

ORDINANCE NO. 20071213-111

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 6121 F.M. 969 ROAD IN THE MLK-183 NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-NEIGHBORHOOD PLAN (CS-NP) COMBINING DISTRICT TO LIMITED INDUSTRIAL SERVICE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LI-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 general commercial services-neighborhood plan (CS-NP) combining district to limited industrial service-conditional overlay-neighborhood plan (LI-CO-NP) combining district on the property described in Zoning Case No. C14-2007-0134, on file at the Neighborhood Planning and Zoning Department, as follows:

A 1.78 acre tract of land, more or less, out of the J.C. Tannehill League, Abstract 22, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 6121 F.M. 969 Road, 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 limited industrial service (LI) 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.

B. The following uses are prohibited uses of the Property:

Automotive sales
Adult oriented businesses
Custom manufacturing
Convenience storage
Exterminating services
Kennels
Outdoor entertainment
Recycling center
Vehicle storage

Automotive washing (of any type)
Basic industry
Communication services
Drop off recycling collection facility
General warehousing and distribution
Limited warehousing and distribution
Printing and publishing
Resource extraction

PART 4. The Property is subject to Ordinance No. 121107-Z-12b that established the MLK-183 neighborhood plan combining district.

PART 5. This ordinance takes effect on December 24, 2007.

PASSED AND APPROVED

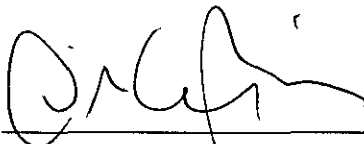
December 13, 2007

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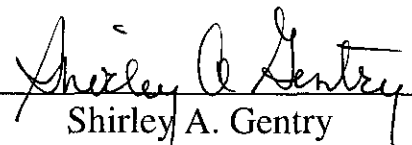
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

**JAMES E. GARON
& ASSOCIATES, INC.**
PROFESSIONAL LAND SURVEYORS

924 Main Street
Bastrop, Texas 78602
512-303-4185
Fax 512-321-2107
jgaron@austin.rr.com

EXHIBIT A

July 30, 2007

LEGAL DESCRIPTION. BEING A 1.780 ACRE TRACT OF LAND LYING IN AND BEING SITUATED OUT THE J. C. TANNEHILL LEAGUE, ABSTRACT 22 IN TRAVIS COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 9.546 ACRE TRACT OF LAND CONVEYED TO ASERO HOLDINGS CORPORATION BY DEED RECORDED IN DOCUMENT No. 2007042660 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.780 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JAMES E. GARON & ASSOCIATES IN FEBRUARY, 2007:

BEGINNING at a point for the northwesterly corner hereof from which the most northwesterly corner of said 9.546-acre tract bears

1. N 61°17'29" W a distance of 38.07 feet to a point in the westerly line of said 9.546 acre tract;
2. N 28°42'31" E a distance of 173.46 feet to a 1/2" iron rod found for an angle point of said 9.546 acre tract;
3. N 29°23'00" E a distance of 298.77 feet to an iron rod set in the southerly right-of-way line of Farm to Market Highway 969 for the northwesterly corner of said 9.546 acre tract from which a concrete highway monument with mag nail found bears N 77°04'10" W a distance of 1.50 feet;

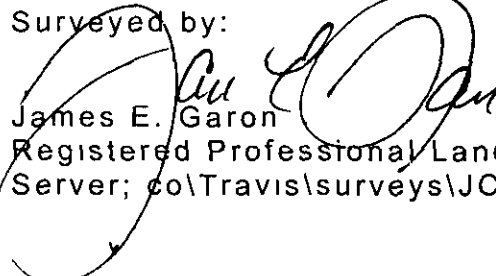
THENCE S 73°54'35" E a distance of 278.45 feet to a point for the northeasterly corner hereof;

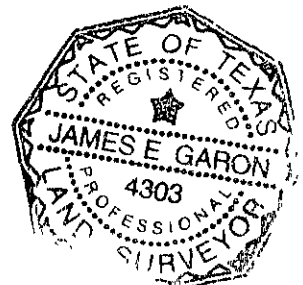
THENCE S 16°05'25" W a distance of 278.45 feet to a point for the southeasterly corner hereof;

