

**ORDINANCE NO. 20140626-132**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 8832 ½ SOUTH INTERSTATE HIGHWAY 35 SERVICE ROAD SOUTHBOUND FROM DEVELOPMENT RESERVE (DR) DISTRICT AND SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) 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 development reserve (DR) district and single family residence standard lot (SF-2) district to general commercial services-conditional overlay (CS-CO) combining district on the property described in Zoning Case No. C14-2014-0071, on file at the Planning and Development Review Department, as follows:

10.87 acre tract of land, more or less, out of the F.M. Hodges Survey No. 22, Abstract No. 377 the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 8832 ½ South Interstate Highway 35 Service Road Southbound 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 condition:

The following uses are prohibited uses of the Property:

Vehicle storage

Commercial blood plasma center

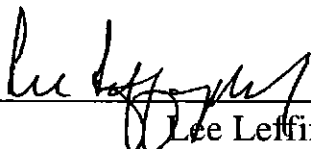
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on July 7, 2014.

**PASSED AND APPROVED**

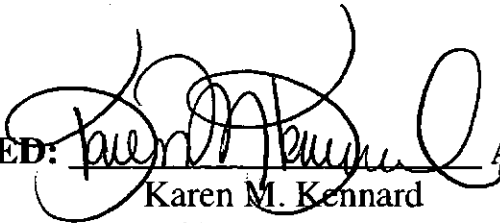
June 26, 2014

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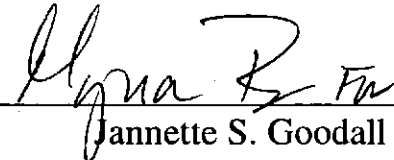
Lee Lettingwell  
Mayor

**APPROVED:**



Karen M. Kennard  
City Attorney

**ATTEST:**



Jannette S. Goodall  
City Clerk

10.875 ACRES  
HEB SOUTH CONGRESS  
HEB GROCERY COMPANY, LP

FN NO. 14-167(MJJ)  
MAY 2, 2014  
JOB NO. R0100010-10028

#### DESCRIPTION

OF 10.875 ACRES OF LAND OUT OF THE F.M. HODGES SURVEY NO. 22, ABSTRACT NO. 377, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING ALL OF THAT SAME 10.877 ACRE TRACT OF LAND CALLED "TRACT 2" AS CONVEYED TO HEB GROCERY COMPANY, LP, A TEXAS LIMITED PARTNERSHIP BY DEED OF RECORD IN DOCUMENT NO. 2013098661 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 10.875 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a 1/2 inch iron rod with cap found in the westerly right-of-way line of Interstate Highway 35 (R.O.W. varies), being the southeasterly corner of Tract 1A Mrs. Rosa J Spillman Estates, a subdivision of record in Book 8, Page 15 of the Plat Records of Travis County, Texas and the northeasterly corner of said "Tract 2", for the northeasterly corner hereof;

**THENCE**, S28°23'47"W, along the westerly right-of-way line of Interstate Highway 35, being the easterly line of said "Tract 2", for the easterly line hereof, a distance of 937.60 feet to a 1/2 inch iron rod with cap found at the northeasterly corner of that certain 15.045 acre tract of land called "Tract 1" as conveyed to HEB Grocery Company, LP, a Texas Limited Partnership by deed of record in Document No. 2013098661 of said Official Public Records and the southeasterly corner of said "Tract 2", for the southeasterly corner hereof;

**THENCE**, N50°59'16"W, leaving the westerly right-of-way line of Interstate Highway 35, along the northerly line of said "Tract 1", being the southerly line of said "Tract 2", for the southerly line hereof, a distance of 536.12 feet to a 1/2 inch iron rod with cap found in the curving easterly right-of-way line of South Congress Avenue (120' R.O.W.), being the northwesterly corner of said "Tract 1" and the southwest corner of said "Tract 2", for the southwest corner hereof, from which a TXDOT brass disc in concrete found in the easterly right-of-way line of South Congress Avenue bears, S44°42'36"W, a chord distance of 23.10 feet;

**THENCE**, along the easterly right-of-way line of South Congress Avenue, being the westerly line of said "Tract 2", for the westerly line hereof, the following three (3) courses and distances:

- 1) Along a non-tangent curve to the left having a radius of 963.67 feet, a central angle of 26°44'17", an arc length of 403.05 feet and a chord which bears, N30°34'29"E, a distance of 399.40 feet to a 1/2 inch iron rod with cap found for the end of said curve;


- 2) S78°59'52"E, a distance of 1.32 feet to a 1/2 inch iron rod with cap found for an angle point;
- 3) N13°59'48"E, a distance of 445.00 feet to a calculated point at the southwesterly corner of said Tract 1A, being the northwesterly corner of said "Tract 2", for the northwesterly corner hereof, from which a concrete monument found bears, N62°22'14"W, a distance of 0.77 feet;

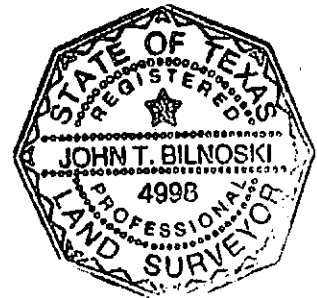
**THENCE**, S62°22'14"E, leaving the easterly right-of-way line of South Congress Avenue, along the southerly line of said Tract 1A, being the northerly line of said "Tract 2", for the northerly line hereof, a distance of 621.22 feet to the **POINT OF BEGINNING**, containing an area of 10.875 acres (473,718 sq. ft.) of land, more or less, within these metes and bounds.

THE BASIS OF BEARING OF THE SURVEY SHOWN HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(96), UTILIZING WESTERN DATA SYSTEMS CONTINUALLY OPERATING REFERENCE STATION (CORS) NETWORK.

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY-AUS, INC.  
221 WEST SIXTH STREET  
SUITE 600  
AUSTIN, TEXAS 78701

  
5/6/14  
JOHN T. BILNOSKI  
R.P.L.S. NO. 4998  
STATE OF TEXAS  
TBPLS # F-10107500



TRACT 1A  
MRS. ROSA J. SPILLMAN ESTATES  
BK. 8, PG. 15

P.O.B.

S62°22'14"E 621.22'

FROM WHICH A  
CONCRETE MONUMENT  
FOUND BEARS  
N62°22'14"W 0.77'

SOUTH CONGRESS AVENUE  
(120' R.O.W.)  
N13°59'48"E 445.00'

TRACT 2 - 10.877 ACRES  
HEB GROCERY COMPANY, LP  
DOC. NO. 2013098661

10.875 ACRES  
(473,718 SQ. FT.)

S78°59'52"E  
1.32'

F.M. HODGES  
SURVEY NO. 22  
ABS NO. 377

TRACT 1 - 15.045 ACRES  
HEB GROCERY COMPANY, LP  
DOC. NO. 2013098661

N50°59'16"W 536.12'

#### CURVE TABLE

| No. | Delta     | Radius | Arc Length | Chord Length | Chord Bearing |
|-----|-----------|--------|------------|--------------|---------------|
| C1  | 26°44'17" | 963.67 | 403.05     | 399.40       | N30°34'29"E   |
| C2  | 01°31'56" | 863.67 | 23.10      | 23.10        | S44°42'36"W   |

# BURY

221 West Sixth Street, Suite 600  
Austin, Texas 78701  
Tel (512) 328-0011 Fax (512) 328-0325  
TBPE # F-1048 TBPLS # F-10107500  
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#### SKETCH TO ACCOMPANY DESCRIPTION

OF 10.875 ACRES OF LAND OUT OF THE F.M. HODGES SURVEY NO. 22, ABSTRACT NO. 377, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING THAT CERTAIN 10.877 ACRE TRACT OF LAND CALLED "TRACT 2" AS CONVEYED TO HEB GROCERY COMPANY, LP BY DEED OF RECORD IN DOCUMENT NO. 2013098661 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

HEB GROCERY  
COMPANY

DATE: 5-02-2014

DRAWN BY: MJJ

FN: 14-167 (MJJ)

