

ORDINANCE NO. 20081016-049

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 TRACTS 1-3, 5-8, 10, 18, 21, 26, 27, 30, 31B, 32-36, 38-40, 42, 45, 47, AND 52-57 LOCATED IN THE ZILKER 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 Tracts 4, 9, 11-17, 19, 20, 22-25, 28, 29, 31A, 37, 41, 43, 44, 46, 48, 49, and 50-51 (the "Property") described in Zoning Case No C14-2008-0060, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 70 acres of land in the City of Austin, Travis County, Texas, as shown on in the tract map attached as Exhibit "A" (*Zilker Neighborhood Planning Area*),

located in the Zilker neighborhood planning area, locally known as the area bounded by Lake Bird Lake on the north, the Union Pacific Railroad tracks, West Oltorf Street, and South Lamar Boulevard on the east, Barton Skyway on the south, and Robert E Lee Road, Rabb Road, and Rae Dell Avenue 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 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 community commercial (GR) district, community commercial-mixed use-conditional overlay (GR-MU-CO) combining district, general commercial services (CS) district, general commercial services-conditional overlay (CS-CO) combining district, general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district, commercial-liquor sales (CS-1) district, and commercial-liquor sales-conditional overlay (CS-1-CO) combining district, to community commercial-vertical mixed use building (GR-V) combining district, community commercial-mixed use-vertical mixed use building-conditional overlay (GR-MU-V-CO) combining district, general commercial services-vertical mixed use building

(CS-V) combining district, general commercial services-vertical mixed use building-conditional overlay (CS-V-CO) combining district, general commercial services-mixed use-vertical mixed use building-conditional overlay (CS-MU-V-CO) combining district, commercial-liquor sales-vertical mixed use building (CS-1-V) combining district, and commercial-liquor sales-vertical mixed use building-conditional overlay (CS-1-V-CO) combining district as more particularly described and identified in the chart below

Tract #	TCAD Property ID	COA Address	FROM	TO
4	105141	1900 BARTON SPRINGS RD	CS-CO	CS-V-CO
9	104385	1410 BARTON SPRINGS RD	CS	CS-V
	104386	1418 BARTON SPRINGS RD	CS	CS-V
11	104388	424 S LAMAR BLVD	CS	CS-V
	104389	400 1/2 S LAMAR BLVD	CS	CS-V
		404 S LAMAR BLVD		
12	104379	1412 BUTLER RD	CS	CS-V
		300 S LAMAR BLVD		
		301 1/2 JESSIE ST		
		302 1/2 S LAMAR BLVD		
		302 S LAMAR BLVD		
		319 JESSIE ST		
13	104343	218 S LAMAR BLVD	CS	CS-V
14	104351	ABS 8 SUR 20 DECKER I ACR 632	CS	CS-V
15	104348	319 S LAMAR BLVD	CS-1	CS-1-V
	104349	311 S LAMAR BLVD	CS	CS-V
	104350	221 S LAMAR BLVD	CS	CS-V
16	104390	1200 BARTON SPRINGS RD	CS	CS-V
17	103842	1210 BARTON SPRINGS RD	CS; CS-1	CS-V; CS-1-V
19	Portion of 101862	Portion of 903 S LAMAR BLVD	CS	CS-V
	Portion of 101863	Portion of 901 S LAMAR BLVD	CS	CS-V
	101864	813 S LAMAR BLVD	CS	CS-V
	101865	ABS 8 SUR 20 DECKER I ACR 421	CS	CS-V
	Portion of 101866	Portion of 811 S LAMAR BLVD	GR, CS	GR-V; CS-V
	101867	809 S LAMAR BLVD	GR-MU-CO	GR-MU-V-CO

