


A U S T I N C I T Y C O U N C I L  
**AGENDA**

Thursday, May 4, 2006

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# 33

**Zoning Ordinances/Restrictive Covenants  
RECOMMENDATION FOR COUNCIL ACTION**

**Subject:** C14-05-0190 - West 15th Street - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 515 West 15th Street (Shoal Creek Watershed) from general office (GO) district zoning to central business district-conditional overlay (CBD-CO) combining district zoning. First reading approved on April 6, 2006. Vote: 7-0. Applicant: Cabot-Chase, Ltd. (Jimmy Nassour). Agent: Ron Thrower. City Staff: Jorge E. Rousselin, 974-2975.

**Additional Backup Material**

(click to open)

 **Staff Report****For More Information:**

## SECOND/THIRD READING SUMMARY SHEET

**ZONING CASE NUMBER:** C14-05-0190 – 515 West 15<sup>th</sup> Street

**REQUEST:**

C14-05-0190 – 515 West 15<sup>th</sup> Street - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 515 West 15th Street (Shoal Creek Watershed) from general office (GO) district zoning to central business district (CBD) district zoning. First reading approved on April 6, 2006. Vote: 7-0. Applicant: Cabot-Chase, Ltd. (Jimmy Nassour). Agent: Ron Thrower. City Staff: Jorge B. Rousselin, 974-2975.

**PROPERTY OWNER:** : Cabot-Chase, Ltd. (Jimmy Nassour)

**AGENT:** Ron Thrower

**ISSUES:**

The applicant wishes to rezone the property to CBD to allow the development of a mixed-use building. The Zoning and Platting Commission recommended CBD-CO with prohibited uses. The City Council approved on 1<sup>st</sup> reading CBD-CO with a height limit and prohibited uses. An opposition letter from the 5 Rivers Neighborhood was submitted.

**DATE OF FIRST READING/VOTE:** April 6, 2006; Vote: (7-0)

**CITY COUNCIL DATE:** May 4, 2006

**SUMMARY 1<sup>st</sup> READING ACTION:**

**April 6, 2006:**

The first reading of the ordinance, with the following amendments, was approved on Council Member McCracken's motion, Mayor Wynn's second on a 7-0 vote. The amendments were: to approve CBD zoning with a height limitation of sixty feet, require compliance with Great Streets, approval of a restrictive covenant for Vertical Mixed Use Standards for the ground floor as outlined in UNO/DMU regulations, prohibiting the following uses, and including a 2,000 trip limitation. There was a friendly amendment from Council Member Dunkerley to limit the height to seventy feet. This was accepted by the maker of the motion and Mayor Wynn, who seconded the motion. The prohibited uses are: drive-in or drive-through uses, automotive repair services, automotive sales, automotive washing, ball bond services, cocktail lounge, commercial off-street parking, convenience storage, equipment sales, liquor sales, service station, residential treatment, transitional housing, blood/plasma centers, and pawnshop services.

**Conditional overlay shall prohibit:**

- Maximum height of seventy (70) feet from ground level;
- Vehicle trip limitation of 2,000 vehicle trip or less per day;
- A use on the ground floor must be different from a use on an upper floor;
- Along not less than 75 percent of the net frontage length, the building must be designed for at least two commercial uses in the ground floor spaces that each have:
  - A customer entrance that opens directly onto the sidewalk;
  - A depth of not less than 24 feet;
  - A height of not less than 12 feet, measured from the finished floor to the bottom of the structural members of the ceiling; and

- A front façade with not less than 50 percent of the wall area between two and 10 feet above grade constructed of glass with a visible transmittance rating of 0.6 or higher.

**The prohibited uses are:**

- drive-in or drive-through uses
- automotive repair services
- automotive sales
- automotive washing (of any type)
- bail bond services
- blood/plasma centers
- cocktail lounge
- commercial off-street parking
- convenience storage
- equipment sales
- liquor sales
- pawnshop services.
- residential treatment
- service station
- transitional housing

**ASSIGNED STAFF:** Jorge E. Rousselin, NPZD

**PHONE:** 974-2975

**E-MAIL:** jorge.rousselin@ci.austin.tx.us

## ZONING REVIEW SHEET

**CASE:** C14-05-0190**Z.A.P. DATE:** January 31, 2006  
March 7, 2006**ADDRESS:** 515 West 15<sup>th</sup> Street**OWNER:** Cabot-Chase, Ltd. (Jimmy Nassour)**AGENT:** Ron Thrower**REZONING FROM:** GO (General Office)**TO:** CBD (Central Business District)**AREA:** 0.2 Acres (8,712 sq. ft.)**SUMMARY 1<sup>st</sup> READING ACTION:****April 6, 2006:**

