

ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0081

P.C. DATE: June 22, 2010

ADDRESS: 1010 East Cesar Chavez Street

OWNER: 1010 Cesar Chavez, LLC. (Cody Symington) 512-968-6032

AGENT: Thrower Design, (Ron Thrower) 512-476-4456

ZONING FROM: CS-MU-CO-NP

TO: CS-MU-CO-NP – The Applicant is proposing to change the Conditional Overlay that applies to the property. The specific change requested is to make the Restaurant (limited) and Restaurant (general) uses permitted uses. The uses are currently conditional uses. All other prohibited and conditional uses will remain intact.

SITE AREA: 0.292 acres

SUMMARY STAFF RECOMMENDATION: The staff recommendation is to grant the change from CS-MU-CO-NP (General Commercial Services district - Mixed Use - Conditional Overlay - Neighborhood Plan) to CS-MU-CO-NP (General Commercial Services district - Mixed Use - Conditional Overlay - Neighborhood Plan). The zoning change will amend the conditional overlay to allow Restaurant (limited) and Restaurant (general) uses as permitted uses. The uses are currently conditional uses. All other prohibited and conditional uses defined in the East Cesar Chavez Neighborhood Plan rezonings will remain intact. The conditional overlay will limit the number of vehicle trips to less than 2,000 per day.

SUMMARY PLANNING COMMISSION RECOMMENDATION: On June 22, 2010, the Planning Commission *APPROVED* staff's recommendation of General Commercial Services – Mixed Use – Conditional Overlay – Neighborhood Plan (CS-MU-CO-NP) district zoning to change a condition of zoning on the Consent Agenda by Commissioner Danette Chimenti's motion, Commissioner Ben Deleon seconded the motion on a vote of 8-0; Commissioner Dave Anderson was absent.

ISSUES: The East Cesar Chavez Neighborhood Planning Team has provided a letter in support of the proposed rezoning which is attached to the back of the staff report. As a condition of support from the Planning Team, the applicant has agreed to maintain the existing building and the residential component.

DEPARTMENT COMMENTS: The subject site is located on the northwest corner of Cesar Chavez and Medina Street with an alley abutting the site to the north. The property is currently developed with a one-story structure that has an attached residential unit to the rear. An office previously occupied the structure, but it is currently vacant. There is also a two-story detached structure located towards the rear of the property which contains storage on the first floor and residential units on the second floor. Access to the site is taken from Medina Street.

The applicant is requesting a change to the existing conditional overlay that would make Restaurant (limited) and Restaurant (general) permitted uses, in order to convert the unoccupied portion of the

existing one-story structure (approximately 2,200 square feet) into a restaurant. The existing façade of the structure and the attached rear residential unit will be maintained and all other prohibited and conditional uses will remain intact. A conceptual site plan is provided in Exhibit A.

The staff recommendation is to approve the amendment to the conditional overlay and permit the restaurant uses. The applicant will not alter the exterior of the existing building which will retain the character of the neighborhood and the residential component will also remain thereby protecting the affordable housing on site. Hence, the proposed renovation is consistent with two key components of The East Cesar Chavez Neighborhood Plan. Additionally, the Terrazas Library directly across the street from the subject tract underwent a significant expansion and redevelopment in 2003 and a substantial portion of the blocks to the east and west have also been redeveloped. The rezoning to allow restaurant as a permitted use on this portion of East Cesar Chavez Street, a core transit corridor, would be in character with the surrounding area where there are also other restaurants and commercial uses.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|---------------|--|
| <i>Site</i> | CS-MU-CO-NP | Office; Residential |
| <i>North</i> | SF-3-NP | Church |
| <i>East</i> | CS-MU-CO-NP | Office |
| <i>South</i> | P-NP | Civic (Terrazas Library) |
| <i>West</i> | CS-MU-CO-NP | Commercial (Big Red Sun Nursery, Laundry Facility) |

NEIGHBORHOOD PLAN AREA: East Cesar Chavez

TIA: Is not required.

WATERSHED: Waller Creek; Town Lake

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: Yes

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

PODER People Organized in Defense of Earth & Her Resources
 East Cesar Chavez Neighborhood Planning Team
 East Cesar Chavez Neighborhood Association
 Guadalupe Neighborhood Development Corporation
 Austin Neighborhood Council
 Sentral Plus East Austin Koalition (SPEAK)
 El Concilio Coalition of Mexican American Neighborhood Association
 Barrio Unido Neighborhood Association
 Home Builders Association of Greater Austin
 League of Bicycling Voters
 Austin Parks Foundation
 East River City Citizens
 Homeless Neighborhood Association
 Del Valle Community Coalition
 Greater East Austin Neighborhood Association
 United East Austin Coalition

Austin Monorail Project
 Super Duper Neighborhood Objectors and Appealers Organization
 The Real Estate Council of Austin, Inc.
 Tejano Town
 Sierra Club, Austin Regional Group

CASE HISTORIES:

The East Cesar Chavez Neighborhood Plan rezonings were approved by Council in May 1999 (C14-00-2102). The subject property was designated as Tract 60 in the Neighborhood Plan rezonings. Please refer to Exhibit B.