Tract #	TCAD Property ID	COA Address	FROM	TO
	101868	807 S LAMAR BLVD	GR-MU-CO	GR-MU-V-CO
	Portion of 101869	Portion of 801 S LAMAR BLVD	CS	CS-V
	101870	611 S LAMAR BLVD	CS	CS-V
	101871	609 S LAMAR BLVD	CS	CS-V
	101872	615 S LAMAR BLVD	CS	CS-V
	101873	701 S LAMAR BLVD	CS	CS-V
	101875	705 S LAMAR BLVD	CS	CS-V
		715 1/2 S LAMAR BLVD		
	101876	517 S LAMAR BLVD	CS	CS-V
	101877	719 S LAMAR BLVD	CS	CS-V
	101878	715 S LAMAR BLVD	CS	CS-V
	467333	1209 BARTON SPRINGS RD	CS	CS-V
20	100023	LOT 26-30 BLK 18 SOUTH HEIGHTS	CS	CS-V
	100024	1001 S LAMAR BLVD	CS	CS-V
1007 S LAMAR BLVD				
22	100020	1109 S LAMAR BLVD	CS-1-CO	CS-1-V-CO
	100021	LOT 21-22 BLK 18 SOUTH HEIGHTS	CS-1-CO	CS-1-V-CO
23	100008	1201 S LAMAR BLVD	CS-MU-CO	CS-MU-V-CO
		1205 S LAMAR BLVD		
		1207 1/2 S LAMAR BLVD		
		1207 S LAMAR BLVD		
		1215 S LAMAR BLVD		
	100012	1217 S LAMAR BLVD	CS-MU-CO	CS-MU-V-CO
1221 1/2 S LAMAR BLVD				
24	100013	1311 S LAMAR BLVD	CS	CS-V
	100014	1219 S LAMAR BLVD	CS	CS-V
		1221 S LAMAR BLVD		
		1303 S LAMAR BLVD		
	100015	1407 1/2 S LAMAR BLVD	CS-CO; CS-1-CO; CS	CS-V-CO; CS-1-V-CO; CS-V
		1509 S LAMAR BLVD		
	100018	1403 S LAMAR BLVD	CS-CO	CS-V-CO
	100019	1401 S LAMAR BLVD	CS-CO	CS-V-CO
	100309	1601 S LAMAR BLVD	CS	CS-V
1603 S LAMAR BLVD				
1607 EVERGREEN AVE				

Tract #	TCAD Property ID	COA Address	FROM	TO
		1607 S LAMAR BLVD		
	380392	1515 S LAMAR BLVD	CS	CS-V
25	100293	1803 S LAMAR BLVD	CS	CS-V
	100294	1711 S LAMAR BLVD	CS	CS-V
	100295	1707 S LAMAR BLVD	CS, GR-MU-CO	CS-V; GR-MU-V-CO
	Portion of 100296	Portion of 1705 S LAMAR BLVD	CS	CS-V
	100297	1703 S LAMAR BLVD	CS; GR-MU-CO	CS-V; GR-MU-V-CO
		1704 EVERGREEN AVE		
	100298	1701 S LAMAR BLVD	CS; CS-CO	CS-V, CS-V-CO
	100304	1623 S LAMAR BLVD	CS	CS-V
	100305	1621 S LAMAR BLVD	CS	CS-V
100306	1615 S LAMAR BLVD	CS	CS-V	
28	100279	2005 S LAMAR BLVD	CS	CS-V
		2007 S LAMAR BLVD		
		2019 S LAMAR BLVD		
	Portion of 100280	Portion of W50 FT OF LOT 6 *&E 10 FT OF LOT 7 BLK 1 FREDERICKSBURG ROAD ACRES	CS	CS-V
	Portion of 100281	Portion of 2003 S LAMAR BLVD	CS-CO; CS-MU-CO	CS-V-CO; CS-MU-V-CO
	100287	LOT 8-9 * LESS NE 150X175 FT BLK 1 *LESS N5 FT FREDERICKSBURG ROAD ACRES	CS; CS-MU-CO	CS-V; CS-MU-V-CO
	100288	2027 S LAMAR BLVD	CS	CS-V
		2031 S LAMAR BLVD		
	100289	2001 S LAMAR BLVD	CS	CS-V
	303112	2041 S LAMAR BLVD	CS, CS-MU-CO	CS-V, CS-MU-V-CO
		2047 S LAMAR BLVD		
	303117	2055 S LAMAR BLVD	CS	CS-V
303118	2053 S LAMAR BLVD	CS	CS-V	
303119	2057 S LAMAR BLVD	CS	CS-V	
29	303285	2706 S LAMAR BLVD	GR; CS-1	GR-V; CS-1-V
	303286	2708 1/2 S LAMAR BLVD	GR; CS-1	GR-V; CS-1-V
		2708 S LAMAR BLVD		

