

**ORDINANCE NO. 20110127-048**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2631 CAPITAL OF TEXAS HIGHWAY SOUTH FROM COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING 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 community commercial-conditional overlay (GR-CO) combining district to general commercial services-conditional overlay (CS-CO) combining district on the property described in Zoning Case No. C14-2010-0195, on file at the Planning and Development Review Department, as follows:

A 7.678 acre tract of land, more or less, out of the C. Arnold Survey No. 78, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

locally known as 2631 Capital of Texas Highway South, 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. 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 4,000 trips per day.
- B. For a convenience storage use of the Property the maximum height of a building or structure is 39 feet.

C. The following uses are prohibited uses of the Property:

Agricultural sales & services	Automotive sales
Automotive rentals	Automotive repair services
Automotive washing (of any type)	Building maintenance services
Campground	Commercial blood plasma center
Commercial off-street parking	Construction sales & services
Drop-off recycling collection facility	Electronic prototype assembly
Electronic testing	Equipment repair services
Equipment sales	Exterminating services
Hotel-motel	Indoor entertainment
Kennels	Laundry service
Monument retail sales	Off-site accessory parking
Pawn shop services	Outdoor entertainment
Theater	Service station
Vehicle storage	Veterinary services
Limited warehousing and distribution	Maintenance and service facilities
Transitional housing	Transportation terminal

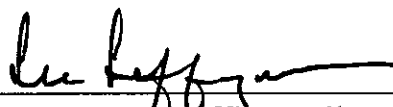
D. The following uses are conditional uses of the Property:

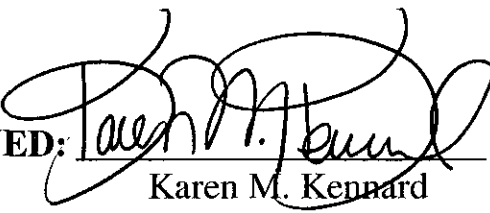
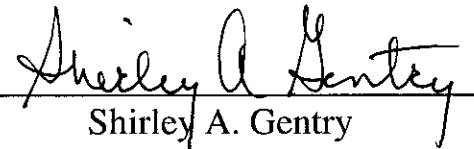
Food preparation	Custom manufacturing
Plant nursery	

Except as otherwise 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 February 7, 2011.

**PASSED AND APPROVED**

\_\_\_\_\_, January 27, 2011      §  
   §  
   §        
   Leo Leffingwell  
   Mayor

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



Professional Land Surveying, Inc.  
Surveying and Mapping

Office: 512-476-7103  
Fax: 512-476-7105

510 South Congress Ave.  
Suite B-100  
Austin, Texas 78704

**7.678 ACRE ZONING TRACT 1  
SCHMIDT TRACT**

A DESCRIPTION OF 7.678 ACRES OF LAND IN THE C. ARNOLD SURVEY NO. 78, TRAVIS COUNTY, TEXAS, BEING ALL OF A 1.313 ACRE TRACT OF LAND CONVEYED TO LEON A. SCHMIDT, TRUSTEE ON AUGUST 26, 1975 BY WARRANTY DEED RECORDED IN VOLUME 5249, PAGE 1767 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND PART OF A 10.954 ACRE TRACT OF LAND CONVEYED TO LEON SCHMIDT, TRUSTEE ON MAY 18, 1978 BY WARRANTY DEED RECORDED IN VOLUME 6177, PAGE 2320 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 7.678 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a calculated point for the westernmost corner of the herein described 7.678 acres, being in the northeast right-of-way line of Capital of Texas Highway South (Loop 360, right-of-way varies), being also the southwest line of the said 10.954 acre tract, from which a 1/2" iron pipe found in the northeast right-of-way line of Capital of Texas Highway South for the westernmost corner of the said 10.954 acre tract, being also the southernmost corner of Lot 3A, Amended Plat of Lots 1, 2 & 3 Sandbird Subdivision Section Two, a subdivision of record in Volume 99, Page 322 of the Plat Records of Travis County, Texas, bears North 35°41'24" West, a distance of 250.00 feet;

