

ORDINANCE NO 20071018-055

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF THAXTON ROAD AND PANADERO DRIVE, REZONING AND CHANGING THE ZONING MAP FROM INTERIM SINGLE FAMILY RESIDENCE STANDARD LOT (I-SF-2) DISTRICT AND FAMILY RESIDENCE (SF-3) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-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 interim single family residence standard lot (I-SF-2) district and family residence (SF-3) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No C14-07-0005, on file at the Neighborhood Planning and Zoning Department, as follows

A 4 709 acre tract of land, more or less, out of the Santiago Del Valle Grant, Abstract No 24, 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 the property located at the southwest corner of Thaxton Road and Panadero Drive, 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 The following site development standards apply to the Property

- 1 The maximum height is 40 feet from ground level
- 2 The minimum street side yard setback is 15 feet
- 3 The maximum building coverage is 50 percent
- 4 The maximum impervious cover is 80 percent
- 5 The maximum floor-to area ratio is 0.5 to 1.0

B A food sales use may not exceed 5,000 square feet of gross floor area

- C A loading facility is prohibited within 50 feet of the south property line
- D Driveways are prohibited between the south property line and the rear of a building used for a commercial purpose
- E The following uses are prohibited uses of the Property

Automotive repair services
Automotive sales
Bail bond services
Business support services
Communication services
Drop-off recycling center
Funeral services
Hotel-motel
Indoor sports and recreation
Outdoor sports and recreation
Pet services
Research services
Theater

Automotive rentals
Automotive washing (of any type)
Building maintenance services
Commercial off-street parking
Counseling services
Exterminating services
Hospital services (limited)
Indoor entertainment
Off-site accessory parking
Pawn shop services
Printing and publishing
Residential treatment

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

PART 3 This ordinance takes effect on October 29, 2007

PASSED AND APPROVED

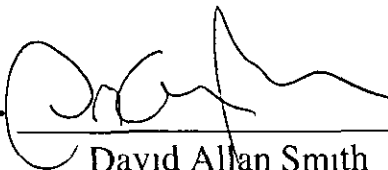
October 18, 2007

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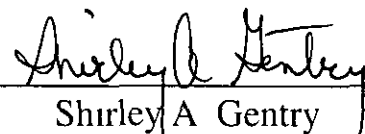
Will Wynn
Mayor

APPROVED



David Allan Smith
City Attorney

ATTEST



Shirley A. Gentry
City Clerk



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

EXHIBIT A

C14-07-0005

Office 512 443 1724
Fax 512 441 6987

2807 Manchaca Road
Building One
Austin Texas 78704

**4 709 ACRES
SANTIAGO DEL VALLE GRANT
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 4 709 ACRES (APPROX 205,144 S F) IN THE SANTIAGO DEL VALLE GRANT ABSTRACT NO 24 TRAVIS COUNTY TEXAS BEING A REMAINDER PORTION OF A 275 015 ACRE TRACT CONVEYED TO FC PROPERTIES ONE LTD IN A SPECIAL WARRANTY DEED DATED MARCH 20 1998 RECORDED IN VOLUME 13147 PAGE 1555 OF THE DEED RECORDS OF TRAVIS COUNTY TEXAS SAID 4 709 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING at a 1/2 rebar with cap set in the said 275 015 acre tract being also in the south line of Thaxton Road Street Dedication a subdivision of record in Volume 87 Pages 24D-25A Plat Records of Travis County Texas a northerly corner of a 236 54 acre tract recorded in Document No 2003099256, of the Official Public Records of Travis County Texas and being the northwest corner of the 4 712 acre Save and Except Tract Three recorded in Document No 2003099256 of the Official Public Records of Travis County Texas from which a 1/2 rebar found bears North 66°58'41" West a distance of 57 47 feet

THENCE leaving the northerly corner of the 236 54 acre tract and along the common line of Thaxton Road Street Dedication and the 4 712 acre tract the following two (2) courses

