

ORDINANCE NO. 20081023-083

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 11900 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. C14-2008-0134, on file at the Neighborhood Planning and Zoning Department, as follows:

A 15.528 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 11900 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

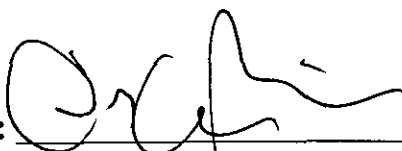
_____, October 23 _____, 2008

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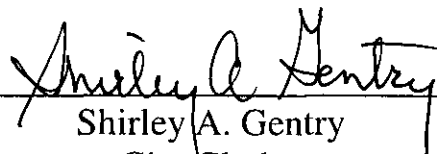
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

EXHIBIT A
FIELD NOTES

BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART THE WILLIAM H. SANDERS SURVEY NO. 54, ABSTRACT NO. 690, SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT MORE PARTICULARLY DESCRIBED AS BEING ALL OF THAT CERTAIN 15.528 ACRE TRACT OF LAND CONVEYED TO BOYCE FIFTEEN, LTD., A TEXAS LIMITED PARTNERSHIP BY DEED RECORDED IN DOCUMENT NUMBER 2006043306 OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at an iron pipe found at the Southeasterly corner of said Boyce tract, same being the Southwesterly corner of that certain remainder tract of a 26.00 acre tract of land conveyed to Harry Peterson and Jerry Ray by deed recorded in Volume 8350, Page 347 of said Deed Records, for the Southeasterly corner and the **POINT OF BEGINNING** of the herein described tract,

THENCE, N62°00'19"W, following the Southerly line of said Jones tract, 415.73 feet to an iron pipe found at the Southwesterly corner of said Boyce tract, same being the Southeasterly corner of Lot 3, Boyce Lane Subdivision, a subdivision recorded in Volume 75, Page 193, Plat Records of Travis County, Texas, for the Southwesterly corner of the herein described tract,

THENCE, N27°55'18"E, following the common division line of said Lot 1 and said Boyce tract, 2718 20 feet to an iron pipe found in the South right-of-way line of Parmer Lane, an existing public right-of-way, at the common North corner of said Lot 1, and said Boyce tract, for the Northwesterly corner of the herein described tract,

THENCE, the following two (2) courses and distances numbered 1 and 2,

1. S63°11'39"E, following said right-of-way line, 14.09 feet to an Iron pin found at the intersection of said Parmer Lane and State Highway 130, said point being the Northwesterly corner of that certain Save and Except tract known as Parcel 190 conveyed to the State of Texas and dedicated as said State Highway 130,
2. S17°44'55"E, 49.34 feet to an Iron pin found in the West right-of-way line of State Highway 130, for the most Northeasterly corner of the herein described tract,

THENCE, the following three (3) courses and distances numbered 1 through 3,

1. S27°57'12"W, following said right-of-way, 196.75 feet to an iron pin found at the beginning of a curve,
2. with a curve to the left having a radius of 3204.94 feet, an arc length of 1549.68 feet and whose chord bears S14°06'04"W, 1534.63 feet to an iron pin found in the common division line of said Boyce tract and said Peterson/Ray tract,
3. S27°55'47"W, leaving said right-of-way line, following said common division line, 997 58 feet to the **POINT OF BEGINNING** containing 15.528 Acres Of Land.

