ORDINANCE NO. 050303-Z-15

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 9511 NORTH R.M. 620 ROAD AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO PUBLIC-CONDITIONAL OVERLAY (P-CO) COMBINING DISTRICT FOR TRACT 1, GENERAL OFFICE-CONDITIONAL OVERLAY (GO-CO) COMBINING DISTRICT FOR TRACT TWO, AND RURAL RESIDENCE-CONDITIONAL OVERLAY (RR-CO) COMBINING DISTRICT FOR TRACT THREE.

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 on the property described in Zoning Case No. C14-04-0207, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From interim rural residence (I-RR) district to public-conditional overlay (P-CO) combining district.

A 3.963 acre tract of land, more or less, out of Lot 1, Block A, Eco Resources Office Subdivision, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: From interim rural residence (I-RR) district to general office-conditional overlay (GO-CO) combining district.

A 4.170 acre tract of land, more or less, out of Lot 1, Block A, Eco Resources Office Subdivision, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance; and

Tract Three: From interim rural residence (I-RR) district to rural residence-conditional overlay (RR-CO) combining district.

A 1.231 acre tract of land, more or less, out of Lot 1, Block A, Eco Resources Office Subdivision, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "C" incorporated into this ordinance, (the "Property")

locally known as 9511 North R.M. 620 Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "D".

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. Except for emergency vehicle use, vehicular access from the Property to Savannah Ridge Drive is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
- 3. The following uses are prohibited uses of Tract One:

Automotive rentals

Automotive sales

Building maintenance services

Campground

Construction sales and services

Equipment sales

Funeral services

Laundry service

Monument retail sales

Pawn shop services

Theater

Transportation terminal

Automotive repair services

Automotive washing (of any type)

Drop-off recycling collection facility

Convenience storage

Equipment repair services

Exterminating services

Hotel-motel

Kennels

Outdoor entertainment

Service station

Transitional housing

Vehicle storage

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on March 14, 2005.		
PASSED AND APPROVED		
March 3 , 2005 APPROVED: David Allan Smith City Attorney	\$ \$ ATTEST:	Will Wynn Mayor Murley & Brown Shirley A. Brown City Clerk

3.963 ACRES
PORTION ECO RESOURCES TRACTS
R.M. 620

FN NO. 05~138 (MJJ) FEBRUARY 9, 2005 BPI JOB NO. 1346-02

EXHIBIT A DESCRIPTION

OF 3.963 ACRES LAND OUT OF THE A. E. LIVINGSTON SURVEY NO. 455, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, BLOCK "A" ECO RESOURCES OFFICE, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200100212 AND ALSO BEING ALL OF THAT CERTAIN 0.657 ACRE TRACT OF LAND CONVEYED TO ECO RESOURCES, INC. BY DEED OF RECORD IN DOCUMENT NO. 2002096564 BOTH OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 3.963 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod with cap found in the easterly line of R.M. 620 (150' R.O.W.), being southwesterly corner of Lot 1, Block "A' Canyon Creek West Section 2, a subdivision of record in Document No. 2001000167 of said Official Public Records and the northwesterly corner of said Lot 1, Block "A" Eco Resources Office, for the northwesterly corner hereof;

THENCE, leaving the easterly line of said R.M. 620, along a portion of the southerly line of said Lot 1, Block "A" Canyon Creek West Section 2, being a portion of the northerly line of said Lot 1, Block "A" Eco Resources Office, for the northerly line hereof, the following four (4) courses and distances:

- 1) S82°45'22"E, a distance of 348.09 feet to a 1/2 inch iron rod with cap found for an angle point;
- 2) S83°34'22"E, a distance of 255.23 feet to a 1/2 inch iron rod found for an angle point;
- 3) S83°28'51"E, a distance of 125.01 feet to a 1/2 inch iron rod found for an angle point;
- 4) S81°50'35"E, a distance of 73.33 feet to the northeasterly corner hereof;

THENCE, S07°48'19"W, leaving the southerly line of said Lot 1, Block "A" Canyon Creek West Section 2, in part over and across said Lot 1, Block "A" Eco Resources Office and in part along the common line of said Lot 1, Block "A" Eco Resources Office and Lot 1, Block "A" Estates at Canyon Creek Subdivision Section One, a subdivision of record in Document No. 200400043 of said Official Public Records, a distance of 175.88 feet to an iron rod with cap found, for the northernmost northwesterly corner of said Lot 1, Block "A" Estates at Canyon Creek Subdivision Section One, for the southeasterly corner hereof;

