

ZONING CHANGE REVIEW SHEET**CASE:** C14-2017-0071 – 5303 Rezoning 2017**P.C. DATE:** July 11, 2017**ADDRESS:** 5303 Avenue F**DISTRICT AREA:** 4**OWNER/APPLICANT:** Robert J. A. Dunbar**AGENT:** Ruby Anne Designs (Michael Winningham)**ZONING FROM:** LR-CO-NP **TO:** SF-3-NP**TOTAL AREA:** 0.143 acres (6,250 square feet)**SUMMARY STAFF RECOMMENDATION:**

Staff recommends neighborhood commercial – mixed use – conditional overlay – neighborhood plan (LR-MU-CO-NP) combining district. The CO limits impervious cover to 65%, allows for a neighborhood mixed use building, and prohibits medical offices (exceeding 5,000 sf), service station, and residential treatment.

PLANNING COMMISSION RECOMMENDATION:

July 11, 2017

*Scheduled for Planning Commission***ISSUES:**

None on subject tract

DEPARTMENT COMMENTS:

The subject tract is 0.143 acres (6,250 square feet) and is comprised of two platted lots on Avenue F, just north of the intersection of Avenue F and E 53rd Street.

The tract is zoned neighborhood commercial– conditional overlay– neighborhood plan (LR-CO-NP). The CO limits impervious cover to 65%, allows for a neighborhood mixed use building, and prohibits uses - medical offices (exceeding 5,000 sf), service station, and residential treatment.

In 1941, a one-story single family house was constructed onsite. There is a garage and a storage building located to the rear of the house. The main building currently serves as a single family residence. Access is currently taken from Avenue F, as well as the mid-block alley behind the house.

The subject tract is adjacent to single family houses to the north and east, and a commercial establishment (auto sales) to the south. To the west, across Avenue F, is another commercial establishment (gas station / convenience sales), and more single family residences.

The property owner initiated the rezoning process because he would like to construct an accessory dwelling unit on the property, and would be unable to do so under current LR zoning. LR zoning does not permit any residential uses, and even the current single family use is considered an existing, non-conforming use.

The applicant requested a zoning change to family residence – neighborhood plan (SF-3-NP), believing it to be the best option to allow for the construction of residential on the tract. At the time of the initial request, the applicant was unaware of the option of adding mixed use (-MU) to the zoning. The applicant is now in agreement with staff's recommendation of neighborhood commercial – mixed use – conditional overlay – neighborhood plan (LR-MU-CO-NP).

In the North Loop Neighborhood Plan, the tract is designated as Mixed Use on the Future Land Use Map, a category that is intentionally flexible, and allows for housing, commercial, and office development. There is a strip of commercial along North Loop Blvd / E 53rd Street, beginning a block west of Avenue F, and extending east along E 53rd Street to Duval Street to the east. Many commercial retail establishments line these blocks, and there are some residences as well. In the Imagine Austin Comprehensive Plan, North Loop / E 53rd is an Activity Corridor – a main roadway along which mixed use and active uses are encouraged.

The traditional zoning pattern in this area is as follows: commercial approximately 100 feet north and south of North Loop / E 53rd Street, and Single Family beyond 100 feet from the road. Although there are exceptions, this is the basic pattern, especially between Avenue F and Duval Street. The tract is within 100 feet of E 53rd Street, within an area that has traditionally been zoned commercial.

Staff recommends the addition of Mixed Use (-MU) to the zoning, to result in neighborhood commercial– mixed use– conditional overlay– neighborhood plan (LR-MU-CO-NP). This will allow for the addition of the accessory dwelling unit that the owner would like to construct, and also allow for land use flexibility over time, while keeping with the existing pattern of zoning, the North Loop Neighborhood Plan Future Land Use Map, and the Imagine Austin Comprehensive Plan.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LR-CO-NP	Single Family
<i>North</i>	SF-3-NP	Single Family
<i>South</i>	LR-CO-NP	Commercial
<i>East</i>	SF-3-NP, GR-CO-NP	Duplex, Single Family
<i>West</i>	Avenue F, then CS-CO-NP, MF-2-NP	Commercial, Single Family

NEIGHBORHOOD PLANNING AREA: North Loop

TIA: No, however a TIA may be required at the time of site plan.

WATERSHED: Waller Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

<i>Community Registry Name</i>	<i>ID</i>
Austin Heritage Tree Foundation	1340
Austin Independent School District	742
Austin Neighborhoods Council	511
Bike Austin	1528
Central Austin Community Development	1391
Friends Of Austin Neighborhoods	1530
Homeless Neighborhood Association	1550
North Austin Neighborhood Alliance	283
North Loop Ibiz District	1328
North Loop Neighborhood Association	941
Preservation Austin	1424
Seltexas	1363
Sierra Club Austin Regional Group	1228
Sustainable Neighborhoods	1396
The Midtown Alliance	1594

SCHOOLS: Reilly Elementary, Lamar Middle, McCallum High

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-79-171(RCT) 501 E. 53 rd Street 501-503 E. 53 rd St	Termination of a restrictive Covenant (restricted development to 1979 site plan)	8-11-15 – Approved termination of a restrictive covenant as staff rec	09-10-15- Apvd RC Termination, as PC rec
C14-2012-0070 Drink.Well. Rezone 207 E 53rd Street	From LR-CO-NP to GR.	08-28-12- Apvd GR-CO-NP (staff) with the added condition of no outdoor amplified music	02-14-13- Apvd ord. # 20130214-062 for (GR-CO-NP) (CO for 2,000 trips per day, and prohibited uses)
C14-2012-0141 North Loop Pub 100 E North Loop Blvd	From GR-CO-NP to CS-1-CO-NP	01-22-13 - Apvd CS-1-CO-NP (staff)	02-28-13- Apvd ord. # 20130228-064 for (CS-1-CO-NP) for Tracts 1 and 2 (CO for 2,000 trips per day, and prohibited uses)

C14-2010-0139 Avenue H 5301 Avenue H	From SF-3-NP to NO-NP	10-12-10- Apvd NO-NP (staff)	11-18-10- Apvd Ordinance No. 20101118-089 for (NO-NP) combining district zoning
C14-2008-0248 North Loop Pub 100 W North Loop Blvd	From GR-CO-NP to CS-1	02-10-09- Apvd staff rec of CS-1-CO-NP	04-23-09- Apvd Ord. 20090423-075 for CS-1-CO-NP (CO for 2,000 trips and prohibited liquor sales and adult oriented businesses)
C14-04-0196.03 North Hyde Park NCCD Amendment #3 W 51st Street	Modify Hyde Park NCCD	12-13-11 - Apvd an amendment to the Hyde Park NCCD with a max of 0.4 FAR	01-12-12- Apvd ord # 20120112-087 for (NCCDNP)
C14-04-0196 Hyde Park NCCD W 45 th Street	Hyde Park NCCD	07-12-05- Apvd Hyde Park Nccd W/Exception Of Rec Of 4505 Duval	10-06-05- Apvd ord # 20120112-087 for (NCCD-NP)
C14-04-0015 51ST St Mixed Use 100 E 51 st Street	From SF-3-NP to SF-5-CO-NP	05-11-04- Fwd to Council without recommendation	09-02-04- Apvd SF-5-CO-NO (Duplex use prohibited, 15 ft setback on north and east property lines)

RELATED CASES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-02-0009	North Loop Neighborhood Plan Combining District-Rezonings	03-13-02- Approved	04-04-02, 05-23-02 - Approved

SUBDIVISION: The Highlands, Block 43, Lots, 29 and 30, Travis County Plat, Volume 3, Page 55. (C8-1917-1299).

