

ORDINANCE NO. 041216-Z-2

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 403-413 BASTROP HIGHWAY AND CHANGING THE ZONING MAP FROM INTERIM SINGLE FAMILY RESIDENCE STANDARD LOT (I-SF-2) DISTRICT, GENERAL COMMERCIAL SERVICES (CS) DISTRICT AND RURAL RESIDENCE (RR) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-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, general commercial services (CS) district and rural residence (RR) district to general commercial services-conditional overlay (CS-CO) combining district on the property described in Zoning Case No.C14-04-0175, on file at the Neighborhood Planning and Zoning Department, as follows:

Two tracts of land consisting of a 1.870 acre tract, more or less, and a 0.440 acre tract, both out of the Santiago del Valle Grant, Travis, the tracts of land being more particularly described by metes and bounds in Exhibits "A" and "B", incorporated into this ordinance, (the "Property")

locally known as 403-413 Bastrop Highway, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

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.

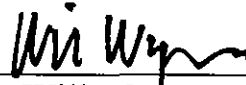
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on December 27, 2004.

PASSED AND APPROVED

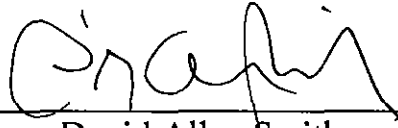
December 16, 2004

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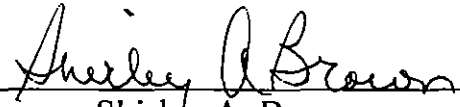
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Brown
City Clerk

FIELD NOTES
1.870 ACRE TRACT

Tract 4, 1

Copy 2
CH-04-0175
CS-CO district zoning

Being 1.870 acres of land out of the Santiago Del Valle Grant, Travis County, Texas, and being that certain tract of land conveyed to O. L. Golden by deed recorded in Volume 7802, Page 164, save and except an 0.5408 acre tract conveyed to the State of Texas, of record in Volume 2402, Page 297 of the Travis County, Texas, Deed Records, and being described in the following Metes and Bounds:

BEGINNING at an iron pin found in the curving East line of U. S. 183, said point being the southwest corner of said Golden Tract, and the northwest corner of a 6.06 acre tract of land conveyed to Capitol Feed and Milling Co., Inc., recorded in Volume 1741, Page 435 of the Travis County, Texas Deed Records;

THENCE along the curving East line of U. S. 183 and a curve to the left, an arc distance of 227.90 feet to an iron pin set for the northwest corner of herein described 1.870 acre tract, and the southwest corner of a tract of land conveyed to Fred D. Pryor, recorded in Volume 2865, Page 496 of the Travis County, Texas Deed Records, said curve having the following elements, Radius 11,514.20, chord bears N 26° 06' 15" W, 227.89 feet;

THENCE N 36° 38' 00" E, a distance of 335.06 feet to an iron pin set in a fence line, for the northwest corner of herein described 1.870 acre tract, and the northeast corner of said Pryor Tract, and from said point a 60 D nail found in a fence corner for the northwest corner of said Pryor Tract bears N 56° 36' 00" W, 60.10 feet;

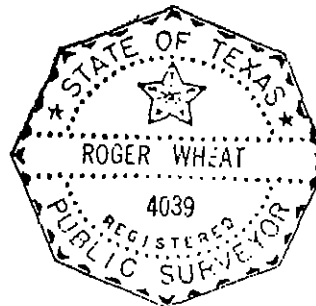
THENCE S 56° 36' 00" E, a distance of 211.44 feet to an iron pin set at a fence corner for the northeast corner of herein described 1.870 acre tract, said point also being in the West line of a 6.06 acre tract conveyed to Capitol Feed and Milling Co., Inc., of record in Volume 1741, Page 435 of the Travis County, Texas Deed Records;

THENCE S 37° 43' 00" W, a distance of 451.46 feet to the Point of Beginning containing 1.870 acres more or less.

I hereby certify that the above is true and correct to the best of my belief and knowledge, and is based on an actual survey on the ground.

30 AUGUST 1982
DATE

Roger Wheat
ROGER WHEAT
REGISTERED PUBLIC SURVEYOR NO. 4039



A

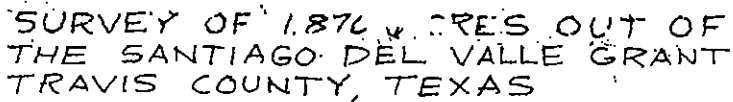
Ray Burkland

AUSTIN

stansberry engineering Job #1-82-94

TEXAS

SCALE 1"=100'



A circular seal for a surveyor in the State of Texas. The outer ring contains the text "STATE OF TEXAS" at the top and "REGISTERED PUBLIC SURVEYOR" at the bottom, separated by small stars. In the center, there is a five-pointed star above the name "ROGER WH. AT". Below the name is the number "4039".

