

ORDINANCE NO. _____

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4 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**
5 **PROPERTY COMMONLY KNOWN AS THE 211 SOUTH LAMAR PUD**
6 **LOCATED AT 211 SOUTH LAMAR BOULEVARD AND 1211 WEST RIVERSIDE**
7 **DRIVE FROM GENERAL COMMERCIAL SERVICES (CS) DISTRICT AND**
8 **GENERAL COMMERCIAL SERVICES-VERTICAL MIXED USE BUILDING**
9 **(CS-V) COMBINING DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)**
10 **DISTRICT.**

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

12
13
14 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
15 change the base district from general commercial services (CS) district and general
16 commercial services-vertical mixed use building (CS-V) combining district to planned unit
17 development (PUD) district on the property described in Zoning Case No. C814-2012-
18 0160, on file at the Planning and Development Review Department, consisting of
19 approximately a 0.93 acre in Travis County, Texas, shown in Exhibit "A" (the "Property").
20 The Property is locally known as 211 South Lamar Boulevard and 1211 West Riverside
21 Drive and generally identified on the map attached as Exhibit "B".

22
23 **PART 2.** This ordinance and the attached Exhibits A through F are the land use plan (the
24 "Land Use Plan") for the 211 South Lamar planned unit development district (the "PUD")
25 created by this ordinance. Development of and uses within the PUD shall conform to the
26 limitations and conditions set forth in this ordinance and in the Land Use Plan. If this
27 ordinance and the attached exhibits conflict, this ordinance controls. Except as otherwise
28 provided by this ordinance and the Land Use Plan, all other rules, regulations and
29 ordinances of the City apply to the PUD.

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31 **PART 3.** The attached exhibits are incorporated into this ordinance in their entirety as
32 though set forth fully in the text of this ordinance. The exhibits are as follows:

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Exhibit A:	Legal description of the Property
Exhibit B:	Zoning Map
Exhibit C:	Land Use Plan
Exhibit D:	Plant list
Exhibit E:	Environmental Criteria Manual - Appendix T
Exhibit F:	Traffic Impacts & recommended improvements

1 **PART 4.** If the Property is developed with a building or structure between 60 and 96 feet
2 in height, the Property shall be developed according to the planned unit development
3 district standards contained within this ordinance, the general commercial services (CS)
4 district and the Butler Shores sub-district site development regulations and performance
5 standards of the code, including the provisions of Subchapter E (*Design Standards and*
6 *Mixed Use*) requirements for a Core Transit Corridor, Section 25-2-721 (*Waterfront*
7 *Overlay (WO) Combining District Regulations*) and Section 25-2-733 (*Butler Shores Sub-*
8 *district Regulations*).

9
10 If the Property is developed with a building or structure that does not exceed 60 feet in
11 height, Part 4(A-M) and Parts 5 through 13 do not apply to this PUD and the PUD shall be
12 developed according to the general commercial services (CS) district and the Butler Shores
13 sub-district site development regulations and performance standards of the code, including
14 the provisions of Subchapter E (*Design Standards and Mixed Use*) requirements for a Core
15 Transit Corridor, Section 25-2-721 (*Waterfront Overlay (WO) Combining District*
16 *Regulations*) and Section 25-2-733 (*Butler Shores Sub-district Regulations*).

- 17
18 A. Driveways along South Lamar Boulevard and Lee Barton Drive will be
19 permitted during the site development permit process and will conform to the
20 Transportation Criteria Manual. Vehicle egress from the Property to South
21 Lamar Boulevard is prohibited.
- 22
23 B. The Joint Use Access Easement recorded in Travis County, Texas in the
24 Official Public Records as Document No. 2013137002 is applicable to this
25 PUD.
- 26
27 C. Gated roadways within the PUD are not allowed. Private resident parking areas
28 may be secured with a gate.
- 29
30 D. At least 1,000 square feet of usable first floor retail space shall be offered to the
31 Austin Parks and Recreation Department (“PARD”) on a ‘rent-free’ basis for a
32 public ‘storefront’ or retail space for a period of 25 years beginning on the date
33 a certificate of occupancy is issued for the residential portion of the PUD. If
34 PARD no longer needs the first floor retail space, a City of Austin department
35 or community non-profit, mutually agreed upon by the director of the Planning
36 and Development Review Department and the owner, will take over the first
37 floor retail space. PARD or its successor shall be responsible for electric and
38 utility charges for the space for the term period. Owner shall provide two on-
39 site parking spaces in the parking garage reserved for PARD or its successor
40 during regular business hours.

