

ORDINANCE NO. 041007-32

AN ORDINANCE AMENDING ORDINANCE NO. 040826-57, AND REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICT ON THREE TRACTS, BEING APPROXIMATELY 1.89 ACRES OF LAND IN THE WEST UNIVERSITY NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON THE TRACTS.

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

PART 1. Ordinance No. 040826-57 is amended to include the property identified in this Part in the West University 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 districts and to change the base zoning districts on three tracts of land described in File C14-04-0021 (PART), as follows:

Tract 40	0 (Lot 5 Olt 13 Div E, Lamar at 19 th) and, 1230-1232 West Martin Luther King, Jr. Boulevard;
Tract 44	2209 and 2301 Shoal Creek Boulevard; and
Tract 49	2305 Longview Street;

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

generally known as the West University neighborhood plan combining district, locally known as the area bounded by Lamar Street on the west, 38th Street on the north, Guadalupe Street on the east, and Martin Luther King, Jr. Boulevard on the south, and includes the three Subdistricts identified as Heritage Subdistrict, Shoal Crest Subdistrict and West University Neighborhood Subdistrict, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The base zoning districts for the tracts of land are changed from family residence (SF-3) district, multifamily residence medium density (MF-3) district, and general office (GO) district to family residence-conditional overlay-neighborhood plan (SF-3-CO-NP) combining district, multifamily residence limited density-conditional overlay-neighborhood plan (MF-1-CO-NP) combining district, and general office-mixed

use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district, and as more particularly described and identified in the chart below.

Tract No.	Property	From	To
40	0 (LOT 5 OLT 13 DIV E LAMAR AT 19 TH), 1230-1232 W MARTIN LUTHER KING JR BLVD	GO	GO-MU-CO-NP
44	2209 SHOAL CREEK BLVD	SF-3	GO-MU-CO-NP
	2301 SHOAL CREEK BLVD	SF-3	SF-3-CO-NP
49	2305 LONGVIEW ST	MF-3	MF-1-CO-NP

PART 3. 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:

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.
3. Garage placement restrictions apply as set forth in Section 25-2-1604 of the Code.
4. Front or side yard parking restrictions apply as set forth in Section 25-2-1406 of the Code.

PART 4. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. The maximum height of a building or structure is 42.25 feet from ground level on Tract 40.
2. Development of Tract 40 may not exceed one residential unit.
3. The maximum height of a building or structure is 30 feet from ground level on 2301 Shoal Creek Boulevard in Tract 44 and Tract 49.
4. For a residential use of Tract 49, the maximum square footage is 3,000 square feet.

5. The following conditions apply to 2209 Shoal Creek in Tract 44.
 - A. The maximum impervious cover is 80 percent.
 - B. For a residential use, the maximum building coverage is 24,000 square feet.
 - C. The maximum floor-to-area ratio is 0.75 to 1.0.
 - D. A residential unit may not exceed 1200 square feet.
 - E. Except as provided in Subsection F, a building or structure may not exceed a height of 578 feet above sea level.
 - F. A building or structure located within the area measured 90 feet from the rear property line may not exceed a height of 570 feet above sea level.
 - G. Vehicular access from the property to West 22 ½ Street is prohibited. All vehicular access to the property shall be from other adjacent public streets or through other adjacent property.
6. The following uses are prohibited uses of Tract 40, and 2209 Shoal Creek in Tract 44:

Community recreation (private)
Group residential
Club or lodge
7. The following uses are prohibited uses of Tract 49 and 2301 Shoal Creek in Tract 44:

Community recreation (private)
Club or lodge

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 5. Except as otherwise provided in this ordinance, the Property is subject to Ordinance No. 040826-57 that established the West University neighborhood plan combining district.

PART 6. This ordinance takes effect on October 18, 2004.