- 1 South 66°58'41" East a distance of 42 79 feet to a 1/2 rebar found for the beginning of a curve to the left,
- 2 528 59 feet along the arc of said curve to the left having a radius of 1 862 18 feet and through a central angle of 16°15'49" the chord of which bears South 73°32'44" East a distance of 526 81 feet to a 1/2 rebar with cap set in the south line of Thaxton Road Street Dedication being also in the west right-of-way line of Panadero Drive (64 right-of-way width) as dedicated in The Bend at Nuckols Crossing a subdivision of record in Volume 88 pages 1-2 Plat Records of Travis County Texas and the northeast corner of the 4 712 acre tract for the beginning of a reverse curve to the right

THENCE leaving the south line of Thaxton Road Street Dedication along the common line of Panadero Drive and the 4 712 acre tract the following three courses

- 1 38 53 feet along the arc of said curve to the right having a radius of 25 00 feet and through a central angle of 88°18'06" the chord of which bears South 37°31'36" East a distance of 34 83 feet to a 1/2 rebar with cap set
- 2 South 06°37'28" West a distance of 145 61 feet to a 1/2 rebar with cap set for the beginning of a curve to the left
- 3 215 60 feet along the arc of said curve to the left having a radius of 568 31 feet and through a central angle of 21°44'10" the chord of which bears South 04°14'24" East, a distance of 214 31 feet to a 1/2 rebar found for the south corner of The Bend at Nuckols Crossing, being also a northwest corner of the Amended Plat of Sheldon 230 Section 2 Phase 1 a subdivision of record in Document No 200400134, of the Official Public Records of Travis County Texas, from which a 1/2 rebar found bears North 74°44'45" East a distance of 64 10 feet

THENCE along the east line of the 4 712 acre tract over the Amended Plat of Sheldon 230 Section 2 Phase 1 the following two (2) courses

- 1 South 15°12'04" East a distance of 83 42 feet to a calculated point for the beginning of a curve to the right
- 2 31 43 feet along the arc of said curve to the right having a radius of 468 00 feet and through a central angle of 03°50'53" the chord of which bears South 13°16'38" East a distance of 31 42 feet to a calculated point for the southeast corner of the 4 712 acre tract being also in the Amended Plat of Sheldon 230 Section 2 Phase 1

THENCE over the Amended Plat of Sheldon 230 Section 2 Phase 1 and along the line common to the 4 712 acre tract and Sheldon 230 Section 1 Phase 1, a subdivision of record in Document No 200500225 of the Official Public Records of Travis County, Texas the following three (3) courses

- 1 North 80°17'44" West, passing at 4 66 feet the northeast corner of Lot 7, Sheldon 230 Section 1 Phase 1 passing at 9 95 feet the northwest corner of Lot 7 and continuing for a total distance of 93 83 feet to a 1/2 rebar with cap set
- 2 North 70°27'02" West a distance of 50 98 feet to a 1/2 rebar with cap set
- 3 North 63°40'40" West a distance of 133 76 feet to a 1/2 rebar found for a southwest corner of the 4 712 acre tract being also the northwest corner of Sheldon 230 Section 1 Phase 1 and in the east line of a 2 085 acre tract recorded in Document No 2002000762 of the Official Public Records of Travis County Texas from which a 1/2 rebar found bears South 26°15'53" West a distance of 155 57 feet

THENCE along the common line of the 4 712 acre tract and the 2 085 acre tract the

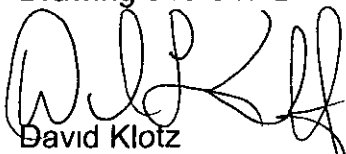
following two (2) courses

- 1 North 26°20'55" East a distance of 82.00 feet to a 1" iron pipe found
- 2 North 63°41'06" West a distance of 346.94 feet to a 1/2" rebar found for the southwest corner of the 4.712 acre tract, being also the northwest corner of the 2.085 acre tract and in the east line of the 236.54 acre tract

THENCE along the common line of the 4.712 acre tract and the 236.54 acre tract the following two (2) courses

