

**ORDINANCE NO. 20080515-025**

**AN ORDINANCE AMENDING ORDINANCE NO. 20050818-064 TO MODIFY THE BOUNDARIES OF THE NORTH HYDE PARK NEIGHBORHOOD CONSERVATION (NCCD) COMBINING DISTRICT TO INCLUDE PROPERTY LOCATED AT 100 EAST 50<sup>TH</sup> STREET, REZONING AND CHANGING THE ZONING MAP FROM UNZONED (UNZ) TO MULTIFAMILY RESIDENCE LIMITED DENSITY NEIGHBORHOOD CONSERVATION (MF-1-NCCD) COMBINING DISTRICT.**

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

**PART 1.** Ordinance No. 20050818-064 is amended to include the property identified in this Part in the area commonly known as North Hyde Park neighborhood conservation (NCCD) combining district. The zoning map established by Section 25-2-191 of the City Code is amended to zone the property from unzoned (UNZ) to multifamily residence limited density neighborhood conservation (MF-1-NCCD) combining district on the property described in Zoning Case No. C14-2007-0264, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: A 2.378 acre tract of land, more or less, out of the James P. Wallace League, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: A 4.286 acre tract of land, more or less, out of the James P. Wallace League, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (the "Property"),

located at 100 East 50<sup>th</sup> Street in the North Hyde Park neighborhood conservation (NCCD) combining district, in the City of Austin, Travis County, and identified in the map attached as Exhibit "C".

**PART 2.** The North Hyde Park NCCD-NP was approved August 18, 2005 under Ordinance No. 20050818-064 and amended under Ordinance No. 20070308-040 and Ordinance No. 20080131-119. The property located at 100 East 50<sup>th</sup> Street is not a part of Hyde Park neighborhood plan adopted under Ordinance No. 000413-63, nor a part of the North Hyde Park neighborhood plan (NP) combining district.

**PART 3.** Ordinance No. 20050818-064 is amended to add a new part to be known as Part 12. Except as otherwise specifically provided in Part 12, the property at 100 East 50<sup>th</sup> Street (Tracts One and Two) is subject to the applicable terms and provisions of Ordinance No. 20050818-064. If Part 12 and Ordinance No. 20050818-064 conflict, Part 12 applies.

**PART 12.** The following applies to the property at 100 East 50<sup>th</sup> Street (Tracts One and Two):

A. For Tract One and Tract Two:

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
2. Trees shall be planted along the sidewalks constructed along 51<sup>st</sup> Street in compliance with the standards set forth in Subchapter E, Article 2, Section 2.2.3. (*Urban Roadways: Sidewalks and Building Placement*) of the City Code.
3. The permitted and conditional uses allowed in Residential District of the North Hyde Park NCCD under Part 5 (1) of Ordinance No. 20050818-064 apply to the Property. In addition, a multifamily residential use is a permitted use of the Property.
4. A group residential use and a club or lodge use are prohibited uses of the Property, except that one club building may be located on Tract Two and shall serve the entire development.
5. Prior to site plan approval, 30 feet from the centerline of 51<sup>st</sup> Street shall be dedicated for right-of-way as set forth in Section 25-6-51 and Section 25-6-55 of the City Code.
6. Vehicular access from the Property to East 50<sup>th</sup> Street and East 49<sup>th</sup> Street is prohibited, except for emergency vehicular access. All vehicular access to the Property shall be from East 51<sup>st</sup> Street. Driveways along 51<sup>st</sup> Street shall be constructed at the minimum width required by the City.
7. The minimum off-street parking requirement is 110 percent of the number of parking spaces required under Chapter 25-6, Appendix A, Part 1. This requirement may be modified by the parking reductions allowed under Section 25-6-478 of the City Code.

