



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-3
AGENDA DATE: Thu 02/17/2005
PAGE: 1 of 1

SUBJECT: C14-04-0205 - Earthgrains Baking Companies, Inc. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6532-6534 South Congress Avenue (Williamson Creek Watershed) from neighborhood commercial (LR) district zoning, community commercial (GR) district zoning and general commercial services (CS) district zoning to community commercial (GR) district zoning. Planning Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Earthgrains Baking Companies, Inc. (Kevin J. Dollhopt). Agent: CB Richard Ellis (Cinco Cocke). City Staff: Wendy Walsh, 974-7719.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0205

P.C. DATE: January 25, 2005

ADDRESS: 6532-6534 South Congress Avenue

APPLICANT: Earthgrains Baking Companies, Inc.
(Kevin J. Dollhopf)

AGENT: CB Richard Ellis
(Cinco Cocke)

ZONING FROM: LR; CS; GR

TO: GR

AREA: 0.682 acres (29,707.92 square feet)

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The Conditional Overlay prohibits the following uses: automotive sales, automotive washing (of any type) and pawn shop services.

PLANNING COMMISSION RECOMMENDATION:

January 25, 2005: *APPROVE STAFF RECOMMENDATION OF GR-CO DISTRICT ZONING.*

VOTE: 6-1 (J.M.C.-1st; D.S.-2nd; C.G.-OPPOSED; C.M.-LEFT EARLY)

ISSUES:

The South Congress Combined Neighborhood Plan and accompanying zoning recommendations are anticipated to be forwarded to the Commission in April – May 2005 and then proceed to City Council in June 2005.

The applicant is in agreement with the recommendation of the Planning Commission.

DEPARTMENT COMMENTS:

The subject rezoning area consists of one platted lot that is developed with two commercial buildings one of which includes a bookstore and karate studio (zoned GR), and the other is vacant (CS footprint). The surrounding parking and driveway areas are zoned LR. The lot takes direct access to South Congress Avenue. The property is surrounded to the north and south by other commercial development primarily, including a convenience store, a Salvation Army Center, a day care, laundromat, shopping center and convenience store (zoned LR; LI-CO; GR; CS-1). Single family residences are adjacent to the west (SF-3). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Location of Rezoning Request within the Neighborhood Plan Area).

The rezoning application is a companion case in accordance with the staff and Planning Commission recommendations for a Restrictive Covenant Termination request that applies to the vacant commercial building. The Covenant was originally prepared for the Rainbo Baking Co. and limited the development of the building to a single use, being a Thrift Store and Distribution Center. The Restrictive Covenant was recommended for Termination contingent upon the applicant seeking more restrictive commercial zoning for the building. The applicant has responded with a rezoning application for the lot (which includes the building, as well as an occupied commercial building and surrounding driveway / parking areas) to the community commercial (GR) district. Specifically, the applicant seeks to convert the vacant building to an automotive repair facility.

A rezoning to GR for the entire property removes the opportunity for the more intensive CS uses to occur and increases the LR zoned parking and driveway areas which would facilitate modification of the building footprint if this is contemplated in the future without triggering the need for a rezoning. It would also make the zoning and corresponding development regulations consistent across all parts of the lot, and be consistent and compatible with the zoning on the properties to the north and south accessing Congress Avenue. The Participants of the Neighborhood Plan process support a Conditional Overlay for all commercial properties on Congress Avenue, south of Stassney Lane that would prohibit three uses that are already well-represented, being automotive sales, automotive washing (of any type) and pawn shop services.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LR; CS; GR	Two commercial buildings: one is vacant and one includes a video / bookstore and karate studio (personal improvement service use); Parking and driveway areas
<i>North</i>	GR; LI-CO	Salvation Army center; Child care facility; Undeveloped; Convenience store
<i>South</i>	GR; CS-1	Laundromat; Financial services; Retail center
<i>East</i>	GR; LR; LR-CO	2 fast food restaurants; Undeveloped
<i>West</i>	SF-3	Single family residences

NEIGHBORHOOD PLANNING AREA: South
Congress Combined NPA
(Sweetbriar)

TIA: Is not required

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association
428 – Barton Springs / Edwards Aquifer Conservation District
511 – Austin Neighborhoods Council
949 – Sweetbriar I

300 – Terrell Lane Interceptor Association
627 – Onion Creek Homeowners Assn.

