

ORDINANCE NO. 20051027-Z001

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 13290-A POND SPRINGS ROAD AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT ONE AND COMMERCIAL-LIQUOR SALES-CONDITIONAL OVERLAY (CS-1-CO) COMBINING DISTRICT FOR TRACT TWO.

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. C14-05-0143, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From interim rural residence (I-RR) district to community commercial-conditional overlay (GR-CO) combining district.

A 0.33 acre tract of land, more or less, out of the Henry Rhodes Survey, Abstract No. 522, Williamson County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, Save and Except a 1,055 square foot tract being a portion of a building on the 0.33 acre tract and described in Exhibit "B", and;

Tract Two: From interim rural residence (I-RR) district to commercial-liquor sales-conditional overlay (CS-1-CO) combining district.

A 1,055 square foot tract being a portion of a building on that certain 0.33 acre of land out of the Henry Rhodes Survey, Abstract No. 522, Williamson County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (the "Property"),

locally known as 13290-A Pond Springs Road, in the City of Austin, Williamson County, Texas, and generally identified in the map attached as Exhibit "C".

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. Cocktail lounge use and Restaurant (general) 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 respective base districts and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on November 7, 2005.

PASSED AND APPROVED

October 27, 2005

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§
§



Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Brown
City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

FIELD NOTES OF THAT CERTAIN TRACT CALLED 0.33 ACRES OF LAND OUT OF THE HENRY RHODES SURVEY, ABSTRACT NO. 5222 IN WILLIAMSON COUNTY, TEXAS, BEING CONVEYED TO FARIDEH BABAZADEH BY DEED RECORDED IN DOCUMENT NO. 9735387 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THERE FROM A 1055 SQUARE FEET PORTION OF THE BUILDING SITUATED ON SAID 0.33 ACRE TRACT, SAID SAVE AND EXCEPT PORTION BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 3/8" rebar found for the northeast corner of a tract of land described in a deed to Yopez Enterprises, L.P. of record as Document Number 2003115861, of the Official Records of Williamson County, Texas, same being the northwest corner of the aforementioned 0.33 of an acre tract;

THENCE, S 38°34'04" W, with the common line of the 0.33 of an acre tract and the Yopez Enterprises tract, a distance of 35.50 feet to a point on said line;

THENCE, S 51°25'56" E, departing said common line, into the interior of the 0.33 of a acre tract a distance of 0.29 of a foot to the corner of an existing building for the PLACE OF BEGINNING and northwest corner of the herein described 1055 square foot tract;

THENCE, S 51°28'42" E, with the North line of said building, a distance of 34.00 feet to the northeast corner of said building, for the northeast corner hereof;

THENCE, S 38°33'28" W with the East line of said building, a distance of 31.00 feet to a point for the southeast corner hereof;

THENCE, N 51°28'42" W, through said building, a distance of 34.00 feet to a point in the West line of said building for the southwest corner hereof;

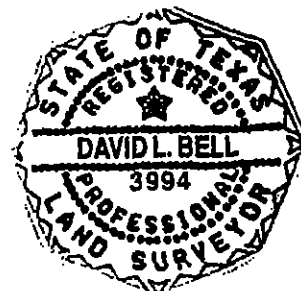
THENCE, N 38°31'23" E, with the West line of said building, a distance of 31.00 feet to the PLACE OF BEGINNING hereof, and containing a calculated area of 1055 square feet of land.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ACCOMPANYING SURVEY SKETCH, ONLY.

