

**ORDINANCE NO. 970206-B**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE CITY CODE AS FOLLOWS:**

**LOTS 29, 30, AND 31, BLOCK 1, LAURA P. DUVAL SUBDIVISION OF THE EAST ½ OF OUTLOT 1, DIVISION "Z", IN TRAVIS COUNTY, TEXAS, FROM "CS" COMMERCIAL SERVICES DISTRICT TO "PUD" PLANNED UNIT DEVELOPMENT DISTRICT, SUBJECT TO CERTAIN CONDITIONS, GENERALLY KNOWN AS THE WEST 5TH STREET PUBLIC STORAGE PROJECT, LOCALLY KNOWN AS 1300 WEST 5TH STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The Zoning Map established by Chapter 13-2-22 of the City Code is amended to change the base zoning district from "CS" Commercial Services district to "PUD" Planned Unit Development district on the property (the "Property") described in File C814-96-0002, as follows:

Lots 29, 30, and 31, Block 1, Laura P. Duval Subdivision of the East ½ of Outlot 1, Division "Z", a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 1, Page 23, of the Plat Records of Travis County, Texas,

generally know as the West 5th Street Public Storage Project Planned Unit Development, locally known as 1300 West 5th Street, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "A".

**PART 2.** This ordinance, along with the attached Exhibits A, B, and C, shall constitute the Land Use Plan of the Planned Unit Development district (the "PUD") created by this ordinance. The PUD shall conform to the limitations and conditions set forth in this ordinance and in the West 5th Street Public Storage Project Planned Unit Development Land Use Plan (the "PUD Land Use Plan"), attached as Exhibit "B" and on record at the Development Review and Inspection Department in File No. C814-96-0002. If the text of this ordinance and the attached exhibits conflict, the more restrictive provision shall control. Except as otherwise specifically provided by this ordinance, all other rules, regulations and

ordinances of the City of Austin in effect on the effective date of this ordinance shall apply to the West 5th Street Public Storage Project PUD.

**PART 3.** The attached exhibits are copies of originals on file with the City of Austin Development Review and Inspection Department in File No. C814-96-0002 and are incorporated in this ordinance in their entirety as though set forth fully in the text of this ordinance. The attached exhibits are as follows:

- Exhibit A Map showing boundaries of the West 5th Street Public Storage Project PUD.
- Exhibit B West 5th Street Public Storage Project PUD Land Use Plan.
- Exhibit C Survey of Lots 29, 30, and 31, Block 1, Laura P. Duval Subdivision.

**PART 4.** The land uses on the Property are limited to the permitted and conditional uses allowed within the "CS" Commercial Services base district as set forth in the City Code on the effective date of this ordinance, except that Agricultural Sales and Services, Equipment Repair Services, Equipment Sales, and Kennels shall be prohibited. Any use not specifically identified in this PUD Land Use Plan is expressly prohibited.

**PART 5.** Development on the Property shall comply with the site development standards set forth in this ordinance and in the PUD Land Use Plan attached as Exhibit B.

**PART 6.** Development on the Property is restricted to a maximum floor to area ratio (F.A.R.) of 2:68:1 for Convenience Storage use only and 2:1 for any other use of the Property.

**PART 7.** The maximum building height is limited to 55 feet, with the exceptions to such limit as provided by Section 13-2-608 of the City Code being permitted.

**PART 8.** The minimum front yard setback is 10 feet. There is no minimum interior side yard or rear yard setback.

**PART 9.** The overall impervious cover on the Property shall not exceed 90% of the gross site area.

**PART 10.** The maximum building coverage on the Property shall be 60% of the gross site area.

**PART 11.** Driveway cuts on West 5th Street are limited to one cut. The location and geometry of the driveway cuts is shown on Exhibit "B".

**PART 12.** The number of off-street parking spaces required for the construction of an 82,500 square foot of Convenience Storage facility on the Property shall be 15. Seven of the 15 allowed spaces may be located off-site on the tract of land described as the West 6th Street Public Storage Project PUD in Zoning File No. C814-96-0001 on file at the Development Review and Inspection Department.

**PART 13.** Commercial garbage pick-up may be provided for the Property by an off-site dumpster located on the tract of land described as the West 6th Street PUD in Zoning File No. C814-96-0001.

**PART 14.** Development on the Property shall comply with the standards for the "PUD" Planned Unit Development district as set forth in the City Code on the effective date of this ordinance, except as modified in Part 15.

**PART 15.** In accordance with Section 13-2-683(i) of the City Code, the following sections of the City Code shall not apply to this West 5th Street PUD, and that for the purposes of this planned unit development only, the following is substituted:

- (1) The maximum floor to area ratio (F.A.R.) limitations of Sections 13-2-683(f)(2) and 13-2-630 shall not apply and Part 6 of this ordinance shall be substituted for such sections.
- (2) The minimum setback provisions of Section 13-2-683(f)(4) shall not apply and Part 8 of this ordinance shall be substituted for this section.
- (3) The number of off-street parking spaces required by Section 13-5-107 of the City Code shall not apply and the parking requirements provided in Part 12 of this ordinance shall be substituted in its place.
- (4) Sections 13-2-683(d) and 13-2-683(h) shall not apply and the PUD Land Use Plan attached as Exhibit "B" to this ordinance shall be substituted for such sections.


