



Thursday, September 28, 2006

Back Print

**Zoning and Neighborhood Plan Amendments  
(Public Hearings and Possible Action)  
RECOMMENDATION FOR COUNCIL ACTION**

**ITEM No. 105**

**Subject:** C14-05-0112 – Riverside Neighborhood Plan Combining District - Conduct a public hearing and approve and ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded on the north by Town Lake, on the east by Pleasant Valley Road, on the south by Oltorf Street, and on the west by IH-35 (Colorado River, Country Club, Harpers Branch, Town Lake Watersheds). The proposed zoning change will create the Riverside Neighborhood Plan Combining District (NPCD) and implement the land use recommendations of the East Riverside/Oltorf Combined Neighborhood Plan for a total of 28 tracts (within the planning area of 729.96 acres). Under the proposed Riverside NPCD, "Small Lot Amnesty", "Garage Placement", "Impervious Cover and Parking Placement Restrictions" and "Prohibited Parking in the Front Yard" are proposed for the entire area. The Neighborhood Mixed Use Building special use is proposed for Tracts 21, 22, 35, 37, 38, 41, 42, 43, 43A, 44, 45, 45A, 45B, 47 and 51. The Neighborhood Urban Center special use is proposed for Tracts 21, 22, 35, 37, 38, 41, 42, 43, 43A, 44, 45, 45A and 45B. The City Council may approve a zoning change to any of the following: Rural Residential (RR); Single-Family Residence – Large Lot (SF-1); Single-Family Residence—Standard Lot (SF-2); Family Residence (SF-3); Single-Family – Small Lot & Condominium Site (SF-4A/B); Urban Family Residence (SF-5); Townhouse & Condominium Residence (SF-6); Multi-Family Residence - Limited Density (MF-1); Multi-family Residence - Low Density (MF-2); Multi-family Residence - Medium Density (MF-3); Multi-family Residence – Moderate-High Density (MF-4); Multi-family Residence - High Density (MF-5); Multi-family Residence - Highest Density (MF-6); Mobile Home Residence (MH); Neighborhood Office (NO); Limited Office (LO); General Office (GO); Commercial Recreation (CR); Neighborhood Commercial (LR); Community Commercial (GR); Warehouse / Limited Office (W/LO); Commercial Services (CS); Commercial-Liquor Sales (CS-1); Commercial Highway (CH); Industrial Park (IP); Major Industrial (MI); Limited Industrial Services (LI); Research and Development (R&D); Development Reserve (DR); Agricultural (AG); Planned Unit Development (PUD); Historic (H); and Public (P). A Conditional Overlay (CO), Planned Development Area Overlay (PDA), Mixed Use Combining District Overlay (MU); Neighborhood Conservation Combining District (NCCD); or Neighborhood Plan Special Use (NP) may also be added to these zoning base districts. Applicant and Agent: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Robert Heil 974-2330 and Melissa Laursen 974-7226

**Additional Backup  
Material**

(click to open)

**Staff\_report**

**For More Information:** Robert Heil 974-2330 and Melissa Laursen 974-7226

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-05-0112 (Riverside NP)

**P. C. Date:** August 9, 2005

October 11, 2005

October 25, 2005

**AREA:** 729.96 acres

**APPLICANT:** City of Austin, Neighborhood Planning and Zoning Department (NPZD)

**AGENT:** City of Austin, Neighborhood Planning and Zoning Department (NPZD)  
(Robert Heil)

### **REGISTERED NEIGHBORHOOD AND COMMUNITY ORGANIZATIONS**

- South Austin Neighborhood Alliance
- The Crossing Gardenhome Owners Association
- Southeast Austin Trails and Greenbelt Alliance
- South River City Citizens Assn.
- Burleson Heights Neighborhood Assn.
- Terrell Lane Interceptor Assn.
- Metcalfe Neighborhood Assn.
- Barton Springs/ Edwards Aquifer Conservation Dist.
- South Central Coalition
- Austin Neighborhoods Council
- Montopolis Area Neighborhood Alliance
- Burleson Parker Neighborhood Associations
- PODER People Organized in Defense of Earth & Her Resources
- Southeast Austin Trails & Greenbelt Alliance

**AREA OF PROPOSED ZONING CHANGES:** The Riverside Neighborhood Planning Area is bounded by Town Lake to the north, Pleasant Valley Road to the east, Oltorf to the south and IH-35 to the west (see Attachment 1: Map of the Neighborhood Planning Area).

