

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 2500 MONTOPOLIS DRIVE IN THE PLEASANT
3 VALLEY NEIGHBORHOOD PLAN AREA FROM LIMITED INDUSTRIAL
4 SERVICE-NEIGHBORHOOD PLAN (LI-NP) COMBINING DISTRICT TO
5 PUBLIC-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (P-CO-NP)
6 COMBINING 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 limited industrial service-neighborhood plan (LI-NP)
12 combining district to public-conditional overlay-neighborhood plan (P-CO-NP) combining
13 district on the property described in Zoning Case No. C14-2009-0018, on file at the
14 Planning and Development Review Department, as follows:
15

16 A 12.343 acre tract of land, more or less, out of the Santiago Del Valle Grant
17 Abstract No. 24, in Travis County, the tract of land being more particularly
18 described by metes and bounds in Exhibit "A" incorporated into this ordinance (the
19 "Property"),
20

21 locally known as 2500 Montopolis Drive, in the City of Austin, Travis County, Texas, and
22 generally identified in the map attached as Exhibit "B".
23

24 **PART 2.** Except as specifically provided in Part 3 and Part 4 of this ordinance, the
25 Property may be developed and used in accordance with the regulations established for the
26 public (P) base district, and other applicable requirements of the City Code.
27

28 **PART 3.** The Property within the boundaries of the conditional overlay combining district
29 established by this ordinance is subject to the following conditions:
30

31 The following uses of the Property are prohibited uses:
32

33 Single family residential	Agricultural sales and services
34 Art gallery	Art workshop
35 Automotive rentals	Automotive repair services
36 Automotive sales	Automotive washing (of any type)
37 Building maintenance services	Business or trade school

1	Business support services	Campground
2	Construction sales and services	Convenience storage
3	Drop-off recycling collection facility	Equipment repair services
4	Equipment sales	Exterminating services
5	Food preparation	Food sales
6	Funeral services	General retail sales (convenience)
7	General retail sales (general)	Hotel-motel
8	Indoor entertainment	Indoor sports and recreation
9	Kennels	Laundry services
10	Liquor sales	Marina
11	Medical offices (exceeding 5000 sq. ft.	Medical offices (not exceeding 5000
12	of gross floor area)	sq. ft of gross floor area)
13	Monument retail sales	Outdoor entertainment
14	Outdoor sports and recreation	Pawn shop services
15	Personal improvement services	Personal services
16	Printing and publishing	Recreational equipment maintenance
17	Recreational equipment sales	and storage
18	Research warehousing services	Restaurant (general)
19	Restaurant (limited)	Scrap and salvage
20	Stables	Theater
21	Veterinary services	Basic industry
22	Custom manufacturing	Light manufacturing
23	Resource extraction	Aviation facilities
24	Camp	Cemetery
25	Club or lodge	College and university facilities
26	Community recreation (private)	Community recreation (public)
27	Congregate living	Convalescent services
28	Day care services (commercial)	Day care services (general)
29	Day care services (limited)	Detention facilities
30	Family home	Group home, Class I (general)
31	Group home, Class I (limited)	Group home, Class II
32	Guidance services	Hospital services (general)
33	Hospital services (limited)	Military installations
34	Postal facilities	Private primary educational facilities
35	Private secondary educational facilities	Public primary educational facilities
36	Public secondary educational facilities	Railroad facilities
37	Residential treatment	
38		
39		

PART 4. The Property is subject to Ordinance No. 20061116-058 that established the Pleasant Valley neighborhood plan combining district.

PART 5. This ordinance takes effect on _____, 2009.

