

ORDINANCE NO. 20090827-078

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 TRACT 17 LOCATED IN THE BRENTWOOD 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. C14-2009-0055 on file at the Planning and Development Review Department, as follows:

Approximately 68.22 acres of land in the City of Austin, Travis County, Texas, as shown on in the tract map attached as Exhibit "A" (*Brentwood Neighborhood Planning Area*),

located in the Brentwood neighborhood planning area, locally known as the area bounded by Justin Lane on the north, North Lamar Boulevard on the east, 45th Street on the south, and Burnet Road on the west, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B" (*the Zoning Map*).

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

PART 2. The zoning districts for the Property are changed from limited office-mixed use-neighborhood plan (LO-MU-NP) combining district, neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district, general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district, community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, and commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district, to limited office-mixed use-vertical mixed use building-neighborhood plan (LO-MU-V-NP) combining district, neighborhood commercial-mixed use-vertical mixed use

building-neighborhood plan (LR-MU-V-NP) combining district, neighborhood commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (LR-MU-V-CO-NP) combining district, general office-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GO-MU-V-CO-NP) combining district, community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district, general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district, and commercial-liquor sales-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-1-MU-V-CO-NP) combining district, as more particularly described and identified in the chart below:

TRACT	TCAD PROP ID#	COA ADDRESS POINT	FROM	TO
1	233434	6425 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	233435	6539 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	233436	6507 BURNET RD	CS-1-MU-CO-NP CS-MU-CO-NP	CS-1-MU-V-CO-NP CS-MU-V-CO-NP
		6509 BURNET RD		
	233437	6511 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
		6513 BURNET RD		
		6515 BURNET RD		
	235848	6701 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	235849	6717 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	235850	6600 1/2 BURNET LN	CS-MU-CO-NP	CS-MU-V-CO-NP
		6601 BURNET RD		
	235851	6801 1/2 BURNET RD 6801 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
2	235852	6825 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	235855	6555 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	235856	6547 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
		6549 BURNET RD		
	233501	6205 1/2 BURNET RD 6205 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	233502	6415 BURNET LN	CS-MU-CO-NP	CS-MU-V-CO-NP
3	233504	6313 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	233505	6317 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	233506	6225 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	233507	6311 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	231082	5901 BURNET RD 5903 BURNET RD 5907 BURNET RD 5909 BURNET RD 5915 BURNET RD 5917 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP

TRACT	TCAD PROP ID#	COA ADDRESS POINT	FROM	TO
		5921 BURNET RD 5923 BURNET RD 5925 BURNET RD 5927 BURNET RD 5929 BURNET RD 5931 BURNET RD 5933 BURNET RD 6001 BURNET RD 6005 BURNET RD 6007 BURNET RD 6009 BURNET RD 6011 BURNET RD 6013 BURNET RD 6015 BURNET RD 6101 BURNET RD 6103 BURNET RD 6105 BURNET RD 6109 BURNET RD 6111 BURNET RD 6113 BURNET RD		
4	229533	5531 BURNET RD	LR-MU-CO-NP CS-MU-CO-NP	LR-MU-V-CO-NP CS-MU-V-CO-NP
	229534	5605 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	229535	5615 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	229537	5501 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	229538	5525 BURNET RD	LR-MU-CO-NP CS-MU-CO-NP	LR-MU-V-CO-NP CS-MU-V-CO-NP
	231154	5829 1/2 BURNET RD 5829 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	231155	5801 1/2 BURNET RD 5809 BURNET RD 5811 BURNET RD 5819 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	231166	5721 BURNET RD 5801 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	231154	5701 BURNET RD 5703 BURNET RD 5705 BURNET RD 5711 BURNET RD 5715 BURNET RD	CS-1-MU-CO-NP CS-MU-CO-NP	CS-1-MU-V-CO-NP CS-MU-V-CO-NP
5	229551	5425 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	229552	5435 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	229557	5451 BURNET RD 5453 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	229559	5437 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP

