

ORDINANCE NO. 040902-56

AN ORDINANCE AMENDING ORDINANCE NO. 040826-59, AND REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICT ON TRACT 563A, BEING APPROXIMATELY 0.277 ACRES OF LAND IN THE HANCOCK NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICT ON THE TRACT.

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

PART 1. Ordinance No. 040826-59 is amended to include the property identified in this Part in the Hancock neighborhood plan combining district. The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood plan (NP) combining district to the base zoning district and to change the base zoning district on a tract of land described in File C14-04-0023 (PART), as follows:

4427 and 4429 Duval Street Tract 563A

(the "Property") as shown on the attached Exhibit "A",

generally known as the Hancock neighborhood plan combining district, locally known as the area bounded by Duval Street on the west, 45th Street on the north, IH-35 on the east, and Dean Keeton Street on the south, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The base zoning district for the tract of land is changed from general commercial services (CS) district to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, as more particularly described and identified in the chart below.

Tract No.	Property	From	To
563A	4427 and 4429 Duval Street	CS	CS-MU-CO-NP

PART 3. The Property is subject to Ordinance No. 040826-59 that established the Hancock neighborhood plan combining district.

PART 4. The Property may be developed as a neighborhood mixed use building special use as set forth in Sections 25-2-1502 through 1504 of the Code.

PART 5. The Property identified as Tract 563A within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. The following uses are conditional uses of Tract 563A:

Automotive rentals	Congregate living
Automotive repair services	Hospital services (limited)
Automotive sales	Laundry services
Commercial off-street parking	Monument retail sales

2. The following uses are prohibited uses of Tract 563A:

Agricultural sales and services	Exterminating services
Automotive washing (of any type)	Funeral services
Building maintenance services	Hospital services (general)
Business or trade school	Hotel-motel
Business support services	Indoor entertainment
Campground	Indoor sports and entertainment
College and university facilities	Kennels
Commercial blood plasma center	Limited warehousing and distribution
Construction sales and services	Maintenance and service facilities
Convenience storage	Outdoor entertainment
Drop-off recycling collection facilities	Outdoor sports and recreation
Electronic prototype assembly	Pawn shop services
Equipment repair services	Research services
Equipment sales	Residential treatment
Vehicle storage	

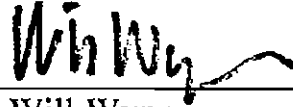

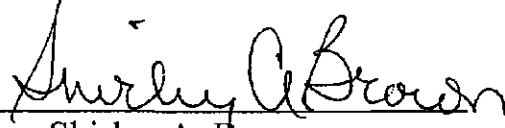
3. Drive-in services use is prohibited as an accessory use to a commercial use.

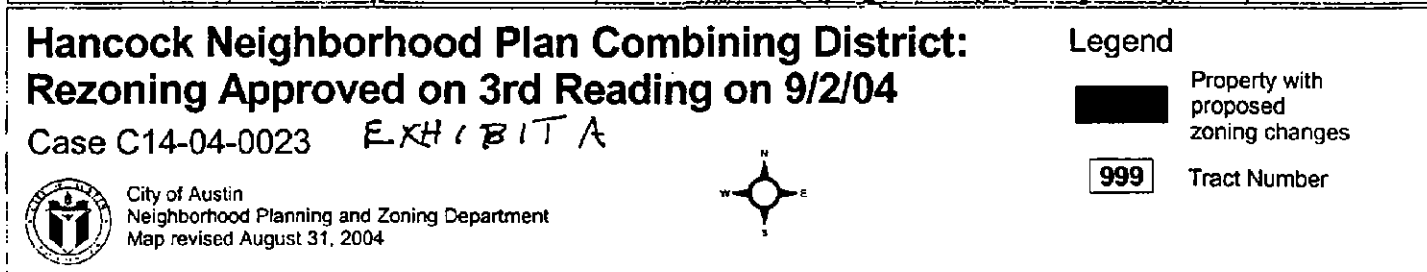
4. The maximum height of a building or structure is 40 feet from ground level.