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- E. The project will provide two public dedicated spaces for electric vehicle charging equipped with Level 2 charging stations compatible with and managed by Austin Energy's Plug-In Everywhere™ Network for electric vehicle charging within the project's parking garage. The electric vehicle charging spaces will be available for use by residents of the project and patrons of the retail lease space.
- F. The project will achieve a minimum of 13 points under the building design options of Section 3.3.2 of Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*). It will achieve the points in the following manner:
1. The project will achieve a 3 star rating under the Austin Green Building program. (3 points)
 2. The project will have 2 liner stores in the project's ground floor retail area. (2 points)
 3. The project will have facade articulation through the use of a change in materiality, repeating pattern of wall recesses and projections, or a change in plane. (1 point)
 4. A primary entrance will be demarked by integral planters, enhanced exterior light fixtures, and architectural details. (1 point)
 5. The project will have a distinct roof design. (1 point)
 6. 100% of the glazing used on the ground floor facade facing streets or parking will have a visible transmittance of 0.6 or higher. (1 point)
 7. 75% of the facade facing the principal street will be storefront with a minimum of 2 separate entrances. (2 points)
 8. The project will have a sustainable roof as outlined in Section 3.3.2 of Chapter 25-2, Subchapter E. (2 points)
- G. 2.5 percent of residential units in the project shall be fully accessible type A dwelling units, as defined in the 2009 International Building Code and will meet the technical requirements defined in Section 1003 of the International

1 Code Council A117.1. To the extent that the foregoing calculation results in a
2 fraction, the number shall be rounded up.
3

4 H. The Project will have the following design characteristics:

5
6 1. Design and Other Setbacks: The Project will have the following design
7 characteristics:

8
9 a. The Project will utilize a "U-shaped" design with the open portion of
10 the "U" facing in a southerly direction. The open portion of the "U"
11 will be on the second level of the above-grade structure and above,
12 and the second level of the above-grade structure will be a private
13 courtyard and amenity deck.

14
15 b. The Project will have two basic building blocks described as
16 follows:

17
18 (i) The first building block will have a maximum height of 96
19 feet and will be situated (A) along the entire length of the
20 Project's South Lamar Boulevard edge; (B) along the entire
21 length of the Project's Riverside Drive edge; and (C) along the
22 Project's Lee Barton Drive edge generally from the Project's
23 Riverside Drive edge to a point no closer than 40 feet at floor
24 levels 2 and 3 and no closer than 48 feet at floor levels 4 and
25 above (excluding balconies) from the Project's southern
26 property line along Lee Barton Drive; and

27
28 (ii) The second building block will have a maximum height of 78
29 feet and will be (A) on the exterior side of the "U"; (B)
30 situated along a portion of the Project's Riverside Drive edge
31 (it will not extend all the way to the Project's South Lamar
32 Boulevard edge), wrapping the Project's Riverside Drive/Lee
33 Barton Drive corner, and extending along the Project's Lee
34 Barton Drive edge to a point no closer to the southern
35 property line of the Property than the terminus of the first
36 building block described in subpart (i) above;

37
38 c. The area on the Lee Barton Drive edge between the southern
39 property line of the Property and the southern edge of the two
40 building blocks described in paragraph b, above may not be fully

