

ORDINANCE NO. 20050428-060

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 102 HERRERA STREET FROM FAMILY RESIDENCE (SF-3) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-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 family residence (SF-3) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-04-0202, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.155 acre tract of land (6,783 square feet), more or less, out of Lot 9, Block A, Monterrey Subdivision, in 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 102 Herrera Street, 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. Drive-in service is prohibited as an accessory use to a commercial use.
2. 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 150 trips per day.

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) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on May 9, 2005.

PASSED AND APPROVED

April 28, 2005

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Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Brown
City Clerk

EXHIBIT A
LEGAL DESCRIPTION

BEING A 0.155 ACRE (6,763 SQUARE FOOT) TRACT OF LAND, BEING THE REMAINDER OF LAND OUT OF LOT 9, BLOCK A, VOLUME 4, PAGE 236, MONTERREY SUBDIVISION, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, ALSO BEING THE SAME TRACT AS RECORDED IN WARRANTY DEED WITH VENDORS LIEN IN VOLUME 7718, PAGE 373, DEED RECORDS, TRAVIS COUNTY, TEXAS, SAID 0.155 ACRE TRACT IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING at a concrete highway monument (Type II) found at the southeast corner of said Lot 9, on the northwesterly right-of-way line of Herrera Street, a 50-foot wide right-of-way, for the southeast corner of this tract,

THENCE, northwesterly, with the common line between said 0.155 acre tract and the east right-of-way line of Highway 183, the following two (2) courses

- 1) N63°02'55"W, a distance of 31.65 feet to a concrete highway monument (Type II) found, for the southwest corner of this tract,
- 2) N05°40'44"W, a distance of 90.62 feet to a calculated point, for the northwest corner of this tract,

THENCE, N85°27'00"E, with the common line between said Lot 9 and Lot 10, a distance of 103.70 feet to a calculated point, for the northeast corner of this tract,

THENCE, S30°25'00"W, a distance of 130.74 feet to the **POINT OF BEGINNING**, containing 0.155 acres of land

BEARING BASIS NOTE

The bearings described herein are based on the southwesterly line of said Lot 9, having a bearing of S30°25'00"W.

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

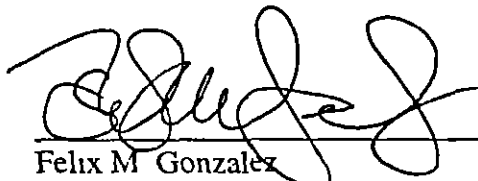
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KNOW ALL MEN BY THESE PRESENTS:

That I, Felix M Gonzalez, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during December, 2004 under my direction and supervision

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas, this the 10th day of December 2004, A D

Big Sky Surveying
1402 Baffin Cove
Round Rock, Texas 78664
512-248-1484


Felix M Gonzalez
Registered Professional Land Surveyor
No 5418 – State of Texas

REFERENCES

Deed Reference Volume 7718, Page 373,
Deed Records of Travis County, Texas
TCAD No 03-0217-0401
BIG SKY PROJ NO 2004076

