

**ORDINANCE NO. 20170323-072**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2500, 2508 AND 2514 THRASHER LANE IN THE MONTOPOLIS NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-NEIGHBORHOOD PLAN (CS-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) COMBINING DISTRICT FOR TRACT 1 AND TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-CO-NP) COMBINING DISTRICT FOR TRACT 2.**

**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-neighborhood plan (CS-NP) combining district to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district for Tract 1 and to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district for Tract 2 on the property described in Zoning Case No. C14-2016-0070, on file at the Planning and Zoning Department, as follows:

Tract 1:

A 2.982 (129,875 sq. ft.) acre tract of land out of the Santiago Del Valle Grant, Travis County, Texas, the same being a called 1.502 acre tract together with a called 1.496 acre tract, both described as Tract 2 and Tract 3 respectively recorded in deed, Document Number 2013217632 of the Official Public Records of Travis County, Texas (O.P.R.T.C.T.) to Dalor, Ltd., and;

Tract 2:

A 4.994 (217,519 sq. ft.) acre tract of land out of the Santiago Del Valle Grant, Travis County, Texas, the same being a called 4.999 acre tract also known as Tract 1, described in deed, Document Number 2013217632 of the Official Public Records Travis County, Texas (O.P.R.T.C.T.) conveyed to Dalor, Ltd., and being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (cumulatively referred to as the "Property"),

locally known as 2500, 2508 and 2514 Thrasher Lane in the City of Austin, Travis County, Texas, 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. The following uses are prohibited for the Property:

Adult-oriented businesses	Alternative financial services
Automotive washing (of any type)	Automotive repair services
Bail bond services	Building maintenance services
Campground	Commercial blood plasma center
Construction sales and services	Equipment sales
Equipment repair services	Indoor sports and recreation
Exterminating services	Laundry services
Kennels	Pawn shop services
Outdoor sports and recreation	Service station
Telecommunication tower	Vehicle storage
Medical offices (exceeding 5,000 sq ft gross floor area)	Drop-off recycling collection facility

B. A site plan or building permit for development on the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively, generate traffic that exceeds 300 trips per day on to Thrasher Lane.

C. For any use on the Property permitted in a district more intense than townhouse and condominium residence (SF-6), vehicular access is prohibited on to or from Thrasher Lane and must be taken through other public streets or adjacent property.

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

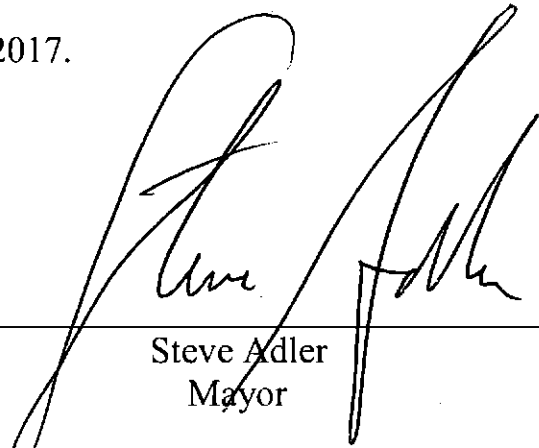
**PART 3.** The Property is subject to Ordinance No. 010927-28 that established zoning for the Montopolis Neighborhood Plan.

**PART 4.** This ordinance takes effect on April 3, 2017.

**PASSED AND APPROVED**

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March 23, 2017

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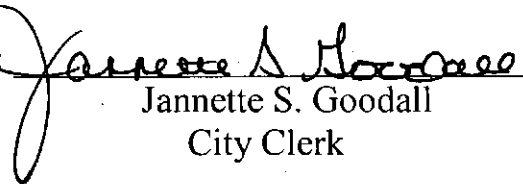
\_\_\_\_\_  
Steve Adler  
Mayor