RELATED CASES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|---|---------------------------------------|--|---|
| C14-95-0086 1111 E CESAR CHAVEZ ST FIRST & WALLER (HEALTH DEPARTMENT) | From LR and CS to P | 7/25/1995 APVD P AS REQUESTED (7-0-1) | 8/24/1995 APVD P (5-0); ALL 3 RDGS |
| C14-02-0077 1025 E CESAR CHAVEZ ST TERRAZAS BRANCH EXPANSION | SF-3-NP and CS-MU-CO NP to P-NP | 9/25/2002 APVD STAFF REC OF P-NP BY CONSENT (8-0) | 10/10/2002 APVD P- NP (7-0); ALL 3 RDGS |

ABUTTING STREETS:

| Name | ROW | Pavement | Classification | Sidewalks | Bike Plan | Bus Routes |
|----------------|-----|----------|----------------|-----------|--------------------------------------|------------|
| E Cesar Chavez | 60' | 36' | Arterial | Yes | Shared Lane Exist/ Recommended | Yes |
| Medina | 60' | 28' | Local | No | None Exist/ Recommended | |

CITY COUNCIL DATE: July 29, 2010

ACTION: N/A

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:




CASE MANAGER: Joi Harden

PHONE: 974-2122

E-MAIL: joi.harden@ci.austin.tx.us;



Legend

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING

ZONING

CASE NUMBER: C14-2010-0081
ADDRESS: 1010 E CESAR CHAVEZ ST
GRID: J21
CASE MGR: JOI HARDEN

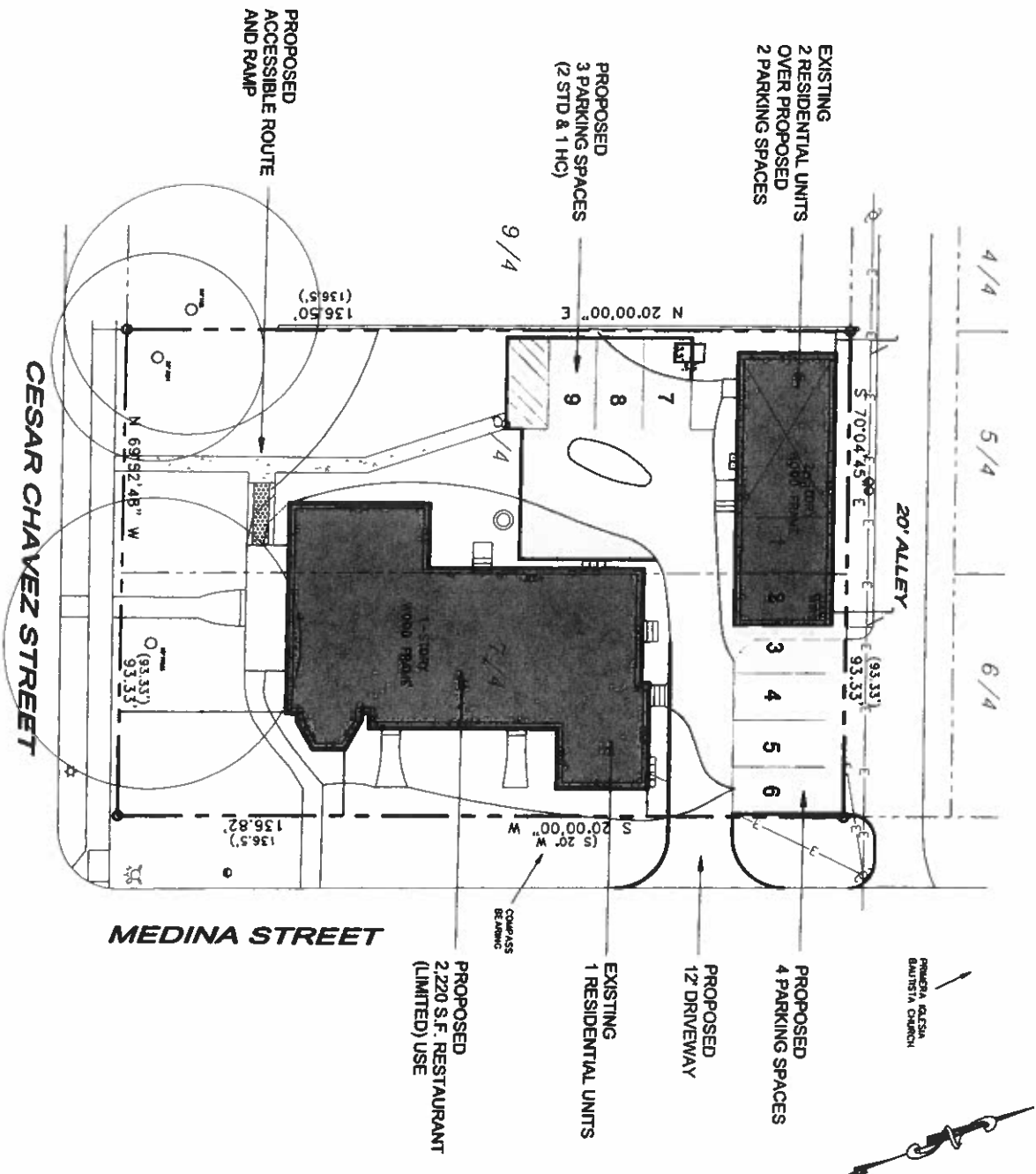


This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



C14-2010-0081 1010 E Cesar Chavez ST
From CS-MU-CO-NP to CS-MU-CO-NP
(The request is to make Restaurant (limited and general)
permitted uses).





SUMMARY STAFF RECOMMENDATION

The staff recommendation is to grant the change from CS-MU-CO-NP (General Commercial Services district - Mixed Use - Conditional Overlay - Neighborhood Plan) to CS-MU-CO-NP (General Commercial Services district - Mixed Use - Conditional Overlay - Neighborhood Plan). The zoning change will amend the conditional overlay to allow Restaurant (limited) and Restaurant (general) uses as permitted uses. The uses are currently conditional uses. All other prohibited and conditional uses will remain intact. The conditional overlay will limit the number of vehicle trips to less than 2,000 per day.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

CS – General Commercial Services district is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments.

MU – Mixed Use combining district is intended for combination with selected base districts, in order to permit any combination of office retail, commercial, and residential uses within a single development. Allows development of all types of residential uses, including single-family residential, multifamily residential, and townhouses.

CO – Conditional Overlay combining district is a type of zoning district that is used in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulation by requiring standards tailored to individual properties.

