

ORDINANCE NO. 20080424-088

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2205 ALEXANDER AVENUE IN THE ROSEWOOD NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) 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 general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2008-0068, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract A: An 11.055 acres tract of land, more or less, out of Lots 1-9, Block 4, together with 20 foot alley, Austin Heights Subdivision, in the City of Austin, Travis County, Texas, the 11.055 tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance.

For purposes of this ordinance the following portions of Tract A are further identified and described as:

Tract 1: A 0.498 acre (21,713 sq. ft.) tract of land, more or less, said tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance;

Tract 2: A 3.00 acre (130,680 sq. ft.) tract of land, more or less, said tract of land being more particularly described by metes and bounds in Exhibit "C" incorporated into this ordinance; and

Tract 3: A 0.412 acre (17,958 sq. ft.) tract of land, more or less, said tract of land being more particularly described by metes and bounds in Exhibit "D" incorporated into this ordinance (the "Property"),

locally known as 2205 Alexander Avenue, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "E".

PART 2. Except as specifically provided in Part 3 and Part 4, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district 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. The following uses are conditional uses of Tract 1 and Tract 2:

Community recreation (private)	Day care services (commercial)
Day care services (general)	Day care services (limited)
Religious assembly	Private primary educational facilities
Private secondary educational facilities	

B. The maximum height of a building or structure constructed on Tract 3 is 60 feet from ground level.

C. An area within Tract A shall be provided to allow for regional water quality controls to capture, isolate and treat a minimum 11.055 acres of stormwater runoff from on-site contributing drainage areas. The owner will work with the Watershed Protection and Development Review Department staff to identify the opportunity available to capture and treat additional run-off. The size and location of the on-site water quality controls shall be agreed to and approved by the City. The water quality controls shall comply with the water quality control standards as set forth in Section 25-8-213 of the City Code.

PART 4. The Property is subject to Ordinance No. 020110-17 that established the Rosewood neighborhood plan combining district.

PART 5. This ordinance takes effect on May 5, 2008.

PASSED AND APPROVED

_____, April 24 _____, 2008 §
 §
 § _____
 Will Wynn
 Mayor

APPROVED: _____ **ATTEST:** _____
 David Allan Smith Shirley A. Gentry
 City Attorney City Clerk



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

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

2807 Manchaca Road
Building One
Austin, Texas 78704

EXHIBIT A

11.055 ACRES

TRACT A

A DESCRIPTION OF 11.055 ACRES OF LAND, MORE OR LESS, BEING OUT OF LOTS 1-9, BLOCK "4" TOGETHER WITH 20 FOOT ALLEY, AUSTIN HEIGHTS, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 3, PAGE 153 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND A PORTION OF OUTLOT 49, DIVISION B OF THE GOVERNMENT TRACT ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, SAID 11.055 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN A SPECIAL WARRANTY DEED TO 2900 MANOR LIMITED PARTNERSHIP DATED DECEMBER 2, 1986 AND APPEARING OF RECORDED IN VOLUME 10001, PAGE 301 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 11.055 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron pipe found at the intersection of the east right-of-way line of Alexander Avenue (right-of-way width varies) and the south right-of-way line of Manor Road (right-of-way width varies), being the northwest corner of said Lot 1, from which a 1/2" rebar found at the intersection of the west right-of-way line of Alexander Avenue and the south right-of-way line of Manor Road, being the northeast corner of Lot 6, Block No. 3, Austin Heights, bears South 78°57'01" West, a distance of 49.94 feet;

THENCE North 78°53'51" East, along the south right-of-way line of Manor Road, being in part, the north lines of said Lots 1-3, a distance of 353.08 feet to a 1/2" iron pipe found in the apparent west right-of-way line of the A. & N. W. Railroad (right-of-way width varies) being conveyed to the City of Austin in a Quitclaim Deed dated August 14, 1986 and appearing of record in Volume 9837, Page 414 of the Real Property Records of Travis County, Texas;

THENCE along the apparent west right-of-way line the said railroad, the following three (3) courses and distances:

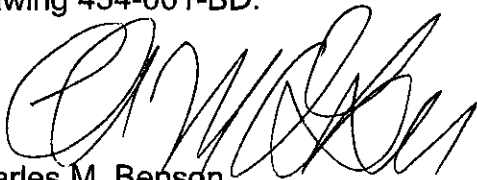
1. Along a curve to the right, having a radius of 930.37 feet, an arc length of 46.08, and a chord which bears South 27°25'47" East, a distance of 46.07 feet to a 1/2" iron pipe found;
2. Along a curve to the right, having a radius of 1248.57, an arc length of 550.29 feet, and a chord which bears South 13°01'00" East, a distance of 545.85 feet to a 1/2" iron pipe found;

3. South $0^{\circ}23'54''$ East, a distance of 833.23 feet to a 1/2" rebar with cap set in the north right-of-way line of East Martin Luther King Boulevard (right-of-width varies), from which a 1/2" rebar found at the intersection of the north right-of-way line of East Martin Luther King Boulevard and the apparent east right-of-way line of the railroad, bears North $78^{\circ}20'15''$ East, a distance of 50.81 feet;

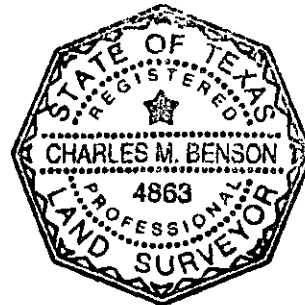
THENCE South $78^{\circ}20'15''$ West, along the north right-of-way line of East Martin Luther King Boulevard, a distance of 227.36 feet to a 1/2" iron pipe found in the east right-of-way line of Alexander Avenue;

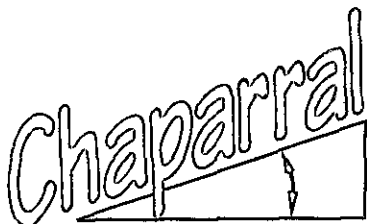
THENCE North $11^{\circ}11'25''$ West, along the east right-of-way line of Alexander Avenue, being in part, the west lines of said Lots 1 and 4-9 and the said 20 foot alley, a distance of 1410.71 feet to the **POINT OF BEGINNING**, containing 11.055 acres of land, more or less.

Surveyed on the ground May 25, 2004. Bearing Basis: Grid Azimuth for Texas Central Zone, 1983/93 HARN values from LCRA control network. Attachments: Drawing 434-001-BD.


Charles M. Benson
Registered Professional Land Surveyor
State of Texas No. 4863

May 27, 2004





Professional Land Surveying, Inc.
Surveying and Mapping

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

2807 Manchaca Road
 Building One
 Austin, Texas 78704

EXHIBIT B

0.498 ACRE (60' STRIP)
ZONING DESCRIPTION

TRACT 1

A DESCRIPTION OF 0.498 ACRES (APPROXIMATELY 21,713 SQ.FT.) OF LAND, BEING A PORTION OF A 11.055 ACRE TRACT OF LAND CONVEYED TO REDEEMER PRESBYTERIAN CHURCH IN A WARRANTY DEED WITH VENDOR'S LIEN DATED NOVEMBER 04, 2004 AND RECORDED IN DOCUMENT NO. 2004209626 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.498 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at 1/2" iron pipe found at the northwest corner of the 11.055 acre tract, being also at the intersection of the south line of Manor Road (right-of-way width varies) and the east line of Alexander Avenue (right-of-way width varies);

THENCE North 78°53'51" East, with the north line of the 11.055 acre tract and the south line of Manor Road, a distance of 353.08 feet to a 1/2" iron pipe found in the apparent west right-of-way line of the A. & N. W. Railroad (right-of-way width varies) being conveyed to the City of Austin in a Quitclaim Deed dated August 14, 1986 and appearing of record in Volume 9837, Page 414 of the Real Property Records of Travis County, Texas, for the northeast corner of the 11.055 acre tract;

THENCE with the east line of the 11.055 acre tract and the west line of the A. & N. W. Railroad, the following two (2) courses:

