

**ORDINANCE NO. 20130307-068**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 401 GUADALUPE STREET, 304 WEST 4<sup>TH</sup> STREET AND 400 LAVACA STREET FROM CENTRAL BUSINESS DISTRICT (CBD) DISTRICT TO CENTRAL BUSINESS DISTRICT-CENTRAL URBAN REDEVELOPMENT (CBD-CURE) 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 central business district (CBD) district to central business district-central urban redevelopment (CBD-CURE) combining district on the property described in Zoning Case No. C14-2012-0130, on file at the Planning and Development Review Department, as follows:

Lots 1-6, Block 45, Original City of Austin, as more particularly described in the plat or map filed in the General Land Office of the State of Texas (the "Property"),

locally known as 401 Guadalupe Street, 304 West 4<sup>th</sup> Street and 400 Lavaca Street, in the City of Austin, Travis County, Texas, and 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:

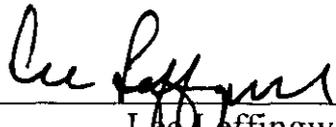
- A. Development of the Property may not exceed a floor-to-area ratio (F.A.R.) of 12.0 to 1.0, unless the developer elects to participate in the development bonus program under Section 25-2-586 (*Affordable Housing Incentives in a Central Business District (CBD) or Downtown Mixed Use (DMU) Zoning District*) of the Code. Development of the Property under Section 25-2-586 may not exceed a F.A.R. of 25.0 to 1.0, and the floor-to-area ratio limitation for the development shall be 16.0 to 1.0 for the purpose of calculations made under Section 25-2-586.

- B. City Code, Section 25-6-592(B) and (C) (*Loading Facility Provisions for the Central Business District (CBD) and a Downtown Mixed Use (DMU) Zoning District*) is modified to not require on-site space for a vehicle to empty the trash receptacle and to allow maneuvering within the alley to service the off-street loading facility and the trash receptacle.
  
- C. If the property is developed with a structure with a floor to area ratio greater than 8:1, the maximum structure height, as defined by City Code, is 89 feet including the sound mitigation devices, canopies, pool storage equipment, structures related to stairwells and parapet walls, within 60 feet of Guadalupe Street, or 75 feet not including the sound mitigation devices, canopies, pool storage equipment, structures related to stairwells and parapet walls within 60 feet of Guadalupe Street.

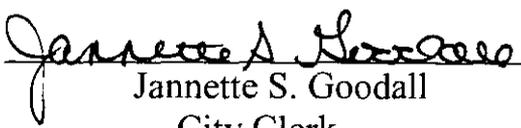
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the central business district (CBD) base district and other applicable requirements of the City Code.

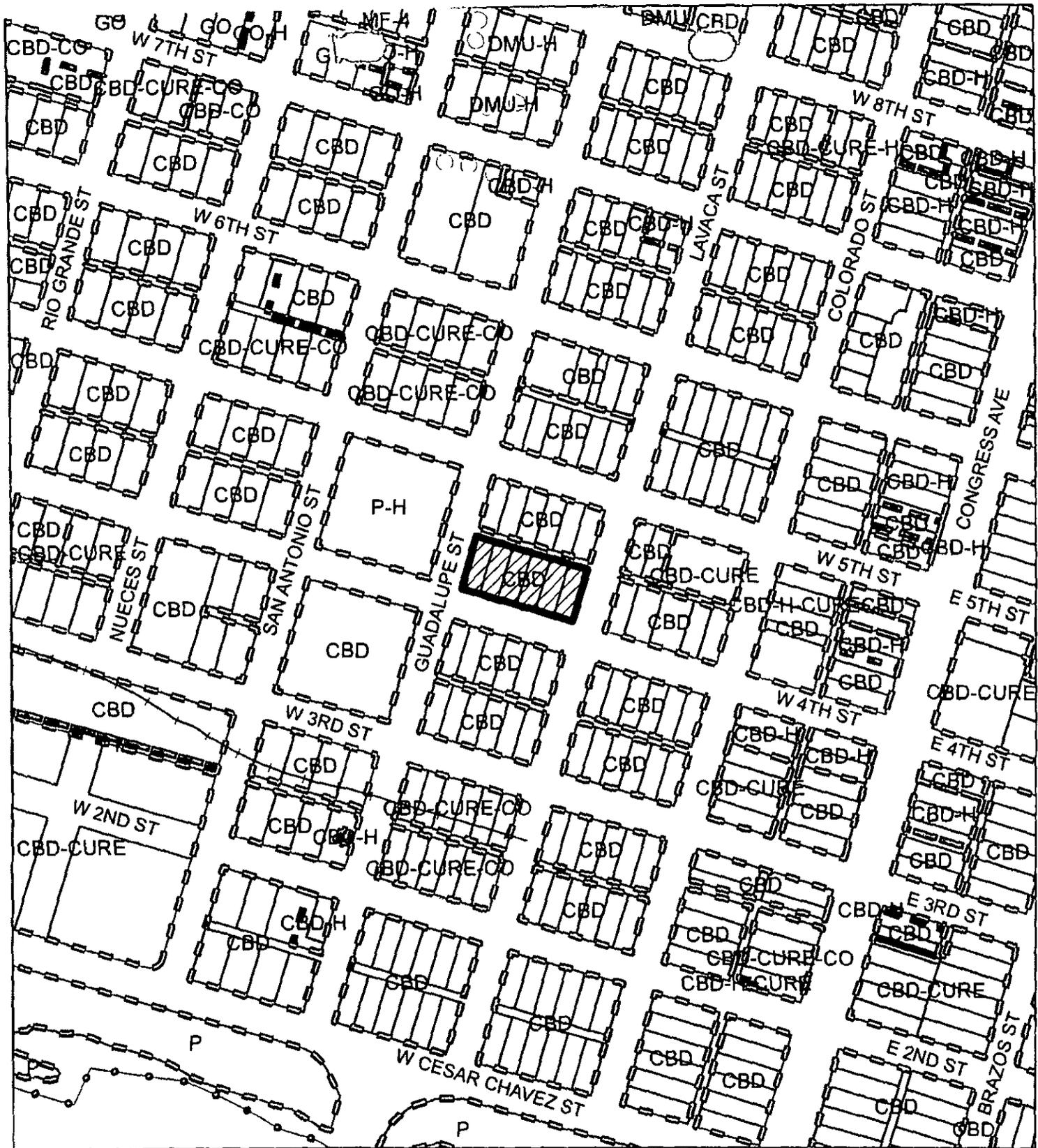
**PART 3.** This ordinance takes effect on March 18, 2013.

**PASSED AND APPROVED**

\_\_\_\_\_ March 7 \_\_\_\_\_, 2013 §  
 §  
 § \_\_\_\_\_   
 Lee Leffingwell  
 Mayor

**APPROVED:**   
 Karen M. Kennard  
 City Attorney

**ATTEST:**   
 Jannette S. Goodall  
 City Clerk



**ZONING**

ZONING CASE#: C14-2012-0130



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 300'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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