Strategic Mobility Plan (ASMP) calls for 154 feet of right-of-way for Burnet Rd. It is recommended that 77 feet of right-of-way from the existing centerline should be dedicated for Burnet Rd according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The Austin Strategic Mobility Plan (ASMP) calls for 116 feet of right-of-way for Rutland Dr. It is recommended that 58 feet of right-of-way from the existing centerline should be dedicated for Rutland Dr according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Burnet Rd	Level 4 (TXDOT roadway)	154 feet	Approx 136 feet	Approx 70 feet	Yes	Yes	Yes
Rutland Dr	Level 3	116 feet	Approx 80 feet	Approx 65 feet	Yes	Yes	Yes

Water Utility

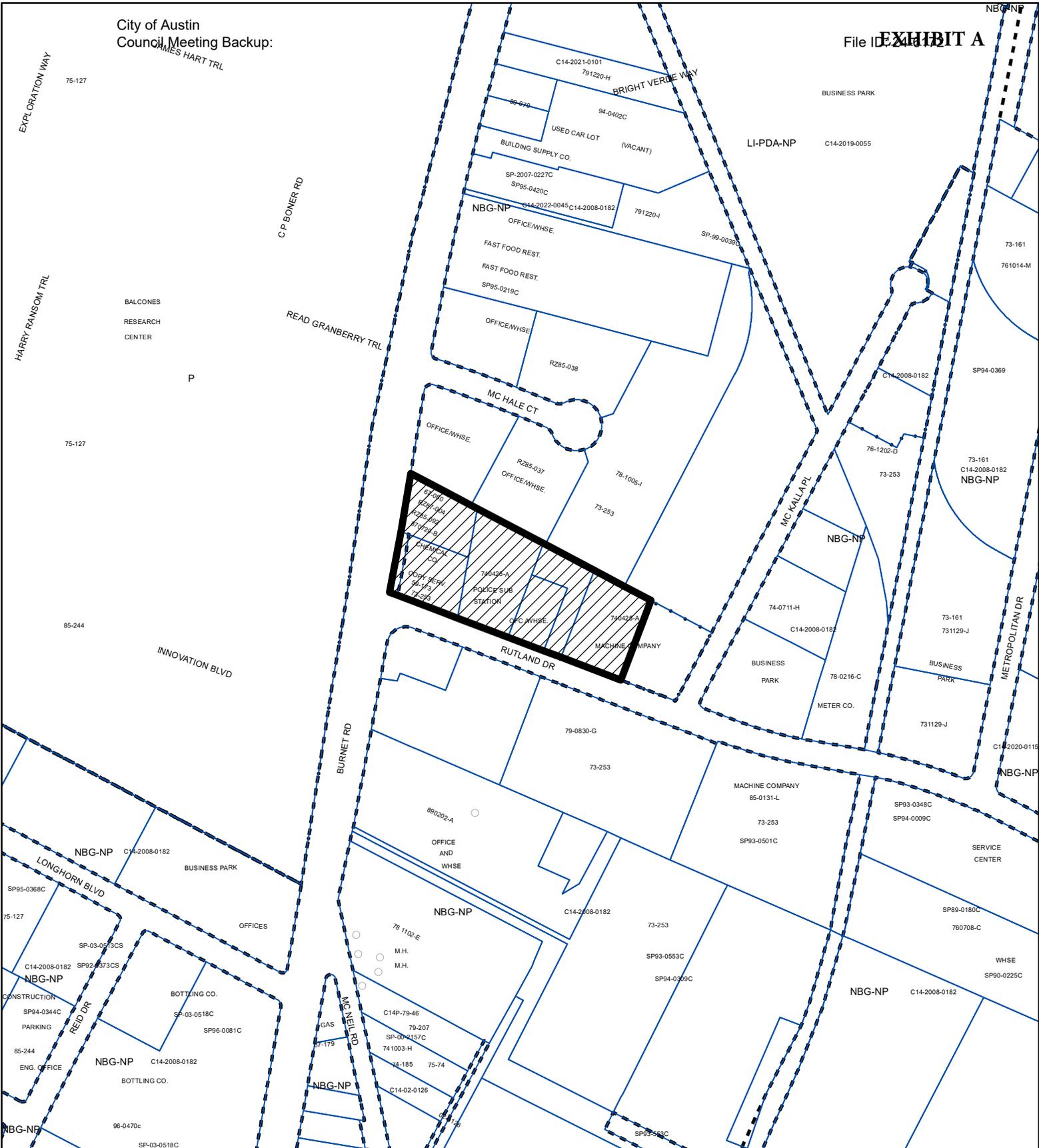
No comments on zoning change.

