

ORDINANCE NO. 20070726-110

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5707 SOUTHWEST PARKWAY FROM DEVELOPMENT RESERVE (DR) DISTRICT TO GENERAL OFFICE-MIXED USE-CONDITIONAL OVERLAY (GO-MU-CO) COMBINING DISTRICT FOR TRACT ONE AND LIMITED OFFICE-MIXED USE-CONDITIONAL OVERLAY (LO-MU-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 district on the property described in Zoning Case No. C14-06-0229, on file at the Neighborhood Zoning and Planning Department, as follows:

Tract One: From development reserve (DR) district to general office-mixed use-conditional overlay (GO-MU-CO) combining district.

A 29.691 acre tract of land, more or less, out of the Thomas Anderson League, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, and

Tract Two: From development reserve (DR) district to limited office-mixed use-conditional overlay (LO-MU-CO) combining district.

A 17.021 acre tract of land, more or less, out of the Thomas Anderson League, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (the "Property"),

locally known as 5707 Southwest Parkway, 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:

1. The following uses are conditional uses of the Property:

College and university facilities
Local utility services
Safety services

Private secondary educational facilities
Public secondary educational facilities

2. The following uses are prohibited uses of the Property:

Communication services facilities	Community events
Community recreation (private)	Community recreation (public)
Congregate living	Family home
Food preparation	Hospital services (general)
Off-site accessory parking	Personal services
Printing and publishing	Restaurant (limited)
Telecommunication tower	

3. Exterior lighting on the Property shall be hooded or shielded so that the light source is not directly visible from adjacent 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, the mixed use (MU) combining district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on August 6, 2007.

PASSED AND APPROVED

_____ July 26 _____, 2007	§ § § _____ Will Wynn Mayor
APPROVED: _____ David Allan Smith City Attorney	ATTEST: _____ Shirley A. Gentry City Clerk

29.691 ACRES
KOONTZ MCCOMBS
NORTH ZONING TRACT

EXHIBIT A

FN. NO. 07-313 (MJJ)
MAY 29, 2007
BPI JOB NO. 1093-04.08

GO=TRACT/

DESCRIPTION

OF 29.691 ACRES OF LAND OUT OF THE THOMAS ANDERSON LEAGUE, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 46.731 ACRE TRACT OF LAND CONVEYED TO CARL AND VERNE ROE BY DEED OF RECORD IN VOLUME 13401, PAGE 459 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 29.691 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found in the southerly line of Southwest Parkway (R.O.W. varies), being the northeasterly corner of that certain tract of land conveyed to Realtex Ventures Inc., LP by deed of record in Document No. 2006220067 of the Official Public Records of Travis County, Texas and the northwesterly corner of said 46.731 acre tract, for the northwesterly corner hereof;

THENCE, along the southerly line of Southwest Parkway, being the northerly line of said 46.731 acre tract, for the northerly line hereof, the following two (2) courses and distances:

- 1) S57°15'53"E, a distance of 389.68 feet to a 1/2 inch iron rod with cap set for an angle point;
- 2) S60°10'08"E, a distance of 655.70 feet to a 1/2 inch iron rod with cap set at the northwesterly corner of that certain tract of land conveyed to Southwest Parkway Partners L.P. by deed of record in Document No. 2006057459 of said Official Public Records, being the northeasterly corner of said 46.731 acre tract, for the northeasterly corner hereof;

THENCE, S30°17'45"W, along the westerly line of said Southwest Parkway Partners L.P. tract, being a portion of the easterly line of said 46.731 acre tract, for a portion of the easterly line hereof, a distance of 1053.12 feet to an iron pipe found at the southwesterly corner of said Southwest Parkway Partners L.P. tract, being an angle point in the westerly line of Lot 2 Buas and Gage Subdivision, a subdivision of record in Volume 9, Page 96 of the Plat Records of Travis County, Texas and an angle point in the easterly line of said 46.731 acre tract, for an angle point hereof;

THENCE, S30°11'42"W, along a portion of the westerly line of said Lot 2, being a portion of the easterly line of said 46.731 acre tract, for a portion of the easterly line hereof, a distance of 161.14 feet to the southeasterly corner hereof, from which an iron pipe found at an angle point in the easterly line of said 46.731 acre tract, being the northwesterly corner of that certain 21.37 acre tract conveyed to Randall Krumm by deed of record in Volume 11839, Page 2742 of said Real Property Records bears, S30°11'42"W, a distance of 620.03 feet;

