

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 6404 NORTH IH-35 SERVICE ROAD, SOUTHBOUND, SUITE 3100 IN THE ST. JOHN NEIGHBORHOOD PLAN AREA FROM COMMERCIAL SERVICES-NEIGHBORHOOD PLAN (CS-NP) COMBINING DISTRICT TO COMMERCIAL LIQUOR SALES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-1-CO-NP) 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 commercial services-neighborhood plan (CS-NP) combining district to commercial liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district on the property described in Zoning Case No. C14-2012-0062, on file at the Planning and Development Review Department, as follows:

A 0.229 acre tract of land, more or less, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 6404 North IH-35 Service Road, Southbound, Suite 3100, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. Except as specifically provided in Part 3 and Part 4 of 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. 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 2,000 trips per day.

1 Except as specifically restricted under this ordinance, the Property may be developed and
2 used in accordance with the regulations established for the commercial liquor sales (CS-1)
3 base district, and other applicable requirements of the City Code.
4

5 **PART 4.** The Property is subject to Ordinance No. 20120426-101 that established the St.
6 John neighborhood plan combining district.
7

8 **PART 5.** This ordinance takes effect on _____, 2012.
9

10
11 **PASSED AND APPROVED**
12

13 §
14 §
15 _____, 2012 §
16 _____
17 Lee Leffingwell
18 Mayor
19

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



Surveying And Mapping, Inc.
4801 Southwest Pkwy, Parkway Two, Suite 100, Austin, TX 78735
Olc 512 447.0575 Fax 512 326.3029
sam@saminc.biz www.saminc.biz

SAM, Inc. Job No. 31108
Travis County, Texas

FN 8045
June 1, 2011

DESCRIPTION OF A 0.229 ACRE TRACT (9,987 SQUARE FEET) BEING THE INTERIOR AREA OF THE MARCHESA EVENT CENTER, ALSO KNOWN AS 6406 N. IH35, SUITE 3100, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS AND BEING A PORTION OF THAT 15.6129 ACRE TRACT OF LAND DESCRIBED IN DOCUMENT NUMBER 2005108805 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.229 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING at a ½" iron pipe found on the east right-of-way line of Middle Fiskville Road, same being the southwest corner of said 15.6129 acre tract, from which a ½" iron rod found at the southeast corner of said 15.6129 acre tract bears, S 62°42'59" E, a distance of 692.47 feet;

THENCE S 89°05'40" E, over and across said 15.6129 acre tract a distance of 158.65 feet to the west corner of the herein described interior area (The Lease Area);

THENCE along and with the interior area surveyed, the following sixty (60) courses and distances:

1. N 27°11'54" E, a distance of 6.70 feet to a calculated point;
2. N 62°48'06" W, a distance of 7.45 feet to a calculated point;
3. N 27°11'54" E, a distance of 2.60 feet to a calculated point;
4. N 62°48'06" W, a distance of 2.55 feet to a calculated point;
5. N 27°11'54" E, a distance of 5.80 feet to a calculated point;
6. S 62°48'06" E, a distance of 19.60 feet to a calculated point;
7. N 27°11'54" E, a distance of 24.00 feet to a calculated point;
8. N 62°48'06" W, a distance of 19.60 feet to a calculated point;
9. N 27°11'54" E, a distance of 8.05 feet to a calculated point;
10. S 62°48'06" E, a distance of 2.60 feet to a calculated point;
11. N 27°11'54" E, a distance of 2.50 feet to a calculated point;
12. S 62°48'06" E, a distance of 7.50 feet to a calculated point;
13. N 27°11'54" E, a distance of 5.00 feet to a calculated point;
14. S 62°48'06" E, a distance of 76.09 feet to a calculated point;
15. S 27°11'54" W, a distance of 11.38 feet to a calculated point;
16. S 62°48'06" E, a distance of 1.30 feet to a calculated point;
17. N 27°11'54" E, a distance of 12.64 feet to a calculated point;
18. N 62°48'06" W, a distance of 33.82 feet to a calculated point;
19. N 28°19'25" E, a distance of 7.58 feet to a calculated point of curvature of a non-tangent curve to the left;
20. With said curve to the left, having a radius of 14.01 feet a delta angle of 175°56'07", a chord bearing and distance of N 64°27'56" W, 27.99 feet, an arc distance of 43.01 feet to a calculated point;
21. N 62°58'51" W, a distance of 12.75 feet to a calculated point;



