

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 10601 NORTH FM 620 ROAD FROM NEIGHBORHOOD COMMERCIAL-CONDITIONAL OVERLAY (LR-CO) COMBINING DISTRICT TO 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 from neighborhood commercial-conditional overlay (LR-CO) combining district to commercial-liquor sales-conditional overlay (CS-1-CO) combining district on the property described in Zoning Case No. C14-2010-0152, on file at the Planning and Development Review Department, as follows:

A 4,358 square feet tract of land, more or less, identified as Tracts 1, 2, and 3, out of Lot 9, M&S Subdivision, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 10601 North FM 620 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. The Property is subject to Ordinance No. 010125-14 as it applies to the trip limit restriction for Lot 9, as follows: A site plan or building permit for Lot 9 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. The following uses are prohibited uses of the Property:

Adult oriented businesses
Cocktail lounge
Pawn shop services
Exterminating services

Electronic prototype assembly
Drop-off recycling collection facility
Equipment repair services
Equipment sales

Hotel-motel
Indoor sports & recreation
Automotive rentals
Automotive repair services
Automotive sales
Automotive washing (of any type)
Agricultural sales & services
Building maintenance services
Campground
Commercial blood plasma center
Construction sales & services
Convenience storage

Food preparation
Kennels
Laundry services
Plant nursery
Special use historic
Vehicle storage
Veterinary services
Custom manufacturing
Limited warehousing & distribution
Maintenance & service facilities
Transitional housing
Transportation terminal

Except as otherwise specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the commercial-liquor sales (CS-1) base district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on _____, 2010.

PASSED AND APPROVED

_____, 2010 §
 §
 §

Lee Leffingwell
Mayor

APPROVED: _____ **ATTEST:** _____
Karen M. Kennard Shirley A. Gentry
Acting City Attorney City Clerk

EXHIBIT "A"

BEING 4,358 SQUARE FEET OF LAND, DESCRIBED AS TRACTS 1, 2, AND 3 OUT OF LOT 9, M & S SUBDIVISION, RECORDED IN VOLUME 98, PAGE 350 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1

Commencing at a ½' rebar found at the northwesterly corner of Lot 6, 620 Oaks Subdivision, recorded in Volume 76, Page 239 of the Plat Records of Travis County, Texas, said point being the common southerly corner of Lot 5, said 620 Oaks Subdivision and Lot 10, 620 Oaks, Section Two Subdivision recorded in Volume 77, Page 355 of the Plat Records of Travis County, Texas, and the northeasterly corner of Lot 9, of said M & S Subdivision, said point also being S 61°46'20" E, a distance of 271.89 feet from a mag nail found in the easterly right of way line of F. M. 620 North for the Bearing Basis hereof;

THENCE, S 25°53'50" W with the common line of said Lot 6 and Lot 9, a distance of 94.89 feet to a calculated point;

THENCE, N 64°06'10" W, departing said line and running through said Lot 9, passing a calculated point at 7.38 feet, said point being the southeast corner of that called 7,000 square foot tract of land recorded in City of Austin Zoning Ordinance No. 010125-14, and continuing for a total distance of 11.76 feet to a calculated point in the line of an existing building for the northeasterly corner and the PLACE OF BEGINNING hereof;

THENCE, continuing through said Lot 9, along an existing building wall line, the following five (5) courses and distances:

S 25°57'16" W, a distance of 31.10 feet to a building corner for an exterior angle point hereof;

N 64°02'44" W, a distance of 21.30 feet to a building corner for an interior angle point hereof;

S 25°57'16" W, a distance of 44.00 feet to a building corner for the southeasterly corner hereof;

N 64°02'44" W, a distance of 28.80 feet to a building corner for the southwesterly corner hereof;

N 25°57'16" E, a distance of 75.05 feet to a calculated point in the southerly line of said 7,000 square foot tract, said point being S 64°06'10" E, a distance of 3.02 feet from the southwesterly corner of said 7,000 square foot tract and being the northwesterly corner hereof;

THENCE, S 64°06'10" E, with the southerly line of said 7,000 square foot tract, a distance of 50.10 feet to the PLACE OF BEGINNING hereof, containing 2,824 square feet of land.

