

ORDINANCE NO. 20070111-067

AN ORDINANCE AMENDING ORDINANCE NO. 20061116-057 AND REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO TRACTS 41, 43, AND 44 LOCATED IN THE RIVERSIDE NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON THE TRACTS.

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

PART 1. Ordinance No. 20061116-057 is amended to include the property identified in this Part in the Riverside neighborhood plan combining district. The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood plan (NP) combining district to the base zoning districts and to change the base zoning district on three tracts of land described in File C14-05-0112, as follows:

Tract 41	2017 East Riverside Drive;
Tract 43	2003, 2005, 2007, 2009, 2011, 2013, 2015, and 2017 East Riverside Drive; 1407 ½ Royal Crest Drive; and
Tract 44	2003 East Riverside Drive;

the "Property" as shown on Exhibit "A" (*the Tract Map*),

generally known as the Riverside neighborhood plan combining district, locally known as the area bounded by bounded by Town Lake on the north, Pleasant Valley Road on the east, Oltorf Street on the south, and IH-35 on the west, in the City of Austin, Travis County, Texas, and identified in the map attached as Exhibit "B" (*the Zoning Map*); Exhibits "A" through "D" incorporated into this ordinance.

Except as provided in this ordinance, the existing base zoning districts and conditions remain in effect.

PART 2. The base zoning districts for the three tracts of land are changed from community commercial (GR) district, general commercial services (CS) district, and commercial-liquor sales (CS-1) district to commercial liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district and general commercial

services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, as more particularly described and identified in the chart below:

TRACT NUMBER	ADDRESS	FROM	TO
41	2017 E. Riverside Drive (a 12,695 square foot tract of land, being comprised of three tracts of land, one containing 4,305 square feet, another containing 2,648 square feet, and the last containing 5,742 square feet, out of Lot 11D of the Second Resubdivision, of Colorado Hills Estates Section Five as further described in Exhibit "C")	CS-1	CS-1-MU-CO-NP
43	2003, 2005, 2007, 2009, 2011, 2013, 2015, 2017 E. Riverside Drive; 1407 1/2 Royal Crest Drive, (excluding portions identified in Tracts 41 and 44)	GR, CS	CS-MU-CO-NP
44	2003 E. Riverside Drive (5,983 square foot tract of land out of Santiago Del Valle Grant, same being also a part of Lot 11C of the First Resubdivision of Colorado Hills Estates, as further described in Exhibit "D")	CS-1	CS-1-MU-CO-NP

PART 3. Except as specifically provided in Parts 4, 5, and 6 of this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 4. The following applies to an existing legal lot with single-family residential use or secondary apartment special use within the boundaries of the NP combining district:

1. The minimum lot area is 2,500 square feet.
2. The minimum lot width is 25 feet.
3. For a lot with an area of 4,000 square feet or less, the impervious coverage may not exceed 65 percent.

PART 5. The following applies to a single-family residential use, a duplex residential use, or a two-family residential use within the boundaries of the NP:

1. Impervious cover and parking placement restrictions apply as set forth in Section 25-2-1603 of the Code.
2. Garage placement restrictions apply as set forth in Section 25-2-1604 of the Code.

3. Front or side yard parking restrictions apply as set forth in Section 25-2-1406 and Section 12-5-29 of the Code.

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

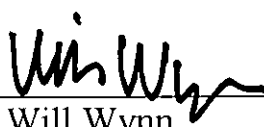
1. Except as provided in this subsection, community commercial (GR) site development standards apply to the combined Tracts 41, 43, and 44.
2. The maximum floor to area ratio is 1.8 to 1.0.
3. A minimum of ten percent of open space is required.
4. A minimum of ten percent of gross floor area shall be for a commercial use.
5. A minimum of 25 percent of gross floor area shall be for a residential use. A minimum of 30 percent of this 25 percent gross floor area shall be for a townhouse or condominium use.

PART 7. This ordinance takes effect on January 22, 2007.