1. Along a curve to the right, an arc length of 46.08 feet, with a radius of 930.37 feet, a delta angle of 02°50'16", and a chord which bears South 27°25'47" East, a distance of 46.07 feet to a 1/2" iron pipe found;
2. Along a curve to the right, an arc length of 16.28 feet, with a radius of 1248.57 feet, a delta angle of 00°44'49", and a chord which bears South 25°16'10" East, a distance of 16.28 feet to a calculated point;

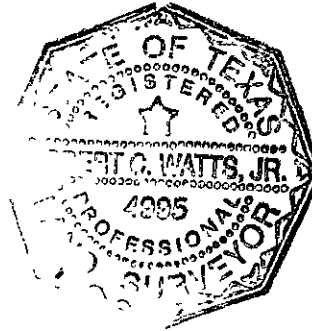
THENCE South 78°53'51" West, crossing the 11.055 acre tract, a distance of 369.93 feet to a calculated point in the west line of the 11.055 acre tract, being also in the east line of Alexander Avenue, from which a 1/2" iron pipe found at the southwest corner of the 11.055 acre tract bears South 11°11'25" East, a distance of 1350.71 feet;

THENCE North 11°11'25" West, with the west line of the 11.055 acre tract and the east line of Alexander Avenue, a distance of 60.00 feet to the **POINT OF BEGINNING**, containing 0.498 acre of land, more or less.

Surveyed on the ground May 25, 2004. Bearing Basis: Grid Azimuth for Texas Central Zone, 1983/93 HARN values from LCRA control network. Attachments: Drawing 434-001-Z2.



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



12-14-06

P.O.B. MANOR ROAD (R.O.W WIDTH VARIES)
N78°53'51"E 353.08'

N11°06'09"W 69.85'

60.00'

325.54'

27.55'

C1

C3

1 2 3

S78°53'51"W 369.93'

0.498 ACRE
APPROX 21,713
SQ. FT

20' ALLEY

4

5

6

7

8

150

9

1350.71'

N11°11'25"W 1410.71'
(N08°46'10"W 1410.76')

BLOCK NO 4
AUSTIN HEIGHTS
3/153

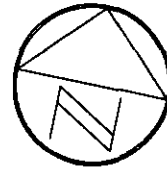
REDEEMER PRESBYTERIAN
CHURCH
11 055 ACRES
(2004209626)

A & N. W. R. R. (H & T. C.) LLANO BRANCH
C2

CITY OF AUSTIN
(9837/414)

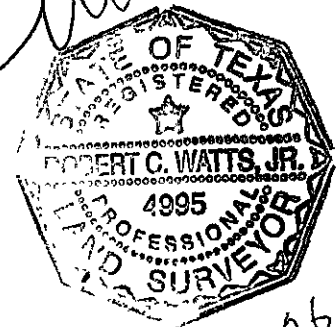
LEGEND

- ▲ 60D NAIL FOUND
- ⊙ 1/2" IRON PIPE FOUND
- CALCULATED POINT



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

ATTACHMENTS METES AND
BOUNDS DESCRIPTION
434-001-Z2

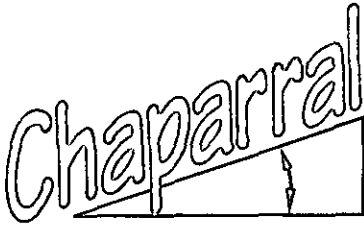


12-14-06

DATE OF SURVEY: MAY 25, 2004
PLOT DATE: 11/14/2006
DRAWING NO 434-001-Z2
PROJECT NO 434-001
SHEET 1 OF 1

CURVE TABLE							
NO.	DELTA	RADIUS	TAN	ARC	CHORD	BEARING	RECORD CHORD
C1	2°50'16"	930.37'	23.04'	46.08'	46.07'	S27°25'47"E	(S24°39'10"E 46.04')
C2	25°15'09"	1248.57'	279.69'	550.29'	545.85'	S13°01'00"E	(S10°36'30"E 545.80')
C3	0°44'49"	1248.57'	8.14'	16.28'	16.28'	S25°16'10"E	

