

**ORDINANCE NO 20070809-054**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4700 CITY PARK ROAD, NORTH OF THE INTERSECTION OF CITY PARK ROAD AND WESTMINSTER GLEN AVENUE, FROM DEVELOPMENT RESERVE (DR) DISTRICT TO RURAL RESIDENCE-CONDITIONAL OVERLAY (RR-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 development reserve (DR) district to rural residence-conditional overlay (RR-CO) combining district on the property described in Zoning Case No C14-2007-0014, on file at the Neighborhood Planning and Zoning Department, as follows

A 167 499 acre tract of land, more or less, out of the James P Cole Survey 542, Abstract 165, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 4700 City Park Road, north of the intersection of City Park Road and Westminster Glen Avenue, 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

- A A driveway, street, street right-of-way, cul-de-sac, or cul-de-sac right-of-way shall be set back a minimum 15 feet from a residential lot within the adjacent Westminster Glen and River Place subdivisions. A vegetative buffer of native species shall be planted within the setback, if a vegetative buffer does not already exist.
- B A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

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

**PART 3** This ordinance takes effect on August 20, 2007

**PASSED AND APPROVED**

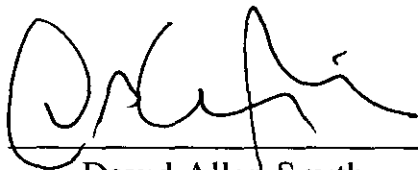
August 9, 2007

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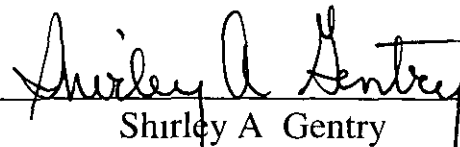
Will Wynn  
Mayor

**APPROVED**

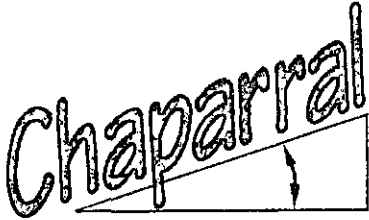


David Allan Smith  
City Attorney

**ATTEST**



Shirley A. Gentry  
City Clerk



**Professional Land Surveying, Inc.  
Surveying and Mapping**

*EXHIBIT A*

Office: 512-443-1724  
Fax: 512-441-6987

2807 Manchaca Road  
Building One  
Austin, Texas 78704

**167.499 ACRES  
JAMES P. COLE SURVEY NO. 542, ABSTRACT NO. 165  
TRAVIS COUNTY, TEXAS**

A SURVEY OF 167.499 ACRES (APPROXIMATELY 7,296,266 S.F.) OUT OF THE JAMES P. COLE SURVEY 542, ABSTRACT 165, TRAVIS COUNTY, TEXAS, CONSISTING OF:

ALL OF A 1.99 ACRE TRACT DESCRIBED IN A WARRANTY DEED TO LETHA WEBB DATED MAY 31ST, 1991, AND RECORDED IN VOLUME 11450, PAGE 902 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS;

ALL OF A 59.11 ACRE TRACT DESCRIBED IN A WARRANTY DEED TO BETTY WEBB FOSTER DATED AUGUST 17, 1988, AND RECORDED IN VOLUME 10757, PAGE 203 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS;

ALL OF A 2.00 ACRE TRACT DESCRIBED IN A DEED TO WILLIAM R. WEBB JR., DATED AUGUST 16, 1988, AND RECORDED IN VOLUME 10755, PAGE 38 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS;

A PORTION OF A 105.57 ACRE TRACT DESCRIBED IN A CORRECTION GENERAL WARRANTY DEED TO K&W WEBB FAMILY PARTNERSHIP DATED MAY 1, 2002, AND RECORDED IN DOCUMENT NO. 2002081961 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

ALL OF A 1.000 ACRE TRACT DESCRIBED IN A WARRANTY DEED TO LETHA WEBB DATED JANUARY 18TH, 2000, AND RECORDED IN DOCUMENT NO. 2001014063 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

AND ALL OF A 2.00 ACRE TRACT DESCRIBED IN A CORRECTION SPECIAL WARRANTY DEED TO GARY WEBB DATED MAY 1, 2002, AND RECORDED IN DOCUMENT NO. 2002081962, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

SAID 167.499 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" rebar with cap set in the west right-of-way line of City Park Road (right-of-way width varies) for the most southerly corner of the said 59.11 acre tract;

