

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

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2200 TILLERY STREET IN THE EAST MLK COMBINED NEIGHBORHOOD PLAN AREA FROM LIMITED OFFICE-MIXED USE-NEIGHBORHOOD PLAN (LO-MU-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-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 limited office-mixed use-neighborhood plan (LO-MU-NP) combining district to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2011-0088, on file at the Planning and Development Review Department, as follows:

A 1.217 acre tract of land, more or less, out of Outlot 50, Division "B" of the government outlots adjoining the City of Austin the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 2200 Tillery Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**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 general commercial services (CS) 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.

- 1 B. The maximum height of a building or structure on the Property is 40 feet or  
2 three stories from ground level.
- 3
- 4 C. Development of the Property along the south property line shall have minimum  
5 setback of 5 feet for interior side yard.
- 6
- 7 D. The following uses are prohibited uses of the Property:
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Automotive repair services	Automotive rentals
Automotive sales	Automotive washing (of any type)
Commercial off-street parking	Exterminating services
Funeral services	Off-site accessory parking
Outdoor entertainment	Outdoor sports and recreation
Pawn shop services	Service station
Bail bond services	Consumer convenience services
Hotel-motel	Drop-off recycling collection facility
Indoor entertainment	Pet services
Restaurant (general)	Agricultural sales and services
Building maintenance services	Campground
Commercial blood plasma center	Construction sales and services
Convenience storage	Electronic prototype assembly
Electronic testing	Equipment repair services
Equipment sales	Food preparation
Kennels	Laundry services
Monument retail sales	Plant nursery
Vehicle storage	Veterinary services
Custom manufacturing	Maintenance and service facilities

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

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15 **PART 4.** The Property is subject to Ordinance No. 021107-Z-12c that established the East  
16 MLK Combined neighborhood plan combining district.

17

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

**PASSED AND APPROVED**

\_\_\_\_\_, 2012

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§  
§

Lee Leffingwell  
Mayor

**APPROVED:** \_\_\_\_\_

Karen M. Kennard  
City Attorney

**ATTEST:** \_\_\_\_\_

Shirley A. Gentry  
City Clerk

**HOLT CARSON, INC.**  
**PROFESSIONAL LAND SURVEYORS**  
1904 FORTVIEW ROAD  
AUSTIN, TX 78704  
TELEPHONE: (512) 442-0990  
FACSIMILE: (512) 442-1084

FIELD NOTE DESCRIPTION OF 1.217 ACRES OF LAND OUT OF OUTLOT 50 DIVISION "B" OF THE GOVERNMENT OUTLOTS ADJOINING THE CITY OF AUSTIN ACCORDING TO THE MAP OR PLAT THEREOF FILED IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, BEING ALL OF THAT CERTAIN (1.217 ACRE) TRACT OF LAND AS CONVEYED TO LAWRENCE C. MATHIS BY SPECIAL WARRANTY DEED RECORDED IN 2000050461 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found with a plastic cap imprinted with "Carson and Bush Professional Surveyors" in the present West right-of-way line of Tillery Street for the Southeast corner of that certain (1.217 acre) tract of land as conveyed to Lawrence C. Mathis by Special Warranty Deed recorded in Document No. 2000050461 of the Official Public Records of Travis County, Texas, and for the Northeast corner of that certain (0.966 acre) tract of land as conveyed to Malik Khurshid by Warranty Deed recorded in Document No. 2002188636 of the Official Public Records of Travis County, Texas, and being the Southeast corner and **PLACE OF BEGINNING** of the herein described tract, and from which a ¾" iron pipe found for the Northeast corner of Lot 20, Encino Terrace, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 30 Page 22 of the Plat Records of Travis County, Texas, bears S 14 deg. 50' 55" E 121.69 ft. (direct tie);

THENCE leaving the West right-of-way line of Tillery Street with the common line of said Mathis (1.217 acre) tract and said Khurshid (0.966 acre) tract, S 80 deg. 01' 49" W 292.26 ft. to a ½" iron rod found with a plastic cap imprinted with "Carson and Bush Professional Surveyors" for the Southwest corner of said Mathis (1.217 acre) tract and for the Southeast corner of Lot 1, The Bartlett-Hudnall Addition, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 77 Page 313 of the Plat Records of Travis County, Texas, and being the Southwest corner of this tract, and from which a ½" iron rod found for the Northwest corner of said Khurshid (0.966 acre) tract bears S 80 deg. 01' 49" W 72.20 ft.;

THENCE with the West line of said Mathis (1.217 acre) tract, N 07 deg. 33' 45" W 186.96 ft. to a 2" iron pipe found for the Northwest corner of said Mathis (1.217 acre) tract and for the Southwest corner of that certain (1.658 acre) tract of land as conveyed to 3219 Manor Road L.L.C. by deed recorded in Document No. 2000132086 of the Official Public Records of Travis County, Texas, and being the Northwest corner of this tract;

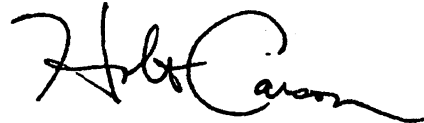
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1.217 ACRES

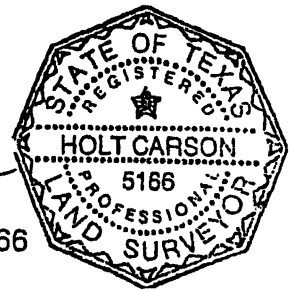
THENCE with the common line of said Mathis (1.217 acre) tract and said 3219 Manor Road L.L.C. (1.658 acre) tract, N 81 deg. 14' 22" E 284.38 ft. to a ½" iron rod found with a plastic cap imprinted with "Carson and Bush Professional Surveyors" in the present West right-of-way line of Tillery Street for the Northeast corner of said Mathis (1.217 acre) tract and being the Northeast corner of this tract;

THENCE with the West right-of-way line of Tillery Street and with the East line of said Mathis (1.217 acre) tract, S 10 deg. 00' 00" E 180.80 ft. to the **PLACE OF BEGINNING**, containing 1.217 acres of land.

SURVEYED: May 3, 2007.



Holt Carson  
Registered Professional Land Surveyor No. 5166



see accompanying map: A 624040