SCHOOLS:

Pleasant Hill Elementary School

Bedichek Middle School

Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-93-120	LR to LI-CO	To Grant LI-CO, subject to conditions	Approved LI-CO with CO for light manufacturing plus LR uses, Planned Development Area standards, a 6' privacy

			fence along the north property line (1-30-82).
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RELATED CASES:

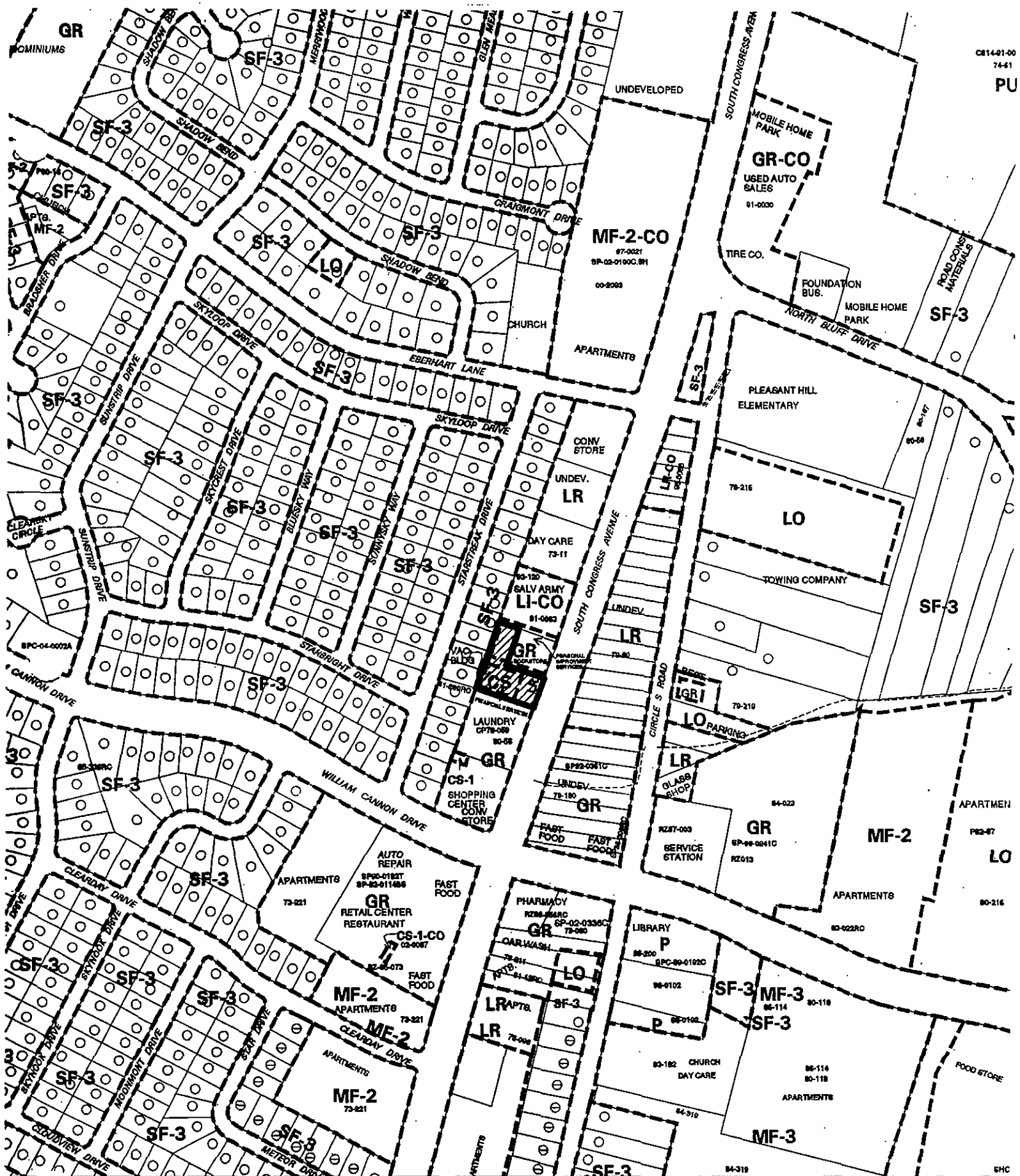
The vacant building was rezoned to "C" Commercial, First Height and Area (converted to CS) by way of a 1981-82 rezoning case with an accompanying Restrictive Covenant (C14-81-239). The Restrictive Covenant specified that if the Thrift Store and Distribution Center was used for a different purpose or abandoned by the Rainbo Baking Co., then the property owner would not object to the rezoning of the property to the LR, Local Retail (converted to Neighborhood Commercial in 1984). The Thrift Store and Distribution Center use has been abandoned and the applicant filed for a Termination of the Restrictive Covenant. In November 2004, the Termination was recommended by the Planning Commission provided the property owner sought more restrictive commercial zoning on the building (C14-81-239 (RCT)). This companion rezoning case has been filed in accordance with the Commission's recommendation.

