ORDINANCE NO. 20080131-127

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 912 BASTROP HIGHWAY FROM GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD (CS-CO-NP) COMBINING DISTRICT AND SINGLE FAMILY PLAN RESIDENCE SMALL LOT-NEIGHBORHOOD PLAN (SF-4A-NP) COMBINING DISTRICT TO INDUSTRIAL PARK-CONDITIONAL **OVERLAY-**NEIGHBORHOOD PLAN (IP) 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 districts on the property (the "Property") described in Zoning Case No. C14-2007-0186, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One and Tract Two: From single family residence small lot-neighborhood plan (SF-4A-NP) combining district to industrial park-conditional overlay-neighborhood plan (IP-CO-NP) combining district.

A 6.78 acre tract of land, more or less, out of the Santiago Del Valle Grant in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

A 7.35 acre tract of land, more or less, out of the Santiago Del Valle Grant in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance.

Tract Three: From general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district to industrial park-conditional overlay-neighborhood plan (IP-CO-NP) combining district.

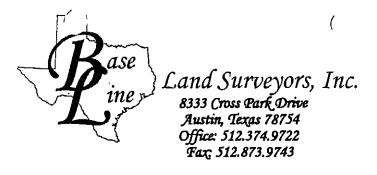
A 19.41 acre tract of land, more or less, out of the Santiago Del Valle Grant in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "C" incorporated into this ordinance,

locally known as 912 Bastrop Highway, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "D".

- **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 industrial park (IP) 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. Vehicular access from the Property to Anise Drive is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
 - C. A 50-foot wide vegetative buffer shall be provided and maintained along the southwest property lines of Tracts One and Two where they abut single family residential properties. Improvements permitted within the buffer zone are limited to fences, drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
 - D. A fence shall be constructed and maintained along the interior boundary of the vegetative buffer between the buffer and the remainder of the property.
- **PART 4.** The Property is subject to Ordinance No. 010927-28 that established the Montopolis neighborhood plan combining district.

PART 5. This ordinance takes effect on February 11, 2008.		
PASSED AND APPROVED		
<u>January 31</u> , 2008	§ § §	Will Wynh Mayor
APPROVED David Allan\Smith City Attorney	_ATTEST:	Shirley A. Gentry City Clerk

Page 1 of 4



TRACT

EVHIBIT AMETES AND BOUNDS DESCRIPTION

BEING 678 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THE REMAINDER OF A 99.12 ACRE TRACT OF LAND CONVEYED TO STEINER AND SONS, LTD. BY INSTRUMENT OF RECORD IN DOC. NO. 2002027530 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rebar set with plastic cap which reads "BASELINE INC" for the southwest corner of said remainder of a 99.12 acre tract, the northwest corner of Lot 2, Block "F", Riverside Meadows, Section One, a subdivision of record in Doc. No. 200400307 of the Official Public Records of Travis County, Texas, and being in the east line of Lot 2, Frontier Valley, a subdivision of record in Volume 66, Page 12 of the Plat Records of Travis County, Texas, from which a 1/2" iron rebar found for the southeast corner of said Lot 2, Frontier Valley, the northeast corner of a 9.939 acre tract of land conveyed to Marbella Corporation by instrument of record in Doc. No. 2002063165 of the Official Public Records of Travis County, Texas, and being in the west line of said Lot 2, Block "F", Riverside Meadows, Section One, bears South 42°24'22" West a distance of 1106.75 feet (record - South 42°25'22" West a distance of 1106.52 feet);

THENCE North 42°24'22" East (record – North 45°23'00" East), along the westerly line of the remainder of a 99.12 acre tract and the east line of Lot 2, Frontier Valley, a distance of 470.43 feet to a 1/2" iron rebar set with plastic cap which reads "BASELINE INC", from which a 1/2" iron rebar found for an angle point in the westerly line of the remainder of a 99.12 acre tract, same being the southwest corner of Lot 1, Palm Harbor, a subdivision of record in Volume 82, Page 239 of the Plat Records of Travis County, Texas, and also being in the east line of a 19.930 acre tract of land conveyed to the City of Austin by instrument of record in Volume 3066, Page 1858 of the Deed Records of Travis County, Texas, bears North 42°24'22" East (record – North 45°23'00" East) a distance of 185.62 feet;

THENCE crossing through the remainder of a 99.12 acre tract the following two (2) courses:

- 1. South 06°39'23" East a distance of 795.59 feet to a 1/2" iron rebar set with plastic cap which reads "BASELINE INC";
- 2. South 42°24'22" West a distance of 512.80 feet to a 1/2" iron rebar set with plastic cap which reads "BASELINE INC" in the south line of the remainder of a 99.12 acre tract and the north line of Lot 2, Block "F", Riverside Meadows, Section One;

THENCE North 04°25'48" West (record - North 04°25'06" West), along the south line of the remainder of a 99 12 acre tract and the north line of Lot 2, Block "F", Riverside Meadows, Section One, a distance of 823.97 feet to the POINT OF BEGINNING.

This parcel contains 6.78 acres of land, more or less, out of the Santiago Del Valle Grant in Travis County, Texas.

Description prepared from an on-the-ground survey made during June, 2007.