FYI: The landowner intends to serve the site with existing City of Austin water utilities.

Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Applicant’s Request Letter
- D. North Burnet/Gateway Neighborhood Plan FLUM
- E. North Burnet/Gateway Regulating Plan Subdistrict Map
- F. Figure 4-1 CMU: NBG Zoning District General Site Development Standards



ZONING

ZONING CASE#: C14-2024-0129

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



This product is for informational purposes and may not have been prepared for or be suitable for legal, 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 the Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 400'



Amanda Swor
dial: (512) 807-2904
aswor@drennergroupp.com

August 23, 2024

Ms. Lauren Middleton-Pratt
Planning Department
City of Austin
6310 Wilhelmina Delco Dr.
Austin, TX 78752

Via Electronic Delivery

Re: Burnet and Rutland – Rezoning application for the approximately 5.7992-acre piece of property located at 9901-10025 Burnet Road and 2416-2522 ½ Rutland Drive in the City of Austin, Travis County, Texas (the “Property”).

Dear Ms. Middleton-Pratt:

As representatives of the owner of the Property, we respectfully submit the enclosed rezoning application package. The project is titled Burnet and Rutland and is approximately 5.7992 acres of land, located at 9901 and 10025 Burnet Road, and at 2416, 2500, 2502, 2510 and 2522 ½ Rutland Drive. The Property is in the full purpose jurisdiction of the City of Austin.

The Property is currently zoned NBG-NP, North Burnet/Gateway – Neighborhood Plan, district, and is more specifically located in the Commercial Mixed Use (“CMU”) subdistrict and the Warehouse Mixed Use (“WMU”) subdistrict of the North Burnet Gateway (“NBG”) Regulating Plan. The requested rezoning is from the CMU and WMU subdistricts to the CMU-Gateway, Commercial Mixed Use – Gateway, subdistrict. The Property is currently developed with warehouse and restaurant uses. The purpose of the rezoning is to allow for the development of a residential project with associated ground floor uses. This request is consistent with proposed uses surrounding Q2 Stadium and in the surrounding area. The proposed development will comply with site development and design standards established in the NBG Regulating Plan.

This rezoning also proposes to amend three (3) maps within the NBG Regulating Plan. Firstly, Figure 1-2 (North Burnet / Gateway Zoning District Subdistrict Map) is proposed to be amended to designate the Property as within the CMU Gateway Zone. Secondly, Figure 4-3 (Maximum Floor-to-Area-Ratio with Development Bonus) is proposed to be amended to allow for a 12:1 Maximum Floor-to-Area Ratio on the Property. Lastly, Figure 4-5 (Maximum Height with

Development Bonus) is proposed to be amended to allow for a maximum height of 420 feet with a development bonus on the Property.

The Property is located within the NBG Neighborhood Planning Area. The Neighborhood Plan was adopted November 1, 2007 and designates the Property as High Density Mixed Use in the future land use map. A memorandum from Maureen Meredith dated May 29, 2024 is attached and confirms that a Neighborhood Plan Amendment application is not required with this zoning application.

A southbound Capital Metro Rapid Rutland Station is located at the intersection of Burnet and Rutland Drive, a northbound Capital Metro Rapid Rutland Station is located approximately 0.28-miles south of the Property on Burnet Road, and the Property is located approximately 0.49-miles southwest from the Capital Metro Red Line McKalla Station train stop. The Traffic Impact Analysis ("TIA") is waived per the attached TIA Determination Form dated August 7, 2024, and executed by Ramin Komeili.