**APPROVED:**



\_\_\_\_\_  
Anne L. Morgan  
City Attorney

**ATTEST:**



\_\_\_\_\_  
Jannette S. Goodall  
City Clerk



13300 OLD BLANCO ROAD  
SAN ANTONIO, TEXAS 78216  
FIRM #10194224

**TRACT 1: BEING A 2.982 (129,875 sq. ft.) ACRE TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, TRAVIS COUNTY, TEXAS, THE SAME BEING A CALLED 1.502 ACRE TRACT TOGETHER WITH A CALLED 1.496 ACRE TRACT, BOTH DESCRIBED AS TRACT 2 AND TRACT 3 RESPECTIVELY AS RECORDED IN DEED, DOCUMENT NUMBER 2013217632 OF THE OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.) TO DALOR, LTD., AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING AT A FOUND 1/2 INCH STEEL REBAR FOR THE SOUTH CORNER OF A CALLED 1.502 ACRE TRACT KNOWN AS TRACT 2 CONVEYED TO DALOR, LTD. AS RECORDED IN DEED DOCUMENT NO. 2013217632, O.P.R.T.C.T., FOR THE SOUTH CORNER HEREOF;**

**THENCE, N 59° 15' 05" W, ALONG THE SOUTHWEST LINE OF THE SAID TRACT 2 CONVEYED TO DALOR, LTD. A DISTANCE OF 407.13 FEET (DEED S 59° 43' 04" E, 408.06') TO A CALCULATED POINT LYING ON THE SOUTHEAST LINE OF A CALLED 2.00 ACRE TRACT CONVEYED TO JOHN ROBERT STRATTON AS RECORDED IN DEED, DOCUMENT NO. 2007175129, O.P.R.T.C.T., FOR THE WEST CORNER HEREOF;**

**THENCE, N 29° 03' 44" E, ALONG THE EAST LINE OF THE SAID STRATTON TRACT A DISTANCE OF 52.11 FEET (N 30° 18' 36" E, 55.61'-RECORD) TO A FOUND 1/2" INCH STEEL REBAR FOR THE SOUTH CORNER OF LOT 1, RIVERA SUBDIVISION, VOLUME 77, PAGE 385, O.P.R.T.C.T., FOR AN ANGLE POINT THEREOF;**

**THENCE, N 30° 24' 11" E, ALONG THE EAST LINE OF SAID LOT 1 OF THE RIVERA SUBDIVISION A DISTANCE OF 69.07 FEET (N 28° 00' 27" E, 69.07'-RECORD) TO A FOUND 1 INCH IRON PIPE FOR THE SOUTH CORNER OF A CALLED 1.15 ACRE TRACT CONVEYED TO LARRY G. PETREE AS RECORDED IN DEED, DOCUMENT NO. 2015096784, O.P.R.T.C.T., FOR AN ANGLE POINT THEREOF;**

**THENCE, N 30° 18' 36" E, ALONG THE EAST LINE OF THE SAID PETREE TRACT A DISTANCE OF 35.80 FEET (N 30° 18' 36" E, 35.80'-RECORD) TO A CALCULATED CORNER, FOR AN ANGLE POINT HEREOF;**

**THENCE, N 30° 29' 45" E, CONTINUING ALONG THE EAST LINE OF THE PETREE TRACT A DISTANCE OF 80.15 FEET TO A POINT FOR THE SOUTH CORNER OF A CALLED 0.34 ACRE TRACT CONVEYED TO T. PARKER CONNIFF AS RECORDED IN DEED, VOLUME 12135, PAGE 93, O.P.R.T.C.T., AND CONTINUING ALONG THE EAST LINE OF THE SAID CONNIFF TRACT FOR A TOTAL DISTANCE OF 159.50 FEET (N 30° 29' 45" E, 159.50'-RECORD{BEARING BASIS}) TO A CALCULATED CORNER FOR THE WEST CORNER OF A**

**EXHIBIT A**

CALLED 1.00 ACRE TRACT CONVEYED TO MARTIN DIAZ AND ESTEFANA DIAZ AS RECORDED IN DEED, DOCUMENT NO. 2002065138, FOR THE NORTH CORNER HEREOF;

THENCE, S 59° 47' 48" E, ALONG THE SOUTHEAST LINE OF THE SAID DIAZ TRACT A DISTANCE OF 407.29 FEET (N59° 43' 04" W, 407.29'-RECORD) TO A FOUND 1/2 INCH STEEL REBAR (CONTROL MONUMENT) FOR A POINT LYING ON THE NORTHWEST RIGHT OF WAY LINE OF THRASHER LANE (VARIABLE R.O.W.), AS RECORDED IN PLAT, LOTS 1 AND 2, TRAVIS ADDITION NO. 2 AND LOT 1, AHC ADDITION CONVEYED TO CSK PARTNERS LLC (DOC#201400154), O.P.R.T.C.T.

