

ORDINANCE NO. 20081023-082

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 11810 NORTH STATE HIGHWAY 130 SOUTHBOUND AND CHANGING THE ZONING MAP FROM UNZONED (UNZ) TO COMMERCIAL HIGHWAY SERVICES-CONDITIONAL OVERLAY (CH-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 unzoned (UNZ) to commercial highway services-conditional overlay (CH-CO) combining district on the property described in Zoning Case No. C14-2008-0133, on file at the Neighborhood Planning and Zoning Department, as follows:

A 6.360 acre tract of land, more or less, out of the William A. Sanders Survey No. 54, Abstract No. 690, 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 11810 North State Highway 130 Southbound, 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. Adult oriented businesses use is a prohibited use of the Property.
- B. 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.

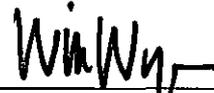
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the commercial highway services (CH) base district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on November 3, 2008.

PASSED AND APPROVED

October 23, 2008

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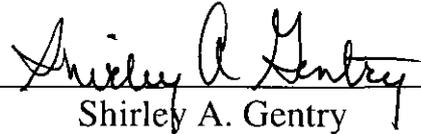
Will Wynn
Mayor

APPROVED:

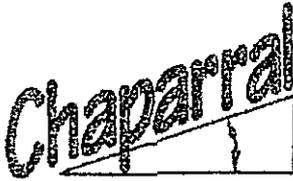


David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

EXHIBIT A

**6.360 ACRES
WILLIAM H. SANDERS SURVEY NO. 54, ABSTRACT NO. 690
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 6.360 ACRES (APPROX 277,051 S.F.) IN THE WILLIAM A. SANDERS SURVEY NO. 54, ABSTRACT NO. 690, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 26.00 ACRE TRACT CONVEYED TO HARRY AND JERRY RAY PETERSON BY SPECIAL WARRANTY DEED DATED NOVEMBER 29, 1983 AND RECORDED IN VOLUME 8350, PAGE 347 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 6.360 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found in the west line of the said 26.00 acre tract, being in the east line of a 15.534 acre tract described in Document No. 2006043306 of the Official Public Records of Travis County, Texas, and also being in the west right-of-way line of State Highway 130 (right-of-way width varies) and being the west line of a 17.865 acre tract described in Document Numbers 2004142528, 2004144102, and 2007156154 of the Official Public Records of Travis County, Texas, from which a 1/2" rebar found in the west right-of-way of said State Highway 130, being the north line of said 15.534 acre tract, bears along a curve to the right, an arc distance of 1550.06 feet, having a radius of 3204.94 feet, a delta angle of 27°42'39" and a chord which bears North 14°07'09" East, a distance of 1534.99 feet;

THENCE over and across the 26.00 acre tract, with the west right-of-way line of State Highway 130 and the west line of the 17.865 acre tract, along a curve to the left, an arc distance of 737.23 feet, having a radius of 3204.94 feet, a delta angle of 13°10'47" and a chord which bears South 08°20'54" East, a distance of 735.60 feet to a 1/2" rebar found in the east line of the 26.00 acre tract, being an angle point in the west right-of-way line of State Highway 130, also being the west line of the 17.865 acre tract and also being in the west line of a 13.360 acre tract described in Document No. 2004108895 of the Official Public Records of Travis County, Texas, and being also the west line of a 26.58 acre tract described in Volume 8625, Page 1933 of the Deed Records of Travis County, Texas;

THENCE South 27°54'26" West with the east line of the 26.00 acre tract and the west right-of-way line of State Highway 130, and being the west line of the said 13.630 acre tract and the west line of the 26.58 acre tract, a distance of 105.14 feet to a 1/2" rebar found for an angle point in the west line of the 13.360 acre tract,

THENCE South 27°59'08" West, with the east line of 26.00 acre tract, being the west line of the 26.58 acre tract, a distance of 284.61 feet to a 1" iron pipe found for the

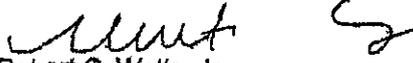
EXHIBIT A 1/2

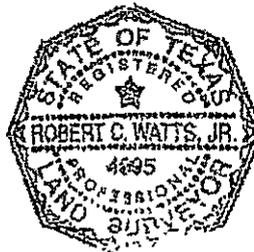
southeast corner of the 26.00 acre tract, being the southwest corner of the 26.58 acre tract, and also being in the north line of a 365.243 acre tract described in Volume 13100, Page 1 of the Real Property Records of Travis County, Texas, from which a 1/2" rebar found in the north line of the said 365.243 acre tract, being the southeast corner of the 26.58 acre tract, bears South 62°04'28" East, a distance of 293.08 feet;

THENCE North 62°03'21" West with the south line of the 26.00 acre tract and the north line of the 365.243 acre tract, a distance of 414.27 feet to a 1/2" Iron pipe found for the southwest corner of the 26.00 acre tract, being the southeast corner of the 15.534 acre tract, from which a 1" Iron pipe found in the north line of the 365.243 acre tract, being the southwest corner of the 15.534 acre tract, bears North 62°00'00" West, a distance of 415.61 feet;

THENCE North 27°56'30" East with the west line of the 26.00 acre tract and the east line of the 15.534 acre tract, a distance of 997.49 feet to the POINT OF BEGINNING, containing 6.360 acres of land, more or less.

