

ORDINANCE NO. 20110324-056

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5501-5617 LA CROSSE AVENUE FROM COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) 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-conditional overlay (GR-MU-CO) combining district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district on the property described in Zoning Case No. C14-2010-0205, on file at the Planning and Development Review Department, as follows:

Lots 1 and 2, Block Y, Circle C Ranch, Phase B, Section Nineteen Subdivision, a subdivision in the City of Austin, Travis County according to the map or plat of record in Book 98, Pages 371-373 of the Plat records of Travis County, Texas (the "Property"),

locally known as 5501-5617 La Crosse Avenue, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. Vehicular access from the Property to Dahlgreen Avenue is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
- B. The following conditions apply to Lot 1:
 - 1. A building or structure may not be constructed within 25 feet of La Crosse Avenue.
 - 2. A building or structure occupied by a commercial use may not be constructed within 50 feet of La Crosse Avenue.

3. Improvements permitted within these buffer zones are limited to nature trails, landscaping, picnic tables, benches, solid fences, small trash receptacles, i.e. 55 gallons or less, access to La Crosse Avenue, surface parking facilities unless otherwise provided in this section, detention and water quality re-irrigation facilities, utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
4. The maximum height of a building or structure is 40 feet from ground level.

C. The following conditions apply to Lot 2:

1. A building or structure may not be constructed within 75 feet of La Crosse Avenue.
2. A building or structure may not be constructed within 50 feet of Dahlgreen Avenue.
3. Improvements permitted within these buffer zones are limited to nature trails, landscaping, access to La Crosse Avenue, picnic tables, benches, solid fences, small trash receptacles, i.e. 55 gallons or less, a surface parking facility unless otherwise provided in this section, detention and water quality re-irrigation facilities, utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
4. Parking on Lot 2 shall be located at the rear or south of a building.
5. Not more than 20 percent of the required parking, including handicap parking, may be located within a street yard.
6. The maximum height for a building or structure is 35 feet from ground level.

D. The following uses of the property are prohibited uses on Lot 2:

Group residential
Automotive sales
Automotive washing (of any type)
Commercial off-street parking
Consumer repair services
Exterminating services
Food sales

Multifamily residential
Automotive rentals
Automotive repair services
Consumer convenience services
Drop-off recycling collection facility
Financial services
Funeral services

General retail sales (convenience)
 Hotel-motel
 Indoor sports and recreation
 Outdoor sports and recreation
 Personal improvement services
 Plant nursery
 Restaurant (general)
 Theater
 Residential treatment
 Transportation terminal

General retail sales (general)
 Indoor entertainment
 Outdoor entertainment
 Pawn shop services
 Pet services
 Research services
 Service station
 Custom manufacturing
 Transitional housing
 College and university facilities

- E. The following uses are prohibited uses for a single occupant of any lease space over 36,750 square feet on Lot 2:

Bed & breakfast residential (groups 1&2)
 Business or trade school
 Communications services
 Personal services
 Restaurant (limited)
 Club or lodge
 Community recreation (private)
 Counseling services
 Day care services (commercial)
 Day care services (limited)
 Group home Class I (limited)
 Hospital services (limited)
 Private primary educational facilities
 Public primary educational facilities
 Religious assembly
 Telecommunication tower
 Medical offices (exceeding 5000 sf)

Art workshop
 Business support services
 Off-site accessory parking
 Guidance services
 Special use historic
 Communication service facilities
 Community recreation (public)
 Cultural services
 Day care services (general)
 Group home Class I (general)
 Hospital services (general)
 Local utility services
 Private secondary education facilities
 Public secondary education facilities
 Safety services
 Urban farm

- F. A drive-in service use as an accessory use for a restaurant use is a prohibited use on Lots 1 and 2.

- G. The following uses are prohibited uses for a single occupant of any lease space over 36,750 square feet on Lot 1:

Bed & breakfast residential (groups 1&2)
 Business or trade school

Art workshop
 Business support services

Commercial off-street parking
 Consumer convenience services
 Financial services
 Funeral services
 General retail sales (general)
 Indoor entertainment
 Off-site accessory parking
 Outdoor sports and recreation
 Personal services
 Pet services
 Restaurant (general)
 Special use historic
 Custom manufacturing
 Community recreation (private)
 Counseling services
 Day care services (commercial)
 Day care services (limited)
 Group home Class I (limited)
 Hospital services (limited)
 Private primary educational facilities
 Public primary educational facilities
 Club or lodge
 Safety services
 Urban farm

Communications services
 Exterminating services
 Food sales
 General retail sales (convenience)
 Hotel-motel
 Indoor sports and recreation
 Outdoor entertainment
 Plant nursery
 Personal improvement services
 Theater
 Restaurant (limited)
 Hospital services (general)
 Communication service facilities
 Community recreation (public)
 Cultural services
 Day care services (general)
 Group home Class I (general)
 Guidance services
 Local utility services
 Private secondary education facilities
 Public secondary education facilities
 Religious assembly
 Telecommunication tower
 Medical offices (exceeding 5000 sf)

H. A college and university facilities use is a prohibited use for a single occupant of any lease space over 74,000 square feet on Lot 1.

I. The following uses of the property are prohibited uses on Lot 1:

Group residential
 Automotive sales
 Automotive washing (of any type)
 Service station
 Drop-off recycling collection facility
 Transportation terminal

Multifamily residential
 Automotive rentals
 Automotive repair services
 Pawn shop services
 Transitional housing
 Residential treatment

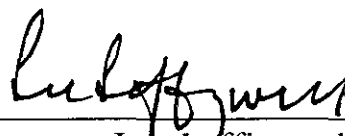
Except as otherwise specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district, the mixed use combining district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on April 4, 2011.

PASSED AND APPROVED

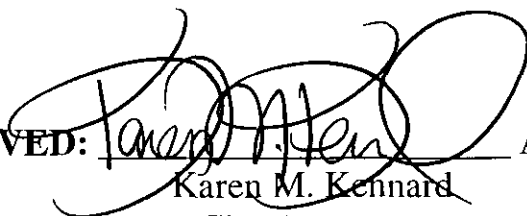
_____, March 24, 2011

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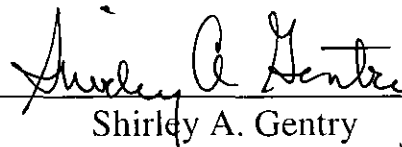
Lee Leffingwell
Mayor

APPROVED:



Karen M. Kennard
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

