

ORDINANCE NO. 20090618-058

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 9710 AND 9718 ANDERSON MILL ROAD AND CHANGING THE ZONING MAP FROM INTERIM-RURAL RESIDENCE (I-RR) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-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 interim-rural residence (I-RR) district to general commercial services-conditional overlay (CS-CO) combining district on the property described in Zoning Case No. C14-2008-0234, on file at the Neighborhood Planning and Zoning Department, as follows:

A 5.760 acre tract of land, more or less, out of a portion of Lot 1, Z.F.B Subdivision, a subdivision in Williamson County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 9710 and 9718 Anderson Mill Road, in the City of Austin, Williamson 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:

1. 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.
2. A convenience storage use of the Property is limited to one story in height.
3. Mechanical equipment and dumpsters on the Property shall be screened from the view of the adjacent single family residential property to the north.
4. Exterior lighting must be hooded or shielded so that the light source is not directly visible from the adjacent single family residential property to the north.

5. An eight foot high solid fence shall be provided and maintained along the north property line that runs between the Property and the adjacent single family residential property.
6. Dedication of right-of-way for Anderson Mill Road is deferred under Section 25-6-55(D) of the City Code. Owner agrees to dedicate up to 57 feet of the total width necessary for right-of-way measured from the centerline of Anderson Mill Road. At the time an application for approval for subdivision or site plan is submitted to the City of Austin for development of the Property or any portion of the Property, the Owner shall submit to the City a recorded document as evidence of dedication.
7. The following uses are prohibited uses of the Property:

Agricultural sales and services	Automotive rentals
Automotive repair services	Automotive sales
Automotive washing (of any type)	Bail bonds services
Building maintenance services	Business or trade school
Business support services	Campground
Commercial blood plasma center	Commercial off-street parking
Construction sales and services	Consumer convenience services
Consumer repair services	Electronic testing
Drop-off recycling collection facility	Electronic prototype assembly
Equipment repair services	Equipment sales
Exterminating services	Financial services
Food Preparation	Food sales
Funeral services	General retail sales (convenience)
General retail sales (general)	Hotel-motel
Indoor entertainment	Indoor sports and recreation
Kennels	Laundry service
Monument retail sales	Off-site accessory parking
Outdoor entertainment	Outdoor sports and recreation
Pawn shop services	Personal improvement services
Personal services	Pet services
Plant nursery	Printing and publishing
Research services	Restaurant (general)
Restaurant (limited)	Service station
Theater	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, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on June 29, 2009.

PASSED AND APPROVED


June 18, 2009

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for Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:


Shirley A. Gentry
City Clerk

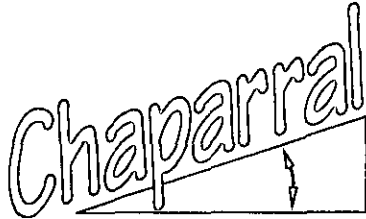


Exhibit A

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

Office: 512-443-1724

Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

5.760 ACRES

WILLIAM FRAMPTON SURVEY NO. 122

ZONING DESCRIPTION

A DESCRIPTION OF A 5.760 ACRE (APPROXIMATELY 250,916 S.F.) TRACT OF LAND OUT OF THE WILLIAM FRAMPTON SURVEY NO. 122 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF LOT ONE (1), Z.F.B. SUBDIVISION, A SUBDIVISION IN WILLIAMSON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET J, SLIDE(S) 227-228 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 5.760 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1" bolt found for the southwest corner of said Lot 1, Z.F.B. Subdivision, being also in the north right-of-way line of Anderson Mill Road, (County Road 187)(right-of-way width varies) and the southeast corner of a 15.172 acre tract recorded in Volume 1442, Page 109, of the Official Records of Williamson County, Texas;

THENCE North 15°27'16" West, leaving the north right-of-way line of Anderson Mill Road (CR 187) with the west line of Lot 1 Z.F.B. Subdivision, being also the east line of the 15.172 acre tract, a distance of 691.45 feet to a 1/2" rebar found for the northwest corner of Lot 1, Z.F.B. Subdivision, being also in the east line of the 15.172 acre tract, and in the south line of Acres West Section 2, a subdivision of record in Cabinet B, Slide 222 of the Plat Records of Williamson County, Texas, from which a 1/2" iron pipe found bears South 70°31'34" West, a distance of 22.64 feet;

THENCE North 69°26'37" East, with the common line of Lot 1, Z.F.B. Subdivision, and Acres West Section 2, a distance of 146.03 feet to a 1/2" rebar found;

THENCE with the south line of Acres West Section 2, over and across said Lot 1, Z.F.B. the following three (3) courses:

1. North 75°18'21" East, a distance of 109.30 feet to a 1/2" rebar with cap set;
2. North 68°45'21" East, a distance of 72.94 feet to a 1/2" rebar with cap set;
3. North 64°05'53" East, a distance of 145.74 feet to a nail found in the common line of Lot 1, Z.F.B. Subdivision, and Acres West Section 2;

THENCE North $64^{\circ}35'47''$ East, with the common line of Lot 1, Z.F.B. Subdivision, and Acres West Section 2, a distance of 79.44 feet to a 1/2" iron pipe found for the northeast corner of Lot 1, Z.F.B. Subdivision, being also the southeast corner of Acres West Section 2, the southwest corner of Acres West, a subdivision of record in Cabinet 4, Slide 65, of the Plat Records of Williamson County, Texas and the northwest corner of Lot 2, Chapel of the Hills, a subdivision of record in Cabinet F, Slide 201, of the Plat Records of Williamson County, Texas;

THENCE South $14^{\circ}49'39''$ East, with the east line of Lot 1, Z.F.B. Subdivision, being also the west line of Lot 2, Chapel of the Hills, a distance of 332.98 feet to a 1/2" rebar with cap set, from which a 1/2" rebar with cap set for a southeast corner of Lot 1, being also the northeast corner of Lot 2, Z.F.B. Subdivision, and in the west line of Lot 2, Chapel of the Hills, bears South $14^{\circ}49'39''$ East, a distance of 180.00 feet;


THENCE over and across Lot 1, Z.F.B. Subdivision, the following three (3) courses and distances:

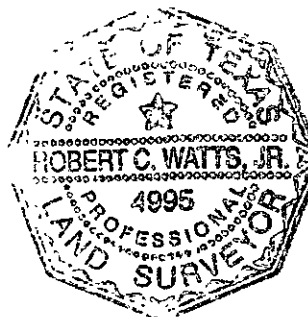
1. South $69^{\circ}41'53''$ West, a distance of 505.54 feet to a calculated point;
2. South $15^{\circ}27'16''$ East, a distance of 179.82 feet to a calculated point;
3. North $69^{\circ}41'53''$ East, a distance of 313.45 feet to a 1/2" rebar found for an angle point in the south line of Lot 1, Z.F.B. Subdivision, being also the northwest corner of Lot 2, Z.F.B. Subdivision;

THENCE South $14^{\circ}55'52''$ East, with the common line of Lots 1 and 2, Z.F.B. Subdivision, a distance of 199.91 feet to a 1" bolt found for the southeast corner of Lot 1, Z.F.B. Subdivision, being also the southwest corner of Lot 2, Z.F.B. and being in the north right-of-way line of Anderson Mill Road;

THENCE South $71^{\circ}02'19''$ West, with the south line of Lot 1, Z.F.B., Subdivision, being also the north right-of-way line of Anderson Mill Road, a distance of 352.67 feet to the **POINT OF BEGINNING**, containing 5.760 acres of land, more or less.

Surveyed on the ground May, 2007. Bearing basis: Grid Azimuth for Texas Central Zone state plane coordinates, based on GPS solutions from the National Geodetic Survey (NGS) on-line positioning user service (OPUS). Attachments: Survey Drawing 139-003-Z1.

 10-24-08
Robert C. Watts, Jr. Date
Registered Professional Land Surveyor
State of Texas No. 4995



A DESCRIPTION OF 5.760 ACRES (APPROXIMATELY 250,916 S.F.) OF LAND OUT OF THE WILLIAM FRAMPTON SURVEY NO. 122 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF LOT ONE (1), Z.F.B. SUBDIVISION, A SUBDIVISION IN WILLIAMSON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET J, SLIDE(S) 227-228 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS.

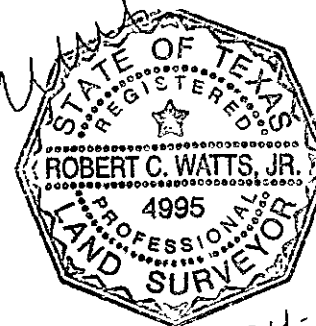
LINE TABLE			
No.	BEARING	LENGTH	RECORD
L1	N69°26'37"E	146.03'	
L2	N75°18'21"E	109.30'	
L3	N68°45'21"E	72.94'	(N69°49'03"E 146.00')
L4	N64°05'53"E	145.74'	(S76°11'00"W 89.55')
L5	N64°35'47"E	79.44'	(S69°38'00"W 72.94')
L6	S71°02'19"W	15.03'	(S64°59'00"W 145.97')
L7	S71°02'19"W	55.10'	(N64°53'24"E 79.49')
L8	S70°31'34"W	22.64'	(S67°52'00"W 25.71')
L9	S71°02'19"W	40.08'	
L10	N15°27'16"W	216.87'	
L11	S71°02'19"W	40.08'	

