

ORDINANCE NO. 20160414-009

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3311 SOUTH FM 973 ROAD AND 3326 EAST STATE HIGHWAY 71 EASTBOUND FROM INTERIM-RURAL RESIDENCE (I-RR) DISTRICT, DEVELOPMENT RESERVE (DR) DISTRICT AND GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT TO LIMITED INDUSTRIAL SERVICES-PLANNED DEVELOPMENT AREA (LI-PDA) 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 interim-rural residence (I-RR) district, development reserve (DR) district and general commercial services-conditional overlay (CS-CO) combining district to limited industrial services-planned development area (LI-PDA) combining district on the property described in Zoning Case No. C14-2015-0117, on file at the Planning and Zoning Department, as follows:

390.644 acres of land located in the Santiago Del Valle League, Abstract No. 24, Travis County, Texas, and further being comprised of that certain called 385.684 acre tract conveyed to SH 71-130 Holdings, LP, as recorded under Document Number 2014189945, Official Public Records of Travis County, Texas, together with that certain called 4.886 acre tract conveyed to SH 71-130 Holdings, LP, as recorded under Document Number 2014189949, Official Public Records of Travis County, Texas, said 390.644 acres being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 3311 South FM 973 Road and 3326 East State Highway 71 Eastbound 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 of this ordinance, the Property may be developed and used in accordance with the regulations established for the limited industrial services (LI) base district and other applicable requirements of the City Code.

PART 3. Development of the Property within the boundaries of the planned development area (PDA) combining district established by this ordinance is subject to the use and site development regulations set forth in this part:

A. The following uses are additional permitted uses of the Property:

Alternative financial services	Cocktail lounge
Club or lodge	Condominium residential
Hospital services (general)	Hospital services (limited)
Liquor sales	Major utility facilities
Multifamily residential	Outdoor entertainment
Pet services	Private primary education facilities
Recreational equipment sales	Townhouse residential
Transportation terminal	

B. The following uses are additional conditional uses of the Property:

Equipment repair services	Monument retail services
Kennels	

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

Basic industry	Drop-off recycling collection facility
Exterminating services	Recycling center
Resource extraction	Scrap and salvage
Vehicle storage	

D. The following site development standards apply to the Property:

1. A residential use shall comply with the site development regulations for the multifamily residence highest density (MF-6) district.
2. A commercial use shall comply with site development regulations for the general commercial services (CS) district.
3. A 25-foot wide vegetative buffer shall be provided between a residential use and an adjacent commercial use.
4. A 50-foot wide vegetative buffer shall be provided between a residential use and an adjacent industrial use.
5. For the tract shown in Exhibit "C", which is a portion of the Property, the maximum height of a building or structure is limited to 90 feet.
6. A driveway that serves an industrial use may not be located directly across the street from or less than 120 feet from a residential use unless:

- i. The residential use is located in a building that includes non-residential uses on the ground floor, or
- ii. The driveway is approved by the Director of the Development Services Department.

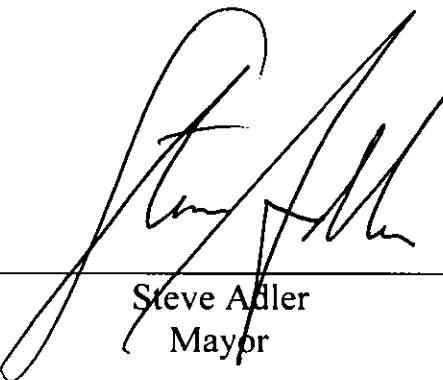
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the limited industrial services (LI) base district and other applicable requirements of the City Code.

PART 4. This ordinance takes effect on April 25, 2016.

