

ORDINANCE NO. 20070322-054

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 11908 NORTH LAMAR BOULEVARD FROM URBAN FAMILY RESIDENCE (SF-5) DISTRICT AND NEIGHBORHOOD OFFICE (NO) DISTRICT TO GENERAL OFFICE-CONDITIONAL OVERLAY (GO-CO) COMBINING DISTRICT FOR TRACT ONE AND URBAN FAMILY RESIDENCE-CONDITIONAL OVERLAY (SF-5-CO) COMBINING DISTRICT FOR TRACT TWO.

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 districts on the property described in Zoning Case No. C14-06-0214, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From urban family residence (SF-5) district and neighborhood office (NO) district to general office-conditional overlay (GO-CO) combining district.

A 34.304 acre tract of land, more or less, out of the John G. Brooke Survey No. 59, Abstract No. 70, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: From urban family residence (SF-5) district to urban family residence-conditional overlay (SF-5-CO) combining district.

A 9.081 acre tract of land, more or less, out of the John G. Brooke Survey No. 59, Abstract No. 70, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (the "Property"),

locally known as 11908 North Lamar Boulevard, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

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

A. The following uses are prohibited uses of Tract One:

Business or trade school	Business support services
Club or lodge	Community recreation (public)
Hospital services (general)	Hospital services (limited)
Off-site accessory parking	Personal services
Printing and publishing	Restaurant (limited)
Software development	Urban farm
Medical offices (exceeding 5000 sq. ft. of gross floor area)	
Medical offices (not exceeding 5000 sq. ft. of gross floor area)	

B. A 50 foot setback shall be established on Tract Two from its south property line that runs along the adjacent residential properties.

Except as specifically restricted under this ordinance, the property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on April 2, 2007.

PASSED AND APPROVED

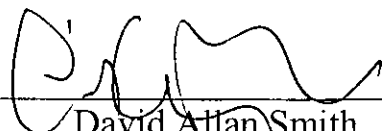
March 22, 2007

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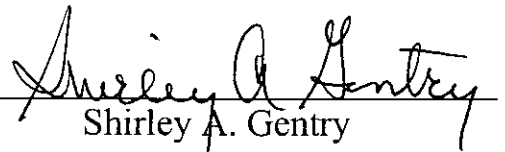
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

ZONING FIELD NOTES

EXHIBIT A

JOB NO: 40236

PATH: R:\Egpt_04\40236_BRENTWOOD\DOCUMENTS\40236_TRACT1_FN_022607.doc

DATE: FEBRUARY 26, 2007

PAGE: 1 OF 5

34.304 ACRES-ZONING DESCRIPTION

All that certain tract or parcel of land situated in Travis County, Texas, out of the John G. Brooke Survey No. 59, Abstract No. 70, and being a portion of that tract of land described as 55.43 acres in a Deed granted to Brentwood Church of Christ, dated May 30, 1969, and recorded in Volume 3694, Page 511, Deed Records of Travis County, and further described by metes and bounds as follows:

BEGINNING at a iron pin found in the monumented west line of North Lamar Boulevard, being the original southeast corner of Lot 2 of the Frank Stark Subdivision, recorded in Volume 4, Page 199, Plat Records of Travis County and the northeast corner of Lot 3B, Block "A" of the Resubdivision of Lot 3, Frank Stark Subdivision, recorded as Document No. 200000230 of said plat records and for the most easterly southeast corner of said Brentwood Church of Christ tract and this tract;

THENCE, with the south line of this tract the following two (2) courses:

1. N 63°58'33" W 584.23 feet with the south line of said Lot 2 and the north line of said Lot 3B to a point in the approximate center line of a creek branch;
2. N 63°58'33" W 435.78 feet over and across said Brentwood Church of Christ tract to a calculated point;

THENCE, continuing over and across said Brentwood Church of Christ tract and with the east line of this tract and generally along the southerly edge of pavement of an existing driveway in the following ten (10) courses:

