

ORDINANCE NO. 20080828-097

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 6406 NORTH IH-35 SERVICE ROAD SOUTHBOUND SUITE 1600, FROM GENERAL COMMERCIAL SERVICES (CS) DISTRICT TO COMMERCIAL-LIQUOR SALES-CONDITIONAL OVERLAY (CS-1-CO) 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 (CS) district to commercial-liquor sales-conditional overlay (CS-1-CO) combining district on the property described in Zoning Case No C14-2008-0139, on file at the Neighborhood Planning and Zoning Department, as follows

A 6,145 square feet tract of land, more or less, out of the James P Wallace Survey No 52, Abstract No 789, 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 6406 IH-35 North Service Road Southbound, Suite 1600, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B"

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

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.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the commercial-liquor sales (CS-1) base district, and other applicable requirements of the City Code

PART 3. This ordinance takes effect on September 8, 2008

PASSED AND APPROVED

§
§
§
_____, August 28, 2008

Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A Gentry
City Clerk

Waterloo Surveyors Inc.

Office 512-481-9602
Fax 512-330-1621
Page 1 of 2

Thomas P Dixon
R P L S 4324
J12023

EXHIBIT "A"

June 6, 2008

FIELD NOTES

6,145 SQUARE FEET OF LAND, MORE OR LESS, OUT OF THE JAMES P. WALACE SURVEY, NO. 57, ABSTRACT NO. 789, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, SAME BEING OUT OF AND PART OF THAT CERTAIN 15.6129 ACRES OF LAND CONVEYED TO GLEN A. MAJURE, AS TRUSTEE, RECORDED IN VOLUME 10830, PAGE 338, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS; FOR WHICH A MORE PARTICULAR DESCRIPTION BY METES AND BOUNDS IS AS FOLLOWS:

BEGINNING FOR REFERENCE at a pipe found on the east R O W. of Middle Fiskville Road at the S.W corner of said 15 6129 acre tract, from which point an iron rod found on the west R O W of Interstate Highway 35 at the S E corner of said 15 6129 acre tract bears S60°13'30"E at a distance of 692 49 feet,

THENCE N29°44'13"E along the common east R O W of Middle Fiskville Road and the west line of said 15 6129 acre tract for a distance of 866 60 feet,

THENCE S60°15'54"E, crossing into said 15 6129 acre tract for a distance of 83 96 feet to a point at the corner of an existing one story stucco building for the **POINT OF BEGINNING** hereof,

THENCE the following three (3) courses and distances along the exterior perimeter of said building

- 1 N08°14'40"E for a distance of 79 97 feet to an angle point,
- 2 N53°14'40"E for a distance of 12 20 feet to an angle point,
- 3 S81°45'20"E for a distance of 55 53 feet to an angle point,

THENCE S08°21'50"W, crossing said building for a distance of 65 31 feet to a point on the exterior of said building,

THENCE the following twenty (20) courses and distances along the exterior perimeter of said building:

- 1 S08°21'50"W for a distance of 23.50 feet to an angle point,
- 2 S53°21'50"W for a distance of 11 80 feet to an angle point,
- 3 N81°38'10"W for a distance of 7 60 feet to an angle point,
- 4 S08°21'50"W for a distance of 3 10 feet to an angle point;
- 5 N81°38'10"W for a distance of 4 30 feet to an angle point,
- 6 S08°21'50"W for a distance of 2 00 feet to an angle point,
- 7 N81°38'10" W for a distance of 3 62 feet to an angle point,
- 8 N08°21'50"E for a distance of 2 20 feet to an angle point,
- 9 S81°38'10"E for a distance of 1 50 feet to an angle point,
- 10 N08°21'50"E for a distance of 4 20 feet to an angle point,

625 Industrial Boulevard
Austin, Texas 78745

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Page 2 of 2

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EXHIBIT "A"

