ORDINANCE NO. __________________________

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
PROPERTY LOCATED AT 1701 LAVACA STREET FROM DOWNTOWN
MIXED USE (DMU) DISTRICT AND GENERAL COMMERCIAL SERVICES (CS)
DISTRICT TO DOWNTOWN MIXED USE-CONDITIONAL OVERLAY (DMU-
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 downtown mixed use (DMU) district and general commercial
services (CS) district to downtown mixed use-conditional overlay (DMU-CO) combining
district on the property described in Zoning Case No. C14-06-0081, on file at the
Neighborhood Planning and Zoning Department, as follows:

A 0.407 acre tract of land, more or less, being also described as Lots 1 and 2 as
follows:

Lot 1: the west 69 feet of the west 138 feet of the south 128 feet of Government
Outlot 41, Division E, Original 1840 City of Austin plat filed in the General Land
Office of the State of Texas, and also being all of Lot 1 out of a 0.813 acre tract
described in a Special Warranty Deed and Bill of Sale dated November 23, 1993 to
Neches/6th Street, L.C., of record in Volume 11821, Page 2064, Real Property
Records of Travis County, Texas; and

Lot 2: the east 69 feet of the west 138 feet of the south 128 feet of Government
Outlot 41, Division E, Original 1840 City of Austin plat filed in the General Land
Office of the State of Texas, and also being all of Lot 2 out of a 0.813 acre tract
described in a Special Warranty Deed and Bill of Sale dated November 23, 1993 to
Neches/6th Street, L.C., of record in Volume 11821, Page 2064, Real Property
Records of Travis County, Texas (the "Property"),

locally known as 1701 Lavaca Street, in the City of Austin, Travis County, Texas, and
generally identified in the map attached as Exhibit "A".

Draft: 6/14/2006

Page 1 of 2

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

A building or structure on the portion of the Property described as Lot 2 may not exceed a height of 60 feet from ground level.

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

PART 3. This ordinance takes effect on ______________________, 2006.

PASSED AND APPROVED

Will Wynn
Mayor

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

Draft: 6/14/2006    Page 2 of 2    COA Law Department