

ORDINANCE NO. 20060202-Z001

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT DECKER LANE AT LOYOLA LANE FROM COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT TO COMMERCIAL-LIQUOR SALES-CONDITIONAL OVERLAY (CS-1-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 community commercial-conditional overlay (GR-CO) combining district to commercial-liquor sales-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-05-0153, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.266 acre (11,570 square feet) tract of land, more or less, out of the Phillip McElroy League, Abstract No. 16, Survey No. 18, 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 Decker Lane at Loyola Lane, 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. Pawn shop services use is a prohibited use of the Property.
2. 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 commercial-liquor sales (CS-1) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on February 13, 2006.

PASSED AND APPROVED

February 2, 2006

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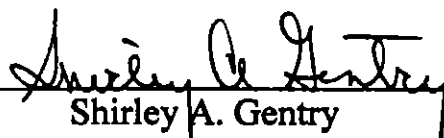
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

EXHIBIT "A"

August 28, 2005
A.M. Petroleum, Inc.
Job No. 00-156-clb

METES AND BOUNDS DESCRIPTION

BEING 0.266 ACRES (11570 Sq. Ft.) OF LAND OUT OF THE PHILLIP McELROY LEAGUE, ABSTRACT No. 16, SURVEY NO. 18, SITUATED IN TRAVIS COUNTY, TEXAS; SAME BEING A PORTION OF THAT CERTAIN REMAINDER 8.764 ACRE TRACT OF LAND DESCRIBED BY DEED TO A.M. PETROLEUM, INC., RECORDED AS DOC. No. 2001012242 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.266 ACRES (11570 Sq. Ft.) ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch Iron rod found on the southeasterly right of way line of Decker Lane (120' ROW) at the most westerly common corner of said remainder 8.764 acre tract and that certain 31.666 acre tract described by deed to Pete Serebrenik by deed recorded in Volume 13301 at Page 3634 of the Real Property Records of Travis County, Texas, ;

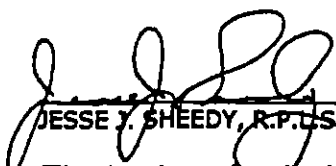
THENCE along the common line of said 8.764 acre tract and said 31.666 acre tract, S 62°01'00" E, 447.71 feet;

THENCE, into and across the interior of said 8.764 acre tract, N 27°59'00"E, 97.53 feet to the POINT OF BEGINNING of this description and the most southerly corner hereof;

THENCE generally northwesterly, northeasterly, southeasterly and southwesterly through the interior of said 8.764 acre tract, the following four (4) courses:

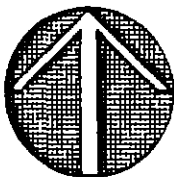
1. N 37°08'45" W, 65.00 feet to the most westerly corner hereof;
2. N 52°51'15" E, 178.00 feet to the most northerly corner hereof;
3. S 37°08'45" E, 65.00 feet to the most easterly corner hereof;
4. S 52°51'15" W, 178.00 feet to the POINT OF BEGINNING for the end of this description which contains 0.266 acres (11570 Sq. Ft.) of land, more or less, as shown on the sketch attached hereto and made a part thereof by this reference.

I HEREBY CERTIFY THAT THIS METES AND BOUNDS DESCRIPTION WAS PRE-PARED FROM A SURVEY PERFORMED ON THE GROUND UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.