1. 128.52 feet along a non-tangent curve to the right and concave to the northwest ($\Delta = 41^\circ 50' 20''$, $r = 176.00$ feet, lc bears S $41^\circ 11' 01''$ W 125.68 feet) to a calculated point;
2. 98.41 feet along a non-tangent curve to the right and concave to the northwest ($\Delta = 16^\circ 20' 36''$, $r = 345.00$ feet, lc bears S $70^\circ 54' 18''$ W 98.08 feet) to a calculated point;
3. 109.08 feet along a non-tangent curve to the left and concave to the southeast ($\Delta = 14^\circ 42' 18''$, $r = 425.00$ feet, lc bears S $71^\circ 38' 49''$ W 108.78 feet) to a calculated point;
4. S $67^\circ 01' 20''$ W 54.43 feet to a calculated point;
5. 287.82 feet along a non-tangent curve to the right and concave to the north ($\Delta = 67^\circ 18' 31''$, $r = 245.00$ feet, lc bears N $73^\circ 25' 22''$ W 271.55 feet) to a calculated point;
6. N $48^\circ 27' 15''$ W 33.92 feet to a calculated point;
7. 204.87 feet along a non-tangent curve to the left and concave to the southwest ($\Delta = 33^\circ 55' 31''$, $r = 346.00$ feet, lc bears N $62^\circ 49' 17''$ W 201.89 feet) to a calculated point;
8. 75.74 feet along a non-tangent curve to the right and concave to the northeast ($\Delta = 09^\circ 05' 51''$, $r = 477.00$ feet, lc bears N $71^\circ 05' 34''$ W 75.66 feet) to a calculated point;
9. 37.41 feet along a non-tangent curve to the left and concave to the southeast ($\Delta = 79^\circ 23' 49''$, $r = 27.00$ feet, lc bears S $81^\circ 34' 39''$ W 34.49 feet) to a calculated point;
10. S $24^\circ 27' 07''$ 102.95 feet to a calculated point in the south line of said Brentwood Church of Christ tract and this tract for the southeast corner of this tract in the northerly right-of-way line of Knollpark Drive;

THENCE, with the north right-of-way line of Knollpark Drive and the south line of said Brentwood Church of Christ tract and this tract the following two (2) courses:

1. N $59^\circ 57' 40''$ W 31.02 feet to a $\frac{1}{2}$ " iron pin with a yellow plastic cap inscribed "CS, LTD" set in the west line of said Knollpark Drive;
2. N $59^\circ 21' 40''$ 11.20 feet to a $\frac{1}{2}$ " iron pin with yellow plastic cap inscribed "CS, LTD" set for the southeast corner of that tract described as 38.57 acres "Tract I" in a deed granted to the City of Austin, dated December 23, 1964 and recorded in Volume 2885, Page 537 of said deed records and the northeast corner of that tract described as 3.63 acres "Tract II" in a deed granted to the City of Austin, dated December 23, 1964 and recorded in Volume 2885, Page 537 of said deed records and the northwest corner of said Gracywoods Section Two-A and the southwest corner of said Brentwood Church of Christ tract and this tract;

ZONING FIELD NOTES

JOB NO: 40236

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DATE: JUNE 21, 2005

PAGE: 2 OF 5

THENCE, with the west line of said Brentwood Church of Christ tract and this tract and the east line of said City of Austin "Tract I" tract in the following seven (7) courses:

1. N 28°52'53" E 256.06 feet to 60d nail found;
2. N 17°58'11" E 84.10 feet to a ½" iron pin with a yellow plastic cap inscribed "CS, LTD" set;
3. N 49°03'11" E 39.08 feet to a ½" iron pin found;
4. N 28°14'25" E 258.09 feet to a 1" pipe found;
5. N 28°02'10" E 164.00 feet to a bolt found;
6. N 28°18'20" E 478.11 feet to a bolt found;
7. N 28°13'09" E 172.71 feet to an iron pipe found in the east line of said Brentwood Church of Christ tract as described for the northeast corner of said City of Austin "Tract I" tract and the southeast corner of that tract described as 77.63 acres in a deed granted to the City of Austin, dated December 6, 1965 and recorded in Volume 3058, Page 2378 of said deed records for the northwest corner of this tract;

THENCE, S 61°42'51" E 628.04 feet over and across said Brentwood Church of Christ tract as described to a ½" iron pin with a yellow plastic cap inscribed "CS, LTD" set in the west line of that tract described as 14.23 acres in a deed granted to Walnut Creek Baptist Church, dated January 24, 1953 and recorded in Volume 1351, Page 536 of said deed records for the northeast corner of this tract;

