

CITY OF AUSTIN, TEXAS

ORDINANCE NO. 96-0606-G

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1992 AS FOLLOWS: 2.522 ACRE TRACT OF LAND OUT OF THE H. T. DAVIS LEAGUE, FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "GR-CO" COMMUNITY COMMERCIAL DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT, AS MORE PARTICULARLY IDENTIFIED IN THE MAP ATTACHED AS EXHIBIT "A" TO THIS ORDINANCE, LOCALLY KNOWN AS 8801 U. S. HIGHWAY 290 EAST, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE REQUIREMENTS OF SECTIONS 2-2-3, 2-2-5, AND 2-2-7 OF THE AUSTIN CITY CODE OF 1992; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

**PART 1.** That Chapter 13-2 of the Austin City Code of 1992 is amended to change the base zoning district from "DR" Development Reserve district to "GR-CO" Community Commercial district-Conditional Overlay combining district on the property described in File C14-96-0030, as follows:

2.522 acre tract of land out of the H. T. Davis League, said 2.522 acre tract of land being more particularly described by metes and bounds in Exhibit "B" attached hereto and incorporated herein for all purposes, *[hereinafter referred to as the "Property"]*

locally known as 8801 U. S. Highway 290 East, in the City of Austin, Travis County, Texas, and more particularly identified in the map attached as Exhibit "A".

**PART 2.** That the Property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following condition:

Notwithstanding any other provision of the Land Development Code applicable to the Property on the effective date of this ordinance or at the time an application for approval of a site plan or building permit is submitted, no site plan for development of the Property, or any portion of the Property, shall be approved or released, and no building permit for construction of a building on the Property, shall be issued if the completed development or uses authorized by the proposed site plan or building permit, considered cumulatively with all existing or previously authorized development and uses of the Property, generates traffic exceeding the total traffic generation of 2,000 vehicle trips per day.

Except as specifically restricted pursuant to this ordinance, the Property may be developed and used in accordance with the regulations established for the "GR" Community Commercial base district and other applicable requirements of the Land Development Code.

**PART 3.** That it is ordered that the Zoning Map established by Section 13-2-22 of the Austin City Code of 1992 and made a part thereof shall be changed to record the amendment enacted by this ordinance.

**PART 4.** That the requirements imposed by Sections 2-2-3, 2-2-5, and 2-2-7 of the Austin City Code of 1992, as amended, regarding the presentation and adoption of ordinances are hereby waived by the affirmative vote of at least five members of the City Council.

**PART 5.** That this ordinance shall become effective upon the expiration of 10 days following the date of its final passage, as provided by the Charter of the City of Austin.

**PASSED AND APPROVED:**

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Ernest J. ...