JESSE J. SHEEDY, R.P.L.S. #5600



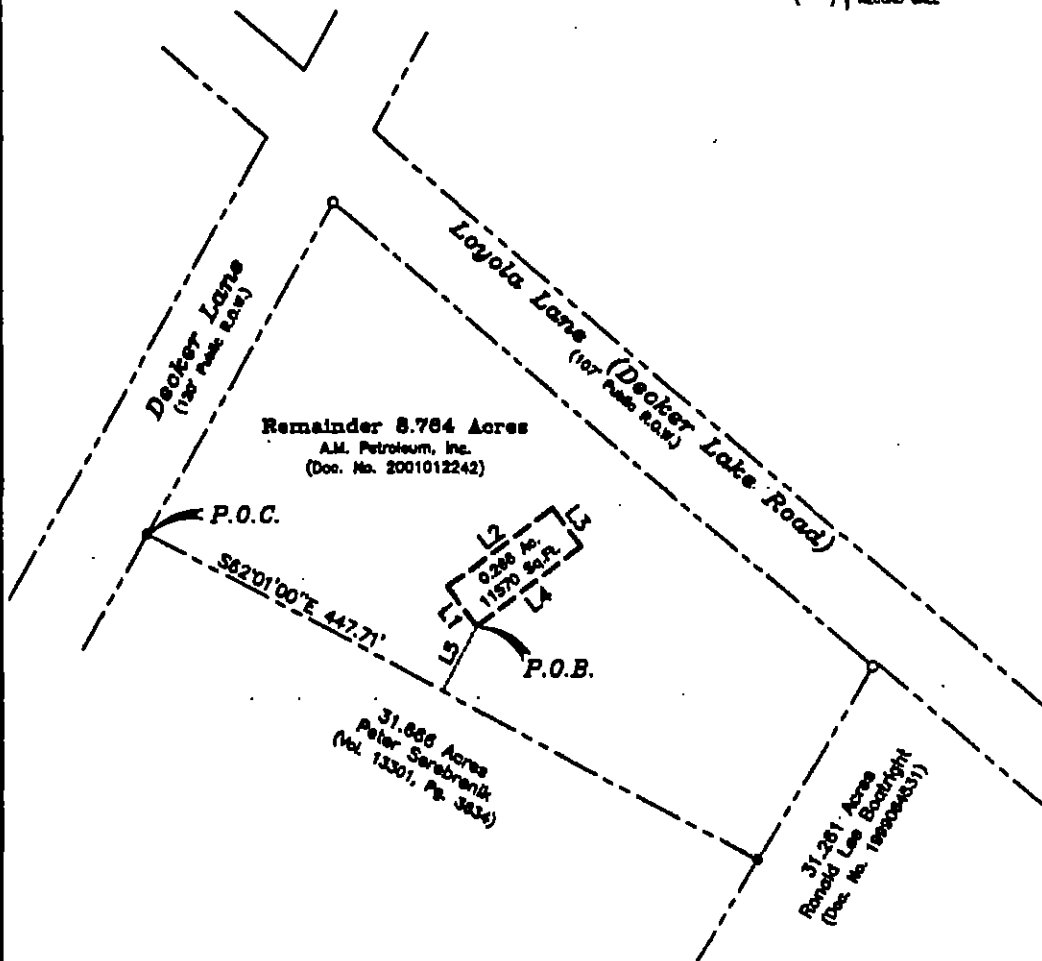
(The bearings described herein are referenced to the deed recorded as Doc. No. 1999108816 of the Official Public Records of Travis County, Texas.)



SCALE: 1"=200'

LEGEND

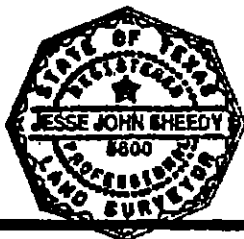
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|------------------------------|------------------|
| C.M. | CONTROL MONUMENT |
| IRON ROD FOUND | |
| 1/2" IRON ROD w/ PLASTIC CAP | |
| STAMPED McANGUS SURVEY FOUND | |
| CONCRETE MONUMENT FOUND | |
| PIPE FOUND | |
| RAIL FOUND | |
| WOOD FENCE | |
| WIRE FENCE | |
| CHAIN LINK FENCE | |
| PUBLIC UTILITY EMBT | |
| DRAINAGE EMBT | |
| BUILDING LINE | |
| POWER POLE | |
| OVERHEAD ELEC LINE | |
| GUY ANCHOR | |
| RECORD CALL | |



LINE TABLE

| NUMBER | DIRECTION | DISTANCE |
|--------|-------------|----------|
| L1 | N37°08'45"W | 65.00' |
| L2 | N52°31'18"E | 178.00' |
| L3 | S37°08'45"E | 65.00' |
| L4 | S52°31'18"W | 178.00' |
| L5 | N27°39'00"E | 97.53' |

I HEREBY CERTIFY THAT THIS MAP OR PLAT WAS PREPARED FROM A SURVEY PERFORMED ON THE GROUND UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