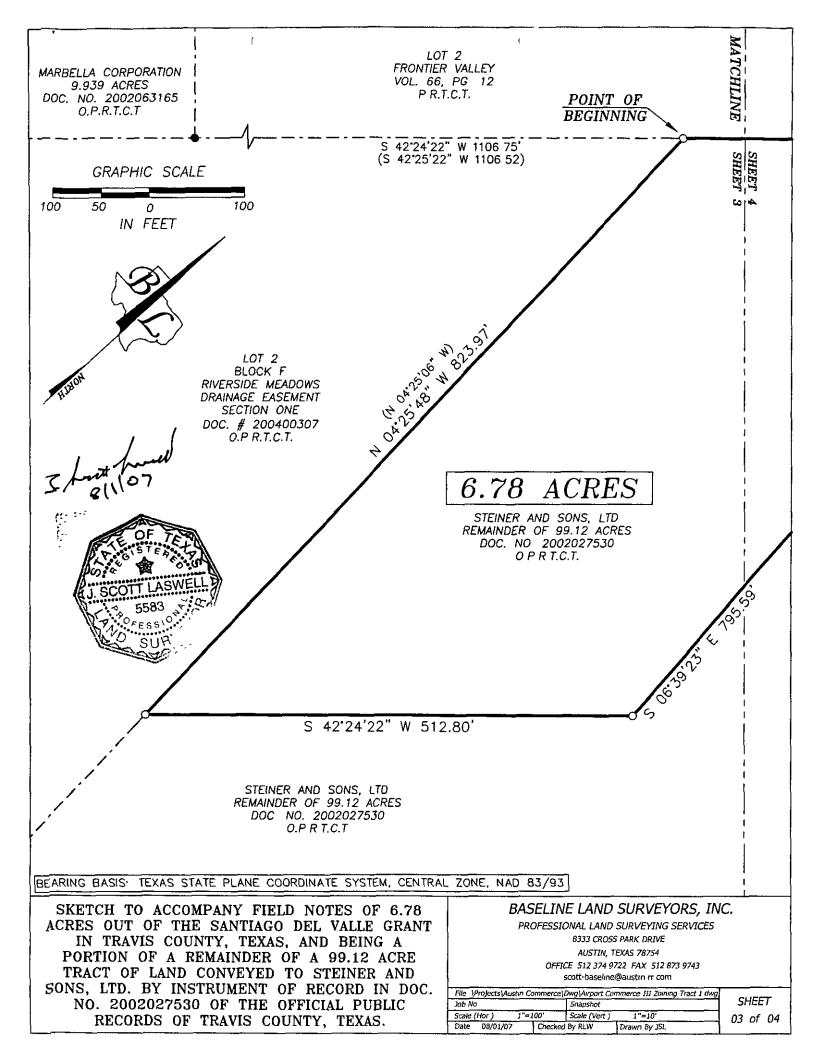
Bearing Basis: Texas State Plane Coordinate System, Central Zone, NAD 83/93.

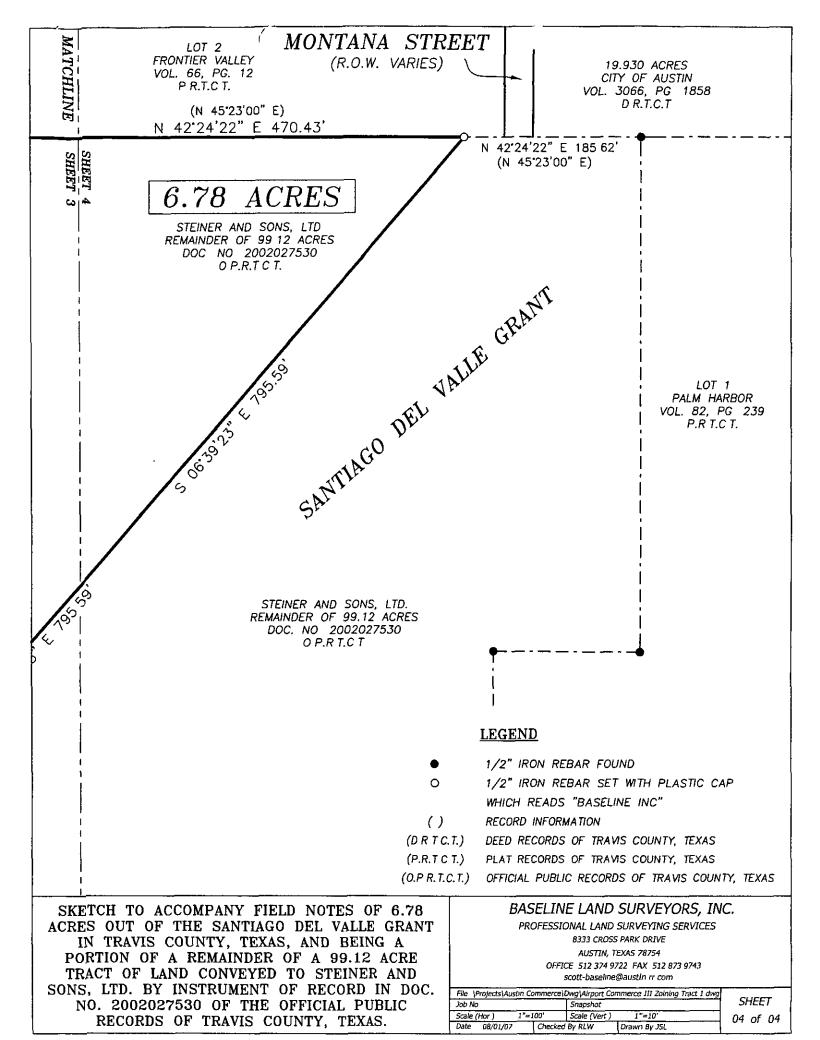
Registered Professional Land Surveyor

State of Texas No. 5583

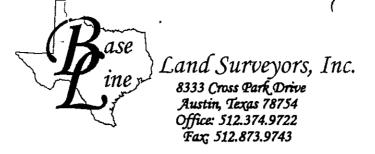
Attachments: Baseline\Projects\Austin Commerce\Dwg\ACIII Zoning Tract 1.dwg