1 enclosed, but it may contain a roof or shelter structure as long as
2 such roof or shelter structure is no higher than 35 feet in height, as
3 defined by City Code. The terms of the restriction in this subsection
4 shall have no application to elevators, mechanical equipment,
5 landscaping, outdoor furniture, grills, or similar items.
6

7 d. The most southerly vertical structure of the Project (i.e., the wall
8 closest to the existing Bridges on the Park project) will have the
9 following characteristics:

10
11 (i) The portion of the wall from the Property's southwestern
12 corner (i.e., adjacent to South Lamar Boulevard) to a point
13 directly across from the easternmost edge of the existing
14 recessed window on the most northerly face of the Bridges on
15 the Park project (the "Measuring Point") must (A) be set back
16 at least 7.5 feet from the Property's most southerly property
17 line at the Measuring Point location (the "Setback Location")
18 and (B) extend in generally a straight line (running generally
19 east and west) from the Setback Location to a point on the
20 Site's most westerly boundary line (i.e., adjacent to South
21 Lamar Boulevard);

22
23 (ii) The setback required by subpart (i) above shall not be
24 applicable to any portion of the Property's parking garage and
25 including any part of the structure on the first floor of the
26 Property; and,

27
28 (iii) The portion of the wall identified in subpart (i) above, shall
29 have a light reflective surface.
30

31 All references to height limitations in subparagraph b and c, above shall
32 mean height, as defined by City Code.
33

34 I. The project shall provide one independent retail, restaurant or local franchisee
35 whose principal place of business is in the Austin standard metropolitan
36 statistical area usable space at a rent 15% below the prevailing market rent
37 when the lease or other arrangement for providing the space is executed. Before
38 execution, the owner shall submit the lease or other arrangement to the director
39 or his designee of Planning and Development Review Department for approval.
40

- 1 J. Parking for the adjacent historic Paggi House shall be provided in the project's
2 parking garage. As long as the Paggi House restaurant remains in its current
3 size, (including usable outdoor space), the required 38 parking spaces for the
4 Paggi House restaurant will be provided in the project's parking garage. If the
5 use of the Paggi House changes, then the City of Austin parking requirement
6 applicable to the new use will apply. Parking for the new use will be in the
7 project's parking garage.
8
- 9 K. The elevator providing access to the Paggi House for persons with disabilities
10 shall be relocated to a location on the site adjacent to Lee Barton Drive. If the
11 Paggi House will continue to operate as a restaurant during the construction of
12 the project, the elevator will be available for use prior to the start of
13 construction on the project, or an alternate accessible route will be provided. If
14 the Paggi House does not operate as a restaurant during construction of the
15 project, the elevator will be relocated and available for use by persons with
16 disabilities prior to the issuance of a certificate of occupancy for the residential
17 portion of the project.
18
- 19 L. The project will utilize concrete and/or steel construction, and will meet or
20 exceed all applicable Waterfront Overlay design standards.
21
- 22 M. Development of the Property may not exceed 175 residential units and 11,000
23 square feet of non-residential ground floor space.
24

25 **PART 5: Open Space and Parkland.**
26

- 27 A. The owner will establish and set forth in the site development permit the size
28 and configuration of a public plaza. The public plaza will be counted towards
29 the open space requirements and must meet the dimensional standards of
30 Subchapter E, Subsection 2.7.3.A.3.
31
- 32 B. In accordance to Chapter 25-2, Subchapter E, Section 2.7 (*Private Common*
33 *Open Space and Pedestrian Amenities*), the minimum amount of open space
34 within the project shall be 4,636 square feet.
35

36 **PART 6. Environmental.**
37

- 38 A. Development of the PUD within Austin Energy's service area, shall comply
39 with the requirements of the Austin Energy Green Building Program (GBP)
40 multifamily, single family, or commercial rating system for a minimum three-

1 star rating. Certification from the GBP shall be based on the version in effect at
2 the time rating applications are submitted for individual buildings.
3