FN 07-313 (MJJ)
MAY 29, 2007
PAGE 2 OF 2

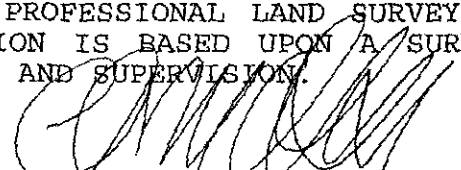
THENCE, N59°38'23"W, leaving the westerly line of said Lot 2, over and across said 46.731 acre tract, for the southerly line hereof, a distance of 1087.35 feet to a point in the easterly line of Lot 1, Block "A" Harpers Park Subdivision, a subdivision of record in Volume 100, Pages 196-197 of said Plat Records, being the westerly line of said 46.731 acre tract, for the southwesterly corner hereof;

THENCE, in part along the easterly lines of said Lot 1 and said Realtex Ventures Inc. LP tract, being a portion of the westerly line of said 46.731 acre tract, for the westerly line hereof, the following two (2) courses and distances:

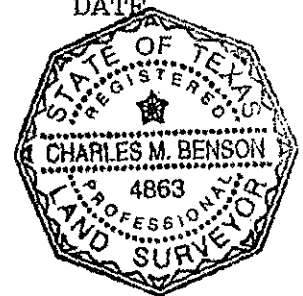
- 1) N32°17'00"E, passing at a distance of 605.80 feet a 1/2 inch iron rod found at the common easterly corner of said Lot 1 and said Realtex Ventures Inc. LP tract and continuing for a total distance of 715.54 feet to a 1/2 inch iron rod with cap set for an angle point in the common line of said Realtex Ventures Inc. LP tract and said 46.731 acre tract;
- 2) N32°14'08"E, a distance of 509.49 feet to the POINT OF BEGINNING, and containing 29.691 acres (1,293,330 sq. ft.) of land, more or less, within these metes and bounds.

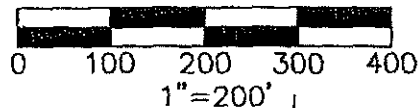
I, CHARLES M. BENSON, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY & PARTNERS, INC.
ENGINEERING SOLUTIONS
221 WEST SIXTH STREET, STE. 600
AUSTIN, TEXAS 78701


