

**ORDINANCE NO. 20101104-032**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 207 CHALMERS AVENUE AND 1701 EAST 3<sup>RD</sup> STREET IN THE EAST CESAR CHAVEZ NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT AND GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-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 family residence-neighborhood plan (SF-3-NP) combining district and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2010-0137, on file at the Planning and Development Review Department, as follows:

A 29,385 square feet tract of land, more or less, out of Outlot 22, Division "O", Government Outlots, City of Austin, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 207 Chalmers Avenue and 1701 East 3<sup>rd</sup> Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**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 community commercial (GR) 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:

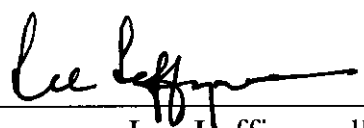
- A. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 300 trips per day.
- B. The maximum height of a building or structure on the Property is 30 feet from ground level.
- C. The maximum height of a building or structure on the Property is two stories.
- D. The following uses are prohibited uses of the Property:

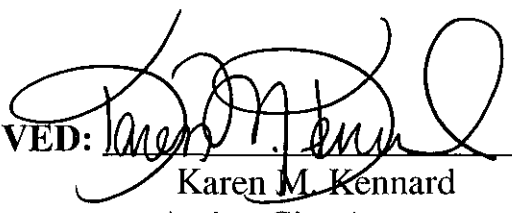
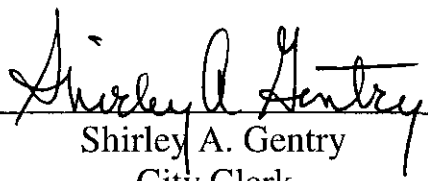
Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Bail bond services	Commercial off-street parking
Drop-off recycling collection facility	Exterminating services
Food preparation	Food sales
Funeral services	Hotel-motel
Off-site accessory parking	Outdoor entertainment
Outdoor sports & recreation	Pawn shop services
Restaurant (general)	Restaurant (limited)
Service station	

**PART 4.** The Property is subject to Ordinance No. 001214-20 that established the East Cesar Chavez neighborhood plan combining district.

**PART 5.** This ordinance takes effect on November 15, 2010.

**PASSED AND APPROVED**

\_\_\_\_\_, November 4, 2010      §  
   §  
   §        
   Lee Leffingwell  
   Mayor

**APPROVED:**  **ATTEST:**   
                                 Karen M. Kennard  
                                 Acting City Attorney      Shirley A. Gentry  
                                 City Clerk

OF A 29,385 SQUARE FEET TRACT, BEING OUT OF AND A PART OF THE OUTLOT 22, DIVISION "O", GOVERNMENT OUTLOTS CITY OF AUSTIN AS RECORDED IN THE GENERAL LAND OFFICE OF TEXAS, SITUATED IN TRAVIS COUNTY, TEXAS, ALSO BEING ALL OF TRACT 1, TRACT 2, TRACT 3 AND TRACT 4 AS DESCRIBED IN DOCUMENT#2008066977 OF THE TRAVIS COUNTY DEED RECORDS, SAID 29,385 SQUARE FEET TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

Thence, S67°05'03"E, with the South Right-of-Way of East 3rd Street and the North line of the said Tract 4 and Tract 3 for a distance of 193.72' feet to a Calculated Point at the Northeast corner of the said Tract 3 and the Northwest corner of a tract as conveyed to Saul Leon and San Juana Puente as recorded in Document #2002007874 of the Travis County Deed Records;

Thence, N67°15'50"W with the common line between the said Tract 2, Tract 1 and the said 2<sup>nd</sup> Street LLC for a distance of 193.73' feet to a ½" Iron Rod Found at the Southwest corner of the said Tract 1 and the Northwest corner of the said 2<sup>nd</sup> Street LLC tract, being in the East Right-of-Way of Chalmers Avenue (60' Right-of-Way);

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Thence, N23°02'59"E, with the East line of the said Chalmers Avenue and the West line of Tract 1, Tract 4 for a distance of 151.99' feet to the Place of Beginning, containing 29,385 Square Feet of land area.


The bearings for the above description are based upon the City of Austin Base line on East 2<sup>nd</sup> Street per District Map #15 Dated August 20, 1940

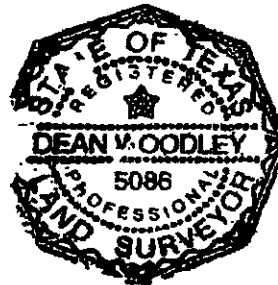
STATE OF TEXAS )(

COUNTY OF TRAVIS )(

I hereby certify that this field note description was prepared from the results of an actual survey made on the ground under my supervision and that it is true and correct to the best of my knowledge.