**THENCE** leaving the northeast right-of-way line of Capital of Texas Highway South, over and across the said 10.954 acre tract the following three (3) courses:

1. North 54°19'17" East, a distance of 341.31 feet to a calculated point for an angle point;
2. South 58°23'15" East, a distance of 338.87 feet to a calculated point for an angle point;
3. South 61°12'47" East, a distance of 276.18 feet to a calculated point for an angle point in the southeast line of the said 10.954 acre tract, being the northwest line of Lot 1, M-P Addition, a subdivision of record in Volume 81, Page 133 of the Plat Records of Travis County, Texas, from which a 1/2" rebar found for the easternmost corner of the said 10.954 acre tract bears North 28°48'18" East, a distance of 150.00 feet;

**THENCE** South 28°48'18" West with the southeast line of the said 10.954 acre tract, being in part the northwest line of said Lot 1, and in part the northwest line of Lot 1, Block A, Texas Commerce Bancshares Subdivision, a subdivision of record in Volume 81, Page 347

EXHIBIT A

Page 2

7.678 ACRE ZONING TRACT 1  
SCHMIDT TRACT

of the Plat Records of Travis County, Texas, a distance of 470.97 feet to a 1/2" rebar with cap set for an angle point in the west line of Lot 1, Block A, Texas Commerce Bancshares Subdivision;

**THENCE** South 28°58'18" West with the southeast line of the said 10.954 acre tract and the northwest line of Lot 1, Block A, of said Texas Commerce Bancshares Subdivision, a distance of 150.83 feet to a 1/2" rebar with cap set in the northeast right-of-way line of Capital of Texas Highway South, for the southernmost corner of the said 10.954 acre tract, being also the westernmost corner of Lot 1, Block A, of said Texas Commerce Bancshares Subdivision;

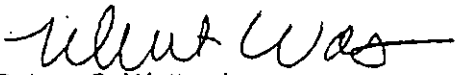
**THENCE** North 35°39'55" West with the northeast right-of-way line of Capital of Texas Highway and the southwest line of the said 10.954 acre tract, a distance of 170.36 feet to a 1/2" rebar found for the south corner of the said 1.313 acre tract, being a westerly corner of the said 10.954 acre tract;

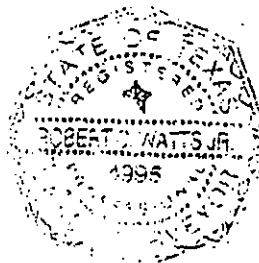
**THENCE** leaving the said 10.954 acre tract, with the northeast right-of-way line of Capital of Texas Highway and the southwest line of the said 1.313 acre tract the following three (3) courses:

1. North 35°39'14" West a distance of 32.68 feet to a concrete highway monument found for an angle point;
2. North 46°54'31" West a distance of 153.06 feet to a concrete highway monument found for an angle point;
3. North 35°41'24" West a distance of 362.47 feet to a 1/2" rebar with cap set for the westernmost corner of the said 1.313 acre tract, being also an angle point in the southwest line of the said 10.954 acre tract;

**THENCE** North 35°41'24" West with the northeast right-of-way line of Capital of Texas Highway and the southwest line of the said 10.954 acre tract, a distance of 113.64 feet to the **POINT OF BEGINNING**, containing 7.678 acres of land, more or less.

Surveyed on the ground February, 2001. Bearing Basis is Grid azimuth for Texas central zone, 1983/93 HARN values from LCRA control network. Attachments: Drawing 229-05T1.