CHARLES M. BENSON DATE
R.P.L.S. NO. 4863
STATE OF TEXAS

MAY 29, 2007

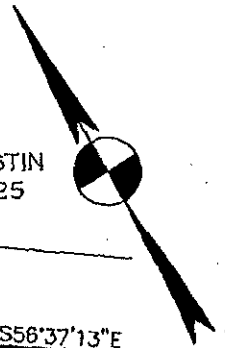




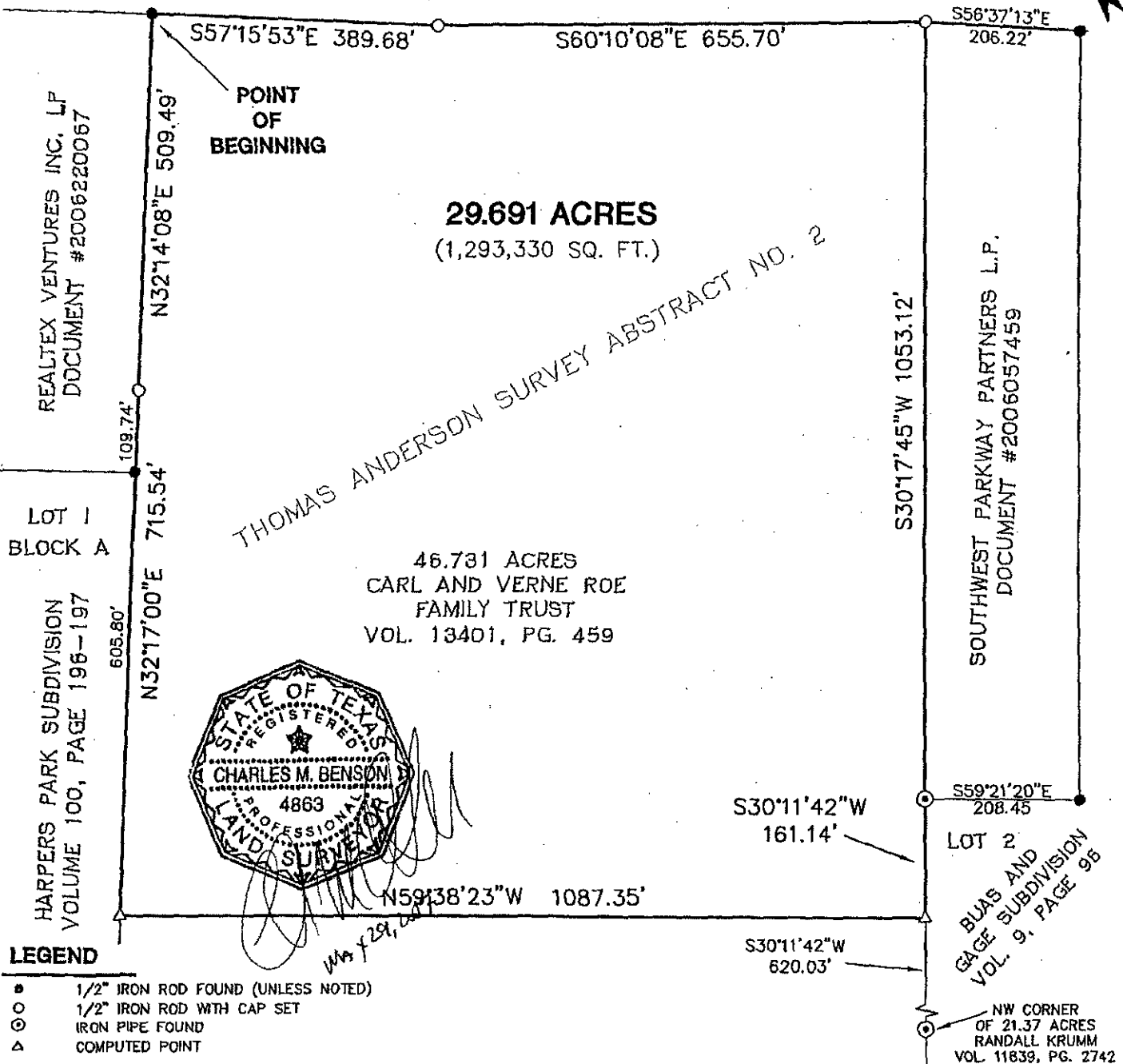
LOT 1, BLOCK A
THE PRESERVE AT
TRAVIS CREEK, SEC. 1
DOC. #2000019845

LOT 1, BLOCK A
THE PRESERVE AT TRAVIS CREEK,
SECTION 2 DOC. #2000019845

CITY OF AUSTIN
V.5029, P.25



SOUTHWEST PARKWAY (R.O.W. WIDTH VARIES)



Bury+Partners
ENGINEERING SOLUTIONS
221 West Sixth Street, Suite 600
Austin, Texas 78701
Tel. (512)328-0011 Fax (512)328-0325
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**KOONTZ
McCOMBS**

LO = TRACT 2

17.021 ACRES
KOONTZ MCCOMBS
NORTH ZONING TRACT

FN. NO. 07-314(AJM)
MAY 29, 2007
BPI JOB NO. 1093-04.08

EXHIBIT B

DESCRIPTION

OF 17.021 ACRES OF LAND OUT OF THE THOMAS ANDERSON LEAGUE, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 46.731 ACRE TRACT OF LAND CONVEYED TO CARL AND VERNE ROE BY DEED OF RECORD IN VOLUME 13401, PAGE 459 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 17.021 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a computed point in the easterly line of said 46.731 acre tract, being a point in the westerly line of Lot 2 Buas and Gage Subdivision, a subdivision of record in Volume 9, Page 96 of the Plat Records of Travis County, Texas, from which an iron pipe found at the southwesterly corner of that certain tract of land conveyed to Southwest Parkway Partners L.P. by deed of record in Document No. 2006057459 of said Official Public Records land, same being an angle point in the westerly line of said Lot 2 Buas and Gage Subdivision, bears N30°11'42"E, a distance of 161.14 feet;

