

ORDINANCE NO. _____

AN ORDINANCE REZONING AND AMENDING THE ZONING MAP TO CHANGE THE ZONING DISTRICTS FROM THEIR CURRENT DESIGNATIONS TO TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT ON CERTAIN PROPERTY IN THE CHESTNUT, EAST MLK, UPPER BOGGY CREEK, AND ROSEWOOD NEIGHBORHOOD PLAN COMBINING DISTRICTS; AND ADOPTING THE MARTIN LUTHER KING, JR. BLVD. TOD DISTRICT STATION AREA PLAN AND REGULATING PLAN, INCLUDING MODIFICATIONS TO TITLE 25 OF THE CITY CODE.

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 zoning districts to transit oriented development (TOD) district on all those certain tracts of land (*the "Property"*) described in Zoning Case No. C14-2008-0031, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 108 acres of land in the City of Austin, Travis County, Texas, more particularly described and identified in the tract map attached as Exhibit "A",

located in portions of the Chestnut, East MLK, Upper Boggy Creek and Rosewood neighborhood planning areas, locally known as the area generally bounded by Boggy Creek on the north and east, the Northwest and Austin Railroad on the east, East 12th Street on the south, and Ulit Avenue, Miriam Avenue, Alexander Avenue and Randolph Road on the west, including select properties at the intersection of Martin Luther King Jr. Boulevard and Airport Boulevard, and the intersection of Manor Road and Airport Boulevard, in the City of Austin, Travis County, Texas, and identified in the tract table attached as Exhibit "B" and the map attached as Exhibit "C" (*the "Zoning Map"*).

PART 2. The zoning districts for the Property are changed:

(A) from the current base districts to transit oriented development (TOD) district; and

(B) to remove all other current combining district designations, except that each district shall retain its current neighborhood plan (NP) combining district designation.

1 **PART 3.** The “MLK TOD Station Area Plan” attached as Exhibit “D” (the “*MLK Jr. Blvd.*
2 *SAP*”) and incorporated into this ordinance is adopted as the station area plan for the
3 Property pursuant to Section 25-2-766.22(A) (*Adoption of Station Area Plan*) of the City
4 Code, including the “Regulating Plan for the MLK TOD Station Area Plan” attached as
5 Exhibit “E” (the “*Regulating Plan*”) and incorporated into this ordinance.
6

7 **PART 4.** Under Section 25-2-766.22 (*Adoption of Station Area Plan*) of the City Code:

- 8
9 (A) the Regulating Plan establishes the zoning, site development, and design regulations
10 applicable to the Property;
11
12 (B) the boundaries of the MLK Jr. Blvd. TOD shown in Chapter 25-2 (*Zoning*), Appendix
13 D, Exhibit 3, of the City Code are modified to be the boundaries shown in Exhibit “C;”
14
15 (C) amendments to the Regulating Plan are subject to the requirements of Section 25-1-
16 502 (*Amendment; Review*) of the City for amendments of Title 25 of the City Code
17 instead of the requirements for notice of rezoning under Section 25-2-261 (*Notice of*
18 *Application Filing*) of the City Code; and
19
20 (D) the density standards of Article 2 (*Land Use and Building Density*) and the site
21 development standards in Section 4.2 (*General Development Standards*) of the
22 Regulating Plan are the only parts of the Regulating Plan that are requirements of
23 Chapter 25-2 of the City Code for purposes of Section 25-2-472 (*Board of Adjustment*
24 *Variance Authority*) of the City Code.
25

26 **PART 5.** The changes made by this ordinance take effect on March 1, 2009.

27 **PART 6.** This ordinance takes effect on _____, 2008.
28
29

30 **PASSED AND APPROVED**

31
32 §
33 §
34 _____, 2008 § _____
35 Will Wynn
36 Mayor
37
38

39 **APPROVED:** _____ **ATTEST:** _____
40 David Allan Smith Shirley A. Gentry



EXHIBIT A - MLK Station Area Plan Zoning Tract Map Case # C14-2008-0031



Produced by City of Austin
Neighborhood Planning and Zoning Dept.
Updated October 30, 2008



This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.

C14-2008-0029 - MLK Station Area Plan Properties to be Rezoned to "TOD-NP"			
Tract # (1)	TCAD Property ID (2)	COA Address (3)	Existing Zoning
1	207515	2808 MANOR RD	GR-CO-NP
	207516	2806 MANOR RD	GR-CO-NP
2	207519	2900 MANOR RD	CS-MU-CO-NP
		2902 MANOR RD	
		2908 MANOR RD	
		2910 MANOR RD	
		2916 1/2 MANOR RD	
		3303 1/2 RANDOLPH RD	
	207558	2928 MANOR RD	LI-CO-NP
	374454	ACR .05 * OF LOT 12-21 BLK 14 OLT 2 DIVISION O	Not zoned
3	207581	3724 AIRPORT BLVD	CS-MU-NP
	207582	3710 AIRPORT BLVD	CS-MU-NP
		3712 AIRPORT BLVD	
		3722 AIRPORT BLVD	
4	207622	1909 E 38TH HALF ST	CS-1-MU-NP; CS-MU-NP
		3737 AIRPORT BLVD	
	207623	3701 AIRPORT BLVD	CS-MU-NP
5	204457	2213 AIRPORT BLVD	CS-MU-NP
		3107 1/2 MANOR RD	
	204458	3107 MANOR RD	CS-MU-NP
		3109 MANOR RD	
	204459	3111 MANOR RD	CS-MU-NP
	204460	LOT 10 OLT 50 DIV B AIRPORT & MANOR RD SUBD NO 3	CS-MU-NP
6	204394	2967 MANOR RD	CS-NP
	Portion of 204395	2204 AIRPORT BLVD	Commercial
	204405	2963 MANOR RD	CS-NP
7	204218	2803 MANOR RD	CS-MU-CO-NP
	204219	2805 MANOR RD	CS-MU-CO-NP
	204220	2819 MANOR RD	CS-MU-CO-NP
	204221	2821 1/2 MANOR RD	CS-MU-CO-NP
	204222	2823 MANOR RD	CS-MU-CO-NP
	204237	2815 MANOR RD	CS-MU-CO-NP