THENCE, N82°10'03"W, along a portion of the northerly line of said Lot 1, Block "A" Estates at Canyon Creek Subdivision, being a portion of the southerly line of said Lot 1, Block "A" Eco Resources Office, for a portion of the southerly line hereof, a distance of 198.30 to a 1/2 inch iron rod with cap found at the northeasterly corner of said 0.657 acre tract, for an angle point hereof;

FN 05-138 (MJJ) FEBRUARY 9, 2005 PAGE 2 OF 2

THENCE, leaving the southerly line of said Lot 1, Block "A" Eco Resources Office, along the easterly and southerly lines of said 0.657 acre tract, being a portion of the northerly line of said Lot 1, Block "A" Estates at Canyon Creek Subdivision Section One, for a portion of the southerly line hereof, the following two (2) courses and distances:

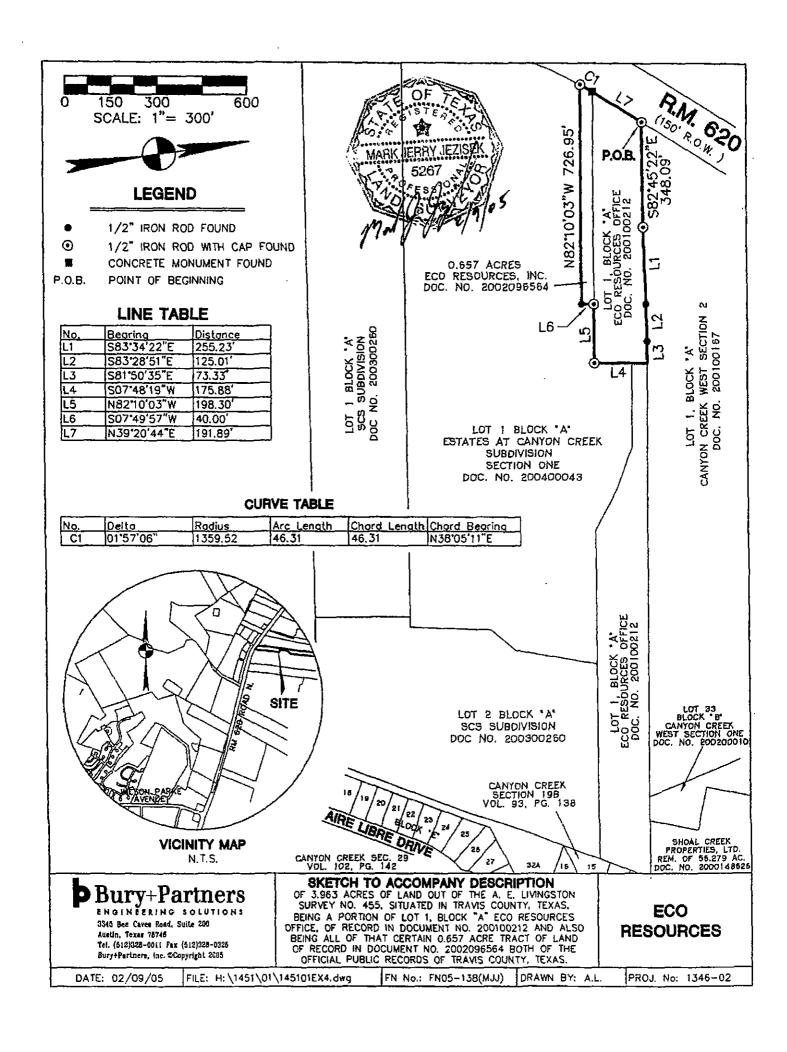
- 1) S07°49'57"W, a distance of 40.00 feet to a 1/2 inch iron rod found at the southeasterly corner of said 0.657 acre tract, for an angle point;
- 2) N82°10'03"W, a distance of 726.95 feet to a 1/2 inch iron rod with cap found in the curving easterly line of R.M. 620, being the southwesterly corner of said 0.657 acre tract and the northwesterly corner of said Lot 1, Block "A" Estates at Canyon Creek Subdivision Section One, for the southwesterly corner hereof;

