

ORDINANCE NO. 20150416-028

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4525 SOUTH INTERSTATE HIGHWAY 35 SERVICE ROAD NORTHBOUND IN THE FRANKLIN PARK NEIGHBORHOOD PLAN AREA FROM COMMUNITY COMMERCIAL-NEIGHBORHOOD PLAN (GR-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-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-neighborhood plan (GR-NP) combining district to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district on the property (the "Property") described in Zoning Case No. C14-2015-0021, on file at the Planning and Zoning Department, as follows:

Tract 1:

1.322 acre tract of land, more or less, out of the Santiago Del Valle Grant, Abstract 24, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and,

Tract 2:

0.788 acre tract of land, more or less, out of the Santiago Del Valle Grant, Abstract 24, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance;

locally known as 4525 South Interstate Highway 35 Service Road Northbound in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

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 general commercial services (CS) 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. 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. A custom manufacturing use is a conditional use of the Property
- C. The following uses are not permitted uses of the Property:

Bail bond services	Campground
Construction sales and services	Commercial blood plasma center
Transportation terminal	Vehicle storage
Kennels	Maintenance and service facilities
Monument retail sales	Transitional housing
Drop-off recycling collection facility	Limited warehousing and distribution

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district and other applicable requirements of the City Code.

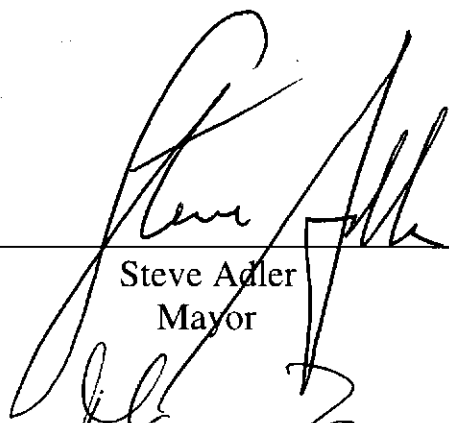
PART 4. The Property is subject to Ordinance No. 021010-12a that established the Franklin Park neighborhood plan combining district.

PART 5. This ordinance takes effect on April 27, 2015.

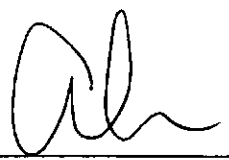
PASSED AND APPROVED

April 16, 2015

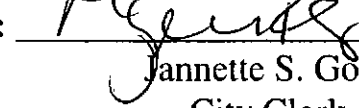
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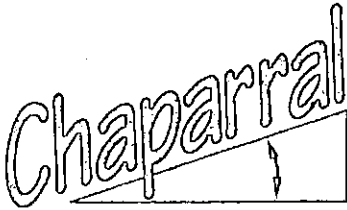
Steve Adler
Mayor

APPROVED: 

Anne L. Morgan
Interim City Attorney

ATTEST:  Fr

Jannette S. Goodall
City Clerk



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

PROPOSED LOT 4
ZONING DESCRIPTION

A DESCRIPTION OF 1.322 ACRES (APPROXIMATELY 57,570 SQ. FT.), IN THE SANTIAGO DEL VALLE GRANT, ABSTRACT 24, BEING A PORTION THE "FIRST TRACT" AS CONVEYED BY DEED DATED SEPTEMBER 27, 1955, FROM ODAS JUNG TO F.M. COVERT, JR., DAN M. COVERT AND F.M. COVERT, III, RECORDED IN VOLUME 1633, PAGE 81; AND BEING A PORTION OF A 14.09389 ACRE TRACT CONVEYED BY DEED DATED JULY 15, 1959, FROM SMITH PROPERTIES, INC., TO DAN M. COVERT, FRANK M. COVERT III, AND ELIZABETH C. COVERT, INDIVIDUALLY, AND ELIZABETH C. COVERT, FRANK M. COVERT III; AND THE CAPITAL NATIONAL BANK IN AUSTIN, TEXAS, TESTAMENTARY TRUSTEES OF THE ESTATE OF F.M. COVERT, JR., DECEASED, RECORDED IN VOLUME 2088, PAGE 132 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.322 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with Chaparral cap set in the east right-of-way line of Interstate Highway No. 35 (right-of-way width varies), being in the west line of said First Tract, from which a 1/2" rebar found in the east right-of-way line of Interstate Highway No. 35, being in the west line of said First Tract, and being also the southwest corner of Lot 1, Block A, Sterling Acura Subdivision, a subdivision of record in Document No. 200200336 of the Official Public Records of Travis County, Texas bears with a curve to the left, having a radius of 11634.97 feet, a delta angle of 01°58'25", an arc length of 400.78 feet, and a chord which bears North 30°51'32" East, a distance of 400.76 feet;

