

ORDINANCE NO. 20070412-027

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 13233 POND SPRINGS ROAD AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT ONE, COMMERCIAL LIQUOR SALES-CONDITIONAL OVERLAY (CS-1-CO) COMBINING DISTRICT FOR TRACT TWO, AND COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT THREE.

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 districts on the property described in Zoning Case No. C14-06-0157, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From interim rural residence (I-RR) district to community commercial-conditional overlay (GR-CO) combining district.

Lot 1, Turtle Rock Estates Subdivision, a subdivision in the City of Austin, Williamson County, Texas, according to the map or plat of record in Cabinet E, Slide 347, Plat Records of Williamson County, Texas, Save and Except the portions of Lot 1 described as Tracts Two and Three in this ordinance; and,

Tract Two: From interim rural residence (I-RR) district to commercial liquor-sales-conditional overlay (CS-1-CO) combining district.

A 5,871 square foot tract of land, more or less, out of Lot 1, Turtle Rock Estates Subdivision in Williamson County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and,

Tract Three: From interim rural residence (I-RR) district to community commercial-conditional overlay (GR-CO) combining district.

A 756 square foot tract of land, more or less, out of Lot 1, Turtle Rock Estates Subdivision in Williamson County, the tract of land being more particularly

described by metes and bounds in Exhibit "B" incorporated into this ordinance;
(the "Property"),

locally known as 13233 Pond Springs Road, in the City of Austin, Williamson County,
Texas, and generally identified in the map attached as Exhibit "C".

PART 2. 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. The following uses are prohibited uses of the Property:

Automotive rentals
Automotive sales
Service station

Automotive repair services
Automotive washing (of any type)

C. Adult oriented businesses use is a prohibited use of Tract Two.

Except as specifically restricted under this ordinance, the Property may be developed and
used in accordance with the regulations established for the respective base district and
other applicable requirements of the City Code.

PART 3. This ordinance takes effect on April 23, 2007.

PASSED AND APPROVED

_____, April 12 _____, 2007 §
 §
 § _____
 Will Wynn
 Mayor

APPROVED: _____ **ATTEST:** _____
 David Allan Smith Shirley A. Gentry
 City Attorney City Clerk

HOLT CARSON, INC.

PROFESSIONAL LAND SURVEYORS

1904 FORTVIEW ROAD

AUSTIN, TEXAS 78704

TELEPHONE: (512) 442-0990

FACSIMILE: (512) 442-1084

FIELD NOTE DESCRIPTION OF 5,871 SQUARE FEET OF LAND, BEING A PORTION OF LOT 1, TURTLE ROCK ESTATES, A SUBDIVISION IN WILLIAMSON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET E SLIDE 347 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a ½" iron rod found in the Northeast right-of-way line of Pond Springs Road for the West corner of Lot 1 and the South corner of Lot 38 of Turtle Rock Estates, a subdivision in Williamson County, Texas, and from which a ½" iron rod found in the Northeast right-of-way line of Pond Springs Road for the South corner of Lot 1 and the West corner of Lot 2 of said Turtle Rock Estates, bears S 48 deg. 01' 51" E 226.43 ft.;

THENCE leaving the Northeast right-of-way line of Pond Springs Road with the Northwest line of said Lot 1, the following two (2) courses;

- 1) N 41 deg. 48' 34" E 82.40 ft. to a ½" iron rod found;
- 2) N 67 deg. 10' 40" E 101.0 ft. to a point, and from which a ½" iron rod found for the North corner of said Lot 1 bears N 67 deg. 10' 40" E 182.38 ft.;

THENCE entering the interior of said Lot 1, S 22 deg. 49' 48" E 25.17 ft. to a point on the Northwesterly wall face of a one story concrete and glass building for the West corner and **PLACE OF BEGINNING** of the herein described tract;

THENCE continuing across the interior of said Lot 1 with the Northwesterly wall face of said concrete and glass building, N 67 deg. 10' 12" E 108.19 ft. to an angle corner of said building being a Northerly angle corner of this tract;