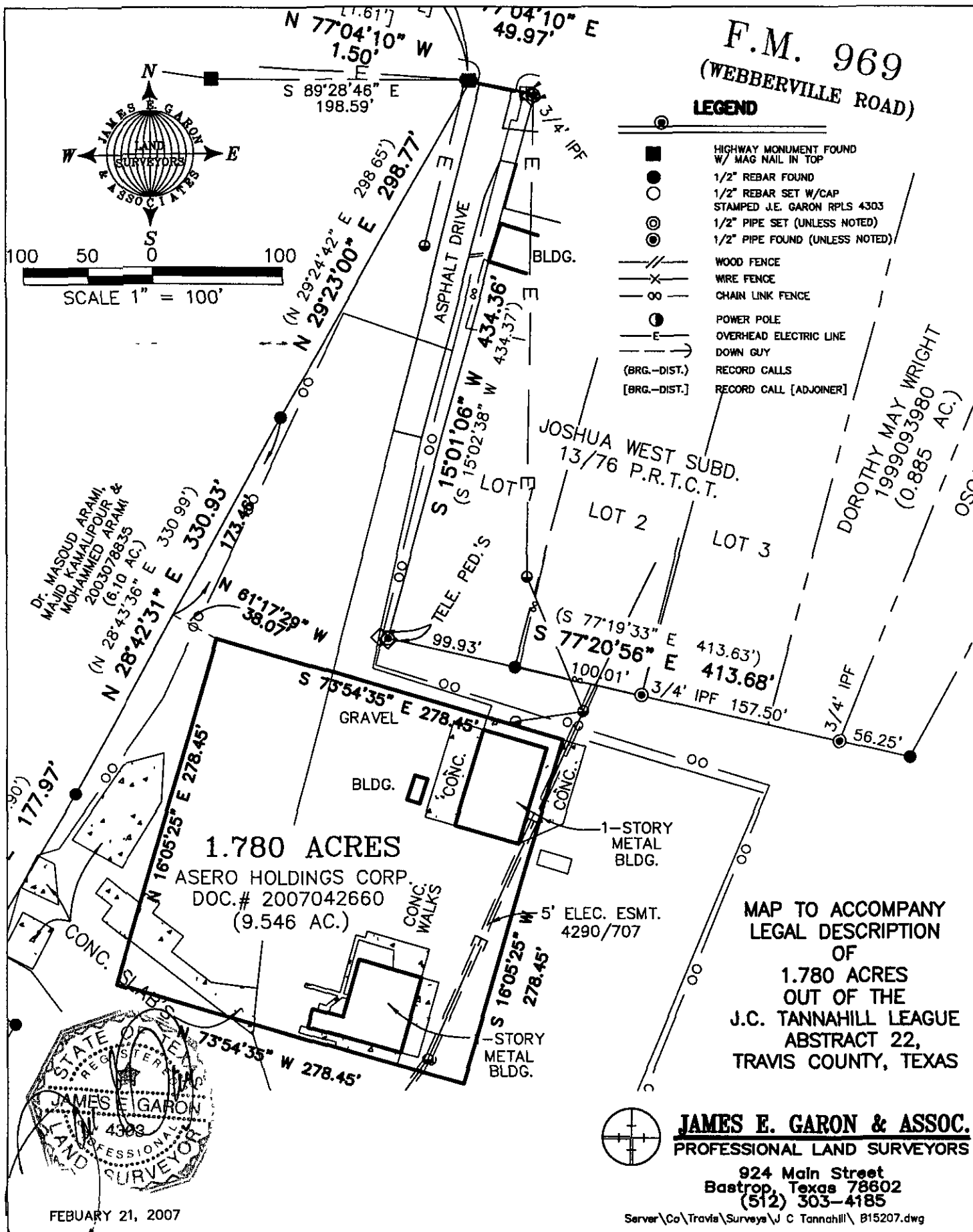
THENCE N 73°54'35" W a distance of 278.45 feet to a point for the southwesterly corner hereof,

