

ORDINANCE NO. 20100311-062

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A VERTICAL MIXED USE BUILDING (V) COMBINING DISTRICT TO CERTAIN TRACTS AND TO AMEND THE ZONING MAP TO CHANGE THE BOUNDARIES OF THE VERTICAL MIXED USE OVERLAY (VMU) DISTRICT TO EXCLUDE TRACT 2 LOCATED IN THE UPPER BOGGY CREEK NEIGHBORHOOD PLANNING AREA.

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 vertical mixed use building (V) combining district to certain tracts (the "Property") described in Zoning Case No. C14-2009-0102 on file at the Planning and Development Review Department, as follows:

Approximately 51.39 acres of land in the City of Austin, Travis County, Texas, as shown on in the tract map attached as Exhibit "A" (*Upper Boggy Creek Neighborhood Planning Area*),

located in the Upper Boggy Creek neighborhood planning area, locally known as the area bounded by IH-35, 26th Street and Comal Street on the west, Airport Boulevard on the north and east, and Martin Luther King, Jr. Boulevard, Cedar Boulevard, Rogers Boulevard, Walnut Boulevard and Manor Road on the south in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B" (*the Zoning Map*).

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

PART 2. The zoning districts for the Property are changed from limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district, limited office-historic landmark-mixed use-conditional overlay-neighborhood plan (LO-H-MU-CO-NP) combining district, general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district, neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district, community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district,

general commercial services-neighborhood plan (CS-NP) combining district, general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, and commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district, to limited office-vertical mixed use building-conditional overlay-neighborhood plan (LO-V-CO-NP) combining district, limited office-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (LO-MU-V-CO-NP) combining district, limited office-historic landmark-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (LO-H-MU-V-CO-NP) combining district, general office-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GO-MU-V-CO-NP) combining district, neighborhood commercial-vertical mixed use building-conditional overlay-neighborhood plan (LR-V-CO-NP) combining district, neighborhood commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (LR-MU-V-CO-NP) combining district, community commercial-vertical mixed use building-conditional overlay-neighborhood plan (GR-V-CO-NP) combining district, general commercial services-vertical mixed use building-neighborhood plan (CS-V-NP) combining district, general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district, general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district, general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district, and commercial-liquor sales-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-1-MU-V-CO-NP) combining district, as more particularly described and identified in the chart below:

Tract #	TCAD Property ID	City of Austin Address	Zoning From	Zoning To
1	211884	4302 AIRPORT BLVD	GR-CO-NP	GR-V-CO-NP
4	207586	3850 AIRPORT BLVD	CS-MU-NP	CS-MU-V-NP
	207585	3848 AIRPORT BLVD	CS-MU-NP	CS-MU-V-NP
5	207583	3822 AIRPORT BLVD	CS-MU-NP	CS-MU-V-NP
	207580	3800 AIRPORT BLVD	CS-MU-NP	CS-MU-V-NP
	207579	3840 AIRPORT BLVD	CS-MU-NP	CS-MU-V-NP
		1825 E 38TH HALF ST		
		3842 AIRPORT BLVD		
	207584	3802 1/2 AIRPORT BLVD	CS-MU-NP	CS-MU-V-NP
		3808 1/2 AIRPORT BLVD		
		3810 AIRPORT BLVD		
6	205408	3104 WALNUT AVE	LR-CO-NP	LR-V-CO-NP
		2610 MANOR RD		