- 4 B. Prior to issuance of the first Certificate of Occupancy for the residential portion
5 of the project, an Integrated Pest Management (IPM) plan that follows the Grow
6 Green Program shall be submitted to the Planning Development and Review
7 Department for approval.
8
- 9 C. The PUD shall meet the minimum City of Austin landscape requirements. 100
10 percent of the landscape on site shall be designed and installed as described in
11 the City of Austin Grow Green Native and Adapted Plant Guide, the
12 Environmental Criteria Manual Appendix N (see Exhibit "D") and in
13 accordance with City of Austin Green Storm Water Quality Infrastructure
14 criteria for Biofiltration, Rainwater Harvesting and Rain Gardens as provided in
15 the Environmental Criteria Manual Section 1.6.7.5.
16
- 17 D. All landscaping within the PUD shall be irrigated by storm water runoff that is
18 conveyed to rain gardens or through the use of rainwater harvesting (or a
19 combination of both). If necessary, owner may supplement the landscape
20 irrigation with potable water.
21
- 22 E. The project will preserve trees 1709, 1711, 1712, 3001, 3002, 3003, 3004, and
23 3005 as noted on the Land Use Plan. The half-critical root zones as shown on
24 the Land Use Plan will remain undisturbed; all proposed impacts within the ½
25 critical root zone must be performed to meet the intent of the tree preservation
26 ordinance and are subject to be reviewed, and/or modified by the City Arborist.
27 The project will develop and adopt a formal tree care plan as part of the site
28 development permit process that incorporates the following construction phase
29 protections: tree pruning is allowed as necessary to remove limbs extending into
30 the building envelope (but not to exceed ¼ of the canopy), chain-link fencing
31 around the half critical root zone, use of an air spade to loosen compacted soils
32 and backfilling with quality topsoil, use of mulch at the base of trees, and
33 regular watering. The development and adoption of the tree care plan shall be
34 done in concert with a certified arborist that has not less than 5 years of
35 experience in Travis County, Texas. All mitigation rates shall be based upon
36 code standards existing as of the effective date of this ordinance.
37
- 38 F. The project will provide and maintain the three curb inlet filters in the existing
39 inlets (or a location mutually agreed upon by the Environmental Policy Program

1 manager and the owner) on South Lamar Boulevard, Riverside Drive and Lee
2 Barton Drive, adjacent to the site.
3

4 **PART 7. Water Quality**

5
6 The PUD shall meet or exceed all current land development code requirements with
7 respect to on-site water quality treatment as reviewed and approved by the City of
8 Austin at the time of site development permit application. The owner shall construct
9 and maintain in perpetuity rain gardens, or other City of Austin approved water
10 quality facilities, on or adjacent to South Lamar Boulevard, or another location
11 mutually agreed upon by the city and the owner, that provide water quality treatment
12 for currently untreated off-site areas with a minimum drainage area of 10,500 square
13 feet and a minimum 1,150 cubic feet of treatment volume which is an amount greater
14 than 25% of the project area.
15

16 If the water quality facilities treating off-site runoff are removed at the direction of the
17 City of Austin, the owner of the site at that time shall provide payment of an amount
18 equal to 25% of the total fee calculated based on the Environmental Criteria Manual's
19 Appendix T (request for fee in lieu) at the time of this PUD's approval. A fee of
20 \$18,849 is based on the full build out of the development without redevelopment
21 considerations as payment into the Urban Watersheds Structural Control Fund., (See
22 Exhibit E). Payment shall be made by the owner within 180 days of receipt of notice
23 from the City of Austin following the removal of said water quality facilities.
24

25 **PART 8. Public Facilities.**

26
27 The project will contain a room for a meeting space of at least 250 square feet. The
28 room will be available free of charge to residents of the project, community
29 neighborhood groups and non-profit organizations for a minimum of 25 years
30 beginning on the date a certificate of occupancy is issued for the residential portion of
31 the PUD. Use of the room by community neighborhood groups and non-profit
32 organizations shall be on a reservation basis, and shall be subject to reasonable rules
33 and regulations imposed by the owner of the property or any homeowner's association
34 for the project.
35