June 6, 2008

FIELD NOTES

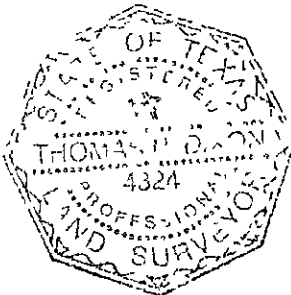
- 11 N81°38'10"W for a distance of 18 30 feet to an angle point,
- 12 S08°21'50"W for a distance of 4.20 feet to an angle point,
- 13 S81°38'10"E for a distance of 1 70 feet to an angle point,
- 14 S08°21'50"W for a distance of 2.20 feet to an angle point,
- 15 N81°38'10"W for a distance of 3 80 feet to an angle point,
- 16 N08°21'50"E for a distance of 2 00 feet to an angle point,
- 17 N81°38'10"E for a distance of 5 10 feet to an angle point,
- 18 N08°21'50"E for a distance of 3 10 feet to an angle point,
- 19 N81°45'55"W for a distance of 7 72 feet to an angle point,
- 20 N36°29'09"W for a distance of 11 90 feet to the **POINT OF BEGINNING**, containing 6,145 square feet of land

BEARING BASE South line of said 15 6129 acre tract having a bearing of S60°13'30"E

I, the undersigned do hereby certify that the field notes hereon were prepared from an actual on-the-ground survey under my direct supervision and that they are true and correct to the best of my knowledge



Thomas P Dixon R.P L S. 4324



625 Industrial Boulevard
Austin, Texas 78745

LOT 5
87/170D

LOT 6A-2A
74/60

HIGHLAND MALL BLVD.

