

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 6004 WEBBERVILLE ROAD IN THE MLK-183
3 NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-
4 CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-CO-NP) COMBINING
5 DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-
6 CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP)
7 COMBINING DISTRICT FOR TRACT ONE AND COMMERCIAL-LIQUOR
8 SALES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN FOR
9 TRACTS TWO AND THREE

10 **BE IT ORDAINED BY THE CITY-COUNCIL OF THE CITY OF AUSTIN**

11 **PART 1** The zoning map established by Section 25-2-191 of the City Code is amended to
12 change the base district on the property (the "Property") described in Zoning Case No
13 C14-2007-0049, on file at the Neighborhood Planning and Zoning Department, as follows
14

15
16 Tract One From general commercial services-conditional overlay-neighborhood
17 plan (CS-CO-NP) combining district to general commercial services-mixed use-
18 conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district
19

20
21 Lots C and D, R F Bearden Subdivision, a subdivision in the City of Austin,
22 Travis County, Texas, according to the map or plat of record in Plat Book 84, Page
23 184C, of the Plat Records of Travis County, Texas, Save and Except the property
24 described in this ordinance as Tracts Two and Three, and
25

26 Tract Two and Tract Three From general commercial services-conditional
27 overlay-neighborhood plan (CS-CO-NP) combining district to commercial-liquor
28 sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP)
29 combining district
30

31 A 5,515 square feet tract of land, more or less, out of a building located within Lot
32 C, R F Bearden Subdivision, the 5,515 square feet tract of land being more
33 particularly described by metes and bounds in Exhibits "A" and "B" incorporated
34 into this ordinance, and
35
36

1 A 3,485 square feet tract of land, more or less, out of a building located within Lot
2 C, R F Bearden Subdivision, the 3,485 square feet tract of land being more
3 particularly described by metes and bounds in Exhibits "A" and "B" incorporated
4 into this ordinance,
5

6 locally known as 6004 Webberville Road, in the City of Austin, Travis County, Texas, and
7 generally identified in the map attached as Exhibit "C"
8

9 **PART 2** Except as specifically provided in Part 3 and Part 4 of this ordinance, the
10 Property may be developed and used in accordance with the regulations established for the
11 respective base districts, the mixed use (MU) combining district, and other applicable
12 requirements of the City Code
13

14 **PART 3** The Property within the boundaries of the conditional overlay combining district
15 established by this ordinance is subject to the following conditions
16

17 A The following uses are prohibited uses of the Property
18

19 Adult oriented businesses	20 Agricultural sales and services
21 Automotive sales	22 Campground
23 Commercial blood plasma center	24 Construction sales and services
25 Convenience storage	26 Equipment sales and services
27 Equipment sales	28 Kennels
29 Vehicle storage	30 Limited warehousing and distribution

31 B Cocktail lounge use may not exceed 6,000 square feet gross floor area of Tract
32 One
33

34 C Liquor sales use may not exceed 3,000 square feet gross floor area of Tract Two
35

36 **PART 4** The Property is subject to Ordinance No 021107-Z-12b that established the
37 MLK-183 neighborhood plan combining district
38
39
40

1 **PART 5** This ordinance takes effect on _____, 2007
2
3

4 **PASSED AND APPROVED**

5
6 §
7 §
8 _____, 2007 § _____
9 Will Wynn
10 Mayor
11

12
13 **APPROVED** _____ **ATTEST** _____
14 David Allan Smith City Attorney Shirley A Gentry
15 City Clerk

Office 512 481 9602
Fax 512 330-1621

Waterloo Surveyors Inc

Thomas P. Dixon
R P L S 4324
J11342D

EXHIBIT A

August 24 2007

FIELD NOTES

5 515 SQUARE FEET OF LAND MORE OR LESS OUT OF A EXISTING BRICK, STONE AND CONCRETE BUILDING LOCATED WITHIN LOT C R F BEARDEN SUBDIVISION A SUBDIVISION IN TRAVIS COUNTY TEXAS ACCORDING TO THE MAP OR PLAT HEREOF RECORDED IN BOOK 85 PAGES 184C 184D OF THE PLAT RECORDS OF TRAVIS COUNTY TEXAS FOR WHICH A MORE PARTICULAR DESCRIPTION BY MEASURES AND BOUNDS IS AS FOLLOWS

BEGINNING FOR REFERENCE at a concrete monument found at the intersection of the north R O W of F M 969 and the east R O W of US Highway 182 (ED Bluestein Boulevard) same being at the most westerly S W corner of Lot C R F BEARDEN SUBDIVISION from which point an iron rod set on the common south line of Lot C and the north R O W of F M 969 bears S35 31 13 E at a distance of 189 64 feet

THENCE N51 54 23 E crossing into Lot C for a distance of 237 32 feet to a point at the most westerly corner of this existing building

