

CITY OF AUSTIN, TEXAS

ORDINANCE NO. 960307- M

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1992 AS FOLLOWS: 48.29 ACRE TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24, FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "LI-PDA" LIMITED INDUSTRIAL SERVICE DISTRICT-PLANNED DEVELOPMENT AREA COMBINING DISTRICT, LOCALLY KNOWN AS THE PROPERTY LOCATED ALONG BURLESON ROAD, AS MORE PARTICULARLY IDENTIFIED IN THE MAP ATTACHED AS "EXHIBIT A" TO THIS ORDINANCE, 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 "LI-PDA" Limited Industrial Service district-Planned Development Area combining district on the property described in File C14-95-0129, as follows:

48.29 acre tract of land out of the Santiago Del Valle Grant, Abstract No. 24, said 48.29 acre tract of land being more particularly described by metes and bounds in "Exhibit B" attached and incorporated herein for all purposes, *[hereinafter referred to as the "Property"]*

locally known as the Property located along Burleson Road, as more particularly identified in the map attached as "Exhibit A" to this ordinance, in the City of Austin, Travis County, Texas.

PART 2. Notwithstanding any use or site development regulations of the "LI" Limited Industrial Service base zoning district to the contrary, the Property being within the boundaries of the Planned Development Area combining district established by PART 1 of this ordinance, is subject to the following restrictions:

1. The following uses shall be prohibited on the Property: (a) Basic industry; and (b) Resource extraction.
2. Development of the Property shall conform with all applicable provisions of the PDA Planned Development Area performance standards established by Sec. 13-2-269 of the Land Development Code, and all other applicable provisions of the Austin City Code of 1992, as amended.
3. 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 for the Property as specified in that certain Traffic Impact Analysis prepared by W.H.M. Transportation Engineering Consultants, Inc., dated February, 16, 1996, on file at the Department of Development Services, and submitted in support of the zoning request enacted by this ordinance.

Except as specifically restricted pursuant to this ordinance, the Property may be developed and used in accordance with the regulations established for the "LI" Limited Industrial Service 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.

CITY OF AUSTIN, TEXAS

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 ten days following the date of its final passage, as provided by the Charter of the City of Austin.

PASSED AND APPROVED:

March 7, 1996

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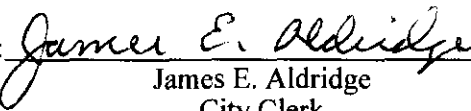
Bruce Todd
Mayor

APPROVED:



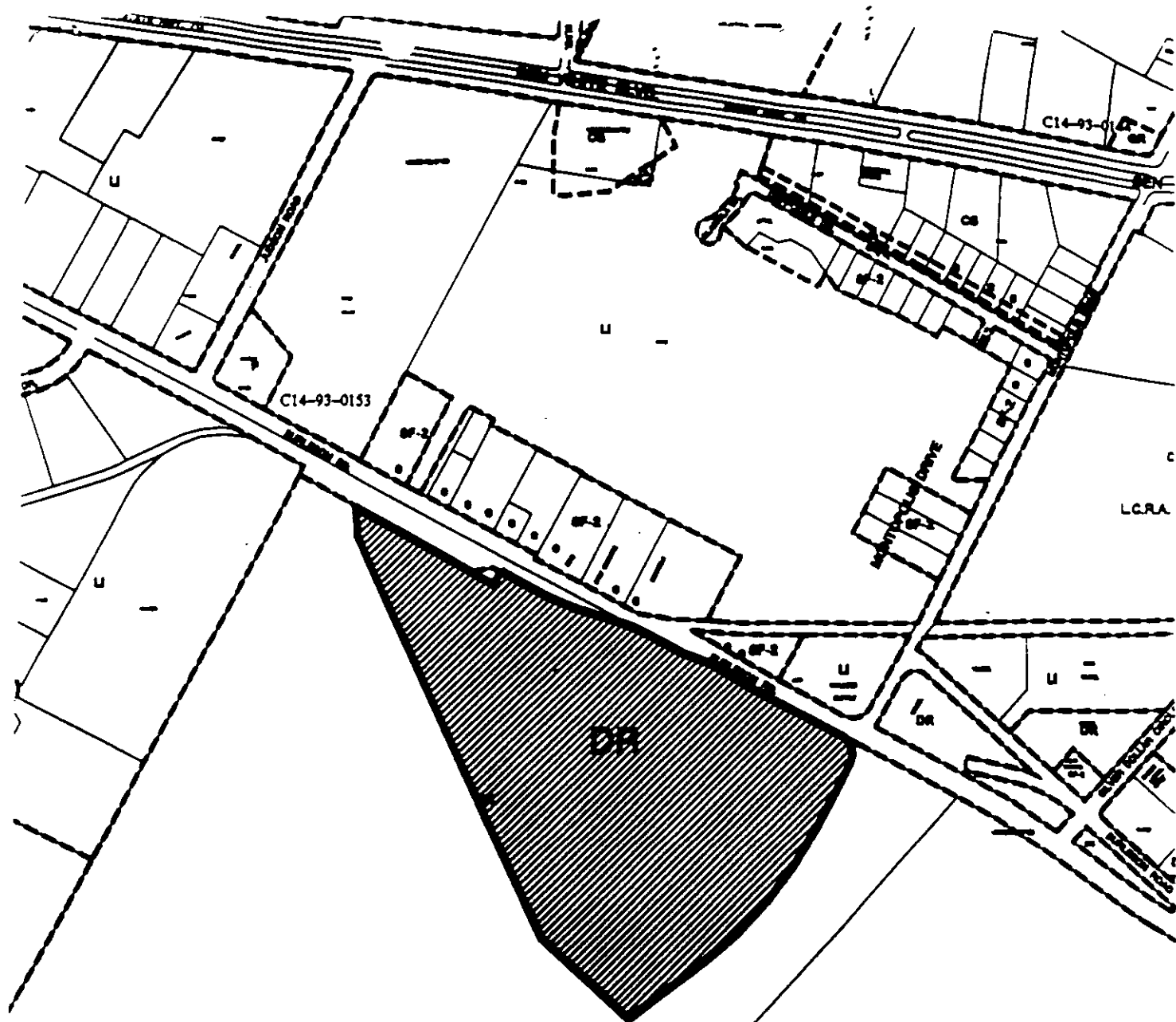
Andrew Martin
City Attorney





ATTEST:



James E. Aldridge
City Clerk

7Mar96
MT/jj



 1"=600'	SUBJECT TRACT		CASE #: C14-95-0128 SUBJECT AREA (area): 48.280 ADDRESS: BURLINGTON RD AND MONTOPOLIS DR	CITY GRID REFERENCE NUMBER K16,K17
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR:			
	CYCLE: 95-02	DATE: TBC		

"Exhibit A"

960307-m

EXHIBIT _____

FIELD NOTES
48.29 ACRES

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT 309.157 ACRE TRACT CONVEYED TO THE STATE OF TEXAS IN THAT CERTAIN EXECUTOR'S DEED DATED AUGUST 28, 1980, AND FILED IN VOLUME 7113, PAGE 236 OF THE DEED RECORDS OF SAID TRAVIS COUNTY, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a set 1/2 inch iron rod in the southwesterly right-of-way line of that certain 100 foot railroad right-of-way described in "Tract No. B-43" in deed from the United States of America to the City of Austin dated April 14, 1966 and recorded in Volume 3139, Page 297 of the said Deed Records and in the northeasterly right-of-way line (as built) of that certain 50 foot easement granted to Lo-Vaca Gathering Company in Volume 2684, Page 554 of said Deed Records, said set iron rod being located South 60° 25' 39" East 230.23 feet from a found 5/8 inch iron rod at a fence corner for the most northerly corner of said 309.157 acre tract;

THENCE, South 60° 25' 39" East, with said southwesterly right-of-way line, a distance of 672.97 feet to a found 1 inch galvanized iron pipe for an inside corner of said 309.157 acre tract and a corner of said 100 foot right-of-way;

THENCE, North 30° 01' 08" East, with said right-of-way, a distance of 48.14 feet to a found 1 inch galvanized iron pipe at an inside corner of said right-of-way and said 309.157 acre tract;

THENCE, South 60° 23' 36" East, continuing with said lines, a distance of 170.04 feet to a found 1 inch galvanized iron pipe at the beginning of a curve to the left having a radius of 1,936.23 feet;

THENCE, continuing with said curved right-of-way line, an arc length of 443.66 feet, a central angle of 13° 07' 43", a chord bearing and distance of South 66° 57' 30" East - 442.69 feet to a found 5/8 inch iron rod for the most northerly corner of that certain right-of-way widening of Burleson Road as described in Exhibit "D" in condemnation proceedings in Cause No. 1440, styled City of Austin v. The State of Texas and recorded in Volume 10336, Page 140 of the Real Property Record of said Travis County, from which a found 1 inch iron pipe at the end of said curve has the following curve data, a radius of 1,936.23 feet, a central angle of 00° 01' 14", an arc length of 0.69 foot and a chord bearing and distance at South 73° 10' 44" East - 0.69 foot;