**AREA STUDY:** East Riverside/Oltorf Combined Neighborhood Planning Area

**TIA:** Not required

**WATERSHEDS:** County Club and Harper's Branch Creeks, and Town Lake

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** Yes

**SCENIC ROADWAY:** Yes (Riverside Drive)

**SCHOOLS: (AISD)**

Travis Heights Elementary School  
Metz Elementary School  
Linder Elementary School  
Martin Middle School  
Fulmore Middle School  
Travis High School

**SUMMARY OF STAFF RECOMMENDATION:**

The proposed zoning change creates a Neighborhood Plan Combining District (NPCD) for the entire area.

For each of the 60 tracts (numbered 1-58, including 10A and 45A) the attached chart lists the street address, the existing zoning, and proposed zoning. Staff recommends the adoption of the proposed zoning base zoning for these tracts.

Additionally there are some tracts not recommended for rezoning by staff which are being offered by the neighborhood stakeholders for consideration by the commission. (See Attachment 5)

This case is associated with C14-05-0111 Parker Lane Neighborhood Plan Rezoning; C14-05-0113 Pleasant Valley Neighborhood Plan and NP-05-0021 East Riverside/Oltorf Combined Neighborhood Plan.

**LIST OF ATTACHMENTS:**

**Attachment 1:** Map of Neighborhood Planning Area  
**Attachment 2:** Neighborhood Planning Area Current Zoning  
**Attachment 3:** Tracts Proposed for Rezoning  
**Attachment 4:** Map of Tracts Proposed for Rezoning  
**Attachment 5:** Properties Proposed for Rezoning by the Neighborhood (but not recommended by staff).  
**Attachment 6:** Description of Proposed Base Districts.  
**Attachment 7:** Neighborhood Plan Special Uses  
**Attachment 8:** Neighborhood Design Tools

**PLANNING COMMISSION RECOMMENDATION:**

August 9, 2005: Postponed until 10/11 (staff).

October 11, 2005: Postponed until 10/25 (staff).

October 25, 2005:

**CITY COUNCIL DATE:**

**ACTION:**

**ORDINANCE READINGS:**

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

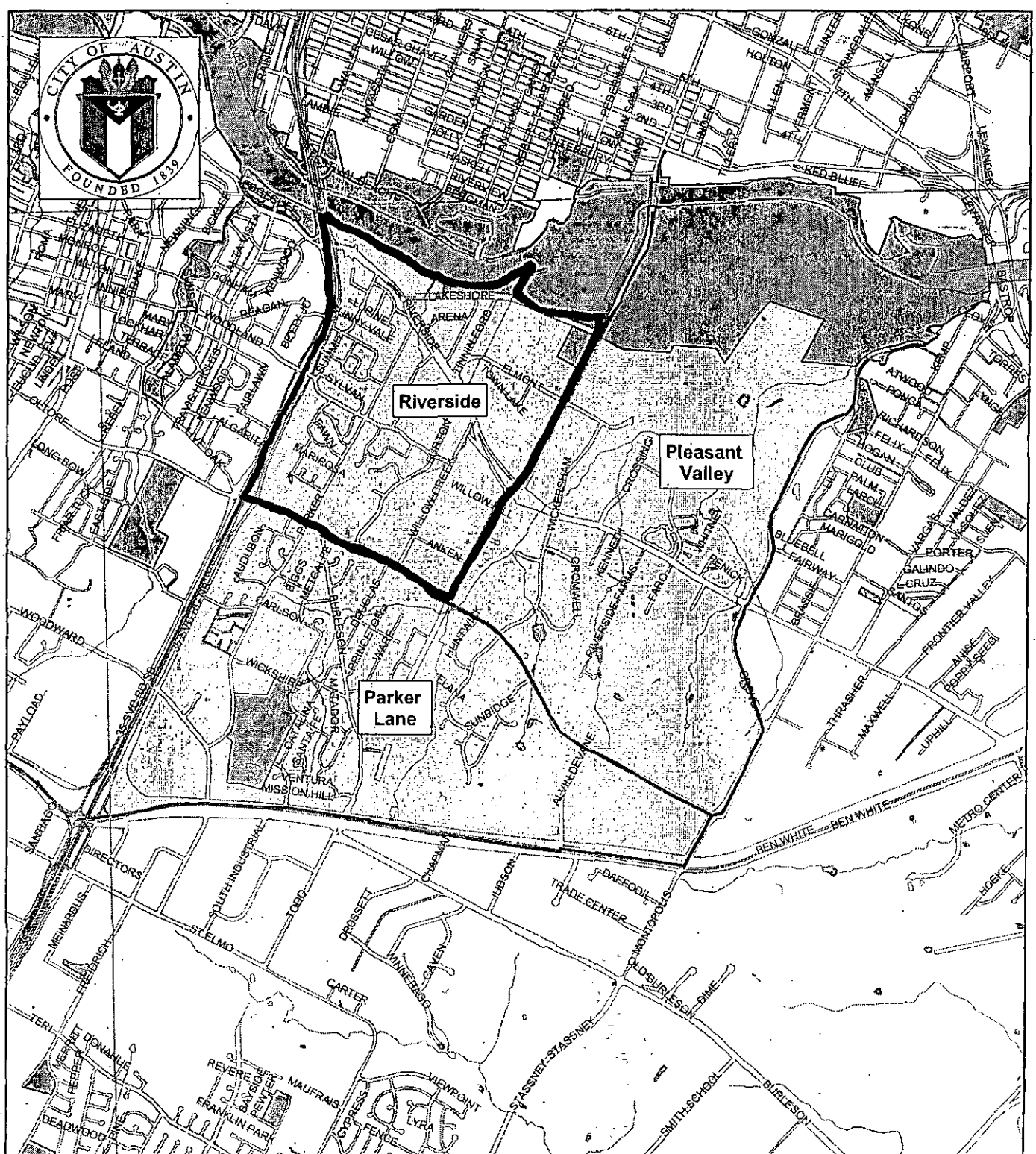
**CASE MANAGER:** Robert Heil  
e-mail address: robert.heil@ci.austin.tx.us

**PHONE:** 974-2330

**NEIGHBORHOOD PLANNER:** Jackie Chuter  
e-mail address: jackie.chuter@ci.austin.tx.us

**PHONE:** 974-2613

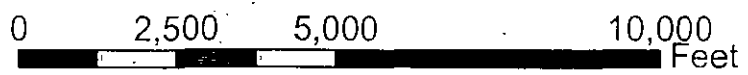
A10/4



# East Riverside/Oltorf Combined Neighborhood Planning Area

**Legend**

|              |               |
|--------------|---------------|
| Park         | Planning Area |
| Creek        | Street        |
| Lake or Pond |               |



