

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1044 NORWOOD PARK BOULEVARD IN THE WINDSOR HILLS NEIGHBORHOOD PLAN AREA FROM COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-CO-NP) COMBINING DISTRICT TO COMMERCIAL HIGHWAY SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CH-CO-NP) 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 community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district to commercial highway services-conditional overlay-neighborhood plan (CH-CO-NP) combining district on the property described in Zoning Case No. C14-2012-0146.SH, on file at the Planning and Development Review Department, as follows:

A 1.412 acre tract of land, more or less, being a portion of Lot 5, Resubdivision of Lots 1A, 1B and 1C, Wal-Mart at Norwood Park Subdivision the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 1044 Norwood Park Boulevard in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 2. Except as specifically provided in Part 3 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the commercial highway services (CH) base district and other applicable requirements of the City Code.

PART 3. 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 prohibited uses of the Property:

Agricultural sales and services
Building maintenance services

Art gallery
Laundry services

Campground
Commercial blood plasma center
Convenience storage
Equipment sales
Liquor sales
Veterinary services
Maintenance and service facilities
Transportation terminal

Cocktail lounge
Construction sales and services
Equipment repair services
Kennels
Vehicle storage
Custom manufacturing
Limited warehousing and distribution

1
2 Except as specifically restricted under this ordinance, the Property may be developed and
3 used in accordance with the regulations established for the commercial highway services
4 (CH) base district and other applicable requirements of the City Code.
5

6 **PART 4.** The Property is subject to Ordinance No. 20110113-061 that established the
7 Windsor Hills neighborhood plan combining district.
8

9 **PART 5.** This ordinance takes effect on _____, 2013.
10

11
12 **PASSED AND APPROVED**

13
14 §
15 §
16 _____, 2013 § _____
17 Lee Leffingwell
18 Mayor
19
20

21 **APPROVED:** _____ **ATTEST:** _____
22 Karen M. Kennard Jannette S. Goodall
23 City Attorney City Clerk

1.412 ACRES
PORTION OF LOT 5
VILLAGE AT NORWOOD PARK

FN. NO. 12-466(MJJ)
DECEMBER 20, 2011
BPI JOB NO. R011107510001

DESCRIPTION

OF A 1.412 ACRE TRACT OF LAND SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 5, RESUBDIVISION OF LOTS 1A, 1B AND 1C, WAL-MART AT NORWOOD PARK SUBDIVISION AND LOT 2, REPLAT OF NORWOOD PARK, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200200096 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.412 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a 1/2 inch iron rod found in the curving easterly right-of-way line of Norwood Park Boulevard (90' R.O.W.), being the southwesterly corner of Lot 4 of said Resubdivision of Lots 1A, 1B and 1C, Wal-Mart at Norwood Park Subdivision and Lot 2, Replat of Norwood Park and the northwesterly corner of said Lot 5;

THENCE, S86°18'10"E, leaving the curving easterly right-of-way line of Norwood Park Boulevard, along the common line of said Lots 4 and 5, a distance of 107.81 feet to the northwesterly corner of that certain zoning line as described in City of Austin Ordinance No. 860717-H, for the **POINT OF BEGINNING**, and northwesterly corner hereof;

THENCE, continuing along the common line of said Lots 4 and 5, for the northeasterly line hereof, the following four (4) courses and distances:

- 1) S86°18'10"E, a distance of 67.38 feet to a 1/2 inch iron rod found for an angle point;
- 2) S63°12'24"E, a distance of 175.30 feet to a 1/2 inch iron rod with "Doucet" cap found for an angle point;
- 3) S78°01'31"E, a distance of 42.81 feet to a 1/2 inch iron rod with "Chaparral" cap found for an angle point;
- 4) S62°26'16"E, a distance of 449.73 feet to a 1/2 inch iron rod with "Chaparral" cap found in the northwesterly line of Lot 2, Cameron Road Research Addition, a subdivision of record in Book 73, Page 60 of the Plat Records of Travis County, Texas, being the southeasterly corner of said Lot 4 and northeasterly corner of said Lot 5, for the northeasterly corner hereof;

THENCE, S27°31'37"W, along the common line of said Lots 2 and 5, for the southeasterly line hereof, a distance of 100.17 feet to a 1/2 inch iron rod found at the southeasterly corner of said City of Austin Ordinance No. 860717-H, for the southeasterly corner hereof;

FN 12-466(MJJ)
DECEMBER 20, 2011
PAGE 2 OF 2

THENCE, leaving the northwesterly line of said Lot 2, over and across said Lot 5, along the southwesterly line of said zoning line, for the southwesterly line hereof, the following four (4) courses and distances:

- 1) N62°29'17"W, a distance of 460.00 feet to an angle point;
- 2) N43°17'19"W, a distance of 113.11 feet to an angle point;
- 3) S45°36'37"W, a distance of 28.65 feet to an angle point;
- 4) N44°23'23"W, a distance of 160.08 feet to the POINT OF BEGINNING, and containing 1.412 acres (61,497 sq. ft.) of land, more or less, within these metes and bounds.

BEARING BASIS IS TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(96), UTILIZING WESTERN DATA SYSTEMS CONTINUALLY OPERATING REFERENCE STATION (CORS) NETWORK.