File. Baseline\Projects\Austin Commerce\Documents\Fieldnotes\ACIII Zoning Tract 1.doc





Page 1 of 4



Tract 2

E とけい B1 T ら METES AND BOUNDS DESCRIPTION

BEING 7.35 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, AND BEING THE REMAINDER OF A 99.12 ACRE TRACT OF LAND CONVEYED TO STEINER AND SONS, LTD. BY INSTRUMENT OF RECORD IN DOC. NO 2002027530 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rebar set with plastic cap which reads "BASELINE INC" for the southeast corner of said remainder of a 99.12 acre tract and the northeast corner of Lot 1, Block "B", Riverside Meadows, Section One, a subdivision of record in Doc. No. 200400307 of the Official Public Records of Travis County, and being in the west line of Lot 1, Block "A", Airport Commerce Park, Section One, a subdivision of record in Doc. No. 199900226 of the Official Public Records of Travis County, Texas, from which a 1/2" iron rebar found for the southwest corner of said Lot 1, Block "A", Airport Commerce Park, Section One, the northwest corner of a portion of a remainder of a 46.822 acre tract of land conveyed to Southeast Austin Associates by instrument of record in Volume 7997, Page 262 of the Deed Records of Travis County, Texas, and being in the east line of said Lot 1, Block "B", Riverside Meadows, Section One, bears South 41°49'25" West (record - South 44°39'15" West) a distance of 175.19 feet;

THENCE North 04°25'48" West (record - North 04°25'06" West), along the south line of the remainder of a 99.12 acre tract, the north line of Lot 1, Block "B", Riverside Meadows, Section One, the north line of a remainder of a 55.184 acre tract of land conveyed to Centex Homes, Inc. by instrument of record in Doc. No 2004155967 of the Official Public Records of Travis County, and the north line of Lot 2, Block "F", of said Riverside Meadows, Section One, a distance of 826.79 feet to a 1/2" iron rebar set with plastic cap which reads "BASELINE INC";

THENCE crossing through the remainder of a 99.12 acre tract the following three (3) courses.

- 1. North 42°24'22" East a distance of 512.80 feet to a 1/2" iron rebar set with plastic cap which reads "BASELINE INC";
- 2. South 06°39'23" East a distance of 133.47 feet to a 1/2" iron rebar set with plastic cap which reads "BASELINE INC";
- 3. South 06°08'29" East a distance of 671.13 feet to a 1/2" iron rebar set with plastic cap which reads "BASELINE INC" in the east line of the remainder of a 99.12 acre tract and the west line of Lot 1, Block "A", Airport Commerce Park, Section One, from which a 1/2" iron rebar found for an angle point in the east line of the remainder of a 99.12 acre tract and the west line of Lot 1, Block "A", Airport Commerce Park, Section One, bears North 42°29'32" East (record North 45°34'15" East) a distance of 11.90 feet;

THENCE along the east line of the remainder of a 99.12 acre tract and the west line of Lot 1, Block "A", Airport Commerce Park, Section One the following two (2) courses:

- 1. South 42°29'32" West (record South 45°34'15" West) a distance of 542.59 feet a 1/2" iron rebar found;
- 2. South 41°49'25" West (record South 44°39'15" West) a distance of 4.07 feet to the POINT OF BEGINNING.

This parcel contains 7 35 acres of land, more or less, out of the Santiago Del Valle Grant in Travis County, Texas.

Description prepared from an on-the-ground survey made during June, 2007.

Bearing Basis: Texas State Plane Coordinate System, Central Zone, NAD 83/93.