22. N 27°16'27" E, a distance of 26.88 feet to a calculated point;
23. N 18°12'10" W, a distance of 8.72 feet to a calculated point;
24. N 71°47'50" E, a distance of 8.68 feet to a calculated point;
25. S 18°12'10" E, a distance of 7.60 feet to a calculated point;
26. N 71°47'50" E, a distance of 9.38 feet to a calculated point;
27. N 18°12'10" W, a distance of 7.49 feet to a calculated point;
28. N 71°47'50" E, a distance of 8.05 feet to a calculated point;
29. S 17°58'35" E, a distance of 7.65 feet to a calculated point;
30. N 72°44'07" E, a distance of 0.73 feet to a calculated point;
31. S 17°43'30" E, a distance of 1.33 feet to a calculated point;
32. S 62°46'17" E, a distance of 37.57 feet to a calculated point;
33. S 27°32'46" W, a distance of 19.54 feet to a calculated point;
34. S 79°45'08" W, a distance of 3.36 feet to a calculated point;
35. S 28°01'15" W, a distance of 9.36 feet to a calculated point;
36. S 62°31'38" E, a distance of 8.20 feet to a calculated point;
37. N 27°28'22" E, a distance of 2.69 feet to a calculated point;
38. S 62°31'38" E, a distance of 7.39 feet to a calculated point;
39. S 27°28'22" W, a distance of 8.19 feet to a calculated point;
40. S 62°31'38" E, a distance of 28.48 feet to a calculated point;
41. S 27°28'22" W, a distance of 8.31 feet to a calculated point;
42. S 62°31'38" E, a distance of 35.02 feet to a calculated point;
43. S 27°28'22" W, a distance of 42.45 feet to a calculated point;
44. S 50°44'19" W, a distance of 12.29 feet to a calculated point;
45. S 29°09'28" W, a distance of 5.58 feet to a calculated point;
46. N 62°15'09" W, a distance of 9.08 feet to a calculated point;
47. N 27°44'51" E, a distance of 12.75 feet to a calculated point;
48. N 62°31'38" W, a distance of 21.85 feet to a calculated point;
49. S 27°28'22" W, a distance of 12.60 feet to a calculated point;
50. N 62°31'38" W, a distance of 9.10 feet to a calculated point;
51. N 27°28'22" E, a distance of 5.40 feet to a calculated point;
52. N 03°28'36" E, a distance of 12.58 feet to a calculated point;
53. N 27°11'54" E, a distance of 42.50 feet to a calculated point;
54. S 62°48'06" E, a distance of 8.88 feet to a calculated point;
55. N 27°11'54" E, a distance of 1.64 feet to a calculated point;
56. N 62°48'06" W, a distance of 9.96 feet to a calculated point;



- 57. S 27°11'54" W, a distance of 53.87 feet to a calculated point;
- 58. N 62°48'06" W, a distance of 8.36 feet to a calculated point;
- 59. S 27°11'54" W, a distance of 11.46 feet to a calculated point;
- 60. N 62°48'06" W, a distance of 76.14 feet to the **POINT OF BEGINNING** and containing 0.229 of an acre or 9,986 square feet more or less.

The bearing basis for this survey is Grid North, Texas State Plane Coordinate System, NAD 1983(HARN), Central Zone.