PASSED AND APPROVED


_____, January 11, 2007

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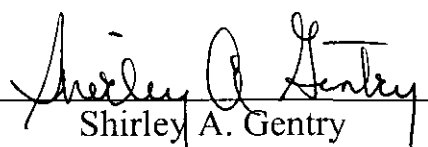
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

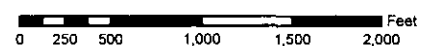


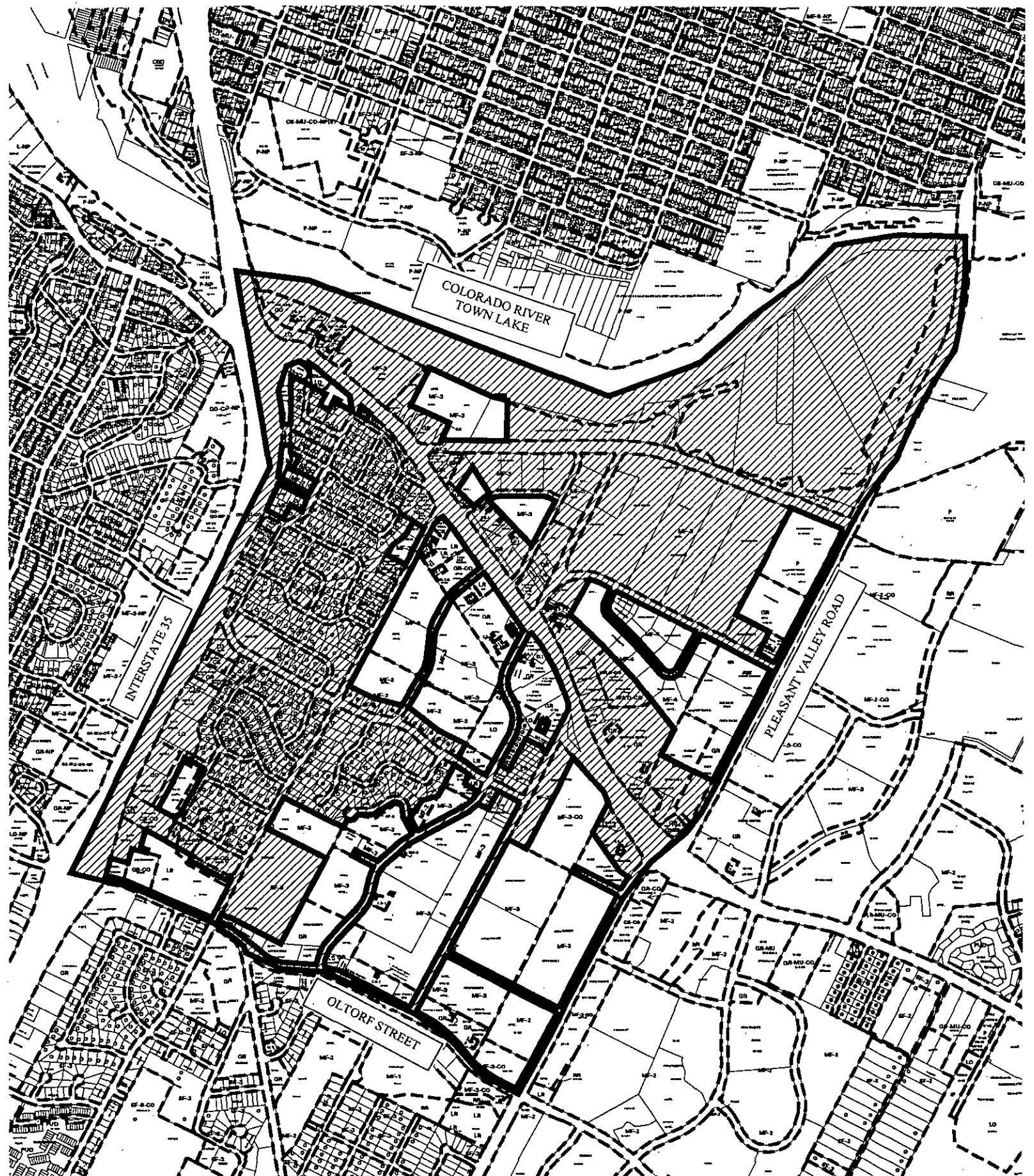
**Riverside Neighborhood Plan Combining District
Tract Map for Rezoning--January 11, 2007
Zoning Case #C-14-05-0112 (PART)
Exhibit A**