THENCE, with the east line of this tract in the following fifteen (15) courses:

1. S 01°55'44" E 99.83 feet with the west line of said Walnut Creek Baptist Church tract to a ½" iron pin with a yellow plastic cap inscribed "CS, LTD" set;
2. S 04°09'44" E 44.96 feet continuing with the west line of said Walnut Creek Baptist Church tract to a ½" iron pin with a yellow plastic cap inscribed "CS, LTD" set in the north line of Walnut Creek Baptist Church Cemetery tract as described in said Brentwood Church of Christ deed;
3. S 78°29'51" W 75.85 feet to a fence corner post, as monumented, for the "northwest corner of a chain link fence surrounding said cemetery" as described;
4. S 17°52'44" E 272.03 feet with a chain link fence as monumented and described to a fence corner post found;
5. N 80°49'22" E 276.76 feet to a ½" iron pin found;
6. N 80°49'48" E 152.48 feet to a ½" iron pin found in the west line of said Walnut Creek Baptist Church tract;
7. S 21°34'02" E 207.53 feet with the west line of said Walnut Creek Baptist Church tract to a point in the approximate center line of a creek;
8. S 35°38'02" W 63.25 feet continuing with the approximate center line of the creek to a point;
9. S 46°18'54" W 93.72 feet to a point;
10. S 16°52'48" W 52.31 feet to a point at the approximate intersection of the original deed line of said Brentwood Church of Christ tract and said creek;
11. S 00°36'27" W 114.73 feet continuing with the east line of said Brentwood Church of Christ tract to a ½" iron pin with a yellow plastic cap inscribed "CS, LTD" set;
12. S 5°14'27" W 119.40 feet to a ½" iron pin with a yellow plastic cap inscribed "CS, LTD" set;
13. S 64°49'27" W 99.96 feet to cotton spindle set in a paved drive;
14. S 63°58'33" E 472.83 feet to an iron pin found in the west line, as monumented, of said North Lamar Boulevard;
15. S 18°20'48" W 199.12 feet to the point of Beginning and containing 34.304 acres of land within this metes and bounds.

ZONING FIELD NOTES

JOB NO: 40236

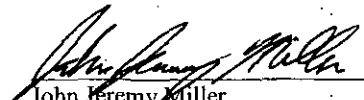
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DATE: JUNE 21, 2005

PAGE: 3 OF 5

Bearings cited hereon based on Grid North Texas State Plane Coordinate System, Central Zone
NAD 83