THE STATE OF TEXAS

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

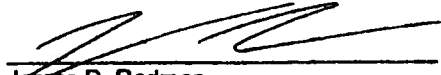
COUNTY OF TRAVIS

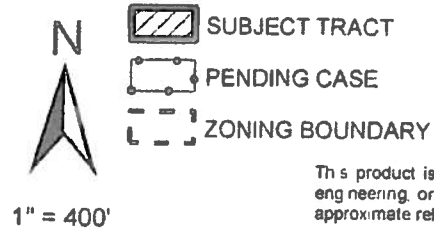
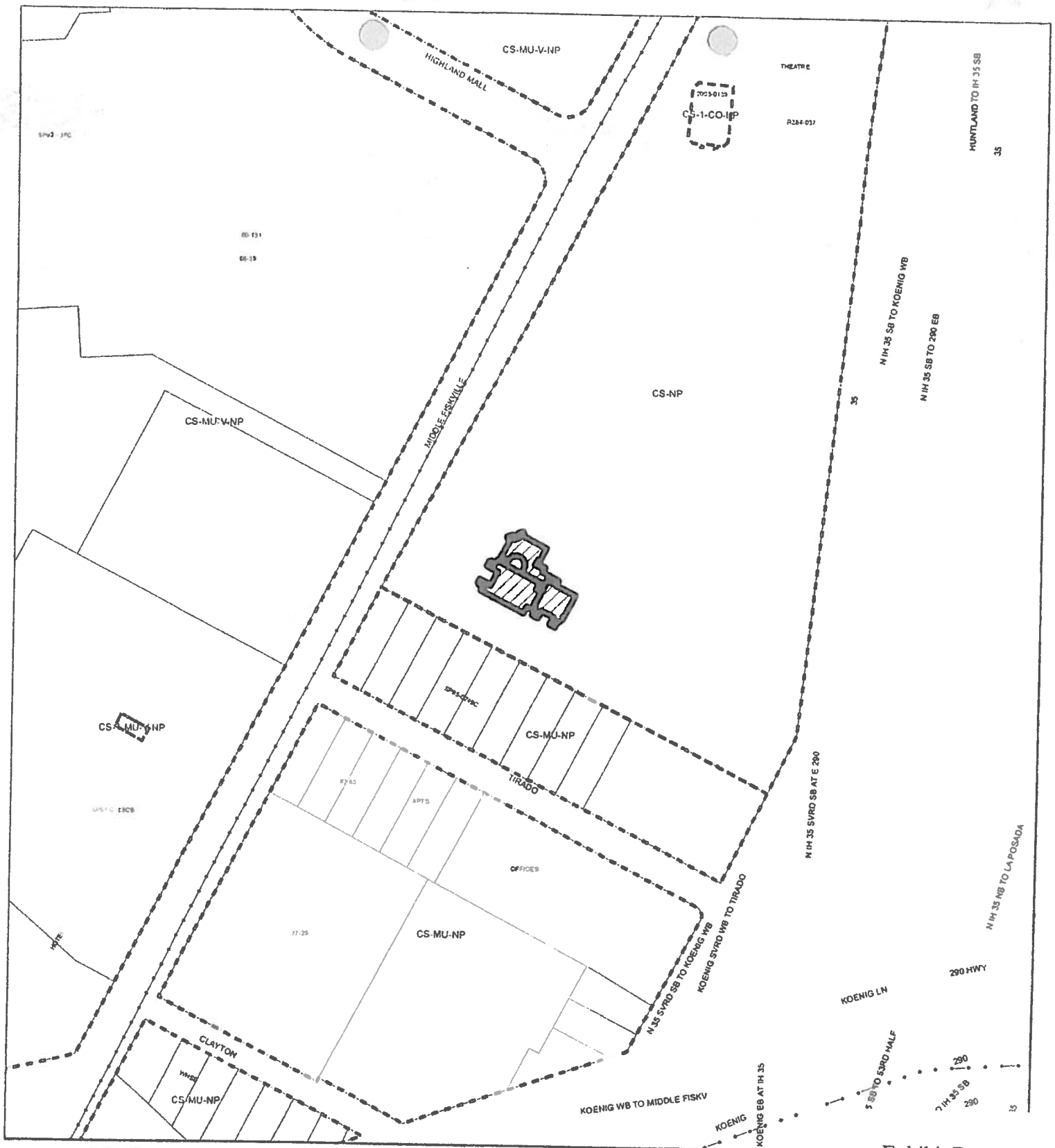
That I, James D. Redmon, a Registered Professional Land Surveyor, do hereby certify that the property described hereon is based upon a survey made upon the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 1st day of June 2011 A.D.

Surveying And Mapping, Inc.
4801 Southwest Parkway
Parkway Two, Suite 100
Austin, Texas 78735




James D. Redmon
Registered Professional Land Surveyor
No. 5848 - State of Texas



ZONING

ZONING CASE#: C14-2012-0066

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.

Exhibit B