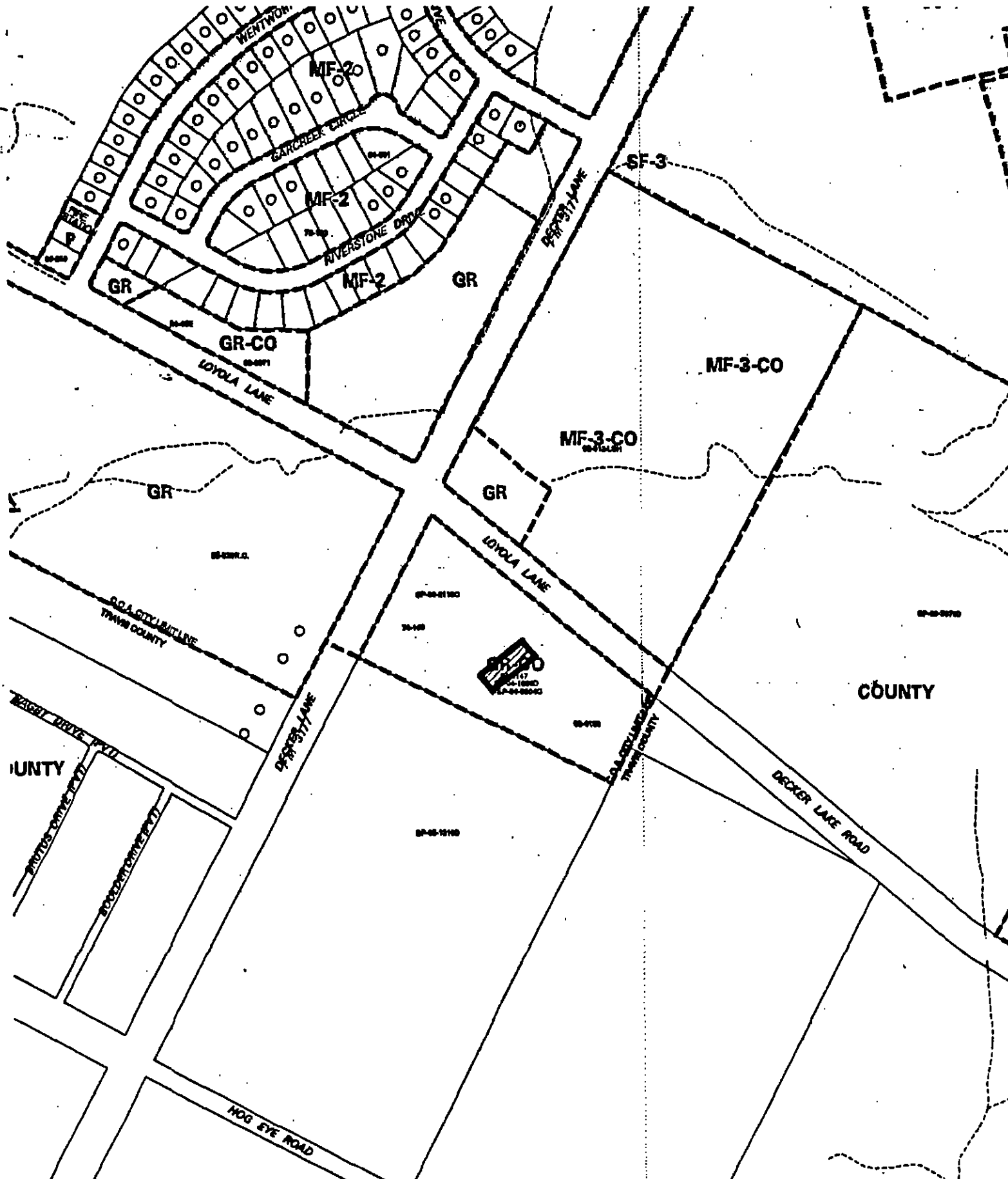
Jesse J. Sheedy 08/28/65
 JESSE J. SHEEDY, R.P.L.S. No. 5600 DATE

McAngus Surveying
 Company, Inc.

1101 HWY. 360 SOUTH, H-100
 AUSTIN, TEXAS 78748
 (512) 328-9302

SKETCH TO ACCOMPANY EXHIBIT 'A'

LEGAL DESCRIPTION 0.266 ACRES (11570 sq. ft.) OUT OF THE
 PHILLIP McELROY LEAGUE, ABSTRACT No. 16, SURVEY No. 18
 AND BEING A PORTION OF A 8.784 DESCRIBED BY DEED RECORDED
 AS Doc. #2001012242 OFFICIAL PUBLIC RECORDS TRAVIS COUNTY TEXAS
 JOB NO. 00-158-cib FIELD BOOK 346/36



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| | <p>SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: R. HEIL</p> | <p>ZONING <i>EXHIBIT B</i></p> <p>CASE #: C14-05-0153 ADDRESS: DECKER LN AT LOYOLA LN SUBJECT AREA (acres): 0.266</p> <p>DATE: 05-09 INTLS: SM</p> | <p>CITY GRID REFERENCE NUMBER P24</p> |
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