

Late Backup

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Guernsey, Greg

From: Haase, Victoria [Tori]
Sent: Wednesday, December 09, 2015 9:25 AM
To: Rusthoven, Jerry; Guernsey, Greg
Subject: 507 W 16th and 1507 Nueces Street rezonings - Agreement Between Applicant and Notzons

C14-2015-0093 and C14-2015-0094

This is the most current agreement. I have sent this along to LAW to amend the ordinance that has been drafted to reflect these prohibited uses. Not sure if Law will be able to make the changes in time for all 3 readings tomorrow. We can offer for consent- 1st at the very least.

Victoria Haase
Planner
City of Austin – Planning & Zoning Department
505 Barton Springs Road, 5th Floor
Austin, Texas 78704
512-974-7691
www.austintexas.gov

From: Meade, Nikelle [REDACTED]
Sent: Wednesday, December 09, 2015 9:13 AM
To: Haase, Victoria [Tori]; [REDACTED]
Cc: [REDACTED]; Jashinsky, Alex
Subject: Agreement Between Applicant and Notzons

Tori,

The following is the agreement between the applicant and the Notzons. We are working on the private restrictive covenant and will have it completed today. I understand from our discussion this morning that the city attorney is not agreeing to put the cocktail lounge restriction into the ordinance, so we are now putting it into the restrictive covenant.

PROPOSED DEVELOPMENT RESTRICTIONS

ZONING ORDINANCE

- I. The following uses will be moved from permitted/conditional to **PROHIBITED** in the zoning ordinance:
 - a. Group Residential
 - b. Alternative Financial Services

- c. Bail Bond Services
- d. Outdoor Entertainment
- e. Pawn Shop Services
- f. Service Station
- g. Transitional Housing
- h. Residential Treatment
- i. Drive-Thrus
- j. Liquor Sales
- k. Consumer Convenience

PRIVATE RESTRICTIVE COVENANT (which runs with the land and includes a liquidated damages provision plus attorney's fees and costs, if violated)

II. The following uses will be prohibited by a private restrictive covenant:

- a. Group Home Class II
- b. Cocktail Lounge on a property abutting a tract ~~zoned for use as single family residential~~.

III. The following restriction will also be added to the private restrictive covenant:

- a. No General Retail Sales use (as defined by the City Code of the City of Austin) shall be permitted to operate on the Property from 10 p.m. to 9 a.m. CST.

Nikelle Meade
Partner

HUSCH BLACKWELL LLP
111 Congress Avenue, Suite 1400
Austin, TX 78701-4093
Direct: 512.479.1147
Fax: 512.226.7373

huschblackwell.com
[View Bio](#) | [View VCard](#)

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