

**ORDINANCE NO. 040401-32A**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 626 ACRES OF LAND GENERALLY KNOWN AS THE WOOTEN NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON 61 TRACTS OF LAND.**

**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 add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 61 tracts of land within the property described in Zoning Case No.C14-04-0004.001, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 626.77 acres of land in the City of Austin, Travis County, Texas, more particularly described and identified in the attached Exhibit "A" incorporated into this ordinance, (the "Property"), and as follows,

Fireside Loop Subdistrict area that includes the lots adjoining Fireside Drive, Hearthsides Drive, Hearthstone Drive and Putnam Drive north of Joy Lane, as shown in the attached Exhibit "B",

generally known as the Wooten neighborhood plan combining district, locally known as the area bounded by U.S. Highway 183 on the north, Anderson Lane on the south, Lamar Boulevard on the east and Burnet Road on the west, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

Except as provided in this ordinance, the existing base zoning districts and conditions remain in effect.

**PART 2.** The base zoning districts for the 61 tracts of land are changed from interim family residence (I-SF-3) district, family residence (SF-3) district, multifamily residence low density (MF-2) district, multifamily residence medium density (MF-3) district, multifamily residence moderate high density (MF-4) district, limited office (LO) district, neighborhood commercial (LR) district, community commercial (GR) district, community commercial-conditional overlay (GR-CO) combining district, community commercial-mixed use (GR-MU) combining district, general commercial services (CS) district, general

commercial services-conditional overlay (CS-CO) combining district, commercial-liquor sales (CS-1) district, commercial-liquor sales-conditional overlay (CS-1-CO) combining district, and limited industrial services (LI) district to family residence-neighborhood plan (SF-3-NP) combining district, multifamily residence low density-neighborhood plan (MF-2-NP) combining district, multifamily residence medium density-neighborhood plan (MF-3-NP) combining district, multifamily residence moderate high density-neighborhood plan (MF-4-NP) combining district, limited office-mixed use-neighborhood plan (LO-MU-NP) combining district, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district, community commercial-neighborhood plan (GR-NP) combining district, community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district, community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district, community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district, general commercial services-neighborhood plan (CS-NP) combining district, general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, commercial-liquor sales-neighborhood plan (CS-1-NP) combining district, commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district, commercial liquor sales-mixed use-neighborhood plan (CS-1-MU-NP) combining district, limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district, and public-neighborhood plan (P-NP) combining district, as more particularly described and identified in the chart below:

Tract	Address	From	To
1	8733-9034 Burnet Rd; 9000-9014 Research Blvd	LI, SF-3	CS-NP
2	8998 Research Blvd (0.1826 ac of Lot 1, Blk A, Domecq Subd. as shown in Exhibit "D")	CS-1-CO	CS-1-CO-NP
3a	8998 Research Blvd (Lot 1, Blk A, Domecq Subd. less Tr. 2)	LI	CS-NP
3b	8990 Research Blvd	LI	LI-CO-NP
3c	8868-8950 Research Blvd.; 8704-8720 Putnam Dr	CS	CS-NP
4	8724 Putnam Dr	SF-3	LO-MU-NP
5	2100 Polaris Ave	CS-CO	CS-MU-CO-NP
6	8711-8725 Burnet Rd	CS	CS-NP
7	1748 Ohlen Rd	LR, MF-2	MF-2-NP
8	8716 Research Blvd	LO	GR-CO-NP
9	1725 Ohlen Rd	GR	GR-MU-NP
10	8507 Kromer St	SF-3	MF-3-NP
11	8500 Research Blvd	LI	CS-NP
12	8400 Research Blvd	LI	LI-CO-NP