The rezoning area represents Lot 1 of the D. Edward Moore Subdivision, recorded in October 1982 (C8s-82-071). Please refer to Exhibit C. There are no related site plan cases on the subject property.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Routes	Bike Route
South Congress Avenue	120 feet	56 feet	Major Arterial	No	#1 and #101	#47

CITY COUNCIL DATE: February 17, 2005**ACTION:****ORDINANCE READINGS:** 1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Wendy Walsh
e-mail: wendy.walsh@ci.austin.tx.us**PHONE:** 974-7719



SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY
 CASE MGR: W. WALSH



CASE #: C14-04-0205

ADDRESS: 6532-6534 S CONGRESS

SUBJECT AREA (acres): 0.682

ZONING

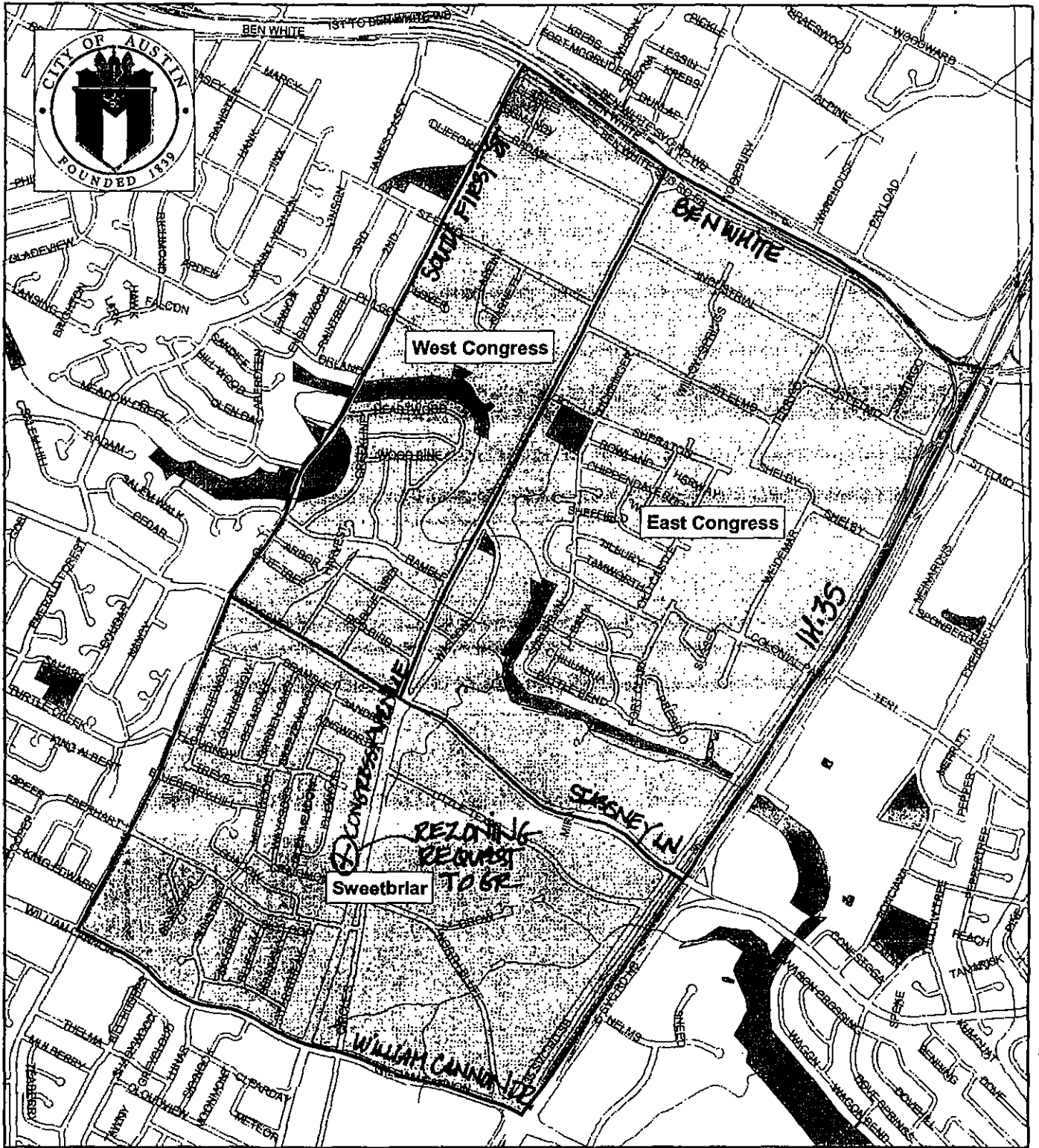
EXHIBIT A

DATE: 05-01

INTLS: SM

CITY GRID
 REFERENCE
 NUMBER
 G16





South Congress Combined Neighborhood Planning Area

Legend

- | | | | |
|--|--------------|--|---------------|
| | Park | | Planning Area |
| | Creek | | Street |
| | Lake or Pond | | |