36 **PART 9. Affordable Housing Program.**

37
38 The project will comply with the requirements for affordable housing options in
39 accordance with the established PUD regulations. Participation will be provided by
40 either providing on-site units or by paying a fee-in-lieu. The fee-in-lieu will be \$6 for

1 each square foot of bonus square footage above the baseline. The baseline shall
2 include F.A.R. that could be achieved under the existing zoning and existing
3 applicable site development regulations, including additional F.A.R. that may be
4 granted under Section 25-2-714 (*Additional Floor Area*). If rental housing is
5 provided, dwelling units equal to at least 10 percent of the bonus area square footage
6 within the PUD must be affordable. If owner occupied housing is provided, dwelling
7 units equal to at least 5 percent of the bonus area square footage within the PUD must
8 be affordable. Payment of the fee-in-lieu will be made prior to the site plan being
9 released. If the site plan is revised to increase square footage, the project will have to
10 pay additional fees for the additional square footage above baseline.

11 **PART 10. Transportation and Bicycle Plan.**

12
13
14 A. The owner will provide funding in the amount of \$99,741 for pedestrian
15 improvements recommended with the 211 S. Lamar Traffic Study dated
16 September 18, 2013 from HDR, Inc. (See Exhibit F) in the following locations:

- 17
18 1. A sidewalk on Lee Barton Drive from the northern terminus of the
19 sidewalk adjacent to the bridges condominium project to the southeastern
20 edge of the site (sidewalk presumed to be located within the currently
21 paved portion of Lee Barton Drive);
- 22
23 2. A sidewalk along the southern edge of Riverside Drive from the corner of
24 Lee Barton Drive and Riverside Drive to the western terminus of the
25 existing sidewalk on the southern edge of Riverside Drive located just
26 east of the existing (on the effective date of this ordinance) railroad
27 overpass;
- 28
29 3. Creation of a pedestrian crosswalk across Lee Barton Drive at the
30 intersection of Lee Barton Drive and Riverside Drive.

31
32 All proposed improvements have been approved by the City of Austin and the
33 City of Austin will be responsible for construction of such improvements.
34 Funding shall be provided prior to the issuance of a certificate of occupancy for
35 the residential portion of the project.

36
37 As a condition for approval of the PUD, cost estimates have been approved by
38 the City of Austin and shall be paid by the developer prior to the issuance of a
39 certificate of occupancy for the residential units for those improvements

1 recommended with the 211 S. Lamar Traffic Study dated September 18, 2013
2 from HDR Engineering, Inc., attached as Exhibit "F".
3

4 B. The project will provide the following bicycle facilities:
5

- 6 1. Bicycle parking for retail patrons of the project at a level equal to or
7 exceeding the greater of:
8
9 a. 120% of code required bicycle parking for such retail area; or,
10
11 b. 10 bicycle parking spaces.
12

13 All bicycle parking spaces shall be located on the ground floor of
14 the parking garage, within the public plaza area or within the
15 planting or supplemental zone along any of the adjacent roadways;
16

- 17 2. Bicycle parking for the residents of the project shall be provided in a
18 secure location within the project's parking garage; and,
19
20 3. If elected by the City of Austin within two (2) years of the issuance of a
21 certificate of occupancy for the residential portion of the project, a public
22 "bike share kiosk" in a location mutually acceptable to the City of Austin
23 and the owner in the project's public plaza area or the planting or
24 supplemental zone along Riverside Drive. The "bike share kiosk" shall be
25 sized as desired by the City of Austin (but not to exceed 10 bike parking
26 spaces without the consent of the owner) and shall be operated and
27 maintained by the City of Austin consistent with other "bike share
28 kiosks" in the general proximity of the project. The owner of the site shall
29 be responsible for the cost of the "bike share kiosk."
30

