

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1023 SPRINGDALE ROAD IN THE EAST MLK NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-CO-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 general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district on the property described in Zoning Case No. C14-2014-0121, on file at the Planning and Development Review Department, as follows:

All that certain parcel or tract of land out of the J.C. Tannehill Survey No. 29, city of Austin, Travis County, Texas; being all of Lot 1 of a subdivision of a portion of the J.C. Tannehill Survey No. 29 as recorded in Volume 313, Page 276 of the Deed Records of Travis County, Texas, and being all of a 9.976-acre tract as conveyed to Springdale Partners, Ltd. by Special Warranty Deed recorded in Document No. 2000099669 of the Official Public Records of Travis County, Texas; and being more particularly described from record information by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 1023 Springdale Road in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

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 the total traffic generation for the Property as specified in that certain Traffic Impact Analysis ("TIA") prepared by Kimley Horn and Associates, dated July 9, 2015, or as amended and approved by the

Director of the Planning and Zoning Department. All development on the Property is subject to the Planning and Zoning Department, Transportation Review Section's staff memorandum ("memorandum"), dated November 5, 2015, and any amendments to the memorandum that address subsequent TIA updates for the Property. The TIA and memorandum shall be kept on file at the Planning and Zoning Department.

- B. A 25 foot wide vegetative buffer shall be provided and maintained along and adjacent to the north and east property lines. Vegetation within the buffer is subject to the screening standards under Section 2.9.1 of the Environmental Criteria Manual. Improvements permitted within the buffer zone are limited to underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

- C. The following uses are conditional uses of the Property:

Agricultural sales and services	Indoor crop production
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- D. The following uses are prohibited uses of the Property:

Bed and breakfast (group 1)	Bed and breakfast (group 2)
Alternative financial services	Automotive rentals
Automotive repair services	Automotive sales
Automotive washing (of any type)	Bail bond services
Campground	Commercial blood plasma center
Construction sales and services	Convenience storage
Day care services (commercial)	Day care services (general)
Day care services (limited)	Drop-off recycling collection facility
Electronic proto type assembly	Electronic testing
Equipment repair services	Equipment sales
Exterminating services	Funeral services
Kennels	Laundry services
Monument retail sales	Pawn shop services
Service station	Vehicle storage
Veterinary services	Club or lodge
Hospital services (general)	Hospital services (limited)
Maintenance and service facilities	Private primary educational facilities
Private secondary educational facilities	Public primary educational facilities

Public secondary educational
facilities

Medical offices (exceeding 5,000 sq.
ft. gross floor area

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 3. The Property is subject to Ordinance No. 021107-Z-12C that established the MLK neighborhood plan combining district.

PART 4. This ordinance takes effect on _____, 2015

PASSED AND APPROVED

_____, 2015 §
 §
 § _____
 Steve Adler
 Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan Jannette S. Goodall
City Attorney City Clerk

**FIELD NOTES
PROPOSED ZONING BOUNDARY**

ALL THAT CERTAIN PARCEL OR TRACT OF LAND OUT OF THE J.C. TANNEHILL SURVEY NO. 29, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; BEING ALL OF LOT 1 OF A SUBDIVISION OF A PORTION OF THE J C TANNEHILL SURVEY NO. 29, AS RECORDED IN VOLUME 313, PAGE 276 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF A 9.976-ACRE TRACT AS CONVEYED TO SPRINGDALE PARTNERS, LTD. BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2000099669 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED FROM RECORD INFORMATION BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the northwest corner of Lot 6, Block E, Springdale Addition, a subdivision as recorded in Book 4, Page 325 of the Plat Records of Travis County, Texas, at the northeast corner of the above-described Springdale Partners, Ltd tract, for the northeast corner and POINT OF BEGINNING of the herein described tract;

THENCE, with the east line of said Springdale Partners, Ltd tract, S29°32'00"W a distance of 374.81 feet to the southeast corner of this tract;

THENCE, with the south line of said Springdale Partners, Ltd tract, the following two (2) courses:

- 1) N59°57'07"W a distance of 176.58 feet for an angle point; and
- 2) N59°55'07"W a distance of 983.80 feet to the east right-of-way line of Springdale Road for the southwest corner of this tract;

THENCE, with the east right-of-way line of Springdale Road, N29°42'53"E a distance of 376.32 feet to the northwest corner of said Springdale Partners, Ltd tract for the northwest corner of this tract;

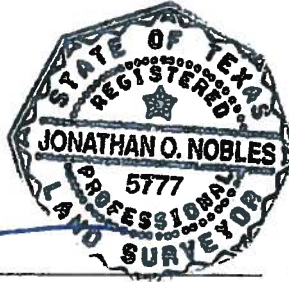
THENCE S57°48'08"E a distance of 59.43 feet to the southwest corner of Lot 2, Block F of said Springdale Addition;

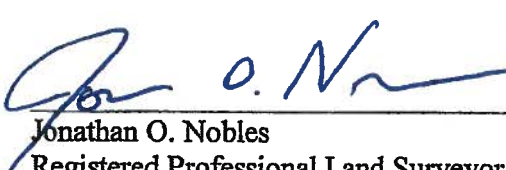
THENCE, with the south line of said Block F, the following two (2) courses:

- 1) S59°59'26"E a distance of 779.85 feet to the southwest corner of Lot 16 of said Block F; and
- 2) S59°42'52"E a distance of 119.82 feet to the west right-of-way line of Don Ann Street at the southeast corner of Lot 17 of said Block F;

THENCE, with the south end of Don Ann Street and a south line of said Block E, S59°58'56"E a distance of 200.14 feet to the POINT OF BEGINNING of the herein described tract.

An on the ground survey was not performed, as this description was written from record information as described in deed recorded in Document No. 2000099669 of the Official Public Records of Travis County, Texas. This document was prepared under 22 TAC §663.21 and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.




Jonathan O. Nobles
Registered Professional Land Surveyor No. 5777

7/31/2014
Date

Client: ZIR Investments
Date: July 31, 2014
Job No.: 0A663-004-00/500
File: J:\Projects\A500\220\Survey\Legal Desc\A500-220-Zoning FN.doc

GRAPHIC SCALE - FEET

Craig C. Crago
Registered Professional Land Surveyor No. 3926
Date: June 9, 2000

THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE ORIGINAL SEAL OF THE ABOVE SUPERVISOR

terra
firma
LAND SURVEYING
AND PLANNING, INC.
100-4 The First Band, Suite 200, Irvine, CA 92618-0001
Tel: 714/440-0771 Fax: 714/440-0772

- △ 1/2" x 1/4" SET IN CONCRETE
- ▽ 1/2" x 1/4" NAIL FROM FLOOR
- P.C. WALL, REIN. IN CONCRETE
- ① CONCRETE, REINFORCED FLOOR
- ② REINFORCED CONCRETE
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