

**ORDINANCE NO. 20060727-139**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 9577 U.S. HIGHWAY 290 EAST FROM DEVELOPMENT RESERVE (DR) 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 development reserve (DR) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-06-0105, on file at the Neighborhood Planning and Zoning Department, as follows:

A 1.06 acre tract of land, more or less, out of the Lucas Munos Survey No. 55, 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 9577 U.S. Highway 290 East, 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. 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. Pawn shop services use and exterminating services use are prohibited uses 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 community commercial (GR) base district and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on August 7, 2006.

**PASSED AND APPROVED**

\_\_\_\_\_, 2006      §  
   §  
   §  
   \_\_\_\_\_  
   Will Wynn  
   Mayor

**APPROVED:** \_\_\_\_\_  
                                 David Allan Smith  
                                 City Attorney

**ATTEST:** \_\_\_\_\_  
                                 Shirley A. Gentry  
                                 City Clerk

EXHIBIT "A"  
LEGAL DESCRIPTION

FIELD NOTES DESCRIBING 1.06 ACRES OF LAND, IN THE CITY OF AUSTIN, OUT OF THE LUCAS MUNOS SURVEY NUMBER 55, TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THAT CERTAIN 2.025 ACRE TRACT DESCRIBED BY INSTRUMENT RECORDED IN DOCUMENT NUMBER 2002020809, OFFICIAL PUBLIC RECORDS, SAID COUNTY, SAID 1.06 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found in the southerly right-of-way line of U S Highway Number 290, at the northeast corner of that certain Raschke 6.121 acre tract described by instrument recorded in Document Number 201208325, Official Public Records, said county, same being the northwest corner of said 2.025 acre tract, for the northwest corner hereof;

THENCE along said right-of-way line and the northerly line of said 2.025 acre tract, the following 3 courses


1. North 87 degrees 42 minutes 01 seconds East, 136.02 feet to a concrete monument found,
2. South 86 degrees 42 minutes 24 seconds East, 200.79 feet to a concrete monument found,
3. North 87 degrees 41 minutes 05 seconds East, 8.41 feet to an iron rod set at the northwest corner of that certain 1.985 acre tract described by instrument recorded in Document Number 1999080927, Official Public Records, said county, same being the northeast corner of said 2.025 acre tract, for the northeast corner hereof;

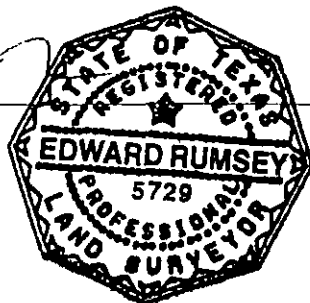
THENCE South 02 degrees 16 minutes 38 seconds East, along the common line of said 1.985 acre tract and said 2.025 acre tract, 121.50 feet to a point in said line, in the approximate southerly city limit line of the City of Austin , for the southeast corner hereof;

THENCE South 87 degrees 52 minutes 40 seconds West, through said 2.025 acre tract, 344.76 feet to a point in the easterly line of the aforementioned 6.121 acre tract, same being the westerly line of said 2.025 acre tract, for the southwest corner hereof;

THENCE North 02 degrees 04 minutes 49 seconds West, along the common line of said 6.121 acre tract and said 2.025 acre tract, 140.00 feet to the POINT OF BEGINNING and containing 1.06 acres of land, more or less.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ATTACHED SURVEY PLAT (BY SEPARATE INSTRUMENT), ONLY.

  
Edward Rumsey  
TX R.P.L.S #5729  
Job # A0107406B



1-20-06  
Date