The first reading of the ordinance, with the following amendments, was approved on Council Member McCracken's motion, Mayor Wynn's second on a 7-0 vote. The amendments were: to approve CBD zoning with a height limitation of sixty feet, require compliance with Great Streets, approval of a restrictive covenant for Vertical Mixed Use Standards for the ground floor as outlined in UNO/DMU regulations, prohibiting the following uses, and including a 2,000 trip limitation. There was a friendly amendment from Council Member Dunkerley to limit the height to seventy feet. This was accepted by the maker of the motion and Mayor Wynn, who seconded the motion. The prohibited uses are: drive-in or drive-through uses, automotive repair services, automotive sales, automotive washing, bail bond services, cocktail lounge, commercial off-street parking, convenience storage, equipment sales, liquor sales, service station, residential treatment, transitional housing, blood/plasma centers, and pawnshop services.

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  - A height of not less than 12 feet, measured from the finished floor to the bottom of the structural members of the ceiling; and
  - A front façade with not less than 50 percent of the wall area between two and 10 feet above grade constructed of glass with a visible transmittance rating of 0.6 or higher.

**The prohibited uses are:**

- |                                    |                         |
|------------------------------------|-------------------------|
| ▪ drive-in or drive-through uses   | ▪ convenience storage   |
| ▪ automotive repair services       | ▪ equipment sales       |
| ▪ automotive sales                 | ▪ liquor sales          |
| ▪ automotive washing (of any type) | ▪ pawnshop services.    |
| ▪ bail bond services               | ▪ residential treatment |
| ▪ blood/plasma centers             | ▪ service station       |
| ▪ cocktail lounge                  | ▪ transitional housing  |
| ▪ commercial off-street parking    |                         |

**SUMMARY ZONING AND PLATTING COMMISSION RECOMMENDATION:****March 7, 2006:**

**APPROVED STAFF'S RECOMMENDATION FOR CBD-CO DISTRICT ZONING; WITH CONDITION THAT THE DEVELOPER PARTICIPATE IN THE GREAT STREETS PROGRAM BY ESCROWING FUNDS ON TOP OF DEVELOPMENT TO CARRY THAT PROGRAM FORWARD, WHENEVER THE BLOCK FACE IS COMPLETE OR AT TIME OF DEVELOPMENT; ALSO, PROHIBIT THE FOLLOWING USES:**

- **DRIVE-IN OR DRIVE-THROUGH USES;**
- **AUTOMOTIVE REPAIR SERVICES;**
- **AUTOMOTIVE SALES;**
- **AUTOMOTIVE WASHING;**
- **BAIL BOND SERVICES;**
- **COCKTAIL LOUNGE;**
- **COMMERCIAL OFF-STREET PARKING;**
- **CONVENIENCE STORAGE;**
- **EQUIPMENT SALES**
- **LIQUOR SALES**
- **SERVICE STATION;**
- **RESIDENTIAL TREATMENT;**
- **TRANSITIONAL HOUSING**
- **BLOOD/PLASMA CENTERS**
- **PAWNSHOP SERVICES**

**[K.JACKSON; M.HAWTHORNE 2<sup>ND</sup>] (9-0)**

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends CBD-CO (Central Business District) conditional overlay combining district. The recommended conditional overlay will limit the vehicle trips to less than 2,000 vehicle trips per day pursuant to LDC, 25-6-117. The recommendation is based on the following considerations:

- 1.) The proposed use is compatible with existing CBD, and commercial development along Nueces Street, and West 15<sup>th</sup> Street
- 2.) It is adjacent to the designated Core Downtown District as identified by the Downtown Austin Design Guidelines;
- 3.) The proposed development will not be subject to compatibility standards; and
- 4.) Great Streets Program participation is recommended.

**DEPARTMENT COMMENTS:**

The subject rezoning area is an 8,712 square foot office building fronting West 15<sup>th</sup> Street and Nueces Street zoned GO. The applicant proposes to rezone the property to CBD to allow for a 60' tall mixed use building to include offices, retail and residential components. Participation in the Great Streets program will improve the aesthetic and functional quality of downtown streets and sidewalks surrounding the subject property.

**GO Development Standards:**

<b>GO</b>	
Maximum Height:	60'
Maximum Building Coverage:	60%
Maximum Impervious Cover:	80%
Maximum Floor Area Ratio:	1:1

Source: The Code of the City of Austin, Volume III, Chapter 25-2-492

**CBD Development Standards:**

<b>CBD</b>	
Maximum Height:	-
Maximum Building Coverage:	100%
Maximum Impervious Cover:	100%
Maximum Floor Area Ratio:	8:1

Source: The Code of the City of Austin, Volume III, Chapter 25-2-492

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	GO	Office building
<i>North</i>	GO	Office building
<i>South</i>	GO	Office building
<i>East</i>	GO	Apartment building
<i>West</i>	CBD	Office building

