

**ZONING REVIEW SHEET****CASE:** C14-2007-0128**P.C. DATE:** September 25, 2007

October 9, 2007

October 23, 2007

**ADDRESS:** 2414 Pearl Street**OWNER:** Sigma Alpha Epsilon Alumni Association of Austin (Jody Lane) and Sigma Alpha Epsilon Texas Rho House**AGENT:** Reynolds + Franke, PC (Steve Franke)**REZONING FROM:**

MF-4-NP (Multifamily Residence – Moderate high density – Neighborhood plan)

**TO:** MF-4-CO-NP (Multifamily Residence – Moderate high density – Conditional overlay – Neighborhood plan); Nature of the request is to consider imposing development restrictions on the property**AREA:** 1.364 Acres**SUMMARY PLANNING COMMISISON RECOMMENDATION:*****October 23, 2007:******DENIED STAFF'S RECOMMENDATION FOR MF-4-CO-NP ZONING.******[C.EWEN, C.GALINDO 2<sup>ND</sup>] (5-4) D.SULLIVAN, P.HUI, S.KIRK, P.CAVAZOS – NAY*****SUMMARY STAFF RECOMMENDATION:**

The Staff recommends the rezoning from MF-4-NP to MF-4-CO-NP. The conditional overlay shall implement the base district site development standards of MF-4-NP to specifically address the following:

- Minimum lot size: 8,000 square feet;
- Minimum lot width: 50 feet;
- Maximum height: 60 feet;
- Minimum front yard setback: 15 feet;
- Minimum street side setback: 15 feet;
- Minimum interior side yard setback: 5 feet;
- Minimum rear yard setback: 10 feet;
- Maximum building coverage: 60%;
- Maximum impervious cover: 70%;
- Maximum floor area ratio (FAR): 0.75:1; and
- Maximum units per acre: 36-54\*

\*As allowed by the LDC

The recommendation is based on the following considerations:

- 1.) The existing use is proposed to remain as there are no proposals to change the base land use at this time;
- 2.) Self-imposed site development restrictions on the site will not infringe on the character of the surrounding properties; and
- 3.) All other terms and conditions of Ordinance No. 040826-57 and 040902-58 shall remain.

**DEPARTMENT COMMENTS:**

The subject property consists of a 0.69 Acres (30,056.4 sq. ft.) site zoned MF-4-NP fronting Rio Grande Street. The property was rezoned from CS and MF-4 to MF-4-NP by Ordinance No. 040826-57 (Please see attachment "A") and did not impose any conditions. Furthermore, this site is subject to the University Neighborhood Overlay (UNO) zoning district created On September 2, 2004 under Ordinance No. 040902-58 (Please see Attachment "B"). The site lies within the *UNO Outer West Campus Subdistrict* which allows for a maximum height of 75 feet (Please see Attachment "C").

The applicant seeks to add self-imposed development restrictions on the subject property for the purpose of property tax relief only. Although not guaranteed by the proposed zoning change, it is the intent of the applicant to demonstrate to the taxing entities that the imposition of development restrictions on the property merit a re-evaluation of the property tax impact on the property as potentially such restrictions will limit the redevelopment or expansion of existing structures on the site. It is not the intention of the applicant to change or remove existing land uses on the site as those will remain.

**EXISTING ZONING AND LAND USES:**

|              | <b>ZONING</b>       | <b>LAND USES</b>                       |
|--------------|---------------------|----------------------------------------|
| <i>Site</i>  | MF-4-NP             | Fraternity                             |
| <i>North</i> | MF-4-NP             | Fraternity                             |
| <i>South</i> | GR-MU-NP / GO-MU-NP | Parking / Retail / Office / Apartments |
| <i>East</i>  | MF-4-NP             | Fraternity                             |
| <i>West</i>  | MF-4-NP             | Apartments                             |

**NEIGHBORHOOD PLAN:**

Central Austin Combined- West University

**TIA:** Waived; See Transportation comments

**WATERSHED:** Shoal Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**UNO OVERLAY:** Yes

**NEIGHBORHOOD ORGANIZATIONS:**

69--University Area Partners  
 511--Austin Neighborhoods Council  
 698--West Campus Neighborhood Association  
 742--Austin Independent School District  
 744--Sentral Plus East Austin Koalition (SPEAK)  
 754--Central Austin Neighborhoods Planning Area Committee  
 786--Home Builders Association of Greater Austin  
 937--Taking Action Inc.  
 1026--Non-Profit Student Housing Preservation Group  
 1037--Homeless Neighborhood Organization

**SCHOOLS:**

Austin Independent School District

- Bryker Woods Elementary School
- O. Henry Middle School
- Austin High School

**SUBJECT PROPERTY RELATED CASES:**

| NUMBER      | REQUEST                           | COMMISSION                     | CITY COUNCIL                                                                                           |
|-------------|-----------------------------------|--------------------------------|--------------------------------------------------------------------------------------------------------|
| C14-04-0021 | West University Neighborhood Plan | 05/25/04: APVD STAFF REC (8-0) | 06/10/04: APVD PC REC (7-0), 1ST RDG<br>08/05/04: APVD 2ND RDG (6-0)<br>08/26/04: APVD W/CHANGES (7-0) |

**SURROUNDING PROPERTIES CASES:**

| NUMBER      | REQUEST                    | COMMISSION                                                                               | CITY COUNCIL                                                                                                                                                                            |
|-------------|----------------------------|------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| C14-01-0050 | LO and MF-3 to CS and MF-6 | 07/10/01: PVD STAFF REC OF CS-CO-MU & MF-6-CO (6-2, BB/JM-NO); LIMIT DENSITY TO 54 UNITS | 07/19/01: APVD CS-MU-CO W/CONDS (6-0); 1ST RDG<br><br>08/30/01: APVD CS-MU-CO & MF-6-CO (6-0); 2ND/3RD RDGS<br><br>02/13/03: APVD AMENDING ORD. 010830-41 TO CORRECT ZONING CONDS (7-0) |
| C14-03-0163 | MF-4 to MF-6               | 12/23/03: APVD STAFF REC OF MF-6 (W/75' HEIGHT LIMIT); (5-0)                             | 02/12/04: APVD MF-6-CO (6-0-1, JG-ABSTAIN); ALL 3 RDGS                                                                                                                                  |

**ABUTTING STREETS:**

| Name                  | ROW | Pavement | Classification | Bicycle Plan | Sidewalks | Capital Metro       |
|-----------------------|-----|----------|----------------|--------------|-----------|---------------------|
| W 25 <sup>th</sup> St | 64' | 30'      | Collector      | No           | No        | Yes (Within ¼ mile) |
| Pearl Street          | 60' | 36'      | Collector      | No           | No        | Yes (Within ¼ mile) |

**CITY COUNCIL DATE:**

November 29, 2007

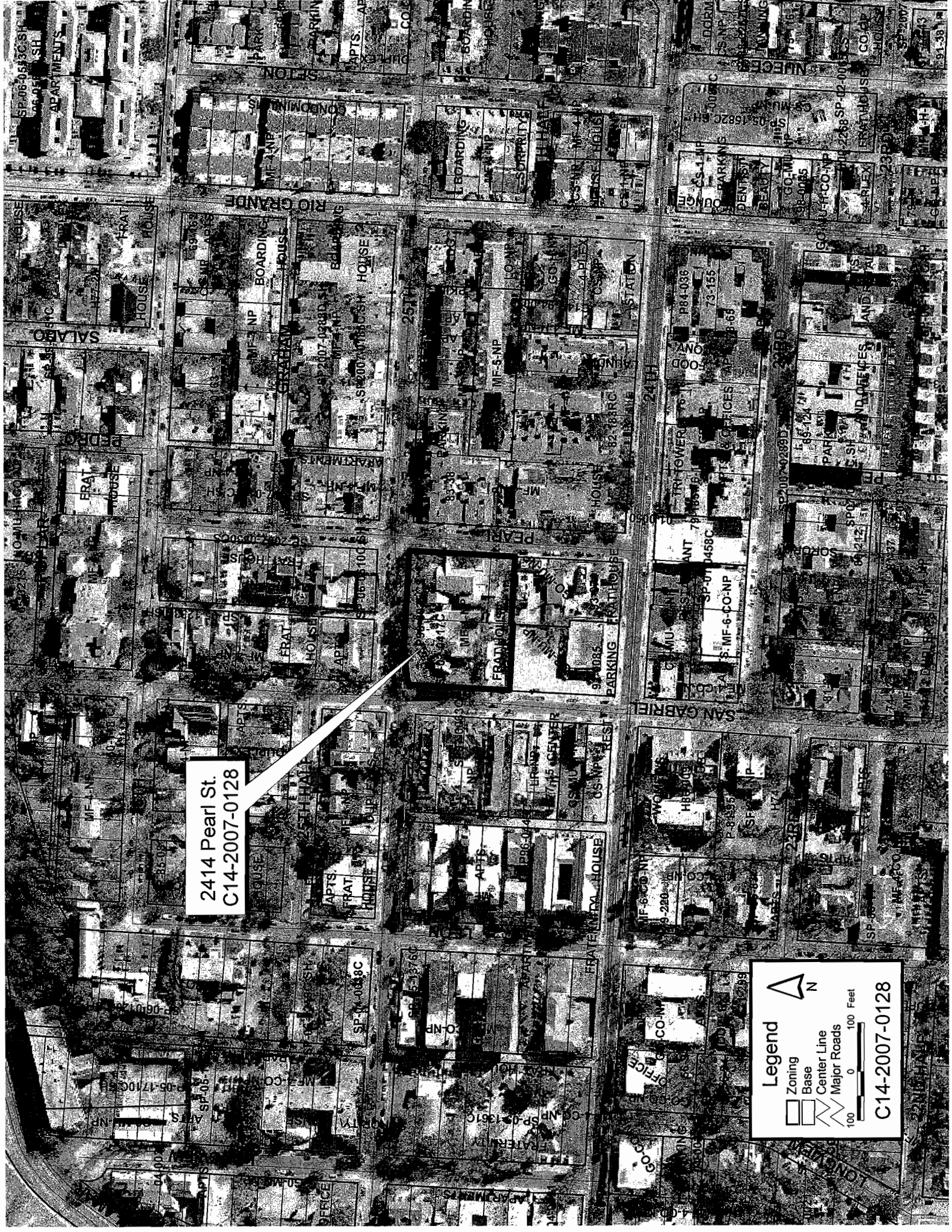
**ACTION:****ORDINANCE READINGS:** 1<sup>st</sup>2<sup>nd</sup>3<sup>rd</sup>**ORDINANCE NUMBER:**

**CASE MANAGER:** Jorge E. Rousselin, NPZD

**PHONE:** 974-2975

**E-MAIL:** [jorge.rousselin@ci.austin.tx.us](mailto:jorge.rousselin@ci.austin.tx.us)





2414 Pearl St.  
C14-2007-0128

**Legend**

- Zoning
- Base
- Center Line
- Major Roads

100 0 100 Feet

**C14-2007-0128**

## STAFF RECOMMENDATION

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The recommendation is based on the following considerations:

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## BASIS FOR RECOMMENDATION

- 1. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

The proposed rezoning will not have detrimental impacts on the character of the neighborhood and will maintain land use compatibility.

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

Because a land use change is not sought, the zoning classification remains consistent and applicable. The proposed self-imposed development restrictions do not infringe on development patterns for this area.

## EXISTING CONDITIONS

### Site Characteristics

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**Transportation**

1. No additional right-of-way is needed at this time.
2. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

**Environmental**

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal 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.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.
4. According to flood plain maps, there is no flood plain within the project area.

**Water and Wastewater**

1. The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

**Site Plan**

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



**ORDINANCE NO. 040826-57**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 442.06 ACRES OF LAND GENERALLY KNOWN AS THE WEST UNIVERSITY NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON 309 TRACTS OF LAND.**

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

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 309 tracts of land within the property described in Zoning Case No. C14-04-0021, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 442.06 acres of land in the City of Austin, Travis County, Texas, more particularly described and identified in the attached Exhibit "A" incorporated into this ordinance, (the "Property"), and as follows,

Heritage Subdistrict area bounded by Lamar Boulevard on the west, West 38<sup>th</sup> Street on the north, Guadalupe Street on the east and West 29<sup>th</sup> Street on the south;

Shoal Crest Subdistrict area bounded by Lamar Boulevard on the west, West 29<sup>th</sup> Street on the north, Rio Grande Street to San Pedro Street on the east, and 28<sup>th</sup> Street to Poplar Street on the south; and

West University Neighborhood Subdistrict area bounded by Lamar Boulevard on the west, West 24<sup>th</sup> Street on the north, Leon Street and Robbins Place on the east, and Martin Luther King, Jr. Boulevard on the south; as shown on Exhibit "B",

SAVE AND EXCEPT the following properties,

Tract 30                      1005 West 22<sup>nd</sup> Street; 1904, 1906, 1908, 2100,  
2102, 2108, and 2110 San Gabriel Street;

|                  |                                                                                                                                 |
|------------------|---------------------------------------------------------------------------------------------------------------------------------|
| Tract 33         | 1903, 1905, 1907, and 1909 Robbins Place;                                                                                       |
| Tract 34 (Part)  | 1007 West 22 <sup>nd</sup> Street                                                                                               |
| Tract 35         | 1919 Robbins Place;                                                                                                             |
| Tract 36         | 1103 West 22 <sup>nd</sup> Street; 1916 and 1918 Robbins Place;                                                                 |
| Tract 40         | 0 (Lot 5 Olt 13 Div E Lamar at 19 <sup>th</sup> ); 1230-1232 West Martin Luther King, Jr. Boulevard;                            |
| Tract 44         | 2209 and 2301 Shoal Creek Boulevard;                                                                                            |
| Tract 49         | 2305 and 2307 Longview Street;                                                                                                  |
| Tract 52 (Part)  | 1006 West 22 <sup>nd</sup> Street;                                                                                              |
| Tract 60         | 910, 912, and 914 West 22 <sup>nd</sup> -1/2 Street;                                                                            |
| Tract 80A        | 2307 (S 23.3 ft Lot 3 Olt 37 Div D, Louis Horst Subd); 2309 (N 46.7 ft. Lot 3 Olt 37 Div D Louis Horst Subd) Rio Grande Street; |
| Tract 81         | 2300 and 2306 Nueces Street;                                                                                                    |
| Tract 99A        | 1112 West 24 <sup>th</sup> Street;                                                                                              |
| Tract 133A       | 2802, 2804, 2806, and 2808 San Pedro Street;                                                                                    |
| Tract 148A       | 2829 Salado Street;                                                                                                             |
| Tract 201        | 711 West 32 <sup>nd</sup> Street;                                                                                               |
| Tract 204 (Part) | 3100, 3102, and 3106 King Street; 3105 Kings Lane;                                                                              |
| Tract 236 (Part) | 3201 North Lamar Boulevard; and                                                                                                 |

Tract 1019 (Part)      2833 and 2841 San Gabriel Street;

generally known as the West University neighborhood plan combining district, locally known as the area bounded by Lamar Boulevard on the west, 38<sup>th</sup> Street on the north, Guadalupe Street on the east, and Martin Luther King, Jr. Boulevard on the south, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

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

**PART 2.** The base zoning districts for the 309 tracts of land are changed from family residence (SF-3) district, family residence-historic (SF-3-H) combining district, single family residence small lot (SF-4A) district, multifamily residence low density (MF-2) district, multifamily residence medium density (MF-3) district, multifamily residence moderate high density (MF-4) district, multifamily residence high density (MF-5) district, neighborhood office (NO) district, limited office (LO) district, general office (GO) district, general office-conditional overlay (GO-CO) combining district, general office-mixed use (GO-MU) combining district, general office-mixed use-conditional overlay (GO-MU-CO) combining district, neighborhood commercial (LR) district, neighborhood commercial-conditional overlay (LR-CO) combining district, community commercial (GR) district, community commercial-conditional overlay (GR-CO) combining district, general commercial services (CS) district, general commercial services-conditional overlay (CS-CO) combining district, general commercial services-historic (CS-H) combining district, general commercial services mixed use-conditional overlay (CS-MU-CO) combining district, and commercial-liquor sales (CS-1) district, to family residence-conditional overlay-neighborhood plan (SF-3-CO-NP) combining district, family residence-historic-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district, single family residence small lot-conditional overlay-neighborhood plan (SF-4A-CO-NP) combining district, multifamily residence limited density-neighborhood plan (MF-1-NP) combining district, multifamily residence limited density-conditional overlay-neighborhood plan (MF-1-CO-NP), multifamily residence low density-neighborhood plan (MF-2-NP) combining district, multifamily residence low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district, multifamily residence medium density-neighborhood plan (MF-3-NP) combining district, multifamily residence medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district, multifamily residence moderate high density-neighborhood plan (MF-4-NP) combining district, multifamily residence moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district, multifamily residence high density-conditional overlay-neighborhood plan (MF-5-