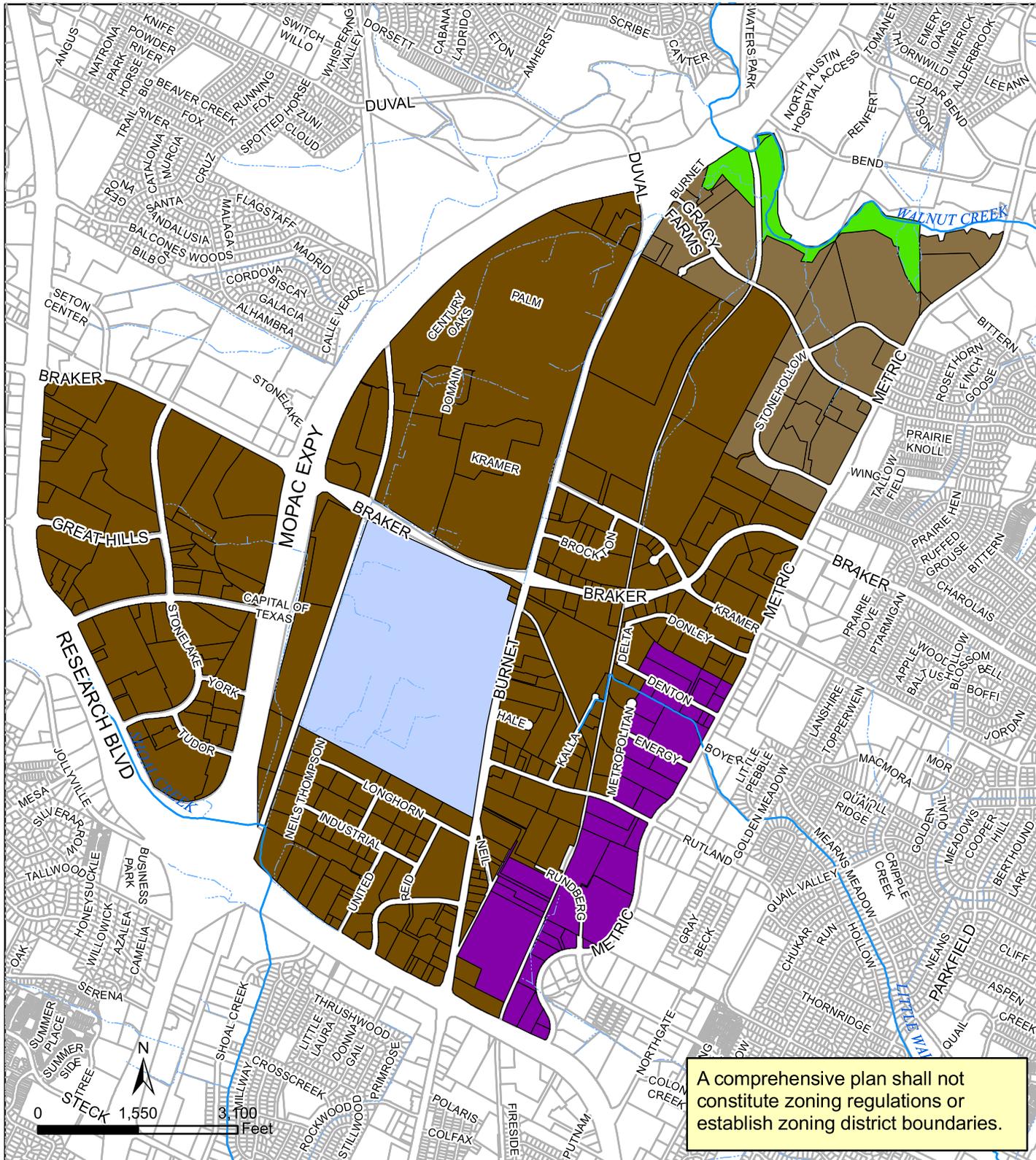
Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very Truly Yours,



Amanda Swor

cc: Joi Harden, Housing and Planning Department (via electronic delivery)



**North Burnet-Gateway
Combined Neighborhood Planning Area
Future Land Use Map (FLUM)**

Future Land Use Categories

- Mixed Use
- High Density Mixed Use
- Industry
- Civic
- Recreation & Open Space

LEGEND

NBG Subdistricts:

 Transit - Oriented Development (TOD / TOD Midway)

 TOD - Gateway Zone

 Commercial Mixed - Use (CMU)

 CMU - Midway Zone

 CMU - Gateway Zone

 Neighborhood Mixed Use (NMU)

 Neighborhood Residential (NR)

 Warehouse Mixed Use (WMU)

