

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 1122, 1138, 1200, 1202, 1206, 1208, 1210, 1212, 1216,
3 AND 1218 EAST 51ST STREET, 1109, 1125 1/2, 1127, 1205, 1209, AND 1215 EAST
4 52ND STREET, AND 5104, 5106, 5108, 5110, 5112, AND 5114 LANCASTER
5 COURT IN THE UNIVERSITY HILLS/WINDSOR PARK NEIGHBORHOOD
6 PLAN AREA FROM COMMERCIAL-LIQUOR SALES-VERTICAL MIXED USE
7 BUILDING-NEIGHBORHOOD PLAN (CS-1-V-NP) COMBINING DISTRICT,
8 GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY-
9 NEIGHBORHOOD PLAN (CS-CO-NP) COMBINING DISTRICT, COMMUNITY
10 COMMERCIAL-VERTICAL MIXED USE BUILDING-CONDITIONAL
11 OVERLAY-NEIGHBORHOOD PLAN (GR-V-CO-NP) COMBINING DISTRICT,
12 COMMUNITY COMMERCIAL-MIXED USE-VERTICAL MIXED USE
13 BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-V-
14 CO-NP) COMBINING DISTRICT, COMMUNITY COMMERCIAL-MIXED USE-
15 CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-CO-NP)
16 COMBINING DISTRICT, MULTIFAMILY RESIDENCE LOW DENSITY-
17 NEIGHBORHOOD PLAN (MF-2-NP) COMBINING DISTRICT, AND
18 NEIGHBORHOOD OFFICE-MIXED USE-NEIGHBORHOOD PLAN (NO-MU-NP)
19 COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-VERTICAL
20 MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN
21 (CS-V-CO-NP) COMBINING DISTRICT.

22
23 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

24
25 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
26 change the base district from commercial-liquor sales-vertical mixed use building-
27 neighborhood plan (CS-1-V-NP) combining district, general commercial services-
28 conditional overlay-neighborhood plan (CS-CO-NP) combining district, community
29 commercial-vertical mixed use building-conditional overlay-neighborhood plan (GR-V-
30 CO-NP) combining district, community commercial-mixed use-vertical mixed use
31 building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district,
32 community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-
33 NP) combining district, multifamily residence low density-neighborhood plan (MF-2-NP)
34 combining district, and neighborhood office-mixed use-neighborhood plan (NO-MU-NP)
35 combining district to general commercial services-vertical mixed use building-conditional
36 overlay-neighborhood plan (CS-V-CO-NP) combining district on the property described in
37 Zoning Case No. C14-2023-0003, on file at the Planning Department, as follows:
38

39 LOTS 1 AND 2, CAPITAL CABLE ADDITION, A RESUBDIVISION OF H.J.
40 SUBDIVISION, a subdivision in the City of Austin, Travis County, Texas,
41 according to the map or plat of record in Volume 71, Page 4, of the Plat Records of
42 Travis County, Texas; and

43
44 LOTS 1B AND 2A, RESUBDIVISION OF LOT 1, OF THE RESUBDIVISION
45 OF A PART OF LOTS 3 AND 4, RIDGETOP GARDENS, a subdivision in the
46 City of Austin, Travis County, Texas, according to the map or plat of record in
47 Volume 12, Page 26, of the Plat Records of Travis County, Texas; and

48
49 LOTS 4C, 5C, 6C, RESUBDIVISION OF LOT 2B OF THE RESUBDIVISION
50 OF LOT 2, OF THE RESUBDIVISION OF A PART OF LOTS 3 AND 4,
51 RIDGETOP GARDENS, AND RESUBDIVISION OF LOTS 3 AND 4, OF THE
52 RESUBDIVISION OF A PART OF LOTS 3 AND 4, RIDGETOP GARDENS, a
53 subdivision in the City of Austin, Travis County, Texas, according to the map or
54 plat of record in Volume 11, Page 42, of the Plat Records of Travis County, Texas;
55 and

56
57 LOT 2, LAFUENTE RESUBDIVISION OF PART OF LOTS 4 AND 5,
58 RIDGETOP GARDENS, a subdivision in the City of Austin, Travis County,
59 Texas, according to the map or plat of record in Volume 18, Page 22, of the Plat
60 Records of Travis County, Texas; and

61
62 LOT 1, ROBERT EBY SUBDIVISION, a subdivision in the City of Austin, Travis
63 County, Texas, according to the map or plat of record in Volume 44, Page 23, of
64 the Plat Records of Travis County, Texas; and

65
66 LOT 2, MALONE AND FUNDERBURGH SUBDIVISION, a subdivision in the
67 City of Austin, Travis County, Texas, according to the map or plat of record in
68 Volume 16, Page 31, of the Plat Records of Travis County, Texas; and

69
70 LOT 3, MALONE AND FUNDERBURGH SUBDIVISION, a subdivision in the
71 City of Austin, Travis County, Texas, according to the map or plat of record in
72 Volume 16, Page 31, of the Plat Records of Travis County, Texas; and