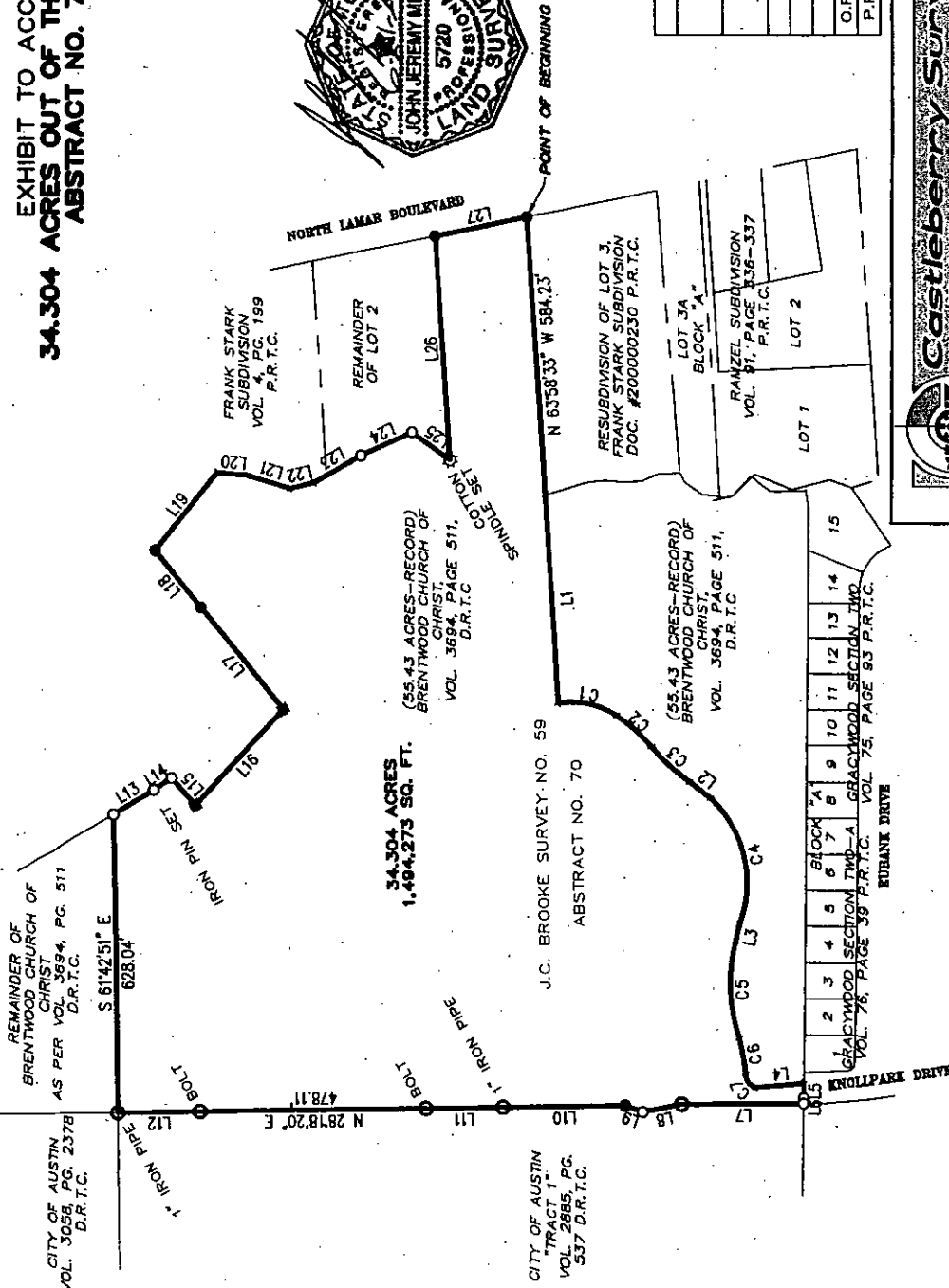
Castleberry Surveying, Ltd.
3613 Williams Drive Ste 903
Georgetown, Texas 78628

 6-21-2007
John Jeremy Miller
Registered Professional Land Surveyor No: 5720

JJM/jgt



**EXHIBIT TO ACCOMPANY FIELD NOTES OF
34.304 ACRES OUT OF THE JOHN C. BROOKE SURVEY NO. 59,
ABSTRACT NO. 70, TRAVIS COUNTY, TEXAS**



LEGEND	
●	1/2" IRON PIN FOUND (UNLESS OTHERWISE NOTED)
○	1/2" IRON PIN SET w/YELLOW PLASTIC CAP "CS, LTD."
▲	60D NAIL FOUND
■	FENCE CORNER POST
+	CALCULATED POINT
	O.R.W.C. DEED RECORDS TRAVIS CO.
	P.R.T.C. PLAT RECORDS TRAVIS CO.

SHEET

4

OF

5

Castleberry Surveying Ltd.

3613 Williams Drive, Suite 903 - Georgetown, Texas 78628
(512) 930-1600/(512) 930-9389 fax
www.castleberryurveying.com

EXHIBIT TO ACCOMPANY FIELD NOTES OF
**34.304 ACRES OUT OF THE JOHN C. BROOKE SURVEY NO. 59,
 ABSTRACT NO. 70, TRAVIS COUNTY, TEXAS**

LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	N 63°58'33" W	435.78'
L2	S 67°01'20" W	54.43'
L3	N 48°27'15" W	33.92'
L4	S 24°27'07" W	102.95'
L5	N 59°57'40" W	31.02'
L6	N 59°21'40" W	11.20'
L7	N 28°52'53" E	256.06'
L8	N 17°58'11" E	84.10'
L9	N 49°03'11" E	39.08'
L10	N 28°14'25" E	258.09'
L11	N 28°02'10" E	164.00'
L12	N 28°13'09" E	172.71'
L13	S 01°55'44" E	99.83'
L14	S 04°09'44" E	44.96'
L15	S 78°29'51" W	75.85'
L16	S 17°52'44" E	272.03'
L17	N 80°49'22" E	276.76'
L18	N 80°49'48" E	152.48'
L19	S 21°34'02" E	207.53'
L20	S 35°38'02" W	63.25'
L21	S 46°18'54" W	93.72'
L22	S 16°52'47" W	52.31'
L23	S 00°36'27" W	114.73'
L24	S 05°14'27" W	119.40'
L25	S 64°49'27" W	99.96'
L26	S 63°58'33" E	472.83'
L27	S 18°20'48" W	199.12'