PASSED AND APPROVED

_____, 2009

§
§
§

Lee Leffingwell
Mayor

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



Tokyo Electron America, Inc.
To
City of Austin (Austin Energy)

EXHIBIT "A"

A 12.343 acre (537,674 sq. ft.) parcel of land located in the Santiago Del Valley Grant Abstract No. 24 in Travis County Texas and being out of and a part of that certain Lot 2-A, Block "A" of the Re-subdivision of Lot 1, Block "A" Marshall Hills Section One-C, a subdivision in said county according to the plat thereof recorded in Book 98, Page 287-288 of the Plat Records of Travis County Texas, said Lot 2-A being conveyed to Tokyo Electron America, Inc. in a Special Warranty Deed recorded in Volume 12484, Page 890 of the Real Property Records of Travis County, Texas. And being more particularly described by metes and bounds as follows:

COMMENCING at a Mag Nail found in the expansion joint of a driveway apron in the west right-of-way (r.o.w.) line of Grove Boulevard (90' r.o.w.), for the most easterly corner of Lot 1-A, Block "A" of said subdivision also conveyed to said Tokyo Electron America, Inc. and being the most northerly corner of said Lot 2-A, Block "A", from which for reference, a 1/2" iron rod found for the northwest common corner of said Lot 1-A and Lot 2-A bears South 69° 24' 38" East a distance of 670.88;

THENCE along the west r.o.w. line of said Grove Boulevard and the east line of said Lot 2-A, South 20° 35' 46" East a distance of 20.00 feet to a 1/2" iron rod set with aluminum cap stamped "C.O.A. Austin Energy" for the POINT OF BEGINNING of the herein described tract ;

THENCE continuing along the west r.o.w. line of said Grove Boulevard and the east line of said Lot 2-A the following two (2) courses and distances:

- 1) South 20° 35' 46" East a distance of 461.10 feet to a 1/2" iron rod found and for the beginning of a curve to the right;
- 2) Along said curve to right having a radius of 554.67 feet, an arc length of 469.25 feet and a chord of South 03° 40' 33" West 455.38 feet to a 1/2" iron rod found for a point-of-tangency on the west r.o.w line of Montopolis Drive (r.o.w. varies);

THENCE along the west r.o.w line of said Montopolis Drive and the southeast line of said Lot 2-A, South 27° 57' 20" West a distance of 221.34 feet to a concrete monument found stamped "B.P.I.", for the most southerly corner of said Lot 2-A and for the most easterly corner of Lot 2, Block "C", Marshall Hills Section Two, a subdivision of record as recoded in Book 76, Page 279 of the Plat Records of Travis County, Texas as conveyed to the University of Texas Board of Regents in Volume 10559, Page 285 of the Real Property Records of said county and being the most southerly corner of the herein described tract;

THENCE departing the westerly r.o.w line of said Montopolis Drive, along the common line of said Lot 2-A, and said Lot 2, Block "C" North 62° 05' 59" West a distance of 805.00 feet to a 1/2" iron rod set with aluminum cap stamped "C.O.A. Austin Energy" for the most westerly corner of

the herein described tract, from which for reference, a 1/2" iron rod found for the west corner of said Lot 2-A bears North 62° 05' 59" West a distance of 186.59 feet;

THENCE through the interior of said Lot 2-A the following nine (9) courses and distances;

- 1) North 27° 54' 09" East a distance of 633.70 feet to an 1/2" iron rod set with aluminum cap stamped "C.O.A. Austin Energy";
- 2) North 69° 24' 38" East a distance of 93.53 feet to an 1/2" iron rod set with aluminum cap stamped "C.O.A. Austin Energy";
- 3) South 09° 43' 43" East a distance of 75.16 feet to an 1/2" iron rod set with aluminum cap stamped "C.O.A. Austin Energy";
- 4) South 63° 52' 00" East a distance of 199.37 feet to an 1/2" iron rod set with aluminum cap stamped "C.O.A. Austin Energy";
- 5) North 89° 09' 55" East a distance of 97.48 feet to an 1/2" iron rod set with aluminum cap stamped "C.O.A. Austin Energy";
- 6) North 05° 46' 22" West a distance of 96.20 feet to an 1/2" iron rod set with aluminum cap stamped "C.O.A. Austin Energy";
- 7) North 57° 48' 22" West a distance of 29.39 feet to an 1/2" iron rod set with aluminum cap stamped "C.O.A. Austin Energy" for the beginning of a non-tangent curve to the left;
- 8) Along said curve to left having a radius of 563.49 feet, an arc length of 137.11 feet and a chord of North 12° 47' 12" West, 136.77 feet to a 1/2" iron set with aluminum cap stamped "C.O.A. Austin Energy";
- 9) North 69° 24' 38" East a distance of 78.76 feet to the POINT OF BEGINNING and containing 12.343 acres (537,674 square feet) of land more or less.