Tract #	TCAD Property ID	COA Address	FROM	TO
	303289	2218 BARTON SKWY	GR	GR-V
		2818 S LAMAR BLVD		
	303290	NE 100 X 146FT AV BLK J BARTON HILLS SEC 1	CS-1	CS-1-V
	303291	2710 S LAMAR BLVD	GR	GR-V
		2712 S LAMAR BLVD		
		2714 S LAMAR BLVD		
Portion of 303313	2800 1/2 S LAMAR BLVD	GR; CS	GR-V; CS-V	
	Portion of 2800 S LAMAR BLVD			
31A	303329	2614 S LAMAR BLVD	GR	GR-V
		2620 S LAMAR BLVD		
37	303152	2130 GOODRICH AVE	CS	CS-V
		2132 GOODRICH AVE		
		2238 S LAMAR BLVD		
	303153	2300 1/2 S LAMAR BLVD	CS	CS-V
		2300 S LAMAR BLVD		
		2302 1/2 S LAMAR BLVD		
		2304 S LAMAR BLVD		
		2310 S LAMAR BLVD		
	303154	ABS 8 SUR 20 DECKER I ACR 21	CS	CS-V
	303155	2314 S LAMAR BLVD	CS	CS-V
303156	2316 S LAMAR BLVD	CS	CS-V	
	2320 S LAMAR BLVD			
41	100255	1706 1/2 S LAMAR BLVD	CS	CS-V
		1706 S LAMAR BLVD		
	100256	1800 S LAMAR BLVD	CS	CS-V
	Portion of 100257	Portion of 1804 S LAMAR BLVD	CS	CS-V
	100269	1904 S LAMAR BLVD	CS	CS-V
	100270	1816 S LAMAR BLVD	CS; CS-1	CS-V, CS-1-V
	100271	1710 S LAMAR BLVD	CS	CS-V
43	100252	1702 1/2 S LAMAR BLVD	CS-MU-CO	CS-MU-V-CO
		1702 S LAMAR BLVD		
	100253	699AC OF LOT 13 EVERGREEN HEIGHTS	CS-MU-CO	CS-MU-V-CO
100254	1704 S LAMAR BLVD	CS-MU-CO	CS-MU-V-CO	

Tract #	TCAD Property ID	COA Address	FROM	TO
44	Portion of 100273	Portion of 1700 S LAMAR BLVD	CS	CS-V
46	100316	1600 S LAMAR BLVD	CS	CS-V
		1602 1/2 S LAMAR BLVD		
		1602 S LAMAR BLVD		
48	100314	1508 S LAMAR BLVD	GR; CS	GR-V, CS-V
49	102155	1414 1/2 S LAMAR BLVD	CS	CS-V
	724592	1402 S LAMAR BLVD	CS	CS-V
		1414 S LAMAR BLVD		
50	102149	1416 S LAMAR BLVD	CS	CS-V
		1222 S LAMAR BLVD		
		1224 S LAMAR BLVD	CS	CS-V
	102150	1232 S LAMAR BLVD		
	102151	1300 S LAMAR BLVD	CS, CS-1	CS-V, CS-1-V
	102152	1310 S LAMAR BLVD	CS; CS-1	CS-V; CS-1-V
1312 S LAMAR BLVD				
	1320 S LAMAR BLVD			
102153	1400 S LAMAR BLVD	CS	CS-V	
51	Portion of 102134 (excluding 2480 sq ft in Exh "C")	1000 S LAMAR BLVD	GR; CS; CS-1	GR-V, CS-V; CS-1-V
		1002 S LAMAR BLVD		
		1004 S LAMAR BLVD		
		1006 S LAMAR BLVD		
		1008 S LAMAR BLVD		
		1009 S LAMAR BLVD		
		1010 S LAMAR BLVD		
		1050 S LAMAR BLVD		
		1102 S LAMAR BLVD		
		1104 S LAMAR BLVD		
		1106 S LAMAR BLVD		
		1407 1/2 TREADWELL ST		
		1108 S LAMAR BLVD		
		1110 S LAMAR BLVD		
		1112 S LAMAR BLVD		
		1116 S LAMAR BLVD		
1120 S LAMAR BLVD				
1122 S LAMAR BLVD				
1126 S LAMAR BLVD				

