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”.

Draft 11/27/2018

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COA Law Department
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 sales
- Bail bond services
- Business support services
- Communications services
- Exterminating services
- Funeral services
- Indoor entertainment
- Outdoor entertainment
- Pawn shop services
- Service station
- Theater

- Automotive repair services
- Automotive washing (of any type)
- Business or trade school
- Commercial off-street parking
- Drop-off recycling collection facility
- Food preparation
- Hotel-motel
- Indoor sports and recreation
- Outdoor sports and recreation
- Research services
- Short term rental
- Hospital services - general

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

- Alternative financial services
- Community recreation – private
- Congregate living
- Hospital services – limited

- Medical offices – exceeding 5,000 square feet
- Community recreation – public
- Group home class II
- 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
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 ½" 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°28'06"W, a distance of 105.27 FEET to a ½" Iron
rod found at the northeast corner of a 0.438 acre tract of and conveyed to Carolyn Young, et
al by deed recorded in Document No. 2006138650 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, a distance of 181.26 feet past 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 hereof and made a
part hereof.

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

Exhibit A
A site commitment was NOT furnished to the Surveyor. The only Easements shown herein are per Plat. The Surveyor does not assume any liability for existence of any easements and/or restrictions encumbered to the Property.

* DISMORSH SIMPSON SURVEY NO. 27, ABSTRACT NO. 694 (FIELD NOTES ATTACHED)

**Survey No. 051272**

**SCALE 1:300**

**PLAT OF SURVEY**

**ISSUE June 16, 1993**

**MARY F. HAWKINS**

**4433 PROFESSIONAL LAND SURVEYOR**

**STATE OF TEXAS**

**COUNTY OF TRAVIS**

**12466 Los Indios Trail, Suite 101**

**Austin, Texas 78729**

**(512) 335-3844 * (512) 250-0885 (Fax) WM 546/70**