Late Backup_{rdinance no.}

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A VERTICAL MIXED USE BUILDING (V) COMBINING DISTRICT TO PROPERTY LOCATED AT 4020 AIRPORT BOULEVARD IN THE UPPER BOGGY CREEK 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 and rezone property located at 4020 Airport Boulevard, also known as Tract 3 (the "Property") described in Zoning Case No. C14-2009-0102 (Part), on file at the Planning and Development Review Department, as shown on in the tract map attached as Exhibit "A" (Upper Boggy Creek Neighborhood Planning Area), locally known as the Upper Boggy Creek neighborhood planning area, bounded by IH-35, 26th Street and Comal Street on the west, Airport Boulevard on the north and east, and Martin Luther King, Jr. Boulevard, Cedar Boulevard, Rogers Boulevard, Walnut Boulevard and Manor Road on the south, 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 district for the Property is changed from limited office-neighborhood plan (LO-NP) combining district to limited office-vertical mixed use building-neighborhood plan (LO-V-NP) combining district, as more particularly described and identified in the chart below:

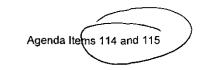
Tract #	TCAD Property ID	City of Austin Address	Zoning From	Zoning To
3	209485	4020 AIRPORT BLVD	LO-NP	LO-V-NP
	209501	ABS 346 SUR 9 HAWKINS T ACR .05		

Draft: 6/24/2010

	The Property is subject to 6 (se Buildings) as follows:	Chapter 25-2, Subchapter E, Article 4.3 (Vertical					
A.	•	units available for rental in a vertical mixed use or households earning no more than 60 percent of acome.					
B.	B. The property is exempt from the dimensional standards identified 4.3.3 E.2. (Dimensional and Parking Requirements).						
 C. The property is subject to the parking reductions identified in Article 4.3 (Dimensional and Parking Requirements). D. For property in office districts, the additional uses allowed under Article 							
D. For property in office districts, the additional uses allowed under Article C.2 (Ground-Floor Commercial Uses Allowed) apply.							
PART 4.	This ordinance takes effect on	, 2010.					
PASSED	AND APPROVED						
	, 2010	§ § §					
		Lee Leffingwell Mayor					
APPROV		_ATTEST:					
	Karen M. Kennard Acting City Attorney	Shirley A. Gentry City Clerk					

Late Backup

Motion Sheet City Council Hearing June 24, 2010 C14-2009-0102(PART) and NPA-2009-0012.03(PART)



	VMU Application Area: Upper Boggy Creek Neighborhood Planning Area											
Motion	Proposed Action					Staff/Comments						
CAPE ACAPTAGE	Motion Proposed/Action Prior/City/Council/Action Valid/Petition by Rlanning/Commission Recommendations (February 9, 2010) Recommendation Staff/Commends Property/Owner (February 9, 2010) Recommendation Staff/Commends C14-2009-0102(PART) [Agenda Item #114]											
1	Amend the VMU Overlay District to exclude Tract 3.	March 11, 2010 The first reading of the ordinance to exclude Tract 3 from the VMU Overlay District was approved on Council Member Morrison's motion, Council Member Spelman's second (5-1). Mayor Pro Tem Martinez voted nay. Council Member Shade abstained. June 10, 2010 The second reading of the ordinance to exclude Tract 3 from the VMU Overlay District was approved on Council Member Morrison's motion, Mayor Leffingwell's second (4-3). Mayor Pro Tem Martinez and Council Members Riley and Shade voted nay.	Yes. Therefore, at third reading, six votes are necessary in order to exclude Tract 3 from the VMU Overlay District.	Recommended the approval of vertical mixed use building (V) designation with all VMU-related standards to Tract 3. Small, Dealey. Approved 8-0 (Reddy absent).	recommended to apply vertical	This item is ready for third reading.						
NPA-2009-0012.003(PART) [Agenda Item #115]												
1	Approve a future land use designation of Mixed Use / Office for Tract 3.	March 11, 2010 At first reading, the City Council voted to exclude Tract 3 from the Vertical Mixed Use Overlay District; therefore, the tract did not receive vertical mixed use building (V) zoning nor did it receive its Mixed Use/Office future land use designation.	No	Recommended the approval of a future land use designation of Mixed Use / Office for Tract 3. Small, Dealey. Approved 8-0 (Reddy absent).	None	Staff recommends a future land use designation change to Mixed Use / Office should the "V" zoning be applied to Tract 3. This would also be complementary to adjacent properties within the Upper Boggy Creek Neighborhood Planning Area. This item is ready for all 3 readings.						