

#75

Late Backup ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 9101-9201 SOUTH IH 35 SERVICE ROAD NORTHBOUND FROM GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) 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 general commercial services-conditional overlay (CS-CO) combining district to general commercial services-conditional overlay (CS-CO) combining district on the property described in Zoning Case No. C14-2013-0009, on file at the Planning and Development Review Department, as follows:

A 1.88 acre tract of land, more or less, out of the Santiago Del Valle Ten League Grant the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 9101-9201 South IH 35 Service Road Northbound in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. 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. Vehicular access from the Property to Oak Hill Lane is prohibited until the street is improved in accordance with the Transportation Criteria Manual. Until said improvements have been completed, all vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

C. A 15-foot wide vegetative buffer shall be provided and maintained along the western property line adjacent to IH 35. Improvements permitted within the buffer zone are limited to drainage, underground utility improvements or those

1 improvements that may be otherwise required by the City of Austin or
2 specifically authorized in this ordinance.

3
4 D. The following uses are prohibited uses of the Property:
5

Adult-oriented businesses	Automotive rentals
Automotive sales	Automotive washing (of any type)
Automotive repair services	Commercial off-street parking
Drop-off recycling collection facility	Pawn shop services
Residential treatment	

6
7 Except as specifically restricted under this ordinance, the Property may be developed and
8 used in accordance with the regulations established for the general commercial services
9 (CS) base district and other applicable requirements of the City Code.

10
11 **PART 3.** This ordinance takes effect on _____, 2013.

12
13 **PASSED AND APPROVED**

14
15
16
17
18 _____ 2013

19 Lee Leffingwell
20 Mayor

21
22
23 **APPROVED:**

24 Karen M. Kennard
25 City Attorney

ATTEST:

Jannette S. Goodall
City Clerk

C14-2013-0009

HOLT CARSON, INC.

PROFESSIONAL LAND SURVEYORS

1904 FORTVIEW ROAD

AUSTIN, TEXAS 78704

TELEPHONE: (512) 442-0990

FACSIMILE: (512) 442-1084

www.hciaustin.com

EXHIBIT " " "

AREA TO BE RE-ZONED

FIELD NOTE DESCRIPTION OF 1.88 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE TEN LEAGUE GRANT IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN (5.945 ACRE) TRACT OF LAND, TO BE RE-ZONED, AS CONVEYED TO NL LAND HOLDINGS, LTD. BY WARRANTY DEED RECORDED IN DOCUMENT No. 2007021160 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a chiseled X mark set in the East right-of-way line of Interstate Highway No. 35 at the point of intersection with the South line of a street locally known as Oak Hill Lane for the northerly Northwest corner of that certain (5.945 acre) tract of land as conveyed to NL Land Holdings, Ltd. by Warranty Deed recorded in Document No. 2007021160 of the Official Public Records of Travis County, Texas, and being the Northwest corner and **PLACE OF BEGINNING** of the herein described tract of land to be re-zoned, and from which a broken concrete monument found for an angle point in the East right-of-way line of Interstate Highway No. 35 bears N 31 deg. 56' 02" E 79.93 ft.;

THENCE leaving the East right-of-way line of Interstate Highway No. 35 with the North line of said NL Land Holdings (5.945 acre) tract and with a South line of Oak Hill Lane, N 72 deg. 35' 00" E 191.22 ft. to a 1/4" iron rod set with a plastic cap imprinted with "Holt Carson, Inc." for the Northeast corner of said NL Land Holdings (5.945 acre) tract and being the Northeast corner of this tract to be re-zoned;

THENCE with the East line of said NL Land Holdings (5.945 acre) tract and with the West line of Oak Hill Lane, S 41 deg. 15' 55" E 78.80 ft. to a point for the Southeast corner of this tract to be re-zoned;

THENCE crossing the interior of said NL Land Holdings (5.945 acre) tract with a line two-hundred feet (200') from and parallel with the East right-of-way line of Interstate Highway No. 35, S 31 deg. 56' 02" W 531.42 ft. to a point in the West line of said NL Land Holdings (5.945 acre) tract and being the Southwest corner of this tract to be re-zoned;

end of Page 1

SCANNED

Exhibit A

Page 2 of 2

1.88 ACRES -- Area to be Re-Zoned

THENCE with the West line of said NL Land Holdings (5.945 acre) tract, the following two (2) courses;

- 1) N 13 deg. 00' 00" W 107.91 ft.;
- 2) N 17 deg. 44' 00" W 162.39 ft. to a 1/2" iron rod set with a plastic cap imprinted with "Holt Carson, Inc." in the East right-of-way line of Interstate Highway No. 35 for the Northwest corner of said NL Land Holdings (5.945 acre) tract and being the Northwest corner of this tract to be re-zoned;

THENCE with the East right-of-way line of Interstate Highway No. 35, N 31 deg. 56' 02" E 227.63 ft. to the **PLACE OF BEGINNING**, containing 1.88 acres of land.

