

ORDINANCE NO. 20230921-105

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5401, 5403, AND 5407 CLAY AVENUE, 1705 HOUSTON STREET, AND 5402, 5404, 5406, AND 5408 WILLIAM HOLLAND AVENUE, IN THE BRENTWOOD/HIGHLAND COMBINED NEIGHBORHOOD PLANNING AREA, FROM GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-V-CO-NP) COMBINING DISTRICT, GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) COMBINING DISTRICT, AND MULTIFAMILY RESIDENCE MEDIUM DENSITY-NEIGHBORHOOD PLAN (MF-3-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-V-CO-NP) COMBINING DISTRICT ON TRACT 1 AND MULTIFAMILY RESIDENCE HIGHEST DENSITY-NEIGHBORHOOD PLAN (MF-6-NP) COMBINING DISTRICT ON TRACT 2.

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 general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, and multifamily residence medium density-neighborhood plan (MF-3-NP) combining district to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district on Tract 1 and multifamily residence highest density-neighborhood plan (MF-6-NP) combining district on Tract 2, on the property described in Zoning Case No. C14-2022-0140, on file at the Planning Department, as follows:

Tract 1

LOTS 1, 2, 3, and 4, BLOCK 5, BROADACRES, a subdivision in Travis County, Texas, according to the map or plat thereof as recorded in Volume 3, Page 135, of the Plat Records of Travis County, Texas,

and

Tract 2

LOT 6, BLOCK 5, BROADACRES, a subdivision in Travis County, Texas, according to the map or plat thereof as recorded in Volume 3, Page 135, of the Plat Records of Travis County, Texas, SAVE AND EXCEPT that portion conveyed to the City of Austin by deed recorded in Volume 4742, Page 1893, of the Official Public Records of Travis County, Texas; and

LOT 7, BLOCK 5, BROADACRES, a subdivision in Travis County, Texas, according to the map or plat thereof as recorded in Volume 3, Page 135, of the Plat Records of Travis County, Texas, SAVE AND EXCEPT the East 5 feet of Lot 7, as conveyed to the City of Austin by deed recorded in Volume 3713, Page 1252, of the Official Public Records of Travis County, Texas; and

LOT 8, BLOCK 5, BROADACRES, a subdivision in Travis County, Texas, according to the map or plat thereof as recorded in Volume 3, Page 135, of the Plat Records of Travis County, Texas, SAVE AND EXCEPT the East 5 feet of Lot 8, as conveyed to the City of Austin by deed recorded in Volume 12338, Page 470, of the Official Public Records of Travis County, Texas; and

LOT 9, BLOCK 5, BROADACRES, a subdivision in Travis County, Texas, according to the map or plat thereof as recorded in Volume 3, Page 135, of the Plat Records of Travis County, Texas, SAVE AND EXCEPT the East 5 feet of Lot 9, as conveyed to the City of Austin by deed recorded in Volume 3563, Page 1186, of the Official Public Records of Travis County, Texas;

(Tract 1 and Tract 2 respectively, collectively, the "Property"),

locally known as 5401, 5403, and 5407 Clay Avenue, 1705 Houston Street, and 5402, 5404, 5406, and 5408 William Holland Avenue in the City of Austin, Travis County, Texas, 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) The following uses are prohibited uses on the Property:

Agricultural sales and services	Campground
Commercial blood plasma center	Drop-off recycling collection facility
Equipment repair services	Equipment sales
Kennels	Outdoor entertainment
Outdoor sports and recreation	Vehicle storage

(B) The following uses are conditional uses of the Property:

Construction sales and services

PART 3. Except as specifically restricted under this ordinance, Tract 1 may be developed and used in accordance with the regulations established for the general commercial services (CS) base district, mixed use (MU) combining district, and other applicable requirements of the City Code, and Tract 2 may be developed and used in accordance with the regulations established for the multifamily residence highest density (MF-6) base district and other applicable requirements of the City Code.

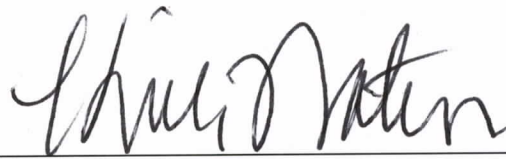
PART 4. Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 040513-33A that established zoning for the Brentwood Neighborhood Plan.

PART 5. This ordinance takes effect on October 2, 2023.

PASSED AND APPROVED

_____, September 21, 2023

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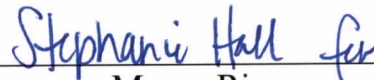
Kirk Watson
Mayor

APPROVED:



Anne L. Morgan
City Attorney

ATTEST:



Myrna Rios
City Clerk



Created: 9/28/2022