

ORDINANCE NO. 040226-Z-4

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 13497 U.S. HIGHWAY 183 NORTH AND CHANGING THE ZONING MAP FROM INTERIM SINGLE FAMILY RESIDENCE STANDARD LOT (I-SF-2) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT ONE AND COMMERCIAL-LIQUOR SALES-CONDITIONAL OVERLAY (CS-1-CO) COMBINING DISTRICT FOR TRACT TWO.

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 described in Zoning Case No.C14-03-0180, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From interim single family residence standard lot (I-SF-2) district to community commercial-conditional overlay (GR-CO) combining district.

A 55,696 square foot tract of land, more or less, out of Lots 1 and 2, Pecan Center Subdivision in Williamson County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: From interim single family residence standard lot (I-SF-2) district to commercial-liquor sales-conditional overlay (CS-1-CO) combining district.

A 4,718 square foot tract of land, more or less, out of Lot 2, Pecan Center Subdivision in Williamson County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance, (the "Property")

locally known as 13497 U.S. Highway 183 North, in the City of Austin, Williamson 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 conditions:

1. 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.

2. The following uses are prohibited uses of Tract One:

Drop-off recycling collection facility

Residential treatment

3. The following uses are prohibited uses of Tract Two:

Drop-off recycling collection facility

Residential treatment

Agricultural sales and services

Art and craft studio (general)

Building Maintenance services

Campground

Cocktail lounge

Commercial blood plasma center

Construction sales and services

Convenience storage

Electronic prototype assembly

Equipment repair services

Equipment sales

Kennels

Laundry services

Plant nursery

Vehicle storage

Veterinary services

Custom manufacturing

Limited warehousing and distribution

Maintenance and service facilities

Transitional housing

Transportation terminal

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on March 8, 2004.

PASSED AND APPROVED

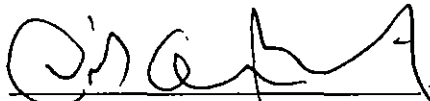
February 26, 2004

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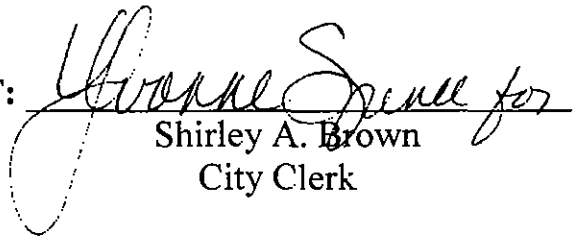
Will Wynne
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Brown
City Clerk

FIELD NOTES
FOR

EXHIBIT A

55,696 SQUARE FEET OF LAND NET

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF LOTS 1 AND 2, PECAN CENTER, A SUBDIVISION IN WILLIAMSON COUNTY, TEXAS, AS RECORDED IN CABINET D, SLIDE 185 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a capped iron pin found at the Southeast corner of said Lot 2, being in the North r.o.w. line of Anderson Mill Road, for the Southeast corner and PLACE OF BEGINNING hereof;

THENCE along the South line of said Lot 2, being along the North r.o.w. line of Anderson Mill Road, S 71°59'30" W for a distance of 160.76 feet to a brass r.o.w. monument found at the intersection of the North r.o.w. line of Anderson Mill Road and the present East r.o.w. line of U.S. Hwy 183 North;

THENCE along the present East r.o.w. line of U.S. Hwy 183 North, S 77°36'14" W for a distance of 34.41 feet to an angle point and N 82°44'57" W for a distance of 46.04 feet to a point 200.00 feet East of the old East r.o.w. line of U.S. Hwy 183 North, for the Southwest corner hereof;

THENCE along a line 200.00 feet East of and parallel to the old East r.o.w. line of U.S. Hwy 183 North, N 09°49'07" W for a distance of 258.92 feet to a point in the North line of said Lot 2, for the Northwest corner hereof;

THENCE along the North line of said Lot 2, N 71°00'00" E for a distance of 194.90 feet to a ½ inch iron pin found at the Northeast corner of said Lot 2, for the Northeast corner hereof;