TRACT 2

Commencing at the said ½' rebar found at the southeasterly corner of said Lot 10, 620 Oaks, Section Two Subdivision recorded in Volume 77, Page 355 of the Plat Records of Travis County, Texas, said point being the common westerly corner of Lot 5 and Lot 6 of said 620 Oaks Subdivision and being the northeasterly corner of Lot 9, of said M & S Subdivision;

THENCE, N 61°46'20" W (Bearing Basis), with the common line of said Lot 10 and Lot 9, a distance of 94.87 feet to a calculated point;

THENCE, S 25°53'50" W, running through said Lot 9, passing a calculated point at 8.46 feet, said point being the northwesterly corner of aforementioned 7,000 square foot tract, and continuing for a total distance of 16.42 feet to a calculated point along an existing building wall line for the northeasterly corner and THE PLACE OF BEGINNING hereof;

THENCE, S 25°53'50" W, running with the westerly line of said 7,000 square foot tract, running through an existing building and continuing through said Lot 9, a distance of 50.02 feet to a calculated point along an existing building wall line for the southeasterly corner hereof;

THENCE, continuing through said Lot 9, along an existing building wall line, the following two (2) courses and distances:

N 64°02'44" W, a distance of 30.17 feet to a building corner for the southwesterly corner hereof;
N 25°50'40" E, a distance of 49.99 feet to a building corner for the northwesterly corner hereof;

THENCE, S 64°06'44" E, a distance of 30.22 feet to the PLACE OF BEGINNING hereof and containing 1,510 square feet of land.

TRACT 3

Commencing at a calculated point at the southeasterly corner of aforementioned Tract 2, said point being N 25°53'50" E, a distance of 2.30 feet from the southwesterly corner of aforementioned 7,000 square foot tract and being a point along said building wall line;

THENCE, with said building line the following two (2) courses and distances:

S 64°02'44" E, a distance of 19.83 feet to a building corner for an interior angle point herein;
S 23°29'31" E, a distance of 3.51 feet to a calculated point, said point being along the interior southerly line of said 7,000 square foot tract for the northwesterly corner and the PLACE OF BEGINNING hereof;

THENCE, along said 7,000 square foot tract line and running through said building the following two (2) courses and distances:

S 64°06'10" E, a distance of 7.51 feet to a calculated point for the northeasterly corner hereof;
S 25°53'50" W, a distance of 6.44 feet to a calculated point along said building wall line and being a point along the interior westerly line of said 7,000 square foot tract for the southeasterly corner hereof;

THENCE, N 23°29'31" W, along said building wall line, a distance of 9.89 feet to the PLACE OF BEGINNING hereof and containing 24 square feet of land.



