

ORDINANCE NO. 20070201-050

AN ORDINANCE AMENDING ORDINANCE NO. 20061116-057 AND REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO 9 TRACTS OF LAND COMPRISED OF APPROXIMATELY 18.14 ACRES 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. 20061116-056 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 nine tracts of land described in File C14-05-0112 (Part), as follows:

Tract 37	2109-2237 East Riverside Drive, 1700-1702 Willow Creek Drive;
Tract 39	1701, 1703, 1705, 1707, 1709, 1711, 1713 Burton Drive;
Tract 43A	2001 East Riverside Drive;
Tract 43B	2019, 2021, 2023 East Riverside Drive;
Tract 45A	1805-1909 East Riverside Drive;
Tract 46	1605 East Riverside Drive;
Tract 47	1005, 1007 Summit Street;
Tract 49	1301 South IH-35 Service Road Northbound (Lot 3-A and Lot 12, Bellvue Park);
Tract 50	1301 South IH-35 Service Road Northbound (0.2 acres out of Lot 3-A and Lot 12, Bellvue Park);

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 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 "C" incorporated into this ordinance.

PART 2. The base zoning districts for the nine tracts of land are changed from family residence (SF-3) district, limited office (LO) district, neighborhood commercial (LR) district, community commercial (GR) district, community commercial-conditional overlay (GR-CO) combining district, general commercial services (CS) district, and commercial-liquor sales (CS-1) district to limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district, community commercial-neighborhood plan (GR-NP) combining district, general commercial services-neighborhood plan (CS-NP) combining district, and commercial-liquor sales-neighborhood plan (CS-1-NP) combining district, as more particularly described and identified in the chart below:

TRACT NUMBER	ADDRESS	FROM	TO
37	2109-2237 E. Riverside Drive (Burton Terrace Sec 1-A Amended, lots 4 and 5, and Riverside Drive Plaza Joint Venture, lots 8-9 except for 10,012 square foot tract of land out of Lot 9 Riverside Dr. JV); 1700-1702 Willow Creek Drive (Riverside Drive Plaza Joint Venture lots 10-11)	LO, GR, CS, CS-1	GR-NP
39	1701, 1703, 1705, 1707, 1709, 1711, 1713 Burton Drive	LO	LO-MU-CO-NP
43A	2001 E. Riverside Drive	LR	CS-NP
43B	2019, 2021, 2023 E. Riverside Drive	GR	GR-NP
45A	1805-1909 E. Riverside Drive (a 7,627 square foot tract of land out of the Santiago Del Valle Grant, a portion of Tract B, River Hills Addition as further described in Exhibit "C")	CS-1	CS-1-NP
46	1605 E Riverside Drive	CS	GR-NP
47	1005 (Lot 3 Less N24ft Av Thomas & Burch Subdivision), 1007 Summit St.	SF-3	LO-MU-CO-NP
49	1301 S. I-35 Svc Road NB (Lot 3-A, Resub of Lot 3 Parkinson Lela Subdivision and Lot 12 Block 10 Bellvue Park save and except the portion described in Tract 50)	LR	LR-MU-CO-NP
50	1301 S. I-35 Svc Road NB (A 0.2 acre tract, more or less, out of Lot 3-A, Resub of Lot 3 Parkinson Lela Subdivision and Lot 12 Block 10 Bellvue Park, comprised of the E 50 feet west of and parallel to the western property line of Lot 11, Block 10, Bellvue Park Subdivision)	SF-3	LO-CO-NP

PART 3. Except as specifically provided in Parts 4 through 8 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:

- A. The minimum lot area is 2,500 square feet.
- B. The minimum lot width is 25 feet.
- C. 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:

- A. Impervious cover and parking placement restrictions apply as set forth in Section 25-2-1603 of the Code.
- B. Garage placement restrictions apply as set forth in Section 25-2-1604 of the Code.
- C. 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 following tracts may be developed as a neighborhood mixed use building special use as set forth in Sections 25-2-1502 through 25-2-1504 of the Code:

37, 43A, 43B, 45A, and 47

PART 7. The following tracts may be developed as a neighborhood urban center special use as set forth in Sections 25-2-1522 through 25-2-1557 of the Code:

37, 43A, 43B, and 45A

PART 8. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. A multifamily residential use is prohibited on Tracts 39 and 47.

