

ORDINANCE NO. 20130808-095

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 2.16 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. 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.
- B. 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 improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

C. The following uses are prohibited uses of the Property:

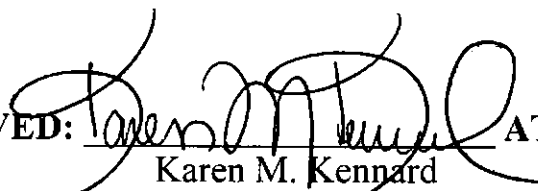
Adult-oriented businesses	Automotive rentals
Automotive sales	Automotive washing (of any type)
Automotive repair services	Commercial off-street parking
Drop-off recycling collection facility	Pawn shop services
Residential treatment	

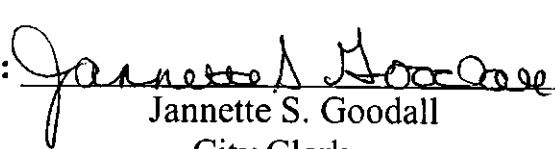
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on August 19, 2013.

PASSED AND APPROVED

August 8, 2013 §
§
§
Lee Jeffingwell
Mayor

APPROVED:  Karen M. Kennard
City Attorney

ATTEST:  Jannette S. Goodall
City Clerk

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 2.16 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, TOGETHER WITH A PORTION OF THAT CERTAIN (2.3146 ACRE) TRACT OF LAND AS CONVEYED TO NL LAND HOLDINGS BY DEED RECORDED IN DOCUMENT No. 2007021161 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 for a westerly Southwest corner of that certain (2.3146 acre) tract of land as conveyed to NL Land Holdings by deed recorded in Document No. 2007021161 of the Official Public Records of Travis County, Texas, and being the **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 with the East right-of-way line of Interstate Highway No. 35 and with the Westerly line of said NL Land Holdings (2.3146 acre) tract, N 31 deg. 56' 02" E 76.75 ft. to a ½" iron rod set with a plastic cap imprinted with "Holt Carson, Inc." for the Northwest corner of said NL Land Holdings (2.3146 acre) tract and being the Northwest corner of this area to be re-zoned;

THENCE leaving the East right-of-way line of Interstate Highway No. 35 with the North line of said NL Land Holdings (2.3146 acre) tract, N 72 deg. 35' E 155.18 ft. to an old chain-link fence corner post for the Northeast corner of said NL Land Holdings (2.3146 acre) tract and being the Northeast corner of this area to be re-zoned;

THENCE with the East line of said NL Land Holdings (2.3146 acre) tract, S 41 deg. 20' 16" E 87.02 ft. to a point for an angle corner of this area to be re-zoned;

end of Page 1

THENCE crossing the interiors of said NL Land Holdings (2.3146 acre) and (5.945 acre) tracts, respectively, with a line two-hundred feet (200') from and parallel with the East right-of-way line of Interstate Highway No. 35, the following two (2) courses;

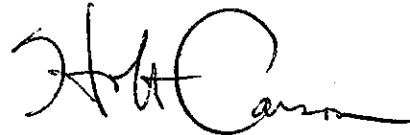
- 1) S 18 deg. 44' W 68.17 ft.;
- 2) S 31 deg. 56' 02" W 512.19 ft. to a point in the West line of said NL Land Holdings (5.945 acre) tract and being the Southwest corner of this tract to be re-zoned;

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 ½" 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 2.16 acres of land.

PREPARED: May 21, 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

broken concrete monument
found bears N31°56'02"E 3.18'

NL Land Holdings
(2.3146 Acre)

Document
No. 2007021161

UHAUL CENTER
OF SLAUGHTER LANE
VOLUME 102 PAGE 314
previously
I-35 Investors, Inc.
Volume 8882 Page 908

SKETCH TO ACCOMPANY FIELD NOTE DESCRIPTION OF

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OF LAND AS CONVEYED TO NL LAND HOLDINGS
BY DEED RECORDED IN DOCUMENT No. 2007021161
OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS
COUNTY, TEXAS.

PREPARED: May 21, 2013

BY:

Holt Carson

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
- ipf ⊙ 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

