

ORDINANCE NO. 20110113-062

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1701, 1703, 1705 AND 1707 EAST MARTIN LUTHER KING JR. BOULEVARD IN THE CENTRAL EAST AUSTIN NEIGHBORHOOD PLAN AREA FROM COMMUNITY COMMERCIAL-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-V-CO-NP) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-V-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 community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district to community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district on the property, (the "Property") described in Zoning Case No. C14-2010-0184, on file at the Planning and Development Review Department, as follows:

The West 43.3 feet of Lot 8, Block 11, C R Johns Subdivision of Outlot 37, Division B, according to the map or plat recorded in Volume 1, Page 3, Plat Records, Travis County, Texas (1701 E. MLK),

The West 21.6 feet of Lot 7 and the East 21.67 feet of Lot 8, Block 11, C R Johns Subdivision of Outlot 37, Division B, according to the map or plat recorded in Volume 1, Page 3, Plat Records, Travis County, Texas (1703 E. MLK), and

The East 43.3 feet of Lot 7, Block 11, C R Johns Subdivision of Outlot 37, Division B, according to the map or plat recorded in Volume 1, Page 3, Plat Records, Travis County, Texas, (1705 E. MLK), and

The West 43.3 feet of Lot 6, Block 11, C R Johns Subdivision of Outlot 37, Division B, according to the map or plat recorded in Volume 1, Page 3, Plat Records, Travis County, Texas, (1707 E. MLK),

locally known as 1701, 1703, 1705 and 1707 East Martin Luther King Jr. 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 (GR) base district, the mixed use combining district, and other applicable requirements of the City Code.

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

- A. 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 Property is subject to the parking reductions identified in Article 4.3.3 E.3. (*Dimensional and Parking Requirements*).
- C. The Property is subject to the parking reductions identified in Article 4.3.3 E.2. (*Dimensional and Parking Requirements*).

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

- A. 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 2,000 trips per day.
- B. The maximum height of a building or structure is 55 feet from ground level.

C. The following are uses are prohibited uses of the Property:

Automotive rentals
Automotive sales
Commercial off-street parking
Hospital services (general)
Indoor entertainment
Outdoor entertainment
Residential treatment
Urban farm

Automotive repair services
Automotive washing
Drop-off recycling collection facility
Hospital services (limited)
Indoor sports and recreation
Pawn shop services
Service station


PART 5. The Property is subject to Ordinance No. 011213-042 that established the Central East Austin neighborhood plan combining district.

PART 6. This ordinance takes effect on January 24, 2011.

PASSED AND APPROVED

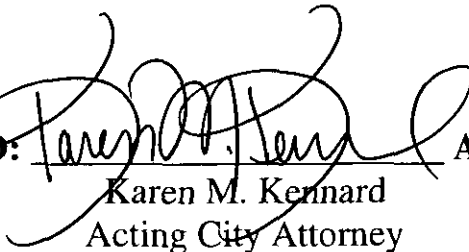
January 13, 2011

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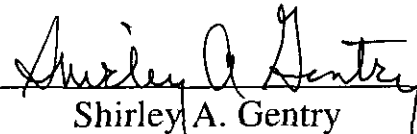
Lee Leffingwell
Mayor

APPROVED:



Karen M. Kennard
Acting City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

