

Revised Ordinance

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1704 AND 1706 EVERGREEN AVENUE AND 1707 SOUTH LAMAR BOULEVARD FROM FAMILY RESIDENCE (SF-3) DISTRICT, TO COMMUNITY COMMERCIAL SERVICES MIXED USE-CONDITIONAL OVERLAY (GR-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 family residence (SF-3) district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district on the property described in Zoning Case No. C14-04-0101, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One (1704 and 1706 Evergreen): A 10,978 square foot tract of land, more or less, being a portion of Lot 13, Evergreen Heights Addition, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two (1707 South Lamar): A 1,933 square foot tract of land, more or less, being a portion of Lot 13, Evergreen Heights Addition, the tract being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance,

locally known as 1704 and 1706 Evergreen Avenue and 1707 South Lamar Boulevard, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

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

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

Medical offices (exceeding 5000 sq. ft. gross floor area)	Community recreation (private)
Congregate living	Community recreation (public)
Residential treatment	Hospital services (limited)

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

Art workshop	Automotive rentals
Automotive repair services	Automotive sales
Automotive washing (of any type)	Business or trade school
Business support services	Commercial off-street parking
Communications services	Drop-off recycling collection facility
Exterminating services	Financial services
Funeral services	General retail sales (general)
Hotel-motel	Indoor entertainment
Indoor sports and recreation	Outdoor entertainment
Outdoor sports and recreation	Pawnshop services
Research services	Restaurant (general)
Theater	Hospital services (general)

3. A site plan or building permit for the Property identified as Tract One may not be approved, released, or issued, if the completed development or uses of Tract One, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
4. A site plan or building permit for the Property identified as Tract Two may not be approved, released, or issued, if the completed development or uses of Tract Two, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
5. If vehicular access is permitted from Tract Two to South Lamar Boulevard then vehicular access shall be prohibited from Tract Two to Evergreen Avenue. All vehicular access to Tract Two shall be from other adjacent public streets or through other adjacent property.

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 and other applicable requirements of the City Code.

1 **PART 3.** This ordinance takes effect on _____, 2005.

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4 **PASSED AND APPROVED**

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8 _____, 2005

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10 **Will Wynn**
11 **Mayor**

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13 **APPROVED:** _____

14 **David Allan Smith**
15 **City Attorney**

ATTEST _____

Shirley A. Brown
City Clerk