THENCE continuing across the interior of said Lot 1 with the Northeasterly wall face of said concrete and glass building, S 47 deg. 36' 46" E 39.41 ft. to a point for an Easterly angle corner of this tract;

THENCE continuing across the interior of said Lot 1 and crossing the interior of said concrete and glass building, S 42 deg. 23' 14" W 60.00 ft. to a point on the Southwesterly wall face of said building for a Southeasterly corner of this tract;

EXHIBIT A

PAGE 2 OF 2
5,871 SQUARE FEET

THENCE continuing across the interior of said Lot 1 with the Southwesterly wall face of said building, the following two (2) courses;

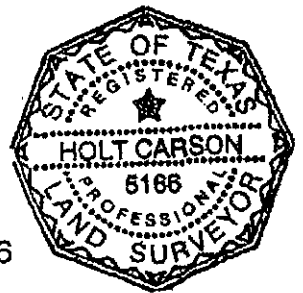
- 1) N 47 deg. 36' 46" W 12.14 ft. to a building corner;
- 2) S 67 deg. 10' 12" W 65.14 ft. to a point for a Southwesterly corner of this tract;

THENCE continuing across the interior of said Lot 1 and crossing through the interior of said building, N 22 deg. 49' 48" W 49.91 ft. to the **PLACE OF BEGINNING**, containing 5,871 square feet of land.

PREPARED: February 5, 2007.