NP – Neighborhood Plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

The Applicant is proposing to change the Conditional Overlay that applies to the property. The specific change requested is to make the Restaurant (limited) and Restaurant (general) uses permitted. The uses are currently conditional uses. Because the applicant will not alter the exterior of the structure, and the residential component remains, staff supports the rezoning since it is in keeping with the spirit of the East Cesar Chavez Neighborhood Plan.

- 2. Zoning changes should promote an orderly and compatible relationship among land uses.*

The proposed rezoning will allow for reasonable use of the site while maintaining the character of the surrounding area. Staff recommends rezoning based on its compatibility with the character of the surrounding area.

EXISTING CONDITIONS

Site Characteristics

The subject site is developed with a one-story structure that has an attached residential unit to the rear. There was an office previously located in the structure, but currently the structure is unoccupied. There is also a two-story detached structure located towards the rear of the property which contains storage on the first floor and residential units on the second floor. The structures are developed across two lots facing Cesar Chavez and there is an alley that abuts the property to the rear. The site is relatively flat and lightly vegetated.

Impervious Cover

The maximum impervious cover allowed by the CS zoning is 95%, based on the more restrictive zoning regulations.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller Creek Watershed and the Town Lake Watershed of the Colorado River Basin, which are classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

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.

According to flood plain maps, there is no flood plain within the project area.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

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

Transportation

No additional right-of-way is needed at this time.

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]

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The

landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan Review

This site is in a Capital View Corridor(s), and any construction will require a Capital View Corridor review, which is a separate application and review process.

Site plans will be required for any new development other than single-family or duplex residential.

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.

Compatibility Standards

- a. The site is subject to compatibility standards. Along the North and East property lines, the following standards apply:
- b. No structure may be built within 25 feet of the property line.
- c. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- d. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- e. No parking or driveways are allowed within 25 feet of the property line.
- f. A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- g. For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- h. An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- i. Additional design regulations will be enforced at the time a site plan is submitted.

East Cesar Chavez Neighborhood Planning Team
1511 Haskell Street
Austin, Texas 78702
Jeff Thompson, Planning Team Vice-Chair, Land Use/Design Committee Co-Chair
512-314-1830
jeffreylthompson@yahoo.com

June 11, 2010

Letter of Support for Conditional Use request for 1010 E. Cesar Chavez

To all concerned:

I am writing to confirm East Cesar Chavez Neighborhood Planning Team support of a removal of the conditional use restraint for the restaurant use for 1010 E. Cesar Chavez Street in the East Cesar Chavez Neighborhood Planning Area if the restaurant use can be limited to the existing main building.

Mary Jenkins and Cody Symington presented their plans for this business to the East Cesar Chavez Neighborhood Planning Team on several occasions.

First they met with the team's Land Use and Design Committee on February 24, 2010 at Café Mundi. They presented their plans again to the entire Neighborhood Planning Team on April 21, 2010 at a meeting held in the Terrazas Library. The planning team endorsed the conditional restaurant use request by unanimous vote.

Ms. Jenkins and Mr. Symington, joined by Ron Thrower, then returned to the Neighborhood Planning Team Meeting on May 19, 2010. They explained that they felt it would be better to have the zoning changed to remove the conditional use. Mr. Thrower explained that the change could be structured in a way that restaurant use can be interiorly limited to the existing main building and maintain a residential component. The team endorsed the zoning changes under these conditions by unanimous vote.

The current plans provide a coffee shop to serve the local community and housing while preserving the historic character of the neighborhood. A small restaurant would encourage pedestrian traffic on the street and probably provide a boost to other neighborhood businesses such as the nearby cleaners and bookstore.

In addition, an outdoor seating area could provide additional "eyes on the street."

Because of the close vicinity to family homes, the team did feel it was important that the restaurant would not apply for an Outdoor Music Venue permit or Late Hours permit. Ms. Jenkins and Mr. Symington assured us that they would not seek these changes.

For more information, I can be reached at 512-314-1830.

Sincerely,

Jeffrey L. Thompson
Co-Chair, Land Use/Design Committee
East Cesar Chavez Neighborhood Planning Team

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

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: C14-2010-0081

Contact: Joi Harden, 512-974-2122

Public Hearing: June 22, 2010, Planning Commission
July 29, 2010, City Council

Erica Heldeprew
Your Name (please print)

1048 Medina
Your address(es) affected by this application

☒ I am in favor
☐ I object

[Signature]
Signature

6-15-10
Date

Daytime Telephone: 512-680-1664

Comments:

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

City of Austin

Planning & Development Review Department

Joi Harden

P. O. Box 1088

Austin, TX 78767-8810

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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: C14-2010-0081

Contact: Joi Harden, 512-974-2122

Public Hearing: June 22, 2010, Planning Commission
July 29, 2010, City Council

Your Name (please print)

ELUANA SANDOVAL

☒ I am in favor
☐ I object

Your address(es) affected by this application

1004 E 21st St.

Signature

Date

Daytime Telephone: 512-468-7157

Comments:

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

City of Austin

Planning & Development Review Department

Joi Harden

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C14-2010-0081

Contact: Joi Harden, 512-974-2122

Public Hearing: June 22, 2010, Planning Commission
July 29, 2010, City Council

DELFINO POZAS
Your Name (please print)

☒ I am in favor
☐ I object

Your address(es) affected by this application

Delphine Pozas *613-10*
Signature Date

Daytime Telephone: *632 4400*

Comments:

I am in favor

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

City of Austin
Planning & Development Review Department
Joi Harden
P. O. Box 1088
Austin, TX 78767-8810

ORDINANCE NO. 001214-20

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 25-2 OF THE CITY CODE FOR APPROXIMATELY 443 ACRES OF LAND, GENERALLY KNOWN AS THE EAST CESAR CHAVEZ NEIGHBORHOOD PLAN (NP) COMBINING DISTRICT, WHOSE BOUNDARIES ARE THE ALLEY BETWEEN EAST 6TH STREET AND EAST 7TH STREET ON THE NORTH, CHICON STREET ON THE EAST, TOWN LAKE ON THE SOUTH AND INTERSTATE HIGHWAY 35 ON THE WEST, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

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 90 tracts of land within the property described in File C14-00-2102, as follows:

Approximately 443 acres of land, in the City of Austin, Travis County, Texas, including 90 tracts more particularly described and identified in the chart below and the attached Exhibit "A", (the "Property")

generally known as the East Cesar Chavez Neighborhood Plan (NP) combining district, locally known as the property bounded by the alley between East 6th Street and East 7th Street on the north, Chicon Street on the east, Town Lake on the south and Interstate Highway 35 on the west, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "B".

