

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE  
2 PROPERTY LOCATED AT 1001 CUMBERLAND ROAD FROM MULTIFAMILY  
3 RESIDENCE LIMITED DENSITY (MF-1) DISTRICT AND MULTIFAMILY  
4 RESIDENCE LIMITED DENSITY-CONDITIONAL OVERLAY (MF-1-CO)  
5 COMBINING DISTRICT TO TOWNHOUSE AND CONDOMINIUM  
6 RESIDENCE-CONDITIONAL OVERLAY (SF-6-CO) COMBINING DISTRICT.

7  
8 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

9  
10 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to  
11 change the base districts on the property described in Zoning Case No C14-2007-0129, on  
12 file at the Neighborhood Planning and Zoning Department, as follows

13  
14 Tract One From multifamily residence limited density (MF-1) district to  
15 townhouse and condominium residence-conditional overlay (SF-6-CO) combining  
16 district

17  
18 Lot 1, Cumberland Center Subdivision, a subdivision in the City of Austin, Travis  
19 County, Texas, according to the map or plat of record in Plat Book 70, Page 48, of  
20 the Plat Records of Travis County, Texas, and

21  
22 Tract Two From multifamily residence limited density-conditional overlay (MF-1-  
23 CO) combining district to townhouse and condominium residence-conditional  
24 overlay (SF-6-CO) combining district

25  
26 A 4.812 acre tract of land, more or less, being the south part of a 10.02 acre tract of  
27 land in the Issac Decker League, Survey 20, Abstract 8, said 10.02 acre tract of  
28 land being more particularly described by metes and bounds in a deed of record in  
29 Volume 4338, Page 810, Deed Records of Travis County, Texas (the "Property"),

30  
31 locally known as 1001 Cumberland Road, in the City of Austin, Travis County, Texas, and  
32 generally identified in the map attached as Exhibit "A"

7  
1 **PART 2.** The Property within the boundaries of the conditional overlay combining district  
2 established by this ordinance is subject to the following conditions  
3

- 4 A A site plan or building permit for the Property may not be approved, released,  
5 or issued, if the completed development or uses of the Property, considered  
6 cumulatively with all existing or previously authorized development and uses,  
7 generate traffic that exceeds 2,000 trips per day  
8
- 9 B The maximum number of residential units is 123 units  
10
- 11 C The maximum number of residential units is 12 2754 units pre acre.  
12
- 13 D A 25-foot wide vegetative buffer shall be provided and maintained along the  
14 south property line Improvements permitted within the buffer zone are limited  
15 to drainage, underground utility improvements or those improvements that may  
16 be otherwise required by the City of Austin or specifically authorized in this  
17 ordinance  
18
- 19 E Development of the Property may not exceed 10,000 square feet of gross floor  
20 area.  
21
- 22 F. Vehicular access from the Property to South 5<sup>th</sup> Street and to Cumberland Road  
23 is limited to one curb cut to each roadway  
24
- 25 G Except as otherwise provided in Sections H and I of this part, the maximum  
26 height of a building or structure constructed within 75 feet from South 5<sup>th</sup> Street  
27 and Cumberland Road is.  
28
- 29 1) two stories, and  
30 2) 35 feet  
31
- 32 H Neither the habitable portion of a building that is below grade nor a habitable  
33 attic shall be counted as a story if it meets the requirements of Chapter 25-2,  
34 Subchapter F, Article 3 3.2 (*Definitions and Measurement*)  
35
- 36 I. If the first story of a two-story building or structure constructed on South 5<sup>th</sup>  
37 Street is not more than three feet above the average elevation of South 5<sup>th</sup> Street  
38 as measured along the front elevation of the building or structure, then  
39  
40

- 1) a garage may be built below grade, and  
2) a garage built below grade shall not count as a story, and  
3) a garage built below grade shall not be used as a residential unit

