

ORDINANCE NO. 20050929-073

AN ORDINANCE AMENDING ORDINANCE NO. 20050818-064, REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD CONSERVATION-NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS OF 4505 DUVAL STREET IN THE NORTH HYDE PARK NEIGHBORHOOD CONSERVATION-NEIGHBORHOOD PLAN COMBINING DISTRICT AREA.

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

PART 1. Ordinance No. 20050818-064 is amended to include the property identified in this Part in the North Hyde Park neighborhood conservation-neighborhood plan combining district. The zoning map established by Section 25-2-191 of the City Code is amended to rezone the property described in Zoning Case No. C14-04-0196, on file at the Neighborhood Planning and Zoning Department, as follows:

4505 Duval-Part A: From community commercial (GR) to community commercial neighborhood conservation-neighborhood plan (GR-NCCD-NP) combining district; and

4505 Duval-Part B: From multifamily residence medium density (MF-3) to multifamily residence medium density-neighborhood conservation-neighborhood plan (MF-3-NCCD-NP) combining district,

locally known as 4505 Duval Street (the "Property"), in the City of Austin, Travis County, Texas, and generally identified in Exhibits "A" and "B" attached to this ordinance.

PART 2. Except as amended below the Property is subject to the use and site development regulations established in Ordinance No. 20050818-064.

PART 3. Part 3 (*Definitions*) is amended to include the following definitions:

4505 DUVAL-PART A means the portion of the Property zoned community commercial (GR) district and located in the Duval District.

4505 DUVAL-PART B means the portion of the Property zoned multifamily residence medium density (MF-3) district and located in the Residential District.

PART 4. Part 4, Section 3 is amended as follows:

3. The Duval Commercial District - located at 4500, 4505 (Part A), 4510, 5011 and 5012 Duval Street.

PART 5. Part 5 (*Permitted and Conditional Uses*), Section 3.h. is amended to add the following:

(iv) The front 20 feet of the portion of a building at 4505 Duval (Part A) that is directly across the street from a single family use may be developed only with a residential use in Column B or a use in Column B that is permitted in a limited office (LO) district.

PART 6. Part 5 (*Permitted and Conditional Uses*) Section 3 is amended to add the following:

- m. For a commercial use of 4505 Duval (Part A and Part B), parking is permitted on the site that includes the MF-3 zoned portion, as the site existed on April 1, 2005.

PART 7. Part 6 (*General Provisions*) is amended to add the following:

12. The height limits shown on the attached Exhibit "D" apply to 4505 Duval (Part A and Part B).
 - a. Within 50 feet of the north and east property lines of 4505 Duval (Part B) adjacent to a single family use or a single family zoning district, the maximum height is 30 feet and 2.5 stories.
 - b. Except as otherwise provided in this section, the maximum height is 35 feet as to all portions of the Property that lie within 125 feet from (i) a single family use or a single family zoning district that is across from the north, south, or west property lines, or the northeast corner of the Property, or (ii) within 125 feet from the west side of Duval Street or the south side of East 45th Street.
 - c. For the part of 4505 Duval (Part A) that is at least 100 feet from both Duval Street and East 45th Street, the maximum height is 45 feet.
 - d. The maximum height of the area not included in the height limits shown in subsections a, b, and c, is 40 feet.

PART 8. Part 7 (*Residential District*) is amended to add the following:

15. The following site development standards apply to 4505 Duval (Part B):
 - a. The maximum building coverage is 55 percent; and
 - b. The maximum impervious cover is 65 percent; and
 - c. The floor to area ratio (FAR) may not exceed a ratio of 0.75 to 1.0.
16. The portion of a parking garage above the second floor of a structure at 4505 Duval (Part B) may not have an open side or transparent or translucent materials that face and are visible from the north or west property lines of the Property.

PART 9. Part 9 (*Duval District*) is amended to add the following:

10. The following site development standards apply to 4505 Duval (Part A).
 - a. The maximum building coverage is 75 percent.
 - b. The maximum impervious cover is 90 percent.
 - c. The floor to area (FAR) ratio may not exceed a ratio of 2.0 to 1.0.
11. For a building that fronts Duval Street or 45th Street and is located at 4505 Duval (Part A) the minimum front yard or side street yard setback is 5 feet and the maximum front yard or side street yard setback is 10 feet.

PART 10. Part 11 (*Affordable Housing*) Section 1 is amended as follows:


1. Redevelopment of Rental properties. This section applies to 4505 (Part A and Part B), 4510, 4520, and 5012 Duval Street.