City of Austin
Neighborhood Planning and Zoning Department
Updated November 28, 2006

Tracts for Rezoning







 1" = 1200'	SUBJECT TRACT 	ZONING EXHIBIT B		CITY GRID REFERENCE NUMBER J19-20 K19-2 0
	PENDING CASE			
	ZONING BOUNDARY -----	CASE #: C14-05-0112	DATE: 06-12	
	CASE MGR: R. HEIL	ADDRESS: EAST RIVERSIDE	INTLS: SM	
	NEIGHBORHOOD PLAN COMBINING DISTRICT SUBJECT AREA (acres): N/A			

EXHIBIT C

TRACT 41 (PART 1 OF 3)

A 4,305 square foot tract of land, being all of that certain parcel or tract of land being a portion of Lot 11-D of the Second Resubdivision of Colorado Hills Estates, Section 5, a subdivision in the City of Austin, as recorded in Plat Book 56, at Page 72, of the Plat Records of Travis County, Texas, as conveyed to Pioneer Trust and Savings by deed recorded in Volume 5481, at Page 1610, of the Deed Records of Travis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING for reference at an iron pin found in the northwest right-of-way line of Burton Drive at the most southerly southeast corner of the above described Lot 11-D, said pin also being the southwest corner of Lot 11-E of the above described Second Resubdivision of Colorado Hills Estates, Section 5;

THENCE, with the common line between said Lots 11-D and 11-E, N 32° 13' W for a distance of 136.78 feet to an iron pin set in the south edge of a retaining wall;

THENCE, S 57° 59' W for a distance of 83.2 feet to a point;

THENCE, S 32° 13' E for a distance of 4.95 feet to a point for the northeast corner and Place of Beginning hereof;

THENCE, S 32° 13' E for a distance of 48.0 feet to a point for an inside corner hereof;

THENCE, N 57° 47' E for a distance of 9.9 feet to a point for an ell corner hereof;

THENCE, S 32° 13' E for a distance of 52.4 feet to a point for the southeast corner hereof;

THENCE, S 57° 47' W for a distance of 52.2 feet to a point for the southwest corner hereof;

THENCE, N 32° 13' W for a distance of 52.4 feet to a point for an ell corner hereof;

THENCE, N 57° 47' E for a distance of 9.6 feet to a point for an inside corner hereof;

THENCE, N 32° 13' W for a distance of 48.0 feet to a point for the northwest corner hereof;

THENCE, N 57° 47' E for a distance of 32.7 feet to the PLACE OF BEGINNING,

locally known as 2017 East-Riverside Drive, in the City of Austin, Travis County, Texas.

TRACT 41. (PART 2 OF 3)

2,648 square feet of land out of Lot 11-D, Second Resubdivision of Colorado Hills Estates Section Five, a subdivision in the City of Austin, Travis County, Texas, of record in Plat Book 56, Page 72 of the Plat Records of Travis County, Texas, said 2,648 square foot tract being more fully described by metes and bounds as follows:

BEGINNING at a point in said Lot 11-D, at the northwest corner of an existing building for the most westerly southwest corner of the tract herein described, and from which point the southeast corner of said Lot 11-D bears the following two (2) courses;

1. S 57° 37' W 132.25 feet;
2. S 32° 13' E 291.34 feet;

THENCE, N 57° 37' E 23.6 feet to a point for the northwest corner of the tract herein described;

THENCE, S 32° 23' E 48.1 feet to a point for the most northerly northeast corner of the tract herein described;

THENCE, S 57° 37' W 8.0 feet to a building corner for an interior corner of the tract herein described;

THENCE, S 32° 23' E 52.3 feet to a building corner for the most easterly northeast corner of the tract herein described;

THENCE, S 46° 48' W 16.0 feet to a building corner for a corner of the tract herein described;

THENCE, S 57° 37' W 8.0 feet to an interior corner of a building for the southeast corner of the tract herein described;

THENCE, N 32° 23' W 83.2 feet to an interior corner of a building for the most southerly southwest corner of the tract herein described;

THENCE, N 57° 37' E 8.1 feet to a building corner for an interior corner of the tract herein described;

THENCE, N 32° 23' W 20.2 feet to the PLACE OF BEGINNING, containing 2,648 square feet of land

locally known as 2017 E. Riverside Drive in the City of Austin, Travis County, Texas.