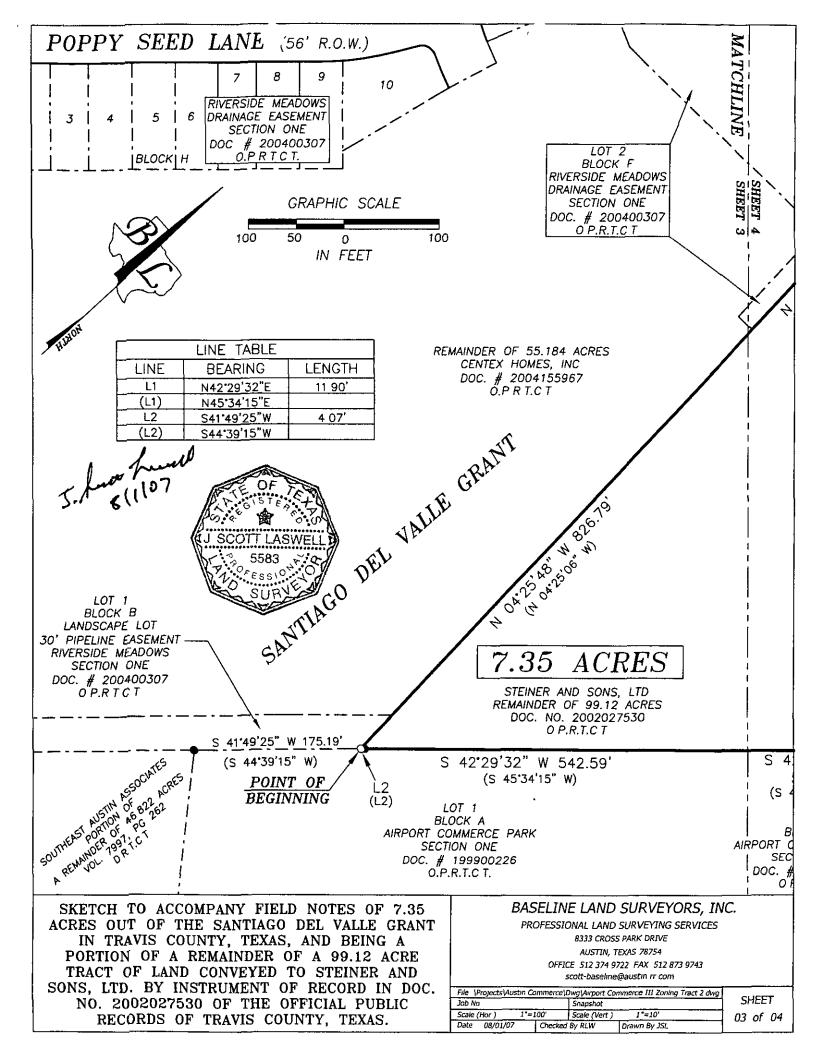
J. Scott Laswell

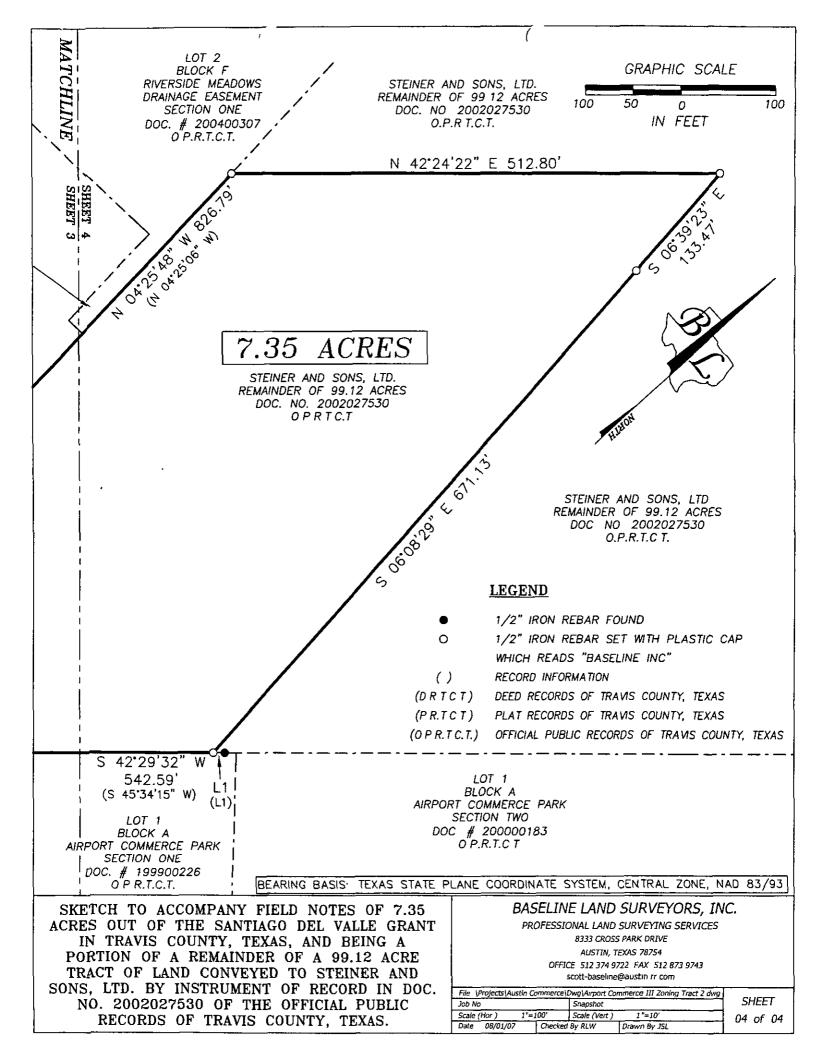
cott Laswell Da

Registered Professional Land Surveyor

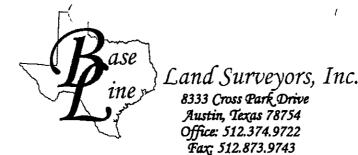
State of Texas No. 5583

Attachments: Baseline\Projects\Austin Commerce\Dwg\ACIII Zoning Tract 2.dwg File: Baseline\Projects\Austin Commerce\Documents\Fieldnotes\Zoning Tract 2.doc





