

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 8509 FM 969 FROM FAMILY RESIDENCE (SF-3) DISTRICT AND GENERAL OFFICE-CONDITIONAL OVERLAY (GO-CO) COMBINING 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 family residence (SF-3) district and general office-conditional overlay (GO-CO) combining district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-2013-0030, on file at the Planning and Development Review Department, as follows:

A 7.9 acre tract of land, more or less, out of the Phillip McElroy Survey No. 18, Abstract No. 16 the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 8509 FM 969 Road in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

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. General retail sales (convenience) use is a conditional use of the Property.
- C. The following uses are prohibited uses of the Property:

Automotive repair services
Automotive sales
Bail bond services
Exterminating services

Automotive rentals
Automotive washing (of any type)
Drop-off recycling collection facility
Funeral services

Pawn shop services
Service station

PART 3. This ordinance takes effect on _____, 2013.

_____, 2013

§
§
§

Lee Leffingwell
Mayor

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

EXHIBIT "A"

FIELD NOTE DESCRIPTION

OF A 7.909-ACRE TRACT OF LAND BEING SITUATED IN THE PHILLIP McELROY SURVEY NO. 18, ABSTRACT NO. 16, AND THE JAMES BURLESON SURVEY NO. 19, ABSTRACT NO. 4, TRAVIS COUNTY, TEXAS, AND BEING OUT OF AND A PART OF A CALLED 171.987-ACRE TRACT OF LAND CONVEYED TO PB AUSTIN RIDGE, LLC AND MF AUSTIN RIDGE, LLC, BY INSTRUMENT RECORDED IN DOCUMENT NUMBER 2003183806, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 7.909-ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a brass disc monument found in concrete for the southwest corner of a called 2.305-acre tract of land conveyed to ASC Management, Inc., by instrument recorded in Document Number 2005138118, Official Public Records, Travis County, Texas; and being an interior angle point in the north line of said 171.987-acre PB Austin Ridge, LLC and MF Austin Ridge, LLC tract (171.987-acre PB Austin Ridge tract);

THENCE leaving the north line of, and over and across said 171.987-acre PB Austin Ridge tract S 23°53'03" W for a distance of 292.91 feet to a iron rod with a damaged and illegible plastic cap found at the back of concrete curb for a northwesterly corner of a called 5.076-acre tract of land conveyed to Center for Child Protection by instrument recorded in Document Number 2006147193, Official Public Records, Travis County, Texas;

THENCE with the west line of said 5.076-acre Child Protection tract, S 32°27'48" W for a distance of 495.55 feet to a 100d nail set in asphalt driveway for an exterior angle point in the north line and POINT OF BEGINNING hereof;

THENCE continuing with the west line of said 5.076-acre Child Protection tract, S 32°27'48" W for a distance of 20.06 feet to a 100d Nail with washer stamped "Delta Survey Group Inc" found in asphalt driveway for the southwest corner of said 5.076-acre Child Protection tract and an interior angle point in the northerly line hereof;

THENCE with the south line of said 5.076-acre Child Protection tract and with the north line hereof S 61°33'45" E for a distance of 296.72 feet to an 3/8" iron rod with plastic cap stamped "RPLS 3819" set (iron rod set) for the northeast corner hereof, and from which point a 1/4" iron rod with no cap found at back of concrete curb for the most southerly southeast corner of said 5.076-acre Child Protection tract bears S 61°33'45" W for a distance of 383.45 feet;

THENCE leaving the south line of said 5.076-acre Child Protection tract, over and across said 171.987-acre PB Austin Ridge LLC tract for the following seven (7) calls numbered 1 through 7:

1. with the easterly line hereof S 28°26'15" W for a distance of 60.11 feet to a 100d nail set in asphalt driveway for angle point;
2. continuing with the easterly line hereof S 15°44'30" E for a distance of 365.19 feet to an iron rod set for the most easterly corner hereof;
3. with the southerly line hereof S 74°15'30" W for a distance of 498.13 feet to an iron rod set for the most southerly corner hereof;
4. with the westerly line hereof N 15°44'30" W for a distance of 735.47 feet to an iron rod set for angle point;
5. continuing with the westerly line hereof N 01°14'23" E for a distance of 111.49 feet to an iron rod set for the northwest corner hereof;
6. with the northerly line hereof S 88°45'37" E for a distance of 136.88 feet to an iron rod set for angle point;