**AREA STUDY:** N/A**TIA:** Waived; See Transportation comments**WATERSHED:** Shoal Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

57--Old Austin Neighborhood  
 142--Five Rivers Neighborhood Assn.  
 402--Downtown Austin Neighborhood Assn. (DANA)  
 511--Austin Neighborhoods Council  
 623--City of Austin Downtown Commission  
 742--Austin Independent School District  
 744--Sentral Plus East Austin Koalition (SPEAK)  
 998--West End Austin Alliance

**SCHOOLS:**

Austin Independent School District

- Mathews Elementary School
- O. Henry Middle School
- Austin High School

**RELATED CASES:** N/A

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-96-0029	GO to DMU	03/26/96: APVD. DMU-CURE (9-0).	04/25/96: APVD. DMU-CO LIMITING HEIGHT TO 60' (5-0); ALL 3 RDGS.
C14-99-2066	GO to DMU	01/25/00: APVD STAFF REC OF DMU-CO & DMU-H-CO (8-1 JR-NAY); INCLUDING CONDS BY HLC & CONDS AGREED UPON BY AP & NEIGH; DELETE COUNSELING SVCS FROM THE PROHIBITED USES (8-1 JR-NAY).	05/18/00: APVD PC REC OF DMU-H-CO (TR 1) & DMU-CO (TR 2 & 3). (5-0)
C14-00-2081	GO to CBD	05/16/00: APVD STAFF REC OF CS-CURE-CO (7-0-1, BB-OFF DAIS, AN-ABSTAIN); W/CBD PKG REQ'T & PROHIBIT DRIVE-THRU USES.	06/22/00: APVD CS-CURE ON ALL RDGS (7-0).
C14-01-0052	GO to LR	05/22/01: APVD STAFF REC OF LR-CO W/CONDS (6-2, JR/BB-NAY).	07/19/01: APVD LR-CO W/CONDS (6-0); 1ST RDG.  08/09/01: APVD CS-CO (7-0); 2ND/3RD RDGS.

**ABUTTING STREETS:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>
W. 15 <sup>th</sup> Street	100'	2 @ 30'	Major Arterial
Nueces Street	80'	40'	Collector

**CITY COUNCIL DATE:**

April 6, 2006

**ACTION:**

The first reading of the ordinance, with the following amendments, was approved on Council Member McCracken's motion, Mayor Wynn's second on a 7-0 vote. The amendments were: to approve CBD zoning with a height limitation of sixty feet, require compliance with Great Streets, approval of a restrictive covenant for Vertical Mixed Use Standards for the ground floor as outlined in UNO/DMU regulations, prohibiting the following uses, and including a 2,000 trip limitation. There was a friendly amendment from Council Member Dunkerley to limit the height to seventy feet. This was accepted by the maker of the motion and Mayor Wynn, who seconded the motion. The prohibited uses are: drive-in or drive-through uses, automotive repair services, automotive sales, automotive washing,

bail bond services, cocktail lounge, commercial off-street parking, convenience storage, equipment sales, liquor sales, service station, residential treatment, transitional housing, blood/plasma centers, and pawnshop services.

