

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES AS DESCRIBED BELOW; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 9TH day of AUGUST, 2004.

APPROVED:

RON SILVIA, Mayor

ATTEST:

Connie Hooks, City Secretary

APPROVED:



City Attorney

EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

The following property is rezoned from A-O Agricultural Open and A-P Administrative Professional to C-1 General Commercial:

A 3.341 ACRE TRACT BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE ROBERT STEVENSON LEAGUE, ABSTRACT NO. 54 IN COLLEGE STATION, BRAZOS COUNTY, TEXAS AND BEING A PORTION OF THE 51.133 ACRE TRACT CONVEYED BY PORTER FAMILY PARTNERS LTD, ET AL TO ED FROEHLING BUILDER, INC. BY DEED RECORDED IN VOLUME 4514, PAGE 14 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS (O.R.B.C.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN THE ATTACHED EXHIBIT "B" AND SHOWN GRAPHICALLY IN THE ATTACHED EXHIBIT "E".

The following property is rezoned from A-O Agricultural Open and A-P Administrative Professional to A-P Administrative Professional:

A 2.101 ACRE TRACT BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE ROBERT STEVENSON LEAGUE, ABSTRACT NO. 54 IN COLLEGE STATION, BRAZOS COUNTY, TEXAS AND BEING A PORTION OF THE 51.133 ACRE TRACT CONVEYED BY PORTER FAMILY PARTNERS LTD, ET AL TO ED FROEHLING BUILDER, INC. BY DEED RECORDED IN VOLUME 4514, PAGE 14 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS (O.R.B.C.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN THE ATTACHED EXHIBIT "C" AND SHOWN GRAPHICALLY IN THE ATTACHED EXHIBIT "E".

The following property is rezoned from A-O Agricultural Open to R-1 Single Family Residential:

A 2.408 ACRE TRACT BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE ROBERT STEVENSON LEAGUE, ABSTRACT NO. 54 IN COLLEGE STATION, BRAZOS COUNTY, TEXAS AND BEING A PORTION OF THE 49.35 ACRE TRACT CONVEYED TO EDWARD FROEHLING BY CHARLES ELMO FERGUSON JR. RECORDED IN VOLUME 4248, PAGE 144 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS (O.R.B.C.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN THE ATTACHED EXHIBIT "D" AND SHOWN GRAPHICALLY IN THE ATTACHED EXHIBIT "E".

EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

The following property is rezoned from A-O Agricultural Open and A-P Administrative Professional to C-1 General Commercial:

A 3.341 ACRE TRACT BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE ROBERT STEVENSON LEAGUE, ABSTRACT NO. 54 IN COLLEGE STATION, BRAZOS COUNTY, TEXAS AND BEING A PORTION OF THE 51.133 ACRE TRACT CONVEYED BY PORTER FAMILY PARTNERS LTD, ET AL TO ED FROEHLING BUILDER, INC. BY DEED RECORDED IN VOLUME 4514, PAGE 14 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS (O.R.B.C.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN THE ATTACHED EXHIBIT "B" AND SHOWN GRAPHICALLY IN THE ATTACHED EXHIBIT "E".

The following property is rezoned from A-O Agricultural Open and A-P Administrative Professional to A-P Administrative Professional:

A 2.101 ACRE TRACT BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE ROBERT STEVENSON LEAGUE, ABSTRACT NO. 54 IN COLLEGE STATION, BRAZOS COUNTY, TEXAS AND BEING A PORTION OF THE 51.133 ACRE TRACT CONVEYED BY PORTER FAMILY PARTNERS LTD, ET AL TO ED FROEHLING BUILDER, INC. BY DEED RECORDED IN VOLUME 4514, PAGE 14 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS (O.R.B.C.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN THE ATTACHED EXHIBIT "C" AND SHOWN GRAPHICALLY IN THE ATTACHED EXHIBIT "E".

The following property is rezoned from A-O Agricultural Open to R-1 Single Family Residential:

A 2.408 ACRE TRACT BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE ROBERT STEVENSON LEAGUE, ABSTRACT NO. 54 IN COLLEGE STATION, BRAZOS COUNTY, TEXAS AND BEING A PORTION OF THE 49.35 ACRE TRACT CONVEYED TO EDWARD FROEHLING BY CHARLES ELMO FERGUSON JR. RECORDED IN VOLUME 4248, PAGE 144 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS (O.R.B.C.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN THE ATTACHED EXHIBIT "D" AND SHOWN GRAPHICALLY IN THE ATTACHED EXHIBIT "E".

