

ORDINANCE NO. 20050728-Z001

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT THE 10900-10915 BLOCK OF SOUTH IH-35 SERVICE ROAD NORTHBOUND, REZONING AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT AND MULTIFAMILY RESIDENCE LOW DENSITY-CONDITIONAL OVERLAY (MF-2-CO) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT FOR TRACT ONE AND GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY (CS-MU-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 districts on the property described in Zoning Case No. C14-04-0114, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From interim rural residence (I-RR) district and multifamily residence low density-conditional overlay (MF-2-CO) combining district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district.

An 8.141 acre tract of land, more or less, out of the Santiago Del Valle Grant in Travis 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 rural residence (I-RR) district and multifamily residence low density-conditional overlay (MF-2-CO) combining district to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district.

A 4.678 acre tract of land, more or less, out of the Santiago Del Valle Grant in Travis 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 the property located at the 10900-10915 block of south IH-35 service road northbound, in the City of Austin, Travis 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 loading facility on Tract One is prohibited within 50 feet of the east property line adjacent to an existing single family residential area.

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

Automotive rentals	Bail bond services
Counseling services	Custom manufacturing
Drop-off recycling collection facility	Exterminating services
Guidance services	Indoor entertainment
Outdoor entertainment	Outdoor sports and recreation
Pawn shop services	Theater
Residential treatment	Urban farm

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

Agricultural sales and services	Automotive rentals
Bail bond services	Campground
Commercial blood plasma center	Counseling services
Custom manufacturing	Drop-off recycling collection facility
Equipment repair services	Equipment sales
Exterminating services	Guidance services
Indoor entertainment	Kennels
Maintenance and service facilities	Monument retail sales
Outdoor entertainment	Outdoor sports and recreation
Pawn shop services	Theater
Residential treatment	Urban farm
Transitional housing	Transportation terminal
Vehicle storage	Veterinary services

4. The following uses are conditional uses of Tract One and Tract Two:

Automotive sales	Automotive repair services
Automotive washing (of any kind)	


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 August 8, 2005.


PASSED AND APPROVED

July 28, 2005


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§
§

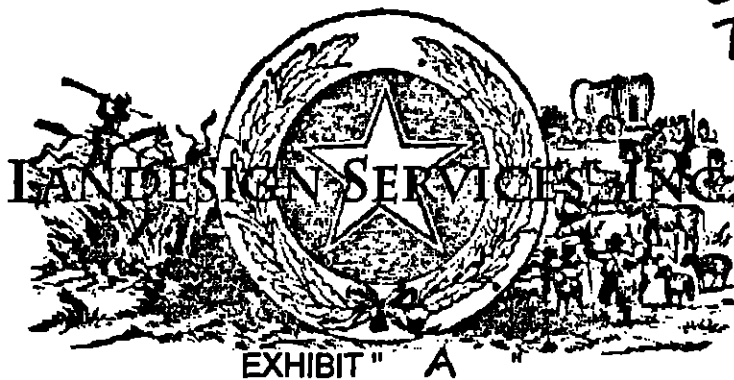

Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:


Shirley A. Brown
City Clerk



**METES AND BOUNDS DESCRIPTION
TRACT ONE
(CITY OF AUSTIN ZONING)**

BEING 8.141 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, AND BEING A PART OF THE REMAINDER OF EXHIBIT A, CONTAINING 91.0980 ACRES OF LAND, CONVEYED BY JERRY DON KEESEE TO KEESEE PARTNERS, LTD., IN GENERAL WARRANTY DEED RECORDED IN DOCUMENT NO. 1999128474 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING PART OF EXHIBIT A-2, A 0.0711 ACRE TRACT CONVEYED TO KEESEE PARTNERS LTD. OF RECORD IN DOCUMENT NUMBER 1999128474 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the east right of way line of Interstate Highway No. 35 and the west line of said 91.0980 acre tract from which the southwest corner of said 91.0980 acre tract and the northwest corner of Lot 2, Block A, UNION CREEK No. 10, according to the map or plat thereof recorded in Volume 97, Page 6 of the Plat Records of Travis County, Texas, bears, South 18°25'00" West a distance of 815.07 feet;

THENCE North 18°25'00" East along said east right of way line of Interstate Highway No. 35 and the west line of said 91.0980 acre tract a distance of 200.00 feet to a calculated point for the southwest corner of Lot 1, Block A, KEESEE ADDITION SECTION 1 according to the map or plat thereof recorded in Document No. 200100252 of the Official Public Records of Travis County, Texas,

THENCE along the south line of said Lot 1, Block A, KEESEE ADDITION SECTION 1 the following two (2) courses:

- 1) South 71°35'00" East a distance of 443.56 feet to a calculated point at the point of curvature of a curve to the right;
- 2) with said curve having a radius of 260.00 feet, a delta angle of 27°48'23", a length of 126.18 feet and a chord which bears South 57°40'48" East a distance of 124.95 feet to a calculated point,

