

ORDINANCE NO. _____

1 **AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE**
2 **PROPERTY LOCATED AT 11416 NORTH FM 620 ROAD AND CHANGING THE**
3 **ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO**
4 **COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO)**
5 **COMBINING DISTRICT FOR TRACT 1 AND TO COMMERCIAL LIQUOR**
6 **SALES-CONDITIONAL OVERLAY (CS-1-CO) COMBINING DISTRICT FOR**
7 **TRACT 2.**

8
9 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

10
11 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
12 change the base district on the property described in Zoning Case No. C14-2011-0120, on
13 file at the Planning and Development Review Department, as follows:

14
15 Tract one: From interim rural residence (I-RR) district to community commercial-
16 conditional overlay (GR-CO) district.

17
18 Lots 1 and 2, Block A, Sophie's Choice Subdivision, a subdivision in the City of
19 Austin, Travis County, Texas, according to the map or plat of record in Volume
20 100, Pages 270-271 of the Plat Records of Travis County, Texas; and,

21
22 Tract two: From interim rural residence (I-RR) district to commercial liquor sales-
23 conditional overlay (CS-1-CO) district.

24
25 A 0.186 acre tract of land, more or less, out of the WM. P. Rutledge Survey No.
26 603, Abstract No. 608 and the Jesse Grimes Survey No. 25, Abstract No. 318. the
27 tract of land being more particularly described by metes and bounds in Exhibit "A"
28 incorporated into this ordinance, (collectively referred to as the "Property"),

29
30 locally known as 11416 North FM 620 Road, in the City of Austin, Travis County, Texas,
31 and generally identified in the map attached as Exhibit "B".

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

3
4 A site plan or building permit for the Property may not be approved, released, or
5 issued, if the completed development or uses of the Property, considered cumulatively
6 with all existing or previously authorized development and uses, generate traffic that
7 exceeds 2,000 trips per day.
8

9 Except as specifically restricted under this ordinance, the Property may be developed and
10 used in accordance with the regulations established for the respective base districts, and
11 other applicable requirements of the City Code.
12

13 **PART 3.** This ordinance takes effect on _____, 2011.
14

15 **PASSED AND APPROVED**

16
17 §
18 §
19 _____, 2011 § _____
20 Lee Leffingwell
21 Mayor
22
23

24 **APPROVED:** _____ **ATTEST:** _____
25 Karen M. Kennard Shirley A. Gentry
26 City Attorney City Clerk

METES AND BOUNDS DESCRIPTION

FOR A 0.186 ACRE (8122 SQUARE FOOT) TRACT OF LAND SITUATED IN THE WM P. RUTLEDGE SURVEY NO. 603, ABSTRACT NO. 608, AND THE JESSE GRIMES SURVEY NO. 25, ABSTRACT NO. 318, TRAVIS COUNTY, TEXAS, BEING A PART OF LOT 2, BLOCK A, SOPHIE'S CHOICE SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS ACCORDING TO THE PLAT OR MAP THEREOF, RECORDED IN VOLUME 100, PAGE(S) 270 - 271 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.186 ACRE TRACT OF LAND BEING THAT PORTION OF THE BUILDING KNOW AS "THE SHOPS AT VOLENTE" AND OUTSIDE PATIO AREA OCCUPIED BY SHOOTERS BILLIARDS AND SPORTS BAR, SAID 0.186 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2" iron rod found monumenting the most southerly corner of said Lot 2, Block A, same being on a point in the curving northwesterly right-of-way line of F.M. Highway 620 (150' right-of-way width), same being on the most easterly corner of a called 5.002 acre tract of land conveyed to Forest B. Bard, et ux as recorded in Volume 11588, Page 91 of the Deed Records of Travis County, Texas, from which a 1/2" iron pipe found on said curving northwesterly right-of-way line of Highway F.M. 620, same being on a point in the southeasterly boundary line of said Lot 2, Block A, bears N34°39'53"E for a distance of 50.29 feet;

