

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1317 EAST RIVERSIDE DRIVE AND 1220 IH-35 SOUTH FROM COMMUNITY COMMERCIAL-MIXED USE (GR-MU) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT**

**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 change the base district from community commercial-mixed use (GR-MU) combining district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district on the property described in Zoning Case No. C14-06-0117, on file at the Neighborhood Planning and Zoning Department, as follows:

Lot 1, Lela Parkinson Subdivision, a subdivision in the City of Austin, Travis County, according to the map or plat recorded in Book 17, Page 34, Platt Records of Travis County, Texas; and

Lot 1, Block A, The Schuler Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Document No. 200300013, of the Official Public Records of Travis County, Texas (the "Property"),

locally known as 1317 Riverside Drive and 1220 IH-35 South, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. Development of the Property shall comply with the following:
1. The maximum impervious cover is 85 percent.
  2. Non-residential uses of Lot 1, Block A, The Schuler Subdivision and Lot 1, Lela Parkinson Subdivision, Save and Except the south 400 feet of Lot 1, Lela Parkinson Subdivision, may not exceed 25,000 square feet of gross floor area.

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- 2 3. Non-residential uses of the south 400 feet of Lot 1, Lela Parkinson
- 3 Subdivision may not exceed 35,000 square feet of gross floor area.
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- 5 4. Except as provided in Subsection 5, the maximum number of residential
- 6 units developed on Lot 1, Block A, The Schuler Subdivision, and Lot 1,
- 7 Lela Parkinson Subdivision, Save and Except the south 400 feet of Lot 1,
- 8 Lela Parkinson Subdivision, is 40.
- 9
- 10 5. The number of residential units may increase to 50 if development
- 11 complies with Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed*
- 12 *Use Buildings*).
- 13

14 B. The following uses are prohibited uses of the Property:

15 Automotive repair services Automotive rentals

16 Automotive sales Automotive washing (of any type)

17 Pawn shop services Service station

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20 C. Drive-in service is prohibited as an accessory use to a commercial use.

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22 Except as specifically restricted under this ordinance, the Property may be developed and

23 used in accordance with the regulations established for the community commercial (GR)

24 base district, the mixed use (MU) combining district, and other applicable requirements of

25 the City Code.

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27 **PART 3.** This ordinance takes effect on \_\_\_\_\_, 2007.

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29 **PASSED AND APPROVED**

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31 §

32 §

33 \_\_\_\_\_, 2007 § \_\_\_\_\_

34 Will Wynn

35 Mayor

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38 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_

39 David Allan Smith Shirley A. Gentry

40 City Attorney City Clerk