CURVE TABLE

NUMBER	DELTA	RADIUS	ARC	CHORD	DIRECTION
C1	41°50'20"	176.00	128.52	125.68	S 41°11'01" W
C2	16°20'36"	345.00	98.41	98.08	S 70°54'18" W
C3	14°42'18"	425.00	109.08	108.78	S 71°38'49" W
C4	67°18'31"	245.00	287.82	271.55	N 73°25'22" W
C5	33°55'31"	346.00	204.87	201.89	N 62°49'17" W
C6	09°05'51"	477.00	75.74	75.66	N 71°05'34" W
C7	79°23'49"	27.00	37.41	34.49	S 81°34'39" W



John Jeremy Miller
 6-21-2007

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ZONING FIELD NOTES

EXHIBIT B

JOB NO: 40236

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DATE: JUNE 21, 2005

PAGE: 1 OF 3

9.081 ACRES-ZONING DESCRIPTION

All that certain tract or parcel of land situated in Travis County, Texas, out of the John G. Brooke Survey No. 59, Abstract No. 70, and being a portion of that tract of land described as 55.43 acres in a Deed granted to Brentwood Church of Christ, dated May 30, 1969, and recorded in Volume 3694, Page 511, Deed Records of Travis County, and further described by metes and bounds as follows:

BEGINNING at a 60d nail found in the south line of said Brentwood Church of Christ tract and in the north line of Lot 15, Block A Gracywood Section Two, recorded in Volume 75, Page 93, Plat Records of Travis County and for the most southerly southeast corner of said Brentwood Church of Christ tract and this tract;

THENCE, with the north line of Lots 1 through 15, Block A of said Gracywood Section Two and the northerly right-of-way line of Knollpark Drive, being the south line of said Brentwood Church of Christ tract and this tract in the following four (4) courses:

1. N 59°53' 59" W 358.19 feet to a ½" iron pin with a yellow plastic cap inscribed "CS, LTD" set;
2. N 59°54'31" W 308.13 feet to a ½" iron pin found;
3. N 60°15'39" W 280.81 feet to a ½" iron pin with a yellow plastic cap inscribed "CS, LTD" set;
4. N 59°57'40" W 249.59 feet to a calculated point in the northerly right-of-way line of Knollpark Drive for the southwest corner of this tract;

THENCE, over and across said Brentwood Church of Christ tract and with the west line of this tract, generally along the southerly edge of pavement of an existing driveway in the following ten (10) courses:

1. N 24°27'07" E 102.95 feet to a calculated point;
2. 37.41 feet along a non-tangent curve to the right and concave to the southeast (D= 79°23'49", r= 27.00 feet, lc bears N 81°34'39" E 34.49 feet) to a calculated point;
3. 75.74 feet along a non-tangent curve to the left and concave to the northeast (D= 09°05'51", r= 477.00 feet, lc bears S 71°05'34" E 75.66 feet) to a calculated point;
4. 204.87 feet along a non-tangent curve to the right and concave to the southwest (D= 33°55'31", r= 346.00 feet, lc bears S 62°49'17" E 201.89 feet) to a calculated point;
5. S 48°27'15" E 33.92 feet to a calculated point;
6. 287.82 feet along a non-tangent curve to the left and concave to the north (D= 67°18'31", r= 245.00 feet, lc bears S 73°25'22" E 271.55 feet) to a calculated point;
7. N 67°01'20" E 54.43 feet to a calculated point;
8. 109.08 feet along a non-tangent curve to the right and concave to the southeast (D= 14°42'18", r= 425.00 feet, lc bears N 71°38'49" E 108.78 feet) to a calculated point;
9. 98.41 feet along a non-tangent curve to the left and concave to the northwest (D= 16°20'36", r= 345.00 feet, lc bears N 70°54'18" E 98.08 feet) to a calculated point;
10. 128.52 feet along a non-tangent curve to the left and concave to the northwest (D= 41°50'20", r= 176.00 feet, lc bears N 41°11'01" E 125.68 feet) to a calculated point;

