

ORDINANCE NO. 20170831-093

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 7100 WEST US HIGHWAY 290 IN THE OAK HILL (WEST) COMBINED NEIGHBORHOOD PLAN AREA FROM COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-CO-NP) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-CO-NP) 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 community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2017-0073, on file at the Planning and Zoning Department, as follows:

4.5579 acres (198,543 square feet) of land, being Lot 3, Scenic Brook West Commercial, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 78, Page 71 of the Plat Records, Travis County, Texas, save and except therefrom a 0.4143 acre tract awarded to the State in condemnation proceeding filed in Cause No. 2250, Probate Court No. One of Travis County Texas, being further described by metes and bounds in Exhibit "A" of Judgment Recorded in Document No. 1999093978, Official Public Records of Travis County, Texas, said 4.5579 acres being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 7100 West US Highway 290 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:

The following uses are prohibited uses for the Property:

| | |
|----------------------------------|--------------------|
| Automotive sales | Automotive rentals |
| Automotive washing (of any type) | Bail bond services |

Funeral services

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

PART 3. The Property is subject to Ordinance No. 20081211-097 that established zoning for the Oak Hill (West) Combined Neighborhood Plan.

PART 4. This ordinance takes effect on September 11, 2017.

PASSED AND APPROVED

_____, 2017

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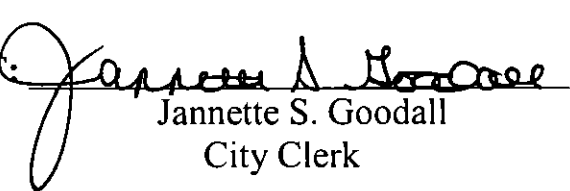
Steve Adler
Mayor

APPROVED:



Anne L. Morgan
City Attorney

ATTEST:



Jannette S. Goodall
City Clerk

LEGAL DESCRIPTION

TRACT 1 - FEE SIMPLE:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 4.5579 ACRES (198,543 SQUARE FEET) BEING LOT 3, SCENIC BROOK WEST COMMERCIAL, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 78, PAGE 71 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THEREFROM A 0.4143 ACRE TRACT AWARDED TO THE STATE OF TEXAS IN CONDEMNATION PROCEEDING FILED IN CAUSE NO. 2250, PROBATE COURT NO. ONE OF TRAVIS COUNTY, TEXAS, BEING FURTHER DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" OF JUDGEMENT RECORDED IN DOCUMENT NO. 1999093978, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 4.5579 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 3, IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF OAK MEADOW DRIVE (60 FEET WIDE), SAME BEING THE SOUTHEAST CORNER OF LOT 2 OF SAID SCENIC BROOK WEST COMMERCIAL, FROM WHICH AN "X" FOUND BEARS SOUTH 57 DEG. 32 MIN. 12 SEC. WEST, 0.68 FEET;

THENCE NORTH 50 DEGREES 17 MINUTES 00 SECONDS EAST WITH THE COMMON LINE OF SAID LOTS 2 AND 3 A DISTANCE OF 523.03 FEET TO AN "X" OUT SET FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT AND BEING THE MOST WESTERLY CORNER OF PARCEL 42, PART 2 OF SAID 0.4143 ACRE TRACT AWARDED TO THE STATE OF TEXAS IN CONDEMNATION PROCEEDING FOR RIGHT-OF-WAY PURPOSES (HIGHWAY 71);

THENCE SOUTH 52 DEGREES 56 MINUTES 05 SECONDS EAST WITH THE SOUTHERLY LINE OF SAID HIGHWAY 71 (PARCEL 42, PART 2) A DISTANCE OF 290.57 FEET TO A 5/8 INCH CAPPED IRON ROD SET FOR THE MOST EASTERLY NORTHEAST CORNER, IN THE EXISTING RIGHT-OF-WAY LINE OF HIGHWAY 71 (WIDTH VARIES);

THENCE WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 463.69 FEET, A CENTRAL ANGLE OF 09 DEG. 15 MIN. 50 SEC., AN ARC LENGTH OF 74.97 FEET, AND HAVING A CHORD BEARING AND DISTANCE OF SOUTH 19 DEG. 15 MIN. 02 SEC. EAST, 74.89 FEET TO THE END OF SAID CURVE, FROM WHICH A BRASS DISK FOUND BEARS NORTH 12 DEG. 08 MIN. 49 SEC. WEST, 1.14 FEET;

THENCE SOUTH 22 DEGREES 08 MINUTES 00 SECONDS WEST A DISTANCE OF 56.96 FEET TO A 5/8 INCH CAPPED IRON ROD SET FOR THE MOST EASTERLY CORNER OF PARCEL 42, PART 1 OF SAID 0.4143 ACRE TRACT AWARDED TO THE STATE OF TEXAS IN CONDEMNATION PROCEEDING FOR RIGHT-OF-WAY PURPOSES (STATE HIGHWAY 290);

THENCE SOUTH 56 DEGREES 11 MINUTES 03 SECONDS WEST WITH THE NORTH LINE OF SAID STATE HIGHWAY 290 (PARCEL 42, PART 1) A DISTANCE OF 499.17 FEET TO A 5/8 INCH CAPPED IRON ROD SET FOR THE MOST SOUTHERLY SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, MARKING THE EAST END OF A CUTBACK CORNER AT THE INTERSECTION OF STATE HIGHWAY 290 WITH OAK MEADOW DRIVE;

THENCE NORTH 75 DEGREES 05 MINUTES 15 SECONDS WEST, A DISTANCE OF 28.58 FEET TO A 5/8 INCH CAPPED IRON ROD SET MARKING THE WEST END OF A CUTBACK CORNER AT THE INTERSECTION OF STATE HIGHWAY 290 WITH OAK MEADOW DRIVE;

THENCE NORTH 39 DEGREES 43 MINUTES 00 SECONDS WEST A DISTANCE OF 305.28 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.5579 ACRES (198,543 SQUARE FEET) OF LAND.

I EXPRESSLY UNDERSTAND AND AGREE THAT THE ABOVE-NAMED PARTIES, AND THEIR SUCCESSORS AND ASSIGNS WILL RELY AND ENTITLED TO RELY ON THIS PLAT AND SURVEY AS BEING TRUE AND ACCURATE IN ALL RESPECTS AND UPON THIS CERTIFICATE BEING TRUE AND ACCURATE.



TIM W. WHITE
REGISTERED PROFESSIONAL LAND SURVEYOR LICENSE NO. 5742

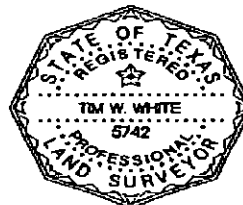


EXHIBIT A



