

ORDINANCE NO. 040422-Z-2

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3801 NORTH CAPITAL OF TEXAS HIGHWAY FROM INTERIM COMMUNITY COMMERCIAL (I-GR) DISTRICT TO COMMERCIAL-LIQUOR SALES-CONDITIONAL OVERLAY (CS-1-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-community commercial (I-GR) district to commercial liquor-sales-conditional overlay (CS-1-CO) combining district on the property described in Zoning Case No.C14-04-0031, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.069 acre tract of land, more or less, out of Lot 1, Davenport Ranch Phase 3 Subdivision, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 3801 North Capital of Texas Highway, 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:

The following uses are prohibited uses of the Property:

Adult oriented businesses
Campground
Convenience storage
Kennels
Custom manufacturing
Transportation terminal
Building maintenance services
Construction sales and services
Equipment sales
Veterinary services
Transitional housing

Art and craft studio (general)
Commercial blood plasma center
Equipment repair services
Vehicle storage
Maintenance service facilities
Agricultural sales and services
Cocktail lounge
Electronic prototype assembly
Laundry services
Limited warehousing and distribution

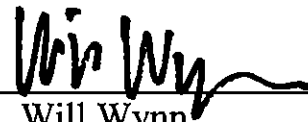
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the commercial-liquor sales (CS-1) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on May 3, 2004.

PASSED AND APPROVED

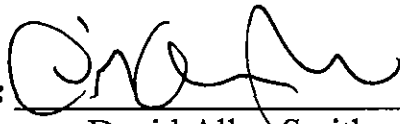
_____, April 22, 2004

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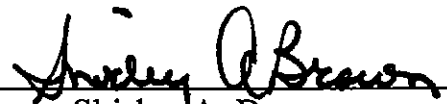
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Brown
City Clerk



Professional Land Surveying, Inc.
Surveying and Mapping

EXHIBIT A

Office: 512-443-1724
Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

**DAVENPORT RANCH
ZONING DESCRIPTION**

A DESCRIPTION OF 0.069 ACRES (3000 S.F.) OUT OF LOT 1, DAVENPORT RANCH PHASE 3, SECTION 11, A SUBDIVISION OF RECORD IN VOLUME 86, PAGE 53A OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.069 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a ½" rebar found in the west right-of-way line of Long Champ Drive (90' right-of-way), for the northeast corner of said Lot 1, being also the southeast corner of Davenport Ranch Phase 3, Section 12, a subdivision of record in Volume 85, Page 93B of the Plat Records of Travis County, Texas;


THENCE with the west line of Long Champ Drive, being also the east line of Lot 1, along a curve to the left, an arc length of 98.05 feet, with a radius of 762.47 feet, a delta angle of 07°22'06", and a chord which bears South 31°00'12" West, a distance of 97.99 feet to a ½" rebar found;

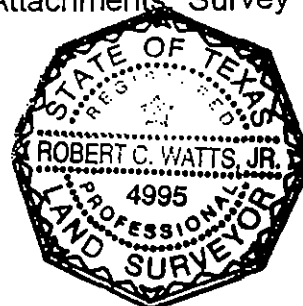
THENCE North 88°28'46" West, crossing Lot 1, a distance of 98.67 feet to the **POINT OF BEGINNING**;

THENCE continuing across Lot 1, the following four (4) courses:

1. South 29°32'30" West, a distance of 49.60 feet;
2. North 60°27'30" West, a distance of 60.50 feet;
3. North 29°32'30" East, a distance of 49.60 feet;
4. South 60°27'30" East, a distance of 60.50 feet to the **POINT OF BEGINNING**, containing 0.069 acres of land more or less.

