

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 6203, 6205, 6207 BERKMAN DRIVE AND 6210 HICKMAN AVENUE IN THE UNIVERSITY HILLS/WINDSOR PARK COMBINED NEIGHBORHOOD PLAN AREA FROM NEIGHBORHOOD COMMERCIAL-MIXED USE-NEIGHBORHOOD PLAN (LR-MU-NP) COMBINING DISTRICT AND TOWNHOUSE AND CONDOMINIUM RESIDENCE-NEIGHBORHOOD PLAN (SF-6-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 neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district and townhouse and condominium residence-neighborhood plan (SF-6-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. C14-2018-0037, on file at the Planning and Zoning Department, as follows:

Lots 2 and 3, Block A, Hickman Oaks subdivision, a subdivision in Travis County, Texas, according to the map or plat of record in Document No. 201600305 of the Plat Records of Travis County, Texas, and

Lots 1 and 2, Block A, Berkman Terrace subdivision, a subdivision in Travis County, Texas, according to the map or plat of record in Document No. 201600264, Plat Records of Travis County, Texas, and

.50 acre tract of land out of the Dinsmore Simpson Survey No. 27, Abstract No. 694 in Travis County, Texas, and being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (cumulatively referred to as the “Property”),

locally known as 6203, 6205, 6207 Berkman Drive and 6210 Hickman Avenue in the City of Austin, Travis County, Texas, 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. The maximum height, as defined in City Code, of a building or structure on the Property shall be limited to three (3) stories and may not exceed 40 feet.
- B. Vehicular access from the Property to Hickman Avenue is prohibited, except for emergency ingress and egress. All non-emergency vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
- C. The following uses are prohibited uses on the Property:

Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Bail bond services	Business or trade school
Business support services	Commercial off-street parking
Communications services	Drop-off recycling collection facility
Exterminating services	Food preparation
Funeral services	Hotel-motel
Indoor entertainment	Indoor sports and recreation
Outdoor entertainment	Outdoor sports and recreation
Pawn shop services	Research services
Service station	Short term rental
Theater	Hospital services - general

- D. The following uses are conditional uses of the Property:

Alternative financial services	Medical offices – exceeding 5,000 square feet
Community recreation – private	Community recreation – public
Congregate living	Group home class II
Hospital services – limited	Residential treatment

- E. The following land uses on the Property are subject to City Code Section 25-2-587 (*Requirements for Certain Uses in a Neighborhood Commercial (LR) District*):

General retail sales-general	Personal improvement services
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Restaurant (general)

PART 3. Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district, mixed use (MU) combining district and other applicable requirements of the City Code.

PART 4. The Property is subject to Ordinance No. 20070809-057 that established zoning for the Windsor Park Neighborhood Plan.

PART 5. This ordinance takes effect on _____, 2018.

PASSED AND APPROVED

_____, 2018 §
 §
 § _____
 Steve Adler
 Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan Jannette S. Goodall
City Attorney City Clerk

FIELD NOTES FOR
0.50 ACRE OUT OF THE
DINSMORE SIMPSON SURVEY No. 27,
ABSTRACT No. 694
TRAVIS COUNTY, TEXAS

METES AND BOUNDS DESCRIPTION

DESCRIPTION OF A 0.50 ACRE TRACT OF LAND OUT OF THE DINSMORE SIMPSON SURVEY No. 27, ABSTRACT No. 694 IN TRAVIS COUNTY, TEXAS AND BEING THAT CERTAIN TRACT OF LAND CONVEYED TO TROY HANNA BY DEED RECORDED IN DOCUMENT No. 2004150493 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID TRACT HAVING BEEN SURVEYED ON THE GROUND BY SNS ENGINEERING AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" Iron rod found on the southerly line of a 0.945 acre tract of land conveyed to Anthony V. Monroe by deed recorded in Volume 13090, Page 2879 of the Real Property Records of Travis County, Texas, at the northwest corner of a 0.499 acre tract of land conveyed to Hilda A. Mora by deed recorded in Volume 11801, Page 488 of the Real Property Records of Travis County, Texas, for the northeast corner of the tract herein described;

THENCE, departing the southerly line of said 0.945 acre tract and along the common line of said 0.499 acre tract and this tract, S 29°29'00"W, a distance of 105.27 FEET to a 1/2" Iron rod found at the northeast corner of a 0.438 acre tract of land conveyed to Carolyn Young, et al by deed recorded in Document No. 2005136650 of the Official Public Records of Travis County, Texas, for the southeast corner of the tract herein described;

THENCE, departing the westerly line of said 0.499 acre tract and along the common line of said 0.438 acre tract and this tract, N 60°01'33"W, at 181.28 feet pass a P.K. nail found at the northwest corner of said 0.438 acre tract, being in the easterly right-of-way of Berkman Drive, continuing with the easterly right-of-way of Berkman drive and the southerly line of this tract for a total distance of 206.75 FEET to a punchhole set for the southwest corner of the tract herein described;

THENCE, along the easterly right-of-way of Berkman Drive, N 29°28'58"E, a distance of 105.39 FEET to a P.K. nail set at the southwest corner of the aforementioned 0.945 acre tract, for the northwest corner of the tract herein described;

THENCE, departing the easterly right-of-way of Berkman Drive and along the common line of said 0.945 acre tract and this tract, S 59°59'35"E, a distance of 206.75 FEET to the POINT OF BEGINNING and containing 0.50 acre of land, more or less.