THENCE, S 63°58'33" E 435.78 feet continuing over and across said Brentwood Church of Christ tract and with the north line of this tract to the northeast corner of this tract, being the northwest corner of Lot 3B, Block A of the Resubdivision of Lot 3, Frank Stark Subdivision, Document No. 200000230 of said Plat Records, and in the approximate centerline of a creek;

THENCE, with the centerline meanders of said creek the following sixteen (16) courses:

1. S 12°41' 27" W 88.54 feet to a calculated point;
2. S 23°23'40" W 42.88 feet to a calculated point, from which a 3/8" iron pin found in the west line of said Lot 3B bears S 14°54'21" W 8.72 feet;

ZONING FIELD NOTES

JOB NO: 40236

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DATE: JUNE 21, 2005

PAGE: 2 OF 3

3. S 34°55'32" W 37.64 feet to a calculated point;
4. S 27°04'51" W 38.91 feet to a calculated point;
5. S 05°23'12" W 35.09 feet to a calculated point, from which a 3/8" iron pin found in the west line of said Lot 3B bears N 62°48'22" E 11.74 feet;
6. S 26°21'32" W 48.96 feet to a calculated point, from which a 1/2" iron pin found bears N 78°39'47" E 2.11 feet and a 3/8" iron pin found for the southwest corner of said Lot 3B and the northwest corner of Lot 3A, Block "A" of said Frank Stark Resubdivision bears S 63°57'18" E 5.76 feet;
7. N 89°01'11" W 21.25 feet to a calculated point;
8. S 64°07'06" W 43.94 feet to a calculated point;
9. S 37°02'20" W 54.78 feet to a calculated point;
10. S 7°29'58" W 10.97 feet to a calculated point;
11. S 16°34'40" E 54.98 feet to a calculated point;
12. S 67°47'53" W 27.35' feet to a calculated point;
13. S 63°27'04" W 24.23 feet to a calculated point;
14. S 28°53'40" W 71.30 feet to a calculated point;
15. S 10°09'52" W 4.25 feet to a calculated point for the southeast corner of said Brentwood Church of Christ tract and this tract;

THENCE, N 70°19'59" W at approximately 3.61 feet passing the most northerly northeast corner of Lot 15, Block "A" of said Gracywood Section Two, in all 37.25 feet to the point of Beginning and containing 9.081 acres of land within these metes and bounds.

Bearings cited hereon based on Grid North, Texas State Plane Coordinate System, Central Zone NAD 83.

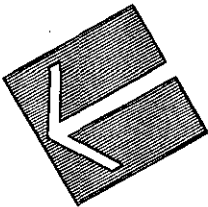
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Georgetown, Texas 78628



John Jeremy Miller 6-21-2005
John Jeremy Miller
Registered Professional Land Surveyor No. 5720

JJM/jgt

ZONING EXHIBIT TO ACCOMPANY FIELD NOTES DESCRIPTION OF
**9.081 ACRES OUT OF THE JOHN C. BROOKE SURVEY NO. 59,
 ABSTRACT NO. 70, TRAVIS COUNTY, TEXAS**



