

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE  
2 PROPERTY LOCATED AT 753 MONTOPOLIS DRIVE IN THE MONTOPOLIS  
3 NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-  
4 NEIGHBORHOOD PLAN (CS-NP) COMBINING DISTRICT TO COMMERCIAL  
5 LIQUOR SALES-NEIGHBORHOOD PLAN (CS-1-NP) COMBINING DISTRICT  
6 (TRACT ONE) AND FROM COMMERCIAL- LIQUOR SALES-  
7 NEIGHBORHOOD PLAN (CS-1-NP) COMBINING DISTRICT TO GENERAL  
8 COMMERCIAL SALES-NEIGHBORHOOD PLAN (CS-NP) COMBINING  
9 DISTRICT (TRACT TWO).

10  
11 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

12  
13 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to  
14 change the base districts on the property described in Zoning Case No. C14-2011-0043, on  
15 file at the Planning and Development Review Department, as follows:

16  
17 Tract One: From general commercial services-neighborhood plan (CS-NP)  
18 combining district to commercial liquor sales-neighborhood plan (CS-1-NP)  
19 combining district.

20  
21 A 988 square foot tract of land, more or less, out of Lot 3A of the Amended Plat of  
22 Lots 2, 3 and 4, Ponca Street Addition, the tract of land being more particularly  
23 described by metes and bounds in Exhibit "A" incorporated into this ordinance;  
24 and,

25  
26 Tract Two: From commercial liquor sales-neighborhood plan (CS-1-NP)  
27 combining district to general commercial services-neighborhood plan (CS-NP)  
28 combining district.

29  
30 A 804 square foot tract of land, more or less, out of Lot 3A of the Amended Plat of  
31 Lots 2, 3 and 4, Ponca Street Addition, the tract of land being more particularly  
32 described by metes and bounds in Exhibit "B" incorporated into this ordinance (the  
33 "Property"),

34  
35 locally known as 753 Montopolis Drive, in the City of Austin, Travis County, Texas, and  
36 generally identified in the map attached as Exhibit "C".  
37

1 **PART 2.** Except as otherwise specifically provided in Part 3 of this ordinance, the  
2 Property may be developed and used in accordance with the regulations established for  
3 respective base districts, and other applicable requirements of the City Code.

4  
5 **PART 3.** The Property is subject to Ordinance No. 010927-28 that established the  
6 Montopolis neighborhood plan combining district.

7  
8 **PART 4.** This ordinance takes effect on \_\_\_\_\_, 2011.

9  
10  
11 **PASSED AND APPROVED**

12  
13 §  
14 §  
15 \_\_\_\_\_, 2011 § \_\_\_\_\_  
16 Lee Leffingwell  
17 Mayor

18  
19  
20 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
21 Karen M. Kennard Shirley A. Gentry  
22 City Attorney City Clerk

## TRACT 1

DESCRIPTION OF A PORTION OF AN EXISTING ONE STORY BRICK AND CONCRETE BLOCK BUILDING LOCALLY KNOWN AS 737 MONTOPOLIS DRIVE, SUITE B AUSTIN, TEXAS 78741, SAID EXISTING ONE STORY BRICK AND CONCRETE BLOCK BUILDING IS ONE OF TWO EXISTING BUILDINGS WHICH LIE WHOLLY ON A LOT LEGALLY KNOWN AS LOT 3A OF THE AMENDED PLAT OF LOTS 2, 3 AND 4 PONCA STREET ADDITION, A SUBDIVISION IN THE CITY OF AUSTIN, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED UNDER DOCUMENT NO. 200200342, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 3A AND THE HEREIN DESCRIBED SUITE B ARE OWNED BY BBJM, INC., THE DEED TO SAID OWNER IS RECORDED UNDER DOCUMENT NO. 2005040043, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, THE ABOVE SAID SUITE B IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a ½" iron rod found at the most Southerly corner of the above said Lot 3A, said rod being also the most Westerly corner of a called 4.790 acre tract conveyed to Jesus Sandoval by deed of record under Document No. 2003050796, Official Public Records of Travis County, Texas, said iron rod being also a point on the North line of a called 1.205 acre tract conveyed to Jose C. and Gloria E. Perez by deed of record under Document No. 2000187157 of the Official Public Records of Travis County, Texas