Tract #	TCAD Property ID	COA Address	FROM	TO
		1132 S LAMAR BLVD		
		1142 S LAMAR BLVD		
		1146 S LAMAR BLVD		
		1150 S LAMAR BLVD		
		1152 S LAMAR BLVD		
		1154 S LAMAR BLVD		
		1307 TREADWELL ST		
		1401 TREADWELL ST		
	102135	1212 S LAMAR BLVD	CS	CS-V
		1216 1/2 S LAMAR BLVD		

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, 11-17, 19-20, 22-25, 28-29, and 49
 - 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 31A, 37, 41, 43-44, 46, 48, and 50-51
 - 1 The property is exempt from the dimensional standards identified in Article 4.3 3 E 2. (*Dimensional and Parking Requirements*)
 - 2 For property in office districts, the additional uses allowed under Article 4.3 3. C.2 (*Ground-Floor Commercial Uses Allowed*) apply.

PART 4. The zoning map is amended to change the boundaries of the vertical mixed use (VMU) overlay district to exclude Tracts 1-3, 5-8, 10, 18, 21, 26, 27, 30, 31B, 32-36, 38-40, 42, 45, 47, and 52-57, located as shown in this Part and identified on Exhibit "A" These tracts are not subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use Buildings*)

Tract #	TCAD Property ID	COA Address
1	103359	518 1/2 S LAMAR BLVD
2	103373	1525 BARTON SPRINGS RD
3	103955	50X136 1 FT ABS 8 SUR 20 DECKER I
	103956	1707 BARTON SPRINGS RD
	103957	ABS 8 SUR 20 DECKER I ACR .245
	103958	1631 BARTON SPRINGS RD
	103959	1625 BARTON SPRINGS RD
		1627 BARTON SPRINGS RD
	103960	1605 1/2 BARTON SPRINGS RD
		1605 BARTON SPRINGS RD
103961	1601 1/2 BARTON SPRINGS RD	
	1601 BARTON SPRINGS RD	
5	105139	428 STERZING ST
	105140	1800 BARTON SPRINGS RD
		1804 BARTON SPRINGS RD
		1806 BARTON SPRINGS RD
		1808 1/2 BARTON SPRINGS RD
		1810 BARTON SPRINGS RD
6	104376	1728 BARTON SPRINGS RD
7	104371	1624 BARTON SPRINGS RD
	104375	1628 BARTON SPRINGS RD
8	104363	1530 BARTON SPRINGS RD
		1600 BARTON SPRINGS RD
		1602 BARTON SPRINGS RD
		1608 BARTON SPRINGS RD
		1605 TOOMEY RD
	104364	1500 BARTON SPRINGS RD
		1518 BARTON SPRINGS RD
10	104384	1400 BARTON SPRINGS RD
		1404 BARTON SPRINGS RD
18	101874	1207 BARTON SPRINGS RD

Tract #	TCAD Property ID	COA Address
21	100022	1105 S LAMAR BLVD
26	100292	1807 S LAMAR BLVD
	100307	1901 S LAMAR BLVD
	100308	1817 S LAMAR BLVD
27	100291	TRI OF LOT 7 FREDERICKSBURG ROAD ACRES 2
30	303312	2700 S LAMAR BLVD
31B	303330	2632 S LAMAR BLVD
		2634 1/2 S LAMAR BLVD
32	Portion of 303328	Portion of 2612 S LAMAR BLVD
33	303284	2001 LA CASA DR
34	303396	2001 1/2 MONTCLAIRE ST
		2424 S LAMAR BLVD
		2500 S LAMAR BLVD
	303397	2506 S LAMAR BLVD
35	303413	2406 BLUEBONNET LN
		2414 BLUEBONNET LN
		2414 S LAMAR BLVD
	303418	2418 S LAMAR BLVD
36	303157	2340 S LAMAR BLVD
	303158	2324 S LAMAR BLVD
		2330 S LAMAR BLVD
		2401 BLUEBONNET LN
38	303227	2120 S LAMAR BLVD
	303229	2228 S LAMAR BLVD
	303232	2208 S LAMAR BLVD
	303234	2200 S LAMAR BLVD
		2202 S LAMAR BLVD
39	303238	2110 S LAMAR BLVD
		2118 S LAMAR BLVD
	303242	2100 S LAMAR BLVD
		2102 S LAMAR BLVD
		2104 S LAMAR BLVD
		2108 S LAMAR BLVD
40	Portion of 100231	2016 S LAMAR BLVD
		2024 S LAMAR BLVD
		2026 S LAMAR BLVD
		2028 S LAMAR BLVD

