

Austin - Land Development

- (c) for a major waterway, the boundaries of the critical water quality zone are located not less than 200 feet and not more than 400 feet from the centerline of the waterway; and
 - (d) for the main channel of Barton Creek, the boundaries of the critical water quality zone are located 400 feet from the centerline of the creek.
- (2) Notwithstanding the provisions of Subsections (A)(1)(a), (b), and (c), a critical water quality zone does not extend beyond the crest of a bluff.
- (B) Critical water quality zones are established along and parallel to the shorelines of Lake Travis, Lake Austin, and Town Lake.
 - (1) The shoreline boundary of a critical water quality zone:
 - (a) for Lake Travis, coincides with the 681.0 foot contour line;
 - (b) for Lake Austin, coincides with the 492.8 foot contour line; and
 - (c) for Town Lake, coincides with the 429.0 foot contour line.
 - (2) The width of a critical water quality zone, measured horizontally inland, is:
 - (a) 100 feet; or
 - (b) for a detached single-family residential use, 75 feet.
- (C) In an urban watershed, a critical water quality zone is established along each waterway with a drainage area of at least 64 acres. This does not apply in the area bounded by IH-35, Riverside Drive, Barton Springs Road, Lamar Boulevard, and 15th Street.
 - (1) Except as limited by Paragraph (3), for a waterway whose 100 year flood plain has been delineated by the Federal Emergency Management Agency (FEMA):
 - (a) the boundaries of the critical water quality zone coincide with the boundaries of the flood plain as delineated by FEMA; or
 - (b) if the applicant has calculated the 100 year flood plain for the waterway and the City has approved the calculations, the boundaries of the critical water quality zone coincide with the boundaries of the calculated flood plain.
 - (2) Except as limited by Paragraph (3), for a waterway whose 100 year flood plain has not been delineated by FEMA:
 - (a) the boundaries of a critical water quality zone are located 100 feet from the centerline of the waterway; or
 - (b) if the applicant has calculated the 100 year flood plain for the waterway and the City has approved the calculations, the boundaries of the critical water quality zone coincide with the boundaries of the calculated flood plain.
 - (3) The boundaries of a critical water quality zone are located not less than 50 feet and not more than 400 feet from the centerline of the waterway.

Source: Sections 13-7-23(a), (b), (c), (d), (f), and (g);
Ord. 990819-99.

§ 25-8-93 WATER QUALITY TRANSITION ZONES ESTABLISHED.

(A) Except for Lake Austin, Lake Travis, and Town Lake, a water quality transition zone is established adjacent and parallel to the outer boundary of each critical water quality zone.

(B) The width of a water quality transition zone is:

(1) for a minor waterway, 100 feet;

(2) for an intermediate waterway, 200 feet; and

(3) for a major waterway, 300 feet.

Source: Sections 13-2-523(a), 13-2-543(a), 13-2-563(a), and 13-2-583(a).

§ 25-8-94 UPLANDS ZONES ESTABLISHED.

An uplands zone includes all land and waters not included in a critical water quality zone or a water quality transition zone.

Source: Section 13-7-3.

ARTICLE 3: ENVIRONMENTAL ASSESSMENT; POLLUTANT ATTENUATION PLAN

§ 25-8-121 ENVIRONMENTAL ASSESSMENT REQUIREMENT.

(A) An applicant shall file an environmental assessment with the Director of the Watershed Protection Department for proposed development located:

(1) over a karst aquifer;

(2) within an area draining to a karst aquifer or reservoir;

(3) in a water quality transition zone;

(4) in a critical water quality zone;

(5) in a flood plain; or

(6) on a tract with a gradient of more than 15 percent.

(B) An environmental assessment must:

(1) identify critical environmental features and propose protection measures for the features;

(2) provide an environmental justification for spoil disposal locations or roadway alignments;

(3) propose methods to achieve overland flow and justify enclosed storm sewers; and

(4) describe proposed industrial uses and the pollution abatement program.

(C) An environmental assessment must include:

(1) a hydrogeologic report in accordance with Section 25-8-122 (*Hydrogeologic Report*);

(2) a vegetation report in accordance with Section 25-8-123 (*Vegetation Report*); and

(3) a wastewater report in accordance with Section 25-8-124 (*Wastewater Report*).

(D) The Director of the Watershed Protection Department may permit an applicant to exclude from an environmental assessment information required by this section after determining that the information is unnecessary because of the scope and nature of the proposed development.

Source: Section 13-7-28.

§ 25-8-122 HYDROGEOLOGIC REPORT.

A hydrogeologic report must:

accepting a report from a registered engineer.

(D) The Watershed Protection Department shall issue an operating permit after determining that:

- (1) the applicant has complied with the requirements of Subsection (B); and
- (2) the water quality controls are in proper operating condition.

(E) The Watershed Protection Department shall transfer an operating permit to a new owner or operator if, not later than 30 days after a change in ownership or operation, the new owner or operator:

- (1) signs the operating permit;
- (2) accepts responsibility for the water quality controls; and
- (3) documents the transfer on a form provided by the Watershed Protection Department.

Source: Subsections 13-7-11(b), (c), and (d).

§ 25-8-234 FISCAL SECURITY IN THE BARTON SPRINGS ZONE.

- (A) For development in the Barton Springs Zone, an applicant shall provide the City with fiscal security to ensure that water quality controls are maintained properly. The director shall calculate the amount of fiscal security in accordance with the formula in the Environmental Criteria Manual.
- (B) The director may not return the fiscal security to the applicant until:
 - (1) the expiration of one year after the completion of the development; and
 - (2) the director receives verification that the controls are constructed in

accordance with the approved design by:

(a) the applicant's delivery of a certified engineering concurrence letter; and

(b) a report from a City inspector.

Source: Section 13-7-7(b).

ARTICLE 7: REQUIREMENTS IN ALL WATERSHEDS

DIVISION 1: CRITICAL WATER QUALITY ZONE RESTRICTIONS

§ 25-8-261 CRITICAL WATER QUALITY ZONE DEVELOPMENT.

- (A) A fence that does not obstruct flood flows is permitted in a critical water quality zone.
- (B) A public or private park, golf course, or open spaces, other than a parking lot, is permitted in a critical water quality zone if a program of fertilizer, pesticide, and herbicide use is approved by the Watershed Protection Department.

- (1) In a water supply rural watershed or the Barton Springs Zone, park development is limited to hiking, jogging, or walking trails and outdoor facilities, and excludes stables and corrals for animals.
- (2) In the Barton Springs Zone, a master planned park that is reviewed by the Planning Commission and approved by the Council may include recreational development other than that described in Subsection (B)(1).
- (C) Along Lake Travis, Lake Austin, or Town Lake:

- (1) a boat dock, pier, wharf, or marina and necessary access and appurtenances, is permitted in a critical water quality zone; and
- (2) approval by the Watershed Protection Department of chemicals used to treat building materials that will be submerged in water is required before a permit may be issued or a site plan released.

(D) In the Barton Springs Zone:

- (1) a boat dock, pier, wharf, or marina and necessary access and appurtenances, or a pedestrian bridge, or bicycle or golf cart path, is permitted in a critical water quality zone; and
- (2) approval by the Watershed Protection Department of chemicals used to treat building materials that will be submerged in water is required before a permit may be issued or a site plan released.

(E) A utility line may cross a critical water quality zone. In the Barton Springs Zone, approval by the Director of the Watershed Protection Department is required for a utility line crossing.

(F) Except in the Barton Springs Zone, detention basins and floodplain alterations are permitted in the critical water quality zone if the requirements of Chapter 25-7 (*Drainage*) and the other provisions of this subchapter are met.

Source: Sections 13-7-23(e) and (h).

§ 25-8-262 CRITICAL WATER QUALITY ZONE STREET CROSSINGS.

(A) In an urban watershed, an arterial, collector, or residential street may cross a critical water quality zone of any waterway.

(B) This subsection applies in a watershed other than an urban watershed.

(1) A major waterway critical water quality zone may be crossed by an arterial street identified in the Transportation Plan.

(2) An intermediate waterway critical water quality zone may be crossed by an arterial or collector street, except:

(a) a collector street crossing must be at least 2,500 feet from a collector or arterial street crossing on the same waterway; or

(b) in a water supply suburban or water supply rural watershed, or the Barton Springs Zone, a collector street crossing must be at least one mile from a collector or arterial street crossing on the same waterway.

(3) A minor waterway critical water quality zone may be crossed by an arterial and collector streets, except:

(a) a collector street crossing must be at least 1,000 feet from a collector or arterial street crossing on the same waterway; or

(b) in a water supply suburban or water supply rural watershed, or the Barton Springs Zone, a collector street crossing must be at least 2,000 feet from a collector or arterial street crossing on the same waterway.

(4) A minor waterway critical water quality zone may be crossed by a residential or commercial street if necessary to provide access to property that cannot otherwise be safely accessed.

Uniform Fire Code (LDC Chapter 25-12, Article 7), Reference Section 902.2.2.3

Access roadways shall be designed with an appropriate 25 foot inside turning radius and a 50 foot outside turning radius at turns to accommodate any operational Fire Department apparatus. Turning radii for entrance and exit access roadways must also conform to current City of Austin driveway requirements; therefore, entrances and exits may have to be widened to satisfy both requirements.*

* Access roadway requirements refer to access roads on private property subject to use by the Fire Department (business drives, apartment drives, etc.). For public street design refer to the City of Austin Standard Specifications and City of Austin Standards Manuals.

CITY OF AUSTIN FIRE PROTECTION RULE

Uniform Fire Code (LDC Chapter 25-12, Article 7), Reference Section 902.2.2.4

Where Fire Department access roadways are longer than 150 feet and terminate at a dead end, approved provisions for turning around Fire Department apparatus shall be provided. The Austin Fire Department will approve a cul-de-sac with a minimum 50 feet unobstructed radius. A 25' x 80' "T" section or "Hammerhead" turn around is also acceptable, provided that an additional ten (10) feet of right of way around the 25' x 80' dimension can be provided with no obstruction over one (1) foot high. (See Figure 4-2 in Appendix G of this manual)

CITY OF AUSTIN FIRE PROTECTION RULE

Uniform Fire Code (LDC Chapter 25-12, Article 7), Reference Section 902.2.2.6

Asphaltic hot mix concrete access roadways shall be engineered not to exceed 13 percent in grade. Concrete roadways shall be designed not to exceed 15 percent in grade. As an alternative where maximum road grades of 13 or 15 percent cannot be provided, a professionally designed sprinkler system may be installed as an alternative provided the building being considered is fully protected and the system is approved by the Austin Fire Department. Maximum immediate grade change or grade change within 20 feet shall not exceed 10 percent. Road grades must also be approved by other regulating departments in addition to Fire Department approval.

