

**ORDINANCE NO. 040826-Z-9**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 9012 RESEARCH BOULEVARD IN THE WOOTEN NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-NEIGHBORHOOD PLAN (CS-NP) COMBINING DISTRICT TO COMMERCIAL-LIQUOR SALES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-1-CO-NP) 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 general commercial services-neighborhood plan (CS-NP) combining district to commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district on the property described in Zoning Case No. C14-04-0095, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.222 acre tract of land (9,679 square feet), more or less, out of the George W. Davis Survey No. 15, 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 9012 Research Boulevard, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** The Property is subject to Ordinance No. 040401-32A that established the Wooten neighborhood plan combining district.

**PART 3.** 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. Adult oriented businesses use is a prohibited use of the Property.

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 4.** This ordinance takes effect on September 6, 2004.

**PASSED AND APPROVED**

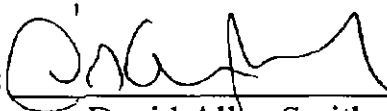
\_\_\_\_\_, August 26, 2004

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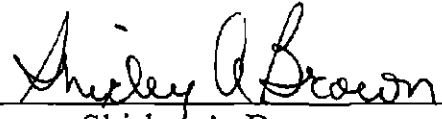
Will Wynn  
Mayor

**APPROVED:**



David Allan Smith  
City Attorney

**ATTEST:**



Shirley A. Brown  
City Clerk

# EXHIBIT A

## LEGAL DESCRIPTION FOR 0.222 ACRE (9,679 SQUARE FEET)

DESCRIBING 0.222 ACRE (9,679 SQUARE FEET) OF LAND SITUATED IN THE GEORGE W. DAVIS SURVEY NO. 15 IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS BEING A PORTION OF THE 8.007 ACRE REMAINDER OF LOT A, SCHNIP I, A SUBDIVISION OF RECORD IN PLAT BOOK 76, PAGE 349, PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.T.) ; SAID 0.222 ACRE (9,679 SQUARE FEET) OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 5/8" iron rod found at the southwest corner of that 0.692 acre tract conveyed to the State of Texas for Right-of-Way purposes by judgment recorded in Volume 10989, Page 1077, Real Property Records of Travis County, Texas (R.P.R.T.C.T.) and re-recorded in Volume 11011, Page 274, R.P.R.T.C.T.; said point being in the current southwest right-of-way (r.o.w.) line of Research Boulevard (U.S. Highway 183), in the northwest line of said Lot A, Schnip I, in the southeast line of Lot 1-A, Resubdivision of a portion of Lot 1, Mayfield Public Freight Tracks, a subdivision of record in Plat Book 72, Page 69, P.R.T.C.T.;

THENCE with the southwesterly r.o.w. line of Research Boulevard (U.S. Highway 183), along a curve to the right with a radius of 2,853.29 feet, an arc length of 29.85 feet and whose chord bears South 58°38'05" East, a distance of 29.85 feet to a TXDOT brass cap monument found at 125.00 feet right of TXDOT centerline station 312+61.29;

THENCE continuing with the southwesterly r.o.w. line of Research Boulevard (U.S. Highway 183), South 58°36'22" East, a distance of 227.93 feet to a point;

THENCE through the interior of said 8.007 acre remainder of Lot A, Schnip I, South 31°23'38" West, a distance of 53.23 feet to the POINT OF BEGINNING of the herein described tract; and from said beginning point run the following seventeen (17) courses and distances:

- 1) South 31°23'38" West, a distance of 3.95 feet to a point for corner;
- 2) South 59°23'16" East, a distance of 58.42 feet to a point for corner;
- 3) South 30°36'20" West, a distance of 8.26 feet to a point for corner;
- 4) South 59°23'41" East, a distance of 4.00 feet to a point for corner;
- 5) South 30°36'19" West, a distance of 9.70 feet to a point for corner;
- 6) South 59°23'41" East, a distance of 4.40 feet to a point for corner;
- 7) South 30°36'19" West, a distance of 7.90 feet to a point for corner;