PART 2. The base zoning districts for the 90 tracts of land are changed from Limited Office (LO) district, Neighborhood Commercial (LR) district, Community Commercial (GR) district, General Commercial Services (CS) district, Commercial-Liquor Sales (CS-1) district, General Commercial Services-Historic (CS-H) district, and Limited Industrial Services (LI) district to Limited Office-Mixed Use-Conditional Overlay-Neighborhood Plan (LO-MU-CO-NP) combining district, Neighborhood Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan (LR-MU-CO-NP) combining district, Community Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan (GR-MU-CO-NP) combining district, General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan (CS-MU-CO-NP) combining district, Commercial-Liquor Sales-Mixed Use-Conditional Overlay-Neighborhood Plan (CS-1-MU-CO-NP) combining district, General Commercial Services-Historic-Mixed

Use-Conditional Overlay-Neighborhood Plan (CS-H-MU-CO-NP) combining district, and Limited Industrial Services-Conditional Overlay-Neighborhood Plan (LI-CO-NP) combining district, as more particularly described and identified in the chart below.

| TRACT # | ADDRESSES | FROM | TO |
|----------|---|------------------|---|
| TRACT 1 | 816 E. 6 th Street | CS-1 | CS-1-MU-CO-NP |
| TRACT 2 | 906 & 910 E. 6 th Street | CS-1 | CS-1-MU-CO-NP |
| TRACT 3 | 1000, 1008 E. 6 th Street, 1010, & 1016 E. 6 th Street | LI CS-1 | LI-CO-NP CS-1-MU-CO-NP |
| TRACT 4 | 1100, 1102, 1104, 1112, 1108, & 1112 6 th Street, 603 Medina Street, 602 Waller Street | CS-1 | CS-1-MU-CO-NP |
| TRACT 5 | 1200, 1202, 1204, & 1212 E. 6 th Street | CS-1 | CS-1-MU-CO-NP |
| TRACT 6 | 1300, 1302, 1304, 1306, 1308, & 1310 E. 6 th Street | CS-1 | CS-1-MU-CO-NP |
| TRACT 7 | 1400, 1408, 1410, & 1412 E. 6 th Street, 600 & 602 Onion Street | CS-1 | CS-1-MU-CO-NP |
| TRACT 8 | 1500, 1504, 1510, & 1512 E. 6 th Street | CS-1 | CS-1-MU-CO-NP |
| TRACT 9 | 1600, 1604, 1606, 1614, 1618, 1620, & 1648 E. 6 th Street | CS-1 | CS-1-MU-CO-NP |
| TRACT 10 | 1700, 1702B, 1706, 1708, 1800, 1802, 1812, 1814, & 1816 E. 6 th Street | CS-1 | CS-1-MU-CO-NP |
| TRACT 11 | 805, 809, & 815 E. 6 th Street | CS-1 | CS-1-MU-CO-NP |
| TRACT 12 | 901, 911, & 917 E. 6 th Street | CS-1 | CS-1-MU-CO-NP |
| TRACT 13 | 1001, 1003, 1009, 1013, 1015, & 1019 E. 6 th Street | CS-1 | CS-1-MU-CO-NP |
| TRACT 14 | 1101, 1105, 1111, & 1113 E. 6 th Street | CS-1 | CS-1-MU-CO-NP |
| TRACT 15 | 1201, 1205, 1209, 1211, 1213, & 1221 E. 6 th Street | CS-1 | CS-1-MU-CO-NP |
| TRACT 16 | 1305, 1307, & 1313 E. 6 th Street | CS | CS-1-MU-CO-NP |
| TRACT 17 | 1403, 1405, & 1409 E. 6 th Street | CS-1 | CS-1-MU-CO-NP |
| TRACT 18 | 1501, 1509, & 1511 E. 6 th Street 1506 E. 5 th Street 500 Comal Street | CS-1 LI | CS-1-MU-CO-NP CS-MU-CO-NP |
| TRACT 19 | 1601 & 1645 E. 6 th Street | CS CS-1 LI | CS-MU-CO-NP CS-1-MU-CO-NP CS-MU-CO-NP |
| TRACT 20 | 1701, 1705, 1707, 1709, 1715, 1805, 1809, & 1817 E. 6 th Street 1700, 1702, 1704, & 1707 E. 5 th Street, 500 Chicon Street | CS-1 LI | CS-1-MU-CO-NP CS-MU-CO-NP |
| TRACT 21 | 814 E. 5 th Street | LI | CS-MU-CO-NP |
| TRACT 22 | 900 & 906 E. 5 th Street, 500 San Marcos Street | LI | CS-MU-CO-NP |
| TRACT 23 | 1000 E. 5 th Street | LI | CS-MU-CO-NP |
| TRACT 24 | 1100, 1108, & 1110 E. 5 th Street, 504 Waller Street | LI | CS-MU-CO-NP |
| TRACT 25 | 501 Waller Street 1210 E. 5 th Street | LI | CS-MU-CO-NP |
| TRACT 26 | 500 Navasota Street | LI | CS-MU-CO-NP |
| TRACT 27 | 501 Navasota Street 1402, 1406, & 1410 E. 5 th Street 502 Onion Street | LI | CS-MU-CO-NP |
| TRACT 28 | 800 E. 4 th Street | LI | CS-MU-CO-NP |
| TRACT 29 | 901 E. 5 th Street | LI | CS-MU-CO-NP |