CO-NP) combining district, neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district, limited office-neighborhood plan (LO-NP) combining district, limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district, limited office-mixed use-neighborhood plan (LO-MU-NP) combining district, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district, general office-neighborhood plan (GO-NP) combining district, general office conditional overlay-neighborhood plan (GO-CO-NP) combining district, general office-mixed use-neighborhood plan (GO-MU-NP) combining district, neighborhood commercial-neighborhood plan (LR-NP) combining district, neighborhood commercial-conditional overlay-neighborhood plan (LR-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, community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district, community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district, community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district, general commercial services-neighborhood plan (CS-NP) combining district, general commercial services-conditional overlay (CS-CO-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, general commercial services-historic-conditional overlay-neighborhood plan (CS-H-CO-NP) combining district, general commercial services-mixed use-historic-neighborhood plan (CS-MU-H-NP) combining district, commercial-liquor sales-neighborhood plan (CS-1-NP) combining district, commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district, and public-neighborhood plan (P-NP) combining district, as more particularly described and identified in the chart below:

| TRACT | ADDRESSES                                                              | FROM   | TO          |
|-------|------------------------------------------------------------------------|--------|-------------|
| 1     | 2007 UNIVERSITY AVE                                                    | CS     | CS-NP       |
| 2     | 1909 UNIVERSITY AVE                                                    | CS     | CS-NP       |
| 3     | 200, 208 MARTIN LUTHER KING JR BLVD                                    | CS     | CS-NP       |
| 3A    | 1902 UNIVERSITY AVE                                                    | GR     | GR-NP       |
| 4     | 216, 222 W MARTIN LUTHER KING JR BLVD                                  | GR, CS | CS-MU-CO-NP |
| 5     | 2000, 2002, 2004 UNIVERSITY AVE                                        | GR     | GR-NP       |
| 5A    | 2010 UNIVERSITY AVE                                                    | CS     | CS-NP       |
| 6     | 2009, 2015 WHITIS AVE                                                  | CS     | CS-NP       |
| 7     | 301 W 20TH ST; 300 W MARTIN LUTHER KING JR BLVD; 1902, 1908 WHITIS AVE | CS     | CS-NP       |
| 8     | 1901, 1915 GUADALUPE ST                                                | CS     | CS-NP       |

| TRACT | ADDRESSES                                                                                                                                                                                                                                | FROM       | TO         |
|-------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------------|
| 9     | 2001, 2003, 2021 (LOT 1-3 & 18-20 OLT 21 DIV D LOUIS HORST SUBD PLUS ADJ VAC ALLEY SAVE AND EXCEPT THOSE TRACTS OF LAND MORE PARTICULARLY DESCRIBED IN EXHIBITS D [3,965 SQ FT] AND E [2,898 SQ FT]) GUADALUPE ST; 2000, 2002 WHITIS AVE | CS         | CS-NP      |
| 10    | 2021 (A 3,965 SQUARE FOOT TRACT OF LAND MORE PARTICULARLY DESCRIBED IN EXHIBIT D) GUADALUPE ST                                                                                                                                           | CS-1       | CS-1-NP    |
| 11    | 2021 GUADALUPE ST (A 2,898 SQUARE FOOT TRACT OF LAND MORE PARTICULARLY DESCRIBED IN EXHIBIT E)                                                                                                                                           | CS-1       | CS-1-NP    |
| 12    | 1904, 1906, 1914, 2000, 2002, 2004, 2010, 2024 GUADALUPE ST; 400 W MARTIN LUTHER KING JR BLVD                                                                                                                                            | CS         | CS-NP      |
| 13    | 2011 SAN ANTONIO ST                                                                                                                                                                                                                      | CS         | CS-NP      |
| 13A   | 414 W MARTIN LUTHER KING JR BLVD; 1907 SAN ANTONIO ST                                                                                                                                                                                    | GR-CO      | GR-NP      |
| 13B   | 414 W MARTIN LUTHER KING JR BLVD                                                                                                                                                                                                         | CS         | CS-NP      |
| 14    | 1908, 1930, 2020 SAN ANTONIO ST                                                                                                                                                                                                          | CS         | MF-4-NP    |
| 16    | 506, 510 W MARTIN LUTHER KING JR BLVD                                                                                                                                                                                                    | CS         | CS-NP      |
| 17    | 1903, 1905, 1907 NUECES ST                                                                                                                                                                                                               | CS         | MF-4-NP    |
| 18    | 1911, 1915 NUECES ST                                                                                                                                                                                                                     | MF-4, NO   | MF-4-NP    |
| 19    | 1908 NUECES ST                                                                                                                                                                                                                           | GO         | MF-4-NP    |
| 20    | 1902 NUECES ST                                                                                                                                                                                                                           | CS         | CS-NP      |
| 20A   | 600 W MARTIN LUTHER KING JR BLVD                                                                                                                                                                                                         | CS-1       | CS-1-NP    |
| 22    | 610 W MARTIN LUTHER KING JR BLVD; 1901 RIO GRANDE ST                                                                                                                                                                                     | CS         | CS-NP      |
| 22A   | 1907 (S 35 FT LOT 3 & N 20 FT LOT 4 OLT 23 DIV D HORST SUBD) RIO GRANDE ST                                                                                                                                                               | LO         | LO-NP      |
| 23    | 1900 (A 0.960 ACRE TRACT OF LAND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT G SAVE AND EXCEPT THE TRACT DESCRIBED BY METES AND BOUNDS IN EXHIBIT F), 1904 RIO GRANDE ST                                                  | GR-CO      | GR-CO-NP   |
| 24    | 706 W MARTIN LUTHER KING JR BLVD                                                                                                                                                                                                         | GO         | GO-NP      |
| 26    | 1900 PEARL ST                                                                                                                                                                                                                            | GO         | GO-NP      |
| 26A   | 1904 PEARL ST                                                                                                                                                                                                                            | LO         | LO-NP      |
| 27    | 906, 908, 910, 912 W MARTIN LUTHER KING JR BLVD                                                                                                                                                                                          | GO         | GO-CO-NP   |
| 28    | 911, 915 W 21ST ST; 1905, 1907, 1909, 1911 SAN GABRIEL ST                                                                                                                                                                                | MF-4       | MF-4-CO-NP |
| 29    | 910 W 21ST ST; 911, 915 W 22ND ST; 2101 SAN GABRIEL ST                                                                                                                                                                                   | MF-4       | MF-4-CO-NP |
| 31    | 1902 SAN GABRIEL ST                                                                                                                                                                                                                      | GO         | GO-CO-NP   |
| 32    | 1010, 1014 W MARTIN LUTHER KING JR BLVD                                                                                                                                                                                                  | GO         | GO-CO-NP   |
| 34    | 1911, 1913, 1915 ROBBINS PL                                                                                                                                                                                                              | MF-4       | SF-3-CO-NP |
| 38    | 1104 W MARTIN LUTHER KING JR BLVD; 1900 ROBBINS PL                                                                                                                                                                                       | MF-3       | SF-3-CO-NP |
| 39    | 1300 OLD 19TH ST; 1305, 1307 W 22ND ST; 1908 CLIFF ST                                                                                                                                                                                    | SF-3, MF-3 | SF-3-CO-NP |
| 39A   | 1909 (LOT 14 BLK 3 OLT 26-28 DIV D CARRINGTON SUBD) CLIFF ST                                                                                                                                                                             | MF-2       | MF-2-CO-NP |
| 41    | 1901 N LAMAR BLVD                                                                                                                                                                                                                        | LR-CO      | LR-CO-NP   |

| TRACT | ADDRESSES                                                                                                                 | FROM                 | TO          |
|-------|---------------------------------------------------------------------------------------------------------------------------|----------------------|-------------|
| 42    | 1905, 1907 N LAMAR BLVD                                                                                                   | GO                   | GO-NP       |
| 43    | 2205 N LAMAR BLVD                                                                                                         | SF-3, LO             | GO-MU-CO-NP |
| 43A   | 2201 N LAMAR BLVD                                                                                                         | LO                   | LO-MU-CO-NP |
| 45    | 2317 SHOAL CREEK BLVD; 1201 (LOT 2 & N 20 FT OF LOT 3 OLT 41&42 DIV D LONGVIEW TERRACE) W 24TH ST                         | MF-4                 | MF-4-CO-NP  |
| 46    | 1201 (LOT 1 OLT 41&42 DIV D LONGVIEW TERRACE) W 24TH ST                                                                   | GO                   | GO-CO-NP    |
| 47    | 1111 W 24TH ST; 2306 LEON ST                                                                                              | GO                   | GO-CO-NP    |
| 48    | 2220, 2300, 2302, 2304 LEON ST; 2313 LONGVIEW ST                                                                          | SF-3, MF-3           | MF-3-CO-NP  |
| 50    | 1110 W 22ND 1/2 ST                                                                                                        | MF-3                 | MF-3-CO-NP  |
| 51    | 1102, 1104 W 22ND ST; 2200 LEON ST                                                                                        | MF-3                 | SF-3-CO-NP  |
| 52    | 1008, 1010, 1012 W 22ND ST; 2201 LEON ST                                                                                  | MF-4                 | SF-3-CO-NP  |
| 53    | 1004 W 22ND ST                                                                                                            | MF-4                 | SF-3-CO-NP  |
| 54    | 1011, 1013 W 23RD ST; 2207 LEON ST; 2200, 2204, 2212, 2216 SAN GABRIEL ST                                                 | MF-4                 | MF-4-CO-NP  |
| 55    | 1010 W 23RD ST; 2305, 2307 LEON ST                                                                                        | MF-4                 | MF-4-CO-NP  |
| 56    | 915 W 24TH ST (S 96 FT OF W86.5 FT OF LOT 1 OLT 38-39 DIV D RAYMOND SUBD)                                                 | MF-4                 | MF-4-CO-NP  |
| 57    | 2312 SAN GABRIEL ST                                                                                                       | CS-H                 | CS-H-CO-NP  |
| 58    | 901, 907, 915 W 24TH ST (N 96 FT OF W86.5 FT OF LOT 1 OLT 38-39 DIV D RAYMOND SUBD)                                       | LO, LR, CS-MU-CO, CS | CS-MU-CO-NP |
| 58A   | 904 W 23RD ST                                                                                                             | CS-MU-CO             | CS-MU-CO-NP |
| 58B   | 0 (S 1/2 OF LOT 8 LESS W14.35 FT OLT 38-39 DIVISION D), 708 W 23RD ST; 701 (LOT 9-10 OLT 38-39 DIV D), 705, 801 W 24TH ST | CS                   | CS-NP       |
| 59    | 915 W 23RD ST                                                                                                             | MF-4                 | MF-4-CO-NP  |
| 61    | 909, 915 W 22ND 1/2 ST                                                                                                    | MF-4                 | MF-4-CO-NP  |
| 62    | 912 W 22ND ST                                                                                                             | MF-4                 | MF-4-CO-NP  |
| 63    | 2210 PEARL ST                                                                                                             | MF-2                 | MF-4-NP     |
| 64    | 715 W 23RD ST; 2216 RIO GRANDE ST                                                                                         | CS, CS-1             | CS-NP       |
| 66    | 700 W 22ND ST                                                                                                             | LO                   | LO-NP       |
| 68    | 2100 RIO GRANDE ST                                                                                                        | GO                   | GO-NP       |
| 69    | 2109 RIO GRANDE ST                                                                                                        | LO                   | LO-NP       |
| 69A   | 2103, 2105 RIO GRANDE ST                                                                                                  | LO                   | LO-NP       |
| 70    | 2105 SAN ANTONIO ST                                                                                                       | CS-CO                | CS-NP       |
| 70A   | 408 W 21ST ST                                                                                                             | GR-MU-CO             | GR-MU-NP    |
| 71    | 2100, 2106, 2120, 2130 GUADALUPE ST                                                                                       | CS                   | CS-CO-NP    |
| 72    | 2200, 2220, 2232, 2255, 2266 GUADALUPE ST                                                                                 | CS                   | CS-CO-NP    |
| 73    | 411 W 23RD ST; 2203, 2207 SAN ANTONIO ST                                                                                  | CS                   | CS-NP       |
| 74    | 2212, 2214 SAN ANTONIO ST                                                                                                 | CS                   | CS-NP       |
| 74A   | 2200 SAN ANTONIO ST                                                                                                       | GO                   | GO-NP       |
| 75    | 2209, 2211 NUECES ST                                                                                                      | GO-CO                | GO-NP       |
| 76    | 2202 NUECES ST                                                                                                            | NO                   | MF-4-NP     |
| 77    | 608 W 22ND ST                                                                                                             | LO                   | LO-NP       |
| 78    | 2211 RIO GRANDE ST                                                                                                        | GO                   | GO-NP       |
| 79    | 2209 RIO GRANDE ST                                                                                                        | GO-MU                | GO-MU-NP    |

| TRACT | ADDRESSES                                                                                                        | FROM           | TO         |
|-------|------------------------------------------------------------------------------------------------------------------|----------------|------------|
| 80    | 607 W 24TH ST; 2313 RIO GRANDE ST                                                                                | CS             | CS-1-NP    |
| 80B   | 2305, 2307 (N 23.3 FT LOT 4 OLT 37 DIV D LOUIS HORST SUBD) RIO GRANDE ST (LOT 4)                                 | GO-MU-CO       | GO-MU-NP   |
| 82    | 2315 NUECES ST                                                                                                   | CS             | CS-NP      |
| 83    | 501 W 24TH ST                                                                                                    | CS             | CS-NP      |
| 84    | 411 W 24TH ST                                                                                                    | CS-1           | CS-1-NP    |
| 85    | 408 W 23RD ST; 2303, 2323 SAN ANTONIO ST                                                                         | CS             | CS-NP      |
| 86    | 2300, 2310, 2316, 2330, 2350, 2352 GUADALUPE ST                                                                  | CS             | CS-CO-NP   |
| 87    | 2402, 2404, 2414, 2418, 2422, 2428, 2438 GUADALUPE ST; 2417, 2425 SAN ANTONIO ST                                 | CS             | CS-CO-NP   |
| 88    | 504 W 24TH ST; 503 W 25TH ST; 2405, 2407 NUECES ST; 2406, 2410, 2418, 2422, 2426 SAN ANTONIO ST                  | CS             | CS-NP      |
| 91    | 2405 RIO GRANDE ST                                                                                               | CS             | CS-NP      |
| 91A   | 2401 RIO GRANDE ST                                                                                               | CS-1           | CS-1-NP    |
| 91B   | 2404 SETON AVE                                                                                                   | CS             | CS-NP      |
| 92    | 806 (CROIX CONDOMINIUMS AMENDED) W 24TH ST                                                                       | CS             | MF-4-NP    |
| 92A   | 801 W 25TH ST (LOT 7, OUTLOT 47, DIVISION D, WATSON SUBD)                                                        | CS             | MF-4-NP    |
| 92B   | 806 W 24TH ST; 2410 RIO GRANDE ST                                                                                | GO             | GO-NP      |
| 92C   | 806 W 24TH ST                                                                                                    | LO             | LO-NP      |
| 92D   | 2400, 2402 RIO GRANDE ST; 704 W 24TH ST                                                                          | CS             | CS-NP      |
| 93    | 2401 SAN GABRIEL ST                                                                                              | MF-4, GR-MU-CO | GR-MU-NP   |
| 94    | 1004 W 24TH ST                                                                                                   | CS             | CS-NP      |
| 95    | 2402 SAN GABRIEL ST                                                                                              | CS-H           | CS-MU-H-NP |
| 96    | 2406 SAN GABRIEL ST                                                                                              | LR             | LR-NP      |
| 98    | 1107 W 25TH ST; 2408 LEON ST                                                                                     | MF-4           | MF-4-CO-NP |
| 98A   | 2400 LEON ST                                                                                                     | MF-4           | MF-4-CO-NP |
| 99    | 2407, 2409, 2411 LONGVIEW ST                                                                                     | MF-4           | MF-4-CO-NP |
| 100   | 2410, 2414 LONGVIEW ST                                                                                           | MF-4           | MF-4-CO-NP |
| 100A  | 2400, 2404, 2408 LONGVIEW ST                                                                                     | MF-4           | MF-4-CO-NP |
| 102   | 1300, 1302 W 24TH ST; 0 N LAMAR BLVD (87.46 FT AV BLK 3 OLT 43 DIVISION D [PT GREENBELT] LESS 23971 SF INTO ROW) | MF-3, MF-4     | MF-4-CO-NP |
| 103   | 1200 W 25TH ST; 2520 LONGVIEW ST                                                                                 | GO             | GO-MU-NP   |
| 104   | 2505 LONGVIEW ST                                                                                                 | MF-4           | MF-4-CO-NP |
| 105   | 2601 N LAMAR BLVD                                                                                                | GO             | GO-MU-NP   |
| 107   | 1108 W 25TH ST; 2502, 2504, 2506, 2510, 2518 LEON ST                                                             | MF-4           | MF-4-CO-NP |
| 108   | 1002, 1010 W 26TH ST; 2600 SAN GABRIEL ST                                                                        | MF-4           | MF-4-CO-NP |
| 110   | 1000 W 25TH ST                                                                                                   | LR, MF-4       | MF-4-NP    |
| 112   | 2508 (58.25X145 FT OF LOT 2 OLT 52 DIV D GRAHAM J W SUBD), 2512 RIO GRANDE ST                                    | CS             | CS-NP      |
| 113   | 2529 RIO GRANDE ST                                                                                               | CS             | MF-4-NP    |
| 114   | 601 W 26TH ST; 2513 SETON AVE                                                                                    | CS             | MF-4-NP    |