Page 1 of 7



8333 Cross Park Drive Tract 3 Austin, Texas 78754 Office: 512.374.9722

EXHIBIT C METES AND BOUNDS DESCRIPTION

BEING 19 41 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, AND BEING THE REMAINDER OF A 99.12 ACRE TRACT OF LAND CONVEYED TO STEINER AND SONS, LTD. BY INSTRUMENT OF RECORD IN DOC. NO. 2002027530 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rebar set with plastic cap which reads "BASELINE INC" in the east line of said remainder of a 99.12 acre tract and the west line of Lot 2, Block "A", Airport Commerce Park, Section One, a subdivision of record in Doc. No. 199900226 of the Official Public Records of Travis County, Texas, from which a 1/2" iron rebar found for an angle point in the east line of the remainder of a 99.12 acre tract and the west line of said Lot 2, Block "A", Airport Commerce Park, Section One, bears North 42°54'06" East (record – North 45°54'15" East) a distance of 131.29 feet;

THENCE South 42°54'06" West (record - South 45°54'15" West), along the east line of the remainder of a 99.12 acre tract and the west line of Lot 2, Block "A", Airport Commerce Park, Section One, a distance of 477.91 feet to a 1/2" iron rebar found;

THENCE South 42°36'51" West (record - South 45°33'45" West), along the east line of the remainder of a 99.12 acre tract and the west line of Lot 2, Block "A", Airport Commerce Park, Section One, passing at a distance of 258.58 feet (record – 258.56 feet) a 1/2" iron rebar found for the southwest corner of Lot 2, Block "A", Airport Commerce Park, Section One and the northwest corner of Lot 1, Block "A", Airport Commerce Park, Section Two, a subdivision of record in Doc. No. 200000183 of the Official Public Records of Travis County, Texas, and continuing along the east line of the remainder of a 99 12 acre tract and the west line of said Lot 1, Block "A", Airport Commerce Park, Section Two for a total distance of 559.33 feet (record - 559.33 feet) to a 1/2" iron rebar set with plastic cap which reads "BASELINE INC";

THENCE South 42°10'19" West (record – South 45°14'00" West), continuing along the east line of the remainder of a 99 12 acre tract and the west line of Lot 1, Block "A", Airport Commerce Park, Section Two, a distance of 337.62 feet (record – 337 63 feet) a 1/2" iron rebar found;

THENCE South 42°27'27" West (record - South 45°23'45" West), along the east line of the remainder of a 99.12 acre tract and the west line of Lot 1, Block "A", Airport Commerce Park, Section Two, passing at a distance of 473.38 feet (record – 473.51 feet) a 1/2" iron rebar found for the southwest corner of Lot 1, Block "A", Airport Commerce Park, Section Two and the northwest corner of Lot 1, Block "A", of said Airport Commerce Park, Section One, and continuing along the east line of the remainder of a 99.12 acre tract and the west line of said Lot 1, Block "A", Airport Commerce Park, Section One for a total distance of 485.60 feet (record – 485.49 feet) to a 1/2" iron rebar found;

THENCE South 42°29'32" West (record - South 45°34'15" West), along the east line of the remainder of a 99.12 acre tract and the west line of Lot 1, Block "A", Airport Commerce Park, Section One, a distance of 11.90 feet to a 1/2" iron rebar set with plastic cap which reads "BASELINE INC", from which a 1/2" iron rebar found for an angle point in the east line of the remainder of a 99.12 acre tract and the west line of Lot 1, Block "A", Airport Commerce Park, Section One, bears South 42°29'32" West (record - South 45°34'15" West) a distance of 542 59 feet;

THENCE crossing through the remainder of a 99.12 acre tract the following two (2) courses

1

- 1. North 06°08'29" West a distance of 671.13 feet a 1/2" iron rebar set with plastic cap which reads "BASELINE INC";
- 2. North 06°39'23" West a distance of 929.06 feet a 1/2" iron rebar set with plastic cap which reads "BASELINE INC" in the westerly line of the remainder of a 99 12 acre tract and the east line of Lot 2, Frontier Valley, a subdivision of record in Volume 66, Page 12 of the Plat Records of Travis County, Texas, from which a 1/2" iron rebar set with plastic cap which reads "BASELINE INC" for the southwest corner of the remainder of a 99.12 acre tract, the northwest corner of Lot 2, Block "F", Riverside Meadows, Section One, a subdivision of record in Doc. No 200400307 of the Official Public Records of Travis County, Texas, and being in the east line of said Lot 2, Frontier Valley, bears South 42°24'22" West (record South 45°23'00" West) a distance of 470.43 feet;

THENCE North 42°24'22" East (record – North 45°23'00" East), along the westerly line of the remainder of a 99.12 acre tract, the east line of Lot 2, Frontier Valley, the east right-of-way line of Montana Street (R.O.W. varies) and the east line of a 19.930 acre tract of land conveyed to the City of Austin by instrument of record in Volume 3066, Page 1858 of the Deed Records of Travis County, Texas, a distance of 185.62 feet to a 1/2" iron rebar found for an angle point in the westerly line of the remainder of a 99.12 acre tract, same being the southwest corner of Lot 1, Palm Harbor, a subdivision of record in Volume 82, Page 239 of the Plat Records of Travis County, Texas,

THENCE along the westerly line of the remainder of a 99.12 acre tract and the southerly and easterly lines of Lot 1, Palm Harbor the following five (5) courses:

- 1. South 47°36'32" East a distance of 534.62 feet (record South 45°55'20" East a distance of 534.75 feet) to a 1/2" iron rebar found,
- 2. South 42°47'44" West a distance of 153.63 feet (record South 44°32'14" West a distance of 153.67 feet) to a 1/2" iron rebar found;
- 3. South 47°13'11" East a distance of 552.77 feet (record South 45°30'29" East a distance of 552.83 feet) to an iron pipe found;
- 4. North 42°28'01" East a distance of 317.56 feet (record North 44°06'35" East a distance of 317.58 feet) to an iron pipe found;
- 5. North 42°44'42" East a distance of 474.08 feet (record North 44°28'23" East a distance of 473.94 feet) to a 1/2" iron rebar found, from which a 1/2" iron rebar found for an angle point in the westerly line of the remainder of a 99.12 acre tract and the easterly line of Lot 1, Palm Harbor, bears North 47°11'07" West a distance of 429.85 feet (record North 45°27'46" West a distance of 429 93 feet);

THENCE South 47°11'07" East, crossing through the remainder of a 99.12 acre tract, a distance of 120 62 feet to the POINT OF BEGINNING

This parcel contains 19.41 acres of land, more or less, out of the Santiago Del Valle Grant in Travis County, Texas.

Description prepared from an on-the-ground survey made during June, 2007.

Bearing Basis: Texas State Plane Coordinate System, Central Zone, NAD 83/93.