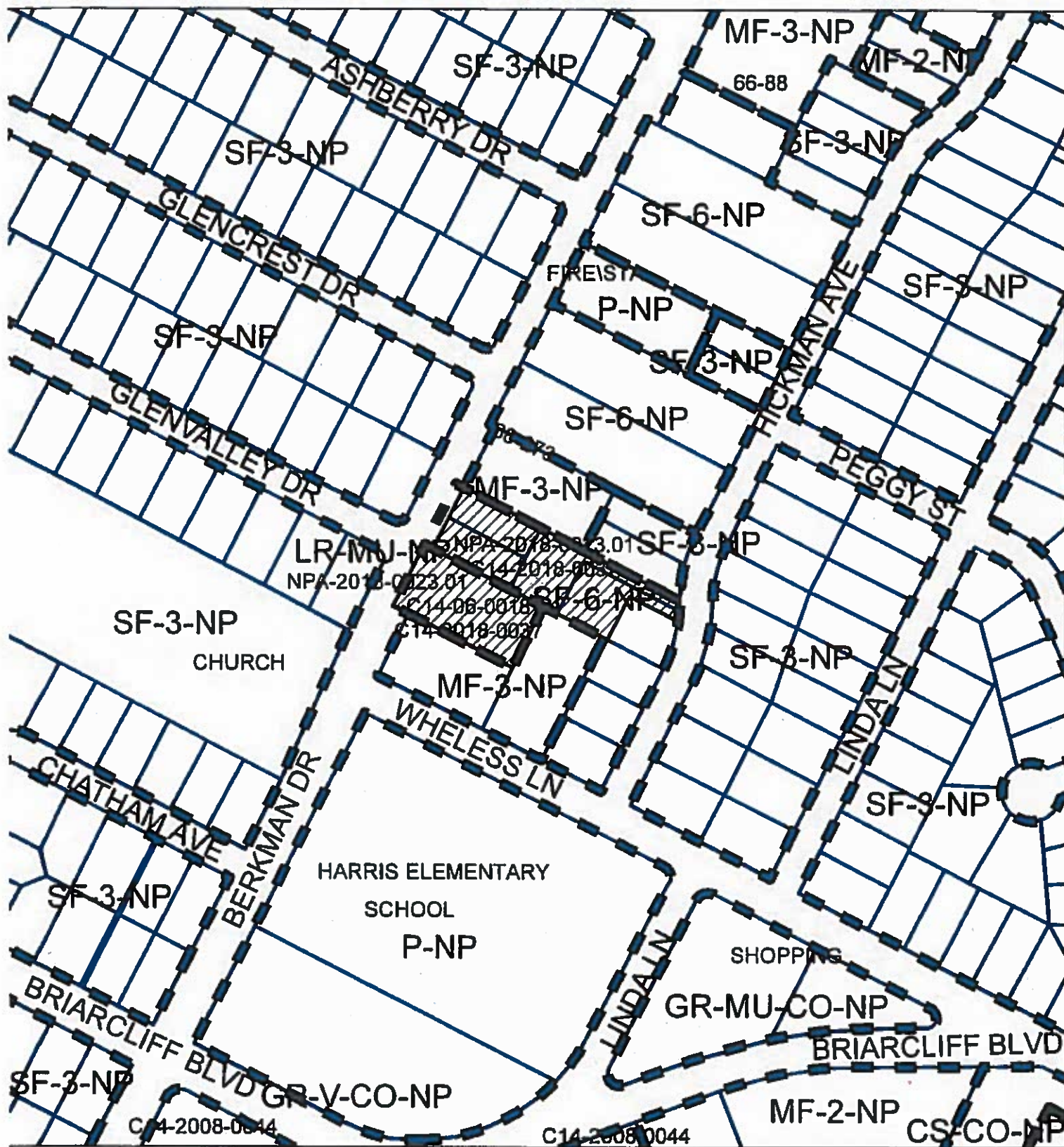
See SNS Engineering "Plat of Survey" No. 051272, page 2 of 2 attached hereto and made a part hereof.



Mary P. Hawkins
Registered Professional Land Surveyor No. 4433
State of Texas



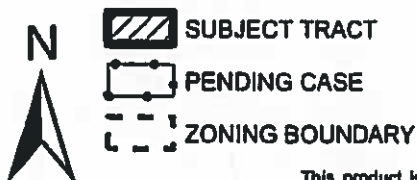
Exhibit A



Zoning

Exhibit B

Zoning Case: C14-2018-0037



1" = 200'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