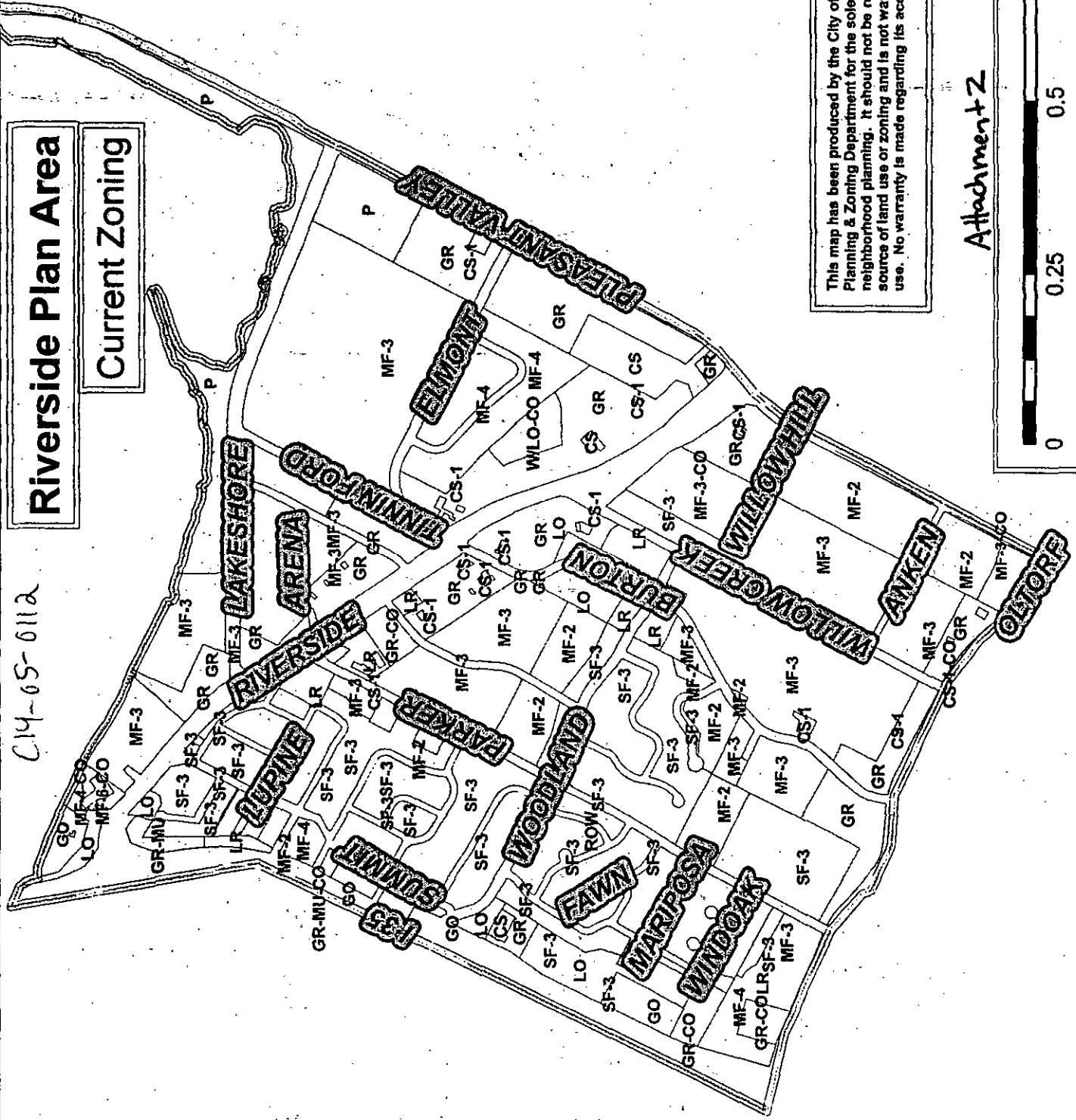
Attachment 1

# EAST RIVERSIDE/OLTORF NEIGHBORHOOD PLANNING AREA

C14-65-0112

Riverside Plan Area

Current Zoning



This map has been produced by the City of Austin Neighborhood Planning & Zoning Department for the sole purpose of facilitating neighborhood planning. It should not be referred to as an official source of land use or zoning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.

