

ORDINANCE NO. 040930-Z-3

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 11301 SOUTH IH-35 AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT ONE, COMMERCIAL-LIQUOR SALES-CONDITIONAL OVERLAY (CS-1-CO) COMBINING DISTRICT FOR TRACT TWO, AND TOWNHOUSE AND CONDOMINIUM RESIDENCE (SF-6) DISTRICT FOR TRACT THREE.

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. C14-04-0074, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From interim rural residence (I-RR) district to community commercial-conditional overlay (GR-CO) combining district.

Lots 1 and 2, Block A, Onion Creek, Section 100 Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Document No. 200200221, of the Official Public Records of Travis County, Texas, SAVE AND EXCEPT the property described as Tract Two in this ordinance; and

Tract Two: From interim rural residence (I-RR) district to commercial-liquor sales-conditional overlay (CS-1-CO) combining district.

A 3,000 square foot tract of land, more or less, out of Lot 1, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Three: From interim rural residence (I-RR) district to townhouse and condominium residence (SF-6) district.

Lot 3, Block A, Onion Creek, Section 100 Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Document No. 200200221, of the Official Public Records of Travis County, Texas, (the "Property")

locally known as 11301 South IH-35, 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:

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

Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Commercial off-street parking	Communications services
Exterminating services	Funeral services
Hotel-motel	Indoor entertainment
Indoor sports and recreation	Off-site accessory parking
Outdoor entertainment	Outdoor sports and recreation
Pawn shop services	Plant nursery
Research services	Service station
Special use historic	Club or lodge
Communication service facilities	Community recreation (private)
Community recreation (public)	Congregate living
Counseling services	Cultural services
Day care services (commercial)	Day care services (limited)
Family home	Group home, Class I (general)
Group home, Class I (limited)	Group home, Class II
Guidance services	Hospital services (general)
Private secondary education facilities	Public primary educational facilities
Public secondary educational facilities	Residential treatment
Transportation terminal	

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

Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Commercial off-street parking	Communications services
Exterminating services	Funeral services
Hotel-motel	Indoor entertainment
Indoor sports and recreation	Off-site accessory parking
Outdoor entertainment	Outdoor sports and recreation
Pawn shop services	Plant nursery
Research services	Service station

Special use historic
Communication service facilities
Community recreation (public)
Counseling services
Day care services (commercial)
Family home
Group home, Class I (limited)
Guidance services
Private secondary education facilities
Public secondary educational facilities
Transportation terminal
Building maintenance services
Commercial blood plasma center
Convenience storage
Electronic prototype assembly
Equipment sales
Laundry services
Limited warehousing and distribution
Transitional housing

Club or lodge
Community recreation (private)
Congregate living
Cultural services
Day care services (limited)
Group home, Class I (general)
Group home, Class II
Hospital services (general)
Public primary educational facilities
Residential treatment
Agricultural sales and services
Campground
Construction sales and services
Drop-off recycling collection facility
Equipment repair services
Kennels
Vehicle storage
Maintenance and service facilities

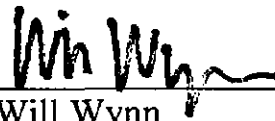
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on October 11, 2004.

PASSED AND APPROVED

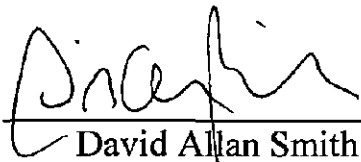
_____, September 30, 2004

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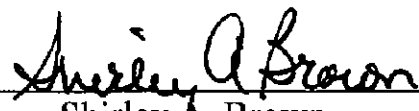
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Brown
City Clerk

3,000 Sq. Ft.
CS - Zoning Description
Lot 1, Onion Creek, Section 100

PD04-004 (SCO)