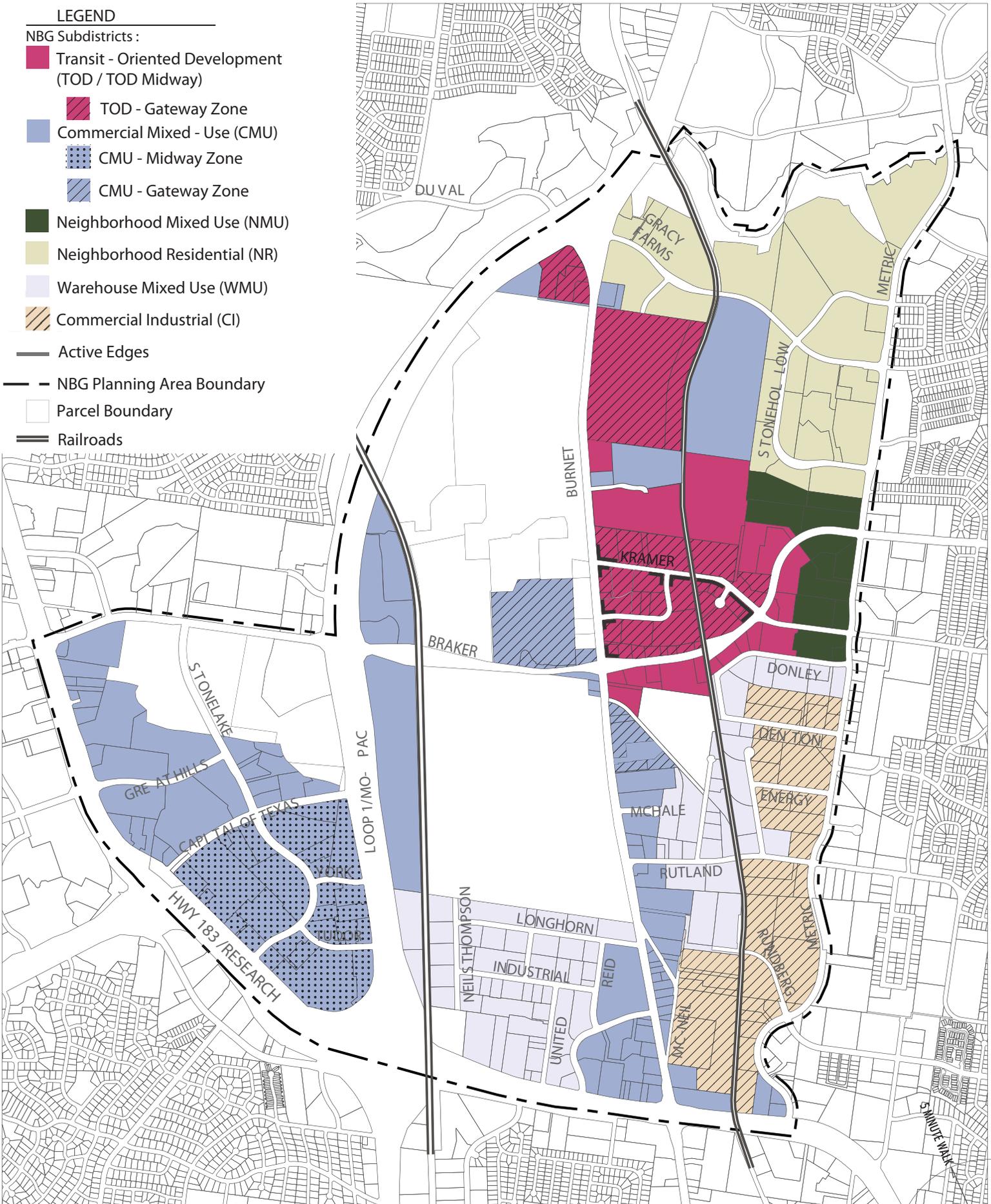
 Commercial Industrial (CI)

 Active Edges

 NBG Planning Area Boundary

 Parcel Boundary

 Railroads



NORTH

1 MILE

City of Austin
 COMMUNITY DEVELOPMENT DEPARTMENT
 FIGURE 4 - CMU ZONING DISTRICT GENERAL SITE DEVELOPMENT STANDARDS
COMMERCIAL MIXED USE (CMU) SUBDISTRICT

Revised 10-25-23

LOT SIZE	
Minimum Lot Size	2,500 SF
Minimum Lot Width	20 Feet

MINIMUM SETBACKS	
Front Yard and Street Side Yard*:	
No ground-level front yard or street side yard setbacks are required. Instead, development must meet the building placement standards in Section 4.3.	
Interior Side Yard:	0 Feet
Rear Yard:	0 Feet
* If the street right-of-way is less than 60 feet in width, the minimum front yard setback for buildings three or more stories in height shall be 30 feet from the center line of the street to ensure fire access.	

