

**ORDINANCE NO. 20230914-123**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 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 UNIVERSITY HILLS/WINDSOR PARK NEIGHBORHOOD PLAN AREA FROM COMMERCIAL-LIQUOR SALES-VERTICAL MIXED USE BUILDING-NEIGHBORHOOD PLAN (CS-1-V-NP) COMBINING DISTRICT, GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-CO-NP) COMBINING DISTRICT, COMMUNITY COMMERCIAL-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-V-CO-NP) COMBINING DISTRICT, COMMUNITY COMMERCIAL-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-V-CO-NP) COMBINING DISTRICT, COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-CO-NP) COMBINING DISTRICT, MULTIFAMILY RESIDENCE LOW DENSITY-NEIGHBORHOOD PLAN (MF-2-NP) COMBINING DISTRICT, AND NEIGHBORHOOD OFFICE-MIXED USE-NEIGHBORHOOD PLAN (NO-MU-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-V-CO-NP) 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 commercial-liquor sales-vertical mixed use building-neighborhood plan (CS-1-V-NP) combining district, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district, community commercial-vertical mixed use building-conditional overlay-neighborhood plan (GR-V-CO-NP) combining district, community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district, community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district, multifamily residence low density-neighborhood plan (MF-2-NP) combining district, and neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district to general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district on the property described in Zoning Case No. C14-2023-0003, on file at the Planning Department, as follows:

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

LOTS 1B AND 2A, RESUBDIVISION OF LOT 1, OF THE RESUBDIVISION OF A 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 12, Page 26, of the Plat Records of Travis County, Texas; and

LOTS 4C, 5C, 6C, RESUBDIVISION OF LOT 2B OF THE RESUBDIVISION OF LOT 2, OF THE RESUBDIVISION OF A PART OF LOTS 3 AND 4, RIDGETOP GARDENS, AND RESUBDIVISION OF LOTS 3 AND 4, OF THE RESUBDIVISION OF A 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 11, Page 42, of the Plat Records of Travis County, Texas; and

LOT 2, 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, ROBERT EBY SUBDIVISION, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 44, Page 23, of the Plat Records of Travis County, Texas; and

LOT 2, 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 3, 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

WEST 0.2378 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



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 September 25, 2023.

**PASSED AND APPROVED**

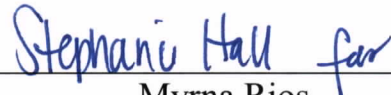
\_\_\_\_\_, September 14, 2023

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Kirk Watson  
Mayor

**APPROVED:**

  
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Anne L. Morgan  
City Attorney

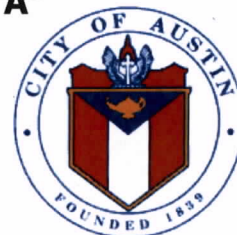
**ATTEST:**

  
\_\_\_\_\_  
Myrna Rios  
City Clerk





ZONING BOUNDARY



**Created: 1/23/2023**