

**ORDINANCE NO. 20060406-051**

**AN ORDINANCE AMENDING ORDINANCE NO. 020801-92, REZONING AND CHANGING THE ZONING MAP TO CREATE NEW SUBDISTRICTS IN THE UPPER BOGGY CREEK NEIGHBORHOOD PLAN AREA AND TO PERMIT THE SPECIAL USES ON PROPERTY WITHIN THE SUBDISTRICTS.**

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

**PART 1.** Ordinance No. 020801-92 zoned property within the area generally known as the Upper Boggy Creek neighborhood plan combining district whose boundaries are the Robert Mueller Redevelopment site and Airport Boulevard on the north and east, Manor Road, Walnut Avenue, Rogers Avenue, Cedar Avenue and Martin Luther King, Jr. Boulevard on the south, and Interstate Highway 35 on the west, and generally identified in the map attached as Exhibit "A".

**PART 2.** Ordinance No. 020801-92 rezoned property that consisted of three subdistricts known as Blackland/Rogers-Washington-Holy Cross Subdistrict, Cherrywood Subdistrict, and Wilshirewood/Delwood I/Delwood II Subdistrict.

**PART 3.** The zoning map established by Section 25-2-191 of the City Code is amended to create four new subdistricts and retain the Cherrywood Subdistrict within the property described in Zoning Case No. C14-05-0204, on file at the Neighborhood Planning and Zoning, as follows:

Approximately 714 acres of land, more or less, consisting of five subdistricts more particularly described and identified in Exhibit "B" incorporated into this ordinance, and, as follows,

Blackland Subdistrict bounded by Manor Road on the north, Chestnut Street on the east, Martin Luther King, Jr. Boulevard on the south, and Comal Street on the west; and

Rogers-Washington-Holy Cross Subdistrict bounded by Manor Road on the north, Walnut Avenue, Rogers Avenue and Cedar Avenue on the east, Martin Luther King, Jr. Boulevard on the south and Chestnut Street on the west; and



Wilshire Wood/Delwood I Subdistrict bounded by Airport Boulevard on the north and east, Wilshire Boulevard, the Llano-Giddings Railroad, the rear lot lines of properties on the north side of Kirkwood Road, the rear lot lines of the properties on the west side of Maplewood Avenue on the south, and Interstate Highway-35 on the west; and

Delwood II Subdistrict bounded by the Robert Mueller Airport Redevelopment site on the north and east, Airport Boulevard on the south, and Interstate Highway-35 on the west; and

Cherrywood Subdistrict bounded by Wilshire Boulevard, the Llano-Giddings Railroad, the rear lot lines of properties on the north side of Kirkwood Road, and the rear lot lines of the properties on the west side of Maplewood Avenue on the north, Airport Boulevard on the east, Manor Road on the south, and Dancy Street, Dean Keaton Street, and Interstate Highway 35 on the west (the "Property"),

generally known as the Upper Boggy Creek neighborhood plan located in the City of Austin, Travis County, Texas.

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

**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 Blackland Subdistrict, the Rogers-Washington-Holy Cross Subdistrict, the Cherrywood Subdistrict, and the Delwood II Subdistrict:

1. Impervious cover and parking placement restrictions apply as set forth in Section 25-2-1603 of the Code.
2. Garage placement restrictions apply as set forth in Section 25-2-1604 of the Code.

**PART 5.** The following applies to a single-family residential use, a duplex residential use, or a two-family residential use within the boundaries of the Cherrywood Subdistrict, and the Delwood II Subdistrict:

Front porch setback applies as set forth in Section 25-2-1602 of the Code.



**PART 6.** The following applies to a single-family residential use, a duplex residential use, or a two-family residential use within the boundaries of the Blackland Subdistrict, the Rogers-Washington-Holy Cross Subdistrict, and the Cherrywood Subdistrict:

Front or side yard parking restrictions apply as set forth in Section 25-2-1406 and Section 12-5-29 of the Code.

**PART 7.** Except as otherwise provided in this ordinance, the Property is subject to Ordinance No. 020801-92, that established the Upper Boggy Creek neighborhood plan combining district.