Tract #	TCAD Property ID	City of Austin Address	Zoning From	Zoning To
7	205401	2408 MANOR RD	CS-MU-CO-NP	CS-MU-V-NP
	205403	2406 MANOR RD	CS-MU-CO-NP	CS-MU-V-NP
	205399	2502 MANOR RD	LR-MU-CO-NP; CS-1-MU-CO-NP	LR-V-CO-NP; CS-1-MU-V-CO-NP
	205400	2500 MANOR RD	LR-MU-CO-NP	LR-MU-V-CO-NP
	205404	LOT 17 * & W23.55FT OF LOT 18 OLT 33 DIV C FOREST HILLS B	CS-MU-CO-NP	CS-MU-V-NP
	205402	LOT 16 OLT 33 DIV C FOREST HILLS B	CS-MU-CO-NP	CS-MU-V-NP
	205405	2310 MANOR RD	CS-MU-CO-NP	CS-MU-V-NP
	205406	LOT 14 *PLUS N23.6FT OF LOT 13 * & N23.6FT OF LOT 15 OLT 33 DIV C FOREST HILLS B	CS-CO-NP	CS-V-CO-NP
8	205362	2216 MANOR RD	CS-MU-CO-NP	CS-MU-V-NP
	205361	2226 MANOR RD	CS-MU-CO-NP	CS-MU-V-NP
		2224 MANOR RD		
	205326	2801 BREEZE TER	CS-MU-CO-NP	CS-MU-V-NP
		2200 MANOR RD		
9	205280	2002 MANOR RD	CS-CO-NP	CS-V-CO-NP
10	202222	2021 MANOR RD	CS-MU-CO-NP	CS-MU-V-NP
	202221	2001 1/2 MANOR RD	CS-MU-CO-NP	CS-MU-V-NP
		2015 MANOR RD		
12	202227	2113 MANOR RD	CS-CO-NP	CS-V-CO-NP
		2115 MANOR RD		
14	203963	2219 MANOR RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	203952	2209 MANOR RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	203962	2207 MANOR RD	CS-MU-CO-NP	CS-MU-V-CO-NP
16	203970	2200 MAPLE AVE	CS-1-MU-CO-NP	CS-1-MU-V-CO-NP
		2305 MANOR RD	CS-MU-CO-NP	CS-MU-V-CO-NP
		2307 MANOR RD		
		2307 1/2 MANOR RD		
18	204045	2401 MANOR RD	CS-MU-CO-NP	CS-MU-V-CO-NP
20	204047	2515 MANOR RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	204048	2501 MANOR RD	CS-MU-CO-NP	CS-MU-V-CO-NP
23	202356	1910 E MARTIN LUTHER KING JR BLVD	LR-MU-CO-NP	LR-MU-V-CO-NP
	368766	1902 E MARTIN LUTHER KING JR BLVD	CS-1-MU-CO-NP	CS-1-MU-V-CO-NP
	202357	1900 E MARTIN LUTHER KING JR BLVD	CS-1-MU-CO-NP	CS-1-MU-V-CO-NP
24	202358	1905 POQUITO ST	LO-MU-CO-NP	LO-MU-V-CO-NP
25	202364	2106 E MARTIN LUTHER KING JR BLVD	LO-H-MU-CO-NP	LO-H-MU-V-CO-NP
	202365	2104 E MARTIN LUTHER KING JR BLVD	LO-MU-CO-NP	LO-MU-V-CO-NP
	202366	2102 E MARTIN LUTHER KING JR BLVD	LO-MU-CO-NP	LO-MU-V-CO-NP
	202367	2100 E MARTIN LUTHER KING JR BLVD	LO-MU-CO-NP	LO-MU-V-CO-NP

Tract #	TCAD Property ID	City of Austin Address	Zoning From	Zoning To
26	204036	2212 E MARTIN LUTHER KING JR BLVD	LO-MU-CO-NP	LO-MU-V-CO-NP
	204037	2210 E MARTIN LUTHER KING JR BLVD	LO-MU-CO-NP	LO-MU-V-CO-NP
	204038	2204 E MARTIN LUTHER KING JR BLVD	LO-MU-CO-NP	LO-MU-V-CO-NP
	204039	1903 COLETO ST 2200 E MARTIN LUTHER KING JR BLVD	LO-MU-CO-NP	LO-MU-V-CO-NP
27	205398	.3440 ACR OF DIVISION C	GO-MU-CO-NP	GO-MU-V-CO-NP
	205396	2506 MANOR RD	LR-MU-CO-NP	LR-MU-V-CO-NP
	205397	2504 MANOR RD	LR-MU-CO-NP	LR-MU-V-CO-NP
100	210662	1114 1/2 WILSHIRE BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
		4107 N IH 35 SVRD NB		
		4109 N IH 35 SVRD NB		
		4103 N IH 35 SVRD NB		
		4121 N IH 35 SVRD NB		
101	210714	4021 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	210721	LOT 2 LA FONTANA PLACE AMENDED PLAT OF LOTS 1&2	CS-MU-CO-NP	CS-MU-V-CO-NP
	210715	ABS 346 SUR 9 HAWKINS T ACR .42	CS-MU-CO-NP	CS-MU-V-CO-NP
	210720	1300 E 38TH HALF ST	CS-MU-CO-NP	CS-MU-V-CO-NP
	210716	1406 E 38TH HALF ST	CS-MU-CO-NP	CS-MU-V-CO-NP
		1402 E 38TH HALF ST		
		1400 E 38TH HALF ST		
	210718	3807 N IH 35 SVRD NB	CS-MU-NP	CS-MU-V-NP
		3809 N IH 35 SVRD NB		
		3813 N IH 35 SVRD NB		
		3815 N IH 35 SVRD NB		
	210719	1208 E 38TH HALF ST	CS-MU-NP	CS-MU-V-NP
		3811 N IH 35 SVRD NB		
		3901 N IH 35 SVRD NB		
		3903 N IH 35 SVRD NB		
		3911 N IH 35 SVRD NB		
		3913 N IH 35 SVRD NB		
		3921 N IH 35 SVRD NB		
		3925 N IH 35 SVRD NB		
		3929 N IH 35 SVRD NB		
		3909 N IH 35 SVRD NB		
		4001 N IH 35 SVRD NB		
102	209094	3711 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	209093	3709 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	209092	3707 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	209091	3705 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	209089	3509 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	209088	3507 N IH 35 SVRD NB	CS-1-MU-CO-NP	CS-1-MU-V-CO-NP
	209087	3505 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	209110	3501 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP

Tract #	TCAD Property ID	City of Austin Address	Zoning From	Zoning To
	209111	3735 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
		3701 N IH 35 SVRD NB		
	209090	3703 N IH 35 SVRD NB	CS-1-MU-CO-NP	CS-1-MU-V-CO-NP
		3703 1/2 N IH 35 SVRD		
103	209085	3405 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	209084	3401 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	209083	3311 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	209082	3301 N IH 35 SVRD	CS-MU-CO-NP	CS-MU-V-CO-NP
	209064	3421 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
		1103 1/2 CONCORDIA AVE		
	209086	3407 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
		3411 N IH 35 SVRD NB		
104	206989	3215 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	206988	3213 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	207015	3211 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	207014	3209 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	206987	3207 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	206986	3205 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
		3217 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
		3217 1/2 N IH 35 SVRD NB		
105	206974	3109 N IH 35 SVRD NB	CS-NP	CS-V-NP
	206980	1104 E 31ST ST	CS-MU-CO-NP	CS-MU-V-CO-NP
		3103 N IH 35 SVRD NB		
		3105 N IH 35 SVRD NB		
106	206957	1105 E 31ST ST	CS-MU-CO-NP	CS-MU-V-CO-NP
		3011 N IH 35 SVRD NB		
	206956	3007 1/2 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
		3009 N IH 35 SVRD NB		
	206955	1104 E 30TH ST	CS-MU-CO-NP	CS-MU-V-CO-NP
107	206953	3007 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
		2901 N IH 35 SVRD NB		
		2909 N IH 35 SVRD NB		
108	205221	2909 1/2 N IH 35 SVRD NB	GR-MU-CO-NP	GR-MU-V-CO-NP
109	205451	3200 LARRY LN	LO-CO-NP	LO-V-CO-NP
		2710 MANOR RD		

PART 3. The Property is subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use Buildings*) as follows:

- A. Ten percent of residential units available for rental in a vertical mixed use building shall be reserved for households earning no more than 60 percent of the Annual Median Family Income.
- B. The following applies to Tracts 4 - 9, 27, and 100 - 109:
 - 1. The property is exempt from the dimensional standards identified in Article 4.3.3 E.2. (*Dimensional and Parking Requirements*).
 - 2. The property is subject to the parking reductions identified in Article 4.3.3 E.3. (*Dimensional and Parking Requirements*).
 - 3. For property in office districts, the additional uses allowed under Article 4.3.3. C.2 (*Ground-Floor Commercial Uses Allowed*) apply.
- C. The following applies to Tracts 10, 12, 14, 16, 18, 20, and 23 - 26:
 - 1. The property is exempt from the dimensional standards identified in Article 4.3.3 E.2. (*Dimensional and Parking Requirements*).

PART 4. The zoning map is amended to change the boundaries of the vertical mixed use (VMU) overlay district to exclude Tract 2 located as shown in this Part and identified on Exhibit "A". The tracts are not subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use Buildings*).

Tract #	TCAD Property ID	City of Austin Address
2	211885	4300 AIRPORT BLVD
		4300 1/2 AIRPORT BLVD

PART 5. This ordinance takes effect on March 22, 2010.