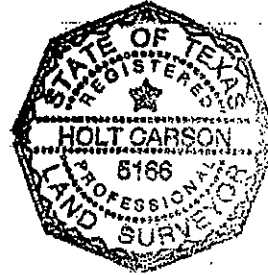
PREPARED: February 11, 2013



Holt Carson

Registered Professional Land Surveyor No. 5166

see accompanying sketch: C 812028



REFERENCES:

TCAD Parcel No. 04 3209 04 01

City of Austin Grid: G13

SCANNED

SKETCH TO ACCOMPANY FIELD NOTE
DESCRIPTION OF

1.88 ACRES OF LAND OUT OF THE
SANTIAGO DEL VALLE TEN LEAGUE GRANT
IN TRAVIS COUNTY, TEXAS, BEING A PORTION
OF THAT CERTAIN (5.945 ACRE) TRACT OF LAND
AS CONVEYED TO NL LAND HOLDINGS, LTD.
BY DEED RECORDED IN DOCUMENT NO.
2007021160 OF THE OFFICIAL PUBLIC RECORDS
OF TRAVIS COUNTY, TEXAS.

PREPARED: February 11, 2013

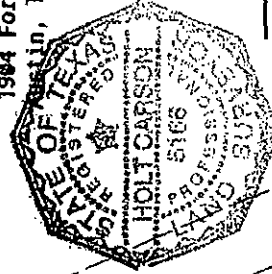
BY:

[Signature]

Holt Carson

Registered Professional Land Surveyor No. 5166

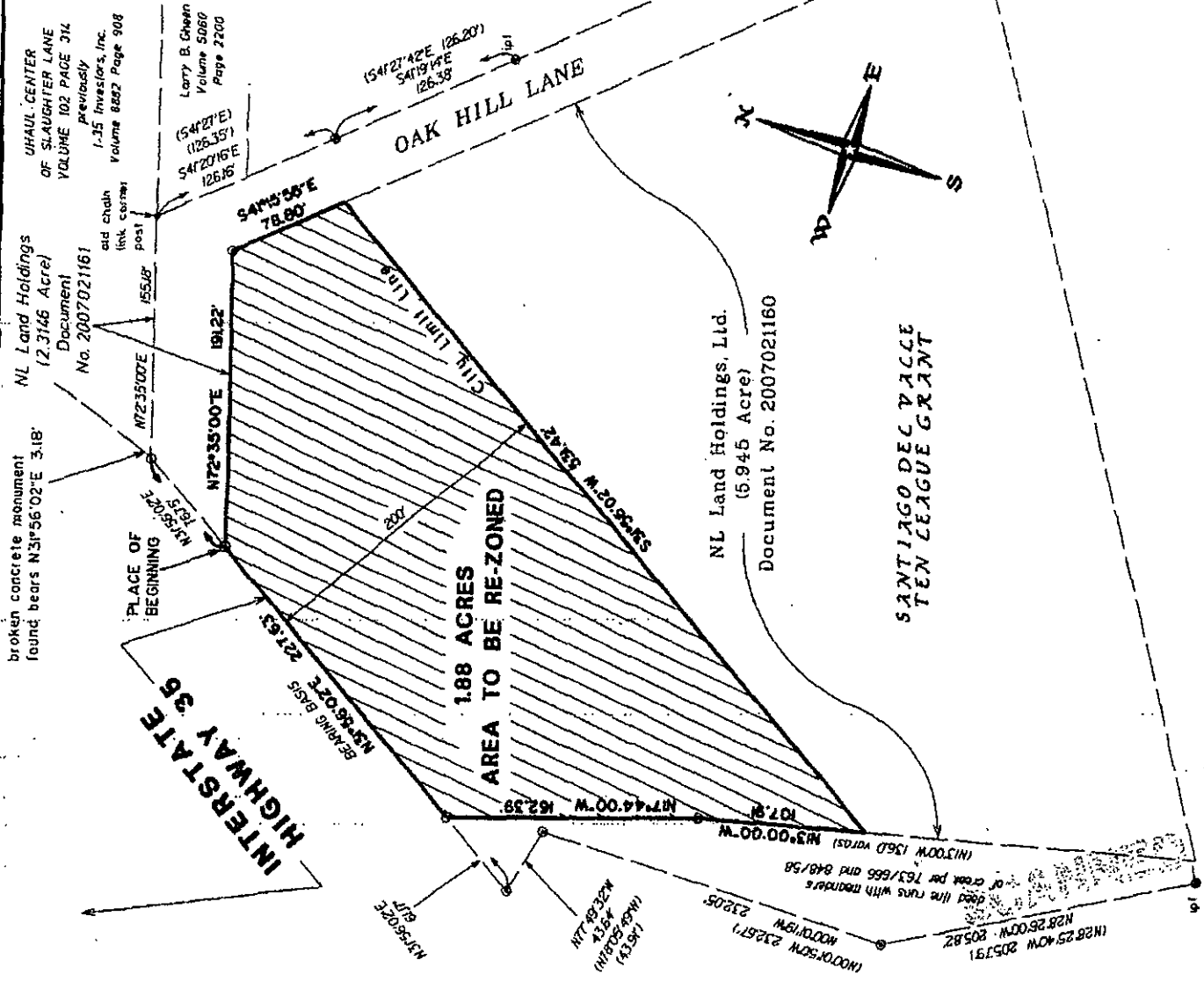
HOLT CARSON, INC.
1904 Fortview Road
Austin, Texas 78704