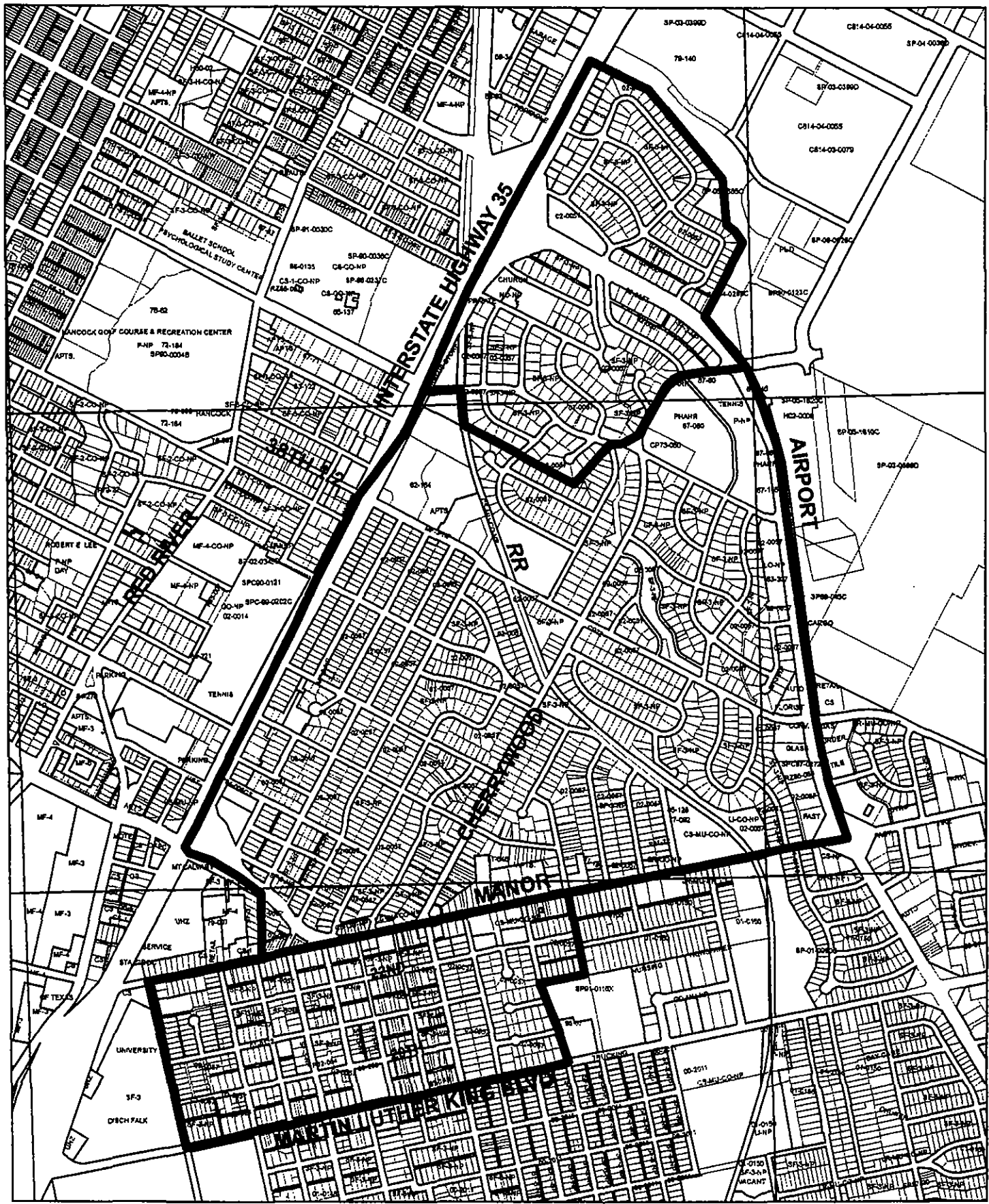
**PART 8.** This ordinance takes effect on April 17, 2006.

**PASSED AND APPROVED**

\_\_\_\_\_, April 6, 2006      §  
§  
§ \_\_\_\_\_  
Will Wynn  
Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
David Allan Smith      Shirley A. Gentry  
City Attorney      City Clerk





Upper Boggy Creek Neighborhood Planning Area:  
Current Zoning Map - April 2006

Exhibit A

Created by Neighborhood Planning &  
Zoning Department City of Austin  
April 4, 2006





EXHIBIT B  
**Upper Boggy Creek  
Neighborhood Planning Area**

1000 0 1000 2000 Feet

