

ORDINANCE NO. 040311-Z-4

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 2859 STATE HIGHWAY 71 EAST AND CHANGING THE ZONING MAP FROM INTERIM SINGLE FAMILY RESIDENCE STANDARD LOT (I-SF-2) 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 interim single family residence standard lot (I-SF-2) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No.C14-04-0011, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.403 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, (the "Property")

locally known as 2859 State Highway 71 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 March 22, 2004.

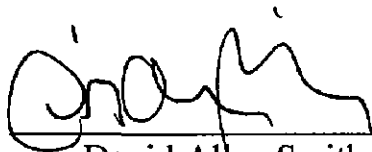
PASSED AND APPROVED

March 11, 2004


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Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:


Shirley A. Brown
City Clerk

C14-04-0011

**CARSON AND BUSH
PROFESSIONAL SURVEYORS, INC.**

1904 FORTVIEW ROAD
AUSTIN, TX 78704
TELEPHONE: (512) 442-0990
FACSIMILE: (512) 442-1084

October 7, 2003

FIELD NOTE DESCRIPTION OF 0.403 ACRE OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN (2.0 ACRE) TRACT CONVEYED TO LYLE G. FALWELL AND WIFE, WYNONA PARKER FALWELL, BY DEED RECORDED IN VOLUME 1030 PAGE 186 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, TOGETHER WITH A PORTION OF THAT CERTAIN (5.2 ACRE) TRACT CONVEYED TO LYLE FALWELL BY DEED RECORDED IN VOLUME 1568 PAGE 29 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron pipe found in the northeast right-of-way line of State Highway 71 at the southeast corner of that certain (2.0 Acre) tract conveyed to Lyle G. Falwell and wife, Wynona Parker Falwell, by deed recorded in Volume 1030 Page 186 of the Deed Records of Travis County, Texas, and being at the most westerly corner of that certain (7.63 Acre) tract conveyed to Helen J. Blusch and Jack W. Anderson by deed recorded in Volume 8146 Page 482 of the Travis County Deed Records, and being the most southerly corner and **PLACE OF BEGINNING** of the herein described tract of land, and from which a concrete monument found bears S 58 deg. 55' 55" E 216.57 ft. ;

THENCE with the northeast right-of-way line of State Highway 71, N 59 deg. 22' 44" W 112.71 ft. to a ¾ inch iron rod found at the most southerly corner of Lot 2, Johnson and Siegmund Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 52 Page 47 of the Travis County Plat Records, and being the most westerly corner of this tract, and from which a brass disk in a concrete monument found bears N 59 deg. 02' 51" W 195.09 ft.;

THENCE crossing the interior of said (2.0 Acre) tract with the southeast line of said Lot 2, N 31 deg. 00' 56" E 154.25 ft. to a calculated point at the most easterly corner of said Lot 2, and being an angle point in the southwest line of that certain (1.377 Acre) tract conveyed to Mandalay Financial Corporation by deed recorded in Volume 12231 Page 661 of the Travis County Real Property Records, and being the most northerly corner of this tract, and from which a 2" chain link fence corner post in concrete bears N 47 deg. 44' E 0.52 ft., and also from which a ¾ inch iron pipe found at the most northerly corner of Lot 1 of said Johnson and Siegmund Subdivision bears N 59 deg. 02' 00" W 156.03 ft.;

THENCE with the southwest line of said Mandalay Financial Corporation tract, S 58 deg. 50' 30" E at 111.6 passing the record location of the southeast line of said (2.0 Acre) tract and crossing into the interior of that certain (5.2 Acre) tract conveyed to Lyle Falwell by deed recorded in Volume 1568 Page 29 of the Travis County Deed Records, on the same bearing for a total distance of 124.76 ft. to a ½ inch iron rod found in the southeasterly line of said (5.2 Acre) tract at the most southerly corner of said Mandalay Financial Corporation tract, and being an angle point of said Blusch and Anderson tract, and being the most easterly corner of this tract;

THENCE with the southeast line of said (5.2 Acre) tract, S 44 deg. 38' 56" W 55.15 ft. to a ½ inch iron rod found in the southeast line of said (2.0 Acre) tract, at the southeast corner of said (5.2 Acre) tract, and being an angle point of said Blusch and Anderson tract, and being an angle point of this tract;

THENCE with the southeast line of said (2.0 Acre) tract, S 30 deg. 28' 19" W 99.57 ft. to the Place of Beginning, containing 0.403 Acre of land.

SURVEYED: October 7, 2003

BY:



Holt Carson
Registered Professional Land Surveyor No. 5166



EXHIBIT A

see survey plat A701094

0.0000 ACRE OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN 12.0 ACRE TRACT CONVEYED TO LYLE G. FALWELL AND WIFE, WYNONA PARKER FALWELL BY DEED RECORDED IN VOLUME 1020 PAGE 186 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, TOGETHER WITH A PORTION OF THAT CERTAIN 15.2 ACRE TRACT CONVEYED TO LYLE G. FALWELL BY DEED RECORDED IN VOLUME 1568 PAGE 29 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

1976.136 1.0000
 1976.136 1.0000
 1976.136 1.0000

1994

[illegible]

revised proposal to put a 100,000-unit, 175,000-sq-ft building project to vote on in the fall of 2001.