FIELD NOTES
3.341 ACRE TRACT
Proposed C-1 Zoning District

Being all that certain tract or parcel of land lying and being situated in the ROBERT STEVENSON LEAGUE, Abstract No. 54 in College Station, Brazos County, Texas and being a portion of the 51.133 acre tract conveyed by Porter Family Partners LTD, et al to Ed Froehling Builder, Inc. by deed recorded in Volume 4514, Page 14 of the Official Records of Brazos County, Texas (O.R.B.C.) and being more particularly described by metes and bounds as follows:

BEGINNING: at a set 1/2-inch iron rod for the most easterly corner of the said 51.133 acre tract, the north corner of Lot 2, Block 1 of the KTH COMMERCIAL ADDITION as recorded in Volume 4377, Page 206 (O.R.B.C.) and being in the southwest right-of-way line of State Highway No. 6 (based on a 329.9' width at this location);

THENCE: S 45° 03' 24" W along the common line of the said 51.133 acre tract and said KTH COMMERCIAL ADDITION for a distance of 503.96 feet for corner;

THENCE: into the interior of the said 51.133 acre tract for the following four (4) calls:

- 1) N 44° 57' 34" W for a distance of 145.63 feet for corner,
- 2) N 45° 02' 26" E for a distance of 15.14 feet for corner,
- 3) N 44° 57' 34" W for a distance of 149.17 feet for corner and
- 4) N 45° 02' 22" E for a distance of 483.43 feet for corner in the beforementioned State Highway No. 6 right-of-way;

THENCE: S 46° 00' 22" E for a distance of 295.00 feet to the POINT OF BEGINNING and containing 3.341 acres of land, more or less.

FIELD NOTES
2.101 ACRE TRACT
Proposed A-P Zoning District

Being all that certain tract or parcel of land lying and being situated in the ROBERT STEVENSON LEAGUE, Abstract No. 54 in College Station, Brazos County, Texas and being a portion of the 51.133 acre tract conveyed by Porter Family Partners LTD, et al to Ed Froehling Builder, Inc. by deed recorded in Volume 4514, Page 14 of the Official Records of Brazos County, Texas (O.R.B.C.) and being more particularly described by metes and bounds as follows:

BEGINNING: at a 1/2-inch iron rod marking the most northerly corner of the said 51.133 acre tract, the east corner of Lot 2, Block B of the Replat of SHENANDOAH, PHASE ONE as recorded in Volume 2484, Page 273 (O.R.B.C.) and being in the southwest right-of-way line of State Highway No. 6 (based on a 329.9' width at this location);

THENCE: S 46° 00' 22" E along said Highway right-of-way for a distance of 190.03 feet for corner;

THENCE: S 45° 02' 22" W into the interior of said 51.133 acre tract for a distance of 483.43 feet for corner;

THENCE: N 44° 57' 34" W for a distance of 170.00 feet to the east corner of a 20-foot wide public alley as described on the SHENANDOAH, PHASE ONE plat recorded in Volume 590, Page 251 (O.R.B.C.) for corner;

THENCE: N 44° 57' 38" W along the northeast line of said alley for a distance of 20.00 feet for corner, said corner also being the south corner of the Resubdivision of the P.U.D. of SHENANDOAH, PHASE ONE as recorded in Volume 1087, Page 817 (O.R.B.C.);

THENCE: N 45° 02' 22" E along the southeast line of said Resubdivision and the southeast line of the beforementioned Lot 2, Block B, Replat for a distance of 479.96 feet to the POINT OF BEGINNING and containing 2.101 acres of land, more or less.

FIELD NOTES
2.408 Acre Tract
Proposed R-1 Zoning District

Being all that certain tract or parcel of land lying and being situated in the ROBERT STEVENSON LEAGUE, Abstract No. 54 in College Station, Brazos County, Texas and being a portion of the 49.35 acre tract conveyed to Edward Froehling by Charles Elmo Ferguson, Jr. recorded in Volume 4248, Page 144 of the Official Records of Brazos County, Texas (O.R.B.C.) and being more particularly described by metes and bounds as follows:

BEGINNING: at a 1/2-inch iron rod found at a fence corner for the most southerly corner of the said 49.35 acre Froehling tract, the east corner of the Gary Seaback 117-1/2 acre tract described in volume 2597, Page 186 (O.R.B.C.) and being in the northwest line of the Timothy J. Crowley 734.96 acre tract as recorded in Volume 1415, Page 74 (O.R.B.C.);

THENCE: N 44° 22' 55" W along the fenced common line of the said Seaback tract and the said 49.35 acre tract for the following eight (8) calls:

- 1) N 31° 33' 32" E for a distance of 102.59 feet for corner,
- 2) N 71° 53' 27" W for a distance of 81.40 feet for corner,
- 3) N 60° 52' 13" E for a distance of 114.21 feet for corner,
- 4) S 69° 39' 20" E for a distance of 133.00 feet for corner,
- 5) S 50° 05' 27" E for a distance of 86.26 feet for corner,
- 6) S 74° 52' 22" E for a distance of 138.43 feet for corner,
- 7) S 08° 35' 28" W for a distance of 74.68 feet for corner and
- 8) S 13° 56' 52" E for a distance of 102.34 feet for corner in the common line of the beforesaid 734.96 acre Crowley tract and the said 49.35 acre Froehling tract;

THENCE: S 46° 29' 41" W for a distance of 196.27 feet to the POINT OF BEGINNING and containing 2.408 acres of land, more or less.

