

**ORDINANCE NO. 20050728-Z002**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 127 AND 129 EAST RIVERSIDE DRIVE FROM LIMITED INDUSTRIAL SERVICES (LI) 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 limited industrial services (LI) district to general commercial services-conditional overlay (CS-CO) combining district on the property described in Zoning Case No. C14-05-0077, on file at the Neighborhood Planning and Zoning Department, as follows:

A 1.609 acre tract of land, more or less, out of the Isaac Decker League Survey No. 20, 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 127 and 129 East Riverside Drive, 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. 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. A use in this subsection may not exceed a gross floor area of 3,000 square feet of gross floor area.

Food sales  
Restaurant (general)  
Restaurant (limited)

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

Adult oriented businesses  
Automotive rentals  
Automotive sales  
Bail bond services  
Commercial blood plasma center  
Convenience storage  
Exterminating services  
Indoor entertainment  
Kennels  
Local utility services  
Monument retail sales  
Outdoor sports and recreation  
Service station  
Telecommunication tower-1  
Transitional housing  
Vehicle storage

Agricultural sales and services  
Automotive repair services  
Automotive washing (of any kind)  
Campground  
Commercial off-street parking  
Drop-off recycling collection facility  
Funeral services  
Indoor sports and recreation  
Laundry services  
Maintenance and service facilities  
Outdoor entertainment  
Residential treatment  
Pawn shop services  
Theater  
Transportation terminal

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 August 8, 2005.

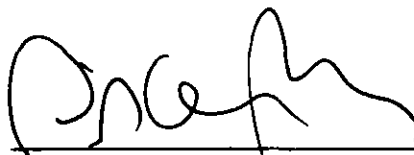
**PASSED AND APPROVED**

July 28, 2005


§  
§  
§

  
Will Wynn  
Mayor

APPROVED:

  
David Allan Smith  
City Attorney

ATTEST:

  
Shirley A. Brown  
City Clerk

1.609 ACRES  
RIVERSIDE RESOURCES  
TRACTS ONE, TWO, THREE, AND FOUR

FN NO. 05-264 (CLW)  
MAY 14, 2005  
BPI JOB NO. 470-14

**EXHIBIT A**  
**DESCRIPTION**

OF 1.609 ACRES OF LAND OUT OF THE ISAAC DECKER LEAGUE SURVEY NO. 20, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING TRACTS ONE, TWO, THREE AND FOUR AS CONVEYED TO MOODY-DAY, INC. BY DEED OF RECORD IN VOLUME 13173, PAGE 4250 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT FOUR BEING LOT 2, R.H. FOLMER SUBDIVISION, OF RECORD IN VOLUME 8, PAGE 161 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.609 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a 1/2 inch iron rod found in the westerly line of Riverside Drive (85' R.O.W.), being the northeasterly corner of said Tract One and the southeasterly corner that certain tract of land conveyed to Dean Johnston by deed of record in Volume 2045, Page 372 of the Deed Records of Travis County, Texas;

**THENCE**, S37°13'00"E, along the westerly line of Riverside Drive, being the easterly line of said Tracts One, Two, Three and Four and said Lot 2, for the easterly line hereof, a distance of 301.22 feet to a 3/4 inch iron pipe found, being the northeasterly corner of Lot 1 of said R.H. Folmer Subdivision and the southeasterly corner of said Lot 2 and also being the southeasterly corner of said Tract Four, for the southeasterly corner hereof;

**THENCE**, S51°34'59"W, leaving the westerly line of Riverside Drive, along the northerly line of said Lot 1 and a portion of the northerly line of that certain tract of land conveyed to Capitol City Trade and Technical School by deed of record in Volume 4659, Page 93 of the Deed Records of Travis County, Texas, being the southerly line of said Lot 2 and said Tract Four, for the southerly line hereof, a distance of 244.04 feet to a 1/2 inch iron rod found at or near the center of Bouldin Creek, being the southwesterly corner of said Lot 2 and said Tract Four, for the southwesterly corner hereof;

**THENCE**, N27°54'57"W, along a line at or near the center of Bouldin Creek, being a portion of the northerly line of said Capitol City Trade and Technical School tract and also being a portion of the easterly line of Lot B First Resubdivision of the Taylor Glass Subdivision, a subdivision of record in Volume 57, Page 10 of the Plat Records of Travis County, and also being a portion of the westerly line of said Lot 2, a distance of 30.30 feet to a 3/4 inch iron pipe found for an angle point hereof;

**THENCE**, along a line at or near the center of Bouldin Creek, being a portion of the easterly line of said Lot B and the westerly lines of said Tracts One, Two, and Three, and a portion of the westerly line of Tract Four, for the westerly line hereof, the following three (3) courses and distances:

