

ORDINANCE NO. 20071213-113

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 7910 BURLESON ROAD IN THE SOUTHEAST NEIGHBORHOOD PLAN AREA FROM INDUSTRIAL PARK-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (IP-CO-NP) COMBINING DISTRICT, RURAL RESIDENCE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (RR-CO-NP) COMBINING DISTRICT, AND INDUSTRIAL PARK-NEIGHBORHOOD PLAN (IP-NP) COMBINING DISTRICT TO RURAL RESIDENCE CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (RR-CO-NP) COMBINING DISTRICT FOR TRACT ONE AND LIMITED INDUSTRIAL SERVICE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LI-CO-NP) 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 districts on the property described in Zoning Case No. C14-2007-0152, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From industrial park-conditional overlay-neighborhood plan (IP-CO-NP) combining district and rural residence-conditional overlay-neighborhood plan (RR-CO-NP) combining district to rural residence-conditional overlay-neighborhood plan (RR-CO-NP) combining district.

A 5.423 acre tract of land, more or less, out of the Santiago Del Valle Grant in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: From industrial park-conditional overlay-neighborhood plan (IP-CO-NP) combining district, rural residence-conditional overlay-neighborhood plan (RR-CO-NP) combining district, and industrial park-neighborhood plan (IP-NP) combining district to limited industrial service-conditional overlay-neighborhood plan (LI-CO-NP) combining district.

A 29.187 acre tract of land, more or less, out of the Santiago Del Valle Grant in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance, Save and Except the 5.423 acre tract described as Tract One in this ordinance (the "Property"),

locally known as 7910 Burleson Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

PART 2. Except as specifically provided in Part 3 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 3. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. 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.
- B. For property on Tract One that has an open waterway with an upstream drainage area between 64 acres and 320 acres:

The building setback is 50 feet on either side of the centerline of an open waterway. Improvements permitted within the setback are limited to utility crossings, hike and bike trails, driveway crossings and roadway crossings, or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

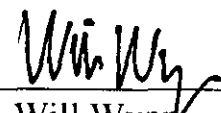
PART 4. The Property is subject to Ordinance No. 021010-12c that established the Southeast neighborhood plan combining district.

PART 5. This ordinance takes effect on December 24, 2007.

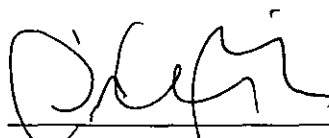
PASSED AND APPROVED

December 13, 2007

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Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:

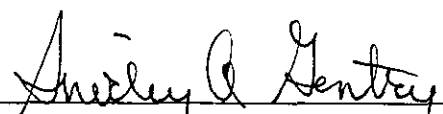

Shirley A. Gentry
City Clerk

EXHIBIT "A"
METES AND BOUNDS DESCRIPTION

BEING A 5.423 ACRE PORTION OF A 30.185 ACRE TRACT OUT OF THE SANTIAGO DEL VALLE GRANT CONVEYED TO FELTER INVESTMENTS, LTD., IN VOLUME 12740, PAGE 473, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING FOR REFERENCE at a 1" rebar found on the east right-of-way of Burleson Road, at the west corner of said Felter tract, also the south corner of a 1.00 acre tract conveyed to Christopher M. Maloy, in Document No 2001022433, Official Records, Travis County, Texas,

THENCE with the common line between Maloy and Felter, N 47°04'08" E 388.81 feet to a ½" rebar found, at the east corner of said Maloy tract, also the south corner of Tract A, of the Alvin Benner Subdivision, as recorded in Book 46, Page 4, of the Plat Records, Travis County, Texas;

THENCE with the common line between said Tract A and Felter, N 47°13'00" E 675.46 feet to the west corner and PLACE OF BEGINNING hereof,


THENCE continuing with said common line, N 47°13'00" E 1045.00 feet to a ½" rebar found, at the east corner of said Tract A, on the west line of a 149.89 acre tract, as conveyed to Bradshear Family Trust and Pap Realty Partnership in Volume 13080, Page 511, Real Property Records, Travis County, Texas, at the north corner of said Felter tract, for the north corner hereof,

THENCE with the common line between Bradshear and Felter, S 42°58'46" E 325.59 feet to the east corner hereof,

THENCE traversing through the interior of said Felter tract, the following three courses;

- 1) S 75°12'10" W 235.67 feet to a point;
- 2) S 47°13'00" W 838.00 feet to the south corner hereof;
- 3) N 42°47'00" W 215.00 feet to the PLACE OF BEGINNING, containing 5.423 acres of land, more or less.

