

ORDINANCE NO. _____

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**
2 **PROPERTY LOCATED AT 10104 EAST U.S. HIGHWAY 290 FROM**
3 **DEVELOPMENT RESERVE (DR) DISTRICT TO COMMERCIAL HIGHWAY**
4 **SERVICES-CONDITIONAL OVERLAY (CH-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 development reserve (DR) district to commercial highway
10 services-conditional overlay (CH-CO) combining district on the property described in
11 Zoning Case No. C14-2013-0054, on file at the Planning and Development Review
12 Department, as follows:
13

14 3.14 acre tract of land, more or less, out of the William H. Sanders Survey No. 54,
15 Abstract No. 690 and the James Manor Survey No. 40, Abstract No. 546 the tract
16 of land being more particularly described by metes and bounds in Exhibit "A"
17 incorporated into this ordinance (the "Property"),
18

19 locally known as 10104 East U.S. Highway 290 in the City of Austin, Travis County,
20 Texas, and generally identified in the map attached as Exhibit "B".
21

22 **PART 2.** The Property within the boundaries of the conditional overlay combining district
23 established by this ordinance is subject to the following conditions:
24

25 A. The maximum height, as defined in City Code, of a building or structure on the
26 property may not exceed 90 feet.
27

28 B. The following uses are prohibited uses of the Property:
29

Adult oriented businesses

Commercial blood plasma center

Pawn shop services

Guidance services

Transitional housing

Campground

Drop-off recycling collection facility

Vehicle storage

Residential treatment

Except as specifically restricted under 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. This ordinance takes effect on _____, 2013.

PASSED AND APPROVED

_____, 2013

§
§
§

Lee Leffingwell
Mayor

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



**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

3.142 ACRES

**WILLIAM H. SANDERS SURVEY NO. 54, ABSTRACT NO. 690
JAMES MANOR SURVEY NO. 40, ABSTRACT NO. 546
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 3.142 ACRES OF LAND, BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 5.26 ACRES, MORE OR LESS, SITUATED IN THE WILLIAM H. SANDERS SURVEY NO. 54, ABSTRACT NO. 690, AND THE JAMES MANOR SURVEY NO. 40, ABSTRACT NO. 546 IN TRAVIS COUNTY, TEXAS, DESCRIBED IN A SPECIAL WARRANTY DEED WITH VENDOR'S LIEN DATED FEBRUARY 28, 1997, TO JOHN CHAPMAN, RECORDED IN VOLUME 12881, PAGE 2279 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAVE AND EXCEPT THAT CERTAIN 2.138 ACRES AWARDED TO THE STATE OF TEXAS IN CONDEMNATION CLAUSE NO. 2602, PROBATE COURT NO. ONE IN TRAVIS COUNTY, TEXAS; SAID 3.142 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with aluminum TXDOT cap found in the east line of the 5.26 acre tract, also being the west line of a 12.609 acre tract described in Volume 8534, Page 457 of the Deed Records of Travis County, Texas, for the northeast corner of the said 2.138 acre tract (also described in Document No. 2005018755 of the Official Public Records of Travis County, Texas), from which a 1/2" rebar with aluminum TXDOT cap found bears North 65°03'23" East, a distance of 522.72 feet;

THENCE South 65°04'37" West, with the north line of the 2.138 acre tract and over and across the 5.26 acre tract, a distance of 360.76 feet to a 1/2" rebar with aluminum TXDOT cap found in the west line of the 5.26 acre tract, also being the east line of a 365.243 acre tract described in Volume 13100, Page 1 of the Real Property Records of Travis County, Texas, from which a 1/2" rebar with aluminum TXDOT cap found bears South 65°03'58" West, a distance of 1258.13 feet;

THENCE with the east line of the 365.243 acre tract and the west line of the 5.26 acre tract, the following four (4) courses:

1. North 27°52'53" East, a distance of 87.51 feet to a 5/8" rebar found;
2. North 07°12'26" East, a distance of 168.42 feet to a 1.5" iron pipe found;
3. North 28°04'23" East, a distance of 554.98 feet to a 3/8" rebar found;
4. South 62°03'53" East, a distance of 106.19 feet to a 3/8" rebar found for the

northeast corner of the 5.26 acre tract, also being an angle point in the east line of the 365.243 acre tract and angle point in the west line of the 12.609 acre tract;

THENCE South $09^{\circ}34'58''$ West, with the east line of the 5.26 acre tract and the west line of the 12.609 acre tract, a distance of 539.89 feet to the **POINT OF BEGINNING**, containing an area of 3.142 acres of land, more or less.

Surveyed on the ground June, 2006. Bearing basis is Grid Azimuth for Texas Central Zone, 1983/93 HARN values from LCRA control network. Attachments: Survey Drawing No. 014-074-T15.



