

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5639 AIRPORT BOULEVARD IN THE NORTH LOOP NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-VERTICAL MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-V-CO-NP) COMBINING DISTRICT TO COMMERCIAL-LIQUOR SALES-VERTICAL MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-1-V-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-vertical mixed use-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district to commercial-liquor sales-vertical mixed use-conditional overlay-neighborhood plan (CS-1-V-CO-NP) combining district on the property described in Zoning Case No. C14-2009-0165, on file at the Planning and Development Review Department, as follows:

Lot 37A, John D. Byram Addition Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 56, Page 57, of the Plat Records of Travis County, Texas (the "Property"),

locally known as 5639 Airport Boulevard, 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 commercial (CS-1) base 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. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

1 B. Except as shown in Section C of this Part, the following uses are prohibited  
2 uses of the Property:

3  
4 Adult oriented businesses  
5 Liquor sales  
6 Residential treatment

Cocktail lounge  
Pawn shop services  
Transitional housing

7  
8 C. A liquor sales use is limited to a 15,000 square foot building footprint within  
9 the Property.

10  
11 D. The following uses are conditional uses of the Property:

12  
13 Agricultural sales and services  
14 Commercial blood plasma center  
15 Convenience storage  
16 Equipment repair services  
17 Vehicle storage

Campground  
Construction sales and services  
Equipment sales  
Kennels

18  
19 **PART 4.** The Property is subject to Ordinance No. 020523-31 that established the North  
20 Loop neighborhood plan combining district.

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22 **PART 5.** This ordinance takes effect on \_\_\_\_\_, 2010.

23  
24  
25 **PASSED AND APPROVED**

26  
27 §  
28 §  
29 \_\_\_\_\_, 2010 §  
30 \_\_\_\_\_  
31 Lee Leffingwell  
32 Mayor

33  
34 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
35 David Allan Smith Shirley A. Gentry  
36 City Attorney City Clerk