THENCE N43°47'58"E along the dividing line of the above said Lot 3A and the 4.790 acre tract, for a distance of 77.92 feet to a calculated point

THENCE N46°12'02"W, entering Lot 3A, for a distance of 66.64 feet to the most Southerly outside corner of the above said one story brick and concrete block building, same being the most Southerly corner of the above said Suite B, for the most Southerly corner hereof and the PLACE OF BEGINNING hereof

THENCE N46°16'09"W along the outside of the Southwest wall of said one story brick and concrete block building, same being the outside of the Southwest wall of said Suite B, for a distance of 44.90 feet to the most Westerly-Southwest outside corner of said one story brick and concrete block building, same being the most Westerly Southwest corner of Suite B, for the most Westerly Southwest corner hereof

THENCE N43°43'51"E, along the outside Northwest wall of the one story brick and concrete block building, same being the outside Northwest wall of Suite B, for a distance of 22.00 feet to the most Northerly Northwest outside corner of Suite B, for the most Northerly Northwest corner hereof

THENCE S46°16'09"E, along the Northeast line of the existing Suite B, said line passes through the one story brick and concrete block building for a distance of 44.90 feet to the outside wall of the one story brick and concrete block building, for the most Easterly outside corner of Suite B and the most Easterly outside corner hereof


THENCE S43°43'51"W, along the Southeast outside wall of the said one story brick and concrete block building, same being the Southeast outside wall of Suite B, 22.00 feet returning to the PLACE OF BEGINNING and continuing 988 square feet.

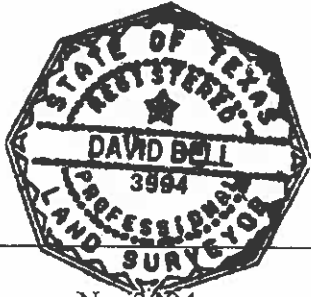
TAX PARCEL NO.  
0305160236

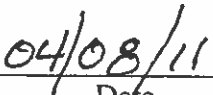
MAPSCO  
616MLP

The bearing basis of the above description is N43°22'12"W which is the course of the platted dividing line of Lots 2A and 3A, Amended Plat of Lots 2,3 and 4, Ponca Street Addition.

This description is to accompany a sketch of Suite B as described herein.

  
David Bell  
Registered Professional Land Surveyor No. 3994



  
Date

 **TRI-TECH**  
**SURVEYING COMPANY, L.P.**  
Formerly Doug Seelig Land Surveyors, PC  
Phone: 512-440-0123 Fax: 512-440-0124  
3902 Manchaca Austin, Texas 78704

## TRACT 2

DESCRIPTION OF A PORTION OF AN EXISTING ONE STORY BRICK AND FRAME BUILDING LOCALLY KNOWN AS 745 MONTOPOLIS DRIVE, AUSTIN, TEXAS 78741, SAID EXISTING ONE STORY BRICK AND FRAME BUILDING IS ONE OF TWO EXISTING BUILDINGS WHICH LIE WHOLLY ON A LOT LEGALLY KNOWN AS LOT 3A OF THE AMENDED PLAT OF LOTS 2, 3 AND 4 PONCA STREET ADDITION, A SUBDIVISION IN THE CITY OF AUSTIN, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED UNDER DOCUMENT NO. 200200342, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 3A AND THE WHOLE OF THE EXISTING ONE STORY BRICK AND FRAME BUILDING ARE OWNED BY BBJM, INC., THE DEED TO SAID OWNER IS RECORDED UNDER DOCUMENT NO. 2005040043, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, THE ABOVE SAID PORTION OF THE EXISTING ONE STORY BRICK AND FRAME BUILDING IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERNECE at a ½" iron rod found at the most Southerly corner of the above said Lot 3A, said rod being also the most Westerly corner of a called 4.790 acre tract conveyed to Jesus Sandoval by deed of record under Document No. 2003050796, Official Public Records of Travis County, Texas, said iron rod being also a point on the North line of a called 1.205 acre tract conveyed to Jose C. and Gloria E. Perez by deed of record under Document No. 2000187157 of the Official Public Records of Travis County, Texas