Tract	Address	From	To
13	8200-8220 Research Blvd	CS	CS-MU-NP
14	8120 Research Blvd	CS-1	CS-1-MU-NP
15	7920-8000 Anderson Square Dr; 8120 Research Blvd	CS	CS-MU-NP
16	7950-8010 Research Blvd; 910-1100 W Anderson Ln	CS	CS-MU-NP
17	1220 Anderson Ln	LR	GR-MU-CO-NP
18	7929-7545 Gault St; 1220 Anderson Ln	CS	MF-4-NP
19	7908-7914 Gault St	CS	MF-4-NP
20	1300-1306 Anderson Ln	GR, LR	GR-CO-NP
21	1308 Anderson Ln	LR	GR-CO-NP
22	1400 Anderson Ln; 7907 Lazy Ln	MF-3	GR-MU-CO-NP
23	1500 Anderson Ln	SF-3	GO-CO-NP
24	1508 Anderson Ln	GR	GR-CO-NP
25	1542 Anderson Ln	GR	GR-CO-NP
26a	1700-1728 Anderson Ln	GR	GR-CO-NP
26b	1740-1810 Anderson Ln	GR	GR-CO-NP
26c	1814 Anderson Ln	GR	GR-CO-NP
27	1721-1841 Wooten Park Dr	GR	GR-MU-CO-NP
28	1710-1820 Wooten Park Dr	GR, LO	GR-MU-CO-NP
29	7914-7926 Mullen Dr	GR, LO	GR-MU-CO-NP
30	1900-2108 W Anderson Ln	GR	GR-CO-NP
31	2200-2004 W Anderson Ln	GR, GR-MU	GR-MU-CO-NP
32	2206-2210 W Anderson Ln	GR	GR-CO-NP
33	2300 W Anderson Ln, 7915-7925 Burnet Rd	CS	CS-NP
34	7929-7935 W Anderson Ln	GR	GR-NP
35	7941 Burnet Rd	CS-1	CS-1-NP
36	7951 Burnet Rd	CS	CS-NP
37	8001-8005 Burnet Rd	CS	CS-NP
38	8007 Burnet Rd (west 0.73 ac. of Lot 7, Blk H, Allendale North, Sec. 8 Subd.)	CS-1, SF-3	GR-MU-NP
40	8023-8105 Burnet Rd	GR, MF-4	GR-NP
41	8209-8211 Burnet Rd	CS, GR, MF-4	GR-NP
42	8221-8241 Burnet Rd	CS	CS-NP
43	2301 Ohlen Rd	CS	GR-MU-CO-NP
44	2205 Ohlen Rd	LO, SF-3	GR-MU-CO-NP
45	8301 Burnet Rd	MF-3	GR-MU-CO-NP
46	8301-8315 Burnet Rd	CS	CS-NP
47	8315 Burnet Rd	CS-1	CS-1-NP
48	8401-8425 Burnet Rd	CS	CS-NP
49	8501-8533 Burnet Rd	CS	CS-NP
50	8601-8613 Burnet Rd	CS	CS-NP
51	8617 Burnet Rd	CS-1	CS-1-NP

Tract	Address	From	To
54	8401 Hathaway Dr	SF-3	P-NP
55	8501 1/2 Woodstone Dr	SF-3	P-NP
56	8000 Lazy Ln; 8001-8015 Burrell Dr	SF-3	P-NP
59	2303 Mahone Dr	I-SF-3	SF-3-NP
60	7909 Sales St	MF-3	SF-3-NP
61	7905 Brockman St	LO	LO-MU-CO-NP
62	7904 Brockman Ln	LO	LO-MU-CO-NP

**PART 3.** The following applies to an existing legal lot with single-family residential use or secondary apartment special use within the boundaries of the NP combining district:

1. The minimum lot area is 2,500 square feet.
2. The minimum lot width is 25 feet.
3. For a lot with an area of 4,000 square feet or less, the impervious coverage may not exceed 65 percent.

**PART 4.** The following applies to a single-family residential use, a duplex residential use, or a two-family residential use within the boundaries of the NP combining district:

1. Front porch setback applies as set forth in Section 25-2-1602 of the Code.
2. Impervious cover and parking placement restrictions apply as set forth in Section 25-2-1603 of the Code.

**PART 5.** Cottage special use is permitted on lots in residential districts within the boundaries of Fireside Loop Subdistrict as set forth in Section 25-2-1442 through 25-2-1444 of the Code.

**PART 6.** Urban home special use is permitted on lots in residential districts within the boundaries of Fireside Loop Subdistrict as set forth in Sections 25-2-1422 through 25-2-1424 of the Code.

