

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

1 **AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE**  
2 **PROPERTY LOCATED AT 3100 MARY STREET AND CHANGING THE**  
3 **ZONING MAP FROM INTERIM-SINGLE FAMILY RESIDENCE STANDARD**  
4 **LOT (I-SF-2) DISTRICT TO NEIGHBORHOOD COMMERCIAL-CONDITIONAL**  
5 **OVERLAY (LR-CO) COMBINING DISTRICT.**  
6

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

9 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to  
10 change the base district from interim-single family residence standard lot (I-SF-2) district  
11 to neighborhood commercial-conditional overlay (LR-CO) combining district on the  
12 property described in Zoning Case No. C14-2008-0235, on file at the Neighborhood  
13 Planning and Zoning Department, as follows:  
14

15 A 0.515 acre tract of land, more or less, being all of Tract 8 as described in an  
16 instrument of record in the Official Records of Travis County, and being more  
17 particularly described by metes and bounds in Exhibit "A" incorporated into this  
18 ordinance (the "Property"),  
19

20 locally known as 3100 Mary Street, in the City of Austin, Travis County, Texas, and  
21 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 Vehicular access from the Property to Mary Street is prohibited. All  
27 vehicular access to the Property shall be from other adjacent public streets or  
28 through other adjacent property.  
29

30 Except as specifically restricted under this ordinance, the Property may be developed and  
31 used in accordance with the regulations established for the neighborhood commercial (LR)  
32 base district, and other applicable requirements of the City Code.  
33  
34  
35  
36  
37

1 **PART 3.** This ordinance takes effect on \_\_\_\_\_, 2009.  
2

3  
4 **PASSED AND APPROVED**

5  
6 §  
7 §  
8 §

9 \_\_\_\_\_, 2009

10 Will Wynn  
11 Mayor

12  
13 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_

14 David Allan Smith  
15 City Attorney

Shirley A. Gentry  
City Clerk

Office: 512-481-9602  
Fax: 512-330-1621

**Waterloo Surveyors Inc.**

Thomas P. Dixon  
R.P.L.S. 4324  
J5421E2

EXHIBIT "A"

October 27, 2008

**FIELD NOTES**

**0.515 ACRES OF LAND, MORE OR LESS, BEING ALL OF TRACT 8 AS DESCRIBED IN VOLUME 13389, PAGE 3565, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS; FOR WHICH A MORE PARTICULAR DESCRIPTION BY METES AND BOUNDS IS AS FOLLOWS:**

**BEGINNING** at an iron rod set at the intersection of the north R.O.W. of Eva Street and the east R.O.W. of F.M. 973 South, same being the most southerly corner of TRACT 8, described in Volume 13389, Page 3565, Real Property Records, Travis County, Texas, for the most southerly corner hereof, from which point an iron rod found on the north R.O.W. of Eva Street bears S59°13'02"E at a distance of 36.08 feet;


**THENCE** N12°41'54"E along the east R.O.W. of F.M. 973 South for a distance of 371.61 feet to an iron rod set at the N.W. corner of TRACT 8 for the N.W. corner hereof;

**THENCE** S58°50'37"E for a distance of 114.21 feet to an iron rod found on the south R.O.W. of Mary Street at the N.W. corner of Lot 4, Block 2, DAVIDSON CITY ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 4, Page 176, Plat Records, Travis County, Texas, for the N.E. corner hereof;

**THENCE** S26°21'09"W for a distance of 176.71 feet to a 60d Nail found at the S.W. corner of Lot 4 and the N.W. corner of Lot 2, Block 2, DAVIDSON CITY ADDITION, for a corner hereof;

**THENCE** S34°50'12"W for a distance of 176.78 feet to the **POINT OF BEGINNING** of this 0.515 acre tract of land.

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

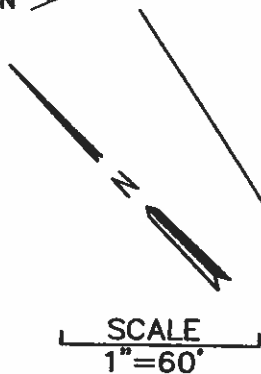


625 Industrial Boulevard  
Austin, Texas 78745

# SKETCH TO ACCOMPANY FIELD NOTES EXHIBIT "B"

J5421E2

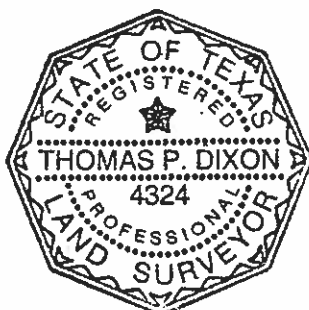
LEGEND:  
FOUND IRON ROD      FIR  
FOUND IRON PIPE      FIP  
SET IRON ROD      SIR  
SIGN      



## LEGAL DESCRIPTION:

0.515 ACRES OF LAND, MORE OR LESS, BEING ALL OF TRACT 8 AS DESCRIBED IN VOLUME 13389, PAGE 3565, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS.