TRACT	TCAD PROP ID#	COA ADDRESS POINT	FROM	TO
		5441 1/2 BURNET RD		
6	229677	5401 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
7	227629	5343 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	227630	5303 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	227631	5335 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	229684	5353 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	229685	5335 1/2 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
		5337 BURNET RD		
		5339 BURNET RD		
		5341 BURNET RD		
		5355 BURNET RD		
8	226363	1512 NORTH ST	CS-MU-CO-NP	CS-MU-V-CO-NP
		5205 BURNET RD	LR-MU-NP	LR-MU-V-NP
	227637	5239 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	227638	5245 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	227639	5249 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
		5251 BURNET RD		
9	227640	5209 BURNET RD	CS-MU-CO-NP LO-MU-NP	CS-MU-V-CO-NP LO-MU-V-NP
	227641	LOT 9 BLK 8 BROADACRES PLUS 1/2 OF ADJ VAC STREET	CS-MU-CO-NP	CS-MU-V-CO-NP
			LO-MU-NP	LO-MU-V-NP
	226308	5101 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	226333	5119 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	226334	5111 1/2 BURNET RD 5113 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
10	226289	4929 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	226290 (Portion)	5003 1/2 BURNET RD 5003 BURNET RD	CS-MU-CO-NP GR-MU-CO-NP	CS-MU-V-CO-NP GR-MU-V-CO-NP
	226291 (Portion)	55.99X315FT AV OF BLK 27 WALLING PLACE	CS-MU-CO-NP	CS-MU-V-CO-NP
	226292	1419 W 51ST ST 5025 BURNET RD 5035 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	226305 (Portion)	5011 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	226307	4901 BURNET RD	GR-MU-CO-NP CS-MU-CO-NP	GR-MU-V-CO-NP CS-MU-V-CO-NP
11	223166	4701 1/2 BURNET RD	GO-MU-CO-NP	GO-MU-V-CO-NP
	223167	4701 BURNET RD	CS-MU-CO-NP GO-MU-CO-NP	CS-MU-V-CO-NP GO-MU-V-CO-NP
	223169	4703 BURNET RD	CS-1-MU-CO-NP GO-MU-CO-NP	CS-1-MU-V-CO- NP GO-MU-V-CO-NP

TRACT	TCAD PROP ID#	COA ADDRESS POINT	FROM	TO
		4705 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	223170	4707 BURNET RD 4727 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	223171	4729 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	223172	4803 BURNET RD 4805 BURNET RD 4807 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	223173	4811 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	223181	4801 BURNET RD	CS-MU-CO-NP	CS-MU-V-CO-NP
13	224891	4926 N LAMAR BLVD 801 CAPITOL CT 803 CAPITOL CT	CS-MU-CO-NP	CS-MU-V-CO-NP
14	224868	5214 N LAMAR BLVD 5224 N LAMAR BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
	224869 (Portion)	5106 N LAMAR BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
	224870	5000 N LAMAR BLVD 802 CAPITOL CT 804 CAPITOL CT 806 CAPITOL CT 808 CAPITOL CT 810 CAPITOL CT	CS-MU-CO-NP	CS-MU-V-CO-NP
	224898	5242 N LAMAR BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
	224901	5210 N LAMAR BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
	224902	5200 N LAMAR BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
15	226574	5406 N LAMAR BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
	226593	5410 N LAMAR BLVD 5412 N LAMAR BLVD 819 HOUSTON ST	CS-MU-CO-NP	CS-MU-V-CO-NP
	226594	LOT 4 *RESUB OF LT 1A SEC 2 OF A RESUB OF PT OF LT 1 SKYLAND SUBD	CS-MU-CO-NP	CS-MU-V-CO-NP
	226595	LOT 5 *RESUB OF LT 1A SEC 2 OF A RESUB OF PT OF LT 1 SKYLAND SUBD	CS-MU-CO-NP	CS-MU-V-CO-NP
	226596	LOT 6&7 *RESUB OF LT 1A SEC 2 OF A RESUB OF PT OF LT 1 SKYLAND SUBD	CS-MU-CO-NP	CS-MU-V-CO-NP
	226599	5304 N LAMAR BLVD 5306 N LAMAR BLVD 5400 1/2 N LAMAR BLVD 5400 N LAMAR BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
	226600	5300 N LAMAR BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
16	226506	5520 N LAMAR BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
	226514	5502 1/2 N LAMAR BLVD 5516 N LAMAR BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP

TRACT	TCAD PROP ID#	COA ADDRESS POINT	FROM	TO
		818 1/2 HOUSTON ST		
	226516	5536 N LAMAR BLVD 5540 1/2 N LAMAR BLVD 5540 N LAMAR BLVD	CS-MU-CO-NP CS-1-MU-CO-NP	CS-MU-V-CO-NP CS-1-MU-V-CO-NP
	226517	5528 1/2 N LAMAR BLVD 5528 N LAMAR BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
	228894	5602 N LAMAR BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
18	228892	5624 N LAMAR BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
	228893	5610 N LAMAR BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
19	228881	5630 N LAMAR BLVD 5636 1/2 N LAMAR BLVD 5636 N LAMAR BLVD 814 STARK ST	CS-MU-CO-NP	CS-MU-V-CO-NP
20	230002	6000 N LAMAR BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
	230003	5922 N LAMAR BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
	230004	5916 N LAMAR BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
	230005	5900 N LAMAR BLVD 800 OLD KOENIG LN	CS-MU-CO-NP	CS-MU-V-CO-NP
	230007	6100 N LAMAR BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
	230008 (Portion)	6010 N LAMAR BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
	230010	811 ROMERIA DR	CS-MU-CO-NP	CS-MU-V-CO-NP
21	230024	6200 N LAMAR BLVD 814 ROMERIA DR	CS-1-MU-CO-NP	CS-1-MU-V-CO-NP

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

A. The following applies to Tracts 1-11, 13-16, and 18-21:

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 following applies to Tracts 1-3, 11, 13-16, and 18-21:

1. The property is exempt from the dimensional standards identified in Article 4.3.3 E.2. (*Dimensional and Parking Requirements*).
2. The property is subject to the parking reductions identified in Article 4.3.3 E.3. (*Dimensional and Parking Requirements*).

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

C. The following applies to Tract 4-10:

1. The property is exempt from the dimensional standards identified in Article 4.3.3 E.2. (*Dimensional and Parking Requirements*).
2. For property in office districts, the additional uses allowed under Article 4.3.3. C.2 (*Ground-Floor Commercial Uses Allowed*) apply.

PART 4. The zoning map is amended to change the boundaries of the vertical mixed use (VMU) overlay district to exclude Tract 17, located as shown in this Part and identified on Exhibit "A". The tract is not subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use Buildings*).

TRACT	TCAD PROP ID#	COA ADDRESS POINT
17	228895	5606 N LAMAR BLVD

PART 5. This ordinance takes effect on September 7, 2009.