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



10-5-01

SKETCH TO ACCOMPANY A DESCRIPTION OF 7.678 ACRES OF LAND IN THE C. ARNOLD SURVEY NO. 78, TRAVIS COUNTY, TEXAS, BEING ALL OF A 1.313 ACRE TRACT OF LAND CONVEYED TO LEON A. SCHMIDT, TRUSTEE ON AUGUST 26, 1975 BY WARRANTY DEED RECORDED IN VOLUME 5249, PAGE 1767 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND PART OF A 10.954 ACRE TRACT OF LAND CONVEYED TO LEON SCHMIDT, TRUSTEE ON MAY 18, 1978 BY WARRANTY DEED RECORDED IN VOLUME 6177, PAGE 2320 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

NUMBER	DIRECTION	DISTANCE	(RECORD DATA)
L1	N54°19'17"E	399.62'	(N56°47'00"E 400.70')
L2	S58°18'06"E	167.13'	(S56°02'00"E 166.37')
L3	S58°23'15"E	376.17'	(S56°02'00"E 375.78')
L4	S61°12'47"E	272.53'	(S58°48'00"E 273.31')
L5	S28°48'18"W	620.97'	(S31°12'00"W 621.06')
L6	S28°58'18"W	150.83'	(S31°22'00"W 150.85')
L7	N35°39'55"W	170.36'	(N33°20'00"W 170.05')
L8	N35°39'14"W	32.68'	(N34°05'00"W 32.75')
L9	N46°54'31"W	153.06'	(N45°21'00"W 153.05')
L10	N35°41'24"W	362.47'	(N34°00'00"W 362.73')
L11	N35°41'24"W	363.64'	(N33°21'00"W 363.29')
L12	N35°43'13"W	163.18'	(N33°21'00"W 163.35')
L13	S54°14'19"W	245.89'	
L14	S54°14'19"W	274.23'	
L15	N35°45'41"W	1400.75'	(N34°00'W)
L16	S35°39'56"E	47.13'	(S34°00'00"E)
L17	S21°37'56"E	102.82'	(S18°58'00"E 103.08')
L18	S61°32'26"E	381.75'	(S59°12'00"E 382.13')
L19	S59°31'17"E	116.45'	(S57°14'00"E 116.39')
L20	S26°55'15"W	206.95'	(S29°13'00"W 207.15')
L21	N54°19'17"E	341.31'	
L22	S58°23'15"E	338.87'	
L23	S61°12'47"E	276.18'	

*Watts*  
10-5-01



BEARING BASIS IS GRID AZIMUTH FOR TEXAS CENTRAL ZONE,  
1983/93 HARN VALUES FROM LCRA CONTROL NETWORK.  
ATTACHMENTS: METES AND BOUNDS DESCRIPTION (229-05T1.DOC)