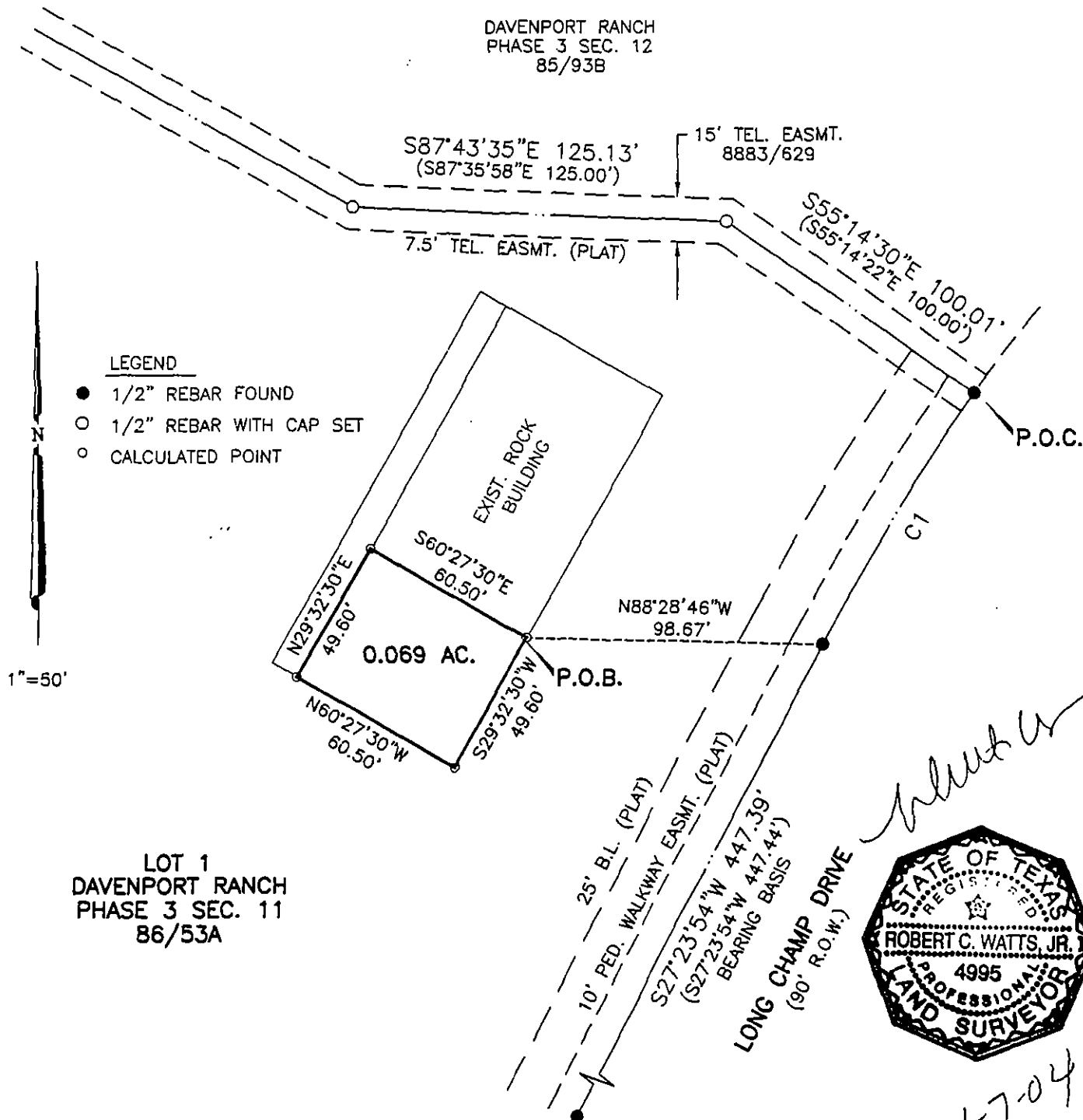
Building dimensions surveyed on the ground December 8, 2003. Based on a boundary survey made in August, 1997. Bearing basis is record plat information for the east line of Lot 1 as shown hereon. Attachments: Survey Drawing 004-013-Z1.


Robert C. Watts, Jr.
Registered Professional Land Surveyor
State of Texas No. 4995



