

ORDINANCE NO. 20090611-067

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 11609 ANDERSON MILL ROAD FROM DEVELOPMENT RESERVE (DR) DISTRICT TO NEIGHBORHOOD COMMERCIAL-CONDITIONAL OVERLAY (LR-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 development reserve (DR) district to neighborhood commercial-conditional overlay (LR-CO) combining district on the property described in Zoning Case No. C14-2009-0038, on file at the Neighborhood Planning and Zoning Department, as follows:

A 3.893 acre tract of land, more or less, out of the S.A. & M.G. RR CO. Survey No. 800, Abstract 749, 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 11609 Anderson Mill Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

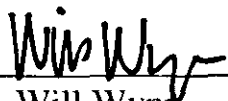
PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

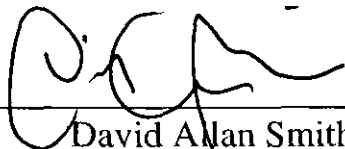
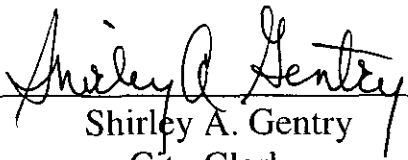
A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

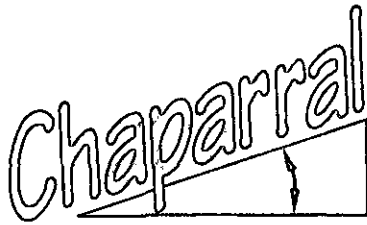
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the neighborhood commercial (LR) base district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on June 22, 2009.

PASSED AND APPROVED

_____, June 11, 2009 §
 §
 § _____ 
 Will Wynn
 Mayor

APPROVED:  _____ **ATTEST:**  _____
 David Allan Smith Shirley A. Gentry
 City Attorney City Clerk



**Professional Land Surveying, Inc.
Surveying and Mapping**

EXHIBIT A

Office: 512-443-1724

Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

**3.893 ACRES
K & H INVESTMENTS**

A DESCRIPTION OF 3.893 ACRES OF LAND (169,598 S.F.) IN THE S.A. & M.G. RR CO. SURVEY NO. 800, ABSTRACT 749, TRAVIS COUNTY, TEXAS, CONSISTING OF:

ALL OF A 1.107 ACRE TRACT DESCRIBED IN GENERAL WARRANTY DEED TO K & H INVESTMENTS, DATED JUNE 20, 2003, OF RECORD IN DOCUMENT NO. 2003143639 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT A 0.129 ACRE TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED TO TRAVIS COUNTY, DATED FEBRUARY 2, 2004, IN DOCUMENT NO. 2004021245, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

AND ALL OF A 2.95 ACRE TRACT DESCRIBED IN SPECIAL WARRANTY DEED TO K & H INVESTMENTS, DATED JULY 17, 1994, RECORDED IN VOLUME 12290, PAGE 742 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT A 0.041 ACRE TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED TO TRAVIS COUNTY, DATED FEBRUARY 2, 2004, RECORDED IN DOCUMENT NO. 2004021247 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

SAID TRACTS LISTED ABOVE CONSTITUTE THE ENTIRETY OF THE ORIGINAL 4.07 ACRE TRACT DESCRIBED IN A CORRECTION DEED DATED DECEMBER 20, 1967, OF RECORD IN VOLUME 3408, PAGE 574 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 3.893 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" rebar with aluminum cap found in the southwest line of Anderson Mill Road (right-of-way width varies), being the west corner of the 0.041 acre tract, being in the northwest line of the 2.95 acre tract, being also the northwest line of the 4.07 acre tract;

THENCE South 43°09'58" East, with the southwest line of Anderson Mill Road, over and across the 2.95 acre tract and the 4.07 acre tract, with the southwest line of the 0.041 acre tract, a distance of 48.80 feet to a ½" rebar with aluminum cap found for the south corner of the 0.041 acre tract, being also the west corner of the 0.129 acre tract, and being in the common line of the 1.107 acre tract and the 2.95 acre tract, from which a ½" rebar found in concrete for an angle point in said line bears South 41°13'34" West, a distance of 290.39 feet;

THENCE South $43^{\circ}08'36''$ East, continuing with the southwest line of Anderson Mill Road, over and across the 1.107 acre tract and the 4.07 acre tract, with the southwest line of the 0.129 acre tract, a distance of 154.24 feet to a $\frac{1}{2}$ " rebar with aluminum cap found for the south corner of the 0.129 acre tract, being also in the southeast line of the 1.107 acre tract and the 4.07 acre tract, and being in the northwest line of a 4.08 acre tract described in Volume 12613, Page 460 of the Real Property Records of Travis County, Texas;