LEGEND

- 1/2" REBAR FOUND
- 1/2" REBAR WITH CAP SET
- ⊙ IRON PIPE FOUND (SIZE NOTED)
- ▲ NAIL FOUND
- ⊗ BOLT IN CONC FOUND
- CALCULATED POINT

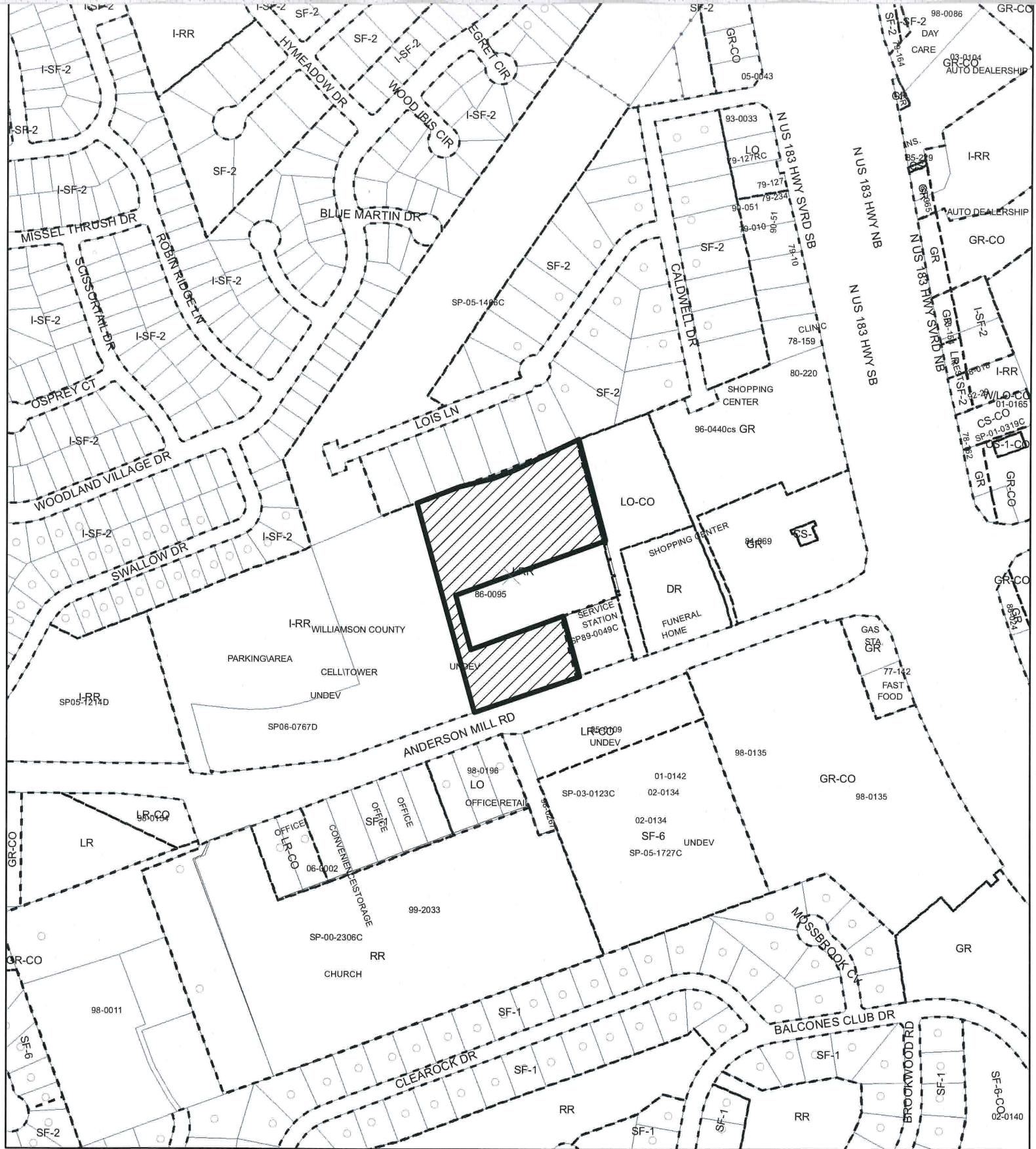
BEARING BASIS: GRID AZIMUTH FOR TEXAS CENTRAL ZONE STATE PLANE COORDINATES, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS).

ATTACHMENTS: METES AND BOUNDS DESCRIPTION.






DATE OF SURVEY: 7/12/07
 PLOT DATE: 10/24/2008
 DRAWING NO.: 139-003-Z1
 PROJECT NO.: 139-003

Chaparral



ZONING *EXHIBIT B*

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

ZONING CASE#: C14-2008-0234
ADDRESS: 9710 & 9718 ANDERSON MILL RD
SUBJECT AREA: 5.760 ACRES
GRID: F37 & F38
MANAGER: J. RUSTHOVEN

OPERATOR: S. MEEKS

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.



1" = 400'