PART 11. This ordinance takes effect on October 10, 2005.

PASSED AND APPROVED

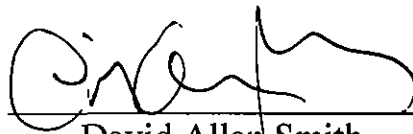
September 29, 2005

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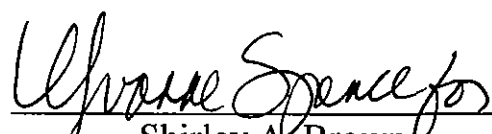
Will Wynn
Mayor

APPROVED:

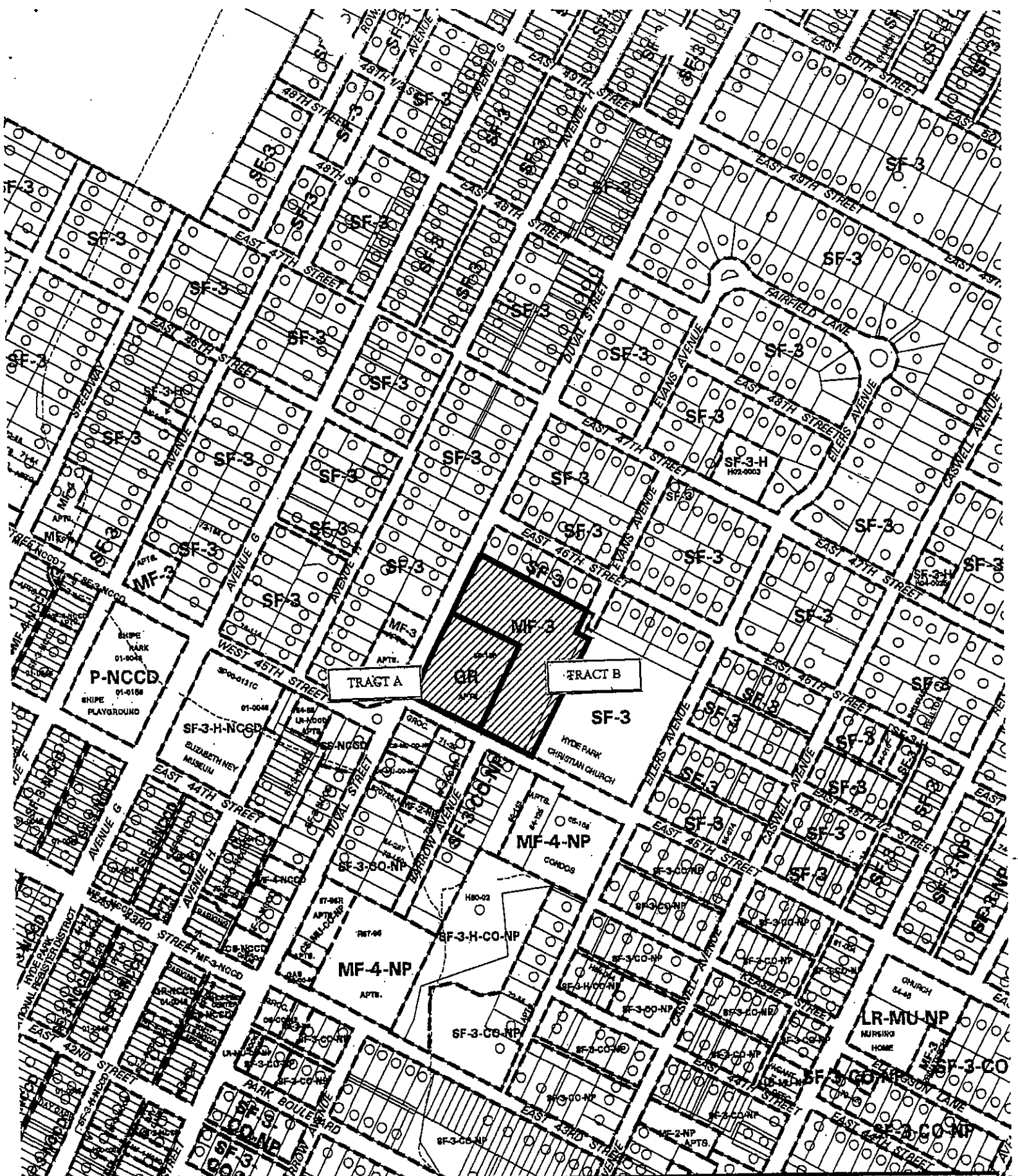


David Allan Smith
City Attorney


ATTEST:





Shirley A. Brown
City Clerk




TRACT A TRACT B



 SUBJECT TRACT 

 PENDING CASE 

 ZONING BOUNDARY 

 CASE MGR: G. RHOADES

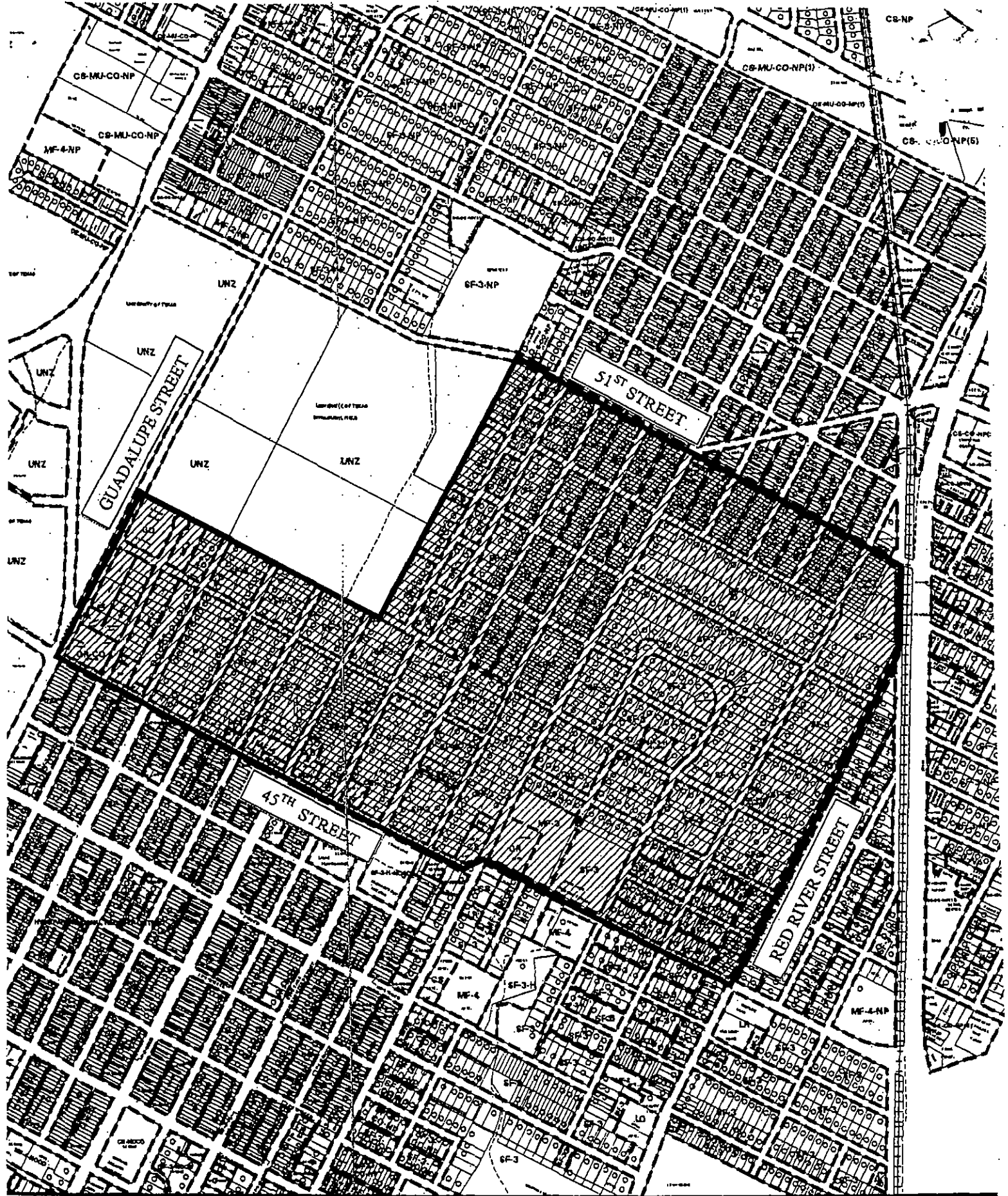
CASE #: C14-04-0196
 ADDRESS: 4505 DUVAL ST
 SUBJECT AREA (acres): N/A




ZONING EXHIBIT A

DATE: 05-09
 INTLS: SM

CITY GRID
 REFERENCE
 NUMBER
 K26

1" = 400'



