

**ORDINANCE NO. 20101104-040**

**AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 11410 MANCHACA ROAD AND CHANGING THE ZONING MAP FROM INTERIM-RURAL RESIDENCE (I-RR) 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 interim-rural residence (I-RR) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-2010-0038, on file at the Planning and Development Review Department, as follows:

A 1.56 acre tract of land, more or less, out of the Walker Wilson League Survey No. 2, 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 11410 Manchaca Road, 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. 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.
- B. A service station use shall be located a minimum 50 feet from the west property line.
- C. A personal improvement services use may not exceed 5,000 square feet of gross floor area.
- D. A general retail sales (general) use may not exceed 5,000 square feet.

E. A restaurant (general) use is subject to Section 25-2-587(D) (*Requirements for Certain Use in a Neighborhood Commercial (LR) District*) of the Code.

F. The following uses are prohibited uses of the Property:

Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Bail bond services	Business or trade school
Business support services	Commercial off-street parking
Communications services	Drop-off recycling collection facility
Exterminating services	Food preparation
Funeral services	Hospital services (general)
Hotel-motel	Indoor entertainment
Indoor sports & recreation	Outdoor entertainment
Outdoor sports & recreation	Pawn shop services
Research services	

G. The following uses are conditional uses of the Property:

1) Community recreation (private)	Community recreation (public)
Congregate living	Custom manufacturing
Group home, class II	Hospital services (limited)
Plant nursery	Residential treatment
Medical offices (exceeding 5000 sq.ft. of gross floor area)	

2) Drive-in services use as an accessory use to a commercial use.

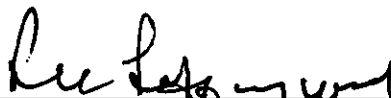
Except as otherwise specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district, and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on November 15, 2010.

**PASSED AND APPROVED**

\_\_\_\_\_, November 4 \_\_\_\_\_, 2010

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Lee Jeffingwell  
Mayor

APPROVED: 

Karen M. Kennard  
Acting City Attorney

ATTEST: 

Shirley A. Gentry  
City Clerk

## EXHIBIT "A"

## LEGAL DESCRIPTION

BEING A 1.56 ACRE TRACT OF LAND OUT OF THE WALKER WILSON LEAGUE SURVEY NO.2, AS SITUATED IN TRAVIS COUNTY, TEXAS, SAME BEING THE CALLED 1.55 ACRE TRACT OF LAND AS CONVEYED TO MARCUS L. PICKARD, JR. IN DOCUMENT NUMBER 2003257665 AND DESCRIBED AS TRACT NO.2 IN EXHIBIT "B", OF SAID DOCUMENT; SAID 1.56 AC RE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch rebar found in the current west right of way line of Manchaca Road, same being the west line of a 10 foot strip of land as conveyed to the State of Texas in Volume 11844, Page 253 of the Real Property Records of Travis County, Texas, said point also being the southeast corner of Lot 1, Block B, Olympic Heights Section 1, as recorded under Document Number 200200099 of the Official Public Records of Travis County, Texas, said point being the northeast corner and the PLACE OF BEGINNING hereof;


THENCE, along the common line between the said west current right of way and the east line of the aforementioned Pickard tracts, S 02° 39' 55" E, for a distance of 224.42 feet to a 1/2 inch rebar found, said point being the northeast corner of a called 0.953 acre tract as conveyed to Jerald L. Kilpatrick in Volume 13178, Page 3445 of the Real Property Records of Travis County, Texas, for the southeast corner hereof;

THENCE, departing said current west right of way, with the common line between the aforementioned Kilpatrick and Pickard tracts, S 87° 34' 25" W, for a distance of 198.89 feet to a 1/2 inch rebar found, said point being the northwest corner of the said Kilpatrick tract, same being the most easterly northeast corner of Lot 17, Block B of the aforementioned Olympic Heights, for an angle point in the south line hereof;

THENCE, along the common line between the most easterly north line of the aforementioned Lot 17, and the south line of the aforementioned Pickard tract, S 88° 06' 53" W, for a distance of 102.64 feet to a 1/2 inch rebar set, said point being an interior ell corner of the said Lot 17, same being the southwest corner hereof;

THENCE, along the common line between the east line of the aforementioned Lot 17, and the west line of the aforementioned Pickard tracts, N 02° 39' 01" W passing at a distance of 154.32 feet a 1/2 inch rebar found, being the most northerly northeast corner of the said Lot 17, said point being the most southerly corner of the aforementioned Lot 1, and continuing for a total distance of 225.95 feet to a 1/2 inch rebar found, said point being an interior ell corner of the said Lot 1, for the northwest corner hereof;

THENCE, with the common line between the aforementioned Pickard tract and the said Lot 1, N 88° 02' 52" E (Bearing Basis for this survey), for a distance of 301.47 feet to the PLACE OF BEGINNING hereof, containing 1.56 acres of land, more or less.

  
VICTOR M. GARZA R.P.L.S. NO. 4740  
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