

ORDINANCE NO. _____

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**
2 **PROPERTY LOCATED AT 3311 SOUTH FM 973 ROAD FROM DEVELOPMENT**
3 **RESERVE (DR) DISTRICT TO GENERAL COMMERCIAL SERVICES-**
4 **CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT.**

5
6 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**
7

8 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
9 change the base district from development reserve (DR) district to general commercial
10 services-conditional overlay (CS-CO) combining district on the property described in
11 Zoning Case No. C14-2011-0048, on file at the Planning and Development Review
12 Department, as follows:
13

14 A 6.658 acre tract of land, more or less, out of the Santiago Del Valle League,
15 Abstract No. 24, Travis County, the tract of land being more particularly described
16 by metes and bounds in Exhibit "A" incorporated into this ordinance (the
17 "Property"),
18

19 locally known as 3311 South FM 973 Road, in the City of Austin, Travis County, Texas,
20 and generally identified in the map attached as Exhibit "B".
21

22 **PART 2.** The Property within the boundaries of the conditional overlay combining district
23 established by this ordinance is subject to the following conditions:
24

25 A. The following uses are prohibited uses of the Property:
26

27 Adult-oriented business	Agricultural sales & services
28 Automotive rentals	Automotive repair services
29 Automotive sales	Automotive washing (of any type)
30 Bail bond services	Campground
31 Commercial blood plasma center	Convenience storage
32 Drop-off recycling collection facility	Equipment sales
33 Group home, Class I (limited)	Group home, Class I (general)
34 Group home, Class II	Pawn shop services
35 Vehicle storage	
36	
37	

- 1
2 B. A site plan or building permit for the Property may not be approved, released,
3 or issued, if the completed development or uses of the Property, considered
4 cumulatively with all existing or previously authorized development and uses,
5 generate traffic that exceeds 2,000 trips per day.
6

7 Except as otherwise specifically restricted under this ordinance, the Property may be
8 developed and used in accordance with the regulations established for the general
9 commercial services (CS) base district, and other applicable requirements of the City Code.

10
11 **PART 3.** This ordinance takes effect on _____, 2011.

12
13 **PASSED AND APPROVED**

14
15 §
16 §
17 _____, 2011 § _____
18 Lee Leffingwell
19 Mayor
20

21
22 **APPROVED:** _____ **ATTEST:** _____
23 Karen M. Kennard Shirley A. Gentry
24 City Attorney City Clerk

6.658 ACRES
EASTBOURNE CROSSING

EXHIBIT A

FN. NO. 08-030 (ACD)
JANUARY 16, 2008
BPI JOB NO. 1673-01

DESCRIPTION

OF 6.658 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE LEAGUE, ABSTRACT NO. 24, SITUATED IN TRAVIS COUNTY, TEXAS, BEING THAT CERTAIN 6.659 ACRE TRACT CONVEYED TO 973 RETAIL, LLC, BY DEED OF RECORD IN DOCUMENT NO. 2007177016, OF SAID OFFICIAL PUBLIC RECORDS; SAID 6.658 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found on the easterly right-of-way line of F.M. Highway No. 973 (right-of-way varies), being the northwesterly corner of that certain 389.447 acre tract conveyed to Eastbourne Crossing Limited Partnership, by Deed of record in Document No. 2006107114, of said Official Public Records, for the southwesterly corner of said 6.659 acre tract and hereof;

THENCE, along said easterly right-of-way line, as found used on the ground, for the westerly line of said 6.659 acre tract and hereof, the following two (2) courses and distances:

- 1) N42°43'03"E, a distance of 148.33 feet to a 1/2-inch iron rod found for an angle point in the westerly line of said 6.659 acre tract and hereof;
- 2) N44°03'25"E, a distance of 599.78 feet to a calculated point in a utility pole at the northwesterly corner of said 6.659 acre tract, being the southwesterly corner of the remainder of that certain 1.22 acre tract conveyed to Israel Thompson, McKinley Sterling, Charlie Davidson and Alf Caldwell, The Board of Deacons of the Del Valle Missionary Baptist Church, by Deed of record in Volume 1715, Page 338, of the Deed Records of Travis County, Texas, for the northwesterly corner hereof, from which a TxDOT Type I concrete monument found bears N42°18'36"E, a distance of 25.10 feet;

THENCE, S47°09'44"E, leaving said easterly right-of-way line, along the southerly line of said remainder tract, for the northerly line of said 6.659 acre tract and hereof, a distance of 379.21 feet to a 1/2-inch iron pipe found at the southeasterly corner of said remainder tract, being an angle point in the westerly line of that certain 74.790 acre tract (called "Parcel 359") conveyed to the State of Texas, by Deed of record in Document No. 2005169200, of said Official Public Records, for the northeasterly corner of said 6.659 acre tract and hereof;

THENCE, S42°35'07"W, along the westerly line of said Parcel 359, for the easterly line of said 6.659 acre tract and hereof, at 160.80 feet passing a 1/2-inch iron rod found at the southwesterly corner of said Parcel 359, being an angle point in the northerly line of said 389.447 acre tract, and continuing along the northerly line of said 389.447 acre tract for a total distance of 745.23 feet to a concrete monument found at an angle point in the northerly line of said 389.447 acre tract, for the southeasterly corner of said 6.659 acre tract and hereof;

THENCE, N47°33'42"W, continuing along the northerly line of said 389.447 acre tract, for the southerly line of said 6.659 acre tract and hereof, a distance of 394.96 feet to the POINT OF BEGINNING, and containing 6.658 acres (290,026 square feet) of land, more or less, within these metes and bounds.