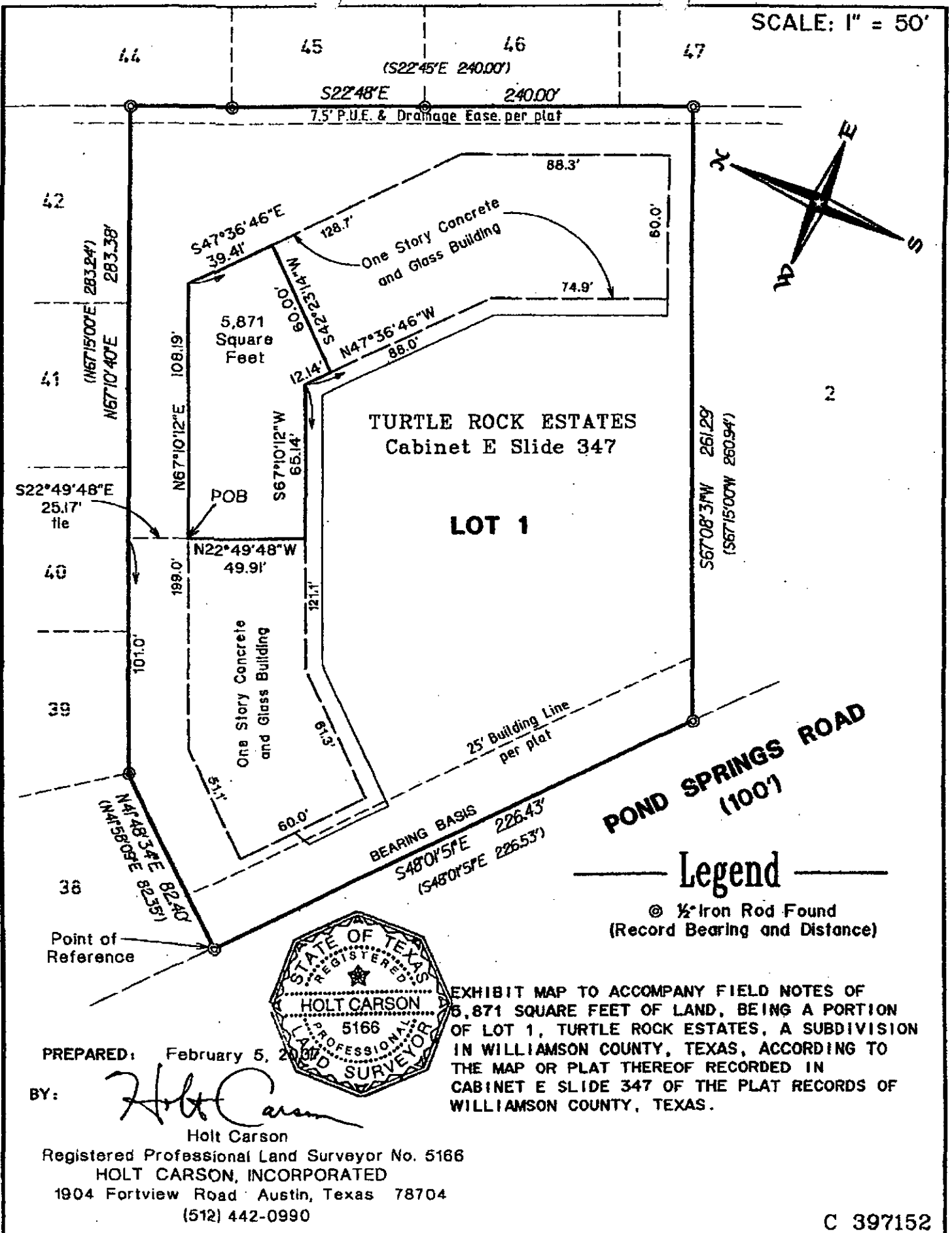


Holt Carson
Registered Professional Land Surveyor No. 5166



see accompanying sketch: C 397152

SCALE: 1" = 50'



C 397152

HOLT CARSON, INC.
PROFESSIONAL LAND SURVEYORS

1904 FORTVIEW ROAD
AUSTIN, TEXAS 78704
TELEPHONE: (512) 442-0990
FACSIMILE: (512) 442-1084

FIELD NOTE DESCRIPTION OF 756 SQUARE FEET OF LAND, BEING A PORTION OF LOT 1, TURTLE ROCK ESTATES, A SUBDIVISION IN WILLIAMSON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET E SLIDE 347 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a ½" iron rod found in the Northeast right-of-way line of Pond Springs Road for the West corner of Lot 1 and the South corner of Lot 38 of Turtle Rock Estates, a subdivision in Williamson County, Texas, and from which a ½" iron rod found in the Northeast right-of-way line of Pond Springs Road for the South corner of Lot 1 and the West corner of Lot 2 of said Turtle Rock Estates, bears S 48 deg. 01' 51" E 226.43 ft.;

THENCE leaving the Northeast right-of-way line of Pond Springs Road with the Northwest line of said Lot 1, the following two (2) courses;

- 1) N 41 deg. 48' 34" E 82.40 ft. to a ½" iron rod found;
- 2) N 67 deg. 10' 40" E 101.0 ft. to a point, and from which a ½" iron rod found for the North corner of said Lot 1 bears N 67 deg. 10' 40" E 182.38 ft.;

THENCE entering the interior of said Lot 1, S 22 deg. 49' 48" E 25.17 ft. to a point on the Northwesterly wall face of a one story concrete and glass building;

THENCE continuing across the interior of said Lot 1 with the Northwesterly wall face of said concrete and glass building, N 67 deg. 10' 12" E 108.19 ft. to an angle corner of said building for the West corner and **PLACE OF BEGINNING** of the herein described tract;

THENCE departing the wall line of said building and continuing across the interior of said Lot 1, the following three (3) courses;

- 1) N 62 deg. 00' E 17.50 ft.;
- 2) S 85 deg. 00' E 8.42 ft.;
- 2) S 47 deg. 36' 46" E 26.84 ft.;

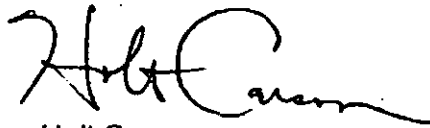
EXHIBIT B

PAGE 2 of 2
756 Square Feet

THENCE continuing across the interior of said Lot 1, S 42 deg. 23' 14" W 21.60 ft. to a point on the Northeasterly wall face of said concrete and glass building for the South corner of this tract;

THENCE continuing across the interior of said Lot 1 with the Northeasterly wall face of said concrete and glass building, N 47 deg. 36' 46" W 39.41 ft. to the **PLACE OF BEGINNING**, containing 756 square feet of land.

PREPARED: February 5, 2007.