**PART 7.** Secondary apartment special use is permitted on lots in residential districts within the boundaries of Fireside Loop Subdistrict as set forth in Sections 25-2-1462 through 25-2-1463 of the Code.

**PART 8.** Tracts 4-6, 8, 9, 13-17, 20-22, and 24-51 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 9.** Tracts 1-3, 6, and 14-16 may be developed as a neighborhood urban center special use as set forth in Sections 25-2-1521 through 25-2-1524 of the Code.

**PART 10.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. Adult oriented business use is a prohibited use of Tract 2.
2. The following uses are prohibited uses of Tract 3b:

Basic industry	Recycling center
Art and craft studio (industrial)	Resource extraction
General warehousing and distribution	Scrap and salvage
Liquor sales	Employee recreation
Railroad facilities	

3. The following uses are prohibited uses of Tract 5:

Agricultural sales and services	Automotive rentals
Automotive repair services	Automotive sales
Automotive washing (of any type)	Bail bond services
Business or trade school	Campground
College and university facilities	Commercial blood plasma center
Commercial off-street parking	Construction sales and services
Consumer convenience services	Consumer repair services
Drop-off recycling collection facilities	Equipment repair services
Equipment sales	Exterminating services
Financial services	Food sales
Funeral services	General retail sales (convenience)
General retail sales (general)	Guidance services
Hospital services (general)	Hospital services (limited)
Hotel-motel	Indoor entertainment
Indoor sports and recreation	Kennels
Laundry services	Maintenance and service facilities
Medical offices	Monument retail sales
Outdoor entertainment	Outdoor sports and recreation

Pawn shop services  
Personal services  
Research services  
Restaurant (limited)  
Service station  
Theater  
Transportation terminal  
Veterinary services

Personal Improvement services  
Professional office  
Residential treatment  
Restaurant (general)  
Software development  
Transitional housing  
Vehicle storage

4. The following uses are prohibited uses of Tracts 8, 17, 20 and 21:

Automotive rentals  
Automotive sales  
Bail bond services  
Drop-off recycling collection facilities  
Exterminating services  
Outdoor sports and recreation  
Service station

Automotive repair services  
Automotive washing (of any type)  
Commercial off-street parking  
Funeral services  
Outdoor entertainment  
Pawn shop services

5. The following uses are prohibited uses of Tract 12:

Recycling center  
Scrap and salvage

Resource extraction

6. The following uses are prohibited uses of Tract 22:

Automotive rentals  
Automotive sales  
Bail bond services  
Drop-off recycling collection facilities  
Exterminating services  
Outdoor sports and recreation  
Service station  
Residential treatment

Automotive repair services  
Automotive washing (of any type)  
Commercial off-street parking  
Funeral services  
Outdoor entertainment  
Pawn shop services  
Congregate living

7. Pawn shop services use is a prohibited use of Tracts 24-26a, 26c, and 30-32.
8. Automotive washing (of any type) use is a conditional use of Tracts 24 and 26c.

9. The following uses are conditional uses of Tracts 25, 26a, 26b, and 30-32:

Automotive sales

Automotive rentals

Automotive washing (of any type)

10. The following uses are prohibited uses of Tracts 27-29, and 43-45:

Automotive rentals

Automotive repair services

Automotive sales

Automotive washing (of any type)

Bail bond services

Business or trade school

Business support services

College and university facilities

Commercial off-street parking

Communications services

Custom manufacturing

Drop-off recycling collection facilities

Funeral services

Exterminating services

Financial services

Hospital services (general)

Hotel-motel

Indoor entertainment

Indoor sports and recreation

Medical offices (exceeding 5,000 sq. ft.)

Outdoor entertainment

Outdoor sports and recreation

Pawn shop services

Plant nursery

Research services

Services station

Theater

Urban farm

11. The following conditions apply to Tract 5:

A. A six foot wide vegetative buffer shall be provided and maintained along and adjacent to the west property line. Improvements permitted within the buffer zone are limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

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

C. The maximum impervious cover is 75 percent.

D. The maximum number of dwelling units is 13.5 units per acre.

E. If the property is developed with a plant nursery use or a building maintenance services use, then all soils storage runoff must be contained on-site.