| TRACT # | ADDRESSES | FROM | TO |
|----------|--|------------------|---------------------------------|
| TRACT 30 | 1000 E. 4 th Street | LJ | CS-MU-CO-NP |
| TRACT 31 | 1101 E. 5 th Street | LJ | CS-MU-CO-NP |
| TRACT 32 | 1201 E. 5 th Street | LJ | CS-MU-CO-NP |
| TRACT 33 | 1301 E. 5 th Street 1308 & 1312 E. 4 th Street | LJ | CS-MU-CO-NP |
| TRACT 34 | 1400 Block of E. 5 th Street | LI | CS-MU-CO-NP |
| TRACT 35 | 1400 E. 4 th Street | LI | CS-MU-CO-NP |
| TRACT 36 | 1500 & 1510 E. 4 th Street | LI | CS-MU-CO-NP |
| TRACT 37 | 1516 E. 4 th Street 1508 E. 4 th Street | CS LI | CS-MU-CO-NP CS-MU-CO-NP |
| TRACT 38 | 1600, 1602, 1604, 1606, 1608, & 1610 E. 4 th Street | CS | CS-MU-CO-NP |
| TRACT 39 | 1624 E. 4 th Street 1601 E. 5 th Street, 1700 E. 4 th Street, & 410 Chicon Street | CS LI | CS-MU-CO-NP CS-MU-CO-NP |
| TRACT 40 | 807 E. 4 th Street | LJ | CS-MU-CO-NP |
| TRACT 41 | 901, 905, 911, 915, & 919 E. 4 th Street | LI | CS-MU-CO-NP |
| TRACT 42 | 300 Medina Street | LI | CS-MU-CO-NP |
| TRACT 43 | 1104, 1107, 1109, 1115 & 1119 East 4 th Street | LJ | CS-MU-CO-NP |
| TRACT 44 | 1201, 1205, 1207, 1209, & 1217 E. 4 th Street 300 Block of Attoyac Street | LI | CS-MU-CO-NP |
| TRACT 45 | 1301, 1303, 1305, 1307, 1309, & 1311 E. 4 th Street | LI | CS-MU-CO-NP |
| TRACT 46 | 1405, 1407 E. 4 th Street 1414 E. 3 rd Street 300 Block of Onion Street 1409 E. 4 th Street and 0 Onion Street | LI LI | CS-MU-CO-NP LI-CO-NP |
| TRACT 47 | 310 Comal Street | CS | CS-MU-CO-NP |
| TRACT 48 | 807 E. 4 th Street | CS | CS-MU-CO-NP |
| TRACT 49 | 900, 904, 908, 910, 912, 914, 916, & 918 E. 3 rd Street, 305 Brushy Street, 300 Block of San Marcos Street | LJ | CS-MU-CO-NP |
| TRACT 50 | 300 Medina Street | LJ | CS-MU-CO-NP |
| TRACT 51 | 1100 E. 3 rd Street | LI | CS-MU-CO-NP |
| TRACT 52 | 1200 & 1206 E. 3 rd Street | CS | CS-MU-CO-NP |
| TRACT 53 | 1212 E. 3 rd Street | GR | GR-MU-CO-NP |
| TRACT 54 | 1700 & 1710 E. 2 nd Street, 1707 E. 3 rd Street | CS | CS-MU-CO-NP |
| TRACT 55 | 1807 E. 3 rd Street | CS | CS-MU-CO-NP |
| TRACT 56 | 201, 203, & 205 Salina Street | CS | CS-MU-CO-NP |
| TRACT 57 | 200, 202 & 204 Chicon Street | CS | CS-MU-CO-NP |
| TRACT 58 | 104 Brushy Street | CS | CS-MU-CO-NP |
| TRACT 59 | 900, 902, 904, 908 & 910 East César Chávez Street | CS | CS-MU-CO-NP |
| TRACT 60 | 1000 & 1002 East César Chávez Street 1004, 1006, 1008 & 1010 East César Chávez Street | CS-H CS | CS-H-MU-CO-NP CS-MU-CO-NP |
| TRACT 61 | 1100, 1102, 1104, 1108, 1110, & 1114 East César Chávez Street | CS | CS-MU-CO-NP |
| TRACT 62 | 1200, 1202, 1204, 1206, 1208, & 1210 East César Chávez Street | CS | CS-MU-CO-NP |
| TRACT 63 | 1300, 1302, 1304, 1306, 1308, & 1312 East César Chávez Street | CS | CS-MU-CO-NP |
| TRACT 64 | 1400, 1402, 1408, 1410, 1500, 1506, 1510 East César | CS | CS-MU-CO-NP |