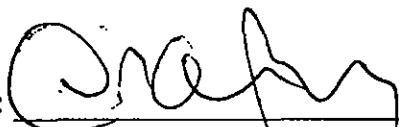
PASSED AND APPROVED

October 7, 2004

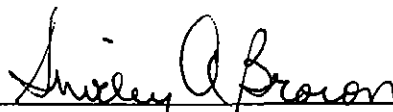
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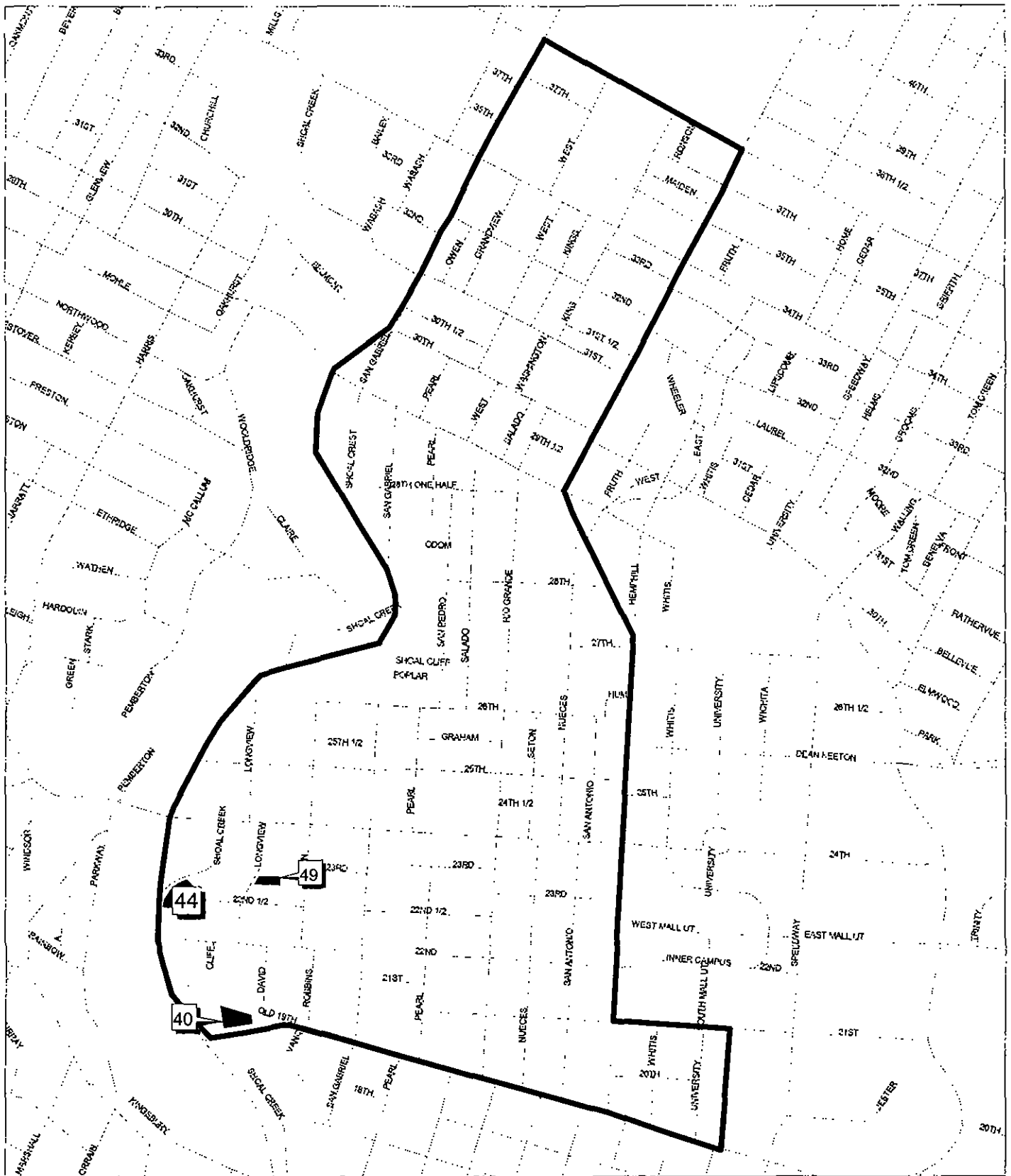

Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:


Shirley A. Brown
City Clerk



West University Neighborhood Planning Area: Rezonings Approved on 3rd Reading 10-7-04