- 8) South 59°23'41" East, a distance of 4.60 feet to a point for corner;
- 9) South 30°36'19" West, a distance of 60.55 feet to a point for corner;
- 10) South 59°23'41" East, a distance of 25.03 feet to a point for corner;
- 11) South 30°36'19" West, a distance of 31.43 feet to a point for corner;
- 12) North 59°23'41" West, a distance of 96.74 feet to a point for corner;
- 13) North 30°43'13" East, a distance of 87.87 feet to a point for corner;
  
- 14) North 59°06'43" West, a distance of 23.82 feet to a point for corner;
- 15) North 29°12'32" East, a distance of 9.03 feet to the beginning of a non-tangent curve;
- 16) Along a curve to the right with a radius of 24.54 feet, an arc length of 31.75 feet and whose chord bears North 66°54'03" East, a distance of 29.58 feet to the end of the curve;
- 17) South 67°23'05" East, a distance of 6.77 feet to the POINT OF BEGINNING of the herein described tract, delineating and encompassing within the metes recited 0.222 acre (9,679 square feet) of land, more or less, as computed by The Wallace Group, Inc. in June, 2004.

  
Vana H. Proffitt, R.P.L.S. #5779

6-7-04  
Date



Bearing Basis: Southwest line of Research Blvd. (U.S. Highway 183) r.o.w between TXDOT brass disk concrete monuments found per Judgment recorded in Volume 10989 Pg. 1077, RPRTCT, and re-recorded in Volume 11011 Pg. 274, RPRTCT, N61°16'47"W 374.77' rotated 2°40'25" clockwise to Schnip I bearing basis, for bearing of N58°36'22"W 374.77' on this survey.

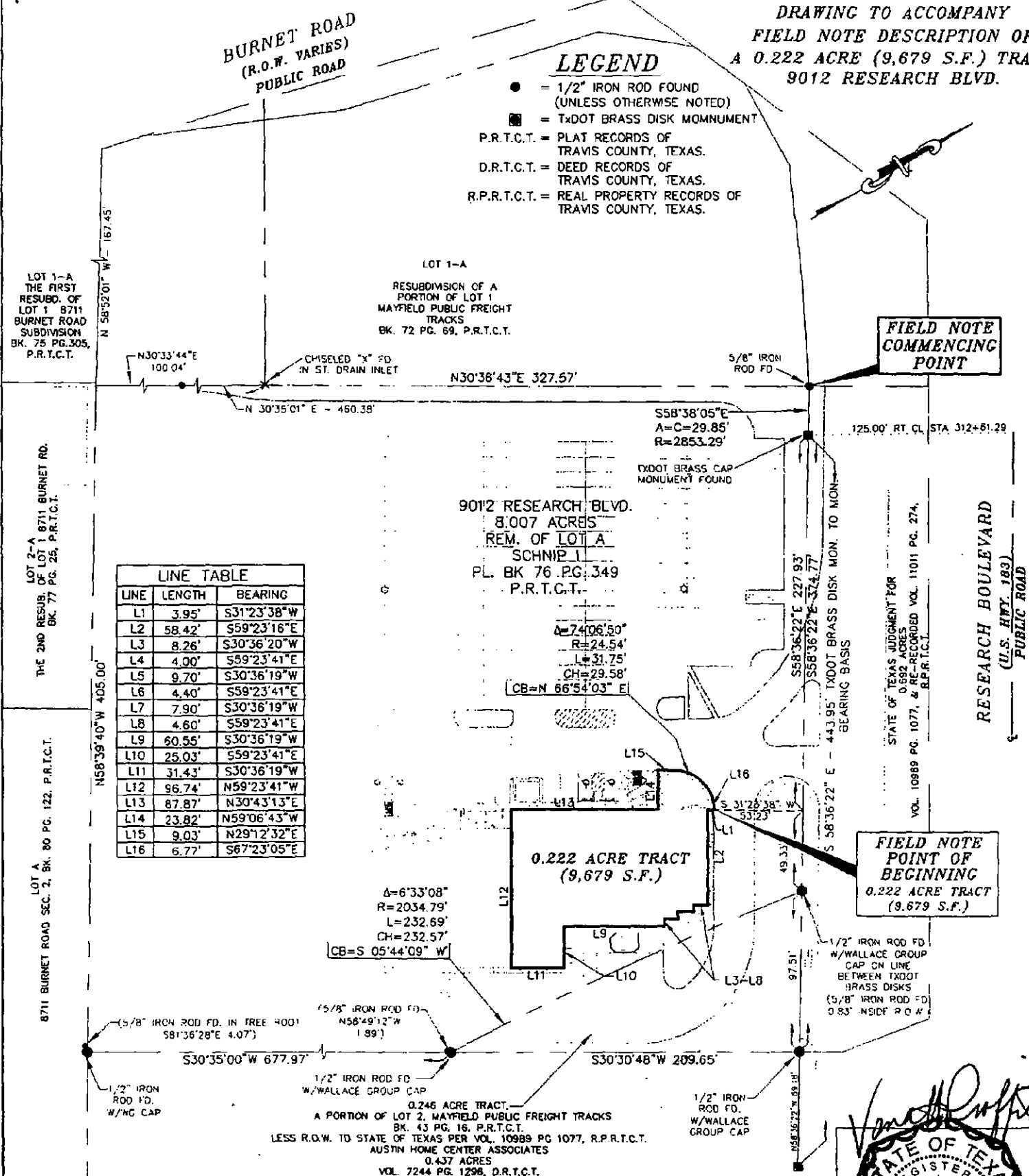
See attached map.  
Plat #A-RR4123  
17473FN01.doc