LOT 3F
RESUBDIVISION OF LOTS
3A, 3B-1, 3C-1, 3D
AUSTIN MALL
74/60

LOT 3E

LOT 3D
RESUBDIVISION OF LOT 3C
AUSTIN MALL
62/52

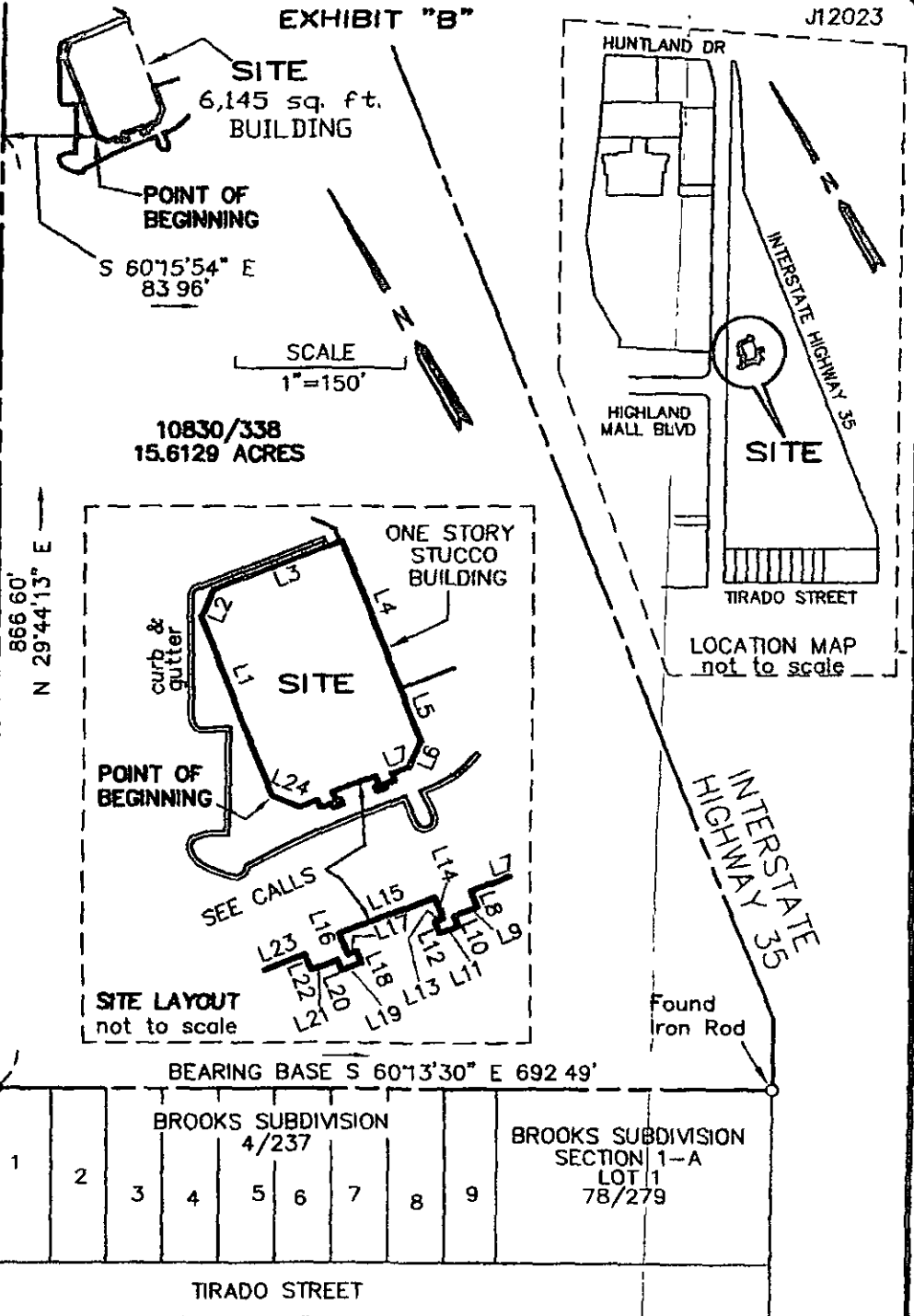
MIDDLE FISKVILLE ROAD

BEGINNING FOR REFERENCE
Found Pipe

866.60'
N 29°44'13" E

EXHIBIT "B"

J12023



BUILDING COURSE & DISTANCE CALLS

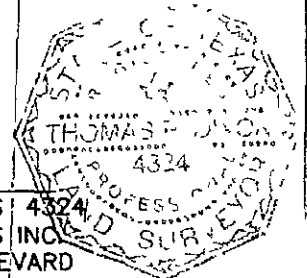
LINE	DIRECTION	DISTANCE
L1	N 08°14'40" E	79.97'
L2	N 53°14'40" E	12.20'
L3	S 81°45'20" E	55.53'
L4	S 08°21'50" W	65.31'
L5	S 08°21'50" W	23.50'
L6	S 53°21'50" W	11.80'
L7	N 81°38'10" W	7.60'
L8	S 08°21'50" W	3.10'
L9	N 81°38'10" W	4.30'
L10	S 08°21'50" W	2.00'
L11	N 81°38'10" W	3.62'
L12	N 08°21'50" E	2.20'
L13	S 81°38'10" E	1.50'

