

ORDINANCE NO. 20131212-119

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 10730 SOUTH I.H. 35 SERVICE ROAD SOUTHBOUND AND CHANGING THE ZONING MAP FROM INTERIM-RURAL RESIDENCE (I-RR) DISTRICT AND SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT TO GENERAL COMMERCIAL SERVICES - MIXED USE-CONDITIONAL OVERLAY (CS-MU-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 on the property (the "Property") described in Zoning Case No. C14-2013-0128, on file at the Planning and Development Review Department, as follows:

Tract 1:

From interim-rural residence (I-RR) district to general commercial services -mixed use-conditional overlay (CS-MU-CO) combining district.

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

Tract 2:

From single family residence standard lot (SF-2) district to general commercial services -mixed use-conditional overlay (CS-MU-CO) combining district.

0.77 acre tract of land, more or less, out of the Santiago Del Valle Grant the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance,

locally known as 10730 South I.H. 35 Service Road Southbound in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

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

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.

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, the mixed use combining district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on December 23, 2013.

PASSED AND APPROVED

December 12, 2013 §
§
Lee Leffingwell
Mayor

APPROVED: Karen M. Kennard
City Attorney

ATTEST: Jannette S. Goodall
City Clerk

FIELD NOTES

1.283 ACRE OF LAND, MORE OR LESS, OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, BEING THE SAME TRACT OF LAND DESCRIBED IN DEED RECORDED IN DOCUMENT #2012204625, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

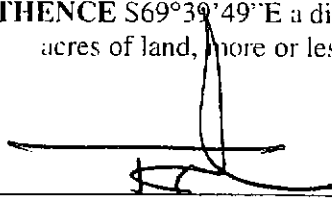
BEGINNING at an iron pipe found on the west R.O.W. of Interstate Highway 35 South, same being at the S.E. corner of A 0.774 acre tract, recorded in Document #2006067605, Official Public Records, Travis County, Texas, for the N.E. corner hereof;

THENCE S18°18'00"W along the west R.O.W. of Interstate Highway 35 South, a distance of 215.26 feet to an iron rod found at the N.E. corner of Lot 1, Barnett Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof record in Document #2012157440, Official Public Records, Travis County, Texas, same being the S.E. corner hereof;

THENCE N60°03'41"W a distance of 302.83 feet to a P.K. nail found for the northern most corner of Lot 1, same being the S.W. corner hereof;

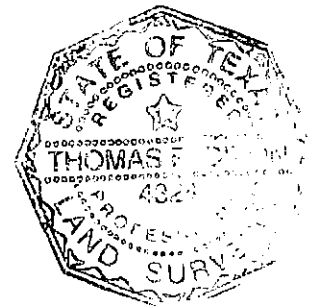
THENCE N19°58'10"E a distance of 164.61 feet to an iron pipe found, being the S.W. corner of said 0.774 acre tract, for the N.W. corner hereof;

THENCE S69°39'49"E a distance of 291.99 feet to the **POINT OF BEGINNING**, containing 1.283 acres of land, more or less.



Thomas P. Dixon R.P.L.S. 4324
Waterloo Surveyors, Inc.
P.O. Box 160176
Austin, Texas 78716
Ph: 512-481-9602

4/12/13
Date



FIELD NOTES

0.774 ACRE OF LAND, MORE OR LESS, OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, BEING THE SAME TRACT OF LAND DESCRIBED IN DEED RECORDED IN DOCUMENT #2006067605, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

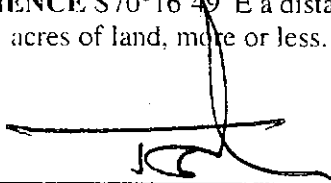
BEGINNING at a rod found on the west R.O.W. of Interstate Highway 35 South, same being at the S.E. corner of Lot A, Richard Marshal Addition, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 78, pages 131 of the Plat Records of Travis County, Texas, for the N.E. corner hereof;

THENCE S17°42'48"W along the west R.O.W. of Interstate Highway 35 South, a distance of 118.10 feet to an iron pipe found at the N.E. corner of a 1.283 acre tract recorded in Document #2012204625, Official Public Records, Travis County, Texas, same being the S.E. corner hereof;

THENCE N69°39'49"W a distance of 291.99 feet to a iron pipe found for the N.E. corner of said 1.283 acre tract, same being the S.W. corner hereof;

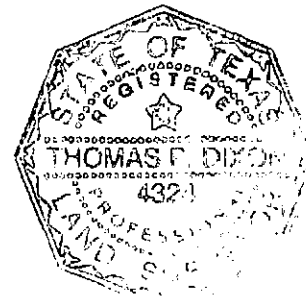
THENCE N19°43'11"E a distance of 114.89 feet to a 1/2" iron rod set with cap (RPLS#4324) for the N.W. corner hereof;

THENCE S70°16'49"E a distance of 287.84 feet to the **POINT OF BEGINNING**, containing 0.774 acres of land, more or less.



