

ORDINANCE NO. 041021-Z-11

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 9600 SOUTH IH-35 SERVICE ROAD SOUTHBOUND FROM LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT AND COMMERCIAL-LIQUOR SALES-CONDITIONAL OVERLAY (CS-1-CO) COMBINING 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 limited office-conditional overlay (LO-CO) combining district and commercial-liquor sales-conditional overlay (CS-1-CO) combining district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-04-0075, on file at the Neighborhood Planning and Zoning Department, as follows:

A 59.925 acre tract of land, more or less, out of the Santiago Del Valle Grant and the S.F. Slaughter League 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 9600 South IH-35 Service Road Southbound, 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

Exterminating service

Residential treatment

Bail bond services

Pawn shop services

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 November 1, 2004.

PASSED AND APPROVED

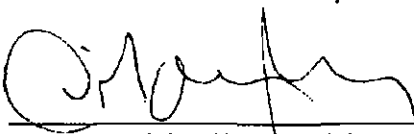
October 21, 2004

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Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Brown
City Clerk

Abel J. and Mary Ann Theriot
Family Limited Partnership
S.F. Slaughter League Survey No. 1 and
The Santiago del Valle Grant
Travis County, Texas

DESCRIPTION

DESCRIPTION OF 59.925 ACRES OF LAND SITUATED IN THE S. F. SLAUGHTER LEAGUE SURVEY NO. 1 AND THE SANTIAGO DEL VALLE GRANT, IN TRAVIS COUNTY, TEXAS, BEING A PART OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO ABEL J. AND MARY ANN THERIOT FAMILY LIMITED PARTNERSHIP OF RECORD IN DOCUMENT NUMBER 1999055181 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS; SAID 59.925 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 3/4 inch iron pipe found the west right-of-way of Interstate Highway No. 35 (IH 35) (R. O. W. varies) for the northeast corner of that certain tract of land described in deed to Eldon Wayne Janssen and Dawn Janssen of record in Volume 12702, Page 1549 of the Real Property Records of Travis County, Texas, the most easterly southeast corner of said Theriot tract, and the most easterly southeast corner of the herein described tract, from which a 5/8 inch iron rod found in said west right-of-way of said IH 35 at Texas Department of Transportation (TxDOT) Station 1300+00, bears with the arc of a curve to the left a distance of 114.48 feet, having a radius of 11631.71 feet, and a chord which bears S13°13'58"W a distance of 114.48 feet,

THENCE with the north line of said Janssen tract, the most easterly south line of said Theriot tract, and the most easterly south line of the herein described tract, N69°18'03"W a distance of 538.86 feet to a steel spike with aluminum washer set for the northwest corner of said Janssen tract and an interior ell corner of the herein described tract;

THENCE with the west line of said Janssen tract, the most southerly east line of said Theriot tract, and the most southerly east line of the herein described tract, S22°57'41"W a distance of 399.75 feet to a 1/2 inch iron rod found in the north line of that certain tract of land described in deed to Edwin Tabb Harrell of record in Volume 13125, Page 203 of the Real Property Records of Travis County, Texas, for the southwest corner of said Janssen tract, the most southerly southeast corner of said Theriot tract, and the most southerly southeast corner of there herein described tract, from which a 5/8 inch iron rod found in the west right-of-way of said IH 35 for

the southeast corner of said Janssen tract and the northeast corner of said Harrell tract, bears S65°02'26"E a distance of 617.36 feet;

THENCE with the north line of said Harrell tract, the south line of said Theriot tract, and the south line of the herein described tract, N65°11'44"W a distance of 1405.15 feet to a 1/2 inch iron rod with plastic cap set for the southwest corner of the herein described tract, from which a 1/2 inch iron rod found in the east right-of-way of South First Street (80 foot R.O.W.) for the southwest corner of said Theriot tract and the northwest corner of said Harrell tract bears, N65°11'44"W a distance of 1443.78 feet;

THENCE over and across said Theriot tract, with the west line of the herein described tract, N24°19'48"E a distance of 1562.46 feet to a 3/4 inch iron pipe found in the north line of said Theriot tract, for the southwest corner of Lot 16 of the TOM F. DUNNAHOO SUBDIVISION according to the map or plat thereof recorded in Volume 683, Page 1 of the Deed Records of Travis County, Texas, same being that certain tract of land described in deed to T. P. Wingo and Arlene Wingo, Trustees, of record in Volume 13006, Page 203 of the Real Property Records of Travis County, Texas, and for the northwest corner of the herein described tract;