A 5,742 square foot tract of land, being all of that certain parcel or tract of land being a portion of Lot 11-D of the Second Resubdivision of Colorado Hills Estates, Section 5; a subdivision in the City of Austin, as recorded in Plat Book 56, at Page 72, of the Plat Records of Travis County, Texas, as conveyed to Pioneer Trust and Savings by deed recorded in Volume 5481, at Page 1610, of the Deed Records of Travis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING for reference at an iron pin found in the northwest right-of-way line of Burton Drive at the most southerly southeast corner of the above described Lot 11-D, said pin also being the southwest corner of Lot 11-E of the above described Second Resubdivision of Colorado Hills Estates, Section 5;

THENCE, with the common line between said Lots 11-D and 11-E, N 32° 13' W for a distance of 136.78 feet to an iron pin set in the south edge of a retaining wall;

THENCE, S 57° 59' W for a distance of 143.8 feet to a point;

THENCE, S 32° 13' E for a distance of 4.8 feet to a point for the northeast corner and Place of Beginning hereof;

THENCE, S 32° 13' E for a distance of 20.3 feet to a point for an ell corner hereof;

THENCE, S 57° 47' W for a distance of 8.2 feet to a point for an inside corner hereof;

THENCE, S 32° 13' E for a distance of 83.2 feet to a point for an inside corner hereof;

THENCE, N 57° 47' E for a distance of 8.2 feet to a point for an ell corner hereof;

THENCE, S 32° 13' E for a distance of 19.9 feet to a point for the southeast corner hereof;

THENCE, S 57° 47' W for a distance of 57.4 feet to a point for the southwest corner hereof;

THENCE, N 32° 13' W for a distance of 20.3 feet to a point for an ell corner hereof;

THENCE, N 57° 47' E for a distance of 8.2 feet to a point for an inside corner hereof;

THENCE, N 32° 13' W for a distance of 83.2 feet to a point for an inside corner hereof;

THENCE, S 57° 47' W for a distance of 8.2 feet to a point for an ell corner hereof;

THENCE, N 32° 13' W for a distance of 20.3 feet to a point for the northwest corner hereof;

THENCE, N 57° 47' E for a distance of 57.4 feet to the PLACE OF BEGINNING,

locally known as 2017 E. Riverside Drive, in the City of Austin, Travis County, Texas.

TRACT 44

EXHIBIT D

A 5,983 square foot tract of land out of the Santiago Del Valle Grant, same being also a part of Lot 11C of the First Resubdivision of Colorado Hills Estates, Section 5, as recorded in Book 50, at Page 3, of the Plat Records of Travis County, Texas; and being more particularly described by metes and bounds as follows:

BEGINNING for reference at a point in the northeasterly right-of-way line of Royal Crest Drive based on a width of 60 feet, same being also the most westerly corner of Lot 11C, First Resubdivision of Colorado Hills Estates, Section 5, same being also the most northerly corner of Amended Plat of Colorado Hills Estates, Section 5, as recorded in Book 49, at Page 43, of the Plat Records of Travis County, Texas;

THENCE, S 32° 13' E 62 feet to a point;

THENCE, N 57° 47' E 115 feet to a point for the northwesterly corner of the tract herein described, and the Place of Beginning;

THENCE, N 57° 47' E 88.67 feet;

THENCE, S 32° 13' E 73.67 feet;

THENCE, S 57° 47' W 20.00 feet;

THENCE, N 32° 13' W 8.00 feet;

THENCE, S 57° 47' W 68.67 feet;

THENCE, N 32° 13' W 65.67 feet to the PLACE OF BEGINNING,

all of said property being locally known as 2003 East Riverside Drive, and also bounded by Burton Drive and Royal Crest Drive, in the City of Austin, Travis County, Texas.