Robert C. Watts, Jr.
Registered Professional Land Surveyor
State of Texas No. 4995

Date



6-16-06

LOCATION MAP

3.142 ACRES
(APPROX. 130,839 S.F.)
IN CHAMPAIN
PORTION OF S.70 ACRES
(12861/2270)

C & O VENTURE FUNDING CO.
22 HYS. H.S.

SCALE IN FEET

LESSONS

- 1/2" FIBER FENCING (W/ALUMINOUS TUBES)
- HIGH TENS FENCING (W/ALUMINOUS TUBES) CAP
- RAIL TYPE FENCING (SIZE MEDIUM)
- TUBEST TYPE 8 DISK FOUND
- CALCULATED POINT
- WATER METER
- WATER VALVE
- CHART 1 WATER MANHOLE
- SPEAKER CONTROL VALVE
- UTILITY POLE
- CRY WIRE
- CHART 2 OVERHEAD UTILITIES
- TELEPHONE UTILITIES
- ▲ UNDERGROUND CABLE MARKER
- CHART 3 WASTEWATER CLEANOUT
- CHART 4 BOX
- CHART 5 LOOK OF PARALLEL
- CHART 6 BARRIERS
- CHART 7 BARRIERS
- CHART 8 BARRIERS
- CHART 9 BARRIERS
- CHART 10 BARRIERS
- CHART 11 BARRIERS
- CHART 12 BARRIERS
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- CHART 99 BARRIERS
- CHART 100 BARRIERS

COMMITMENT FOR THE POLARANCE PROVIDED BY

Heritage Fire Insurance Company

S.F. No. 0004359, 5th-Cy. 5

6/7. No: 20061228 ExecPro Date: June 7, 2006 Issued: June 2, 2006

The surveyor has called upon the referenced Commercial for this regarding encroachments, restrictions, and other matters affecting this property. No official research was done for the purpose of this survey. Some notes are noted appearing in the amendment, followed by surveyor's notes under observations.

Schedule "B" items containing identical and re-listed below are considered:

1) **Regulation:**

1) Right-hand:
Exception detailed

10b) Consequences of Robert Darmon Pressed into Davis No. 2602, typed State of Texas vs John Chapman, et al., et al., as evidenced by letter of the Postoffice dated February 2, 1904, recorded under Document No. 200501871, of the Office of Public Records of Travis County, Texas. -- Subject to, as shown

10c) Right-of-way easement granted to the Women's Land Board, by instrument dated September 27, 1963, recorded in Volume 2246, Page 360 of the Deed Records of Travis County, Texas. -- Does not affect

16b) Water main easement and right-of-way easement granted to the City of Austin, by instrument dated August 22, 1958, recorded in Volume 318A, Page 1680 of the Deed Records of Travis County, Texas -- Does not affect A-142 acre tract

180 Water main easement granted to the Travis County Water Control and Improvement District No. 2, by instrument dated February 1, 1967, recorded in Volume 3418, Page 2295 of the Deed Records of Travis County, Texas. -- Does not affect 3.142 acre tract

100) Water main easement granted to the Travis County Water Control and Improvement District No. 8, by instrument dated February 9, 1967, recorded in Volume 3415, Page 2337 of the Deed Records of Travis County, Texas. -- Does not affect 3.142 acre tract

CERTIFIED FOR:

John Chapman
Corso Development, Inc.
Hendricks The Company of Austin, Inc.
Commonwealth Lead Site Investors Company

PROPERTY ADDRESS: U.S. 1804437 290

DATE OF BIRTH: JAN 13, 1934

DATE OF SURVEY: June 12, 2004

SEARCHED: Gold standard for Food Control Pers. 1981/83 MAPY values from LEBA control network.

I hereby certify that a survey of the property shown herein was actually made 1991 the ground under my Garden and impervious on the site shown, and that to the best of my professional knowledge and belief there are no apparent encroachments, overlapping of boundaries, discovered on, and few no-trees, fields with hay or corn in place, except as shown hereon, and that this property shown is 26,404 ± acres of land right-of-way or easement easement, within natural bottom.

The tract shown herein lies within Zone "B" (severe streambed) to be suitable 500 year flood-plain, as identified by the Federal Emergency Management Agency, Federal Insurance Administration, and shown on map No. 22131-0043 C, dated June 10, 1974, by the same agency. Flood and streambed coverage. If this site is not within the above specified flood hazard area, it is stated that the statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. The flood statement does not create liability on the part of the surveyor.

This survey was made voluntarily in accordance with the standards and conditions set forth for Category 1A, Circular 8, Land Use Survey, issued on the behalf of Practice for Land Surveying in Texas, 2008 Practice Council Ideas, prepared by the Texas Society of Professional Surveyors.