THENCE N54 38 48 E along the face of said building for a distance of 80 99 feet to a corner for the **POINT OF BEGINNING** of this 5 515 sq ft building area

THENCE the following three (3) courses and distances along the face of said building

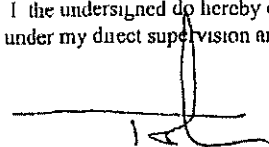
- 1 N54 38 48 E for a distance of 31 73 feet to a corner
- 2 S80 28 42 E for a distance of 83 64 feet
- 3 S35 23 46 E for a distance of 25 39 feet to a point on the face of said building for a corner hereof

THENCE S54 19 32 W crossing said building for a distance of 60 84 feet to a point on the southwest face of said building

THENCE N83 04 17 W along the face of said building for a distance of 38 95 feet

THENCE N36°24 29 W crossing said building for a distance of 58 55 feet to the **POINT OF BEGINNING** of this 5 515 building area

I the undersigned do hereby certify that the field notes hereon were prepared from an actual on the ground survey under my direct supervision and that they are true and correct to the best of my knowledge



Thomas P. Dixon R P L S 4324



P O Box 160176
Austin Texas 78716 0176

Office 512 481 9002
Fax 512 330 1631

Waterloo Surveyors Inc

Thomas P. Dixon
R.P.L.S. 4324
J113421

EXHIBIT A

August 24 2007

FIELD NOTES

3 485 SQUARE FEET OF LAND MORE OR LESS, OUT OF AN EXISTING BRICK STONE AND CONCRETE BUILDING LOCATED WITHIN LOT C R F BEARDEN SUBDIVISION A SUBDIVISION IN TRAVIS COUNTY TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN BOOK 85, PAGES 184C 184D OF THE PLAT RECORDS OF TRAVIS COUNTY TEXAS FOR WHICH A MORE PARTICULAR DESCRIPTION BY METES AND BOUNDS IS AS FOLLOWS

BEGINNING FOR REFERENCE at a concrete monument found at the intersection of the north R.O.W. of FM 969 and the east R.O.W. of US Highway 182 (Ed Bluestein Boulevard) same being at the most westerly S.W. corner of Lot C R F BEARDEN SUBDIVISION from which point an iron rod set on the common south line of Lot C and the north R.O.W. of FM 969 bears S35°31'13" E at a distance of 189.64 feet

THENCE N51°54'23" E crossing into Lot C for a distance of 237.32 feet to a point at the most westerly corner of this existing building

THENCE the following three (3) courses and distances along the face of said building

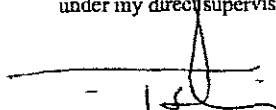
- 1 N54°38'48" E for a distance of 112.72 feet to a corner
- 2 S80°28'42"E for a distance of 83.64 feet to a corner
- 3 S35°23'46" E for a distance of 57.22 feet to a point for the **POINT OF BEGINNING** of this 3 485 sq. ft. tract

THENCE S35°23'46" E continuing along the face of said building for distance of 57.22 feet to a point for a corner hereof

THENCE S54°19'32" W crossing said building for a distance of 60.84 feet to a point on the face of said building

THENCE N35°40'28" W along the face of said building for a distance of 57.22 feet to the **POINT OF BEGINNING** of this 3 485 building area

I the undersigned do hereby certify that the field notes hereon were prepared from an actual on the ground survey under my direct supervision and that they are true and correct to the best of my knowledge



