

ORDINANCE NO. 20081120-093

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5300, 5304, AND 5400 NORTH LAMAR BOULEVARD IN THE BRENTWOOD NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) 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 general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2007-0108, on file at the Neighborhood Zoning and Planning Department, as follows:

Lot A, less the south 1086 square feet, Bednar Addition II, and Lots 1 and 2, Bednar Addition III, additions in the City of Austin, Travis County, Texas, according to the maps or plats of record, recorded respectively in Plat Book 80, Page 117, and Plat Book 95, Page 150, of the Plat Records of Travis County, Texas (the "Property"),

locally known as 5300, 5304, and 5400 North Lamar Boulevard, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 2. Except as specifically provided in Part 3, Part 4, and Part 5 of this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district, the mixed use (MU) combining district, and other applicable requirements of the City Code.

PART 3. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use Buildings*) as follows:

- A. The Property is exempt from the dimensional standards identified in Article 4.3.3 E.2. (*Dimensional and Parking Requirements*).

- B. Ten percent of residential units in a vertical mixed use building shall be reserved for rental by households earning no more than 80 percent of the Annual Median Family Income.

PART 4. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. The following uses are prohibited uses of the Property:

Agricultural sales and services	Campground
Commercial blood plasma center	Equipment repair services
Equipment sales	Drop-off recycling collection facility
Kennels	Outdoor entertainment
Outdoor sports and recreation	Vehicle storage

- B. 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 3,678 trips per day.


PART 5. The Property is subject to Ordinance No. 040513-33A that established the Brentwood neighborhood plan combining district.

PART 6. This ordinance takes effect on December 1, 2008.

PASSED AND APPROVED


November 20, 2008

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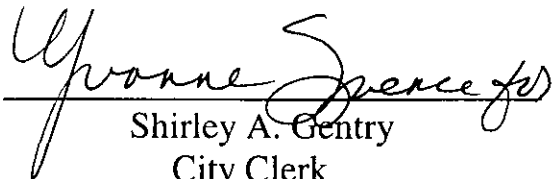
Will Wynn
Mayor

APPROVED:

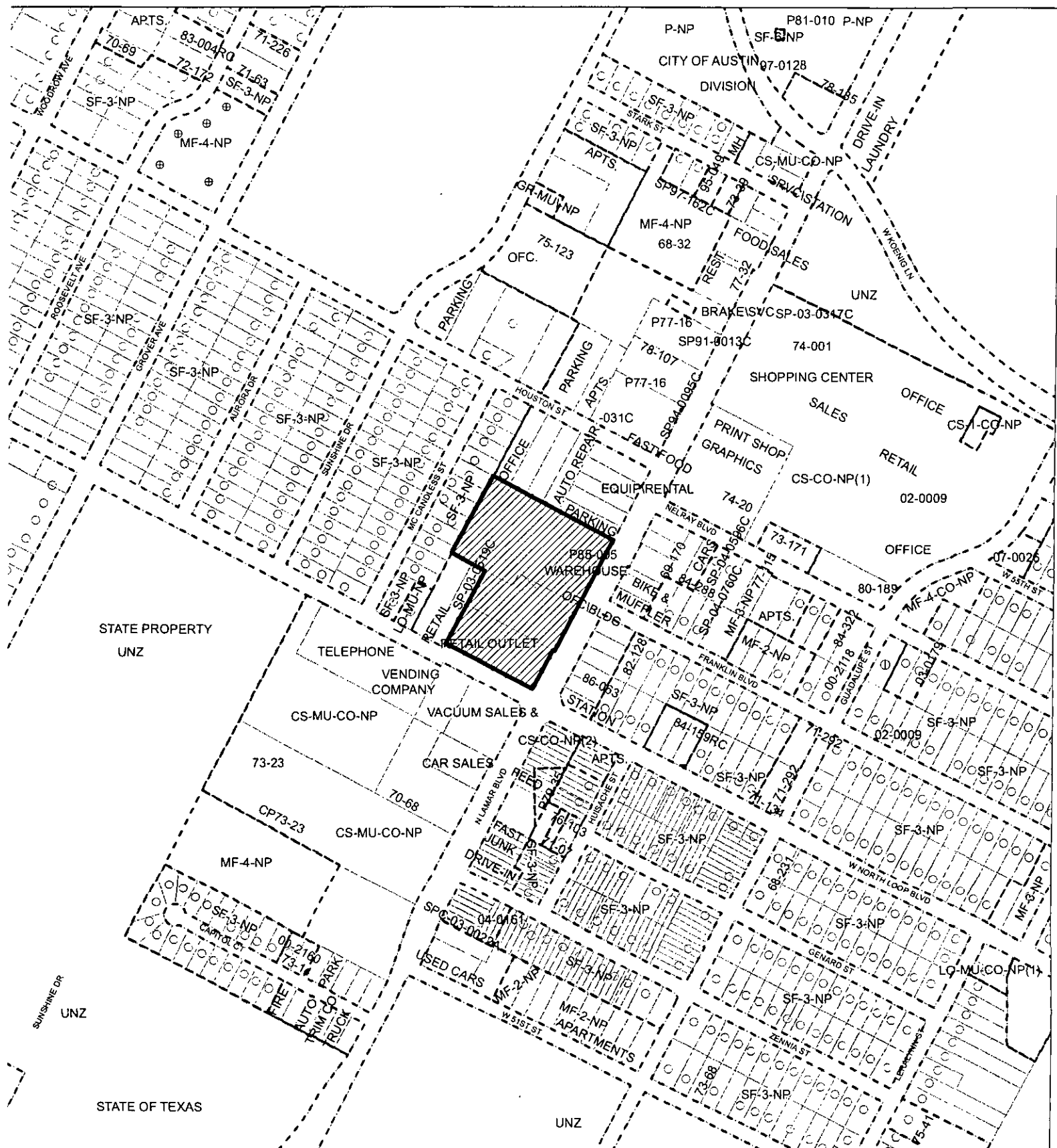


David Allan Smith
City Attorney

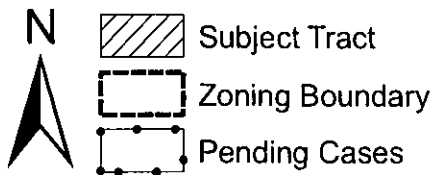
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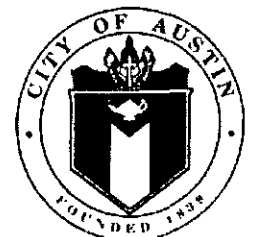
Shirley A. Gentry
City Clerk



ZONING EXHIBIT A



ZONING CASE#: C14-2007-0108
 ADDRESS: 5400 N LAMAR BLVD
 SUBJECT AREA: 4.843 ACRES
 GRID: J27 K27
 MANAGER: J. ROUSSELIN



1" = 400' OPERATOR: SM

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.