THENCE, S30°11'42"W, along a portion of the westerly line of said Lot 2, being a portion of the easterly line of said 46.731 acre tract, for a portion of the easterly line hereof, a distance of 620.03 feet to an iron pipe found at an angle point in the easterly line of said 46.731 acre tract, same being the northwesterly corner of that certain 21.37 acre tract conveyed to Randall Krumm by deed of record in Volume 11839, Page 2742 of said Real Property Records;

THENCE, S29°28'57"W, leaving the westerly line of said Lot 2, continuing along a portion of the westerly line of said 21.37 acre tract, being a portion of the easterly line of said 46.731 acre tract a distance of 91.11 feet to a 1/2 inch iron rod found for the northeasterly corner of that certain tract of land conveyed to Larry Vernon Webb by deed of record in Volume 11520, Page 1726 of said Real Property Records, for an angle point hereof;

THENCE, N60°29'03"W, leaving the westerly line of said 21.37 acre tract, continuing along a portion of the westerly line of said Larry Vernon Webb tract, being a portion of the southerly line of said 46.731 acre tract, a distance of 239.46 feet to a 1/2 inch iron rod found at the northwesterly corner of said Larry Vernon Webb tract, same being the northeasterly corner of that certain tract of land conveyed to Gary and Jane Basham by deed of record in Volume 11592, Page 1692 of said Real Property Records, for an angle point hereof;

THENCE, N58°42'45"W, leaving the westerly line of said Larry Vernon Webb tract, continuing along the northerly line of said Gary and Jane Basham tract, being a portion of the southerly line of said 46.731 acre tract, a distance of 110.06 feet to an iron pipe found at the northeasterly corner of said Gary and Jane Basham tract, for a portion of the southerly line hereof;

THENCE, S30°49'41"W, continuing along the westerly line of said Gary and Jane Basham tract, being a portion of the southerly line of said 46.731 acre tract, a distance of 368.68 feet to a 1/2 inch iron rod set in the northerly line of the Resubdivision Of A Portion Of Oak Acres, a subdivision of record in Volume 9, Page 91 of said Plat Records, same being the southwesterly corner of said Gary and Jane Basham tract, for a portion of the southerly line hereof;

THENCE, leaving the westerly line of said Gary and Jane Basham tract, continuing along the northerly line of said Resubdivision Of A Portion Of Oak Acres, being the southerly line of said 46.731 acre tract, for a portion of the southerly line hereof, the following three (3) course and distances:

- 1) N59°00'18"W, a distance of 97.78 feet to an iron pipe found for an angle point hereof;
- 2) N59°22'36"W, a distance of 142.41 feet to a 1/2 inch iron rod found for an angle point hereof;
- 3) N58°10'14"W, a distance of 134.28 feet to an iron pipe found in the easterly line of Lot 1, Block "A" Harpers Park Subdivision, a subdivision of record in Volume 100, Pages 196-197 of said Plat Records, being the westerly line of said 46.731 acre tract, for the southernmost southwesterly corner hereof;

THENCE, leaving the northerly line of said Resubdivision Of A Portion Of Oak Acres, along the easterly line of said Lot 1, Block "A", being a portion of the westerly line of said 46.731 acre tract, N30°28'19"E, a distance of 368.38 feet to an iron pipe found for an angle point hereof;

THENCE, continuing along the easterly line of said Lot 1, Block "A", being a portion of the westerly line of said 46.731 acre tract, for a portion of the westerly line hereof, the following three (3) course and distances:

- 1) N60°04'50"W, a distance of 380.10 feet to an iron pipe found for an angle point hereof;
- 2) N32°02'52"E, a distance of 545.73 feet to a point being at or near the center of a 28" Live Oak tree found for an angle point hereof;

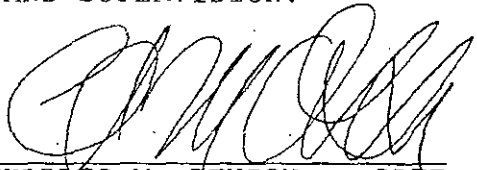
FN 07-314(AJM)
MAY 29, 2007
PAGE 3 OF 3

3) N32°17'00"E, a distance of 4.27 feet for the northwesterly corner hereof;

THENCE, S59°38'23"E, leaving the easterly line of said Lot 1, Block "A", over and across said 46.731 acre tract, for the northerly line hereof, a distance of 1087.35 feet to the **POINT OF BEGINNING**, and containing 17.021 acres (741,455 sq. ft.) of land, more or less, within these metes and bounds.