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Avenue F	50 ft.	32 ft.	Collector	Yes	No	Yes

TR1. Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

TR2. Additional right-of-way may be required at the time of subdivision and/or site plan.

TR3. FYI – a joint use access easement will be required at the time of Residential Permit Application.

CITY COUNCIL DATE: August 3, 2017

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Scott Grantham

PHONE: 512-974-3574

EMAIL: Scott.Grantham@austintexas.gov

BASIS FOR RECOMMENDATION

1. *Zoning should allow for reasonable use of the property.*

A single family house was constructed onsite in 1941 and the property has remained in more or less the same configuration since the initial construction. The owner of the house should be able continue the residential use and to add onto it in the form of an accessory dwelling unit, as other single family home owners are permitted to do.

2. *The rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission.*

The North Loop Neighborhood Plan Future Land Use Map indicates the tract as Mixed Use. The neighborhood plan includes the following applicable goal and objective:

Goal 2: Encourage housing for a variety of income levels. (p. 17)

Objective 2.1: Provide additional opportunities for housing choice through secondary apartments, mixed use, and small scale multi-family.

3. *The proposed zoning should promote consistency and orderly planning.*

Along North Loop Blvd / E 53rd Street, especially the section between Avenue F on the west, and Duval Street to the east, that commercial zoning be applied to a depth of 100 feet from E 53rd Street, and that Single Family be applied beyond 100 feet. The tract is within 100 feet of E 53rd Street, and therefore within the area that has traditionally been zoned commercial.

EXISTING CONDITIONS***Site Characteristics***

The tract is currently developed with a single family house. Access is taken from Avenue F. There is also a rear alleyway, which connects to E 53rd Street. The site is relatively flat, and slopes slightly from east down to west. There are no critical environmental features on the tract and it is not in a floodplain.

Impervious Cover

The tract is located in an Urban Watershed and therefore the zoning district will determine the impervious cover limits. The LR zoning district allows up to 80% impervious cover.

Comprehensive Planning – Kathleen Fox – 512-974-7877

This rezoning case is located on the west side of Avenue F, on a 0.14 acre lot that contains a small single family house. The property is located within the boundaries of the North Loop Neighborhood Planning Area. The property is surrounded by a single family house to the north; a used car lot to the south; a convenience store to the west; and a single family house and a commercial property to the east. The request is to rezone the property to acknowledge the existing use: a single family house and allow for an additional residential unit to be built.

North Loop Neighborhood Planning Area (NLNPA)

The NLNP Future Land Use Map Designates (FLUM) this portion of the planning area as “Mixed Use” and Zone SF-3 is permitted under this future land use designation. The following goals and objectives listed below that are applicable to this case.

Goal 2: Encourage housing for a variety of income levels. (p. 17)

Objective 2.1: Provide additional opportunities for housing choice through secondary apartments, mixed use, and small scale multi-family.

Goal 4: Encourage development of a diversity of neighborhood-oriented businesses. (p 18)

Objective 4.1: Promote zoning that allows the development of small scale, neighborhood oriented businesses. (p 18)

The NLNP supports single family housing.

Imagine Austin

While this property is located by an Activity Corridor, based on the comparative scale of the site relative to adjacent residential uses, this case falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning.

Site Plan – Cindy Edmond - 512-974-3437

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

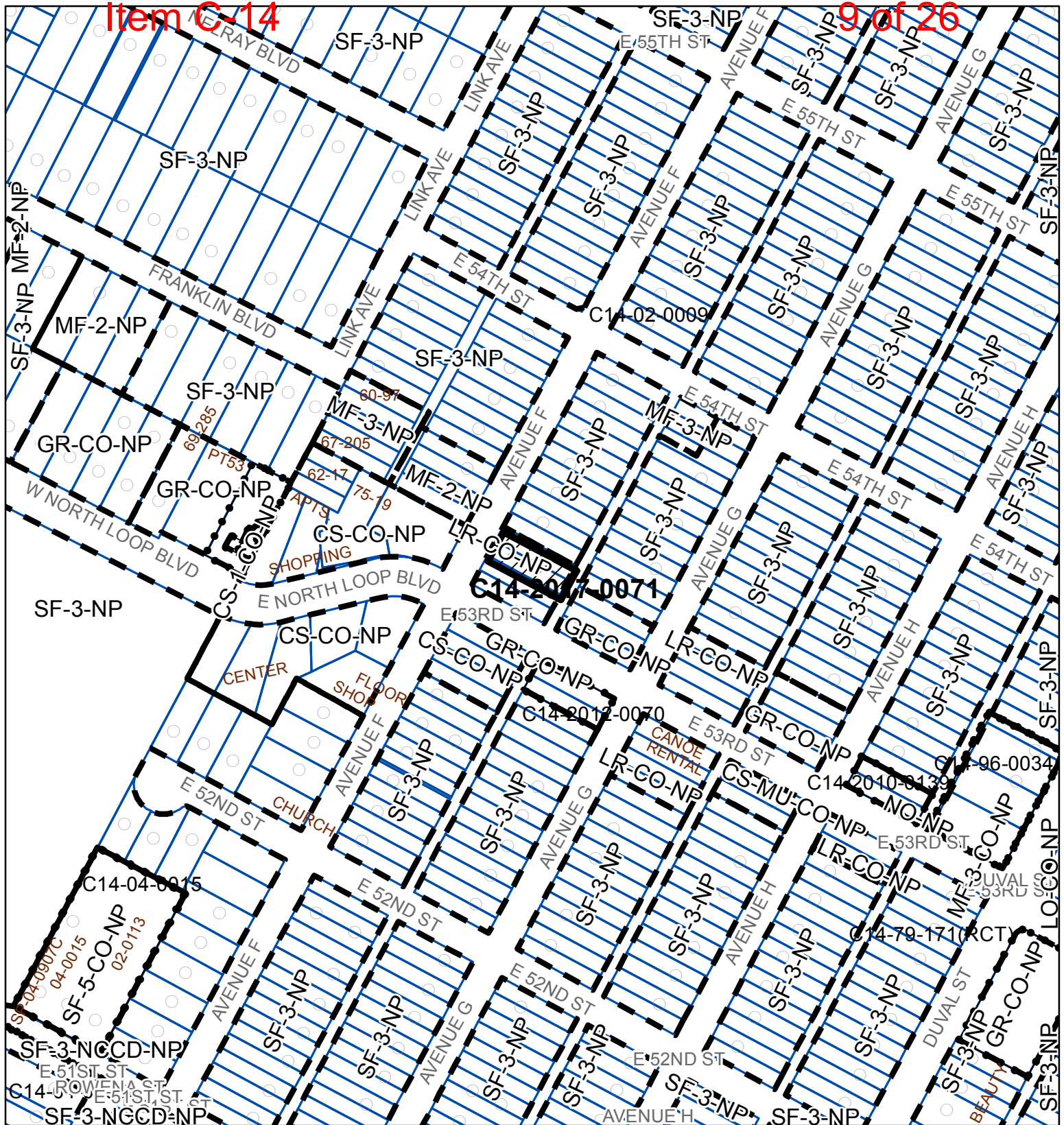
Environmental – Mike McDougal – 512-974-6380

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

Water Utility – Neil Kepple – 512-972-0077

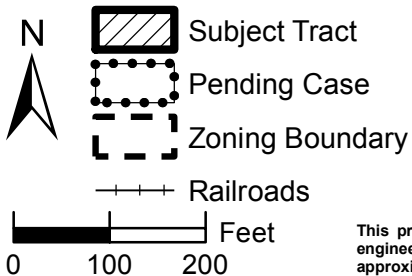
The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.