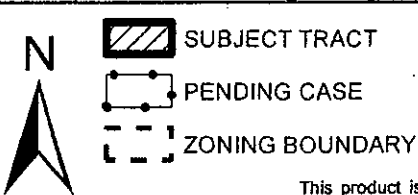
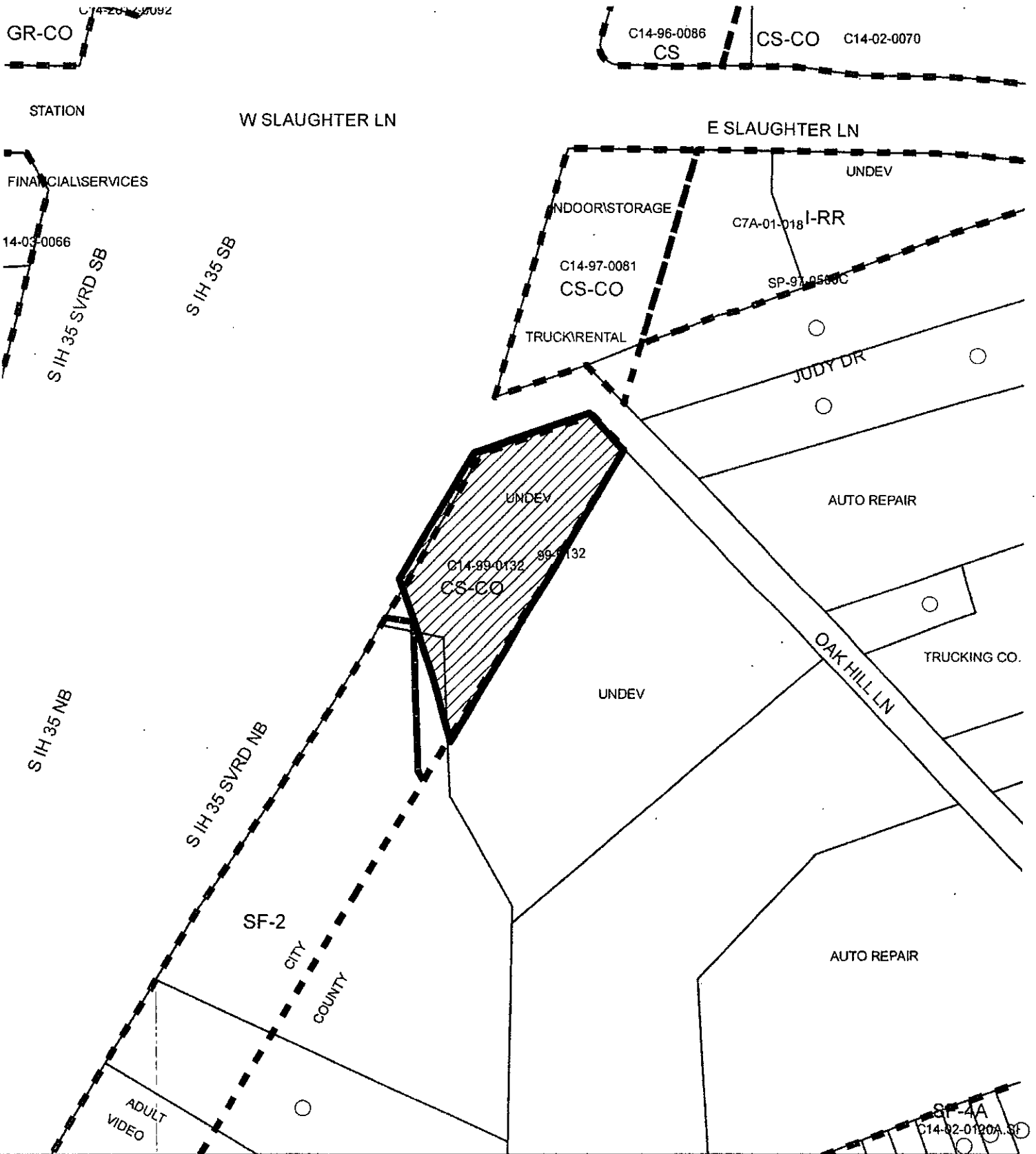


SCALE: 1" = 100'

LEGEND

- ⊙ 1/2" Iron Rod Found
- ⊙ 1/2" Iron Pipe Found
- ⊙ 1/2" Iron Rod Found with Plastic Cap Marked "Delta"
- 1/2" Iron Rod Set with Plastic Cap Marked "Holt Carson, Inc."
- Calculated Point
- Chiseled "X" Set





ZONING
ZONING CASE#: C14-2013-0009

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 information by the City of Austin regarding specific accuracy or completeness.

Exhibit B