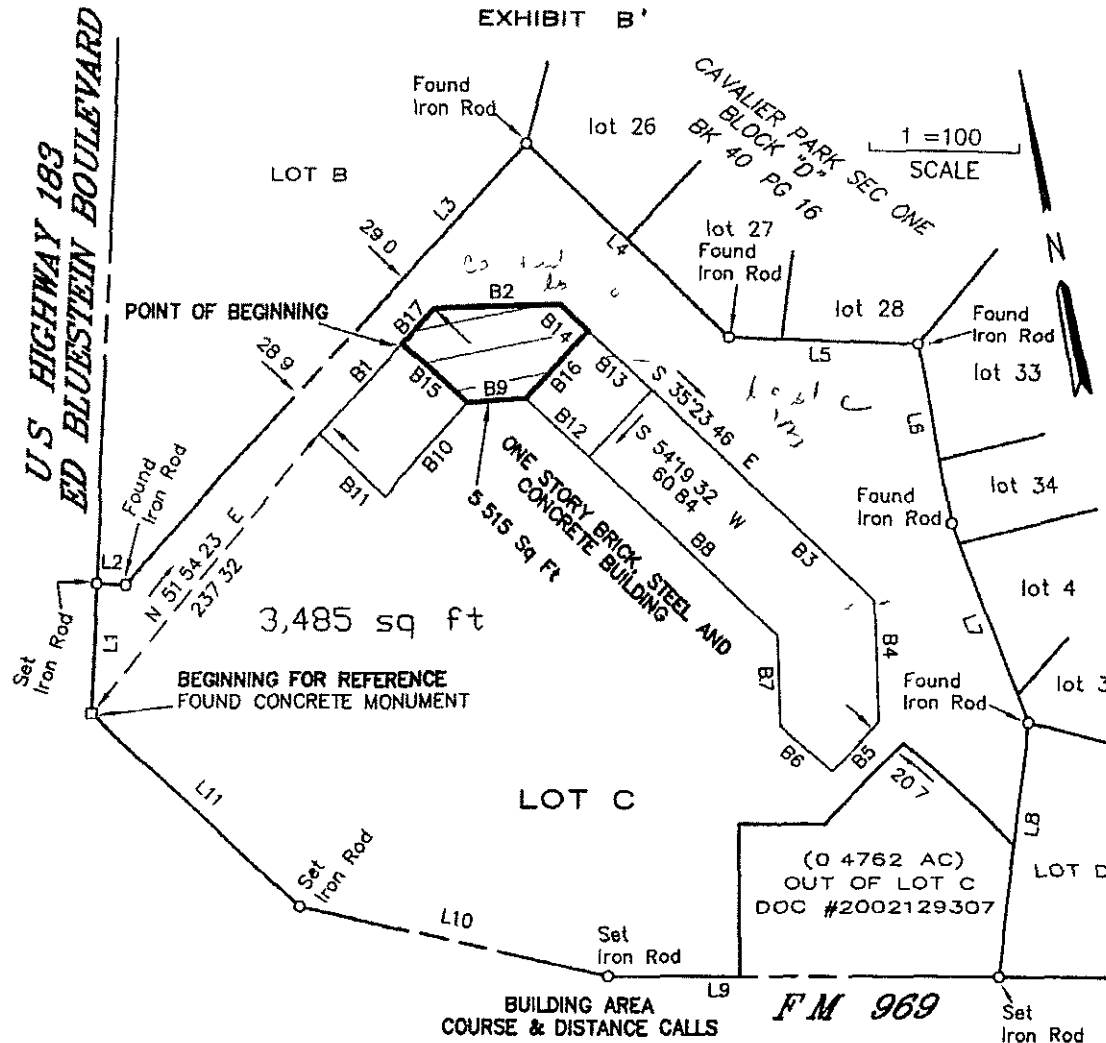
Thomas P. Dixon R.P.L.S. 4324



Waterloo Surveyors Inc SURVEY PLAT

J11342D

EXHIBIT B'



BUILDING AREA COURSE & DISTANCE CALLS

FM 969

LOT D BOUNDARY COURSE & DISTANCE CALLS

LINE	DIRECTION	DISTANCE
L1	N 14°10'33" E	85.04'
L2	S 75°49'11" E	20.01'
L3	N 54°33'53" E	392.40'
L4	S 35°22'17" E	185.11'
L5	S 76°10'18" E	125.01'
L6	S 01°13'45" W	119.70'
L7	S 10°09'45" E	140.11'
L8	S 18°56'55" W	171.06'
L9	N 78°00'44" W	259.90'
L10	N 65°31'18" W	209.52'
L11	N 35°31'13" W	189.64'

LINE	DIRECTION	DISTANCE
B1	N 54°38'48" E	80.99'
B2	S 80°28'42" E	83.64'
B3	S 35°23'46" E	202.12'
B4	S 09°31'29" W	79.81'
B5	S 54°55'33" W	46.05'
B6	N 35°27'07" W	45.63'
B7	N 09°29'52" E	60.12'
B8	N 35°40'28" W	169.86'
B9	N 83°04'17" W	38.95'
B10	S 53°35'31" W	81.99'
B11	N 35°26'27" W	60.05'
B12	N 35°40'28" W	57.22'
B13	S 35°23'46" E	57.22'
B14	S 35°23'46" E	25.39'
B15	N 36°24'29" W	58.55'
B16	S 54°19'32" W	61.12'
B17	N 54°38'48" E	31.73'

LEGAL DESCRIPTION

5,515 SQUARE FEET OF LAND MORE OR LESS OUT OF A EXISTING BRICK STONE AND CONCRETE BUILDING LOCATED WITHIN LOT C R F BEARDEN SUBDIVISION A SUBDIVISION IN TRAVIS COUNTY TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN BOOK 85 PAGES 184C-184D PLAT RECORDS OF TRAVIS COUNTY TEXAS

State of Texas
County of Travis

The undersigned does hereby certify that this survey was this day made on the property legally described hereon and is correct, and this survey substantially complies with the current Texas Society of Professional Surveyors Standards and