Reference the attached sketch marked EXHIBIT B, for Bearing Basis.

I hereby certify that these field notes were prepared from a survey made on the ground under my supervision.

June 22, 2007



Marvin L. Gordey
Registered Professional Land Surveyor No. 4920



Prepared By: AUSTIN ENERGY

EXHIBIT "B"

SKETCH TO ACCOMPANY FIELD NOTE DESCRIPTION OF A 12.343 ACRE TRACT BEING OUT OF AND A PART OF THE RESUBDIVISION OF LOT 1, BLOCK "A", MARSHALL HILLS SECTION ONE-C BOOK 98, PAGES 287-288 P.R.T.C.Tx. IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS

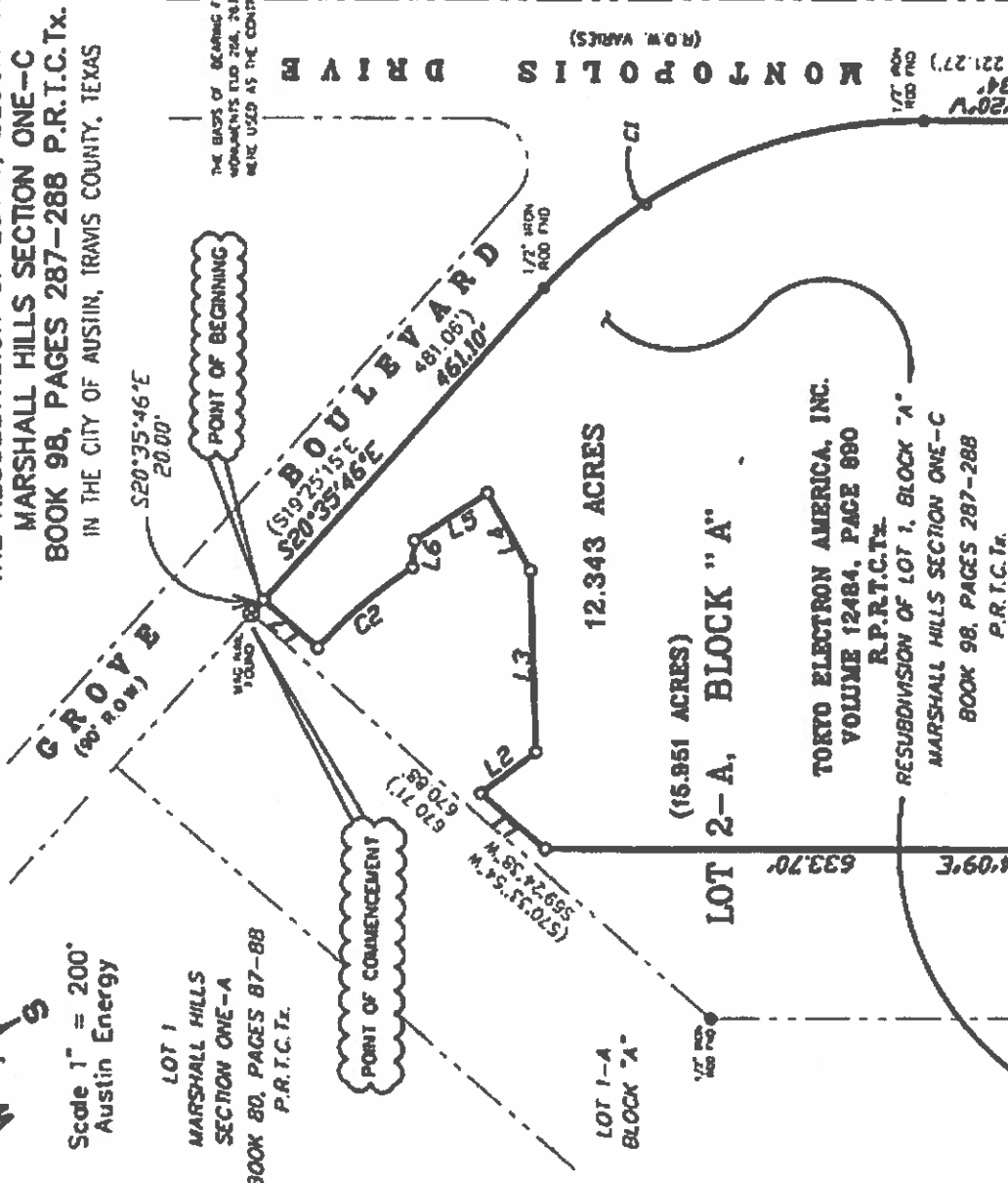
Scale 1" = 200'
Austin Energy



LOT 1
MARSHALL HILLS
SECTION ONE-A
BOOK 80, PAGES 87-88
P.R.T.C.Tx.

POINT OF COMMENCEMENT

POINT OF BEGINNING



BEARING BASIS NOTE