THENCE South $42^{\circ}13'30''$ West, with the southeast line of the 1.107 acre tract and the 4.07 acre tract, being also the northwest line of the 4.08 acre tract, a distance of 276.50 feet to a $\frac{1}{2}$ " rebar found for the south corner of the 1.107 acre tract, being an angle point in the east line of the 2.95 acre tract;

THENCE South $42^{\circ}13'04''$ West, with the southeast line of the 2.95 acre tract and the 4.07 acre tract, being also the northwest line of the 4.08 acre tract, a distance of 550.97 feet to a $\frac{1}{2}$ " iron pipe found for the south corner of the 2.95 acre tract and the 4.07 acre tract, being also the west corner of the 4.08 acre tract, and in the north line of a 31.97 acre tract described in Volume 11140, Page 956 of the Real Property Records of Travis County, Texas;

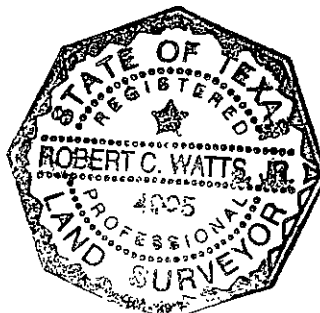
THENCE North $61^{\circ}15'34''$ West, with the southwest line of the 2.95 acre tract and the 4.07 acre tract, being also the north line of the 31.97 acre tract, a distance of 197.92 feet to a $\frac{1}{2}$ " iron pipe found for the west corner of the 2.95 acre tract and the 4.07 acre tract, being also an angle point in the east line of the 31.97 acre tract, and an angle point in the southeast line of Lot 3, Block A, Plaza Volente Subdivision, a subdivision of, record in Document No. 200300320, of the Official Public Records of Travis County, Texas;

THENCE North $41^{\circ}34'56''$ East, with the northwest line of the 2.95 acre tract and the 4.07 acre tract, being also the southeast line of Plaza Volente Subdivision, a distance of 890.04 feet to the **POINT OF BEGINNING**, containing 3.893 acres of land, more or less.

Bearing Basis: Grid Azimuth for the Texas Central Zone, NAD 1983/93 HARN values from the LCRA Control Network. Attachments: Survey Drawing 492-001-BND.



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



9-23-05

(2004021247) **ANDERSON MILL ROAD** (R.O.W. VARIES)

WILLIAMSON CO.
TRAVIS CO.
(SCALED FROM MAP)

P.O.B.

L2

6.53'

(2004021245)

S43°08'36"E
154.24'
(N40°54'18"W)
(154.23')

0.983 AC.
K&H
INVESTMENTS
REMAINDER OF
1.107 AC.
(2003143639)

S41°13'34"W 290.39'
(S43°35'00"W)

S42°13'30"W 276.50'
(S44°26'23"W 276.36')

3408/574

4.07 AC. N48°18'44"W
148.68'
(N45°59'01"W)
(148.60')

LOT 1,
BLOCK A,
PLAZA VOLENTE
SUBDIVISION
(200300320)

N41°34'56"E 890.04'
(N43°48'10"E 890.20')

732.84'
(732.83')

3.893 ACRES

2.910 AC.
K&H
INVESTMENTS
REMAINDER OF
2.95 AC.
(12290/0742)

LIN-SUN FAMILY
PARTNERSHIP LP
4.08 AC.
(12613/460)

S42°13'04"W 550.97'
(S44°13'00"W 551.10')

LOT 3,
BLOCK A,
PLAZA VOLENTE
SUBDIVISION
(200300320)

150.68'
(150.68')

N61°15'34"W 197.92'
(N59°15'00"W 197.95')

LONDON ENTERPRISES-620
REMAINDER OF 31.97 AC.
(11140/956)

SCALE
1"=100'

S.A. & M.G. RR CO. SURVEY
NO 800, ABSTRACT 749

DATE OF SURVEY: 09/16/05
PLOT DATE: 09/20/05
DRAWING NO.: 492-001-BND
PROJECT NO.: 492-001

Chaparral

SKETCH TO ACCOMPANY A DESCRIPTION OF 3.893 ACRES OF LAND (169598 S.F.) IN THE S.A. & M.G. RR CO. SURVEY NO. 800, ABSTRACT 749, TRAVIS COUNTY, TEXAS, CONSISTING OF:

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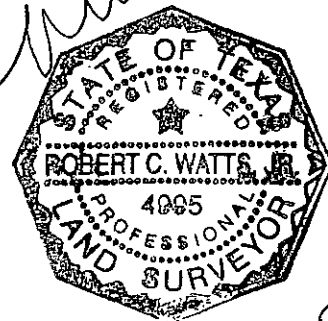
LINE TABLE			RECORD	
No.	BEARING	LENGTH	BEARING	LENGTH
L1	S43°09'58"E	48.80'	(N40°54'18"W)	(48.82')
L2	S42°39'41"E	217.47'	(S42°41'06"E)	(217.47')

BEARING BASIS: GRID AZIMUTH FOR TEXAS CENTRAL ZONE,
1983/93 HARN VALUES FROM LCRA CONTROL NETWORK.