CITY OF AUSTIN FIRE PROTECTION RULE

Uniform Fire Code (LDC Chapter 25-12, Article 7) Reference Section 901.4.2

When used to mark fire zones, signs shall be in accordance with Texas Manual on Uniform Traffic Control Devices. Signs may use either symbols or letters (see Figures 4-5 and 4-6 in Appendix G of this manual for typical signs).

CITY OF AUSTIN FIRE PROTECTION RULE

Uniform Fire Code (LDC Chapter 25-12, Article 7) Reference Section 901.4.4

The minimum size for exterior premises identification numbers (master street address numbers) for complexes such as strip centers, malls, apartment complexes, etc. shall be eight (8) inches in height. Exterior business suite and office numbers shall not be less than four (4) inches in height. These numbers shall be clearly distinguishable from the point of Fire Department access.

Whenever a building is set back from a servicing street or roadway at a distance preventing reasonably sized numerals or letters from being distinguished, the address may be posted at the street entrance on a substantial sign when approved by the Austin Fire Department. However, when more than one (1) building is located at the same numerical street address, each building must display a complete address including particular alphabetical or numerical building listings and individual occupancy numbers which must be clearly distinguishable from the access road servicing the building. The complete address must contrast with the background to which it is attached.

Multi-occupant buildings shall have all rear entrance(s) to each tenant space individually identified with proper suite/address numbers.

The street address of all projects under construction shall be posted in a conspicuous location prior to the beginning of construction at a particular building site. Temporary numbers may be painted over contrasting background on plywood or other suitable wood boards and clearly displayed on the public street frontage

APPENDIX G: FIGURES AND DIAGRAMS

Figure 4-1 Distance Measurements for Extent of Access Roads in Relation to Building Location

[Click to view figure](#)

Figure 4-2 Access Roadway Turnarounds

The turnarounds illustrated in A, B, and C below meet fire department requirements for apparatus access roads. The additional ten feet right-of-way (denoted by the dotted line in illustrations B and C) shall not have any obstructions over one foot in height to allow for truck overhang.

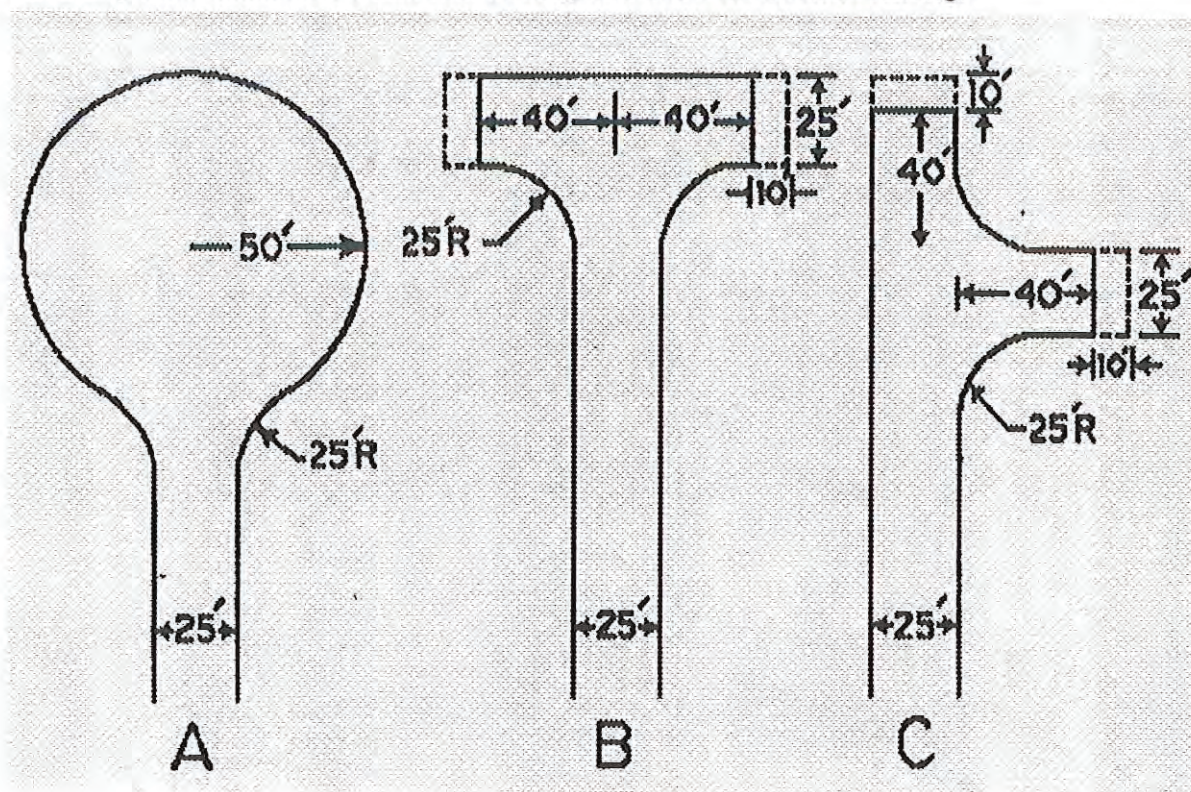


Figure 4-3 Examples of Approved Locations for Key Box Installations for Fire Department Access

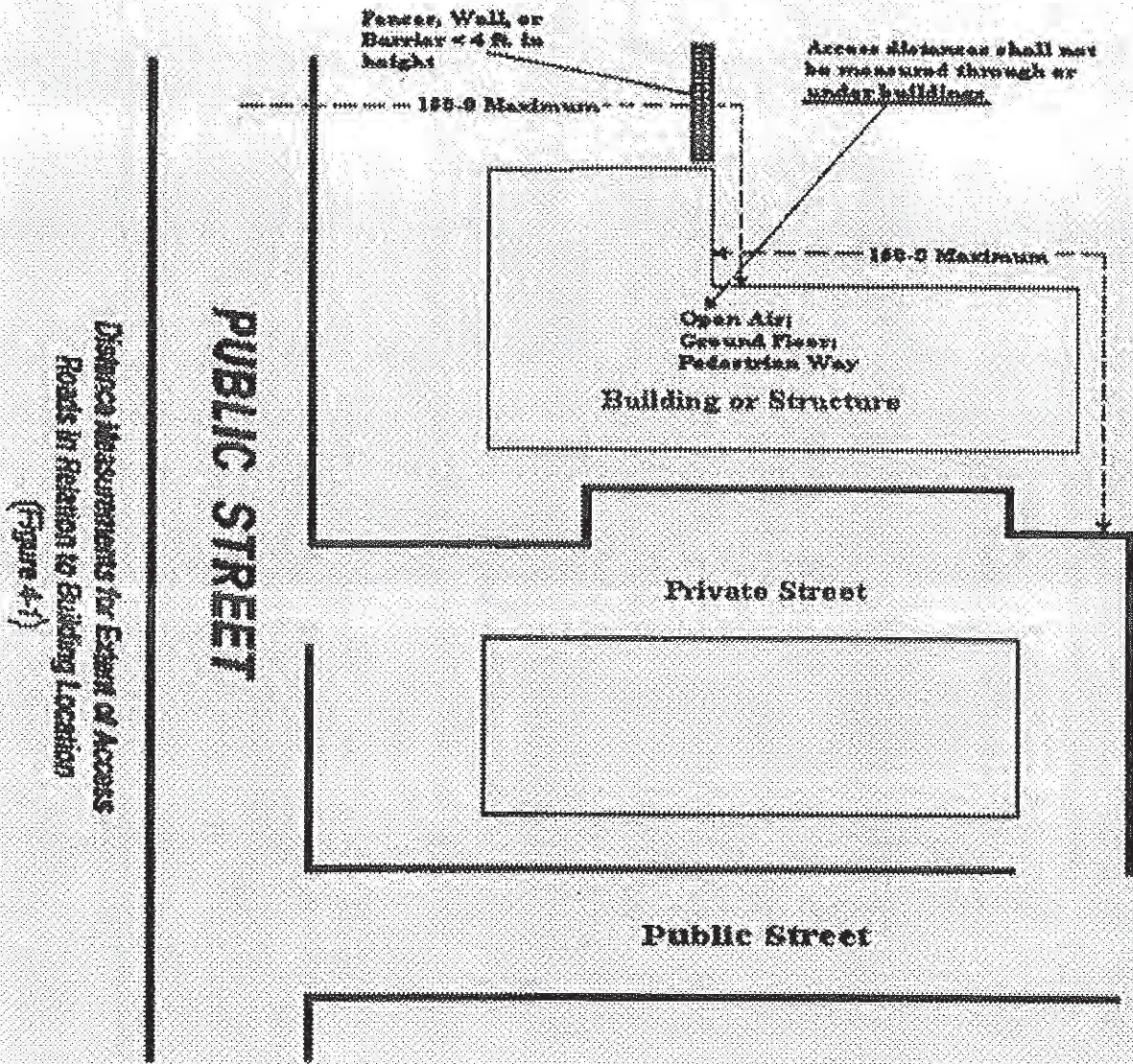
[Click to view figure](#)

Figure 4-4 Tempered Window Sticker (Red on White)

[Click to view figure](#)

Figure 4-5 Fire Zone Signs (Symbols)

[Click to view figure](#)



SANITARY SEWER EASEMENT

THE STATE OF TEXAS ~~NY 24-4113~~ 1354 * 2.75
COUNTY OF TRAVIS I KNOW ALL MEN BY THESE PRESENTS:

That I, John E. Shelton, individually and independent executor of the estate of Earl Shelton, deceased, of Dallas County, State of Texas, hereinafter called, Grantor, for and in consideration of the sum of One Dollar (\$1.00) cash to Grantor in hand paid by the City of Austin, the receipt of which is hereby acknowledged, and the further consideration of the benefits to be derived by Grantor from the sanitary sewer through the premises hereinafter described, have this day Granted and Conveyed, and by these presents do Grant and Convey, unto the City of Austin, a municipal corporation situated in Travis County, Texas, an easement to construct and perpetually maintain a sanitary sewer in, upon and across the following described land, to-wit:

All that certain tract, piece or parcel of land, lying and being situated in the County of Travis, State of Texas described in EXHIBIT "A" attached hereto and made a part hereof for all purposes, to which reference is here made for a more particular description of said property;

TO HAVE AND TO HOLD the same perpetually to the City of Austin, and its successors and assigns, together with the right and privilege at any and all times to enter said premises, or any part thereof, for the purpose of constructing and maintaining said sewer, and for making connections therewith; all upon the condition that the City of Austin will at all times after doing any work in connection with the construction or repair of said sewer restore the surface of said premises to the condition in which the same was found before such work was undertaken. It being understood that Grantor retain the right to construct improvements above the sanitary sewer line to be placed in the hereinafter described easement; provided that Grantor shall give the City of Austin thirty (30) days notice of his intention to allow improvements in order that said sanitary sewer line may be protected from damage.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on this 22 day of November, 1961.