J. Scott Laswell

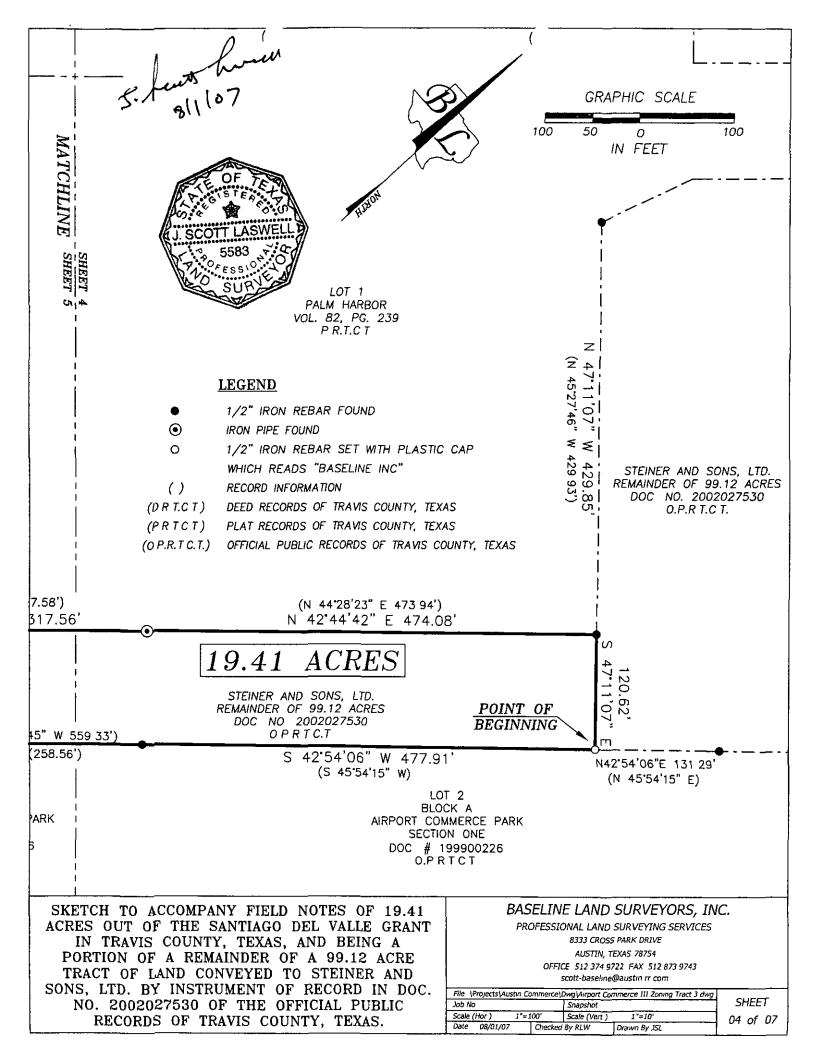
Date

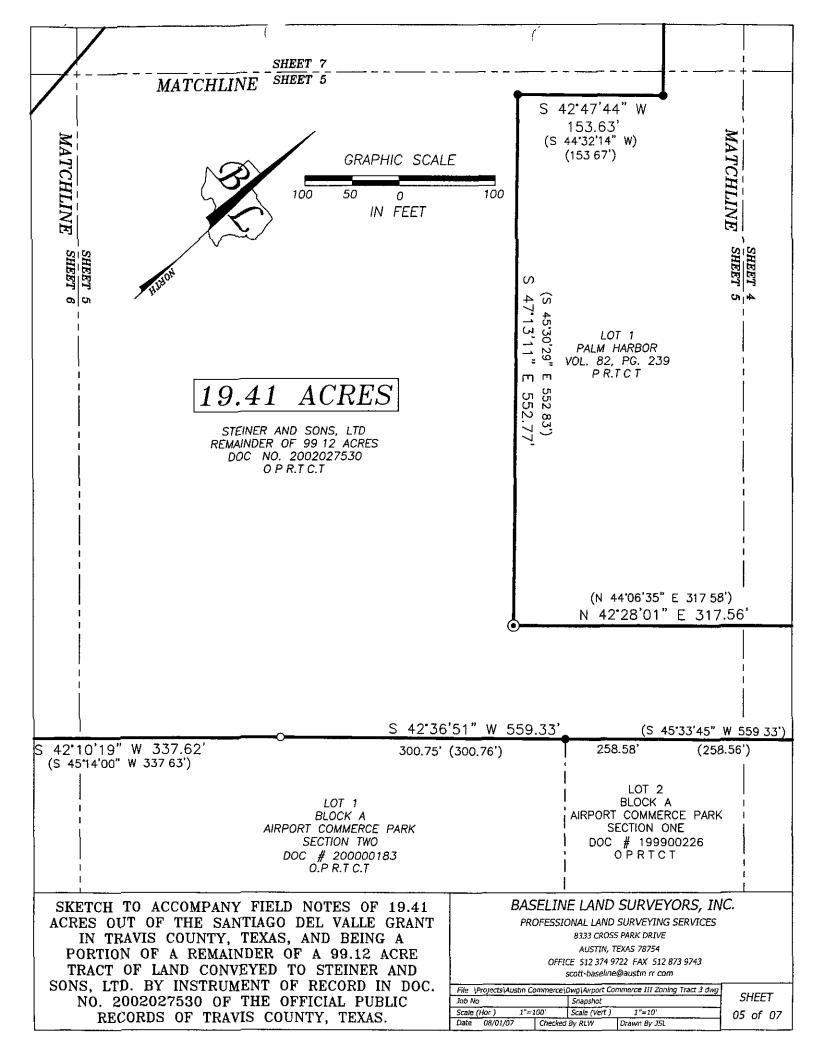
Registered Professional Land Surveyor

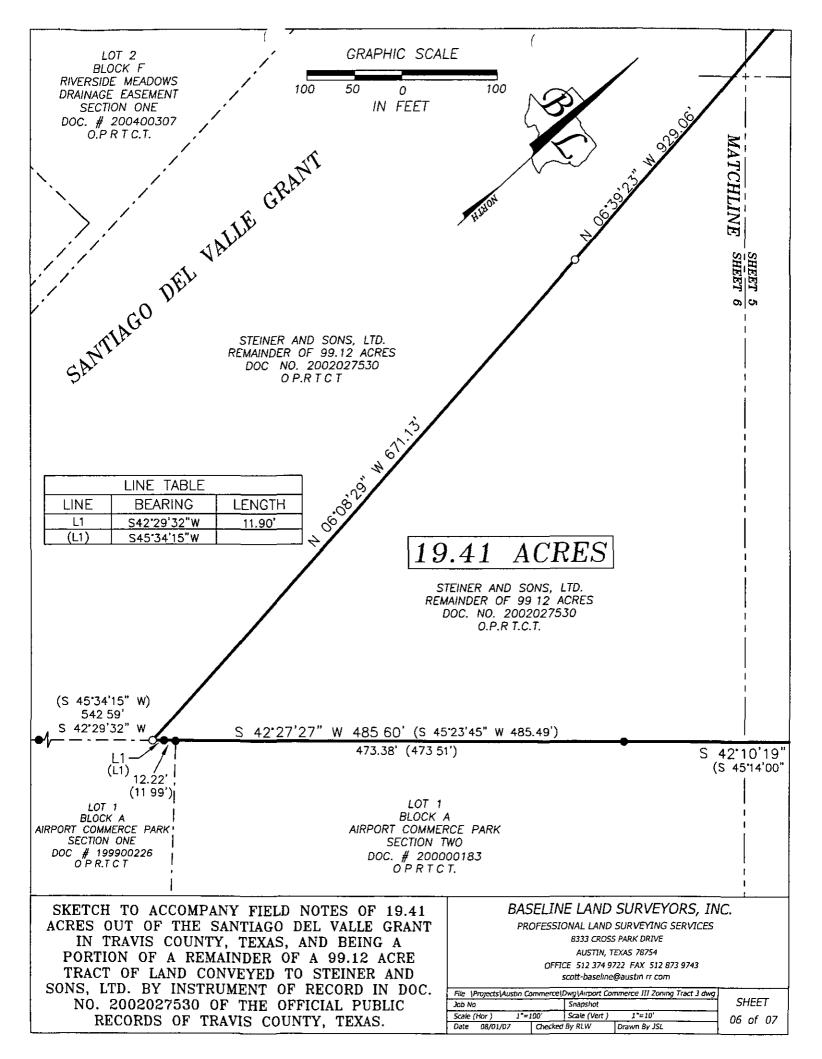
State of Texas No. 5583

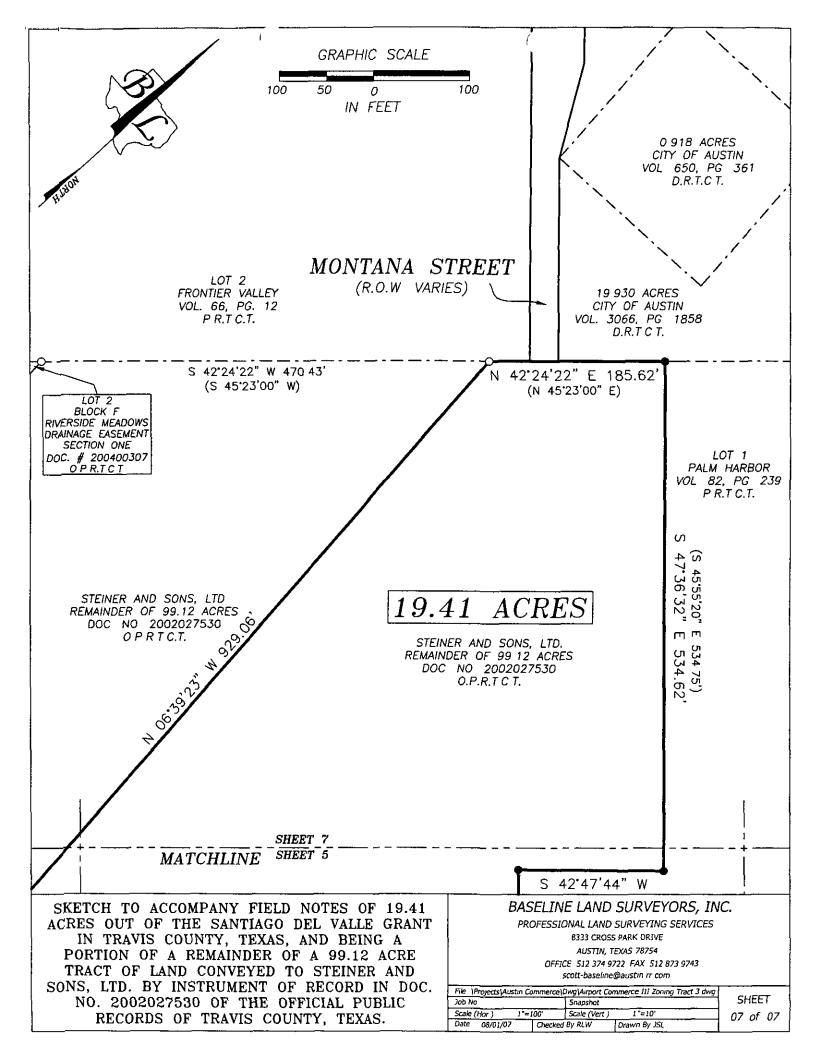
Attachments: Baseline\Projects\Austin Commerce\Dwg\ACIII Zoning Tract 3.dwg