**C14-2008-0029 - MLK Station Area Plan
Properties to be Rezoned to "TOD-NP"**

Tract # (1)	TCAD Property ID (2)	COA Address (3)	Existing Zoning
8	204171	2826 REAL ST	LI-CO-NP
	204172	2824 REAL ST	GO-MU-NP
	204173	2808 E MARTIN LUTHER KING JR BLVD	LI-CO-NP
	204174	1906 MIRIAM AVE	LI-CO-NP
	204179	2806 REAL ST	GO-MU-NP
	204180	2008 ALEXANDER AVE 2830 REAL ST	LI-CO-NP
9	204246	2810 E MARTIN LUTHER KING JR BLVD 2831 REAL ST	LI-CO-NP
	204248	2820 E MARTIN LUTHER KING JR BLVD	GO-MU-NP
	204249	2821 REAL ST	LI-CO-NP
		2830 E MARTIN LUTHER KING JR BLVD	
		2832 E MARTIN LUTHER KING JR BLVD	
		2833 REAL ST	
		2834 E MARTIN LUTHER KING JR BLVD	
		2835 REAL ST	
10	204238	2009 ALEXANDER AVE	CS-MU-CO-NP
		2105 ALEXANDER AVE	
		2201 ALEXANDER AVE	
		2205 ALEXANDER AVE	
		2821 MANOR RD	
		2900 1/2 E MARTIN LUTHER KING JR BLVD	
		2900 E MARTIN LUTHER KING JR BLVD	
		2901 MANOR RD	
		2907 MANOR RD	
	204252	2918 E MARTIN LUTHER KING JR BLVD	CS-MU-CO-NP
	374454	ACR .05 * OF LOT 12-21 BLK 14 OLT 2 DIVISION O	Not zoned
	499648	2906 E MARTIN LUTHER KING JR BLVD	CS-MU-CO-NP
		2931 MANOR RD	
12	204454	1925 AIRPORT BLVD	CS-MU-NP
	204496	3208 E MARTIN LUTHER KING JR BLVD	CS-MU-NP
	204497	TRT A *THE CUSTOM RESUB OF LOT 31B * OF THE RESUB OF LOT 31 OLT 50 DIV B ENCINO TERRACE	CS-MU-NP
	204501	3210 E MARTIN LUTHER KING JR BLVD	CS-MU-NP

C14-2008-0029 - MLK Station Area Plan Properties to be Rezoned to "TOD-NP"			
Tract # (1)	TCAD Property ID (2)	COA Address (3)	Existing Zoning
13	204465	3223 E MARTIN LUTHER KING JR BLVD	GR-MU-NP
		3231 E MARTIN LUTHER KING JR BLVD	
	204466	1823 AIRPORT BLVD	GR-MU-NP
	204467	1815 AIRPORT BLVD	GR-MU-NP
14	714111	1809 CLIFFORD AVE	CS-MU-CO-NP
	714112	1811 CLIFFORD AVE	CS-MU-CO-NP
	714113	1813 CLIFFORD AVE	CS-MU-CO-NP
	714114	1815 CLIFFORD AVE	CS-MU-CO-NP
15	200508	2712 E 12TH ST	P-NP
	Portion of 200571	Portion of .9 AC OF OLT 28 DIVISION B	LI-NP
	Portion of 200579	Portion of ACR 7.573 OLT 28-31 DIVISION B	LI-NP
	200510	1701 MIRIAM AVE	CS-MU-CO-NP
		1707 MIRIAM AVE	
		1709 MIRIAM AVE	
		1719 ALEXANDER AVE	
		1803 1/2 MIRIAM AVE	
		2901 1/2 E MARTIN LUTHER KING JR BLVD	
	204216	OLT 28 DIVISION B ACR .49	LI-NP
	204239	.29 AC OF OLT 28 DIVISION B	LI-NP
	204240	2915 E MARTIN LUTHER KING JR BLVD	CS-MU-CO-NP
	204244	159X75FT LOT 21 OLT 28 DIVISION B	CS-MU-CO-NP; LI-NP
	374454	ACR .05 * OF LOT 12-21 BLK 14 OLT 2 DIVISION O	Not zoned
	731771	1601 1/2 MIRIAM AVE	CS-MU-CO-NP
		1601 MIRIAM AVE	

(1) The tract number refers to the numbered tracts on the MLK Station Area Plan Zoning Tract Map.

(2) Each TCAD Property ID number represents a separate property, as recorded by the Travis Central Appraisal District.

(3) The COA Addresses listed for each property are those addresses on file with the city pertaining to that property. If a COA address was not available for a property the TCAD address and/or legal description was used.

Exhibit C

