

ORDINANCE NO. 20100624-135

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 2705 EAST STATE HIGHWAY 71 AND CHANGING THE ZONING MAP FROM INTERIM-RURAL RESIDENCE (I-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-rural residence (I-RR) district to general commercial services-conditional overlay (CS-CO) combining district on the property described in Zoning Case No. C14-2010-0050, on file at the Planning and Development Review Department, as follows:

A 0.16 acre tract of land, more or less, out of Lot 1, the Gregg and Bryant Subdivision, a subdivision in Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 2705 East State Highway 71, 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:

A. The following uses are conditional uses:

Custom manufacturing	Drop-off recycling collection facility
Food preparation	Limited warehousing and distribution
Maintenance and service facilities	Plant nursery
Special use historic	

B. The following uses are prohibited uses:

Adult-oriented uses	Agricultural sales and services
Automotive repair services	Automotive rentals
Automotive sales	Automotive washing (of any type)

Building maintenance services
Commercial blood plasma center
Electronic prototype assembly
Equipment repair services
Exterminating services
Laundry service
Off-site accessory parking
Service station
Transportation terminal
Veterinary services

Campground
Convenience storage
Electronic testing
Equipment sales
Kennels
Monument retail sales
Pawn shop services
Transitional housing
Vehicle storage

C. Drive-in service is prohibited as an accessory use to commercial uses.

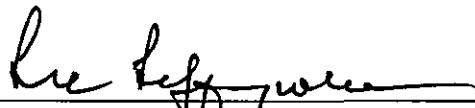
Except as specifically provided in this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on July 5, 2010.

PASSED AND APPROVED

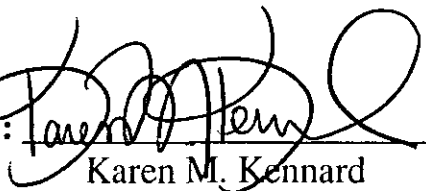
June 24, 2010

§
§
§



Lee Jeffingwell
Mayor

APPROVED:


Karen M. Kennard
Acting City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

EXHIBIT "A"
LEGAL DESCRIPTION

FIELD NOTES DESCRIBING 0.16 OF AN ACRE OF LAND, BEING A PORTION OF LOT 1, GREGG & BRYANT SUBDIVISION, A SUBDIVISION RECORDED IN VOLUME 32, PAGE 44, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAME BEING THAT CERTAIN BRYAN AND TEDDY FLOW TRACT DESCRIBED BY INSTRUMENT RECORDED IN VOLUME 4553, PAGE 2149, DEED RECORDS, SAID COUNTY, SAID 0.16 OF AN ACRE OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found in the northerly right-of-way line of State Highway Number 71, at the southwest corner of Lot B, Flow Addition, a subdivision recorded in Volume 62, Page 19, Plat Records, said county, at the southeast corner of said Lot 1, for the southeast corner hereof;


THENCE North 60 degrees 48 minutes 33 seconds West, along said right-of-way line and the southerly line of said Lot 1, 58.50 feet to an iron rod set in said line, at the southeast corner of Lot 2 of said Gregg & Bryant subdivision, same being the southwest corner of said Lot 1, for the southwest corner hereof;

THENCE North 43 degrees 26 minutes 29 seconds East, along the common line of said Lots 1 and 2, 121.70 feet to an iron pipe found at the northeast corner of said Lot 2, at an angle corner in the westerly line of said Lot 1, for the northwest corner hereof;

THENCE South 59 degrees 18 minutes 03 seconds East, through said Lot 1, 59.26 feet to an iron rod found in the westerly line of said Lot B, the easterly line of said Lot 1, for the northeast corner hereof;

THENCE South 43 degrees 58 minutes 00 seconds West, along the common line of said Lot B and said Lot 1, 120.37 feet to the POINT OF BEGINNING and containing 0.16 of an acre 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 # A0428406



4-26-06
Date

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



2006 APR 28 05:03 PM 2006078113

ESPINOZAC 328.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS

CANNED

SCALE 1" = 10'