THENCE crossing the remainder of said 91.0980 acre tract the following two courses:

- 1) South $18^{\circ}25'00''$ West, parallel with the west line of said 91.0980 acre tract, a distance of 385.59 feet to a iron rod found;
- 2) South $19^{\circ}34'12''$ West a distance of 249.56 feet to a iron rod found for an angle corner in the south line of said 91.0980 acre tract and the northern most corner of said 0.0711 acre tract;

THENCE South $23^{\circ}41'55''$ West crossing said 0.0711 acre tract a distance of 5.03 feet to an iron rod found and northwest corner of Onion Creek Section 3, according to the map or plat thereof recorded in Volume 75, Page 381 of the Plat Records of Travis County;

THENCE South $29^{\circ}07'14''$ West along the eastern most southerly line of said 0.0711 acre tract and the east line of said Onion Creek Section 3 a distance of 351.15' to a calculated point for the southern most southeast corner of said 0.0711 acre tract and the northeast corner of said Lot 2, Block A, Onion Creek No. 10;

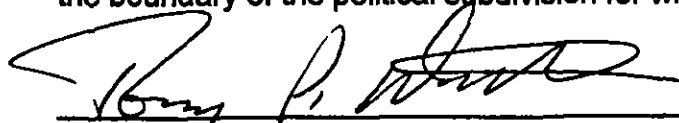
THENCE North $71^{\circ}34'22''$ West along the north line of said Lot 2, Block A, ONION CREEK No. 10 and the south line of said 91.0980 acre tract a distance of 244.14 feet to a calculated point;

THENCE crossing the remainder of said 91.0980 acre tract the following two courses:

- 1) North $18^{\circ}25'00''$ East, parallel with the east line of said 91.0980 acre tract, a distance of 815.12 feet to a calculated point;
- 2) North $71^{\circ}35'00''$ West, perpendicular to the east line of said 91.0980 acre tract, a distance of 250.00 feet to the POINT OF BEGINNING.

This parcel contains 8.141 acres of land, more or less, out of the Santiago Del Valle Grant, in Travis County, Texas. All bearings are based on Engineers Centerline for I.H. 35, from right of way deed described in Volume, Page of the Deed Records of Travis County, Texas. (North $18^{\circ}25'00''$ East)

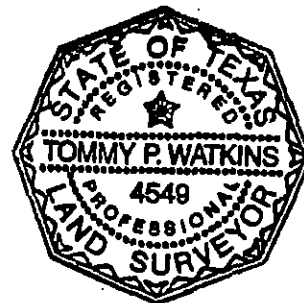
This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and in not to be used to convey or establish interest in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared

 03/18/2005

Tommy P. Watkins
Registered Professional Land Surveyor
State of Texas No. 4549

Date

Project Number: 045-04-001
Attachments: Survey Drawing L:\KEESEEDWGS\04500101.dwg
L:\Keesee\FNOTES\04500101T1.doc
Created on 03/18/2005



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	280.00'	125.15'	27°48'23"	S57°40'48"E	124.95'

NUMBER	DIRECTION	DISTANCE
L1	S23°41'55"W	5.03'

SCALE IN FEET

200 100 0 200

NORTH

INTERSTATE HIGHWAY NO. 35

ENGINEERS CENTERLINE (ECS)

N18°25'00"E

BEARING BASIS
R-O-W DEED

VOL. 1608, PG. 222
D.R.T.C.T.

edge point

N18°25'00"E

FRONTAGE ROAD

ONION CREEK NO. 10
VOL. 97 PG. 6
P.R.T.C.T.
LOT 2, BLOCK A

POINT OF BEGINNING
TRACT 2
ECS 1351+16.15,
150.00' LT.

POINT OF BEGINNING
TRACT 1
ECS 1351+01.08
150.00' LT.

TRACT TWO
4.678 AC.

S18°25'00"W 815.12'

N18°25'00"E 815.12'

TRACT ONE
8.141 AC.

S19°34'12"W
249.56'

S18°25'00"W
385.59'

KEESEE PARTNERS LTD.
0.0711 AC.
DOC. 1999128474
O.P.R.T.C.T.

KEESEE PARTNERS LTD.
(REMAINDER OF 91.0980 AC.)
DOC. 1999128474
O.P.R.T.C.T.

ONION CREEK SECTION 3
VOL. 75, PG. 381
P.R.T.C.T.

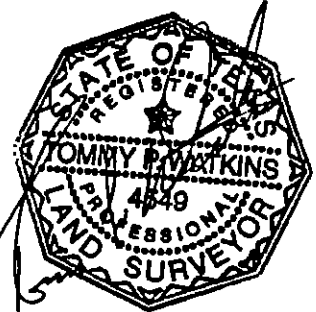
TRACT ONE
8.141 AC.

249.56'
S19°34'12"W

KEESEE PARTNERS LTD.
0.0711 AC.
DOC. 1999128474
O.P.R.T.C.T.