| TRACT | ADDRESSES                                                                                                                                                                                  | FROM             | TO          |
|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------|
| 115   | 501 (CENTENNIAL CONDOMINIUMS REVISED 1997 SAVE AND EXCEPT A 2,207 SQUARE FOOT TRACT OF LAND MORE PARTICULARLY DESCRIBED IN EXHIBIT H) W 26TH ST; 2503 (LOT 16 OLT 50 DIVISION D) NUECES ST | LR, CS           | CS-MU-CO-NP |
| 115A  | 2501 (LOTS 1-4 BLK A THE WHITESTONES AT 25TH SUBD) NUECES ST; 2500 (LOTS 5-8 BLK A THE WHITESTONES AT 25TH SUBD) SAN ANTONIO ST                                                            | CS-MU-CO         | CS-MU-CO-NP |
| 116   | 501 (A 2,207 SQUARE FOOT TRACT OF LAND MORE PARTICULARLY DESCRIBED IN EXHIBIT H) W 26TH ST                                                                                                 | CS-1             | CS-1-NP     |
| 117   | 2500, 2512, 2514, 2520, 2522, 2538, 2552 GUADALUPE ST; 2509 SAN ANTONIO ST                                                                                                                 | CS               | CS-CO-NP    |
| 118   | 2532 GUADALUPE ST                                                                                                                                                                          | CS-1             | CS-1-CO-NP  |
| 119   | 2600 GUADALUPE ST                                                                                                                                                                          | CS               | CS-NP       |
| 122   | 404, 510 W 26TH ST; 407 W 27TH ST; 2604 (70 X 51FT AV OLT 62 DIVISION D), 2604 (70 X 79FT OLT 62 DIVISION D), 2606, 2608, 2612 GUADALUPE ST; 2602 HUME PL                                  | CS               | CS-NP       |
| 126   | 2700, 2702 NUECES ST                                                                                                                                                                       | CS               | MF-4-NP     |
| 128   | 2704 RIO GRANDE ST                                                                                                                                                                         | GO               | GR-NP       |
| 130   | 803 W 28TH ST; 2704, 2706, 2708 SALADO ST                                                                                                                                                  | MF-4             | MF-4-CO-NP  |
| 130   | 2704, 2706, 2708 SALADO ST                                                                                                                                                                 | MF-4             | MF-4-CO-NP  |
| 131   | 901, 903 SHOAL CLIFF CT                                                                                                                                                                    | MF-4             | MF-4-CO-NP  |
| 132   | 0 (LOT 1 W 5FT OF & W5'OF N15' LOT 2 E 75FT LOT 9 & E 75FT OF N 15FT LOT 10 OLT 65 DIV D GORTONS ADDN), 2612, 2704, 2706, 2708 SAN PEDRO ST                                                | MF-4             | MF-4-CO-NP  |
| 133   | 2710, 2712, 2800 SAN PEDRO ST                                                                                                                                                              | SF-3, MF-3, MF-4 | MF-3-NP     |
| 135   | 2800, 2802, 2810 SALADO ST                                                                                                                                                                 | SF-3, MF-4       | MF-4-CO-NP  |
| 136   | 710 W 28TH ST                                                                                                                                                                              | MF-3, GO         | MF-4-CO-NP  |
| 137   | 2810 RIO GRANDE ST; 2811, 2813, 2815 SALADO ST                                                                                                                                             | SF-3, MF-3       | MF-4-CO-NP  |
| 141   | 603-605 W 29TH ST (LOT 14 LESS THE N 43 FT OF THE E 20 FT & BLK 15-16 LESS N 25FT AV BLK 3 OLT 68 DIVISION D)                                                                              | CS, CS-1         | CS-CO-NP    |
| 142   | 603-605 W 29TH ST (N 43 FT OF THE E 20 FT LOT 14 BLK 3 OLT 68 DIVISION D)                                                                                                                  | CS-1             | CS-1-CO-NP  |
| 143   | 2814, 2818 NUECES ST; 2820, 2828 GUADALUPE ST                                                                                                                                              | CS               | CS-CO-NP    |
| 143A  | 2810, 2812 NUECES ST                                                                                                                                                                       | MF-5             | MF-5-CO-NP  |
| 143B  | 2802 NUECES ST                                                                                                                                                                             | MF-5             | MF-5-CO-NP  |
| 143C  | 2800 NUECES ST                                                                                                                                                                             | GO               | GO-NP       |
| 144   | 2806 NUECES ST (A 10.0 SQUARE FOOT TRACT OF LAND MORE PARTICULARLY DESCRIBED IN EXHIBIT I)                                                                                                 | LR               | LR-NP       |
| 145   | 2800, 2808, 2810 GUADALUPE ST                                                                                                                                                              | CS               | CS-CO-NP    |
| 146   | 2826, 2828 RIO GRANDE ST                                                                                                                                                                   | CS               | CS-CO-NP    |
| 147   | 2823, 2825, 2827 SALADO ST                                                                                                                                                                 | SF-3, CS         | SF-3-CO-NP  |
| 148   | 710 (LOT 4 BLK 2 OLT 62 DIV D -6' BYRNES JAMES SUBD) W 29TH ST                                                                                                                             | CS               | CS-CO-NP    |
| 149   | 2828, 2830, 2832, 2834, 2836 SALADO ST                                                                                                                                                     | SF-3, MF-3       | SF-3-CO-NP  |
| 149A  | 807 W 28TH 1/2 ST                                                                                                                                                                          | SF-3             | SF-3-CO-NP  |

| TRACT | ADDRESSES                                                                                                                                                                         | FROM       | TO          |
|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------------|
| 150   | 801, 805 W 29TH ST                                                                                                                                                                | SF-3       | LO-MU-CO-NP |
| 151   | 807, 809 W 29TH ST                                                                                                                                                                | SF-3       | LO-MU-CO-NP |
| 152   | 905 W 29TH ST; 2842 PEARL ST                                                                                                                                                      | SF-3       | LO-MU-CO-NP |
| 153   | 909, 911 W 29TH ST                                                                                                                                                                | SF-3, LO   | LO-MU-CO-NP |
| 154   | 913, 915 W 29TH ST                                                                                                                                                                | SF-3       | LO-MU-CO-NP |
| 155   | 917 W 29TH ST                                                                                                                                                                     | SF-3       | LO-MU-CO-NP |
| 156   | 2901 N LAMAR BLVD; 2904, 2906, 2908 (LOTS 1-6 BLK 1 THEODORE LOW SUBD SAVE AND EXCEPT A 1,524 SQUARE FOOT TRACT OF LAND MORE PARTICULARLY DESCRIBED IN EXHIBIT J ) SAN GABRIEL ST | GR         | GR-CO-NP    |
| 156A  | 0 N LAMAR BLVD (TRI 15X60X62FT ABS 697 SUR 7 SPEAR G W)                                                                                                                           | GR         | P-NP        |
| 157   | 2908 (A 1,524 SQUARE FOOT TRACT OF LAND MORE PARTICULARLY DESCRIBED IN EXHIBIT J ) SAN GABRIEL ST                                                                                 | CS-1       | CS-1-CO-NP  |
| 158   | 2905, 2915 SAN GABRIEL ST                                                                                                                                                         | GR         | GR-CO-NP    |
| 159   | 901-905 W 30TH ST; 2912 PEARL ST                                                                                                                                                  | SF-3, MF-2 | SF-3-CO-NP  |
| 160   | 900 W 29TH ST                                                                                                                                                                     | MF-2       | LR-MU-CO-NP |
| 161   | 808 W 29TH ST                                                                                                                                                                     | MF-2, MF-4 | MF-3-NP     |
| 162   | 809, 811, 813 W 30TH ST                                                                                                                                                           | MF-2       | SF-3-CO-NP  |
| 163   | 804, 806 W 29TH ST                                                                                                                                                                | SF-3       | LO-MU-CO-NP |
| 164   | 2900 WEST AVE                                                                                                                                                                     | SF-3       | LR-MU-CO-NP |
| 165   | 2915 WEST AVE                                                                                                                                                                     | MF-4       | MF-4-CO-NP  |
| 166   | 710 W 29TH ST (LOT 18-20 BLK 4 OLT 72 DIV D BROWN LEANDER ADDN)                                                                                                                   | CS         | CS-CO-NP    |
| 167   | 710 W 29TH ST (LOT 1-3 BLK 4 OLT 72 DIV D BROWN LEANDER ADDN)                                                                                                                     | GR         | CS-CO-NP    |
| 168   | 2914, 2916, 2918 SALADO ST                                                                                                                                                        | SF-3, MF-2 | SF-3-CO-NP  |
| 169   | 2920 SALADO ST                                                                                                                                                                    | MF-2       | MF-2-NP     |
| 169A  | 621 W 30TH ST; 2906, 2908, 2910, 2912, 2914 RIO GRANDE ST                                                                                                                         | SF-3, MF-2 | SF-3-CO-NP  |
| 170   | 2900, 2902, 2904 RIO GRANDE ST                                                                                                                                                    | SF-3, CS   | CS-CO-NP    |
| 171   | 607 W 29TH 1/2 ST; 2907 RIO GRANDE ST                                                                                                                                             | MF-2       | SF-3-CO-NP  |
| 172   | 620 W 29TH ST                                                                                                                                                                     | CS         | CS-CO-NP    |
| 173   | 603, 605 W 29TH 1/2 ST                                                                                                                                                            | SF-3       | MF-2-NP     |
| 174   | 606 W 29TH ST                                                                                                                                                                     | CS         | CS-CO-NP    |
| 175   | 604, 606 W 29TH 1/2 ST; 613 W 30TH ST                                                                                                                                             | SF-3       | MF-2-NP     |
| 176   | 2900, 2904, 2928 (LOTS 4-7 BLK 1 OLT 72 DIV D BROWN LEANDER ADDN) GUADALUPE ST                                                                                                    | CS         | CS-CO-NP    |
| 177   | 2928 (LOT 8 BLK 1 OLT 72 DIV D BROWN LEANDER ADDN) GUADALUPE ST                                                                                                                   | CS         | CS-1-CO-NP  |
| 178   | 2934 GUADALUPE ST                                                                                                                                                                 | CS         | CS-CO-NP    |
| 179   | 3000 GUADALUPE ST                                                                                                                                                                 | CS         | CS-MU-CO-NP |
| 179A  | 3002 GUADALUPE ST                                                                                                                                                                 | CS-H       | CS-H-CO-NP  |
| 180   | 609 W 31ST ST; 3004, 3006, 3010, 3016 GUADALUPE ST                                                                                                                                | GO, CS     | CS-MU-CO-NP |
| 181   | 613, 615, 617 W 31ST ST                                                                                                                                                           | SF-3, MF-2 | SF-3-CO-NP  |
|       | 611 W 31ST ST                                                                                                                                                                     | MF-2       | MF-1-CO-NP  |
| 183   | 3000 GUADALUPE ST                                                                                                                                                                 | MF-4       | MF-4-CO-NP  |

| TRACT | ADDRESSES                                                                                  | FROM             | TO          |
|-------|--------------------------------------------------------------------------------------------|------------------|-------------|
| 184   | 3009, 3011 WASHINGTON SQ                                                                   | SF-3, MF-2       | SF-3-CO-NP  |
| 185   | 3015 WASHINGTON SQ                                                                         | MF-2             | MF-1-CO-NP  |
| 186   | 3000, 3002, 3006 WASHINGTON SQ                                                             | SF-3, MF-2       | SF-3-CO-NP  |
| 187   | 708, 710, W 30TH ST; 707, 709 W 31ST ST; 3007, 3009, 3011, 3013, 3015, 3019 WEST AVE       | SF-3, MF-2       | SF-3-CO-NP  |
| 188   | 706 W 30TH ST                                                                              | MF-2             | MF-2-CO-NP  |
| 189   | 3008 WEST AVE                                                                              | MF-2             | SF-3-CO-NP  |
| 190   | 800, 806, 808, 900, 902, 904, 906, 908 W 30TH ST                                           | SF-3, MF-2       | SF-3-CO-NP  |
| 191   | 811 W 31ST ST                                                                              | MF-2             | SF-3-CO-NP  |
| 192   | 3007, 3009 (W 109.75 FT OF LOT 1-A OLT 72&75 DIV D WALTON ANNEX), 3011, 3027 N LAMAR BLVD  | LR, CS, CS-MU-CO | LR-CO-NP    |
| 192A  | 3015 N LAMAR BLVD                                                                          | CS               | CS-CO-NP    |
| 193   | 3009 N LAMAR BLVD (E 50 FT OF LOT 1-A OLT 72&75 DIV D PLUS 1/2 ADJ VAC ALLEY WALTON ANNEX) | LO               | NO-MU-NP    |
| 194   | 3001 N LAMAR BLVD (LOTS 20 & 21 OLT 72&75 DIV D OAKWOOD)                                   | CS               | CS-CO-NP    |
| 195   | 3001 N LAMAR BLVD (LOT 22 & W 15FT LOT 23 OLT 72&75 DIV D OAKWOOD)                         | GR               | GR-CO-NP    |
| 196   | 3125 N LAMAR BLVD                                                                          | CS               | CS-CO-NP    |
| 197   | 906 W 31ST ST                                                                              | MF-3             | NO-MU-NP    |
| 198   | 3116 GRANDVIEW ST                                                                          | MF-2             | MF-1-CO-NP  |
| 199   | 3111 GRANDVIEW ST                                                                          | MF-2             | MF-2-CO-NP  |
| 204   | 703, 705 W 32ND ST; 3104 KING ST; 3101 KINGS LN; 700, 702, 704, 706 W 31ST ST              | SF-3, MF-2, MF-3 | SF-3-CO-NP  |
| 206   | 701 W 32ND ST                                                                              | MF-2             | MF-1-CO-NP  |
| 207   | 635 W 31ST 1/2 ST                                                                          | MF-2             | MF-2-CO-NP  |
| 208   | 609, 611, 613, 615, 631 W 31ST 1/2 ST                                                      | SF-3, MF-2       | SF-3-CO-NP  |
| 209   | 3100 GUADALUPE ST                                                                          | CS               | CS-CO-NP    |
| 210   | 3110, 3116, 3120 GUADALUPE ST                                                              | CS               | CS-CO-NP    |
| 211   | 606, 608 610, 612, 614, 616, 618 W 31ST 1/2 ST                                             | SF-3, MF-2       | SF-3-CO-NP  |
| 213   | 3202, 3204, 3208 GUADALUPE ST                                                              | CS               | CS-CO-NP    |
| 214   | 0 (E 18 FT OF LOT 8 BLK 2 OLT 75-76 DIV D GYPSY GROVE), 607 W 33RD ST                      | SF-3, CS         | SF-3-CO-NP  |
| 215   | 612, 614, 616 W 32ND ST                                                                    | SF-3, MF-2       | SF-3-CO-NP  |
| 216   | 610 W 32ND ST                                                                              | MF-2             | MF-1-CO-NP  |
| 217   | 609, 611, 613, 615 W 33RD ST                                                               | SF-3, MF-2       | SF-3-CO-NP  |
| 219   | 3300 GUADALUPE ST                                                                          | CS               | CS-CO-NP    |
| 220   | 3316 GUADALUPE ST                                                                          | CS               | CS-MU-CO-NP |
| 221   | 612, 614, 616, 618 W 33RD ST; 627, 631 W 34TH ST; 3313 KING ST                             | GO, CS           | SF-3-CO-NP  |
| 222   | 700, 702 W 32ND ST                                                                         | MF-2             | SF-3-CO-NP  |
| 223   | 706 W 32ND ST; 3208 KING ST                                                                | MF-2             | MF-2-CO-NP  |
| 224   | 3208, 3210 KING ST                                                                         | SF-3, MF-2       | SF-3-CO-NP  |
| 225   | 707 W 34TH ST; 0 (W50FT OF LOT 4 BLK 2 OLT 75 DIV D SMYTH ADDN), 3300 KING ST              | LO               | LO-NP       |
| 226   | 709, 715 W 34TH ST; 3211 WEST AVE                                                          | LO               | LO-NP       |
| 227   | 708 W 32ND ST; 3201, 3205 WEST AVE                                                         | SF-3, MF-2       | SF-3-CO-NP  |
| 228   | 901, 903 W 31ST ST; 3204 WEST AVE                                                          | SF-3, MF-2       | SF-3-CO-NP  |
| 229   | 3206 WEST AVE                                                                              | LO               | LO-CO-NP    |

| TRACT | ADDRESSES                                                                                                                                                       | FROM               | TO          |
|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-------------|
| 230   | 801 W 34TH ST                                                                                                                                                   | LO                 | LO-NP       |
| 231   | 3205, 3207 GRANDVIEW AVE                                                                                                                                        | LO                 | LO-CO-NP    |
| 232   | 806 W 32ND ST                                                                                                                                                   | MF-2               | MF-2-CO-NP  |
| 233   | 808, 810 W 32ND ST                                                                                                                                              | MF-2               | SF-3-CO-NP  |
| 234   | 3200, 3204, 3206, 3208 (LOT 5 & S10FT OF LOT 6 BLK 5 OLT 75 DIV D PENN SUB OF BLK 5&6 SMYTH SUB) GRANDVIEW ST                                                   | MF-2, LO           | MF-2-NP     |
| 235   | 3316 (N40FT OF LOT 6-8 BLK 5 OLT 75 DIV D PENN SUB OF BLK 5&6 SMYTH SUB PLUS ADJ VAC ALLEY) GRANDVIEW ST                                                        | LO                 | LO-NP       |
| 236   | 3303 (LOT 14-15 & S 15 FT OF LOT 13 & N 9 FT OF LOT 16 BLK 5 OLT 75 DIV D PENN SUB OF BLK 5&6 SMYTH SUB) N LAMAR BLVD                                           | CS, CS-1           | CS-CO-NP    |
| 237   | 3311 (LOT 12 & N 34 FT OF LOT 13 BLK 5 OLT 75 DIV D PENN SUB OF BLK 5&6 SMYTH SUB) N LAMAR BLVD                                                                 | CS-1               | CS-1-CO-NP  |
| 238   | 905 W 34TH ST; 3317 N LAMAR BLVD                                                                                                                                | CS                 | CS-CO-NP    |
| 239   | 3401, 3411, 3419, 3423 N LAMAR BLVD                                                                                                                             | CS                 | CS-CO-NP    |
| 240   | 3501 N LAMAR BLVD; 3400, 3406, 3408, 3412 OWEN AVE                                                                                                              | CS                 | P-NP        |
| 241   | 800, 808 W 34TH ST; 3408 WEST AVE                                                                                                                               | LO                 | LO-NP       |
| 242   | 905, 907 W 37TH ST; 3507 N LAMAR BLVD; 3500, 3501, 3502, 3503 OWEN CIR                                                                                          | MF-2, MF-3, LO, CS | P-NP        |
| 243   | 711 W 38TH ST (N 323.29 FT MEDICAL SCIENCE CENTER CONDOMINIUMS)                                                                                                 | LR                 | GR-CO-NP    |
| 244   | 711 (S 154.55 FT MEDICAL SCIENCE CENTER CONDOMINIUMS) W 38TH ST; 3509, 3511, 3513 WEST AVE                                                                      | LO, LR             | LO-MU-NP    |
| 245   | 700, 702, 704, 706, 710, 712, 714, 720 W 34TH ST; 3409 WEST AVE                                                                                                 | SF-3, LO           | LO-NP       |
| 245A  | 717 W 35TH ST                                                                                                                                                   | LO-CO              | LO-CO-NP    |
| 246   | 631 W 38TH ST                                                                                                                                                   | GO                 | GR-CO-NP    |
| 247   | 624 W 37TH ST                                                                                                                                                   | MF-4               | LR-MU-CO-NP |
| 248   | 623 W 38TH ST                                                                                                                                                   | LO                 | GR-CO-NP    |
| 249   | 601 W 38TH ST; 3702 (LOT 1 BLK 7 PLUS 1/2 VAC ALLEY OLT 73 DIV D BUDDINGTON SUBD) GUADALUPE ST                                                                  | CS                 | CS-CO-NP    |
| 250   | 3702 (LOT 2 BLK 6 PLUS 1/2 VAC ALLEY OLT 73 DIV D BUDDINGTON SUBD) GUADALUPE ST                                                                                 | CS-1               | CS-1-CO-NP  |
| 251   | 604 W 37TH ST; 3700 GUADALUPE ST                                                                                                                                | CS                 | CS-CO-NP    |
| 252   | 605 W 37TH ST; 3510 (N 72.5 FT OF LOTS 1 & 2 BLK 1 OLT 76 DIV D BUDDINGTON SUBD) GUADALUPE ST                                                                   | CS                 | CS-CO-NP    |
| 253   | 3510 (S 72.5 FT OF LOTS 1 & 2 BLK 1 OLT 76 DIV D BUDDINGTON SUBD) GUADALUPE ST                                                                                  | CS, CS-1           | CS-1-CO-NP  |
| 254   | 606 MAIDEN LN                                                                                                                                                   | CS                 | CS-1-CO-NP  |
| 255   | 3500 GUADALUPE (E 100 FT LOTS 1-3 BLK 4 OLT 75-76 DIV D GYPSY GROVE SAVE AND EXCEPT A 6,158 SQUARE FOOT TRACT OF LAND MORE PARTICULARLY DESCRIBED IN EXHIBIT K) | CS                 | CS-CO-NP    |
| 256   | 3500 GUADALUPE (A 6,158 SQUARE FOOT TRACT OF LAND MORE PARTICULARLY DESCRIBED IN EXHIBIT K)                                                                     | CS-1               | CS-1-CO-NP  |

