

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1992 AS FOLLOWS: 2.913 ACRE TRACT OF LAND OUT OF THE ELIAS McMILLAN SURVEY NO. 110, FROM "SF-2" SINGLE-FAMILY RESIDENCE (STANDARD LOT) DISTRICT TO "CS-CO" GENERAL COMMERCIAL SERVICES DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT, LOCALLY KNOWN AS 16029 NORTH INTERSTATE HIGHWAY 35, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE REQUIREMENTS OF SECTION 2-2-3 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 "SF-2" Single-Family Residence (Standard Lot) district to "CS-CO" General Commercial Services district-Conditional Overlay combining district on all of the property described in File C14-93-0078, as follows:

2.913 acre tract of land out of the Elias McMillan Survey No. 110, said 2.913 acre tract of land being more particularly described by metes and bounds in "Exhibit A" attached and incorporated herein for all purposes,

locally known as 16029 North Interstate Highway 35, in the City of Austin, Travis County, Texas.

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

Development of the Property, or any portion of the Property, as (i) General retail sales (general), and (ii) General retail sales (convenience) uses shall be restricted to a maximum floor to area ratio of .105 to 1, not to exceed a maximum of 13,269 square feet of gross floor area.

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

PART 3. That it is ordered that the Zoning Map established by Sec. 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 Section 2-2-3 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.

CITY OF AUSTIN, TEXAS

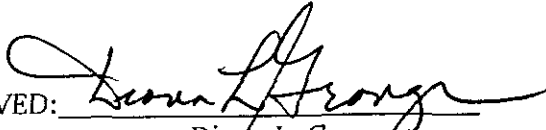
PASSED AND APPROVED:

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September 2, 1993

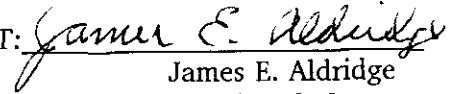
Bruce Todd
Mayor

APPROVED:



Diana L. Granger
City Attorney

ATTEST:



James E. Aldridge
City Clerk

2Sept93
ME/jj

FIELD NOTES FOR 2.913 ACRES

FIELD NOTES DESCRIBING 2.913 acres of land out of and a part of the Elias McMillan Survey No. 110, situated in Travis County, Texas, being all of that certain tract conveyed to Waukesha-Pearce Industries, Inc. by Warranty Deed recorded in Volume 9347, Page 443 of the Deed Records of Travis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin found on the East right-of-way line of Interstate Highway No. 35 North (East Frontage Road), being the Northwest corner of that certain 5.00 acre tract of land conveyed to Clearwater Constructors, Inc. by deed recorded in Volume 5873, Page 863 of said Deed Records, for the Southwest corner and POINT OF BEGINNING of the hereinafter described tract.

THENCE along said East right-of-way line, N21°57'00"W, 191.89 feet to an iron pin set for an angle point of this tract.

THENCE along said East right-of-way line, N21°53'00"W, 8.11 feet to an iron pin set for the Northwest corner of this tract.

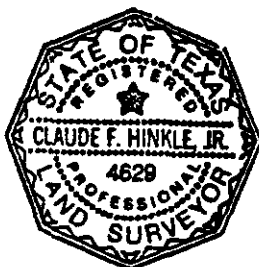
THENCE along the North line hereof, N68°01'39"E, 634.14 feet to an iron pin found for the Northeast corner of this tract.

THENCE along the East line hereof, S22°08'20"E, 199.97 feet to an iron pin found for the Southeast corner of this tract.

THENCE along the South line hereof, S68°01'29"W, 634.82 feet to the POINT OF BEGINNING of the herein described tract, containing 2.913 acres of land, more or less.

I Claude F. Hinkle, Jr. a REGISTERED PROFESSIONAL LAND SURVEYOR, do hereby certify that these field notes represent the results of an on-the-ground survey made under my direction and supervision on the 9th day of March, 1993, and are true and correct to the best of my knowledge. All corners located are as described.

AUSTIN SURVEYORS
P. O. Box 180243
Austin, Texas 78718-0243



Claude F. Hinkle, Jr.
Claude F. Hinkle, Jr.
Registered Professional Land Surveyor No. 4629

6-15-93
Date

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PO#: 930902-CAd ID#: 9FM400200Acct #: 5124992499**Austin American-Statesman**Acct. Name: City Clerks Office**AFFIDAVIT OF PUBLICATION****THE STATE OF TEXAS
COUNTY OF TRAVIS**

Chapter 13-2 of the
Austin City Code of 1992 as follows:
2.913 acre tract of land out of the
Elos McMillan Survey No. 110, from
"SF-2" Single-Family Residence
(Standard Lot) District to "CS-CO"
General Commercial Services Dis-
trict-Conditional Overlay Combining
District, locally known as 16029
North Interstate Highway 35, in the
City of Austin, Travis County, Texas,
waiving the requirements of Section
2.2.3 of the Austin City Code of
1992, and providing for the same
date.
Mayor Anne 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:

Vanessa Fleming

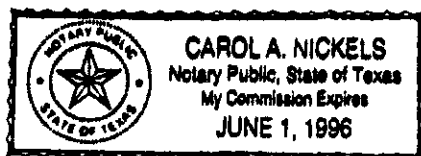
Classified Advertising Agent of the *Austin American-Statesman*, a daily
newspaper published in said County and State that is generally circulated in
Travis, Hays, Burnet and Williamson Counties, who being duly sworn by me,
states that the attached advertisement was published in said newspaper on the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

Date (s): September 16th, 1993Class: 9980 Lines: 19 Cost: \$ 37.24

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

Vanessa D. Fleming

SWORN AND SUBSCRIBED TO BEFORE ME, this the 16th day of Oct., 1993.



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