

ORDINANCE NO. 990930-89

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 25-2 OF THE CITY CODE AS FOLLOWS:

LOTS 1 AND 2, BLOCK 106, ORIGINAL CITY OF AUSTIN, FROM MULTI-FAMILY RESIDENCE MODERATE-HIGH DENSITY (MF-4) DISTRICT TO DOWNTOWN MIXED USE-CONDITIONAL OVERLAY (DMU-CO) COMBINING DISTRICT, LOCALLY KNOWN AS 901-905 NUECES 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 25-2-191 of the City Code is amended to change the base zoning district from Multi-Family Residence Moderate-High Density (MF-4) district to Downtown Mixed Use-Conditional Overlay (DMU-CO) combining district on the property described in File C14-99-0082, as follows:

Lots 1 and 2, Block 106, Original City of Austin, Travis County, Texas, according to the map or plat on file at the General Land Office of the State of Texas, (the "Property")

locally known as 901-905 Nueces Street, in the City of Austin, Travis County, Texas, and as more particularly 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:

1. Surface off-street parking may not be located adjacent to Nueces Street.
2. A structure or portion of a structure may not be constructed or maintained 15 feet or less from Nueces Street.
3. Development of the Property for non-residential use may not exceed 85 percent of gross floor area.
4. Notwithstanding any other provision of the City 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 2,000 vehicle trips per day.

5. The following uses of the Property are prohibited:

Automotive Repair Services
Automotive Sales
Automotive Washing (Of any type)
Drop-Off Recycling Collection Facility
Exterminating Services
Funeral Services
Financial Services
Outdoor Entertainment

Pawn Shop Services
Telecommunication Tower
Restaurant (Drive-In, Fast Food)
Service Station
Counseling Services
Guidance Services
Local Utility Services
Residential Treatment

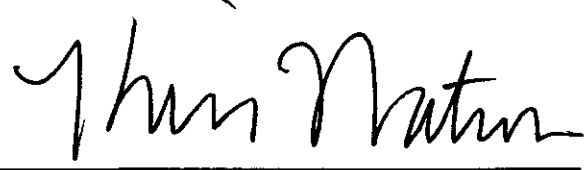
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the Downtown Mixed Use (DMU) base district and other applicable requirements of the City Code.

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

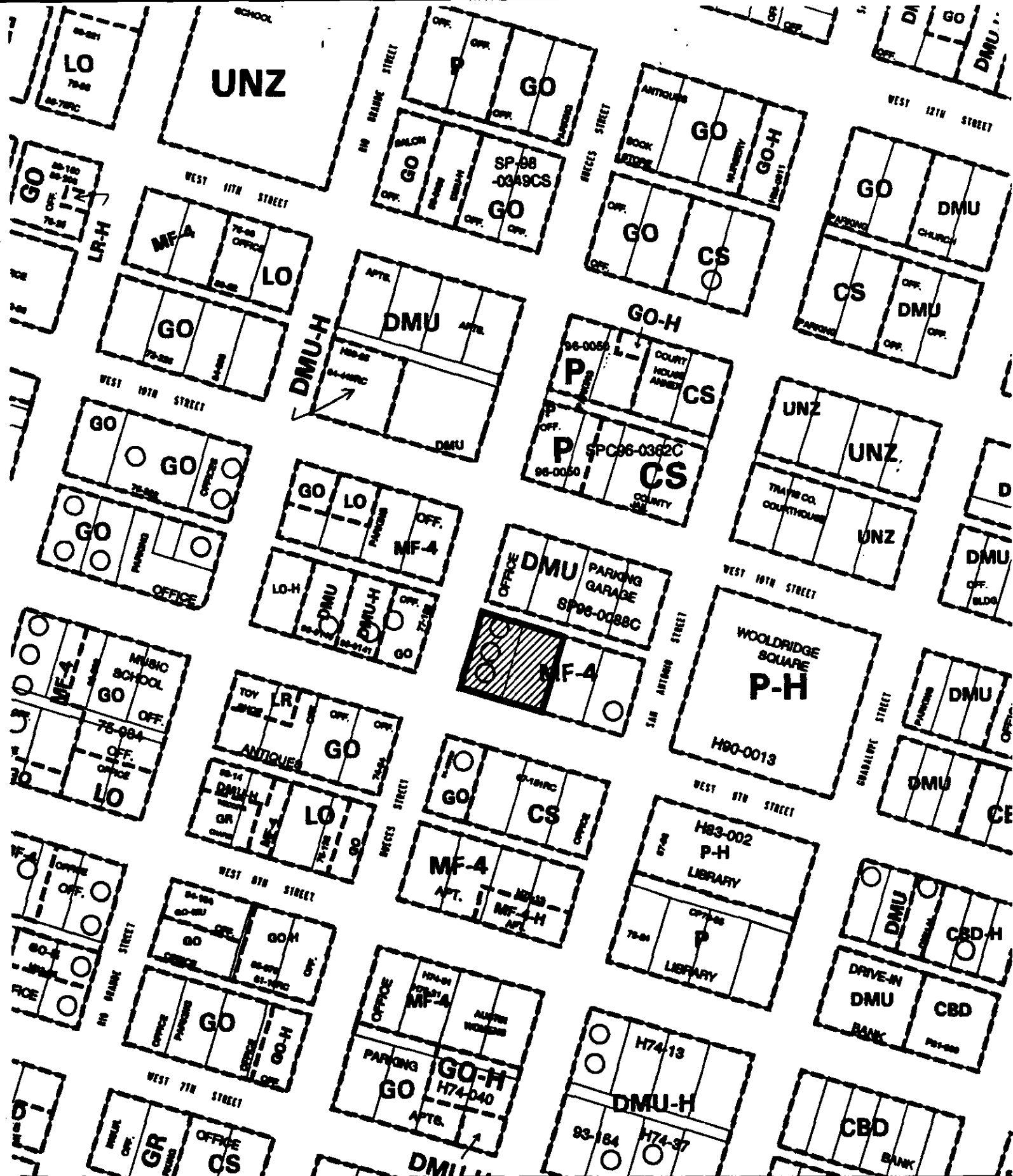
PART 4. This ordinance takes effect on October 11, 1999.

PASSED AND APPROVED

_____, September 30, 1999

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§ 
Kirk Watson
Mayor

APPROVED:  ATTEST: 
Andrew Martin
City Attorney
Shirley A. Brown
City Clerk



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Austin American-Statesman

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AUSTIN, TX 78767

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF TRAVIS

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

Carol Nickels

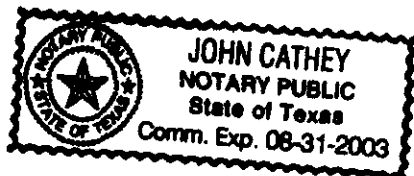
Classified Advertising Agent of the Austin American-Statesman, a daily newspaper
published in said County and State that is generally circulated in Travis, Hays, Burnet
and Williamson Counties, who being duly sworn by me, states that the attached
advertisement was published in said newspaper on the following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

First Published:	11/4/99	Last Published:	11/4/99
Times Published:	1	Classification:	9980
Lines:	18	Cost:	\$53.28

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

Carol Nickels

SWORN AND SUBSCRIBED TO BEFORE ME, this the 4th day of November 1999



John Cathey
Notary Public in and for
TRAVIS COUNTY, TEXAS

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

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BINED DISTRICT (LOCALLY KNOWN
AS SPANISH NUCLEUS STREET IN THE
CITY OF AUSTIN, TRAVIS COUNTY,
TEXAS.
Mayor, Mark Stinson
City of Austin