Tract #	TCAD Property ID	COA Address
	100232	2010 S LAMAR BLVD
	100233	LOT 14 *LESS 152 SQ FT STAEHEL AND WENDLANDT RESUB FREDERICKSBURG ROAD ACRES 2
	100234	2004 S LAMAR BLVD
	100235	2040 S LAMAR BLVD 2044 S LAMAR BLVD
	Portion of 100236	Portion of 2050 S LAMAR BLVD
	100237	2058 S LAMAR BLVD
	100238	2068 S LAMAR BLVD
	100239	2032 S LAMAR BLVD 2034 S LAMAR BLVD 2036 S LAMAR BLVD
	100246	2072 S LAMAR BLVD
	100247	S TRI OF LOT 1 FREDERICKSBURG ROAD ACRES 2
42	Portion of 100257	Portion of 1804 S LAMAR BLVD
45	Portion of 100273	Portion of 1700 S LAMAR BLVD
47	100315	1516 S LAMAR BLVD
52	Portion of 102134 (see Exh "C")	1505 TREADWELL ST
53	103313	904 S LAMAR BLVD
	103314	906 S LAMAR BLVD
	103315	912 S LAMAR BLVD
54	103311	800 1/2 S LAMAR BLVD 800 S LAMAR BLVD
55	103329	720 S LAMAR BLVD
56	103325	700 S LAMAR BLVD 702 S LAMAR BLVD
	103326	704 S LAMAR BLVD
	103327	708 S LAMAR BLVD
57	103190	600 S LAMAR BLVD
	103191	608 S LAMAR BLVD

PART 5 This ordinance takes effect on October 27, 2008

PASSED AND APPROVED

October 16, 2008

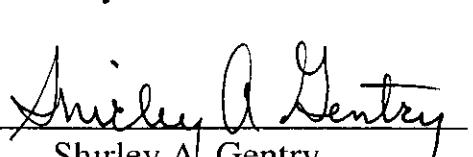
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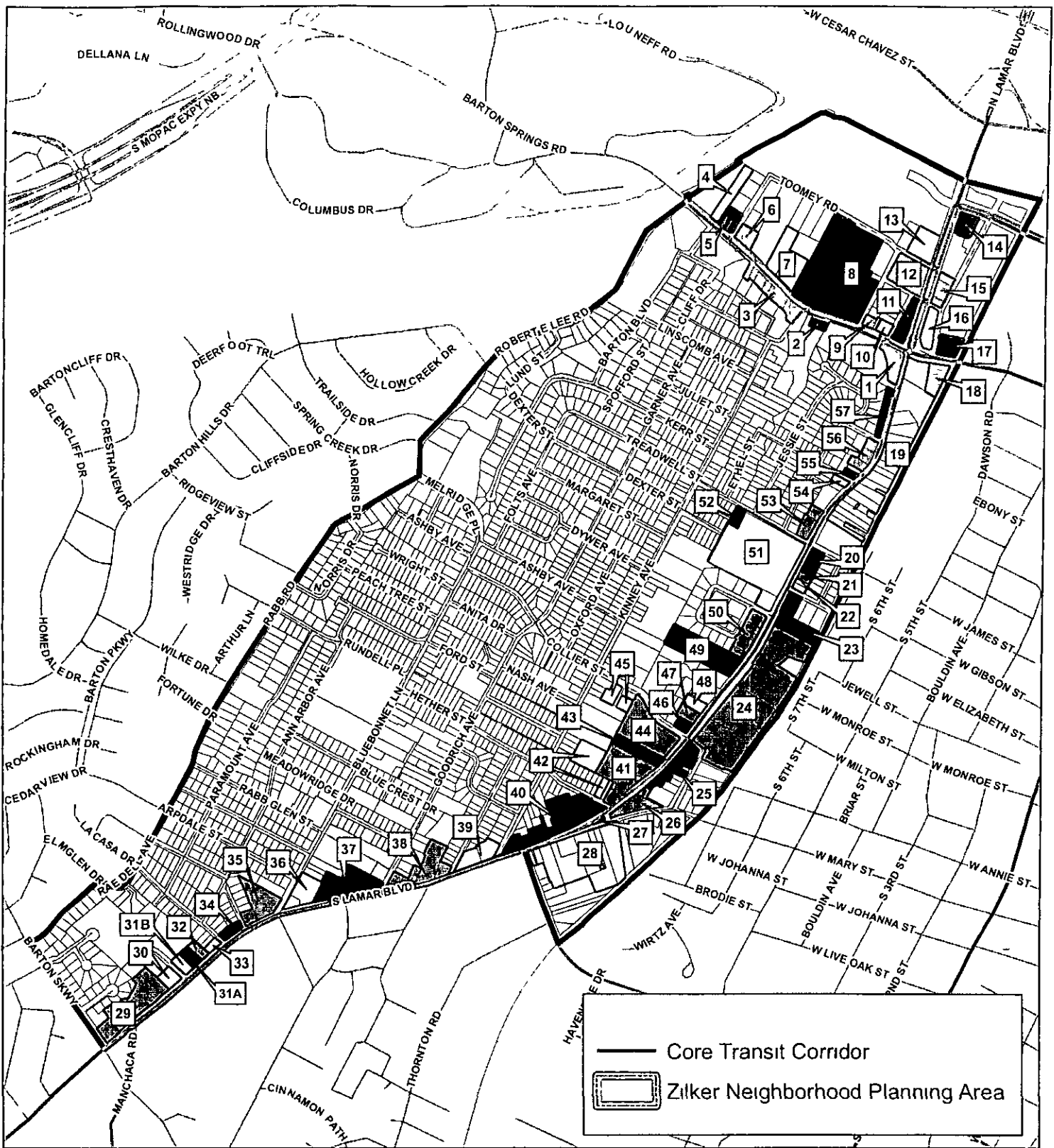
Will Wynn
Mayor