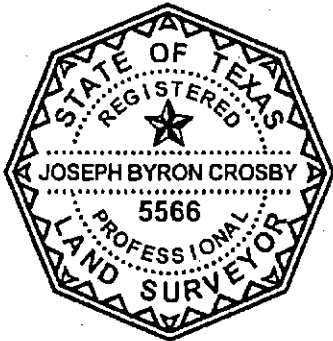
THENCE, ALONG THE SAID RIGHT-OF-WAY LINE OF THRASHER LANE THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1. S 30° 10' 43" W, A DISTANCE OF 160.04 FEET (S 30° 15' 53" W, 160.17'-RECORD) TO A FOUND 1/2 INCH STEEL REBAR, FOR AN ANGLE POINT HEREOF;

2. S 30° 19' 46" W, A DISTANCE OF 160.30 FEET (S 30° 15' 53" W, 160.27'-RECORD) TO THE POINT OF BEGINNING AND CONTAINING 2.982 ACRES OF LAND MORE OR LESS.

BEARINGS AND DISTANCES IN ( ) ARE BASED ON DOCUMENT NUMBER 2013217632, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

THIS SURVEY WAS PREPARED FROM AN ON THE GROUND SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



*Joe B Crosby*

JOE B. CROSBY

RPLS # 5566

02/28/2017



13300 OLD BLANCO ROAD  
SAN ANTONIO, TEXAS 78216  
FIRM #10194224

TRACT 2: BEING A 4.994 (217,519 sq. ft.) ACRE TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, TRAVIS COUNTY, TEXAS, THE SAME BEING CALLED 4.999 ACRE TRACT ALSO KNOWN AS TRACT 1, DESCRIBED IN DEED, DOCUMENT NUMBER 2013217632 OF THE OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.) CONVEYED TO DALOR, LTD., AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND 1/2 INCH STEEL REBAR (CONTROL MONUMENT) BEING THE NORTHEAST CORNER OF LOT 2, BLOCK A, THE SAME BEING THE SOUTHEAST CORNER OF LOT 3, BLOCK A, OUT OF THE MONTOPOLIS-BEN WHITE SUBDIVISION, DOCUMENT NO. 200100029, O.P.R.T.C.T., FOR THE SOUTH CORNER HEREOF;

THENCE WITH THE NORTHEAST LINE OF THE SAID LOT 3, BLOCK A, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1. N 44° 26' 02" W A DISTANCE OF 186.80 (N 44° 51' 13" W, 186.80'-RECORD) FEET TO A CALCULATED CORNER, FOR AN ANGLE POINT HEREOF;

2. N 43° 41' 39" W, A DISTANCE OF 236.23 (N 44° 06' 56" W, 236.23'-RECORD) FEET TO A CALCULATED CORNER, FOR THE SOUTH CORNER OF A CALLED 1.36 ACRE TRACT CONVEYED TO JOHN ROBERT STRATTON AS RECORDED IN DEED, DOCUMENT NO. 2009079407, O.P.R.T.C.T., FOR THE WEST CORNER HEREOF FROM WHICH A FOUND 1/2 INCH STEEL REBAR BEARS, N 31° 53' 08" W, A DISTANCE OF 11.67 FEET;

THENCE, N 30° 14' 05" E, ALONG THE EAST LINE OF THE SAID 1.36 ACRE STATTON TRACT A DISTANCE OF 391.69 FEET TO A CALCULATED POINT FOR THE SOUTH CORNER OF A CALLED 2.00 ACRE TRACT CONVEYED TO JOHN ROBERT STRATTON AS RECORDED IN DEED, DOCUMENT NO. 2007175129, O.P.R.T.C.T., FOR AN ANGLE POINT HEREOF FROM WHICH A FOUND 1/2 INCH STEEL REBAR BEARS N 59° 37' 21" W, A DISTANCE OF 1.41 FEET, AND CONTINUING ALONG THE EAST LINE OF THE SAID 2.00 ACRE STRATTON TRACT FOR A TOTAL DISTANCE OF 478.01 FEET (N 30° 14' 05" E, 478.20'-RECORD (BEARING BASIS)) TO A CALCULATED POINT FOR THE WEST CORNER OF A CALLED 1.502 ACRE TRACT KNOWN AS TRACT 2 CONVEYED TO DALOR, LTD. AS RECORDED IN DEED DOCUMENT NO. 2013217632, O.P.R.T.C.T., FOR THE NORTH CORNER HEREOF;

