ORDINANCE NO. 20131121-089

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4505 NORTH I.H. 35 SERVICE ROAD NORTHBOUND IN THE UPPER BOGGY CREEK NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO LIMITED OFFICE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LO-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 family residence-neighborhood plan (SF-3-NP) combining district to limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district on the property described in Zoning Case No. C14-2013-0094, on file at the Planning and Development Review Department, as follows:

Lot 3, Block F, Delwood Section Two Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 4, Page 282, of the Plat Records of Travis County, Texas (the “Property”), SAVE AND Except 1933.1 square feet of land being a part of Lot 1, Block F, Delwood Section Two Subdivision, as more particularly described by metes and bounds in Volume 4380, Page 2048 in the Real Property Records of Travis County, Texas.

locally known as 4505 North I.H. 35 Service Road Northbound 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 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the limited office (LO) base district and other applicable requirements of the City Code.

PART 3. 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. A 9 foot high solid fence shall be constructed along the eastern property line.

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

- Community garden
- Personal services
- Urban farm
- College and university facilities
- Community recreation (public)
- Congregate living
- Group home, Class I (general)
- Local utility services
- Private secondary educational facilities
- Public secondary educational facilities
- Safety services
- Medical offices-exceeding 5000 sq. ft. gross floor area
- Communication service facilities
- Community recreation (private)
- Day care services (commercial)
- Group home, Class II (limited)
- Private primary educational facilities
- Public primary educational facilities
- Residential treatment

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

PART 4. The Property is subject to Ordinance No. 020801-92 that established the Upper Boggy Creek neighborhood plan combining district.
PART 5. This ordinance takes effect on December 2, 2013.

PASSED AND APPROVED

November 21, 2013

Lee Leffingwell
Mayor

APPROVED:

Karen M. Kannard
City Attorney

ATTEST:

Jannette S. Goodall
City Clerk