0 2,500 5,000 Feet

EXHIBIT B
LOCATION OF REZONING REQUEST
WITHIN THE NEIGHBORHOOD PLAN AREA

Oct-15-82 REC'D 2178 \$ 20.00

APPROVED FOR RECORD
Date: Oct. 1, 1982
Richard A. Miller, Director of Planning

ACCEPTED AND AUTHORIZED FOR RECORD BY PLANNING
COMMISSION OF THE CITY OF AUSTIN, TEXAS
Date: OCTOBER 12, 1982

VICE
Chairman
Edward Sinner

FILED FOR RECORD at 11:20 o'clock A. M. this 15th
day of October 1982
County Clerk, Travis County, Texas

By: L. Jones
County Clerk

THE STATE OF TEXAS
COUNTY OF TRAVIS
I, Doris Shropshire, Clerk
County Court, within and for the County of Travis,
do hereby certify that the foregoing plat of subdivision
of land, as shown on the plat, is a true and correct
copy of the original as filed for record in my office
on the 15th day of October, A. D. 1982
at 11:20 o'clock A. M. and duly recorded on the
County in book 82, page 348.
Doris Shropshire
County Clerk, Travis County, Texas

By: L. Jones
Deputy

100 YEAR FLOOD PLAIN NOTE:
No part of this tract lies within the boundaries of
the 100 year flood plain, based upon information
obtained from Flood Insurance Rate Map, Community
Panel 30, 406623-0080 and dated September 2, 1981.

ADDITIONAL NOTE:
Sightlines are required along South Congress Avenue.
Such sightlines shall be completed prior to acceptance
and/or certification of occupancy.

PLANNING NOTE:
The plat of this subdivision drainage
plans will be submitted to the City of Austin Public
Health Department for review. Rainfall runoff shall
be held to the amount existing at its present state
by the use of ponding or other approved methods.

EXHIBIT C
RECORDED
PLAT

F.B. GOO: P.14142
PLAN 8939

D. EDWARD MOORE SUBDIVISION

STATE OF TEXAS
COUNTY OF TRAVIS

82 16575

That I, D. Edward Moore, being the owner of a 1.0552 acre tract
as shown hereon, being all of Lots 23 and 24, Buckingham Ridge
Section 516, a subdivision of the William Cannon League Survey 419
in the City of Austin, Travis County, Texas, of record in Plat Book
78, Page 371, Travis County Plat Records, conveyed to me by deed
of record in Volume 7721, Page 723 and Volume 7721, Page 184,
respectively, Travis County Deed Records, said Lots 23 and 24 being
vacated by an instrument of record in Volume 7721, Page 33 and 34 being
Travis County Deed Records, do hereby adopt this map of plat an
my subdivision of said tract, to be known and designated as

"D. EDWARD MOORE SUBDIVISION"

and being subject to any hereinafter given encumbrances, and I do hereby
dedicate to the public all of the roadway and easements shown hereon.
WITNESS MY HAND this 15th day of October, A. D. 1982.

D. Edward Moore
D. Edward Moore

THE STATE OF TEXAS
COUNTY OF TRAVIS

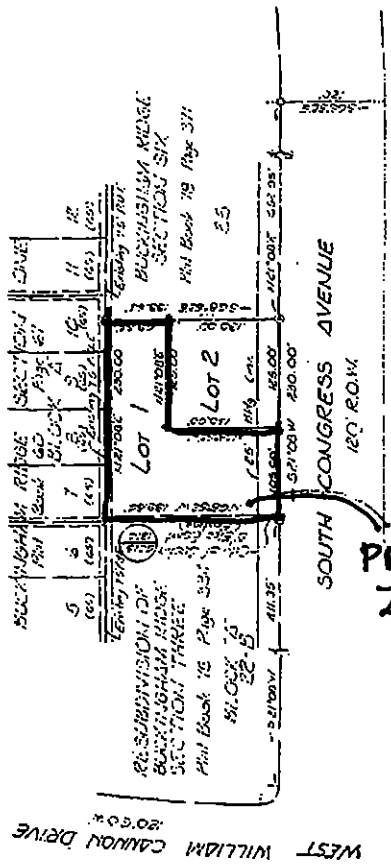
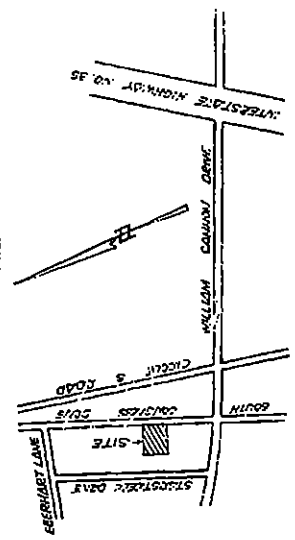
BEFORE ME, the undersigned authority, on
this day personally appeared D. Edward Moore, known to me to be the
person whose name is subscribed to the foregoing instrument, and
acknowledged to me that he had executed the same for the purposes
and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 15th day of October,
A. D. 1982.