John E. Shelton
John E. Shelton, individually and as
independent executor of the Estate of
Earl Shelton, deceased

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"EXHIBIT A"

Earl Shelton

Sanitary Sewer

FIELD NOTES

FIELD NOTES FOR A STRIP OF LAND TEN (10.00) FEET IN WIDTH VARIOUSLY SET OUT OF AND A PART OF THAT CERTAIN PORTION OF LOT 14, EVERGREEN HEIGHTS, OLD EVERGREEN HEIGHTS BEING A SUBDIVISION OF A PORTION OF THE 18888 BROWER LEASE IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO A MAP ON FILE OF SAID EVERGREEN HEIGHTS OF RECORD IN VOLUME 2 AT PAGE 614 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, WHICH CERTAIN PORTION OF LOT 14 WAS CONVEYED TO EARL SHELTON BY WARRANTY DEED DATED NOVEMBER 3, 1938 OF RECORD IN VOLUME 593 AT PAGE 438 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, THE CENTERLINE OF SAID STRIP OF LAND TEN (10.00) FEET IN WIDTH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a point in the east line of the said Earl Shelton tract of land, same being the west line of Evergreen Avenue and from which point of beginning an iron stake at northeast corner of the said Earl Shelton tract of land bears N 30° 33' E 53.49 feet;

THENCE, N 60° 36' W 221.34 feet to point of termination in the west line of the said Earl Shelton tract of land and from which point of termination an iron stake at the southwest corner of the said Earl Shelton tract of land bears S 30° 33' W 95.00 feet.

AND in addition thereto a temporary working space easement ten (10.00) feet in width to cover the period of original installation is to be retained adjacent and parallel to the south line of the above described easement.

FIELD NOTES: Chris Trussell
9-13-61

FIELD WORK: B. A. Allen
F.B. 2334, Pg. 13

City
11-1-61

APPROVED

J. Euben Rowntree, Jr.
J. Euben Rowntree, Jr.
Director of Public Works

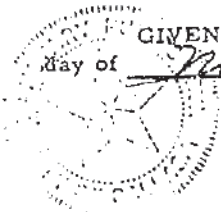
Reference
FF 576
2-C-137

VOL 2394 PAGE 271

THE STATE OF TEXAS }
COUNTY OF DALLAS }

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared John E. Shelton, individually and as independent executor of the Estate of Earl Shelton, deceased, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 22
day of November, 1961.



Shirley Egan Moore
Notary Public in and for Dallas
County, Texas

Filed Nov 24 1961 at 4:30 P.M.
Recorded Nov 28 1961 at 1:40 P.M.

THE STATE OF TEXAS }
County of Travis }

I, MISS EMILIE LIMBERG, Clerk of the County Court within and for the County and State aforesaid, do hereby certify that the within and foregoing instrument of Writing, with its Certificate of Acknowledgment, was filed and recorded in my office on the 24 day of Nov A.D. 1961 at 4:30 o'clock P.M. and duly recorded on the 28 day of Nov A.D. 1961 at 1:40 o'clock P.M. in the RECORD Records of said County, in Book No. 2394 Pages 269 to 271 inclusive.

By E. Lee Ogren Deputy.

MISS EMILIE LIMBERG
Clerk County Court, Travis County, Texas

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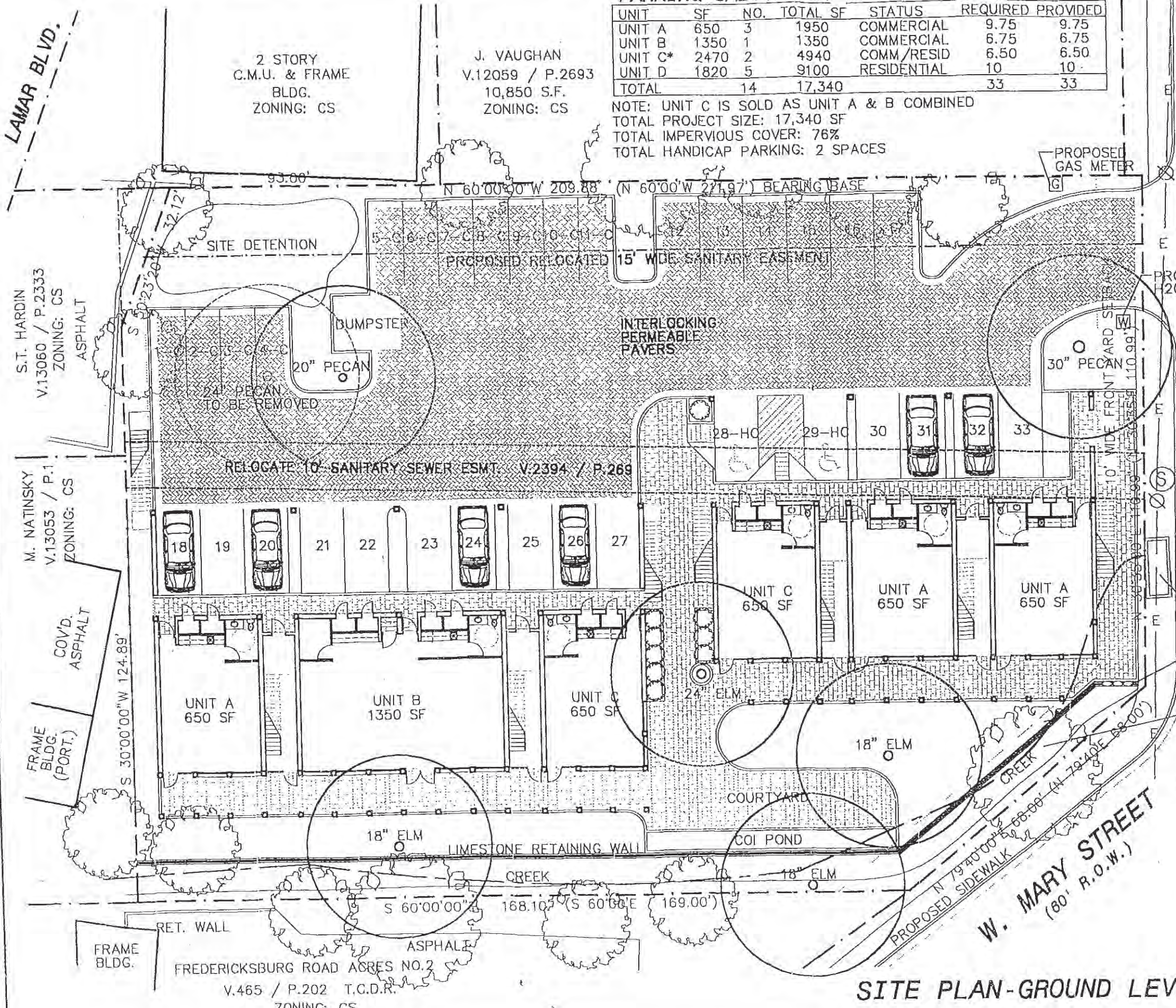
PARKING CALCULATION

UNIT	SF	NO.	TOTAL SF	STATUS	REQUIRED	PROVIDED
UNIT A	650	3	1950	COMMERCIAL	9.75	9.75
UNIT B	1350	1	1350	COMMERCIAL	6.75	6.75
UNIT C*	2470	2	4940	COMM/RESID	6.50	6.50
UNIT D	1820	5	9100	RESIDENTIAL	10	10
TOTAL		14	17,340		33	33

NOTE: UNIT C IS SOLD AS UNIT A & B COMBINED
TOTAL PROJECT SIZE: 17,340 SF
TOTAL IMPERVIOUS COVER: 76%
TOTAL HANDICAP PARKING: 2 SPACES

LEGEND

- 1/2" IRON PIN FOUND
- 3/8" IRON PIPE FOUND
- 1/2" IRON PIN SET
- SANITARY SEWER
- UTILITY POLE
- AERIAL UTIL. LINES
- GUY ANCHOR
- WIRE FENCE
- CHAIN LINK FENCE
- RECORD INFORMATION



EVERGREEN AVE.
(R.O.W. VARIES)

CURB AND GUTTER

OPEN CONCRETE DRAIN HEADWALL

RELOCATE DRAIN HEADWALL

RE-ALIGN EXISTING DRAINAGE DITCH

FLOODPLAIN INFORMATION
FLOOD ZONE: X PANEL #: 0210F BASE FLOOD ELEVATION 0.00

SURVEY PLAT

LEGAL DESCRIPTION: 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 2, PAGE 814, DEED RECORDS OF 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 OF TRAVIS COUNTY, TEXAS. ADDITIONALLY DESCRIBED IN ACCOMPANIED FIELD NOTES. ALSO LOCALLY KNOWN AS 1800 EVERGREEN AVENUE, AUSTIN, TEXAS.



SITE PLAN-GROUND LEVEL 1" = 10' - 0" 0 5 10 20

GROUND LEVEL PLAN

REVISION NO. DATE

DRAWN BY: RV DATE: 05/04/01

APPROVED BY: XXXX NO. 2001

SHEET NO.

A-1

[illegible]

EVERGREEN DEVELOPMENT CORPORATION PRESENTS
LIVE-WORK LOFTS
1800 EVERGREEN AVENUE
AUSTIN, TEXAS 78704

PRECEDENCE NO.	DATE
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DRAWN BY RV	DATE 08/04/00
APPROVED BY XXXX	NO. 2001
SHEET NO.	

