

ORDINANCE NO. 040401-Z-4

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 9900 U.S. HIGHWAY 290 EAST AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-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 interim rural residence (I-RR) district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district on the property described in Zoning Case No.C14-04-0008, on file at the Neighborhood Planning and Zoning Department, as follows:

A 20.5668 acre tract of land, more or less, out of the William H. Sanders Survey No. 54, 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 9900 U.S. Highway 290 East, 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:

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.

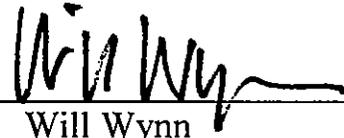
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on April 12, 2004.

PASSED AND APPROVED

April 1, 2004

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Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Brown
City Clerk

FIELD NOTES OF 20.5668 ACRES OF LAND
OUT OF THE WILLIAM H. SANDERS SURVEY NO. 54,
TRAVIS COUNTY, TEXAS

ALL OF THAT 20.5668 ACRES OF LAND, MORE OR LESS, OUT OF THE WILLIAM H. SANDERS SURVEY NO. 54 IN TRAVIS COUNTY, TEXAS, BEING THE SAME TRACT OF LAND DESCRIBED AS 4.5 ACRES AND 16.58 ACRES CONVEYED IN THE WARRANTY DEED FROM THE ESTATE OF DAVEY M. NAGLE TO MARJORIE G. NAGLE RECORDED IN VOLUME 12286, PAGE 1485 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THE 0.535 ACRES OF LAND CONVEYED IN THE DEED FROM DAVEY M. AND MARJORIE G. NAGLE TO THE STATE OF TEXAS RECORDED IN VOLUME 3007, PAGE 1184 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, HAVING BEEN SURVEYED ON THE GROUND BY SNS ENGINEERING AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at an iron rod found in the northeasterly Right of Way line of Blue Goose Road at the southerly corner of the 365.243 Acres of land recorded in Volume 13100, Page 1 of the Real Property Records of Travis County, Texas, for the Southwest corner of said 4.50 acres and the tract herein described;

THENCE, leaving the northeasterly Right of Way line of said Blue Goose Road and along the westerly line of said 4.50 Acres and the tract herein described, N 05°57'11" E, for a distance of 1005.89 feet to an iron rod found for the Northwest corner of said 4.50 Acres and the tract herein described;

THENCE, following a fence along the northerly line of said 4.50 Acres and the tract herein described, S 73°42'10" E, for a distance of 514.03 feet to an iron rod set for the Northeast corner of the tract herein described, same being the easterly northeast corner of said 4.50 Acres;

THENCE, following a fence along the northeasterly line of said 4.50 Acres, 16.58 Acres and the tract herein described, S 35°59'24" E, passing an iron rod found at a distance of 18.67 feet at the easterly common corner of said 4.50 Acres and 16.58 Acres, for a total distance of 987.96 feet to an iron rod found in the northwesterly Right of Way line of US Highway 290 for the Southeast corner of the tract herein described, same being the northeast corner of said 0.353 Acres;

THENCE, following a fence along the northwesterly Right of Way line of said US Highway 290, same being the southeasterly line of the tract herein described, S 67°03'47" W, for a distance of 701.91 feet to an iron rod found for the Southerly Corner of the tract herein described;

THENCE, following a fence along the northeasterly Right of Way line of said Blue Goose Road, same being the southwesterly line of the tract herein described, the following Two (2) courses:

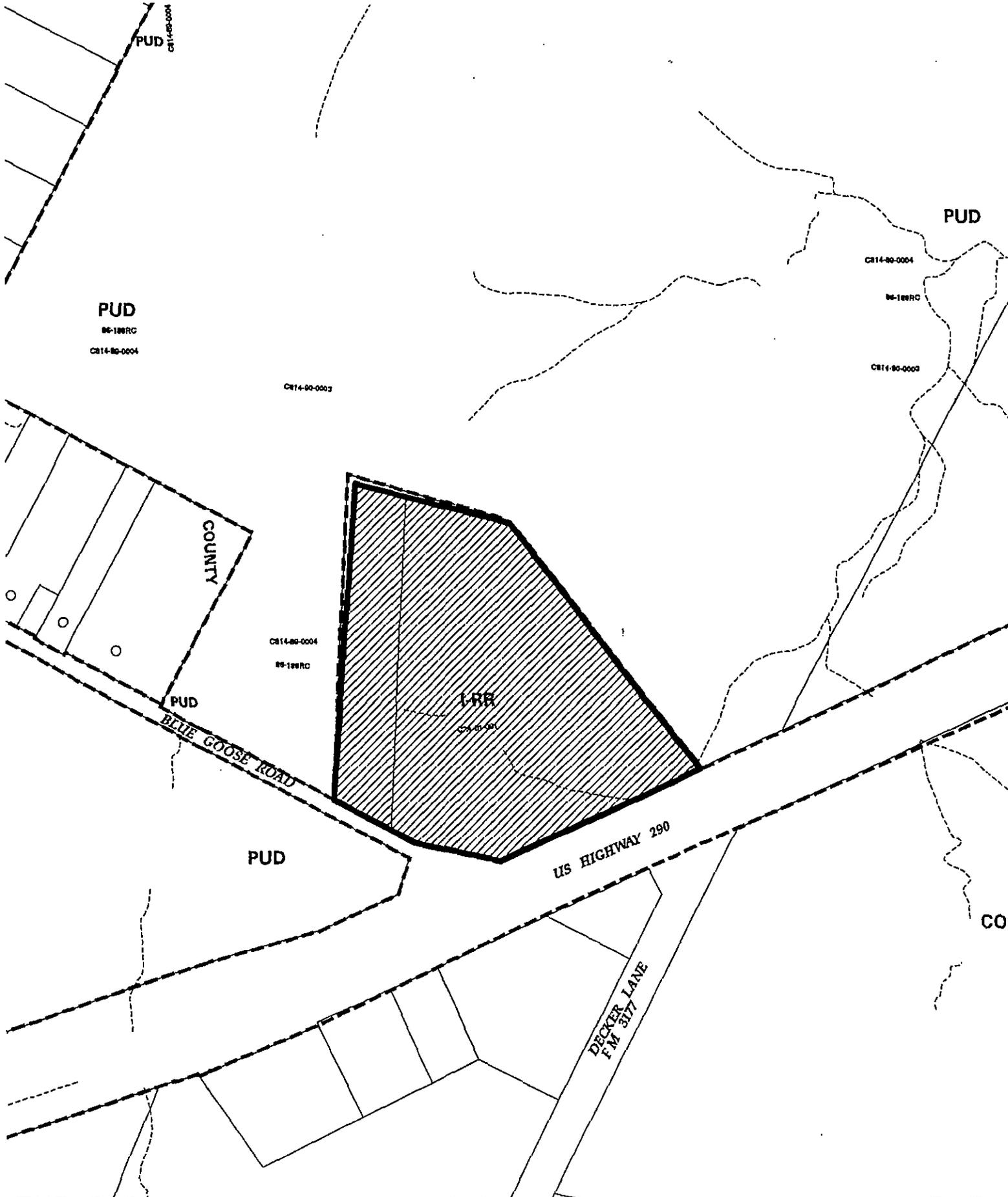
1. N 75°48'56" W, for a distance of 284.31 feet to an iron rod set,
2. N 60°08'55" W, passing an iron rod found at a distance of 94.33 feet at the southerly common corner of said 4.50 Acres and 16.58 Acres, for a total distance of 295.40 to the Point of Beginning and containing 20.5668 Acres of Land More or Less.

SNS ENGINEERING, INC.

Leslie Vasterling
Leslie Vasterling,
Registered Professional Land Surveyor No. 1413



EXHIBIT A



 1" = 400'	SUBJECT TRACT  PENDING CASE  ZONING BOUNDARY  CASE MGR: S.GAGER	ZONING EXHIBIT B CASE #: C14-04-0008 ADDRESS: 9900 U.S.HWY 290 EAST SUBJECT AREA (acres): 20.566	CITY GRID REFERENCE NUMBER R28 DATE: 04-01 INTLS: TRC
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