B. For Tract One:

1. Except as otherwise provided in Subsection 4 of this Section B, the following site development standards apply.

- a. The maximum density is 17 residential units per acre.
- b. The maximum density is 40 residential units.
- c. The maximum number of bedrooms is 59 per acre.
- d. The maximum number of bedrooms is 140.
- e. The maximum height of a building or structure is 30 feet from ground level.
- f. The maximum height of a building or structure is 2.5 stories from ground level.
- g. The maximum building coverage is 40 percent.
- h. The maximum impervious cover is 60 percent.
- i. The maximum floor-to-area ratio (FAR) is 0.75 to 1.0.
- j. The minimum building setback is 25 feet from the east property line that abuts the adjacent residential properties.
- k. The minimum required open space per residential dwelling unit is 200 square feet.
- l. The minimum required site area per residential dwelling unit is:
  - (1) 2,400 square feet for a dwelling unit with two or more bedrooms;
  - (2) 2,000 square feet for a one bedroom dwelling unit; and
  - (3) 1,600 square feet for an efficiency dwelling unit.

2. An existing Class 1 or Class 2 tree, as defined by the Environmental Criteria Manual, that is located within the 25 foot building setback, shall be maintained as determined by the City of Austin arborist.

3. A residential unit on Tract One shall face west away from the existing residences on the west side of Rowena Street. A parking area is not permitted between the Tract One units and the Rowena Street residences but may be located at the front western side of the units.

4. If Tract One is developed as a single family use, the site development standards for the Residential District for the North Hyde Park NCCD apply, as set forth in Ordinance No. 20050818-064.

C. For Tract Two the following site development standards apply:

1. The maximum density is 23 residential units per acre.

2. The maximum density is 99 residential units.

3. The maximum number of bedrooms is 81 per acre.

4. The maximum number of bedrooms is 347.

5. The setback from 51<sup>st</sup> Street is 0 feet.

6. The maximum building coverage is 50 percent.

7. The maximum impervious cover is 70 percent.

8. The maximum floor-to-area ratio (FAR) is 0.75 to 1.0.

9. For a building or structure constructed within the area 360 feet or less from the north property line and within the area 130 feet or more from the east property line, the maximum height is 50 feet from ground level, even if such height exceeds the maximum height permitted under Article 10, Chapter 25-2 of the Land Development Code.

10. The minimum required open space per residential dwelling unit is 100 square feet.

11. The minimum required site area per residential dwelling unit is:

- a. 1,200 square feet for a dwelling unit with two or more bedrooms;
- b. 1,000 square feet for a one bedroom dwelling unit; and
- c. 800 square feet for an efficiency dwelling unit.

**PART 4.** This ordinance takes effect on May 26, 2008.

**PASSED AND APPROVED**

\_\_\_\_\_, May 15, 2008      §  
   §  
   § \_\_\_\_\_  
   Will Wynn  
   Mayor

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

UDG #07-468  
F.N. #872

Texas Parks and Wildlife Dept  
Zoning  
James P. Wallace League  
Travis County, Texas

Travis County

### DESCRIPTION

DESCRIBING A 2.378 ACRE TRACT OF LAND BEING A PART OF THE JAMES P. WALLACE LEAGUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS AND ALSO BEING A PART OF THAT 6.66 ACRE TRACT DESCRIBED IN A DEED TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT EXECUTED ON JULY 18, 1967 AND RECORDED IN VOLUME 3,333 PAGE 1,121 OF THE DEED RECORDS OF SAID COUNTY, SAID 2.378 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point at the intersection of the south right-of-way line of East 51<sup>st</sup> Street and the west boundary line of the J.J. Hegman's Subdivision, a subdivision recorded in Book 3 Page 114 of the Plat Records of said County;

THENCE, with the common line of said Hegman's Subdivision and said 6.66 acre tract, S30°00'W, 955.70 feet to a point at the southeast corner of said 6.66 acre tract;

THENCE, with the south line of said 6.66 acre tract, N58°21'W, 237.85 feet to a point at the southwest corner of said 6.66 acre tract;

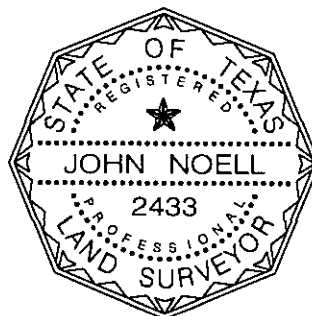
THENCE, with the west line of said 6.66 acre tract, N29°14'E, 100.09 feet to a point;