LEGEND

- 1/2" REBAR FOUND
- ▲ CALCULATED POINT
- () RECORD DEED INFO.



2/18/2005

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PROJECT NAME: KEESEE	
DATE: 03/18/05	SCALE: 1"=200'
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FIELDNOTE FILE PATH: L:\Keesee\FNOTES	
RPLS: TPW	TECH: tpw
PARTYCHIEF: N/A	
SHEET 03 of 03	FIELDBOOKS: N/A
	CHK BY: jlb

LANDESIGN SERVICES, INC.
LAND SURVEYING
117 W. 4th STREET
TAYLOR, TEXAS 76574
PHONE: 512-352-8055
FAX: 512-352-8807



C14-04-0114
TRACT TWO
CS-MU-CO

EXHIBIT " B "

METES AND BOUNDS DESCRIPTION
TRACT TWO
(CITY OF AUSTIN ZONING)

BEING 4.678 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, AND BEING A PART OF THE REMAINDER OF EXHIBIT A, CONTAINING 91.0980 ACRES OF LAND, CONVEYED BY JERRY DON KEESEE TO KEESEE PARTNERS, LTD., IN GENERAL WARRANTY DEED RECORDED IN DOCUMENT NO. 1999128474 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the east right of way line of Interstate Highway No. 35 for the southwest corner of said 91.0980 acre tract and the northwest corner of Lot 2, Block A, ONION CREEK No. 10, according to the map or plat thereof recorded in Volume 97, Page 6 of the Plat Records of Travis County, Texas;

THENCE North 18°25'00" East along said east right of way line of Interstate Highway No. 35 and the west line of said 91.0980 acre tract a distance of 815.07 feet to a calculated point from which the southwest corner of Lot 1, Block A, KEESEE ADDITION SECTION 1 according to the map or plat thereof recorded in Document No. 200100252 of the Official Public Records of Travis County, Texas, bears, North 18°25'00" East a distance of 200.00 feet;

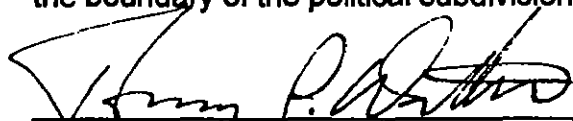
THENCE crossing the remainder of said 91.0980 acre tract the following two courses:

- 1) South 17°35'00" East, perpendicular to the east line of said 91.0980 acre tract, a distance of 250.00 feet to a calculated point;
- 2) South 18°25'00" West, parallel with the east line of said 91.0980 acre tract, a distance of 815.12 feet to a calculated point in the south line of said 91.0980 acre tract and the north line of said Lot 2, Block A, ONION CREEK No. 10 from which a 1/2 inch iron rod found in the north line of said Lot 1, Block A, ONION CREEK No. 10, for an angle corner in the south line of said 91.0980 acre tract and the southwest corner of EXHIBIT A-2, containing 0.0711 of one acre of land, described in said Document No. 1999128474 of the Official Public Records of Travis County, Texas, bears South 71°34'22" East a distance of 240.36 feet;

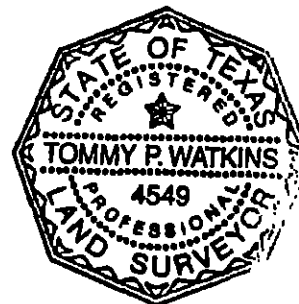
THENCE North 71°34'22" West along the north line of said Lot 1, Block A, UNION CREEK No. 10 and the south line of said 91.0980 acre tract a distance of 250.00 feet to the POINT OF BEGINNING.

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 5/20/2004
Tommy P. Watkins Date

Registered Professional Land Surveyor
State of Texas No. 4549

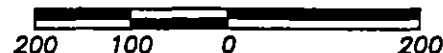


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INTERSTATE HIGHWAY NO. 35

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VOL. 1608, PG. 222

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TRACT ONE
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S19°34'12"W
249.58'

S18°25'00"W
385.59'

S71°35'00"E 443.58'
80' ACCESS ESMT.

KEESEE ADDITION
DOC. 200100252
O.P.R.T.C.T.

KEESEE PARTNERS LTD.
0.0711 AC.
DOC. 1999128474
O.P.R.T.C.T.

ONION CREEK SECTION 3
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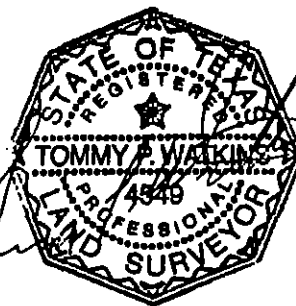
TRACT ONE
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249.58'
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LEGEND

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03/18/2005

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RPLS: TPW	TECH: tpw	PARTYCHIEF: N/A	
SHEET 03 of 03		FIELDBOOKS: N/A	CHK BY: jlb

LANDESIGN SERVICES, INC.
LAND SURVEYING
1110 W. 4th STREET, SUITE 100
TAYLOR, TEXAS 76574
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FAX 512-352-8807