June 8, 1988

Chris V. Connell
Registered Public Surveyor No. 4058

FIELD NOTES

CH-04-0175
CS-CO district zoning

Being 0.440 acres of land out of the Santiago Del Valle Grant, Travis County, Texas and being that same tract described in Volume 2865, Page 496 and further described in Volume 10649, Page 197, both of the Deed Records of Travis County, Texas and further being described as follows:

BEGINNING AT A POINT for the south corner of this tract, being a found $\frac{1}{2}$ " rebar at a point for the west corner that certain Ray Burklund tract described in Volume 7992, Page 407 and Volume 7993, Page 140, both of the Deed Records of Travis County, Texas, said rebar also being in the northeast line of Bastrop Highway (U. S. Highway 183);

THENCE, with said northeast line of Bastrop Highway, N56°50'17"W, a distance of 67.06 feet to a found $\frac{1}{2}$ " rebar at a fence corner for the west corner of this tract and a south corner of that certain David E. Willhoite tract described in Volume 6823, Page 787 of the Deed Records of Travis County, Texas;

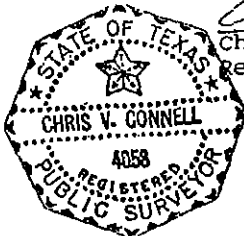
THENCE, with the southeast line of said Willhoite tract, N36°38'00"E, a distance of 301.72 feet to a set $\frac{1}{2}$ " rebar at a fence corner for the the north corner of this tract and a re-entrant corner of said Willhoite tract;

THENCE, with a southwest line of said Willhoite tract, S56°36'00"E, a distance of 60.10 feet to a found $\frac{1}{2}$ " rebar at a point for the east corner of this tract and the north corner of said Burklund tract;

THENCE, with the northwest line of said Burklund tract, S36°38'00"W, a distance of 335.06 feet to the TRUE PLACE OF BEGINNING.

Containing 0.440 acres of land, more or less.

Based on a survey performed on the ground under my supervision during the months of February and June, 1988.



Chris V. Connell
Chris V. Connell
Registered Public Surveyor No. 4058

B

COUNTY, TEXAS PLAT RECORDS,

* 0.440 acres out of
Santiago Del Valle Grant
(2865/496 & 10699/197)
Travis County, Texas
(Field Notes incl.)

David E.
Willhoite
(6823/787)

556°36'00"E

60.10'

301.72'

335.06'

0.440
Acres

Roy Burklund
(7992/407 & 7993/140)

N 36°38'00"E

S 36°38'00"W

67.86'

N 56°50'17"W

BA ST ROP HIGHWAY
(U.S. HWY. 183)

LEGEND

RECORD PER PLAT N.M., G.M., E.M., WATER METER (GAS-ELEC.)
CHAIN LINE FENCE ---E---E--- OVERHEAD ELEC LINE
WOOD FENCE CHS--- CONCRETE

POWER POLE
1" REBAR SET
1" REBAR FOUND

DATE(S) ISSUED

6-8-88

OF TEXAS

TO THE LIEN HOLDERS AND/OR THE OWNERS OF THE PREMISES SURVEYED AND TO

Y OF 7 TRAVIS

LAWYERS

Title Company

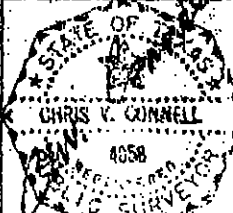
UNDERSIGNED DOES HEREBY CERTIFY THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND IS
T, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING
IMPROVEMENTS, VISIBLE UTILITY LINES OR GRADES IN PLACE, EXCEPT AS SHOWN, AND SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED
LY, EXCEPT AS SHOWN.

DATED THIS THE 8th DAY OF June

1988

NOTE: I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREON (IS NOT) WITHIN A FLOOD HAZARD AS IDENTIFIED BY THE FED.
N.M. C.E.P. OF HMD, ON COMMUNITY PANEL OF THE F.I.R.M. 480624 00308 9-2-81

Scale
1"=50'



CONNELL SURVEYS ☆ AUSTIN, TEXAS (512) 990-1116