12. The following conditions apply to Tracts 27-29, and 43-45:
  - A. The maximum height of a building or structure is 40 feet from ground level.
  - B. A general retail (general) use or general retail (convenience) use is prohibited for an area greater than 10,000 square feet of gross floor area.
13. Drive-in service use is prohibited as an accessory use to commercial uses on Tracts 8, 17, 20-22, 27-29, and 43-45.
14. The maximum number of dwelling units is 27.2 units per acre on Tracts 20-22, 24-26, and 30-32.
15. Vehicular access from Tract 23 to Anderson Lane is prohibited. All vehicular access to the Tract 23 shall be from other adjacent public streets or through other adjacent property.
16. The following conditions apply to Tracts 61 and 62:
  - A. The maximum building coverage is 40 percent.
  - B. The maximum floor-to-area (F.A.R.) ratio is 0.35 to 1.0.
  - C. The maximum height of a building or structure is 30 feet from ground level.
  - D. 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 300 trips per day.

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




**PART 11.** This ordinance takes effect on April 12, 2004.

**PASSED AND APPROVED**

\_\_\_\_\_, April 1 \_\_\_\_\_, 2004

§  
§  
§



Will Wynn  
Mayor

**APPROVED:**



David Allan Smith  
City Attorney

**ATTEST:**



Shirley A. Brown  
City Clerk

Properties with proposed zoning changes

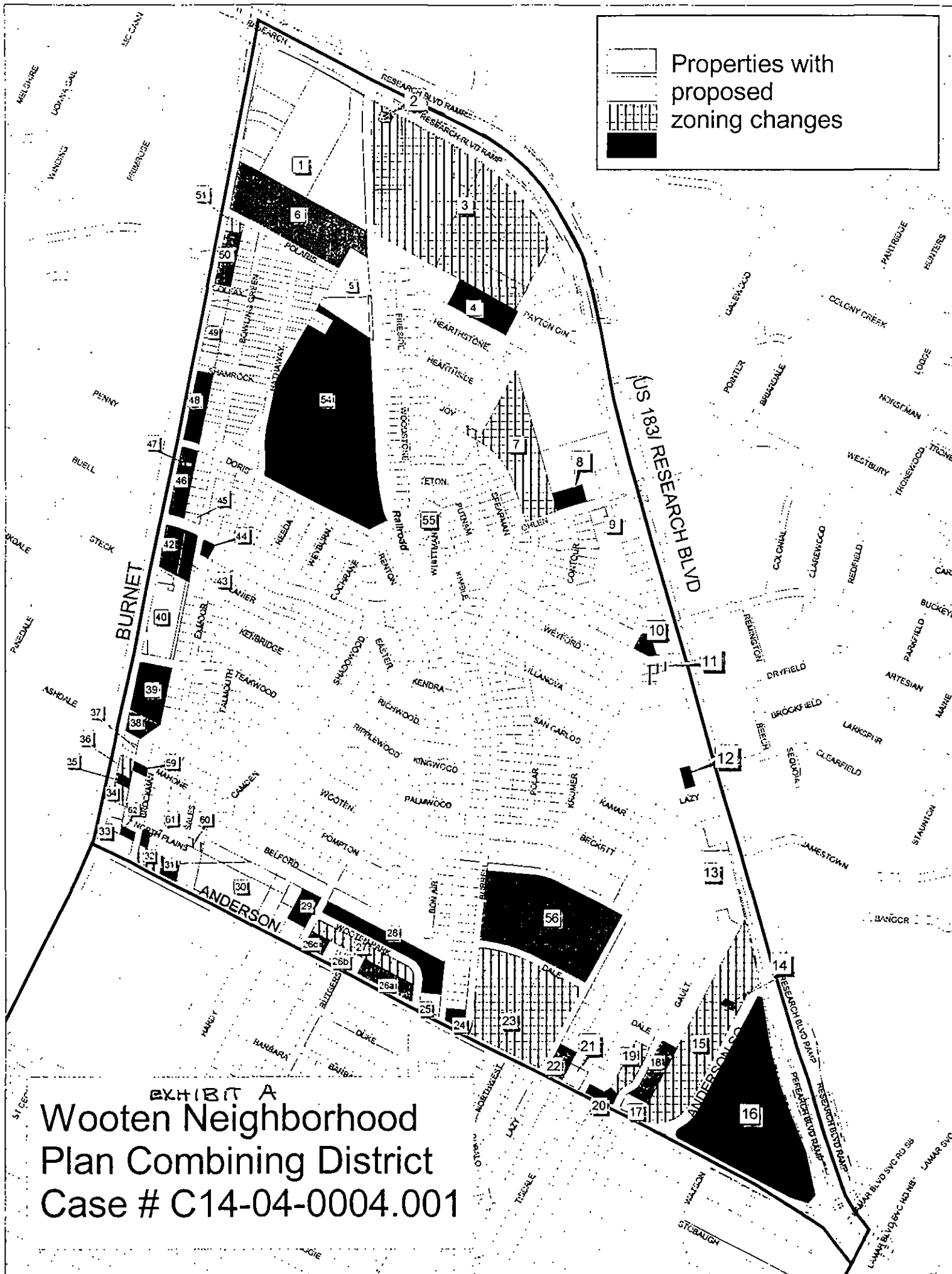


EXHIBIT A  
Wooten Neighborhood  
Plan Combining District  
Case # C14-04-0004.001