ZONING

Case#: C14-2017-0071

EXHIBIT A

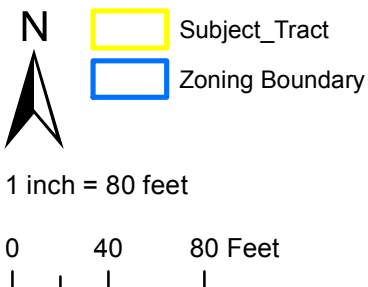
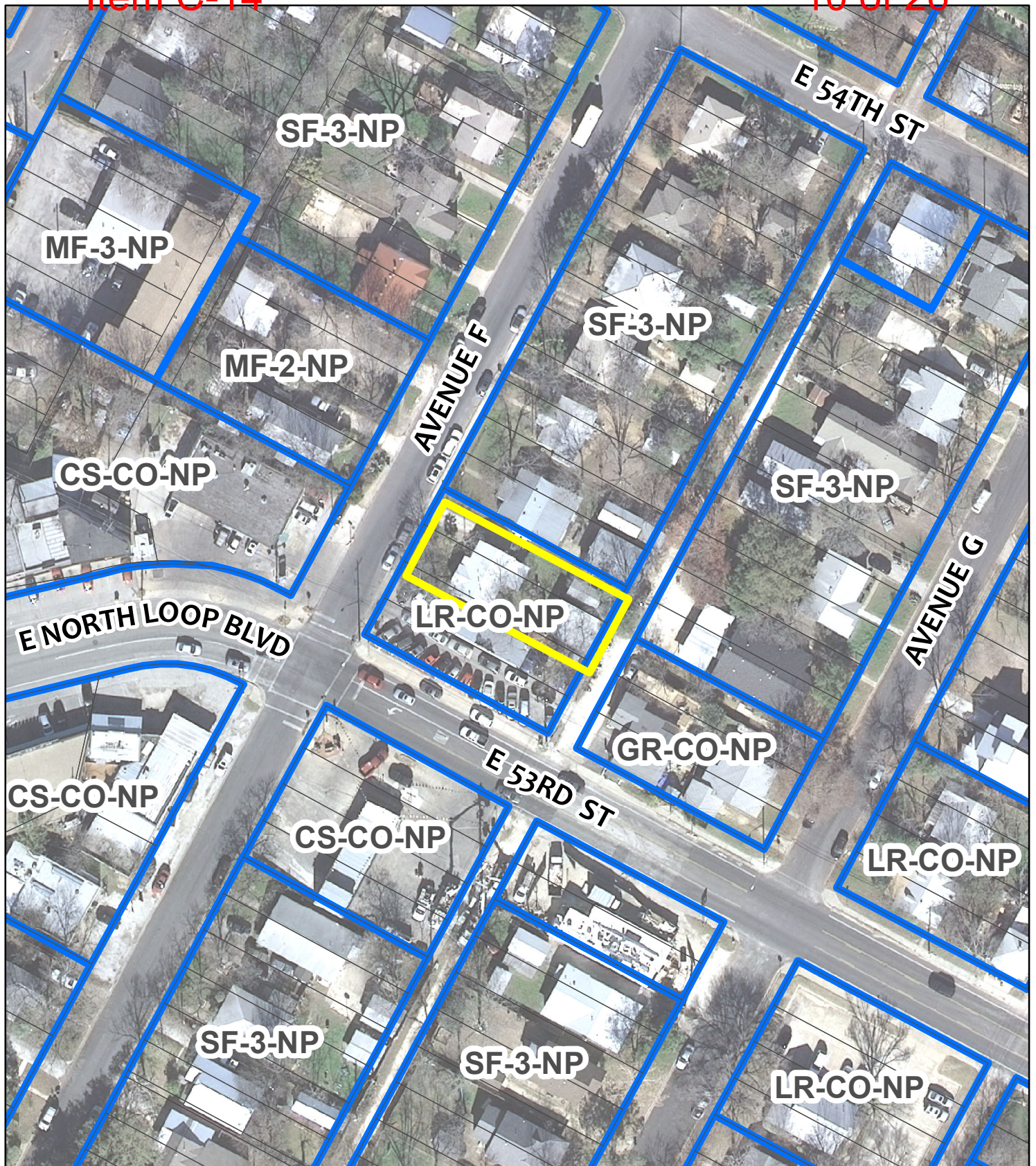


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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



Created: 6/2/2017



ZONING & VICINITY - EXHIBIT B

Zoning Case: C14-2017-0071
 Address: 5303 Avenue F
 Subject Area: 0.143 Acres
 Case Manager: Scott Grantham