Chaparral



**Professional Land Surveying, Inc.
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2807 Manchaca Road
Building One
Austin, Texas 78704

EXHIBIT C

**3.000 ACRES
ZONING DESCRIPTION**

TRACT 2

A DESCRIPTION OF 3.000 ACRES (APPROXIMATELY 130,680 SQ.FT.) OF LAND, BEING A PORTION OF A 11.055 ACRE TRACT OF LAND CONVEYED TO REDEEMER PRESBYTERIAN CHURCH IN A WARRANTY DEED WITH VENDOR'S LIEN DATED NOVEMBER 04, 2004, AND RECORDED IN DOCUMENT NO. 2004209626 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 3.000 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at 1/2" iron pipe found at the southwest corner of the 11.055 acre tract, being also at the intersection of the north line of E. Martin Luther King Boulevard (right-of-way width varies) and the east line of Alexander Avenue (right-of-way width varies);

THENCE North 11°11'25" West, with the west line of the 11.055 acre tract and the east line of Alexander Avenue, a distance of 479.90 feet to a calculated point from which a 1/2" iron pipe found for the northwest corner of the 11.055 acre tract bears North 11°11'25" West, a distance of 930.81 feet;

THENCE North 78°48'35" East, crossing the 11.055 acre tract, a distance of 318.49 feet to a calculated point in the apparent west right-of-way line of the A. & N. W. Railroad (right-of-way width varies) being conveyed to the City of Austin in a Quitclaim Deed dated August 14, 1986 and appearing of record in Volume 9837, Page 414 of the Real Property Records of Travis County, Texas, from which a 1/2" iron pipe in said line bears North 00°23'54" West, a distance of 346.59 feet;

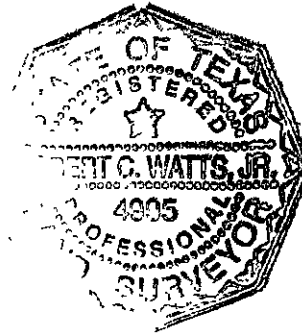
THENCE South 00°23'54" East, with the east line of the 11.055 acre tract and the west line of the A. & N. W. Railroad, a distance of 486.64 feet to a 1/2" rebar with cap set in the North line of E. Martin Luther King Boulevard, for the southeast corner of the 11.055 acre tract;

THENCE South 78°20'15" West, with the south line of the 11.055 acre tract and the north line of E. Martin Luther King Boulevard, a distance of 227.36 feet to the **POINT OF BEGINNING**, containing 0.498 acres of land, more or less.

Surveyed on the ground May 25, 2004. Bearing Basis: Grid Azimuth for Texas Central Zone, 1983/93 HARN values from LCRA control network. Attachments: Drawing 434-001-Z3.