THENCE along the East line of said Lot 2, S 19°00'00" E for a distance of 282.71 feet to the PLACE OF BEGINNING and containing 60,414 square feet of land, SAVE AND EXCEPT 4,718 square feet of land, leaving a net total of 55,696 square feet of land, said SAVE AND EXCEPT being more particularly described by metes and bounds as follows:

BEGINNING FOR REFERENCE at a ½ inch iron pin found at the Northeast corner of said Lot 2;

THENCE along the North line of said Lot 2, S 71°00'00" W for a distance of 65.75 feet to a point;

THENCE S 19°00'00" E for a distance of 7.75 feet to a point for the Northeast corner and PLACE OF BEGINNING hereof;

FIELD NOTES
FOR

55,696 SQUARE FEET OF LAND NET - Page Two

THENCE along the East line of the herein described tract, S 18°57'30" E for a distance of 49.40 feet to a point for the Southeast corner hereof;

THENCE along the South line of the herein described tract, S 71°02'30" W for a distance of 95.50 feet to a point for the Southwest corner hereof;

THENCE along the West line of the herein described tract, N 18°57'30" W for a distance of 49.40 feet to a point for the Northwest corner hereof;

THENCE along the North line of the herein described tract, N 71°02'30" E for a distance of 95.50 feet to the PLACE OF BEGINNING and containing 4,718 square feet of land, more or less.

SURVEYED BY:
Roy D. Smith Surveyors, P.C.


ROY D. SMITH
REGISTERED PROFESSIONAL SURVEYOR NO. 4094
November 11, 2003



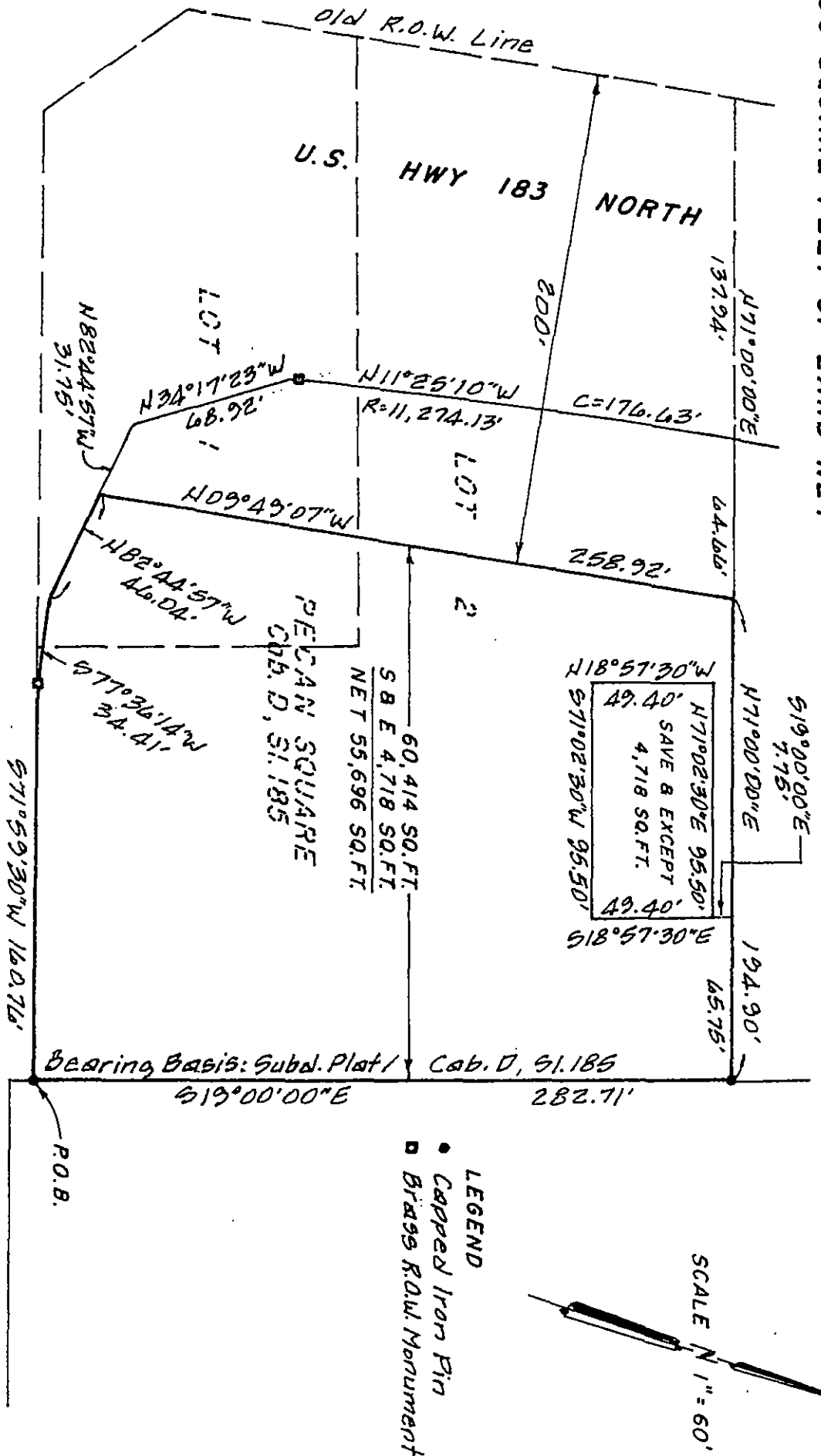
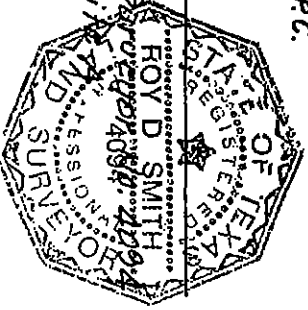
Job No. 2904a