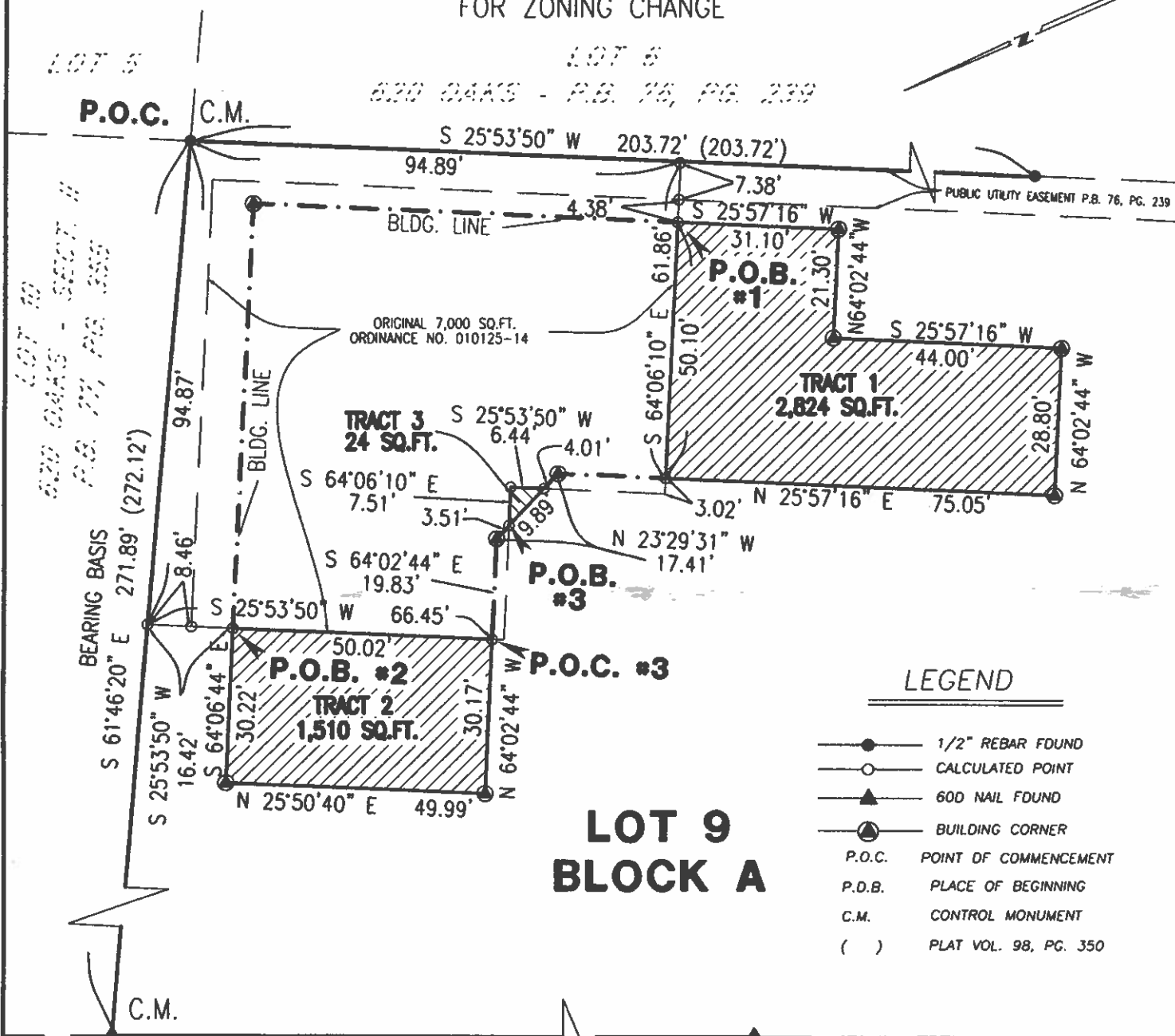
Michael Lancaster, RPLS 5529

08/26/2010
Date

B & G Surveying, Inc.
1404 W. North Loop Blvd.
Austin, Texas 78756
Phone (512) 458-6969
Fax (512) 458-1129
B0805010_legal



SKETCH TO ACCOMPANY FIELD NOTES FOR ZONING CHANGE



LOT 9 BLOCK A

F.M. 620 NORTH

AREA TABULATION

TRACT 1	-	2,824 SQ.FT.
TRACT 2	-	1,510 SQ.FT.
TRACT 3	-	24 SQ.FT.
TOTAL AREA	-	4,358 SQ.FT.

DATE 08/26/10
JOB # B0805010_TA
SCALE 1" = 30'

B&G Surveying, Inc.

Victor M. Garza R.P.L.S.

Office 512*458-6969
Fax 512*458-9845

1404 West North Loop Blvd.
Austin, Texas 78756

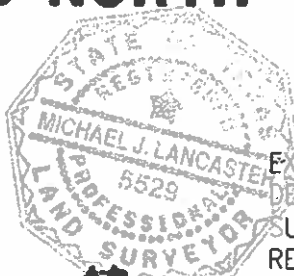


EXHIBIT A - BEING 4,358 SQUARE FEET OF LAND,
DESCRIBED AS TRACTS 1, 2, AND 3 OUT OF LOT 9, M & S
SUBDIVISION, RECORDED IN VOL. 98, PAGE 350 OF THE PLAT
RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE
PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT
"A" ATTACHED HERETO AND MADE A PART THEREOF;

MICHAEL LANCASTER

08/26/2010
RPLS 5529

SF-2

N FM 620 RD

TRACT 2

CS-1-CO

TRACT 3

SF 01-0309C

LR-60

00-2122

TRACT 1

SF-2

BOULDER LN

FOUNDATION RD

NO-CO

SP-0038

SPC-03-0310A
SP-95-0309A

SF-6

ZONING *EXHIBIT B*

ZONING CASE#: C14-2010-0152

LOCATION: 10601 N FM 620 RD




SUBJECT AREA: 0.10 ACRES

GRID: E37

MANAGER: SHERRI SIRWAITIS

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 100'