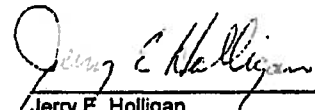
7. continuing with the northerly line hereof S 61°33'45" E for a distance of 249.19 feet to the POINT OF BEGINNING hereof and containing 7.909-ACRES of land, more or less.

Bearing Basis:

All bearings recited herein are based on the Texas State Plane Grid Coordinate System, Central zone No. 4203, NAD 83 (2011)(EPOCH:2010.0000). Surface values were generated using a Site Specific Combined Scale Factor of 0.99994262242.

A sketch accompanies this Field Note Description on Page 3 of 3, also labeled Exhibit "A".

As surveyed by:


Jerry E. Holligan
Registered Professional Land Surveyor
Texas Registration No. 3819
122 Whippoorwill Lane
Burnet, Texas 78611



2-27-12

Austin Ridge Re-Zoning
7.909-Acres (Roddick)
7.909-RoddickTract.doc

EXHIBIT "A" SKETCH TO ACCOMPANY FIELD NOTES



Scale: 1" = 200'

LEGEND

- IRON PIN SET
- IRON PIN FOUND
- △ 100'-d' NAIL SET
- ▲ 100'-d' NAIL FOUND
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS,
TRAVIS COUNTY
- [] RECORD INFORMATION

50' WIDE ACCESS EASEMENT
to STATE OF TEXAS
VOL. 12947, Pg. 3792
O.P.R.T.C.

ACCESS/UTILITY
EASEMENT
DOC. # 2006147194
O.P.R.T.C.

F.M. RD. 969
(R.O.W. VARIES)

ASC MANAGEMENT, INC.
CALLED 2.305 ACRES
DOC. # 2005138118
O.P.R.T.C.

LOT 1

LOT 2

LOT 1

PB AUSTIN RIDGE, LLC
MF AUSTIN RIDGE, LLC
CALLED 171.987 ACRES
DOC. # 2003183806
O.P.R.T.C.

P.O.C.
Brass Disc Found
in concrete

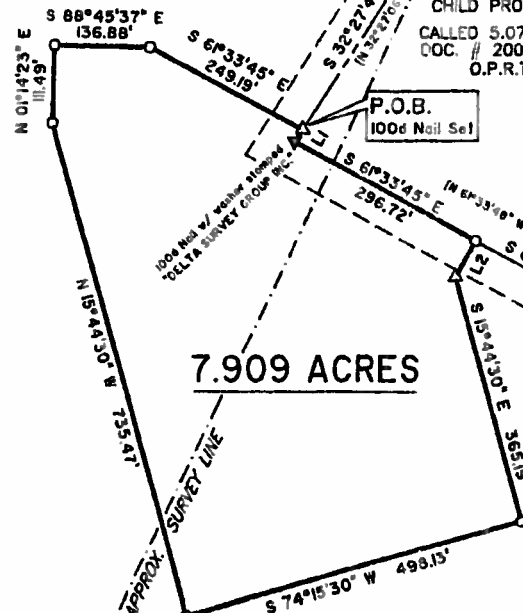
JAMES BURLESON SURVEY NO. 19
ABSTRACT NO. 4

ACCESS/UTILITY
EASEMENT
DOC. # 2006147194
O.P.R.T.C.

