

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 9828 GREAT HILLS TRAIL AND 10224 RESEARCH BOULEVARD FROM COMMUNITY COMMERCIAL (GR) DISTRICT AND LIMITED OFFICE (LO) DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY (CS-MU-V-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 community commercial (GR) district and limited office (LO) district to general commercial services-mixed use-vertical mixed use building-conditional overlay (CS-MU-V-CO) combining district on the property described in Zoning Case No. C14-2017-0028, on file at the Planning and Zoning Department, as follows:

Lot 1, Schmidt Tract No. One Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 81, Page 111, of the Official Records of Travis County, Texas, and

Being 0.491 acres (approximately 21,396 square feet), being out of and a part of Lot-1, Oak View-Section Two, according to the map or plat thereof recorded in Volume 80, Page 259, of the Plat Records of Travis County, Texas, and being also all of a 0.49055 acre tract conveyed to Schmidt Investments, Ltd., in a Warranty Deed dated May 31, 1997, and recorded in Volume 12946, Page 1823, of the Real Property Records of Travis County, Texas, described in Volume 12563, Page 2202, of the Real Property Records of Travis County, Texas, said 0.0491 acre tract being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (cumulatively referred to as the “Property”),

locally known as 9828 Great Hills Trail and 10224 Research Boulevard in the City of Austin, Travis County, Texas, 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. The following uses are prohibited uses for the Property:

Adult-oriented businesses
Automotive rentals
Automotive sales
Commercial off-street parking
Funeral services
Pawn shop services
Residential treatment
Short-term rental
Veterinary services
Vehicle storage
Convenience storage
Limited warehousing and
distribution

Alternative financial services
Automotive repair services
Automotive washing (of any type)
Exterminating services
Guidance services
Pedicab storage and dispatch
Service station
Urban farm
Monument retail sales
Kennels
Campground

- B. Drive-in service as an accessory use to Restaurant (general) and Restaurant (limited) is prohibited within 200 feet of Jollyville Road.

PART 3. 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) district and other applicable requirements of the City Code.

PART 4. This ordinance takes effect on _____, 2018.

PASSED AND APPROVED

_____, 2018 § _____
§ _____
§ _____

Steve Adler
Mayor

APPROVED: _____ **ATTEST:** _____

Anne L. Morgan
City Attorney

Jannette S. Goodall
City Clerk



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

Office: 512-443-1724
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3500 McCall Lane
Austin, Texas 78744

**0.491 ACRES
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 0.491 ACRES (APPROXIMATELY 21,396 SQ. FT.), BEING OUT OF AND A PART OF LOT-1, OAK VIEW-SECTION TWO, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN VOLUME 80, PAGE 259, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AND BEING ALSO ALL OF A 0.49055 ACRE TRACT CONVEYED TO SCHMIDT INVESTMENTS, LTD., IN A WARRANTY DEED DATED MAY 31, 1997 AND RECORDED IN VOLUME 12946, PAGE 1823 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, DESCRIBED IN VOLUME 12563, PAGE 2202 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.491 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found for the southwest corner of said 0.49055 acre tract, same being the southernmost southwest corner of said Lot-1, and also being an angle point in a north line of Lot 1, Schmidt Tract No. One, a subdivision of record in Volume 81, Page 111 of the Plat Records of Travis County, Texas;

THENCE North 03°48'23" East, with the west line of the 0.49055 acre tract, same being a west line of Lot-1, Oak View-Section Two, and also being an east line of said Lot 1 Schmidt Tract No. One, a distance of 240.20 feet to a calculated point, from which a 1/2" rebar with "Bury Partners" cap found bears North 77°38'27" West, a distance of 0.55 feet;

THENCE North 86°15'32" West, with a south line of the 0.49055 acre tract, same being a south line of Lot-1, Oak View-Section Two, and also being the north line of Lot 1, Schmidt Tract No. One, a distance of 14.81 feet to an "X" in concrete found;

THENCE with the north and east lines of the 0.49055 acre tract, crossing Lot-1, Oak View-Section Two, the following six (6) courses and distances:

1. With a curve to the right, having a radius of 20.24 feet, a delta angle of 41°18'48", an arc length of 14.59 feet, and a chord which bears North 52°39'18" East, a distance of 14.28 feet to a 1/2" rebar found;
2. South 86°16'39" East, a distance of 85.62 feet to a 1/2" rebar found;
3. With a curve to the right, having a radius of 4.50 feet, a delta angle of 89°42'34", an arc length of 7.05 feet, and a chord which bears South 40°35'28" East, a distance of 6.35 feet to a 1/2" rebar found;

EXHIBIT A

4. South 04°03'57" West, a distance of 222.63 feet to a 1/2" rebar found;
5. North 86°27'38" West, a distance of 1.32 feet to an "X" in concrete found;
6. South 03°18'42" West, a distance of 22.33 feet to a Mag nail with washer found for the southeast corner of the 0.49055 acre tract, same being a south line of Lot-1, Oak View-Section Two, and also being a north line of Lot 1, Schmidt Tract No. One;

THENCE North 86°19'59" West, with the south line of the 0.49055 acre tract, same being a south line of Lot-1, Oak View-Section Two and also being a north line of Lot 1, Schmidt Tract No. One, a distance of 83.87 feet to the **POINT OF BEGINNING**, containing 0.491 acres of land, more or less.