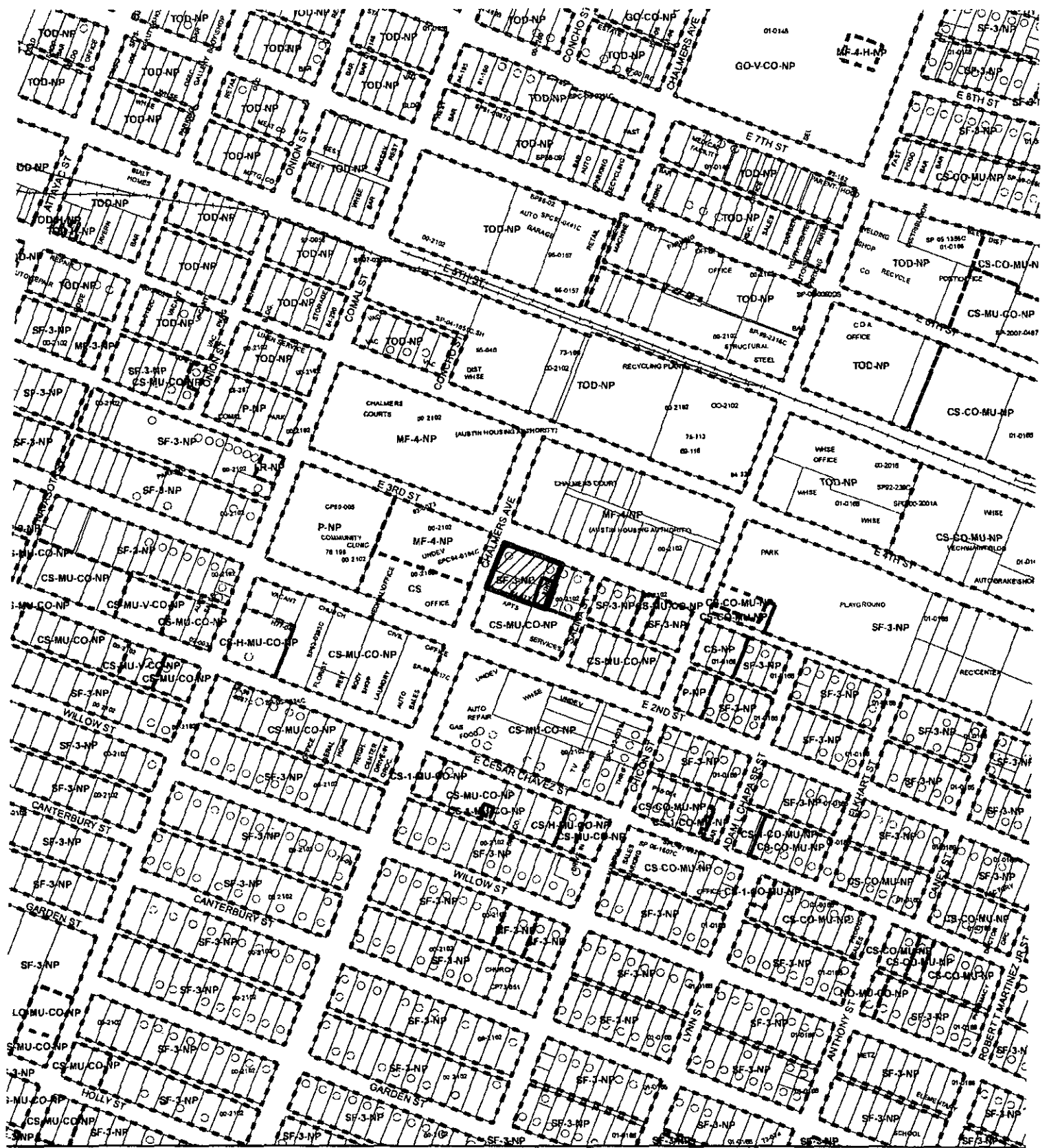
LIVE OAK SURVEYING  
12421 Wycliff Lane  
Austin, Texas 78727-5220

 7.22-2010  
\_\_\_\_\_  
DEAN A. WOODLEY                      DATE  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5086



8890110FiledNotes.wps

SCANNED



## ZONING EXHIBIT B



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 400'

ZONING CASE#: C14-2010-0137  
 LOCATION: 207 CHALMERS AVE  
 SUBJECT AREA: 0.675 ACRES  
 GRID: K21  
 MANAGER: JOI HARDEN



This map has been produced by the Communications Technology Management Dept on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.