Fireside Loop Subdistrict

Wooten Neighborhood Planning Area

Railroad

RESEARCH BLVD

PAYTON GIN

PUTNAM

HEARTHSTONE

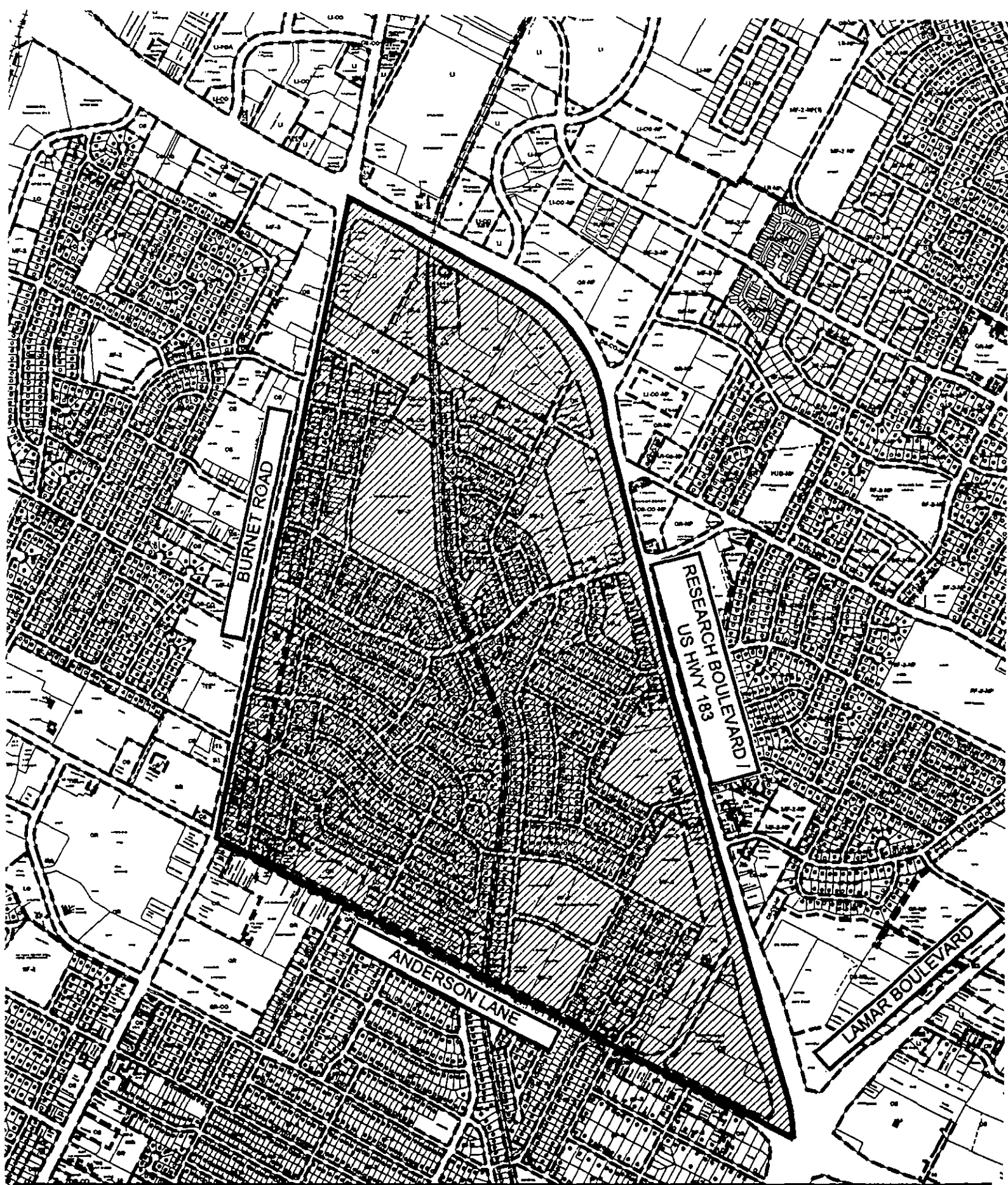
HEARTHSIDE





JOY

FIRESIDE

WOODSTONE

Exhibit B: Fireside Loop Subdistrict



 1" = 1200'	SUBJECT TRACT 	<b>ZONING EXHIBIT C</b>		CITY GRID REFERENCE NUMBER J28-30 K28-3 1
	PENDING CASE 			
	ZONING BOUNDARY 	ADDRESS: WOOTEN COMBINED NEIGHBORHOOD PLANNING AREA	DATE: 04-02	
	CASE MGR: W. WALSH	SUBJECT AREA (acres): 629.767	INTLS: SM	

# EXHIBIT D

## FIELD NOTES

DESCRIBING A 0.1826 ACRES TRACT OF LAND OUT OF THE GEORGE M. DAVIS SURVEY NO. 15 IN TRAVIS COUNTY, TEXAS. SAID 0.1826 ACRES TRACT OF LAND BEING OUT OF AND A PORTION OF A CERTAIN 1.9614 ACRES TRACT OF LAND WHICH WAS CONVEYED UNTO ROBERT H. NESBITT AND GRACE MCGINNIS ACCORDING TO A GENERAL WARRANTY DEED AS RECORDED IN VOLUME 13381, PAGE 1076 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.1826 ACRES TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a railroad spike found situated on the south right-of-way line US Highway 183 marking the northeast corner of said 1.9614 acres tract of land;