B. If redevelopment of a structure on Tract 49 occurs, new construction of a building or structure may not be closer to the eastern property line than the existing buildings are at the time of this ordinance.

C. The following conditions apply to Tract 50.

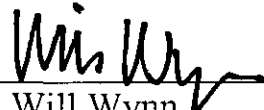
1. The maximum height of a building or structure is 12 feet from ground level.
2. Vehicular access from the Property to Lupine Lane is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

PART 9. This ordinance takes effect on February 12, 2007.

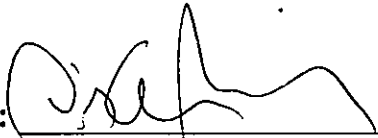
PASSED AND APPROVED

February 1, 2007

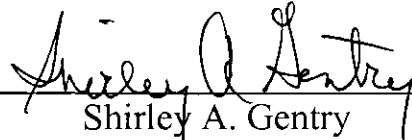
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Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:


Shirley A. Gentry
City Clerk



**Riverside Neighborhood Plan Combining District
Tract Map for Rezoning--February 1, 2007
Zoning Case #C-14-05-0112 (PART)
Exhibit A**

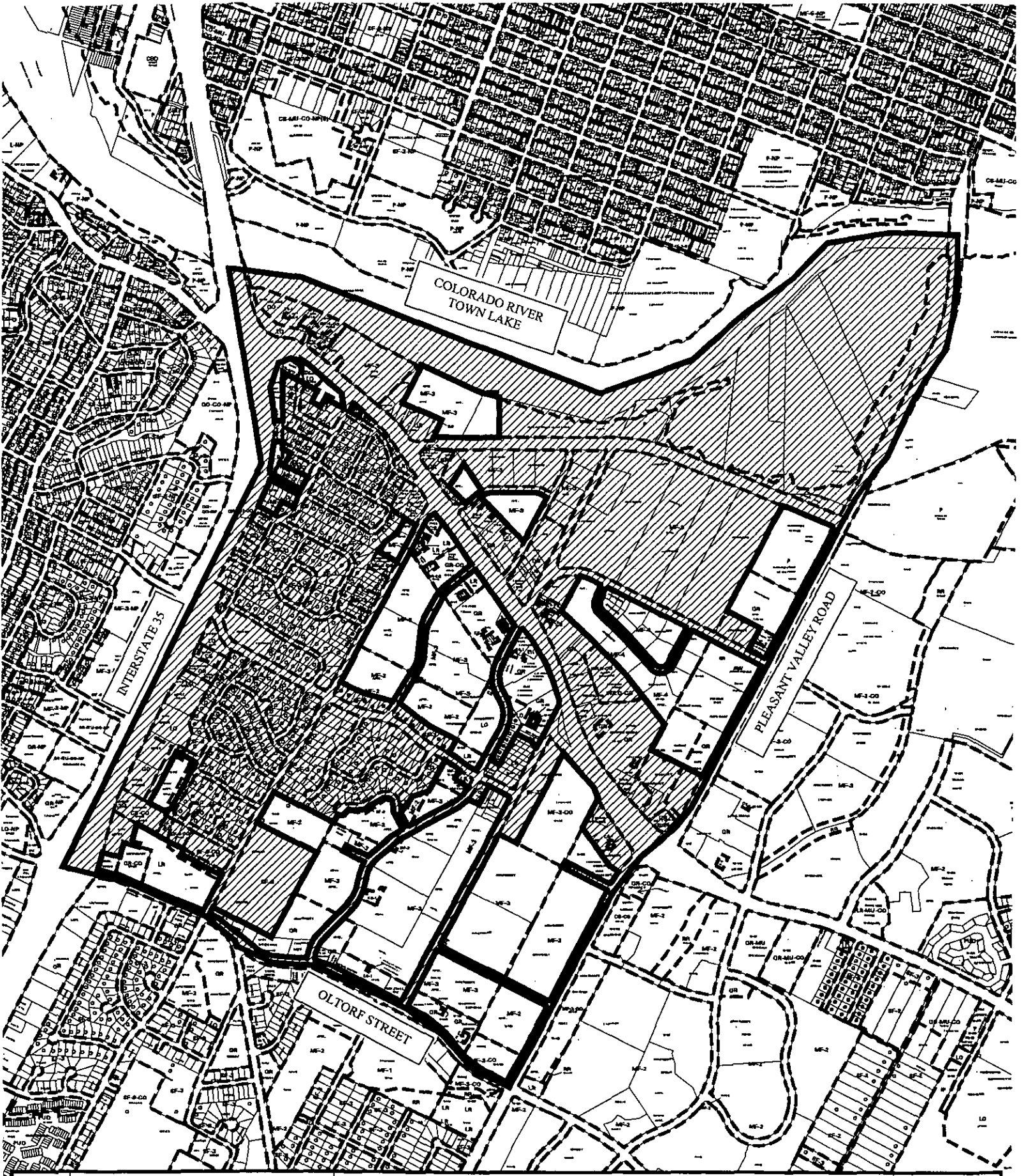






City of Austin
Neighborhood Planning and Zoning Department
Updated February 5, 2007

Tracts for Rezoning



0 250 500 1,000 1,500 2,000 Feet



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

Field Notes

BEING 0.175 OF ONE ACRE (7627 S. F.) OF LAND, MORE OR LESS, OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF TRACT B, RIVER HILLS ADDITION RECORDED IN BOOK 55, PAGE 26 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS CONVEYED TO RHSC-T PROPERTIES, L P BY ASSUMPTION SPECIAL WARRANTY DEED EXECUTED ON DECEMBER 18, 2003, FILED FOR RECORD ON JANUARY 12, 2004, RECORDED IN DOCUMENT 2004006205 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAME ALSO BEING THE SUITE CURRENTLY LOCATED AT 1907 EAST RIVERSIDE DRIVE, SAID 0.175 OF ONE ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

BEGINNING at a calculated point, at an easterly corner, at the approximate centerline of an existing exterior 8 inch wall, same being South 05°36'03" West, a distance of 186.51 feet, from a 1/2 inch iron rod found in the southeast right-of-way line of Parker Lane (70' ROW), at a northwesterly corner of said Tract B and the most westerly corner of Lot 1, Briarwood Hills recorded in Book 21, Page 17 of the Plat Records of Travis County, Texas, for the Point of Beginning and the most easterly corner of the herein described tract of land;