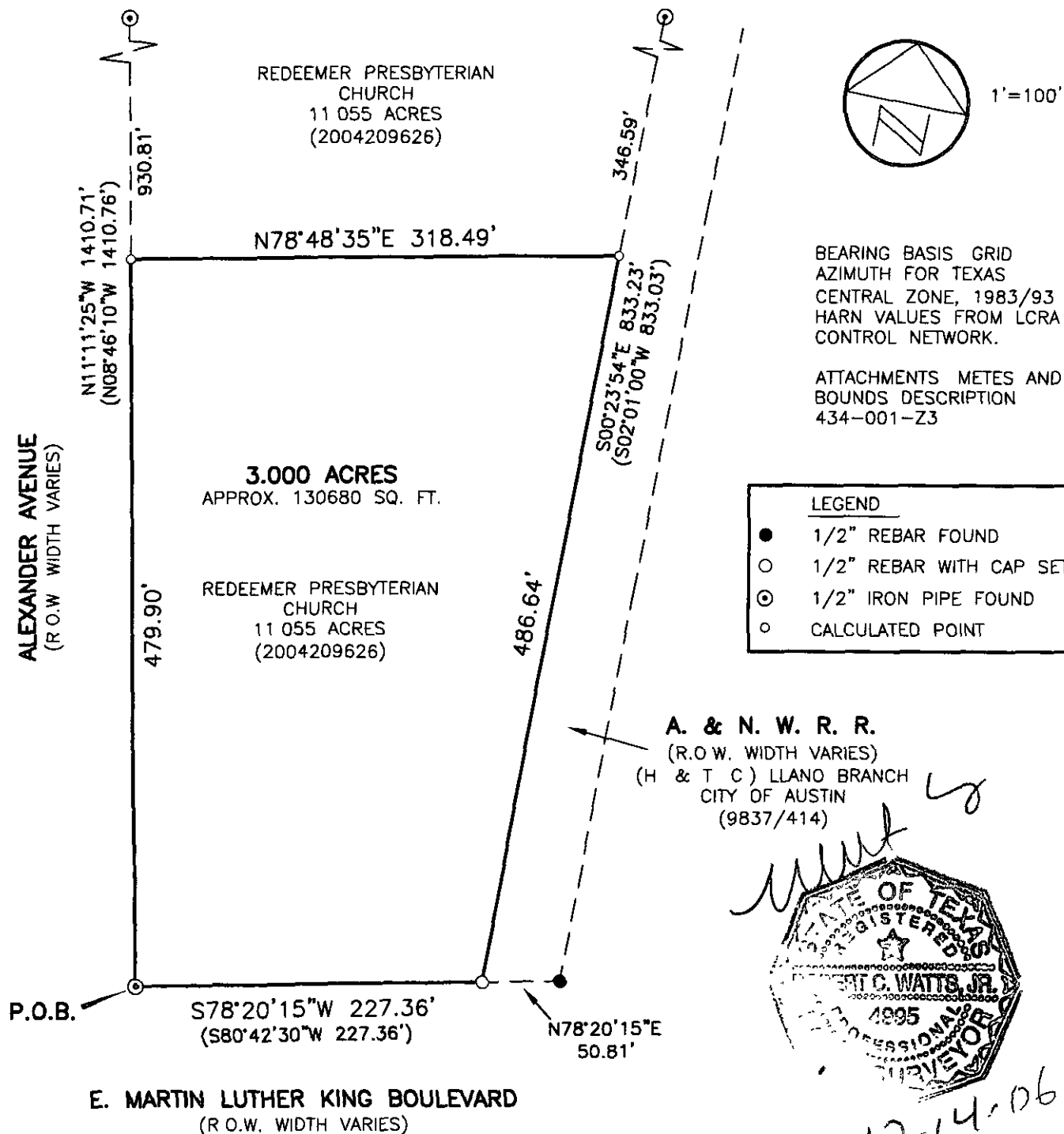
Robert C. Watts, Jr.

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



12-14-06

A SKETCH TO ACCOMPANY A DESCRIPTION OF 3.000 ACRES (APPROXIMATELY 130,680 SQ.FT.) OF LAND, BEING A PORTION OF A 11.055 ACRE TRACT OF LAND CONVEYED TO REDEEMER PRESBYTERIAN CHURCH IN A WARRANTY DEED WITH VENDOR'S LIEN DATED NOVEMBER 04, 2004 AND RECORDED IN DOCUMENT NO. 2004209626 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.



DATE OF SURVEY MAY 25, 2004
PLOT DATE 12/14/2006
DRAWING NO. 434-001-Z3
PROJECT NO. 434-001
SHEET 1 OF 1

Chaparral



**Professional Land Surveying, Inc.
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2807 Manchaca Road
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Austin, Texas 78704

EXHIBIT D

**0.412 ACRES
ZONING DESCRIPTION**

TRACT 3


A DESCRIPTION OF 0.412 ACRES (APPROXIMATELY 17,958 SQ. FT.) OF LAND, BEING A PORTION OF A 11.055 ACRE TRACT OF LAND CONVEYED TO REDEEMER PRESBYTERIAN CHURCH IN A WARRANTY DEED WITH VENDOR'S LIEN DATED NOVEMBER 04, 2004 AND RECORDED IN DOCUMENT NO. 2004209626 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.412 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