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



EXHIBIT C

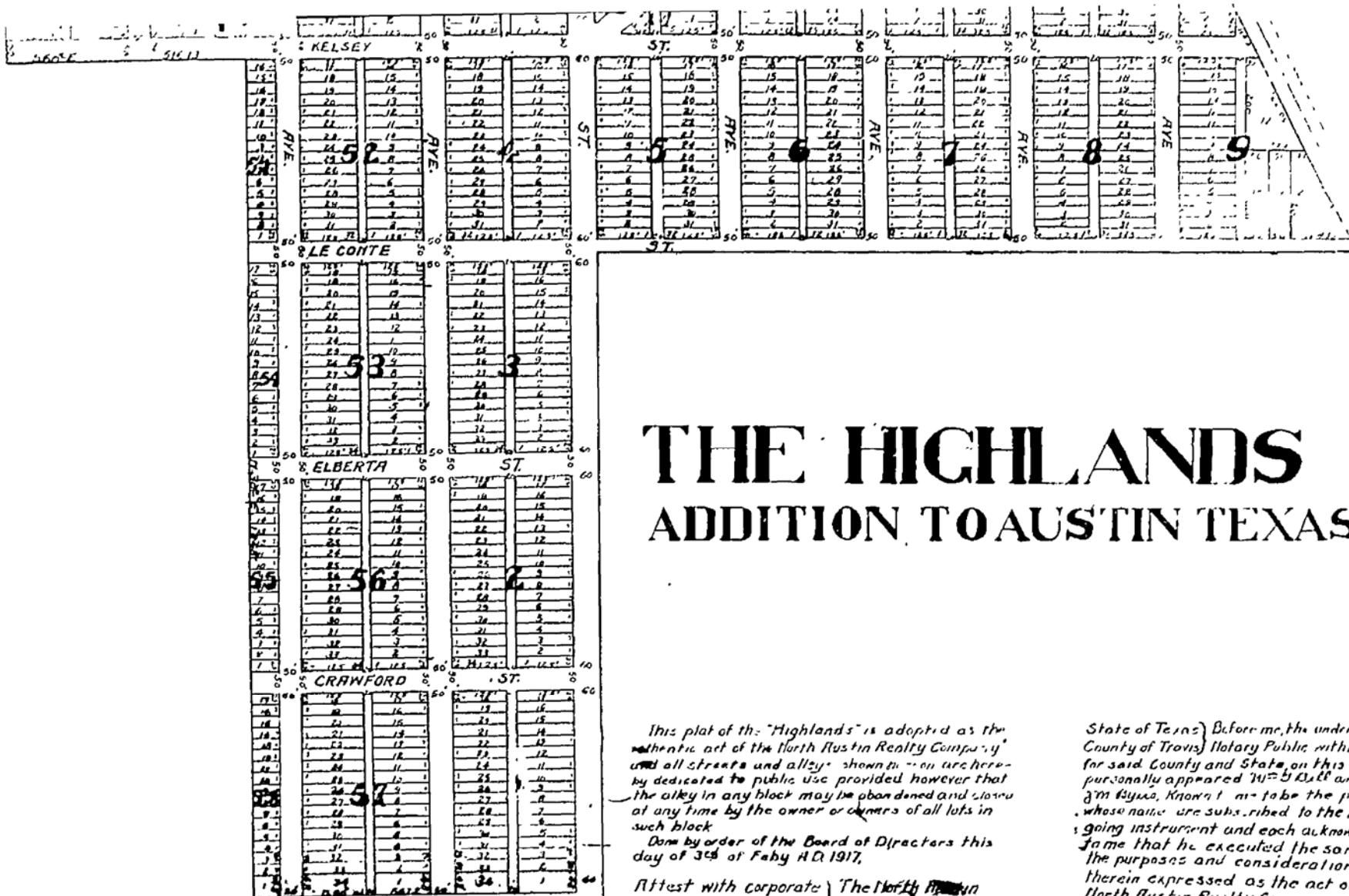
TRACT

C8-2015-0006.0A
Plat # 14733

THE HIGHLANDS

ADDITION TO AUSTIN TEXAS.

Item C-14



THE HIGHLANDS ADDITION TO AUSTIN TEXAS.

This plat of the "Highlands" is adopted as the authentic act of the North Austin Realty Company, and all streets and alleys shown thereon are hereby dedicated to public use provided however that the alley in any block may be abandoned and closed at any time by the owner or owners of all lots in such block.

Done by order of the Board of Directors this day of 3rd of Feb'y A.D. 1917.

Attest with corporate seal } The North Austin Realty Company

Geo Byrns Secretary Wm J Ball President

Seal

State of Texas) Before me, the undersigned County of Travis) Notary Public within and for said County and State, on this day personally appeared Wm J Ball and Geo Byrns, known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and considerations therein expressed as the act of the North Austin Realty Company.

Given under my hand and seal of office this 3rd day of February A.D. 1917.

Y. A. Davidson
NOTARY PUBLIC TRAVIS CO., TEXAS

FILED FOR RECORD FEB 9, 1917 A.M. AT 9:11 A.M.

RECORDED FEB 13 1917 A.M. AT 3:40 P.M.

SURVEY & PLAT
BY

G. S. IREDELL
CITY ENGINEER

(Original) Scale 1" = 100 Feet.
(Recorded) - 1" = 200 -

All block corners marked by 1" or 1 1/2" Pipes

EXHIBIT D

ORDINANCE NO. 020523-31

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 614.97 ACRES OF LAND GENERALLY KNOWN AS THE NORTH LOOP NEIGHBORHOOD PLAN AREA ("NORTH LOOP") AND TO CHANGE THE BASE ZONING DISTRICTS ON 101 TRACTS OF LAND IN NORTH LOOP.

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 neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 101 tracts of land within the property described in File C14-02-0009, as follows:

Approximately 614.97 acres of land, in the City of Austin, Travis County, Texas, more particularly described and identified in the attached Exhibit "A", (the "Property"),

generally known as the North Loop Neighborhood Plan (NP) combining district, locally known as the property bounded by Koenig Lane on the north, IH-35 on the east, Lamar Boulevard on the west and 45th Street, Red River Street and 51st Street on the south, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The base zoning districts for the 101 tracts of land are changed from family residence (SF-3) district, multifamily residence low density (MF-2) district, multifamily residence medium density (MF-3) district, limited office (LO) district, general office (GO) district, neighborhood commercial (LR) district, community commercial (GR) district, community commercial-conditional overly (GR-CO) combining district, general commercial services (CS) district, general commercial services-conditional overlay (CS-CO) combining district, commercial-liquor sales (CS-1) district, and commercial-liquor sales-conditional overlay (CS-1-CO) combining district to family residence-neighborhood plan (SF-3-NP) combining district, multifamily residence low density-neighborhood plan (MF-2-NP) combining district, multifamily residence medium density-neighborhood plan (MF-3-NP) combining district, multifamily residence moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district, neighborhood office-neighborhood plan (NO-NP) combining district, limited office-neighborhood plan (LO-

NP) combining district, limited office-mixed use-neighborhood plan (LO-MU-NP) combining district, limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district, general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district, neighborhood commercial-conditional overlay neighborhood plan (LR-CO-NP) combining district, neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district, community commercial-mixed used-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district, community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, commercial-liquor sales-conditional overlay neighborhood plan (CS-1-CO-NP) combining district, and public-neighborhood plan (P-NP) combining district, as more particularly described and identified in the chart below.

TRACT	ADDRESS	FROM	TO
1a	5607 LAMAR BV N	CS	CS-CO-NP
1a	5501 LAMAR BV N	CS & GR	CS-CO-NP
1b	600 NELRAY BV	CS	CS-CO-NP
1c	5555 LAMAR BV N	CS, CS-1, & LO	CS-CO-NP, CS-1-CO-NP
1d	700 NELRAY BV	LO	LO-MU-NP
2	707, 709 NELRAY BV; 0 LAMAR BV N (LOT 38 NORTHFIELD ADDITION); 5403, 5409, 5415, 5417 LAMAR BV N	CS	CS-CO-NP
3	5301, 5319 LAMAR BV N	CS	CS-CO-NP
4a	701 NORTH LOOP BV E	CS	CS-MU-CO-NP
4a	5237, 5241 LAMAR BV N; 5253 LAMAR BV N (LOT 18-19, 20-21 LOT 22 *LESS 987 SF INTO ROW BLK B MURRAY PLACE)	CS	CS-CO-NP
4b	5225 LAMAR BV N	CS, LR, LO, MF-3	CS-CO-NP, LR-MU-NP, LO-MU-NP, MF-3-NP
4c	0 LAMAR BV N (LOT 6-7 BLK B MURRAY PLACE); 0 LAMAR BV N (LOT 8-9 BLK B MURRAY PLACE); 5201 & 5209 LAMAR BV N; 702 ZENNIA ST	CS	CS-CO-NP
5a	5101, 5115, 5117 LAMAR BV N; 620 51 ST W	CS	CS-CO-NP
5b	703 ZENNIA ST	LO	LO-NP
6	703, 705 NELRAY BV ; 702, 704, 710, 712 FRANKLIN BV	SF-3	MF-3-NP