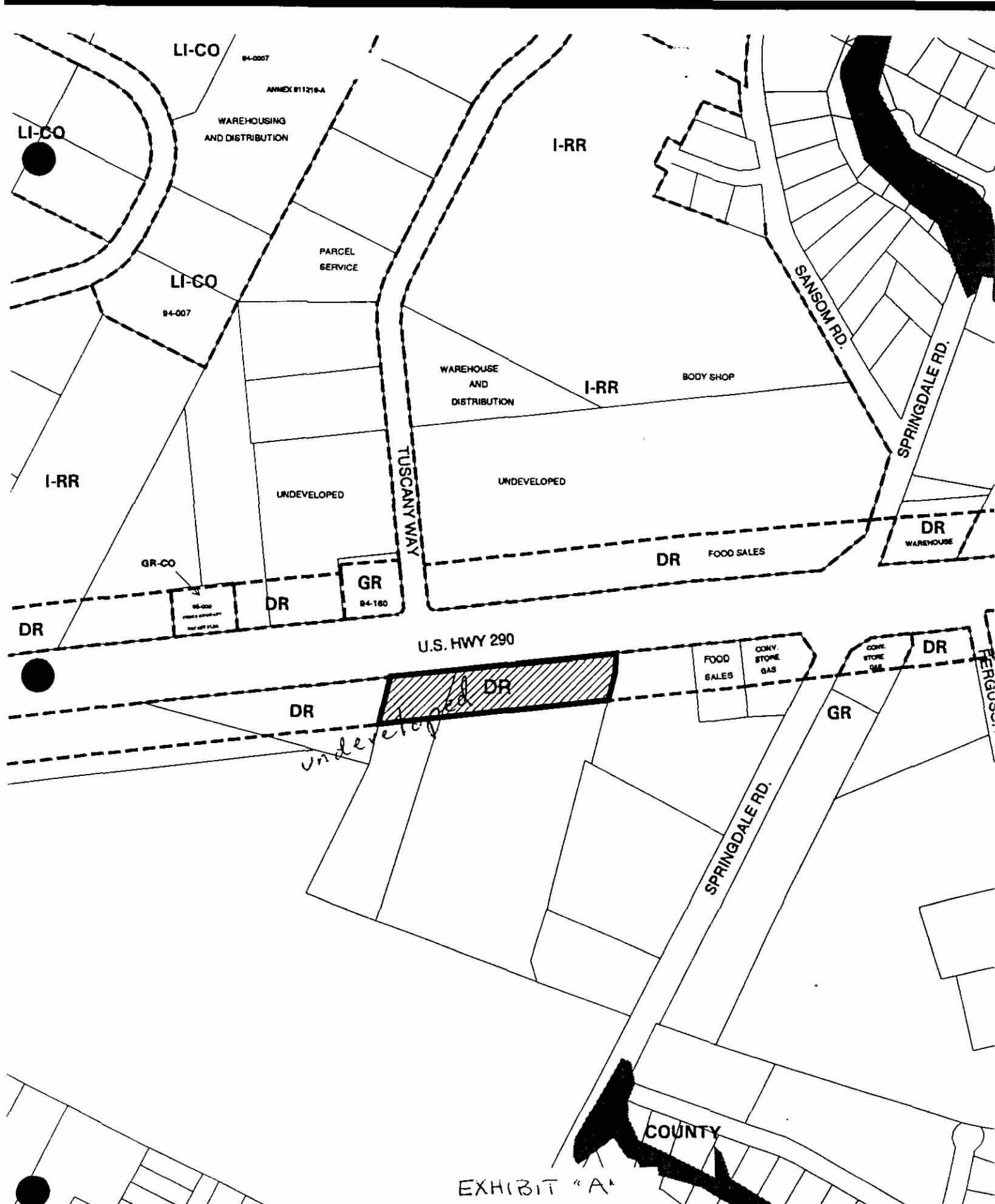
**APPROVED:**

Andrew Martin

**ATTEST:**

T: James E. Aldridge  
James E. Aldridge  
City Clerk

MT/dwm



|               |                 |            |                               |                                         |
|---------------|-----------------|------------|-------------------------------|-----------------------------------------|
| <br>1" = 400' | SUBJECT TRACT   |            | CASE #: C14-96-0030           | CITY GRID<br>REFERENCE<br>NUMBER<br>N27 |
|               | PENDING CASE    |            | SUBJECT AREA (acres): 2.500   |                                         |
|               | ZONING BOUNDARY |            | ADDRESS: 8801 E. U.S. HWY 290 |                                         |
|               | CASE MGR:       |            |                               |                                         |
|               | CYCLE: 96-02    | INTLS: TRC |                               |                                         |

FIELD NOTES

FIELD NOTES OF 2.522 ACRES OF LAND IN THE H.T. DAVIS LEAGUE IN TRAVIS COUNTY, TEXAS AND BEING 0.703 ACRES OF A 3.3988 ACRE TRACT AND 1.819 ACRES OF A 11.2305 ACRE TRACT CONVEYED TO CATER JOSEPH AND RECORDED IN VOLUME 12029, PAGE 1038 OF THE TRAVIS COUNTY, REAL PROPERTY RECORDS AND BEING A PART OF A 26.541 ACRE TRACT DESCRIBED IN VOLUME 4791, PAGE 503 OF THE TRAVIS COUNTY DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the northwest corner of said 26.541 acre tract on the south margin of U.S. Highway 290 and being the northeast corner of a 2.00 acre tract conveyed to Bill G. Kemnitz and recorded in Volume 8229, Page 993 of the Travis County Real Property Records and being the northwest corner of the 3.3988 acre Cater Joseph tract and the northwest corner of this 2.522 acre tract for the Point of Beginning;