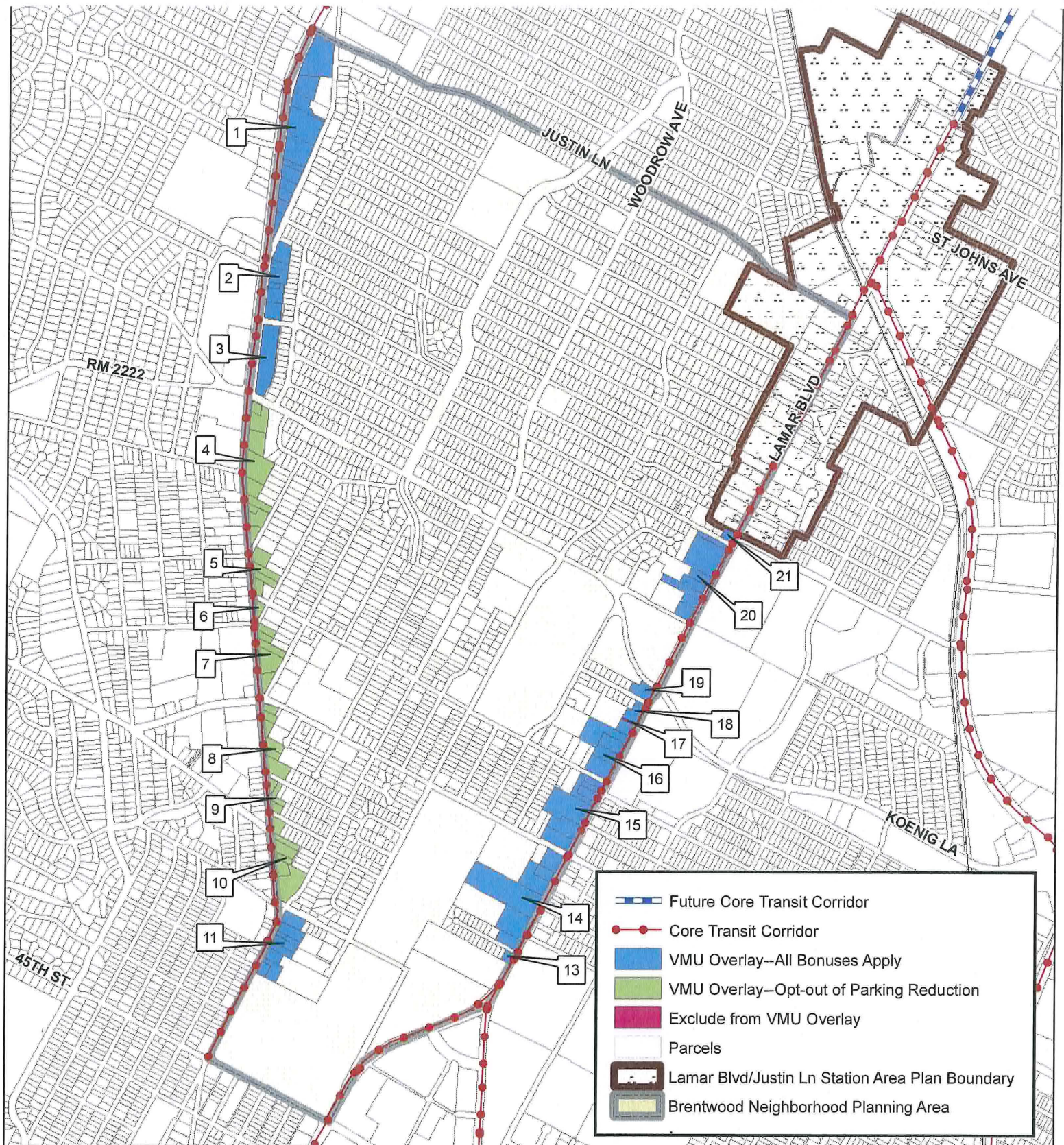
PASSED AND APPROVED

_____, August 27, 2009

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§
§
§ _____
Lee Leffingwell
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk



Brentwood Neighborhood Planning Area *EXHIBIT A* **Neighborhood Recommendation Map** **Vertical Mixed Use (VMU) Opt-In/Opt-Out Process** **C14-2009-0055**

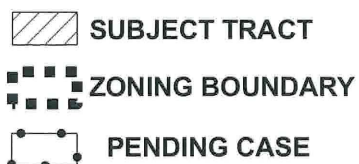


Produced by City of Austin
 Neighborhood Planning and Zoning Dept.
 May 20, 2009

0 500 1,000 2,000 Feet



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.



ZONING CASE#: C14-2009-0055
ADDRESS: BRENTWOOD PLANNING AREA
SUBJECT AREA: 68.22 ACRES
GRID: J26-29 & K27
MANAGER: W. RHOADES



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