May 4, 2006

**ORDINANCE READINGS:** 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup>

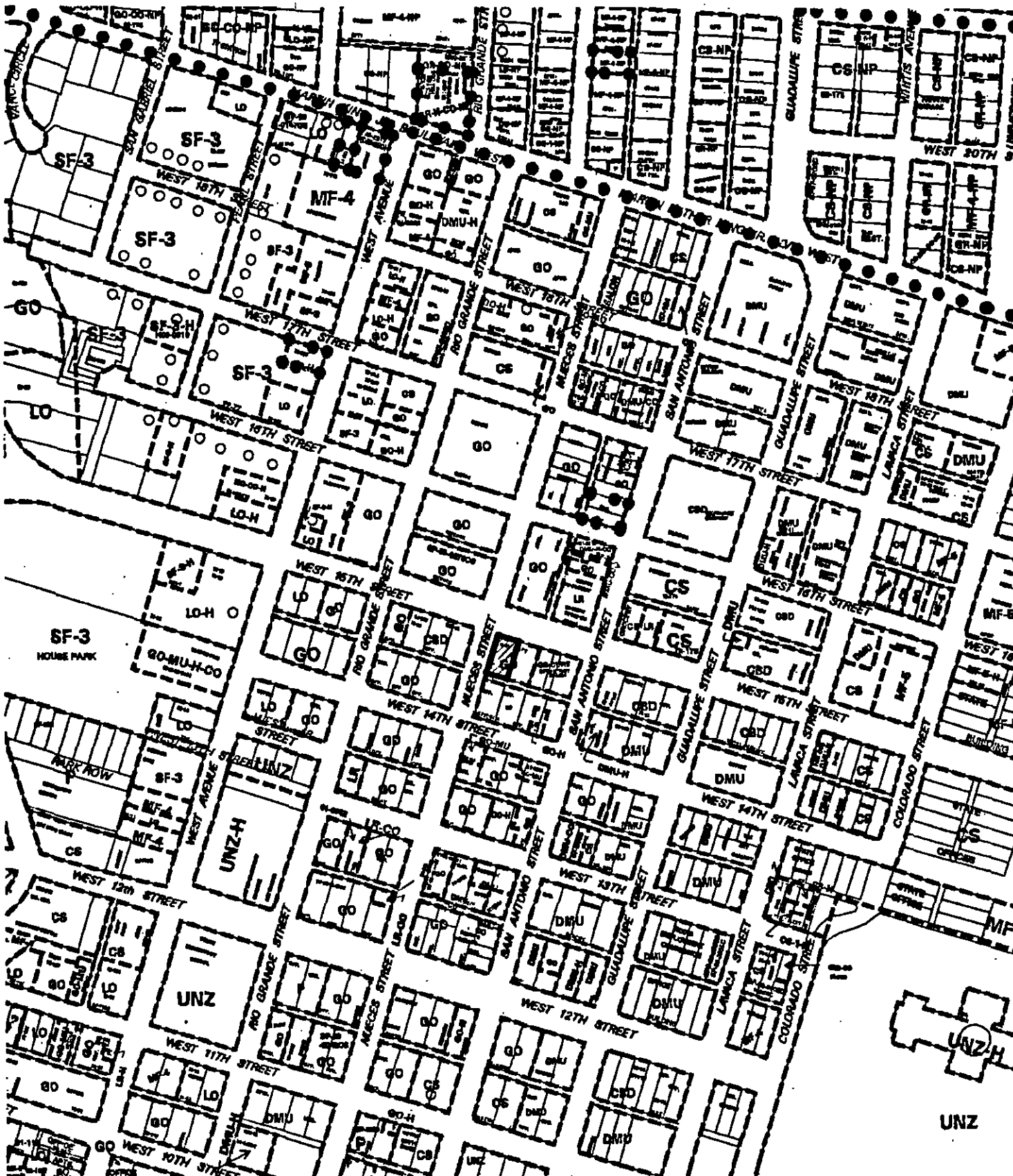
**ORDINANCE NUMBER:**





**CASE MANAGER:** Jorge E. Rousselin, NPZD

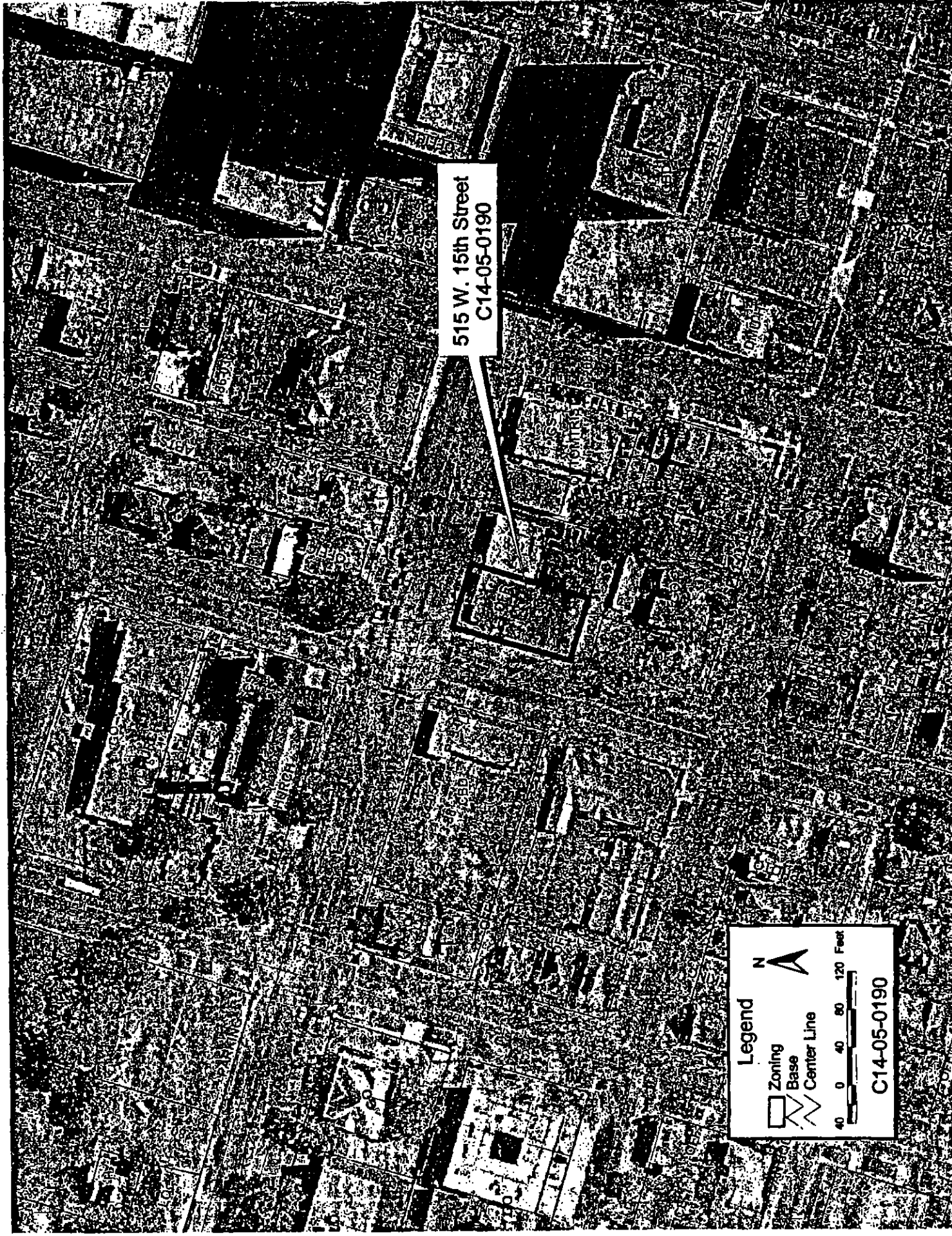
**PHONE:** 974-2975

**E-MAIL:** [jorge.rousselin@ci.austin.tx.us](mailto:jorge.rousselin@ci.austin.tx.us)







 1" = 400'	SUBJECT TRACT  PENDING CASE  ZONING BOUNDARY  CASE MGR: J.ROUSSELIN	<div style="text-align: center;">ZONING</div> CASE #: C14-05-0190 ADDRESS: 515 W 15TH ST SUBJECT AREA (acres): 0.200	CITY GRID REFERENCE NUMBER J23
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515 W. 15th Street  
C14-05-0190


**Legend**

 Zoning

 Base

 Center Line

 N

 0 40 80 120 Feet

C14-05-0190

## STAFF RECOMMENDATION

Staff recommends CBD-CO (Central Business District) conditional overlay combining district. The recommended conditional overlay will limit the vehicle trips to less than 2,000 vehicle trips per day pursuant to LDC, 25-6-117. The recommendation is based on the following considerations:

- The proposed use is compatible with existing CBD, and commercial development along Nueces Street, and West 15<sup>th</sup> Street
- It is adjacent to the designated Core Downtown District as identified by the Downtown Austin Design Guidelines;
- The proposed development will not be subject to compatibility standards; and
- Great Streets Program participation is recommended.

## BASIS FOR RECOMMENDATION

*1. The proposed zoning should be consistent with the purpose statement of the district sought.*

### 25-2-100 CENTRAL BUSINESS DISTRICT (CBD) DESIGNATION

- (A) Central business district (CBD) is the designation for an office, commercial, residential, or civic use located in the downtown area.
- (B) Site development regulations applicable to a CBD district use are designed to:
  - ensure that a CBD use is compatible with the commercial, cultural, historical, and governmental significance of downtown and preserves selected views of the Capitol;