- 1 North 06°50'03" West a distance of 135.18 feet to a 1/2" rebar with cap set
- 2 North 11°34'31" West a distance of 213.67 feet to the **POINT OF BEGINNING** containing an area of 4.709 acres of land, more or less

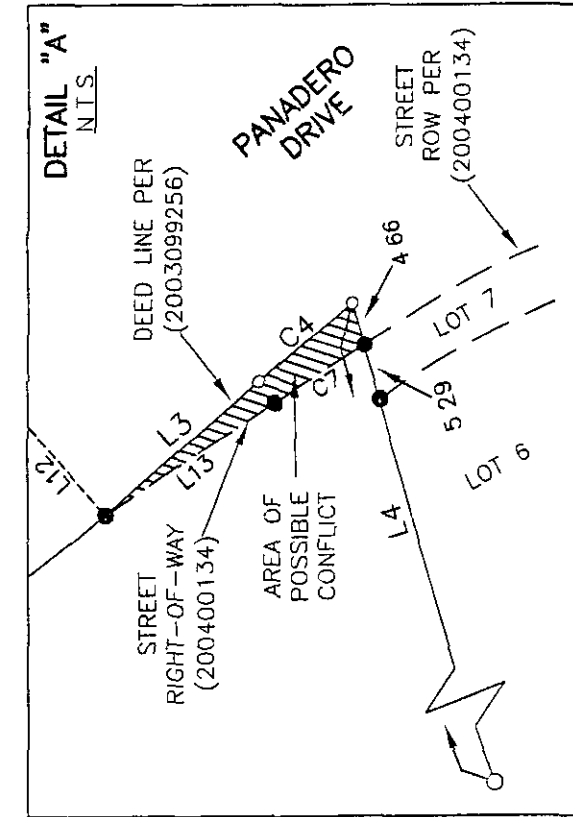
Surveyed on the ground in September 21, 2006 Bearing Basis Grid Azimuth for Texas Central Zone, NAD 1983/93 HARN values from LCRA control network Attachments Drawing 040-047-Z1


David Klotz
Registered Professional Land Surveyor
State of Texas No. 5428

10/10/06



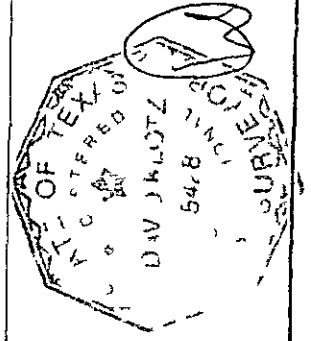
SKETCH TO ACCOMPANY A DESCRIPTION OF 4 709 ACRES (APPROX 205 144 S.F.) IN THE SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24, TRAVIS COUNTY, TEXAS, BEING A REMAINDER PORTION OF A 275 015 ACRE TRACT CONVEYED TO FC PROPERTIES ONE, LTD., IN A SPECIAL WARRANTY DEED DATED MARCH 20 1998, RECORDED IN VOLUME 13147, PAGE 1555, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS



LINE TABLE			
No	BEARING	LENGTH	RECORD
L1	S66 58 41 E	42 79	(S64 29 26 E 42 59)
L2	S06 37 28 W	145 61	(S09 11 34 W 145 52)
L3	S15 12 04 E	83 42	(S12 32 56 E 83 42)
L4	N80 17 44 W	93 83	(N77 44 13 W 93 72)
L5	N70 27 02 W	50 98	(N67 53 31 W 50 98)
L6	N63 40 40 W	133 76	(N61 07 09 W 133 76)
L7	N26 20 55 E	82 00	(N28 52 51 E 82 24)
L8	N06 50 03 W	135 18	(N04 14 29 W 135 18)
L9	S26 15 53 W	155 57	(S28 52 51 W 155 55)
L10	N24 18 07 E	64 40	(S28 52 51 W 155 55)
L11	N08 22 36 E	64 14	
L12	N74 44 45 E	64 10	(N77 27 05 W 64 00)
L13	N13 08 11 W	83 02	(N10 25 04 W 83 23)