THENCE, along the easterly line of R.M. 620, being the westerly line of said 0.657 acre tract and the westerly line of said Lot 1, Block "A" Eco Resources Office, for the westerly line hereof, the following two (2) courses and distances:

- 1) Along a curve to the right having a radius of 1359.52 feet, a central angle of 01°57′06″, an arc length of 46.31 feet and a chord which bears N38°05′11″E, a distance of 46.31 feet to a concrete monument found at the northeasterly corner of said 0.657 acre tract, being the southwesterly corner of said Lot 1, Block "A" Eco Resources Office, for the end of said curve;
- 2) N39°20'44"E, along the easterly line of R.M. 620, being the westerly line of said Lot 1, Block "A" Eco Resources Office, for the westerly line hereof, a distance of 191.89 feet the POINT OF BEGINNING, containing an area of 3.963 acres (172,612 sq. ft.) of land, more or less, within these metes and bounds.
- I, MARK J. JEZISEK, 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 DURING THE MONTH OF AUGUST, 2003. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PARTNERS, INC. ENGINEERS-SURVEYORS 3345 BEE CAVE ROAD SUITE 200 AUSTIN, TEXAS 78746

MARK J. EZJERNO. 5267 STATE OF TEXAS



4.170 ACRES
PORTION OF LOT 1, BLOCK "A"
ECO RESOURCES OFFICE

FN. NO. 05-105 (MJJ) FEBRUARY 9, 2005 BPI JOB NO. 1346-02

EXITIBIT B DESCRIPTION

OF 4.170 ACRES OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, BLOCK "A" ECO RESOURCES OFFICE, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200100212 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 4.170 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a 1/2 inch iron rod with cap found in the easterly line of R.M. 620 (150' R.O.W.), being the southwesterly corner of Lot 1, Block "A" Canyon Creek West Section 2, a subdivision of record in Document No. 200100167 of said Official Public Records and the northwesterly corner of said Lot 1, Block "A" Eco Resources Office;

THENCE, leaving the easterly line of R.M. 620, along a portion of the southerly line of said Lot 1, Block "A" Canyon Creek West Section 2, being a portion of the northerly line of said Lot 1, Block "A" Eco Resources Office, the following four (4) courses and distances:

- 1) S82°45'22"E, a distance of 348.09 feet to a 1/2 inch iron rod with cap found for an angle point;
- 2) S83°34'22"E, a distance of 255.23 feet to a 1/2 inch iron rod found for an angle point;
- 3) S83°28'51"E, a distance of 125.01 feet to a 1/2 inch iron rod found for an angle point;
- 4) S81°50'35"E, a distance of 73.33 feet to the **POINT OF BEGINNING** and northwesterly corner hereof;

THENCE, S81°50'35"E, continuing along a portion of the southerly line of said Lot 1, Block "A" Canyon Creek West Section 2, being a portion of the northerly line of said Lot 1, Block "A" Eco Resources Office, for the northerly line hereof, a distance of 1401.84 feet to the northeasterly corner hereof;

THENCE, S28°42′54″W, leaving the southerly line of said Lot 1, Block "A" Canyon Creek Section 2, over and across said Lot 1, Block "A" Eco Resources Office, for the easterly line hereof, a distance of 179.74 feet to a point in the northerly line of Lot 2, Block "A" SCS Subdivision, a subdivision of record in Document No. 200300260 of said Official Public Records, being the southerly line of said Lot 1, Block "A" Eco Resources Office, for the southeasterly corner hereof, from which a 1/2 inch iron rod found in the westerly line of Lot 15, Block "I" Canyon Creek Section 19B, a subdivision of record in Volume 93, Page 138 of the Plat Records of Travis County, Texas, being the southeasterly corner of said Lot 1, Block "A" Eco Resources Office and the northeasterly corner of said Lot 2 bears S82°10′03″E, a distance of 321.09 feet;

FN 05-105(MJJ) FEBRUARY 9, 2005 PAGE 2 of 2

THENCE, in part along a portion of the southerly line of said Lot 1, Block "A" Eco Resources Office and in part over and across the remaining portion of said Lot 1, Block "A" Eco Resources Office, being in part along a portion of the northerly line of said Lot 2 and in part along the northerly line of Lot 1, Block "A" Estates at Canyon Creek Subdivision Section One, a subdivision of record in Document No. 200400043 of said Official Public Records, for the southerly line hereof, the following four (4) courses and distances:

- 1) N82°10'03"W, passing at a distance of 327.12 feet a 1/2 inch iron rod with cap found being the common northerly corner of said Lot 1, Block "A" Estates at Canyon Creek Subdivision Section One and said Lot 2 and continuing for a total distance of 774.11 feet to a 1/2 inch iron rod with cap found for an angle point;
- 2) N54°45'20"W, a distance of 151.56 feet to a 1/2 inch iron rod with cap found for an angle point;
- 3) N62°07'58"W, a distance of 157.58 feet to a 1/2 inch iron rod with cap found for an angle point;
- 4) N81°56′54″W, a distance of 281.03 feet to a 1/2 inch iron rod with cap found being the northernmost northwesterly corner of said Lot 1, Block "A" Estates at Canyon Creek Subdivision Section One, for the southwesterly corner hereof;

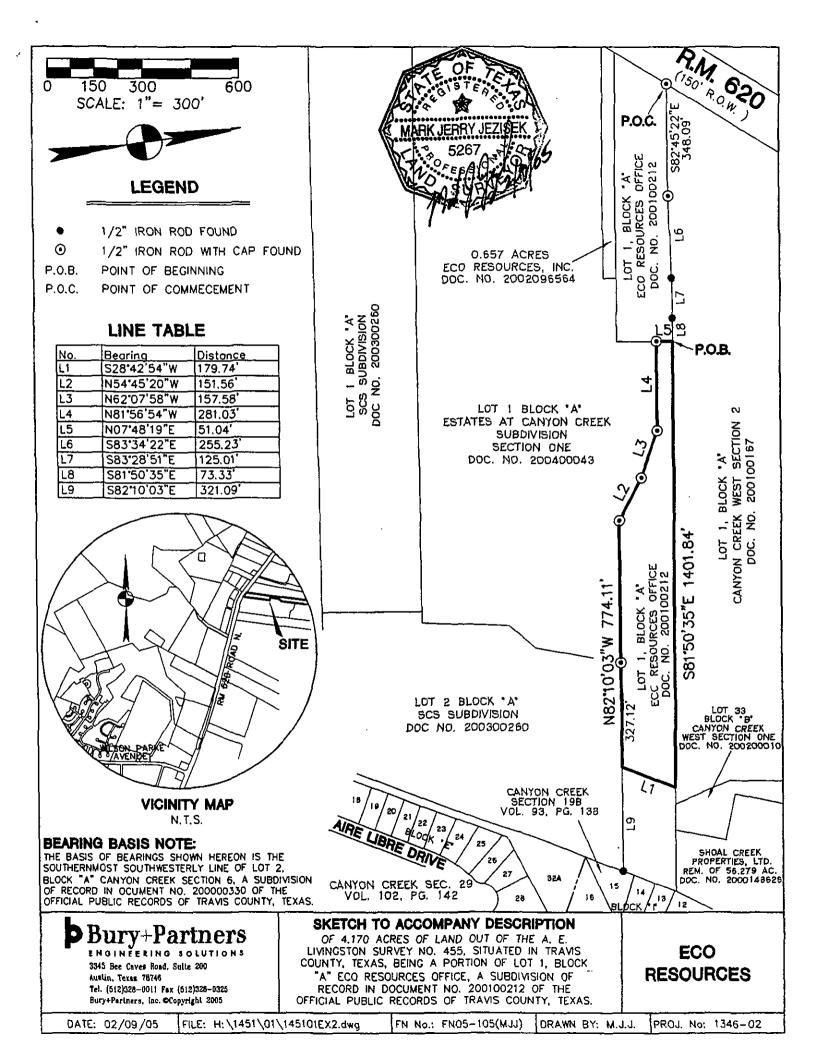
THENCE, N07°48'19"E, leaving the northerly line of said Lot 1, Block "A" Estates at Canyon Creek Subdivision Section One, over and across said Lot 1, Block "A" Eco Resources Office, for the westerly line hereof, a distance of 51.04 feet to the POINT OF BEGINNING, containing an area of 4.170 acres (181,648 sq. ft.) of land, more or less, within these metes and bounds.

I, MARK J. JEZISEK, 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 DURING THE MONTH OF AUGUST, 2003. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY+PARTNERS, INC. ENGINEERS-SURVEYORS 3345 BEE CAVE ROAD SUITE 200 AUSTIN, TEXAS 78746

MARK J JERUSEK, R.P.L.S.

