

**ORDINANCE NO. 20120322-082**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1206, 1208, 1210, 1212, 1216, 1218 EAST 51<sup>ST</sup> STREET IN THE WINDSOR PARK NEIGHBORHOOD PLAN AREA FROM COMMUNITY COMMERCIAL-MIXED USE-VERTICAL MIXED USE BUILDING-NEIGHBORHOOD PLAN-CONDITIONAL OVERLAY (GR-MU-V-CO-NP) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-VERTICAL MIXED USE BUILDING-NEIGHBORHOOD PLAN-CONDITIONAL OVERLAY (GR-MU-V-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 community commercial-mixed use-vertical mixed use building-neighborhood plan-conditional overlay (GR-MU-V-CO-NP) combining district to community commercial-mixed use-vertical mixed use building-neighborhood plan-conditional overlay (GR-MU-V-CO-NP) combining district on the property (the "Property") described in Zoning Case No. C14-2011-0103, on file at the Planning and Development Review Department, as follows:

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

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

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

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

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

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

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

**PART 2.** Except as specifically provided in Part 3 and Part 4 of 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.

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

- A. 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.
- B. Except for a financial services use and consumer convenience services use, drive in service is prohibited as an accessory use to all commercial uses.
- C. Drive in service as a financial services accessory use may not exceed two driving lanes.
- D. Drive in service as a consumer convenience services accessory use may not exceed one driving lane and must be separate from the drive thru lanes in Part 3 C.
- E. Off-site accessory parking is a conditional use.

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

Automotive repair services

Automotive rentals

Automotive sales

Automotive washing (of any type)

Service station

Funeral services

Commercial off street parking

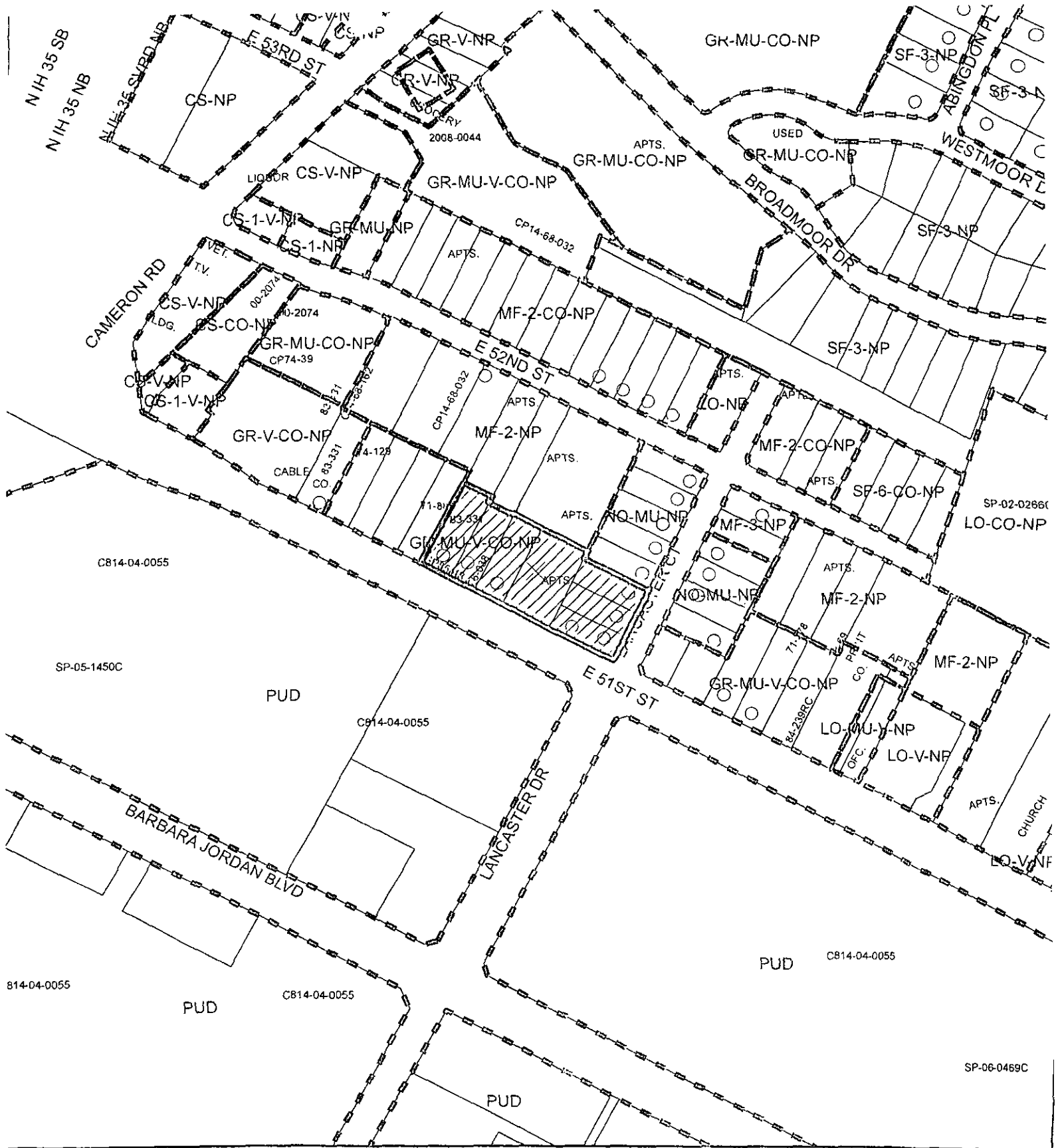
Bail bond services

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




**PART 5.** This ordinance takes effect on April 2, 2012.

**PASSED AND APPROVED**

March 22, 2012 §  
§  
Lee Leffingwell  
Mayor  
APPROVED: Karen M. Kennard  
City Attorney  
ATTEST: Shirley A. Gentry  
City Clerk



" = 200'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

## ZONING

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

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.

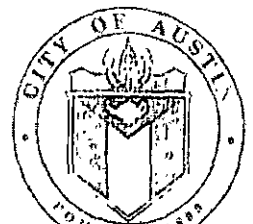


Exhibit A