1) THENCE, South 32°17'06" East, a distance of 23.26 feet, with the approximate centerline of an existing easterly exterior 8 inch wall, to the approximate centerline of an existing interior wall, for the most easterly corner of the herein described tract of land;

2) THENCE, South 58°08'46" West, a distance of 47.77 feet, with the approximate centerline of an existing interior wall, leaving an existing easterly exterior wall, to a calculated point for a corner;

3) THENCE, South 32°00'54" East, a distance of 29.31 feet, to a calculated point for a corner;

4) THENCE, South 57°59'04" West, a distance of 20.95 feet, to a calculated point for a corner;

5) THENCE, South 32°23'54" East, a distance of 28.45 feet, to a calculated point for a corner;

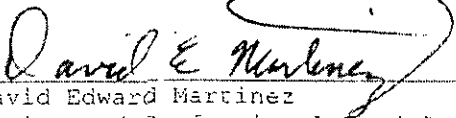
6) THENCE, South 57°59'06" West, with the approximate centerline of an existing interior wall, at a distance of 11.34 feet passing a southwesterly corner in the approximate centerline of an existing exterior wall, continuing with the approximate centerline of an existing exterior wall, in all a distance of 41.03 feet, to a calculated point at the approximate centerline of an existing exterior wall, for the most southerly corner of the herein described tract of land;

7) THENCE, North 32°14'27" West, a distance of 77.30 feet, with the approximate centerline of an existing southwesterly exterior wall, to a calculated point for the most westerly corner of the herein described tract of land;

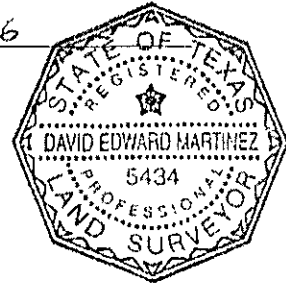
8) THENCE, North 29°10'10" East, a distance of 94.93 feet, with the approximate centerline of an existing northwesterly exterior wall, to a calculated point at the approximate centerline of an existing interior wall for the most northerly corner of the herein described tract of land;

