

ORDINANCE NO. _____

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**
2 **PROPERTY LOCATED AT 9511 NORTH FM 620 ROAD FROM PUBLIC-**
3 **CONDITIONAL OVERLAY (P-CO) COMBINING DISTRICT TO COMMUNITY**
4 **COMMERCIAL -CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT.**

5
6 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

7
8 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
9 change the base district from public-conditional overlay (P-CO) combining district to
10 community commercial -conditional overlay (GR-CO) combining district on the property
11 described in Zoning Case No. C14-2012-0006, on file at the Planning and Development
12 Review Department, as follows:

13
14 A 3.963 acre tract of land, more or less, out of the A.E. Livingston Survey No. 455,
15 the tract of land being more particularly described by metes and bounds in Exhibit
16 "A" incorporated into this ordinance (the "Property"),

17
18 locally known as 9511 North FM 620 Road in the City of Austin, Travis County, Texas,
19 and generally identified in the map attached as Exhibit "A".

20
21 **PART 2.** The Property within the boundaries of the conditional overlay combining district
22 established by this ordinance is subject to the following conditions:

- 23
24 A. A site plan or building permit for the Property may not be approved, released,
25 or issued, if the completed development or uses of the Property, considered
26 cumulatively with all existing or previously authorized development and uses,
27 generate traffic that exceeds 600 trips per day.
28
29 B. Drive-in service use is prohibited as an accessory use to Restaurant (General)
30 and Restaurant (Limited) uses.
31
32 C. The following uses are prohibited uses of the Property:

33
Automotive repair services
Automotive sales
Exterminating services
Funeral services

Automotive rentals
Automotive washing (of any type)
Food preparation
Hotel-Motel

Outdoor entertainment
Service station
Alternative financial services
Commercial off-street parking
Off-site accessory parking

Pawn shop services
Theater
Bail bond services
Drop-off recycling collection facility
Research services

Except as 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 _____, 2012.

PASSED AND APPROVED

_____, 2012 §
 §
 §

Lee Leffingwell
Mayor

APPROVED: _____ **ATTEST:** _____
Karen M. Kennard Shirley A. Gentry
City Attorney 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;

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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:

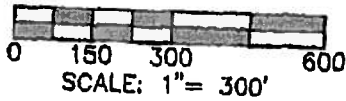
- 1) Along a curve to the right having a radius of 1359.52 feet, a central angle of 01°57'06", an arc length of 46.31 feet and a chord which bears N38°05'11"E, a distance of 46.31 feet to a concrete monument found at the northeasterly corner of said 0.657 acre tract, being the southwesterly corner of 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. Jezisek 2/9/05
MARK J. JEZISEK, R.P.L.S.
NO. 5267
STATE OF TEXAS





LEGEND

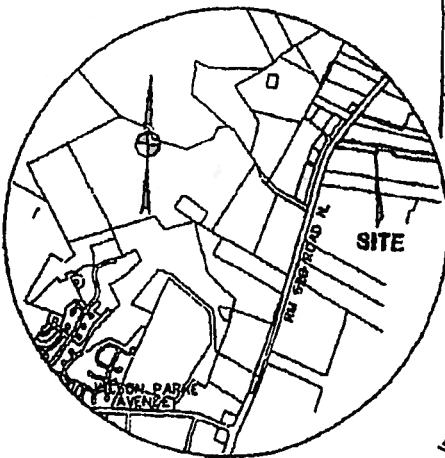
- 1/2" IRON ROD FOUND
- ⊙ 1/2" IRON ROD WITH CAP FOUND
- CONCRETE MONUMENT FOUND
- P.O.B. POINT OF BEGINNING

LINE TABLE

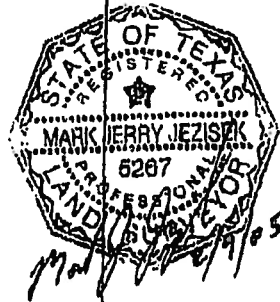
No.	Bearing	Distance
L1	S83°34'22"E	255.23'
L2	S83°28'51"E	125.01'
L3	S81°50'35"E	73.33'
L4	S07°48'19"W	175.88'
L5	N82°10'03"W	198.30'
L6	S07°49'57"W	40.00'
L7	N39°20'44"E	191.89'

CURVE TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	01°57'06"	1359.52	46.31	46.31	N38°05'11"E



VICINITY MAP
N.T.S.



0.657 ACRES
ECO RESOURCES, INC.
DOC. NO. 2002096564

LOT 1 BLOCK 'A'
SCS SUBDIVISION
DOC. NO. 200300260

LOT 1 BLOCK 'A'
ESTATES AT CANYON CREEK
SUBDIVISION
SECTION ONE
DOC. NO. 200400043

R.M. 620
(150' R.O.W.)

