

ORDINANCE NO. 040617-48

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 500 AND 606 RATHERVUE PLACE AND 3105 AND 3113 DUVAL STREET FROM MULTIFAMILY RESIDENCE LOW DENSITY-CONDITIONAL OVERLAY (MF-2-CO) COMBINING DISTRICT TO GENERAL OFFICE-MIXED USE-CONDITIONAL OVERLAY (GO-MU-CO) 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 multifamily residence low density-conditional overlay (MF-2-CO) combining district to general office-mixed use-conditional overlay (GO-MU-CO) combining district on the property described in Zoning Case No.C14-04-0064, on file at the Neighborhood Planning and Zoning Department, as follows:

A 4.95 acre parcel of land, more or less, consisting of two tracts of land being further described as:

Tract One: The west 4.18 acres, more or less, of Outlot 1, Division X, City of Austin, Travis County, Texas according to the map or plat of record in Plat Book 2, Page 22, of the Plat Records of Travis County, Texas, Save and Except the easternmost portion of the tract being approximately 0.77 acres identified below as Tract 2.

Tract Two: A 0.77 acre tract of land, more or less, being further described as a strip of land approximately 50 feet wide between the rights-of way of East 32nd Street and Rathervue Place and running parallel with the east property line of Tract One, (the "Property")

locally known as 500 and 606 Rathervue Place and 3105 and 3113 Duval Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. 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.

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

Administrative and business offices	Art and craft studio (limited)
Business or trade school	Business support services
Communication services	Congregate living
Convalescent services	Guidance services
Hospital services (general)	Hospital services (limited)
Personal services	Professional office
Residential treatment	Restaurant (limited)
Medical offices (exceeding 5,000 sq. ft.)	Medical offices (not exceeding 5,000 sq. ft)

3. The Property shall comply with the following site development regulations

- A. The maximum building coverage is 50 percent.
- B. The maximum impervious cover is 60 percent
- C. The maximum density is 17 residential units per acre.
- D. The maximum height is 40 feet from ground level for Tract One.
- E. The maximum height is 35 feet from ground level for Tract Two.

4. The following uses are conditional uses of Tract One:

Counseling services	Day care services (commercial)
Private primary educational facilities	Private secondary educational facilities
Off-site accessory parking	

5. The following uses are conditional uses of Tract Two:

College and university facilities
Cultural services
Day care services (general)
Private primary educational facilities
Off-site accessory parking

Counseling services
Day care services (commercial)
Multifamily residential
Private secondary educational facilities


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

PART 3. This ordinance takes effect on June 28, 2004.

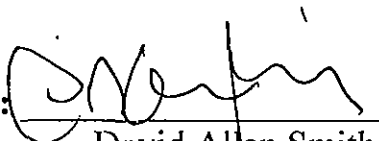
PASSED AND APPROVED

June 17, 2004

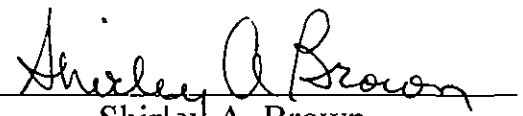
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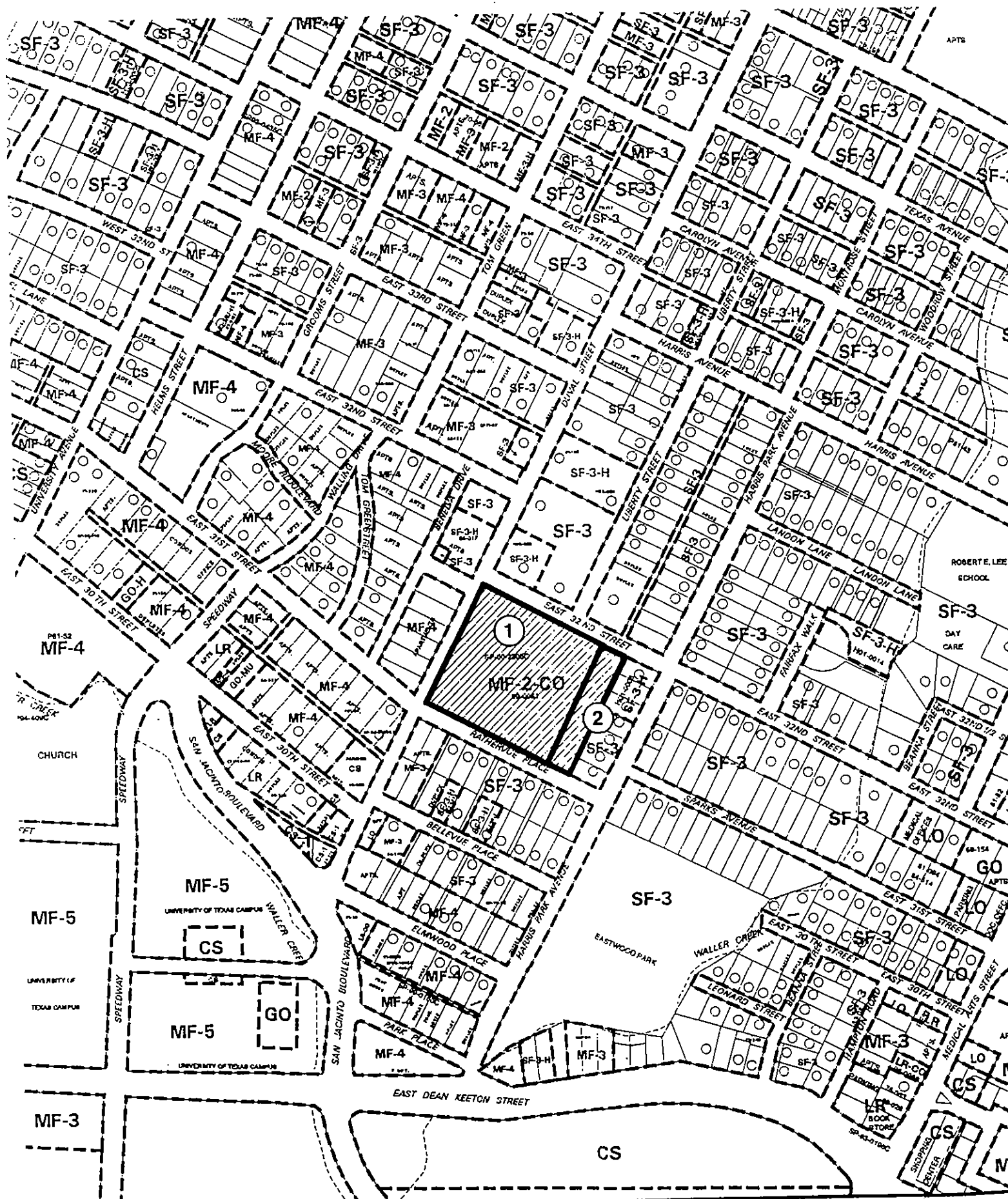

Will Wynn
Mayor




APPROVED:


David Allan Smith
City Attorney

ATTEST:


Shirley A. Brown
City Clerk



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

CASE #: C14-04-0064
 ADDRESS: 500 & 606 RATHERVUE PLACE
 AND 3105 & 3113 DUVAL ST
 SUBJECT AREA (acres): 4.950

ZONING Exhibit A
 DATE: 04-08
 INTLS: SM

CITY GRID
 REFERENCE
 NUMBER
 J24