

**ORDINANCE NO. 20180412-036**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 8103 AND 8121 SOUTH CONGRESS AVENUE FROM LIMITED INDUSTRIAL SERVICES-CONDITIONAL OVERLAY (LI-CO) COMBINING DISTRICT TO MULTIFAMILY RESIDENCE MODERATE-HIGH DENSITY-CONDITIONAL OVERLAY (MF-4-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 limited industrial services-conditional overlay (LI-CO) combining district to multifamily residence moderate-high density-conditional overlay (MF-4-CO) combining district on the property described in Zoning Case No. C14-2017-0141, on file at the Planning and Zoning Department, as follows:

Lots 1B and 2B, Mrs. Rosa J. Spillmann Estate subdivision, a subdivision in Travis County, Texas, as recorded in Volume 8, Page 15 of the Plat Records of Travis County, Texas (the "Property"),

locally known as 8103 and 8121 South Congress Avenue in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit "A"**.

**PART 2.** In this ordinance, the Hazardous Materials Property means Lot 1, Block A of the Capital Area Food Bank, as recorded in Volume 96, Page 343, of the Plat Records of Travis County, Texas.

**PART 3.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. Residential dwelling units are prohibited on the Property south of a line that is 250 feet north of the existing 1001-2000 gallon aggregate water capacity liquefied petroleum gas (LPG) storage tank installation which is located on the Hazardous Materials Property, as illustrated in **Exhibit "B"** (the "Hazardous Setback"), unless at the time of development application the Austin Fire Department ("AFD") makes an affirmative determination that the Hazardous Setback is no longer needed to protect the public from hazardous materials. If AFD makes such a determination, residential dwelling units are permitted on the Property according to the setbacks in the base zoning district.

- B. A site plan or building permit for a residential use on the Property may not be approved, released, or issued, nor shall the Property be developed with residential dwelling units, until the Property has been surveyed by a licensed surveyor to determine the precise location of the Hazardous Setback.

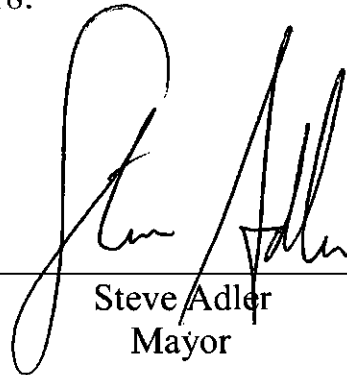
**PART 4.** Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the multifamily residence moderate-high density (MF-4) district and other applicable requirements of the City Code.

**PART 5.** This ordinance takes effect on April 23, 2018.

**PASSED AND APPROVED**

\_\_\_\_\_, April 12, 2018

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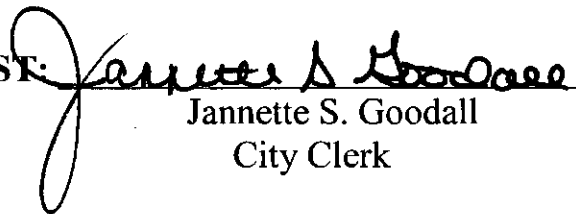
  
\_\_\_\_\_  
Steve Adler  
Mayor

**APPROVED:**



Anne L. Morgan  
City Attorney

**ATTEST:**

  
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Jannette S. Goodall  
City Clerk



