

ORDINANCE NO. _____

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
11 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

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

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

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 foot tract of land, more or less, out of a building located within Lot
2 C, R.F. Bearden Subdivision, the 3,485 square foot 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 Adult oriented businesses	19 Agricultural sales and services
20 Automotive sales	21 Campground
22 Commercial blood plasma center	23 Construction sales and services
24 Convenience storage	25 Equipment sales and services
26 Equipment sales	27 Kennels
28 Vehicle storage	29 Limited warehousing and distribution

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

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

33 **PART 4.** The Property is subject to Ordinance No. 021107-Z-12b that established the
34 MLK-183 neighborhood plan combining district.
35
36
37
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 Shirley A. Gentry
15 City Attorney 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 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 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:

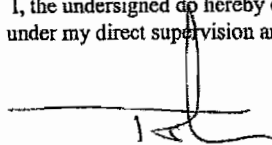
1. N54°38'48"E for a distance of 31.73 feet to a corner;
2. S80°28'42"E for a distance of 83.64 feet
3. S35°23'46"E for a distance of 25.39 feet to a point on the face of said building for a corner hereof;

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;

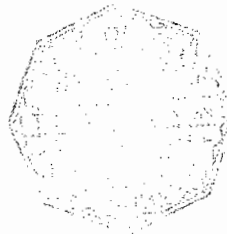
THENCE N83°04'17"W along the face of said building for a distance of 38.95 feet;

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

Waterloo Surveyors Inc.

Office: 512-481-9602
Fax: 512-330-1621

Thomas P. Dixon
R.P.L.S. 4324
J11342E

EXHIBIT "A"

August 24, 2007

FIELD NOTES

3,485 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, 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 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 the following three (3) courses and distances along the face of said building:

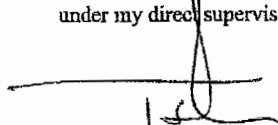
1. N54°38'48"E for a distance of 112.72 feet to a corner;
2. S80°28'42"E for a distance of 83.64 feet to a corner;
3. S35°23'46"E for a distance of 57.22 feet to a point for the **POINT OF BEGINNING** of this 3,485 sq. ft. tract;

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 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.



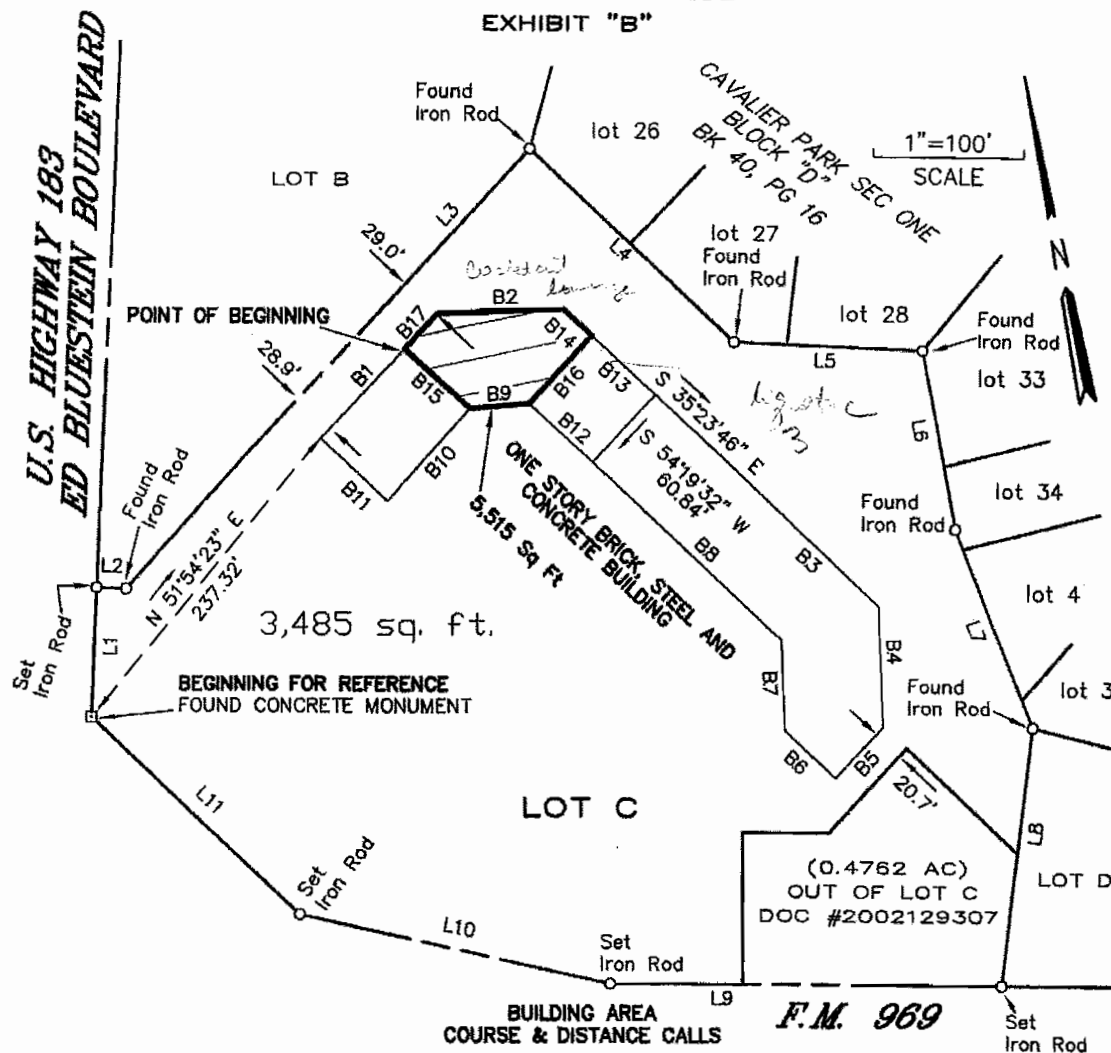
Thomas P. Dixon R.P.L.S. 4324



P.O. Box 160176
Austin, Texas 78716-0176

Waterloo Surveyors Inc.
SURVEY PLAT
EXHIBIT "B"