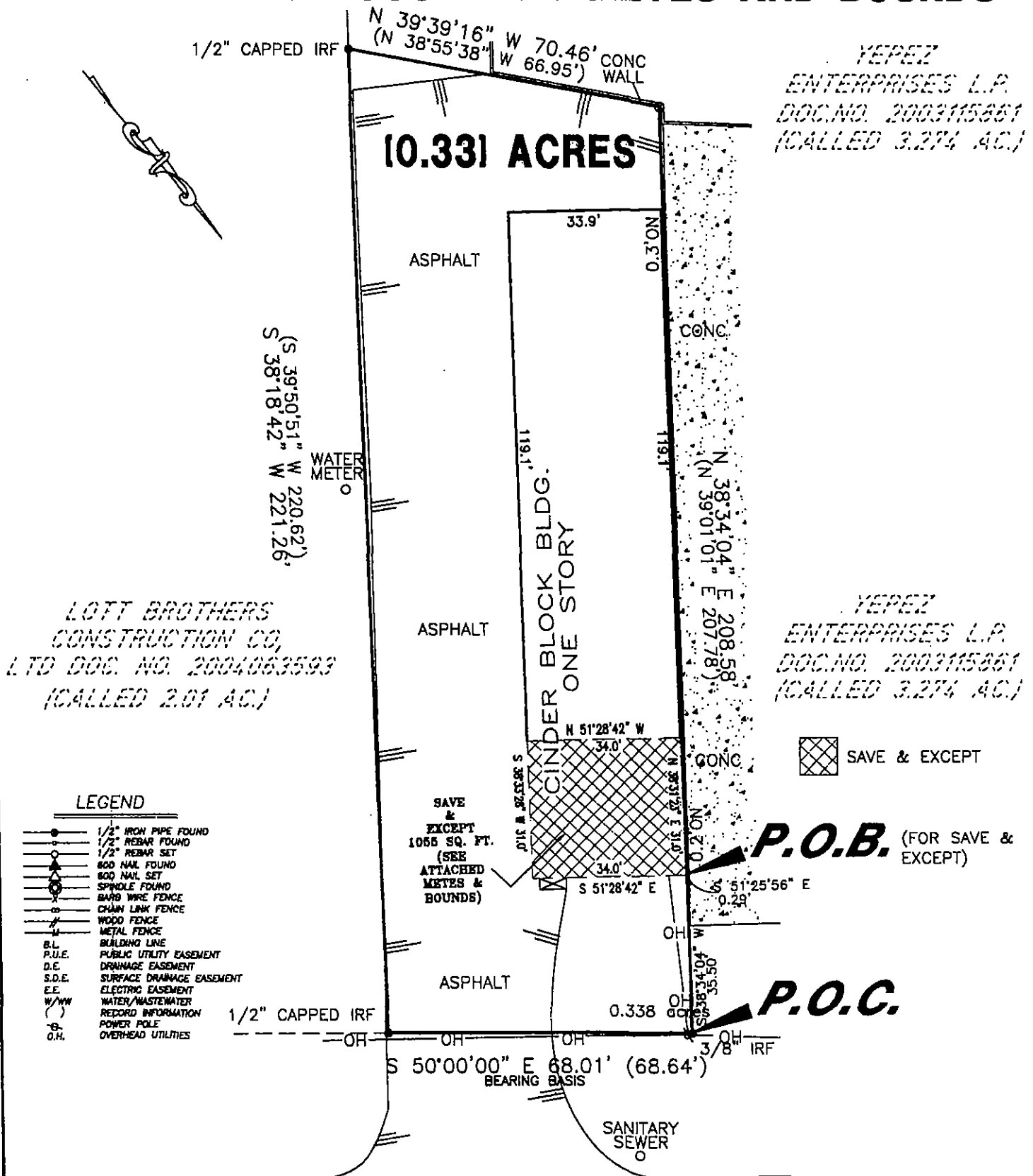


David L. Bell R.P.L.S. 3994
Dewey H. Burris & Associates, Inc.
1404 W. North Loop Blvd.
Austin, Texas 78756
(512)-458-6969
Job#: R0615405A

8-3-05
Date



SKETCH TO ACCOMPANY METES AND BOUNDS



Dewey H. Burris & Associates, Inc.
Land Surveying Services

POND SPRINGS ROAD

1404 West North Loop Blvd. 512*458-6969
Austin, Texas 78756 Fax 512*458-9845

DATE 7/8/05
JOB # R0615405
SCALE 1" = 30'

EXHIBIT "B"