PASSED AND APPROVED


_____, April 14, 2016

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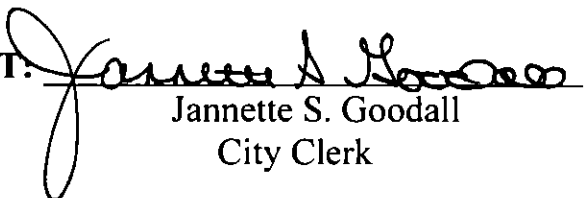
Steve Adler
Mayor

APPROVED:



Anne L. Morgan
City Attorney

ATTEST:



Jannette S. Goodall
City Clerk

**LEGAL DESCRIPTION
390.644 ACRES
OF LAND**

390.644 acres of land located in the Santiago Del Valle League, Abstract No. 24, Travis County, Texas, and further being comprised of that certain called 385.684 acre tract conveyed to SH 71-130 Holdings, LP, as recorded under Document Number 2014189945, Official Public Records of Travis County, Texas, together with that certain called 4.886 acre tract conveyed to SH 71-130 Holdings, LP, as recorded under Document Number 2014189949, Official Public Records of Travis County, Texas, said 390.644 acres being more particularly described as follows:

BEGINNING, at a found 1/2-inch iron rod located on the northerly line of that certain 124.06 acre tract of land conveyed to Airport 124.06, L.P., as recorded under Document Number 2006121767, Official Public Records of Travis County, Texas; said rod further being located in the southeasterly right of way line of F.M. Highway 973 and marking the southeasterly corner of that certain 3.847 acre tract (called "Parcel 71") conveyed to The State of Texas, as recorded under Document Number 2013219832, Official Public Records of Travis County, Texas, and the southwesterly corner of said 385.684 acre tract;

THENCE, leaving the northerly line of said 124.06 acre tract, along the easterly line of said "Parcel 71", same being the easterly right-of-way line of F.M. Highway 973, the following courses:

North 42deg 40' 24" East, a distance of 1564.84 feet to a found 1/2 inch iron rod;
Northeasterly, along the arc of a curve to the left having a radius of 2,100 feet, a central angle of 16deg 21' 12", an arc length of 599.38 feet, and a chord bearing: N 34deg 29' 04" E, 597.35 feet, to a found 1/2 inch iron rod with cap, for the northeasterly corner of said 3.847 acre tract (called "Parcel 71");

THENCE, continuing along the easterly right-of-way line of F.M. Highway 973, the following courses:

North 42deg 42' 24" East, a distance of 369.68 feet to a set 1/2 inch iron rod with "KHA" cap marking the southwesterly corner of said 4.886 acre tract;

North 42deg 42' 24" East, a distance of 490.22 feet to a set 1/2 inch iron rod with "KHA" cap marking the southwesterly corner of that certain 1.902 acre tract of land (called "Parcel 65"), conveyed to State of Texas, as recorded under Document Number 2013161117, Official Public Records of Travis County, Texas; said rod further marking the northerly corner of said 4.886 acre tract, and marking the intersection of the easterly right of way line of F.M. 973 with the southerly right of way line of State Highway 71, (variable width right of way);

THENCE, leaving the easterly right-of-way line of F.M. Highway 973 and along the southerly line of said "Parcel 65", same being the southerly right of way line of State Highway 71, the following courses:

South 60deg 56' 53" East, a distance of 406.75 feet to a found 1/2 inch iron rod with cap at the southwesterly corner of that certain 74.790 acre tract (called "Parcel 359") conveyed to the State of Texas, as recorded under Document Number 2005169200, Official Public Records of Travis County, Texas, same being the southeasterly corner of said "Parcel 65" and the northeasterly corner of said 4.886 acre tract;

South 62deg 04' 50" East, a distance of 1287.46 feet, to a found ½ inch iron rod with cap;
South 59deg 01' 40" East, a distance of 844.96 feet, to a found ½ inch iron rod with cap;
South 61deg 16' 13" East, a distance of 874.81 feet, to a found ½ inch iron rod with cap;
South 54deg 45' 18" East, a distance of 521.39 feet, to a found ½ inch iron rod with cap;
South 52deg 47' 01" East, a distance of 787.68 feet, to a found ½ inch iron rod marking the intersection of the southerly right of way line of State Highway 71 with the westerly right of way line of State Highway 130 (variable width right of way);

