ORDINANCE NO. 20060622-111

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5029 SOUTHWEST PARKWAY FROM LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT AND GENERAL OFFICE-CONDITIONAL OVERLAY (GO-CO) COMBINING DISTRICT TO GENERAL OFFICE-CONDITIONAL OVERLAY (GO-CO) COMBINING DISTRICT.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from limited office-conditional overlay (LO-CO) combining district and general office-conditional overlay (GO-CO) combining district to general office-conditional overlay (GO-CO) combining district on the property described in Zoning Case No. C14-06-0103, on file at the Neighborhood Planning and Zoning Department, as follows:

A 3.958 acre tract of land out of the Thomas Anderson Survey No. 17, Abstract No. 2, the tract of land being more particularly described by metes and bounds in Exhibit “A” incorporated into this ordinance (the “Property”),

locally known as 5029 Southwest Parkway, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit “B”.

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. The maximum height of a building or structure is 60 feet from ground level.

2. The maximum height of a building or structure is four stories.

3. Exterior lighting must be hooded or shielded so that the light source is not directly visible from adjacent property.

4. The following uses are prohibited uses:

   Communication service facilities  Congregate living
   Community recreation (private)  Community events
Community recreation (public)  
Family home  
Food preparation  
Group home, Class II  
Hospital services (general)  
Local utility services  
Personal services  
Restaurant (limited)  

Group home, Class I (general)  
Group home, Class I (limited)  
Hospital services (limited)  
Off-site accessory parking  
Printing and publishing  
Safety services  
Telecommunication tower

5. The following uses are conditional uses:

Public secondary educational facilities  
College and university facilities  
Private secondary facilities

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general office (GO) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on July 3, 2006.

PASSED AND APPROVED

June 22, 2006

Will Wynn  
Mayor

David Allan Smith  
City Attorney

Shirley A. Gentry  
City Clerk
DESCRIPTION

OF A 3.958 ACRE TRACT OF LAND OUT OF THE THOMAS ANDERSON SURVEY NO. 17, ABSTRACT NO. 2, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2, BUAAS AND GAGE SUBDIVISION OF RECORD IN VOLUME 9, PAGE 96 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.024 ACRES ALSO BEING A PORTION OF THAT CERTAIN 48.86 ACRE TRACT OF LAND CONVEYED TO THOMAS ORAN MURPHEY, JR. BY DEED OF RECORD IN VOLUME 13224, PAGE 869 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 3.958 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2 inch iron rod found in the southerly right-of-way line of Southwest Parkway (120' R.O.W.), being the northwesterly corner of said 48.86 acre tract and the northeasterly corner of that certain 4.997 acre tract of land conveyed to Southwest Parkway Partners, L.P., by deed of record in Document No. 2006057459 of the Official Public Records of Travis County, Texas;

THENCE, S30°09'25"W, leaving the southerly right-of-way line of Southwest Parkway, along a portion of the easterly line of said 4.997 acre tract, being a portion of the westerly line of said 48.86 acre tract, a distance of 364.68 feet to a point, from which a 1/2 inch iron rod found at the southeasterly corner of said 4.997 acre tract bears S30°09'25"W, a distance of 678.62 feet;

THENCE, S59°50'35"E, leaving the easterly line of said 5.0 acre tract, over and across said 48.86 acre tract, a distance of 54.35 feet to the POINT OF BEGINNING and northwesterly corner hereof;

THENCE, continuing over and across said 48.86 acre tract, for the northerly, easterly, southerly and westerly lines hereof, the following four (4) courses and distances:

1) S60°06'26"E, a distance of 420.00 feet to the northeasterly corner hereof, from which a 1/2 inch iron rod found in the southerly right-of-way line of Southwest Parkway for an angle point in the northerly line of said 48.86 acre tract, being the northwesterly corner of that certain 9.989 acre tract of land conveyed to Tr Travis Oaks Corp. by deed of record in Document No. 2005240371 of said Official Public Records bears N63°43'14"E, a distance of 419.94 feet;

2) S29°53'34"W, a distance of 410.50 feet to the southeasterly corner hereof, from which a 1/2 inch iron rod found for an angle point in the northerly line of said 48.86 acre tract, being the southwesterly corner of said 9.989 acre tract bears S46°31'06"E, a distance of 239.32 feet;
3) N60°06'26"W, a distance of 420.00 feet to the southwesterly corner hereof;

4) N29°53'34"E, a distance of 410.50 feet to the POINT OF BEGINNING, containing an area of 3.958 acres (172,410 sq. ft.) of land, more or less, within these metes and bounds.

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A SURVEY EXHIBIT PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

[Signature]

4/29/05

BURY+PARTNERS, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVE ROAD
SUITE 200
AUSTIN, TEXAS 78746

JOHN T. BILNOSKI, R.P.L.S.
NO. 4J98
STATE OF TEXAS
50.04 ACRES
THE CARL & VERNE ROE FAMILY TRUST
VOL. 13401, PG. 459

4.997 ACRES
SOUTHWEST PARKWAY PARTNERS, L.P.
DOC. NO. 2006057459

3.958 ACRES
172,410 SQ. FT.

48.86 ACRES
THOMAS ORAN MURPHEY,
JR. VOL. 13224, PG. 869

9.989 ACRES
TR TRAVIS OAKS CORP.
DOCUMENT NO. 2005240371

0.588 ACRES
STATE OF TEXAS
VOL. 12123, PG. 846

MISSION OAKS BOULEVARD

SKETCH TO ACCOMPANY DESCRIPTION
OF 3.958 ACRES OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 48.86 ACRE TRACT OF LAND CONVEYED TO THOMAS ORAN MURPHEY JR. BY DEED OF RECORD IN VOLUME 13224, PAGE 869 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.
LEGEND
• 1/2" IRON ROD FOUND (UNLESS NOTED)
O 1/2" IRON ROD WITH CAP SET
© IRON PIPE FOUND
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT

50.04 ACRES
THE CARL & VERNE ROE
FAMILY TRUST
VOL. 13401, PG. 459

5.0 ACRES
ELIZABETH DEE REYNOLDS
DOC. NO. 2000091061

172,410 SQ. FT.

"BEARING BASIS"

9.989 ACRES
TRAVIS OFFICE I, L.P.,
DOCUMENT NO. 2001043547

48.86 ACRES
THOMAS ORAN MURPHEY,
JR. VOL. 13224, PG. 869

0.586 ACRES
STATE OF TEXAS
VOL. 12123, PG. 645

LOT 1, BLOCK "A",
OAK HILL TECHNOLOGY PARK
SUBDIVISION SECTION IV
DOC. NO. 200300035

MISSION OAKS
BOULEVARD

OAK HILL INDUSTRIAL PARK
SUBSECTION 2
VOL. 76, PG. 142

OAK HILL TECHNOLOGY PARK
SUBDIVISION SECTION IV
DOC. NO. 200300035

43.36 ACRES
THOMAS ORAN MURPHEY,
JR. VOL. 13224, PG. 369

LOT 1, BLOCK "A",
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JR. VOL. 13224, PG. 369

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FN No.: 06-333(CAG) DRAWN BY: M.J.J.   PROJ No: 258-38.95

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