Wm C
 Peter C. Wells, Jr. Date
 Registered Professional Land Surveyor
 State of Texas No. 4882

Robert C. Watts, Jr.
RPLS, No. 2595

Chaparra
Professional Land Surveying, Inc.
Surveying and Mapping

2807 Lynch Ave., Room 1
Austin, Texas 78706
512-441-1274

PROJECT NO.
094-074

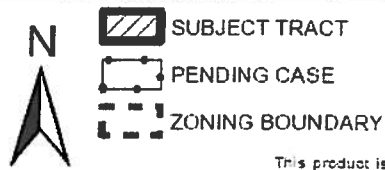
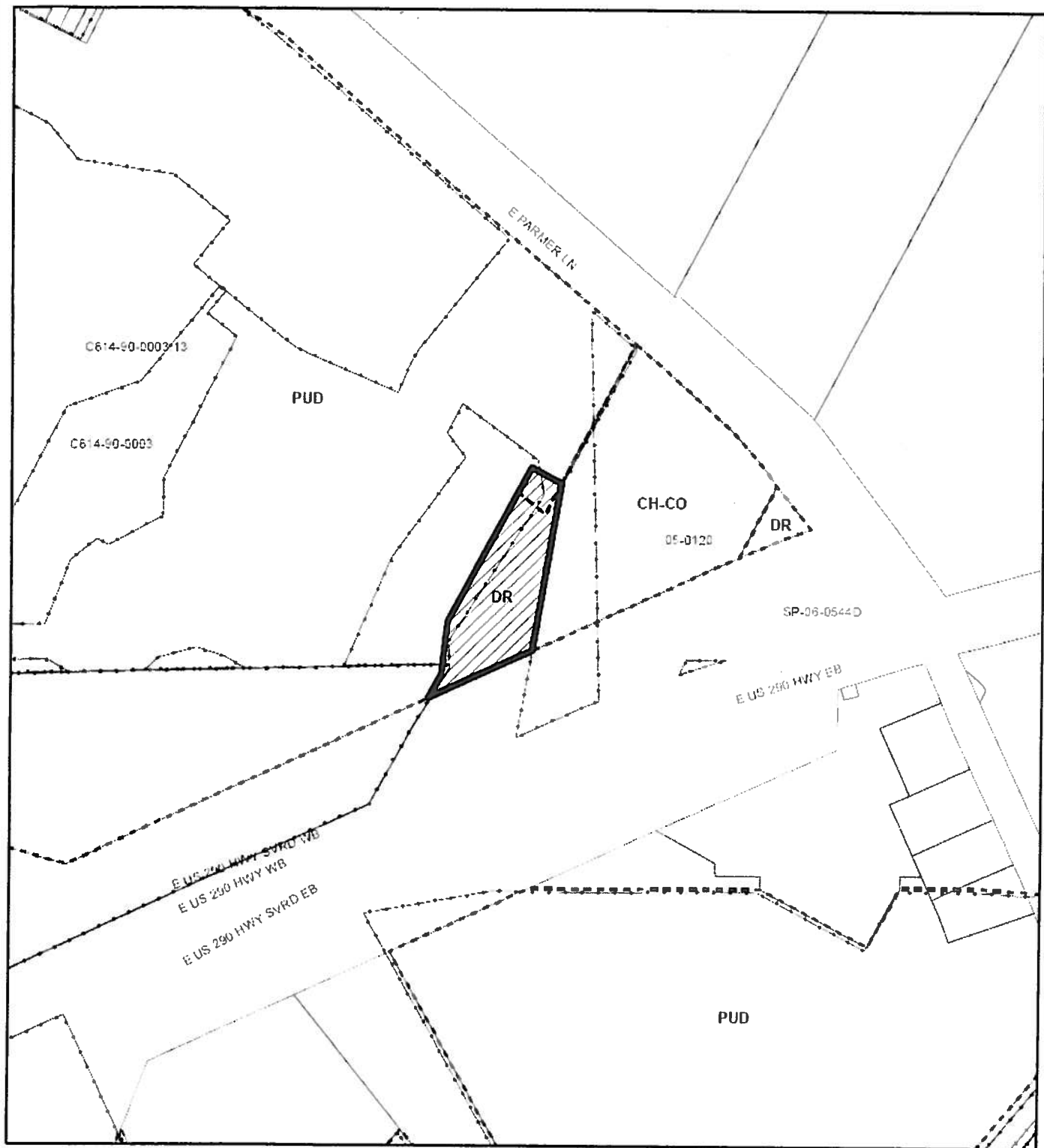
DRAWING NO.
094-074-T15

PLOT DATE
06/18/06

PLT. SCALE
1"=15'

DRAWN BY
SMD

SHEET
01 OF 01



ZONING
ZONING CASE#: C14-2013-0054



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.