THENCE over and across said First Tract and the 14.09389 acre tract, the following three (3) courses and distances:

1. South 58°13'35" East, a distance of 170.46 feet to a calculated point;
2. North 27°27'56" East, a distance of 217.02 feet to a calculated point;
3. South 62°32'04" East, a distance of 244.37 feet to a calculated point in the east line of the 14.09389 acre tract, being also the west line of Lot 1, Block A, Woodway Square, a subdivision of record in Document No. 200300081 of the Official Public Records of Travis County, Texas, from which a 1/2" rebar with "5209" cap found, for the northwest corner of said Lot 1, being also in the south line of said Lot 1, Block A, Sterling Acura Subdivision bears with a curve to the left, having a radius of 12034.97 feet, a delta angle of 00°56'00", an arc length of 196.08 feet, and a chord which bears North 30°15'36" East, a distance of 196.07

feet;

THENCE with the east line of the 14.09389 acre tract, being also the west line of Lot 1, Block A, Woodway Square, with a curve to the right, having a radius of 12034.97 feet, a delta angle of $01^{\circ}06'27''$, an arc length of 232.61 feet, and a chord which bears South $31^{\circ}16'49''$ West, a distance of 232.61 feet to a calculated point, from which a 1/2" iron pipe found for the southwest corner of Lot 1, Block A bears with a curve to the right, having a radius of 12034.97 feet, a delta angle of $01^{\circ}35'13''$, an arc length of 333.33 feet, and a chord which bears South $32^{\circ}37'39''$ West, a distance of 333.32 feet;

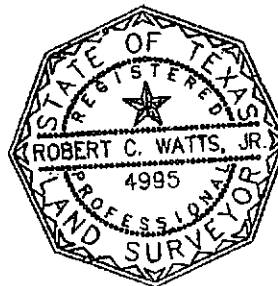
THENCE over and across said First Tract and the 14.09389 acre tract, the following two (2) courses and distances:

1. North $62^{\circ}31'38''$ West, a distance of 228.89 feet to a calculated point;
2. North $58^{\circ}13'35''$ West, a distance of 171.61 feet to a calculated point in the west line of the First Tract, being also in the east line of Interstate Highway No. 35;

THENCE with the west line of the First Tract, being also in the east line of Interstate Highway No. 35, with a curve to the left, having a radius of 11634.97 feet, a delta angle of $00^{\circ}04'26''$, an arc length of 15.00 feet, and a chord which bears North $31^{\circ}52'57''$ East, a distance of 15.00 feet to the **POINT OF BEGINNING**, containing 1.322 acres of land, more or less.

Surveyed on the ground in January, 2014. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User Service (OPUS). Attachments: Drawing 1001-001-Z2.

unt 5 11.26.4
Robert C. Watts, Jr.
Registered Professional Land Surveyor
State of Texas No. 4995
TBPLS Firm No. 10124500

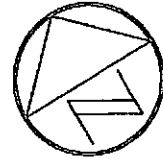


LOT 1, BLOCK A
STERLING ACURA SUBDIVISION
(200200336)

S62°32'04"E 400.18'
(S60°52'35"E 400.17')

5209

PROPOSED
LOT 1
1.800 AC.



1" = 100'

INTERSTATE HIGHWAY 35 SOUTH
(R.O.W. WIDTH VARIES)
(1425/101)

C3

S62°32'04"E 244.37'

C7

PROPOSED
LOT 2
0.788 AC.

N27°27'56"E 217.02'

PROPOSED
LOT 4
1.322 AC.

C4

C1 TOTAL

C2 TOTAL

S58°13'35"E 170.46'

P.O.B.

C6

N58°13'35"W 171.61'

N62°31'38"W 228.89'

F.M. COVERT, JR. ET AL
FIRST TRACT
(1633/81)

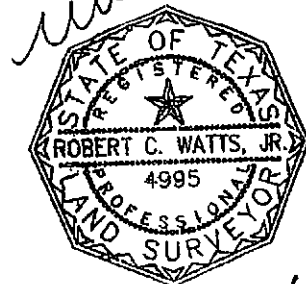
DAN M. COVERT, ET AL
14.09389 AC.
(2088/132)

LOT 1, BLOCK A
WOODWAY SQUARE
SUBDIVISION
(200300081)

C5

C9

PROPOSED
LOT 3
2.962 AC.