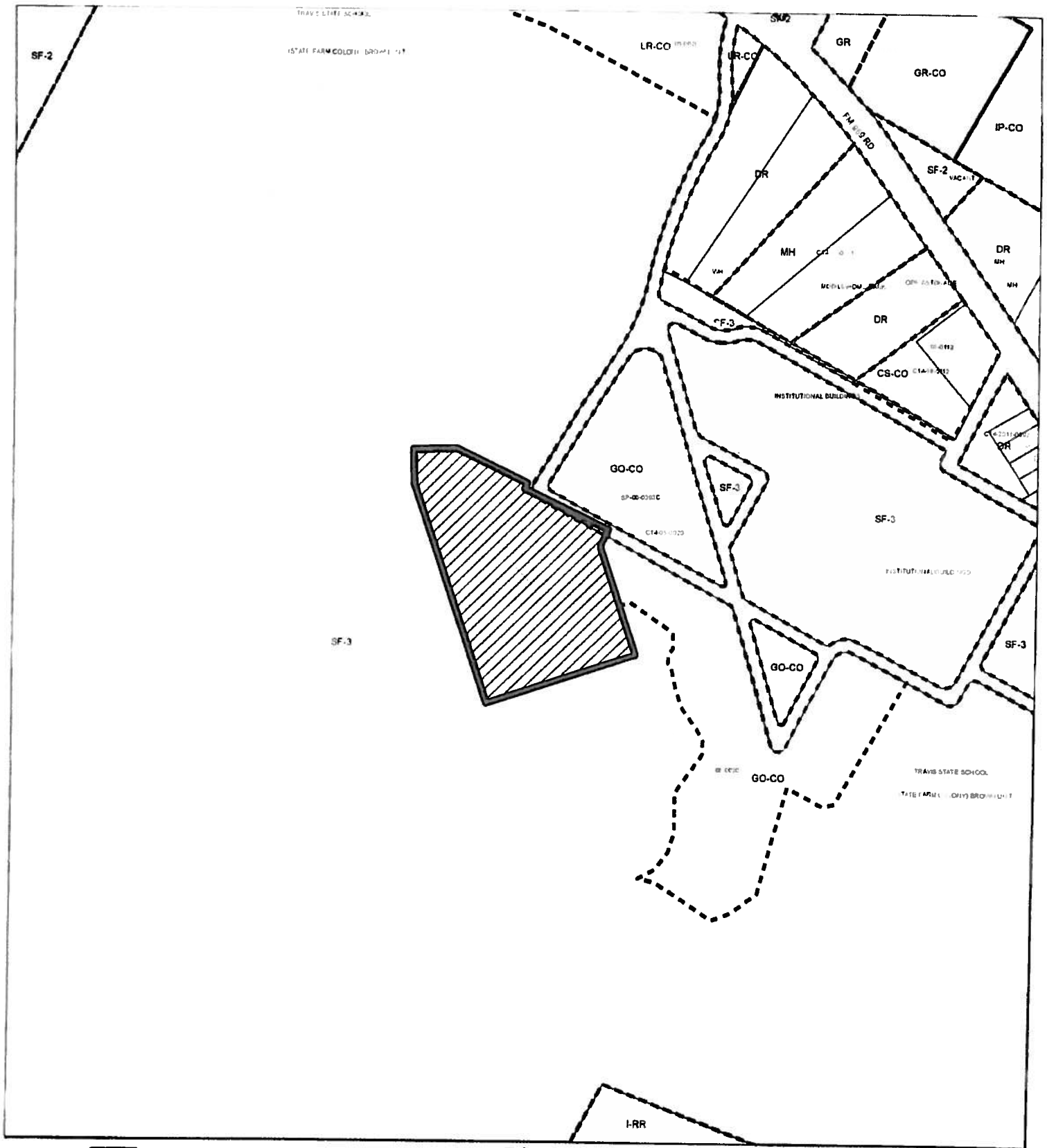
CENTER FOR
CHILD PROTECTION
CALLED 5.076 ACRES
DOC. # 2006147193
O.P.R.T.C.




P.O.B.
100d Nail Set

PHILIP McELROY SURVEY NO. 18
ABSTRACT NO. 16



PB AUSTIN RIDGE, LLC
MF AUSTIN RIDGE, LLC
CALLED 171.987 ACRES
DOC. # 2003183806
O.P.R.T.C.



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2013-0030

1" = 400'

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.



Exhibit B