Specifications for a Category 1B Condition II Survey

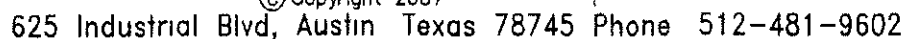
Dated this the 24TH day of AUGUST 2007

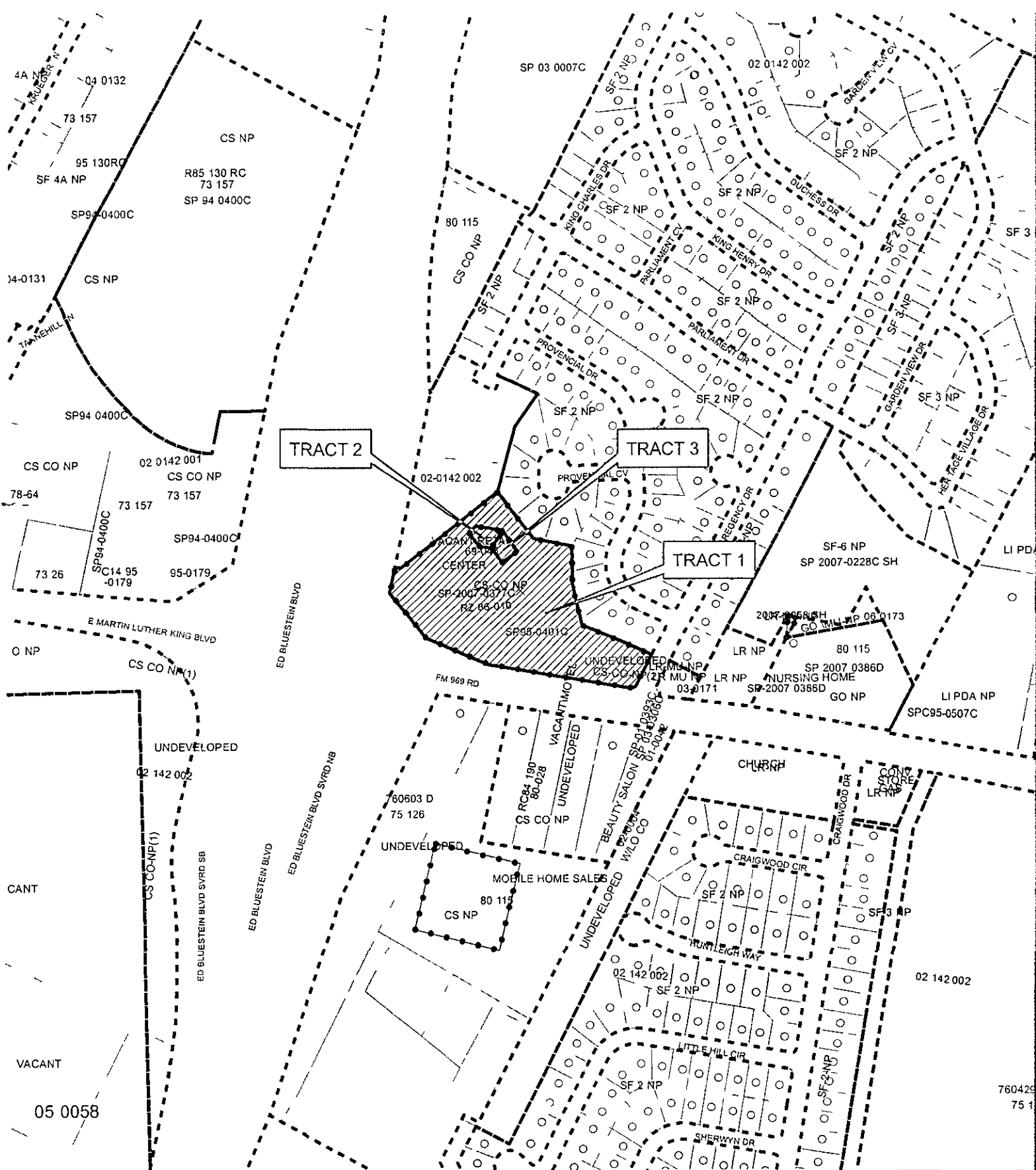
Thomas P Dixon RPLS 4324

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625 Industrial Blvd Austin Texas 78745 Phone 512-481-9602

U.S. HIGHWAY 183
ED BLUESTEIN BOULEVARD





Subject Tract



Zoning Boundary



Pending Cases

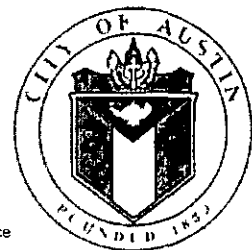


1" = 400'

OPERATOR S. MEERKS

ZONING

CASE# C14 2007 0049
 ADDRESS 6004 WEBBERVILLE RD
 SUBJECT AREA 7.68 ACRES
 GRID N24
 OPERATOR R. HEIL



This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.