Attachment 2



**SUMMARY STAFF RECOMMENDATION**

C14-05-0111

The proposed zoning change creates a Neighborhood Plan Combining District (NPCD) for the entire area.

For each of the 60 tracts (numbered 1-58, including 10A and 45A) the attached chart lists the street address, the existing zoning, and proposed zoning. Staff recommends the adoption of the proposed zoning base zoning for these tracts.

Additionally there are some tracts not recommended for rezoning by staff which are being offered by the neighborhood stakeholders for consideration by the commission. (See Attachment 5)

This case is associated with C14-05-0111 Parker Lane Neighborhood Plan Rezoning; C14-05-0113 Pleasant Valley Neighborhood Plan and NP-05-0021 East Riverside/Oltorf Combined Neighborhood Plan.

**BASIS FOR LAND USE RECOMMENDATION**

The staff recommendation is derived from the goals and objectives for land use as described in the East Riverside/Oltorf Combined Neighborhood Plan.

**DEPARTMENT COMMENTS:****Transportation**

Additional right-of-way (ROW) necessary for future roadway improvements within the proposed zoning may be required during the subdivision review process or the site plan review process.

Since the rezoning of this area is being initiated by the City of Austin through the neighborhood planning process and does not reflect a specific development proposal, no trip generation calculations are provided on a tract by tract basis for any proposed land uses as would typically be provided.

A Traffic Impact Analysis (TIA) will be required during the site plan review stage for any proposed land use that would generate over 2,000 vehicle trips per day. Additional ROW, participation in roadway improvements, and/or limitation on development intensity may also be recommended based on review of the TIA.

**Existing Conditions:**

| Name                | ROW    | Pavement | Classification | Sidewalks | Bus Route                     | Bike Route |
|---------------------|--------|----------|----------------|-----------|-------------------------------|------------|
| IH 35               | Varies | Varies   | Arterial       | No        | #14, 61                       | No         |
| Oltorf Street       | 90'    | 60'      | Arterial       | Yes       | #27, 14, 26, 300, 331         | #61, 68    |
| Pleasant Valley Rd. | 120'   | Varies   | Arterial       | Yes       | #8, 26, 300, 320, 490         | #59, 61    |
| Parker Lane         | 70'    | 40'      | Collector      | Yes       | #27, PL                       | #59        |
| E. Riverside Dr.    | Varies | 2 @ 33'  | Arterial       | Yes       | #26, 27, 350, 411, LS, NR, CP | #60        |
| Woodland Ave.       | 80'    | 36'      | Collector      | Yes       | No                            | #68        |
| Burton Drive        | 70'    | 44'      | Collector      | Yes       | #27, 300                      | No         |
| Lakeshore Blvd.     | 120'   | 44'      | Arterial       | No        | #411, LS                      | #62        |

**Environmental**

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Country Club Creek, Harpers Branch Creek, and Town Lake Watersheds of the Colorado River Basin. Country Club Creek is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment within the Country Club Creek Watershed portion of the neighborhood area will be subject to the following impervious cover limits:

| <i>Development Classification</i>                | <i>% of Net Site Area</i> | <i>% with Transfers</i> |
|--|---------------------------|-------------------------|
| Single-Family<br>(minimum lot size 5750 sq. ft.) | 50%                       | 60%                     |
| Other Single-Family or Duplex                    | 55%                       | 60%                     |
| Multifamily                                      | 60%                       | 70%                     |
| Commercial                                       | 80%                       | 90%                     |

In the Water Quality Transition Zones, impervious cover is limited to 30%.

According to flood plain maps, there is flood plain in, or within close proximity of, the Country Club Creek watershed portion of the neighborhood area. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone shall be limited to 30%.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

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.



Under current watershed regulations, development or redevelopment within the Country Club Creek Watershed portion of the neighborhood area will be subject to the following water quality control requirements:

Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals which preempt current water quality or Code requirements.