THENCE, leaving said southerly right of way line of State Highway 71, along the westerly right of way line of State Highway 130, the following courses:

Southeasterly, along the arc of a curve to the right, having a radius of 1043.35 feet, a central angle of 20deg 11' 53", an arc length of 367.80 feet, and a chord bearing: S 12deg 39' 43" E, 365.90 feet to a found ½ inch iron rod;

Southwesterly, along the arc of a curve to the right, having a radius of 26,189.53 feet, a central angle of 02deg 12' 50", an arc length of 1012.01 feet, and a chord bearing: S 23deg 43' 13" W, 1011.95 feet to a found ½ inch iron rod;

South 23deg 06' 12" West, a distance of 180.92 feet, to a found ½ inch iron rod with cap; said rod marking the northeasterly corner of that certain 19.99 acre tract of land called "Tract 2", as conveyed to Carr Family Partnership, Ltd., as recorded under Document Number 2009092279, Official Public Records of Travis County, Texas

THENCE, leaving said southerly right of way line of State Highway 130 and along the common boundary lines between this tract and the said 19.99 acres tract, the following courses:

North 80deg 36' 03" West, a distance of 134.32 feet, to a found ½ inch iron rod with cap;
North 77deg 42' 14" West, a distance of 147.55 feet, to a found ½ inch iron rod with cap;
North 81deg 34' 55" West, a distance of 161.06 feet, to a found ½ inch iron rod with cap;
North 85deg 15' 40" West, a distance of 130.91 feet, to a found ½ inch iron rod with cap;
North 89deg 31' 01" West, a distance of 313.32 feet, to a found ½ inch iron rod with cap;
South 79deg 20' 56" West, a distance of 88.08 feet, to a found ½ inch iron rod with cap;
South 87deg 16' 20" West, a distance of 114.98 feet, to a found ½ inch iron rod with cap;
North 79deg 17' 37" West, a distance of 141.58 feet, to a found ½ inch iron rod with cap;
North 65deg 23' 29" West, a distance of 256.97 feet, to a found ½ inch iron rod with cap marking the northwesterly corner of said 19.99 acre tract;
South 34deg 02' 31" West, a distance of 390.57 feet, to a found ½ Inch Iron rod with cap;
South 12deg 05' 38" West, a distance of 148.74 feet, to a found ½ inch iron rod with cap marking the southwest corner of said 19.99 acre tract;
South 32deg 13' 30" East, a distance of 66.75 feet, to a found ½ inch iron rod with cap;
South 65deg 34' 51" East, a distance of 291.29 feet, to a point in the center of Onion Creek;

THENCE, along the centerline meanders of Onion Creek, the following courses:

North 85deg 24' 12" West, a distance of 128.28 feet, to an angle point;
South 74deg 09' 48" West, a distance of 128.33 feet, to an angle point;
South 54deg 08' 48" West, a distance of 119.69 feet, to an angle point;
South 24deg 01' 48" West, a distance of 99.95 feet, to an angle point;
South 03deg 14' 48" West, a distance of 134.78 feet, to an angle point;

South 25deg 14' 12" East, a distance of 150.69 feet, to an angle point;
South 09deg 29' 12" East, a distance of 133.61 feet, to an angle point;
South 00deg 59' 12" East, a distance of 136.69 feet, to an angle point;
South 13deg 56' 12" East, a distance of 83.54 feet, to an angle point;
South 51deg 08' 12" East, a distance of 70.54 feet, to an angle point;
South 22deg 13' 12" East, a distance of 94.73 feet, to an angle point;
South 05deg 28' 48" West, a distance of 150.03 feet, to an angle point;
South 17deg 19' 48" West, a distance of 376.45 feet, to an angle point;
South 39deg 12' 48" West, a distance of 68.70 feet, to a set ½ inch iron rod with "KHA" cap,
marking the northwesterly corner of that certain called 84.14 acre tract conveyed to Kevin Rollins
and wife, Deborah Rollins, as recorded under Document Number 2002244156, Official Public
Records of Travis County, Texas;