REMAINDER OF LOT 1

LEGEND

-
-
-
-
-
-
-
-
-
-

NOTICE
BEFORE DESIGN/CONSTRUCTION
BEGINS ON THE SUBJECT PROPERTY, THE
OWNER SHOULD CHECK THE LOCAL
GOVERNING AUTHORITIES ABOUT BUILDING
SETBACKS AND OTHER BUILDING
REQUIREMENTS

LOT B
FLOW ADDITION
VOLUME 62, PAGE 19

0.16 OF AN
ACRE OF LAND

(VOL. 32, PG. 44)

RESTAURANT
EL MICACARO

RESTAURANT
SIGN

STATE HIGHWAY 71

RESTRICTIONS:

SUBJECT TO BLANKET TYPE ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE EASEMENT GRANTED TO TEXAS POWER & LIGHT CO. IN VOLUME 579, PAGE 309 AND VOLUME 589, PAGE 598.
PIPELINE EASEMENT GRANTED TO SINCLAIR REFINING COMPANY IN VOLUME 816, PAGE 298, DOES NOT AFFECT.
SUBJECT TO A BLANKET TYPE SANITARY SEWER EASEMENT GRANTED TO THE CITY OF AUSTIN IN VOLUME 3835, PAGE 2457.

LEGAL DESCRIPTION: BEING 0.16 OF AN ACRE OF LAND OUT OF LOT ONE (1), GREGG & BRYANT SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 32, PAGE 44, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN DEED FROM TED J. PARKS TO BRYAN L. FLOW AND WIFE, TEDDY JO FLOW, RECORDED IN VOLUME 4553, PAGE 2149, DIBED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.16 OF AN ACRE OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