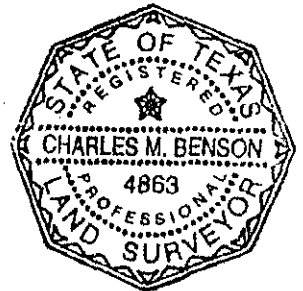
I, CHARLES M. BENSON, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY & PARTNERS, INC.
ENGINEERING SOLUTIONS
221 WEST SIXTH STREET, STE. 600
AUSTIN, TEXAS 78701



CHARLES M. BENSON DATE
R.P.L.S. NO. 4863
STATE OF TEXAS

May 29, 2007



REAL TEX VENTURES
INC. LP
DOC. #2006220067

LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD SET WITH CAP (UNLESS NOTED)
- ⊙ IRON PIPE FOUND
- △ COMPUTED POINT

LINE TABLE

No.	BEARING	DISTANCE
L1	S29°28'57"W	91.11'
L2	N58°42'45"W	110.06'
L3	N59°00'18"W	97.78'
L4	N59°22'36"W	142.41'
L5	N58°10'14"W	134.28'
L6	N32°17'00"E	4.27'

HARPERS PARK
SUBDIVISION
VOL. 100, PG. 196-197

SOUTHWEST PARKWAY
PARTNERS L.P.
DOC. #2006057459

LOT 1
BLOCK A

LOT 2

BUAS AND
GAGE SUBDIVISION
VOL. 9, PAGE 96

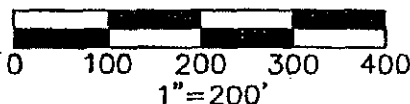
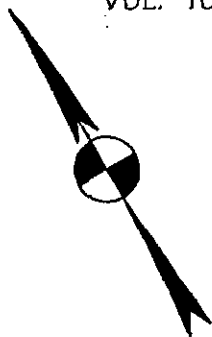
CARL AND VERNE ROE
FAMILY TRUST
VOL. 13401, PG. 459

DETAIL
N.T.S.

THOMAS ANDERSON SURVEY ABSTRACT NO. 2

17.021 ACRES
(741,455 SQ. FT.)

HARPERS PARK
SUBDIVISION
VOL. 100, PG. 196-197



N32°02'52"E 545.73'

N60°04'50"W 380.10'

N30°28'19"E 368.38'

L5

L4

L3

L2

N60°29'03"W 239.46'

S30°49'41"W 368.68'

L1

N30°11'42"E 161.14'

S30°11'42"W 620.03'