  - promote the downtown area as a vital commercial retail area;
  - create a network of pleasant public spaces and pedestrian amenities in the downtown area;
  - enhance existing structures, historic features, and circulation patterns in the downtown area; and
  - consider significant natural features and topography in the downtown area.

The proposed rezoning meets the purpose statement set forth in the Land Development Code. The subject property an undeveloped land located adjacent to the designated Core Downtown District as identified by the Downtown Austin Design Guidelines. Furthermore, the proposed mix of uses will encourage a diversity of land uses along West 15<sup>th</sup> Street and Nueces Street.

*2. The proposed zoning should promote consistency, and orderly planning.*

The proposed change and recommended conditional overlay is compatible with the surrounding area as it is surrounded by a mixture of land uses, intensities, and CBD zoning. The proposed land uses are compatible to the existing adjacent uses.

## EXISTING CONDITIONS

### Site Characteristics

The subject rezoning area is an 8,712 square foot, one-story office building fronting West 15<sup>th</sup> Street and Nueces Street zoned GO. Access to the property is via Nueces Street and the existing alley. The applicant proposes to rezone the property to CBD to allow for a 60' tall mixed use building to include offices, retail and residential components.

**Transportation**

1. No additional right-of-way is needed at this time.
2. The trip generation under the requested zoning is estimated to be 3,957 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).
3. A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117].
4. There are existing sidewalks along W. 15<sup>th</sup> Street and Nueces Street.
5. Nueces Street is classified in the Bicycle Plan as a Priority 1 bike route.
6. Capital Metro bus service is available along W. 15<sup>th</sup> Street.