LEGAL DESCRIPTION

FIELD NOTES OF A 1055 SQUARE FEET PORTION OF A BUILDING, SAID BUILDING IS SITUATED ON THAT CERTAIN 0.33 ACRE OF LAND OUT OF THE HENRY RHODES SURVEY, ABSTRACT NO. 522 IN WILLIAMSON COUNTY, TEXAS, BEING CONVEYED TO FARIDEH BABAZADEH BY DEED OF RECORD IN DOCUMENT NO. 9735387 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 1055 SQUARE FEET OF LAND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 3/8" rebar found for the northeast corner of a tract of land described in a deed to Yopez Enterprises, L.P. of record as Document Number 2003115861, of the Official Records of Williamson County, Texas, same being the northwest corner of the aforementioned 0.33 of an acre tract;

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THENCE, S 51°28'42" E, with the North line of said building, a distance of 34.00 feet to the northeast corner of said building, for the northeast corner hereof;

THENCE, S 38°33'28" W with the East line of said building, a distance of 31.00 feet to a point for the southeast corner hereof;

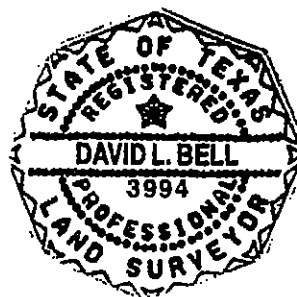
THENCE, N 51°28'42" W, through said building, a distance of 34.00 feet to a point in the West line of said building for the southwest corner hereof;

THENCE, N 38°31'23" E, with the West line of said building, a distance of 31.00 feet to the PLACE OF BEGINNING hereof, and containing a calculated area of 1055 square feet of land.

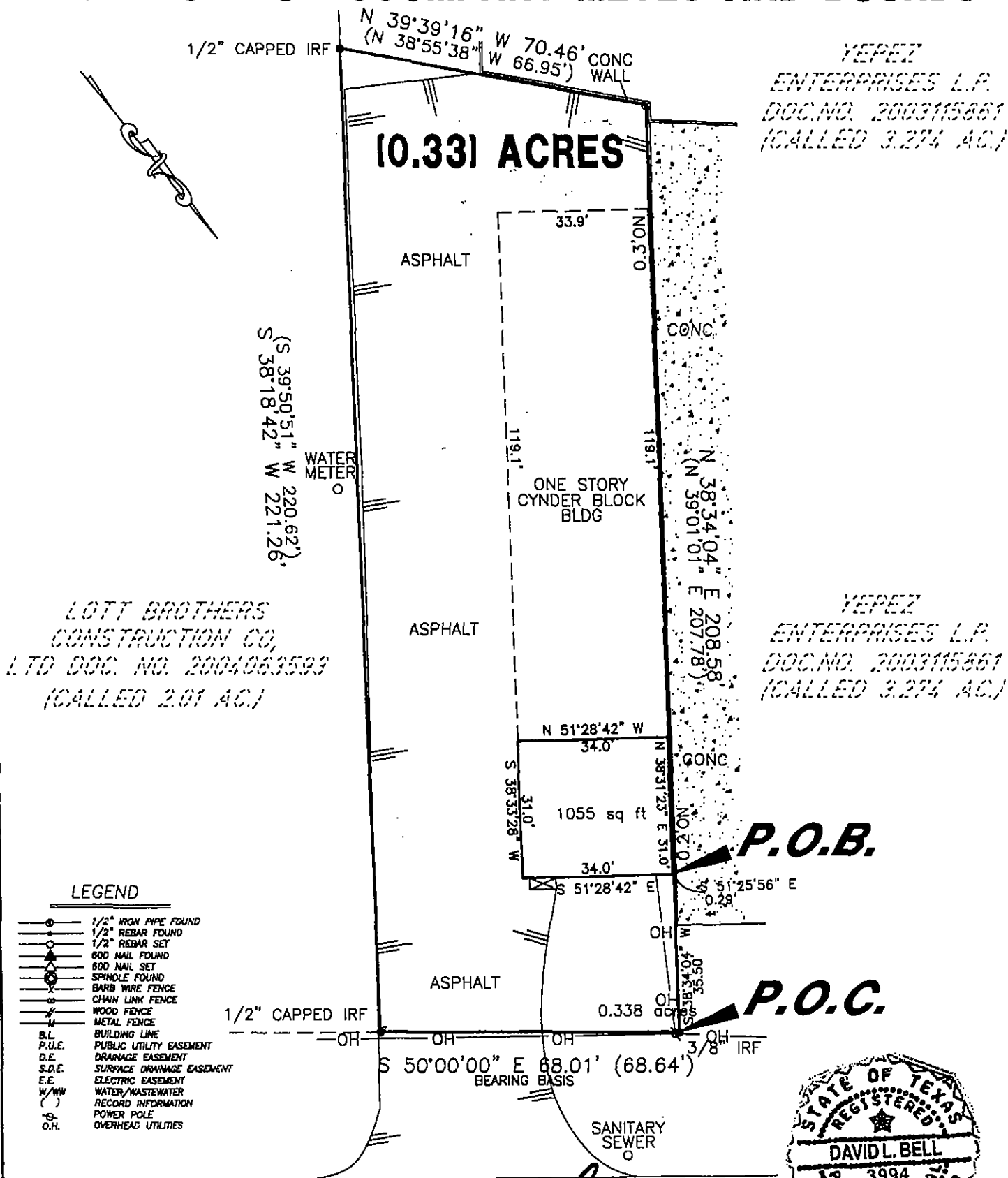
THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ACCOMPANYING SURVEY SKETCH, ONLY.