POINT OF BEGINNING

21.37 ACRES

RANDALL KRUMH

VOL. 11839, PG. 2742

GARY & JANE BASHAM

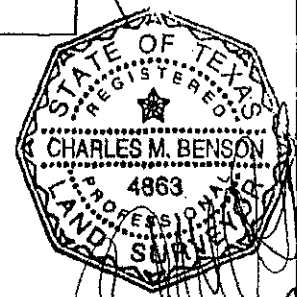
VOL. 11592, PG. 1692

LARRY VERNON WEBB

VOL. 11520, PG. 1726

RESUBDIVISION OF
A PORTION OF OAK ACRES
VOLUME 9, PAGE 91

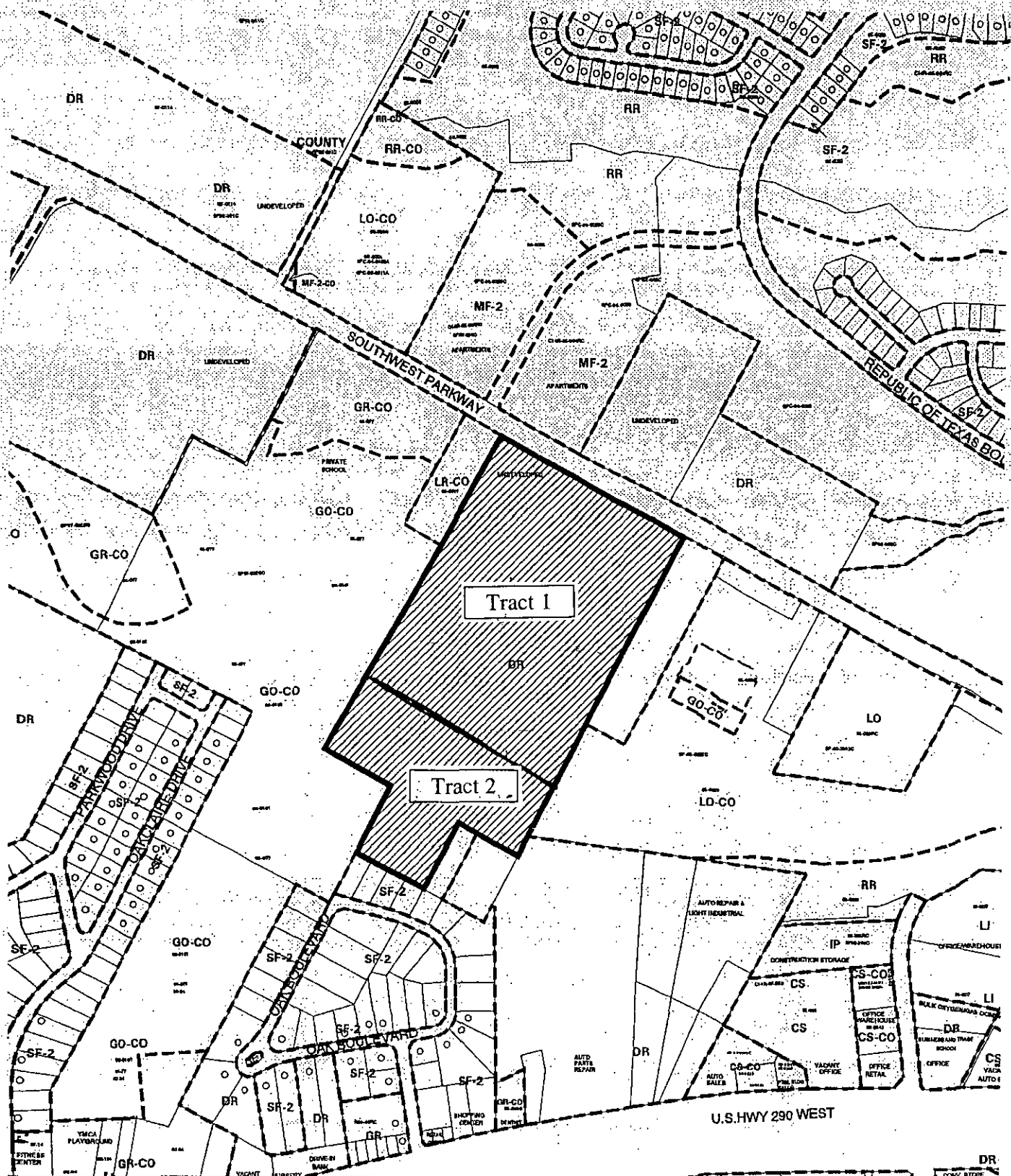
OAK BLVD NORTH
(40' R.O.W.)


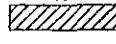

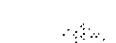


Bury+Partners
ENGINEERING SOLUTIONS
221 West Sixth Street, Suite 800
Austin, Texas 78701
Tel. (512)328-0011 Fax (512)328-0325
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SKETCH TO ACCOMPANY DESCRIPTION
OF 17.021 ACRE TRACT OF LAND OUT OF THE THOMAS
ANDERSON LEAGUE SITUATED IN TRAVIS COUNTY, TEXAS,
BEING A PORTION OF THAT CERTAIN 46.731 ACRE TRACT
CONVEYED TO CARL AND VERNE ROE BY DEED OF RECORD
IN VOLUME 13401, PAGE 459 OF THE REAL PROPERTY
RECORDS OF TRAVIS COUNTY, TEXAS

**KOONTZ
McCOMBS**



 1" = 500'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: R. HEIL	<div style="text-align: center;">    </div> CASE #: C14-06-0229 ADDRESS: 5707 SOUTHWEST PARKWAY SUBJECT AREA (acres): 46.731	<div style="text-align: center;"> ZONING EXHIBIT C </div> DATE: 06-12 INTLS: TRC	CITY GRID REFERENCE NUMBER D20
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