7	612 NORTH LOOP BV W	LO	LO-MU-CO-NP
8	301 KOENIG LN W	CS	CS-MU-CO-NP
9	101, 111, 115, 211 KOENIG LN W	CS	CS-MU-CO-NP
10	201, 501 KOENIG LN E	CS	CS-MU-CO-NP
11	702 56 ST E; 5600 AIRPORT BV	CS	CS-MU-CO-NP
12	601, 605 56 ST E; 5500, 5504 MARTIN AV; 0 56 ST E (LOT 32 BLK 33 *LESS N 10FT HIGHLANDS THE PLUS ADJ 1/2 VAC ST); 0 MARTIN AV (S12.5FT OF LOT 24 * & N12.5FT OF LOT 25 BLK 34 *LESS E5FT HIGHLANDS THE)	CS	CS-CO-NP
13	5501, 5509, 5511 MARTIN AV	CS	CS-CO-NP
14	711 56 ST E; 5500, 5502, 5504, 5506, 5508 MIDDLE FISKVILLE RD	CS	CS-CO-NP
15	5500, 5512, 0 AIRPORT BV (N TRI OF BLK 1 HILL LOU H MRS SUBD)	CS	CS-CO-NP
16	701 55 ST E	CS	CS-CO-NP
17	5408, 5410, 5414, 5416, 5418, 5420 MIDDLE FISKVILLE RD	CS	CS-CO-NP
18	5406 MIDDLE FISKVILLE RD	SF-3	CS-CO-NP
19	5402 MIDDLE FISKVILLE RD	CS	CS-CO-NP
20	5400 MIDDLE FISKVILLE RD	SF-3	CS-CO-NP
21a	5420 AIRPORT BV	CS, CS-1	CS-CO-NP, CS-1-CO-NP
21b	5324, 5400, 5410 AIRPORT BV	CS	CS-CO-NP
22	5306 MIDDLE FISKVILLE RD	CS	CS-CO-NP
23a	5639 AIRPORT BV; 901, 909, 921 REINLI ST	CS	CS-CO-NP
23b	5619 AIRPORT BV	CS, CS-1 & CS-1-CO	CS-CO-NP, CS-1-CO-NP & CS-1-CO-NP
23c	5520 HELEN ST	CS	CS-MU-CO-NP
23d	5555 AIRPORT BV	CS	CS-CO-NP
24	5501 AIRPORT BV	CS & CS-1	CS-CO-NP & CS-1-CO-NP
25a	5335 AIRPORT BV	CS	CS-CO-NP
25b	5325 AIRPORT BV	CS-1	CS-1-CO-NP
26a	5307 AIRPORT BV; 819 53 1/2 ST E	CS	CS-CO-NP
26b	818 53 ST E	LO	LO-CO-NP
26c	823 53 1/2 ST E	LR & CS	LR-CO-NP & CS-CO-NP
27a	5205, 5207 AIRPORT BV	CS	CS-CO-NP
27b	819, 821 53 ST E	LO	LO-CO-NP
28	5201 AIRPORT BV	CS & CS-1	CS-CO-NP & CS-1-CO-NP
29	813, 815 52 ST E; 5105 AIRPORT BV	CS	CS-CO-NP
30	5101 AIRPORT BV	CS	CS-CO-NP

31	808 51 ST E	CS-CO	CS-CO-NP
32	5009, 5011 AIRPORT BV	CS	CS-CO-NP
33	5001, 5003 AIRPORT BV	CS & CS-1	CS-CO-NP & CS-1-CO-NP
34	4917 AIRPORT BV	CS	CS-CO-NP
35	4909, 4915 AIRPORT BV; 908 49 1/2 ST E	GR	GR-CO-NP
35	0 49 1/2 ST E (LOT 3 *RESUB OF LT A NORTH HARMON TERRACE)	LR & GR	GR-CO-NP
36a	4905 AIRPORT BV; 907 49 1/2 ST E	GR	GR-CO-NP
36b	4901 AIRPORT BV	CS	CS-CO-NP
36c	902, 904 49 ST E	CS & CS-1	CS-CO-NP & CS-1-CO-NP
37	903 49 ST E	LR & CS	CS-CO-NP
38	4801, 4803 AIRPORT BV; 909 48 1/2 ST E	CS	CS-CO-NP
39a	4715, 4721, 0 AIRPORT BV (LOT 2 DYESS SUBD). 908 48 ST E	CS	CS-CO-NP
39b	4712 HARMON AV	GR	GR-CO-NP
39c	4608 HARMON AV	CS & CS-1	CS-CO-NP & CS-1-CO-NP
40	108, 110 A, 112, 114 A NORTH LOOP BV E	SF-3	GR-CO-NP
41a	100, 104, 106 NORTH LOOP BV W	GR, LO	GR-CO-NP
41b	100, 102, 0 NORTH LOOP BV W (W 85FT OF LOT 30-32 BLK 44 HIGHLANDS THE)	CS	CS-CO-NP
41b	110 NORTH LOOP BV E	LR, CS	CS-CO-NP
41b	120 NORTH LOOP BV W	LR	CS-CO-NP
42	200 53 ST E; 5303 AVENUE F	LR	LR-CO-NP
43	204 53 ST E	GR	GR-CO-NP
43	5300 AVENUE G	LR	GR-CO-NP
44	5301, 5303 AVENUE G	LR	LR-CO-NP
45	5302 AVENUE H	LR	GR-CO-NP
45	5300 AVENUE H	CS	GR-CO-NP
46	5303 DUVAL ST	LO	LO-CO-NP
47	5300, 5302 EVANS AV	CS	CS-CO-NP
48	600 54 ST E; 600 53 ST E (LOT 1-8, LOT 9-16, LOT 25-32 BLK 26 HIGHLANDS THE)	CS	CS-MU-CO-NP
49	704, 706, 708 53 ST E; 5301 MARTIN AV; 0 53 ST E (LOT 17-18 *& 10 FT ADJ ALLEY BLK 27 HIGHLANDS THE); 0 53 ST E (LOT 19-20 *& 10FT ADJ ALLEY BLK 27 HIGHLANDS THE)	CS	CS-CO-NP
50	225 NORTH LOOP BV W; 5219 LERALLYNN ST	LO	LO-MU-CO-NP
51	209 NORTH LOOP BV W	CS	CS-CO-NP
52	101, 103, 109, 111 NORTH LOOP BV E; 117 NORTH LOOP BV W; 5208, 5210, 5212 AVENUE F	CS	CS-CO-NP
53	201 53 ST E	CS	CS-CO-NP