### **Site Plan**

Several tracts within this area are located within a Capitol View Corridor – Longhorn Shores and Pleasant Valley at Lakeshore Drive. Height restricts apply for each corridor.

Portions of this area lie within the 100 and 500 year flood plain.

East Riverside Drive is a Scenic Roadway. [Sec. 25-10-6]

Portions of this area are within the Waterfront Overlay; East Riverside subdistrict [Section 25-2-734] and South Lakeshore subdistrict [Section 25-2-741].

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations. Additional design regulations will be enforced at the time a site plan is submitted.

### **Water and Wastewater**

The area is currently 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 adjustments are required, the landowner, at own expense, will be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The utility construction must be inspected by the City. The landowner must pay the associated City fees.

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

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 729.96 ACRES OF LAND GENERALLY KNOWN AS THE RIVERSIDE NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON 28 TRACTS OF LAND.

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 add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 28 tracts of land within the property described in Zoning Case No. C14-05-0112, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 729.96 acres of land in the City of Austin, Travis County, Texas, more particularly described and identified in the attached Exhibit "A" (*the Tract Map*) incorporated into this ordinance (the "Property"),

generally known as the Riverside neighborhood plan combining district, locally known as the area bounded by Town Lake on the north, Pleasant Valley Road on the east, Oltorf Street on the south, and IH-35 on the west, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B" (*the Zoning Map*).

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

**PART 2.** The base zoning districts for the 28 tracts of land are changed from family residence (SF-3) district, limited office (LO) district, neighborhood commercial (LR) district, community commercial (GR) district, community commercial-conditional overlay (GR-CO) combining district, general commercial services (CS) district, and commercial-liquor sales (CS-1) district to multifamily residence low density-neighborhood plan (MF-2-NP) combining district, multifamily residence medium density-neighborhood plan (MF-3-NP) combining district, limited office-conditional overlay use-neighborhood plan (LO-CO-NP) combining district, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district, limited office-mixed use-neighborhood plan (LO-MU-NP) combining district, neighborhood commercial-neighborhood plan (LR-NP) combining district, neighborhood commercial-mixed use-conditional overlay-

neighborhood plan (LR-MU-CO-NP) combining district, community commercial-neighborhood plan (GR-NP) combining district, community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district, general commercial services-neighborhood plan (CS-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, commercial-liquor sales-neighborhood plan (CS-1-NP) combining district, and commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district, as more particularly described and identified in the chart below:

| TRACT NUMBER | ADDRESS   | FROM             | TO            |
|--------------|---|------------------|---------------|
| 21           | 1300, 1400, 1410 S Pleasant Valley Road, 2510, 2510 1/2, 2512 1/2, 2520, 2520 1/2, 2538, 2538 1/2 Elmont Drive  | GR, CS-1         | GR-NP         |
| 22           | 1500, 1600, 1700 S. Pleasant Valley Road  | CS, GR           | GR-NP         |
| 25           | 2101 Elmont Drive   | GR               | GR-MU-CO-NP   |
| 32           | 2508 E. Riverside Drive (A 3.823 acre tract of land, more or less, comprised of the portion of the tract further described in Exhibit _____ that is contained within the Amended Plat of Lot A Riverside-Pleasant Valley Addition)  | CS               | GR-NP         |
| 35           | 2425 1/2, 2429, 2435, 2439, 2505, 2507, 2515 1/2 E Riverside Drive; 2400 1/2, 2500, 2500 1/2, 2510 1/2 Willow Hill Drive; 2018 1/2 S. Pleasant Valley Road (Crossroads South Resub of Tracts 2 and 3, lots 2-4; Lot 1 Crossroads South)   | GR, CS-1         | GR-NP         |
| 37           | 2109-2237 E. Riverside Drive (Burton Terrace Sec 1-A Amended, lots 4 and 5, and Riverside Drive Plaza Joint Venture, lots 8-9 except for 10.012 square foot tract of land out of Lot 9 as described in Tract 38); 1700-1702 Willow Creek Drive (Riverside Drive Plaza Joint Venture lots 10, 11)  | LO, GR, CS, CS-1 | GR-NP         |
| 38           | 2237 E. Riverside Drive (10.012 square foot tract of land out of Lot 9 Riverside Drive Plaza Joint Venture as described in Exhibit _____)   | CS-1             | CS-1-NP       |
| 39           | 1701, 1703, 1705, 1707, 1709, 1711, 1713 Burton Drive   | LO               | LO-MU-NP      |
| 40           | 1700 Burton Drive   | LO, GR           | MF-3-NP       |
| 40A          | 1708 Burton Drive   | LR               | LR-MU-CO-NP   |
| 41           | 2017 E. Riverside Drive (a 12,695 square foot tract of land, being comprised of three tracts of land, one containing 4,305 square feet, another containing 2,648 square feet, and the last containing 5,742 square feet, out of Lot 11D of the Second Resubdivision of Colorado Hills Estates Section Five as further described in Exhibit _____) | CS-1             | CS-1-MU-CO-NP |