BEARING BASIS: TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(93), UTILIZING CITY OF AUSTIN AND LCRA PROVIDED MONUMENTS.

I, ABRAM C. DASHNER, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION, AND IS TRUE AND CORRECT TO THE BEST OF MY ABILITIES.

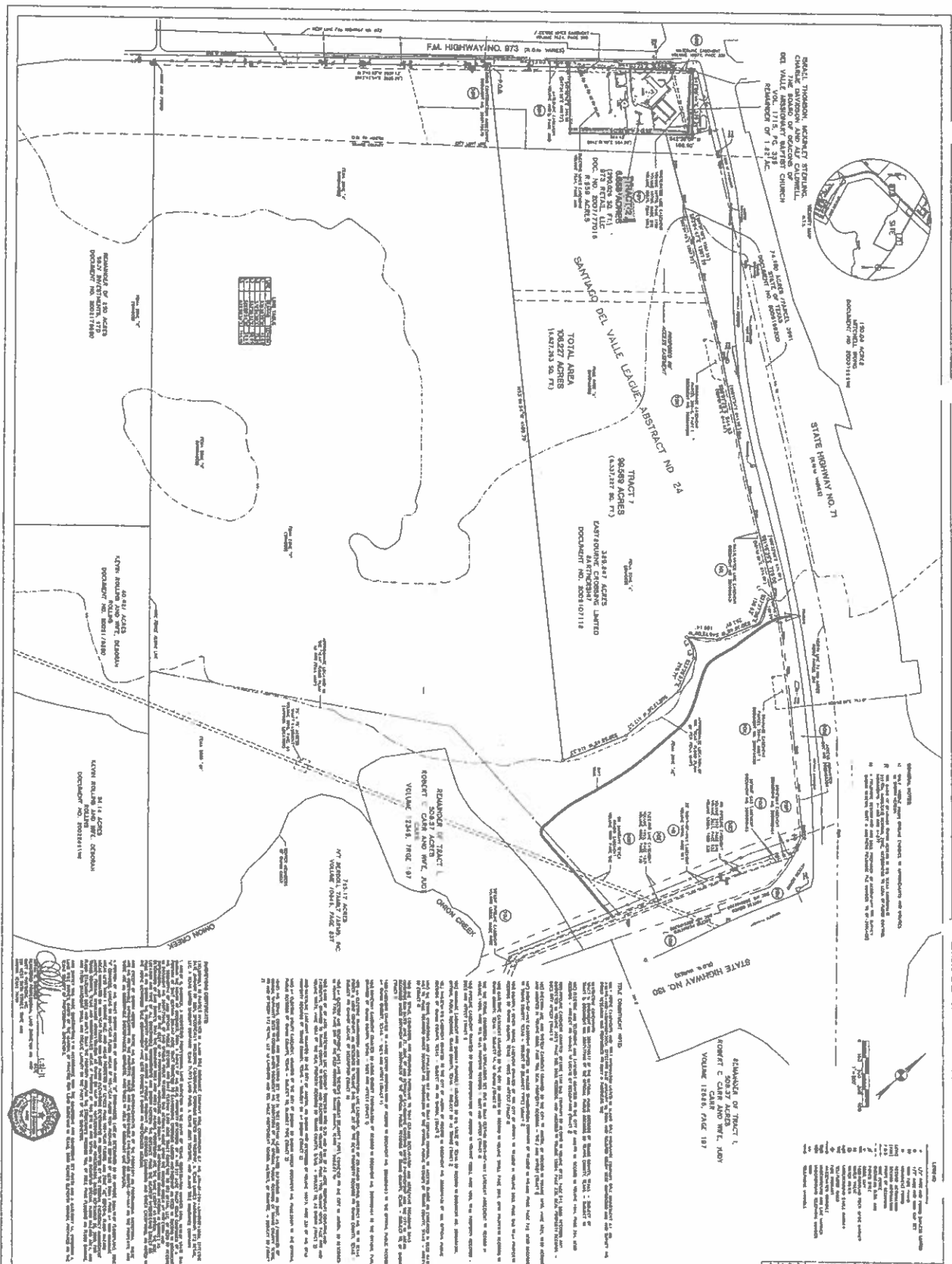
BURY & PARTNERS, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVES ROAD, SUITE 200
AUSTIN, TEXAS 78746



