

ORDINANCE NO. 20080724-105

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 6224 CROW LANE IN THE SWEETBRIAR NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO MULTIFAMILY RESIDENCE LOW DENSITY-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (MF-2-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 family residence-neighborhood plan (SF-3-NP) combining district to multifamily residence low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district on the property described in Zoning Case No C14-2008-0049, on file at the Neighborhood Planning and Zoning Department, as follows

A 3.09 acre tract of land, more or less, out of the William Cannon League, Abstract No. 6, Travis County, Save and Except a 0.04 acre tract of land, more or less, the tracts of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property"),

locally known as 6224 Crow Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B"

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 multifamily residence low density (MF-2) 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 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

PART 4. The Property is subject to Ordinance No 20050818-Z002 that established the Sweetbriar neighborhood plan combining district

PART 5. This ordinance takes effect on August 4, 2008

PASSED AND APPROVED

_____, July 24, 2008 §
 §
 §

 Will Wynn
 Mayor

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

EXHIBIT A

File: \Projects\East End Flats\docs\metes&bounds\3 09 acres_S&E 0 04 acre doc

Page: 1 of 3 (Survey Attached)

Date: September 12, 2006

3.09 Acres

All that certain tract or parcel of land situated in Travis County, Texas out of the William Cannon Survey, Abstract No 6 and being that tract described as 3 085 acres in a Deed granted to Juan Antonio Torres and recorded as Document No 2002225365, Official Public Records of Travis County, and further described by metes and bounds as follows

Beginning at a ½" (inner diameter) iron pipe in the north margin of Crow Lane (ROW varies) for the southeast corner of said Torres tract and this tract from which the southwest corner of that tract described as the Mott Addition and recorded in Volume 35, Page 16, Plat Records of Travis County, Texas bears approximately N 24°23'00 E 3 29 feet,

THENCE with the south line of said Torres tract in the following three (3) courses

- 1 N 82°46'05" W 173 89 feet to a ½" iron rod with a yellow cap inscribed "ATS Engineers" set in the northeast intersection of the north margin of said Crow Lane and the northeast margin of North Bluff Drive (ROW varies),
- 2 N 43°23'07" W 99 65 feet continuing along the northeast margin of said North Bluff Drive to a ½" iron rod found,
- 3 N 65°24'11" W 45 51 feet to a ½" iron rod with a yellow cap inscribed "ATS Engineers" set for the southeast corner of that tract described as Lot 1, Block "A" Church of God Seventh Day Final Plat and recorded as Document No 200100156, of said official public records and the southwest corner of said Torres tract and this tract,

THENCE N 24°27'41" E 430 37 feet with the east line of said Lot 1, Block "A" Church of God Seventh Day and the west line of said Torres tract to a ½" (inner diameter) iron pipe found in the south line of that tract described as Lot 3, Alexan Stassney Heights Subdivision and recorded as Document No 200100088 of said official public records for the northeast corner of said Lot 1, Block "A", Church of God Seventh Day and the northwest corner of said Torres tract and this tract,

THENCE S 65°29'43" E 303 32 feet with the south line of said Lot 3, Alexan Stassney Heights Subdivision and the north line of said Torres tract to a ½" (inner diameter) for the southeast corner of said Lot 3, Alexan Stassney Heights and an angle corner of said Mott Addition and the northeast corner of said Torres tract and this tract,

THENCE S 24°23'00" W 416 32 feet, being the basis of bearings cited hereon, with the west line of said Mott Addition and the east line of said Torres tract to the Point of Beginning and containing 3 09 acres of land more or less

File: \Projects\East End Flats\docs\metes&bounds\3 09 acres_S&E 0 04 acre doc

Page: 2 of 3 (Survey Attached)

Date: May 30, 2006

SAVE & EXCEPT 0.04 Acre (1782 sq.ft.)