| TRACT # | ADDRESSES | FROM | TO |
|----------|---|-------------------------|--|
| | Chávez Street | | |
| TRACT 65 | 1602 East Cesar Chavez Street 1601 & 1605 E. 2 nd Street 1631 E. 2 nd Avenue 1622, 1634, & 1642 East César Chávez Street | CS-H CS | CS-II-MU-CO-NP CS-MU-CO-NP |
| TRACT 66 | 1713 E. 2 nd Street 104 & 106 Chicon Street 1708, 1800, 1802, 1804, & 1808 East César Chávez Street | CS | CS-MU-CO-NP |
| TRACT 67 | 901, 905, 907, 909, & 913 East César Chávez Street | CS | CS-MU-CO-NP |
| TRACT 68 | 806 Willow Street | LO | LO-MU-CO-NP |
| TRACT 69 | 1005, 1009, 1013, 1017, 1021, 1023, & 1101 East César Chávez Street | CS | CS-MU-CO-NP |
| TRACT 70 | 1201, 1205, 1207, 1209, 1211, 1301, 1303, 1305, 1307, & 1311 East César Chávez Street | CS | CS-MU-CO-NP |
| TRACT 71 | 1401, 1403, 1405, 1407, 1409, 1501, 1503, 1505, 1507, & 1509 East César Chávez Street | CS | CS-MU-CO-NP |
| TRACT 72 | 1601, 1603, 1605, 1607, 1609, 1611, 1615, & 1621 East César Chávez Street | CS | CS-MU-CO-NP |
| TRACT 73 | 1701 East César Chávez Street 1703, 1711, 1717, 1801, 1803, 1805 East Cesar Chavez, 98 Chicon Street 1807 East César Chávez Street | CS-I CS CS-II | CS-I-MU-CO-NP CS-MU-CO-NP CS-II-MU-CO-NP |
| TRACT 74 | 61 Interstate Highway 35 North | LR | LR-MU-CO-NP |
| TRACT 75 | 1308 & 1314 Holly Street 1311 Taylor Street 62 Navasota Street | CS | CS-MU-CO-NP |
| TRACT 76 | 62, 64, & 66 Comal Street 1514 Holly Street | LO CS | LO-MU-CO-NP CS-MU-CO-NP |
| TRACT 77 | 1600 & 1602 Holly Street 63 Comal Street | CS | CS-MU-CO-NP |
| TRACT 78 | 57 San Marcos | GR | GR-MU-CO-NP |
| TRACT 79 | 55 East Avenue 1104 & 1106 Lambie Street | LO CS | LO-MU-CO-NP CS-MU-CO-NP |
| TRACT 80 | 1313 Holly Street | LR | LR-MU-CO-NP |
| TRACT 81 | 1507-1/2, 1509, & 1511 Holly Street | CS | CS-MU-CO-NP |
| TRACT 82 | 1601 & 1603 Holly Street | CS | CS-MU-CO-NP |
| TRACT 83 | 54 Chalmers Avenue | LR | LR-MU-CO-NP |
| TRACT 84 | 1810 Haskell Street | CS | CS-MU-CO-NP |
| TRACT 85 | 1007, 1009, 1011, & 1013 Lambie Street | GR | GR-MU-CO-NP |
| TRACT 86 | 1104, 1102, 1100, 1010, 1012 Claremont Avenue | GR | GR-MU-CO-NP |
| TRACT 87 | 1013, 1101, 1103, 1105, 1107, 1109, & 1111 Claremont Avenue | CS | CS-MU-CO-NP |
| TRACT 88 | 31 Interstate Highway 35 North 1106, 1108, & 1110 Flores Street | CS | CS-MU-CO-NP |
| TRACT 89 | 21 Waller Street | CS | CS-MU-CO-NP |
| TRACT 90 | 46 & 48 Chicon Street | CS | CS-MU-CO-NP |

PART 3. Secondary apartment special use is permitted on lots in residential districts within the boundaries of the NP combining district as set forth in Section 25-2-1463 of the Code.

PART 4. The following applies to a single-family residential use on an existing legal lot:

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 3,500 square feet or less, the impervious coverage may not exceed 65 percent.

PART 5. Tract 1, 906 and 910 E. 6th Street of Tract 2, and Tracts 3 through 90 may be developed as a neighborhood mixed use building special use as set forth in Sections 25-2-1503 and 25-2-1504 of the Code.

PART 6. On Tracts 28 through 90:

1. A structure or portion of a structure constructed may not exceed a height of 40 feet above ground level.
2. Townhouse residential use is prohibited.

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

1. The following uses are prohibited on Tract 1, 906 and 910 E. 6th Street of Tract 2, and Tract 3 through 47:

Adult oriented businesses

Pawn shop services

2. The following uses are prohibited on 1000 and 1008 E. 6th Street of Tract 3 and on 1409 E. 4th Street of Tract 46:

Basic industry

Employee recreation

General warehousing and distribution

Railroad facilities

Recycling center

Resource extraction

Scrap and salvage

3. The following uses are conditional uses on Tract 1, 906 and 910 E. 6th Street of Tract 2, and Tracts 3 through 47:

Automotive sales

Automotive washing (of any type)

Campground

Commercial off-street parking

Convenience storage
Equipment sales
Hotel-motel
Maintenance and service facilities
Vehicle storage
Outdoor entertainment
Transitional housing
Automotive repair services

Drop-off recycling collection facilities
Exterminating services
Kennels
Residential treatment
Hospital services (general)
Club or lodge
Transportation terminal
Communication service facilities

4. The following uses are prohibited on Tracts 48 through 67 and 69 through 73:

Adult oriented businesses
Commercial off-street parking
Convenience storage
Equipment repair services
Kennels
Residential treatment
Outdoor entertainment

Campground
Communication service facilities
Drop-off recycling collection facilities
Equipment sales
Pawn shop services
Vehicle storage
Transportation terminal

5. The following uses are conditional uses on Tracts 48 through 67 and 69 through 73:

Agricultural sales and services
Automotive repair services
Automotive washing (of any type)
College and university facilities
Construction sales and services
Electronic prototype assembly
Guidance services
Hotel-motel
Limited warehousing and distribution
Off-site accessory parking
Research services
Restaurant (limited)
Service station
Club or lodge

Automotive rentals
Automotive sales
Building maintenance services
Communications services
Custom manufacturing
Exterminating services
Hospital services (limited)
Indoor entertainment
Local utility services
Outdoor sports and recreation
Restaurant (drive-in, fast food)
Restaurant (general)
Hospital services (general)
Transitional housing

6. The following uses are prohibited on Tracts 68, 74 through 88 and 90:

Administrative and business offices
Agricultural sales and services
Automotive repair services

