

ORDINANCE NO. _____

1 **AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE**
2 **PROPERTY LOCATED AT 11821-12124 SOUTH IH-35 SERVICE ROAD**
3 **NORTHBOUND AND CHANGING THE ZONING MAP FROM INTERIM-**
4 **RURAL RESIDENCE (I-RR) DISTRICT TO GENERAL COMMERCIAL**
5 **SERVICES-MIXED USE-CONDITIONAL OVERLAY (CS-MU-CO) COMBINING**
6 **DISTRICT.**

7
8 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**
9

10 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
11 change the base district from interim-rural residence (I-RR) district to general commercial
12 services-mixed use-conditional overlay (CS-MU-CO) combining district on the property
13 described in Zoning Case No. C14-2008-0221, on file at the Neighborhood Planning and
14 Zoning Department, as follows:
15

16 A 58.3885 acre tract of land, more or less, out of the Santiago Del Valle Grant,
17 Travis County, the tract of land being more particularly described by metes and
18 bounds in Exhibit "A" incorporated into this ordinance (the "Property"),
19

20 locally known as 11821-12124 South IH-35 Service Road Northbound, in the City of
21 Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".
22

23 **PART 2.** The Property within the boundaries of the conditional overlay combining district
24 established by this ordinance is subject to the following conditions:
25

26 A. A site plan or building permit for the Property may not be approved, released, or
27 issued, if the completed development or uses of the Property, considered
28 cumulatively with all existing or previously authorized development and uses,
29 generate traffic that exceeds 2,000 trips per day.
30

31 B. The following uses are conditional uses of the Property:
32

33 Custom manufacturing
34 Food preparation
35 Special use historic
36

Drop-off recycling collection facility
Residential treatment

C. The following uses are prohibited uses of the Property:

Adult-oriented businesses	Agricultural sales and services
Building maintenance services	Campground
Commercial blood plasma center	Construction sales and services
Convenience storage	Electronic prototype assembly
Electronic testing	Equipment repair services
Equipment sales	Kennels
Laundry service	Maintenance and service facilities
Monument retail sales	Pawn shop services
Printing and publishing	Transitional housing
Transportation terminal	Vehicle storage
Veterinary services	

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

PART 3. This ordinance takes effect on _____, 2009.

PASSED AND APPROVED

_____, 2009

§
§
§

Will Wynn
Mayor

APPROVED:

David Allan Smith
City Attorney

ATTEST:

Shirley A. Gentry
City Clerk

58.3885 Acres

Santiago Del Valle Grant
September 20, 2006

STATE OF TEXAS

COUNTY OF TRAVIS

§
§
§**EXHIBIT A**

FIELDNOTE DESCRIPTION of a tract or parcel of land containing 58.3885 acres situated in the Santiago Del Valle Grant, Travis County, Texas; being the same 58.46 acres described in a special warranty deed to George C. Conn Trustee recorded in Document No. 2000080218 of the Official Public Records of Travis County, Texas, and conveyed to Nancy Scanlan and Renate Conn, Co-Trustees, by the deed recorded in Document No. 2005136378, of the Official Public Records of Travis County, Texas, the said 58.3885 acre tract more particularly described by metes and bounds as follows;

BEGINNING at a calculated point in the intersection of the east right-of-way line of State Highway IH35 with the northeast line of the above said 58.46 acre tract, and the southwest line of Lot 1, "St. Alban's Addition", a subdivision of record in Book 86, Page 88-C of the Plat Records of Travis County, Texas; Said point of intersection bears S66°13'01"E, 1.16 feet from a ½" iron rod found for the common west corner of said Lot 1 and the 58.46 acre tract;