SEE SKETCH PREPARED TO ACCOMPANY THIS DESCRIPTION.
PREPARED JANUARY 9, 2002 FROM SURVEYS MADE ON THE GROUND
IN SEPT., 1987 AND SEPT., 2001 BY: RALPH HARRIS SURVEYOR, INC.
1406 Hether Street, Austin, Texas 78704
(512) 444 - 1781



JAMES M. GRANT, RPLS NO. 1919
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EXHIBIT "B"
METES AND BOUNDS DESCRIPTION

BEING A 29.187 ACRE PORTION OF A 30.185 ACRE TRACT OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, AS CONVEYED TO FELTER INVESTMENTS, LTD., IN VOLUME 12740, PAGE 473, OF THE TRAVIS COUNTY REAL PROPERTY RECORDS (TCRPR), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING at a 1" rebar found in the east right-of-way of Burleson Road, same being the west corner of said Felter tract, same being the south corner of a 1.00 acre tract, as conveyed to Christopher M. Maloy, in Document No 2001022433, Official Records, Travis County, Texas, for the west corner and PLACE OF BEGINNING hereof;

THENCE with the common line between said Maloy and Felter tracts, N 47°04'08" E 388.81 feet to a ½" rebar found, being the east corner of said Maloy tract, same being the south corner of Tract A, of the Alvin Benner Subdivision, as recorded in Book 46, Page 4, of the Plat Records, Travis County, Texas, for an angle point hereof,

THENCE with the common line between said Tract A and said Felter tract, N 47°13'00" E 1720.46 feet to a 1" iron rod found at the east corner of said Tract A, on the west line of a 149.89 acres tract conveyed to Bradshear Family Trust and Pap Realty Partnership in Volume 13080, Page 511 of the TCRPR, at the north corner of said Felter tract, for the north corner hereof,

THENCE with the common line between the Bradshear and Felter tracts, the following two courses

- 1) S 42°58'46" E 538.98 feet to a ¼" rebar found,
- 2) S 43°13'51" E 126.50 feet to a ½" iron pipe found, at the east corner of said Felter tract, same being the north corner of a 4.10 acre tract, as conveyed to J.W. Akin, et ux, in Volume 6777, Page 364, Deed Records, Travis County, Texas, for the east corner hereof,

THENCE with the common line between the Akin and Felter tracts, S 47°11'32" W 1417.16 feet to a ½" iron pipe found, being the most easterly southwest corner of said Felter tract, same being an angle point in Lot 1, J and A Adams Subdivision, Book 86, Page 49A, Plat Records, Travis County, Texas, for the most easterly southwest corner hereof,

THENCE with the east line of said Lot 1 and an interior line of said Felter tract N 37°55'38" W 127.93 feet to a ½" rebar set, for an interior corner of said Felter tract, same being the north corner of said Lot 1, for an interior corner hereof;

THENCE with the north line of said Lot 1, same being the most northerly south line of said Felter tract, S 47°04'38" W 700.00 feet to a ½" rebar found, same being in the east right-of-way of said Burleson Road, same being the south corner of said Felter tract, same being the west corner of said Lot 1, for the most west corner hereof;

THENCE with the common line between said east right-of-way of Burleson Road, and the west line of said Felter tract, N 43°23'53" W 539.34 feet, to the PLACE OF BEGINNING, containing a calculated map area of 30.185 acres of land, more or less

SAVE AND EXCEPT the following 0.998 acre portion of the above described tract of land,

BEGINNING FOR REFERENCE at a 1" rebar found in the east right-of-way of Burleson Road, same being the west corner of said Felter tract, same being the south corner of a 1.00 acre tract, as conveyed to Christopher M. Maloy, in Document No. 2001022433, Official Records, Travis County, Texas,

THENCE with the common line between said Maloy and Felter tracts, N 47°04'08" E 388.81 feet to a ½" rebar found, being the east corner of said Maloy tract, same being the south corner of Tract A, of the Alvin Benner Subdivision, as recorded in Book 46, Page 4, of the Plat Records, Travis County, Texas;

THENCE with the common line between said Tract A and said Felter tract, N 47°13'00" E 296.19 feet to a point,

THENCE leaving said common Tract A and Felter line, and traversing through the interior of said Felter tract, S 42°47'00" E 90.00 feet to the west corner and PLACE OF BEGINNING hereof,

THENCE continuing through the interior of said Felter tract, the following four (4) courses;

N 47°13'00" E 290.00 feet to the north corner hereof;

S 42°47'00" E 150.00 feet to the east corner hereof,

S 47°13'00" W 290.00 feet to the south corner hereof;

N 42°47'00" W 150.00 feet to a point, to the PLACE OF BEGINNING, containing a calculated map area of 0.998 acres of land, (43,500 square feet) more or less, leaving a total balance herein described of 29.187 acres of land, more or less

SEE MAP PREPARED TO ACCOMPANY THIS DESCRIPTION

PREPARED BY: HARRIS-GRANT SURVEYING, INC

From surveys made on the ground in September of 1987 and September of 2001

1700 S. Lamar, Ste. 332

Austin, Texas 78704

(512) 444 - 1781


JAMES M. GRANT, RPLS NO 1919

August 3, 2007

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