

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 8008 SOUTH CONGRESS AVENUE FROM DEVELOPMENT RESERVE (DR) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-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 development reserve (DR) district to general commercial services-conditional overlay (CS-CO) combining district on the property described in Zoning Case No. C14-2008-0100, on file at the Neighborhood Planning and Zoning Department, as follows:

Two tracts of land being a total of 6.505 acres, more or less, out of the William Cannon League in Travis County, the tracts of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 8008 South Congress Avenue, 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. A 100-foot wide building setback shall be established from Hubach Lane.
- B. A 50-foot wide vegetative buffer shall be established and maintained from the Hubach Lane right-of-way. Improvements permitted within the buffer zone are limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
- C. 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.

1 D. The following uses are prohibited uses of the Property:

2  
3 Adult-oriented businesses  
4 Automotive rentals  
5 Commercial blood plasma center

Automotive repair services  
Automotive sales  
Pawn shop services

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

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11 **PART 3.** This ordinance takes effect on \_\_\_\_\_, 2008.

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14 **PASSED AND APPROVED**

15  
16 \_\_\_\_\_, 2008

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§  
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18  
19 \_\_\_\_\_  
20 Will Wynn  
21 Mayor

22  
23 **APPROVED:**

24 David Allan Smith  
25 City Attorney

**ATTEST:**

\_\_\_\_\_  
Shirley A. Gentry  
City Clerk

**EXHIBIT "A"****LEGAL DESCRIPTION****TWO TRACTS OF LAND OUT OF THE  
WILLIAM CANNON LEAGUE  
TRAVIS COUNTY, TEXAS**

ALL THOSE CERTAIN PARCELS OR TRACTS OF LAND OUT OF THE WILLIAM CANNON LEAGUE IN TRAVIS COUNTY, TEXAS, DESCRIBED AS TRACT 1, 2.892 ACRES, AND TRACT 2, 3.613 ACRES, BOTH DESCRIBED IN A DEED TO MARK S. YANDOW AND SANDRA L. YANDOW REVOCABLE TRUST AND PAUL F. OLIVVERIO AND CATHERINE A. OLIVERIO, OF RECORD IN DOCUMENT No. 2007155766 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACTS BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**TRACT 1**

BEGINNING at a point in the west line of Congress Avenue, at the southeast corner of said Yandow Tract 1, at the northeast corner of 1 acre described in a deed to Chris Clark, of record in Document No. 1999028861 of the Travis County Official Public Records, for the southeast corner and POINT OF BEGINNING hereof, and from which a concrete TxDot ROW monument found bears S15°23'16"W at a distance of 1328.75 feet

THENCE with the north line of said Clark tract and then the north line of 4 acres described in a deed to Chris Clark, of record in Document No. 1999065455 of the Travis County Official Public Records, and with the south line of said Yandow Tract 1, at a distance of 0.81 feet passing a 1/2" iron rod found and continuing on for a total distance of 851.44 feet to a 1/2" iron rod found at the northwest corner of said 4 acre tract, in the northeast line of a strip of land (currently unimproved) shown on the Travis County Appraisal District records as Hubach Lane (no recording information found), at the southwest corner of said Yandow Tract 1 for the southwest corner hereof

THENCE with the southwest line of said Yandow Tract 1 and northeast line of said Hubach Lane, N17°01'42"W for a distance of 171.05 feet to a ½" iron rod found at the northwest corner of said Yandow Tract 1 and southwest corner of Rob Ormond's 2.546 acre tract as described in Volume 11090, Page 1465 of the Travis County Real Property Records, for the northwest corner hereof

THENCE with the north line of said Yandow Tract 1, and with the south line of said Ormond tract S74°02'12"E for a distance of 317.80 feet to a ½" iron rod found at a southeast corner of said Ormond tract and the southwest corner of said Yandow Tract 2

THENCE continuing with the north line of said Yandow Tract 1 and south line of said Yandow Tract 2, S74°01'40"E for a distance of 625.21 feet to a point in the west line of Congress Avenue at the northeast corner of said Yandow Tract 1 and southeast corner of said Yandow Tract 2, for the northeast corner hereof, and from which a ½" iron rod found bears S74°01'40"E at a distance of 0.79 feet

THENCE with the east line of said Yandow Tract 1 and west line of Congress Avenue, S15°19'00"W for a distance of 137.02 feet to the POINT OF BEGINNING hereof and containing 2.892 acres of land, more or less.

## TRACT 2

BEGINNING at a point in the west line of Congress Avenue at the northeast corner of the above described Tract 1 and southeast corner of said Yandow Tract 2 for the southeast corner and POINT OF BEGINNING hereof

THENCE with the south line of said Yandow Tract 2 and north line of said Yandow Tract 1, N74°01'40"W for a distance of 625.21 feet to a ½" iron rod found at the southwest corner of said Yandow Tract 2 and a southeast corner of said Rob Ormonds 2.546 acre tract for the southwest corner hereof

THENCE with the east line of said Ormond 2.546 acre tract and the west line of said Yandow Tract 2, the following 4 calls:

1. N13°55'57"E for a distance of 107.02 feet to a ½" iron rod found at an angle point
2. N58°44'42"E for a distance of 37.68 feet to a ½" iron rod found at

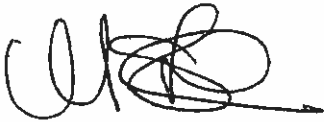
an angle point

3. N26°34'41"E for a distance of 56.58 feet to a ½" iron rod found at an angle point
4. N46°56'40"E for a distance of 52.37 feet to a ½" iron rod found at the northeast corner of said Ormond 2.546 acre tract and northwest corner of said Yandow Tract 2, in the south line of Rob Ormonds 3.847 acre tract, for the northwest corner hereof

THENCE with the south line of said Ormond 3.847 acre tract and said Yandow Tract 2 S74°01'49"E for a distance of 547.58 feet to a point in the west line of Congress Avenue at the southeast corner of said Ormond 3.847 acre tract and northeast corner of said Yandow Tract 2 for the northeast corner hereof, and from which a ½" iron rod found bears S74°01'49"E at a distance of 0.95 feet

THENCE with the east line of said Yandow Tract 2 and west line of Congress Avenue, S15°19'00"W for a distance of 260.89 feet to the POINT OF BEGINNING hereof and containing 3.613 acres of land, more or less.

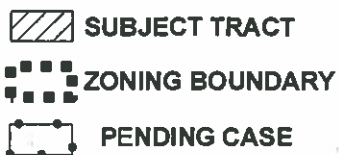
Prepared April 28, 2008 from previous surveys made by the undersigned



Michael Samford, RPLS 3693  
080108

Bearing Basis: TxDot from tacked hubs found at Sta. 380+00 and 379+50  
Refer to Samford & Associates Survey Plan No. 070155 for additional information, including location of various TxDot Monuments recovered.





**ZONING CASE#: C14-2008-0100**  
**ADDRESS: 8008 S CONGRESS AVE**  
**SUBJECT AREA: 6.505 ACRES**  
**GRID: G14**  
**MANAGER: W. RHOADES**

**1" = 400'**