

**ORDINANCE NO. 20050324-051**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 13801-14409 NORTH IH-35 SERVICE ROAD NORTHBOUND FROM 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 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. C14-03-0125, on file at the Neighborhood Planning and Zoning Department, as follows:

A 73.465 acre tract of land, more or less, out of the L.C. Cunningham Survey No. 68, Abstract No. 163, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 13801-14409 North IH-35 Service Road northbound, 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 conditions:

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

Art workshop	Building maintenance services
Campground	Commercial blood plasma center
Drop-off recycling collection facility	Equipment repair services
Equipment sales	Kennels
Laundry service	Pawn shop services
Vehicle storage	Veterinary services
Maintenance and service facilities	Adult-oriented businesses

2. The following uses are conditional uses of the Property:

Automotive repair services  
Limited warehousing and distribution

Convenience storage

3. For an automotive repair use a 400-foot wide building setback shall be established along the north and south property lines.

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 April 4, 2005.

**PASSED AND APPROVED**

March 24, 2005

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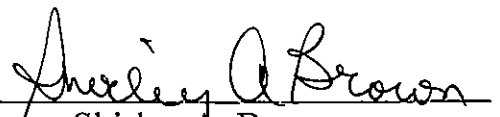
Will Wynn  
Mayor

**APPROVED:**



David Allan Smith  
City Attorney

**ATTEST:**



Shirley A. Brown  
City Clerk

FIELD NOTES  
FOR  
KARL WAGNER, JR.

EXHIBIT A

73.465 ACRE TRACT

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ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND, BEING A PORTION OF THE L.C. CUNNINGHAM SURVEY NO. 68, ABSTRACT NO. 163, TRAVIS COUNTY, TEXAS, BEING A PORTION OF TRACT ONE AND ALL OF TRACT TWO CONVEYED TO KARL B. WAGNER BY DEED RECORDED IN VOLUME 2249, PAGE 409 AND VOLUME 2249, PAGE 413, DEED RECORDS, TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron pipe found at the Northeast corner of the said Tract 1 as conveyed to Karl B. Wagner by deed recorded in Volume 2249, Page 409, Deed Records, Travis County, Texas, being the Northwest corner of a 31.192 acre tract of land as conveyed to Capital Parks Land Investment, Inc. by deed recorded in Volume 9555, Page 325, Real Property Records, Travis County, Texas, being in the South line of that tract of land conveyed to Capital Parks Land Investments, Inc., by deed recorded in Volume 9511, Page 261, Real Property Records, Travis County, Texas, for the Northeast corner hereof;

THENCE with the East line of the said Wagner tract, being the West line of the said 31.192 acre Capital Parks Land investments, Inc. tract, S 29°29'00" W for a distance of 2740.08 feet to an iron pipe found at the Southeast corner of the said Tract 2, for the Southeast corner hereof, and from which iron pipe found, an iron pipe found at the Northeast corner of that tract of land conveyed to Memorial Hill Cemetery by deed recorded in Volume 1116, Page 63, Deed Records, Travis County, Texas, bears S 29°25' W at a distance of 16.88 feet;

THENCE, with the South line of the said Wagner Tract 2, N 60°06'55" W for a distance of 455.02 feet to an iron rod set, being in the East line of a 0.731 acre tract of land conveyed to Memorial Hill Cemetery by deed recorded in Volume 1561, Page 371 Deed Records, Travis County, Texas, for an inside corner hereof;

THENCE N 09°58'00" E for a distance of 139.06 feet to a 60-d nail found at an inside corner of the said Wagner Tract 2, being the Northeast corner of the said 0.731 acre Memorial Hill Cemetery tract, for an inside corner hereof;

THENCE N 79°57'26" W for a distance of 320.11 feet to an aluminum capped iron found, stamped Prejean & Co. Inc. #1820, being the Southwest corner of the said Wagner Tract 2, being the Northwest corner of the said 0.731 acre Memorial Hill Cemetery tract, being in the East r.o.w. line of Interstate Highway 35, for the Southwest corner hereof;