THENCE with the common boundary line of said Lot 2, Block A, and said 5.002-acre Bard tract, N39°23'00"W (bearing basis for this description per said Volume 100, Page 270) for a distance of 271.65 feet to a calculated point hereof, and from which a 1/2" iron rod found on the most westerly corner of said Lot 2, Block A, same being on the northerly corner of said 5.002-acre Bard tract, same being on a point in the easterly boundary line of a called 6.063-acre tract of land conveyed to Billy Simpson, et ux as recorded in Volume 11201, Page 1524 of the Deed Records of Travis County, Texas, bears N39°23'00"W for a distance of 331.45 feet;

THENCE through the interior of said Lot 2, Block A, N50°37'00"E for a distance of 10.10 feet to a calculated point being on an angle point in the westerly outside edge of exterior wall of said building for the **POINT OF BEGINNING** and angle point in the westerly boundary line hereof;

THENCE with the westerly outside edge of the exterior wall of said building **N5°31'32"W** for a distance of **52.70 feet** to a calculated point on said westerly outside edge of the exterior wall of said building, same being on the approximate projected centerline of the northerly interior wall of area being occupied by said Shooters, for the northwest corner hereof,

THENCE with the approximate centerline of said northerly interior wall, through the interior of said building, **N84°28'28"E** for a distance of **62.11 feet** to a calculated point on the outside edge of the easterly exterior wall of said building, for the northeast corner hereof;

THENCE with the outside edge of said easterly exterior wall of said building, **S28°09'24"W** for a distance of **0.40 feet** to a calculated point on said easterly outside edge of the exterior wall, same being on the northwest corner of a metal fenced concrete patio area, for an angle point hereof;

THENCE departing said easterly outside edge of the exterior wall of said building, with the outer limits of fenced concrete patio area, the following eleven (11) courses and distances.

- 1) **N79°04'59"E** for a distance of **14.20 feet** for an angle point hereof;
- 2) **S64°35'18"E** for a distance of **11.43 feet** for an angle point hereof;
- 3) **S55°25'30"E** for a distance of **5.06 feet** for an angle point hereof;
- 4) **S28°43'11"E** for a distance of **2.74 feet** for an angle point hereof;
- 5) **S8°23'09"E** for a distance of **12.67 feet** for an angle point hereof;
- 6) **S16°34'20"W** for a distance of **5.74 feet** for an angle point hereof;
- 7) **S41°08'37"W** for a distance of **2.50 feet** for an angle point hereof;
- 8) **S51°44'31"W** for a distance of **12.67 feet** for an angle point hereof;
- 9) **N38°59'00"W** for a distance of **16.29 feet** for an angle point hereof;
- 10) **N7°56'39"W** for a distance of **3.94 feet** for an angle point hereof;
- 11) **S83°50'08"W** for a distance of **5.75 feet** to a point on the easterly outside edge of exterior wall of said building;


THENCE with the outside edge of said easterly exterior wall of said building, the following two (2) courses and distances:


- 1) **S5°31'32"E** for a distance of **14.98 feet** to an angle point on the easterly outside edge of exterior wall of said building;
- 2) **S39°21'18"E** for a distance of **65.45 feet** to a point on the easterly outside edge of exterior wall of said building, same being on the approximate projected centerline of the southerly interior wall of area being occupied by said Shooters, for the southeast corner hereof;

THENCE with the approximate centerline of said southerly interior wall, through the interior of said building, **S50°38'42"W** for a distance of **61.41 feet** to a calculated point on the outside edge of the westerly exterior wall of said building, for the southwest corner hereof;

THENCE with the outside edge of said westerly exterior wall of said building, **N39°21'18"W** for a distance of **84.96 feet** to the **POINT OF BEGINNING** and containing 0.186 acres (8122 square feet) of land more or less.

A sketch of survey has been prepared to accompany this metes and bounds description.

