ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 11401 RANCH ROAD 2222 AND CHANGING THE ZONING MAP FROM INTERIM-RURAL RESIDENCE (I-RR) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT ON TRACT ONE AND COMMERCIAL-LIQUOR SALES-CONDITIONAL OVERLAY (CS-1-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 on the property described in Zoning Case No. C14-208-0233, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From interim rural residence (I-RR) district to community commercial-conditional overlay (GR-CO) combining district.

A 2.737 acre tract of land, more or less, out of the Alexander Dunlap Survey No. 805, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, Save and Except a 17,000 square foot tract described in Tract Two below; and

Tract Two: From interim rural residence (I-RR) district to commercial-liquor sales-conditional overlay (CS-1-CO) combining district.

A 17,000 square foot tract of land, more or less, out of the 2.737 acres in the Alexander Dunlap Survey No. 805 described in Tract One, the 17,000 square foot tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance, (the "Property"),

locally known as 11401 Ranch Road 2222, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

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 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.

B. A liquor sales use of Tract Two may not exceed 12,000 square feet within the 17,000 square foot area.

C. The following uses are prohibited uses of Tract Two:

Adult oriented businesses	Agricultural sales & services
Building maintenance services	Campground
Cocktail lounge	Commercial blood plasma center
Construction sales & services	Convenience storage
Electronic prototype assembly	Equipment repair services
Equipment sales	Kennels
Laundry service	Vehicle storage
Veterinary services	Custom manufacturing
Limited warehousing & distribution	Maintenance & service facilities
Transitional housing	Transportation terminal

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts, and other applicable requirements of the City Code.

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

PASSED AND APPROVED

§
§
_____, 2009 § _____
Will Wynn
Mayor

APPROVED: _____ **ATTEST:** _____
David Allan Smith
City Attorney

Shirley A. Gentry
City Clerk

Greg West R.P.L.S.
8405 Delavan Ave.
Austin, Texas 78717

WEST SURVEYORS, INC.

Ph. (512) 258-6842
Fax (512) 255-6748
~~Pgr (512) 397-3520~~

EXHIBIT A

FIELD NOTE DESCRIPTION
2.737 Acres

BEING A 2.737 ACRE TRACT OF LAND OUT OF THE ALEXANDER DUNLAP SURVEY NO. 805 SITUATED IN TRAVIS COUNTY, TEXAS AND BEING THAT SAME TRACT OF LAND CONVEYED TO WILLIAM DEGROAT BY DEED RECORDED IN VOLUME 821, PAGE 40 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 2.737 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron rod found in the Westerly Right-of-Way line of F.M. 2222 (right of way width varies) located approximately 412 feet South of the Southerly R.O.W. line of R.R. 620 South, same iron rod being the Southeast corner of Lot 2, Block "A" of the J.J. Junction Subdivision recorded in Document # 200000340 O.P.R.T.C.T.;

THENCE along the said Westerly R.O.W. line of said F.M. 2222, the following two (2) courses:

Along a circular curve to the right having a radius of 1,382.31 feet, through a central angle of 06d 06' 02", an arc length of 147.18 feet, a chord bearing South 30d 43' 06" East, a chord distance of 147.11 feet to a chiseled "X" previously found in a concrete walk (destroyed by construction) for a point of tangency to said curve;

South 26d 51' 00" East, a distance of 539.96 feet to a ½ inch iron rod found for the Northeast corner of Lot 3, 2222/620 Business Park Place subdivision recorded in Document # 200000206 O.P.R.T.C.T.;

THENCE departing the said Westerly R.O.W. line of F.M. 2222 and along the North line of said Lot 3, 2222/620 Business Park Place subdivision, South 62d 46' 01" West, a distance of 200.83 feet to a ½ inch iron rod found for corner;

THENCE along the Westerly line of herein described 2.737 acres, the following four (4) courses:

North 25d 37' 55" West, (following the general line of a barbed wire fenceline) a distance of 142.74 feet to an angle point in said fenceline;

North 30d 21' 53" West, (following the general line of said barbed wire fenceline) a distance of 115.51 feet to a 60d nail found on the East side of a cedar fence post;

North 20d 41' 41" West, (following the general line of said barbed wire fenceline) a distance of 298.70 feet to a ½ inch iron rod found;

North 23d 54' 07" East (following the general line of a now, chain link fenceline) a distance of 210.38 feet to the **POINT OF BEGINNING** and containing a calculated area of **2.737 Acres** (119,235 square feet) of land, subject to easements, conditions or restrictions of record, if any.