Doris Shropshire
Doris Shropshire
County Clerk, Travis County,
Texas

DETAIL
Scale 1"=40'

AREA LOCATION MAP
N.T.S.



PROPOSED
ZONING
AREA

LEGEND
1. Site Plan Set
2. Site Plan Set
3. Final Plat Found
4. Conveyance Instrument Found
5. Travis County Deed Records
6. 1/4"

RECEIVED
MAY 13 1982
CITY PLANNING
CITY OF AUSTIN

Surveyed May 1, 1982
Metecoff Engineering Company, Inc.
By: George L. Sanders
George L. Sanders
Registered Public Surveyor #1838
Austin, Texas
Area in Subdivision 1.0552 Acres
C83-82-071



I, George L. Sanders, am authorized under the laws of the
State of Texas to practice the profession of surveying
and hereby certify that this plat complies with Chapter 18-3
of the Austin City Code; is true and correct to the best
of my knowledge and was prepared from an actual survey
of the property being surveyed under my supervision on the ground.
Certified to this 15th day of May, A. D. 1982.

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The Conditional Overlay prohibits the following uses: automotive sales, automotive washing (of any type) and pawn shop services.

BACKGROUND

The subject rezoning area consists of one platted lot that is developed with two commercial buildings one of which includes a bookstore and karate studio (zoned GR), and the other is vacant (CS footprint). The surrounding parking and driveway areas are zoned LR. The lot takes direct access to South Congress Avenue. The property is surrounded to the north and south by other commercial development primarily, including a convenience store, a Salvation Army Center, a day care, laundromat, shopping center and convenience store (zoned LR; LI-CO; GR; CS-1). Single family residences are adjacent to the west (SF-3).

The rezoning application is a companion case in accordance with the staff and Planning Commission recommendations for a Restrictive Covenant Termination request that applies to the vacant commercial building. The Covenant was originally prepared for the Rainbo Baking Co. and limited the development of the building to a single use, being a Thrift Store and Distribution Center. The Restrictive Covenant was recommended for Termination contingent upon the applicant seeking more restrictive commercial zoning for the building. The applicant has responded with a rezoning application for the lot (which includes the building, as well as an occupied commercial building and surrounding driveway / parking areas) to the community commercial (GR) district. Specifically, the applicant seeks to convert the vacant building to an automotive repair facility.

A rezoning to GR for the entire property removes the opportunity for the more intensive CS uses to occur and increases the LR zoned parking and driveway areas which would facilitate modification of the building footprint if this is contemplated in the future without triggering the need for a rezoning. It would also make the zoning and corresponding development regulations consistent across all parts of the lot, and be consistent and compatible with the zoning on the properties to the north and south accessing Congress Avenue. The Participants of the Neighborhood Plan process support a Conditional Overlay that prohibits three uses that are already well-represented along this stretch of South Congress Avenue, being automotive sales, automotive washing (of any type) and pawn shop services.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The proposed GR, Community Commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways.

The property has access to South Congress Avenue, a major arterial.

2. *Zoning changes should promote an orderly and compatible relationship among land uses.*

A rezoning to GR for the entire property removes the opportunity for the more intensive CS uses to occur and increases the LR zoned parking and driveway areas which would facilitate

modification of the building footprint if this is contemplated in the future without triggering the need for a rezoning. It would also make the zoning and corresponding development regulations consistent across all parts of the lot, and be consistent and compatible with the zoning on the properties to the north and south accessing Congress Avenue. The Participants of the Neighborhood Plan process support a Conditional Overlay that prohibits three uses that are already well-represented along this stretch of South Congress Avenue, being automotive sales, automotive washing (of any type) and pawn shop services.

EXISTING CONDITIONS

Site Characteristics

The rezoning area is developed with two commercial buildings, one of which is vacant and one of which includes a video / bookstore and karate studio. There appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the GR district would be 80% which is a consistent figure between the zoning and watershed regulations.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

According to flood plain maps, there is no flood plain in, or within close proximity of, the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

TPSD Right-of-Way

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed rezoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

Transportation

The Austin Metropolitan Area Transportation Plan calls for a total of 140 feet of right-of-way for S. Congress Avenue. Additional right-of-way may be required during the subdivision or site plan stage of development. [LDC, Sec. 25-6-51 and 25-6-55]

The trip generation under the requested zoning is estimated to be 3,085 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility relocation, and utility adjustment to serve each lot and land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City utility design criteria. The landowner must pay the associated City fees.