 **DIAMOND SURVEYING, INC.**
116 SKYLINE ROAD, GEORGETOWN, TX 78628
(512) 931-3100



September 19, 2011

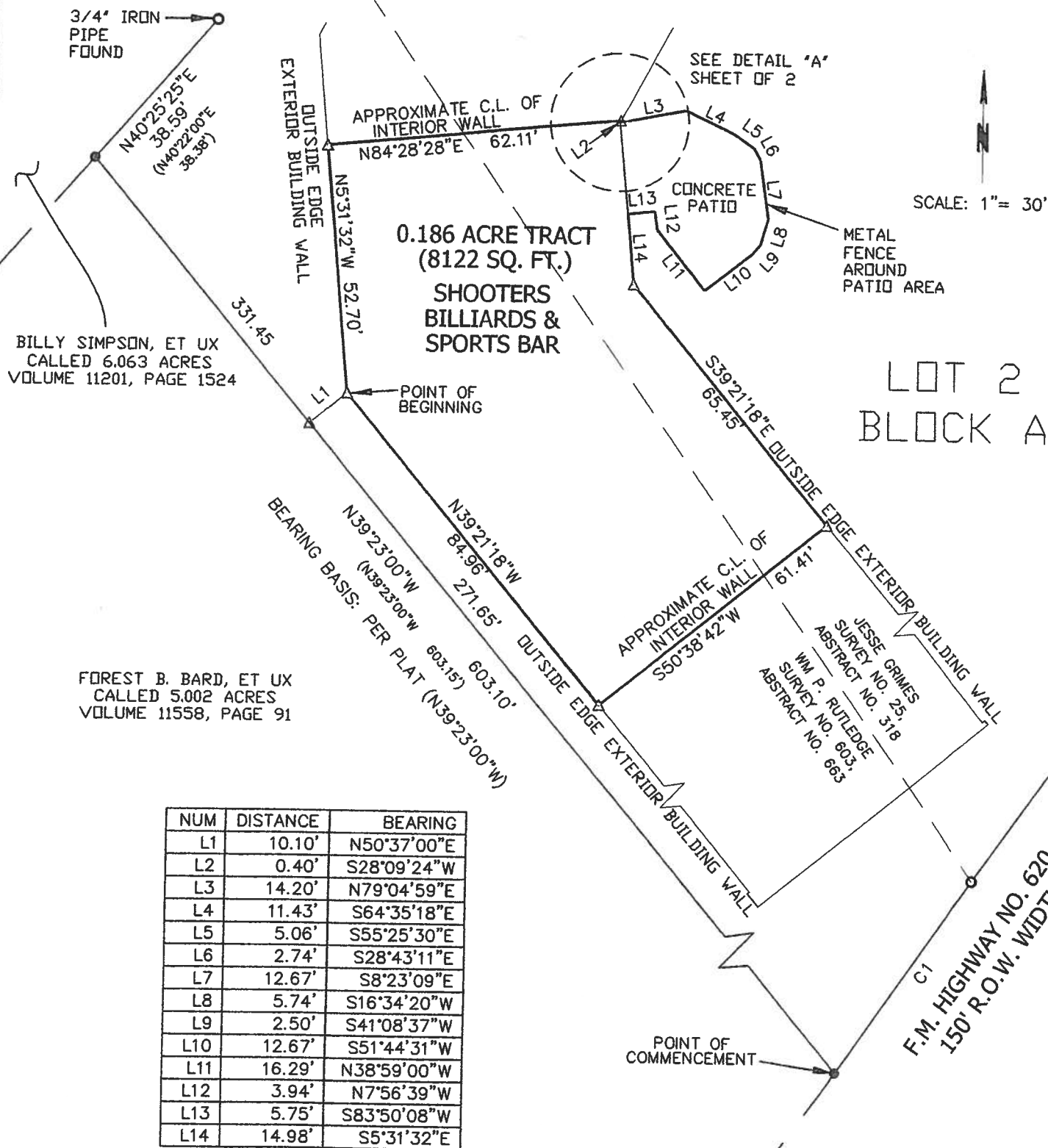
SHANE SHAFER, R.P.L.S. NO. 5281

DATE



SKETCH TO COMPANY METES AND BOUNDS DESCRIPTION

FOR A 0.186 ACRE (8122 SQUARE FOOT) TRACT OF LAND SITUATED IN THE WM P. RUTLEDGE SURVEY NO. 603, ABSTRACT NO. 663, AND THE JESSE GRIMES SURVEY NO. 25, ABSTRACT NO. 318, TRAVIS COUNTY, TEXAS, BEING A PART OF LOT 2, BLOCK A, SOPHIE'S CHOICE SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS ACCORDING TO THE PLAT OR MAP THEREOF, RECORDED IN VOLUME 100, PAGE(S) 270 - 271 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.186 ACRE TRACT OF LAND BEING THAT PORTION OF THE BUILDING KNOWN AS "THE SHOPS AT VOLENTE" AND OUTSIDE PATIO AREA OCCUPIED BY SHOOTERS BILLIARDS AND SPORTS BAR.



NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	1°48'04"	50.29'	1599.55'	N34°39'53"E	50.29'
(C1)	1°48'19"	(50.40')	(1599.55')	(N34°22'50"E)	(50.40')

SHEET 1 OF 2

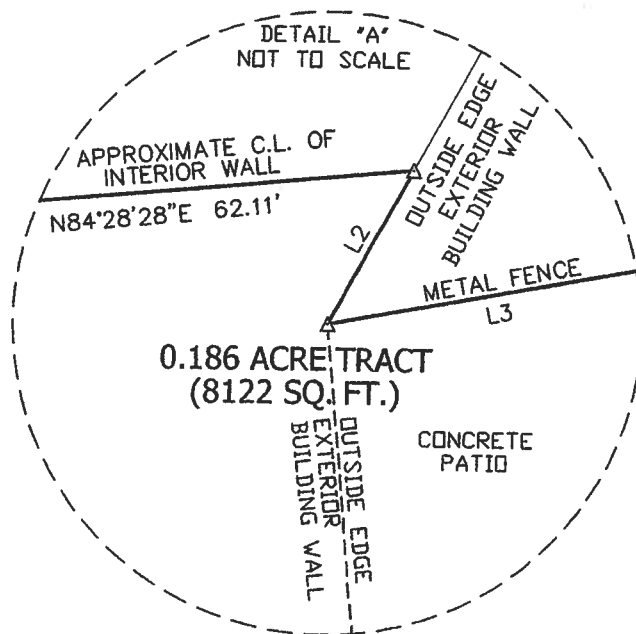


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SKETCH TO COMPANY METES AND BOUNDS L. CRIPTION

FOR A 0.186 ACRE (8122 SQUARE FOOT) TRACT OF LAND SITUATED IN THE WM P. RUTLEDGE SURVEY NO. 603, ABSTRACT NO. 663, AND THE JESSE GRIMES SURVEY NO. 25, ABSTRACT NO. 318, TRAVIS COUNTY, TEXAS, BEING A PART OF LOT 2, BLOCK A, SOPHIE'S CHOICE SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS ACCORDING TO THE PLAT OR MAP THEREOF, RECORDED IN VOLUME 100, PAGE(S) 270 - 271 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.186 ACRE TRACT OF LAND BEING THAT PORTION OF THE BUILDING KNOWN AS "THE SHOPS AT VOLENTE" AND OUTSIDE PATIO AREA OCCUPIED BY SHOOTERS BILLIARDS AND SPORTS BAR.



LEGEND

●	BOUNDARY MONUMENT FOUND (1/2" IRON ROD UNLESS OTHERWISE NOTED)
○	1/2" IRON PIPE FOUND (UNLESS OTHERWISE NOTED)
△	CALCULATED POINT
---	DISTANCE NOT SHOWN TO SCALE
()	RECORD INFORMATION PER (VOLUME 100, PAGE 270)

CERTIFICATION TO: CITY OF GEORGETOWN and STEWART TITLE GUARANTY COMPANY EXCLUSIVELY.

THE UNDERSIGNED CERTIFIES THAT THIS SURVEY WAS THIS DAY MADE BY ME OR UNDER MY SUPERVISION ON THE GROUND OF THE REAL PROPERTY SHOWN ON THE SURVEY, AND AFTER THE EXERCISE OF PROFESSIONAL DILIGENCE AND REASONABLE CARE THAT THIS SURVEY IS CORRECT TO THE BEST OF THE UNDERSIGNED'S KNOWLEDGE AND BELIEF; THAT THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, OR BOUNDARY CONFLICTS OR VISIBLE ENCROACHMENTS, PROTRUSIONS OR OVERLAPPING OF IMPROVEMENTS, EXCEPT AS SHOWN HEREON; AND THAT THE PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON.



SHEET 2 OF 2

Shane Shafer




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- ZONING**
-  SUBJECT TRACT
 -  PENDING CASE
 -  ZONING BOUNDARY

ZONING CASE#: C14-2011-0120

Exhibit B



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 200'