THENCE N48°08'13"W along the dividing line of the above said Lot 3A and the 1.205 acre tract, for a distance of 111.75 feet to a calculated point

THENCE N41°51'47"E, entering Lot 3A, for a distance of 14.86 feet to the most Southerly outside corner of the above said one story brick and frame building for the most Southerly corner hereof and the PLACE OF BEGINNING hereof

THENCE N48°07'01"W along the outside of the Southwest wall of said one story brick and frame building, for a distance of 20.00 feet to the most Westerly-Southwest corner hereof

THENCE N41°47'23"E, passing through said building, for a distance of 40.18 feet to the most Northerly Northwest outside corner hereof

THENCE S48°07'01"E, along the Northeast wall of said building for a distance of 20.00 feet to the most Easterly outside corner hereof

THENCE S41°47'23"W, along the Southeast outside wall of the said building, 40.18 feet returning to the PLACE OF BEGINNING and continuing 804 square feet.

TAX PARCEL NO.  
0305160236

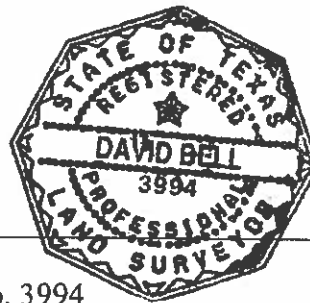
MAPSCO  
616MLP

The bearing basis of the above description is N43°22'12"W which is the course of the platted dividing line of Lots 2A and 3A, Amended Plat of Lots 2,3 and 4, Ponca Street Addition.

This description is to accompany a sketch.



David Bell  
Registered Professional Land Surveyor No. 3994



4/21/11  
Date



**TRI-TECH**  
**SURVEYING COMPANY, L.P.**

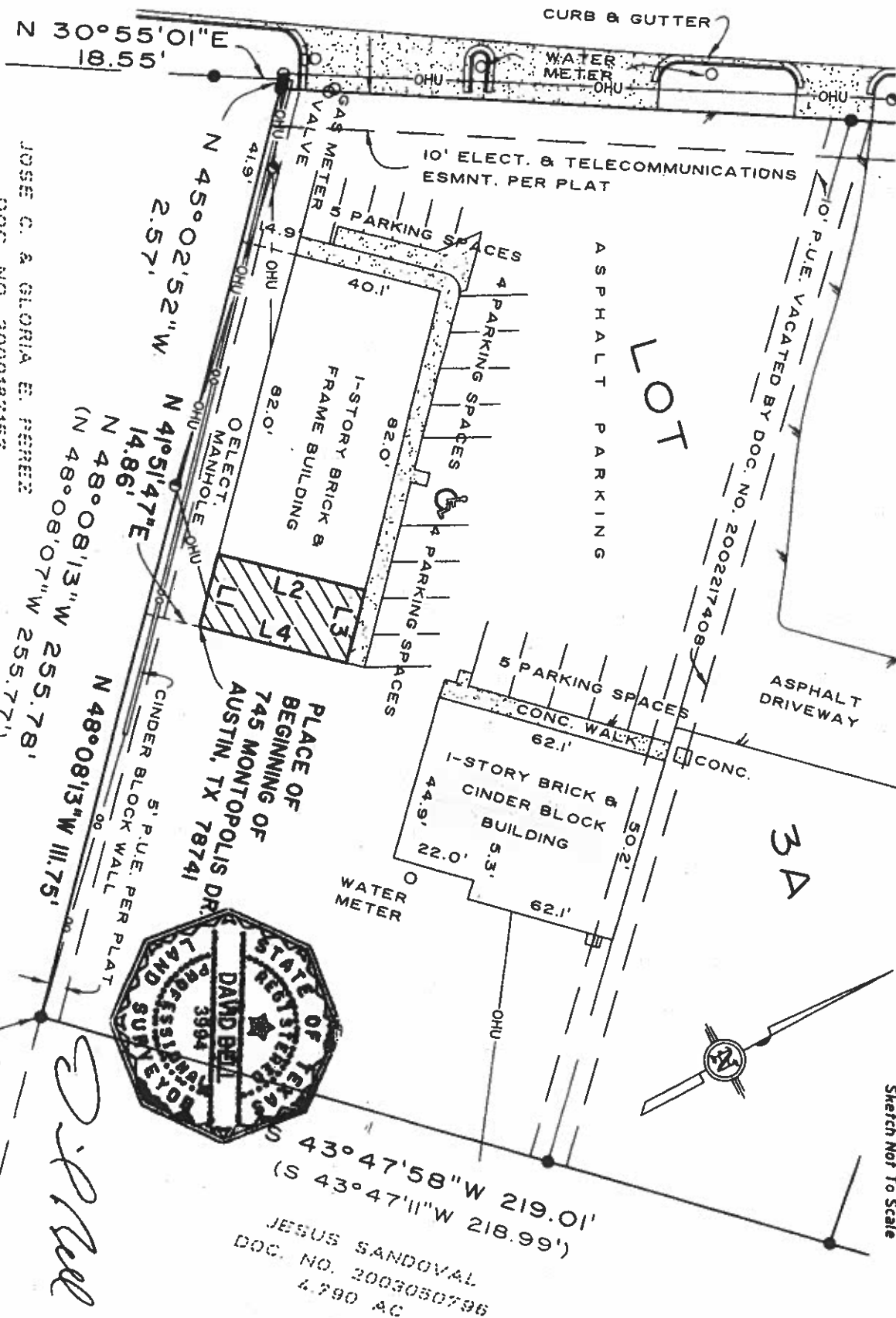
Formerly: Doug Scelley Land Surveyors, PC

