

ORDINANCE NO. _____

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**
2 **PROPERTY LOCATED AT 3400-3517 BLOCK OF SOUTH FM 973 ROAD FROM**
3 **DEVELOPMENT RESERVE (DR) DISTRICT TO GENERAL COMMERCIAL**
4 **SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT.**

5
6 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**
7

8 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
9 change the base district from development reserve (DR) district to general commercial
10 services-conditional overlay (CS-CO) combining district on the property described in
11 Zoning Case No. C14-06-0208, on file at the Neighborhood Planning and Zoning
12 Department, as follows:

13
14 An 11.760 acre tract of land, more or less, out of the Santiago Del Valle League
15 Grant, Abstract No. 24, Travis County, the tract of land being more particularly
16 described by metes and bounds in Exhibit "A" incorporated into this ordinance (the
17 "Property"),
18

19 locally known as 3400-3517 block of South FM 973 Road, in the City of Austin, Travis
20 County, Texas, and generally identified in the map attached as Exhibit "B".
21

22 **PART 2.** The Property within the boundaries of the conditional overlay combining district
23 established by this ordinance is subject to the following conditions:
24

25 The following uses are prohibited uses of the Property:

26	Adult oriented businesses	Agricultural sales and services
27	Automotive repair services	Automotive rentals
28	Automotive sales	Automotive washing (of any type)
29	Bail bond services	Campground
30	Convenience storage	Commercial blood plasma center
31	Drop-off recycling collection facility	Equipment sales
32	Pawn shop services	Vehicle storage
33	Group home, Class I (general)	Group home, Class I (limited)
34	Group Home, Class II	
35		
36		
37		

1
2
3 Except as specifically restricted under this ordinance, the Property may be developed and
4 used in accordance with the regulations established for the general commercial services
5 (CS) base district and other applicable requirements of the City Code.
6

7 **PART 3.** This ordinance takes effect on _____, 2007.
8
9

10 **PASSED AND APPROVED**

11
12 §
13 §
14 _____, 2007 § _____
15 Will Wynn
16 Mayor
17
18

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

11.760 ACRES
EASTBOURNE CROSSING

EXHIBIT A

FN. NO. 07-180 (KWA)
APRIL 3, 2007
BPI JOB NO. 1673-01.91

DESCRIPTION

OF 11.760 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE LEAGUE GRANT, ABSTRACT NO. 24, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 389.447 ACRE TRACT CONVEYED TO EASTBOURNE CROSSING LIMITED PARTNERSHIP BY DEED OF RECORD IN DOCUMENT NO. 2006107114 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 11.760 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found in the easterly right-of-way line of F.M. Highway No. 973 (Right-of-Way varies), being the southwesterly corner of that certain 5.0 acre tract of land conveyed to J.V. Gregg, Arvid Johnson and Joe Pearson by deed of record in Volume 1787, Page 399 of the Deed Records of Travis County, Texas for an angle point in the westerly line hereof;

THENCE, leaving the easterly right-of-way line of F.M. Highway No. 973 and the westerly line of said 389.447 acre tract, along the common line of said 5.0 acre tract and said 389.447 acre tract, for a portion of the westerly line hereof, the following two (2) courses and distances:

- 1) S47°33'42"E, a distance of 394.96 feet to a found monument at the southeasterly corner of said 5.0 acre tract for an angle point hereof;
- 2) N42°35'07"E, a distance of 584.43 feet to a 1/2 inch iron rod found at the northwesterly corner of said 389.447 acre tract and hereof, being an angle point in the easterly line of said 5.0 acre tract, also being the southwesterly corner of that certain 74.790 acre tract (Parcel 359) conveyed to the State of Texas by deed of record in Document No. 2005169200 of said Official Public Records, from which a found iron pipe in the common line of said 5.0 acre tract and said 74.790 acre tract bears N42°37'14"E, a distance of 160.80 feet;

THENCE, S62°04'47"E, along the northerly line of said 389.447 acre tract and hereof, being the southerly line of said 74.790 acre tract, a distance of 119.10 feet to the northeasterly corner hereof, from which a found 1/2 inch iron rod in the common line of said 389.447 acre tract and said 74.790 acre tract bears S60°04'47"E, a distance of 1168.19 feet;

THENCE, leaving the northerly line of said 389.447 acre tract and the southerly line of said 74.790 acre tract, over and across said 389.447 acre tract, for the easterly and southerly lines hereof, the following four (4) courses and distances:


- 1) S44°23'04"W, a distance of 68.53 feet to an angle point;

- 2) S43°50'16"W, a distance of 976.12 feet to an angle point;
- 3) S44°41'31"W, a distance of 431.29 feet to the southeasterly corner hereof;
- 4) N62°12'01"W, a distance of 489.30 feet to a point on the easterly right-of-way line of F.M. 973, same being a point on the northwesterly line of the said 389.447 acre tract for the southwesterly corner hereof;

THENCE, N42°43'03"E, along the easterly right-of-way line of F.M. 973, being the northwesterly line of the said 389.447 acre tract, for a portion of the westerly line hereof, a distance of 984.66 feet to the **POINT OF BEGINNING**, containing an area of 11.760 acres (512,276 square feet) of land, more or less, within these metes and bounds.