| TRACT<br>NUMBER | ADDRESS   | FROM                                | TO            |
|-----------------|---|-------------------------------------|---------------|
| 42              | 2021, 2023 E. Riverside Drive (approximately 4,200 square foot tract of land out of Lot 11E, Second Resub of Colorado Hills Estates, Sec 5 plus vac street as further described in Exhibit ____)  | CS-1                                | CS-1-NP       |
| 43              | 2003, 2005, 2007, 2009, 2011, 2013, 2015, 2017, 2019, 2021, 2023 E. Riverside Drive; 1407 1/2 Royal Crest Drive, (excluding portions identified in Tracts 41, 42 and 44)  | GR, CS                              | CS-MU-CO-NP   |
| 43A             | 2001 E. Riverside Drive   | LR                                  | LR-NP         |
| 44              | 2003 E. Riverside Drive (5,983 square foot tract of land out of Santiago Del Valle Grant, same being also a part of Lot 11C of the First Resubdivision of Colorado Hills Estates, as further described in Exhibit ____)   | CS-1                                | CS-1-MU-CO-NP |
| 45              | 1801-1919 E. Riverside Drive (Lot B River Hills Addition) except for the portion described in Tract 45A & 45B, as further described in Exhibit ____   | LR,<br>GR,<br>GR-CO,<br>CS,<br>CS-1 | GR-NP         |
| 45A             | 1805-1909 E. Riverside Drive (a 6,490 square foot tract of land out of Lot 10 of Colorado Hills Estates, Section 5, as further described in Exhibit ____)   | CS-1                                | CS-1-NP       |
| 45B             | 1905 E. Riverside Drive (1,987 square foot tract of land out of Lot B River Hills Addition, as further described in Exhibit ____)   | LR                                  | CS-1-NP       |
| 46              | 1605 E Riverside Drive  | CS                                  | GR-MU-CO-NP   |
| 47              | 1005 (Lot 3 Less N24ft Av Thomas & Burch Subdivision), 1007 Summit St.  | SF-3                                | LO-MU-CO-NP   |
| 49              | 1301 S. I-35 Svc Road NB (Lot 3-A, Resub of Lot 3 Parkinson Lela Subdivision and Lot 12 Block 10 Bellvue Park save and except the portion described in Tract 50)  | LR                                  | LR-MU-CO-NP   |
| 50              | 1301 S. I-35 Svc Road NB (A 0.2 acre tract, more or less, out of Lot 3-A, Resub of Lot 3 Parkinson Lela Subdivision and Lot 12 Block 10 Bellvue Park, comprised of the E 50 feet west of and parallel to the western property line of Lot 11, Block 10, Bellvue Park Subdivision) | SF-3                                | LO-CO-NP      |
| 51              | 1710, 1730 E. Olorf Street (a 7.3 acre tract of land being out of and part of Lot 2 Harpers Creek)  | LR                                  | LR-NP         |
| 52              | 2124, 2124 1/2 Burton Drive.  | GR                                  | MF-3-NP       |
| 53              | 2121 Burton Drive   | GR                                  | MF-3-NP       |