EXHIBIT TO ACCOMPANY FIELD NOTES FOR 55,696 SQUARE FEET OF LAND NET

SURVEYED BY
ROY D. SMITH SURVEYORS, P.C.

Roy D. Smith

ROY D. SMITH
Registered Professional Surveyor No. 4084
1214 West 6th Street Suite 100
Austin, Texas 78703
Ph. (512) 478-9821
November 11, 2003



FIELD NOTES
FOR

EXHIBIT B

4,718 SQUARE FEET OF LAND

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF LOT 2, PECAN CENTER, A SUBDIVISION IN WILLIAMSON COUNTY, TEXAS, AS RECORDED IN CABINET D, SLIDE 185 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a ½ inch iron pin found at the Northeast corner of said Lot 2;

THENCE along the North line of said Lot 2, S 71°00'00" W for a distance of 65.75 feet to a point;

THENCE S 19°00'00" E for a distance of 7.75 feet to a point for the Northeast corner and PLACE OF BEGINNING hereof;

THENCE along the East line of the herein described tract, S 18°57'30" E for a distance of 49.40 feet to a point for the Southeast corner hereof;

THENCE along the South line of the herein described tract, S 71°02'30" W for a distance of 95.50 feet to a point for the Southwest corner hereof;

THENCE along the West line of the herein described tract, N 18°57'30" W for a distance of 49.40 feet to a point for the Northwest corner hereof;

THENCE along the North line of the herein described tract, N 71°02'30" E for a distance of 95.50 feet to the PLACE OF BEGINNING and containing 4,718 square feet of land, more or less.

SURVEYED BY:
Roy D. Smith Surveyors, P.C.