May 5, 2004

JOB NO. 050594.001.1.0010

EXHIBIT A
PROPERTY DESCRIPTION

C14-04-0074
TRACT 2
25-1-00 ZONING

BEING 3,000 SQUARE FEET OUT OF THE SANTIAGO DEL VALLE GRANT, TRAVIS COUNTY, TEXAS. SAID 3,000 SQUARE FEET BEING A PORTION OF LOT 1, BLOCK A OF ONION CREEK, SECTION 100, A SUBDIVISION, RECORDED IN DOCUMENT NUMBER 200200221, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS. SAID 3,000 SQUARE FEET AS SHOWN ON ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a point for the northeast corner of the herein described tract, from which an iron rod found for the northeast corner of said Lot 1 bears, N 29°21'28" E, a distance of 411.39 feet and an iron rod found for the southeast corner of said Lot 1 bears, S 21°19'04" E, a distance of 309.59 feet;

THENCE, over and across said Lot 1 the following seven (7) courses:

1. S 16°32'16" W, a distance of 17.48 feet;
2. S 30°18'26" E, a distance of 3.10 feet;
3. S 59°41'34" W, a distance of 60.00 feet;
4. N 30°18'26" W, a distance of 20.46 feet;
5. N 06°51'43" W, a distance of 41.05 feet;
6. N 16°32'16" E, a distance of 11.71 feet;
7. S 73°27'44" E, a distance of 70.00 feet to the **POINT OF BEGINNING** and containing 3,000 Square Feet;

BASIS OF BEARINGS: Bearing Basis based on G.P.S. observations in the Texas State Plane Coordinate System, Texas Central Zone, (N.A.D. 83).

THE STATE OF TEXAS

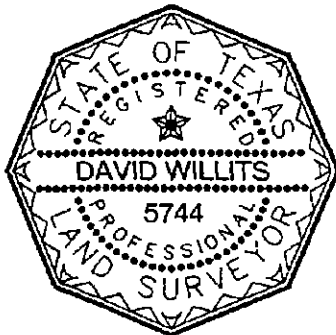
KNOW ALL MEN BY THESE PRESENTS:

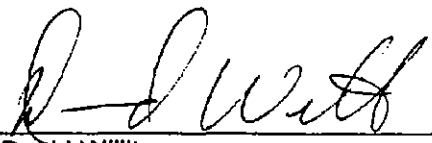
COUNTY OF TRAVIS

That I, David Willits, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein is based upon public record.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 5th day of May, 2004 A.D.

Carter & Burgess, Inc.
2705 Bee Cave Road, Suite 300
Austin, Texas 78746




David Willits
Registered Professional Land Surveyor
No. 5744 - State of Texas

SANTIAGO DEL VALLE GRANT

LOT 2, BLOCK A
0.9696 ACRES

LOT 1, BLOCK A
4.0873 ACRES

ONION CREEK
SECTION 100
DOC. 200200221
O.P.R.T.C.T.

LOT 3, BLOCK A
4.5967 ACRES

INTERSTATE HIGHWAY 35
(R-O-W VARIES)

N16°32'16"E
11.71

N06°51'43"W
41.05

N30°18'26"W
20.46

S73°27'44"E
70.00

3,000
Sq. Ft.

S59°41'34"W
60.00

P.O.B.

S16°32'16"W
17.48

S30°18'26"E
3.10

S21°19'04"E
309.59

N07°50'42"E 653.12
(N10°22'59"E 653.07)

15' WATERLINE EASEMENT
VOL. 4860, PG. 167
D.R.T.C.T.

ONION CREEK PARKWAY
(120' R-O-W)



SCALE : 1" = 100'
MAY, 2004
TRAVIS COUNTY, TEXAS

LEGEND

- IRON ROD FOUND
- () RECORD CALL
- P.O.B. POINT OF BEGINNING
- D.R.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