Surveyed on the ground May 24, 2016. 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 927-003-BASE.

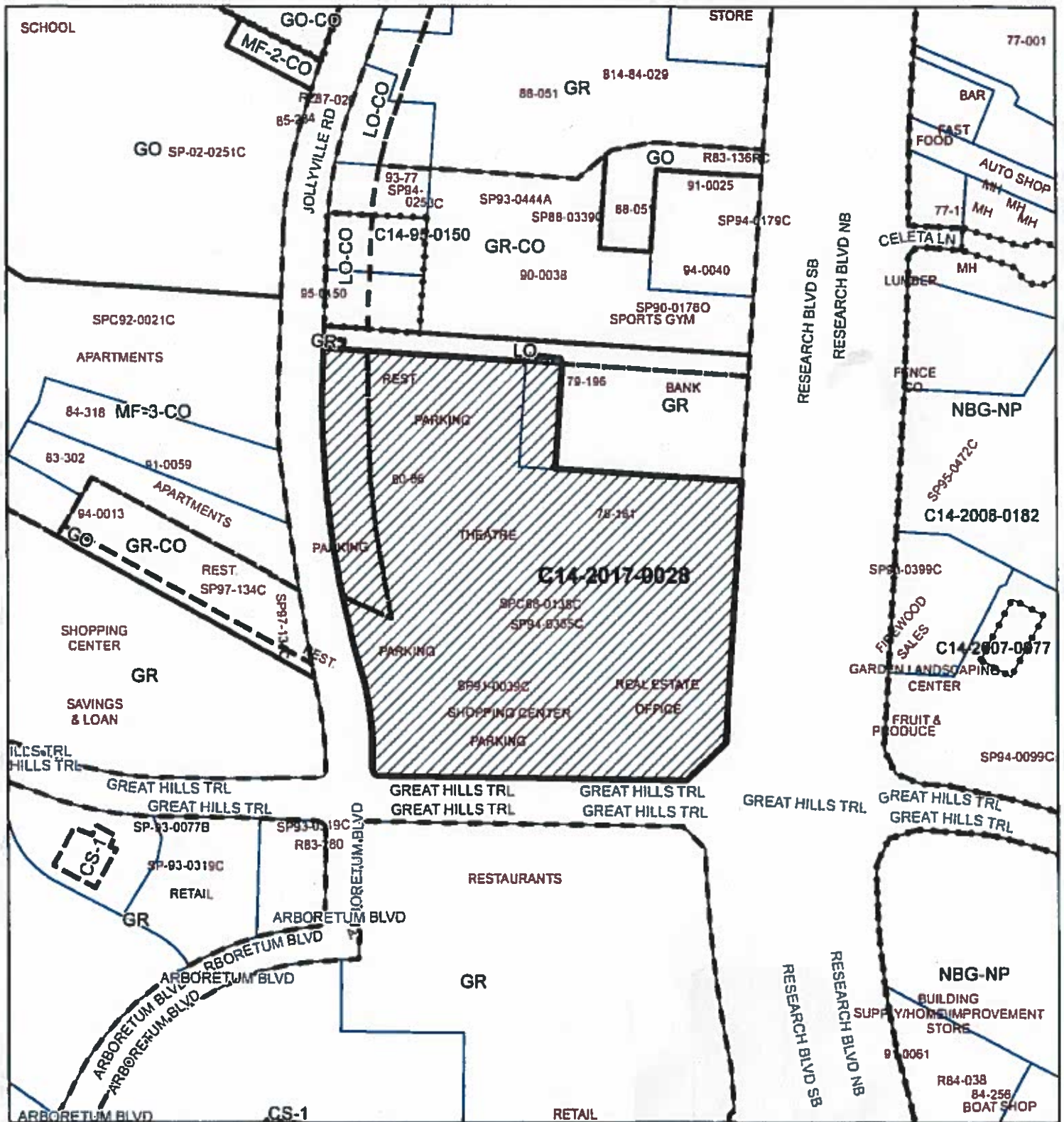


Eric J. Dannheim
Registered Professional Land Surveyor
State of Texas No. 6075
TBPLS Firm No. 10124500

6/2/16

Date





ZONING

Case#: C14-2017-0028

EXHIBIT B

- N
- Subject Tract
 - Pending Case
 - Zoning Boundary
 - Railroads

0 200 Feet

1" = 300'

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 the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 3/22/2017