All that certain tract or parcel of land situated in Travis County, Texas out of the William Cannon Survey, Abstract No. 6 and being that tract described as 0.03 Acre in a Right-of-Way Deed granted to Travis County, Texas and recorded in Volume 1947, Page 230, Real Property Records of Travis County, and being a portion of that tract described 3.085 acres in a Deed granted to Juan Antonio Torres and recorded as Document No. 2002225365, Official Public Records of Travis County, and further described by metes and bounds as follows

Commencing from a $\frac{1}{2}$ " (inner diameter) iron pipe in the north margin of Crow Lane (ROW varies) for the southeast corner of said Torres tract,

THENCE N 82°46'05" W 149.46 feet to a calculated point in the south line of said Torres tract and the north margin of said Crow Lane for the Point of Beginning of said Travis County tract and this tract,

THENCE with the south line of said Torres tract and said Travis County tract in the following three (3) courses

- 1 N 82°46'05" W 24.43 feet to a $\frac{1}{2}$ " iron rod with a yellow cap inscribed "ATS Engineers" set in the northeast intersection of the north margin of said Crow Lane and the northeast margin of North Bluff Drive (ROW varies),
- 2 N 43°23'07" W 99.65 feet continuing along the northeast margin of said North Bluff Drive to a $\frac{1}{2}$ " iron rod found,
- 3 N 65°24'11" W 45.51 feet to a $\frac{1}{2}$ " iron rod with a yellow cap inscribed "ATS Engineers" set for the southeast corner of that tract described as Lot 1, Block "A" Church of God Seventh Day Final Plat and recorded as Document No. 200100156, of said official public records and the southwest corner of said Torres tract and said Travis County tract and this tract,

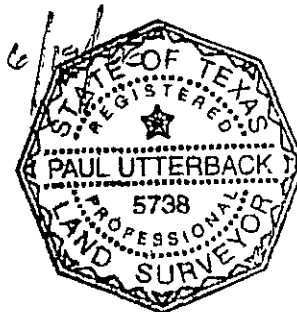
THENCE N 24°27'41" E 8.00 feet with the east line of said Lot 1, Block "A" Church of God Seventh Day and the west line of said Torres tract and said Travis County tract to a calculated point for the northwest corner of said Travis County tract and this tract,

THENCE with the north line of said Travis County tract and into and across said Torres tract in the following two (2) courses

- 1 S 64°16'18" E 60.18 feet to a calculated point,
- 2 S 45°21'18" E 107.58 feet to the Point of Beginning and containing 0.04 acre (1782 sq. ft.) of land more or less

Bearing cited hereon are based on the east line of Juan Antonio Torres recorded as Document No. 2002225365, Official Public Records of Travis County, Texas having a record call of S 24°23' W 416.37 feet and a monumented distance of 416.32 feet