N56°01'55"W 399.77'
(N53°45'W 400')

TERI ROAD
(APPARENT 80' R.O.W. WIDTH)

Chaparral

DATE OF SURVEY: JAN. 2014
PLOT DATE: 11/26/14
DRAWING NO.: 1001-001-Z2
PROJECT NO.: 1001-001
T.B.P.L.S. FIRM NO. 10124500
DRAWN BY: RCW
SHEET 1 OF 2

SKETCH TO ACCOMPANY A DESCRIPTION OF 1.322 (APPROXIMATELY 57,570 SQ. FT.), IN THE SANTIAGO DEL VALLE GRANT, ABSTRACT 24, BEING A PORTION THE "FIRST TRACT" AS CONVEYED BY DEED DATED SEPTEMBER 27, 1955, FROM ODAS JUNG TO F.M. COVERT, JR., DAN M. COVERT AND F.M. COVERT, III, RECORDED IN VOLUME 1633, PAGE 81; AND BEING A PORTION OF A 14.09389 ACRE TRACT CONVEYED BY DEED DATED JULY 15, 1959, FROM SMITH PROPERTIES, INC., TO DAN M. COVERT, FRANK M. COVERT III, AND ELIZABETH C. COVERT, INDIVIDUALLY, AND ELIZABETH C. COVERT, FRANK M. COVERT III, AND THE CAPITAL NATIONAL BANK IN AUSTIN, TEXAS, TESTAMENTARY TRUSTEES OF THE ESTATE OF F.M. COVERT, JR., DECEASED, RECORDED IN VOLUME 2088, PAGE 132 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

LEGEND

- 1/2" REBAR FOUND
- 1/2" REBAR WITH "CHAPARRAL" CAP SET
- ⊙ 1/2" IRON PIPE FOUND
- △ CALCULATED POINT

CURVE TABLE

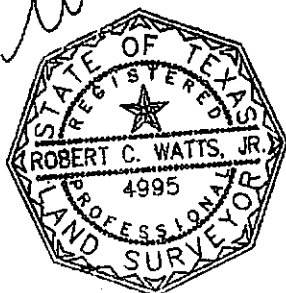
CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	11634.97'	3°34'35"	726.24'	N31°39'37"E	726.12'
C2	12034.97'	3°37'40"	762.02'	S31°36'26"W	761.89'
C3	11634.97'	1°58'25"	400.78'	N30°51'32"E	400.76'
C4	12034.97'	1°06'27"	232.61'	S31°16'49"W	232.61'
C5	11634.97'	1°31'44"	310.46'	S32°41'02"W	310.45'
C6	11634.97'	0°04'26"	15.00'	N31°52'57"E	15.00'
C7	12034.97'	0°56'00"	196.08'	N30°15'36"E	196.07'
C9	12034.97'	1°35'13"	333.33'	S32°37'39"W	333.32'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S33°52'57"W	9.61'

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON 1983/93 HARN VALUES FROM LCRA CONTROL NETWORK.

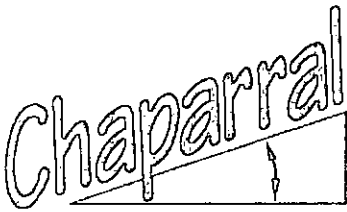
ATTACHMENTS: METES AND BOUNDS DESCRIPTION 1001-001-Z2



11.26.14

Chaparral

DATE OF SURVEY: JAN. 2014
 PLOT DATE: 11/26/14
 DRAWING NO.: 1001-001-Z2
 PROJECT NO.: 1001-001
 T.B.P.L.S. FIRM NO. 10124500
 DRAWN BY: RCW
 SHEET 2 OF 2



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

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

**PROPOSED LOT 2
ZONING DESCRIPTION**

A DESCRIPTION OF 0.788 ACRES (APPROXIMATELY 34,326 SQ. FT.), IN THE SANTIAGO DEL VALLE GRANT, ABSTRACT 24, BEING A PORTION THE "FIRST TRACT" AS CONVEYED BY DEED DATED SEPTEMBER 27, 1955, FROM ODAS JUNG TO F.M. COVERT, JR., DAN M. COVERT AND F.M. COVERT, III, RECORDED IN VOLUME 1633, PAGE 81 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.788 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with Chaparral cap set in the east right-of-way line of Interstate Highway No. 35 (right-of-way width varies), being in the west line of said First Tract, from which a 1/2" rebar found in the east right-of-way line of Interstate Highway No. 35, being in the west line of said First Tract, and being also the southwest corner of Lot 1, Block A, Sterling Acura Subdivision, a subdivision of record in Document No. 200200336 of the Official Public Records of Travis County, Texas bears with a curve to the left, having a radius of 11634.97 feet, a delta angle of 00°57'56", an arc length of 196.09 feet, and a chord which bears North 30°21'18" East, a distance of 196.09 feet;