| TRACT | ADDRESSES                                                                                                                                                               | FROM   | TO          |
|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|-------------|
| 257   | 607 W 37TH ST                                                                                                                                                           | CS     | CS-CO-NP    |
| 259   | 604 W 35TH ST                                                                                                                                                           | CS     | CS-CO-NP    |
| 260   | 3402, 3404, 3406 GUADALUPE ST                                                                                                                                           | CS     | CS-CO-NP    |
| 261   | 612, 616, 620, 624, 630 W 34TH ST                                                                                                                                       | CS     | CS-CO-NP    |
| 262   | 3680 WEST AVE                                                                                                                                                           | LO, GO | GR-MU-CO-NP |
| 263   | 3515 N LAMAR BLVD                                                                                                                                                       | CS     | CS-CO-NP    |
| 264   | 901, 911 W 38TH ST                                                                                                                                                      | CS     | CS-CO-NP    |
| 265   | 3701 N LAMAR BLVD                                                                                                                                                       | CS     | CS-CO-NP    |
| 268   | 806 W 37TH ST; 801 W 38TH ST                                                                                                                                            | GR     | GR-NP       |
| 1000  | 1107 W 22ND ST; 1901, 1903, 1905, 1907, 1909, 1911, 1913, 1915, 1917 DAVID ST                                                                                           | SF-3   | SF-3-CO-NP  |
| 1001  | 1113 W 22ND ST; 1900, 1902, 1904, 1906, 1910, 1912, 1914, 1916 DAVID ST                                                                                                 | SF-3   | SF-3-CO-NP  |
| 1002  | 1207 W 22ND ST; 1909 (S 25 FT LOT 15 BLK 3 OLT 26-28 DIV D CARRINGTON SUBD), 1913 CLIFF ST                                                                              | SF-3   | SF-3-CO-NP  |
| 1003  | 1901, 1907 CLIFF ST                                                                                                                                                     | SF-3   | SF-3-CO-NP  |
| 1005  | 0 (LOT 8 BLK B OLT 29 DIV D LAWLESS PLUS ADJ 1/2 VAC STREET), 1202, 1204, 1208, 1210, 1216 W 22ND ST; 2200, 2202 LONGVIEW ST                                            | SF-3   | SF-3-CO-NP  |
| 1006  | 1201, 1203, 1205, 1207, 1209, 1211, 1215 W 22ND 1/2 ST                                                                                                                  | SF-3   | SF-3-CO-NP  |
| 1007  | 1114 W 22 <sup>ND</sup> ST                                                                                                                                              | SF-3   | SF-3-CO-NP  |
| 1008  | 1101, 1103, 1105, 1107, 1109, 1111, 1113, 1115 W 22ND 1/2 ST                                                                                                            | SF-3   | SF-3-CO-NP  |
| 1009  | 1114 W 22 <sup>ND</sup> 1/2 ST                                                                                                                                          | SF-3   | SF-3-CO-NP  |
| 1010  | 1100, 1102, 1104, 1106 W 22ND 1/2 ST; 2218 LEON ST                                                                                                                      | SF-3   | SF-3-CO-NP  |
| 1011  | 2309, 2311 LONGVIEW ST                                                                                                                                                  | SF-3   | SF-3-CO-NP  |
| 1013  | 1200, 1202, 1204, 1206, 1208 W 22ND 1/2 ST; 2212, 2306, 2308, 2310 LONGVIEW ST; 2303, 2305, 2307, 2309, 2311, 2313 SHOAL CREEK BLVD                                     | SF-3   | SF-3-CO-NP  |
| 1014  | 805, 905 W 28TH 1/2 ST; 2810, 2814, 2816 SAN PEDRO ST; 2815, 2819, 2825 SAN GABRIEL ST; 0 (S 44.6FT OF E 29FT OF LOT 1&2 BLK 3 OLT 70 DIV D BYRNES JAMES SUBD) PEARL ST | SF-3   | SF-3-CO-NP  |
| 1015  | 2818, 2820, 2822, 2826 SALADO ST                                                                                                                                        | SF-3   | SF-3-CO-NP  |
| 1016  | 2817, 2819, 2821 SALADO ST                                                                                                                                              | SF-3   | SF-3-CO-NP  |
| 1017  | 804, 806 W 28TH 1/2 ST; 2831, 2833, 2835, 2837 PEARL ST                                                                                                                 | SF-3   | SF-3-CO-NP  |
| 1018  | 2826, 2828, 2830, 2832, 2834, 2836, 2838, 2840 PEARL ST                                                                                                                 | SF-3   | SF-3-CO-NP  |
| 1019  | 2827, 2829, 2831, 2835, 2837, 2839, 2845 SAN GABRIEL ST                                                                                                                 | SF-3   | SF-3-CO-NP  |
| 1020  | 2826, 2828, 2830, 2832, 2834, 2836, 2838, 2840, 2842, 2844, 2846 SAN GABRIEL ST                                                                                         | SF-3   | SF-3-CO-NP  |
| 1021  | 2825, 2827, 2829, 2831, 2833, 2835, 2837, 2839, 2841, 2843, 2845, 2847 SHOAL CREST AVE                                                                                  | SF-3   | SF-3-CO-NP  |
| 1022  | 2830, 2832, 2834, 2838, 2840, 2842, 2844, 2848 SHOAL CREST AVE                                                                                                          | SF-3   | SF-3-CO-NP  |
| 1023  | 801, 803, 805, 807 W 30TH ST; 2810, 2812, 2814, 2824 PEARL ST                                                                                                           | SF-3   | SF-3-CO-NP  |
| 1024  | 907 W 30TH ST                                                                                                                                                           | SF-3   | SF-3-CO-NP  |

| TRACT | ADDRESSES                                                                                                               | FROM   | TO           |
|-------|-------------------------------------------------------------------------------------------------------------------------|--------|--------------|
| 1025  | 2910 PEARL ST                                                                                                           | SF-3   | SF-3-CO-NP   |
| 1026  | 2902, 2904 WEST AVE                                                                                                     | SF-3   | SF-3-CO-NP   |
| 1028  | 710 W 29TH ST (LOT 4 BLK 4 OLT 72 DIV D BROWN LEANDER ADDN)                                                             | SF-3   | SF-3-CO-NP   |
| 1030  | 615 W 30TH ST; 2911, 2913, 2915, 2917 RIO GRANDE ST                                                                     | SF-3   | SF-3-CO-NP   |
| 1034  | 804, 808, 810, 900, 902, 904 W 30TH 1/2 ST                                                                              | SF-3   | SF-3-CO-NP   |
| 1035  | 807 W 31ST ST                                                                                                           | SF-3   | SF-3-CO-NP   |
| 1036  | 3012, 3018 WEST AVE                                                                                                     | SF-3   | SF-3-CO-NP   |
| 1040  | 3008, 3010, 3014 WASHINGTON SQ                                                                                          | SF-3   | SF-3-CO-NP   |
| 1041  | 3001, 3005, 3007 WASHINGTON SQ                                                                                          | SF-3   | SF-3-CO-NP   |
| 1044  | 607 W 32ND ST                                                                                                           | SF-3   | SF-3-CO-NP   |
| 1046  | 615 W 32ND ST; 3109 KING ST                                                                                             | SF-3   | SF-3-CO-NP   |
| 1048  | 3101, 3103 WEST AVE                                                                                                     | SF-3   | SF-3-CO-NP   |
| 1049  | 3112 WEST AVE                                                                                                           | SF-3-H | SF-3-H-CO-NP |
| 1049A | 807, 809 W 32ND ST; 3114 WEST AVE                                                                                       | SF-3   | SF-3-CO-NP   |
| 1049B | 806, 810 W 31ST ST; 0 (E 40FT OF S19FT LOT 65 & E40FT OF W39FT LOT 66 OLT 72-75 DIV D OAKWOOD), 3107, 3109 GRANDVIEW ST | SF-3   | SF-3-CO-NP   |
| 1049C | 804 W 31ST ST; 3102, 3104, 3108, 3110 WEST AVE                                                                          | SF-3   | SF-3-CO-NP   |
| 1050  | 900, 902 W 31ST ST; 3104, 3108, 3110, 3112 GRANDVIEW ST; 3113 OWEN AVE                                                  | SF-3   | SF-3-CO-NP   |
| 1057  | 606, 608 W 32ND ST                                                                                                      | SF-3   | SF-3-CO-NP   |
| 1060  | 3410, 3504 WEST AVE                                                                                                     | SF-3   | SF-3-CO-NP   |
| 1061  | 3506 WEST AVE                                                                                                           | SF-3-H | SF-3-H-CO-NP |
| 1062  | 3508, 3510 WEST AVE                                                                                                     | SF-3   | SF-3-CO-NP   |
| 1063  | 3413, 3415 WEST AVE                                                                                                     | SF-3   | SF-3-CO-NP   |
| 1064  | 703, 705, 707, 709, 711, 713, 715 W 35TH ST; 3404 KING ST                                                               | SF-3   | SF-3-CO-NP   |
| 1065  | 700, 702, 704, 706, 708, 710, 712, 714, 716 W 35TH ST; 3504 KING ST                                                     | SF-3   | SF-3-CO-NP   |
| 1066  | 607, 609, 611, 615, 617, 619, 621 W 35TH ST; 3403 KING ST                                                               | SF-3   | SF-3-CO-NP   |
| 1067  | 606, 610, 614, 616, 618, 620 W 35TH ST                                                                                  | SF-3   | SF-3-CO-NP   |
| 1068  | 611 W 35TH ST                                                                                                           | SF-3   | SF-3-CO-NP   |
| 1069  | 609 W 37TH ST                                                                                                           | SF-4A  | SF-4A-CO-NP  |

**PART 3.** 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 4.** The following applies to a single-family residential use, a duplex residential use, or a two-family residential use within the boundaries of the West University, Shoal Crest and Heritage Subdistricts:

1. Front porch setback applies as set forth in Section 25-2-1602 of the Code.
2. Impervious cover and parking placement restrictions apply as set forth in Section 25-2-1603 of the Code.
3. Garage placement restrictions apply as set forth in Section 25-2-1604 of the Code.
4. Front or side yard parking restrictions apply as set forth in Section 25-2-1406 of the Code.

**PART 5.** 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:

1, 2, 3, 3A, 4, 4A, 5, 5A, 6-13, 13A, 13B, 16, 20, 20A, 22, 22A, 23, 24, 26, 26A, 27, 31, 32, 58, 58A, 58B, 64, 66, 68, 69, 69A, 70, 70A, 71-74, 74A, 75, 77-80, 80B, 82-88, 91, 91A, 91B, 92B, 92C, 92D, 93, 94, 96, 112, 115, 115A, 116-119, 122, 128, 141-143, 143C, 144-146, 148, 156, 157, 158, 166, 167, 170, 172, 174, 176-179, 179A, 180, 183, 192, 192A, 193-197, 209, 210, 213, 219, 220, 225, 226, 230, 237-239, 241, 243-245, 245A, 246-256, 259, 260, 261, 262-266

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

1. The maximum height of a building or structure is 30 feet from ground level on the following tracts:

38, 39, 39A, 50, 51, 52, 53, 147, 149A, 159, 162, 168, 169, 169A, 171, 181, 184, 185, 186, 187, 188, 189, 190, 191, 198, 199, 204, 206, 207, 208, 211, 214, 215, 216, 217, 221, 222, 223, 224, 227, 228, 231, 232, 233, 234, 1000-1003, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1028, 1030, 1034, 1036, 1040, 1041, 1044, 1046, 1048, 1049, 1049A, 1049B, 1049C, 1050, 1057, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069.

2. The maximum height of a building or structure is 35 feet from ground level on Tracts 39A, 45, 46, 47, 48, 50, 54, 55, 148, 148A, 151, 152, 153, 154, 155, 163, 164, 166, 244, and 257.
3. The maximum height of a building or structure is 40 feet from ground level on Tracts 27, 28, 29, 31, 32, 56, 57, 59, 61, 62, 98A, 100A, 102, 135, 137, 141, 142, 156, 157, 161, 167, 170, 173, 179, 179A, 180, 183, 192A, 194, 195, 209, 210, 213, 219, 252, 253, 254, 255, 256, 259, 260, 261, and 262.
4. The maximum height of a building or structure is 45 feet from ground level on Tracts 196 and 158.
5. The maximum height of a building or structure is 50 feet from ground level on Tracts 98, 99, 100, 103, 104, 105, 107, 130, 136, 143, 143A, 143B, 143C, 156, 172, 174, 176, 177, 178, 237, 238, 239, 248, 249, 250, 251, and 263.
6. The following applies to Tracts 43 and 44.
  - A. For an office use or a residential use, the maximum building coverage is 21,000 square feet.
  - B. The maximum impervious cover is 75 percent.
  - C. Except as provided in Subsection D, a building or structure may not exceed a height of 578 feet above sea level.
  - D. A building or structure located within the area measured 90 feet from the rear property line may not exceed a height of 570 feet above sea level.
  - E. The maximum floor area ratio is 0.75 to 1.0.
  - F. A residential unit may not exceed 1,200 square feet gross floor area.
7. The following applies to Tract 43A.
  - A. For an office use or a residential use, the maximum building coverage is 3,000 square feet.
  - B. Except as provided in Subsection C, a building or structure may not exceed a height of 578 feet above sea level.

C. A building or structure located within the area measured 90 feet from the rear property line may not exceed a height of 570 feet above sea level.

8. Vehicular access from Tracts 43 and 44 to West 22 ½ Street is prohibited. All vehicular access to the tracts shall be from other adjacent public streets or through other adjacent property.
9. Vehicular access from Tract 43A to West 22 Street is prohibited. All vehicular access to the tract shall be from other adjacent public streets or through other adjacent property.
10. A site plan or building permit for Tract 70 may not be approved, released, or issued, if the completed development or uses of Tract 70, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
11. The following uses are prohibited uses of Tracts 150, 151, 152, 153, 154, and 155:  

|                                          |                                        |
|------------------------------------------|----------------------------------------|
| Medical offices (less than 5000 sq. ft.) | Medical offices (exceeds 5000 sq. ft.) |
|------------------------------------------|----------------------------------------|
12. Group residential use is a prohibited use of Tracts 31, 32, 39A, 43, 46, 47, 48, 50, 54, 55, 133, 135, 137, 185, 188, 198, 201, 206, 207, 216, 223, and 232.
13. Club or lodge use and community recreation (private) use are prohibited uses of Tracts 31, 32, 38, 39, 39A, 41-43, 46-48, 50-55, 1000-1003, 1005-1011, and 1015.
14. The following uses are prohibited uses of Tract 23:

Automotive rentals  
Automotive repair services  
Business support services  
General retail sales (general)  
Indoor entertainment  
Community recreation (public)  
Outdoor sports and recreation  
Pawn shop services  
Personal improvement services  
Pet services

Automotive washing (of any type)  
Automotive sales  
Business or trade school  
Commercial off-street parking  
Indoor sports and entertainment  
Community recreation (private)  
Consumer convenience services  
Consumer repair services  
Drop-off recycling collection facility  
Exterminating services

Food sales  
Restaurant (general)  
Restaurant (limited)  
General retail sales (convenience)

Research services  
Financial services  
Service station  
Theater

15. The following uses are prohibited uses of Tract 41:

Consumer convenience services  
Consumer repair services  
Food sales  
Financial services  
Guidance services

Off-site accessory parking  
Personal services  
Pet services  
Restaurant (limited)  
Service station

16. The following uses are prohibited uses of Tracts 196, 237, 238, 239, and 263:

Agricultural sales and services  
Automotive washing (of any type)  
Campground  
Maintenance and service facilities  
Convenience storage  
Drop-off recycling collection facilities  
Outdoor sports and recreation  
Pawn shop services  
Transportation terminal  
Indoor sports and recreation

Kennels  
Limited warehousing and distribution  
Commercial off-street parking  
Construction sales and services  
Monument retail sales  
Outdoor entertainment  
Electronic prototype assemble  
Equipment repair services  
Equipment sales  
Vehicle storage

17. The following uses are conditional uses of Tracts 196, 236, 237, 238, 239, and 263:

Automotive rentals  
Automotive sales  
Commercial blood plasma center  
Hospital services (general)  
Hotel-motel  
Laundry services  
Research services

Automotive repair services  
Club or lodge  
Building maintenance services  
Residential treatment  
Service station  
Transitional housing

18. The following uses are prohibited uses of Tracts 156, 157, 158, and 195:

Automotive washing (of any type)  
Commercial off-street parking

Outdoor sports and recreation  
Pawn shop services

Indoor sports and recreation  
Kennels  
Outdoor entertainment

Transportation terminal  
Vehicle storage

19. The following uses are conditional uses of Tracts 156, 157, 158, and 195:

Automotive rentals  
Automotive sales  
Hotel-motel  
Service station

Automotive repair services  
Hospital services (general)  
Residential treatment

20. Cocktail lounge use is a prohibited use of Tract 157.

21. The following uses are prohibited uses of Tracts 249 and 264:

Agricultural sales and services  
Automotive repair services  
Automotive washing (of any type)  
Campground  
Limited warehousing and distribution  
Maintenance and service facilities  
Convenience storage  
Drop-off recycling collection facilities  
Outdoor sports and recreation  
Pawn shop services  
Transportation terminal  
Service station

Automotive rentals  
Automotive sales  
Building maintenance services  
Kennels  
Indoor sports and recreation  
Construction sales and services  
Monument retail sales  
Outdoor entertainment  
Electronic prototype assembly  
Equipment repair services  
Equipment sales  
Vehicle storage

22. Drive-in service is prohibited as an accessory use to commercial uses of Tracts 141, 142, 146, 146A, 148, 160, 164, 166, 170, 172, 174, 243, 246, 248, 249, 261, 262, 264, and 266.
23. Drive-in service is a conditional use as an accessory use to commercial uses of Tracts 176, 177, 178, 179, 179A, 180, 209, 210, 213, 219, 220, 250, 251, 252, 253, 254, 255, 256, 257, 259, and 260.
24. Drive-in service is prohibited as an accessory use to restaurant (general and limited) uses of Tracts 176, 177, 178, 179, 179A, 180, 209, 210, 213, 219, 220, 250, 251, 252, 253, 254, 255, 256, 257, 259, and 260.