Paul Utterback
Registered Professional Land Surveyor No. 5738

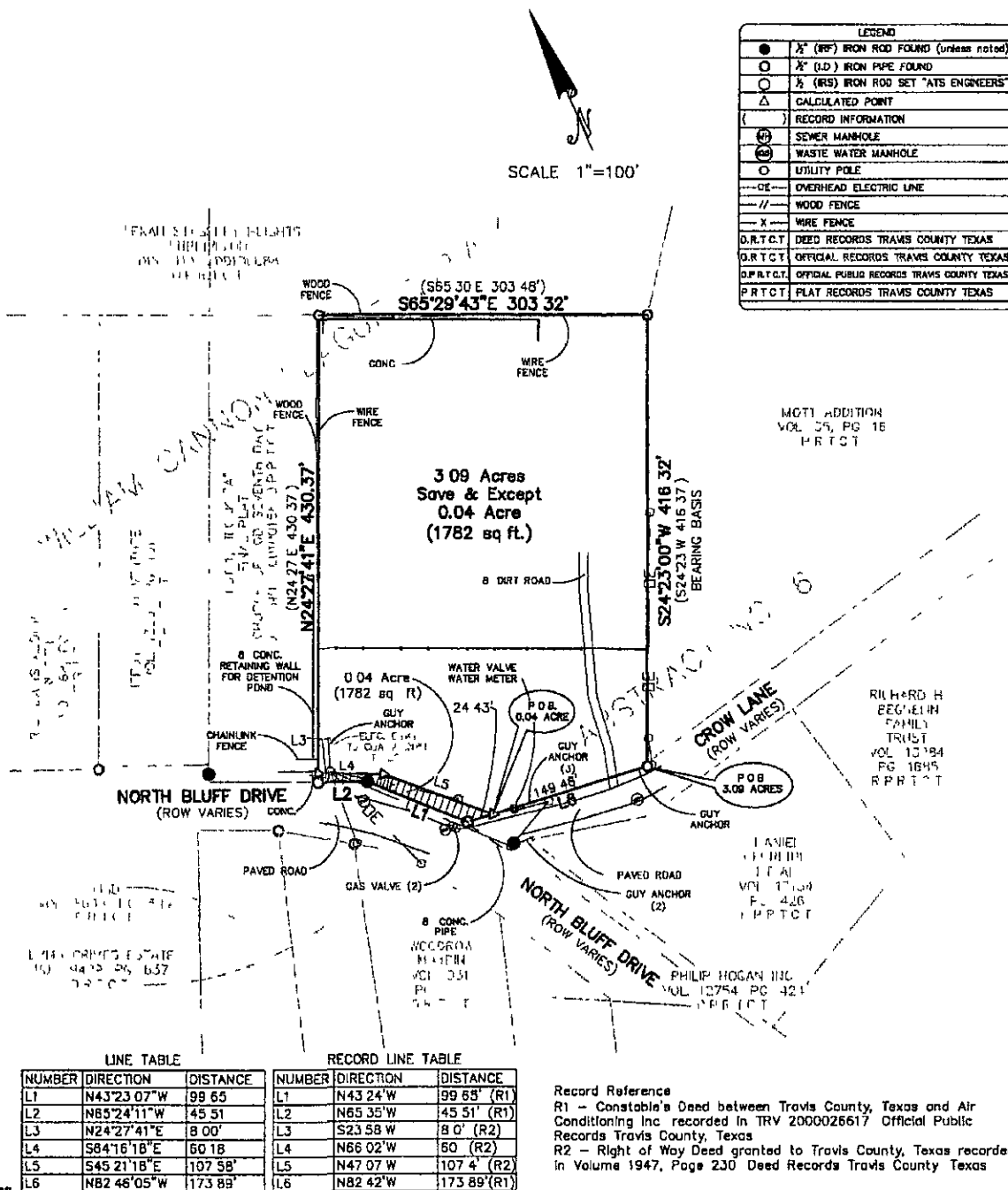


TITLE SURVEY

ATS Job # 07021218s

Reference Three L PAddress North Bluff Drive & Crow Lane, Austin, Tx

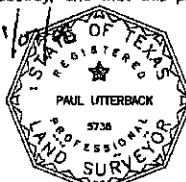
3.09 Acres situated in Travis County, Texas out of the William Cannon League Survey, Abstract No. 6, also being that tract described in a Deed granted to Captivity Investments Three, L P and recorded as Document No. 2006182250 Official Public Records of Travis County, Texas SAVE & EXCEPT 0.04 Acre (1782 sq ft), also being that certain tract conveyed to Travis County, Texas, by Right-of-Way Deed recorded in Volume 1947, Page 230 Real Property Records of Travis County, Texas

**Notes**

- 1) All easements, of which I have knowledge and those recorded easements furnished by Land America Austin Title according to Title Commitment CF No. 2422005120 DO AFFECT the subject property. Other than visible easements, no unrecorded or unwritten easements are shown hereon.
 - 2) Blanket easement granted to Texas Power & Light Company recorded in Volume 546 Page 612
 - 3) Right-of-way easement granted to Travis County, Texas recorded in Volume 645 Page 388 affects the south side of parent tract H.S. Lawson. There is inconclusive descriptive evidence to accurately determine if subject tract fall within said parent tract.
- I, Paul Utterback, HEREBY CERTIFY that a survey was made on the ground of the property shown hereon, that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-way, except as shown that said property has access to and from a public roadway, and that this plat is an accurate representation of the property to the best of my knowledge.

