

**ORDINANCE NO. 2011215-077**

**AN ORDINANCE AMENDING ORDINANCE NO. 040415-50, REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY GENERALLY KNOWN AS THE CRESTVIEW STATION DEVELOPMENT LOCATED AT 950 BANYON STREET IN THE CRESTVIEW NEIGHBORHOOD PLAN AREA WITHIN THE LAMAR BLVD/JUSTIN LANE TOD DISTRICT FROM TRANSIT ORIENTED DEVELOPMENT-NEIGHBORHOOD PLAN (TOD-NP) COMBINING DISTRICT TO TRANSIT ORIENTED DEVELOPMENT-NEIGHBORHOOD PLAN (TOD-NP) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** Ordinance No. 040415-50 included the Crestview Station planned development area ("Crestview PDA") in the Crestview neighborhood plan and provided the use and site development regulations for Crestview PDA. In December of 2008, the Crestview PDA became part of the Lamar Blvd/Justin Lane TOD district station area plan under Ordinance No. 20081211-086. According to Section 1.2.5 (*Conflicting Provisions*) of the Regulating Plan the regulations for Crestview PDA under Ordinance No. 040415-50 supersede the requirements of the Regulating Plan to the extent of conflict.

**PART 2.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from transit oriented development-neighborhood plan (TOD-NP) combining district to transit oriented development-neighborhood plan (TOD-NP) combining district on the property described in Zoning Case No. C14-2011-0117, on file at the Planning and Development Review Department, as follows:

Lot 7, Crestview Station Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Document No. 200700309, of the Official Public Records of Travis County, Texas (the "Lot 7 Property"),

locally known as 950 Banyon Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

**PART 3.** Part 6 of Ordinance No. 040415-50 is amended as to the current Lot 7 Property, as follows:

A. Subsections 3 and 5 of Part 6 are amended to allow duplex residential use as a permitted use of the current Lot 7 Property and are revised to read as follows:

3. The following uses are additional permitted uses of Tract 160a:

Administrative services	Park & recreation services (special)
Bed & breakfast residential (Group 1)	Research assembly services
Bed & breakfast residential (Group 2)	Research warehousing services
Consumer repair services	Retirement housing (large site)
Convalescent services	Retirement housing (small site)
Multifamily residential	Single family residential
Pet services	Townhouse residential
Park & recreation services (general)	Urban farm
Condominium residential	Two-family residential
Family home	<u>Duplex residential</u>

5. The following uses are additional permitted uses of Tracts 160b-1 and 160c:

Bed & breakfast residential (Group 1)	Bed & breakfast residential (Group 2)
Condominium residential	Park & recreation services (general)
Park & recreation services (special)	Retirement housing (small site)
Single family residential	Townhouse residential
Two-family residential	Urban farm
Family home	Community recreation (private)
Community recreation (public)	<u>Duplex residential</u>

The following uses are permitted uses of Tract 160b-2:

Park & recreation services (special)	Park & recreation services (general)
Community recreation (private)	Community recreation (public)

B. Subsection 20 of Part 6 is amended to read: Notwithstanding Sections 18 and 19, development of the property is not subject to Chapter 25-2, Subchapter C, Article 10 (*Compatibility Standards*), within the current Lot 7 site only.

C. Subsection 24 of Part 6, Schedule 1 Site Development Chart is amended as follows as to the current Lot 7 Property.

<b>Regulation</b>	<b>COLUMN A</b> SINGLE FAMILY RESIDENTIAL	<b>COLUMN B</b> TOWNHOUSE & CONDOMINIUM	<b>COLUMN C</b> ALL OTHER RESIDENTIAL USES
<i>Minimum Lot Size</i>	<u>2,500 SF</u> {3,500-SF}	<u>1,500 SF</u> {2,000-SF}	<u>2,500 SF</u> {5,750-SF}
<i>Minimum Lot Width</i>	<u>20 FT</u> {30-FT}	20 FT	50 FT
<i>Maximum Height</i>	<u>40 FT</u> {35-FT}	<u>40 FT</u> {35-FT}	60 FT
<i>Minimum Front Yard Setback</i>	<u>5 FT</u> {10-FT}	5 FT	5 FT
<i>Minimum Front Garage Setback</i>	20 FT	20 FT	--
<i>Minimum Street Side Yard Setback</i>	<u>5 FT</u> <del>10-FT</del>	<u>5 FT</u> <del>10-FT</del>	10 FT
<i>Minimum Interior Side Yard Setback</i>	<u>0 FT *</u> {5-FT}	0 FT	5 FT
<i>Minimum Rear Yard Setback</i>	5 FT	5 FT	10 FT
<i>Maximum Building Coverage</i>	<u>85%</u> {55%}	<u>85%</u> {70%}	<u>85%</u> {75%}
<i>Maximum Impervious Cover</i>	<u>85%</u> {65%}	<u>85%</u> {75%}	<u>85%</u> {80%}

\*A 10 foot separation shall be maintained between buildings.

- D. Subsection 25 of Part 6 does not apply to the current Lot 7 Property. Vehicular access to Morrow Street is prohibited except for emergency vehicular use. Bicycle and pedestrian access is allowed from the current Lot 7 Property to Morrow Street.

**PART 4.** The following additional conditions apply to the current Lot 7 Property.

- A. A 10-foot high fence may be provided and maintained along the property lines of lots that back up to the railroad right-of-way that runs along the western boundary of the current Lot 7 Property.
- B. Two pedestrian/bicycle access points shall be provided along the west property line that lies adjacent to the railroad right-of-way. Each access point shall be a minimum of 15-feet wide and located at the northwest and southwest corners of the west property line. An easement for this public access shall be dedicated at the time of final plat for the development sections adjacent to the proposed access point(s) locations.
- C. An internal connection shall be provided between each access point, constructed of an impervious surface material and extend into the property no more than 140 feet from the railroad right-of-way. No front-in angle parking is allowed along this connection.
- D. A residential unit facing Morrow Street shall have its front door oriented to Morrow Street.


**PART 5.** Except as otherwise provided for in this ordinance, the terms and conditions of Ordinance No. 040415-50, remain in effect on the current Lot 7 Property and the Crestview PDA.

**PART 6.** This ordinance takes effect on December 26, 2011.

**PASSED AND APPROVED**

December 15, 2011

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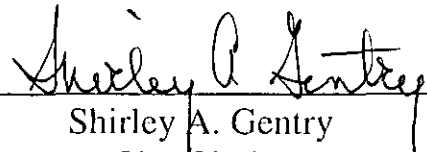
Les Leffingwell  
Mayor

**APPROVED:**

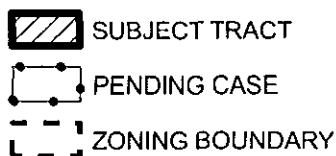


Karen M. Kennard  
City Attorney

**ATTEST:**



Shirley A. Gentry  
City Clerk



ZONING CASE#: C14-2011-0117