THENCE with the south line of Lot 16 of said TOM F. DUNNAHOO SUBDIVISION, the south line of said Wingo tract, the north line of said Theriot tract, and the north line of the herein described tract, S61°59'27"E a distance of 879.40 feet to a 3/4 inch iron pipe found at the intersection of the west right-of-way of Cullen Road (60 foot R.O.W.) and the south right-of-way of Turk Lane (60 foot R.O.W.), for the southeast corner of Lot 16 of said TOM F. DUNNAHOO SUBDIVISION and the southeast corner of said Wingo Tract, from which a 1/2 inch iron rod found in the west right-of-way of said Cullen Road for the northeast corner of Lot 12 and the southeast corner of Lot 10 of said TOM F. DUNNAHOO SUBDIVISION and the northeast corner of said Wingo tract, bears N07°48'45"E a distance of 991.49 feet;

THENCE with the south right-of-way of said Turk Lane, the north line of said Theriot tract, and the north line of the herein described tract, S62°09'45"E passing at a distance of 907.39 feet a 3/8 inch iron rod found, in all a distance of 908.25 feet to a point in the west right-of-way of said IH 35, for the northeast corner of said Theriot tract and the northeast corner of the herein described tract;

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S.F. Slaughter League Survey No. 1 and
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THENCE with the east line of said Theriot tract, the east line of the herein described tract, same being the curving west right-of-way of said IH 35, said curve to the left having a radius of 11631.71 feet, an arc length of 1039.44 feet, the chord of which bears S16°04'29"W a distance of 1039.10 feet to the POINT OF BEGINNING, containing 59.925 ACRES of land, more or less, within these metes and bounds.

Reference is herein made to the Land Title Survey accompanying this metes and bounds description.

Bearing Reference: Grid North, Texas State Plane coordinate system NAD83 (CORS) Central Zone.

I hereby certify that this description was prepared from the results of a survey made on the ground under my supervision.

CUNNINGHAM-ALLEN, INC.



Gregory Schmidt,
Registered Professional Land Surveyor No. 4487

Date: 2/20/04



SKETCH T ACCOMPANY FIELD NOTES

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CH-BEARING
C1	1039.44	11631.71	5°07'12"	520.07	1039.10	S16°04'29"W
C2	114.48	11631.71	0°33'50"	57.24	114.48	S13°13'58"W

T.P. WINGO &
ARLENE WINGO, TRUSTEES
VOL. 13006, PG. 203
R.P.R.T.C.

LOT 16

TOM F. DUNNAHOO SUBDIVISION
VOL. 683, PG. 1 D.R.T.C.

SLAUGHTER/H35 COMMERCIAL
DOC. NO. 200300314
O.P.R.T.C.

LOT 7

LOT 6

SCALE 1" = 300'

ABEL J. AND MARY ANN THERIOT
FAMILY LIMITED PARTNERSHIP
DOCUMENT NO. 1999055181 O.P.R.T.C.

N24°19'48"E
1562.46'

S61°59'27"E 879.40'

TURK LANE (60' R.O.W.)

S62°09'45"E 908.25'

59.925 ACRES

ABEL J. AND MARY ANN THERIOT
FAMILY LIMITED PARTNERSHIP
DOCUMENT NO. 1999055181
O.P.R.T.C.

S.F. SLAUGHTER LEAGUE NO. 1
APPROXIMATE SURVEY LINE

SANTIAGO DEL VALLE GRANT

INTERSTATE HIGHWAY 35 (R.O.W. VARIES)

P.O.B.

N69°18'03"W
538.86'

ELDON W. JANSSEN &
DAWN JANSSEN
VOL. 12702, PG. 1549
R.P.R.T.C.

S22°57'41"W
399.75'

S65°02'26"E
617.36'

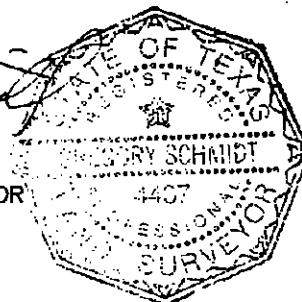
N65°11'44"W
1405.15'

N65°11'44"W
1443.78'

EDWIN TABB HARRELL
VOL. 13125, PG. 203 R.P.R.T.C.