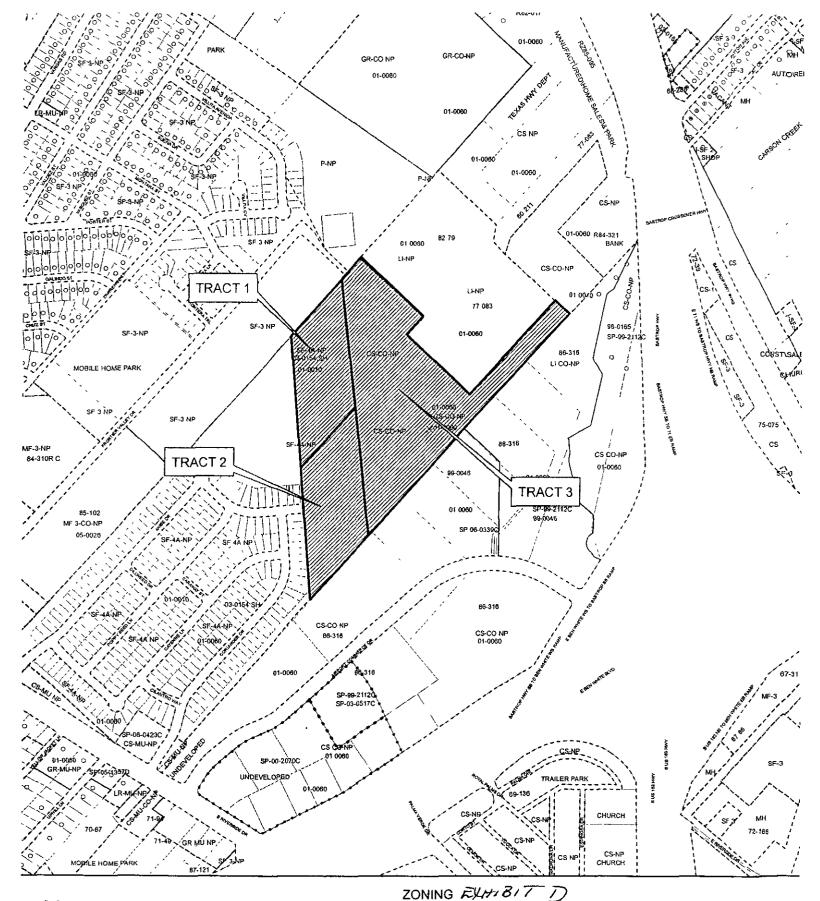
File: Baseline\Projects\Austin Commerce\Documents\Fieldnotes\ACIII Zoning Tract 3.doc

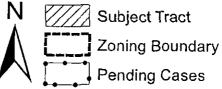












ZONING CASE#: C14-2007-0186 ADDRESS: 912 BASTROP HWY SUBJECT AREA: 33 54 ACRES GRID: L18-19 M18-19

MANAGER: R. HEIL

