

ORDINANCE NO. 20130228-064

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 100 EAST NORTH LOOP BOULEVARD IN THE NORTH LOOP NEIGHBORHOOD PLAN AREA FROM COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-CO-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 community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district to commercial liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district on the property (the "Property") described in Zoning Case No. C14-2012-0141, on file at the Planning and Development Review Department, as follows:

Tract 1:

365 square feet of land, more or less, out of the Timmermann Addition Subdivision the tract of land being more particularly described by metes and bounds, in Exhibit "A" incorporated into this ordinance,

Tract 2:

427 square feet of land, more or less, out of the Timmermann Addition Subdivision the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

locally known as 100 East North Loop Boulevard 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.
- B. The following uses are prohibited uses of the Property:

Automotive repair services
Automotive sales
Exterminating services
Pawn shop services
Service station

Automotive rentals
Funeral services
Medical office (exceeding 5,000 S.F.)
Residential treatment

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

PART 4. The Property is subject to Ordinance No. 020523-31 that established the North Loop neighborhood plan combining district.


PART 5. This ordinance takes effect on March 11, 2013.

PASSED AND APPROVED

February 28

, 2013

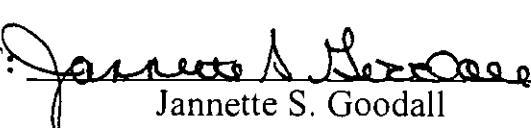
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Lee Leffingwell
Mayor

APPROVED:


Karen M. Kennard
City Attorney

ATTEST:


Jannette S. Goodall
City Clerk

FIELD NOTES

365 SQUARE FEET OF LAND(TRACT 1) AND 427 SQUARE FEET(TRACT 2),
OUT OF AND A PART OF LOT B, "TIMMERMANN ADDITION", A
SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR
PLAT THEREOF RECORDED IN BOOK 67, PAGE 52, PLAT RECORDS,
TRAVIS COUNTY, TEXAS, AND BEING PROPOSED FOR REZONING, FOR
WHICH A MORE PARTICULAR DESCRIPTION BY METES AND BOUNDS IS
AS FOLLOWS:

BEGINNING FOR REFERENCE at a 1/2" iron rod found in the NE line of W. North Loop Boulevard, a public street, same being in the NW line of Lot 1, Smith and Abrahamson Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Book 4, Page 252, Plat Records, same being the SE corner of Lot B, "Timmermann Addition" a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Book 67, Page 52, Plat Records, from which point a 1/2" iron rod found at the SW corner of Lot B bears N60°09'16"W at a distance of 76.26 feet;

THENCE N13°53'30"W for a distance of 34.49 feet to a point on the SW face of a one story brick building, for the **POINT OF BEGINNING** of the herein described tract;

THENCE N59°52'30"W along the SW face of said building for a distance of 19.00 feet to a point, for the SW corner of the herein described tract;

THENCE N29°56'11"E, crossing through said brick building for a distance of 19.22 feet to an angle point, for the NW corner hereof;

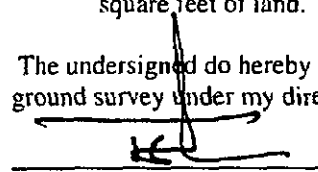
THENCE S59°52'30"E crossing through said building for a distance of 19.00 along the north side of said rezoning tract to an angle point, for the NE corner hereof, from which point, **POINT OF BEGINNING #2** bears N29°56'11"E at a distance of 13.71 feet;

THENCE S29°56'11"W, crossing back through said building for a distance of 19.22 feet to the **POINT OF BEGINNING**, containing 365 square feet of land, more or less.