Thomas P. Dixon R.P.L.S. 4324
Waterloo Surveyors, Inc.
P.O. Box 160176
Austin, Texas 78716
Ph: 512-481-9602

4/12/13
Date

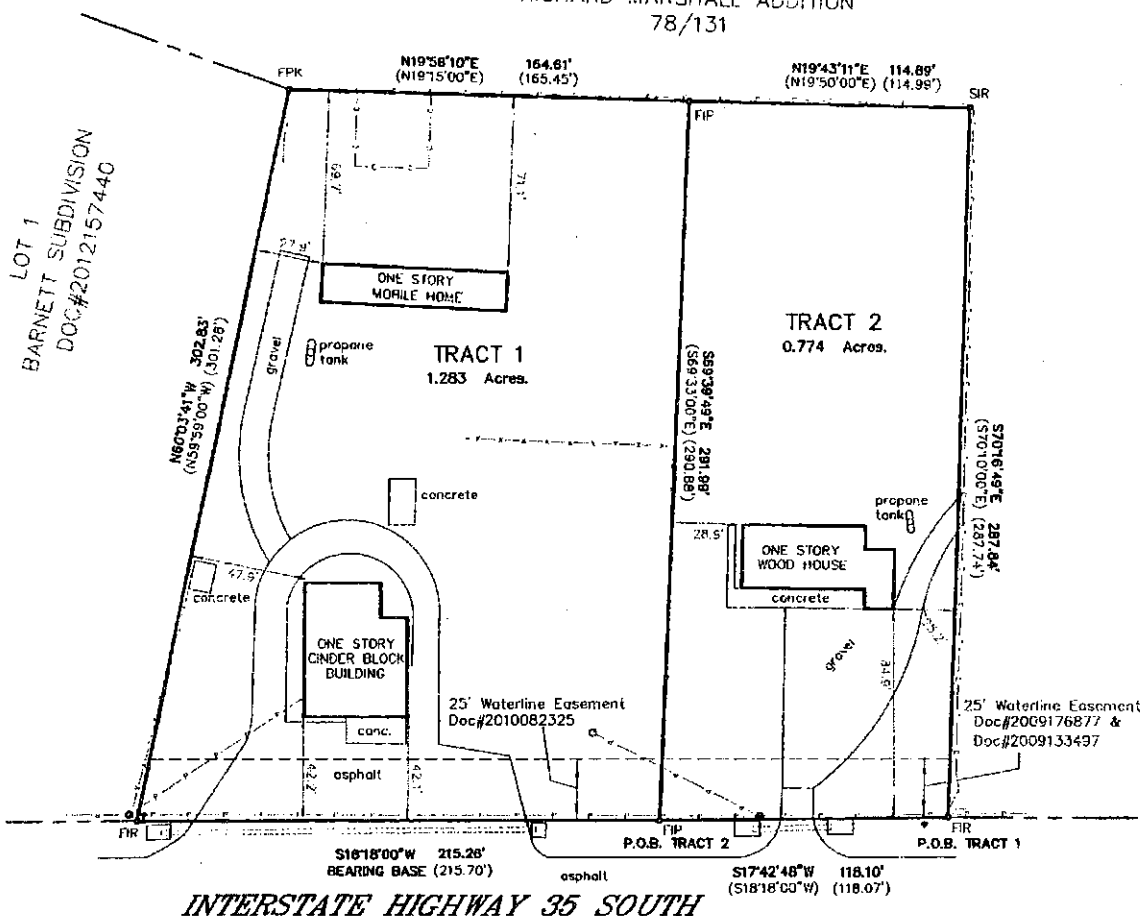


OWNER:
AUSPRO ENTERPRISES
ADDRESS:
10728 & 10730 IH 35 SOUTH

Waterloo Surveyors Inc.
SURVEY PLAT

J13580

LOT A
RICHARD MARSHALL ADDITION
78/131



"THIS SURVEY WAS PERFORMED FOR AND CERTIFIED TO THE LIEN HOLDERS AND/OR THE OWNERS OF THE PREMESIS AND TO NATIONAL INVESTORS TITLE INSURANCE COMPANY AS PER GF NO. 1305956ARB."

LEGEND
FOUND IRON ROD FIP
FOUND IRON PIPE FIP
FOUND PK NAIL FPK
SET IRON ROD SIR
WIRE FENCE
CHAIN LINK FENCE
UTILITY LINE
FIRE HYDRANT

LEGAL DESCRIPTION:

TRACT 1:
BEING 1.283 ACRES, MORE OR LESS, OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, BEING THE SAME TRACT OF LAND DESCRIBED IN DEED RECORDED IN DOCUMENT #2012165055, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF.

TRACT 2:
BEING 0.774 ACRES, MORE OR LESS, OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, BEING THE SAME TRACT OF LAND DESCRIBED IN DEED RECORDED IN DOCUMENT #2006067605, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "B" ATTACHED HERETO AND MADE A PART OF.

TRACT 1 IS SUBJECT TO:
ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE EASEMENTS IN 548/327, 573/286, 578/368 & 659/358, DEED RECORDS, TRAVIS COUNTY, TEXAS.
MULTI-SERVICE CONTRACT IN 7858/850, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS.