FILE: H:\100010\028\100010028EX1.DWG

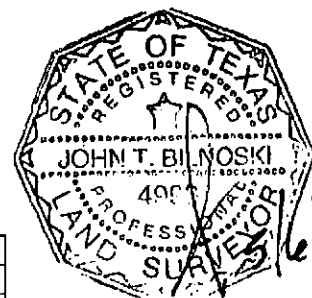
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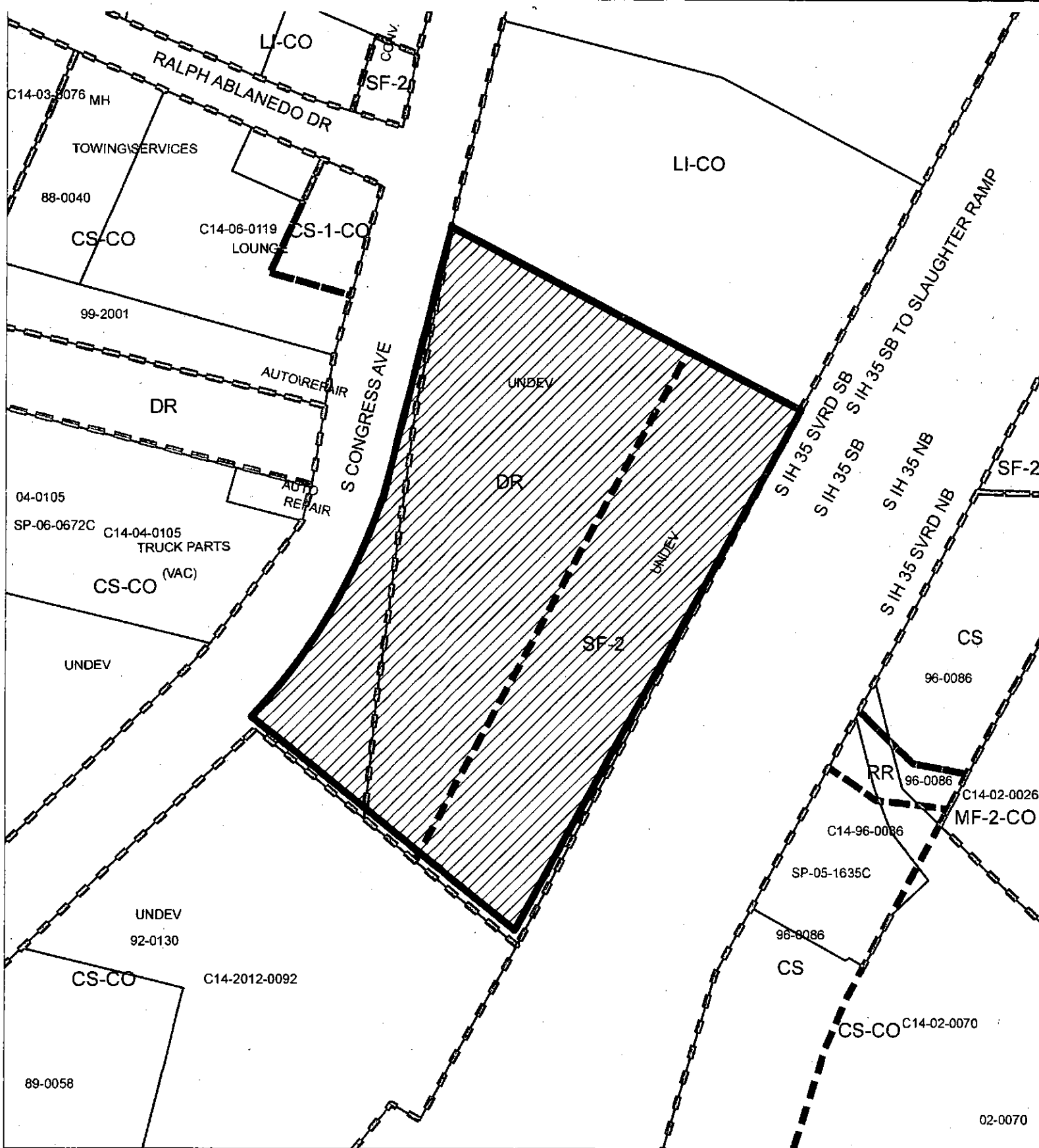
0 75 150 300  
SCALE: 1" = 150'

INTERSTATE  
HIGHWAY 35  
(R.O.W. VARIES)

#### LEGEND

- CAP 1/2" IRON ROD WITH CAP FOUND
- CONCRETE MONUMENT FOUND (UNLESS NOTED)
- P.O.B. POINT OF BEGINNING








# ZONING

ZONING CASE#: C14-2014-0071



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

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