THENCE, S66°13'01"E, leaving the east line of State Highway IH35, at a distance of 1011.15 feet pass a ½" iron rod found 0.43 feet to the southwest for the southeast corner of above said "Lot 1" and the most westerly corner of a 8.17 acre tract conveyed to Protestant Episcopal Church Council by the deed recorded in Document No. 1999161671 of the said Official Public Records; and for a total distance of 1591.62 feet to a ½" iron rod found (marked "M&S 1838") for the northeast corner of the said 58.46 acre tract in the west line of a 27.0 acre tract, conveyed to Richard Spillman et al, by the deed recorded in Volume 6287, Page 218 of the Deed Records of Travis County, Texas; for the beginning of a boundary line agreement recorded in Volume 7640, Page 122 of the said Deed Records;

THENCE, in a southerly direction, with the common line between the 58.46 acre tract and the Spillman tract along the said boundary line agreement recorded in Volume 7640, Page 122 of the said Deed Records, with the following nine (9) courses:

1. S19°38'09"W, 419.23 feet to a 3/8" iron rod found;
2. S17°49'27"E, 176.11 feet to a ½" iron rod set with a plastic cap stamped "Capital Surveying Company, Inc.";
3. S27°39'33"E, 18.22 feet to a ½" iron rod set with a plastic cap stamped "Capital Surveying Company, Inc." for the north corner of a 0.138 acre tract conveyed to Richard Spillman by the deed recorded in Volume 7640, Page 122 of the said Deed Records;
4. S18°40'08"W, 135.04 feet to a ½" iron rod found (marked 'M&S 1838'), for the south corner of the said 0.136 acre tract
5. S78°33'28"W, 4.54 feet to a ½" iron rod found (marked "M&S 1838");

58.3885 Acres

EXHIBIT "A"

San Antonio Del Valle Grant
September 20, 2006

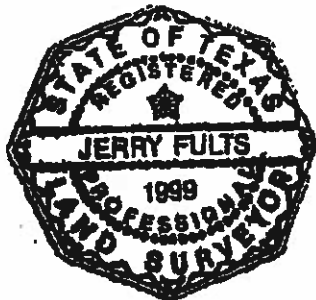
6. S00°42'24"E, 227.38 feet to a 1/2" iron rod found (marked "M&S 1838");
7. S45°58'10"W, 143.14 feet to a 3/8" iron rod found;
8. S25°24'11"W, 207.00 feet to a 3/4" iron rod found;
9. S07°45'17"E, 418.85 feet to a 5/8" iron rod found for the southeast corner of the said 58.46 acre tract and the end of the said boundary line agreement, being in the northeast line of a 449.05 acre tract described in a deed to Turnersville Development LTD recorded in Document No. 2000089761 of the said Official Public Records, said iron rod bears N62°13'05"W, 209.78 feet from a 100-D nail found in a 20" hackberry for an east corner of the 449.05 acre tract;

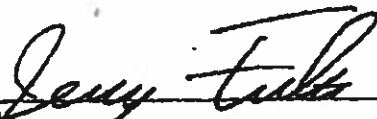
THENCE, N62°11'08"W, with the common line between the 449.05 acre tract and the 58.46 acre tract 1773.60 feet to the calculated point of intersection of this common line with the east right-of-way line of said State Highway IH35, said intersection point bears S62°11'08"E 1.78 feet from an iron pipe found for the southwest corner of the 58.46 acre tract;

