

ORDINANCE NO. 010329-46

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1800 EVERGREEN AVENUE FROM FAMILY RESIDENCE (SF-3) DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY (CS-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 general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district on the property described in File C14-01-0009, as follows:

A 0.754 acre tract of land, more or less, out of Lot 14, Evergreen Heights Subdivision, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 1800 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:

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
2. The following uses of the Property are prohibited:

Agricultural sales and service	Funeral services
Art and craft studio (industrial)	General retail sales (general)
Automotive rental	Hotel-motel
Automotive repair services	Indoor entertainment
Automotive sales	Indoor sports and recreation
Automotive washing (of any type)	Kennels
Building maintenance services	Laundry services
Business or trade schools	Limited warehousing and distribution

Business support services
Commercial blood plasma center
Campground
Club or lodge
Commercial off-street parking
Communication services
Construction sales and service
Convenience storage
Drop-off recycling collection facility
Electronic prototype assembly
Equipment repair services
Equipment sales

Maintenance and service facilities
Monument retail sales
Outdoor entertainment
Outdoor sports and recreation
Research services
Restaurant (general)
Theater
Transitional housing
Transportation terminal
Vehicle storage
Veterinary services
Exterminating services

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 April 9, 2001.

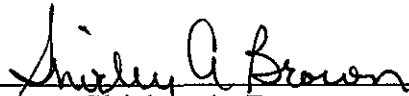
PASSED AND APPROVED

March 29, 2001

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Kirk Watson
Mayor

APPROVED: 
Andrew Martin
City Attorney

ATTEST: 
Shirley A. Brown
City Clerk

FIELD NOTES

Being 0.754 acre out of the southeast corner of Lot 14, Evergreen Heights, a subdivision in Travis County, Texas, according to the map or plat recorded in Volume Z. Page 614. Deed Records, Travis County, Texas, the same tract described as Tract 1, in a deed to Stuart C. Shelton, recorded in Volume 10777, Page 471. Real Property Records, Travis County, Texas, as shown on accompanying survey plat and being more particularly described as follows:

BEGINNING at a 3/8" iron pipe found in the west line of Evergreen Avenue (R.O.W. varies), for the northeast corner of this tract.

THENCE, N 60°00'00" W, said course being the bearing base for this survey, passing at 2.64', a 1/2" iron pin found at the southeast corner of a tract described in a deed to J. Vaughan, recorded in Volume 12059, Page 2693, Real Property Records, Travis County, Texas, in all, 209.88', to a 1/2" iron pin found at the northeast corner of a triangular parcel described in Volume 1822, Page 493, Deed Records, Travis County, Texas, for the northwest corner of this tract.

THENCE, with the east line of said triangular parcel and the west line of this tract, S 50°23'20" W, 32.12', to a 1/2" iron pin found at the most southerly corner of said triangular parcel, for an angle point in the west line of this tract.

THENCE, with the east line of a tract described in a deed to S. T. Hardin, recorded in Volume 13060, Page 2333, Real Property Records, Travis County, Texas, the east line of a tract described in a deed to M. Natinsky, recorded in Volume 13053, Page 1, Real Property Records, Travis County, Texas, and the west line of this tract, S 30°00'00" W, 124.89', to a 1/2" iron pin set in the north line of Fredericksburg Road Acres, No. 2, a subdivision in Travis County, Texas, recorded in Volume 465, Page 202, Deed Records, Travis County, Texas, at the southeast corner of said Natinsky tract, for the southwest corner of this tract.

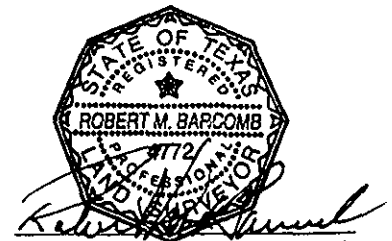
THENCE, with the north line of said subdivision and the south line of this tract, S 60°00'00" E, 168.10', to a 1/2" iron pin set in the north line of W. Mary Street (60' R.O.W.), for an angle point in the south line of this tract.

THENCE, with the north line of W. Mary Street and the south line of this tract, N 79°40'00" E, 68.00', to a 1/2" iron pin set in the west line of Evergreen Avenue, for the southeast corner of this tract.





THENCE, with the west line of Evergreen Avenue and the east line of this tract, N 30°35'00" E, 110.99', to the PLACE OF BEGINNING and containing 0.754 acre of land, more or less.

Prepared from a survey made on the ground July 26, 2000, by:
Arpenteurs Professional Surveying
8906 Wall Street, Suite 302
Austin, Texas 78754
(512) 832-1232

EXHIBIT A






 SUBJECT TRACT 
 PENDING CASE 
 ZONING BOUNDARY 
 CASE MGR: D.PERRYMAN

ZONING EXHIBIT B
CASE #: C14-01-0009
ADDRESS: 1800 EVERGREEN AVE
SUBJECT AREA (acres): 0.754

DATE: 01-02
INTLS: BAR

CITY GRID
REFERENCE
NUMBER
H20