A-2

NOTE: UNIT C IS SOLD AS UNIT A & B COMBINED
TOTAL PROJECT SIZE: 17,340 SF
TOTAL IMPERVIOUS COVER: 76%
TOTAL HANDICAP PARKING: 2 SPACES

- o 1/2" IRON PIN FOUND
- ⊙ 3/8" IRON PIPE FOUND
- o 1/2" IRON PIN SET
- Ⓢ SANITARY SEWER
- Ø UTILITY POLE
- E- AERIAL UTIL. LINES
-) GUY ANCHOR
- 00- WIRE FENCE
- 0- CHAIN LINK FENCE
- () RECORD INFORMATION

CURB AND GUTTER

CURB AND GUTTER

EVERGREEN AVE.
(R.O.W. VARIES)

FLOODPLAIN INFORMATION
FLOOD ZONE : X PANEL # 0210F BASE FLOOD ELEVATION 100

LEGAL DESCRIPTION: 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 2, PAGE 814, DEED RECORDS OF TRAVIS COUNTY, TEXAS. THE SAME TRACT DESCRIBED AS TRACT 1 IN A DEED TO STUART G. SHELTON, RECORDED IN VOLUME 10777, PAGE 471, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS. ADDITIONALLY DESCRIBED IN ACCOMPANIED FIELD NOTES. ALSO LOCALLY KNOWN AS 1800 EVERGREEN AVENUE, AUSTIN, TEXAS.

SITE PLAN-SECOND LEVEL 1" = 10' - 0"



[illegible]

EVERGREEN DEVELOPMENT CORPORATION PRESENTS
LIVE-WORK LOFTS
1800 EVERGREEN AVENUE
AUSTIN, TEXAS 78704

THIRD
LEVEL PLAN

REVISION NO.	DATE
--------------	------

DRIVEN BY RV	DATE 05/04/11
-----------------	------------------

APPROVED BY	DATE
XXXX	2001

PLANT NO.

A-3

CURB AND GUTTER

EVERGREEN AVE.
(R.O.W. VARIES)

FLOODPLAIN INFORMATION
FLOOD ZONE : X PANEL # 0210F BASE FLOOD ELEVATION 0.00

SURVEY PLAT

LEGAL DESCRIPTION: 0.754 ACRES 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 2, PAGE 814, DEED RECORDS OF 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 OF TRAVIS COUNTY, TEXAS. ADDITIONALLY DESCRIBED IN ACCOMPANIED FIELD NOTES. ALSO LOCALLY KNOWN AS 1000 EVERGREEN AVENUE, AUSTIN, TEXAS

SITE PLAN-THIRD LEVEL 1" = 10' - 0"

MDV

MALLET DEVARGA
1018 W ELEVENTH STREET
AUSTIN, TEXAS 78703
TEL 512.444.8902
FAX 512.444.8952

NOT TO SCALE
THIS DOCUMENT IS PREPARED FOR THE ARCHITECT'S USE ONLY. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE. ANY REUSE OR MODIFICATION OF THIS DOCUMENT WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT IS PROHIBITED. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS DOCUMENT. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE BUILDING. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS. THE ARCHITECT'S DESIGN IS BASED ON THE INFORMATION PROVIDED BY THE ARCHITECT. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS. THE ARCHITECT'S DESIGN IS BASED ON THE INFORMATION PROVIDED BY THE ARCHITECT. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS.

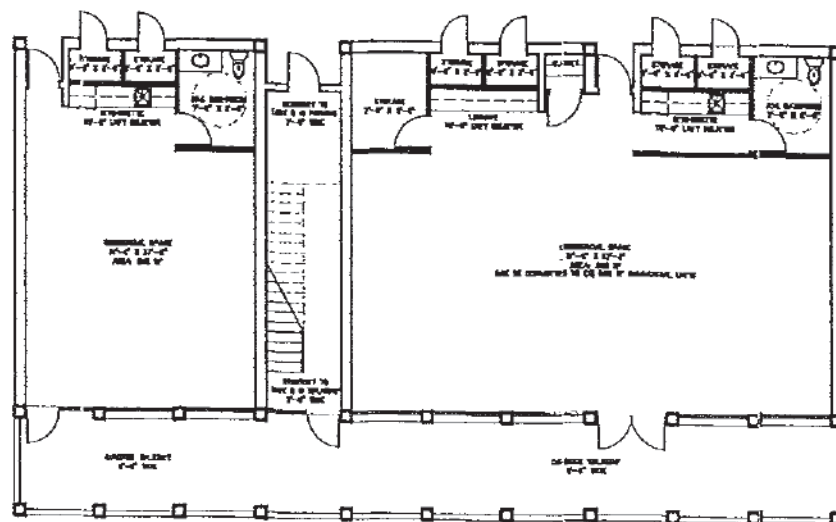
EVERGREEN DEVELOPMENT CORPORATION PRESENTS
LIVE-WORK LOFTS
1800 EVERGREEN AVENUE
AUSTIN, TEXAS 78704

FLOOR PLANS

REVISION NO. DATE

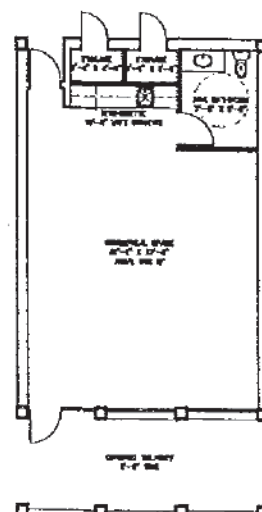
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APPROVED BY XXXX	NO. 2001
SHEET NO.	

A-4

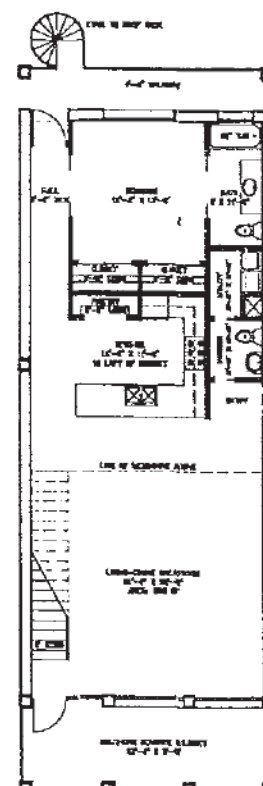


UNIT A
GROUND LEVEL PLAN
AREA: 850 SF
TOTAL NUMBER OF UNITS: 3

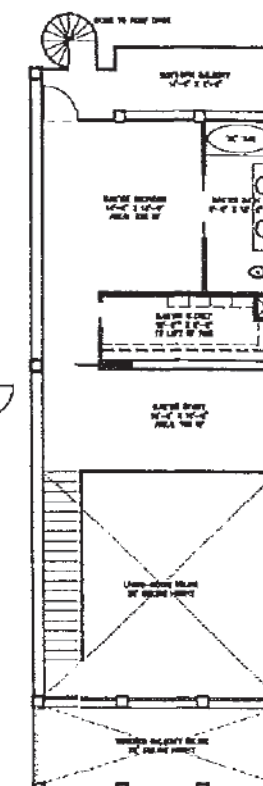
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GROUND LEVEL PLAN
AREA: 1350 SF
TOTAL NUMBER OF UNITS: 2



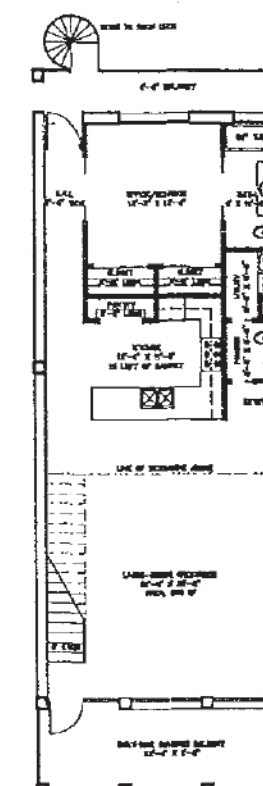
UNIT C
GROUND LEVEL PLAN
AREA: 850 SF
TOTAL NUMBER OF UNITS: 2



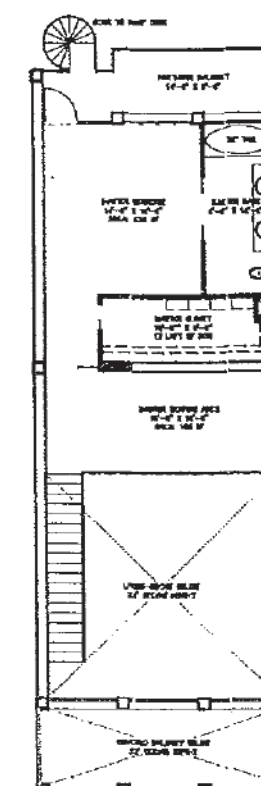
UNIT C
SECOND LEVEL PLAN
AREA: 1150 SF



UNIT C
THIRD LEVEL PLAN
AREA: 850 SF



UNIT D
FIRST LEVEL PLAN
AREA: 1150 SF
TOTAL NUMBER OF UNITS: 3



UNIT D
SECOND LEVEL PLAN
AREA: 850 SF

FLOOR PLANS 1 / 8" = 1' - 0" 0 4 8 16

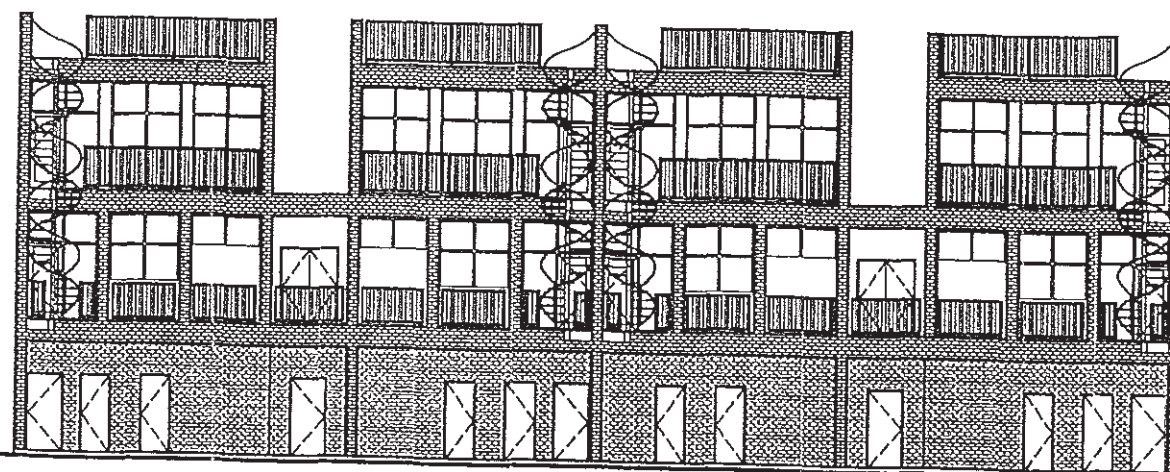
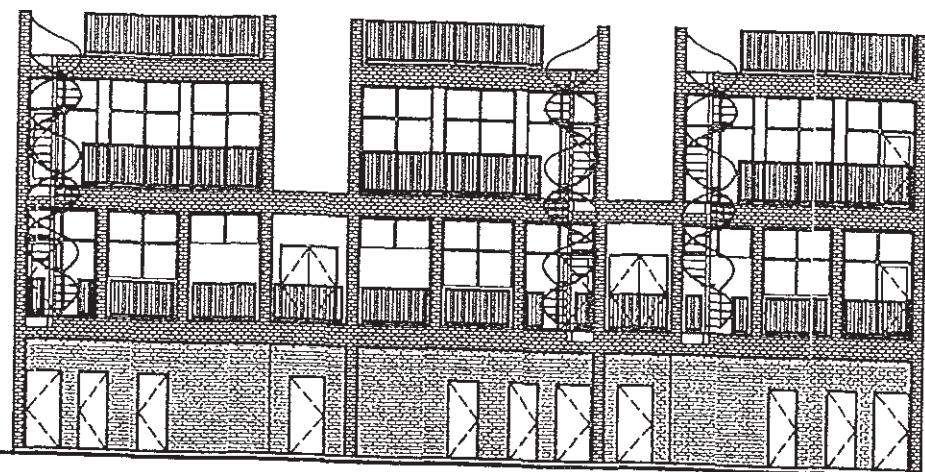
MDV