The landowner must pay the tap and impact fee once the landowner makes an application for a City water and wastewater utility tap permit.

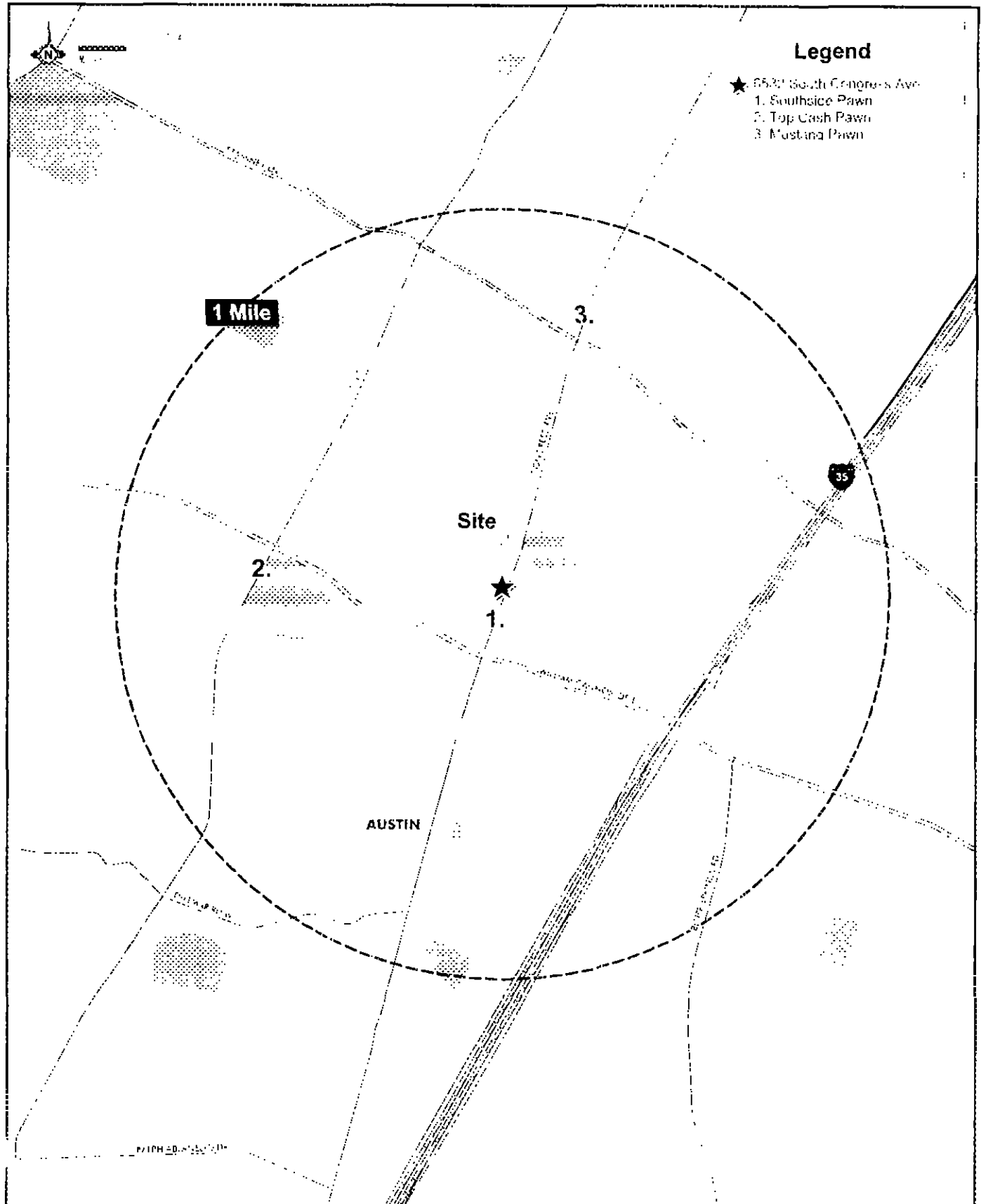
Compatibility Standards

The site is subject to compatibility standards for any new development. Along the west property line, the following standards apply:

- No structure may be built within 25 feet of the property line.

- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

This site is in the proposed Sweetbriar Neighborhood Plan. If a site plan is submitted after the neighborhood plan has been approved, recommended design guidelines design will be enforced at the time a site plan is submitted.



This map was prepared by the applicant for the purpose of showing the location of the pawn shops within the vicinity of the subject property. The map is not intended to be used for any other purpose and the applicant is not responsible for any errors or omissions on the map.