COUNTY: TRAVIS STATE OF TEXAS STREET ADDRESS 2642 E. STATE HIGHWAY 71
CITY: DEL VALLE REFERENCE NAME GUSTAVO ALDAMA

SIGNED BY: _____



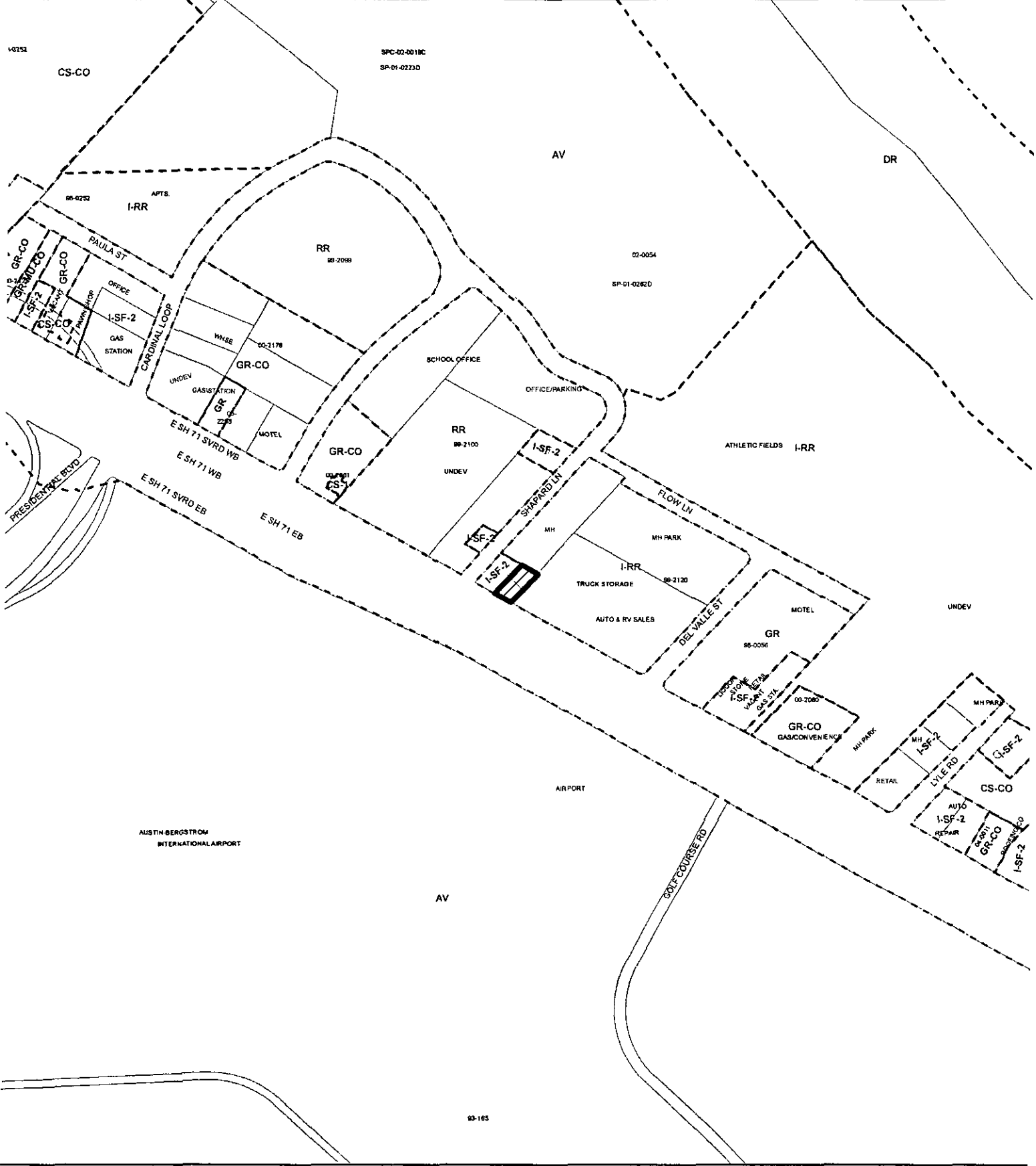
ALLSTAR
Land surveying

12731 RESEARCH BLVD.
BUILDING A, SUITE 106
AUSTIN, TEXAS 78759
(512) 249-8149 PHONE
(512) 331-5217 FAX
WWW.ALLSTARLANDSURVEYING.COM

TO THE LIEN HOLDER AND / OR OWNERS OF THE PREMISES SURVEYED AND TO
ALAMO TITLE COMPANY
I DO HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND
UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE OF THE PROPERTY
LEGALLY DESCRIBED HEREON AND THAT THERE ARE NO BOUNDARY LINE
CONFLICTS, ENCROACHMENTS OR LAPPING OF IMPROVEMENTS, OR ROADS IN
PLACE, EXCEPT AS SHOWN HEREON, AND CERTIFIES ONLY TO THE LEGAL
DESCRIPTION AND EASEMENTS SHOWN ON THE REFERENCE TITLE COMMITMENT

THIS PROPERTY DOES NOT LIE WITHIN THE
100 YEAR FLOOD PLAIN, AND HAS A ZONE "X"
RATING AS SHOWN ON THE FLOOD
INSURANCE RATE MAPS
F.I.R.M. MAP NO.: 48453C0130 F
PANEL: 0130 F
DATED: 1-19-2000
THIS CERTIFICATION IS FOR INSURANCE
PURPOSES ONLY AND IS NOT A GUARANTEE
THAT THIS PROPERTY WILL OR WILL NOT
FLOOD. CONTACT YOUR LOCAL
FLOOD-PLAIN ADMINISTRATOR FOR THE
CURRENT STATUS OF THIS TRACT

SURVEY DATE	APRIL 20, 2006
TITLE CO.	ALAMO TITLE CO.
O.F. No.	66-7048846
JOB NO.	A0428406
FIELD BY	GILBERT MARTINEZ 04/26/2006
CALC. BY	ALLEN MOORE 04/26/2006
DRAWN BY	DANIEL TREVINO 04/26/2006
CHECKED BY	JUSTIN FISK 04/26/2006
RPLS CHECK	EDWARD RUMSEY 04/26/2006



SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

ZONING **Exhibit B**

ZONING CASE#: C14-2010-0050
 ADDRESS: 2705 E STATE HWY 71
 SUBJECT AREA: 0.16 ACRES
 GRID: N17
 MANAGER: WENDY RHOADES

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.