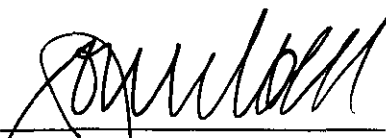
THENCE, through the interior of said 6.66 acre tract, the following two courses:

- 1) S58°21'E, 144.15 feet to a point,
- 2) N30°00'E, 822.99 feet to a point in the south right-of-way line of East 51<sup>st</sup> Street from which a point at the northwest corner of said 6.66 acre tract bears N77°30'W, 414.11 feet;

THENCE, with the common line of said 6.66 acre tract and said East 51<sup>st</sup> Street, S77°30'E, 99.59 feet to the POINT OF BEGINNING and containing 2.378 acres of land.

Field Notes Prepared from  
Record Information by:  
URBAN DESIGN GROUP  
3660 Stoneridge Road, # E101  
Austin, Texas 78746  
(512) 347-0040



  
John Noell, R.P.L.S. #2433  
Date: 12.2.07

Map attached.

Bearing Basis Volume 3,333 Page 1,121 of the Deed Records of Travis County, Texas.

References: TCAD: 02 2308 0126, Austin Grid: MK-26

EXHIBIT A

DESCRIPTION

TR 2

DESCRIBING 4.286 ACRE TRACT OF LAND BEING A PART OF THE JAMES P. WALLACE LEAGUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS AND ALSO BEING A PART OF THAT 6.66 ACRE TRACT DESCRIBED IN A DEED TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT EXECUTED ON JULY 18, 1967 AND RECORDED IN VOLUME 3,333 PAGE 1,121 OF THE DEED RECORDS OF SAID COUNTY, SAID 4.286 ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point in the north line of said 6.66 acre tract, same being in south right-of-way line of East 51<sup>st</sup> Street, from which a point at the northeast corner of said 6.66 acre tract, same being the northwest corner of Hegman's Subdivision, a subdivision recorded in Book 3 Page 114 of the Plat Records of said County, bears S77°30'E, 99.59 feet;

THENCE, through the interior of said 6.66 acre tract, the following two courses:

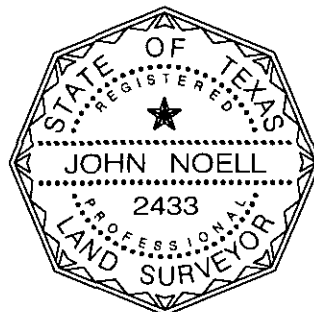
- 1) S30°00'W, 822.99 feet to point,
- 2) N58°21'W, 144.15 feet to a point in a west line of said 6.66 acre tract, from which a point at the southwest corner of said 6.66 acre tract veears S29°14'W, 100.09 feet;


THENCE, with the west line of said 6.66 acre tract, the following two courses:

- 1) N29°14'E, 209.61 feet to a point,
- 2) N02°54'E, 544.50 feet to a point in the south right-of-way line of said East 51<sup>st</sup> Street at the northwest corner of said 6.66 acre tract;

THENCE, with the common line of said 6.66 acre tract and said East 51<sup>st</sup> Street, S77°30'E, 414.11 feet to the POINT OF BEGINNING and containing 4.286 acres of land

Field Notes Prepared from  
Record Information by:  
URBAN DESIGN GROUP  
3660 Stoneridge Road, # E101  
Austin, Texas 78746  
(512) 347-0040



  
John Noell, R.P.L.S. #2433  
12.3.07  
Date

Map attached.

Bearing Basis: Volume 3,333 Page 1,121 of the Deed Records of Travis County, Texas  
References: TCAD: 02 2308 0126, Austin Grid: MK-26.

EXHIBIT B



# ZONING EXHIBIT C



- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE

ZONING CASE# C14-2007-0264  
 ADDRESS 100 E 50TH ST  
 SUBJECT AREA 6.6 ACRES  
 GRID K26  
 MANAGER J. ROUSSELIN



OPERATOR S. MECKS

1" = 400'

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