THENCE with the West line of the said Wagner tract, being the East r.o.w. line of Interstate Highway 35, N 09°36'18" E for a distance of 2493.54 feet to an iron rod found, being the Southwest corner of a 2.521 acre tract of land as conveyed to SCI Ohio Funeral Services, Inc. by deed recorded in Volume 12709, Page 1344, Deed Records, Travis County, Texas, being the Southwest corner of Lot 1, Block A, Cook-Walden Subdivision, recorded in Plat Book 98, Pages 78-79, Plat Records, Travis County, Texas, for the most Westerly Northwest corner hereof;

THENCE S 60°22'00" E for a distance of 705.55 feet to an iron rod found at the Southeast corner of the said Lot 1, Block A, Cook-Walden Subdivision, also being the Southeast corner of the said 2.521 acre SCI Ohio Funeral Services, Inc. tract, for an inside corner hereof;

THENCE N 29°37'49" E for a distance of 149.90 to an iron pipe found in the East line of the said Lot 1, Block A, Cook-Walden Subdivision, also being the Northeast corner of the said 2.521 acre SCI Ohio Funeral Services, Inc. tract, being the Southeast corner of a 3.994 acre tract of land conveyed to Capital Parks Land Investments, Inc. as described in Volume 11697, Page 1032, Real Property Records, Travis County, Texas;

FIELD NOTES  
FOR  
KARL WAGNER, JR.

73.465 ACRE TRACT

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THENCE continuing with the East line of Lot 1, Block A, Cook-Walden Subdivision, N 29°43'49" E for a distance of 123.18 feet, passing an iron rod found at the Southeast corner of Hill Country Garden at Cook-Walden/Capital Parks, as recorded in Plat Book 102, Pages 216-234, Plat Records, Travis County, Texas, and continuing on for a total distance of 217.46 feet to an iron rod found, being the Northeast corner of the said Hill Country Garden at Cook-Walden/Capital Parks, being the Northeast corner of the said Lot 1, Block A, Cook-Walden Subdivision, also being the Northeast corner of the said 3.994 acre Capital Parks Land Investments, Inc. tract, being in the South line of that certain 0.745 acre tract of land as conveyed to Capital Parks, Inc. by deed recorded in Volume 11683, Page 851, Real Property Records, Travis County, Texas for a Northeasterly Northwest corner hereof, and from which corner an iron rod found, bears N 00°06' W for a distance of 0.09 feet, and an iron pipe found bears N 33°48' E for a distance of 0.51 feet;

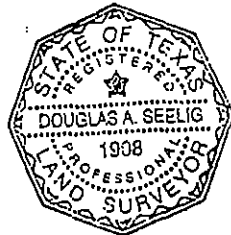
THENCE with the North line of the said Wagner Tract 1, being the South line of the said 0.745 acre Capital Parks, Inc. tract, S 60°19'53" E at a distance of approximately 479.7 feet pass the Southeast corner of the said 0.745 acre Capital Parks, Inc. tract, and continue on for a total distance of 930.67 feet to the PLACE OF BEGINNING, and containing 73.465 acres of land, more or less.

