

ORDINANCE NO. 990325-49

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE CITY CODE TO ESTABLISH A "PUD" PLANNED UNIT DEVELOPMENT DISTRICT ON APPROXIMATELY 66 ACRES, OF LAND GENERALLY KNOWN AS THE LITTLE TEXAS PLANNED UNIT DEVELOPMENT, LOCALLY KNOWN AS THE LAND LOCATED AT LITTLE TEXAS LANE AND IH-35 SOUTH, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

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

PART 1. The Zoning Map established by Chapter 13-2-22 of the City Code is amended to change the base zoning district from "PUD" Planned Unit Development district to "PUD" Planned Unit Development district on the property described in File C814-91-0001 as two tracts of land consisting of approximately 66 acres of land, being more particularly described by metes and bounds in Exhibit "A" (the "Property") incorporated into this ordinance, generally known as the Little Texas Planned Unit Development, locally known as the land located along Little Texas Lane and IH-35 South, in the City of Austin, Travis County, Texas, and as more particularly identified in the zoning map attached as part of Exhibit "B".

PART 2. This ordinance, together with the attached Exhibits "A" through "C", shall constitute the Land Use Plan for the Little Texas Planned Unit Development district (the "PUD") created by this ordinance. The PUD shall conform to the limitations and conditions set forth in this ordinance and in the Little Texas Planned Unit Development Land Use Plan (the "PUD Land Use Plan") attached as Exhibits "A" through "C" and on record at the Development Review and Inspection Department in File No. C814-91-0001. If the text of this ordinance and the attached exhibits conflict, the more restrictive provision shall control. Except as otherwise specifically provided by this ordinance, all other rules, regulations and ordinances of the City of Austin in effect on the effective date of this ordinance shall apply to the Little Texas PUD.

PART 3. The attached exhibits are copies of originals on file with the City of Austin Development Review and Inspection Department in File No. C814-91-0001 and are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance. The attached exhibits are as follows:

Exhibit A: Description of Property
Exhibit B: Zoning Map
Exhibit C: Land Use Plan

PART 4. The Property described as the 33.9 acre tract in the attached Exhibit "A" (the "33.9 acre tract") is subject to the following conditions:

1. There shall be no vehicular access from the 33.9 acre tract to Crow Lane. All vehicular access to this property shall be from other adjacent public streets or through other adjacent property.
2. The following uses of the 33.9 acre tract are prohibited:
 - a) Adult Oriented Business.
 - b) Automotive Rentals.
 - c) Automotive Repair Services.
 - d) Automotive Sales.
 - e) Automotive Washing (Any type).
 - f) Vehicle Storage.
 - g) Pawn Shops.
 - h) Equipment Repair Services.
 - i) Equipment Sales.

PART 5. Nothing in this ordinance shall be construed to limit or prohibit the exercise by the City of its police powers or authority under the City Code and other applicable law, or to limit or prohibit the right of the Owner to seek an amendment to any provision of this ordinance or the Land Use Plan or any variance or waiver from any City ordinance, regulation or policies applicable to this Planned Unit Development.

PART 6. The Council waives the requirements of Sections 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 7. This ordinance takes effect on April 5, 1999.

PASSED AND APPROVED

_____, March 25, 1999 § Kirk Watson
 §
 § Kirk Watson
 Mayor

APPROVED: Andrew Martin ATTEST: Shirley A. Brown
 Andrew Martin Shirley A. Brown
 City Attorney City Clerk

EXHIBIT A
PART I

TRACT NO. 1 - 32.930 ACRES

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE WILLIAM CANNON LEAGUE IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING THAT SAME TRACT OF LAND DESCRIBED AS TRACT NO. 1 AS CONVEYED TO ISO LTD. BY DEED RECORDED IN VOLUME 6873, PAGE 56 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron pin found at the Southeast corner of the intersection of South Congress Avenue and Little Texas Lane, same being the Northwest corner of the said Tract No. 1 for the Northwest corner and PLACE OF BEGINNING hereof;