THENCE, South 59° 59' 17" East, with said widening, a distance of 607.12 feet to a set 1/2 inch iron rod at the beginning of a curve to the left having a radius of 13,590.46 feet, from which a found 1/2 inch iron rod (disturbed) bears South 23° 07' 09" East - 0.16 foot;

THENCE, continuing with said curved widening, an arc length of 100.30 feet, a central angle of 00° 25' 22", a chord bearing and distance of South 60° 11' 58" East - 100.30 feet to a found 1/2 inch iron rod at the end of said curve (non-tangent);

THENCE, South 60° 26' 23" East, continuing with said widening, a distance of 284.54 feet to a set 1/2 inch iron rod at the beginning of a curve to the right having a radius of 85.00 feet;

THENCE, continuing with said curved widening, an arc length of 133.76 feet, a central angle of 90° 09' 53", a chord bearing and distance of South 15° 21' 26" East - 120.37 feet to a set 1/2 inch iron rod at the end of said curve in the northwesterly right-of-way for Stassney Lane as described in Exhibit "A" in condemnation proceedings in Cause No. 1440, styled City of Austin v. The State of Texas as recorded in Volume 10336, Page 140 of the Real Property Record of said Travis County;

THENCE, South 29° 43' 30" West, with said northwesterly right-of-way line, a distance of 294.48 feet to a set 1/2 inch iron rod at the beginning of a non-tangent curve to the right having a radius of 1,700.00 feet, from which a found 1/2 inch iron rod bears South 04° 21' 58" West - 0.93 foot and the bearing to the radius point is North 60° 18' 04" West;

THENCE, continuing with said curved right-of-way line, an arc length of 771.71 feet, a central angle of 26° 00' 33", a chord bearing and distance of South 42° 41' 14" West - 765.10 feet to a found 1/2 inch iron rod at the end of said curve;

THENCE, South 55° 41' 31" West, continuing with said right-of-way line, a distance of 385.64 feet to a set 1/2 inch iron rod in the northeasterly right-of-way line (as built) of that certain 50 foot easement granted to Lo-Vaca Gathering Company in Volume 2684, Page 554 of said Deed Records;

THENCE, North 45° 11' 28" West, with said right-of-way line, a distance of 492.43 feet to a set 1/2 inch iron rod at an angle point in said right-of-way line;

THENCE, North 22° 38' 00" West, with said right-of-way line, a distance of 1,867.30 feet to a set 1/2 inch iron rod at an angle point in said right-of-way line;

THENCE, North 02° 33' 19" West, with said right-of-way line, a distance of 122.77 feet to the PLACE OF BEGINNING and containing 48.29 acres of land.

Bearing basis used for this project is the fourth call in Executor's Deed into the State of Texas recorded in Volume 7113, Page 236, being called North 45° 10' West - 903.57 feet, and actually North 45° 10' 00" West - 903.59 feet.

Accompanying information:

Field Notes: 48.290 acres No. 95-097 (A)

Field Notes: 102.210 acres No. 95-097 (B)

Survey Plat: Drawing No. 95-097



Surveyed Professional Land
1974

PO#: 960307M

Ad ID#: 3RQZ01400

Acct #: 4992499

Austin American-Statesman

Acct. Name: City Clerk

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF TRAVIS

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

Sharon Janak

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:

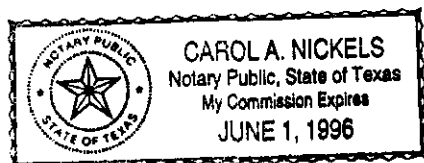
Date (s): March 28th, 1996

Class: 9980 Lines: 23 Cost: \$56.58

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

Sharon Janak

SWORN AND SUBSCRIBED TO BEFORE ME, this the 28th day of Mar. 1996.



Carol A. Nickels
Notary Public in and for
TRAVIS COUNTY, TEXAS

Carol A. Nickels
(Type or Print Name of Notary)

My Commission Expires: 6/1/96

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ACRE TRACT OF LAND OUT OF THE
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TRACT NO. 24, FROM "DR" DEVELOP-
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LOCALLY KNOWN AS THE PROPERTY
LOCATED ALONG BURLESON ROAD,
AS MORE PARTICULARLY IDENTIFIED
IN THE MAP ATTACHED AS "EXHIBIT
A" TO THIS ORDINANCE, IN THE CITY
OF AUSTIN, TRAVIS COUNTY, TEXAS;
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: MAYOR BRUCE TODD
AUSTIN, TEXAS