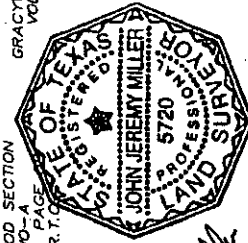
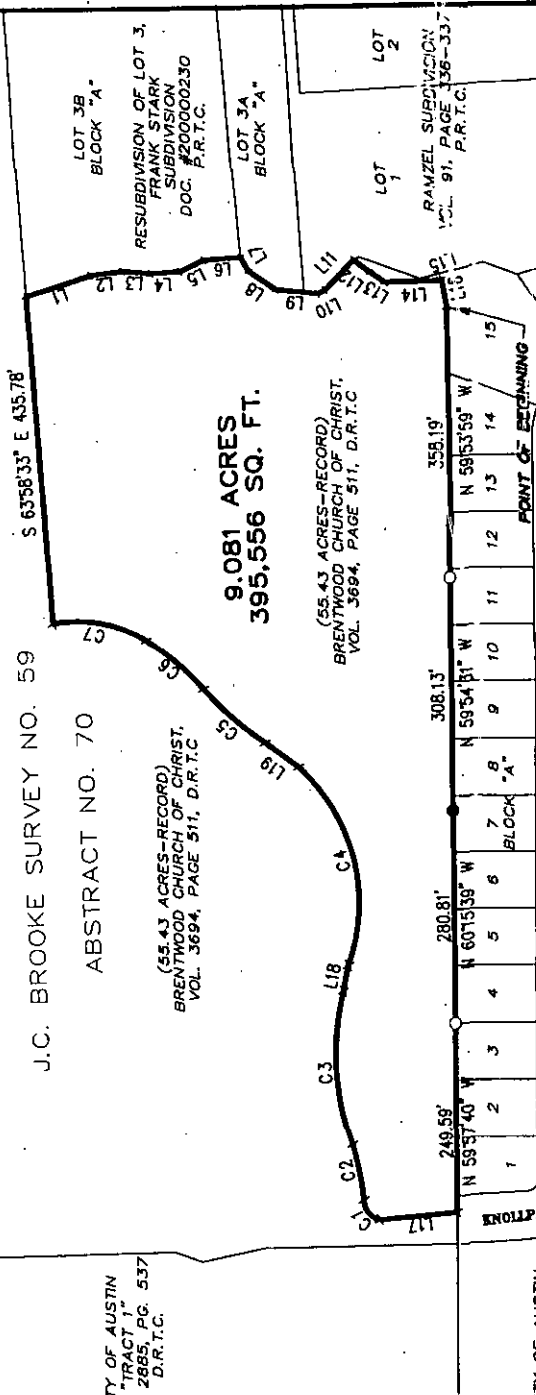
Scale: 1" = 200'

LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	S 12°41'27" W	88.54'
L2	S 23°23'40" W	42.88'
L3	S 34°55'32" W	37.64'
L4	S 27°04'51" W	38.91'
L5	S 05°23'12" W	35.09'
L6	S 26°21'32" W	48.96'
L7	N 89°01'11" W	21.25'
L8	S 64°07'06" W	43.94'
L9	S 37°02'20" W	54.78'
L10	S 07°29'16" W	10.97'
L11	S 16°34'40" E	54.98'
L12	S 67°47'53" W	27.35'
L13	S 63°27'04" W	24.23'
L14	S 28°53'40" W	71.30'
L15	S 10°09'52" W	4.25'
L16	N 70°19'59" W	37.25'
L17	N 24°27'07" E	102.95'
L18	S 48°27'15" E	33.92'
L19	N 67°01'20" E	54.43'

CURVE TABLE

NUMBER	DELTA	RADIUS	ARC	CHORD	DIRECTION
C1	79°23'49"	27.00	37.41	34.49	N 81°34'39" E
C2	08°05'51"	477.00	75.74	75.66	S 71°05'34" E
C3	33°55'31"	346.00	204.87	201.89	S 62°49'17" E
C4	67°18'31"	245.00	287.82	271.55	S 73°25'22" E
C5	14°42'18"	425.00	109.08	108.78	N 71°38'49" E
C6	16°20'36"	345.00	98.41	98.08	N 70°54'18" E
C7	41°50'20"	176.00	128.52	125.68	N 41°11'01" E



John Jeremy Miller
 6-21-2005

GRACYWOOD SECTION TWO
 VOL. 78, PAGE 93
 P.R.T.C.

CITY OF AUSTIN
 TRACT 1
 VOL. 2865, PG. 537
 D.R.T.C.

GRACYWOOD SECTION TWO
 VOL. 75, PAGE 93
 P.R.T.C.