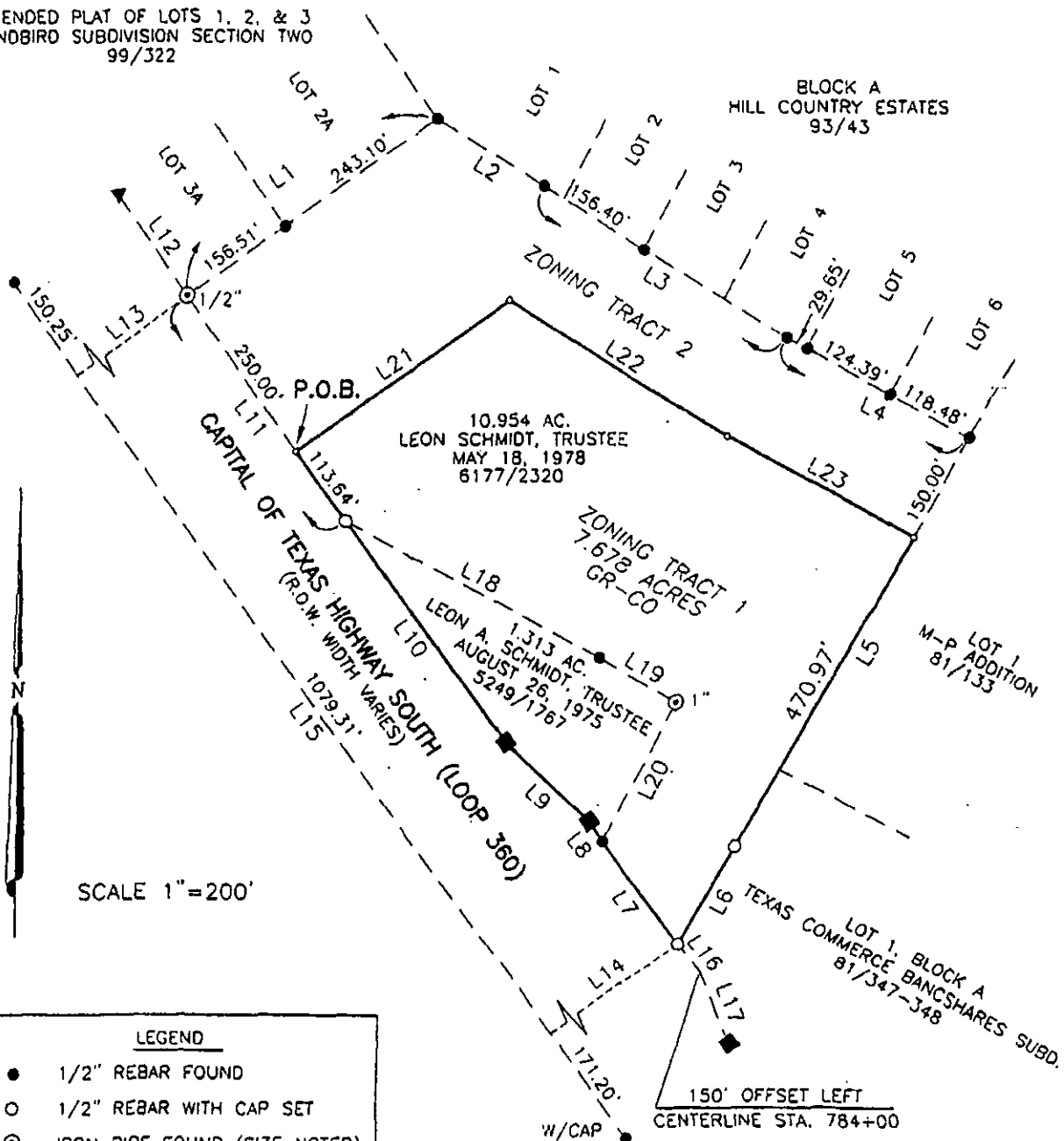
PROJECT NO: 229-005  
DRAWING NO: 229-05T1  
DRAWN BY: EJD & JBE