THENCE with the South r.o.w. line of Little Texas Lane, same being the North line of the herein described tract, S 60° 13' E for a distance of 2028.72 feet to an iron pin set for the most Northerly Northeast corner hereof;

THENCE with an East and South line of the herein described tract, the following courses:

S 59° 54' W for a distance of 12.64 feet to an iron pipe found by a fence post for an angle point

As fenced and used upon the ground, S 37° 52' W for a distance of 504.82 feet to an iron pipe found at the most Northerly Southeast corner

N 52° 07' W for a distance of 348.89 feet to an iron pipe found for an inside corner

S 37° 47' W for a distance of 505.28 feet to an iron pipe found for the most Southerly Southeast corner hereof;

THENCE with a South line of the herein described tract, as found fenced and used upon the ground, the following courses:

N 65° 39' W for a distance of 303.81 feet to an iron pipe found for an angle point

N 65° 43' W for a distance of 101.60 feet to an iron pipe found for an angle point

N 65° 43' W for a distance of 101.17 feet to an iron pipe found for an angle point

N 65° 30' W for a distance of 236.40 feet to an iron pipe found for the most Southerly Southwest corner hereof;

THENCE with a West line of the herein described tract, the following courses:

N 14° 23' E for a distance of 159.22 feet to an iron pipe found for an angle point

N 14° 11' E for a distance of 229.97 feet to an iron pipe found for an inside corner hereof;

EXHIBIT A
PART I (cont.)

TRACT NO. 1 - 32.930 ACRES

THENCE with a South line of the herein described tract, as found fenced and used upon the ground, N 65° 45' E for a distance of 498.94 feet to an iron pin in the East r.o.w. line of South Congress Avenue for the most Northerly Southwest corner hereof;

THENCE with said East r.o.w. line of South Congress Avenue, same being a West line of the herein described tract, N 14° 15' E for a distance of 661.63 feet to the PLACE OF BEGINNING and containing 32.930 acres of land, more or less.

EXHIBIT "A"

33.9 ACRES

TRACT Z

DESCRIPTION

FIELD NOTES FOR A 33.9 ACRE TRACT OF LAND SITUATED IN THE WILLIAM CANNON LEAGUE SURVEY AND THE SANTIAGO DEL VALLE GRANT, TRAVIS COUNTY, TEXAS, BEING THE SAME TRACT OF LAND CALLED 33.881 ACRES CONVEYED TO COHEN-EMMETT JOINT VENTURE BY WARRANTY DEED RECORDED IN VOLUME 9078, PAGE 504, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; A PORTION OF SAID 33.9 ACRE TRACT BEING THAT CERTAIN 2.374 ACRE TRACT OF LAND SUBDIVIDED IN STASSNEY HEIGHTS SOUTH SECTION ONE, A SUBDIVISION OF RECORD IN BOOK 88, PAGE 35, PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 33.9 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the intersection of the south right of way line of Little Texas Lane with the west right of way line of Interregional Highway No. 35, being the northeast corner of said called 33.881 acre tract and the southeast corner of that certain tract of land described as 1.426 acres conveyed to Travis County in right of way deed recorded in Volume 2093, Page 268, Deed Records of Travis County, Texas, Texas;

THENCE, with the common line of said called 33.881 acre tract and said west right of way line of Interregional Highway No. 35, S 36°14'00" W, a distance of 975.55 feet, to the southeast corner of said called 33.881 acre tract and the northeast corner of Lot 5, Block A, Ridge at William Cannon Resubdivision No. 1, a subdivision of record in Book 95, Pages 114-115, Plat Records of Travis County;

THENCE, with the common line of said called 33.881 acre tract and said Lot 5, the following four (4) courses and distances:

- 1) N 53°40'00" W, a distance of 226.52 feet to a point;
- 2) S 62°55'00" W, a distance of 156.31 feet to a point;
- 3) N 74°28'00" W, a distance of 33.99 feet to a point;
- 4) N 81°30'00" W, a distance of 11.64 feet to the northwest corner of said Lot 5, being the northeast corner of that certain tract of land called 13 acres, more or less in a warranty deed to W.D. Wilson, Jr. and wife, Mildred S. Wilson and A.W. Mullins and wife, Edith Mullins, recorded in Volume 6324, Page 907, Deed Records of Travis

County, Texas, said 13 acre tract, being a remainder of that certain tract of land described as 32.3 acres in a warranty deed to W.D. Wilson, and wife, Bessie Wilson, of record in Volume 448, Page 298, Deed Records of Travis County, Texas;

THENCE, along common line of said called 33.881 acre tract and the said called 13 acre tract, being the centerline of a creek, the following four (4) courses and distances:

- 1) N 81°30'00" W, a distance of 164.36 feet to a point;
- 2) N 74°45'00" W, a distance of 130.00 feet to a point;
- 3) S 86°40'00" W, a distance of 163.00 feet to a point;
- 4) N 80°10'00" W, a distance of 292.00 feet to the southwest corner of said called 33.881 acre tract, and an interior ell corner of said called 13 acre tract;

THENCE, along the common line of said called 33.881 acre tract and said called 13 acre tract, N 12°20'00" W, at a distance of 110.60 feet, passing a northerly corner of said called 13 acre tract, and the most easterly southeast corner of that certain tract of land described as 6.51 acres (Tract No. 2), in a quitclaim deed to A.W. Mullins and Edith Mullins of record in Volume 8612 Page 980, Deed Records of Travis County, Texas, and continuing along the east line of said 6.51 acre tract, a total distance of 318.93 feet to a point in the east line of said 6.51 acre tract, and at the southwest corner of that certain tract of land described as 1 acre in a warranty deed to Ellen Nelson Smith, of record in Volume 4762, Page 2250, Deed Records of Travis County, Texas;

THENCE, along the common line of said called 33.881 acre tract and of said 1 acre tract the following three (3) courses and distances:

- 1) N 76°48'00" E, a distance of 200.91 feet to a point;
- 2) N 09°34'00" W, a distance of 204.66 feet to a point;
- 3) S 78°09'00" W, a distance of 211.73 feet to a point, being the northwest corner of said 1 acre tract, the northeast corner of said 6.51 acre tract, and the southeast corner of Crow Lane;

THENCE, along the common line of said called 33.881 acre tract and said Crow Lane, N 01°10'00" E, a distance of 36.09 feet, to the northeast corner of Crow Lane and the southeast corner of that certain tract of land described as 2.00 acres in a warranty deed to William E. Smith, and wife, Ellen Smith, of record in Volume 964, Page 473, Deed Records of Travis County, Texas;

THENCE, continuing along the common line of said called 33.881 acre tract and said 2.00 acre tract, N 29°45'00" E, passing the southwest corner of Lot 2, Block B, of said Stassney Heights South Section One, at a distance of 609.98 feet, passing the most northerly corner of said Lot 2, at a distance of 961.98 feet and continuing for a total distance of 966.98 feet, to the northeast corner

of said called 33.881 acre tract and of said Stassney Heights South Section One and the northeast corner of the remainder of said 2.00 acre tract, and in the curving south right of way line of Little Texas Lane, said point also being the southeast corner of that certain tract of land described as 0.001 of one acre tract conveyed to Travis County, Texas, in a right of way deed recorded in Volume 2093, Page 270, Deed Records of Travis County, Texas, and the southwest corner of said called 1.426 acre tract;

THENCE, along the common line of said called 33.881 acre tract, said Stassney Heights South Section One, said Little Texas Lane and said 1.426 acre tract, the following six (6) courses and distances:

- 1) with a curve to the right, having a radius of 684.62 (called 686.8) feet, an arc length of 361.25 feet and a chord bearing and distance of S 45°02' E, 357°08 feet to a point of tangency;
- 2) S 29°55' E, a distance of 8.03 (called 7.8) feet to a point of curvature;
- 3) with said curve to the left, passing the most easterly corner of said Stassney Heights South Section One at an arc distance of 123.65 feet and continuing with said curve, having a radius of 744.81 (called 746.8) feet and a chord bearing and distance of S 44°56' E, 386.17 feet to a point of tangency;
- 4) S59°58'00"E, a distance of 183.64 (called 183.40) feet to a point of curvature;
- 5) with said curve to the left, having a radius of 1023.69 (called 1031.12) feet and a chord bearing and distance of S 72°23'00"E, 440.52 feet to a point of tangency;
- 6) S 84°49'00" E, a distance of 206.64 (called 187.43) feet, to the POINT OF BEGINNING, containing 33.9 acres of land, more or less, within these metes and bounds.

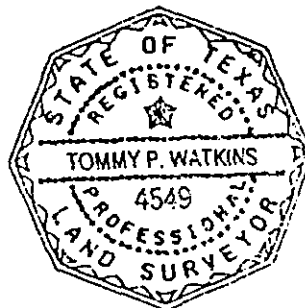
Bearing Reference: Record description of the 33.881 acre tract, Volume 9078, Page 504, Real Property Records Of Travis County, Texas.

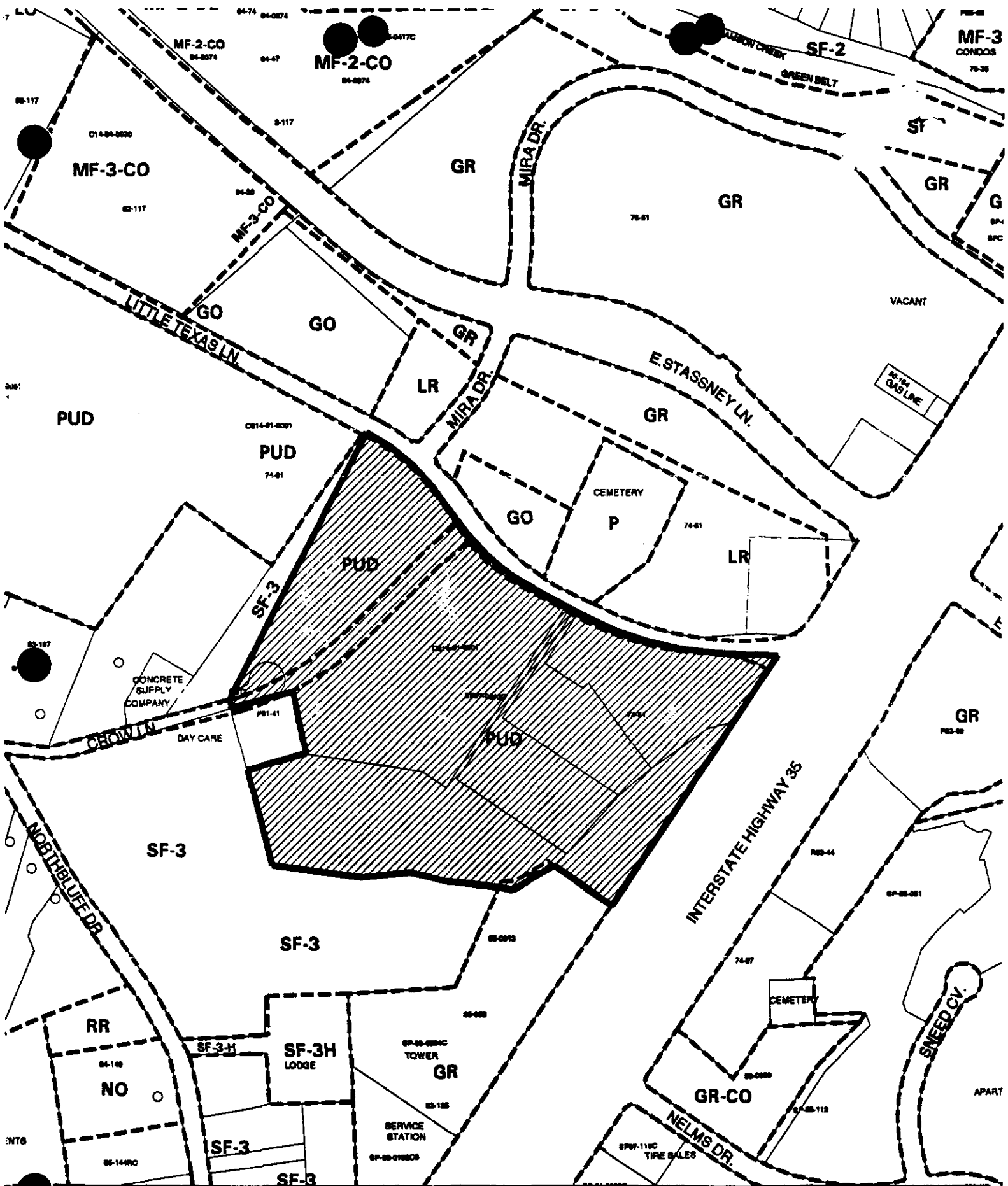
This description was prepared from record information only and does not represent an on the ground survey




