

ORDINANCE NO. 20061130-058

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4978 U.S. HIGHWAY 290 WEST FROM GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-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 general commercial services-conditional overlay (CS-CO) combining district to commercial-liquor sales-conditional overlay (CS-1-CO) combining district on the property described in Zoning Case No C14-06-0195, on file at the Neighborhood Planning and Zoning Department, as follows

A 1 278 acre tract of land, more or less, out of the James Trammel Survey No 4, Abstract No 769, 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 4978 U S Highway 290 West, 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	Agricultural sales and services
Art workshop	Automotive repair services
Automotive sales	Automotive washing (of any type)
Bail bond services	Building maintenance services
Laundry service	Cocktail lounge
Commercial off-street parking	Equipment sales
Equipment repair services	Exterminating services
Funeral services	Kennels
Pawn shop services	Pet services

Research services
Recreational equipment maintenance
and storage
Vehicle storage

Recreational equipment sales
Service station
Theater
Veterinary services

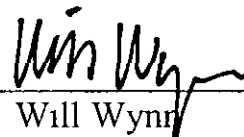
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the commercial-liquor sales (CS-1) base district and other applicable requirements of the City Code

PART 3. This ordinance takes effect on December 11, 2006

PASSED AND APPROVED


_____, November 30, 2006

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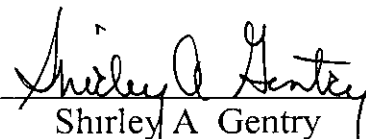
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

1.278 ACRE
POINTE AT GAINES RANCH **EXHIBIT A**

FN NO 06-391(CAG)
JULY 19, 2006
BPI JOB NO 1727-01 97

DESCRIPTION

OF A 1 278 ACRE TRACT OF LAND OUT OF THE JAMES TRAMMEL SURVEY NO 4, ABSTRACT NO 769 SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 4, BLOCK A, POINTE AT GAINES RANCH SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 100, PAGE 301 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 1 278 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

COMMENCING at a chiseled "X" found in concrete for the northeasterly corner of said Lot 4, being an angle point in the southerly line of Lot 5 of said Block A, Pointe at Gaines Ranch Subdivision,

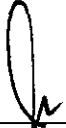
THENCE, S56°42'21"W, leaving the southerly line of said Lot 5, over and across said Lot 4, a distance of 31 72 feet to the northeasterly corner and **POINT OF BEGINNING** hereof,

THENCE, continuing over and across said Lot 4, for the easterly, southerly, westerly and northerly lines hereof, the following four (4) courses and distances.

- 1) S19°34'19"W, a distance of 202 40 feet to the southeasterly corner hereof, from which a chiseled "X" found for an angle point in the easterly line of said Lot 4 bears S03°55'07"E, a distance of 121 26 feet;
- 2) N70°25'41"W, a distance of 275 10 feet to the southwesterly corner hereof,
- 3) N19°34'19"E, a distance of 202 40 feet to the northwesterly corner hereof, from which a 1/2 inch iron rod found for an angle point in the northerly line of said Lot 4, same being an angle point in the southerly line of said Lot 5, bears S80°48'27"E, a distance of 123 82 feet,
- 4) S70°25'41"E, a distance of 275 10 feet to the **POINT OF BEGINNING**, containing an area of 1 278 acres (55,680 square feet) of land, more or less, within these metes and bounds