APPROVED: 

David Allan Smith
City Attorney

ATTEST: 

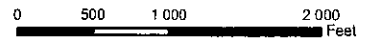
Shirley A. Gentry
City Clerk



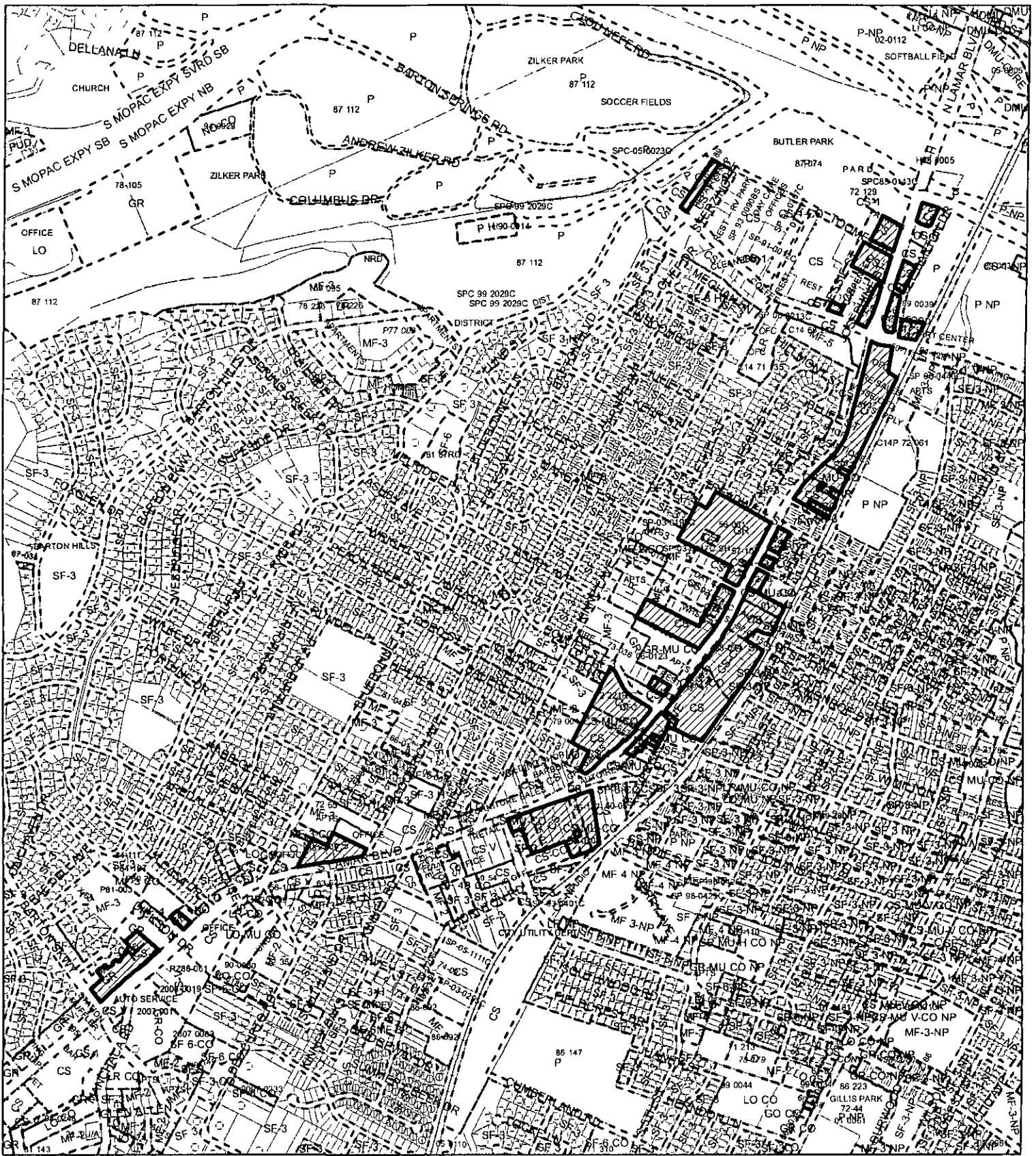
Zilker Neighborhood Planning Area EXHIBIT A
Vertical Mixed Use (VMU) Overlay District
C14-2008-0060
Tract Map