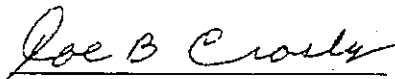
THENCE, S 59° 15' 05" E, ALONG THE SOUTHWEST LINE OF THE SAID TRACT 2 CONVEYED TO DALOR, LTD. A DISTANCE OF 407.13 FEET (S 59° 43' 04" E, 408.06'-RECORD) TO A FOUND 1/2 INCH STEEL

REBAR FOR A POINT LYING ON THE WEST LINE OF LOTS 1 AND 2, TRAVIS ADDITION NO. 2 AND LOT 1, AHC ADDITION CONVEYED TO CSK PARTNERS AS RECORDED IN PLAT, DOCUMENT NO. 201400154, O.P.R.T.C.T., FOR THE EAST CORNER HEREOF;

THENCE, S 30° 13' 52" W, ALONG THE SAID CSK PARTNER'S TRACT A DISTANCE OF 589.14 FEET (S 30° 13' 00" W, 588.79'-RECORD) TO THE POINT OF BEGINNING AND CONTAINING 4.994 ACRES OF LAND MORE OR LESS.

BEARINGS AND DISTANCES IN ( ) ARE BASED ON DOCUMENT NUMBER 2013217632, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

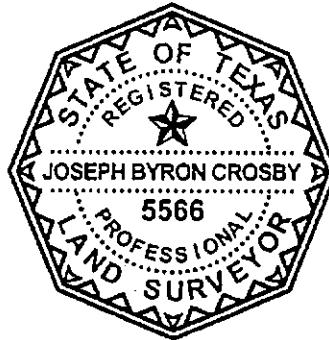
THIS SURVEY WAS PREPARED FROM AN ON THE GROUND SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



JOE B. CROSBY

RPLS # 5566

02/28/2017





12300 Old Blanco Rd #201  
San Antonio, TX 78218  
(210)349-9505

Surveyor/Owner: Larry G. Petree and Elisabeth D. Petree  
Address: THUNDER LN  
AUSTIN, TX 78741  
OF No. C01-18-1006