EXHIBIT "A"

DRAWING TO ACCOMPANY  
FIELD NOTE DESCRIPTION OF  
A 0.222 ACRE (9,679 S.F.) TRACT  
9012 RESEARCH BLVD.

LEGEND

- = 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- = TxDOT BRASS DISK MONUMENT
- P.R.T.C.T. = PLAT RECORDS OF TRAVIS COUNTY, TEXAS.
- D.R.T.C.T. = DEED RECORDS OF TRAVIS COUNTY, TEXAS.
- R.P.R.T.C.T. = REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.



LINE TABLE		
LINE	LENGTH	BEARING
L1	3.95'	S31°23'38"W
L2	58.42'	S59°23'16"E
L3	8.26'	S30°36'20"W
L4	4.00'	S59°23'41"E
L5	9.70'	S30°36'19"W
L6	4.40'	S59°23'41"E
L7	7.90'	S30°36'19"W
L8	4.60'	S59°23'41"E
L9	60.55'	S30°36'19"W
L10	25.03'	S59°23'41"E
L11	31.43'	S30°36'19"W
L12	96.74'	N59°23'41"W
L13	87.87'	N30°43'13"E
L14	23.82'	N59°06'43"W
L15	9.03'	N29°12'32"E
L16	6.77'	S67°23'05"E

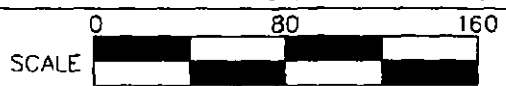
FIELD NOTE COMMENCING POINT

FIELD NOTE POINT OF BEGINNING  
0.222 ACRE TRACT  
(9,679 S.F.)



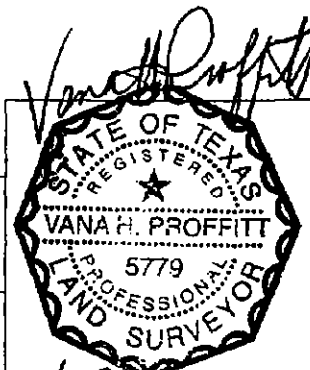
The Wallace Group, Inc.