I hereby certify that the foregoing Field Notes were prepared from a survey on-the-ground, under my supervision and are true and correct to the best of my knowledge and belief.

Witness my hand and seal this the 25th day of February 2009.

Gregory E. West, R.P.L.S. # 4188
WEST SURVEYORS, INC.
8405 Delavan Avenue
Austin, Texas 78717
Project No. R020-01T

STATE OF TEXAS
GREGORY E. WEST
4188
PROFESSIONAL
LAND SURVEYOR

LTHS 2222, Ltd.

Hills, Tapp & Eve Survey

11401 R.R. 2222

Austin, Travis County, Tx.

EXHIBIT B

Greg West R.P.L.S.
8405 Delavan Ave.
Austin, Texas 78717

WEST SURVEYORS, INC.

Ph. (512) 258-6842
Fax (512) 255-6748
~~Pgr (512) 397-3520~~

FIELD NOTE DESCRIPTION
17,000 Square Foot – CS-1 Zoning Area

BEING A 17,000 SQUARE FOOT TRACT OF LAND OUT OF THE ALEXANDER DUNLAP SURVEY, NUMBER 805, SITUATED IN TRAVIS COUNTY AND BEING OUT OF THAT CERTAIN 2.737 ACRE TRACT DESCRIBED BY DEED RECORDED IN VOLUME 821, PAGE 40 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAME TRACT AS CONVEYED TO LTBS 2222, LTD AS RECORDED BY DOCUMENT NUMBER 2004229816 REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 17,000 SQUARE FOOT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING FOR REFERENCE at a ½ inch diameter reinforcing bar found in the West Right-of-Way line of F.M. Highway 2222 (Old Bull Creek Road) for the most Northerly corner of above stated 2.737 Acre tract, said corner also being the most Easterly, Southeast corner of Lot 2, Block "A" of J.J. Junction Subdivision recorded in Document No. 2000000340 R.P. R.T.C.T.;

THENCE departing the said West R.O.W. line of F.M. 2222 and along the mentioned common line between said Lot 2, Block "A" of J J Junction Subdivision and said 2.737 Acre tract, the following Two (2) courses:

South 23d 54' 07" West, a distance of 210.38 feet to a ½ inch diameter reinforcing bar found for angle point;

South 20d 41' 41" East, a distance of 114.57 feet to a point;

THENCE departing said common line and entering aforesaid 2.737 acre tract, North 69d 18' 19" East, a distance of 10.00 feet to the Northwest corner and **POINT OF BEGINNING** of the herein described tract;

THENCE crossing said 2.737 acre tract the following Five (5) courses:

North 63d 09' 00" East, a distance of 99.19 feet to a point for the Northeast corner of the herein described tract;

South 26d 51' 00" East, a distance of 167.03 feet to a point for the Southeast corner of the herein described tract;

South 63d 09' 00" West, a distance of 102.00 feet to a point for the Southwest corner of the herein described tract;

Greg West R.P.L.S.
8405 Delavan Ave.
Austin, Texas 78717

WEST SURVEYORS, INC.

Ph. (512) 258-6842
Fax (512) 255-6748
~~Pgr. (512) 397-3520~~

Page Two..... 17,000 square foot tract:

North 26d 51' 00" West, a distance of 140.94 feet to an angle point, said point being 10.00 feet East of (measured perpendicularly to) the West line of aforementioned 2.737 acre tract;

North 20d 41' 41" West, running parallel to and 10 feet East of said West line, a distance of 26.24 feet to the **POINT OF BEGINNING** and containing a calculated area of **17,000 Square Feet of land,** subject to easements, conditions or restrictions of record, if any.

I hereby certify that the foregoing Field Notes were prepared from a survey on-the-ground, under my supervision and are true and correct to the best of my knowledge and belief.

Witness my hand and seal this the 14th day of April 2009.