73
74 WEST 0.2378 ACRES OF LOTS 1, 2, 3, BLOCK 1, RIDGETOP GARDENS, A
75 RESUBDIVISION OF LOTS 6, 7, AND WEST HALF OF LOT 8, a subdivision
76 in the City of Austin, Travis County, Texas, according to the map or plat of record
77 in Volume 4, Page 58, of the Plat Records of Travis County, Texas; and
78

EAST 0.1996 ACRES OF LOTS 1, 2, 3, BLOCK 1, RIDGETOP GARDENS, A RESUBDIVISION OF LOTS 6, 7, AND WEST HALF OF LOT 8, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 4, Page 58, of the Plat Records of Travis County, Texas; and

LOT A, SUBDIVISION OF A PORTION OF LOTS 1 AND 2, RIDGETOP GARDENS, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 21, Page 20, of the Plat Records of Travis County, Texas; and

LOT 1D, RESUBDIVISION OF LOT 1A OF THE RESUBDIVISION OF THE RESUBDIVISION OF LOT 1, OF THE RESUBDIVISION OF LOTS 3 AND 4, RIDGETOP GARDENS, AND RESUBDIVISION OF LOTS 1C AND 2C OF THE RESUBDIVISION OF LOT 2B OF THE RESUBDIVISION OF LOT 2 OF THE RESUBDIVISION OF LOTS 3 AND 4 OF THE RESUBDIVISION OF PART OF LOTS 3 AND 4, RIDGETOP GARDENS, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 13, Page 80, of the Plat Records of Travis County, Texas; and

LOT 2D, RESUBDIVISION OF LOT 1A OF THE RESUBDIVISION OF THE RESUBDIVISION OF LOT 1, OF THE RESUBDIVISION OF LOTS 3 AND 4, RIDGETOP GARDENS, AND RESUBDIVISION OF LOTS 1C AND 2C OF THE RESUBDIVISION OF LOT 2B OF THE RESUBDIVISION OF LOT 2 OF THE RESUBDIVISION OF LOTS 3 AND 4 OF THE RESUBDIVISION OF PART OF LOTS 3 AND 4, RIDGETOP GARDENS, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 13, Page 80, of the Plat Records of Travis County, Texas; and

LOT 1, LAFUENTE RESUBDIVISION OF PART OF LOTS 4 AND 5, RIDGETOP GARDENS, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 18, Page 22, of the Plat Records of Travis County, Texas; and

LOT 1, MALONE AND FUNDERBURGH SUBDIVISION, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 16, Page 31, of the Plat Records of Travis County, Texas; and

LOT 4, BLOCK 1, RIDGETOP GARDENS, A RESUBDIVISION OF LOTS 6, 7, AND WEST HALF OF LOT 8, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 4, Page 58, of the Plat Records of Travis County, Texas; and

LOT 5, BLOCK 1, RIDGETOP GARDENS, A RESUBDIVISION OF LOTS 6, 7, AND WEST HALF OF LOT 8, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 4, Page 58, of the Plat Records of Travis County, Texas; and

LOT 6, BLOCK 1, RIDGETOP GARDENS, A RESUBDIVISION OF LOTS 6, 7, AND WEST HALF OF LOT 8, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 4, Page 58, of the Plat Records of Travis County, Texas; and

LOT 7, BLOCK 1, RIDGETOP GARDENS, A RESUBDIVISION OF LOTS 6, 7, AND WEST HALF OF LOT 8, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 4, Page 58, of the Plat Records of Travis County, Texas; and

LOT 8, BLOCK 1, RIDGETOP GARDENS, A RESUBDIVISION OF LOTS 6, 7, AND WEST HALF OF LOT 8, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 4, Page 58, of the Plat Records of Travis County, Texas,

(collectively, the “Property”),

locally known as 1122, 1138, 1200, 1202, 1206, 1208, 1210, 1212, 1216, and 1218 East 51st Street, 1109, 1125 1/2, 1127, 1205, 1209, and 1215 East 52nd Street, and 5104, 5106, 5108, 5110, 5112, and 5114 Lancaster Court in the City of Austin, Travis County, Texas, and generally identified in the map attached as **Exhibit “A”**.

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

The following uses are prohibited uses of the Property:

Automotive rentals	Automotive repair services
Automotive sales (exceeding 3,500 square feet)	Automotive washing (any type)
Bail bond services	Commercial blood plasma center
Convenience storage	Drive-Through Facilities
Drop-off recycling collection facility	Equipment repair services
Equipment sales	Exterminating services
Funeral services	Pawn shop services
Pedicab storage and dispatch	Vehicle storage

PART 4. Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district, and other applicable requirements of the City Code.

PART 5. Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 20070809-057 that established zoning for the Windsor Park Neighborhood Plan.

PART 6. This ordinance takes effect on _____, 2023.

PASSED AND APPROVED

_____, 2023

Kirk Watson
Mayor

APPROVED: _____ **ATTEST:** _____

Anne L. Morgan Myrna Rios
City Attorney City Clerk



 SUBJECT TRACT

 PENDING CASE

 ZONING BOUNDARY

EXHIBIT "A"



Created: 1/23/2023