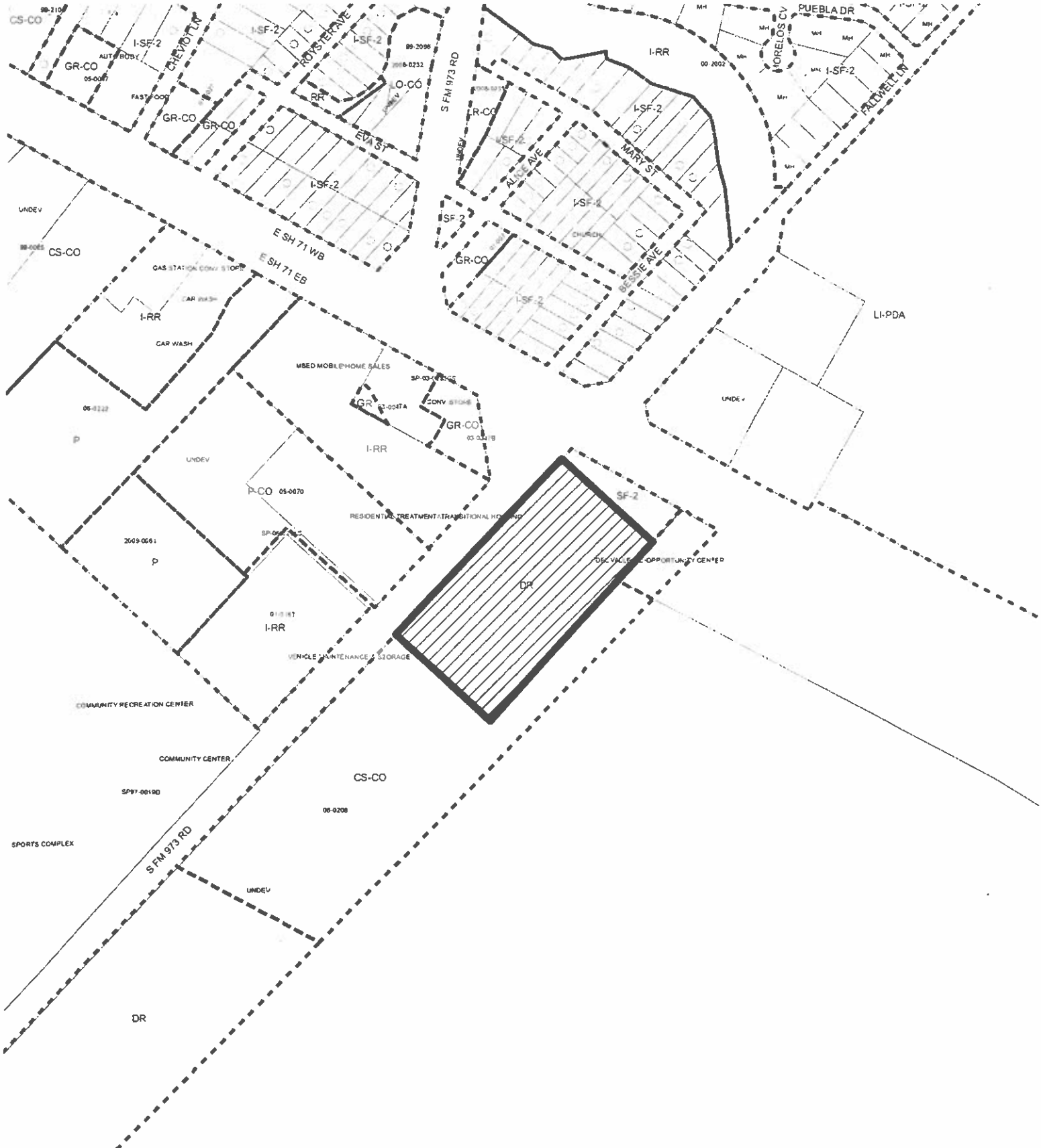
ABRAM C. DASHNER
NO. 5901
STATE OF TEXAS

1-16-08








SHEET 1		TEXAS 71/973 LAND FUND		LAND TITLE SURVEY		Bury+Partners	
EASTBOURNE CROSSING		OF A 108,227 ACRE TRACT SITUATED IN THE SANTIAGO DEL VALLE LEQUE, ABSTRACT NO. 24, COUNTY OF BEXAR, STATE OF TEXAS, BEING A PORTION OF THAT CERTAIN 381,847 ACRE TRACT CONVEYED TO EASTBOURNE CROSSING LIMITED PARTNERSHIP BY DEED OF RECORD IN DOCUMENT NO. 2006070118 AND ALL OF THAT CERTAIN 859 ACRE TRACT CONVEYED TO THE STATE OF TEXAS BY DEED OF RECORD IN DOCUMENT NO. 2007177018 BOTH OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.					
Survey 1-1-2001 Date 12/21/01		Drawn by JAC		Agreed by JAC		Payroll No. 00000000000000000000	
Book 10, Page 100		Drawn by JAC		Agreed by JAC		Payroll No. 00000000000000000000	



ZONING EXHIBIT B



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING CASE#: C14-2011-0048
 LOCATION: 3311 S FM 973 RD
 SUBJECT AREA: 6.658 ACRES
 GRID: P16
 MANAGER: WENDY RHOADES



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.