MALLET DE VARGA
1018 W ELEVENTH STREET
AUSTIN, TEXAS 78703
TEL 512.444.8902
FAX 512.444.8962

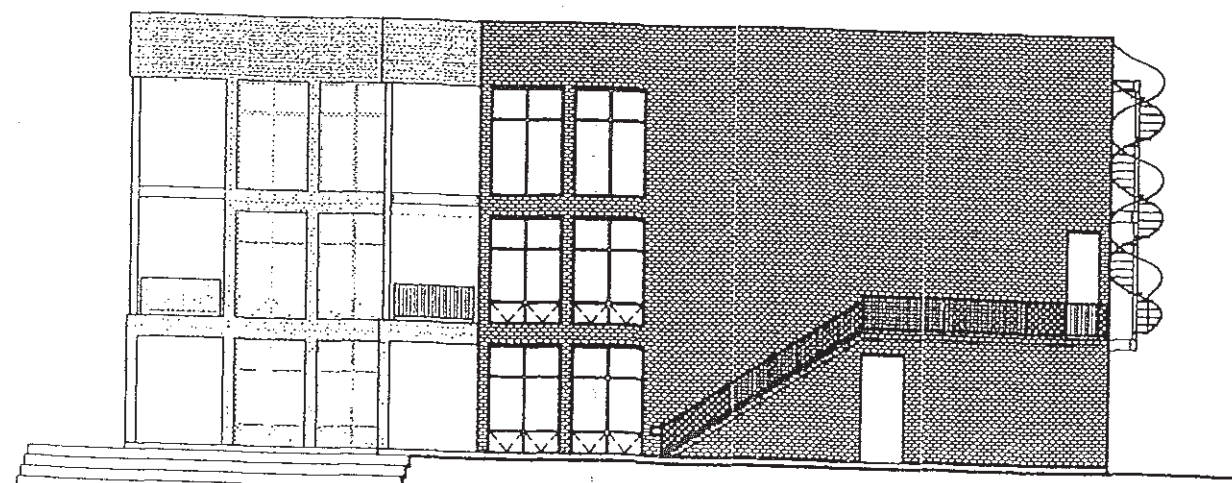
DISCLAIMER
This drawing is prepared as an architectural rendering of a proposed building and is not intended to be used for any other purpose. It is not a contract document and does not constitute an offer of any kind. It is not to be used for any other purpose without the written consent of the architect. The architect assumes no responsibility for the accuracy or completeness of the information provided in this drawing. The architect's only obligation is to provide a professional opinion of the building's appearance and to prepare drawings that are in accordance with the architect's professional standards. The architect's drawings are not to be used for any other purpose without the written consent of the architect. © 2000

JEFF,
JUST A COUPLE OF NOTES. I NEED TO VALUE ENGINEER THE EXTERIOR MATERIALS.
I AM WORKING TOWARDS A PRE-ENGINEERED STEEL FRAME WITH A CMU INFILL/VENEER.
ALSO, I WILL BE STRIPPING OFF SOME OF THE MASONRY (UNITLS, ETC.) TO EXPOSE STRUCTURE.
THE OVERALL EFFECT WILL BE A MODERN INTERPRETATION OF A TRADITIONAL STOREFRONT.
VERY LOW TECH, SOLID AND LOW MAINTENANCE.

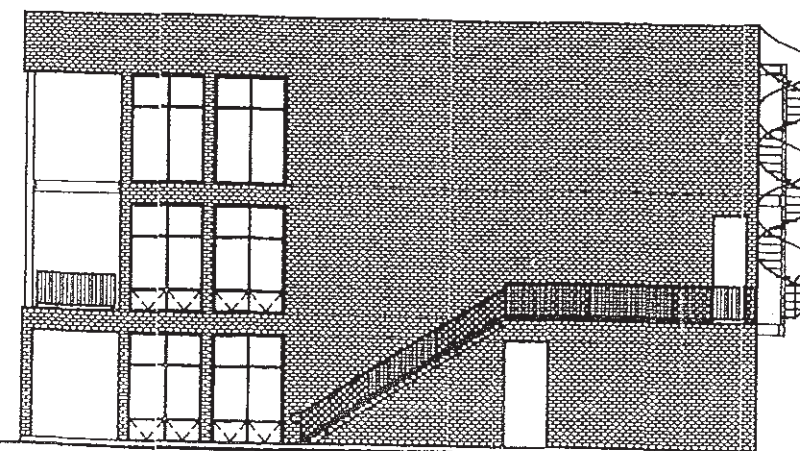
WEST MARY ELEVATION-SOUTH



CITY VIEW ELEVATION-NORTH



EVERGREEN ELEVATION-EAST



INTERIOR ELEVATION-EAST

ELEVATIONS 1 / 8" = 1' - 0"