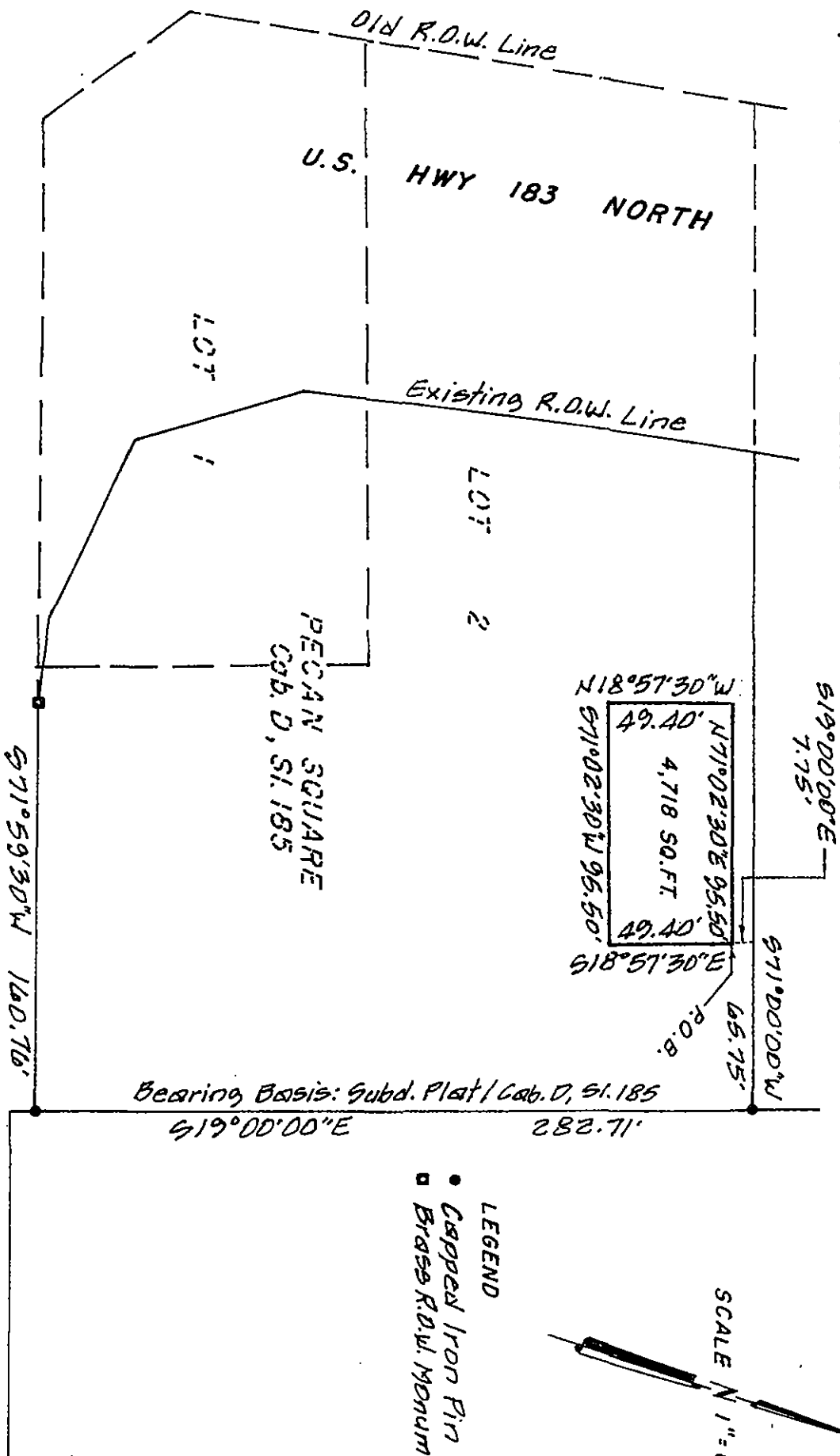
Roy D. Smith
ROY D. SMITH

REGISTERED PROFESSIONAL SURVEYOR NO. 4094
November 11, 2003

Job No. 2904



EXHIBIT TO ACCOMPANY FIELD NOTES FOR 4,718 SQUARE FEET OF LAND

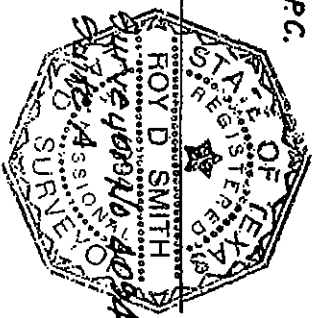


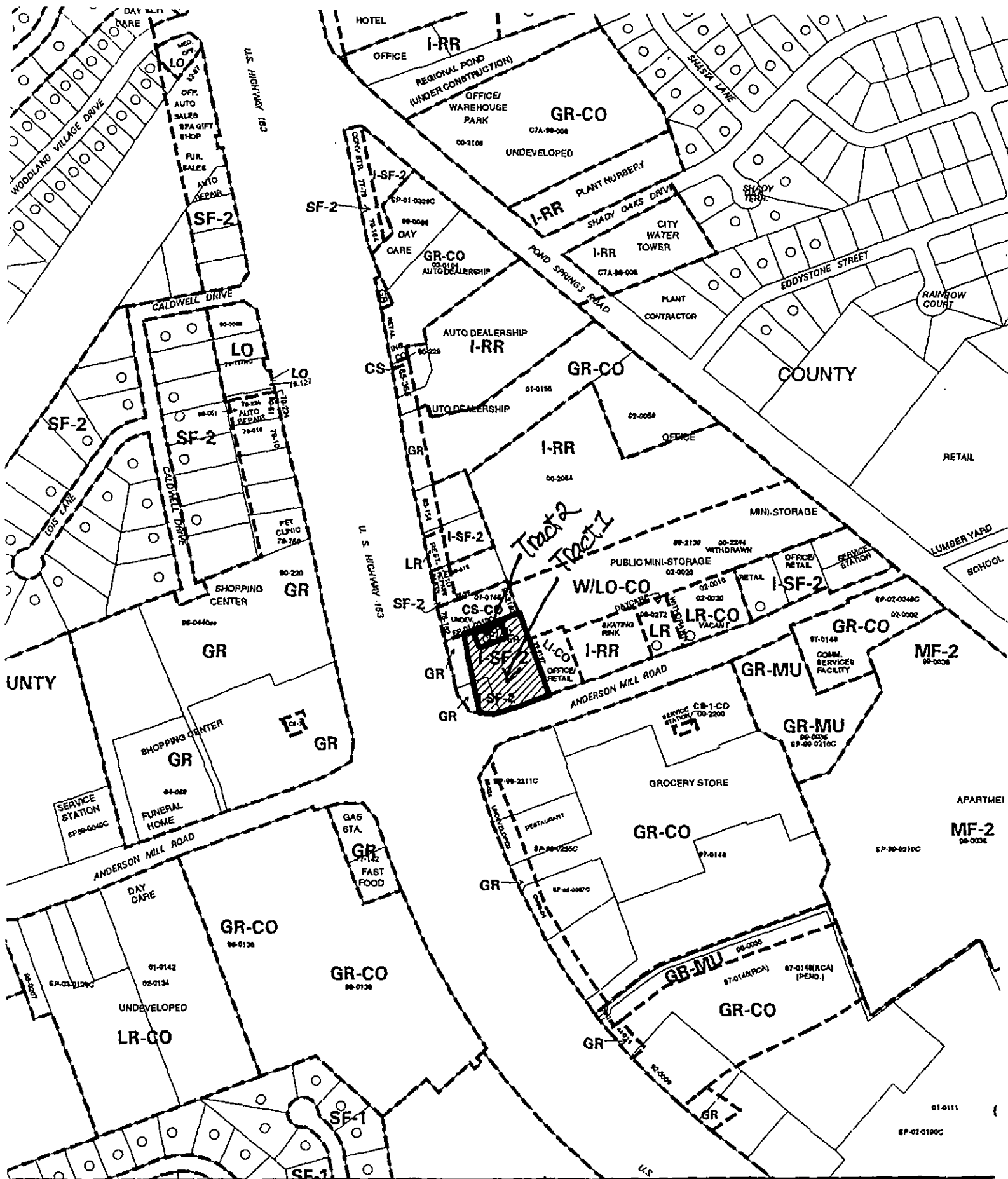
SURVEYED BY
ROY D. SMITH SURVEYORS, P.C.

ANDERSON MILL ROAD

Roy D. Smith

ROY D. SMITH
Registered Professional
1214 West 5th Street
Austin, Texas 78703
Ph. (512) 478-9821
November 11, 2003





SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY
 CASE MGR: S. GAGER

CASE #: C14-03-0180
 ADDRESS: 13497 N US HWY 183
 SUBJECT AREA (acres): 1.380

ZONING EXHIBIT C
 DATE: 03-12
 INTLS: SM

CITY GRID
 REFERENCE
 NUMBER
 G38