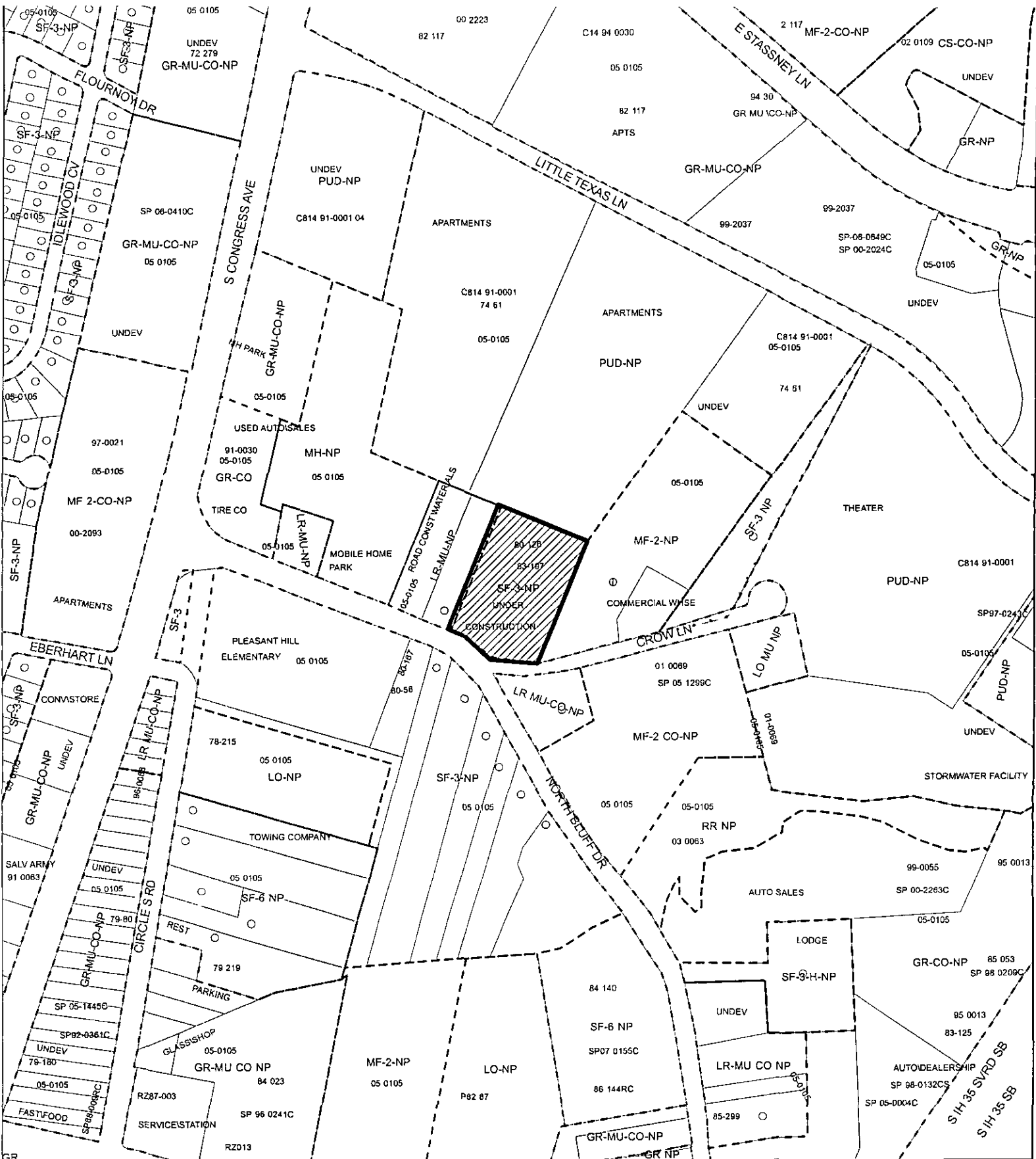
Paul Utterback
Paul Utterback, RPLS No. 5738

Client Captivity Investments
Date of Field Work 07/31/2008
Field MPuttman
Tech CHenderson
Date Drawn 08/07/2008
Path Projects/East End Plots/MottAdd/dwgs/title/surv-title_Crow2_3.09Acre_070807.dwg






ATS
www.ats-engineers.com
4611 BEE CAVES ROAD, STE 200
AUSTIN TEXAS 78748

**Engineers
Inspectors
& Surveyors**
(512) 328-6955
FAX (512) 328-6956



ZONING EXHIBIT B

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

ZONING CASE# C14-2008-0049
 ADDRESS 6224 CROW LANE
 SUBJECT AREA 3.05 ACRES
 GRID G16
 MANAGER W RHOADES



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.

1" = 400'