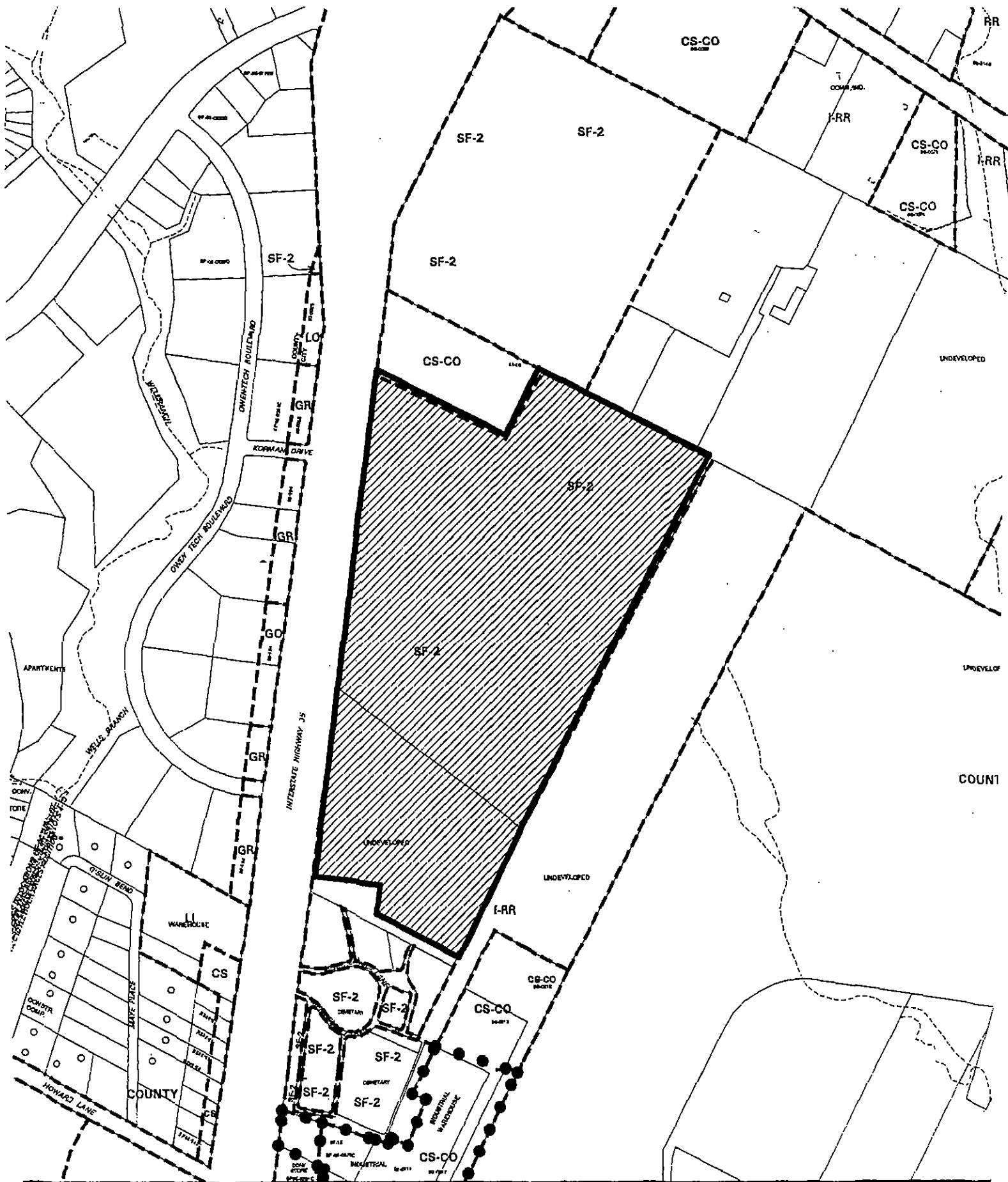
AS SURVEYED BY  
DOUG SEELIG LAND SURVEYORS P.C.

*Douglas A. Seelig*  
DOUGLAS A. SEELIG

Registered Professional Land Surveyor No. 1908  
3802 Manchaca Road  
Austin, Texas 78704  
November 29, 1999

Work Order No. 16896





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



CASE #: C14-03-0125  
 ADDRESS: N I 35 SVC RD NB  
 SUBJECT AREA (approx): 73.485

## ZONING EXHIBIT B

DATE: 03-08

INTLS: SM

CITY GRID  
 REFERENCE  
 NUMBER  
 M36 N36