ORDINANCE NO. ____________

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
PROPERTY LOCATED AT 6800 MANCHACA ROAD FROM FAMILY
RESIDENCE (SF-3) DISTRICT TO COMMUNITY COMMERCIAL-
CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT
ONE AND LIMITED OFFICE-MIXED USE-CONDITIONAL OVERLAY (LO-MU-
CO) 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 district on the property described in Zoning Case No. C14-2008-0142, on
file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From family residence (SF-3) district to community commercial-
conditional overlay (GR-CO) combining district.

A 1.811 acre tract of land, more or less, out of Lot 4, C.T. Baker Subdivision,
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 family residence (SF-3) district to limited office-mixed use-
conditional overlay (LO-MU-CO) combining district.

A 2.792 acre tract of land, more or less, out of Lot 4, C.T. Baker Subdivision,
Travis County, the tract of land being more particularly described by metes and
bounds in Exhibit “B” incorporated into this ordinance
(the tracts collectively known as the “Property”),
locally known as 6800 Manchaca Road, in the City of Austin, Travis County, Texas, and
generally identified in the map attached as Exhibit “C”.

PART 2. 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 the Property:

Community recreation (private) Community recreation (public)
B. The following uses are prohibited uses of the Property:

- Automotive repair services
- Automotive sales
- Bail bond services
- Business support services
- Communication services
- Exterminating services
- Funeral services
- Hotel-motel
- Indoor sports and recreation
- Outdoor sports and recreation
- Personal improvement services
- Residential treatment
- Automotive rentals
- Automotive washing (of any type)
- Business or trade school
- Commercial off-street parking
- Drop-off recycling collection facility
- Food preparation
- Hospital services (general)
- Indoor entertainment
- Outdoor entertainment
- Pawn shop services
- Research services
- Theater

C. 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.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts, the mixed use (MU) combining district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on __________________________, 2008.

PASSED AND APPROVED

§ § §

_________________________, 2008

Will Wynn
Mayor

APPROVED: ____________________________ ATTEST: ____________________________

David Allan Smith
City Attorney

Shirley A. Gentry
City Clerk

Draft: 10/23/2008

Page 2 of 2

COA Law Department
EXHIBIT A
LEGAL DESCRIPTION


COMMENCING for reference at a one-half inch iron rod found for the southeast corner of the said Lot 4, same being an interior angle corner of Manchaca Road, a road in the City of Austin whose right of way varies;

THENCE North 80°41’21” West, along the common dividing line of the said Lot 4 and the said Manchaca Road passing at a distance of 5.19 feet a point for an interior angle corner of the said Manchaca Road, same being the northeast corner of Lot 11-E, Re subdivision Lot 11-A and Lot 11-B Of The Re subdivision Of Lot 11, Shier Cliff-I, a subdivision in the City of Austin, Travis County, Texas, according to the plat recorded in Volume 58, Page 51, Plat Records Travis County, Texas, continuing and along the common dividing line of the said Lot 4 and the said Lot 11-E a Total Distance of 10.00 feet to a point for the southeast corner of and POINT OF BEGINNING of the herein described 1.811 acre tract of land, same being a point on the common dividing line of the said Lot 4 and the said Lot 11-E

THENCE along the common dividing line of the said Lot 4 and the said Lot 11-E, the following two courses:
1) North 80°41’21” West, a distance of 70.02 feet to a point for an exterior angle corner of the said Lot 4, same being an interior angle corner of said Lot 11-E;
2) North 62°15’37” West, a distance of 370.83 feet to a point for the southwest corner of the herein described 1.811 acre tract of land, same being the northwest corner of Lot 11-D of the said Re subdivision Lot 11-A and Lot 11-B Of The Re subdivision Of Lot 11, Shier Cliff-I, same being the northeast corner of Lot 8, of Shier Cliff-I, a subdivision in the City of Austin, Travis County, Texas and from this point the southwest corner of the said Lot 4, C. T. Baker Subdivision bears North 62°15’37” West, a distance of 624.79 feet to a one-half inch iron rod in concrete found;

THENCE North 27°40’39” East, through said Lot 4, a distance of 190.89 feet to a point for the northwest corner of the herein described 1.811 acre tract of land, same being a point on the common dividing line of the said Lot 4 and Lot 3, of the said C. T. Baker Subdivision and from this point a one-half inch iron rod found for the northwest corner of the said Lot 4, same being the southwest corner of the said Lot 3, bears North 62°15’37” East, a distance of 701.90 feet;

THENCE along the common dividing line of the said Lot 3 and the said Lot 4, the following two (2) courses:
1) South 62°15’37” East, a distance of 310.14 feet to a ninety degree nail found for an interior angle corner of the herein described 1.811 acre tract of land and the said Lot 4, same being an exterior angle corner of the said Lot 3;
2) South 80°16’24” East, a distance of 68.81 feet to a point for the northeast corner of the herein described 1.811 acre tract of land and from this point a three-
CENTRAL TEXAS SURVEYING
PROFESSIONAL LAND SURVEYING
ROBERT C. STEUBING OWNER
517 BARTSCH LANE • RED ROCK, TEXAS 78662 • PHONE (512) 585-1388

(BEING A 1.811 ACRE TRACT OF LAND OUT OF AND A PORTION OF LOT 4, C. T. BAKER SUBDIVISION)

quarter inch diameter pipe found adjacent to a chain link corner post for the northeast corner of the said Lot 4, same being the southeast corner of the said Lot 3 and a point on the west right of way line of the said Manchaca Road bears South 80°16'24" East, a distance of 10.00 feet;

THENCE South 09°42'00" West, through said Lot 4, a distance of 199.86 feet to the POINT OF BEGINNING, and containing 1.811 acres of land, more or less, within these metes and bounds.