EVERGREEN DEVELOPMENT CORPORATION PRESENTS

LIVE-WORK LOFTS
1800 EVERGREEN AVENUE
AUSTIN, TEXAS 78704

ELEVATIONS

REVISION NO. DATE

DATE BY

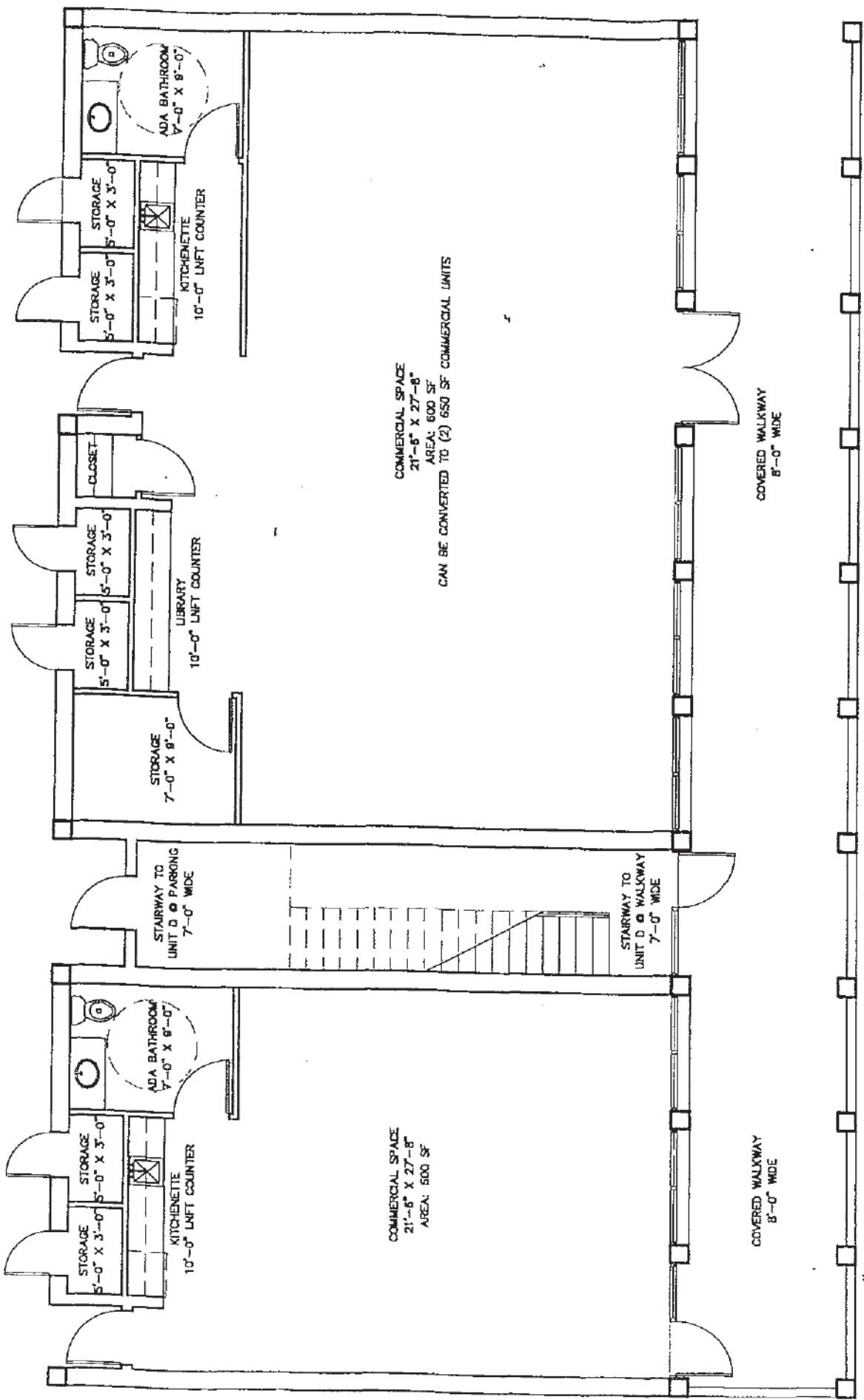
RV 08/04/01

APPROVED BY

XXXX 2001

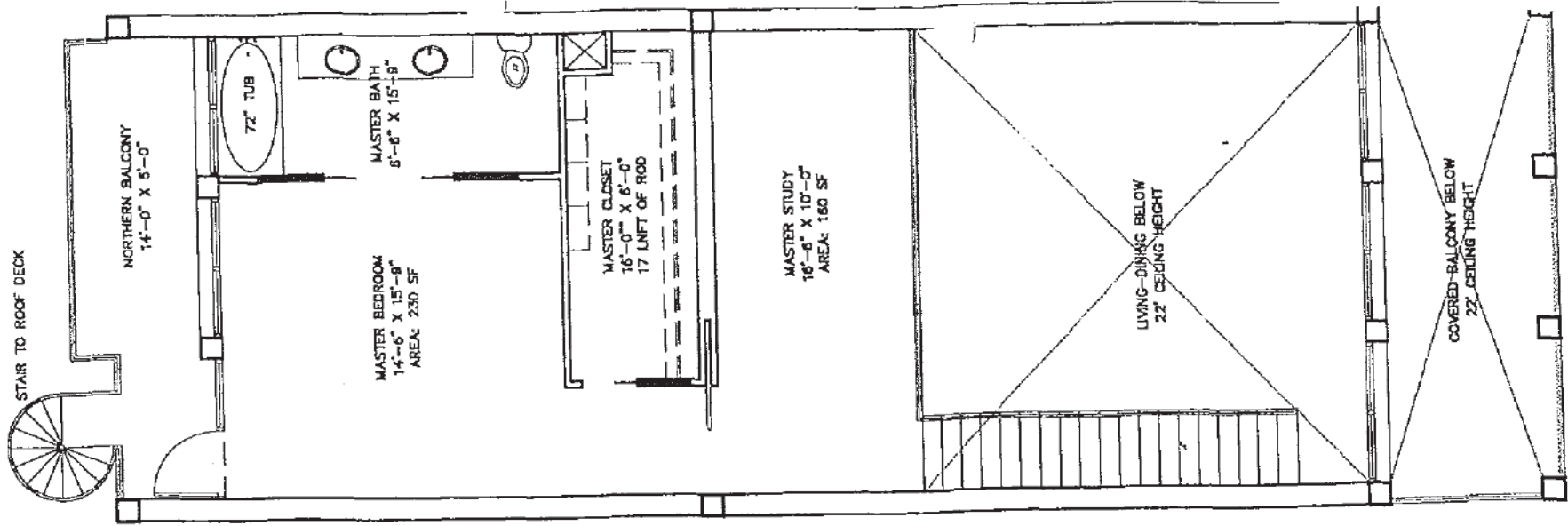
REVISION NO.

A-5

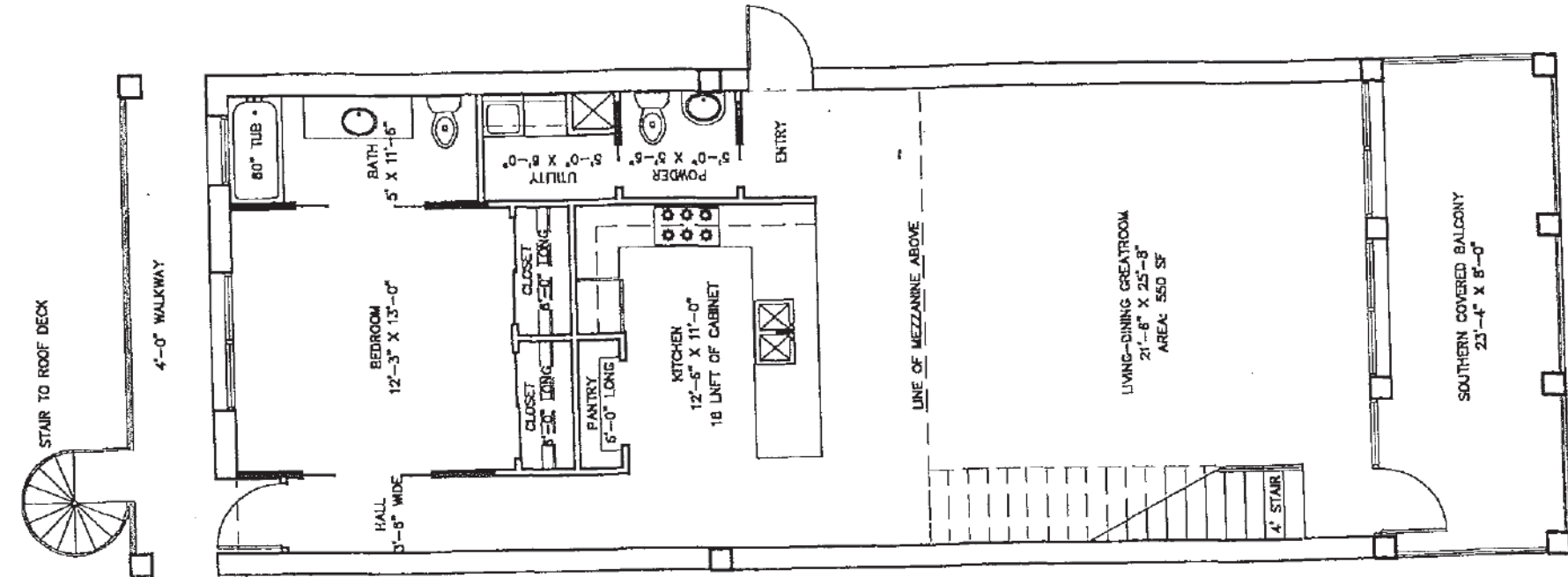


UNIT A
GROUND LEVEL PLAN
AREA: 650 SF
TOTAL NUMBER OF UNITS: 3

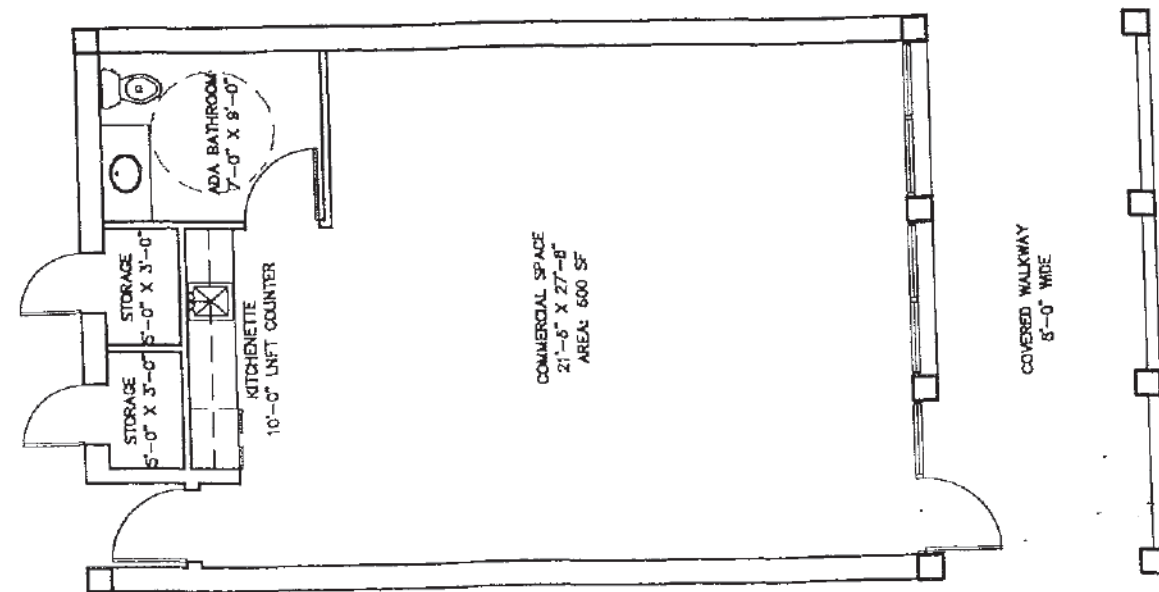
UNIT B
GROUND LEVEL PLAN
AREA: 1350 SF
TOTAL NUMBER OF UNITS: 2



UNIT C
THIRD LEVEL PLAN
AREA: 690 SF



UNIT C
SECOND LEVEL PLAN
AREA: 1130 SF



UNIT C
GROUND LEVEL PLAN
AREA: 650 SF
TOTAL NUMBER OF UNITS: 2

EXHIBIT 21

EVERGREEN AVENUE DRAINAGE IMPROVEMENTS

SINGLE BARREL 6'X 5' BOX CULVERT AND STORM SEWER

CITY OF AUSTIN

CIP NO. 8240-607-1957 (S970365)

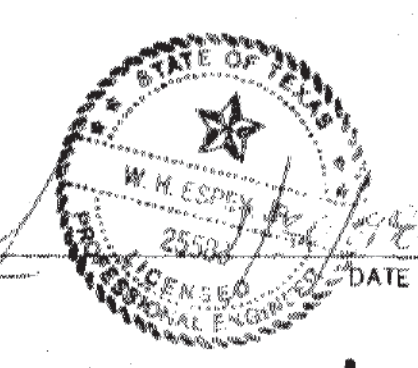
City of Austin
SP-98-0163D
Evergreen Avenue Drainage
Evergreen Ave & South Lamar

GENERAL CONSTRUCTION NOTES

1. ALL RESPONSIBILITY FOR THE ADEQUACY OF THESE PLANS REMAINS WITH THE ENGINEER WHO PREPARED THEM. IN REVIEWING THESE PLANS, THE CITY OF AUSTIN MUST RELY ON THE ADEQUACY OF THE WORK OF THE DESIGN ENGINEER.
2. CONTRACTOR SHALL CALL THE ONE CALL CENTER (472-2822) FOR UTILITY LOCATIONS PRIOR TO ANY WORK IN CITY EASEMENTS OR STREET R.O.W.
3. CONTRACTOR SHALL NOTIFY THE PUBLIC WORKS AND TRANSPORTATION DEPARTMENT (PWTD) AT 499-7161 AT LEAST 24 HOURS PRIOR TO THE INSTALLATION OF ANY DRAINAGE FACILITY WITHIN A DRAINAGE EASEMENT OR STREET R.O.W. THE METHOD OF PLACEMENT AND COMPACTION OF BACKFILL IN THE CITY'S R.O.W. MUST BE APPROVED PRIOR TO THE START OF BACKFILL OPERATIONS.
4. FOR SLOPES OR TRENCHES GREATER THAN FIVE FEET IN DEPTH, A NOTE MUST BE ADDED STATING: "ALL CONSTRUCTION OPERATIONS SHALL BE ACCOMPLISHED IN ACCORDANCE WITH APPLICABLE REGULATIONS OF THE U.S. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION." (OSHA STANDARDS MAY BE PURCHASED FROM THE GOVERNMENT PRINTING OFFICE. INFORMATION AND RELATED REFERENCE MATERIALS MAY BE PURCHASED FROM OSHA, 611 EAST 6TH STREET, AUSTIN, TEXAS.)
5. ALL SITE WORK MUST ALSO COMPLY WITH ENVIRONMENTAL REQUIREMENTS.

