

ORDINANCE NO. 001130-96

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 25-2 OF THE CITY CODE AS FOLLOWS:

APPROXIMATELY 3,985 SQUARE FEET OUT OF LOT 13, EVERGREEN HEIGHTS SUBDIVISION, FROM FAMILY RESIDENCE (SF-3) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT, LOCALLY KNOWN AS 1702 EVERGREEN AVENUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

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 general commercial services-conditional overlay (CS-CO) combining district on the property described in File C14-00-2172, as follows:

Approximately 3,985 square feet of land out of Lot 13, Evergreen Heights Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 2, Page 614, of the Plat Records of Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 1702 Evergreen Avenue, in the City of Austin, Travis County, Texas, and 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:

The following uses of the Property are prohibited:

- | | |
|---------------------------------|----------------------------------|
| Agricultural sales and services | Arts and crafts studio (general) |
| Automotive rentals | Automotive repair services |
| Automotive sales | Automotive washing (of any type) |
| Building maintenance services | Business or trade school |
| Business support services | Campground |
| Commercial blood plasma center | Commercial off-street parking |
| Communication services | Construction sales and service |

Convenience storage
Electronic prototype assembly
Equipment sales
Funeral services
Hotel-motel
Indoor sports and recreation
Laundry service
Outdoor entertainment
Pawn shop services
Research services
Theater
Veterinary services
Club or lodge
Transportation terminal

Drop-off recycling collection facility
Equipment repair
Exterminating services
General retail sales (general)
Indoor entertainment
Kennels
Monument retail sales
Outdoor sports and recreation
Personal improvement services
Restaurant (general)
Vehicle storage
Limited warehousing and distribution
Transitional housing


Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district and other applicable requirements of the City Code.

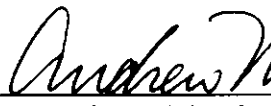
PART 3. The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

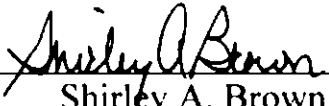
PART 4. This ordinance takes effect on December 11, 2000.

PASSED AND APPROVED

November 30, 2000

§
§
§

Kirk Watson
Mayor

APPROVED: 
Andrew Martin
City Attorney

ATTEST: 
Shirley A. Brown
City Clerk

4. Legal description of land:

50 feet by 80 feet out of Lot 13, EVERGREEN HEIGHTS, an addition in the City of Austin, Travis County, Texas, according to the map or plat of record in Book 2, Page 614, Plat Records of Travis County, Texas, described as follows:

BEGINNING at an iron stake in the East line of said Lot Thirteen (13) and the West line of Fredericksburg Road, a distance of 80 feet S 30 degrees from the Northeast corner of said Lot No. 13;

THENCE N 61 degrees 30 minutes W, 80 feet to a stake;

THENCE in a Southwesterly direction in a straight line 51 feet to a point, which point is 80 feet from the West line of said Fredericksburg Road;

THENCE S 61 degrees 30 minutes E 80 feet to a stake in the West line of said Fredericksburg Road;

THENCE N 30 degrees E with the West line of said Fredericksburg Road, 50 feet to the Place of Beginning.

Schedule A (Rev. 1/1/93) - Promulgated Page 2
Commitment for Title Insurance
Form T-7 (Citic 991) - Sheet 2

