

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4710 EAST 5TH STREET IN THE GOVALLE NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-CO-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-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 general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2009-0083, on file at the Planning and Development Review Department, as follows:

A 0.4957 acre tract of land, more or less, out of the J.C. Tannehill Survey No, 29, Abstract No. 22, Travis County, and being the same property more particularly described by metes and bounds in a Warranty Deed recorded under Document No. 2006119299, Official Public Records of Travis County, Texas (the "Property"),

locally known as 4710 East 5th Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 2. Except as specifically provided in Part 3 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district, the mixed use combining district, and other applicable requirements of the City Code.

PART 3. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. Development of the Property may not exceed one residential unit.
- B. A residential unit may not exceed a height of 32 feet from ground level.

1 C. A residential unit may not exceed a height of two stories.

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3 D. The following uses of the Property are prohibited uses:

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5 Adult oriented businesses

6 Campground

7 Kennels

8 Laundry services

9 Pawn shop services

10 Residential treatment

11 Vehicle storage

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13 E. The following uses of the Property are conditional uses:

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15 1) Agricultural sales and services

16 Automotive rentals

17 Automotive repair services

18 Automotive sales

19 Automotive washing (of any type)

20 Building maintenance services

21 Construction sales and services

22 Commercial off-street parking

23 Equipment sales

24 Limited warehousing and distribution

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26 2) Drive-in service as an accessory use to a commercial use

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28 **PART 4.** The Property is subject to Ordinance No. 030327-11a that established the
29 Govalle neighborhood plan combining district.
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2 **PART 5.** This ordinance takes effect on _____, 2009.
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5 **PASSED AND APPROVED**
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7
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9 _____, 2009

§
§
§

10 _____
11 Lee Leffingwell
12 Mayor
13

14 **APPROVED:** _____

15 David Allan Smith
16 City Attorney

ATTEST: _____

Shirley A. Gentry
City Clerk



N

1" = 400'

ZONING EXHIBIT A

SUBJECT TRACT	ZONING CASE#: C14-2009-0083
ZONING BOUNDARY	ADDRESS: 4710 E 5TH ST
PENDING CASE	SUBJECT AREA: 0.49 ACRES
	GRID: L21
	MANAGER: J. HARDEN

OPERATOR: S. MEEKS

CITY OF AUSTIN
FOUNDED 1839

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.