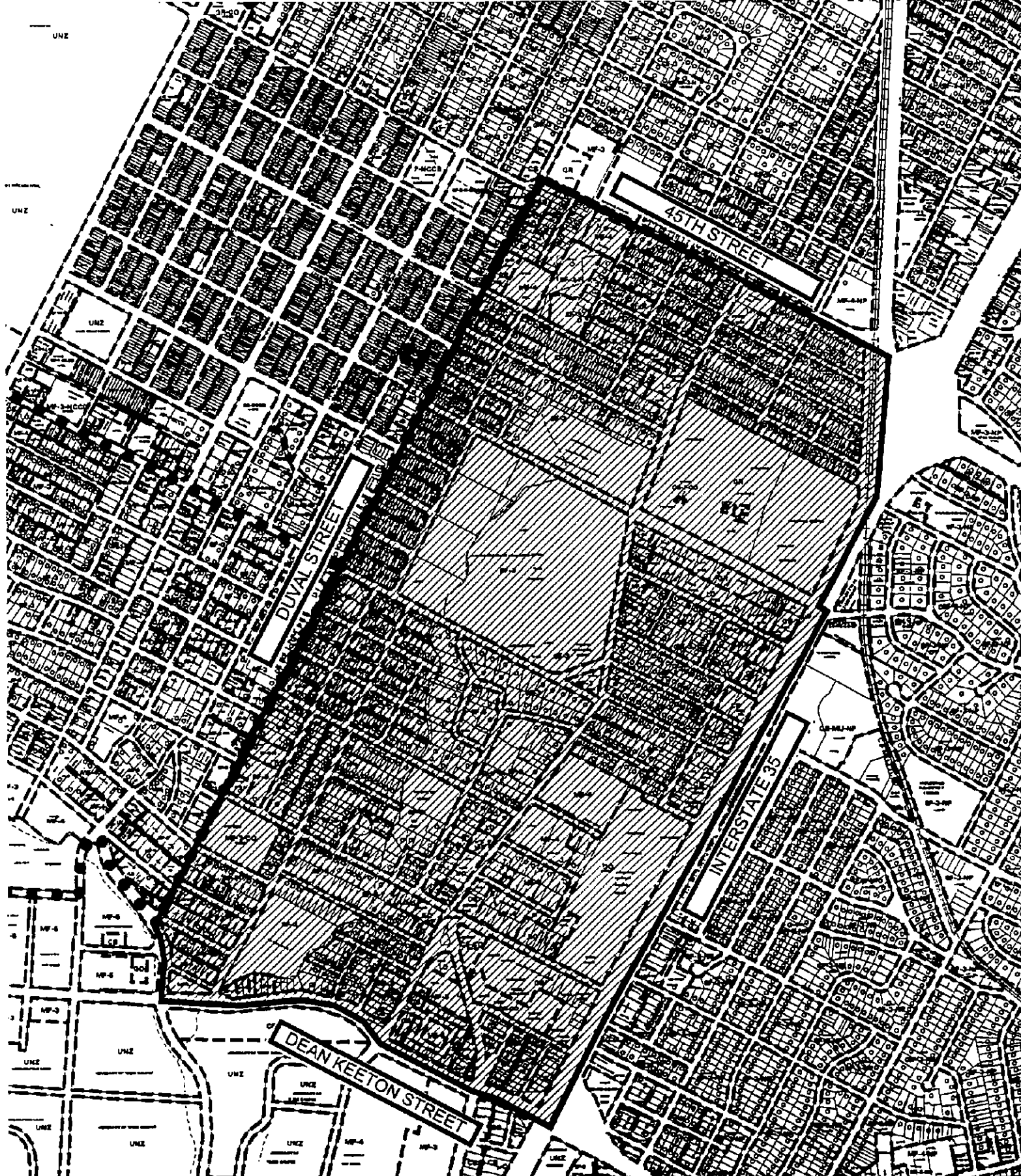
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services base district and other applicable requirements of the City Code.





PART 6. This ordinance takes effect on September 13, 2004.

PASSED AND APPROVED

	§	
	§	
<u>September 2</u> , 2004	§	<u></u>
		Will Wynn
		Mayor
APPROVED: <u></u>	ATTEST:	<u></u>
David Allan Smith		Shirley A. Brown
City Attorney		City Clerk






 SUBJECT TRACT 
 PENDING CASE 
 ZONING BOUNDARY 
 CASE MGR: G. RHOADES

CASE #: C14-04-0023
 ADDRESS: HANCOCK NEIGHBORHOOD
 PLANNING AREA
 SUBJECT AREA (acres): 541.380

ZONING EXHIBIT B

DATE: 04-03

INTLS: SM

CITY GRID
 REFERENCE
 NUMBER

J24-25 K24-2

5