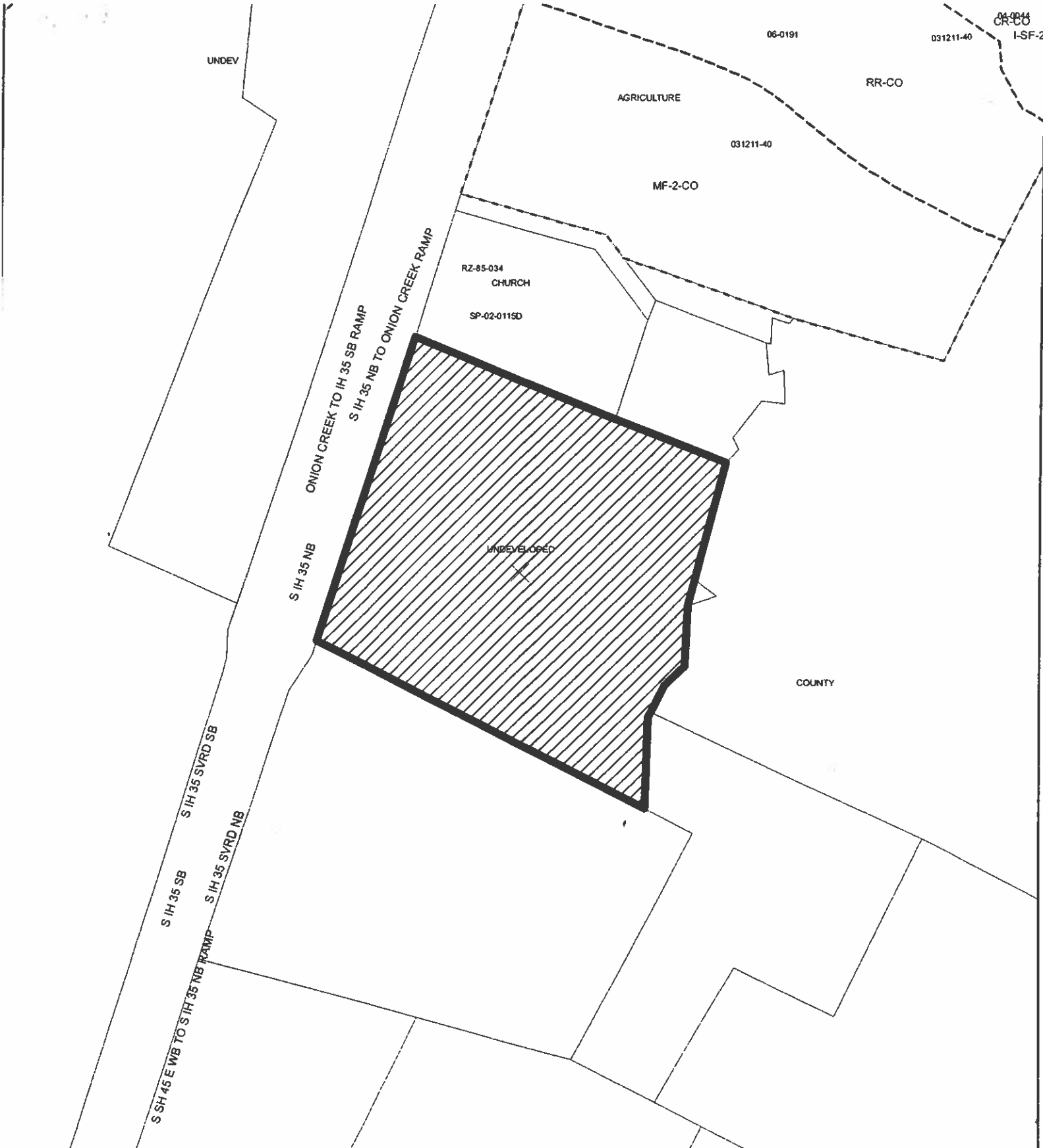
THENCE, N18°15'36"E, with the east right-of-way line of said State Highway IH35; 1527.53 feet to the POINT OF BEGINNING, and CONTAINING within these metes and bounds 58.3885 acres of land area.


That I, Jerry Fults, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 20th day of September, 2006.






Jerry Fults
Registered Professional Land Surveyor
No. 1999 - State of Texas






1" = 600'

 **SUBJECT TRACT**

 **ZONING BOUNDARY**

 **PENDING CASE**

OPERATOR: S. MEEKS

ZONING *EXHIBIT B*

ZONING CASE#: C14-2008-0221
ADDRESS: 11821-12124 S IH 35 SVRD NB
SUBJECT AREA: 58.3885 ACRES
GRID: F10
MANAGER: W. RHOADES



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.