9) THENCE, South $61^{\circ}23'29''$ East, a distance of 49.77 feet, with the approximate centerline of an existing interior wall, leaving an existing northwesterly exterior wall, to a calculated point at the intersection with the prolongation of the approximate centerline of an existing easterly exterior 8 inch wall for a corner;

10) THENCE, North $29^{\circ}09'26''$ East, a distance of 2.47 feet, with the prolongation of the approximate centerline of an existing easterly exterior 8 inch wall, to the Point of Beginning and containing an area of 0.175 of one acre (7627 S. F.) of land, more or less.


David Edward Martinez
Registered Professional Land Surveyor 5434

09/13/06
Date





Martinez, Wright & Mendez, Inc.
Chevy Chase One
7700 Chevy Chase Drive, Suite 100
Austin, Texas 78752
(512) 453-0767

Bearing Basis: Northwesterly Line (North $29^{\circ}24'$ East, 299.35') of Tract B, River Hills Addition recorded in Book 55, Page 26 of the Plat Records of Travis County, Texas

TCAD No.: 0304070206
CITY GRID No.: J20, K20

LEGEND:

- 1/2" IRON ROD FOUND
- ⊙ PK NAIL FOUND
- △ CALCULATED POINT
- () INDICATES RECORD DATA
- PRCT PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- OPRCT OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
-  SUBJECT TRACT
-  CENTERLINE OF WALL

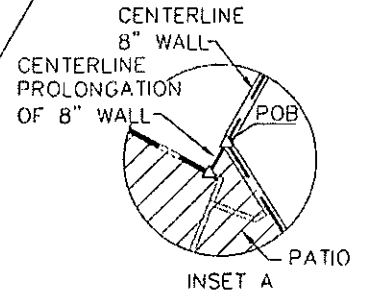
SCALE:
1"=50'

SANTIAGO DEL VALLE
GRANT

RIVERSIDE DRIVE
(ROW VARIES)
EAST

BRIARWOOD HILLS
BOOK 21, PAGE 17
PRCT

LOT 1



RIVER HILLS ADDITION
BOOK 55, PAGE 26
PRCT

TRACT B

RHSC-T PROPERTIES, L P
DOCUMENT 2004006205
OPRCT

PARKER LANE
(70' ROW)

BEARING BASIS
N29°24'00"E
(299.35')

(N29°24'E)

N29°10'10"E

N32°14'27"W

77.30'

S57°59'06"W

41.03'

11.34'

S32°23'54"E

28.45'

S57°59'04"W

20.95'

S32°00'54"E

29.31'

S58°08'46"W

47.77'

S61°23'29"E

49.77'

S61°23'29"E

2.47'

N29°09'26"E

94.93'

(299.35')

N29°24'00"E

186.51'

S05°36'03"W

(S37°48'E)

(162.71')

POINT OF BEGINNING

INSET A

S32°17'06"E

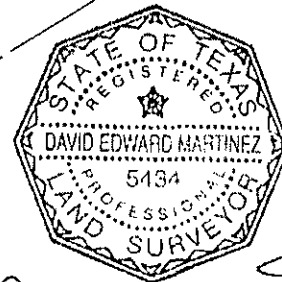
23.26'

PATIO

OFFICE SUITES

0.175 ACRES
7627 S. F.

BEARING BASIS: NORTHWESTERLY LINE
(N29°24'E, 299.35') OF TRACT B, RIVER
HILLS ADDITION RECORDED IN BOOK 55,
PAGE 26 PRCT.



David E Martinez
09/13/06



MARTINEZ
WRIGHT &
MENDEZ
Civil Engineering, Land Surveying, Architecture

CHEVY CHASE ONE
1700 Chevy Chase Drive
Suite 110, Austin, Texas 78702
(512) 451-0767 fax (512) 451-1215

SKETCH TO ACCOMPANY
FIELD NOTES

TRAVIS COUNTY, TEXAS

DATE: 11-SEP-04
JOB NO: 4500112
FILE: 0175_Austin

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3 OF 3