**Chaparral**

DATE OF SURVEY: FEBRUARY, 2001  
PLOT DATE: 10/05/01  
SHEET 1 OF 2

AMENDED PLAT OF LOTS 1, 2, & 3  
SANDBIRD SUBDIVISION SECTION TWO  
99/322

BLOCK A  
HILL COUNTRY ESTATES  
93/43

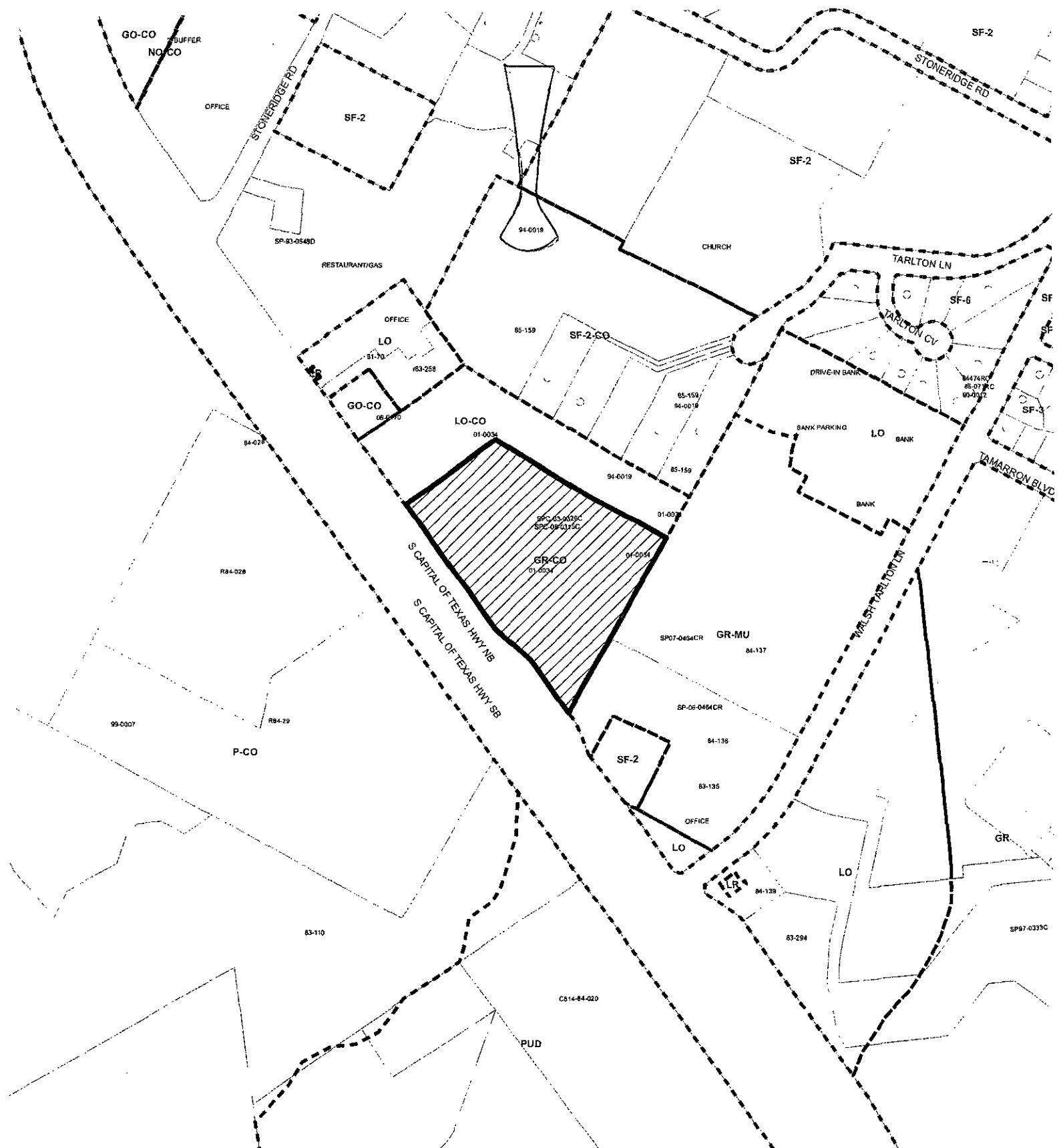


### LEGEND

- 1/2" REBAR FOUND
- 1/2" REBAR WITH CAP SET
- ⊙ IRON PIPE FOUND (SIZE NOTED)
- CONC. HIGHWAY MON. FOUND
- ▲ P.K. NAIL FOUND
- CALCULATED POINT

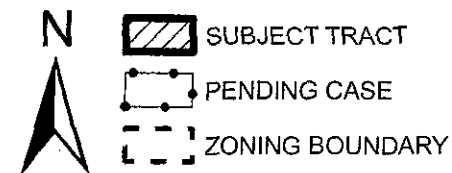
PROJECT NO: 229-005  
DRAWING NO: 229-05T1  
DRAWN BY: EJD & JBE

DATE OF SURVEY: FEBRUARY, 2001  
PLOT DATE: 10/05/01  
SHEET 2 OF 2



## ZONING EXHIBIT B

ZONING CASE#: C14-2010-0195  
 LOCATION: 2631 S CAPITAL OF TEXAS HWY NB  
 SUBJECT AREA: 7.678 ACRES  
 GRID: E21 E22 F21  
 MANAGER: STEPHEN RYE



1' = 400'

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.