

ORDINANCE NO. 20080522-060

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A VERTICAL MIXED USE BUILDING (V) COMBINING DISTRICT TO CERTAIN TRACTS AND TO AMEND THE ZONING MAP TO CHANGE THE BOUNDARIES OF THE VERTICAL MIXED USE OVERLAY (VMU) DISTRICT TO EXCLUDE TRACTS 4A AND 5, LOCATED IN THE BARTON HILLS NEIGHBORHOOD PLANNING AREA.

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 vertical mixed use building (V) combining district to certain tracts (the "Property") described in Zoning Case No. C14-2008-0043, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 4.265 acres of land in the City of Austin, Travis County, Texas, as shown on in the tract map attached as Exhibit "A" (*Barton Hills Neighborhood Planning Area*),

located in the Barton Hills neighborhood planning area, locally known as the area bounded by Lady Bird Lake on the north, Robert E. Lee Road, Rabb Road, Rae Dell Avenue, Barton Skyway and South Lamar Boulevard on the east, and Stearns Lane and MoPac Expressway on the west, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B" (*the Zoning Map*).

PART 2. The zoning district for the tracts is changed from community commercial (GR) district to community commercial-mixed use building (GR-V) combining district, as more particularly described and identified in the chart below:

TRACT #	TCAD PROPERTY ID #	COA ADDRESS	FROM	TO
1	305415	2900 S LAMAR BLVD	GR	GR-V
	305416	3010 S LAMAR BLVD	GR	GR-V
	305417	2912 S LAMAR BLVD	GR	GR-V
	305418	3000 S LAMAR BLVD	GR	GR-V
		3002 S LAMAR BLVD	GR	GR-V
2	305378	3110 S LAMAR BLVD	GR	GR-V
	305400	3100 S LAMAR BLVD	GR	GR-V
3	305371	3318 S LAMAR BLVD	GR	GR-V
	305372	3300 S LAMAR BLVD	GR	GR-V
		3320 1/2 S LAMAR BLVD	GR	GR-V

PART 3. Except as specifically provided in this ordinance, the existing base zoning districts, combining districts, and other conditions remain in effect.

PART 4. The Property identified as Tracts 1-3 is subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use Buildings*) as follows:

- A. Ten percent of residential units available for rental in a vertical mixed use building shall be reserved for households earning no more than 60 percent of the Annual Median Family Income.
- B. The property is exempt from the dimensional standards identified in Article 4.3.3 E.2. (*Dimensional and Parking Requirements*).

For property in office districts, the additional uses allowed under Article 4.3.3. C.2 (*Ground-Floor Commercial Uses Allowed*) apply.

PART 5. The zoning map is amended to change the boundaries of the vertical mixed use (VMU) overlay district to exclude Tracts 4A and 5, located as shown in this Part and identified on Exhibit "A". These tracts are not subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use Buildings*).

TRACT #	TCAD PROPERTY ID #	COA ADDRESS
4A	306059	3500 S LAMAR BLVD
		3502 S LAMAR BLVD
	306062	3508 S LAMAR BLVD
	464557	3512 S LAMAR BLVD
		3520 S LAMAR BLVD
5	310469	3940 S LAMAR BLVD SB
		4006 S LAMAR BLVD SB
		4036 S LAMAR BLVD SB
	310475	4107 S CAPITAL OF TEXAS HWY NB
		4109 S CAPITAL OF TEXAS HWY NB
		4141 S CAPITAL OF TEXAS HWY NB
		4236 S LAMAR BLVD SB
	310476	4115 S CAPITAL OF TEXAS HWY NB
		4220 1/2 S LAMAR BLVD SB
	310477	4024 S LAMAR BLVD SB
		4030 S LAMAR BLVD SB
		4032 S LAMAR BLVD SB
		4200 S LAMAR BLVD SB
		4220 S LAMAR BLVD SB
	310479	4040 S LAMAR BLVD SB

PART 6. This ordinance takes effect on June 2, 2008.

PASSED AND APPROVED

	§	
	§	
_____ May 22 _____, 2008	§	_____
		Will Wynn
		Mayor

APPROVED: _____	ATTEST: _____
David Allan Smith	Shirley A. Gentry
City Attorney	City Clerk

SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2008-0043 – Barton Hills Vertical Mixed Use Building Rezoning

REQUEST:

Conduct a public hearing and approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning selected tracts within the Barton Hills Neighborhood Planning Area with the vertical mixed use building “V” combining district and amending the boundary of the vertical mixed use overlay district to exclude selected tracts. The planning area is bounded by Robert E. Lee, Rabb Road, Rae Dell Avenue, Barton Skyway, and Lamar Boulevard to the east, Stearns Lane and MoPac Expressway to the west, and Lady Bird Lake on the north. (Eanes Creek, Barton Creek, Town Lake watersheds)

DEPARTMENT COMMENTS:

The VMU Overlay District for Barton Hills includes approximately 37.265 acres. The Barton Hills Neighborhood Association is recommending excluding properties from the Overlay District totaling approximately 33 acres. For those properties recommended to remain in the Overlay District, the neighborhood association has recommended that the remaining 4.265 acres be opted out of the Parking Reduction incentive. The remaining acreage of the neighborhood’s recommendations for properties to be given the Vertical Mixed Use Building (V) zoning designation is 4.265 acres.

ISSUES: The property owner Robert Reed located at 3600 S. Lamar (Tract 4B) was recommended for exclusion from the Overlay District by the neighborhood association and by the Planning Commission. Mr. Reed would like to remain in the VMU overlay and has submitted a valid petition against the recommended exclusion. Tract 4B will be presented as a separate area.

APPLICANT: City of Austin, Neighborhood Planning & Zoning Department

AGENT: City of Austin, Neighborhood Planning & Zoning Department (Gregory Montes)

DATE OF FIRST READING: May 22, 2008.

CITY COUNCIL HEARING DATE: June 18, 2008

CITY COUNCIL ACTION:

May 22, 2008: The public hearing was closed and first reading of the ordinance was approved with the following motions.

- The public hearing was closed and the first reading of the ordinance for vertical mixed use building (V) district was approved. The motion included dimensional standards and additional uses in office districts for Tracts 1-3. Tracts 4A and 5 were excluded from the

vertical mixed use overlay district. An affordability level of 60% of median family income for 10% of rental units in a vertical mixed use building was included. Tract 4B was postponed to June 18, 2008. *(Council Member Cole's motion, Mayor Pro Tem Dunkerley's second on a 6-0 vote. Council Member Martinez was off the dais.)*

ASSIGNED STAFF: Gregory Montes, e-mail: gregory.montes@ci.austin.tx.us