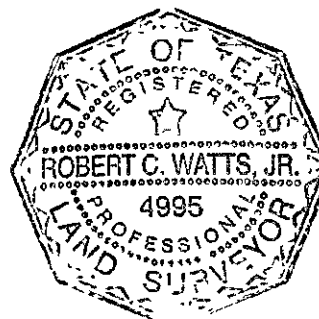
BEGINNING at a calculated point, from which a 1/2" iron pipe found in the apparent west right-of-way line of the A. & N. W. Railroad (right-of-way width varies) being conveyed to the City of Austin in a Quitclaim Deed dated August 14, 1986 and appearing of record in Volume 9837, Page 414 of the Real Property Records of Travis County, Texas, being in the south right-of-way line of Manor Road (right-of-way width varies), being also the northeast corner of the said 11.055 acre tract, bears North 03°48'35" West, a distance of 566.84 feet,

THENCE over and across the said 11.055 acre tract, the following four (4) courses:

1. South 11°24'13" East, a distance of 93.29 feet to a calculated point;
2. South 78°35'47" West, a distance of 192.34 feet to a calculated point;
3. North 11°27'38" West, a distance of 93.40 feet to a calculated point;
4. North 78°37'45" East, a distance of 192.43 feet to the **POINT OF BEGINNING**; containing 0.412 acres of land, more or less.

Surveyed on the ground May 25, 2004. Bearing Basis: Grid Azimuth for Texas Central Zone, 1983/93 HARN values from LCRA control network. Attachments: Drawing 434-001-Z4


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



3-6-08

A SKETCH TO ACCOMPANY A DESCRIPTION OF 0.412 ACRES (APPROXIMATELY 17,958 SQ.FT.) OF LAND, BEING A PORTION OF A 11.055 ACRE TRACT OF LAND CONVEYED TO REDEEMER PRESBYTERIAN CHURCH IN A WARRANTY DEED WITH VENDOR'S LIEN DATED NOVEMBER 04, 2004 AND RECORDED IN DOCUMENT NO. 2004209626 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

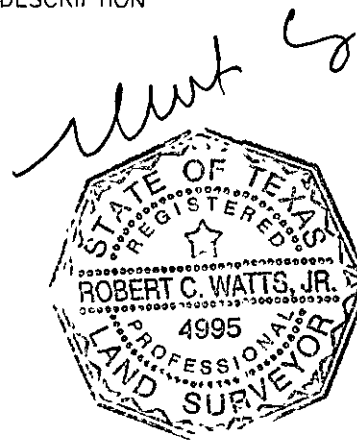
CURVE TABLE							
NO.	DELTA	RADIUS	TAN	ARC	CHORD	BEARING	RECORD CHORD
C1	2°50'16"	930.37'	23.04'	46.08'	46.07'	S27°25'47"E	(S24°39'10"E 46.04')
C2	25°15'09"	1248.57'	279.69'	550.29'	545.85'	S13°01'00"E	(S10°36'30"E 545.80')

LEGEND	
▲	NAIL FOUND (TYPE)
⊙	1/2" IRON PIPE FOUND
○	CALCULATED POINT

LINE TABLE		
No.	BEARING	LENGTH
L1	S11°24'13"E	93.29'
L2	S78°35'47"W	192.34'
L3	N11°27'38"W	93.40'
L4	N78°37'45"E	192.43'

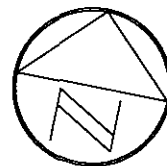
BEARING BASIS GRID AZIMUTH FOR TEXAS
CENTRAL ZONE, 1983/93 HARN VALUES FROM
LCRA CONTROL NETWORK

