

ORDINANCE NO. 20060209-Z002

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY GENERALLY KNOWN AS THE MAVERICK-MILLER HOUSE LOCATED IN THE WEST UNIVERSITY NEIGHBORHOOD PLAN AREA AT 910 POPLAR STREET FROM MULTIFAMILY RESIDENCE MODERATE HIGH DENSITY-HISTORIC-NEIGHBORHOOD PLAN (MF-4-H-NP) COMBINING DISTRICT TO LIMITED OFFICE-MIXED USE-HISTORIC-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LO-MU-H-CO-NP) 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 moderate high density-historic-neighborhood plan (MF-4-H-NP) combining district to limited office-mixed use-historic-conditional overlay-neighborhood plan (LO-MU-H-CO-NP) combining district on the property described in Zoning Case No. C14-05-0215, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.750 acre tract of land, more or less, out of Outlot 59, Division D, Original City of Austin, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

generally known as the Maverick-Miller House, locally known as 910 Poplar Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. Except as specifically provided in Part 3 and Part 4, the Property may be developed and used in accordance with the regulations established for the limited office (LO) base district and other applicable requirements of the City Code.

PART 3. 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 30 feet from ground level.

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

Bed & breakfast (Group 1)
 Communications services
 Medical offices (exceeding 5000 s.f.
 gross floor area)
 Special use historic
 Club or lodge
 Communication service facilities
 Community recreation (private)
 Congregate living
 Cultural services
 Day care services (general)
 Hospital services (limited)
 Public primary educational facilities
 Public secondary educational facilities
 Safety services

Bed & breakfast (Group 2)
 Software development
 Medical offices (not exceeding 5000 s.f.
 gross floor area)
 Urban farm
 College & university facilities
 Community events
 Communication recreation (public)
 Convalescent services
 Day care services (commercial)
 Day care services (limited)
 Private primary educational facilities
 Private secondary educational facilities
 Residential treatment

PART 4. The Property is subject to Ordinance No. 040826-57 that established the West University neighborhood plan combining district.

PART 5. This ordinance takes effect on February 20, 2006.

PASSED AND APPROVED

_____, February 9, 2006 §
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 § _____
 Will Wynn
 Mayor

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