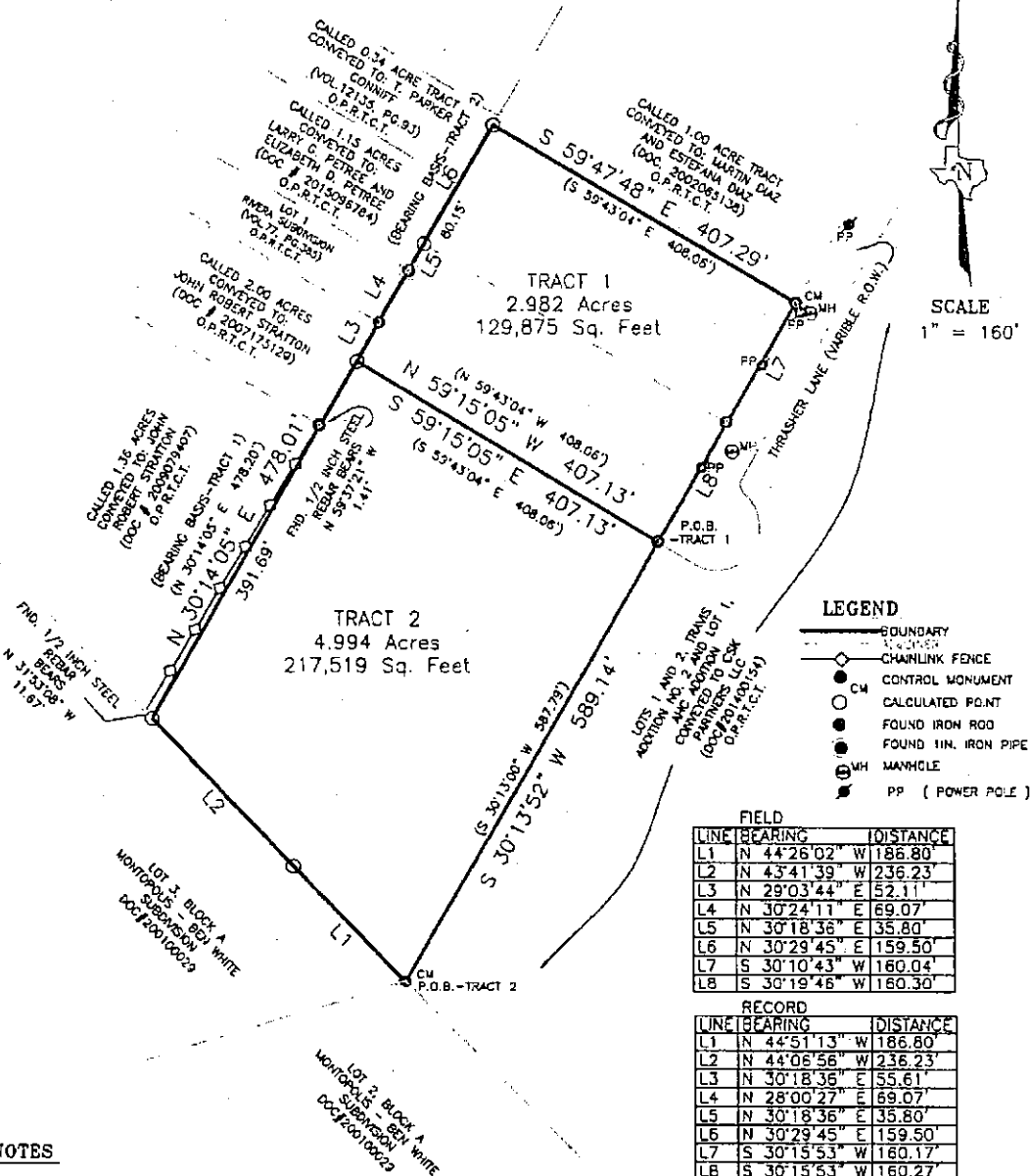
This survey is hereby accepted with all encroachments, overlaps, conflicts, and discrepancies in improvements, boundary lines, and/or land area.

X

X

### LEGAL DESCRIPTION

Being approximately 7.976 acres in the aggregate out of the Santiago Del Valle Grant, Abstract No. 24, in Travis County, Texas, being more particularly described as Tract 1 and Tract 2 by miles and bounds attached hereto and made a part hereof.



### NOTES

1. BEARINGS AND DISTANCES BASED ON RECORD PLAT DOCUMENT NO. 2013217632, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

8-1) THIS EXCEPTION IS HEREBY DELETED.

10a) An electric transmission and/or distribution line easement granted to City of Austin by Instrument recorded in Volume 582, Page 566, of the Deed Records of Travis County, Texas. (NOT SHOWN ON SURVEY)

REVISED 03/08/17 (TRACT NO.)

SURVEY: J.L.	DATE: 2/28/17
DRAWN: E.P.T.	
CHECKED: A.J.A.	
APPROVED: J.B.C.	
SCALE: 1"=160'	PAGE 1 OF 1
JOB NO. 170201880	
TEXAS FIRM #10294244	

ACCORDING TO FEMA MAP NO. 48493C0803 WITH AN EFFECTIVE DATE OF JUNE 18, 1993, AND A REVISION DATE OF JANUARY 6, 2016, THIS PROPERTY LIES WITHIN ZONE X AND IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA. THIS INFORMATION IS SUBJECT TO CHANGE AS A RESULT OF FUTURE MAP REVISIONS BY FEMA.

I, Joseph Byron Crosby, a Registered Professional Land Surveyor, do hereby certify that the above plat represents an actual on the ground survey performed under my direct supervision and is true and correct to the best of my knowledge and belief and that there are no visible encroachments, overlapping of improvements and no discrepancies, shortages of area and conflicts in the boundary lines except as shown. I further certify that this survey meets the minimum standards established by the Texas Board of Professional Land Surveying.

JOSEPH BYRON CROSBY  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 5566