**THENCE** North 42°57'26" West, with the southwest line of the 59.11 acre tract, and the

northeast line of Westminster Glen, Phase 1, a subdivision of record in Volume 85, Page 101B of the Plat Records of Travis County, Texas, a distance of 2777.00 feet to a 1/2" rebar found for the most northerly corner of Lot 16 of Westminster Glen, Phase 1, being also the easterly corner of Lot 17, Westminster Glen, Phase 1-C, a subdivision of record in Volume 101, Page 383 of the Plat Records of Travis County, Texas;

**THENCE** North 42°58'17" West, with the southwest line of the 59.11 acre tract, being also the northeast lines of said Lot 17 of Westminster Glen, Phase 1-C, and the northeast line of Lots 18-A and 19-A of the Replat of Lots 18, 19 and 20, Westminster Glen, Phase 1-C, a subdivision of record in Volume 103, Page 20 of the Plat Records of Travis County, Texas, a distance of 729.41 feet to a 1/2" rebar found for the most northerly corner of Lot 19-A, being also the easterly corner of Lot 43, Westminster Glen, Phase 1-D, a subdivision of record in Volume 101, Page 386 of the Plat Records of Travis County, Texas;

**THENCE** North 42°56'41" West, with the southwest line of the 59.11 acre tract and the 105.57 acre tract, being also the northeast lines of Westminster Glen, Phase 1-D, and the Replat of Lots 56, 57 and 58, Westminster Glen, Phase 1-D, a subdivision of record in Volume 103, Page 22 of the Plat Records of Travis County, Texas, a distance of 2097.14 feet to a 1/2" rebar found in the east line of Lot 61, River Place, Section 8, a subdivision of record in Volume 96, Page 208 of the Plat Records of Travis County, Texas, for the most westerly corner of the 105.57 acre tract, also being the most northerly corner of Lot 57-A, the Replat of Lots 56, 57 and 58, Westminster Glen, Phase 1-D;

**THENCE** with the northwest line of the 105.57 acre tract, being also the southeast line of River Place, Section 8, the following two (2) courses:

1. North 32°12'45" East, a distance of 4.23 feet to a 1/2" rebar found;
2. North 34°20'19" East, a distance of 1235.40 feet to a 1/2" rebar found for an angle point in the southeast line of Lot 40 of River Place Section 8;

**THENCE** North 34°09'20" East, continuing with the northwest line of the 105.57 acre tract, with the southeast line of River Place, Section 8, and continuing with the southeast line of a 30.494 acre tract described in Document No. 200205744 of the Official Public Records of Travis County, Texas, a distance of 443.02 feet to a 60D nail on a fence post for the most westerly corner of the 30.494 acre tract;

**THENCE** North 41°10'03" East, with the northwest line of the 105.57 acre tract and the southeast edge of an apparent gap in deed lines, a distance of 11.10 feet to a 1/2" rebar found for the most northerly corner of the 105.57 acre tract, also being the south corner of a 170.037 acre tract described in Volume 11848, Page 1718 of the Real Property Records of Travis County, Texas, also being the west corner of a 158.089 acre tract

described in Volume 13279, Page 2957 of the Real Property Records of Travis County, Texas;

**THENCE** South 51°35'02" East, with the northeast line of the 105.57 acre tract and the southwest line of the 158.089 acre tract, a distance of 2676.91 feet to a 1/2" rebar found in the northwest line of a 25.066 acre tract described in Volume 13198, Page 2549 of the Real Property Records of Travis County, Texas, for the south corner of the 158.089 acre tract, also being an angle point in the northeast line of the 105.57 acre tract;

**THENCE** with the common line of the 25.066 acre tract and the 105.57 acre tract, the following two (2) courses:

1. South 38°31'14" West, a distance of 460.16 feet to a 1/2" iron pipe found for the west corner of the 25.066 acre tract;
2. South 61°55'28" East, a distance of 944.73 feet to a 1/2" iron pipe found for the north corner of the said 2.00 acre Gary Webb tract;

**THENCE** South 61°52'09" East, with the southwest line of the 25.066 acre tract and the northeast line of the 2.00 acre tract, a distance of 330.14 feet to a 5/8" rebar found for the west corner of the 2.00 acre tract, for an angle point in the northeast line of the 105.57 acre tract;

**THENCE** South 61°58'59" East, with the northeast line of the 105.57 acre tract and the southwest line of the 25.066 acre tract, a distance of 207.77 feet to a 1" iron pipe found in the northwest line of a 292.00 acre tract described in Volume 12735, Page 646 of the Real Property Records of Travis County, Texas, for the south corner of the 25.066 acre tract, also being an angle point in the northeast line of the 105.57 acre tract;

**THENCE** with the common line of the 292.00 acre tract and the 105.57 acre tract, the following two (2) courses:

1. South 02°30'58" West, a distance of 999.81 feet to a 1/2" rebar found;
2. South 83°38'50" East, a distance of 246.13 feet to a 1/2" rebar found for the northwest corner of the said 2.00 acre William R. Webb, Jr. tract, also being an angle point in the east line of the 105.57 acre tract;