Phone: 512-440-0222 Fax: 512-440-0224  
3902 Manchaca Austin, Texas 78704

# SKETCH TO ACCOMPANY DESCRIPTION

AUS-PL389-11 April 21, 2011  
Copyright 2011 Tri-Tech Surveying, L.P.  
Sketch Not To Scale

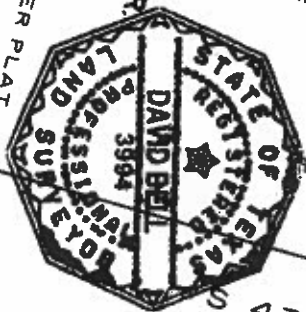
MONTOPOLIS DRIVE (70' R.O.W.)  
(N 30°55'27"E 152.97')  
(N 30°57'21"E 152.94')



JOSE C. & GLORIA E. PEREZ  
DOC. NO. 2000187157  
1.205 AC.

Course	Bearing	Distance
L1	N 48°07'01" W	20.00'
L2	N 41°47'23" E	40.18'
L3	S 48°07'01" E	20.00'
L4	S 41°47'23" W	40.18'

PLACE OF  
REFERENCE



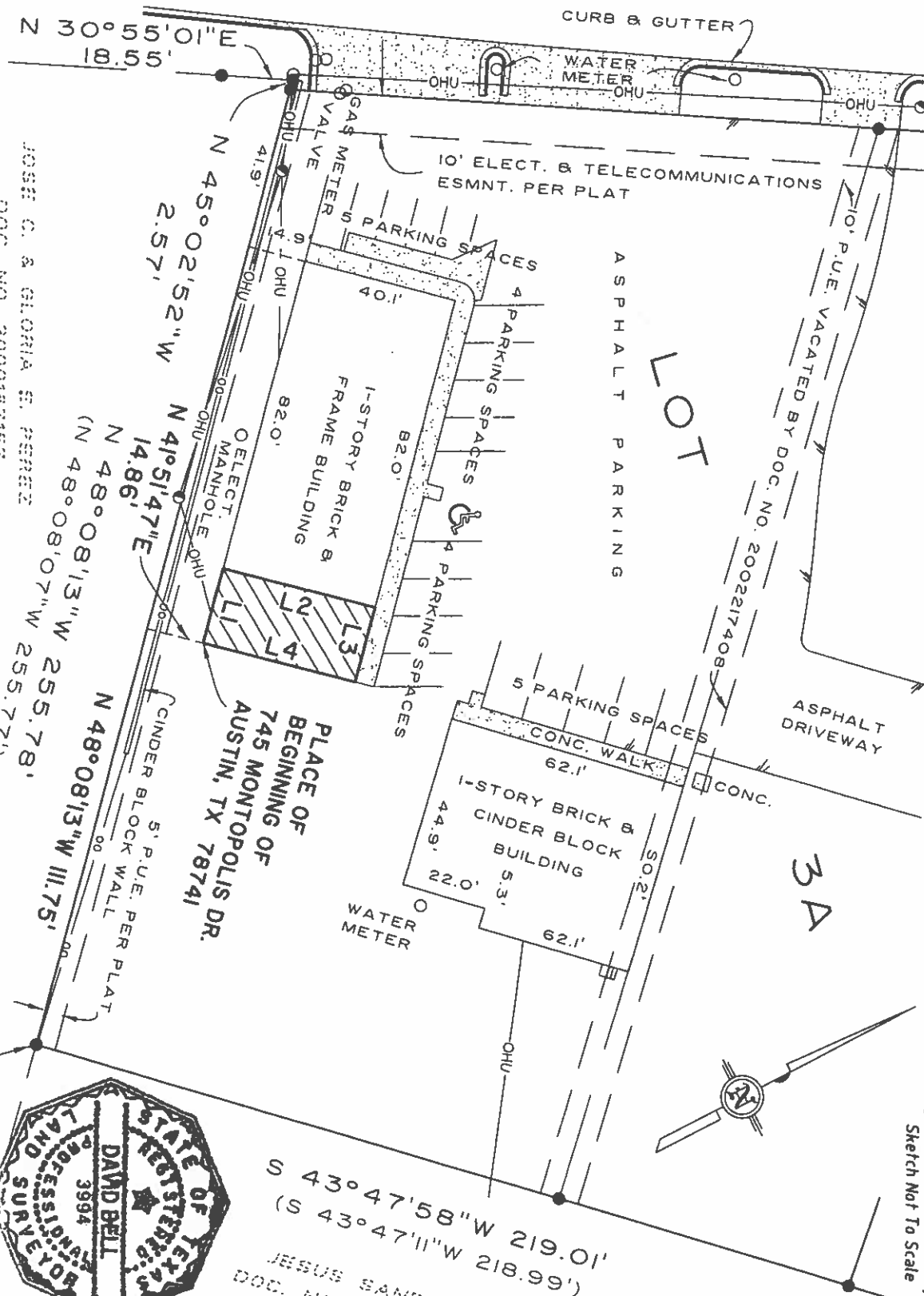
(S 43°47'58"W 219.01')  
(S 43°47'11"W 218.99')  
JESUS SANDOVAL  
DOC. NO. 2003050796  
4.790 AC



Formerly Profit-Lite Services, Inc.  
Formerly D. Seely Land Surveyors, PC  
W.W. SURVEYING COMPANY, COM  
3802 Manchaca Road  
Austin, Texas 78704  
Phone: (512) 440-0222  
Fax: (512) 440-0224  
Phone: (512) 339-0808

N 30°57'21"E 152.94'

AUS-PL389-11 April 21, 2011  
Copyright 2011 Tri-Tech Surveying, L.P.  
Sketch Not To Scale



Course	Bearing	Distance
L1	N 48°07'01" W	20.00'
L2	N 41°47'23" E	40.18'
L3	S 48°07'01" E	20.00'
L4	S 41°47'23" W	40.18'