THENCE with the south margin of U.S. Highway 290 and the north line of the 26.541 acre tract and the north line of the said 3.3988 acre Cater Joseph tract, North 86° 38' East, at 219.54 feet pass the northeast corner of the 3.3988 acre Cater Joseph tract and the northwest corner of the 11.2305 acre Cater Joseph tract for a total distance of 719.54 feet to the northeast corner of the 11.2305 acre Cater Joseph tract and the northeast corner of this 2.522 acre tract;

THENCE with the east line of the 11.2305 acre Cater Joseph tract, South 03° 22' East for 150.00 feet to a point on the south margin of the Austin City Limits line for the southeast corner of this 2.522 acre tract;

THENCE with the south margin of the Austin City Limits line for the south line of this tract, South 86° 38' West, at 556.83 feet pass the west line of the 11.2305 acre Cater Joseph tract and the east line of the 3.988 acre Cater Joseph tract for a total distance of 745.45 feet to a point on the west line of the 3.988 acre Cater Joseph tract and the east line of the 2.00 acre Bill G. Kemnitz tract for the southwest corner of this 2.522 acre tract;

THENCE with the east line of the 3.988 acre Cater Joseph tract and the east line of the 2.00 acre Bill G. Kemnitz tract, North 06° 26' East for 152.22 feet to the Point of Beginning and containing 2.522 acres as calculated.

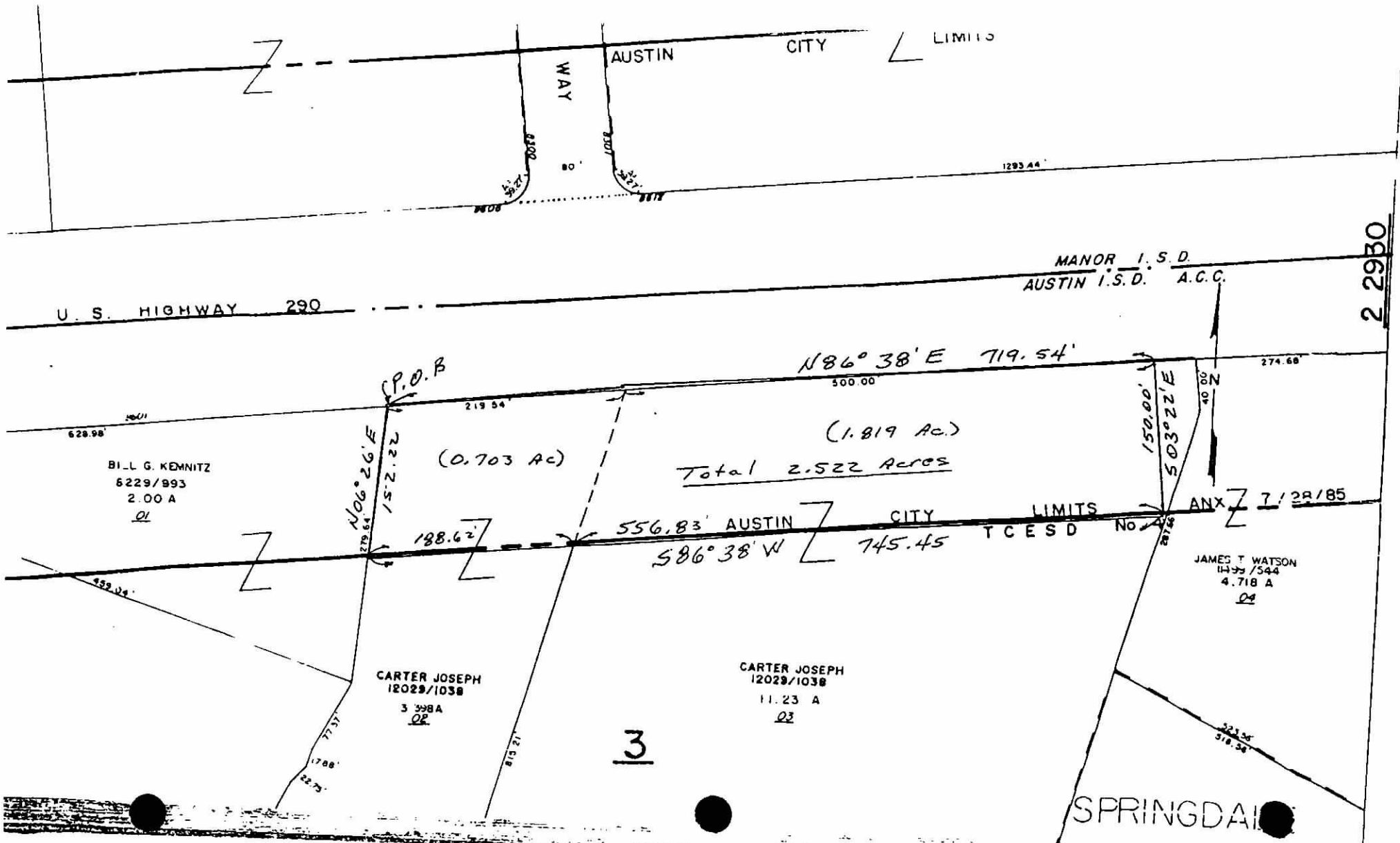
Calculated from Current Deed of Property February 1, 1996.