BEARING BASIS: TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(93), UTILIZING CITY OF AUSTIN AND LCRA PROVIDED MONUMENTS.

BURY & PARTNERS, INC.
ENGINEERING SOLUTIONS
221 WEST SIXTH STREET
SUITE 600
AUSTIN, TEXAS 78701



JOHN T. BILNOSKI
NO. 4998
STATE OF TEXAS

4/3/07

DATE



STATE HIGHWAY NO. 71
(R.O.W. VARIES)

74.790 ACRES (PARCEL 359)
STATE OF TEXAS
DOCUMENT NO. 2005169200
S62°04'47"E 1168.19'

P.O.B.

5.0 ACRES
J.V. GREGG, ARVID JOHNSON
& JOE PEARSON, TRUSTEES
COLORADO COMMON SCHOOL
DISTRICT NO. 36
VOL. 1787, PG. 399

S47°33'42"E
394.96'

11.760 ACRES
(512,276 SQ. FT.)

N42°43'03"E 984.66'

CITY LIMIT LINE

N62°12'01"W 489.30'
S42°43'03"W
1540.73'

L1

L2

L3

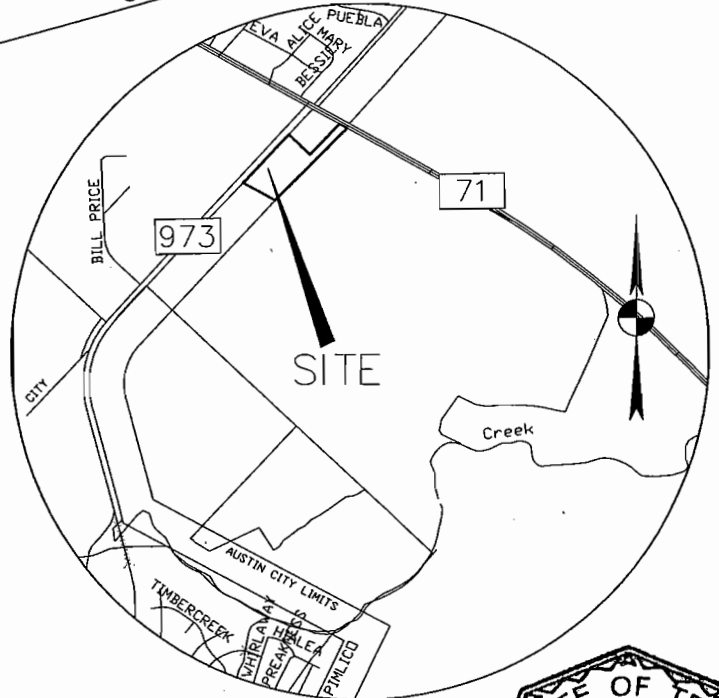
N42°35'07"E 584.43'

S43°50'16"W 976.12'

CITY OF AUSTIN

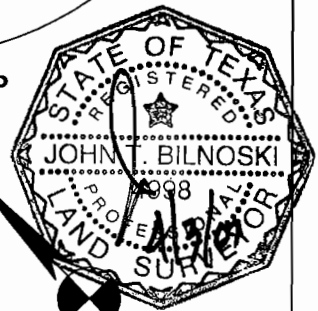
TRAVIS COUNTY

S44°41'31"W 431.29'



VICINITY MAP
N.T.S.

389.447 ACRES
EASTBOURNE CROSSING
LIMITED PARTNERSHIP
DOC. NO. 2006107114

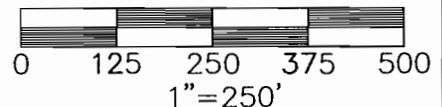


LINE TABLE

LINE	BEARING	LENGTH
L1	N42°37'14"E	160.80
L2	S62°04'47"E	119.10
L3	S44°23'04"W	68.53

LEGEND

- 1/2" IRON ROD FOUND (UNLESS NOTED)
- MONUMENT FOUND
- ⊙ IRON PIPE FOUND
- P.O.B. POINT OF BEGINNING



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SKETCH TO ACCOMPANY DESCRIPTION
OF 11.760 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE
LEAGUE GRANT, ABSTRACT NO. 24, SITUATED IN TRAVIS
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ACRE TRACT CONVEYED TO EASTBOURNE CROSSING LIMITED
PARTNERSHIP BY DEED OF RECORD IN DOCUMENT NO.
2006107114 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS
COUNTY, TEXAS

**EASTBOURNE
DEVELOPMENT**