THENCE N59°00'00"W, a distance of 62.10 feet with the south right-of-way of said US Highway 183, same being the north line of said 1.9614 acres tract of land to a point;

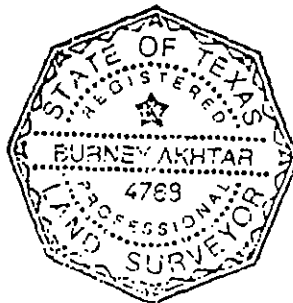
THENCE through the interior of said 0.1826 acres tract of land, the following nine (9) calls:

1. S29°34'49"W, a distance of 28.71 feet to THE POINT OF BEGINNING;
2. S29°34'49"W, a distance of 47.09 feet to a point;
3. S29°34'49"W, a distance of 47.09 feet to a point;
4. S87°43'23"W, a distance of 49.47 feet to a point;
5. N68°21'21"W, a distance of 48.21 feet to a point;
6. N01°58'25"W, a distance of 33.47 feet to a point;
7. N33°46'50"E, a distance of 49.11 feet to a point;
8. S77°03'57"E, a distance of 61.47 feet to a point;
9. S41°36'53"E, a distance of 47.32 feet to the POINT OF BEGINNING and containing 0.1826 acres of land more or less.

Field notes prepared from record of an actual survey performed on the ground under my general direction and supervision.

Witness my hand and seal this the 10<sup>th</sup> day of March, 1999

domecq2/25/99



Burney Akhtar  
Burney Akhtar  
Registered Professional Land Surveyor  
No. 4768, State of Texas