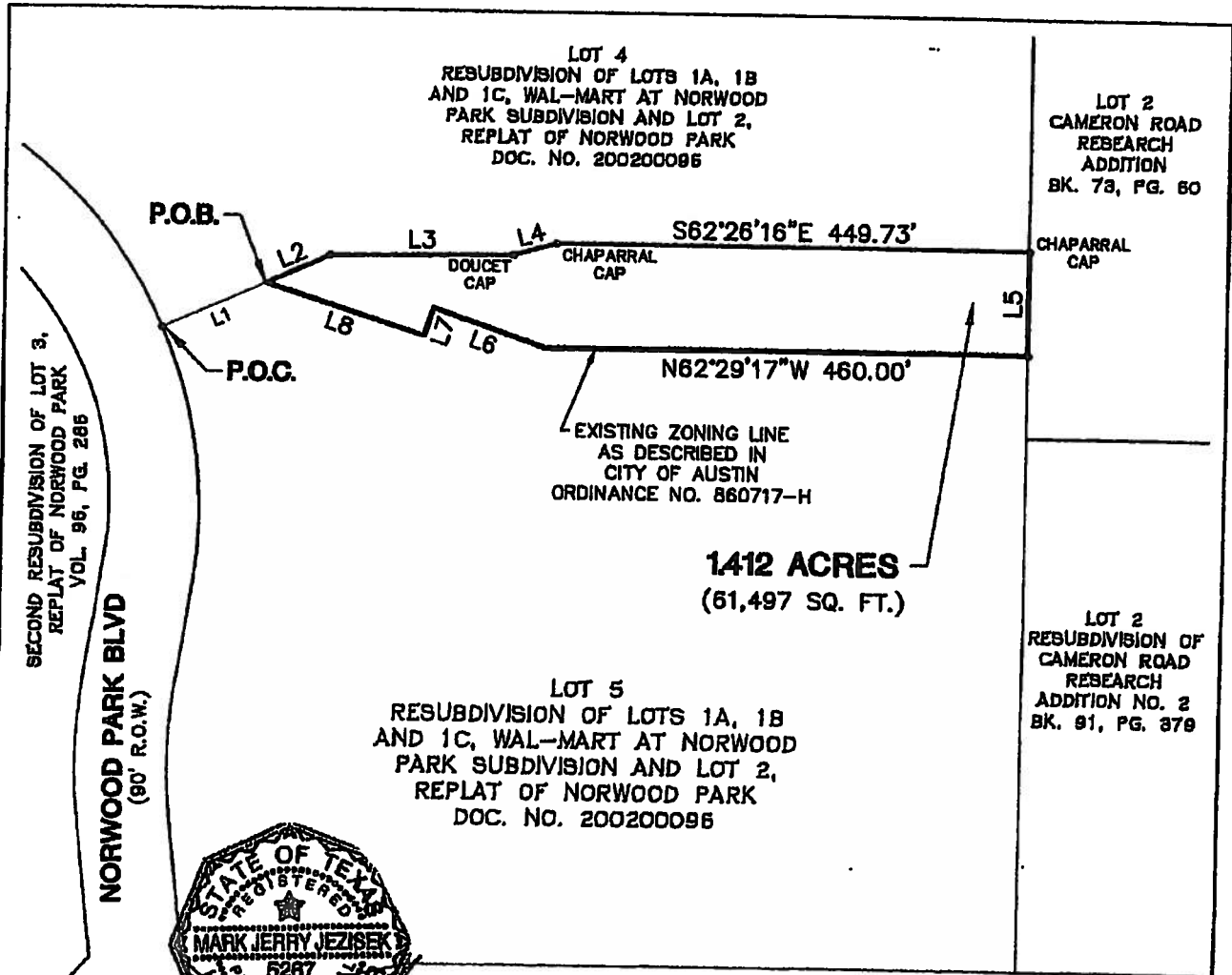
I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PARTNERS, INC.
221 WEST SIXTH ST., SUITE 600
AUSTIN, TEXAS 78701

[Signature]
MARK J. JEZISEK
NO. 5267
STATE OF TEXAS

12/20/11
DATE





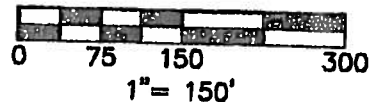
LINE TABLE

| NO. | BEARING | DISTANCE |
|-----|-------------|----------|
| L1 | S86°18'10"E | 107.81' |
| L2 | S88°18'10"E | 87.38' |
| L3 | S83°12'24"E | 175.30' |
| L4 | S78°01'31"E | 42.81' |
| L5 | S27°31'37"W | 100.17' |
| L6 | N43°17'19"W | 113.11' |
| L7 | S45°36'37"W | 28.85' |
| L8 | N44°23'23"W | 180.08' |

U.S. HIGHWAY 183 (R.O.W. VARIES)

LEGEND

- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT



Bury+Partners

221 West Sixth Street, Suite 800
Austin, Texas 78701
Tel. (512)328-0011 Fax (512)328-0385
Bury+Partners, Inc. © Copyright 2012

SKETCH TO ACCOMPANY DESCRIPTION
OF A 1.412 ACRE TRACT OF LAND SITUATED IN THE CITY OF
AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 5,
RESUBDIVISION OF LOTS 1A, 1B AND 1C, WAL-MART AT
NORWOOD PARK SUBDIVISION AND LOT 2, REPLAT OF
NORWOOD PARK, A SUBDIVISION OF RECORD IN DOCUMENT NO.
200200096 OF THE OFFICIAL PUBLIC RECORDS OF
TRAVIS COUNTY, TEXAS.

**LEDGESTONE
GROUP**

DATE: 12/20/11 FILE: H:\110473\001\110473001EX1.DWG FN No.: FN12-486(MJJ) DRAWN BY: MLT PROJ. No: R0110473-10001

H:\110473\001\110473001EX1.dwg Oct 30, 12 11:12 AM by: mltaylor