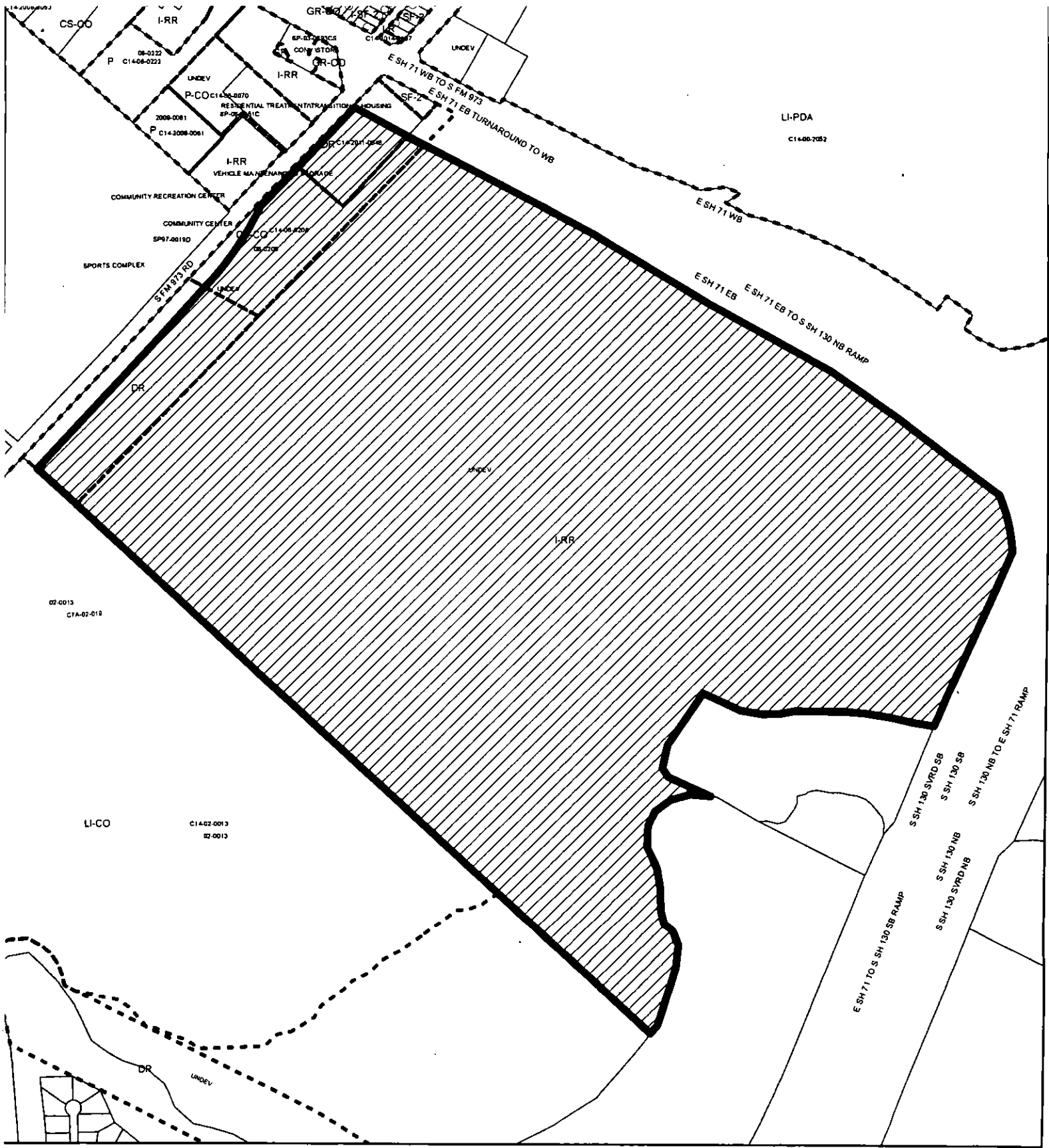
THENCE, North 47deg 19' 02" West, along the common boundary line between this tract and the said
84.14 acre tract, that certain called 40.621 acre tract conveyed to Kevin Rollins and wife, Deborah Rollins,
as recorded under Document Number 2002179240, Official Public Records of Travis County, Texas and
the aforementioned 124.06 acre tract, a distance of 5,240.15 feet, to the **POINT OF BEGINNING**,
containing an area of 390.644 acres (17,016,442 sq. ft.) of land, more or less.