54	207 53 ST E	LR	LR-CO-NP
55	5213 AVENUE G	LR	LR-CO-NP
56	5214 AVENUE H	CS	CS-MU-CO-NP
57	401 53 ST E	LR	LR-CO-NP
58	501 53 ST E	GR	GR-CO-NP
59a	5213 EVANS AV	LR	LR-MU-CO-NP
59b	601 53 ST E	LR	LR-CO-NP
60	5211 MARTIN AV	SF-3, LR	LR-MU-CO-NP
61	705 53 ST E; 5210 BRUNING AV	GR	GR-CO-NP
62	5201, 5203, 5205, 5207 EVANS AV	LO	LO-MU-CO-NP
63	5206 EILERS AV	CS	CS-MU-CO-NP
64	5211 EILERS AV	CS	CS-MU-CO-NP
65	5204 CLARKSON AV	LO	LO-MU-CO-NP
66	5102 DUVAL ST ; 404 51 ST E	CS	CS-MU-CO-NP
67	5100 BRUNING AV	CS	CS-MU-CO-NP
68	0 BRUNING AV (LOT 1 BLK 14 HIGHLANDS THE)	CS	CS-MU-CO-NP
69	500 51 ST E	CS	CS-MU-CO-NP
70	5101 EVANS AV	CS	CS-MU-CO-NP
71	5102, 5106 CLARKSON AV	CS	CS-MU-CO-NP
72	4701 RED RIVER ST #101 - 304; 4705 RED RIVER ST	CS	CS-MU-CO-NP
73	4700 DEPEW AV	CS, MF-2	CS-MU-CO-NP, MF-2-NP
74	4625 RED RIVER ST	CS	CS-MU-CO-NP
75	4624 DEPEW AV	CS	CS-MU-CO-NP
76	900 51 ST E	GO	GO-MU-CO-NP
77a	940 51 ST E	LO	LO-MU-NP
77b	944 51 ST E	GR	GR-MU-CO-NP
78	905 & 907 51 ST E	LO	LO-MU-NP
79	4817 HARMON AV	MF-2	SF-3-NP
80a	4705, 4707, 4709, 4715 HARMON AV	CS	CS-MU-CO-NP
80b	4719 HARMON AV	LO	LO-MU-CO-NP
81	4701 HARMON AV	LO	LO-MU-CO-NP
82	4610, 4612 CONNELLY ST	LO	LO-MU-CO-NP
83	4606 CONNELLY ST	LO	LO-MU-CO-NP
84	906 49 ST E ; 909 49 1/2 ST E	LO	LO-MU-CO-NP
85	822, 908 REINLI ST ; 919 KOENIG LN E; 5804, 5812, 5816 INTERSTATE HY 35 N	CS	CS-CO-NP
86a	5510, 5526, 5610, 5656, 5740 INTERSTATE HY 35 N; 0 INTERSTATE HY 35 N (LOT 2 *RESUB LOT 41-42 LESS W45.57FT AV DUVAL HEIGHTS); 925, 959 REINLI ST	CS	CS-CO-NP
86b	922 56 1/2 ST E	LO & CS	LO-CO-NP & CS-CO-NP
86c	5500 INTERSTATE HY 35 N	MF-3 & CS	NO-NP; CS-CO-NP
86d	5330 INTERSTATE HY 35 N	CS	CS-CO-NP

87	1011, 1015 53 ½ ST E	CS	CS-CO-NP
88a	1014 53 ST E (LOT 2 * 2022 SF LOT 3 HASTER F SUBD LOT 1 *107X170FT AV *RESUB PT HILL LOU H MRS SUBD)	CS	CS-CO-NP
88b	1014 53 ST E (LOT 1 HASTER F SUBD E 50'LT 1 BLK O RIDGETOP SUBD)	GR-CO	GR-CO-NP
89a	1000 52 ST E ; 1009 53 ST E	GR	GR-CO-NP
89b	5210 INTERSTATE HY 35 N	GR & CS	GR-CO-NP & CS-CO-NP
90	1000 51 ST E; 1003 52 ST E	GR	GR-CO-NP
91	1000 50 ST E	LR & GR	CS-CO-NP
91	1006 50 ST E	LO	CS-CO-NP
91	1008 50 ST E ; 0 INTERSTATE HWY 35 N (LOT 2 * 272 SQ FT OF BLK B RIDGETOP)	LR	CS-CO-NP
92a	4911 HARMON AV	LO	LO-CO-NP
92b	4920 INTERSTATE HY 35 N	LO & CS	LO-CO-NP & CS-CO-NP
93	4916 INTERSTATE HY 35 N	CS	CS-CO-NP
94	4900, 4904, 4908, 4912 INTERSTATE HY 35 N	CS	CS-CO-NP
95a	4834 INTERSTATE HY 35 N	LR	CS-CO-NP
95b	4812 INTERSTATE HY 35 N	GR-CO, GR, CS, LO	GR-CO-NP, CS-CO-NP, LO-CO-NP
95c	4806 INTERSTATE HY 35 N	GR	GR-CO-NP
96	4800 INTERSTATE HY 35 N	CS & CS-1	CS-CO-NP & CS-1-CO-NP
97	4600, 4704, 4706 INTERSTATE HY 35 N	CS	CS-CO-NP
98	1001 46 ST E	CS, CS-1	CS-CO-NP, CS-1-CO-NP
98	1003, 1007, 1011, 1019 46 ST E ; 4507, 4511 AIRPORT BV ; 4512 INTERSTATE HY 35 N	CS	CS-CO-NP
99	901, 903 51 ST E	SF-3	GR-CO-NP
100	O BRUNING AVE (BLK 17 HIGHLANDS THE)	SF-3	P-NP
101	5413 GUADALUPE	MF-3	MF-4-CO-NP

PART 3. The following applies to an existing legal lot with single-family residential use within the boundaries of the NP combining district:

1. The minimum lot area is 2,500 square feet.
2. The minimum lot width is 25 feet.
3. For a lot with an area of 3,500 square feet or less, the impervious coverage may not exceed 65 percent.

PART 4. Secondary apartment special use is permitted on lots in residential districts within the boundaries of the NP combining district as set forth in Sections 25-2-1462 and 25-2-1463 of the Code

PART 5. Corner store special use is permitted on lots in residential districts within the boundaries of the NP combining district as set forth in Sections 25-2-1482 through 25-2-1485 of the Code.

PART 6. Tracts 2, 3, 4a, 4b, 4c, 5a, 5b, 9 through 22, 24, 25a, 25b, 26a, 26b, 26c, 27a, 27b, 28 through 35, 36a, 36b, 36c, 37, 38, 39a, 39b, 39c, 40, 41a, 41b, 42 through 49, 51 through 58, 59a, 59b, 60, 61, 66 through 69, 84, and 99 may be developed as a neighborhood mixed use building special use as set forth in Sections 25-2-1502 through 25-2-1504 of the Code:

PART 7. Tracts 1a, 1b, 1c, 11 through 22, 24, 25a and 25b may be developed as neighborhood urban center special use as set forth in Sections 25-2-1521 through Section 25-2-1524 of the Code.

PART 8. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions.