TRACT 1 IS NOT SUBJECT TO:
TEMPORARY WORKING SPACE EASEMENT IN DOC#2010082324, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

TRACT 2 IS SUBJECT TO:
ELECTRIC AND TELEPHONE TRANSMISSION AND/OR DISTRIBUTION LINE EASEMENTS IN 573/286, 578/368 & 659/358, DEED RECORDS, TRAVIS COUNTY, TEXAS.

TRACT 2 IS NOT SUBJECT TO:
ELECTRIC EASEMENTS IN 574/452, 2179/253 & 2410/181, DEED RECORDS, TRAVIS COUNTY, TEXAS.
TEMPORARY WORKING SPACE EASEMENT IN DOC#2009176877 & DOC#2009133497

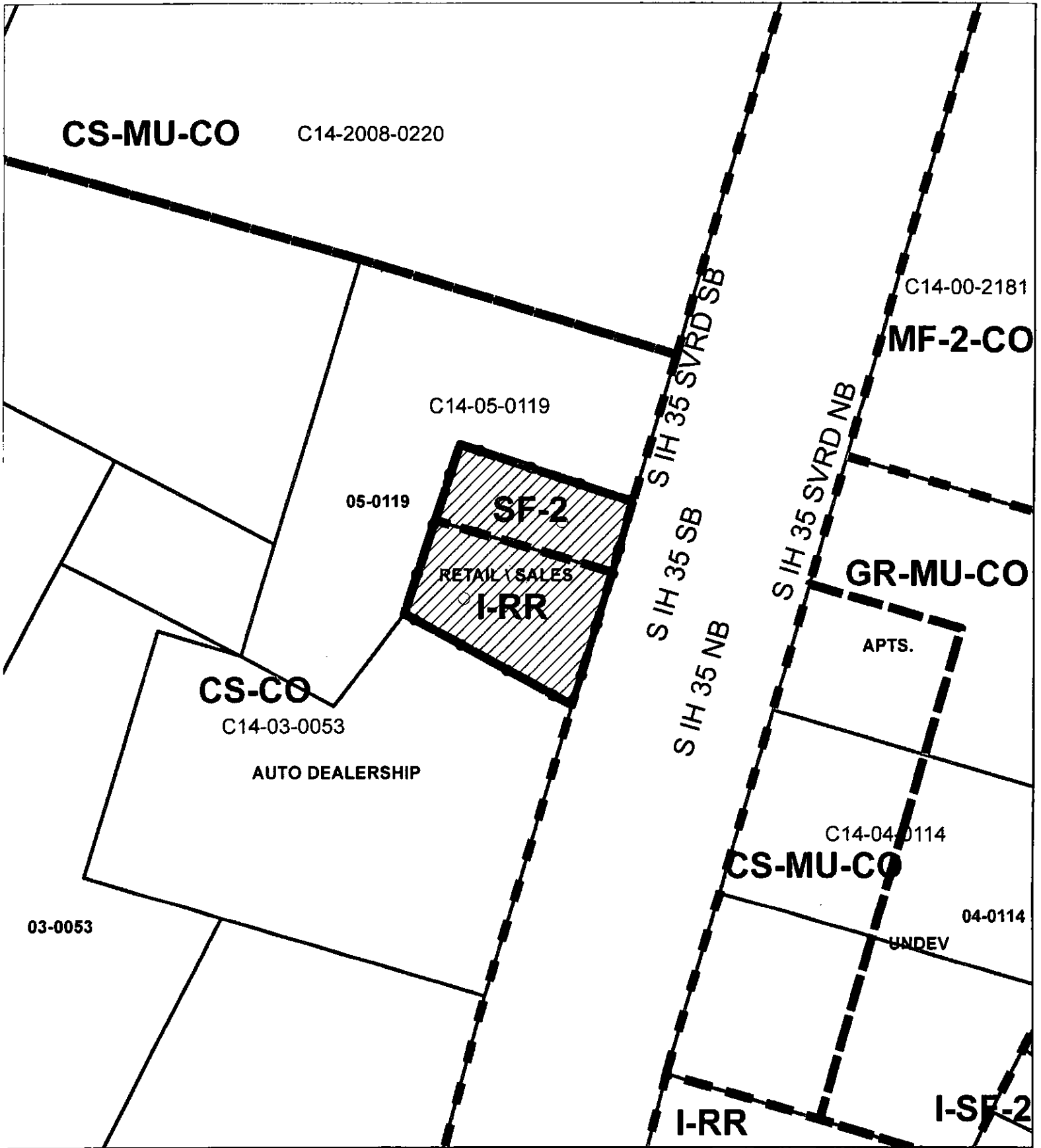
State of Texas:
County of Travis:




The undersigned does hereby certify that this survey was this day made on the property legally described hereon and is correct, and this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1E Condition II Survey.

And I certify that the property shown hereon IS NOT within a special flood hazard area as identified by the Federal Insurance Administration of HUD Flood hazard boundary map revised as per Map Number: 48453C0595H

Zone: X Dated: 9/26/08
Dated this the 3RD day of APRIL, 2013.

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



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING
CASE#: C14-2013-0128



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 by the City of Austin regarding specific accuracy or completeness.

1" = 200'

Exhibit C