J11342D



LOT D BOUNDARY
COURSE AND 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

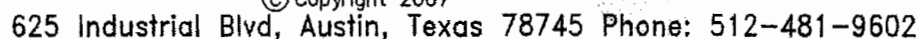
Specifications for a Category 1B Condition II Survey.

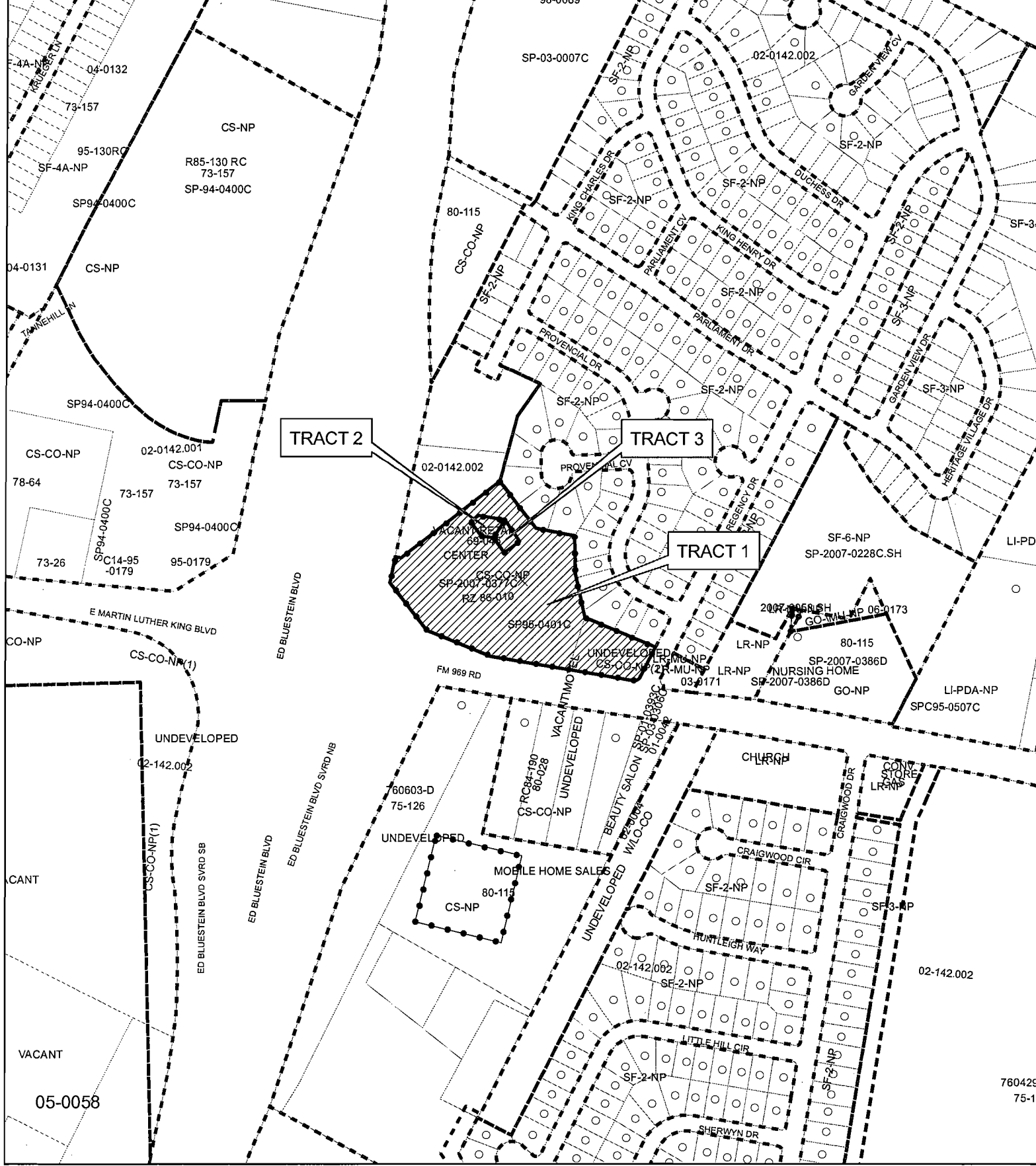
Dated this the 24TH day of AUGUST, 200 7

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

© Copyright 2007

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





Subject Tract



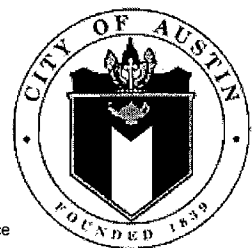
Zoning Boundary



Pending Cases

ZONING

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



1" = 400'

OPERATOR: S. MEEKS

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.