1. The following uses are conditional uses on Tracts 1a, 1b, 1c, 2, 3, 4a, 4b, 4c, 5a, 8, 9, and 10:

Adult oriented businesses
Automotive sales
Commercial blood plasma center
Convenience storage
Equipment sales
Vehicle storage

Agricultural sales and services
Campground
Construction sales and services
Equipment repair services
Kennels

2. The following uses are prohibited uses on Tracts 11 through 22, 23a, 23b, 23c, 23d, 24, 25a, 25b, 26a, 26c, 27a, 28, 29, 30, 32, 33, 34, 36b, 36c, 37, 38, 39a, 39c, 80a, 85, 86a, 86b, 86c, 86d, 87, 88a, 89b, 91, 92b, 93, 94, 95a, 95b, 96, 97, and 98:

Adult oriented businesses
Residential treatment

Pawn shop services
Transitional housing

3. The following uses are conditional uses on Tracts 16 through 22, 23c, 23d, 24, 25a, 25b, 26a, 26c, 27a, 28, 29, 30, and 31:

Agricultural sales and services
Campground
Construction sales and services
Equipment repair services
Kennels

Automotive sales
Commercial blood plasma center
Convenience storage
Equipment sales
Vehicle storage

4. The following uses are conditional uses on Tracts 11 through 15, 23a, 23b, 32, 33, 34, 36b, 36c, 37, 38, 39a, and 39c:

Agricultural sales and services
Commercial blood plasma center
Convenience storage
Equipment sales
Vehicle storage

Campground
Construction sales and services
Equipment repair services
Kennels

5. A site plan or building permit for the Tract 31 may not be approved, released, or issued, if the completed development or uses of Tract 31, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 300 trips per day.

6. Vehicular access from Tract 31 to 51st Street is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

7. The following uses are prohibited uses on Tract 31:

Adult oriented businesses
Residential treatment
Transitional housing

Pawn shop services
Restaurant (drive-in, fast food)

8. The following uses are prohibited uses on Tract 23b:

Cocktail lounge

Liquor sales

9. The following uses are prohibited uses on Tracts 35, 36a, 39b, 89a, 90, 95c, and 99:

Pawn shop services

Residential treatment

10. The following uses are prohibited uses on Tracts 41b, 47, 48, 49, 51, 52, 53, 56, 63, 64, and 66 through 75:

Adult oriented businesses
Automotive rentals
Automotive sales
Commercial blood plasma center
Equipment repair services
Exterminating services
Hospital services (general)
Laundry services
Medical offices (exceeding 5,000 s.f.)
Residential treatment
Transitional housing
Transportation terminal

Agricultural sales and services
Automotive repair services
Campground
Convenience storage
Equipment sales
Funeral services
Kennels
Limited warehousing and distribution
Pawn shop services
Service station
Vehicle storage

11. Construction sales and services use is a prohibited use on a site exceeding 8,000 square feet of gross floor area on Tracts 41b, 47, 48, 49, 51, 52, 53, 56, 63, 64, and 66 through 75.
12. The following uses are conditional uses on Tracts 40, 41a, 41b, 43, 45, 47, 48, 49, 51, 52, 53, 56, 58, 61, 63, 64, and 66 through 75.

Congregate living
Drive-in service as an accessory use to a commercial use.

13. The following uses are prohibited uses on Tracts 40, 41a, 43, 45, 58, and 61:

Automotive rentals
Automotive sales
Funeral services
Medical offices (exceeding 5,000 s.f.)
Residential treatment

Automotive repair services
Exterminating services
Hospital services (general)
Pawn shop services
Service station

14. The following uses are prohibited uses on Tracts 7, 42, 44, 46, 50, 54, 55, 57, 59a, 59b, 60, 62, and 65:

Medical offices (exceeding 5,000 s.f.)
Service station

Residential treatment

15. The following uses are conditional uses on Tracts 80a, 85, 86a, 86b, 86c, 86d, 87, 88a, 89b, 91, 92b, 93, 94, 95a, 95b, 96, 97, and 98:

Campground

Convenience storage

Kennels

Commercial blood plasma center

Equipment sales

Vehicle storage

16. Residential treatment use is a prohibited use on Tracts 26b, 27b, 76, 80b, and 81 through 84.

17. The followings uses are prohibited uses on Tract 88b:

Automotive repair services

Pawn shop services

Restaurant (drive-in, fast food)

Exterminating services

Residential treatment

Service station

18. The following conditions apply to Tract 88b:

- a. The floor area ratio (F.A.R.) may not exceed 1 to 1 for general retail sales (general) use, general retail sales (convenience) use, and financial services use.
- b. The floor area ratio (F.A.R.) may not exceed 0.45 to 1 for restaurant (general) use and restaurant (limited) use.
- c. The floor area ratio (F.A.R.) may not exceed 0.38 to 1 for food sales use.
- d. Vehicular access from the Property to 53rd Street is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

19. The following conditions apply to Tract 101:

- a. Hospital services (limited) use is a prohibited use.
- b. The maximum height of a building is 40 feet from ground level.
- c. The minimum front yard setback is 25 feet.

- d. The maximum building coverage is 55 percent.
 - e. The maximum impervious cover is 65 percent.
20. The following conditions apply to a 0.510 acre tract of land out of Tract 95b, the tract of land described by metes and bounds in Exhibit "C" incorporated into this ordinance:
- a. General retail sales (general) and general retail sales (convenience) use may not exceed 13,260 square feet of gross floor area.
 - b. Restaurant (general) use may not exceed 9,730 square feet of gross floor area.
 - c. Restaurant (drive-in, fast food) use may not exceed 3,160 square feet of gross floor area.
 - d. Financial services use may not exceed 12,500 square feet of gross floor area.
 - e. Food sales use may not exceed 2,730 square feet of gross floor area.
 - f. Vehicular access is prohibited from the property to Harmon Avenue. All vehicular access to the property shall be from other adjacent public streets or through other adjacent property.
21. The following condition applies to a 1.26 acre tract of land out of Tract 95b, the tract of land described by metes and bounds in Exhibits "D" and "E" incorporated into this ordinance:

Vehicular access is prohibited from the property to Harmon Avenue. All vehicular access to the property shall be from other adjacent public streets or through other adjacent property.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

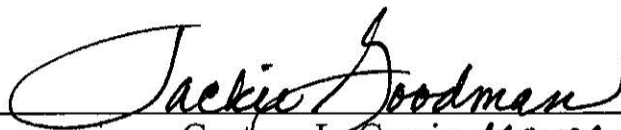
PART 9. The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 10. This ordinance takes effect on June 3, 2002.

PASSED AND APPROVED


_____, May 23, 2002

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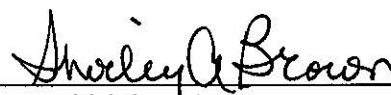