**PART 16.** Notwithstanding any other provision of the Land Development Code applicable to the Property on the effective date of this ordinance or at the time an application for approval of a site plan or building permit is submitted, no site plan for development of the Property, or any portion of the Property, may be approved or released, and no building permit for construction of a building on the Property, may be issued if the completed development or uses authorized by the proposed site plan or building permit, considered cumulatively with all existing or previously authorized development and uses of the Property, generates traffic exceeding the total traffic generation of 250 vehicle trips per day.


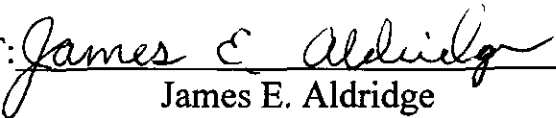
**PART 17.** Nothing in this Ordinance shall be construed to limit or prohibit the exercise by the City of its police powers or authority under the City Code and other applicable law, or to limit or prohibit the right of the Owner to seek an amendment to any provision of this ordinance or the PUD Land Use Plan or any variance or waiver from any City ordinances or regulations applicable to development with the West 5th Street Public Storage Project PUD.

**PART 18.** The Council waives the requirements of Sections 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

**PART 19.** This ordinance takes effect on February 17, 1997.

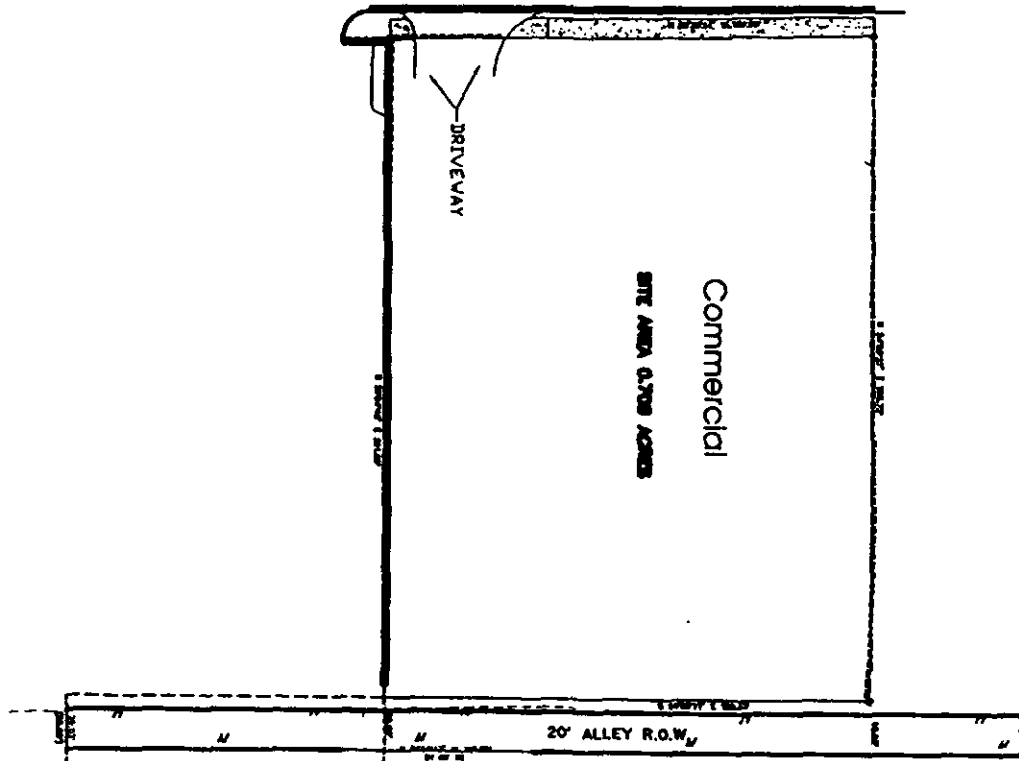
**PASSED AND APPROVED**

February 6, 1997. §  
§  
§   
Bruce Todd  
Mayor

APPROVED:  ATTEST:   
Andrew Martin  
City Attorney  
James E. Aldridge  
City Clerk



WEST 5TH STREET



LEGAL DESCRIPTION:  
LOTS 29-31 IN BLOCK L OF LAURA P. DUVAL'S SUBDIVISION  
OF THE EAST 1/2 OUTLOT L IN DIVISION "2"

SITE DEVELOPMENT STANDARDS

MAXIMUM FLOOR	2.441
MAXIMUM HEIGHT	35'
MAXIMUM FRONT SETBACK	10'
MAXIMUM SIDEWALK COVER	50%
MAXIMUM BUILDING COVERAGE	60%

THE MAXIMUM REQUIRED PARKING FOR CONVENIENCE  
STORAGE USE IS 15 SPACES @ PER \$100 20 FT.

PROPOSED ACCESS FROM WEST 5TH STREET  
IS LIMITED TO THE LOCATION SHOWN ON THIS  
GENERAL DEVELOPMENT PLAN.