PASSED AND APPROVED

March 11, 2010

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Lee Leffingwell

Lee Leffingwell
Mayor

APPROVED:

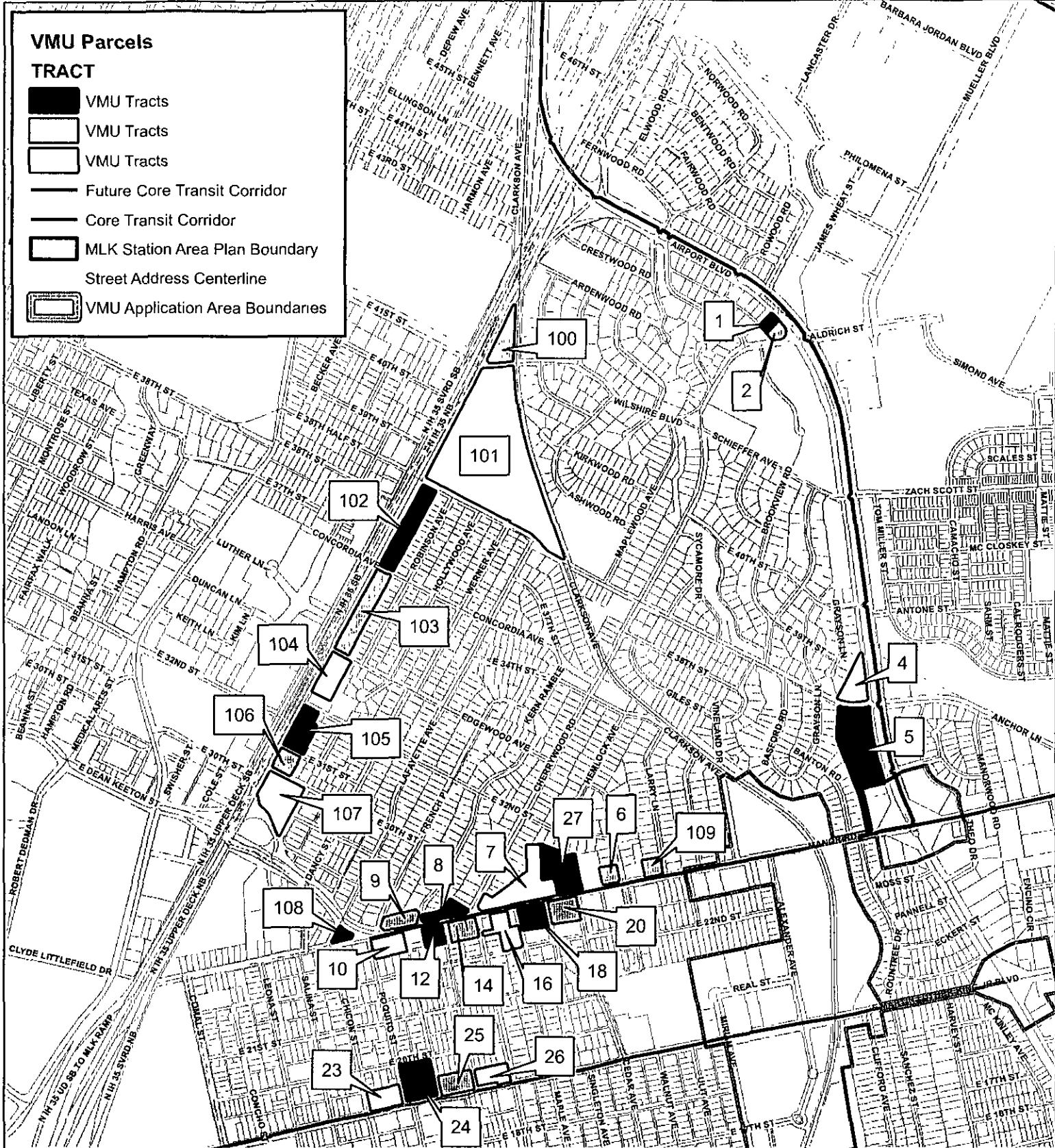
David Allan Smith

David Allan Smith
City Attorney

ATTEST:

Shirley A. Gentry

Shirley A. Gentry
City Clerk



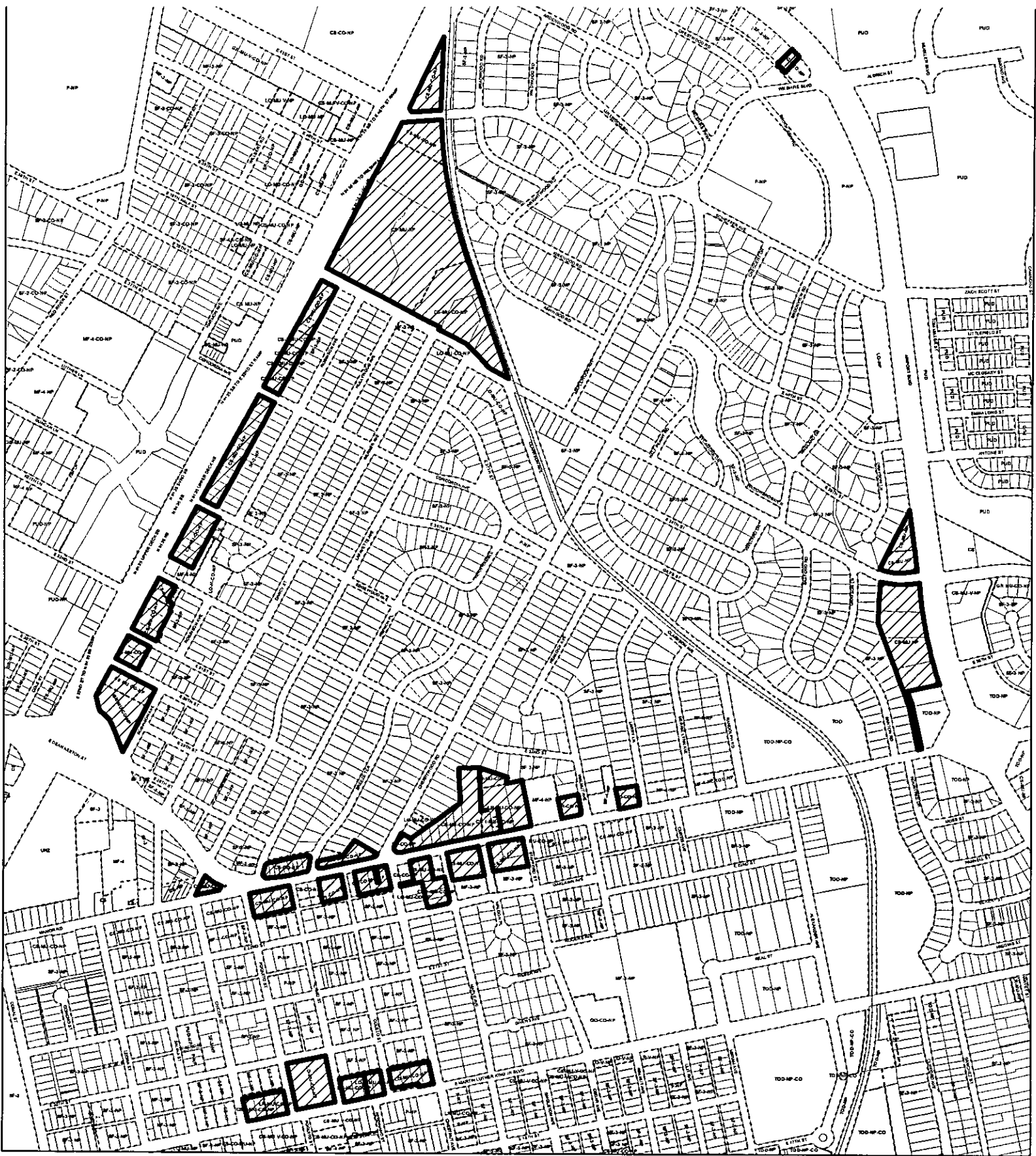
**Upper Boggy Creek Neighborhood Planning Area
Vertical Mixed Use (VMU) Opt-In/Opt-Out Process
Tract Map, C14-2009-0102 EXHIBIT A**

0 500 1,000 2,000 Feet



Produced by City of Austin
Planning & Development Review Dept.
August 27, 2009

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-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

OPERATOR: S. MEEKS

ZONING EXHIBIT B

ZONING CASE#: C14-2009-0102
 ADDRESS: UPPER BOGGY CREEK
 PLANNING AREA
 SUBJECT AREA: 51.39 ACRES
 GRID: K23-25 & L24
 MANAGER: J. BROWNING



1" = 800'

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