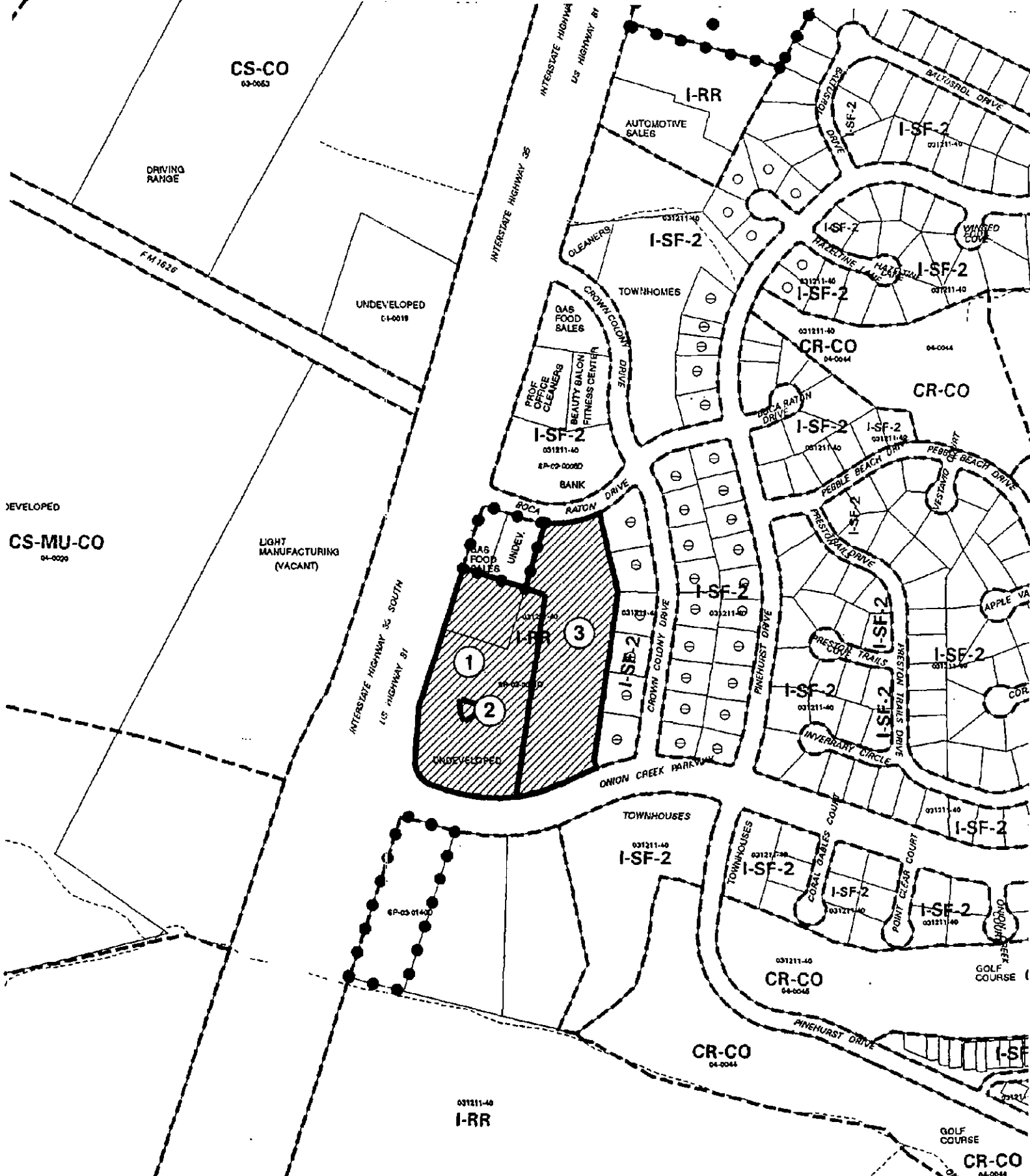
Bearing Basis based on G.P.S. observations
in the Texas State Plane Coordinate System,
Texas Central Zone, (N.A.D. 83).


SKETCH to ACCOMPANY DESCRIPTION No. PD04-004

Carter & Burgess
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Engineering, Architecture,
Construction Management,
and Related Services

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www.c-b.com

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 1" = 400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: W. WALSH	<div data-bbox="917 1840 1299 1883">ZONING EXHIBIT B</div> <div data-bbox="568 1893 893 1936">CASE #: C14-04-0074</div> <div data-bbox="568 1936 828 1979">ADDRESS: 11301 S I 35</div> <div data-bbox="568 1979 893 2021">SUBJECT AREA (acres): 9.654</div> <div data-bbox="1071 1925 1218 1968">DATE: 04-08</div> <div data-bbox="1071 1979 1201 2021">INTLS: SM</div>	CITY GRID REFERENCE NUMBER F11
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