SUBMITTED BY:

WILLIAM H. ESPEY, JR., Ph.D., P.E.
ESPEY, PADDEN CONSULTANTS, INC.



GEORGE WALKER
CITY OF AUSTIN WATERSHED PROTECTION UTILITY

7/30/98
DATE

APPROVED BY:

FOR DIRECTOR OF DEPARTMENT OF DEVELOPMENT REVIEW AND INSPECTION

10.15.98
DATE

SP-98-0163D
PERMIT NUMBER

Kathie Pearce
FOR DIRECTOR OF WATER AND WASTEWATER DEPARTMENT

8/27/98
DATE

MAYOR

Kirk Watson

CITY COUNCIL

Gus Garcia, Mayor Pro Tem
Jackie Goodman
Bill Spelman
Darryl Slusher
Willie Lewis
Beverly Griffith

CITY MANAGER

Jesus Garza

SHEET INDEX

1. COVER SHEET
2. GENERAL NOTES
3. SINGLE 6'x 5' BOX CULVERT
4. PROFILES
- 5-6. STREET LAYOUT AND GRADING
7. STORM SEWER PLAN
8. EROSION CONTROL PLAN
- 9-12. CIVIL DETAILS
13. BOX CULVERT PLAN AND GENERAL NOTES
- 14-15. BOX CULVERT SECTIONS AND DETAILS

NOTE - THIS VIEW HAS BEEN
ENLARGED FOR EXHIBIT 21

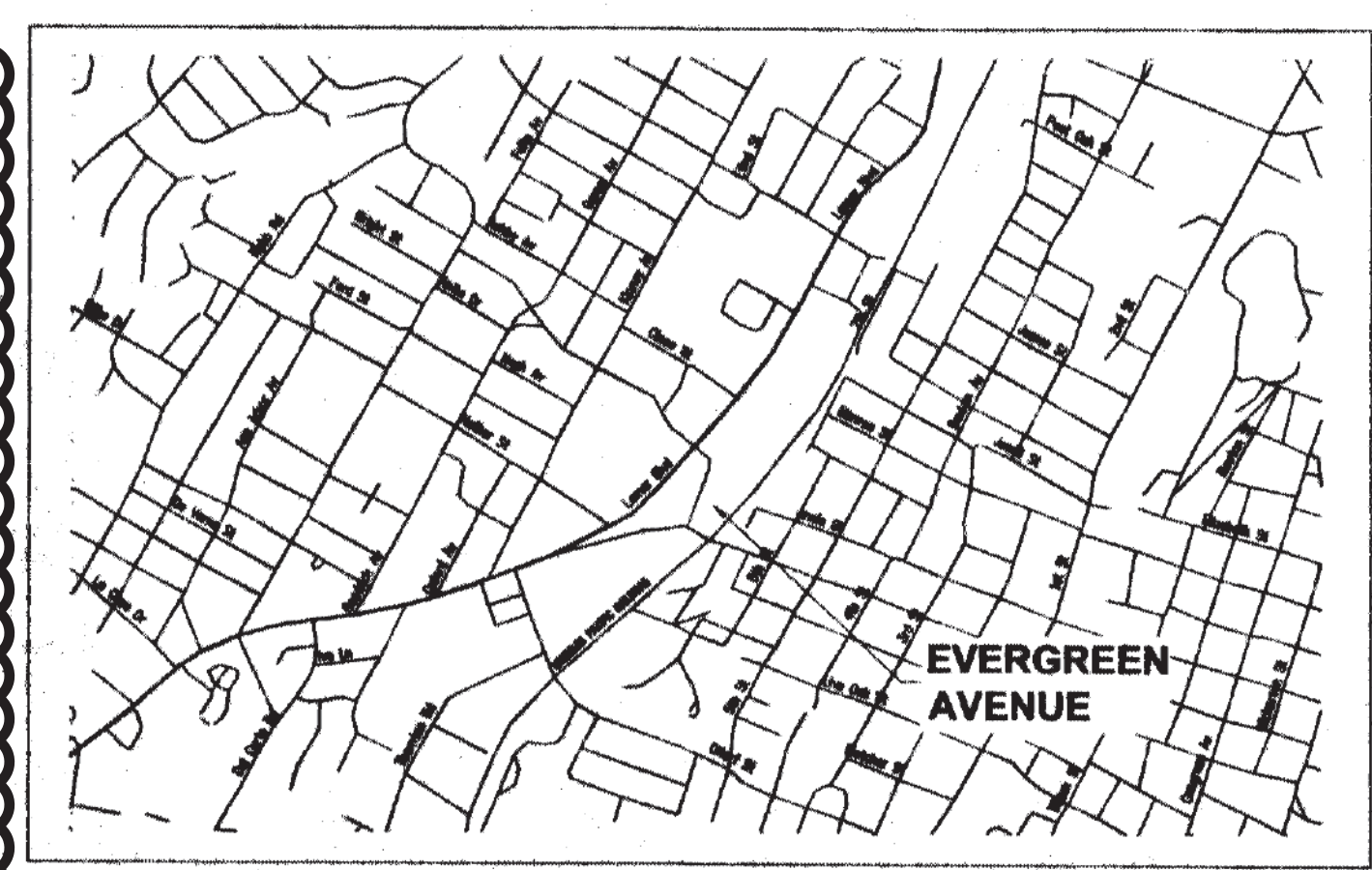
AMERICANS WITH DISABILITIES ACT:

THE CITY OF AUSTIN HAS REVIEWED THIS PLAN FOR COMPLIANCE WITH CITY DEVELOPMENT REGULATIONS ONLY. THE APPLICANT, PROPERTY OWNER, AND OCCUPANT OF THE PREMISES ARE RESPONSIBLE FOR DETERMINING WHETHER THE PLAN COMPLIES WITH ALL OTHER LAWS, REGULATIONS, AND RESTRICTIONS WHICH MAY BE APPLICABLE TO THE PROPERTY AND ITS USE.

NOTE: ALL DETENTION AND WATER QUALITY BASINS, AND APPURTANANCES WHICH RECEIVE STORMWATER RUNOFF FROM COMMERCIAL OR MULTIFAMILY DEVELOPMENT SHALL BE MAINTAINED BY THE RECORD OWNER IN ACCORDANCE WITH THE MAINTENANCE STANDARDS IN THE DRAINAGE AND ENVIRONMENTAL CRITERIA MANUALS.

WATERSHED STATUS:

THIS PROJECT IS WITHIN THE EAST BOULDIN CREEK WATERSHED DRAINAGE BASIN (URBAN WATERSHED).



VICINITY MAP
(NOT TO SCALE)



Espey, Padden Consultants, Inc.
Environmental & Engineering Services

3809 South Second St., Suite B-300 (512) 326-5659
Austin, Texas 78704 FAX (512) 326-5723

APPROVED
OCT 15 1998

DEVELOPMENT SERVICES

AREA FOR CITY USE ONLY:

SITE PLAN RELEASE

FILE NUMBER: _____ EXPIRATION DATE: _____
CASE MANAGER: _____ APPLICATION DATE: _____
APPROVED ADMINISTRATIVELY ON: _____
APPROVED BY PLANNING COMMISSION ON: _____
APPROVED BY CITY COUNCIL ON: _____

under Section _____ of Chapter _____ of the Austin City Code

Director, Department of Planning and Development

DATE OF RELEASE: _____ Zoning: _____

Rev. 1 _____ Correction 1 _____
Rev. 2 _____ Correction 2 _____
Rev. 3 _____ Correction 3 _____

NO.		DATE		BY/APP	
CITY OF AUSTIN, TEXAS DEPARTMENT OF TRANSPORTATION AND PUBLIC SERVICES ENGINEERING DESIGN DIVISION EVERGREEN AVENUE PROJECT DRAINAGE IMPROVEMENTS EVERGREEN AVENUE PROJECT DRAINAGE IMPROVEMENTS COVER					
SURVEY:		DATE		FIELD BK. NO.	
DESIGN: AGG		07/98		SCALE	
BY		DATE		HOR none	
DRAWN: RWS		07/98		VER none	
BY		DATE		COA SHEET NO	
APPROVED BY:		DATE		01	
BY		DATE			
FED. AID NO.		STATE		FEDERAL AID PROJECT NO.	
6		TEXAS			
STATE		COUNTY		CON. NO.	
14		TRAVIS		JOB NO.	
				MEMOR. NO.	

SP-98-0163D

REVISIONS:							
NO.	DESCRIPTION	REVISE (R) ADD (A) SHT. NO.	TOTAL SHEETS	NET CHANGE IMP. COVER	SITE IMP. COVER	% SITE IMP. COVER	APPROVED/DATE
1	Sheet 5 of 6						Sh. 12 27-98

CORRECTIONS:							
NO.	DESCRIPTION	REVISE (R) ADD (A) SHT. NO.	TOTAL SHEETS	NET CHANGE IMP. COVER	SITE IMP. COVER	% SITE IMP. COVER	APPROVED/DATE

46

ZONING CHANGE REVIEW SHEET

CASE: C14-01-0009

P.C. DATE: February 6, 2001
February 27, 2001

ADDRESS: 1800 Evergreen Avenue

OWNER/APPLICANT: Richard de Vargas and K. Margiotta

AGENT: Mallet de Vargas (Richard de Vargas)

ZONING FROM: SF-3

TO: CS-MU

AREA: .754 acres

SUMMARY STAFF RECOMMENDATION:

Staff recommends CS-MU-CO, General Commercial Services-Mixed Use Combining District-Conditional Overlay, district zoning for the subject tract. The conditional overlay prohibits all CS uses except Art and Craft Studio (General) and Personal Improvement Services, permits LR, Neighborhood Commercial, uses, and limits the site to uses that generate no more than 2,000 vehicle trips per day.

PLANNING COMMISSION RECOMMENDATION:

February 6, 2001: Postponed to 2/27/01. Planning Commission requested that staff conduct a tree survey prior to further consideration. Vote: 8-0 (LO-off dais)

February 27, 2001: Recommended staff's recommendation of CS-MU-CO. The conditional overlay prohibits all CS uses except Art and Craft Studio (General) and Personal Improvement Services, permits LR, Neighborhood Commercial, uses, and limits the site to uses that generate no more than 2,000 vehicle trips per day. Vote 8-0, (consent), (SG-absent).

DEPARTMENT COMMENTS:

Staff conducted a tree survey per Planning Commission's request and identified three (3) pecan trees and two (2) American elm trees in good condition ranging from 19" - 24" caliper inches located on the perimeter of the subject tract (see attached). The rest of the smaller trees on the site are hackberry trees.