31 C. The project will incorporate ground floor structured parking that is screened
32 from public view on the South Lamar Boulevard edge, the Riverside Drive edge
33 and the Lee Barton Drive edge. No structured parking shall be provided above
34 grade other than ground floor parking. All additional structured parking shall be
35 provided below grade. Interior ground floor parking spaces will not be visible
36 from the adjacent project on the southern boundary of the project.
37

38 D. The proposed parking in the Lee Barton drive R.O.W. will require approval
39 from the Austin Transportation Department during the site development permit
40 process.

- 1
2 E. Development of the PUD is limited to 3,335 vehicle trips per day, unless a
3 Traffic Impact Analysis is conducted.
4

5 **PART 11. Art.**
6

7 The PUD shall provide art approved by the art in public places program in a
8 prominent open space, either by providing the art directly, making a
9 contribution to the city's art in public places program (or a successor program).
10 With the consent of the art in public places program (or successor program),
11 the project may meet this requirement by entering into an arrangement with The
12 Contemporary Austin or successor entity for art to be displayed on a seasonal or
13 rotating basis in a prominent open space, on a pedestal constructed and
14 maintained by the owner.
15

16 **PART 12. Code Modifications.** In accordance with Chapter 25-2, Subchapter B, Article
17 2, Division 5 (Planned Unit Development) of the Code, the following site development
18 regulations apply to the PUD instead of otherwise applicable City regulations:
19

- 20 A. Section 25-6, Appendix A (*Tables of Off-Street Parking and Loading*
21 *Requirements*) is modified to require that the minimum off-street parking is 60
22 percent for the entire Property.
23
- 24 B. Development shall meet alternative equivalent compliance standards at the time
25 of site planning for the following Chapter 25-2, Subchapter E (*Design*
26 *Standards and Mixed Use*), Article 2 provisions:
27
- 28 1. Core Transit Corridor Sidewalk Standards (§2.2.2)
 - 29 a. Tree Spacing (§2.2.2.B)
 - 30 b. Supplemental Zone Width (§2.2.2.C.1)
 - 31 c. General Building Placement (§2.2.2.D.1)
 - 32 2. Continuous Shaded Sidewalk (§2.2.3.E.3)
 - 33 3. Connectivity (§2.3)
 - 34 4. Parking Reductions (§2.4)
 - 35 5. Private Common Open Space and Pedestrian Amenities (§2.7.3.C & D)
- 36
- 37 C. Subject to approval by the Austin Transportation Department, the
38 Transportation Criteria Manual, Section 9.3.0 (*Loading*) is modified to allow
39

1 maneuvering for loading/unloading facilities in the public right-of-way along
2 Lee Barton Drive.

3
4 D. Section 25-2-692(H) (*Waterfront Overlay (WO) Subdistrict Uses*) is modified to
5 require that the cumulative amount of pedestrian-oriented uses, defined in
6 Section 25-2-691(C) (*Waterfront Overlay (WO) District Uses*), shall be a
7 minimum of 75 percent of the cumulative frontage excluding driveway
8 openings and other public facilities along South Lamar Boulevard, Riverside
9 Drive and Lee Barton Drive. None of the pedestrian oriented uses along
10 Riverside Drive or South Lamar Boulevard shall consist of residential uses.
11 The pedestrian oriented uses must contain a restaurant located in the interior
12 building space and allows ingress from and egress to a restaurant use of an
13 accessory use of the public plaza.