I, JOHN T BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION

BURY+PARTNERS, INC
ENGINEERING SOLUTIONS
3345 BEE CAVE ROAD
SUITE 200
AUSTIN, TEXAS 78746


JOHN T BILNOSKI, R P.L.S.
NO 4998
STATE OF TEXAS



LEGEND

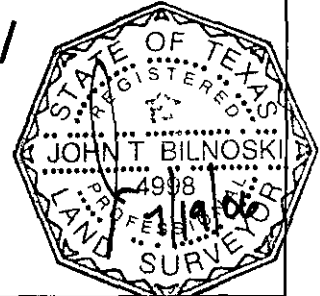
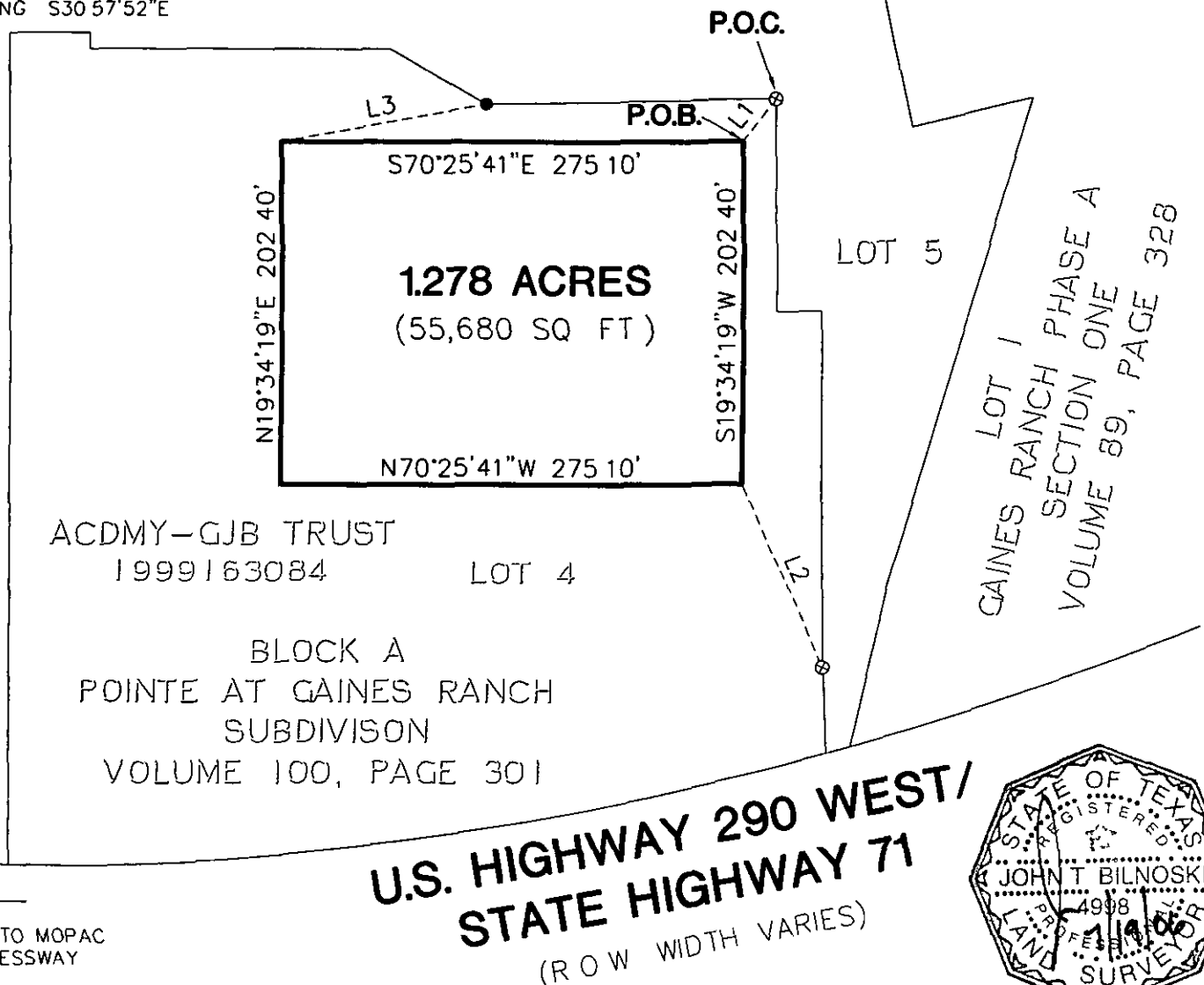
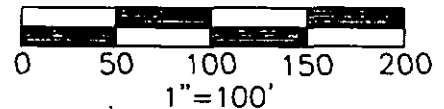
- 1/2 IRON ROD FOUND (UNLESS NOTED)
- ⊗ CHISELED "X" FOUND IN CONCRETE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

LINE TABLE

LINE	BEARING	LENGTH
L1	S56°42'21"W	31.72
L2	S03°55'07"E	121.26
L3	S80°48'27"E	123.82

BEARING BASIS:

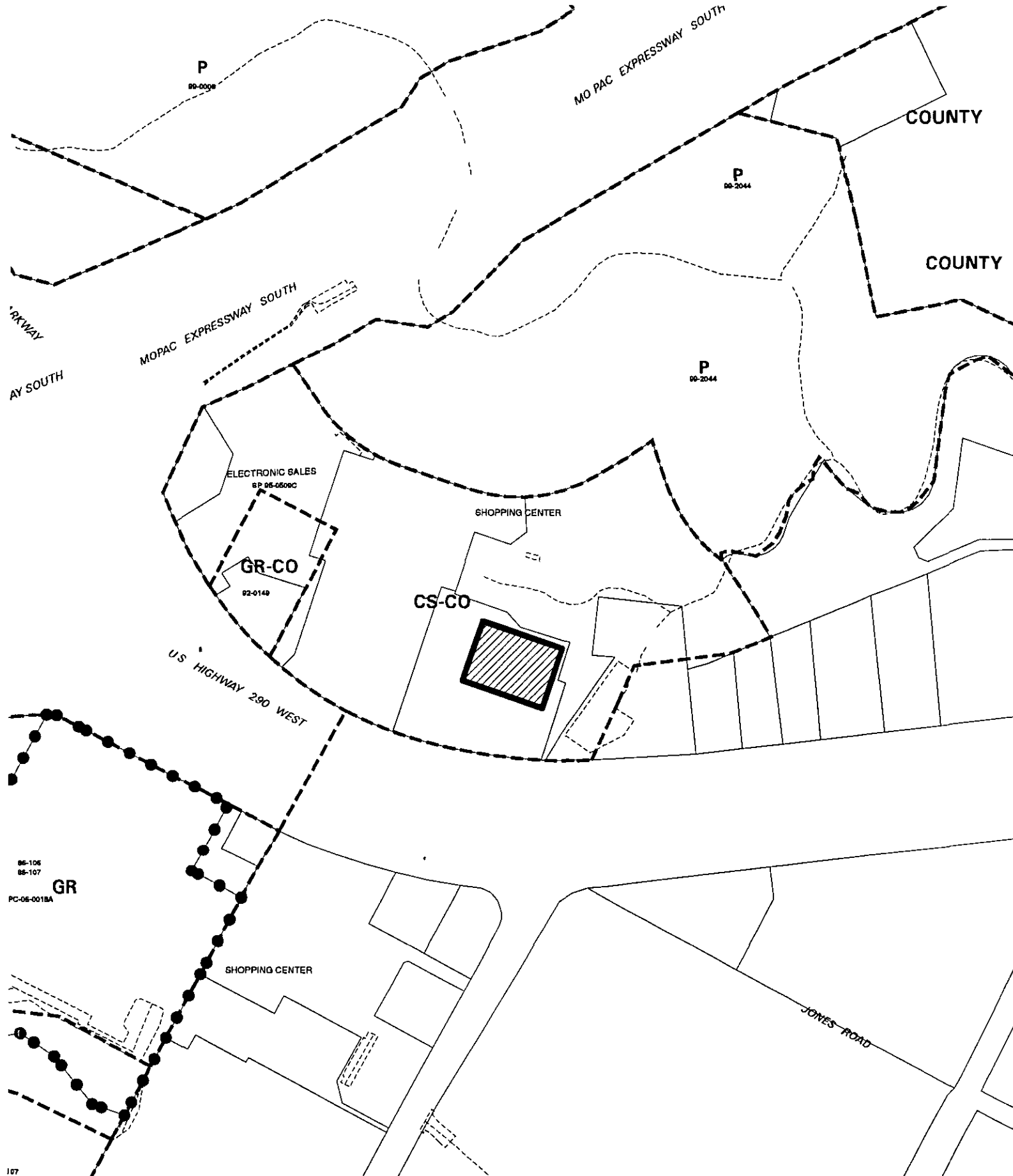
THE BEARING BASIS OF THE SURVEY SHOWN HEREON IS A PORTION OF THE EASTERLY LINE OF LOT 1 GAINES RANCH PHASE A SECTION ONE OF RECORD IN BOOK 89 PAGE 328 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS (NOT SHOWN)
BEARING S30°57'52"E





Bury+Partners
ENGINEERING SOLUTIONS
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Austin Texas 78746
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SKETCH TO ACCOMPANY DESCRIPTION
A 1.278 ACRE TRACT OF LAND OUT OF THE JAMES TRAMMEL SURVEY NO 4 ABSTRACT NO 769 LOCATED IN TRAVIS COUNTY TEXAS BEING A PORTION OF LOT 4 BLOCK A POINTE AT GAINES RANCH SUBDIVISION A SUBDIVISION OF RECORD IN VOLUME 100 PAGE 301 OF THE PLAT RECORDS OF TRAVIS COUNTY TEXAS

POINTE AT GAINES RANCH



 1" = 400	SUBJECT TRACT		ZONING EXHIBIT B	CITY GRID REFERENCE NUMBER E19
	PENDING CASE	• • • • •		
	ZONING BOUNDARY	- - - - -		
	CASE MGR R HEIL			
	CASE # C14-06-0195		DATE 06-10	
	ADDRESS W US 290 HWY		INTLS SM	
	SUBJECT AREA (acres) 1.278			