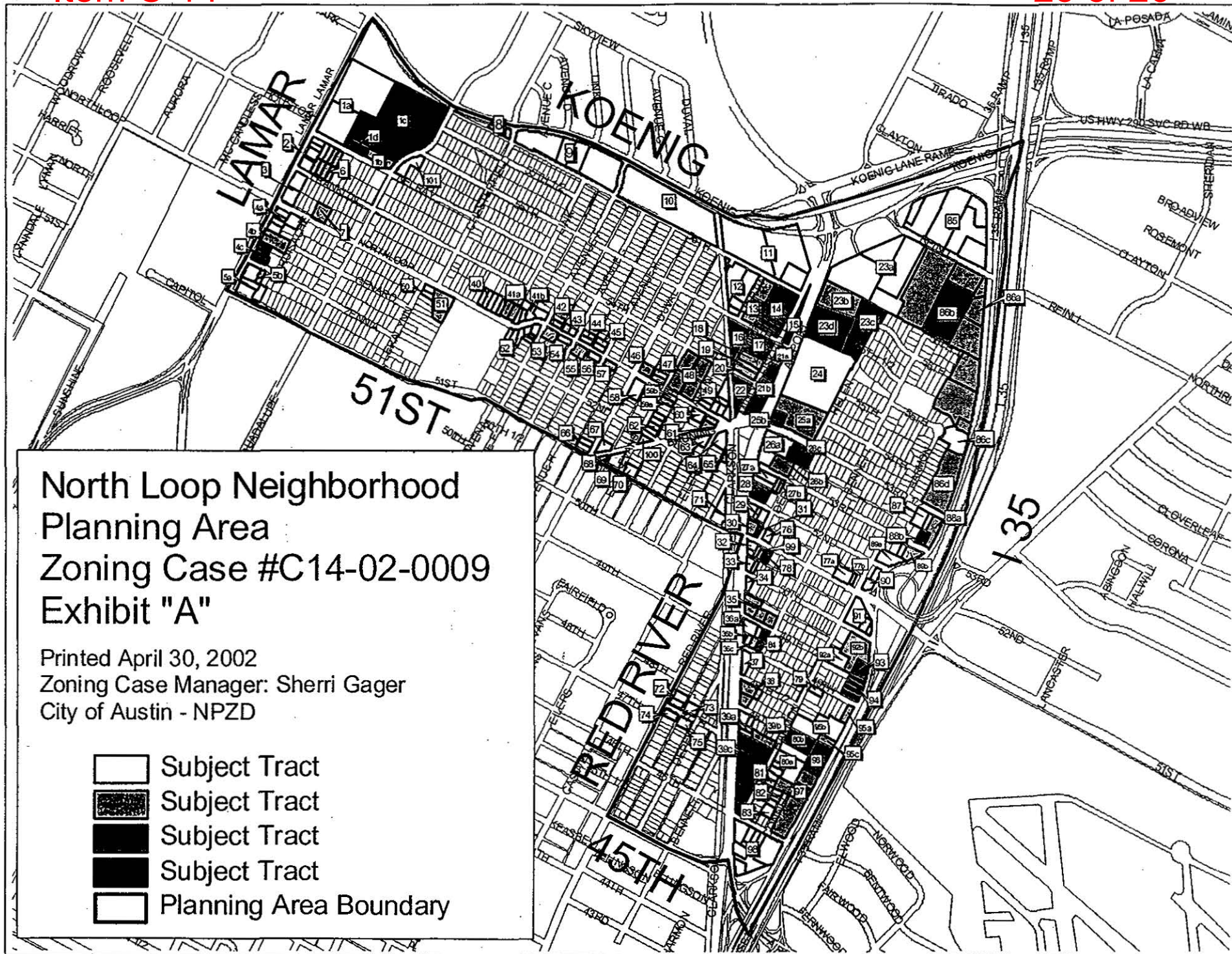
Gustavo L. Garcia *Mayor Pro Tem*
Mayor

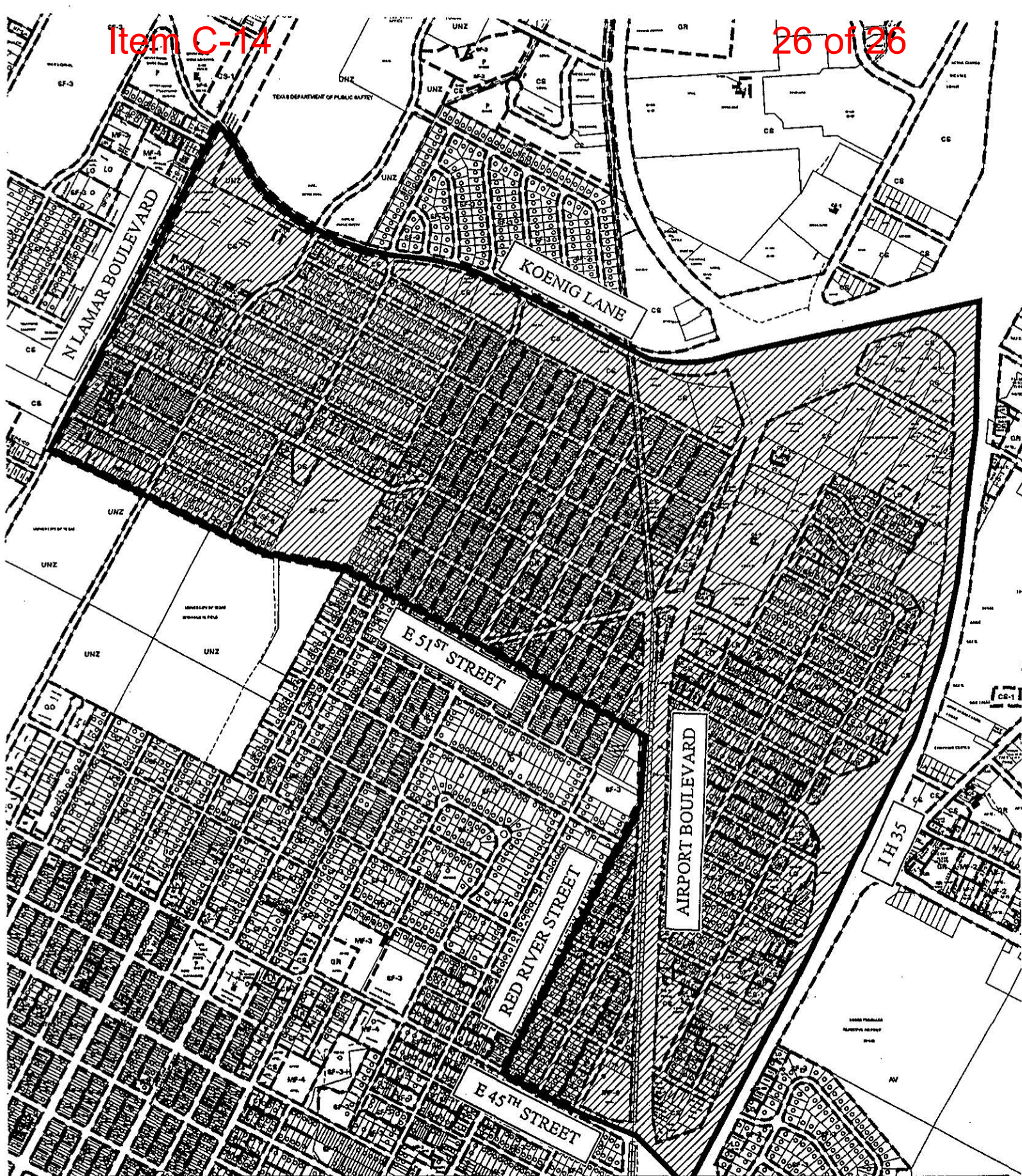
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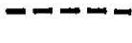

Sedora Jefferson
City Attorney

ATTEST:


Shirley A. Brown
City Clerk





 1" = 1000'	SUBJECT TRACT		ZONING EXHIBIT B		CITY GRID REFERENCE NUMBER K25-27
	PENDING CASE				
	ZONING BOUNDARY		CASE #: C14-02-0009	DATE: 02-05	
	CASE MGR: S. GAGER		ADDRESS: W KOENIG LANE	INTLS: SM	
			SUBJECT AREA (acres): 614.970		