**THENCE** with the north line of the 2.00 acre William R. Webb, Jr. tract and the south line of the 292.00 acre tract, the following two (2) courses:

1. South 85°25'31" East, a distance of 84.88 feet to a 1/2" rebar found;
2. South 82°00'34" East, a distance of 88.06 feet to a 1/2" rebar found for the

northeast corner of the 2.00 acre tract, also being the northwest corner of a 13.076 acre tract described in Volume 11848, Page 1711 of the Real Property Records of Travis County, Texas, and an angle point in the south line of the 292.00 acre tract;

**THENCE** South 15°58'28" West, with the east line of the 2.00 acre tract and the west line of the 13.076 acre tract, a distance of 581.03 feet to a 1/2" rebar found for the southernmost corner of the 2.00 acre tract, for an angle point in the southeast line of the 105.57 acre tract;

**THENCE** South 16°00'28" West, with the common line of the 105.57 acre tract and the 13.076 acre tract, a distance of 279.60 feet to a 1/2" rebar with cap set in the apparent west right-of-way line of City Park Road;

**THENCE** South 27°46'47" West, with the southeast line of the 105.57 acre tract and the apparent west line of City Park Road, a distance of 92.36 feet to a 1/2" rebar with cap set for the southeast corner of the 105.57 acre tract;

**THENCE** with the south line of the 105.57 acre tract, the north line of Diamond Sky, a subdivision of record in Volume 90, Page 271 of the Plat Records of Travis County, Texas, and the westerly line of the said 1.99 acre tract, the following eight (8) courses:

1. North 61°33'20" West, passing at a distance of 14.89 feet a 1/2" rebar found for the northeast corner of Lot 1, Diamond Sky, for a total distance of 341.65 feet to a 1/2" rebar found;
2. North 36°42'46" West, a distance of 2576.43 feet to a 1/2" rebar found;
3. North 40°11'54" West, a distance of 145.93 feet to a 1/2" rebar found;
4. North 62°16'31" West, a distance of 295.05 feet to a 1/2" rebar found;
5. North 12°49'59" West, a distance of 241.32 feet to a 1/2" rebar found;
6. North 36°51'14" East, a distance of 360.55 feet to a 1/2" rebar found;
7. North 06°09'13" West, a distance of 167.01 feet to a 1/2" rebar found;
8. North 39°39'02" West, a distance of 729.93 feet to a 1/2" rebar found for the northwest corner of Lot 4, Diamond Sky, the southeast corner of the said 1.000 acre tract, and an angle point in an interior south line of the 59.11 acre tract;

**THENCE** with the common line of the 59.11 acre tract and the 1.000 acre tract continuing with the common line of the 59.11 acre tract and Diamond Sky, the following


three (3) courses:

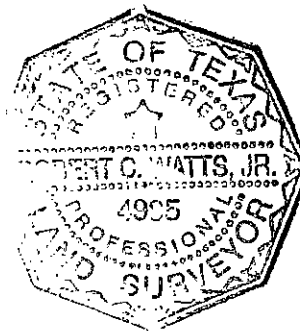
1. South  $32^{\circ}50'42''$  West, a distance of 1131.49 feet to a 1/2" rebar found;
2. South  $45^{\circ}37'02''$  East, a distance of 1527.40 feet to a 1/2" rebar found;
3. South  $39^{\circ}10'56''$  East, passing at a distance of 2781.18 feet a 1/2" rebar found for the southeast corner of Lot 1, Diamond Sky, also being an angle point in the apparent west right-of-way line of City Park Road, for a total distance of 2797.16 feet to a 1/2" rebar with cap set for the northeast corner of the 59.11 acre tract and an angle point in the apparent west right-of-way line of City Park Road;

**THENCE** with the apparent west right-of-way line of City Park Road and the east line of the 59.11 acre tract, the following three (3) courses:

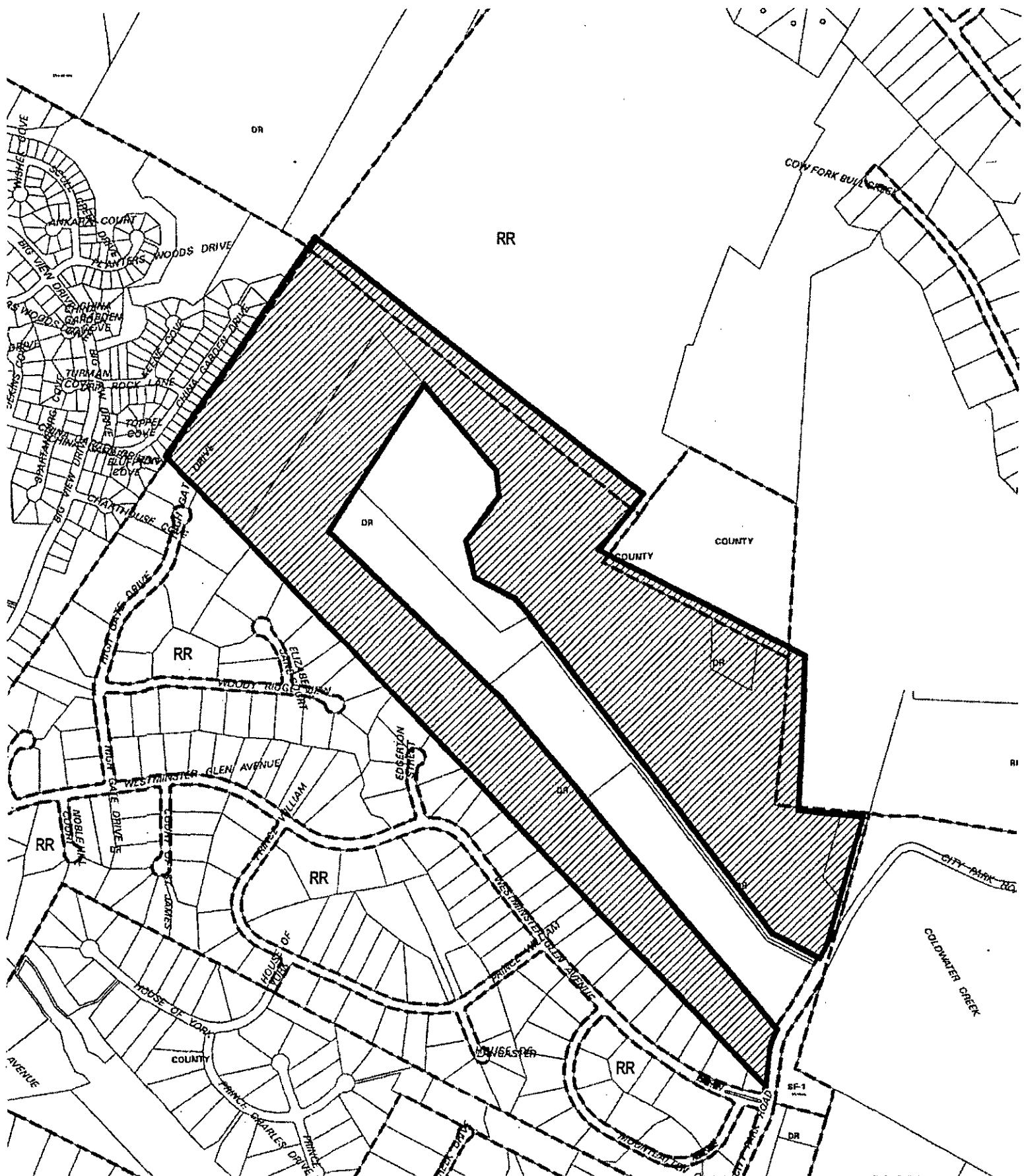
1. With a curve to the left, having a radius of 413.37 feet, an arc length of 175.29 feet and a chord which bears South  $18^{\circ}15'28''$  West, a distance of 173.98 feet to a 1/2" rebar with cap set;
2. South  $06^{\circ}13'34''$  West, a distance of 199.22 feet to a 1/2" rebar with cap set ;
3. With a curve to the left, having a radius of 1249.26 feet, an arc length of 2.75 feet and a chord which bears South  $05^{\circ}57'34''$  West, a distance of 2.75 feet to the **POINT OF BEGINNING**, containing an area of 167.499 acres of land, more or less.




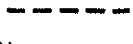
Surveyed on the ground April, 2005. Revised February 14, 2007 to include additional 2.00 acre tracts. Bearing basis is Grid Azimuth for Texas Central Zone, 1983/93 HARN values from LCRA control network. Attachments: Survey Drawing No. 477-001-BD1.

  
Robert C. Watts, Jr.  
Registered Professional Land Surveyor  
State of Texas No. 4995



2-14-07



 1" = 800'	SUBJECT TRACT		<b>ZONING EXHIBIT B</b>		CITY GRID REFERENCE NUMBER  D31
	PENDING CASE				
	ZONING BOUNDARY		CASE #: C14-2007-0014 ADDRESS: 4700 City Park Road; North of the intersection of City Park Road and Westminster Glen Avenue SUBJECT AREA (acres): 167.499	DATE: 07-03 INTLS: SM	
	CASE MGR: J. ROUSSELIN				