1-7-04

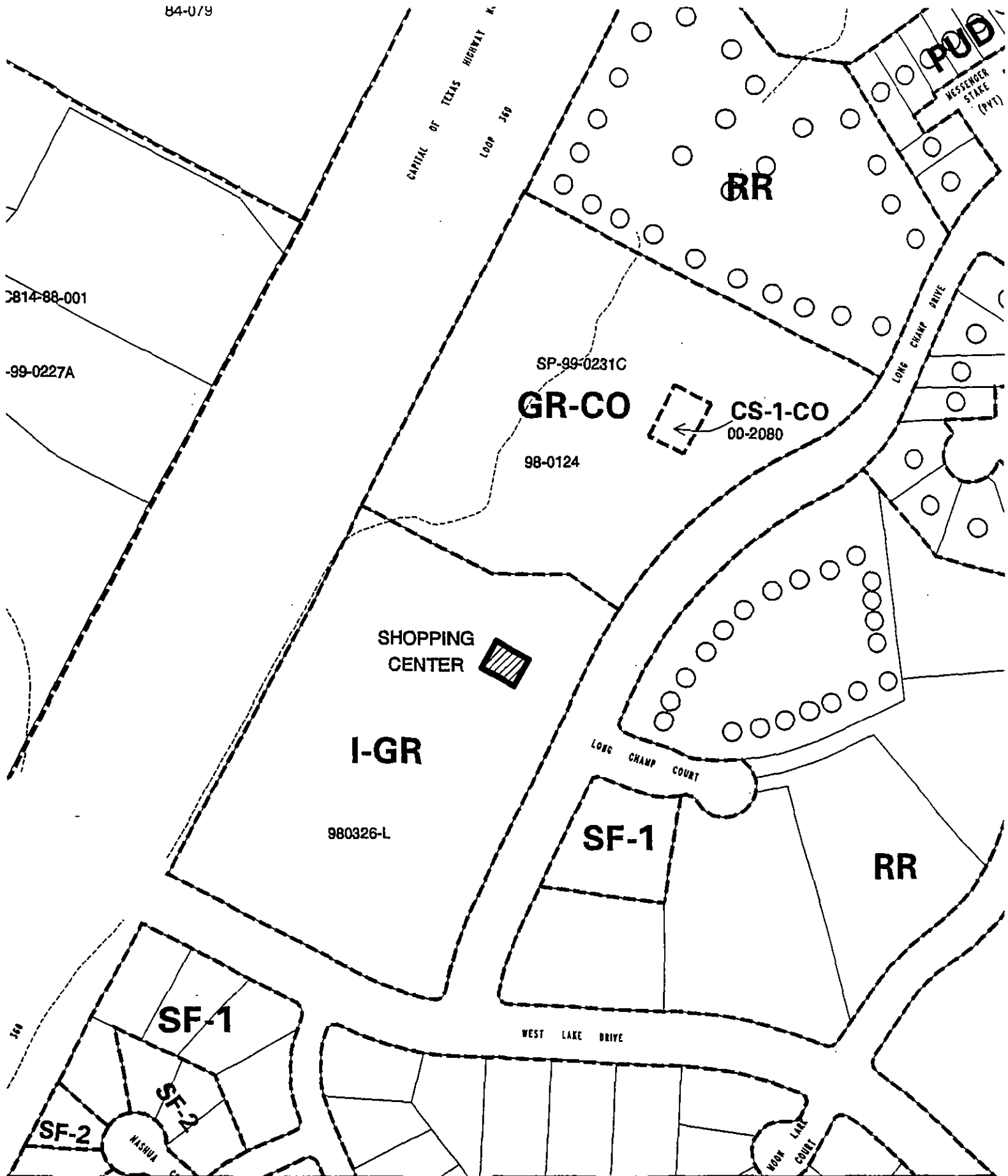
SKETCH TO ACCOMPANY A DESCRIPTION OF 0.069 ACRES (3000 S.F.) OUT OF LOT 1, DAVENPORT RANCH PHASE 3, SECTION 11, A SUBDIVISION OF RECORD IN VOLUME 86, PAGE 53A OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.



NUMBER	DELTA	CHORD BEARING	RADIUS	ARC	CHORD
C1	07°22'06"	S31°00'12"W	762.47	98.05	97.99

DATE OF SURVEY: 12/8/03
PLOT DATE: 1/7/04
DRAWING NO.: 004-013-Z1
PROJECT NO.: 004-013

Chaparral



 1" = 200'	SUBJECT TRACT		ZONING EXHIBIT B CASE #: C14-04-0031 ADDRESS: 3801 N.CAPITAL OF TX. SUBJECT AREA (acres): 0.089	CITY GRID REFERENCE NUMBER F28
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR: G.RHOADES			
			DATE: 04-02	
			INTLS: TRC	