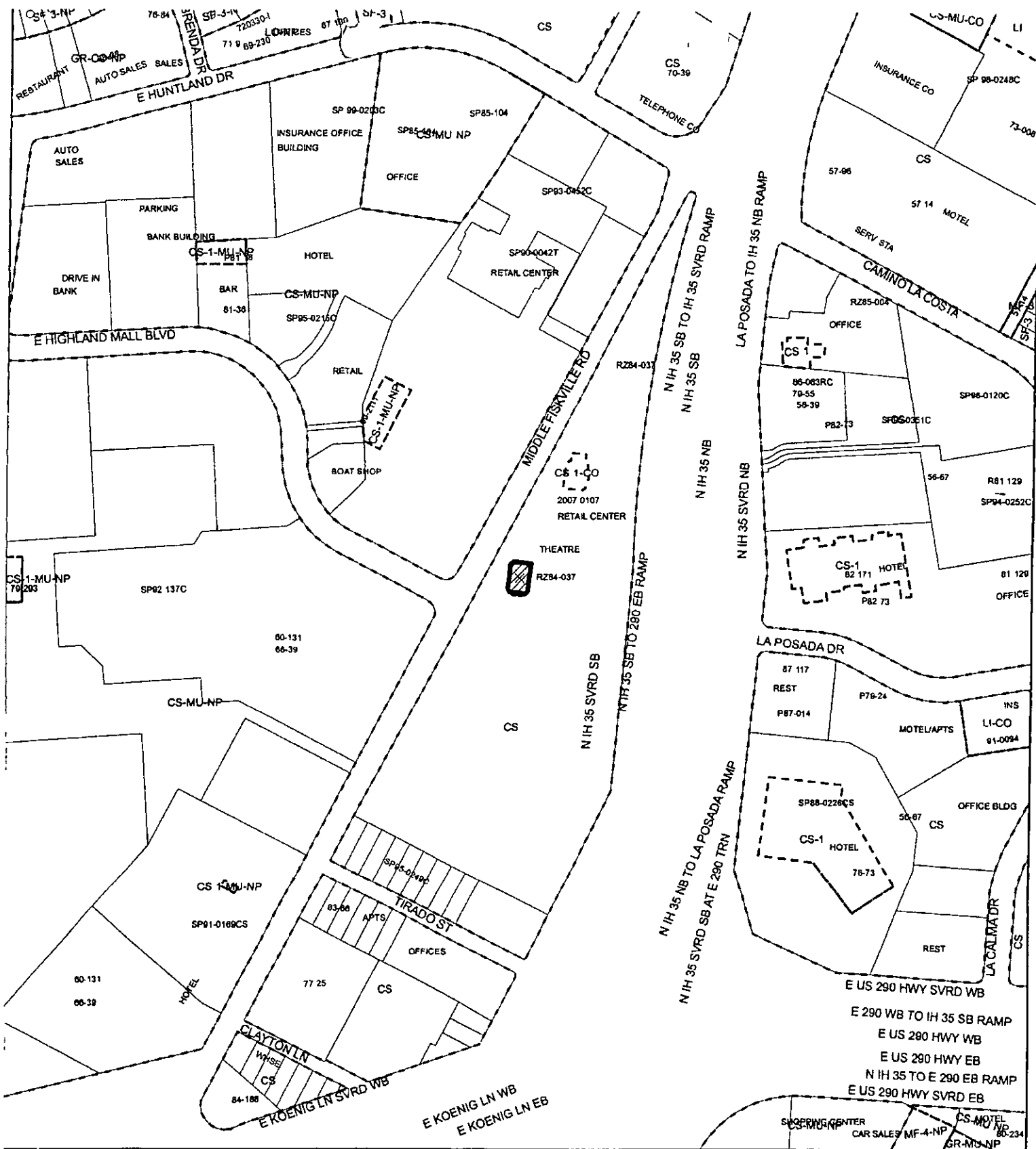
LEGAL DESCRIPTION:

6,145 SQUARE FEET OF LAND, MORE OR LESS, OUT OF AND PART OF THAT CERTAIN 15.6129 ACRES OF LAND RECORDED IN VOLUME 10830, PAGE 338, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS

L14	N 08°21'50" E	4.20'
L15	N 81°38'10" W	18.30'
L16	S 08°21'50" W	4.20'
L17	S 81°38'10" E	1.70'
L18	S 08°21'50" W	2.20'
L19	N 81°38'10" W	3.80'
L20	N 08°21'50" E	2.00'
L21	N 81°38'10" W	5.10'
L22	N 08°21'50" E	3.10'
L23	N 81°45'55" W	7.72'
L24	N 36°29'09" W	11.90'




THOMAS DIXON R.P.L.S. 4324
WATERLOO SURVEYORS INC.
625 INDUSTRIAL BOULEVARD
AUSTIN, TEXAS 78745
Phone 512-481-9602





ZONING EXHIBIT B

ZONING CASE# C14-2008-0139
 ADDRESS 6406 N IH 35 SVRD SB SUITE 1600
 SUBJECT AREA 0.14 ACRES
 GRID L27
 MANAGER C PATTERSON

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

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.

