

ORDINANCE NO. 20111006-076

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 705, 707, 709, AND 711 WEST AVENUE AND 710 WEST 7th STREET FROM GENERAL OFFICE (GO) DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY (CS-MU-CO) 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 office (GO) district to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district on the property described in Zoning Case No. C14-2011-0058, on file at the Planning and Development Review Department, as follows:

A 0.444 acre tract of land, more or less, out of the Original City of Austin, Travis County, Texas the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 705, 707, 709, and 711 West Avenue and 710 West 7th Street in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. 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.

B. The following uses are prohibited uses of the Property:

Agricultural sales and services	Automotive rentals
Automotive repair services	Automotive sales
Commercial blood plasma center	Building maintenance services
Campground	Commercial off-street parking
Construction sales and services	Convenience storage
Drop-off recycling collection facility	Equipment repair services

Equipment sales
Kennels
Plant nursery
Service station
Vehicular storage
Automotive washing (of any type)
Consumer convenience services
Exterminating services
Food preparation
General retail sales (convenience)
Indoor entertainment
Laundry services
Outdoor sports and recreation
Pet services
Theater
Limited warehousing and distribution

Funeral services
Monument retail sales
Pawn shop services
Stables
Veterinary services
Bail bond services
Consumer repair services
Financial services
Food sales
General retail sales (general)
Indoor sports and recreation
Outdoor entertainment
Personal improvement services
Restaurant (general)
Custom manufacturing

- C. The Property shall be developed in accordance with the general office (GO) site development regulations.

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

PART 3. This ordinance takes effect on October 17, 2011.

PASSED AND APPROVED

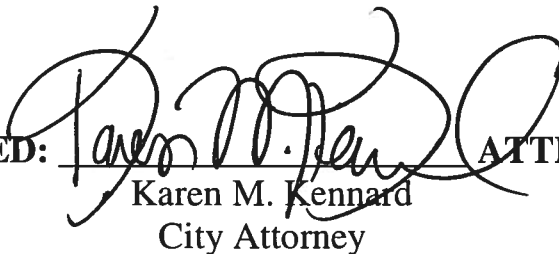
October 6, 2011

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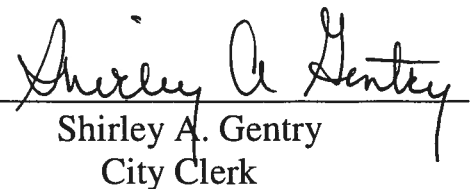
Lee Leffingwell
Mayor

APPROVED:



Karen M. Kennard
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

FIELD NOTE DESCRIPTION OF 0.444 ACRE OF LAND, BEING ALL OF LOTS 1 AND 2, A PORTION OF LOT 3, AND A PORTION OF THE ADJOINING 20 FT. WIDE VACATED ALLEY, BLOCK 77 OF THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF ON FILE WITH THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, AND BEING ALL OF THAT SAME PROPERTY CONVEYED TO CHARLES E. BROWN ET AL. BY DEED RECORDED IN VOLUME 12422 PAGE 958 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a spindle found at the Northeast corner of that certain tract conveyed to Charles E. Brown et al. by deed recorded in Volume 12422 Page 958 of the Real Property Records of Travis County, Texas, and being the Northeast corner and **PLACE OF BEGINNING** of the herein described tract of land,

THENCE with the east line of said Brown tract, **S 19 deg. 02' 59" W** at 6 ft. pass the record Northwest corner of Lot 3, Block 77, Original City of Austin, according to the map or plat thereof on file with the General Land Office of the State of Texas, and continuing on the same course with the west line of said Lot 3, 72.02 ft., more for a total distance on this course of **78.02 ft.**, to a 60 D nail found at an ELL corner of said Brown tract, and being an ELL corner of this tract;

THENCE crossing the interior of said Lot 3 with the east line of said Brown tract, the following two courses:

- 1) **S 71 deg. 15' 00" E 14.80 ft.** to a chiseled "X" found in concrete;
- 2) **S 18 deg. 44' 57" W 55.96 ft.** to a spindle set in the north right-of-way line of West 7th Street at the Southeast corner of said Brown tract, and being the Southeast corner of this tract;

THENCE with the north right-of-way line of West 7th street and the south line of said Brown tract, **N 70 deg. 56' 00" W** at 15.09 ft. pass the record Southeast corner of Lot 2 of said Block 77, and continuing on the same course 69.00 ft. more, pass the record Southeast corner of Lot 1 of said Block 77, and continuing on 69.00 ft. more, for a total distance on this course of **153.09 ft.** to a point on the face of a 2 story stucco building in the east right-of-way line of West Avenue at the Southwest corner of said Lot 1, and being the Southwest corner of this tract, and from which a concrete nail found bears **S 70 deg. 56' 0" E 1.82 ft.**;

THENCE with the east right-of-way line of West Avenue and the west line of said Lot 1, **N 19 deg. 02' 59" E** at 127.98 ft pass the record northwest corner of said Lot , and continuing on the same course 6 00 ft., more for a total distance on this course of **133.98 ft.**, to a capped iron rod set at the Northwest corner of this tract,

THENCE with the north line of said Brown tract, **S 70 deg. 54' 05" E 138.00 ft.** to the Place of Beginning, containing 0.44 Acre of land.

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.