

ORDINANCE NO. 20080508-085

AN ORDINANCE AMENDING ORDINANCE NO. 910620-C, REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1103 AND 1105 NORTH IH-35 SERVICE ROAD NORTHBOUND IN SUBDISTRICT THREE OF THE EAST 11TH STREET NEIGHBORHOOD CONSERVATION COMBINING DISTRICT AND THE CENTRAL EAST AUSTIN NEIGHBORHOOD PLAN AREA FROM COMMERCIAL LIQUOR SALES-CONDITIONAL OVERLAY-NEIGHBORHOOD CONSERVATION-NEIGHBORHOOD PLAN (CS-1-CO-NCCD-NP) COMBINING DISTRICT AND COMMERCIAL LIQUOR SALES-NEIGHBORHOOD CONSERVATION-NEIGHBORHOOD PLAN (CS-1-NCCD-NP) COMBINING DISTRICT TO COMMERCIAL LIQUOR SALES-NEIGHBORHOOD CONSERVATION-NEIGHBORHOOD PLAN (CS-1-NCCD-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 commercial liquor sales-conditional overlay-neighborhood conservation-neighborhood plan (CS-1-CO-NCCD-NP) combining district and commercial liquor sales-neighborhood conservation-neighborhood plan (CS-1-NCCD-NP) combining district to commercial liquor sales-neighborhood conservation-neighborhood plan (CS-1-NCCD-NP) combining district on the property described in Zoning Case No. C14-2008-0062, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.748 acre tract of land, more or less, out of Outlot 55, Division B, Original City of Austin, 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 1103 and 1105 North IH-35 Service Road Northbound, 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 general commercial services (CS) base district and other applicable requirements of the City Code.

PART 3. Ordinance No. 910620-C is amended as shown in the Part.

A. Attachment 16 of Ordinance No. 910620-0C is amended to include all residential uses as permitted uses of the Property. The residential uses are:

Bed & breakfast residential (Group 1)
Condominium residential
Group residential
Retirement housing (small site)
Single family attached residential
Small lot single family residential
Two family residential

Bed & breakfast residential (Group 2)
Duplex residential
Multifamily residential
Retirement housing (large site)
Single family residential
Townhouse residential

B. Ordinance No. 910620-C is amended to delete in its entirety, Part 4 (c) that requires a qualified archaeologist be on-site during excavation in Subdistrict Three.

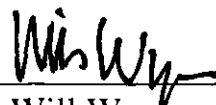
PART 4. The Property is subject to Ordinance No. 910620-C that established the East 11th Street neighborhood conservation (NCCD) combining district and Ordinance No. 011213-041 that established the Central East Austin neighborhood plan (NP) combining district. To the extent of conflict between the two ordinances, the use and site development regulations applicable to the East 11th Street neighborhood conservation (NCCD) combining district supersede.

PART 5. This ordinance takes effect on May 19, 2008.

PASSED AND APPROVED

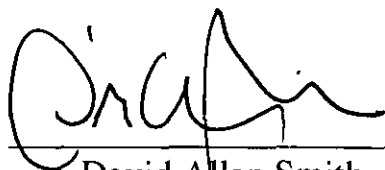
_____, May 8, 2008

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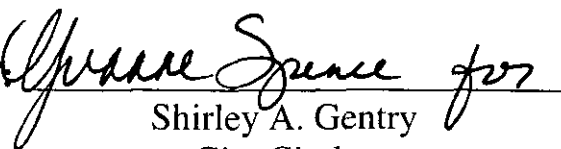
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

FIELD NOTES
FOR

EXHIBIT 1A

0.748 ACRE OF LAND

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE SUBDIVISION OF OUTLOT 55, DIVISION B IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OF RECORD IN VOLUME Z, PAGE 599 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 1.418 ACRE TRACT OF LAND CONVEYED TO REUBEN D. TALASEK BY INSTRUMENT RECORDED IN VOLUME 4139, PAGE 2120 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a disc found in concrete at the Northwest corner of said 1.418 acre tract, being in the East r.o.w. line of Interstate Hwy No. 35, for the Northwest corner and PLACE OF BEGINNING hereof;

THENCE along the North line of said 1.418 acre tract, S 88°12'51" E for a distance of 303.57 feet to a mag nail found in concrete at the Northeast corner of said 1.418 acre tract, being in the West r.o.w. line of Branch Street, for the Northeast corner hereof;

THENCE along the East line of said 1.418 acre tract, being along the West r.o.w. line of Branch Street, S 24°18'19" W for a distance of 147.27 feet to a ½ inch capped iron pin set for the Southeast corner hereof;

THENCE along the South line of the herein described tract, N 65°27'56" W for a distance of 103.63 feet to a ½ inch iron pin found at an angle point and S 72°54'23" W for a distance of 138.36 feet to a ½ inch iron pin found in the West line of said 1.418 acre tract, being in the East r.o.w. line of Interstate Hwy No. 35, for the Southwest corner hereof;

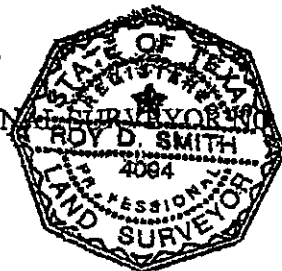
THENCE along the West line of said 1.418 acre tract, being along the East r.o.w. line of Interstate Hwy No. 35, N 11°19'57" W for a distance of 123.71 feet to a disc found in concrete at an angle point and N 21°50'24" E for a distance of 21.57 feet to the PLACE OF BEGINNING and containing 0.748 acre of land, more or less.

SURVEYED BY:
Roy D. Smith Surveyors, P.C.

Roy D. Smith
ROY D. SMITH

REGISTERED PROFESSIONAL SURVEYOR 4094
February 18, 2005




Job No. 3001





ZONING EXHIBIT B



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

ZONING CASE# C14-2008-0062
 ADDRESS 1103 & 1105 N IH 35
 SUBJECT AREA 0.748 ACRES
 GRID J22
 MANAGER J. HARDEN



OPERATOR S MEEKS

1" = 400'

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