Michael Joseph  
Job #96A29-12

*Floyd W. Eiland*

Floyd W. Eiland  
Reg. Professional  
Land Surveyor  
Texas No. 1667

EXHIBIT "B"



21

PO#: 960606G  
Ad ID#: 6JR101000  
Acct #: 4992499

**Austin American-Statesman**

Acct. Name: City Clerk

**AFFIDAVIT OF PUBLICATION**

THE STATE OF TEXAS  
COUNTY OF TRAVIS

ORDINANCE NO. 960606-G  
AN ORDINANCE ORDERING A RE-  
CORDING AND CHANGING THE  
PAGE AND ACCORDING TO  
CHAPTER 13-2 OF THE AUSTIN CITY  
CODE OF 1992 AS FOLLOWS: 2.52  
CODE OF LAND OUT OF THE  
ACRE TRACT OF LAND OUT OF THE  
IN DAVIS LEAGUE, FROM DR.  
DEVELOPMENT, FROM THE  
DISTRICT OF TRAVIS COUNTY  
ON DISTRICT CONDITIONAL OVER-  
LAYING DISTRICT, AS MORE  
PARTICULARLY IDENTIFIED IN THE  
ATTACHED AS EXHIBIT "A" TO  
THIS ORDINANCE. LOCAL 13-2  
OF THE AUSTIN CITY CODE  
OF TRAVIS COUNTY, TEXAS  
OF SECTIONS 22-3, 22-5,  
AND 22-7 OF THE AUSTIN CITY  
CODE OF 1992, AND PROVIDING  
FOR THE EFFECTIVE DATE.  
CITY CLERK: MAYOR BRUCE TODD  
AUSTIN, TEXAS

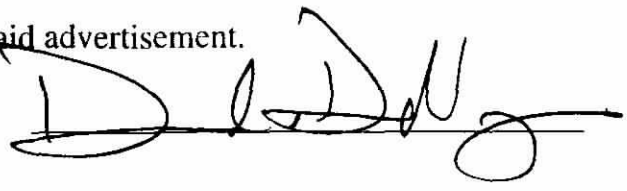
Before me, the undersigned authority, a Notary Public in and for the County of  
Travis, State of Texas, on this day personally appeared:

David DeVargas

Classified Advertising Agent of the *Austin American-Statesman*, a daily  
newspaper published in said County and State that is generally circulated in  
Travis, Hays, Burnet and Williamson Counties, who being duly sworn by me,  
states that the attached advertisement was published in said newspaper on the  
following dates, to wit:

Date (s): June 21, 1996  
Class: 9980 Lines: 26 Cost: \$63.96

and that the attached is a true copy of said advertisement.



SWORN AND SUBSCRIBED TO BEFORE ME, this the 21st day of June 1996.



Sharon Janak  
Notary Public in and for  
TRAVIS COUNTY, TEXAS

Sharon Janak  
(Type or Print Name of Notary)

My Commission Expires: 11/10/99