Adult oriented businesses
Automotive rentals
Automotive sales

Automotive washing (of any type)
 Business or trade school
 Campground
 Commercial off-street parking
 Communications services
 Consumer convenience services
 Convenience storage
 Drop-off recycling collection facilities
 Equipment repair services
 Exterminating services
 Funeral services
 General retail sales (general)
 Hospital services (limited)
 Indoor entertainment
 Kennels
 Limited warehousing and distribution
 Maintenance and service facilities

Off-site accessory parking
 Pawn shop services
 Plant nursery
 Research services
 Restaurant (drive-in, fast food)
 Restaurant (general)
 Software development
 Veterinary services
 Outdoor entertainment
 Transitional housing

Building maintenance services
 Business support services
 College and university facilities
 Communications service facilities
 Construction sales and services
 Consumer repair services
 Custom manufacturing
 Electronic prototype assembly
 Equipment sales
 Financial services
 General retail sales (convenience)
 Guidance services
 Hotel-motel
 Indoor sports and recreation
 Laundry services
 Local utility services
 Medical offices (exceeding 5,000 s. f.
 of gross floor area)
 Outdoor sports and recreation
 Personal improvement services
 Professional office
 Residential treatment
 Restaurant (limited)
 Service station
 Vehicle storage
 Hospital services (general)
 Club or lodge
 Transportation terminal

7. The following uses are conditional uses on Tracts 68, 74 through 88, and 90:

Art and craft studio (general)
 Congregate living
 Cultural services
 Medical office-not exceeding 5,000
 square feet of gross floor area
 Theater

Art and craft studio (limited)
 Counseling services
 Food sales
 Personal services
 Pet services

8. The following uses are prohibited on Tract 89:

Adult oriented businesses

Automotive repair services

Automotive sales
Commercial off-street parking
Communications services
Convenience storage
Equipment repair services
Limited warehousing and distribution
Maintenance and service facilities
Outdoor sports and recreation
Hospital services (general)

Automotive washing (of any type)
Communication service facilities
Construction sales and services
Drop-off recycling collection facilities
Equipment sales
Local utility services
Off-site accessory parking
Vehicle storage
Transportation terminal

9. The following uses are conditional uses on Tract 89:

Automotive rentals
Outdoor entertainment
Transitional housing

Hospital services (limited)
Club or lodge

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

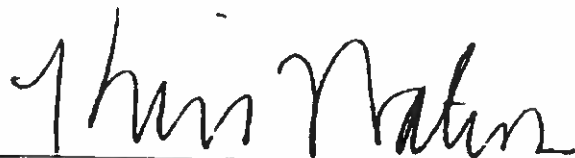
PART 8. The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 9. This ordinance takes effect on December 25, 2000.

PASSED AND APPROVED

December 14, 2000

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§
§



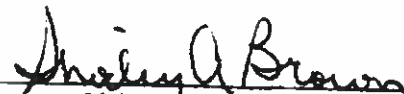
Kirk Watson
Mayor

APPROVED:

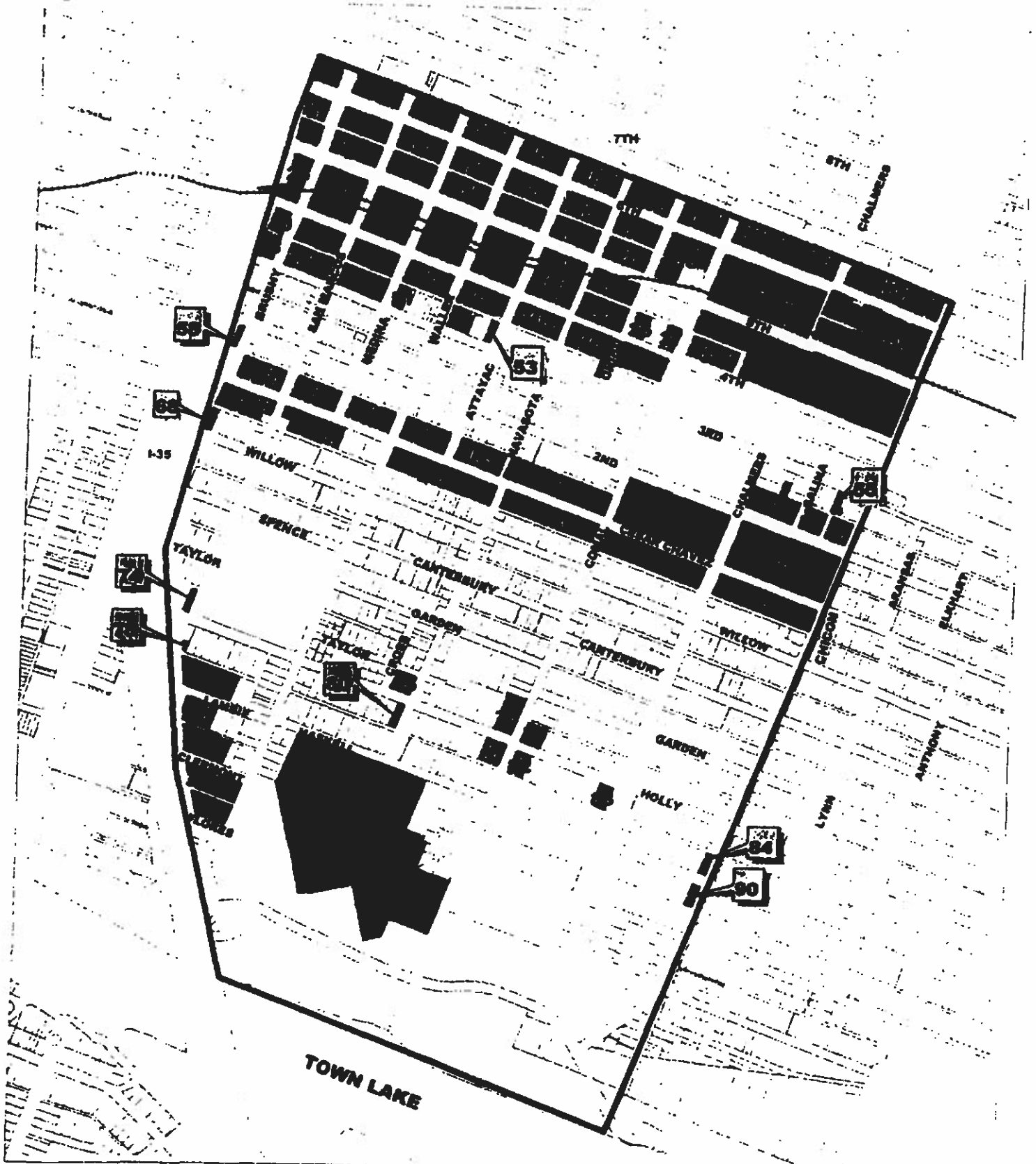


Andrew Martin
City Attorney

ATTEST:



Shirley A. Brown
City Clerk



**East César Chávez Planning Area
Commercial and Industrial Parcels
Proposed for Rezoning Case # C14-00-2102**

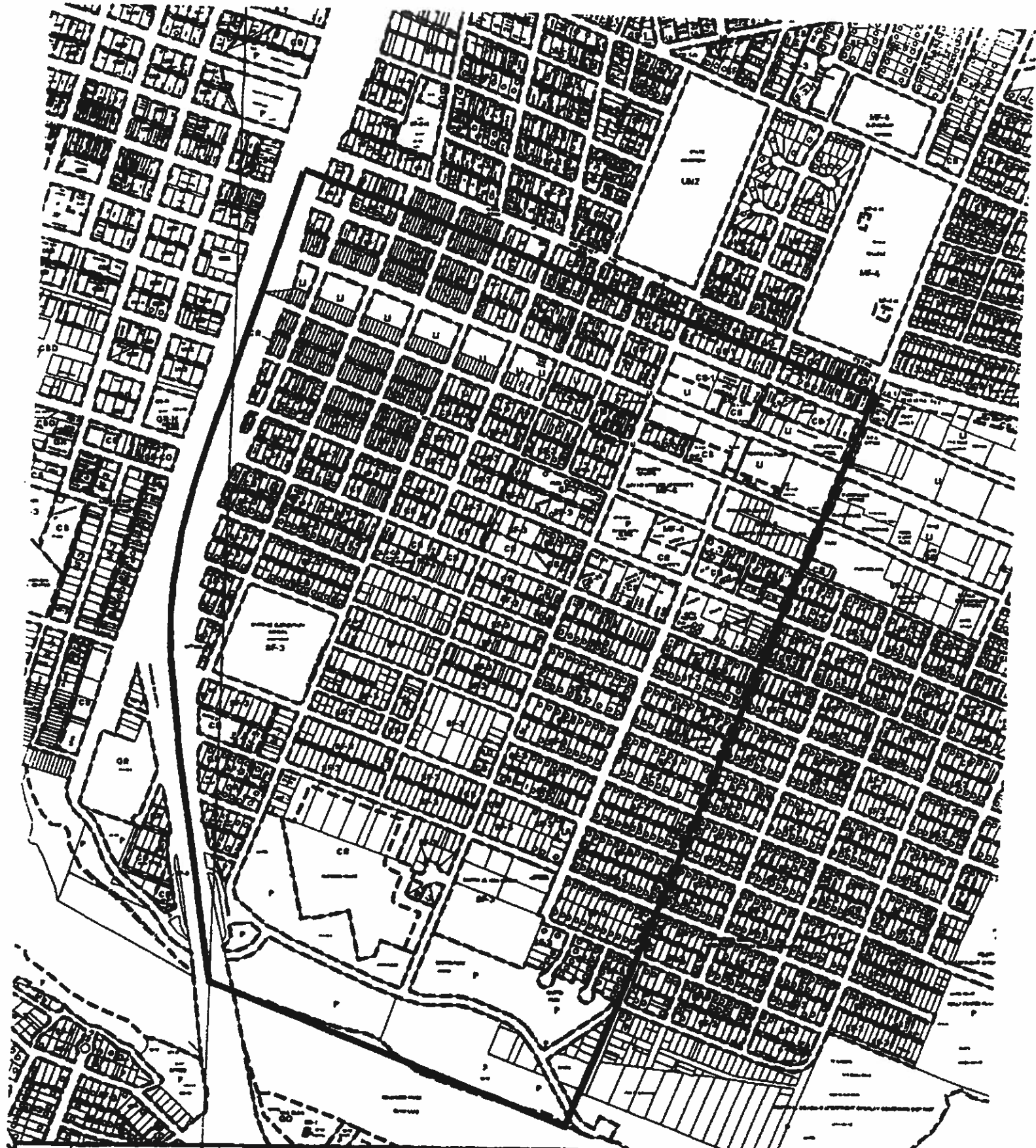






PECD
Neighborhood Planning
Plotted: November 22, 2000
Adopted by Ordinance: May 13, 1999

EXHIBIT A

- Planning Area Boundary
- Railroad
- Tracts Proposed for Rezoning
- Other tracts - On some residential lots, construction of "secondary apartments" would be permitted. The city would also allow new construction on existing small lots that do not meet minimum lot standards.





| | | | | | |
|---|---|---|-------------------------|-------------|----------------------------------|
|  1" = 800' | SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: A.SMITH |    | ZONING EXHIBIT B | | CITY GRID REFERENCE NUMBER |
| | CASE #: C14-00-2102 | | | DATE: 00-08 | J20,21,22 K2 |
| | ADDRESS: E.CAESAR CHAVEZ | | | INTLS: TRC | 0,21,22 |
| | NEIGHBORHOOD COMBINING DISTRICT SUBJECT AREA (acres): NA | | | | |