

ORDINANCE NO. 20080807-077

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3906 WADFORD STREET IN THE DAWSON NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-V-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 general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district on the property described in Zoning Case No. C14-2008-0084, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.233 acre tract of land, more or less, out of Lot 7, Fortview Subdivision, in 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 3906 Wadford Street, 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, Part 4, and Part 5 of this ordinance, the Property may be developed 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 is subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use Buildings*) as follows:

- A. The Property is exempt from the dimensional standards identified in Article 4.3.3 E.2. (*Dimensional and Parking Requirements*).
- B. The Property is subject to the parking reductions identified in Article 4.3.3 E.3. (*Dimensional and Parking Requirements*).

- C. Ten percent of residential units available for rental in a vertical mixed use building shall be reserved for households earning no more than 60 percent of the Annual Median Family Income.

PART 4. 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 500 trips per day.
- B. The following uses are prohibited uses of the Property:

Agricultural sales and services	Building maintenance services
Campground	Construction sales and services
Commercial blood plasma center	Convenience storage
Electronic prototype assembly	Electronic testing
Equipment repair services	Equipment sales
Kennels	Laundry service
Monument retail sales	Veterinary services
Vehicle storage	Limited warehousing and distribution
Maintenance and service facilities	Transitional housing
Transportation terminal	

PART 5. The Property is subject to Ordinance No. 011206-10 that established the Dawson neighborhood plan combining district.

PART 6. This ordinance takes effect on August 18, 2008.

PASSED AND APPROVED

_____, August 7, 2008 §
§
§ _____
Will Wynn
Mayor

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



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

EXHIBIT A

Office: 512-443-1724

Fax: 512-441-6987

2807 Manchaca Road

Building One

Austin, Texas 78704

HOWARD L. LONG (6167/1092)

0.233 ACRE ZONING DESCRIPTION

A DESCRIPTION OF 0.233 ACRES (APPROXIMATELY 10,163 S.F.) OUT OF LOT 7 OF FORTVIEW, A SUBDIVISION OF RECORD IN VOLUME Z, PAGE 606, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, BEING THE REMAINDER OF THAT 0.379 ACRE TRACT (110' x 150') CONVEYED TO HOWARD L. LONG BY CONSTABLE'S DEED DATED MAY 11, 1978, RECORDED IN VOLUME 6167, PAGE 1092, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.233 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a Texas Department of Transportation (TxDOT) type II disk found for the south corner of the remainder of the 0.379 acre tract, being also the intersecting point of the north right-of-way line of US Highway 290 (Ben White Blvd)(right-of-way width varies) west-bound service road with the west right-of-way line of Wadford Street (right-of-way width varies);

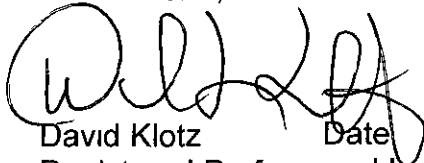
THENCE North 53°34'22" West, along the north right-of-way line of US 290, being also the south line of the remainder of the 0.379 acre tract, a distance of 154.23 feet to an "X" in concrete found for the southwest corner of the remainder of the 0.379 acre tract, being also the southeast corner of a 0.289 acre tract recorded in Document No. 2000015541, of the Official Public Records of Travis County, Texas, from which an "X" in concrete found bears North 53°34'22" West, a distance of 66.34 feet,

THENCE leaving the north right-of-way line of US 290, North 22°06'19" East, along the common line of the 0.282 acre tract and the 0.379 acre tract, a distance of 55.88 feet to a 1/2" rebar with cap set for the northwest corner of the 0.379 acre tract, being also the southwest corner of a 0.171 acre tract recorded in Document No. 2008024912, and in the east line of the 0.289 acre tract, from which a 1/2" rebar found bears North 22°06'19" West, a distance of 50.00 feet;

THENCE leaving the east line of the 0.289 acre tract, South 62°39'03" East, along the common line of the 0.379 acre tract and the 0.171 acre tract, a distance of 149.75 feet to a 1/2" rebar with cap set for the northeast corner of the 0.379 acre tract, being also the southeast corner of the 0.171 acre tract and in the west right-of-way line of Wadford Street;

THENCE South 21°53'00" West, along the common line of Wadford Street and the 0.379 acre tract, a distance of 80.34 feet to the **POINT OF BEGINNING**, containing an area of 0.233 acres of land, more or less.