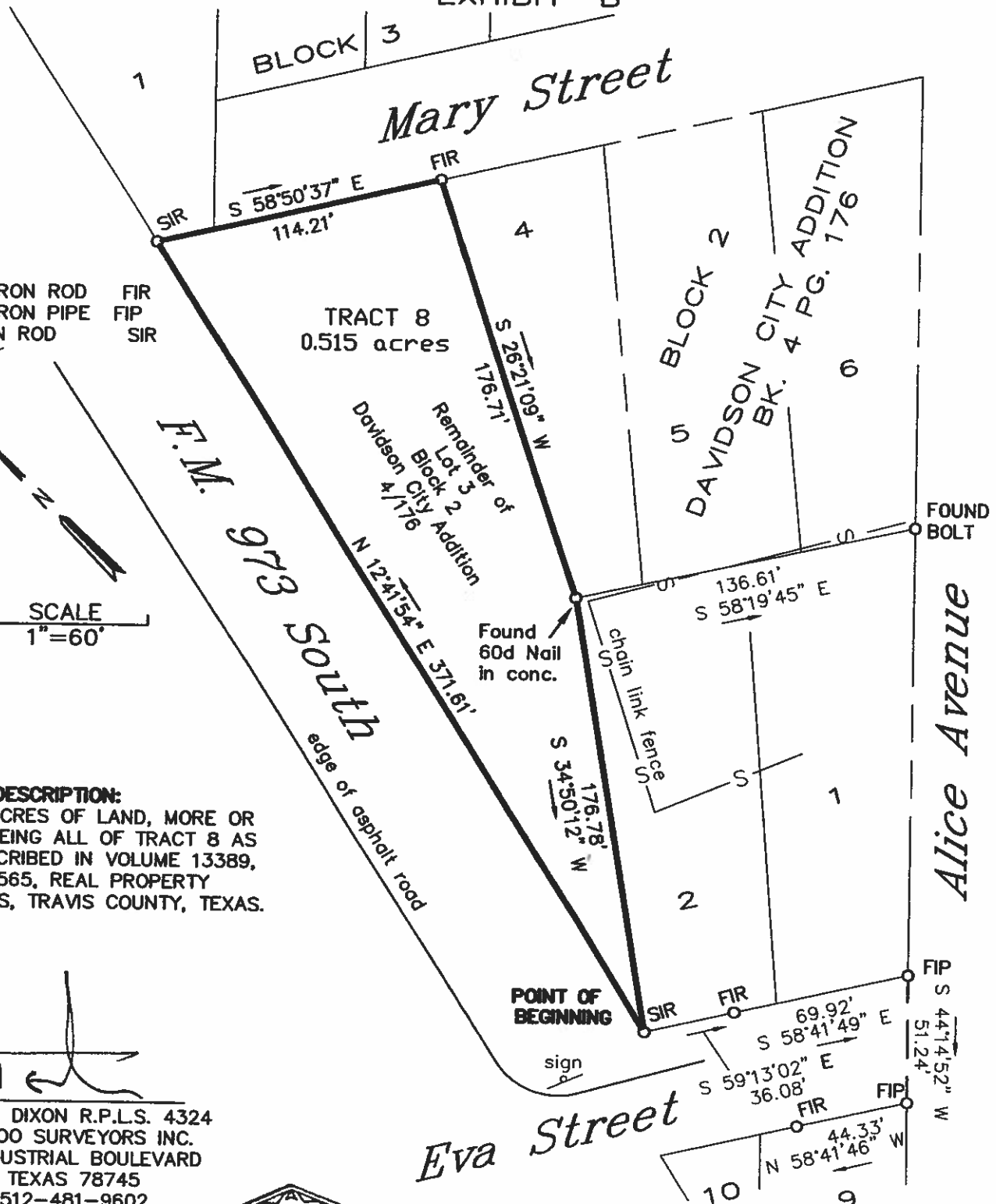
THOMAS DIXON R.P.L.S. 4324  
WATERLOO SURVEYORS INC.  
625 INDUSTRIAL BOULEVARD  
AUSTIN, TEXAS 78745  
Phone: 512-481-9602

