

**ORDINANCE NO. 20220728-167**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2011 AND 2015 E M FRANKLIN AVENUE IN THE EAST MLK COMBINED NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO MULTIFAMILY RESIDENCE MEDIUM DENSITY-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (MF-4-CO-NP) COMBINING DISTRICT ON TRACT 1 AND NEIGHBORHOOD COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LR-MU-CO-NP) COMBINING DISTRICT ON TRACT 2.**

**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 family residence-neighborhood plan (SF-3-NP) combining district to multifamily residence medium density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district on Tract 1 (2011 E M Franklin Avenue) and neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district on Tract 2 (2015 E M Franklin Avenue) on the property described in Zoning Case No. C14-2022-0008.SH, on file at the Housing and Planning Department, as follows:

**Tract 1:**

Lot 7, Block 2, CREST HAVEN ADDITION, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 502, Page 425, of the Plat Records of Travis County, Texas; and

**Tract 2:**

Lot 6-B, REBSUDIVISION OF LOT 6, BLOCK 2 OF CREST HAVEN ADDITION, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 30, Page 50 of the Plat Records of Travis County, Texas; and

(Tract 1 and Tract 2 collectively, the “Property”),

locally known as 2011 and 2015 E M Franklin Avenue in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit “A”**.

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

- A. Prior to site plan approval or at the time of redevelopment on the Property, a 0.7 acre building setback area shall be designated and maintained along the eastern property line. Only those improvements required by the City of Austin or specifically authorized in this ordinance shall be permitted within the building setback area.
- B. The maximum impervious cover on the property is 65 percent.
- C. The following conditions apply to Tract 1:
  - 1. A 25-foot building setback ("25-foot setback") shall be established and maintained along the southern property line that is adjacent to property developed or zoned residential. The 25-foot setback shall include a 15-foot wide vegetative buffer that is parallel to and measured from the southern property line at a minimum distance of 185 feet, as measured from the eastern property line. Improvements permitted within the vegetative buffer area are limited to drainage, underground utility improvements, or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
  - 2. Except as provided in B. 3., the maximum height of a building or structure shall not exceed 40 feet or three-stories.
  - 3. Within 26 to 84 feet of the southern property line that is adjacent to property developed or zoned residential, the maximum height of a building or structure shall not exceed 30 feet or two-stories.

**PART 3.** Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for multifamily residence medium density (MF-4) base district (on Tract 1), neighborhood commercial (LR) base district and mixed use (MU) combining district (on Tract 2), and other applicable requirements of the City Code.

**PART 4.** Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 021107-Z-12c that established zoning for the MLK Neighborhood Plan.

**PART 5.** This ordinance takes effect on August 8, 2022.

**PASSED AND APPROVED**

\_\_\_\_\_, 2022      §  
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   §      \_\_\_\_\_  
   Steve Adler  
   Mayor

**APPROVED:** Anne L. Morgan      **ATTEST:** Myrna Rios  
Anne L. Morgan      Myrna Rios  
City Attorney      City Clerk