14
15 E. Section 25-2-492 (*Site Development Regulations*) is modified to allow a
16 maximum structure height of 96 feet and Section 25-2-492 (*Site Development*
17 *Regulations*) is modified to require no minimum front yard setback, street side
18 yard setback, interior side yard setback and rear yard setback, except as
19 modified below:

20
21 a. South Lamar Boulevard: The building setback will be 8 feet at the
22 ground floor stair tower located near the southwest corner of the
23 Property adjacent to South Lamar Boulevard. The setback will be
24 11 feet for the remainder of the South Lamar Boulevard frontage at
25 the ground floor level (i.e. the first level above grade that is heated
26 and cooled). All exterior building columns, sidewalks, railings and
27 similar landscape features are not included in this setback
28 requirement. The setback will be 8'0" for all floors above the first
29 level and between the southwestern corner of the Property adjacent
30 to South Lamar Boulevard and a point 100 feet north of and the
31 southwestern corner (the "100' Point") and zero feet for all floors
32 above the first level and north of the 100' Point. The setback
33 described above for floors above the first level and between the
34 southwestern corner of the Property and the 100' Point shall not be
35 applicable to balconies or canopies or similar improvements other
36 than the primary westerly structural wall of the project in that
37 location.

38
39 b. Riverside Drive: Zero (0'-0")
40

- c. Lee Barton Drive: Zero (0'-0")
- d. Rear (adjacent to the Bridges on the Park project): Zero (0'-0")
except as noted in Design and Other Setbacks, Part 4, H.

- F. Section 25-2-492 (*Site Development Regulations*) is modified to allow for a maximum floor area ratio of 5:1 over the entire site.
- G. Section 25-6, Appendix A (*Tables of Off-Street Parking and Loading Requirements*) is modified to allow for restaurant space in the project to have the same parking requirements as general retail space in the project. Parking spaces must be leased or purchased separately from a dwelling unit.

PART 13. Development of the Property shall comply with the following use regulations:

- A. Except as provided in Subsection C, all permitted uses, conditional uses and pedestrian-oriented uses in the general commercial services (CS) district, waterfront overlay (WO) district and Butler Shores subdistrict, as provided in Section 25-2-491 (*Permitted, Conditional and Prohibited Uses*); Section 25-2-691 (*Waterfront Overlay (WO) District Uses*); and, Section 25-2-692(H) Butler Shores subdistrict are permitted and conditional uses of the Property.

- B. The following are additional permitted uses:

- Condominium residential
- Multifamily residential
- Cocktail lounge (not to exceed 5,000 square feet)
- Liquor Sales (not to exceed 2,500 square feet)

- C. The following are prohibited uses:

Agricultural sales and services	Alternative financial services
Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Bail bond services	Bed & breakfast (Group 1)
Bed & breakfast (Group 2)	Business or trade school
Campground	Commercial blood plasma center
Congregate living	Construction sales and services
Convenience storage	Custom manufacturing
Electronic prototype assembly	Drop-off recycling collection facility

Electronic testing
Equipment sales
Funeral services
Hospital services (Limited)
Kennels
Maintenance and service facilities
Outdoor entertainment
Pawn shop services
Printing and publishing
Residential treatment
Theater
Vehicle storage

Equipment repair services
Exterminating services
Hospital services (general)
Hotel-motel
Limited warehousing and distribution
Monument retail services

Outdoor sports and recreation
Plant nursery
Research services
Service station
Transitional housing
Veterinary services

1
2 D. Pursuant to Section 25-2-691 (C) (*Waterfront Overlay (WO) District Uses*) and
3 Section 25-2-692 (H) (*Waterfront Overlay (WO) Subdistrict Uses*), the
4 following are additional pedestrian-oriented uses:

5
6 Personal improvement services
7 Financial services
8 Liquor Sales (not to exceed 2,500 square feet)
9 Personal services
10 Administrative business offices for on-site sales and leasing
11 Administrative business offices if an owner resides on-site
12

13 **PART 14.** This ordinance takes effect on _____, 2013.

14 **PASSED AND APPROVED**

15
16
17 §
18 §
19 _____, 2013 § _____

20 Lee Leffingwell
21 Mayor
22

23
24 **APPROVED:** _____ **ATTEST:** _____
25 Karen M. Kennard Jannette S. Goodall
26 City Attorney City Clerk