25. The following uses are conditional uses of Tracts 249 and 264:

|                                   |                               |
|-----------------------------------|-------------------------------|
| Business or trade school          | Indoor entertainment          |
| College and university facilities | Indoor sports and recreation  |
| Commercial blood plasma center    | Laundry services              |
| Plant nursery                     | Commercial off-street parking |
| Research services                 | Residential treatment         |
| Hospital services (general)       | Transitional housing          |
| Hotel-motel                       |                               |

26. The following uses are prohibited uses of Tract 243, 246, 248, 262, and 266:

|                                 |                                          |
|---------------------------------|------------------------------------------|
| Automotive rentals              | Automotive repair services               |
| Automotive sales                | Automotive washing (of any type)         |
| Construction sales and services | Drop-off recycling collection facilities |
| Indoor sports and recreation    | Outdoor entertainment                    |
| Outdoor sports and recreation   | Pawn shop services                       |
| Service station                 |                                          |

27. The following uses are conditional uses of Tracts 243, 246, 248, 262, and 266:

|                                   |                       |
|-----------------------------------|-----------------------|
| Business or trade school          | Hotel-motel           |
| College and university facilities | Indoor entertainment  |
| Commercial off-street parking     | Research services     |
| Group home, Class II              | Residential treatment |
| Hospital services (general)       | Transitional housing  |

28. The following uses are prohibited uses of Tract 257:

|                                    |            |
|------------------------------------|------------|
| Arts and craft studio (industrial) | Campground |
| Exterminating services             | Kennels    |

29. The following uses are prohibited uses of Tracts 176, 177, 178, 179, 179A, 180, 209, 210, 213, 219, 220, 250, 251, 252, 253, 254, 255, 256, 259, and 260:

|                                    |            |
|------------------------------------|------------|
| Arts and craft studio (industrial) | Campground |
| Exterminating services             | Kennels    |
| Vehicle storage                    |            |

30. The following uses are conditional uses of Tracts 176, 177, 178, 179, 179A, 180, 209, 210, 213, 219, 220, 250, 251, 252, 253, 254, 255, 256, 257, 259, and 260:

Automotive repair services  
Club or lodge  
Commercial off-street parking  
Convenience storage  
Equipment repair services  
Hospital services (general)  
Off-site accessory parking

Building maintenance services  
Commercial blood plasma center  
Construction sales and services  
Drop-off recycling collection facility  
Equipment sales  
Laundry services  
Service station

31. The following uses are prohibited uses of Tract 261:

Agricultural sales and services  
Automotive repair services  
Automotive washing (of any type)  
Business support services  
College and university facilities  
Commercial off-street parking  
Convenience storage  
Drop-off recycling collection facilities  
Equipment repair services  
Funeral services  
Hotel-motel  
Indoor sports and recreation  
Laundry services  
Maintenance and service facilities  
Outdoor entertainment  
Pawn shop services  
Private primary educational facilities  
Public primary educational facilities  
Research services  
Transportation terminal

Automotive rentals  
Automotive sales  
Building maintenance services  
Campground  
Commercial blood plasma center  
Construction sales and services  
Custom manufacturing  
Electronic prototype assembly  
Equipment sales  
Hospital services (general)  
Indoor entertainment  
Kennels  
Limited warehousing and distribution  
Monument retail sales  
Outdoor sports and recreation  
Plant nursery  
Private secondary educational facilities  
Public secondary educational facilities  
Residential treatment  
Vehicle storage

32. The following uses are conditional uses of Tract 261:

Exterminating services  
Hospital services (limited)  
Service station

Group home, Class II  
Off-site accessory parking  
Transitional housing

33. The following uses are prohibited uses of Tracts 141, 142, 146, 166, 170, 172, and 174:

|                                          |                                                  |
|------------------------------------------|--------------------------------------------------|
| Agricultural sales and services          | Automotive rentals                               |
| Automotive repair services               | Automotive sales                                 |
| Automotive washing (of any type)         | Building maintenance services                    |
| Business support services                | Business or trade school                         |
| Campground                               | College and university facilities                |
| Commercial blood plasma center           | Commercial off-street parking                    |
| Construction sales and services          | Convenience storage                              |
| Drop-off recycling collection facilities | Electronic prototype assembly                    |
| Equipment repair services                | Equipment sales                                  |
| Funeral services                         | Hospital services (general)                      |
| Hospital services (limited)              | Hotel-motel                                      |
| Indoor entertainment                     | Indoor sports and recreation                     |
| Kennels                                  | Limited warehousing and distribution             |
| Maintenance and service facilities       | Monument retail sales                            |
| Medical offices (exceeds 5000 sq. ft.)   | Medical offices (not exceeding 5000 sq. sq. ft.) |
| Outdoor entertainment                    | Pawn shop services                               |
| Outdoor sports and recreation            | Private secondary educational facilities         |
| Private primary educational facilities   | Public secondary educational facilities          |
| Public primary educational facilities    | Residential treatment                            |
| Research services                        | Vehicle storage                                  |
| Transportation terminal                  |                                                  |

34. The following uses are conditional uses of Tracts 141, 142, 146, 148, 166, 170, 172, and 174:

|                        |                            |
|------------------------|----------------------------|
| Club or lodge          | Off-site accessory parking |
| Exterminating services | Plant nursery              |
| Group home, Class II   | Service station            |
| Laundry services       | Transitional housing       |

35. The following uses are prohibited uses of Tract 160 and 164:

|                    |                 |
|--------------------|-----------------|
| Financial services | Service station |
|--------------------|-----------------|

36. Residential uses are prohibited on the first floor of a building or structure on Tract 180.

37. The following uses are prohibited uses of Tract 148:

Agricultural sales and services  
Automotive repair services  
Automotive washing (of any type)  
Business support services  
Campground  
Commercial blood plasma center  
Construction sales and services  
Drop-off recycling collection facilities  
Equipment repair services  
Funeral services  
Hospital services (limited)  
Indoor entertainment  
Kennels  
Maintenance and service facilities  
Medical offices (exceeds 5000 sq. ft.)  
Outdoor sports and recreation  
Private primary educational facilities  
Public primary educational facilities  
Research services  
Transportation terminal

Automotive rentals  
Automotive sales  
Building maintenance services  
Business or trade school  
College and university facilities  
Commercial off-street parking  
Convenience storage  
Electronic prototype assembly  
Equipment sales  
Hospital services (general)  
Hotel-motel  
Indoor sports and recreation  
Limited warehousing and distribution  
Monument retail sales  
Outdoor entertainment  
Pawn shop services  
Private secondary educational facilities  
Public secondary educational facilities  
Residential treatment  
Vehicle storage

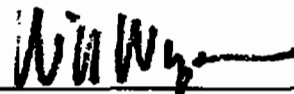
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

**PART 7.** This ordinance takes effect on September 6, 2004.

**PASSED AND APPROVED**

August 26, 2004

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§  
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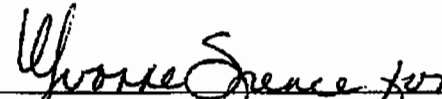
Will Wynn  
Mayor

**APPROVED:**

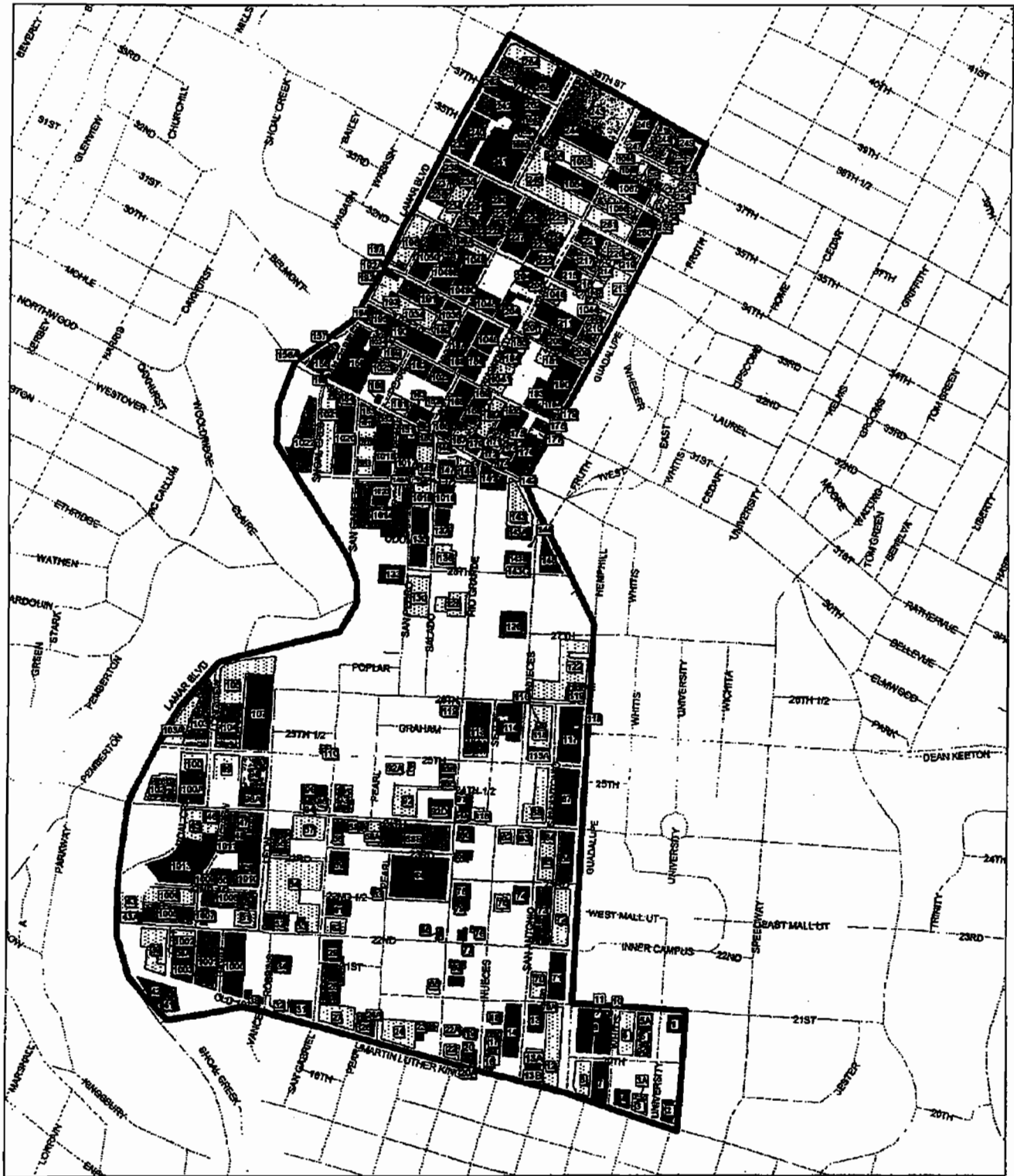


David Allan Smith  
City Attorney

**ATTEST:**



Shirley A. Brown  
City Clerk



**West University Neighborhood Planning Area:  
Rezonings Approved on 3rd Reading 8-26-04**  
Case #C14-04-0021 EXHIBIT A



City of Austin  
Neighborhood Planning and Zoning Department



Legend

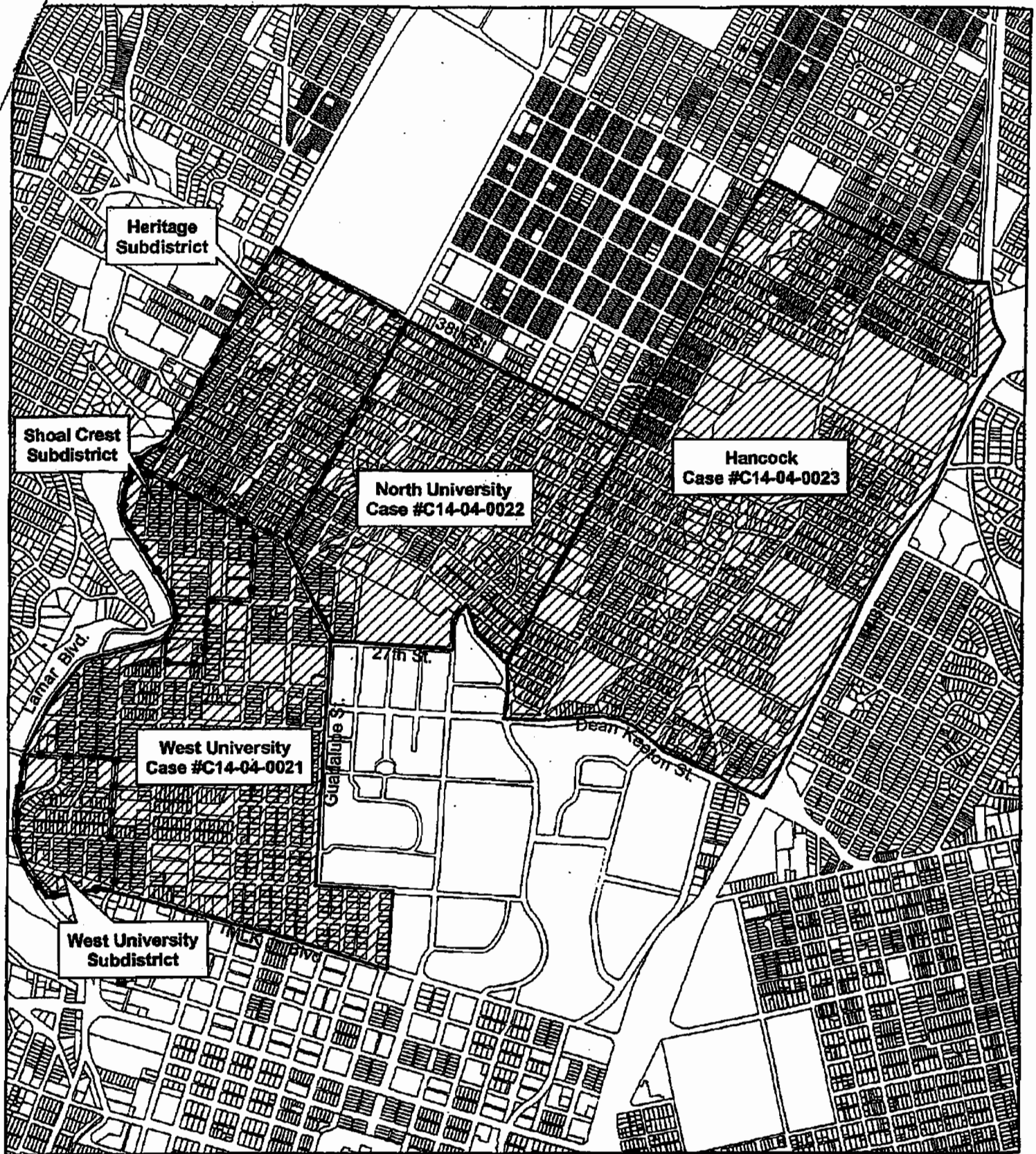


Properties with  
proposed  
zoning changes

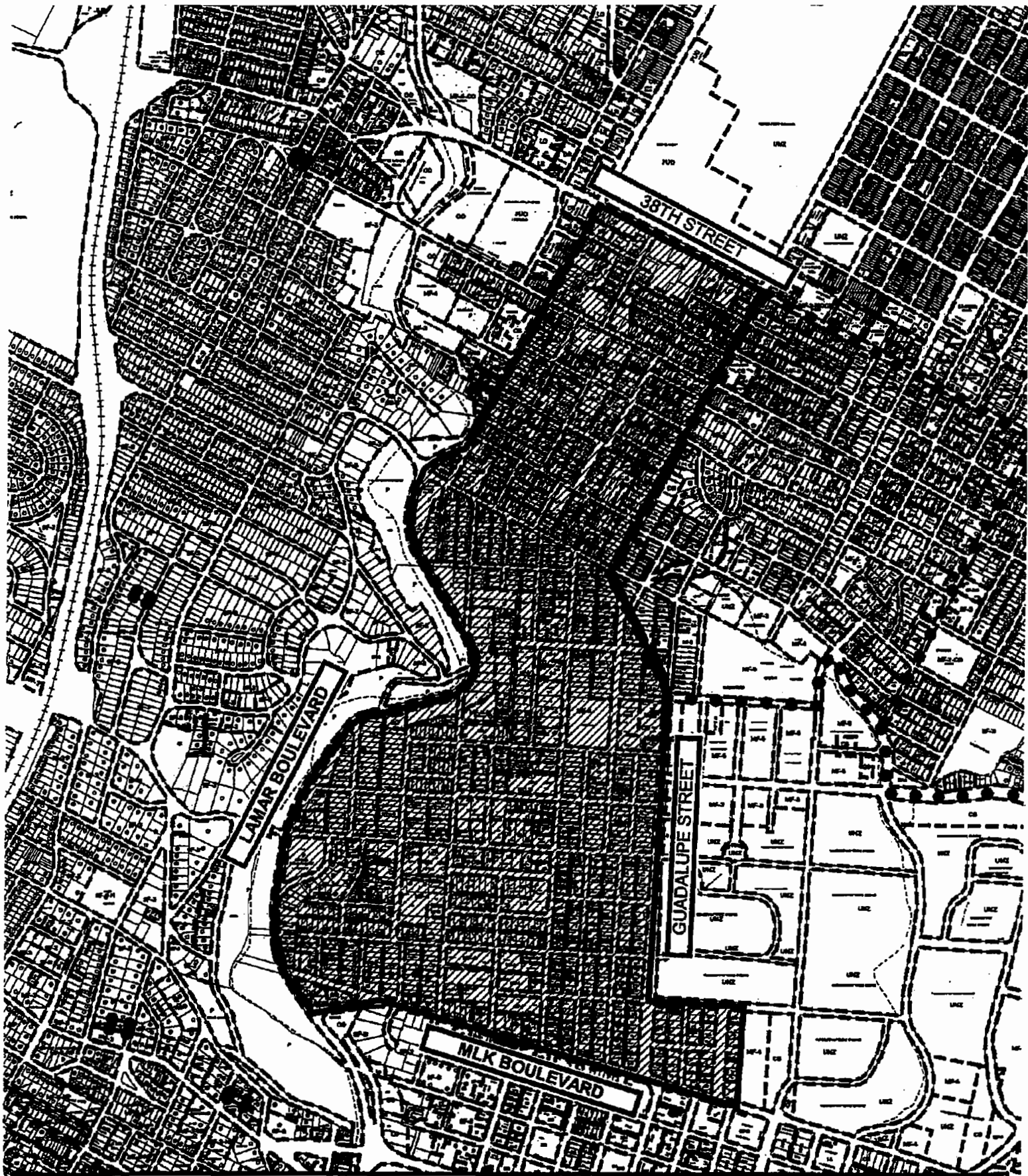
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Tract Number

