

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE  
2 PROPERTY LOCATED AT 1206, 1208, 1210, 1212, 1216, 1218 EAST 51<sup>ST</sup> STREET  
3 IN THE WINDSOR PARK NEIGHBORHOOD PLAN AREA FROM  
4 COMMUNITY COMMERCIAL-MIXED USE-VERTICAL MIXED USE  
5 BUILDING-NEIGHBORHOOD PLAN-CONDITIONAL OVERLAY (GR-MU-V-  
6 CO-NP) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED  
7 USE-VERTICAL MIXED USE BUILDING-NEIGHBORHOOD PLAN-  
8 CONDITIONAL OVERLAY (GR-MU-V-CO-NP) COMBINING DISTRICT.  
9

10 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:  
11

12 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to  
13 change the base district from community commercial-mixed use-vertical mixed use  
14 building-neighborhood plan-conditional overlay (GR-MU-V-CO-NP) combining district to  
15 community commercial-mixed use-vertical mixed use building-neighborhood plan-  
16 conditional overlay (GR-MU-V-CO-NP) combining district on the property (the  
17 "Property") described in Zoning Case No. C14-2011-0103, on file at the Planning and  
18 Development Review Department, as follows:  
19

20 Lot 2, LaFuente Resubdivision of part of Lots 4 and 5, Ridgetop Gardens  
21 Subdivision, a subdivision in the City of Austin, Travis County, Texas, according  
22 to the map or plat of record in Volume 18, Page 22 of the Plat Records of Travis  
23 County, Texas;  
24

25 Lot 1, Robert Eby Subdivision, a subdivision in the City of Austin, Travis County,  
26 Texas, according to the map or plant of record in Volume 44, Page 23 of the Plat  
27 Records of Travis County, Texas;  
28

29 Lot 2, Malone and Funderburgh Subdivision, a resubdivision of a portion of Lot 5,  
30 Ridgetop Gardens Subdivision, a subdivision in the City of Austin, Travis County,  
31 Texas, according to the map or plat of record in Volume 16, Page 31 of the Plat  
32 Records of Travis County, Texas;  
33

34 Lot 3, Malone and Funderburgh Subdivision, a subdivision in the City of Austin,  
35 Travis County, Texas, according to the map or plat of record in Volume 16, Page 31  
36 of the Plat Records of Travis County, Texas;  
37

1 Being a 0.238 acre, more or less, out of Lots 1, 2 and 3, Block 1, Ridgetop Gardens  
2 Subdivision, a resubdivision of Lots 6 and 7 and west ½ of Lot 8, in the City of  
3 Austin, Travis County, Texas, according to the map or plat of record in Plat Book 4,  
4 Page 58 of the Plat Records of Travis County, Texas;

5  
6 The East 68 feet of Lot 1, 2 and 3, Block 1, of Wukasch Subdivision, a resubdivision  
7 of all of Lots 6 and 7 and the West ½ of Lot 8 of Ridgetop Gardens Subdivision, a  
8 subdivision in the City of Austin, Travis County, Texas, according to the map or plat  
9 of record in Volume 4, Page 58 of the Plat Records of Travis County, Texas;

10  
11 locally known as 1206, 1208, 1210, 1212, 1216, 1218 East 51<sup>ST</sup> Street in the City of  
12 Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

13  
14 **PART 2.** Except as specifically provided in Part 3 and Part 4 of this ordinance, the  
15 Property may be developed and used in accordance with the regulations established for the  
16 community commercial (GR) base district and other applicable requirements of the City  
17 Code.

18  
19 **PART 3.** The Property within the boundaries of the conditional overlay combining district  
20 established by this ordinance is subject to the following conditions:

- 21  
22 A. A site plan or building permit for the Property may not be approved, released,  
23 or issued, if the completed development or uses of the Property, considered  
24 cumulatively with all existing or previously authorized development and uses,  
25 generate traffic that exceeds 2,000 trips per day.  
26  
27 B. Except for a financial services use and consumer convenience services use,  
28 drive in service is prohibited as an accessory use to all commercial uses.  
29  
30 C. Drive in service as a financial services accessory use may not exceed two  
31 driving lanes.  
32  
33 D. Drive in service as a consumer convenience services accessory use may not  
34 exceed one driving lane and must be separate from the drive thru lanes in  
35 Part 3 C.  
36  
37 E. Off-site accessory parking is a conditional use.

1  
2 F. The following uses are prohibited uses of the Property:  
3

Automotive repair services	Automotive rentals
Automotive sales	Automotive washing (of any type)
Service station	Funeral services
Commercial off street parking	Bail bond services

4  
5 **PART 4.** The Property is subject to Ordinance No. 20070809-57 that established the  
6 Windsor Park neighborhood plan combining district.

7  
8 **PART 5.** This ordinance takes effect on \_\_\_\_\_, 2012.

9  
10 **PASSED AND APPROVED**

11  
12 §  
13 §  
14 \_\_\_\_\_, 2012 § \_\_\_\_\_  
15 Lee Leffingwell  
16 Mayor

17  
18  
19 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
20 Karen M. Kennard Shirley A. Gentry  
21 City Attorney City Clerk



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

**ZONING**

**ZONING CASE#: C14-2011-0103**

1" = 200'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