**Environmental**

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.
4. According to flood plain maps, there is no flood plain within the project area.
5. At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

**Water and Wastewater**

1. The site is served with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or

utility adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.

**Site Plan**

1. Compatibility Standards not appear to be applicable per the GIS query.
2. Additional comments will be generated once the formal application for site plan is submitted.

**Compatibility Standards**

1. This site is not subject to compatibility standards under the provisions of 25-2-581.

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-05-0190

Contact: Jorge Rousselin, (512) 974-2975

Public Hearing:

January 31, 2006 Zoning and Platting Commission

**JASON NASSOUR**

Your Name (please print)

**508 W. 14th Street, Austin TX 78701**

Your address(es) affected by this application

**1/21/06**

Date

Signature

Comments:



If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Jorge Rousselin

P. O. Box 1088

Austin, TX 78767-8810

## **5 RIVERS NEIGHBORHOOD**

March 27, 2006

Mayor Will Wynn  
Mayor Pro Tem Danny Thomas  
Lee Leffingwell - Council Member Place 1  
Raul Alvarez - Council Member Place 2  
Jennifer Kim - Council Member Place 3  
Betty Dunkerley - Council Member Place 4  
Brewster McCracken - Council Member Place 5  
P. O. Box 1088  
Austin, Texas 78767

Re: **Zoning Case C14-05-0190 - 515 West 15<sup>th</sup> Street, Austin, Texas (Property?)**

Honorable Mayor, Mayor Pro Tem, and Council Members,

We the undersigned each write to you in opposition to a re-zoning request from GO to CBD as is currently requested by the applicant for the above listed Property. **Instead we ask that you consider re-zoning this Property to DMU-CURE-CO, with certain restrictions.**

We do not oppose density at this Property, and ask that instead City Council consider granting the applicant's own original zoning request of DMU-CURE with the following suggested conditions and restrictions.

1. **Conditional Overlay with Requirement for Great Streets Program Streetscape:**  
DMU-CURE zoning should include the staff supported Conditional Overlay ("CO") to limit vehicle trips to less than 2,000 per day and mandatory participation in the Great Streets Program. Both of these requirements are supported and recommended by both City staff and Zoning and Platting Commission.

2. **Prohibition of Drive-Through and Certain Other Uses:** The Conditional Overlay should include a prohibition of any Commercial Use allowing a Drive-Through and a prohibition against any of the following twelve (12) Commercial and Civic Uses:

**§ 25-2-4 COMMERCIAL USES**

- (6) Automotive Repair Services
- (7) Automotive Sales
- (8) Automotive Washing
- (9) Bail Bond Services
- (15) Cocktail Lounge
- (17) Commercial Off-Street Parking
- (22) Convenience Storage
- (27) Equipment Sales
- (40) Liquor Sales
- (63) Services Station

**§ 25-2-6 CIVIC USES**

- (42) Residential Treatment
- (45) Transitional Housing

Prohibition of the above listed twelve (12) Commercial and Civic Uses with a prohibition against any Drive-Through uses is recommended by the Zoning and Platting Commission.

P. O. BOX 5628 = AUSTIN, TX 78763-5628

These same use prohibitions were agreed to on the record by the applicant's agent Ron Thrower at the March 7, 2006 Public Hearing of the Zoning and Platting Commission. Eliminating these negative uses is critically important to us, and vital to protecting the adjacent church and historic buildings, and fostering a safe, pedestrian friendly urban core.

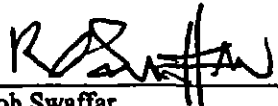
Should you believe that CBD-type density is appropriate at this Property the same development densities can be obtained through DMU-CURE without losing Compatibility Standards to protect St. Martin's Church, directly across from this Property. For example the FAR could be modified to match CBD at 8:01 (from 5:01), and height could also be raised from 120 feet. However it should be noted that the applicant has indicated a desire to develop only to 60 feet in height, therefore using CURE to add additional height appears to be unimportant to this applicant.

We urge you to oppose CBD zoning, and alternatively support DMU-CURE-CO with those conditions as outlined herein.