Produced by City of Austin
 Neighborhood Planning and Zoning Dept
 Revised September 24 2008






This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.



ZONING EXHIBIT B



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

ZONING CASE# C14-2008-0060
 ADDRESS ZILKER PLANNING AREA
 SUBJECT AREA 70 35 ACRES
 GRID G20 & H20-22
 MANAGER M LAURSEN

OPERATOR S MEEKS



1" = 1200'

This map has been produced by GIS Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

EXHIBIT C

CRICHTON AND ASSOCIATES, INC.

LAND SURVEYORS

6448 HIGHWAY 290 EAST

SUITE B-105

AUSTIN, TX 78723

512-244-3395 - PHONE

512-244-9508 - FAX

FIELD NOTES

FIELD NOTES FOR 2480 SQUARE FEET OUT OF THE ISAAC DECKER LEAGUE SURVEY NO. 20 IN TRAVIS COUNTY, TEXAS BEING A PORTION OF LOT 5 EVERGREEN HEIGHTS, A SUBDIVISION OF RECORD IN VOL. "Z" PG. 614 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

COMMENCING at a ½" pin found at the intersection of the South R O W of Treadwell Street as defined by R O W Deed conveyed to the City of Austin in Vol 1849 Pg 376 of the Travis County, Texas Deed Records and the East R O W of a 20 foot alley as dedicated by the plat of Barton Springs Park in Plat Book 1 Pg 120 of the Travis County, Texas Plat Records for the **POINT OF COMMENCING**

THENCE S 58° 27' 28" E with the South R O W of Treadwell Street 3 43 feet to a point

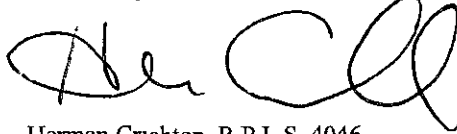
THENCE S 29° 59' 49" W through the interior of said Lot 5, 25 76 feet to a corner of an existing two story building for the Northwest corner of this tract and the **POINT OF BEGINNING**

THENCE continuing through the interior of said Lot 5 with the face of said two story building the following four (4) courses

- 1) S 60° 02' 54" E, 22 58 feet to a building corner for the Northeast corner of this tract
- 2) S 29° 59' 49" W, 109 82 feet to a building corner for the Southeast corner of this tract
- 3) N 60° 02' 54" W, 22 58 feet to a building corner for the Southwest corner of this tract
- 4) N 29° 59' 49" E, 109 82 feet to the **POINT OF BEGINNING** and containing 2480 square feet more or less

I hereby certify that the foregoing field notes were prepared from a survey on the ground, under my supervision and are true and correct to the best of my knowledge and belief

Witness my hand and seal October 14, 2008



Herman Crichton, R P L S 4046
08_253