BEARING BASIS: TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD 83

James W. Russell
7/7/15

James W. Russell
Registered Professional Land Surveyor No. 4230
Kimley-Horn and Associates, Inc.
601 NW Loop 410, Suite 350
San Antonio, Texas 78216
Ph. 210-541-9166
jim.russell@kimley-horn.com
TBPLS Firm No. 10193973





-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING
ZONING CASE#: C14-2015-0117

Exhibit B



1" = 800'

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.

LEGAL DESCRIPTION

103.549 ACRES

OF LAND

103.549 acres of land located in the Santiago Del Valle League, Abstract No. 24, Travis County, Texas, and further being a portion of that certain called 385.684 acre tract conveyed to SH 71-130 Holdings, LP, as recorded under Document Number 2014189945, Official Public Records of Travis County, Texas; said 103.549 acres being more particularly described as follows:

COMMENCING, at a found 1/2-inch iron rod located in the southwesterly right of way line of State Highway No. 71 (SH 71) and marking the most northerly northwest corner of the said 385.684 acre tract, and the easterly corner of that certain 4.886 acre tract conveyed to SH 71-130 Holdings, LP, as recorded under Document Number 2014189949, Official Public Records of Travis County, Texas;

THENCE, along the southwesterly right-of-way line of SH 71, the following courses:

South 62deg 04' 50" East, a distance of 1287.46 feet, to a found ½ inch iron rod with cap;
South 59deg 01' 40" East, a distance of 356.61 feet, to a point, for the **POINT OF BEGINNING** of the herein described tract;
South 59deg 01' 40" East, a distance of 488.35 feet, to a found ½ inch iron rod with cap;
South 61deg 16' 13" East, a distance of 874.81 feet, to a found ½ inch iron rod with cap;
South 54deg 45' 18" East, a distance of 521.39 feet, to a found ½ inch iron rod with cap;
South 52deg 47' 01" East, a distance of 787.68 feet, to a found ½ inch iron rod marking the intersection of the southerly right of way line of State Highway 71 with the westerly right of way line of State Highway 130 (variable width right of way);

THENCE, leaving said southerly right of way line of State Highway 71, along the westerly right of way line of State Highway 130, the following courses:

Southeasterly, along the arc of a curve to the right, having a radius of 1043.35 feet, a central angle of 20deg 11' 53", an arc length of 367.80 feet, and a chord bearing: S 12deg 39' 43" E, 365.90 feet to a found ½ inch iron rod;
Southwesterly, along the arc of a curve to the right, having a radius of 26,189.53 feet, a central angle of 02deg 12' 50", an arc length of 1012.01 feet, and a chord bearing: S 23deg 43' 13" W, 1011.95 feet to a found ½ inch iron rod;
South 23deg 06' 12" West, a distance of 180.92 feet, to a found ½ inch iron rod with cap; said rod marking the northeasterly corner of that certain 19.99 acre tract of land called "Tract 2", as conveyed to Carr Family Partnership, Ltd., as recorded under Document Number 2009092279, Official Public Records of Travis County, Texas

THENCE, leaving said southerly right of way line of State Highway 130 and along the common boundary lines between this tract and the said 19.99 acres tract, the following courses:

North 80deg 36' 03" West, a distance of 134.32 feet, to a found ½ inch iron rod with cap;
North 77deg 42' 14" West, a distance of 147.55 feet, to a found ½ inch iron rod with cap;