APPLICANT'S MAP
OF PAWN SHOPS
WITHIN THE VICINITY

CBRE
CB RICHARD ELLIS

MEETING SUMMARY

Draft Pending PC Approval

CITY PLANNING COMMISSION

January 25, 2005

CITY HALL – COUNCIL CHAMBERS

301 W. 2ND STREET

1st Floor

CALL TO ORDER – 6:00 P.M. **COMMENCE 6:13PM; ADJOURN 1:45AM**

_____ John-Michael Cortez

_____ Matthew Moore, Secretary

_____ Cid Galindo

_____ Jay Reddy

_____ Matt Hollon, Asst. Secretary

_____ Chris Riley, Chair

_____ Cynthia Medlin, Vice-Chair

_____ Dave Sullivan, Parliamentarian

A. REGULAR AGENDA

EXECUTIVE SESSION (No public discussion)

The Planning Commission will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel on matters specifically listed on this agenda. The Planning Commission may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney – Section 551.071

CITIZEN COMMUNICATION:

1. The first four (4) speakers signed up to speak will each be allowed a three-minute allotment to address their concerns regarding items *not* posted on the agenda.

APPROVAL OF MINUTES

2. Approval of minutes from January 11, 2005.

MOTION: APPROVE BY CONSENT

VOTE: 8-0 (JMC-1st, CG-2nd)

ORDINANCE AMENDMENT

50. Rezoning: **C14-04-0205 - EARTHGRAINS BAKING COMPANIES, INC.**
Location: 6532-6534 South Congress Avenue, Williamson Creek Watershed, South Congress Combined NPA (Sweetbriar) NPA
Owner/Applicant: Earthgrains Baking Companies, Inc. (Kevin J. Dollhopf)
Agent: CB Richard Ellis (Cinco Cocke)
Request: **CS; GR; LR to GR**
Staff Rec.: **Alternate Recommendation: GR-MU-CO**
Staff: Rezoning, 974-7719, wendy.walsh@ci.austin.tx.us
 Neighborhood Planning & Zoning

Wendy Walsh presented the staff recommendation and explained that the case has been brought back to rezone the entire property to GR zoning.

PUBLIC HEARING FOR

Cinco Cocke explained what has occurred, stating that the request at the Planning Commission was to have the GR zoning. The Conditional Overlay was added by staff. They do not support the Conditional Overlay because the contract for the property states that they would purchase with assumption that it will have GR zoning. In the spirit of cooperation, the buyer is okay with prohibiting auto washing and sales, but object to the prohibition of pawn shop services because would like to lease to that use. They drove the corridor to see how many pawn shops were in the area, and there are very few. His client was frustrated when this Conditional Overlay was added, but are willing to compromise to prohibit two of the three uses.

AGAINST

Betty Edgemond said she does not understand why someone would request pawn shop. She thinks that area has their share of pawn shops. This is not this particular case or person, many times, when there is a request for GR, there is a request by the neighborhood to prohibit those three uses.

Commissioner Reddy asked about her objections to pawn shops. Ms. Edgemond said that there is a lot of petty thievery in the area and this encourages that. There is a neighborhood behind this property. They are trying to clean up the area. We normally ask for more restrictions.

REBUTTAL

None provided.

MOTION: CLOSE PUBLIC HEARING

VOTE: 7-0 (JMC-1st, DS-2nd; CM-LEFT EARLY)

MOTION: APPROVE STAFF RECOMMENDATION

VOTE: 6-1 (JMC-1st, DS-2nd; CG-OPPOSED; CM-LEFT EARLY)

Commissioner Sullivan said that Ms. Edgemond's argument would be stronger if adjacent neighborhood residents came to the hearing. He supports efforts to discourage certain businesses along South Congress.

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 6532-6534 SOUTH CONGRESS AVENUE FROM
3 NEIGHBORHOOD COMMERCIAL (LR) DISTRICT, COMMUNITY
4 COMMERCIAL (GR) DISTRICT, AND GENERAL COMMERCIAL SERVICES
5 (CS) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY
6 (GR-CO) COMBINING DISTRICT.

7
8 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:
9

10 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to
11 change the base district from neighborhood commercial (LR) district, community
12 commercial (GR) district, and general commercial services (CS) district to community
13 commercial-conditional overlay (GR-CO) combining district on the property described in
14 Zoning Case No. C14-04-0205, on file at the Neighborhood Planning and Zoning
15 Department, as follows:
16

17 Lot 1, D. Edward Moore Subdivision, a subdivision in the City of Austin, Travis
18 County, Texas, according to the map or plat of record in Plat Book 82, Page 348,
19 of the Plat Records of Travis County, Texas (the "Property")
20

21 locally known as 6532-6534 South Congress Avenue, in the City of Austin, Travis County,
22 Texas, and generally identified in the map attached as Exhibit "A".
23

24 PART 2. The Property within the boundaries of the conditional overlay combining district
25 established by this ordinance is subject to the following conditions:
26

27 The following uses are prohibited uses of the Property:
28

29 Automotive sales
30 Pawn shop services
31

Automotive washing (of any type)

32 Except as specifically restricted under this ordinance, the Property may be developed and
33 used in accordance with the regulations established for the community commercial (GR)
34 base district and other applicable requirements of the City Code.
35
36
37

PART 3. This ordinance takes effect on _____, 2004.