**TRI-TECH  SURVEYING COMPANY, L.P.**

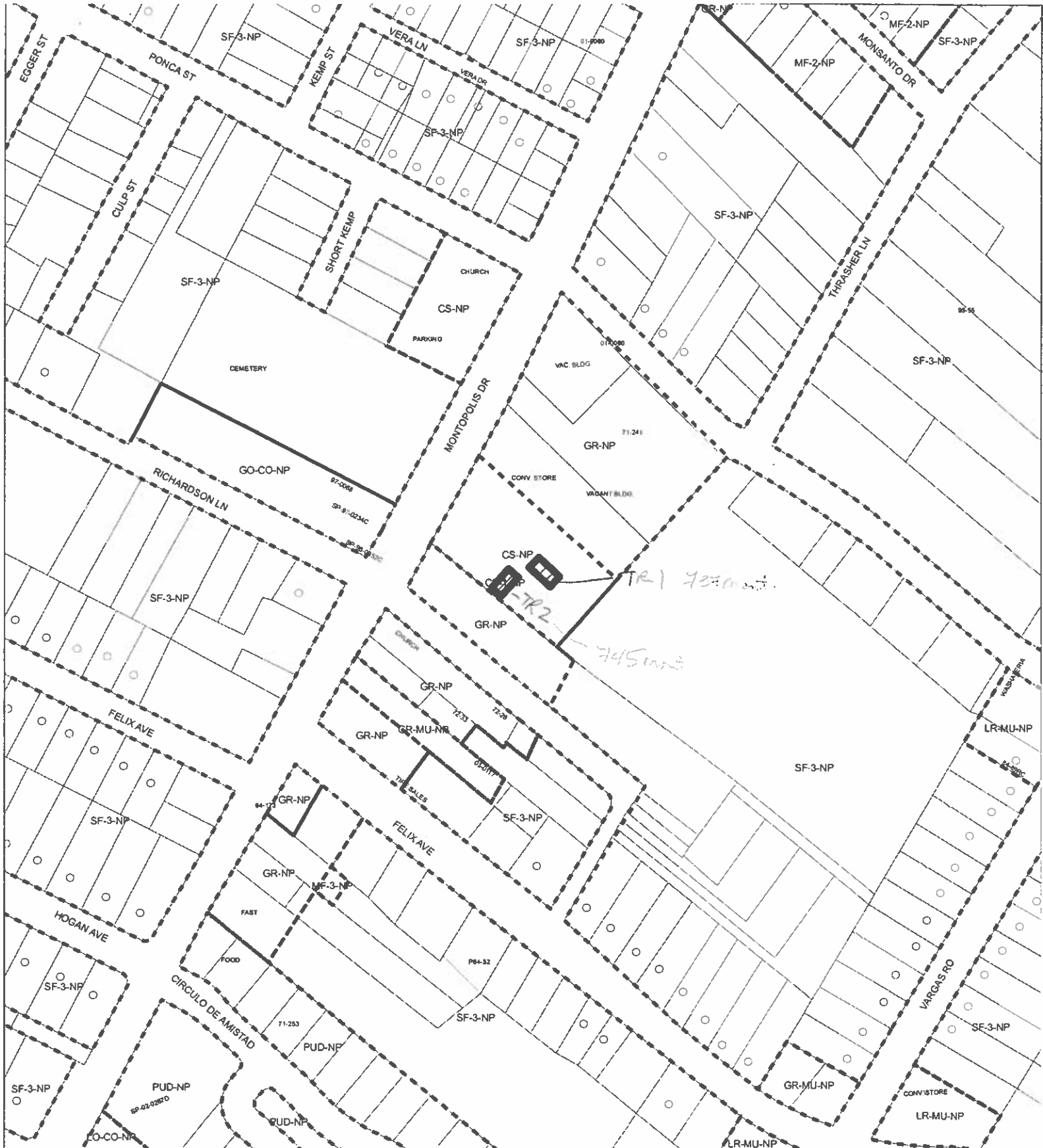
Formerly Point-line Services, Inc.  
Formerly D. Seelig Land Surveyors, PC

[WWW.SURVEYINGCOMPANY.COM](http://WWW.SURVEYINGCOMPANY.COM)

3802 Manchaca Road  
Austin, Texas 78704

**FAX: (512) 440-0224**  
**Phone: (512) 339-0808**





# ZONING EXHIBIT C

- N
- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

ZONING CASE#: C14-2011-0043  
 LOCATION: 753 MONTOPOLIS DR  
 SUBJECT AREA: 0.41 ACRES  
 GRID: L19  
 MANAGER: STEPHEN RYE



1" = 200'

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.