David L. Bell R.P.L.S. 3994
Dewey H. Burris & Associates, Inc.
1404 W. North Loop Blvd.
Austin, Texas 78756
(512)-458-6969
Job#: R0615405

8-1-05
Date



SKETCH TO ACCOMPANY METES AND BOUNDS

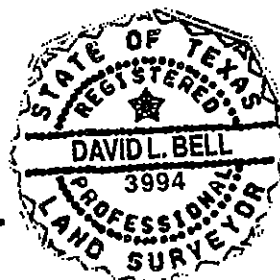


Dewey H. Burris & Associates, Inc.
Land Surveying Services

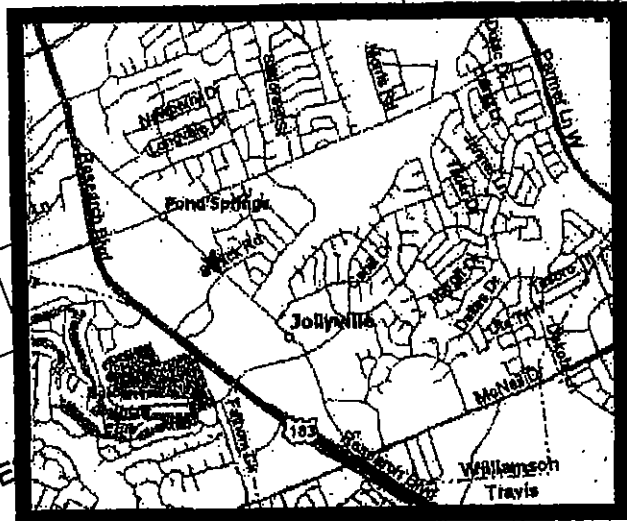
POND SPRINGS ROAD

1404 West North Loop Blvd. 512*458-6969
Austin, Texas 78756 Fax 512*458-9845

DATE 7/8/05
JOB # R0615405
SCALE 1" = 30'



OFFICE



AUTOMOTIVE SALE
GOLF CARTS

RETAIL

BOOK SALES

OFFICE

CHURCH

TRACT 2

LR-CO

98-0273

SP-02-0253C

SP-03-0162C

SPC-04-0028C

GR-CO

02-0158 02-0159

SP-03-0331C

TRACT 1

I-RR

CEMETERY

UNDEVELOPED

RETAIL

VET CLINIC

03-0169
OFFICE

CS-CO

01-0163

INDUSTRIAL PARK

I-SF-2

I-RR

INDUSTRIAL

CS-CO

01-0074

OFFICE

I-SF-1



1" = 200'

SUBJECT TRACT
PENDING CASE
ZONING BOUNDARY
CASE MGR: S. SIRWAITIS



ZONING EXHIBIT C

CASE #: C14-05-0143

ADDRESS: 13290-A POND SPRINGS RD

SUBJECT AREA (acres): 0.330

DATE: 05-09

INTLS: SM.

CITY GRID
REFERENCE
NUMBER
G37