PASSED AND APPROVED

_____, 2004

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§
§

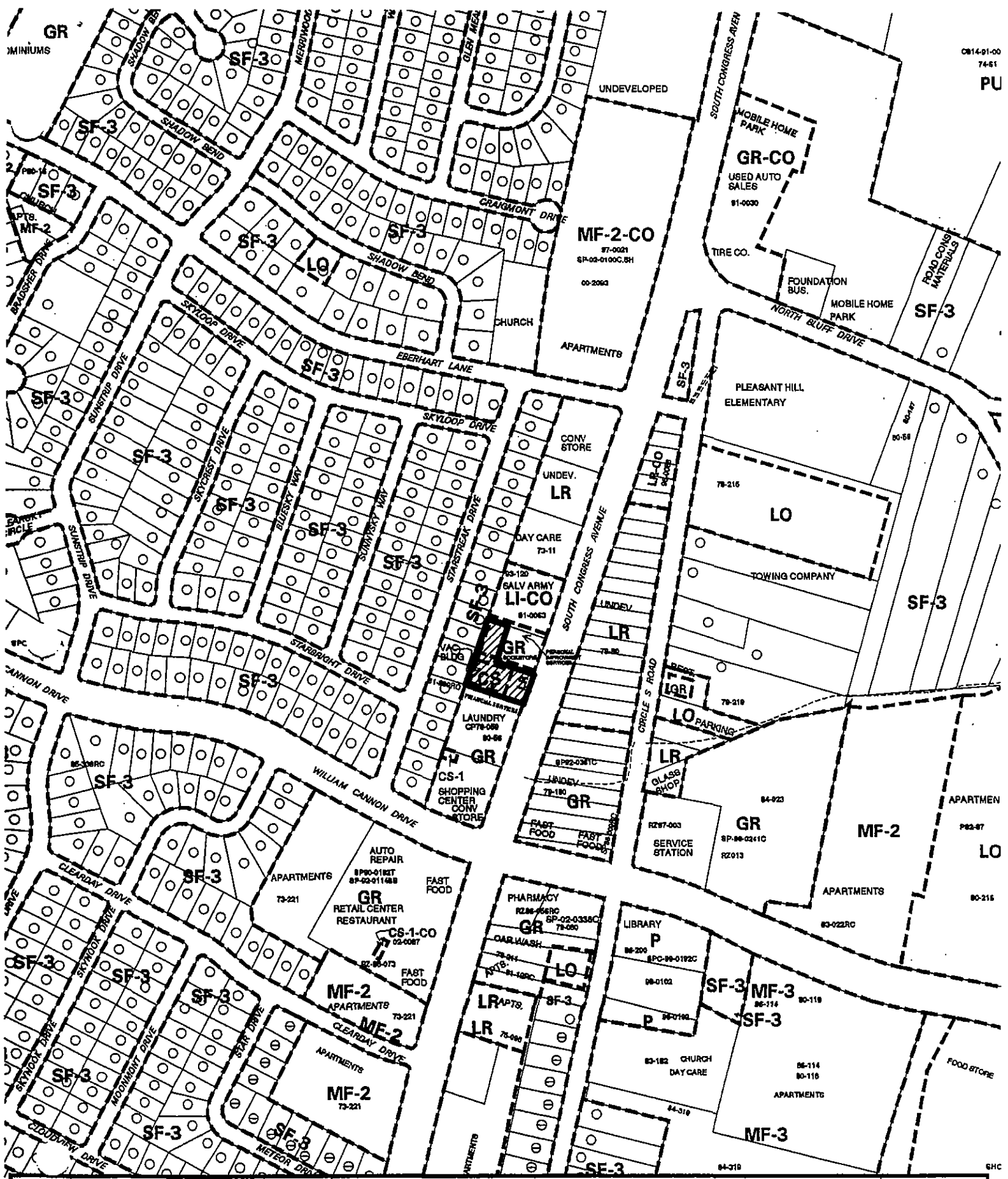
Will Wynn
Mayor

APPROVED:

David Allan Smith
City Attorney

ATTEST

Shirley A. Brown
City Clerk



 1" = 400'	SUBJECT TRACT		ZONING EXHIBIT A CASE #: C14-04-0205 ADDRESS: 6532-6534 S CONGRESS AVE SUBJECT AREA (acres): 0.682	DATE: 05-01 INTLS: SM	CITY GRID REFERENCE NUMBER G16
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: W. WALSH				