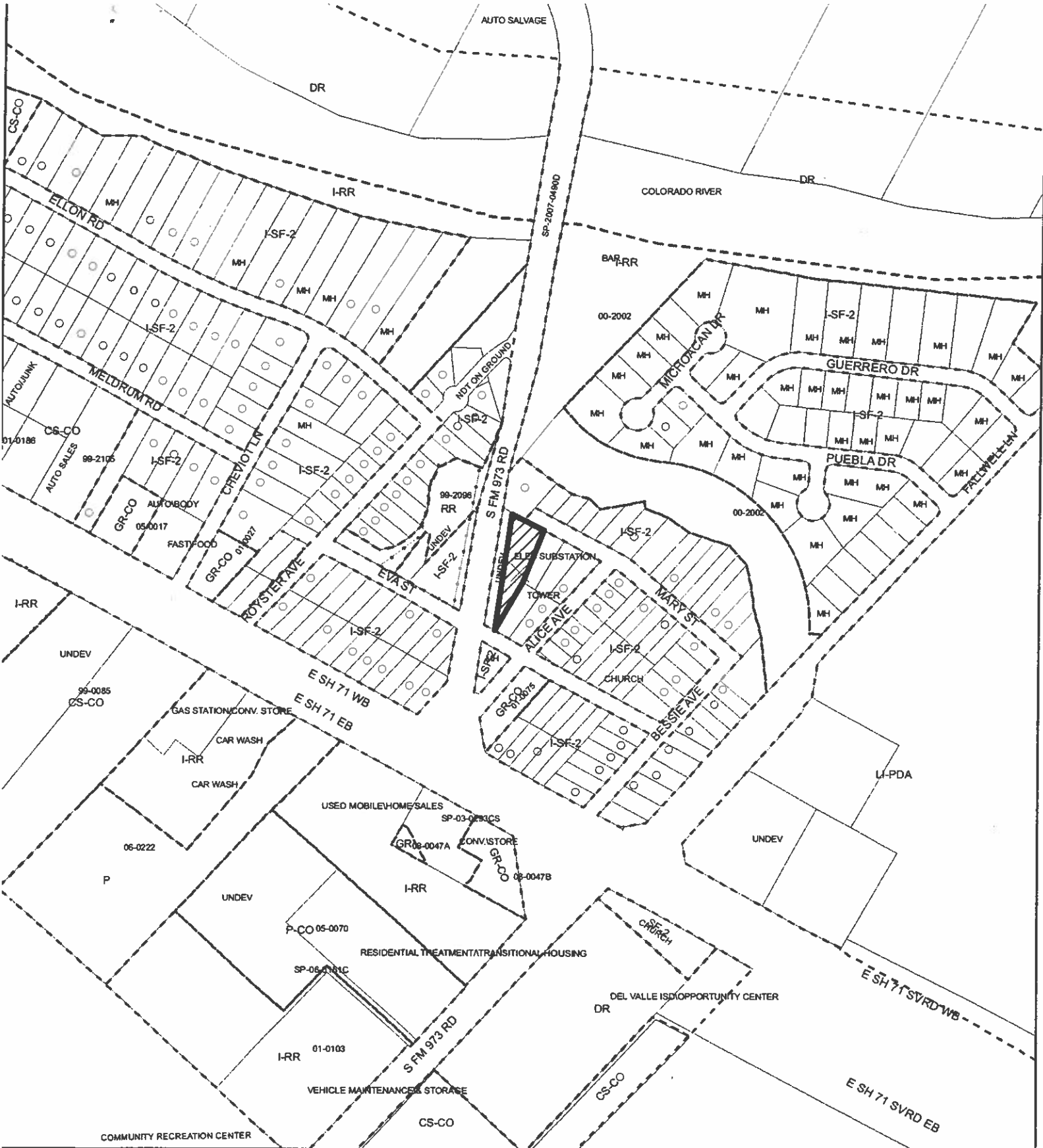


*Eva Street*

## BEARING BASE:




EAST LINE OF TRACTS 4 & 7 AS CALLED FOR IN VOLUME 13389, PAGE 3565, DEED RECORDS, TRAVIS COUNTY, TEXAS, CALLING FOR A BEARING OF S12°12'19"W; SEE DEED FOR RECORD CALLS.





# ZONING EXHIBIT B

ZONING CASE#: C14-2008-0235  
 ADDRESS: 3100 MARY ST  
 SUBJECT AREA: 0.515 ACRES  
 GRID: P17  
 MANAGER: W. RHOADES

 SUBJECT TRACT  
 ZONING BOUNDARY  
 PENDING CASE  
 OPERATOR: S. MEEKS



1" = 400'

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.