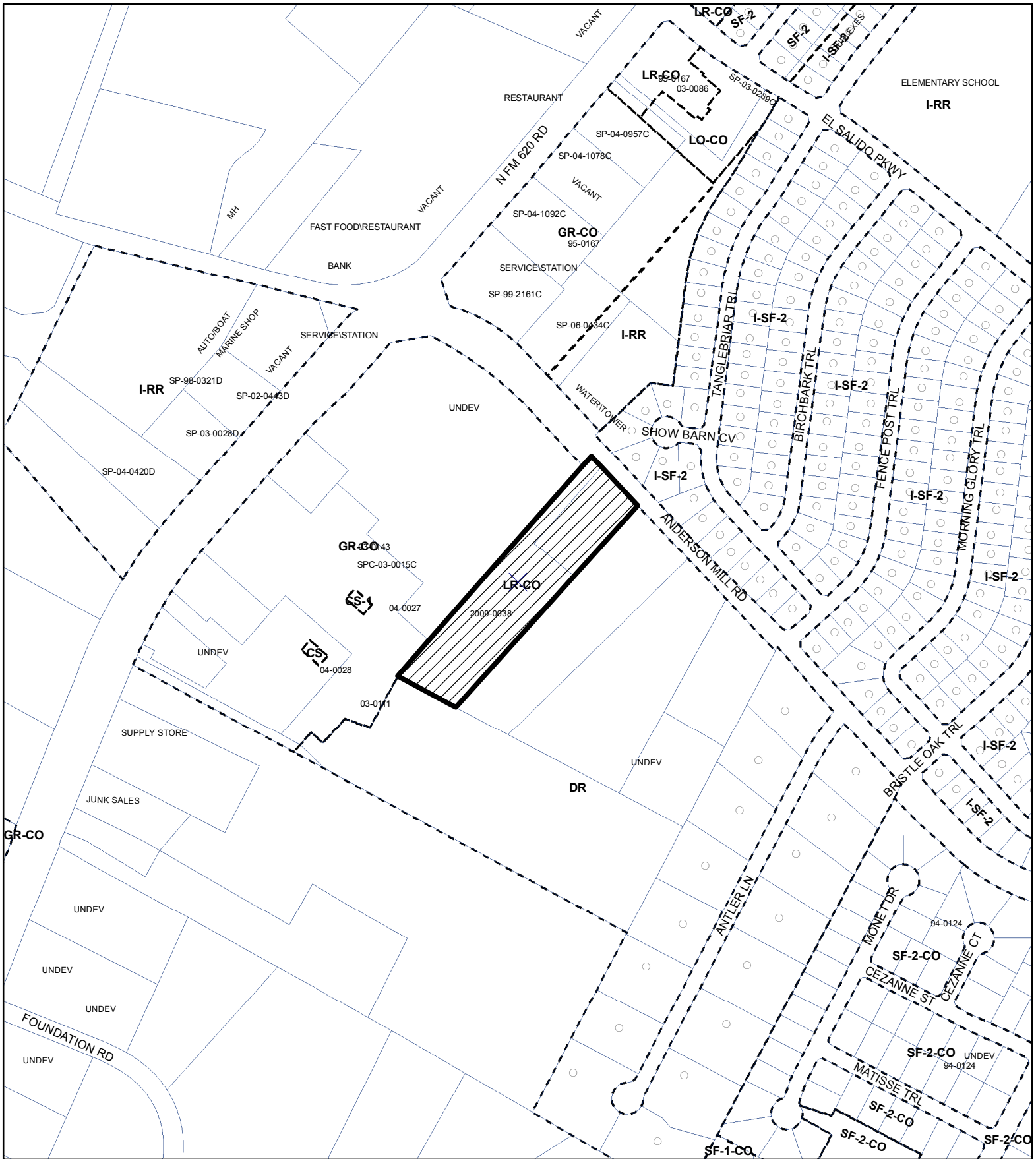
ATTACHMENTS: METES AND BOUNDS DESCRIPTION
492-001-BND




LEGEND

- 1/2" REBAR FOUND
- ^{AC} 1/2" REBAR W/ ALUM. CAP FOUND
- ⊙ 1/2" IRON PIPE FOUND
- CALCULATED POINT



Chaparral



-  **SUBJECT TRACT**
-  **ZONING BOUNDARY**
-  **PENDING CASE**

OPERATOR: S. MEEKS

ZONING

ZONING CASE#: **C14-2009-0038**
 ADDRESS: **11609 ANDERSON MILL RD**
 SUBJECT AREA: **3.893 ACRES**
 GRID: **E38**
 MANAGER: **S. SIRWAITIS**



N

 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.