SUBJECT TRACT 
 PENDING CASE 
 ZONING BOUNDARY 
 CASE MGR: G. RHOADES

CASE #: C14-04-0196
 ADDRESS: HYDE PARK NCCD
 SUBJECT AREA (acres): N/A

ZONING *Exhibit B*
 DATE: 05-02
 INTLS: SM

CITY GRID
 REFERENCE
 NUMBER
 K26

4505 DUVAL St.
Hyde Park NCCD
(Neighborhood Conservation Combining District)
Illustration of Height Limits and Special Frontage Regulations

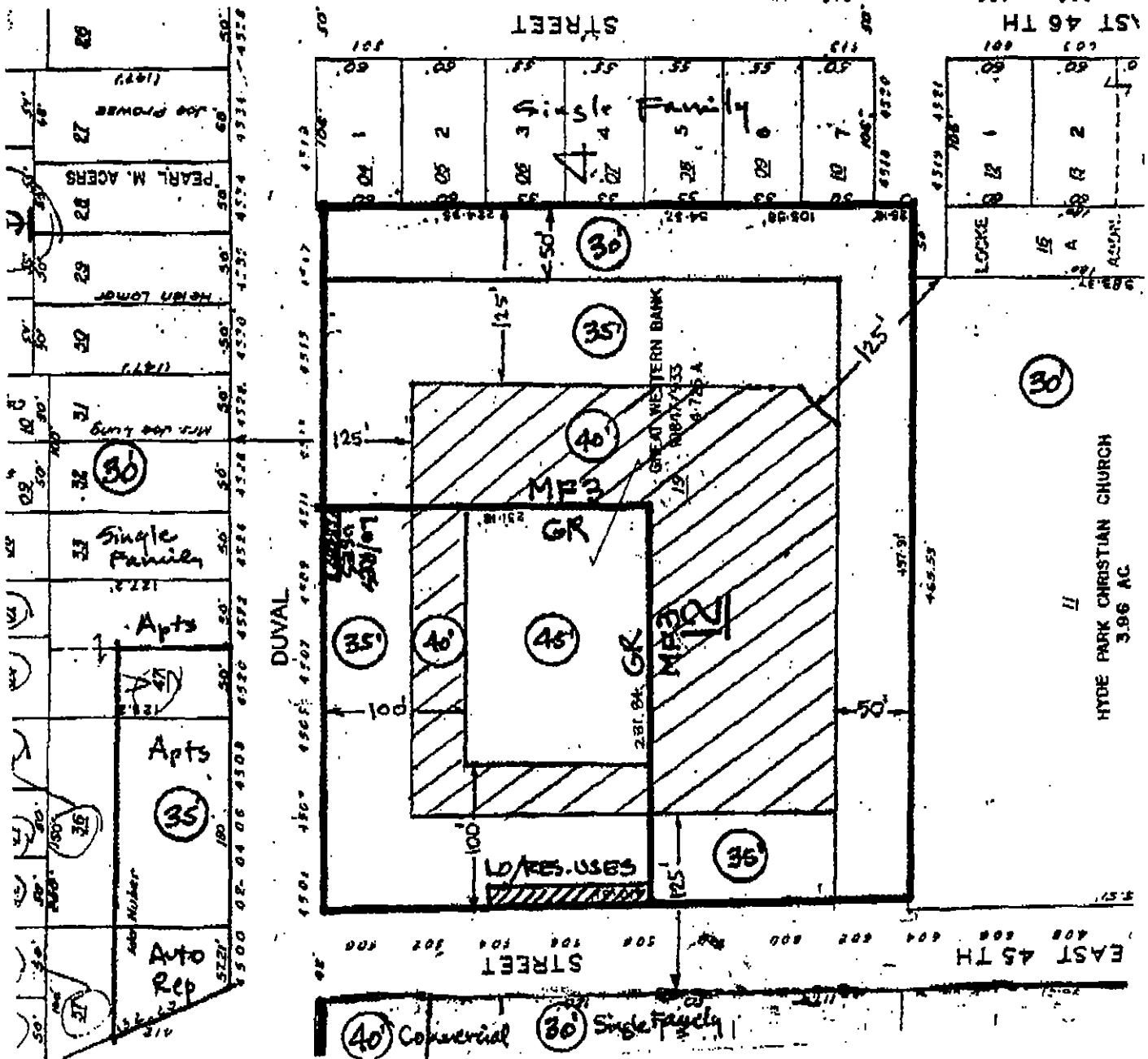


EXHIBIT D

July 30, 2004