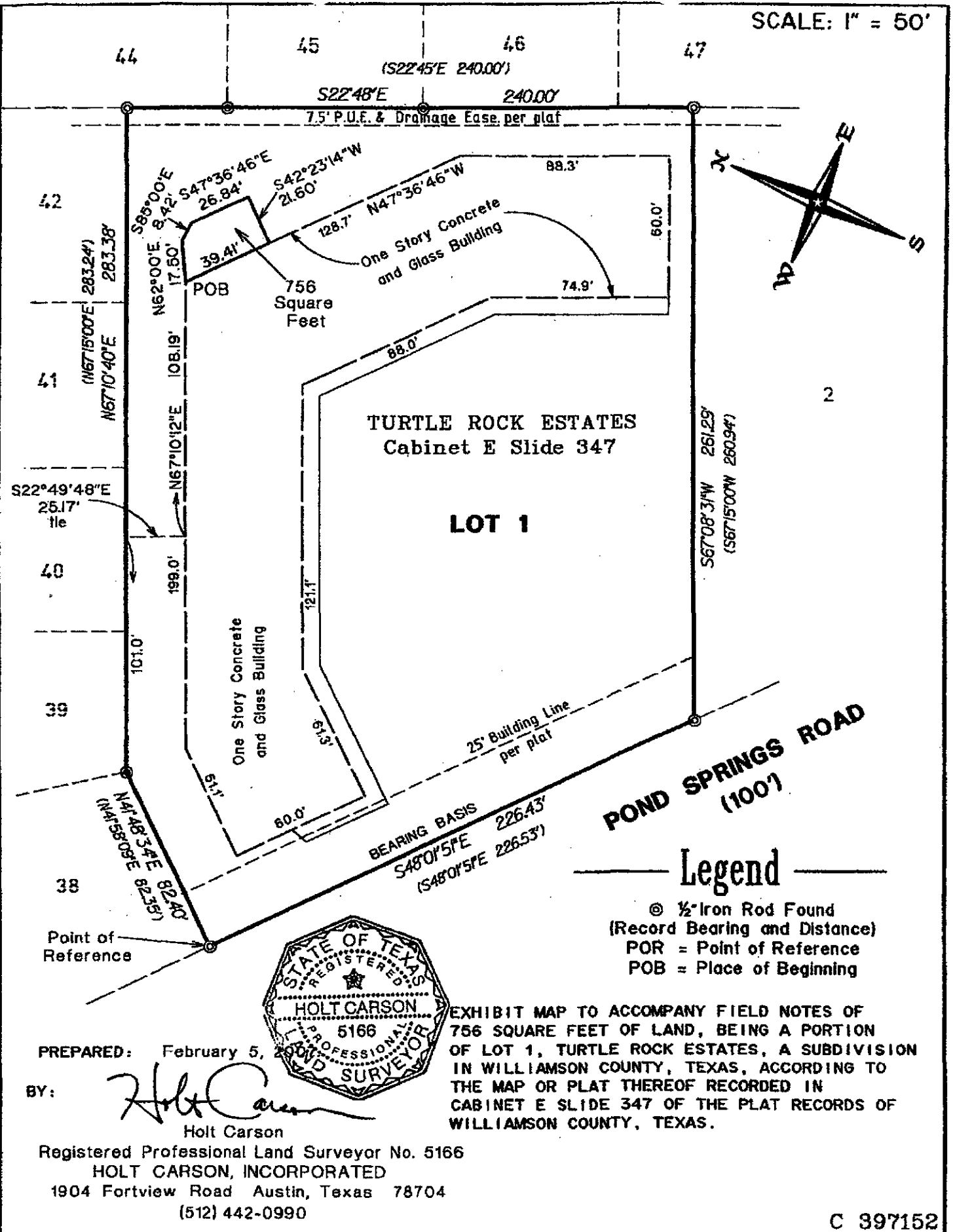
Holt Carson

Registered Professional Land Surveyor No. 5166

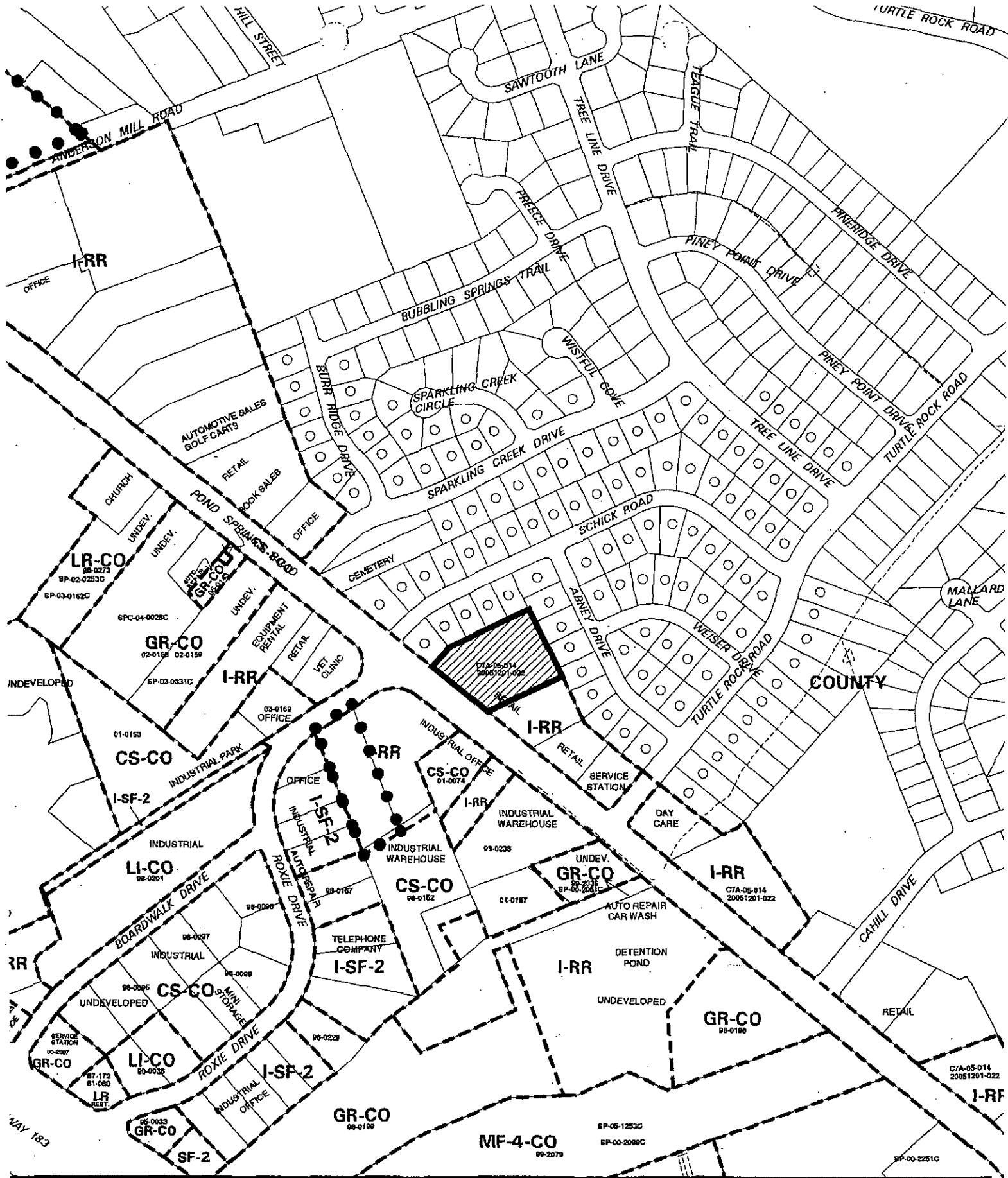


see accompanying sketch: C 397152

SCALE: 1" = 50'



C 397152



 " = 400'	SUBJECT TRACT		ZONING EXHIBIT C CASE #: C14-06-0157 ADDRESS: 13233 POND SPRINGS RD SUBJECT AREA (acres): 1.715	DATE: 06-07 INTLS: SM	CITY GRID REFERENCE NUMBER G37
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: S.SIRWAITIS				