CUNNINGHAM-ALLEN, INC.



Tommy P. Watkins
Registered Professional Land Surveyor No. 4549
Date: March 7, 1997





<p>SUBJECT TRACT </p> <p>PENDING CASE </p> <p>ZONING BOUNDARY </p> <p>CASE MGR:</p>	<p align="center">PUD</p> <p>CASE #: C814-91-0001 <i>EXHIBIT #BY</i></p> <p>ADDRESS: LITTLE TEXAS LN.</p> <p>SUBJECT AREA (acres): N/A</p> <p align="center">AMENDMENT</p> <p>DATE: 98-08</p> <p>INTLS: ca</p>	<p>CITY GRID</p> <p>REFERENCE</p> <p>NUMBER</p> <p align="center">H16</p>
--	---	---

FAST FAST FOOD 990325-49

12
Austin American-Statesman

PO#: 99032549
Ad ID#: 4EM400400
Acct#: 5124992499
Account Name: CITY CLERKS OFFICE

CITY CLERKS OFFICE
PO BOX 1088
AUSTIN, TX 78767

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:

FRANK PUCKETT

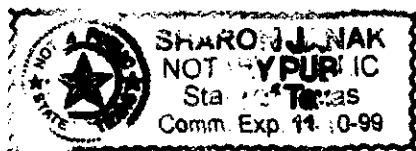
Classified Advertising Agent of the Austin American-Statesman, a daily newspaper published in said County and State that is generally circulated in Travis, Hays, Burnet and Williamson Counties, who being duly sworn by me, states that the attached advertisement was published in said newspaper on the following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

First Published:	4/15/99	Last Published:	4/15/99
Times Published:	1	Classification:	9980
Lines:	17	Cost:	\$50.32

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

Frank Puckett

SWORN AND SUBSCRIBED TO BEFORE ME, this the 15th day of April 1999



Sharon J. Nak
Notary Public in and for
TRAVIS COUNTY, TEXAS

305 South Congress Ave., P.O. Box 670, Austin, Texas 78767-0670 512-445-3541

ORDINANCE NO. 990225-49
AN ORDINANCE RETORNING AND
CHANGING THE ZONING MAP TO
COMPLYING CHAPTER 212 OF
THE CITY CODE TO ESTABLISH A
"PUD" PLANNED UNIT DEVELOP-
MENT DISTRICT ON APPROXIMATELY
66 ACRES OF LAND GENERALLY
KNOWN AS THE LITTLE TEXAS
PLANNED UNIT DEVELOPMENT LO-
CATED AT LITTLE TEXAS AVE AND H-
36 SOUTH IN THE CITY OF AUSTIN,
TRAVIS COUNTY, TEXAS.
Mayor: [Signature]
City Clerk: [Signature]