Sincerely,



Richard G. Hardin  
President - Five Rivers Neighborhood Association  
P.O. Box 5628  
Austin, TX 78763  
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Bob Swaffar  
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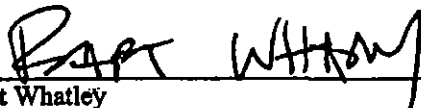




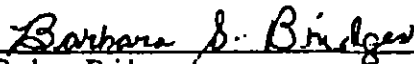
Laurie Limbacher  
Steering Committee Member - Heritage Neighborhood Association  
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Mary Ingle  
Co-President - North University Neighborhood Association ("NUNA")  
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Austin, TX 78705  
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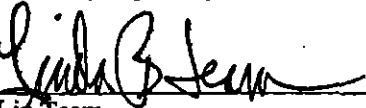
Bart Whatley  
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President - Shoal Crest Neighborhood Association  
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E-mail: [jfoxphoto@mail.utexas.edu](mailto:jfoxphoto@mail.utexas.edu)



Lin Team  
CANPAC Representative for Eastwoods Association  
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Austin, TX 78705  
E-mail: [lteam@oldaustinrealtor.com](mailto:lteam@oldaustinrealtor.com)

Cc: Richard Arellano - Mayor Chief of Staff  
By Fax: (512) 974-2337  
Also by E-mail: [Richard.arellano@ci.austin.tx.us](mailto:Richard.arellano@ci.austin.tx.us)

- Cc: Sandra Frazier - Mayor Pro Tem Executive Assistant**  
**By Fax: (512) 974-1890**  
**Also by E-mail: [Sandra.frazier@ci.austin.tx.us](mailto:Sandra.frazier@ci.austin.tx.us)**
- Cc: Karen Gross - Council Member Place 5 Policy Director**  
**By Fax: (512) 974-1884**  
**Also by E-mail: [karen.gross@ci.austin.tx.us](mailto:karen.gross@ci.austin.tx.us)**
- Cc: Andy Mormon - Council Member Place 1 Executive Assistant**  
**By Fax: (512) 974-3212**  
**Also by E-mail: [andy.mormon@ci.austin.tx.us](mailto:andy.mormon@ci.austin.tx.us)**
- Cc: Veronica Briseño - Council Member Place 2 Executive Assistant**  
**By Fax: (512) 974-1887**  
**Also by E-mail: [veronica.briseno@ci.austin.tx.us](mailto:veronica.briseno@ci.austin.tx.us)**
- Cc: Robert Levinski - Council Member Place 3 Zoning Aide**  
**By Fax: (512) 974-1888**  
**Also by E-mail: [Robert.levinski@ci.austin.tx.us](mailto:Robert.levinski@ci.austin.tx.us)**
- Cc: Gloria Aguilera - Council Member Place 4 Executive Assistant**  
**By Fax: (512) 974-1886**  
**Also by E-mail: [Gloria.aguilera@ci.austin.tx.us](mailto:Gloria.aguilera@ci.austin.tx.us)**

ORDINANCE NO. \_\_\_\_\_

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**  
2 **PROPERTY LOCATED AT 515 WEST 15<sup>TH</sup> STREET FROM GENERAL OFFICE**  
3 **(GO) DISTRICT TO CENTRAL BUSINESS DISTRICT-CONDITIONAL**  
4 **OVERLAY (CBD-CO) COMBINING DISTRICT.**

5  
6 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

7  
8 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to  
9 change the base district from general office (GO) district to central business district-  
10 conditional overlay (CBD-CO) combining district on the property described in Zoning  
11 Case No. C14-05-0190, on file at the Neighborhood Planning and Zoning Department, as  
12 follows:

13  
14 Lot 8, Block 177, Original City of Austin, Travis County, according to the map or  
15 plat on file in the General Land Office of the State of Texas (the "Property"),

16  
17 locally known as 515 West 15<sup>th</sup> Street, in the City of Austin, Travis County, Texas, and  
18 generally identified in the map attached as Exhibit "A".

19  
20 **PART 2.** The Property within the boundaries of the conditional overlay combining district  
21 established by this ordinance is subject to the following conditions:

22  
23 1. A site plan or building permit for the Property may not be approved, released, or  
24 issued, if the completed development or uses of the Property, considered cumulatively  
25 with all existing or previously authorized development and uses, generate traffic that  
26 exceeds 2,000 trips per day.

27  
28 2. The following uses are prohibited uses of the Property:

29  
30 Automotive repair services Automotive sales  
31 Automotive washing (of any type) Bail bond services  
32 Cocktail lounge Commercial off-street parking  
33 Convenience storage Equipment sales  
34 Liquor sales Service station  
35 Residential treatment Transitional housing  
36 Commercial blood plasma center Pawn shop services  
37

- 1  
2 3. Drive-in service is prohibited as an accessory use to a commercial use.  
3  
4 4. A building or structure may not exceed a height of 70 feet from ground level.  
5  
6 5. The Property shall be developed according to the requirements in Section 25-2-647  
7 (H) (*Mixed Use (MU) Combining District Regulations*) regarding a vertical mixed  
8 use building.  
9

10 Except as specifically restricted under this ordinance, the Property may be developed and  
11 used in accordance with the regulations established for the central business district (CBD)  
12 base district and other applicable requirements of the City Code.  
13