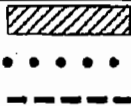
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|--------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|--------------|--------------------------------------------------------------------|
| <div><div>N</div><div></div><div>1" = 1500'</div></div> | SUBJECT TRACT                                              | <div><div></div><div></div></div> | <b>ZONING EXHIBIT B</b> |              | CITY GRID<br>REFERENCE<br>NUMBER<br><br>H23-24<br>J23-25<br>K24-25 |
|                                                                                                                                            | SUBDISTRICT BOUNDARY                                       |                                                                                                                                                                                                         | CASE                    | AREA (ACRES) |                                                                    |
|                                                                                                                                            | CASE MGR: G. RHOADES                                       |                                                                                                                                                                                                         | C14-04-0021             | 454.74       |                                                                    |
|                                                                                                                                            |                                                            |                                                                                                                                                                                                         | C14-04-0022             | 234.87       |                                                                    |
|                                                                                                                                            | C14-04-0023                                                | 541.38                                                                                                                                                                                                  | DATE: 04-03             |              |                                                                    |
|                                                                                                                                            | ADDRESS: CENTRAL AUSTIN COMBINED<br>NEIGHBORHOOD PLAN AREA |                                                                                                                                                                                                         | INTLS: JC               |              |                                                                    |



SUBJECT TRACT  
 PENDING CASE  
 ZONING BOUNDARY  
 CASE MGR: G. RHOADES



CASE #: C14-04-0021  
 ADDRESS: WEST UNIVERSITY  
 NEIGHBORHOOD PLANNING AREA  
 SUBJECT AREA (acres): 454.740

### ZONING EXHIBIT C

DATE: 04-03

INTLS: SN

CITY GRID  
 REFERENCE  
 NUMBER  
 J23-25 H23-2  
 4

**WEST UNIVERSITY NEIGHBORHOOD PLAN COMBINING DISTRICT  
FIELD NOTE DESCRIPTIONS FOR ZONING CASE C14-04-0021**

**EXHIBIT D**

A 3,965 SQUARE FOOT AREA BEING THE NORTH 61 FEET OF THE EAST 65 FEET OF LOT 20, OUTLOT 21, DIVISION D, LOUIS HORST'S SUBDIVISION, A SUBDIVISION IN AUSTIN, TRAVIS COUNTY, TEXAS, AS RECORDED IN BOOK "Z," AT PAGE 613, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALSO A PART OF THE VACATED ALLEY WHICH LIES BETWEEN AND ADJACENT TO SAID LOTS 1, 2, 19 AND 20, LOUIS HORST'S SUBDIVISION, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING for reference at the intersection of the south line of West 21st Street and the west line of Whitis Avenue;

THENCE, with the south line of West 21st Street, N 84 ° 01' W 107.00 Feet to a point;

THENCE, with a line perpendicular to the south line of West 21<sup>st</sup> Street, S 05° 59' W 16.00 feet to the northwest corner and Point of Beginning of this tract;

THENCE, continuing with the said line perpendicular to the south line of West 21<sup>st</sup> Street, S 05° 59' W 63.00 feet to the southeast corner of this tract;

THENCE, N 84° 01' W 46.00 feet to the southwest corner of this tract;

THENCE, N 05° 59' E 63.00 feet to the northwest corner of this tract;

THENCE S 84° 01' E 46.00 feet to the POINT OF BEGINNING.

locally known as 2021 Guadalupe Street and 309-311 West 21<sup>st</sup> Street, in the City of Austin, Travis County, Texas.

**EXHIBIT E**

A 2,898 SQUARE FOOT TRACT OF LAND, SAME BEING OUT OF AND A PART OF LOTS 1, 2, 19, AND 20, LOUIS HORST'S SUBDIVISION OF OUTLOT 21, DIVISION "D," OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO A PLAT OF LOUIS HORST'S SUBDIVISION OF RECORD IN VOLUME "Z" AT PAGE 613, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALSO A PART OF THE VACATED ALLEY WHICH LIES BETWEEN AND ADJACENT TO SAID LOTS 1, 2, 19 AND 20, LOUIS HORST'S SUBDIVISION, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING for reference at the intersection of the south line of West 21<sup>st</sup> Street and the west line of Whitis Avenue;

THENCE, with the south line of West 21<sup>st</sup> Street, N 84° 01' W 107.00 feet to a point;

THENCE, with a line perpendicular to the south line of West 21<sup>st</sup> Street, S 05° 59' W 16.00 feet to the northwest corner and Point of Beginning of this tract;

THENCE, continuing with the said line perpendicular to the south line of West 21<sup>st</sup> Street, S 05° 59' W 63.00 feet to the southeast corner of this tract;

THENCE, N 84° 01' W 46.00 feet to the southwest corner of this tract;

THENCE, N 05° 59' E 63.00 feet to the northwest corner of this tract;

THENCE, S 84° 01' E 46.00 feet to the POINT OF BEGINNING.,

locally known as 2021 Guadalupe Street and the 309-311 West 21<sup>st</sup> Street, in the City of Austin, Travis County, Texas.

#### EXHIBIT F

LEGAL DESCRIPTION: BEING A 0.574 ACRE TRACT OF LAND LYING IN AND SITUATED OUT OF OUTLOT 24, DIVISION "D"; ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN TRACT OF LAND, DESCRIBED AS "TRACT TWO" CONVEYED TO AUSTIN REHABILITATION CENTER, INC. BY DEED RECORDED IN VOLUME 12104, PAGE 2182 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.574 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JAMES E. GARON & ASSOCIATES IN JULY, 2000:

BEGINNING at an "X" found cut in iron fence post at the intersection with the north line of MLK Boulevard and west line of Rio Grande for the southeast corner hereof;

THENCE North 4°30'17" East a distance of 72.26 feet to a point for corner;

THENCE: South 85°08'48" East a distance of 65.16 feet to a point for corner;

THENCE North 4°24'51" East a distance of 79.88 feet to a point for corner;

THENCE South 85°08'09" East a distance of 110.41 feet to a point for corner on the west line of Rio Grande Street;

THENCE South 4°51'00" West a distance of 192.85 feet along said line of Rio Grande Street to the POINT OF BEGINNING and containing 0.574 acre of land, more or less;

locally known as the Goodall-Wooten House, locally known as 1900-1904 Rio Grande Street otherwise know as 700 W Martin Luther King Boulevard, in the City of Austin, Travis County, Texas.

#### EXHIBIT G

LEGAL DESCRIPTION: BEING A 0.960 ACRE TRACT OF LAND LYING IN AND SITUATED OUT OF OUTLOT 24, DIVISION "D"; ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN TRACT OF LAND CONVEYED TO AUSTIN REHABILITATION CENTER, INC. BY DEED RECORDED IN VOLUME 12104, PAGE 2182 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.960 ACRE TRACT BEING

MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JAMES E. GARON & ASSOCIATES IN JULY, 2000:

BEGINNING at an iron rod found on the west line of Rio Grande Street at the intersection with the south line of an alley for the northeast corner hereof;

THENCE South  $4^{\circ}51'00''$  West a distance of 259.55 feet along said line of Rio Grande Street to an "X" found cut in iron fence post at the intersection with the north line of MLK Boulevard for the southeast corner hereof;

THENCE North  $71^{\circ}48'53''$  West a distance of 179.36 feet along said line of MLK Boulevard to an iron rod found for the southwest corner hereof and southeast corner of that certain 1.120 acre tract conveyed by deed recorded in Volume 13313, Page 2351 of said deed records;

THENCE North  $4^{\circ}30'17''$  East a distance of 217.95 feet to an iron pipe found on the south line of an alley for the northwest corner hereof and northeast corner of said 1.120 acre tract;

Thence South  $85^{\circ}13'28''$  East a distance of 175.84 feet to the POINT OF BEGINNING and containing 0.960 acre of land, more or less;

locally known as the Goodall-Wooten House, locally known as 1900-1904 Rio Grande Street otherwise know as 700 W Martin Luther King Boulevard, in the City of Austin, Travis County, Texas.

#### EXHIBIT H

A 2, 207 SQUARE FOOT TRACT OF LAND, SAME BEING OUT OF AND A PART OF LOT "A," ACME SUBDIVISION, A SUBDIVISION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, OF RECORD IN BOOK 47, 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 an iron pin set at the southeast corner of said Lot "A," Acme Subdivision, which point is in the west line of San Antonio Street:

THENCE, with the south line of Lot A, N  $84^{\circ}02'$  W 53.27 feet to a point;

THENCE, N  $06^{\circ}03'$  E 6.90 feet to the southeast corner and Point of Beginning of this tract;

THENCE, N  $83^{\circ}57'$  W. 66.68 feet to the southwest corner of this tract

THENCE, N  $06^{\circ}03'$  E 30.90 feet to the most westerly northwest corner of this tract;

THENCE, S  $83^{\circ}57'$  E 23.15 feet and N  $06^{\circ}03'$  E 4.00 feet to the most northerly northwest corner of this tract;

THENCE, S  $83^{\circ}57'$  E 37.30 feet to the most northerly northeast corner of this tract;

THENCE, S  $06^{\circ}03'$  W 1.20 feet, S  $38^{\circ}57'$  E 7.05 feet and S  $83^{\circ}57'$  E 1.20 feet to the most easterly northeast corner of this tract;

THENCE, S  $06^{\circ}03'$  W 28.75 feet to the POINT OF BEGINNING,

locally known as 2510-2512 San Antonio Street and 501-513 West 26<sup>th</sup> Street, in the City of Austin, Travis County, Texas.

**EXHIBIT I**

A 10.0 SQUARE FOOT TRACT OF LAND, BEING A PORTION OF LOT 27, BLOCK 3, LEANDER BROWN SUBDIVISION, OUTLOT 68, DIVISION D, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 1, PAGE 19 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a point at the southeast corner of the said Lot 27, being the northeast corner of Lot 28, being a point in the west right-of-way line of Nueces Street;

THENCE with the west right-of-way line of Nueces St., N 05° 53' E for a distance of 2.0 feet to a point being the southeast corner and PLACE OF BEGINNING hereof;

THENCE with the outboundary of the herein described tract N 84° 21' W for a distance of 5.0 feet to the southwest corner hereof;

THENCE N 05° 53' E for a distance of 2.0 feet to the northwest corner hereof;

THENCE S 84° 21' E for a distance of 5.0 feet to a point in the west right-of-way line of Nueces Street for the northeast corner hereof;

THENCE S 05° 53' W for a distance of 2.0 feet to the PLACE OF BEGINNING.

locally known as 2806 Nueces Street (George Poindexter House), in the City of Austin, Travis County, Texas.

**EXHIBIT J**

A 1,524 SQUARE FOOT TRACT OF LAND OUT OF AND A PART OF LOT 5, BLOCK 1, OF THE THEODORE LOW SUBDIVISION OF A PART OF LOT 2 OUT OF J.B. SEDWICK'S SUBDIVISION OF AN 87 ACRE TRACT OUT OF THE GEORGE W. SPEAR LEAGUE, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOW:

BEGINNING at a point for the southeast corner of the parcel (structure) herein described, from which point the southeast corner of Lot 5, Block 1, of the Theodore Low Subdivision being in the west line of San Gabriel Street, bears the following two (2) courses:

- (1) S 30° 22' W 3.5 feet;
- (2) S 59° 34' E 15 feet;

THENCE, the following five (5) courses:

- (1) N 59° 34' W 17.0 feet;
- (2) N 30° 22' E 8.0 feet;
- (3) N 59° 34' W 18.1 feet;
- (4) S 30° 22' W 5.0 feet;
- (5) N 59° 34' W 14.5 feet to a point for the northwest corner of the parcel herein described;

THENCE, N 30° 22' W 24.9 feet to a point in the east line of Lamar Boulevard for the northwest corner of the parcel herein described;

THENCE, with the east line of Lamar Boulevard, N 72° 06' E 13.2 feet to a point;

THENCE, leaving the east line of Lamar Boulevard, the following three (3) courses;

- (1) S 59° 34' E 23.4 feet;
- (2) N 30° 22' E 3.7 feet;
- (3) S 59° 34' E 17.1 feet to a point for the southeast corner of the parcel herein described;

THENCE, S 30° 22' W 41.0 feet to the PLACE OF BEGINNING,

locally known as 2906-2910 San Gabriel Street, in the City of Austin, Travis County, Texas.

#### **EXHIBIT K**

**A 6,158 SQUARE FOOT TRACT OF LAND OUT OF THE EAST 100 FEET OF LOTS 1, 2, AND 3, BLOCK 4, GYPSY GROVE ADDITION, ACCORDING TO THE MAP OR PLAT OF SAID SUBDIVISION RECORDED IN BOOK 1, PAGE 68 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

BEGINNING at an iron stake at the southwest corner of the east 100 feet of Lot 1, Block 4, Gypsy Grove Addition, according to the map or plat of said subdivision recorded in Book 1, Page 68 of the Plat Records of Travis County, Texas, for the southwest corner of the tract herein described;

THENCE with the west line of the east 100 feet of Lots 1, 2, and 3, N 29° 51' E 129.34 feet to an iron stake in the south line of Maiden Lane and the north line of said Lot 3, for the northwest corner of this tract;

THENCE with the south line of Maiden Lane and the north line of said Lot 3, S 60° 01' E 35.00 feet to a point in the northerly projection of the east wall line of the existing building, for the most northerly northeast corner of this tract;

THENCE S 29° 51' W along the east wall line of the existing building, 98 feet to an inside corner of the said building, for a corner of this tract;

THENCE with the north wall line of the existing building, S 60° 15' E 53 feet to the most southerly northeast corner of the said building; for a corner of this tract;

THENCE with the east wall line of the said existing building, S 29° 51' W 31 feet to a point in the north line of West 35<sup>th</sup> Street and the south line of said Lot 1, for the southeast corner of this tract;

THENCE with the north line of West 35<sup>th</sup> Street and the south line of said Lot 1, N 60° 15' W 88 feet to the PLACE OF BEGINNING,

locally known as 3500-3508 Guadalupe Street, 600-606 West 35<sup>th</sup> Street, 601-607 Maiden Lane, in the City of Austin, Travis County, Texas.

**ORDINANCE NO. 040902-58**

**AN ORDINANCE AMENDING TITLE 25 OF THE CITY CODE TO ADD A NEW UNIVERSITY NEIGHBORHOOD OVERLAY ZONING DISTRICT.**

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

**PART 1.** Section 25-2-32(F) of the City Code is amended to read:

(F) Combining districts and map codes are as follows:

|                                             |            |
|---------------------------------------------|------------|
| (1) historic landmark                       | H          |
| (2) conditional overlay                     | CO         |
| (3) neighborhood conservation               | NC         |
| (4) planned development area                | PDA        |
| (5) waterfront overlay                      | WO         |
| (6) mixed use                               | MU         |
| (7) Capitol view corridor                   | CVC        |
| (8) Capitol dominance                       | CD         |
| (9) Congress Avenue                         | CA         |
| (10) East Sixth / Pecan Street              | PS         |
| (11) downtown parks                         | DP         |
| (12) downtown creeks                        | DC         |
| (13) convention center                      | CC         |
| (14) central urban redevelopment            | CURE       |
| (15) East Austin                            | EA         |
| (16) neighborhood plan                      | NP         |
| (17) <u>university neighborhood overlay</u> | <u>UNO</u> |

**PART 2.** Chapter 25-2 of the City Code is amended to add a new Section 25-2-178 to read:

**§ 25-2-178 UNIVERSITY NEIGHBORHOOD OVERLAY (UNO) DISTRICT PURPOSE AND BOUNDARIES.**

- (A) The purpose of the university neighborhood overlay (UNO) district is to promote high density redevelopment in the area generally west of the University of Texas campus, provide a mechanism for the creation of a densely populated but livable and pedestrian friendly environment, and protect the character of the predominantly single-family residential neighborhoods adjacent to the district.
- (B) The UNO district consists of the following subdistricts:
  - (1) inner west campus subdistrict;
  - (2) outer west campus subdistrict;
  - (3) Guadalupe subdistrict; and
  - (4) Dobie subdistrict.
- (C) The boundaries of the UNO district and each subdistrict are identified in Appendix C (*University Neighborhood Overlay District Boundaries, Subdistrict Boundaries, And Height Limits*) of this chapter.

**PART 3.** Chapter 25-2, Subchapter C, Article 3 of the City Code is amended to add a new Division 9 to read:

**Division 9. University Neighborhood Overlay District Requirements.**

**§ 25-2-751 APPLICABILITY.**

This division applies to property in the university neighborhood overlay (UNO) district if the property owner files a site plan and an election for the property to be governed by this division.

**§ 25-2-752 CONFLICT OF LAW.**

For property governed by this division, this division supersedes the other provisions of this title to the extent of conflict.

**§ 25-2-753 LOCAL USES DESCRIBED.**

(A) In this division, a local use is a use that serves the public by providing goods or services in a manner readily accessible by pedestrians or the occupants of the structure in which the uses are located. Local uses include:

- (1) administrative and business offices;
- (2) art and craft studio;
- (3) art gallery;
- (4) art workshop;
- (5) business and trade school;
- (6) consumer convenience services;
- (7) consumer repair services;
- (8) counseling services;
- (9) custom manufacturing;
- (10) day care services (commercial, general, or limited);
- (11) financial services;
- (12) food preparation;
- (13) food sales;
- (14) general retail sales (convenience or general);
- (15) guidance services;
- (16) indoor sports and recreation;
- (17) medical offices (under 5,000 square feet);
- (18) personal improvement services;
- (19) personal services;
- (20) pet services;
- (21) printing and publishing services;
- (22) professional office;
- (23) religious assembly;

- (24) restaurant (general or limited);
- (25) theater; and
- (26) a conditional use in the base zoning district that is approved by the land use commission.