LEGEND

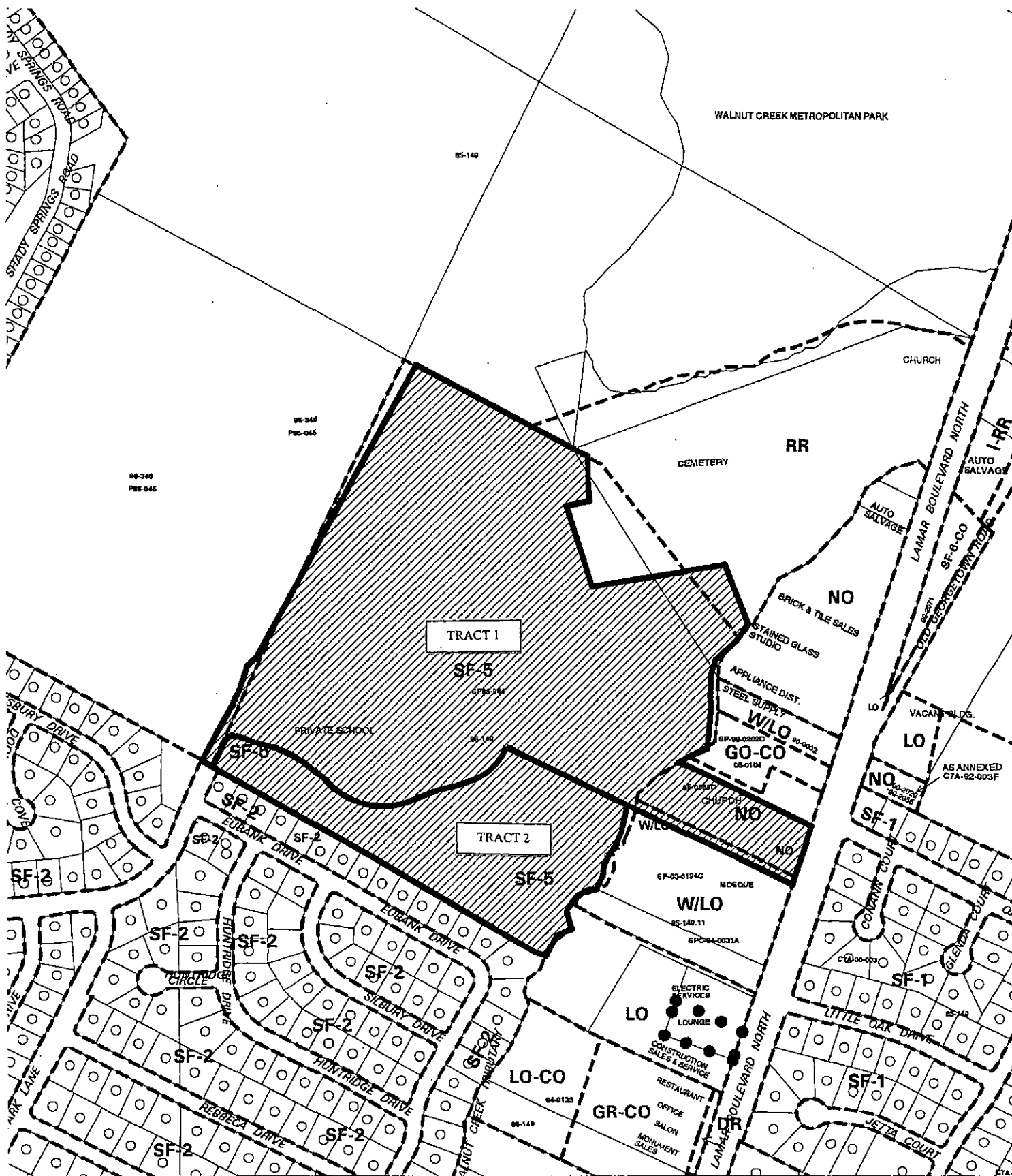
●	1 1/2" IRON PIN FOUND (UNLESS OTHERWISE NOTED)
○	1 1/2" IRON PIN SET w/YELLOW PLASTIC CAP "CS, LTD"
▲	60D NAIL FOUND
+	CALCULATED POINT
O.R.W.C.	DEED RECORDS TRAVIS CO.
P.R.T.C.	PLAT RECORDS TRAVIS CO.

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SHEET

3 OF 3



 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT E		CITY GRID REFERENCE NUMBER M33
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-06-0214 ADDRESS: 11908 N LAMAR BLVD SUBJECT AREA (acres): 43.380	DATE: 07-03 INTLS: SM	
	CASE MGR: J.ROUSSELIN			