EXHIBIT "B"

970206-B

WEST 5TH STREET  
(R.O.W. MARKS)

CHARD STREET

1" INSIDE DIAMETER PIPE  
N 24°25'30" E 92.83'

1" INSIDE DIAMETER PIPE  
N 24°25'10" E 80.10'

# LEGEND

- 1/2" REBAR SET
- 1/2" REBAR FOUND
- ⊙ PIPE FOUND
- ⊠ "K" IN CONC. FOUND
- ⊞ POWER POLE
- GUY ANCHOR
- ( ) RECORD INFO
- ⊕ WATER VALVE
- ⊞ WATER METER
- ⊙ LAMP POST
- ⊞ GAS UTILITY
- ⊞ ELECTRIC UTILITY
- // EDGE OF PAVEMENT
- .. CONCRETE

1"=20'

COMMITMENT FOR TITLE INSURANCE ISSUED BY  
CHICAGO TITLE INSURANCE COMPANY  
C.T. NO. 518598 EFFECTIVE 10/11/95

BEARING BASIS: South line of West 6th Street from subdivision plat - 1-23

I hereby certify to Heritage Title Company of Austin, Inc., Chicago Title Insurance Company, Storage Equities, Inc., and William D. McMorris that this survey was made on the ground of the property shown hereon, on the 17th day of October, 1995, under my direction and supervision, and is true and correct to the best of my knowledge, and there are no apparent encroachments, overlapping of improvements, discrepancies deed line conflicts, visible utility lines, shortages in area, or roads in place, except as shown hereon, and that this property has access to a dedicated right-of-way or access easement, except as shown hereon.

FEMA Flood Insurance Rate Map Panel No. 48453C0205 E Effective Date: June 16, 1993  
Zone Classification: X AREA DETERMINED TO BE OUTSIDE THE 500-YR FLOODPLAIN  
County: TRAVIS



JOSEPH BEAVERS, R.P.L.S. No. 4938 Date

170206-B

EXHIBIT "C"

e: N:\SOSK\SUR\35700204.DWG			
No. 257-95002	Field Book No.111	Pg.	
ale: 1"=20'	Drawn By: DERM	Checked By: JB	
ge Date: 12/26/96	SHEET 01 of 01		
vision No.	Date	Remarks	
1			
2			
3			
4			

SURVEY OF LOTS 29-31, BLOCK 1, LAURA P. DUVAL'S SUBDIVISION OF THE EAST 1/2 OF OUTLOT 1, DIVISION Z, A SUBDIVISION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, RECORDED IN VOLUME1, PAGE 23 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.



**K.C. ENGINEERING, INC.**  
CONSULTING ENGINEERS AND SURVEYORS  
4601 SOUTH LAMAR BLVD., SUITE 230 AUSTIN, TEXAS 78745  
OFFICE: (512) 892-5585 FAX (512) 892-5586

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PO#: 970206B  
Ad ID#: 2KM704200  
Acct#: 5124992499

# Austin American-Statesman

Account Name: CITY CLERKS OFFICE

CITY CLERKS OFFICE  
PO BOX 1088  
AUSTIN, TX 78767

## AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS  
COUNTY OF TRAVIS

ORDINANCE NO. 970206-B  
AN ORDINANCE REZONING AND  
CHANGING THE ZONING MAP AC-  
COMPANYING CHAPTER 13-2 OF  
THE CITY CODE AS FOLLOWS:  
LOTS 29, 30, AND 31, BLOCK 1,  
LAURA P. BUVAL SUBDIVISION OF  
THE EAST 1/2 OF OUTLOT 1, DIVISION  
"F", IN TRAVIS COUNTY, TEXAS,  
FROM "CS" COMMERCIAL SER-  
VICES DISTRICT TO "PUD" PLANNED  
UNIT DEVELOPMENT DISTRICT, SUB-  
JECT TO CERTAIN CONDITIONS,  
GENERALLY KNOWN AS THE WEST  
5TH STREET PUBLIC STORAGE PRO-  
JECT, LOCALLY KNOWN AS 1300  
WEST 5TH STREET, IN THE CITY OF  
AUSTIN, TRAVIS COUNTY, TEXAS.  
MAYOR BRUCE TODD  
AUSTIN, TEXAS

Before me, the undersigned authority, a Notary Public in and for the County of Travis,  
State of Texas, on this day personally appeared:

LINDA Stadel

Classified Advertising Agent of the Austin American-Statesman, a daily newspaper  
published in said County and State that is generally circulated in Travis, Hays, Burnet  
and Williamson Counties, who being duly sworn by me, states that the attached  
advertisement was published in said newspaper on the following dates, to wit:

First Published:	2/24/97	Last Published:	2/24/97
Times Published:	1	Classification:	9980
Lines:	20	Cost:	\$49.20

and that the attached is a true copy of said advertisement.

Linda Stadel

SWORN AND SUBSCRIBED TO BEFORE ME, this the 25th day of Feb. 1997



Sharon Janak  
Notary Public in and for  
TRAVIS COUNTY, TEXAS

305 South Congress Ave., P.O. Box 670, Austin, Texas 78767-0670 512-445-3541