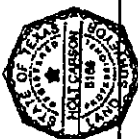
ALL RIGHTS RESERVED

2000 10000 20000 30000 40000 50000 60000 70000 80000 90000 100000

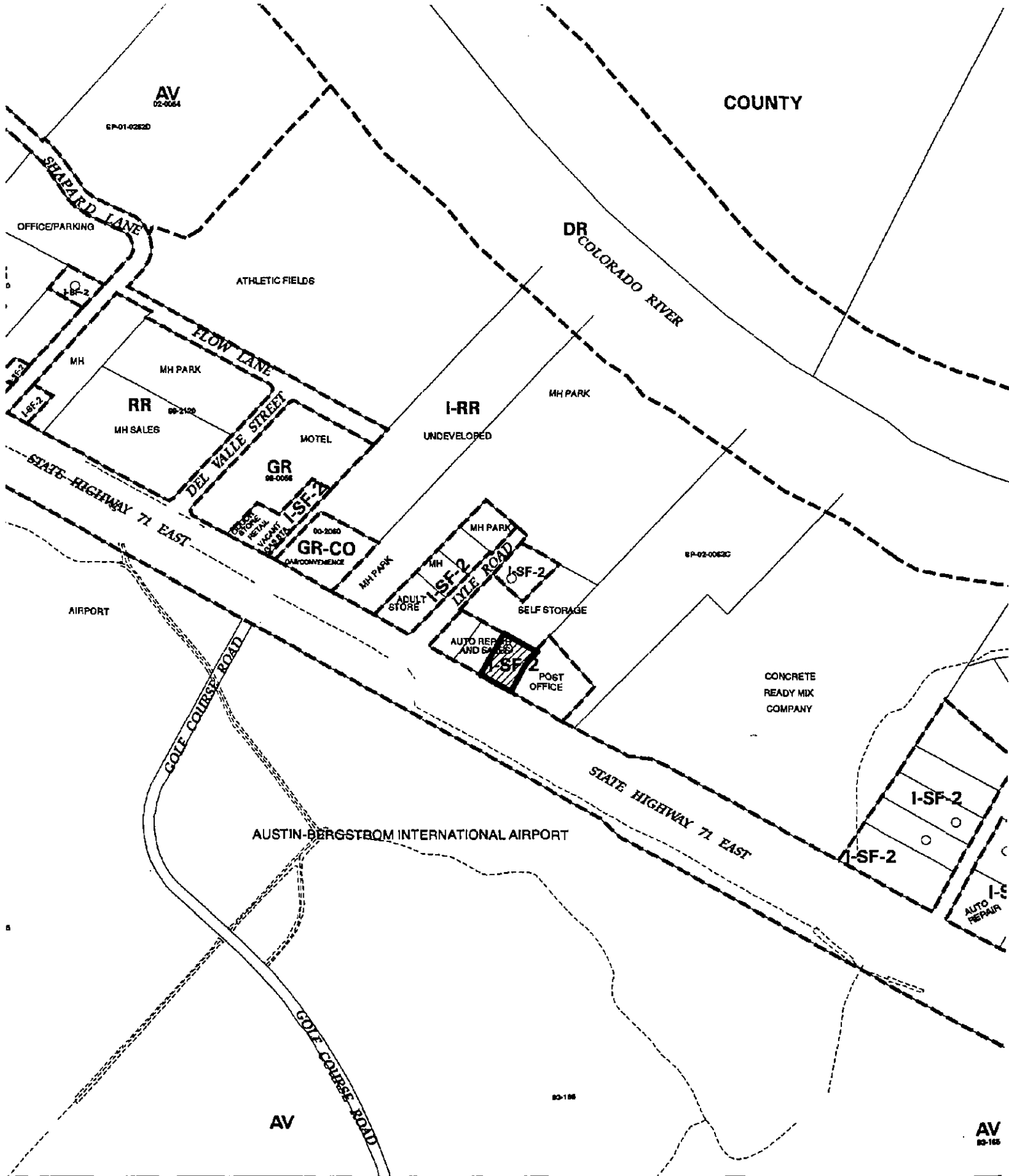
CLARENCE G. HANLEY
STATION 11, 1940
The undersigned does hereby certify that a survey was law-
fully made on the ground at the property legally described herein
and is correct and that there are no boundaries run within or
along the same.





Witness my hand and official seal this 1st day of August, 1940.
Notary Public for the County of St. Louis, Missouri.

CLARENCE G. HANLEY
Notary Public for the County of St. Louis, Missouri.



440
Robert C. ...
Horticulture
Department of Horticulture and Landscape Architecture
University of California, Davis



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|--|-------------------|---|---------------------------------|------------|---|
|  1" = 400' | SUBJECT TRACT |    | ZONING <i>EXHIBIT B</i> | | CITY GRID REFERENCE NUMBER N17 |
| | PENDING CASE | | CASE #: C14-04-0011 | | |
| | ZONING BOUNDARY | | ADDRESS: 2859 STATE HWY 71 EAST | | |
| | CASE MGR: W.WALSH | | SUBJECT AREA (acres): 0.403 | | |
| | | | DATE: 04-02 | INTLS: TRC | |