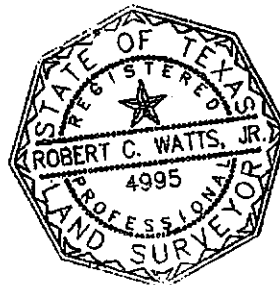
THENCE over and across said First Tract, the following three (3) courses and distances:

1. South 62°32'04" East, a distance of 156.14 feet to a 1/2" rebar with Chaparral cap set;
2. South 27°27'56" West, a distance of 217.02 feet to a 1/2" rebar with Chaparral cap set;
3. North 58°13'35" West, a distance of 170.46 feet to a 1/2" rebar with Chaparral cap set in the east right-of-way line of Interstate Highway No. 35, being in the west line of said First Tract;

THENCE with the east right-of-way line of Interstate Highway No. 35, being in the west line of said First Tract, with a curve to the left, having a radius of 11634.97 feet, a delta angle of 01°00'29", an arc length of 204.69 feet, and a chord which bears North 31°20'30" East, a distance of 204.69 feet to the **POINT OF BEGINNING**, containing 0.788 acres of land, more or less.

Surveyed on the ground in January, 2014. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User Service (OPUS). Attachments: Drawing 1001-001-Z1.

mw *11.26.14*
Robert C. Watts, Jr.
Registered Professional Land Surveyor
State of Texas No. 4995
TBPLS Firm No. 10124500

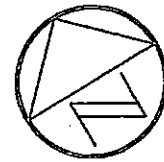


LOT 1, BLOCK A
STERLING ACURA SUBDIVISION
(200200336)

S62°32'04"E 400.18'
(S60°52'35"E 400.17')

5209

PROPOSED
LOT 1
1.800 AC.



1" = 100'

INTERSTATE HIGHWAY 35 SOUTH
(R.O.W. WIDTH VARIES)
(1425/101)

S62°32'04"E
156.14'

PROPOSED
LOT 2
0.788 AC.

PROPOSED
LOT 4
1.322 AC.

N58°13'35"W
170.46'

S27°27'56"W 217.02'

P.O.B.

F.M. COVERT, JR. ET AL
FIRST TRACT
(1633/81)

DAN M. COVERT, ET AL
14.09389 AC.
(2088/132)

LOT 1, BLOCK A
WOODWAY SQUARE
SUBDIVISION
(200300081)

C2 TOTAL

C1 TOTAL

C5

C4

C6

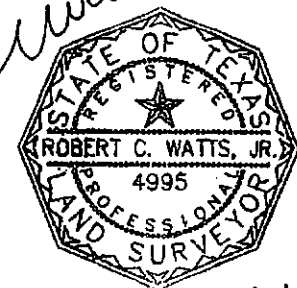
C3

L1

N56°01'55"W 399.77'
(N53°45'W 400')

TERI ROAD
(APPARENT 80' R.O.W. WIDTH)

Chaparral



DATE OF SURVEY: JAN. 2014
PLOT DATE: 11/26/14
DRAWING NO.: 1001-001-Z1
PROJECT NO.: 1001-001
T.B.P.L.S. FIRM NO. 10124500
DRAWN BY: RCW
SHEET 1 OF 2

A DESCRIPTION OF 0.788 ACRES (APPROXIMATELY 34,326 SQ. FT.), IN THE SANTIAGO DEL VALLE GRANT, ABSTRACT 24, BEING A PORTION THE "FIRST TRACT" AS CONVEYED BY DEED DATED SEPTEMBER 27, 1955, FROM ODAS JUNG TO F.M. COVERT, JR., DAN M. COVERT AND F.M. COVERT, III, RECORDED IN VOLUME 1633, PAGE 81 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

LEGEND

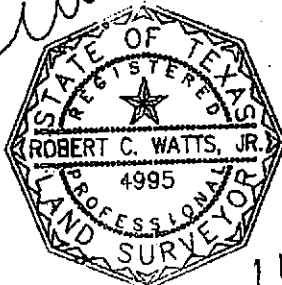
- 1/2" REBAR FOUND
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CURVE TABLE					
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C3	11634.97'	1°00'29"	204.69'	N31°20'30"E	204.69'
C4	11634.97'	0°57'56"	196.09'	N30°21'18"E	196.09'
C5	11634.97'	1°36'10"	325.46'	S32°38'49"W	325.45'
C6	11634.97'	1°58'25"	400.78'	N30°51'32"E	400.76'

LINE TABLE		
LINE	BEARING	DISTANCE
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BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON 1983/93 HARN VALUES FROM LCRA CONTROL NETWORK.