(B) A local use may not include a drive-through facility.

#### **§ 25-2-754 USE REGULATIONS.**

(A) In a nonresidential zoning base district, residential uses are permitted.

(B) In any base zoning district, a hotel-motel use, a multifamily use, or a group residential use is permitted.

(C) This subsection applies to a multifamily residential use.

- (1) Each building must achieve at least a one star rating under the Austin Green Building program.
- (2) All ground floor dwelling units must be:
  - (a) adaptable for use by a person with a disability; and
  - (b) accessible by a person with a disability from the on-site parking and common facility, if any.
- (3) At least 10 percent of the dwelling units must be accessible for a person with a mobility impairment.
- (4) At least two percent of the dwelling units must be accessible for a person with a hearing or visual disability.
- (5) Each multistory building must be served by an elevator, unless at least 25 percent of the site's dwelling units are located on the ground floor.
- (6) A parking space must be leased separately from a dwelling unit.

(D) This subsection governs local uses in a residential base district.

- (1) Except as provided in Paragraph (2), up to 20 percent of the gross floor area of a site may be used for local uses. At least one-half of the gross floor area of the local uses must be located at street level and accessible from a pedestrian path. In determining these percentages, a nonresidential use that is accessory to the principal residential use or

located in a historic landmark is excluded from the gross floor area of the local uses.

- (2) Up to 100 percent of the gross floor area of a structure may be used for local uses if the structure is:
  - (a) a historic landmark or the structure contains less than 10,000 square feet of gross floor area and is the only structure on the site; or
  - (b) less than 60 feet in height and located on:
    - (i) Guadalupe Street between Martin Luther King, Jr. Blvd. and 29<sup>th</sup> Street;
    - (ii) Martin Luther King Jr., Blvd. between Guadalupe Street and Rio Grande Street; or
    - (iii) 24<sup>th</sup> Street between Guadalupe Street and Rio Grande Street.

(E) This subsection applies to commercial off-street parking.

- (1) Commercial off-street parking on a surface lot is prohibited.
- (2) Commercial off-street parking in a structure is:
  - (a) permitted in any base zoning district in the Guadalupe, Dobie, or inner west campus subdistrict; and
  - (b) prohibited in the outer west campus subdistrict.
- (3) The street level portion of a commercial off-street parking structure that is accessible from a pedestrian path must contain local uses for a depth of at least 18-1/2 feet. This requirement does not apply to a portion of the structure used for an entrance or exit.

(F) A cocktail lounge is a conditional use if it is accessory to a hotel-motel use with at least 50 rooms.

#### **§ 25-2-755 MINIMUM LOT AREA.**

The minimum lot area is 2,500 square feet.

#### **§ 25-2-756 HEIGHT.**

- (A) Except as provided in Subsection (B), maximum heights for structures are prescribed by Appendix C (*University Neighborhood Overlay District Boundaries, Subdistrict Boundaries, And Height Limits*).

(B) In the outer west campus subdistrict, a structure with a multi-family residential use may exceed by 15 feet the maximum height prescribed by Appendix C (*University Neighborhood Overlay District Boundaries, Subdistrict Boundaries, And Height Limits*) if:

- (1) the structure is located in an area for which the maximum height is at least 50 feet; and
- (2) the multi-family residential use, for a period of not less than 15 years from the date a certificate of occupancy is issued, sets aside at least:
  - (a) 10 percent of the dwelling units on the site to house persons whose household income is less than 80 percent of the median income in the Austin statistical metropolitan area, as determined by the director of the Austin Neighborhood Housing and Community Development Office; and
  - (b) 10 percent of the dwelling units on the site to house persons whose household income is less than 50 percent of the median income in the Austin statistical metropolitan area, as determined by the director of the Austin Neighborhood Housing and Community Development Office.

**§ 25-2-757 SETBACKS.**

(A) There are no minimum front yard or street side yard setbacks, except:

- (1) the minimum setbacks are 10 feet along Martin Luther King, Jr. Blvd. between Rio Grande Street and San Gabriel Street; and
- (2) the minimum front yard setback is two feet along Graham Place, West 24½ Street, San Pedro Street, West 21<sup>st</sup> Street, and Hume Place.

(B) The maximum front yard setback and the maximum street side yard setback are 10 feet, except:

- (1) the maximum setbacks are 15 feet along 24<sup>th</sup> Street or along Martin Luther King, Jr. Blvd. between Rio Grande Street and San Gabriel Street;
- (2) the maximum setbacks are 45 feet for a public plaza or private common open space;
- (3) there are no maximum setbacks for a pedestrian entry court or an outdoor cafe; and

- (4) the director of the Watershed Protection and Development Review Department may modify a maximum setback if the director determines that the modification is required to protect a historic structure or a tree designated as significant by the city arborist.
- (C) There is no minimum or maximum interior side yard setback.
- (D) There is no minimum or maximum rear yard setback.
- (E) A building must be at least 12 feet from the front face of the curb of the adjacent street.

**§ 25-2-758 BUILDING STEPBACKS AND BUILDING ENVELOPE RESTRICTION.**

(A) Except as provided in Subsection (B):

- (1) if an exterior wall of a building is adjacent to a street other than an alley, at a height of 60 feet, the upper portion of the wall must be set back from the lower portion of the wall by a distance of at least 12 feet; and
- (2) if the north side of a building is adjacent to a street other than an alley and is greater than 60 feet in height, the upper portion of the north side of the building must be set back within a building envelope that is formed by a plane that extends from the top of the lower portion of the north side exterior wall toward the building at an angle of 62 degrees above horizontal.

(B) If a building facade abuts street frontage for a distance of at least 280 feet, Subsection (A) does not apply to:

- (1) 15 percent of the length of a building facade that faces east, south, or west; or
- (2) 20 percent of the length of a building facade that faces north.

**§ 25-2-759 STREET WALL AREAS ADJACENT TO OCCUPANT SPACE.**

(A) In this section:

- (1) OCCUPANT SPACE means space in a building used for a use other than a parking facility or a mechanical facility.
- (2) STREET WALL AREA means the portion of an exterior wall of a building adjacent to a public street other than an alley and accessible from a pedestrian path that extends from the base of street level:

- (a) to a maximum height of 60 feet; or
  - (b) for an accessory parking structure, to a maximum height of two stories.
- (B) At least 42 percent of the street wall area of a building must be adjacent to occupant space.
- (C) If a building has street wall areas on more than one street, at least 29 percent of the total street wall area must be adjacent to occupant space on a street that runs east and west.
- (D) This section does not apply to a commercial off-street parking structure.

**§ 25-2-760 STREETSCAPE IMPROVEMENTS.**

- (A) Except as provided in Subsection (B), a site owner shall install a sidewalk not less than 12 feet wide along each street frontage adjacent to the site.
- (B) A site owner shall install a sidewalk not less than five feet wide along West 24½ Street, San Pedro Street, West 21<sup>st</sup> Street, Hume Place, or Salado Street.
- (C) A site owner shall plant and maintain trees along an adjacent street right-of-way.
- (1) Trees must be spaced to create a nearly contiguous canopy when the trees reach maturity.
  - (2) A tree must be in scale with the adjacent building.
  - (3) A tree planted in a sidewalk area must have a tree grating.
- (D) A site owner shall install and maintain pedestrian-scale lighting along an adjacent street right-of-way.
- (E) The director of the Watershed Protection and Development Review Department shall adopt rules prescribing the requirements for tree planting and maintenance and the installation and maintenance of pedestrian-scale lighting.
- (F) The director of the Watershed Protection and Development Review Department may require fiscal security to ensure compliance with this section.

**§ 25-2-761 PLACEMENT OF EQUIPMENT AND TRASH RECEPTACLES.**

Utility equipment, mechanical equipment, and large trash receptacles:

- (1) are prohibited in the area between a building and a street; and

(2) must not be visible from a street.

**§ 25-2-762 SITE ACCESS.**

- (A) Vehicular access from a site to a public street is limited to two curb cuts.
- (B) Vehicular access to a site from 20<sup>th</sup> Street, 21<sup>st</sup> Street, 22<sup>nd</sup> Street, 23<sup>rd</sup> Street, 25<sup>th</sup> Street, 26<sup>th</sup> Street, 27<sup>th</sup> Street, or 28<sup>th</sup> Street between Guadalupe Street and Pearl Street is prohibited if the site has frontage on another street or alley.
- (C) A site with access to an alley must use the alley or a parking structure for service and delivery access.
- (D) A site that does not have access to an alley must provide a service and delivery area that is at least 30 feet deep, measured from the front setback line or side setback line, as applicable.
- (E) The director of the Watershed Protection and Development Review Department may waive or modify a requirement of this section if the director determines that the waiver or modification is necessary for adequate traffic circulation or public safety.

**§ 25-2-763 CERTAIN REGULATIONS INAPPLICABLE OR SUPERSEDED.**

- (A) The following provisions of this subchapter do not apply:
  - (1) maximum floor-to-area ratios;
  - (2) maximum building coverage percentages;
  - (3) Article 9 (*Landscaping*); and
  - (4) Article 10 (*Compatibility Standards*), if the property is at least 75 feet from the boundary of the university neighborhood overlay district.
- (B) Impervious cover limitations of this subchapter are superseded by this subsection. Maximum impervious cover is:
  - (1) 100 percent in the inner west campus and Guadalupe subdistricts;
  - (2) the greater of 90 percent or the percentage permitted in the base zoning district in the outer west campus subdistrict; and
  - (3) the greater of 85 percent or the percentage permitted in the base zoning district in the Dobie subdistrict.

- (C) For a multi-family residential use, minimum site area and open space requirements of this subchapter do not apply.

**§ 25-2-764 DESIGN GUIDELINES.**

- (A) A site plan must substantially comply with the design guidelines prescribed by administrative rule. An applicant shall file with the site plan a building elevation drawing that demonstrates substantial compliance with the design guidelines.
- (B) The director of the Watershed Protection and Development Review Department shall determine whether a site plan substantially complies with the design guidelines.
- (C) The director of the Watershed Protection and Development Review Department may waive a provision of the design guidelines if the director determines that the provision is unreasonable or impractical as applied to the site plan and that, with the waiver, the site plan will still substantially comply with the design guidelines. A waiver under this subsection must be the minimum departure from the provision necessary to avoid an unreasonable or impractical result.
- (D) An interested party may appeal to the land use commission:
- (1) a determination by the director of the Watershed Protection and Development Review Department that a site plan substantially complies with the design guidelines; or
  - (2) a decision by the director of the Watershed Protection and Development Review Department granting or denying a waiver under Subsection (C).

**§ 25-2-765 AFFORDABLE HOUSING.**

- (A) A multi-family residential use established after [effective date of ordinance] must, for a period of not less than 15 years from the date a certificate of occupancy is issued, set aside at least:
- (1) 10 percent of the dwelling units on the site to house persons whose household income is less than 80 percent of the median income in the Austin statistical metropolitan area, as determined by the director of the Austin Neighborhood Housing and Community Development Office; and
  - (2) except as provided in Subsection (B), an additional 10 percent of the dwelling units on the site to house persons whose household income is less than 65 percent of the median income in the Austin statistical

metropolitan area, as determined by the director of the Austin Neighborhood Housing and Community Development Office.

- (B) The University Neighborhood District Housing Trust Fund is established. Instead of complying with Paragraph (A)(2), a person may pay into the fund a fee of \$0.50 for each square foot of net rentable floor area in the multi-family residential use development.
- (C) The director of the Austin Neighborhood Housing and Community Development Office may allocate money from the University Neighborhood District Housing Trust Fund for housing development in the university neighborhood overlay district that provides at least 10 percent of its dwelling units to persons whose household income is less than 50 percent of the median income in the Austin statistical metropolitan area, as determined by the director of the Austin Neighborhood Housing and Community Development Office, for a period of not less than 15 years from the date a certificate of occupancy is issued.

**PART 4.** Section 25-6-478(B) of the City Code is amended to read:

(B) This section does not apply:

- (1) to property in a central business (CDB) district or downtown mixed use (DMU) district;
- (2) to commercial, industrial, or civic use in a traditional neighborhood (TN) district;
- (3) to a corner store special use; neighborhood mixed use building special use; commercial, industrial, or civic use portion of a neighborhood urban center special use; or commercial or civic use portion of a residential infill special use;
- (4) to property in the university neighborhood overlay (UNO) district; or
- (5) [(4)] if the off-street parking requirement has been modified under Section 25-6-473 (*Modification Of Parking Requirement*) or Section 25-6-476 (*Parking For Mixed-Use Developments*).

**PART 5.** Chapter 25-6, Article 7 of the City Code is amended to add a new Division 6 to read:

**Division 6. Special Provisions For The University Neighborhood Overlay District.**

**§ 25-6-601 PARKING REQUIREMENTS FOR UNIVERSITY  
NEIGHBORHOOD OVERLAY DISTRICT.**

- (A) Except as otherwise provided in this section, the minimum off-street parking requirement in the university neighborhood overlay district is 60 percent of that prescribed by Appendix A (*Tables Of Off-Street Parking And Loading Requirements*).
- (B) Off-street parking is not required for a commercial use if the use:
  - (1) occupies less than 6,000 square feet of gross floor area; or
  - (2) is located on:
    - (a) Guadalupe Street between Martin Luther King, Jr. Blvd. and West 29<sup>th</sup> Street; or
    - (b) West 24<sup>th</sup> Street between Guadalupe Street and Rio Grande Street.
- (C) For a multi-family residential use, the minimum off-street parking requirement is 40 percent of that prescribed by Appendix A (*Tables Of Off-Street Parking And Loading Requirements*) if the multi-family residential use:
  - (1) participates in a car sharing program that complies with the program requirements prescribed by administrative rule, as determined by the director of the Watershed Protection and Development Review Department; or
  - (2) sets aside for a period of not less than 15 years from the date a certificate of occupancy is issued at least 10 percent of the dwelling units on the site to house persons whose household income is less than 50 percent of the median income in the Austin statistical metropolitan area, as determined by the director of the Austin Neighborhood Housing and Community Development Office, in addition to complying with Section 25-2-765 (*Affordable Housing*).

**PART 6.** Chapter 25-2 of the City Code is amended to add a new Appendix C to read:

## **APPENDIX C**

### **UNIVERSITY NEIGHBORHOOD OVERLAY DISTRICT BOUNDARIES, SUBDISTRICT BOUNDARIES, AND HEIGHT LIMITS**

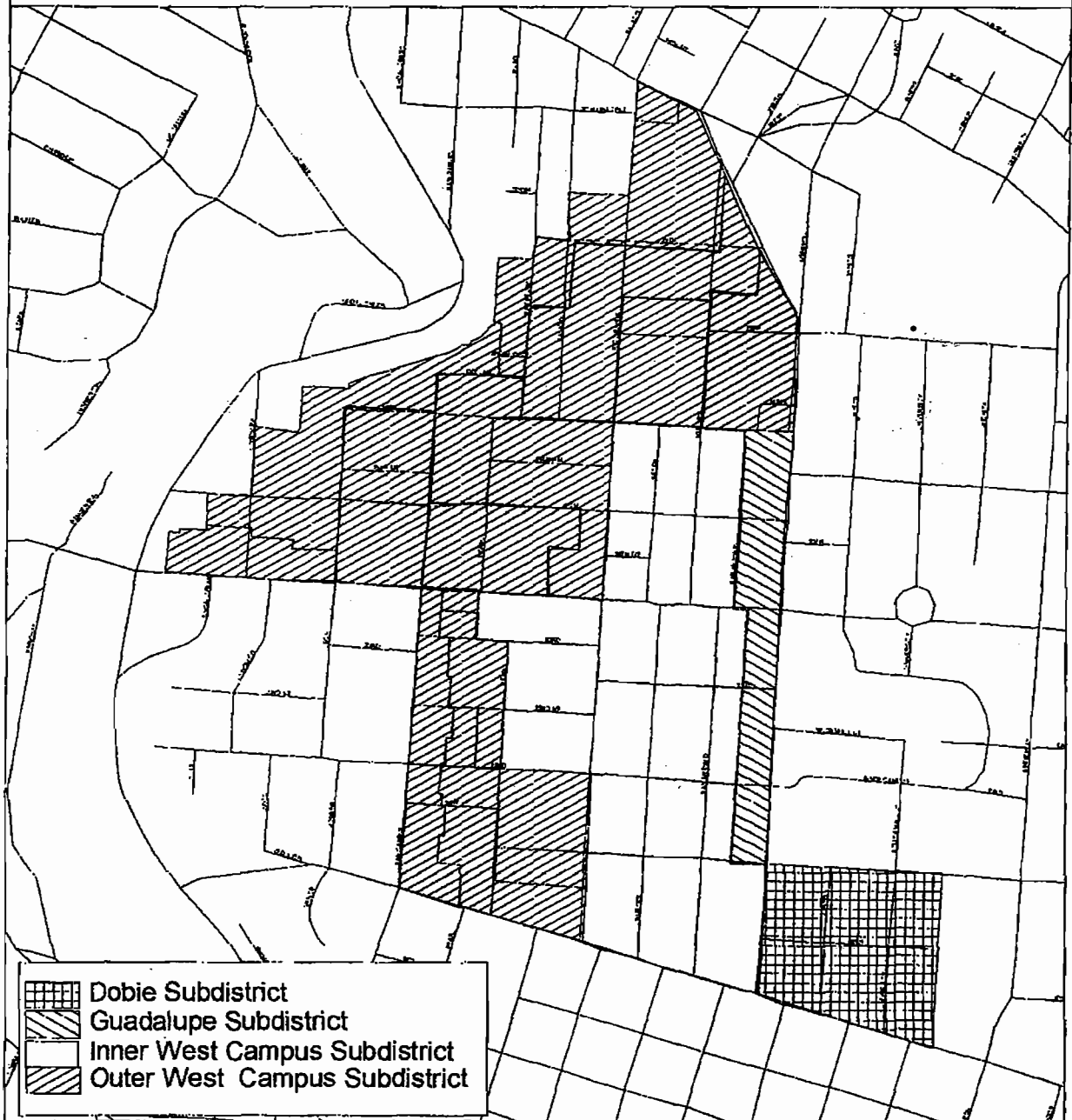
#### **University Neighborhood Overlay District Boundaries**