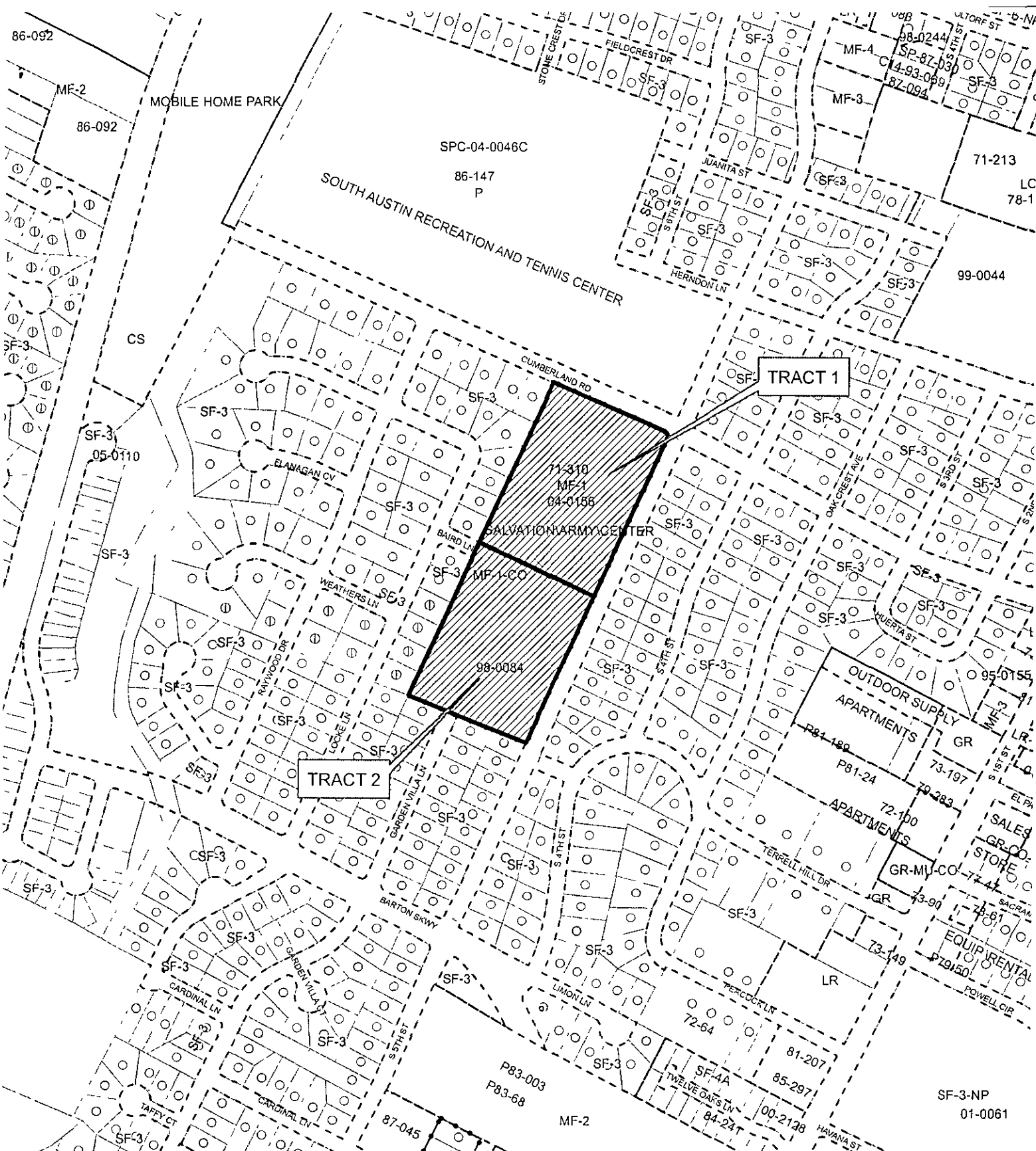
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the townhouse and condominium residence-conditional overlay (SF-6) base district, and other applicable requirements of the City Code

**PART 3.** This ordinance takes effect on \_\_\_\_\_, 2008

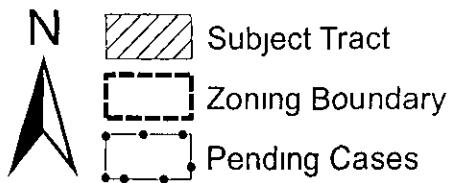
**PASSED AND APPROVED**

\_\_\_\_\_, 2008      § \_\_\_\_\_  
   § \_\_\_\_\_  
   § \_\_\_\_\_  
   § \_\_\_\_\_  
   Will Wynn  
   Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
                         David Allan Smith                           Shirley A. Gentry  
                         City Attorney     City Clerk



# ZONING



**ZONING CASE#** C14-2007-0129  
**ADDRESS** 1001 CUMBERLAND RD  
**SUBJECT AREA** 10.02 ACRES  
**GRID** H19-20  
**MANAGER** R HEIL



1" = 400' OPERATOR SM

This map has been produced by GIS Services for the sole purpose of geographic reference.  
 No warranty is made by the City of Austin regarding specific accuracy or completeness.