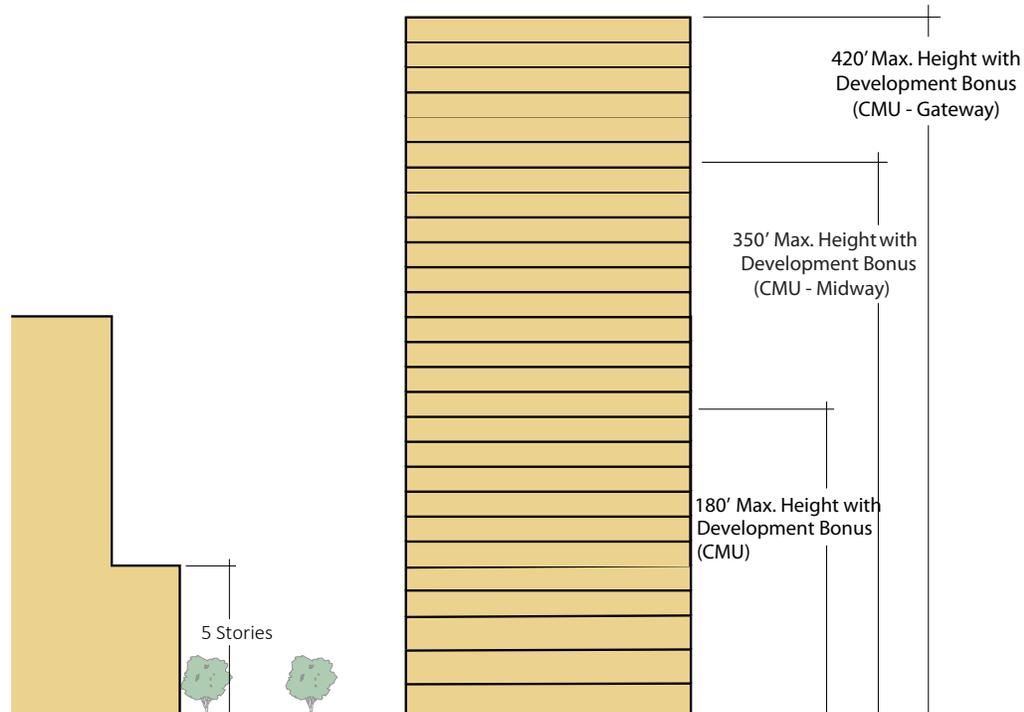
FLOOR TO AREA RATIO	
Maximum Floor-to-Area Ratio (FAR) by Right:	
Established on Figure 4-2 (Based on the maximum FAR allowed by the property's zoning prior to adoption of this Document)	
Maximum Floor-to-Area Ratio (FAR) with Development Bonus:	
CMU Zone	3:1
CMU Midway Zone	10:1
CMU Gateway Zone	12:1
This FAR may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	



BUILDING HEIGHT	
Minimum Building Height:	
Not applicable	
Maximum Building Height by Right:	
Established on Figure 4-4 (Based on the maximum height allowed by the property's zoning prior to adoption of this Document.)	
Maximum Building Height with Development Bonus*:	
CMU Zone	180 Feet
CMU Midway Zone	350 Feet
CMU Gateway Zone	420 Feet
This building height may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	

MAXIMUM IMPERVIOUS COVER	
If located in an urban watershed (Shoal or Little Walnut Creek) :	
Established on Figure 4-6 (Based on the maximum impervious cover allowed by the property's zoning prior to adoption of this Document.)	
If located in a suburban watershed (Walnut Creek)*:	80%
* This requirement supersedes impervious cover requirements of Section 25-8-394(C) of the LDC.	

Typical examples of buildings in the Commercial Mixed Use Subdistrict.



PLATTING REQUIREMENTS	
If located in the CMU Gateway Zone:	
Section 24-4-171 (<i>Access to Lots</i>) of the City Code is modified to permit a lot to abut a dedicated public street or a Major Internal Drive.	