Case #C14-04-0021 *EXHIBIT A*



City of Austin
Neighborhood Planning and Zoning Department



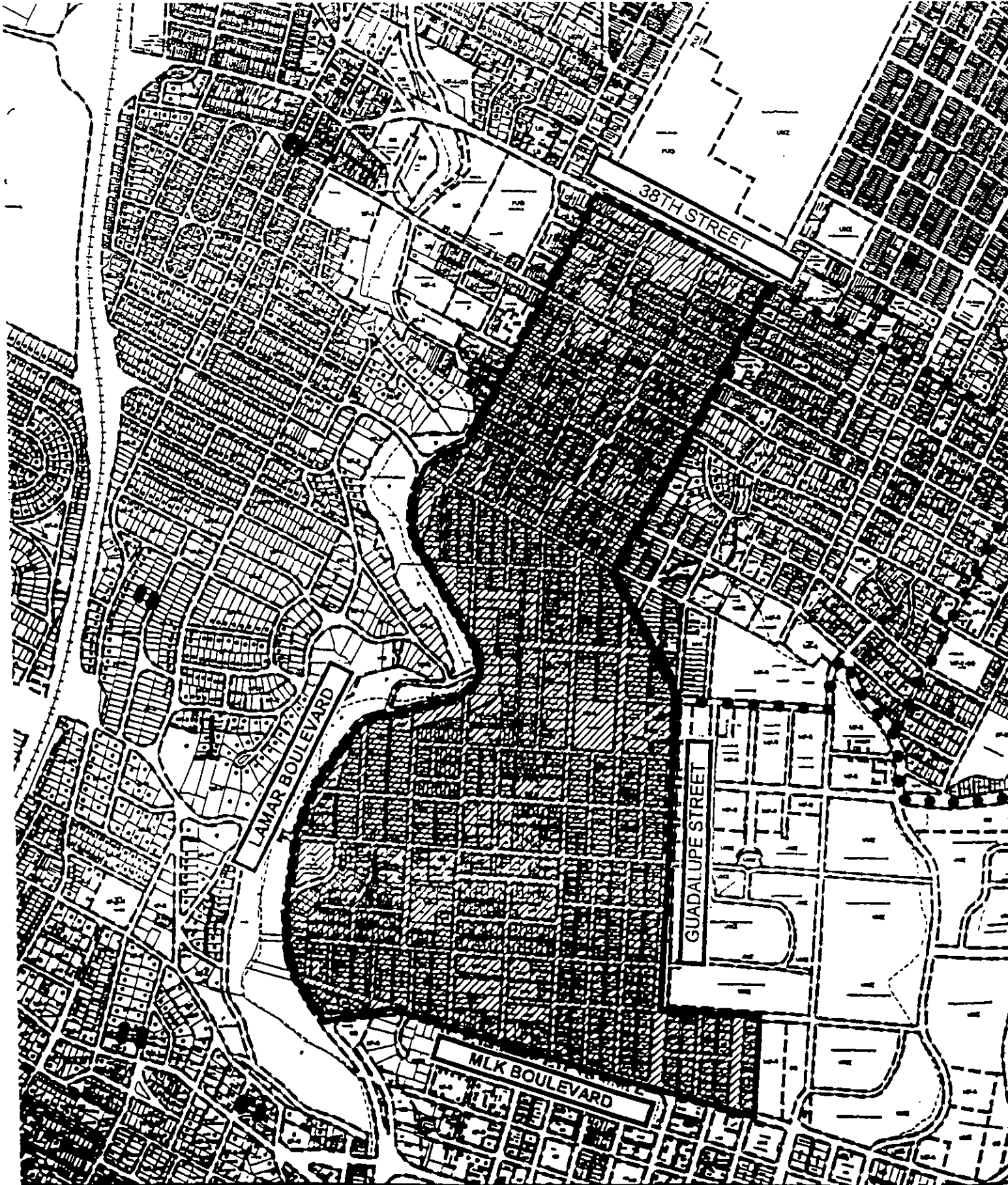
Legend



Properties with
proposed
zoning changes

999

Tract Number



SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE MGR: G. RHCADDES

CASE #: C14-04-0021

ADDRESS: WEST UNIVERSITY
NEIGHBORHOOD PLANNING AREA
SUBJECT AREA: 64,740

ZONING EXHIBIT B

DATE: 04-03

INTLS: SN

CITY GRID
REFERENCE
NUMBER

J23-25 H23

4

1" = 120'