CURVE TABLE						
NO	DELTA	RADIUS	TAN	ARC	CHORD	BEARING
C1	16 15 49	1862 18	266 08	528 59	526 81	S73 32 44 E
C2	88 18 06	25 00	24 27	38 53	34 83	S37 31 35 E
C3	21 44 10	568 31	109 11	215 60	214 31	S04 14 24 E
C4	3 50 53	468 00	15 72	31 43	31 42	S13 16 38 E
C5	22 54 00	1798 18	364 21	718 70	713 92	S77 30 58 E
C6	12 30 17	468 00	51 27	102 14	101 94	S03 01 20 E
C7	3 40 18	468 00	15 00	29 99	29 99	N10 48 51 W

LEGEND	
●	1/2 REBAR FOUND
○	1/2 REBAR WITH CAP SET
○	1 IRON PIPE FOUND
○	CALCULATED POINT



DATE OF SURVEY 9/21/06
 PLOT DATE 10/18/06
 DRAWING NO 040-047-Z1
 PROJECT NO 040-047
 DRAWN BY SMD
 SHEET 2 OF 2

Chaparral

A PORTION OF
275 015 ACRES
FC PROPERTIES
ONE LTD
(13147/1555)

32
33
34
Bldck H

SPRINGFIELD
PHASE B SECTION 6
(200300063)

35
36
39
40

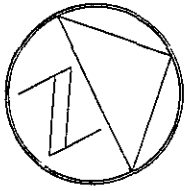
POB
THAXTON ROAD
(ROW WIDTH VARIES)
(87/25A)

0.3498 WW ESMT
(2003078386)

40 TEMPORARY CONST ESMT
(10838/637)

4 709 ACRES
(APPROX 205 144 S.F.)

REMAINDER PORTION OF
A 275 015 ACRE TRACT
FC PROPERTIES ONE LTD
(13147/1555)



1 = 100

A PORTION OF
236 54 ACRES
KB HOME LONE STAR LP
(2003099256)

BEARING BASIS GRID AZIMUTH FOR
TEXAS CENTRAL ZONE 1983/93
HARN VALUES FROM LCRA CONTROL
NETWORK

ATTACHMENTS METES AND BOUNDS
DESCRIPTION 040-047-Z1

DATE OF SURVEY 9/21/06

PLOT DATE 10/18/06

DRAWING NO 040-047-Z1
PROJECT NO 040-047
DRAWN BY SMD
SHEET 1 OF 2

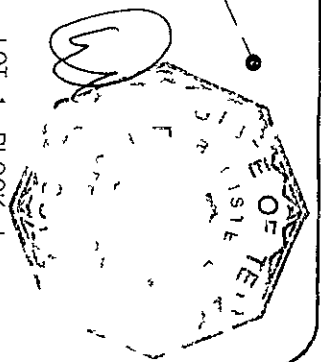
N63 41 06 W 346 94
(N61 05 40 W 347 02)

2 085 ACRES
DAVID L MELLENBURGH ET UX
(2002000762)

6 397 ACRES
CITY OF AUSTIN
(10780/904)

LOT 24 BLOCK K
AMENDED PLAT OF SHELDON 230
SECTION 2 PHASE 1
(200400134)

LOT 1 BLOCK J
THE BEND AT 1
NUCKOLS CROSSING
PHASE 2 SECTION 1
(88/1)