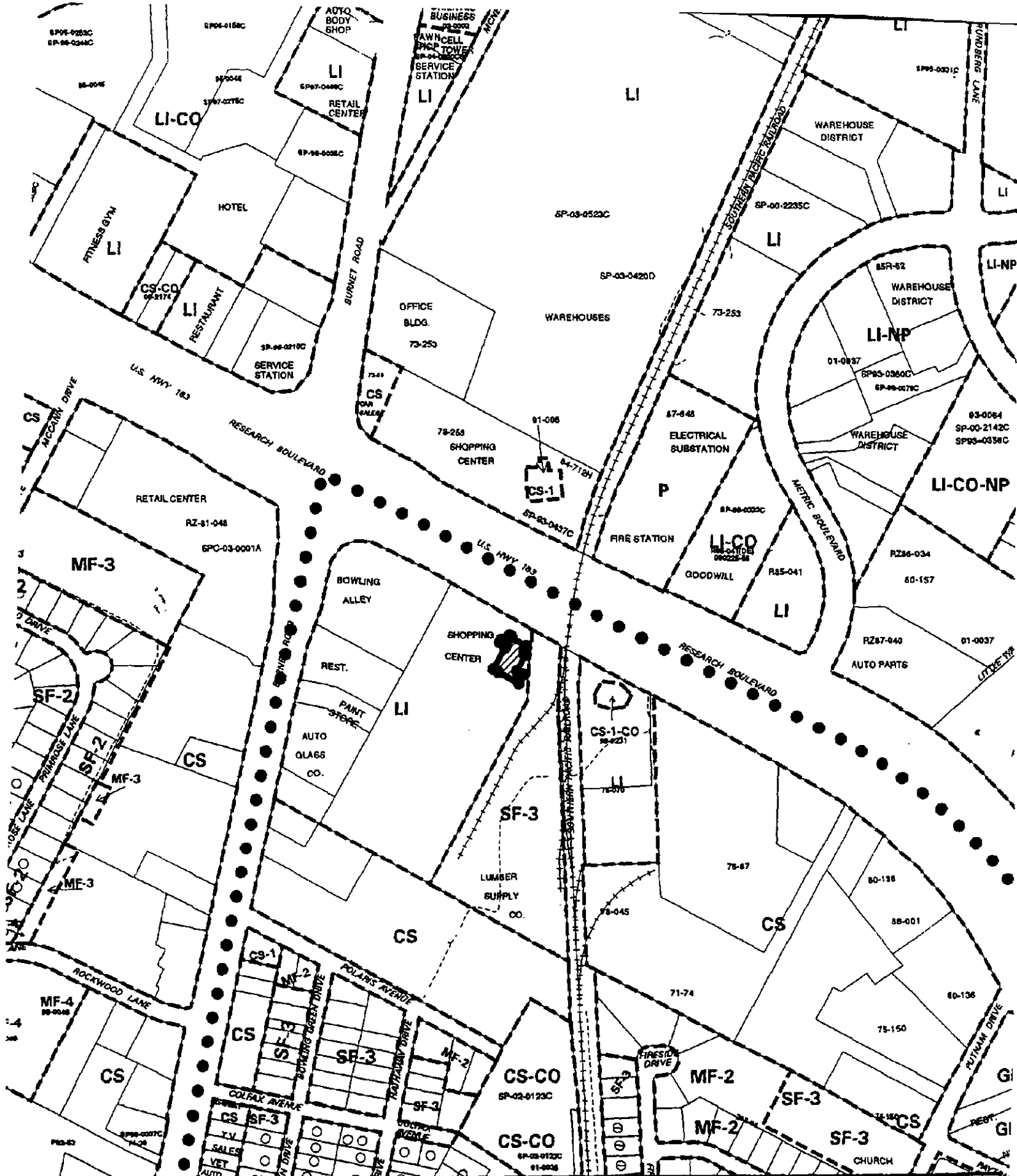
One Chisholm Trail, Suite 130, Round Rock, Texas 78681 (512) 248-0065  
Engineers ■ Architects ■ Planners ■ Surveyors  
Waco ■ Killeen ■ Austin ■ Dallas ■ Round Rock



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PLAT NO. A-RR4123 DRAFT DATE 06-07-04 DRAWN BY SRM/RKS  
WORK ORDER NO. 17473 FIELDBOOK/P.G. 725/16 TAB # A-4123  
DIGITAL FILE 17473EXH-ZONING.DWG F/N # 17473-FN01





	SUBJECT TRACT	ZONING EXHIBIT B		CITY GRID REFERENCE NUMBER K31
	PENDING CASE			
	ZONING BOUNDARY	CASE #: C14-04-0095	DATE: 04-06	
	CASE MGR: G. RHOADES	ADDRESS: 9012 RESEARCH BLVD	INTLS: SM	
SUBJECT AREA (acres): 0.022				