SURVEYED BY:

GREGORY SCHMIDT
REG. PROF. LAND SURVEYOR
NO. 4437
DATE: 2/20/04



CA

Cunningham | Allen

Engineers • Surveyors

3103 Bee Cave Road, Suite 202

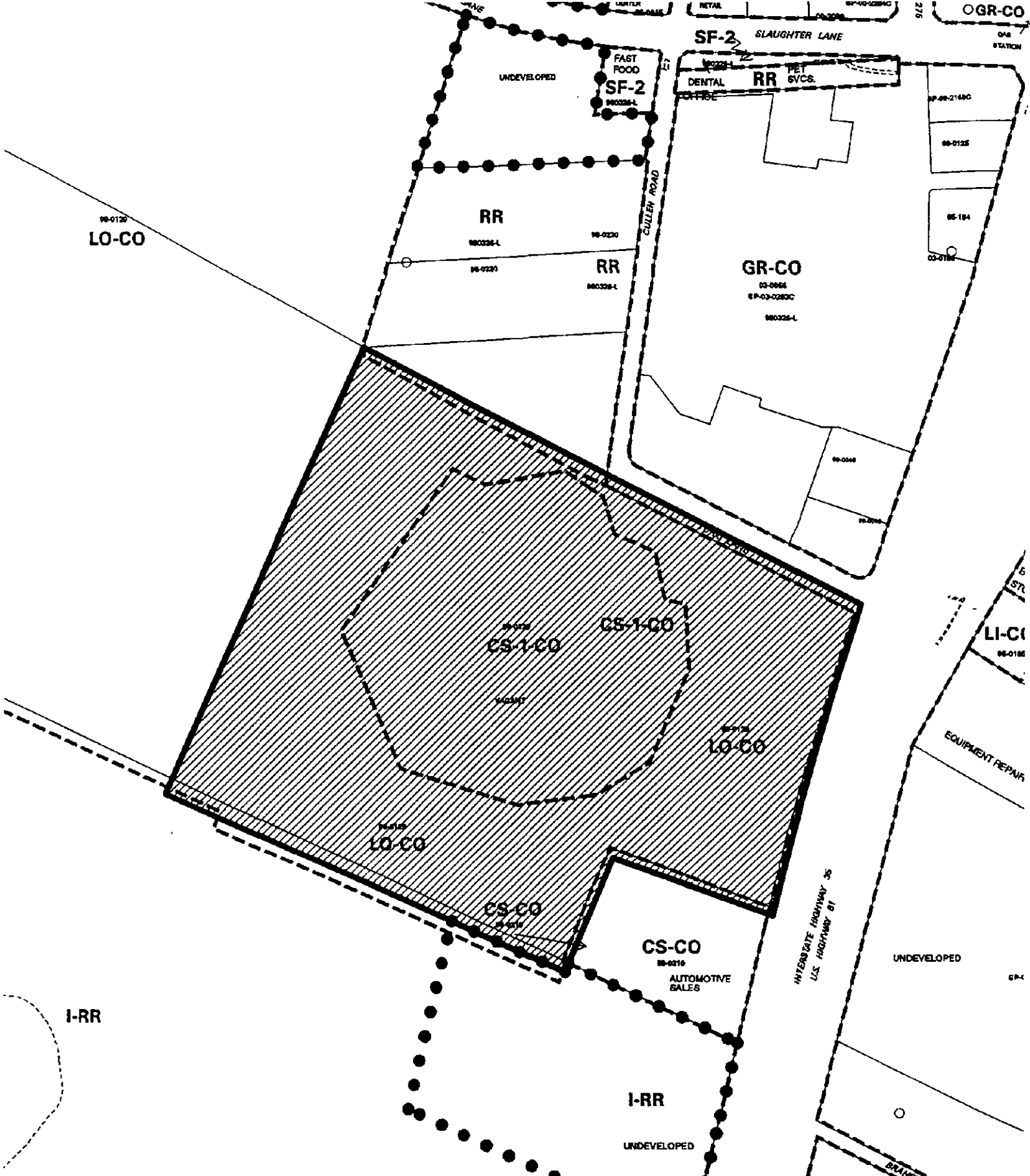
Austin, Texas 78746-6819





Tel.: (512) 327-2946

Fax: (512) 327-2973

LEGEND

- 1/2" IRON ROD FOUND (UNLESS STATED)
- ⊙ IRON PIPE FOUND (SIZE AS STATED)
- 1/2" IRON ROD W/CAP SET (UNLESS STATED)
- △ STEEL SPIKE WITH ALUMINUM WASHER SET
- CONCRETE HWY. MONUMENT FOUND (TYPE I)
- R.P.R.T.C. REAL PROPERTY RECORDS OF TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
- P.O.B. POINT OF BEGINNING



 1" = 400'	SUBJECT TRACT 	ZONING <i>EXHIBIT B</i>		CITY GRID REFERENCE NUMBER F13 G13
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-04-0075	DATE: 04-08	
	CASE MGR: W. WALSH	ADDRESS: 9600 S I 35 SVC RD SB SUBJECT AREA (acres): 60	INTLS: SM	