LOT 1, BLOCK 'A'
CANYON CREEK WEST SECTION 2
DOC. NO. 200100167

LOT 1, BLOCK 'A'
ECO RESOURCES OFFICE
DOC. NO. 200100212

LOT 2 BLOCK 'A'
SCS SUBDIVISION
DOC. NO. 200300260

LOT 23
BLOCK 'B'
CANYON CREEK
WEST SECTION ONE
DOC. NO. 200200010

CANYON CREEK
SECTION 19B
VOL. 93, PG. 138

SHOAL CREEK
PROPERTIES, LTD.
REM. OF 98,279 AC.
DOC. NO. 2000148625

Bury+Partners
ENGINEERING SOLUTIONS
3946 Bee Coven Road, Suite 200
Austin, Texas 78748
Tel. (512) 328-0011 Fax (512) 328-0326
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SURVEY NO. 455, SITUATED IN TRAVIS COUNTY, TEXAS,
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OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

**ECO
RESOURCES**

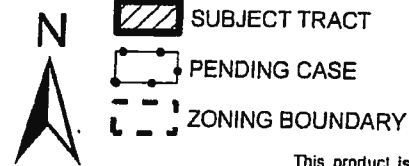
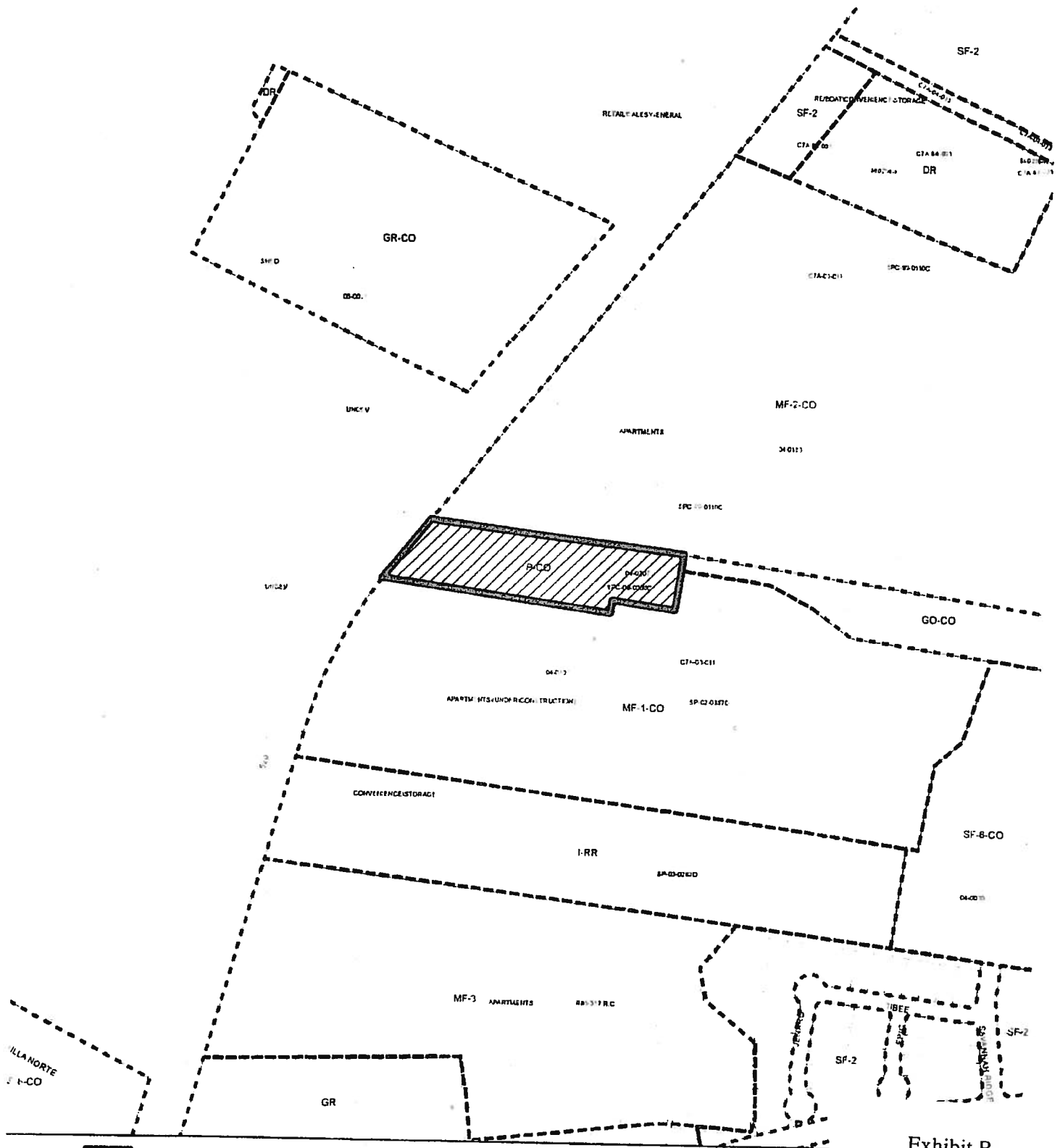
DATE: 02/09/05

FILE: H:\1451\01\145101EX4.dwg

FN No.: FN05-138(MJJ)

DRAWN BY: A.L.

PROJ. No: 1346-02



ZONING
ZONING CASE#: C14-2012-0006

Exhibit B



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.