| TRACT<br>NUMBER | ADDRESS  | FROM | TO          |
|-----------------|--|------|-------------|
| 54              | 2101 Burton Drive (A 14,800.5 square foot tract of land being out of and a part of Lot 2, Burton Terrace, Section 2 as further described in Exhibit _____) | CS-1 | MF-3-NP     |
| 55              | 1900 Burton Drive (approximately .31 acres out of lot 6 Colorado Hills Estates Section 6)  | SF-3 | MF-2-NP     |
| 58              | 1845 Burton Drive (Lot 3A of the Resub of Lot 3 and Lot B Burton Terrace Section Two)  | LR   | LR-MU-CO-NP |

**PART 3.** The following applies to an existing legal lot with single-family residential use or secondary apartment special use within the boundaries of the NP/combining district:

1. The minimum lot area is 2,500 square feet.
2. The minimum lot width is 25 feet.
3. For a lot with an area of 4,000 square feet or less, the impervious coverage may not exceed 65 percent.

**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 NP:

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

**PART 5.** The following tracts may be developed as a neighborhood mixed use building special use as set forth in Sections 25-2-1502 through 25-2-1504 of the Code:

21, 22, 35, 37, 38, 41, 42, 43A, 44, 45, 45A, 45B, 47, and 51.

1 **PART 6.** The following tracts may be developed as a neighborhood urban center special  
2 use as set forth in Sections 25-2-1522 through 25-2-1557 of the Code:

3  
4 21, 22, 35, 37, 38, 41, 42, 43A, 44, 45, 45A, and 45B.

5  
6 **PART 7.** The Property within the boundaries of the conditional overlay combining district  
7 established by this ordinance is subject to the following conditions:

- 8  
9 1. A multifamily residential use is prohibited on Tracts 25, 40A, 46, 47, and 58.
- 10  
11 2. If redevelopment of a structure on Tract 49 occurs, new construction of a building or  
12 structure may not be closer than the buildings currently located on the site.
- 13  
14 3. The following conditions apply to Tract 50:
- 15  
16 A. The maximum height of a building or structure is 12 feet from ground level.
- 17  
18 B. Vehicular access from the Property to Lupine Lane is prohibited. All vehicular  
19 access to the Property shall be from other adjacent public streets or through  
20 other adjacent property.
- 21  
22 4. Except as provided in this subsection, community commercial (GR) site development  
23 standards apply to Tracts 41, 43, and 44.
- 24  
25 A. The maximum floor to area ratio is 1.8 to 1.0.
- 26  
27 B. The maximum impervious cover is 85 percent.
- 28  
29 C. For a building constructed within an area 100 feet from the right-of-way of East  
30 Riverside Drive:
- 31  
32 1. the maximum height is three stories, and
- 33  
34 2. the maximum height is 40 feet from ground level.
- 35  
36 D. A minimum of ten percent of open space is required.
- 37  
38 E. A minimum of ten percent of gross floor area shall be for a commercial use.
- 39  
40

1 **PART 8.** Except as specifically restricted under this ordinance, the Property may be  
2 developed and used in accordance with the regulations established for the respective base  
3 districts and other applicable requirements of the City Code.

4  
5 **PART 9.** This ordinance takes effect on \_\_\_\_\_, 2006.

6  
7  
8 **PASSED AND APPROVED**

9  
10 \_\_\_\_\_, 2006

§  
§  
§

11  
12  
13 Will Wynn  
14 Mayor

15  
16  
17 **APPROVED:**

18 David Allan Smith  
19 City Attorney

**ATTEST:**

Shirley A. Gentry  
City Clerk