- 1) N30°30'58"W, a distance of 183.94 feet to a 1/2 inch iron rod with cap set for an angle point;

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PAGE 2 OF 2

- 2) N50°44'00"W, a distance of 56.31 feet to a 1/2 inch iron rod with cap set for an angle point;
- 3) N71°29'23"W, a distance of 47.19 feet to a 1/2 inch iron rod with cap set at the southwesterly corner of that certain tract of land conveyed to DJ Interests, Ltd. by deed of record in Volume 12868, Page 2279 of said Real Property Records, being the northwesterly corner of said Tract One, for the northwesterly corner hereof;

THENCE, N52°47'00"E, leaving the easterly line of said Lot B, along the southerly line of said DJ Interests, Ltd. tract and the southerly line of said Dean Johnston tract, being the northerly line of said Tract One, for the northerly line hereof, a distance of 257.36 feet to the **POINT OF BEGINNING** containing an area of 1.609 acres (70,108 sq. ft.) of land, more or less, within these metes and bounds.

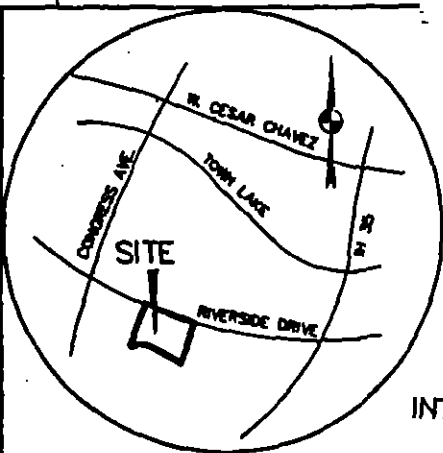
I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PARTNERS, INC.  
ENGINEERS-SURVEYORS  
3345 BEE CAVE ROAD, SUITE 200  
AUSTIN, TEXAS 78746

*Mark J. Jezisek*  
MARK J. JEZISEK  
R.P.L.S. NO. 5267  
STATE OF TEXAS

DATE





**VICINITY MAP**  
N.T.S.

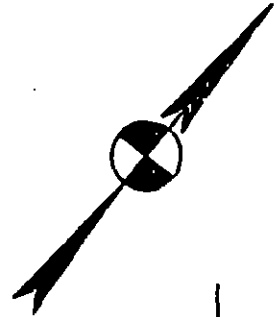
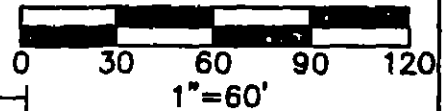
DJ  
INTERESTS  
LTD.  
VOL. 12868,  
PG. 2279

### LINE TABLE

No.	Bearing	Distance
L1	N27°54'57"W	30.30'
L2	N50°44'00"W	56.31'
L3	N71°29'23"W	47.19'

### LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD WITH CAP SET
- ⊙ 3/4" IRON PIPE FOUND
- P.O.B. POINT OF BEGINNING



LOT B  
FIRST RESUBDIVISION  
OF THE TAYLOR GLASS SUBDIVISION  
VOL. 57, PG. 10

CENTER OF  
BOULDIN CREEK

N30°30'58"W 183.94'

**1609 ACRES**  
(70,108 SQ. FT.)

MOODY-DAY INC.  
VOL. 13173, PG. 4250

TRACT ONE

TRACT THREE

TRACT TWO

TRACT FOUR

LOT 2  
R.H. FOLMER  
SUBDIVISION  
VOL. 8, PG. 161

ISAAC DECKER LEAGUE SURVEY No. 20

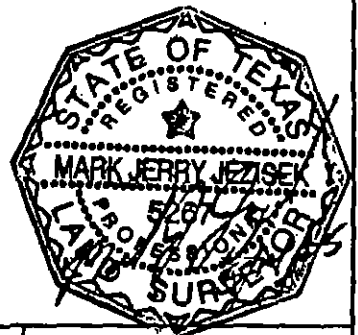
S37°13'00"E 301.22'

**EAST RIVERSIDE DRIVE**  
(85' R.O.W.)

S51°34'59"W 244.04'

