

**ORDINANCE NO. 20100624-126**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 209 CONGRESS AVENUE FROM CENTRAL BUSINESS DISTRICT (CBD) DISTRICT TO CENTRAL BUSINESS DISTRICT-CENTRAL URBAN REDEVELOPMENT DISTRICT (CBD-CURE) 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 central business district (CBD) district to central business district-central urban redevelopment district (CBD-CURE) combining district on the property described in Zoning Case No. C14-2010-0054, on file at the Planning and Development Review Department, as follows:

Lots 1-4, and the south 14.7 feet of Lot 5, Block 18, Original City of Austin, Travis County, Texas, according to the map or plat of record on file in the General Land Office of the State of Texas, (the "Property"),

locally known as 209 Congress Avenue, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

**PART 2.** The site development regulations for the Property within the boundaries of the CURE combining district established by this ordinance are modified as follows:

The following applies to a project with a hotel-motel use with a total of at least 700 rooms on this Property and the property described in Exhibit "B" attached to this ordinance:

1. Development of the Property may not exceed a floor-to-area ratio (F.A.R.) of 16.0 to 1.0, unless the developer elects to participate in the development bonus program under Section 25-2-586 (*Affordable Housing Incentives in a Central Business District (CBD) or Downtown Mixed Use (DMU) Zoning District*) of the Code. Development of the Property under Section 25-2-586 may not exceed a F.A.R. of 25.0 to 1.0, and the floor-to-area ratio limitation for the development shall be 16.0 to 1.0 for the purpose of calculations made under Section 25-2-586.

2. Section 25-6-592 (C) (2) (*Loading Facility Provisions for the Central Business District (CBD) and a Downtown Mixed Use (DMU) Zoning District*) of the Code is modified to allow loading and unloading within the alley located between 2nd Street and 3rd Street.
3. Section 25-2-643 (*Congress Avenue Combining District Regulations*) of the Code is modified to allow within 40 feet of Congress Avenue a minimum structure height of 30 feet and a maximum structure height of 90 feet.

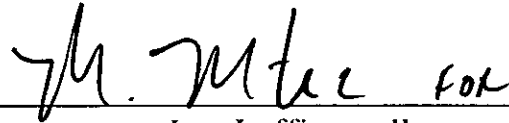
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the central business district (CBD) base district, and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on July 5, 2010.

**PASSED AND APPROVED**

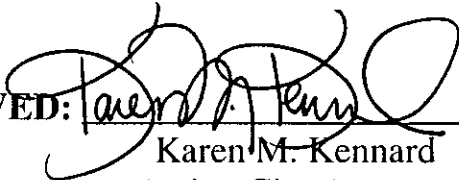
June 24, 2010

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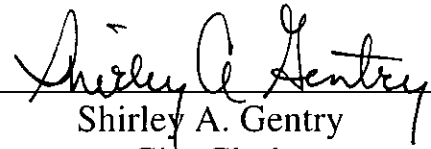
Lee Leffingwell  
Mayor

APPROVED:



Karen M. Kennard  
Acting City Attorney

ATTEST:



Shirley A. Gentry  
City Clerk



EXHIBIT "B"  
2<sup>ND</sup> and Congress Project

Lots 7-12, Block 18, Original City of Austin, Travis County, Texas,  
according to the map or plat of record on file in the General Land Office of  
the State of Texas.