ATTACHMENTS METES AND BOUNDS DESCRIPTION
434-001-Z4

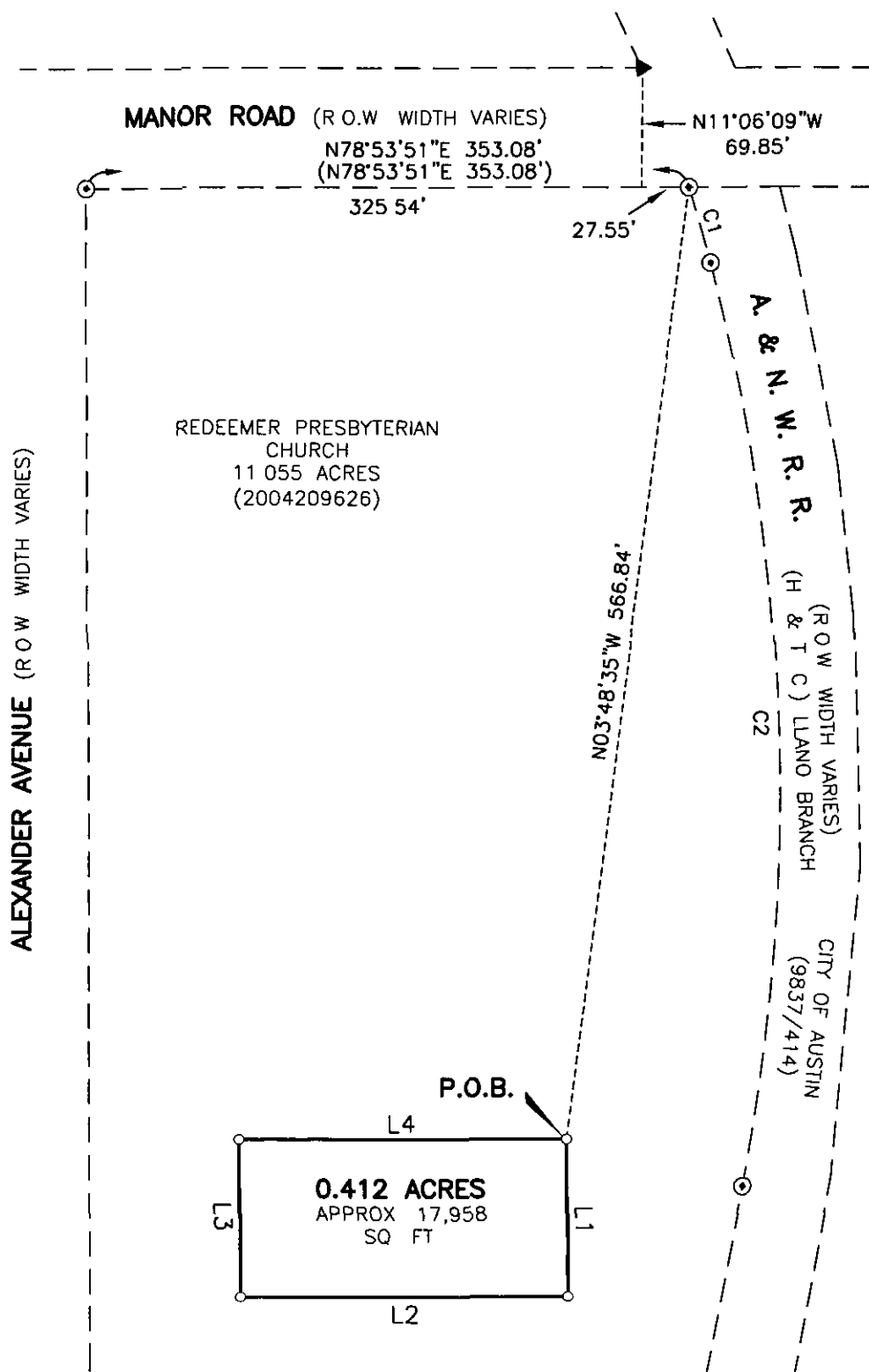


DATE OF SURVEY MAY 25, 2004
PLOT DATE 03/06/08
DRAWING NO 434-001-Z4
PROJECT NO 434-001
SHEET 1 OF 2

Chaparral

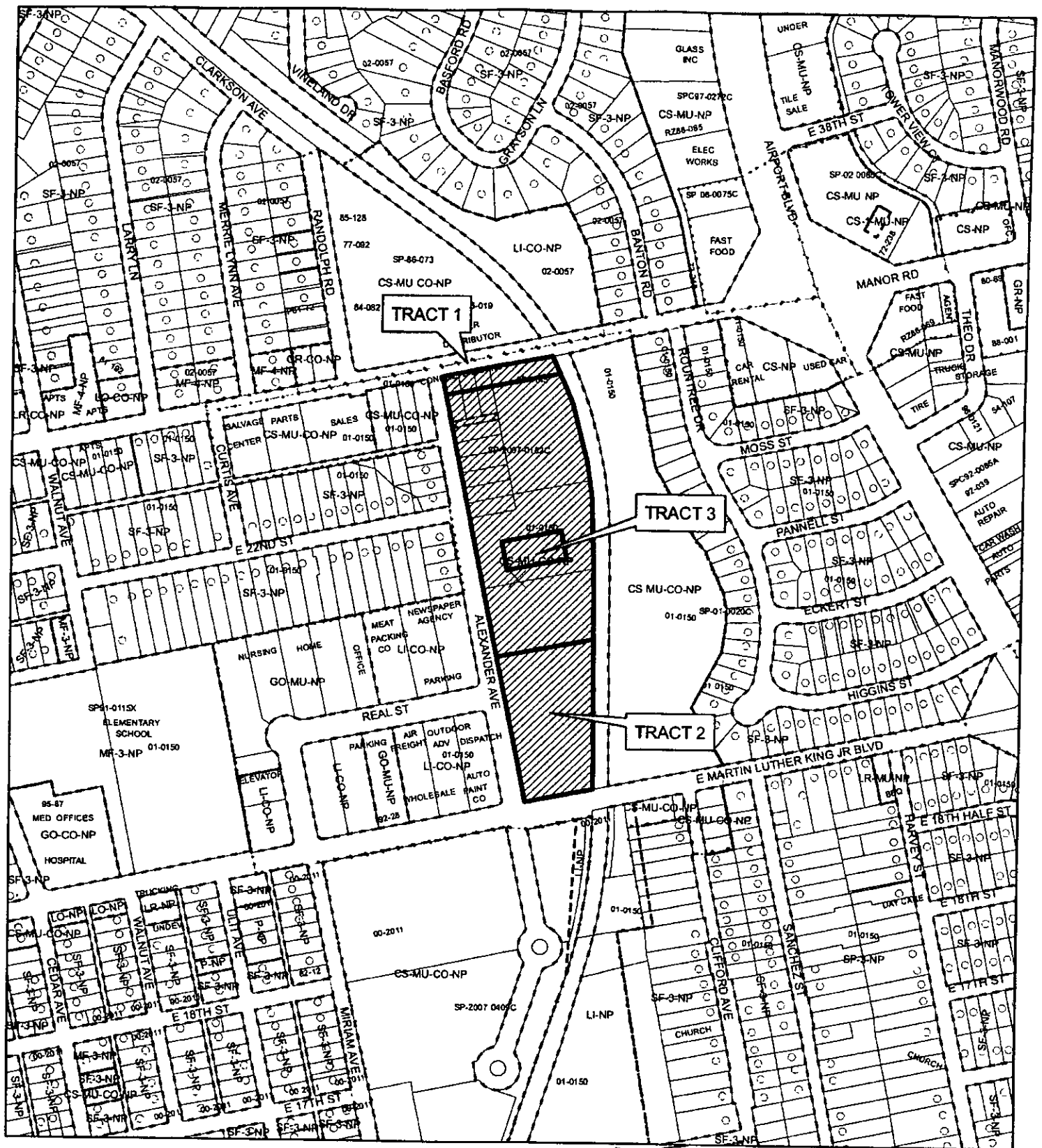


1' = 100'



DATE OF SURVEY MAY 25, 2004
PLOT DATE 03/06/08
DRAWING NO 434-001-Z4
PROJECT NO 434-001
SHEET 2 OF 2

Chaparral



ZONING EXHIBIT E



- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE

ZONING CASE#: C14-2008-0068
 ADDRESS 2205 ALEXANDER AVE
 SUBJECT AREA 0.835 ACRES
 GRID K23
 MANAGER J. HARDEN

OPERATOR: S. MEEKS



1" = 400'

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