NO. 5267 STATE OF TEXAS



1.231 ACRES
PORTION OF LOT 1, BLOCK "A"
ECO RESOURCES OFFICE

FN. NO. 05-106 (MJJ) FEBRUARY 9, 2005 BPI JOB NO. 1346-02

DESCRIPTION

OF 1.231 ACRES OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, BLOCK "A" ECO RESOURCES OFFICE, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200100212 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.231 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a 1/2 inch iron rod with cap found in the easterly line of R.M. 620 (150' R.O.W.), being the southwesterly corner of Lot 1, Block "A" Canyon Creek West Section 2, a subdivision of record in Document No. 200100167 of said Official Public Records and the northwesterly corner of said Lot 1, Block "A" Eco Resources Office;

THENCE, leaving the easterly line of R.M. 620, along a portion of the southerly line of said Lot 1, Block "A" Canyon Creek West Section 2, being a portion of the northerly line of said Lot 1, Block "A" Eco Resources Office, the following four (4) courses and distances:

- 1) S82°45'22"E, a distance of 348.09 feet to a 1/2 inch iron rod with cap found for an angle point;
- 2) S83°34'22"E, a distance of 255.23 feet to a 1/2 inch iron rod found for an angle point;
- 3) S83°28'51"E, a distance of 125.01 feet to a 1/2 inch iron rod found for an angle point;
- 4) S81°50'35"E, a distance of 1475.17 feet to the **POINT OF BEGINNING** and northwesterly corner hereof;

THENCE, S81°50′35″E, in part along a portion of the southerly line of said Lot 1, Block "A" Canyon Creek West Section 2 and in part along a portion of the southerly line of Lot 33, Block "A" Canyon Creek West Section One, a subdivision of record in Document No. 200200010 of said Official Public Records and in part along the southerly line of the remaining portion of that certain 56.279 acre tract of land conveyed to Shoal Creek Properties, Ltd. by deed of record in Document No. 2000148626 of said Official Public Records, being along a portion of the northerly line of said Lot 1, Block "A" Eco Resources Office, for the northerly line hereof, a distance of 320.40 feet to concrete monument found in the westerly line of Lot 12, Block "I" Canyon Creek Section 19B, a subdivision of record in Volume 93, Page 138 of the Plat Records of Travis County, Texas, being the southeasterly corner of the remaining portion of said 56.279 acre tract and the northeasterly corner of said Lot 1, Block "A" Eco Resources Office;

FN 05-106(MJJ) FEBRUARY 9, 2005 PAGE 2 of 2

THENCE, S28°42'54"W, along the westerly line of said Lot 12 and the westerly lines of Lots 13-15 (inclusive) of said Block "I" Canyon Creek Section 19B, being the easterly line of said Lot 1, Block "A" Eco Resources Office, for the easterly line hereof, a distance of 177.80 feet to a 1/2 inch iron rod found in the westerly line of said Lot 15, being the northeasterly corner of Lot 2, Block "A" SCS Subdivision, a subdivision of record in Document No. 200300260 of said Official Public Records and the southeasterly corner of said Lot 1, Block "A" Eco Resources Office, for the southeasterly corner hereof;

THENCE, N82°10'03"W, leaving the westerly line of said Lot 15, along a portion of the northerly line of said Lot 2, being a portion of the southerly line of said Lot 1, Block "A" Eco Resources Office, for the southerly line hereof, a distance of 321.09 feet to the southwesterly corner hereof, from which a 1/2 inch iron rod with cap found at the northeasterly corner of Lot 1, Block "A" Estates at Canyon Creek Subdivision Section One, a subdivision of record in Document No. 200400043 of said Official Public Records, being the northwesterly corner of said Lot 2 bears, N82°10'03"W, a distance of 327.12 feet;

THENCE, N28°42'54"E, leaving the northerly line of said Lot 2, over and across said Lot 1, Block "A" Eco Resources Office, for the westerly line hereof, a distance of 179.74 feet to the POINT OF BEGINNING, containing an area of 1.231 acres (53,632 sq. ft.) of land, more or less, within these metes and bounds.

I, MARK J. JEZISEK, 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 DURING THE MONTH OF AUGUST, 2003. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

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MARK J JELEK, NO. 5267

STATE OF TEXAS

