

ORDINANCE NO. _____

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**
2 **PROPERTY LOCATED AT 601 WEST 17TH STREET FROM GENERAL OFFICE**
3 **(GO) DISTRICT TO DOWNTOWN MIXED USE-CONDITIONAL OVERLAY**
4 **(DMU-CO) COMBINING DISTRICT.**

5
6 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

7
8 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
9 change the base district from general office (GO) district to downtown mixed use-
10 conditional overlay (DMU-CO) combining district on the property described in Zoning
11 Case No. C14-2010-0078, on file at the Planning and Development Review Department, as
12 follows:

13
14 A 0.18 acre tract of land, (8,053 square feet) more or less, out of Outlot 24,
15 Division E, City of Austin, Travis County, the tract of land being more particularly
16 described by metes and bounds in Exhibit "A" incorporated into this ordinance (the
17 "Property"),

18
19 locally known as 601 West 17th Street, in the City of Austin, Travis County, Texas, and
20 generally identified in the map attached as Exhibit "B".

21
22 **PART 2.** The Property within the boundaries of the conditional overlay combining district
23 established by this ordinance is subject to the following conditions:

- 24
25 A. A site plan or building permit for the Property may not be approved, released, or
26 issued, if the completed development or uses of the Property, considered
27 cumulatively with all existing or previously authorized development and uses,
28 generate traffic that exceeds 2,000 trips per day.
- 29
30 B. Development of the Property shall comply with the following regulations:
- 31
32 1) The maximum height of a building or structure is 60 feet from ground level.
- 33
34 2) Any portion of a building above 40 feet in height that faces a public street or
35 alley must be stepped back from the building face by five feet.
- 36
37 3) The minimum rear yard setback is five feet.

1
2 4) The minimum interior side yard setback is five feet.

3
4 5) The minimum front yard setback is 15 feet.

5
6 6) The minimum street side yard setback is 15 feet.

7
8 C. The following uses are prohibited uses of the Property:

9
10 Automotive rentals

Automotive repair services

11 Automotive sales

Automotive washing (of any type)

12 Bail bond services

Laundry services

13 Limited warehouse & distribution

Maintenance & service facilities

14 Pawn shop services

Service station

15 Vehicle storage

16
17 D. The following uses are conditional uses of the Property:

18 Exterminating services

Liquor sales

19
20
21 Except as otherwise specifically restricted under this ordinance, the Property may be
22 developed and used in accordance with the regulations established for the downtown
23 mixed use (DMU) base district, and other applicable requirements of the City Code.

24
25 **PART 3.** This ordinance takes effect on _____, 2010.

26
27
28 **PASSED AND APPROVED**

29
30
31
32 _____, 2010

§
§
§

Lee Leffingwell
Mayor

33
34
35
36
37 **APPROVED:** _____ **ATTEST:** _____

38 Karen M. Kennard
39 Acting City Attorney

Shirley A. Gentry
City Clerk

EXHIBIT A

BEING A 0.18 OF AN ACRE (8,053 SQUARE FOOT) PARCEL OF LAND OUT OF AND PART OF OUTLOT 24, DIVISION B TO THE CITY OF AUSTIN, SITUATED IN TRAVIS COUNTY, TEXAS, AS DEPICTED BY THE MAP ON RECORD IN THE RECORDS OF THE GENERAL LAND OFFICE FOR THE STATE OF TEXAS, BEING THE SAME PARCEL OF LAND IN THE PROBATE OF MABLE ECKMAN IN CAUSE NUMBER 79236 OF THE RECORDS OF THE PROBATE COURT OF TRAVIS COUNTY, TEXAS; THE AFOREMENTIONED 0.18 OF AN ACRE PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at "X" found on concrete, in the southerly right-of-way line of West 17th Street, and for the northerly corner of Lot 1 of the Morris M. Reese Addition as depicted by the instrument recorded in Volume 84, Page 113D of the Plat Records of Travis County;

THENCE, South 70 degrees 37 minutes 35 seconds East, along the aforementioned southerly right-of-way line, a distance of 58.31 feet to an iron rod set for the POINT OF BEGINNING of the herein described parcel;

THENCE, South 70 degrees 37 minutes 35 seconds East, along the aforementioned southerly right-of-way line, a distance of 58.31 feet to an iron rod set in the westerly right-of-way line of Nueces Street;

THENCE, South 18 degrees 57 minutes 39 seconds West, along the aforementioned westerly right-of-way line, a distance of 138.46 feet to an iron pipe found in the said westerly right-of-way line;

THENCE, into the aforementioned Outlot 24 for the next two (2) courses as follows:

- 1.) North 70 degrees 08 minutes 05 seconds West, a distance of 58.22 feet to an iron rod set;
- 2.) South 18 degrees 55 minutes 18 seconds West, a distance of 137.96 feet to the POINT OF BEGINNING of the herein described parcel and containing a calculated area of 0.18 of an acre (8,053 square feet) of land, more or less.