Valid Only If Schedules B, C, D
And Cover Page Are Attached

(113) 16

EXHIBIT A

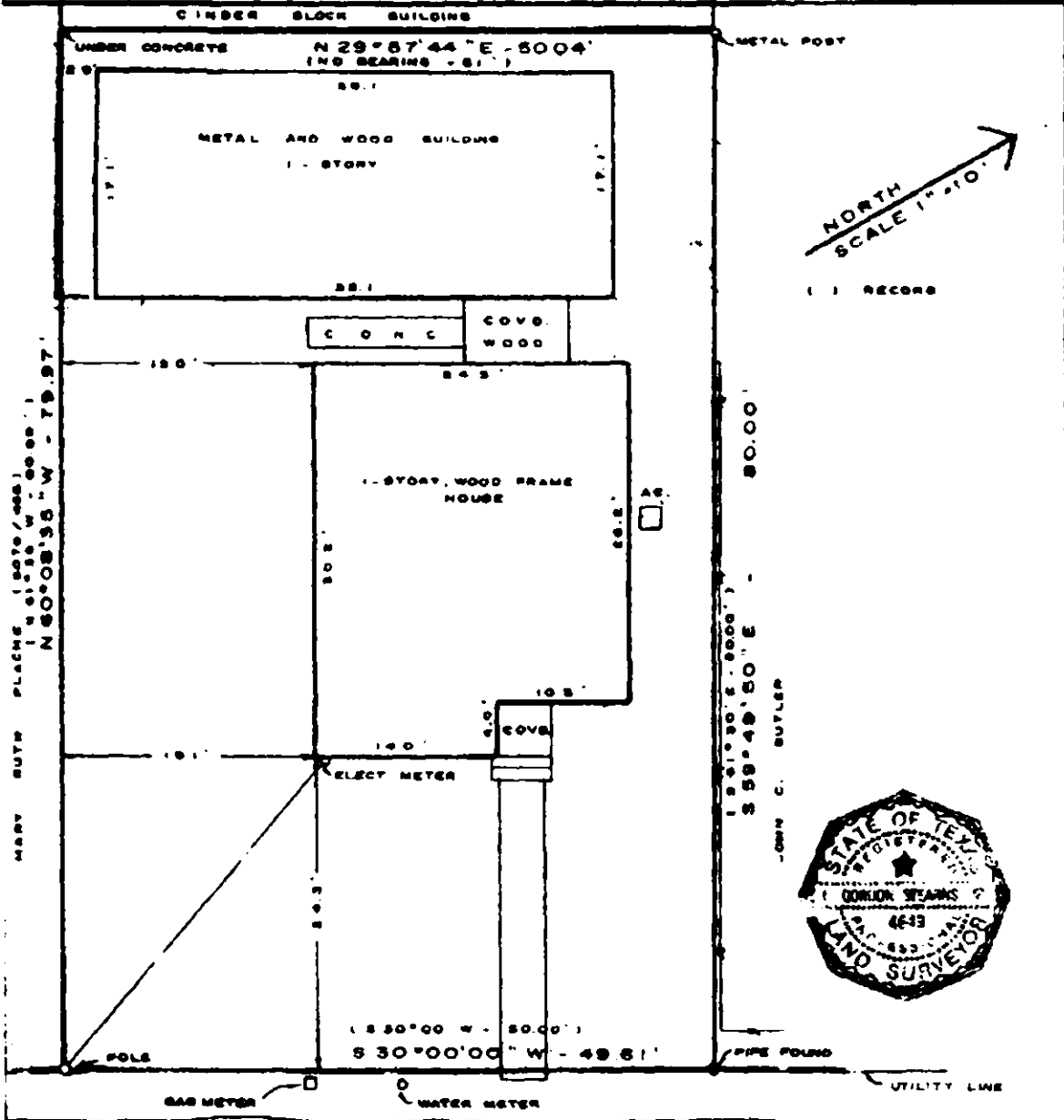
STEARNS & ASSOCIATES, INC.

11303 TEDFORD STREET / AUSTIN, TEXAS
 ZIP CODE - 78753 / PHONE NO - (512)836-0333

LOCAL ADDRESS: 1702 EVERGREEN AVENUE **REFERENCE NAME:** VICTOR DEARMOND

LEGAL DESCRIPTION: 3985 SQUARE FEET OF LAND OUT OF LOT 13, EVERGREEN HEIGHTS, AN ADDITION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS ACCORDING TO MAP OR PLAT THEREOF RECORDED IN BOOK "Z", PAGE 614, PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

NOTE: USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND THE UNDERSIGNED IS NOT RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM.



EVERGREEN AVENUE (44' R.O.W.)





STATE OF TEXAS I TO THE LIEN HOLDERS AND/OR OWNERS OF THE PREMISES SURVEYED AND TO THE COUNTY OF TRAVIS I COMMONWEALTH LAND TITLE COMPANY OF AUSTIN AND COMMONWEALTH LAND TITLE INSURANCE COMPANY AND NATIONSBANK MORTGAGE CORPORATION

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE TRACT LEGALLY DESCRIBED HEREON AND IS CORRECT AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON AND THAT SAID TRACT HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON.

FLOOD NOTE - THE PROPERTY DESCRIBED HEREON IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. COMMUNITY - PANEL NO. - 48453C0205 E / EFFECTIVE DATE - 6/16/93 / ZONE - X

John C. Butler DATED - JUNE 9TH, 1998 P.S. - 214 / P. 25
 A. GORDON STEARNS / REGISTERED PROFESSIONAL LAND SURVEYOR / NO. 4649 / 4TH BR.



 <p>1" = 400'</p>	<p>SUBJECT TRACT </p>	<p><i>C14-00-2172</i> ZONING <i>R4UB17 B</i></p> <p>CASE #: C14-00-2172</p> <p>ADDRESS: 1702 EVERGREEN AVENUE</p> <p>SUBJECT AREA (acres): N/A</p>	<p>DATE: 00-08</p> <p>INTLS: BAR</p>	<p>CITY GRID REFERENCE NUMBER</p> <p>H21</p>
	<p>PENDING CASE </p>			
	<p>ZONING BOUNDARY </p>			
	<p>CASE MGR: DPERRYMAN</p>			
	<p>APPLIANCE REPAIR SHOP</p>			