Surveyed on the ground February 12, 2007 Bearing basis is Grid Azimuth for Texas central zone, 1983/93 HARN values from LCRA control network. Attachments: None

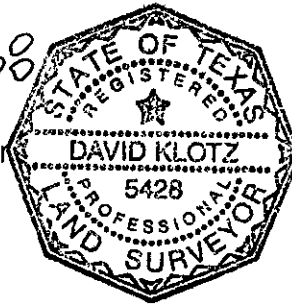


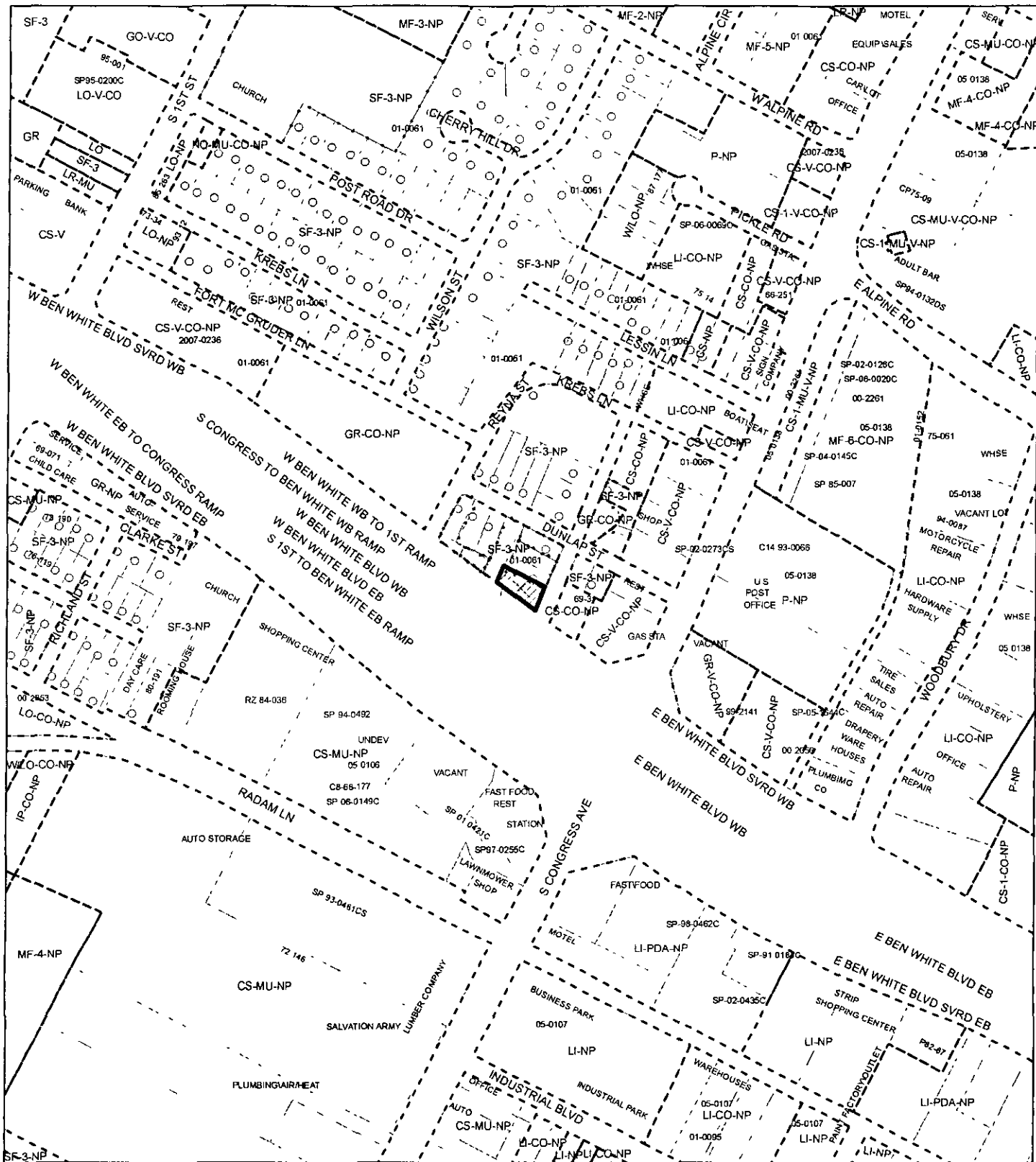
David Klotz

Date

4/3/08




Registered Professional Land Surveyor
State of Texas No 5428





ZONING EXHIBIT B



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

ZONING CASE# C14-2008-0084
 ADDRESS 3906 WADFORD ST
 SUBJECT AREA 0.233 ACRES
 GRID H18
 MANAGER R. LEVINSKI



OPERATOR S MEEKS

1" = 400'

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