The university neighborhood overlay district is indicated on the subdistrict boundaries map and includes the area bounded:

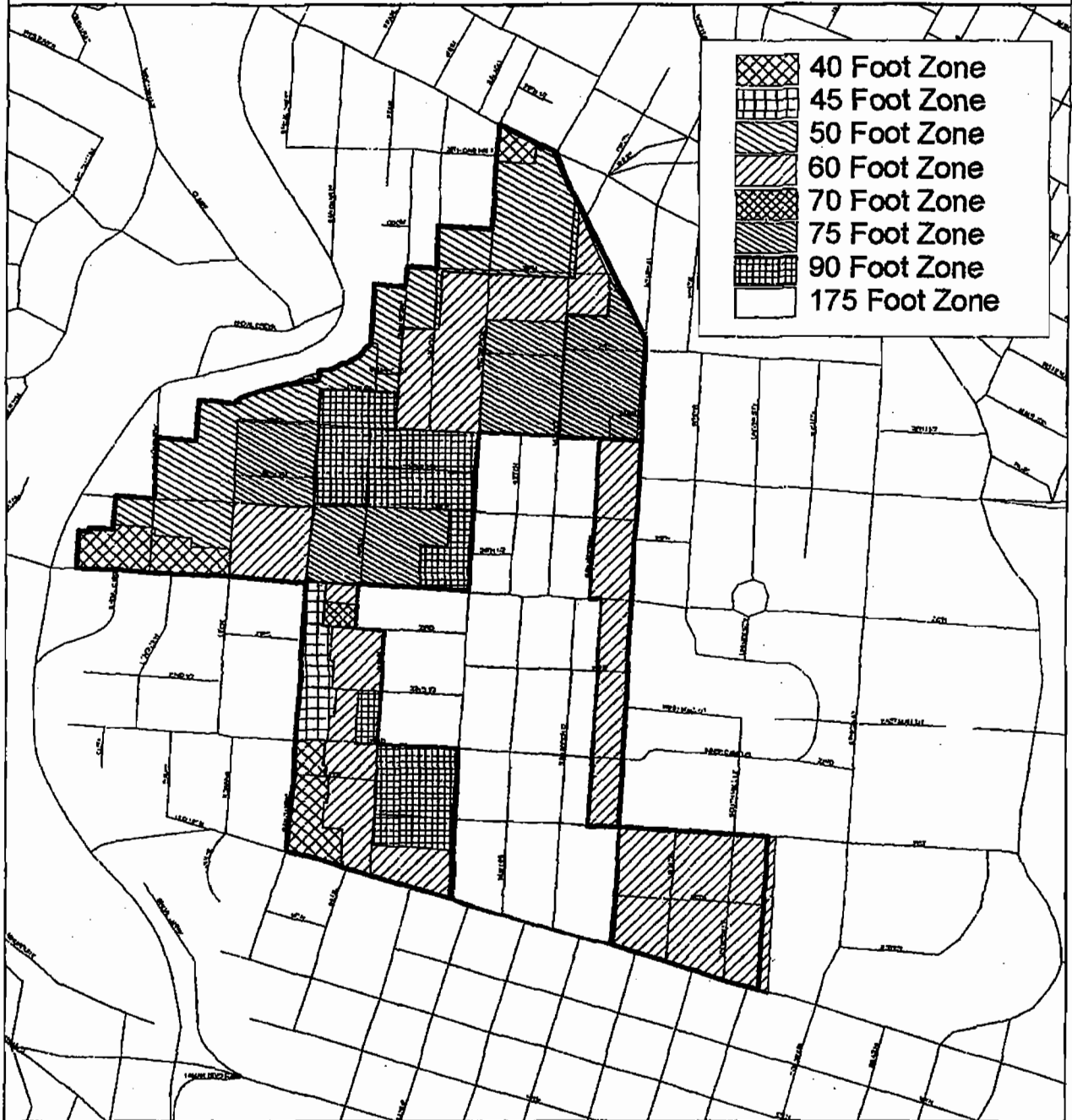
- (1) on the north by a line along West 29<sup>th</sup> Street from Rio Grande Street to Guadalupe Street;
- (2) on the east by a line along Guadalupe Street from West 29<sup>th</sup> Street to West 21<sup>st</sup> Street; West 21<sup>st</sup> Street from Guadalupe Street to the eastern ally of University Avenue; the eastern alley of University Avenue from West 21<sup>st</sup> Street to West MLK Jr. Boulevard;
- (3) on the south by a line along West MLK Jr. Boulevard from the eastern alley of University Avenue to San Gabriel Street; and
- (4) on the west by a line along San Gabriel Street to West 24<sup>th</sup> Street; west along West 24<sup>th</sup> Street to the western lot line of lot One of the Resubdivision of a Portion of Outlot Forty-Three; north along the western lot line of lot One of the Resubdivision of a Portion of Outlot Forty-Three to the alley between Lamar Boulevard and Longview Street; north along the alley to West 25<sup>th</sup> Street; east along West 25<sup>th</sup> Street to Longview Street; north along Longview Street to the northern lot line of lot Fifteen, Block Five of the Subdivision of Outlots Forty-Three, Forty-Four, Forty-Five and Fifty-Five; east along the northern lot line of lot Fifteen, Block Five of the Subdivision of Outlots Forty-Three, Forty-Four, Forty-Five and Fifty-Five to the alley between Longview Street and Leon Street; north along the ally to the northern lot line of lot Twenty-Three, Block Four of the Subdivision of Outlots Forty-Three, Forty-Four, Forty-Five and Fifty-Five; east along the northern lot line of lot Twenty-Three, Block Four of the Subdivision of Outlots Forty-Three, Forty-Four, Forty-Five and Fifty-Five to the northern lot lines of lots Twenty-Nine, Thirty, Thirty-One, Thirty-Two, and Three of the Harwood Subdivision; along the northern lot lines of lots Twenty-Nine, Thirty, Thirty-One, Thirty-Two, and Three of the Harwood Subdivision to San Gabriel Street; north along San Gabriel Street to the northern lot line of the Graham Subdivision of Outlots Fifty-Nine, Sixty, Sixty-Four, and the North Half of Fifty-Two; along the northern lot line of the

Graham Subdivision of Outlots Fifty-Nine, Sixty, Sixty-Four, and the North Half of Fifty-Two to a point 160' east of San Pedro Street of the southern lot line of lot One of the Gortons Addition; from this point north to a point 160' east of San Pedro Street on the northern lot line of lot Four of the Gortons Addition; east along the northern lot line of lot Four of the Gortons Addition to San Pedro Street; north along San Pedro Street to West 28<sup>th</sup> Street; west along 28<sup>th</sup> Street to Salado Street; north along Salado Street to an alley on the northern lot line of Outlot 67, Division D of the Graham Subdivision; east along the alley to Rio Grande Street; north along Rio Grande Street to West 29<sup>th</sup> Street.

# University Neighborhood Overlay Subdistrict Boundaries



# University Neighborhood Overlay Height Limits



**PART 7.** This ordinance takes effect on September 13, 2004.

**PASSED AND APPROVED**

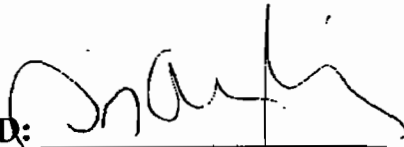
September 2, 2004

§  
§  
§



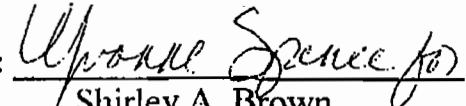
Will Wynn  
Mayor

**APPROVED:**

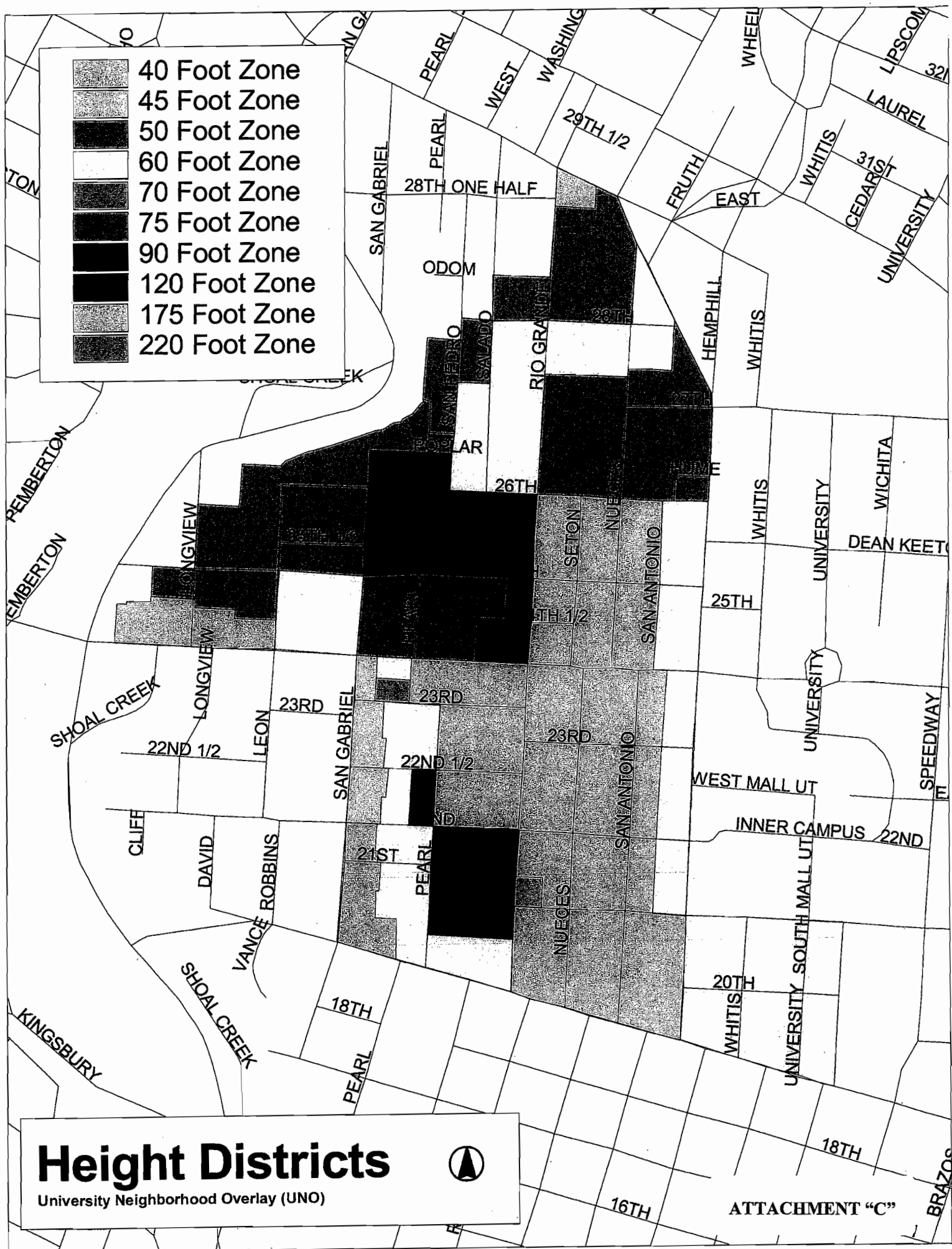


David Allan Smith  
City Attorney

**ATTEST:**



Shirley A. Brown  
City Clerk



# Reynolds & Franke, PC

CERTIFIED PUBLIC ACCOUNTANTS

|                          |                                                                                                                                                                                                                                                                                      |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Property Location</b> | <b>2414 Pearl at corner of 25<sup>th</sup> Street</b>                                                                                                                                                                                                                                |
| Property Size            | 1.3641 acres (approx. 59,000 SF)                                                                                                                                                                                                                                                     |
| Current use since        | Fraternity                                                                                                                                                                                                                                                                           |
| Current Overlay          | University Neighborhood Overlay, outer west campus sub-district                                                                                                                                                                                                                      |
| Zoning                   | MF-4-NP                                                                                                                                                                                                                                                                              |
| Requested Zoning         | MF-4 with C.O.<br>The applicant seeks to modify and restrict the use and site development Regulations authorized in the University Neighborhood Overlay district by application of a Conditional Overlay to be as allowed by MF-4 zoning including Group Residential, Club or Lodge. |
| Subdivision              | All of Lot 2, the Amended Plat of Lots 1, 2 & 3 Fraternity Row Subdivision, and Lot 4 and the North Fifty Feet of Lot 5 Fraternity Row Subdivision                                                                                                                                   |
| Neighborhood Group       | Non-Profit Student Housing Preservation Group                                                                                                                                                                                                                                        |

## HISTORY

Sigma Alpha Epsilon (SAE) was founded in 1856 at the University of Alabama at Tuscaloosa, and the University of Texas opened its doors in 1883. The Texas Rho chapter of Sigma Alpha Epsilon was brought to the University of Texas in 1882. It was the first Greek organization at the University of Texas and was even founded a year before the university was established. The fraternity operates as a university student organization. The mission of Sigma Alpha Epsilon is to promote the highest standards of friendship, scholarship, and service for our members based upon the ideals set forth by our Founders and as specifically enunciated in our creed.

Thousands of men have been initiated at the University of Texas over the last 125 years. SAE is North America's largest social fraternity with more than 280,000 initiated members, with the current structure maintaining more than 8,200 undergraduates at more than 225 chapters in 47 states and Canada. In addition, SAE has more than 75 alumni associations around the world. Prominent alumni of SAE are William McKinley, Elliot Ness, William Faulkner, Phil Jackson, General Richard Myers, Bo Schembechler, Don Evans, William Reynolds Archer, Jr., and Mack Brown, the University of Texas football coach.

## Philanthropy of Sigma Alpha Epsilon

Membership in SAE involves both service-oriented activities and social bonding for its members. SAE encourages all chapters to become involved in their campus and local community through various organizations. The Fraternity's preferred philanthropy is the Children's Miracle Network because of its great capacity to impact children's lives and the proximity of numerous hospitals to active chapters.

In addition, the SAE Texas Rho chapter hosts a "Cookin for Kids" event every April, in which the chapter holds a chili cook-off with live bands that raises money for battered children's shelters. Last year, they raised over \$15,000 from the event.

More information on Sigma Alpha Epsilon:

<http://www.sae.net/>

[http://en.wikipedia.org/wiki/Sigma\\_Alpha\\_Epsilon](http://en.wikipedia.org/wiki/Sigma_Alpha_Epsilon)

**Land Use Appropriateness -****Adjacent Zoning:**

1. North – MF-4 Fraternity House, Sigma Phi Epsilon, and MF-4 Apartments
2. South – GO Fraternity House and CS zoning
3. East – MF-4 Apartments, and
4. West – MF-4 Apartments

**Current and Intended Uses**

CURRENT USES include dorm rooms, dining room, kitchen, library, study areas, living room, meeting space, and off street parking.

Any use allowed by MF-4 zoning including GROUP RESIDENTIAL use is the use of a site for occupancy by a large group of more than six persons who are not family, on a weekly or longer basis. This use includes fraternity and sorority houses, dormitories, residence halls, and boarding houses; and CLUB OR LODGE use is the use of a site for provision of meeting, recreational, or social facilities by a private or nonprofit association, primarily for use by members and guests. This use includes private social clubs and fraternal organizations.

**COMPARISON between Proposed Zoning and UNO****Site Development Standards**

|                            | <b>MF-4 Zoning Requested</b> | <b>UNO</b>       |
|----------------------------|------------------------------|------------------|
| Minimum Lot Size           | 8,000                        | No minimum       |
| Minimum Lot Width          | 50                           | N/A              |
| Maximum Height             | 60                           | 75 to 90         |
| Front Yard Setback         | 15                           | 0                |
| Side Yard Setback          | 15                           | 0                |
| Interior Side Yard Setback | 5                            | 0                |
| Rear Yard Setback          | 10                           | 0 to 10' maximum |
| Maximum Building Coverage  | 60%                          | No limit         |
| Maximum Impervious Cover   | 70%                          | 90%              |
| Maximum Floor Area Ratio   | 0.75:1                       | No limit         |
| Maximum Units Per Acre     | 36 to 54                     | No limit         |

The purpose of the University Neighborhood Overlay (UNO) district is to promote high density redevelopment in the area generally west of the University of Texas campus, provide a mechanism for the creation of a densely populated but livable and pedestrian friendly environment, and protect the character of the predominantly single-family residential neighborhoods adjacent to the district. The University Neighborhood Overlay allows much more development than the applicant requires. The benefits of the UNO cannot be effectively realized unless Sigma Alpha Epsilon ceases to exist near the University of Texas.

**The existing use meets many of the UNO stated goals:**

Neighborhood Character

The current use has been integral with the neighborhood for at least 54 years. The applicant seeks to respect and preserve the prevailing neighborhood character.

Location is Essential to the Use

Being a pedestrian-oriented site is critical to the applicant's continued operation. Sigma Alpha Epsilon is at this location because the residents walk to class. If Sigma Alpha Epsilon is forced to move to another neighborhood, the students would become commuters. The West Campus area is the neighborhood most appropriate for this use. There is no more compatible neighborhood than West Campus. There is no more compatible or comparable property than the existing site.

The property is on the corner of Pearl and 25<sup>th</sup> Street.

Open space and Environmental Impact

A UNO goal is to enhance and preserve existing open space, parks, and the natural environment. Anyone who passes the property enjoys the grass, open space and large mature trees which shade the public sidewalks.

Construction

The existing improvements were built between 2001 and 2005. This project is constructed entirely of limestone, with only a small amount of wood trim. Materials of this high quality are rarely used today, except on the University of Texas campus.

Human Scale

This project is of transitional scale between a large single family residence and multi-family residential. The main two story building, which faces Pearl, resembles a single family home. The residential three story building, which faces 25<sup>th</sup> Street, resembles an apartment building. This project adds high quality design and diversity to the West Campus.

Housing Variety and Services

This type of low cost housing and meals is a desirable option for some students.

Transportation

Fenced off-street parking is provided. There is practically no negative traffic impact. However, if this use is displaced, the residents will become commuters.

Therefore, the applicant respectfully requests that the Staff, Planning Commission and City Council support the application of the Conditional Overlay Zoning as requested.

Respectfully,



Stephen Franke, CPA  
Agent for Sigma Alpha Epsilon Alumni Assn. of Austin