North 81deg 34' 55" West, a distance of 161.06 feet, to a found ½ inch iron rod with cap;
North 85deg 15' 40" West, a distance of 130.91 feet, to a found ½ inch iron rod with cap;
North 89deg 31' 01" West, a distance of 313.32 feet, to a found ½ inch iron rod with cap;
South 79deg 20' 56" West, a distance of 88.08 feet, to a found ½ inch iron rod with cap;
South 87deg 16' 20" West, a distance of 114.98 feet, to a found ½ inch iron rod with cap;
North 79deg 17' 37" West, a distance of 141.58 feet, to a found ½ inch iron rod with cap;
North 65deg 23' 29" West, a distance of 256.97 feet, to a found ½ inch iron rod with cap marking the northwesterly corner of said 19.99 acre tract;
South 34deg 02' 31" West, a distance of 390.57 feet, to a found ½ inch iron rod with cap;
South 12deg 05' 38" West, a distance of 123.93 feet, to a point for the most southerly corner of herein described tract;

THENCE, North 02deg 35' 51" West, crossing said 385.684 acre tract, a distance of 3145.08 feet, to the **POINT OF BEGINNING**, containing an area of 103.549 acres (4,510,607 sq. ft.) of land, more or less.

BEARING BASIS: TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD 83

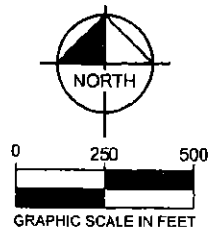
Michael B. Marx 4/12/16

Michael B. Marx
Registered Professional Land Surveyor No. 5181
Kimley-Horn and Associates, Inc.
5750 Genesis Court, Suite 200
Frisco, Texas 75034
Ph. 972-335-3580
michael.marx@kimley-horn.com
TBPLS Firm No. 10193822



4.886 ACRES
SH 71-130
HOLDINGS, LP
DOC. NO.
2014189949

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	20°11'53"	1043.35'	367.80'	S12°39'43"E	365.90'
C2	2°12'50"	26189.53'	1012.01'	S23°43'13"W	1011.95'



STATE HIGHWAY NO. 71
(VARIABLE WIDTH)