r=504.31

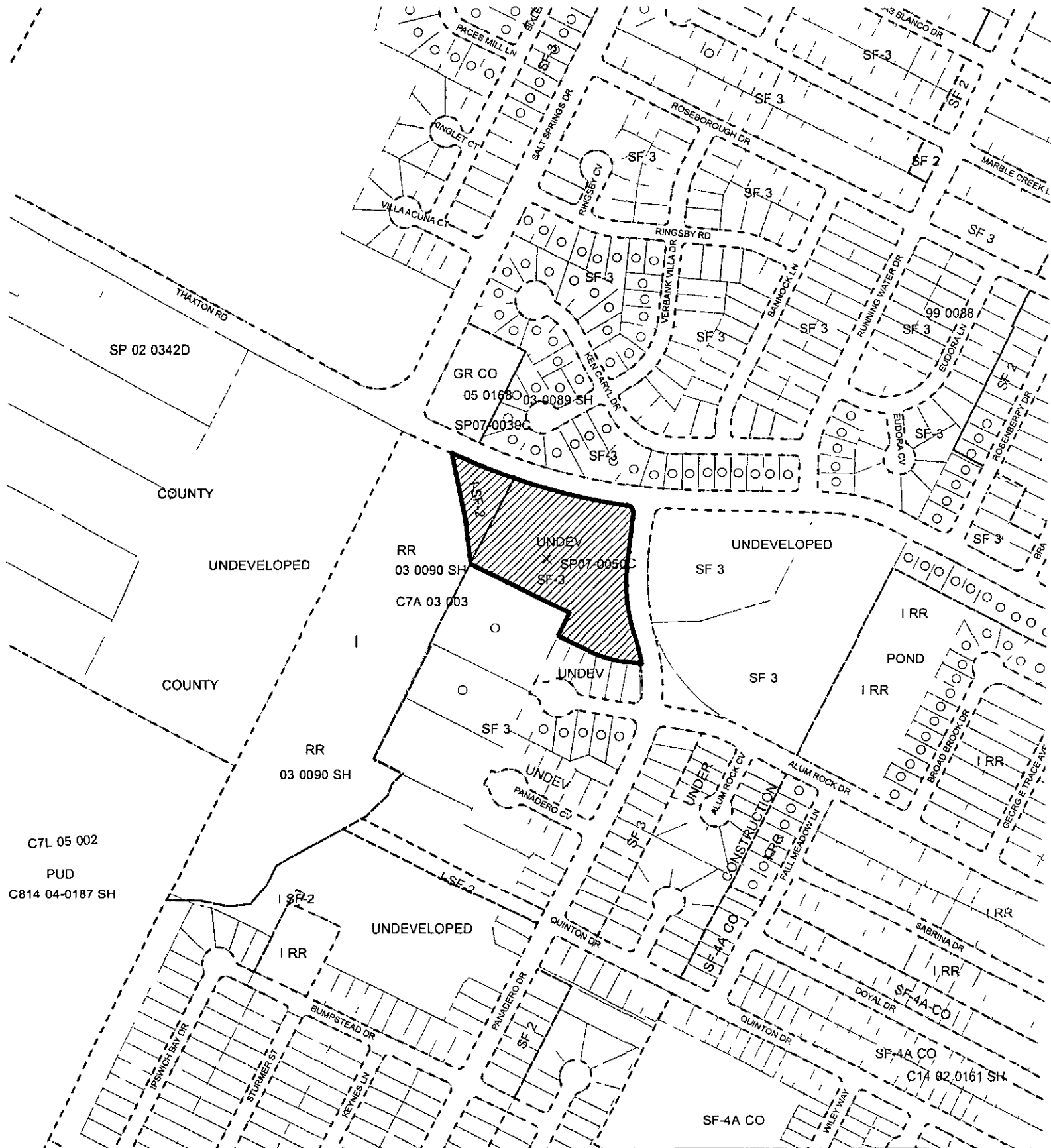
AREA OF
POSSIBLE
CONFLICT

SEE
DETAIL

BLOCK V
SHELDON 230
SECTION 1 PHASE 1
(200500225)





ALUM ROCK DRIVE

Chaparral



ZONING *EXHIBIT B*

ZONING CASE# C14 07 0005
ADDRESS SW CORNER THAXTON
 RD & PANADERO DR
SUBJECT AREA 4.709 ACRES
GRID J31 33 K31 34 L33 34
MANAGER J ROUSSELIN

-  N
-  Subject Tract
-  Zoning Boundary
-  Pending Cases