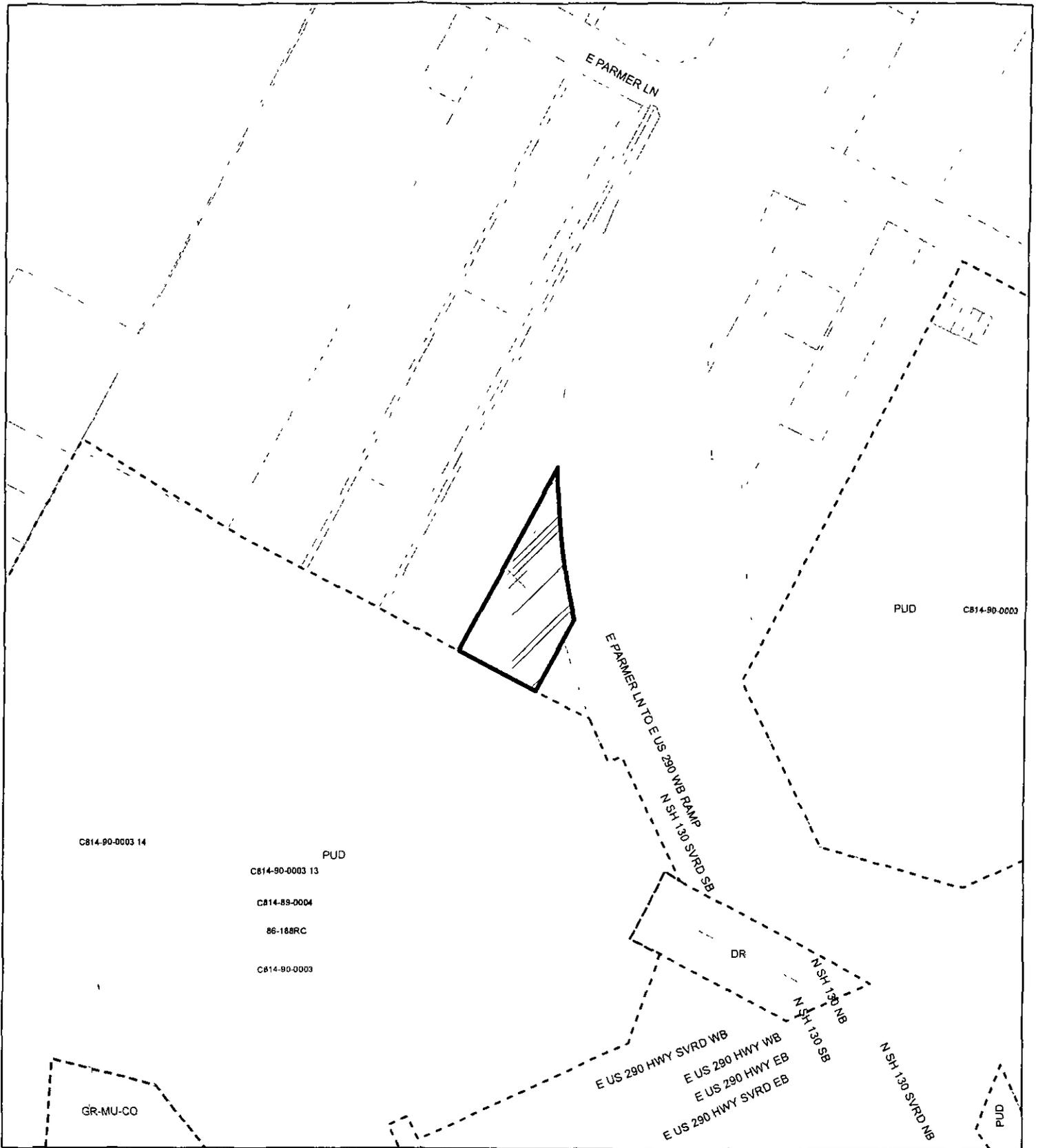
Surveyed on the ground October, 2007. Bearing basis is Grid Azimuth for Texas Central Zone, 1983/93 HARN values from LCRA control network. Attachments: Survey Drawing No. 014-074-EX2.


Robert C. Watts, Jr.
Registered Professional Land Surveyor
State of Texas No. 4995



1-23-08

EXHIBIT A 4/2



ZONING EXHIBIT B



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

ZONING CASE# C14-2008-0133
 ADDRESS 11810 N SH 130
 SUBJECT AREA 6.36 ACRES
 GRID R29
 MANAGER J. HARDEN



OPERATOR S MEEKS

1" = 600'

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.