THE BASIS OF BEARING FOR THIS SURVEY IS THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD83. MONUMENTS ETD 264, 267 AND 269, AS ESTABLISHED AND PUBLISHED BY THE CITY OF AUSTIN ELECTRIC UTILITY DEPARTMENT, WERE USED AS THE CONTROLLING MONUMENTS FOR THIS SURVEY. CONVERSION SCALE FACTOR = 0.99999773.

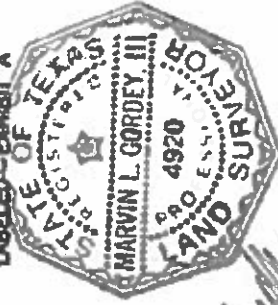
LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	N69°24'38"E	93.53'
L2	S09°43'43"E	73.16'
L3	S63°32'00"E	199.37'
L4	N89°09'55"E	97.48'
L5	N05°46'22"W	96.20'
L6	N57°48'22"W	29.39'
L7	N69°24'38"E	78.76'

CURVE TABLE

NUMBER	RADIUS	ARC	CH. BEARING	CHORD
C1	554.67'	469.25'	S03°40'33"W	455.38'
(C1)	(554.67')	(469.18')	(S04°49'09"W)	(455.52')
C2	563.49'	137.11'	N12°47'12"W	136.77'

June 22, 07
NOTE: REFERENCE METES
AND BOUNDS DESCRIPTION
LABELLED "EXHIBIT A"