14  
15 **PART 3.** This ordinance takes effect on \_\_\_\_\_, 2006.  
16

17  
18 **PASSED AND APPROVED**  
19

20  
21  
22 \_\_\_\_\_, 2006

§  
§  
§

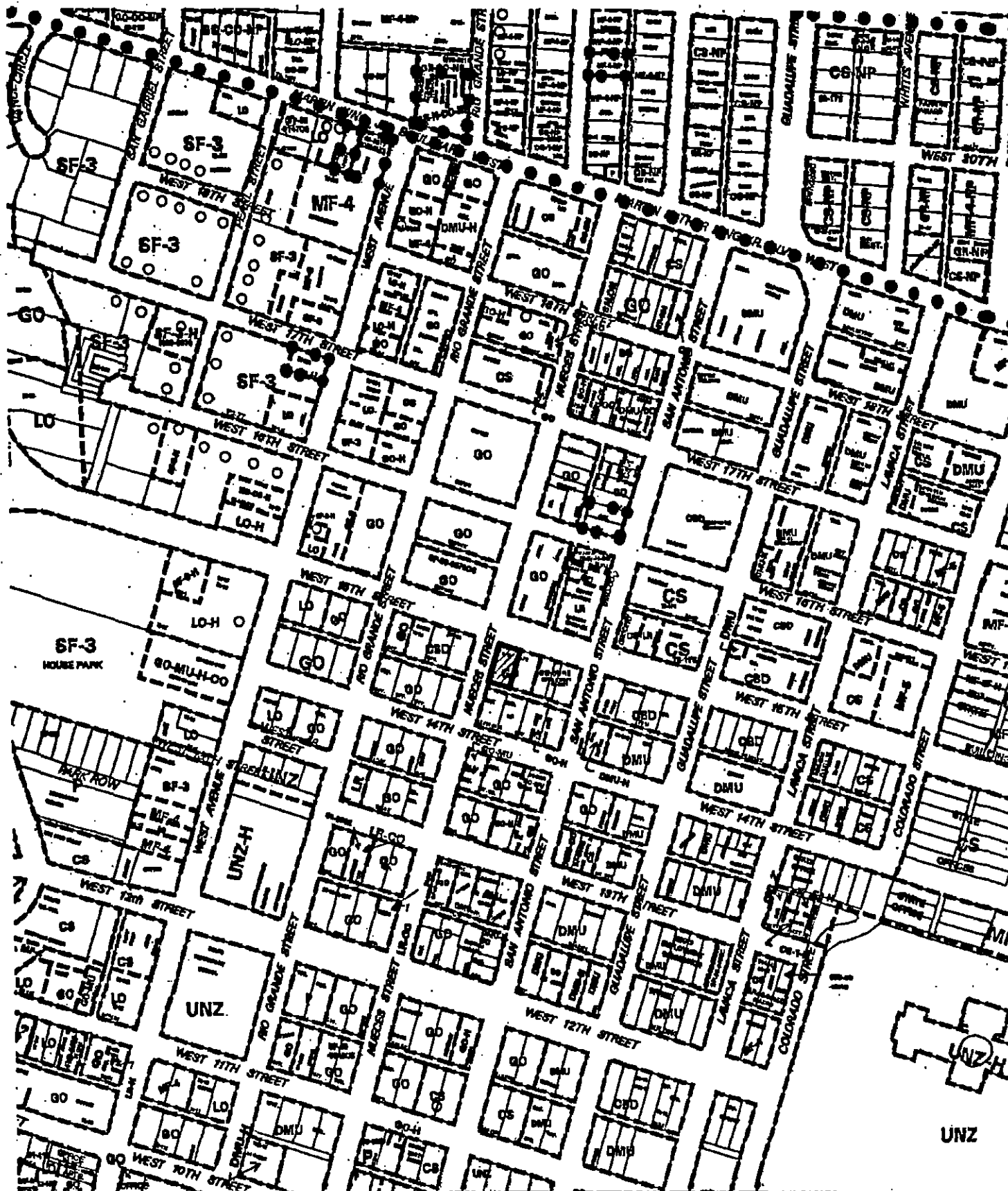
\_\_\_\_\_  
Will Wynn  
Mayor

23  
24  
25  
26  
27 **APPROVED:** \_\_\_\_\_

David Allan Smith  
City Attorney

**ATTEST:** \_\_\_\_\_

Shirley A. Gentry  
City Clerk



 1" = 400'	SUBJECT TRACT		<b>ZONING EXHIBIT A</b>  <b>CASE #: C14-05-0190</b> <b>ADDRESS: 515 W 18TH ST</b> <b>SUBJECT AREA (acres): 0.200</b>	<b>DATE: 05-10</b>  <b>INTLS: 6M</b>	<b>CITY GRID REFERENCE NUMBER</b>  <b>J23</b>
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: J.ROUSSELIN				