Staff has discussed with the applicant the Planning Commission's concern with the subject tract having inadequate parking space for the proposed mixed-use of offices and residential units. Staff is unable to determine at this time whether there is adequate space for parking without a site plan to review. With this said, a shared parking agreement may be possible, thus reducing the number of required parking spaces, since the proposed use is conducive to greater internal capture of vehicle trips than a typical development which is exclusively commercial.

Attached is a letter of support for the requested zoning from the Zilker Neighborhood Association.

The applicant agrees with staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3	Undeveloped
<i>North</i>	CS	Automotive repair
<i>South</i>	CS	Offices, apartments
<i>East</i>	MF-3-H	Historic residential building
	CS	Single-family residences
<i>West</i>	CS	Automotive repair

AREA STUDY: N/A**TIA:** N/A**WATERSHED:** West Bouldin**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:**N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

#107 Zilker Neighborhood Association
 #127 Bouldin Creek Neighborhood Association
 #300 Terrell Lane Interceptor Association
 #428 Barton Springs/Edwards Aquifer Conservation District
 #498 South Central Coalition
 #943 Save Our Springs Alliance

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-00-2172	SF-3 to CS	Recommend CS-CO. The CO permits custom manufacturing and all other LR uses.	Approved as recommended by Planning Commission.

ABUTTING STREETS:

STREET	RIGHT-OF-WAY	PAVEMENT WIDTH	CLASSIFICATION	DAILY TRAFFIC
West Mary Street	60'	37'	Collector	7550
Evergreen Avenue	50'	27'	Residential	400

CITY COUNCIL DATE: March 29, 2001**ACTION:****ORDINANCE READINGS:** 1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Adam Smith**PHONE:** 499-2755



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

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

ZONING

DATE: 01-02
 INTLS: BAR

CITY GRID
 REFERENCE
 NUMBER
 H20

STAFF RECOMMENDATION

Staff recommends CS-MU-CO, General Commercial Services-Mixed Use Combining District-Conditional Overlay, district zoning for the subject tract. The conditional overlay prohibits all CS uses except Art and Craft Studio (General) and Personal Improvement Services, permits LR, Neighborhood Commercial, uses, and limits the site to uses that generate no more than 2,000 vehicle trips per day.

BASIS FOR RECOMMENDATION

1. CS, General Commercial Services, is intended for commercial or industrial activities which typically have operating characteristics or traffic service requirements generally incompatible with residential environments such as equipment sales, custom manufacturing, vehicle storage, or construction services.
2. MU, Mixed Use Combining District, is to allow office, retail, commercial, and residential uses to be combined in a single development.
3. CS district zoning is compatible with the zoning in the surrounding area.
4. The MU combining district will allow residential uses which is compatible with land uses to the south and east of the subject tract.
5. The recommended conditional overlay prohibits the more obnoxious uses permitted in CS that are incompatible with the single-family residences to the east.

EXISTING CONDITIONS

Site Characteristics

The undeveloped subject tract is relatively flat.

Impervious Cover

The maximum impervious cover allowed by the CS zoning district would be 95%. The impervious cover is not limited by the watershed regulations.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Bouldin Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone. Impervious cover is not limited in this watershed class. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm.

According to flood plain maps, there is no flood plain within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

Transportation

No additional right-of-way is needed.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Water and Wastewater

The landowner intends to serve the tract with City of Austin water and wastewater utility service. If water or wastewater utility improvements are required, the landowner will be responsible for all cost and for providing the utility improvements.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

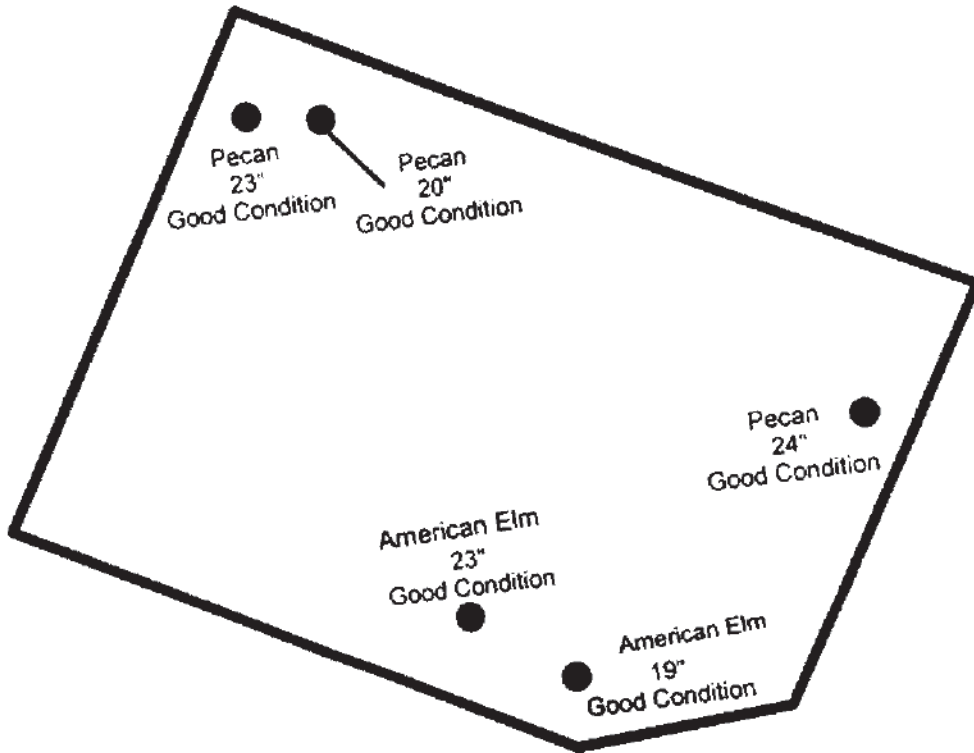
Compatibility Standards

The site is subject to compatibility standards. Along the south and east property line, the following standards apply:

- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- Additional design regulations will be enforced at the time a site plan is submitted.

Lamar Blvd.

Evergreen St.



West Mary St.

Zilker Neighborhood Association

♦ P. O. Box 33546 ♦ Austin, Texas 78764 ♦ (512) 447-5877♦

January 11, 2001

Mr. Richard Varga
707-B Johanna
Austin, TX 78704

Dear Mr. Varga,

The Executive Committee of the Zilker Neighborhood Association supports the proposed change of zoning at 1800 Evergreen Avenue to CS-MU (Commercial Services, mixed use) to match the zoning of surrounding properties and to accommodate a mix of arts studios, professional services, and residential use.

Faithfully yours,



Lorraine Atherton
vice president, ZNA

Zilker Neighborhood Association Executive Officers

**President Jeff Jack ♦ Vice President Kate Trybus ♦ Vice President Lorraine Atherton ♦ Co-Secretaries Steve Sides & Mary Ann Sides
Treasurer Fontaine Marwick ♦ Austin Neighborhoods Council Representative Laura Albrecht ♦ Z-News Editor Barbara Cossie**

ORDINANCE NO. _____

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	Maintenance and service facilities
Commercial blood plasma center	Monument retail sales
Campground	Outdoor entertainment
Club or lodge	Outdoor sports and recreation
Commercial off-street parking	Research services
Communication services	Restaurant (general)
Construction sales and service	Theater
Convenience storage	Transitional housing
Drop-off recycling collection facility	Transportation terminal
Electronic prototype assembly	Vehicle storage
Equipment repair services	Veterinary services
Equipment sales	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 _____, 2001.

PASSED AND APPROVED

_____	§	_____
_____	§	_____
_____, 2001	§	_____
		Kirk Watson
		Mayor

APPROVED: _____	ATTEST: _____
Andrew Martin	Shirley A. Brown
City Attorney	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 2, 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.

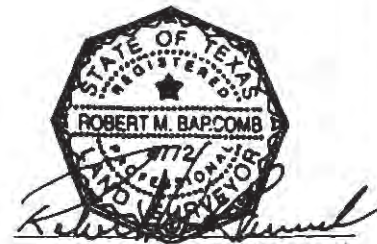
THENCE, with the north line of said subdivision and the south line of this tract, S 60°00'00" E, 168.10', to a 1/2" iron pin set in the north line of W. Mary Street (60' R.O.W.), for an angle point in the south line of this tract.

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:
Arpentours Professional Surveying
8906 Wall Street, Suite 302
Austin, Texas 78734
(512) 832-1232

EXHIBIT A





29-0133

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

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

ZONING EXHIBIT B

DATE: 01-02
INTL C. RAR

CITY GRID
REFERENCE
NUMBER
H20

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:**

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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:

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Art and craft studio (industrial)
Automotive rental
Automotive repair services
Automotive sales
Automotive washing (of any type)
Building maintenance services
Business or trade schools

Funeral services
General retail sales (general)
Hotel-motel
Indoor entertainment
Indoor sports and recreation
Kennels
Laundry services
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

§
§
§



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 2, 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 $60^{\circ}00'00''$ 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 $50^{\circ}23'20''$ 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 $30^{\circ}00'00''$ 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 $60^{\circ}00'00''$ 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.

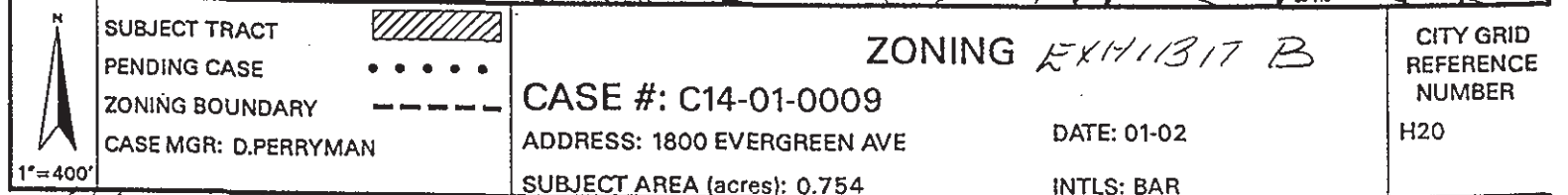
THENCE, with the north line of W. Mary Street and the south line of this tract, N $79^{\circ}40'00''$ E, 68.00', to a $1/2$ " iron pin set in the west line of Evergreen Avenue, for the southeast corner of this tract.

THENCE, with the west line of Evergreen Avenue and the east line of this tract, N $30^{\circ}35'00''$ 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





CITY GRID
REFERENCE
NUMBER
H20

INTLS: BAR