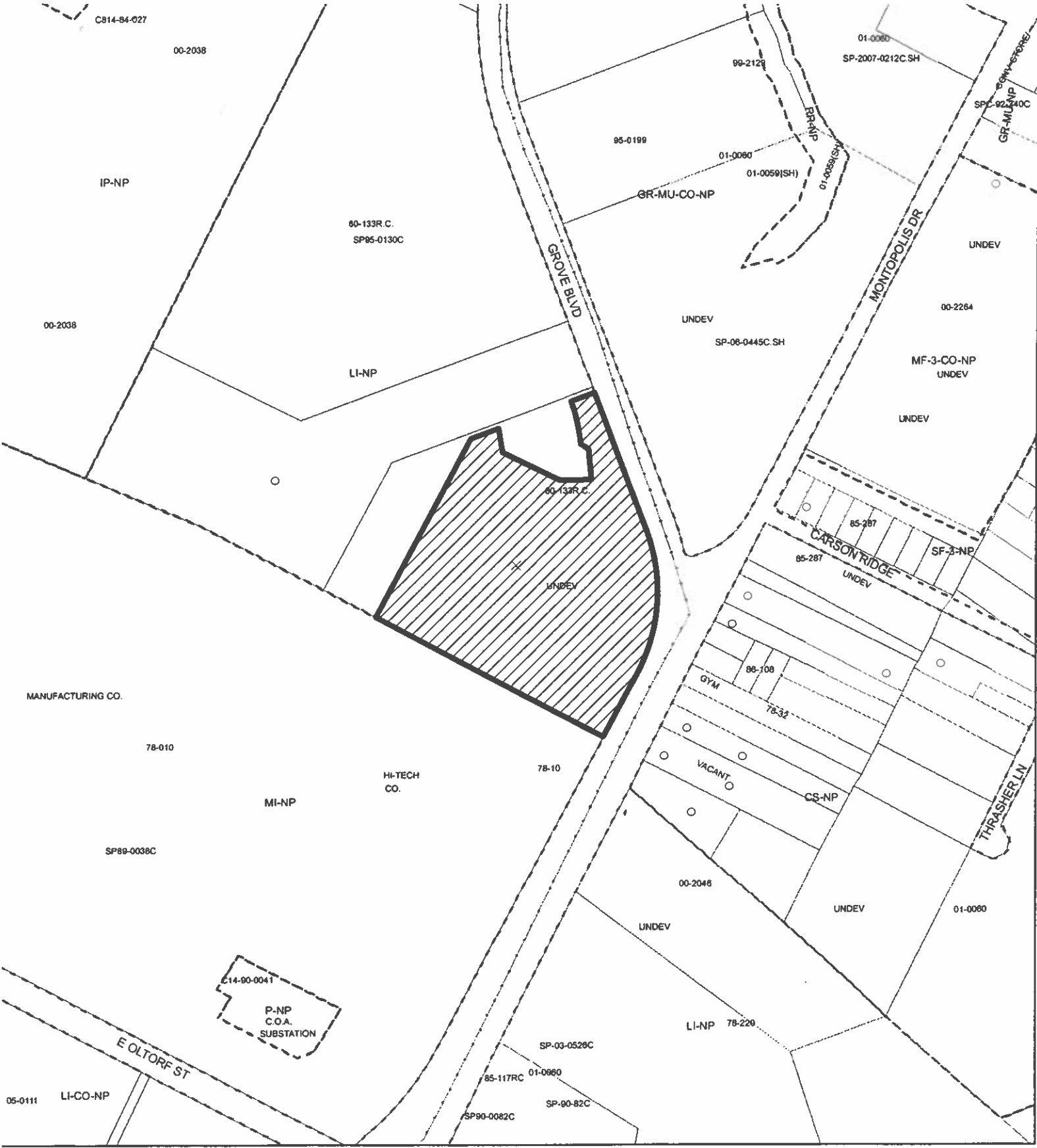
AS SURVEYED BY:
AUSTIN ENERGY

Marvin L. Gordy III

MARVIN L. GORDY III
REGISTERED PROFESSIONAL LAND SURVEYOR No. 4920
JUNE 15, 2007

THE UNIVERSITY OF TEXAS BOARD OF REGENTS
VOLUME 10555, PAGE 285, P.R.T.C.Tx.
LOT 2, BLOCK "C"
MARSHALL HILLS SECTION TWO
VOLUME 78, PAGE 279
P.R.T.C.Tx.

TOKYO ELECTRON AMERICA, INC.
VOLUME 12484, PAGE 890
P.R.T.C.Tx.
RESUBDIVISION OF LOT 1, BLOCK "A"
MARSHALL HILLS SECTION ONE-C
BOOK 98, PAGES 287-288
P.R.T.C.Tx.



N

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

OPERATOR: S. MECKS

ZONING EXHIBIT B

ZONING CASE#: C14-2009-0018
ADDRESS: 2400 MONTOPOLIS DR
SUBJECT AREA: 12.343 ACRES
GRID: K18 & L18
MANAGER: W. RHOADES