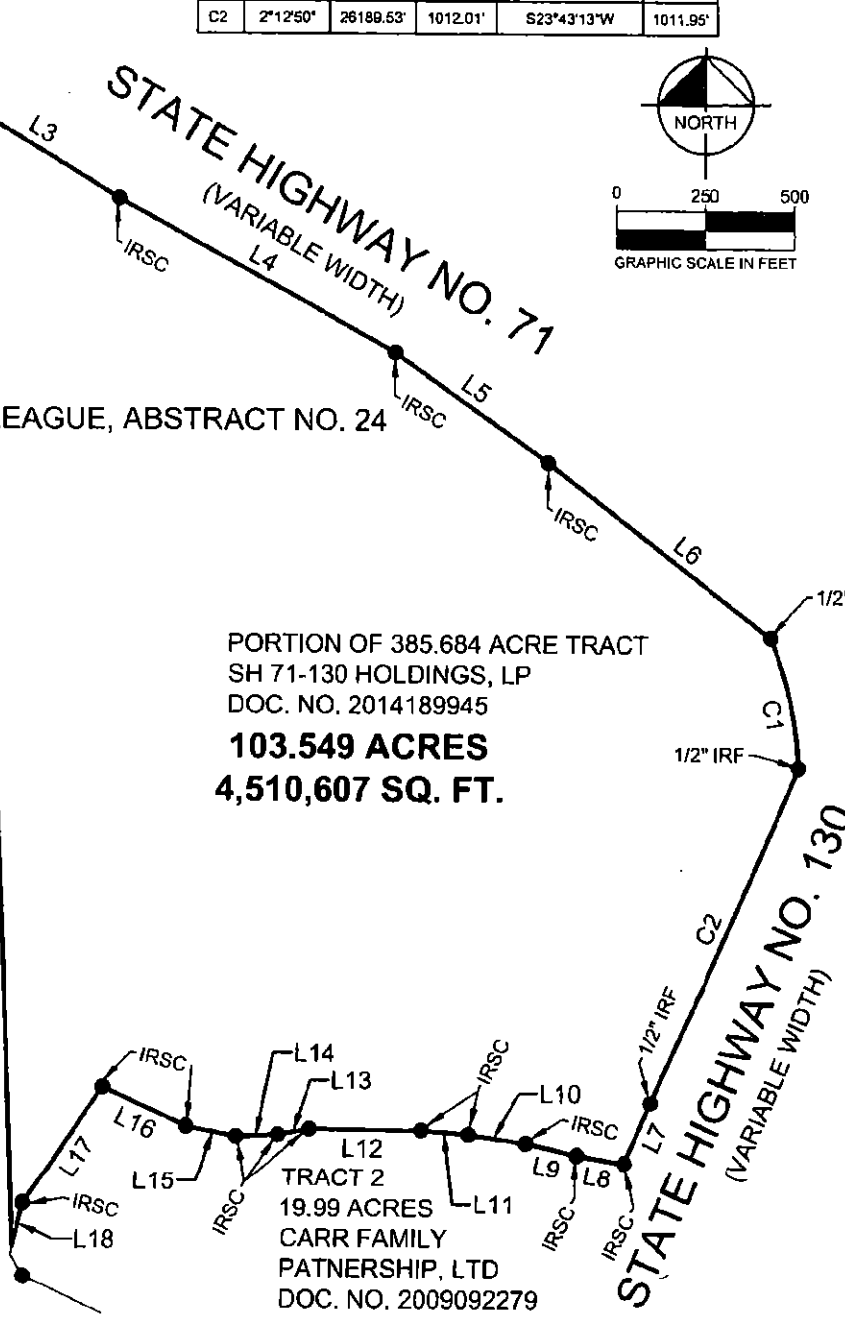
SAN TIAGO DEL VALLE LEAGUE, ABSTRACT NO. 24

LINE TABLE		
NO.	BEARING	LENGTH
L1	S62°04'50"E	1287.46'
L2	S59°01'40"E	358.61'
L3	S59°01'40"E	488.35'
L4	S61°16'13"E	874.81'
L5	S54°45'18"E	521.39'
L6	S52°47'01"E	787.68'
L7	S23°08'12"W	180.92'
L8	N80°36'03"W	134.32'
L9	N77°42'14"W	147.55'
L10	N81°34'56"W	161.06'
L11	N85°15'40"W	130.81'
L12	N89°31'01"W	313.32'
L13	S79°20'56"W	88.08'
L14	S87°16'20"W	114.98'
L15	N79°17'37"W	141.58'
L16	N65°23'29"W	256.97'
L17	S34°02'31"W	390.57'
L18	S12°05'38"W	123.93'

PORTION OF 385.684 ACRE TRACT
SH 71-130 HOLDINGS, LP
DOC. NO. 2014189945

PORTION OF 385.684 ACRE TRACT
SH 71-130 HOLDINGS, LP
DOC. NO. 2014189945
103.549 ACRES
4,510,607 SQ. FT.

N2°35'51"W 3145.08'



TRACT 2
19.99 ACRES
CARR FAMILY
PATNERSHIP, LTD
DOC. NO. 2009092279

LEGEND

P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRFC = IRON ROD W/CAP FOUND
1/2 IRF = IRON ROD FOUND

Michael Marx

MICHAEL MARX
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5181
5750 GENESIS COURT, SUITE 200
FRISCO, TEXAS 75034
PH. 972-335-3580
michael.marx@kimley-horn.com



Kimley»Horn

5750 Genesis Court, Suite 200
Frisco, Texas 75034 FIRM # 10193822 Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 500'	MAY	XXX	04/11/2016	069243800	3 OF 3