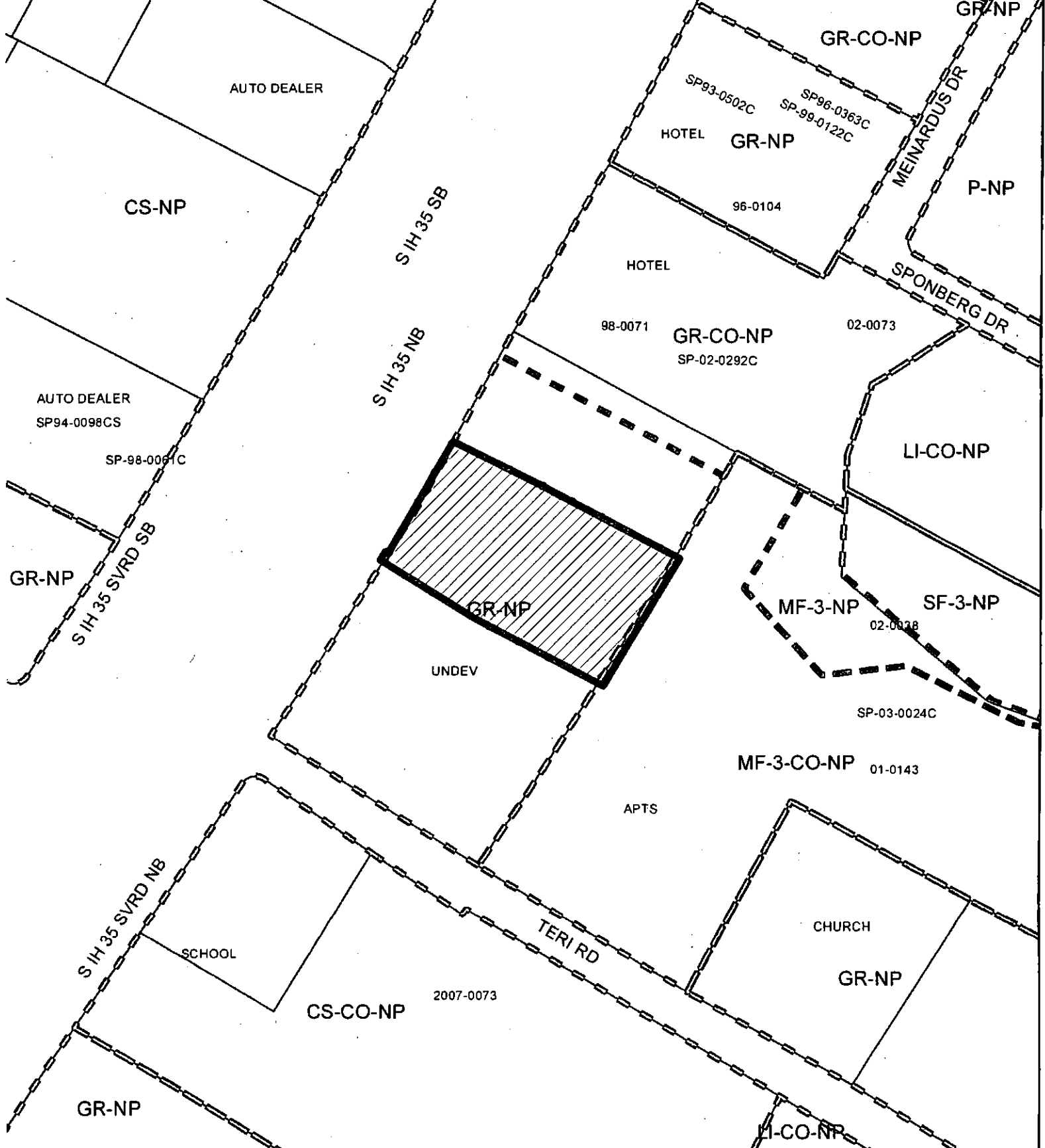
ATTACHMENTS: METES AND BOUNDS DESCRIPTION 1001-001-Z1







11-26-14

Chaparral

DATE OF SURVEY: JAN. 2014
 PLOT DATE: 11/26/14
 DRAWING NO.: 1001-001-Z1
 PROJECT NO.: 1001-001
 T.B.P.L.S. FIRM NO. 10124500
 DRAWN BY: RCW
 SHEET 2 OF 2




 SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY

ZONING
CASE#:C14-2015-0021



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 by the City of Austin regarding specific accuracy or completeness.

Exhibit C

1" = 200'