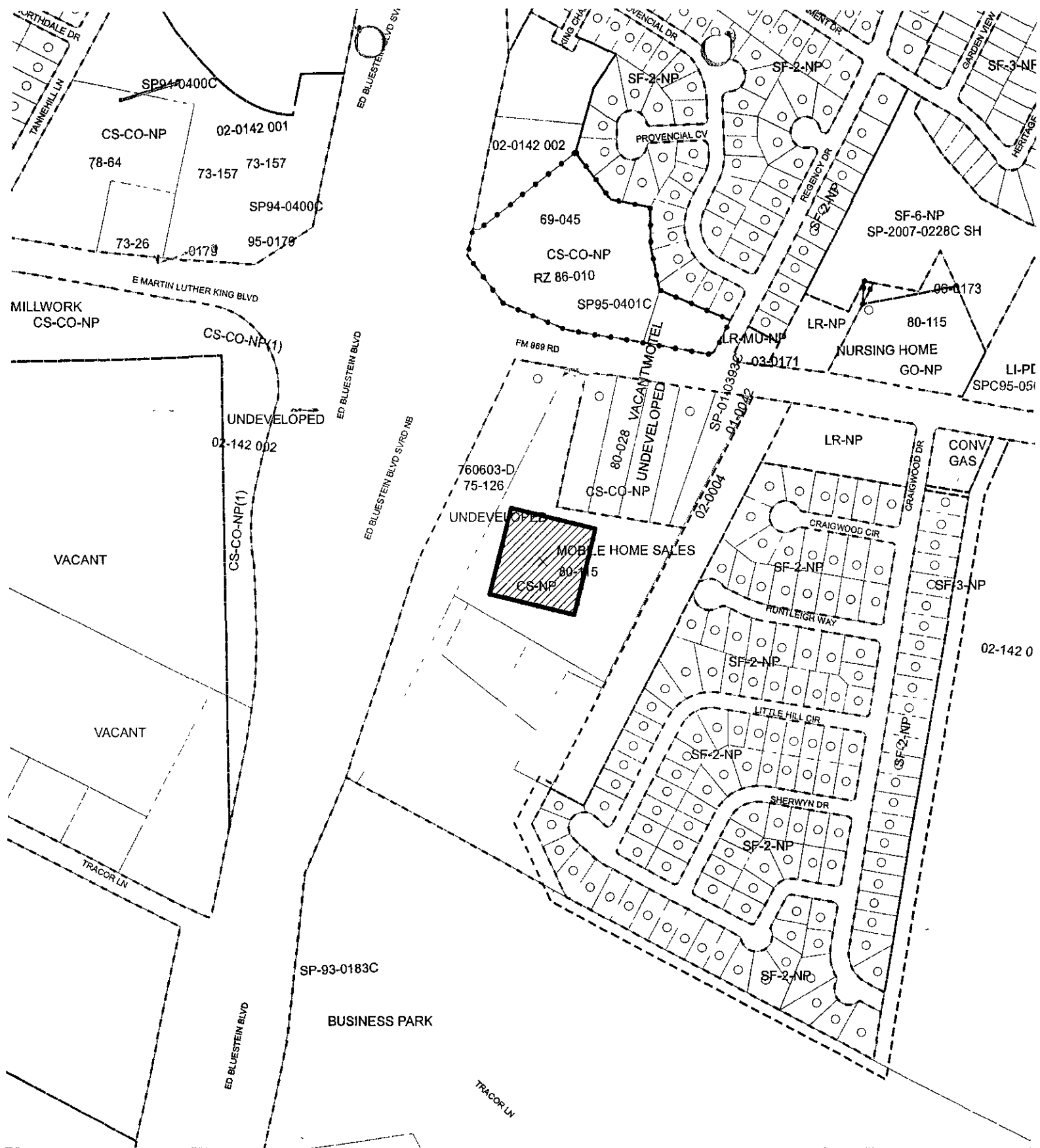
THENCE N 16°05'25" E a distance of 278.45 feet to the **POINT OF BEGINNING**, containing 1.780 acres of land, more or less, and as shown on sketch of survey prepared herewith.

Surveyed by:


James E. Garon
Registered Professional Land Surveyor
Server; co\Travis\surveys\JC Tannahill\b15207 zoning.doc

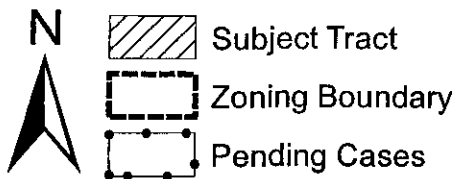






ZONING EXHIBIT B

ZONING CASE#: C14-2007-0134
ADDRESS: 6121 FM 969 RD
SUBJECT AREA: 1.78 ACRES
GRID: N23
MANAGER: R. HEIL



1" = 400' OPERATOR SM

This map has been produced by GIS Services for the sole purpose of geographic reference.
 No warranty is made by the City of Austin regarding specific accuracy or completeness.