AFTER RECORDING RETURN TO:
Chicago Title Insurance Company
805 Las Cimas Parkway, Suite 240
Austin, Texas 78746

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBruin

2005 Jun 29 02:22 PM

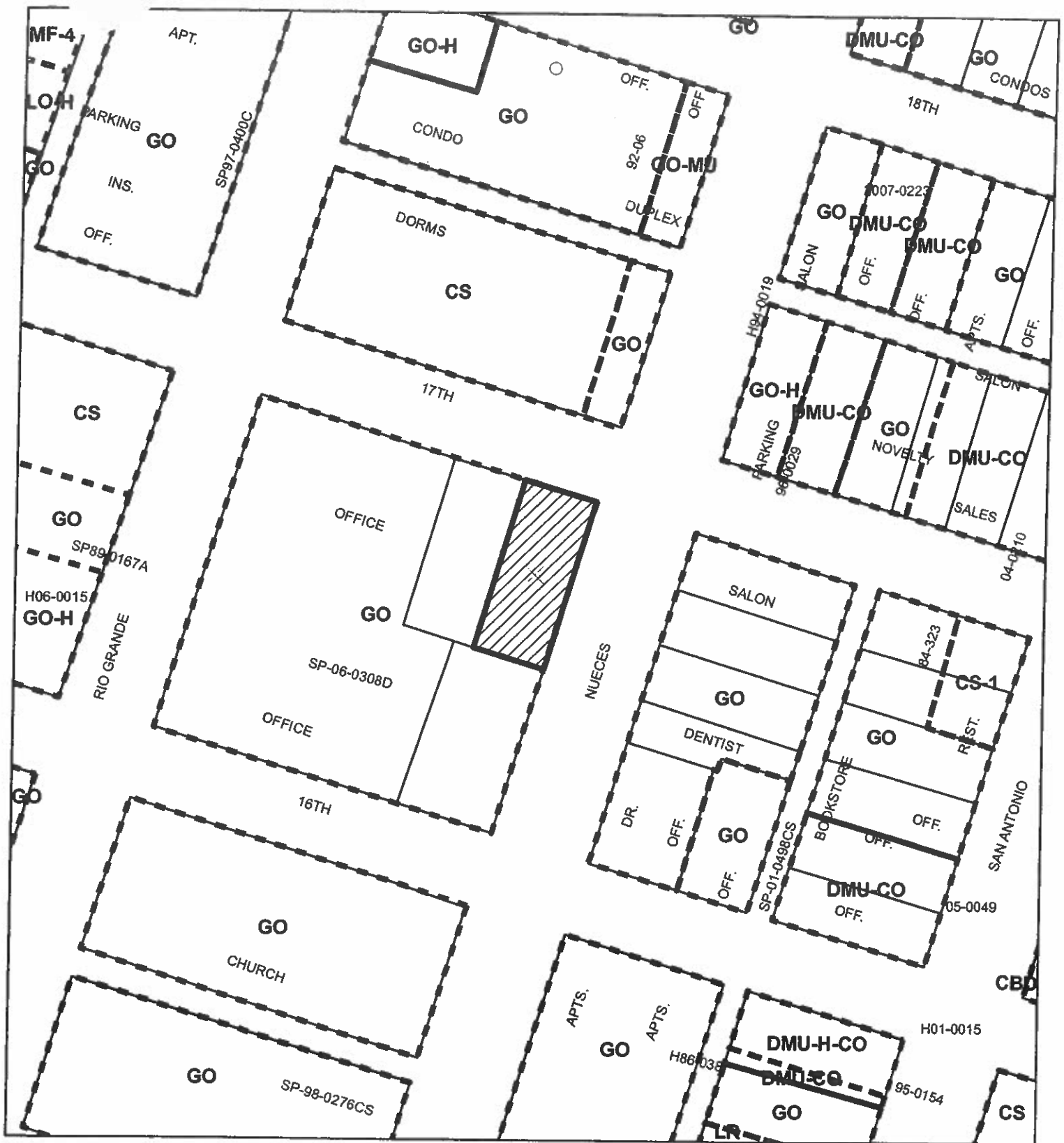
2005115902

KNOWLES \$18.00

DANA DEBRUIN COUNTY CLERK

TRAVIS COUNTY TEXAS

SCANNED



Legend



SUBJECT TRACT



PENDING CASE



ZONING



ZONING
EXHIBIT B
CASE NUMBER: C14-2010-0078
ADDRESS: 601 W 17TH ST
GRID: J23

CASE MGR: STEPHEN RYE (512) 974-7604



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.