CAPITOL CITY TRADE  
AND TECHNICAL SCHOOL  
VOL. 4659, PG. 93

LOT 1  
R.H. FOLMER  
SUBDIVISION  
VOL. 8, PG. 161



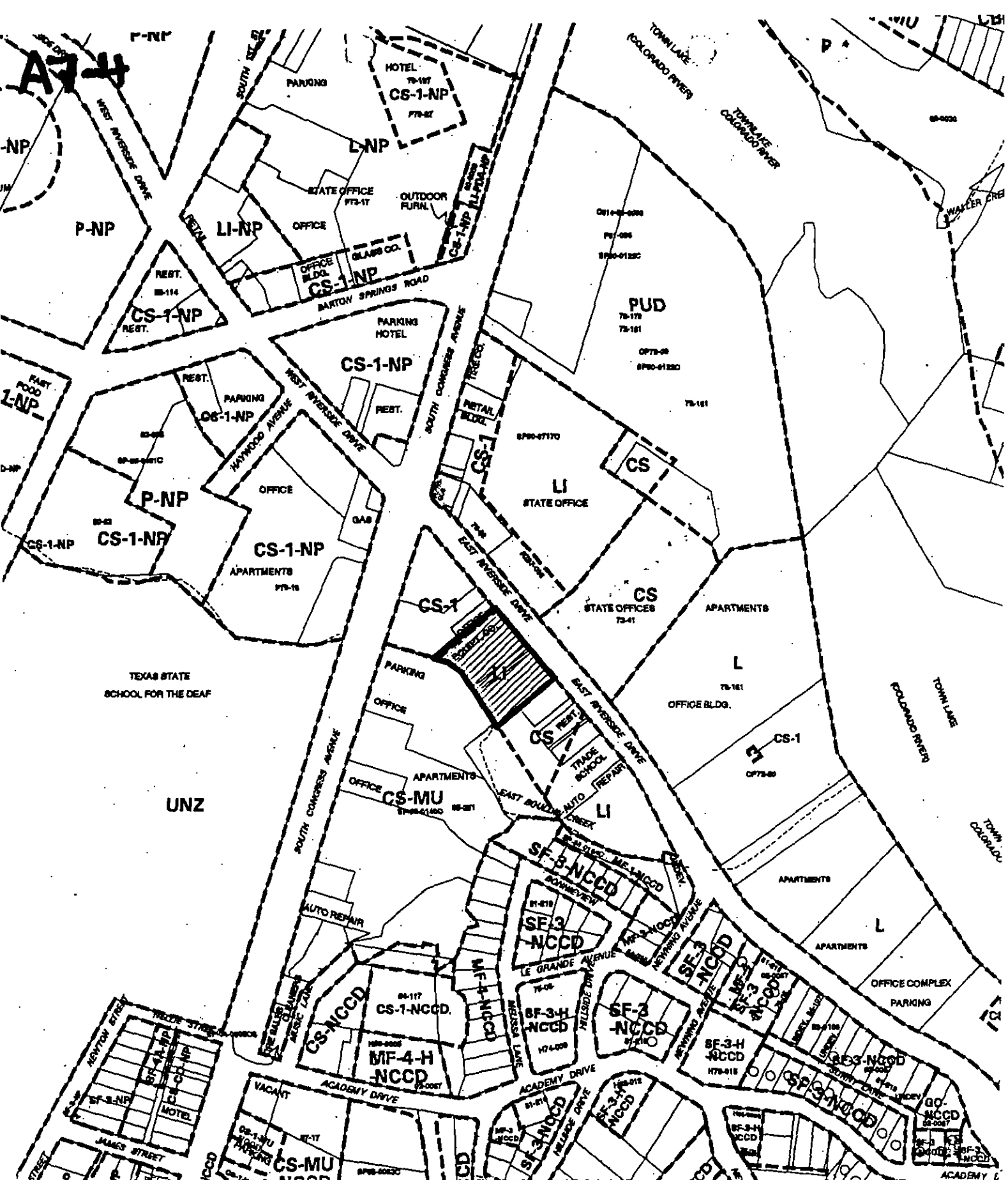
**Bury+Partners**

ENGINEERING SOLUTIONS  
3345 Bee Caves Road, Suite 200  
Austin, Texas 78746  
Tel. (512)328-0011 Fax (512)328-0025  
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### SKETCH TO ACCOMPANY DESCRIPTION

OF 1,609 ACRES OF LAND OUT OF THE ISAAC DECKER LEAGUE, SURVEY NO. 20, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING TRACTS ONE, TWO, THREE AND FOUR OF RECORD IN VOLUME 13173, PG. 4250 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT FOUR BEING LOT 2, R.H. FOLMER SUBDIVISION, OF RECORD IN VOLUME 8, PAGE 161 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

**RIVERSIDE  
RESOURCES**



 400'	SUBJECT TRACT 	<b>ZONING EXHIBIT B</b>		CITY GRID REFERENCE NUMBER <b>J21</b>
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-05-0077 ADDRESS: 127 E RIVERSIDE DR SUBJECT AREA (acres): 1.609	DATE: 05-05 INTLS: SM	
	CASE MGR: R. HEIL			