Gregory E. West, R.P.L.S. # 4188
WEST SURVEYORS, INC.
8405 Delavan Avenue
Austin, Texas 78717
Project No. R020-01 CS-1 Zoning.doc

STATE OF TEXAS
REGISTERED
GREGORY E. WEST
4188
PROFESSIONAL
LAND SURVEYOR

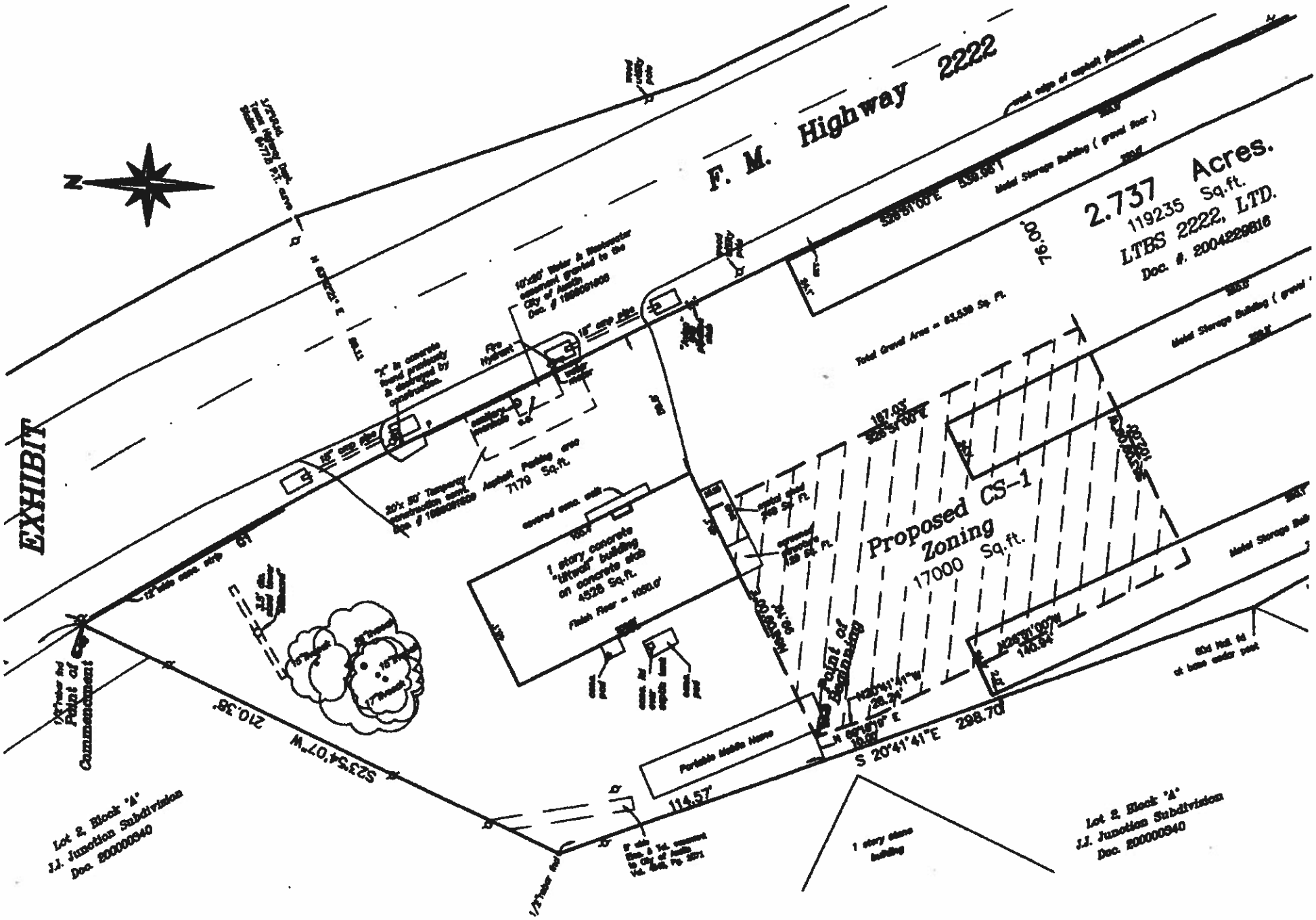
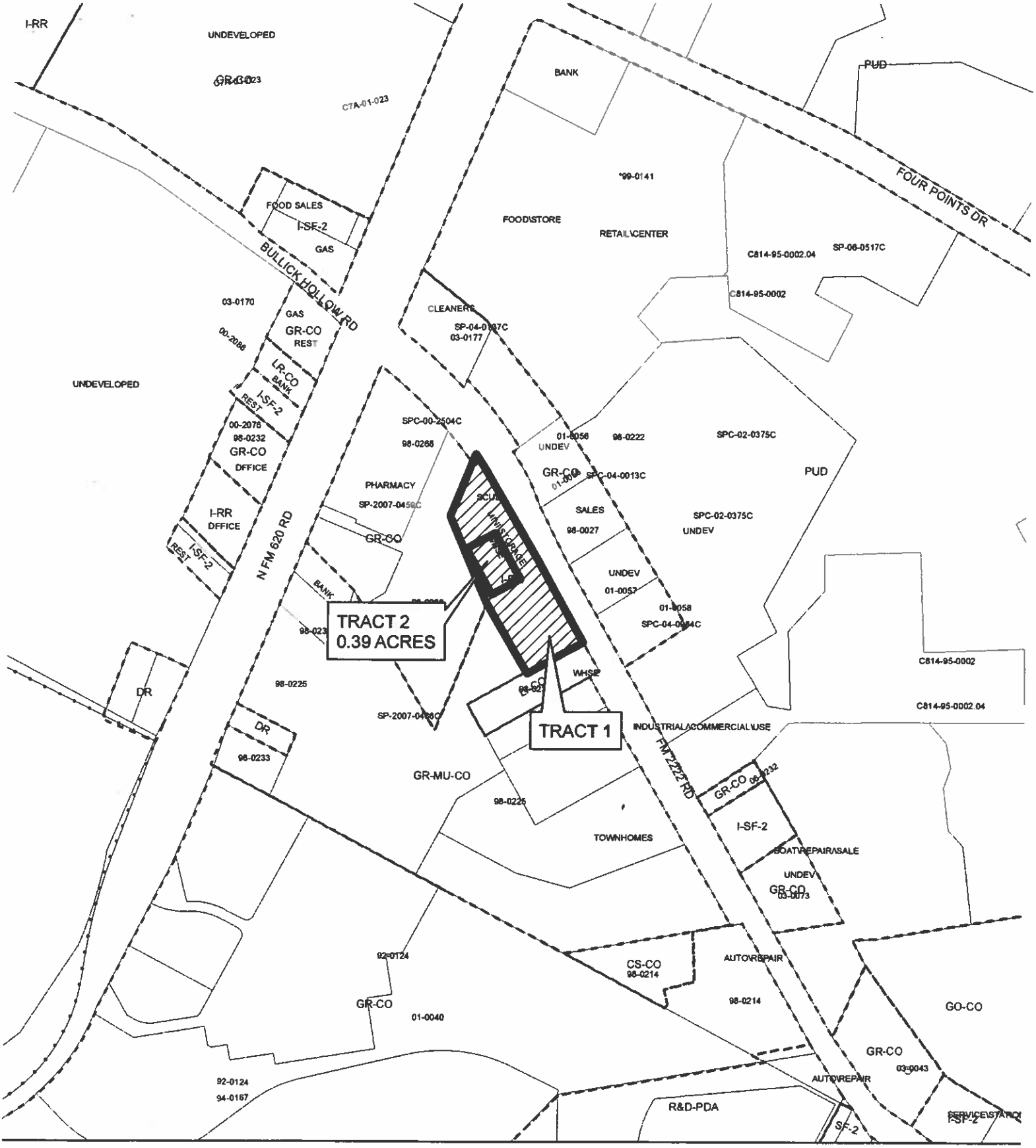


EXHIBIT
N
F. M. Highway 2222
2.737 Acres.
119235 Sq.ft.
LTBS 2222, LTD.
Doc. # 2004229616
Proposed CS-1
Zoning
17000 Sq.ft.
1 story concrete "Uthout" building on concrete slab 4528 Sq.ft.
Portable Mobile Home
1 story stone building
Point of Beginning
Point of Commencement
S 20°41'41"E 298.70'
S23°54'07"W 210.38'
114.57'
76.00'
Lot 2, Block "A"
J.J. Junction Subdivision
Doc. 200000340



N

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

OPERATOR: S. MEEKS

1" = 400'

ZONING EXHIBIT C

ZONING CASE#: C14-2008-0233
ADDRESS: 11401 FM 2222 RD
SUBJECT AREA: 2.737 ACRES
GRID: D33 & D34
MANAGER: C. PATTERSON

CITY OF AUSTIN
FOUNDED 1839

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.