THENCE beginning again at **POINT OF BEGINNING NO. 2**, the following six(6) courses and distances through said Lot B:

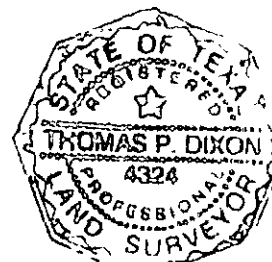
- (1) N29°56'11"W for a distance of 10.00 feet to a point;
- (2) S59°52'30"E for a distance of 5.00 feet to a point;
- (3) N48°43'25"E for a distance of 11.65 feet to a point;
- (4) S59°52'30"E for a distance of 15.12 feet to an angle point on the side line of said Lot B;
- (5) S29°56'00"W along said side line for a distance of 21.04 feet to a point;
- (6) N59°52'30"W for a distance of 23.88 feet to the **POINT OF BEGINNING**, containing 427 square feet of land.

The undersigned do hereby certify that the field notes hereon were prepared from an actual on-the-ground survey under my direct supervision and that they are true and correct to the best of my knowledge.


Thomas P. Dixon R.P.L.S. 4324

2/5/13
Date

REFERENCES
Travis County Appraisal District
Map No. 2-2509



OWNER:
TERRELL TIMMERMANN
ADDRESS:
100 W. NORTH LOOP BOULEVARD

Sketch to Accompany Field Notes
ZONING CHANGE

Page 2 of 2

EXHIBIT " " "

BK 3/P 183

LOT 154

LOT 156

LOT 158

LEGAL DESCRIPTION:

BEING 365 SQUARE FEET (TRACT 1) OF LAND AND 427 SQUARE FEET (TRACT 2) OF LAND OUT OF AND A PART OF LOT B, "TIMMERMANN ADDITION" A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN BOOK 67, PAGE 52, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND BEING PROPOSED FOR REZONING.

LEGEND

FOUND 1/2" IRON ROD FIR
FOUND PK NAIL FPK
POINT OF BEGINNING POB
BEGINNING FOR REFERENCE BFR

SCALE
1"=20'

The undersigned surveyor hereby certifies that this sketch, and the accompanying field notes were made from an actual and accurate survey made by me or under my direct supervision.

2/5/13
THOM
PROFESSIONAL
LAND SURVEYOR
Thomas P. Dixon R.P.L.S. 4324

LINE TABLE		
L1	N29°56'11"E	13.71'
L2	N29°56'11"E	10.00'
L3	S59°52'30"E	5.00'
L4	N48°43'25"E	11.65'
L5	S59°52'30"E	15.12'
L6	S29°56'00"W	21.04'
L7	N59°52'30"W	23.88'

LOT A

158.18'(158.10')
BEARING BASE
N30°00'00"E

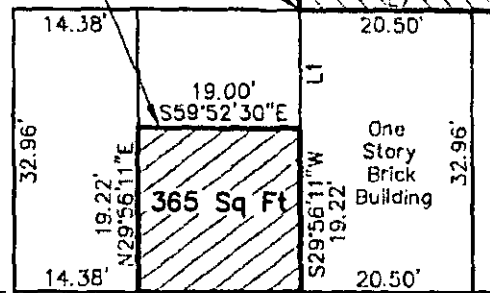
LOT B
0.2788 AC

Tract 2
DECK
RE ZONING
427 SQ FT
TO CS-1

Tract 1
RE ZONING
365 SQ FT
TO CS-1

POB#2

427 Sq Ft



25' Building
Line 67/52

POB

N135°30'W
34.49'

TO FIR 75.18'(75.00')

N60°05'33"W
(N60°07'W)

FIR

10.08'

FIR

N60°09'16"W
(N60°07'W)
76.26'(76.26')

FIR
BFR

FPK

S28°47'02"W
10.52'

S29°56'00"W
158.42'(158.40')

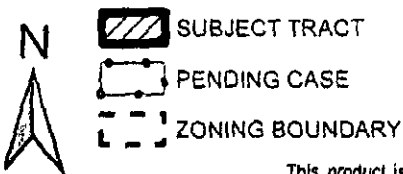
LOT 1 BLOCK 3
BK 4/P 252

Waterloo Surveyors, Inc.
P.O. Box 160176
Austin, Texas 78716-0176
Ph. (512) 481-9602
J13301Z

W. NORTH LOOP BOULEVARD



Exhibit B



ZONING

ZONING CASE#: C14-2012-0141

1" = 200'

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.