Surveyed By: *Steve H. Bryson*

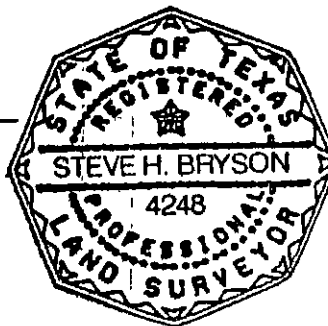
Steve H. Bryson ~ R.P.L.S. No. 4248

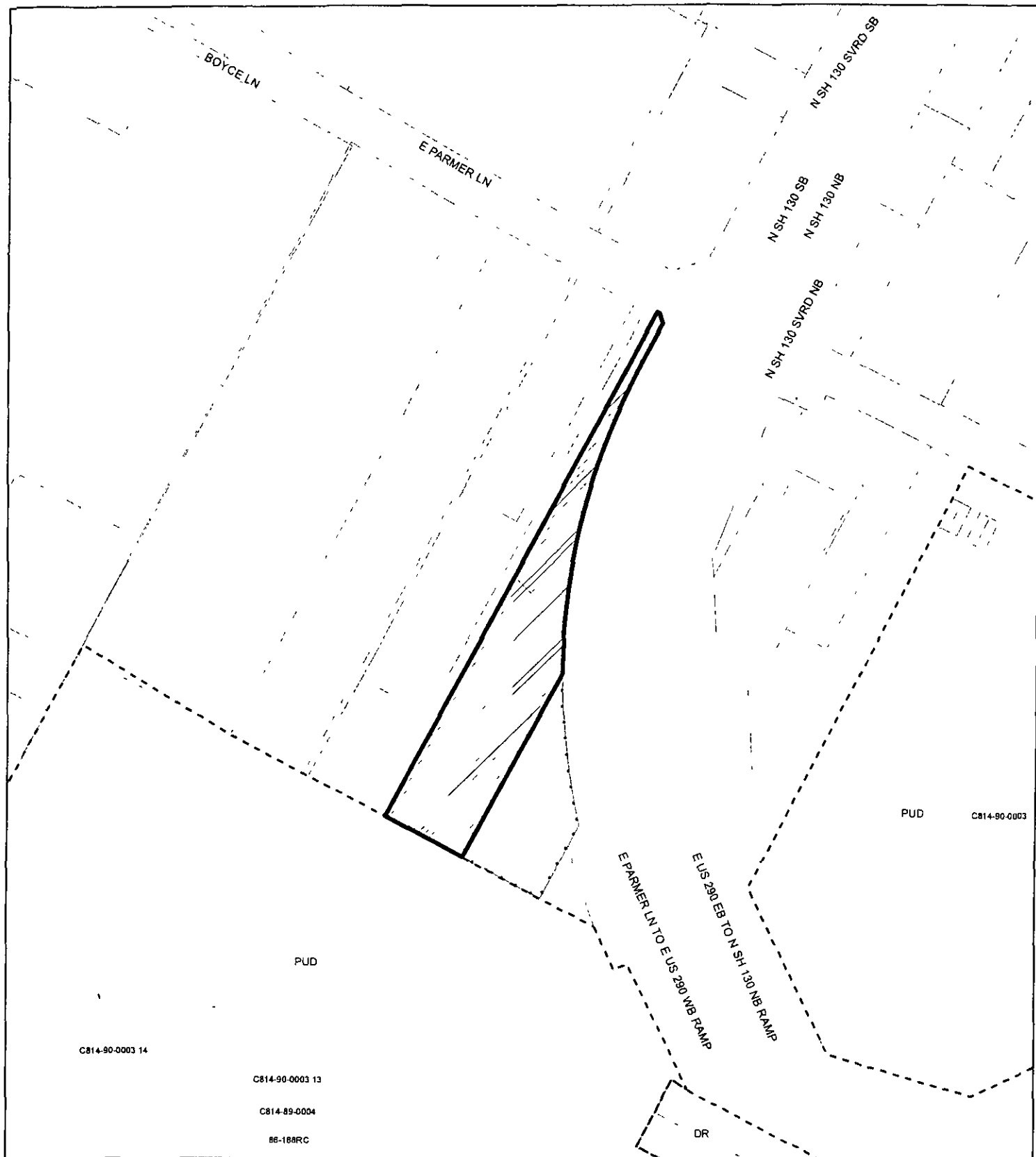
STEVE H. BRYSON SURVEYING CO.

7525 West Hwy. 71

Austin, Texas, 78735

Ph: (512) 288-2400 Fax: (512) 288-1307





ZONING EXHIBIT D



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE

OPERATOR S MEEKS

ZONING CASE# C14-2008-0134
 ADDRESS 11900 N SH 130
 SUBJECT AREA 15.528 ACRES
 GRID R29
 MANAGER J. HARDEN



1" = 600'

This map has been produced by G I S Services for the sole purpose of geographic reference
 No warranty is made by the City of Austin regarding specific accuracy or completeness