BASIS OF BEARINGS for this survey is the east line of the said Lot 4, as South 09°42'00" West, as per recorded Plat of the said C. T. Baker Subdivision.

I, Robert C. Steubing, a Registered Professional Land Surveyor, do hereby certify that the above survey was made upon the ground, under my supervision in September 2008 and is true and correct according to my best belief and knowledge.

Robert C. Steubing
Registered Professional Land Surveyor
State of Texas - No. 5548

10/07/08

WA-1039-2008
Page 2 of 2
EXHIBIT B
LEGAL DESCRIPTION

BEING A 2.792 ACRE TRACT OF LAND OUT OF AND A PORTION OF LOT 4, C. T. BAKER SUBDIVISION, A SUBDIVISION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 6, PAGE 120, PLAT RECORDS TRAVIS COUNTY, TEXAS, THE LEGAL DESCRIPTION HEREIN IS INTENDED FOR THE PROPOSED REZONING OF LOT 4, C. T. BAKER SUBDIVISION AND NOT TO BE USED FOR THE CONVEYANCE OF ANY PORTION OF LOT 4, C. T. BAKER SUBDIVISION, SAID 2.792 ACRE TRACT OF LAND BEING SHOWN ON THE ATTACHED SKETCH MARKED EXHIBIT "D" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for reference at a one-half inch iron rod found for the southeast corner of the said Lot 4, same being an interior angle corner of Manchaca Road, a road in the City of Austin whose right of way varies;

THENCE North 80°41'21" West, along the common dividing line of the said Lot 4 and the said Manchaca Road passing at a distance of 5.19 feet a point for an interior angle corner of the said Manchaca Road, same being the northeast corner of Lot 11-E, Re subdivision Lot 11-A and Lot 11-B Of The Re subdivision Of Lot 11, Shier Cliff-I, a subdivision in the City of Austin, Travis County, Texas, according to the plat recorded in Volume 58, Page 51, Plat Records Travis County, Texas, continuing for a Total Distance of 80.02 feet a point for an exterior angle corner of the said Lot 4, same being an interior angle corner of said Lot 11-E;

THENCE North 62°15'37" West, along the common dividing line of the said Lot 4 and the said Lot 11-E, a distance of 370.83 feet to a point for the southeast corner of and POINT OF BEGINNING of the herein described 2.792 acres of land, same being the northwest corner of Lot 11-D of the said Re subdivision Lot 11-A and Lot 11-B Of The Re subdivision Of Lot 11, Shier Cliff-I and being the northeast corner of Lot 8, of Shier Cliff-I, a subdivision in the City of Austin, Travis County, Texas, according to the plat recorded in Volume 47, Page 84, Plat Records of Travis County, Texas;

THENCE North 62°15'37" West, along the common dividing line of the said Lot 4, and the said Shier Cliff-I subdivision a distance of 624.79 feet to a one-half inch iron rod in concrete found for the southwest corner of the said Lot 4 and the herein described 2.792 acre tract of land, same being the northwest corner of Lot 1, Shier Cliff-I and a point on the east line of Lot 1, Block B, The Arbors At Cannon's Gate, a subdivision in the City of Austin, Travis County, Texas, according to the plat recorded in document number 200200166 Official Records Travis County, Texas;

THENCE along the common dividing line of the said Lot 4, C. T. Baker Subdivision and the said Lot 1, The Arbors At Cannon's Gate the following two (2) courses:

1) North 30°01'44" East, a distance of 155.29 feet to a one-half inch iron rod in concrete found for an interior angle corner of the herein described 2.792 acre tract of land and the said Lot 4, same being the northeast corner of the said Lot 1, The Arbors At Cannons's Gate;

2) North 88°41'32" West, a distance of 104.31 feet to a one-half inch iron rod found for the upper southwest corner of the herein described 2.792 acre tract of land and the said Lot 4, same being a point on the north line of the said Lot 1, The Arbors At Cannon's Gate and the southwest corner of an apparent 20 foot private lane as depicted on the plat of C. T. Baker Subdivision;

THENCE North 62°53'33" East, along the common dividing line of the said Lot 4
and the said private Lane a distance of 35.76 feet to a one-half inch iron rod found for
the northwest corner of the said Lot 4, same being the southwest corner of the said Lot
3, and a point on the east line of the said private lane;

THENCE South 62°15'37" East, along the common dividing line of the said Lot 4
and the said Lot 3, a distance of 701.90 feet to a point for the northeast corner of the
herein described 2.792 acre tract of land, same being a point on the common dividing
line of the said Lot 4 and Lot 3, of the said C. T. Baker Subdivision and from this point
a three-quarter inch pipe found adjacent to a chain link post for the northeast corner
of the said Lot 4 and the southeast corner of the said Lot 3, bears the following two (2)
courses: 1) South 62°15'37" East, a distance of 310.14 feet to a ninety d nail found for
an interior angle corner of the said Lot 4, same being an exterior angle corner of the said
Lot 3, 2) South 80°16'24" East, a distance of 78.81 feet;

THENCE South 27°40'39" West, through said Lot 4, a distance of 190.89 feet to the
POINT OF BEGINNING and containing 2.792 acres of land, more or less, within
these metes and bounds.

BASIS OF BEARINGS for this survey is the east line of the said Lot 4, as
South 09°42'00" West, as per recorded Plat of the said C. T. Baker Subdivision.

I, Robert C. Steubing, a Registered Professional Land Surveyor, do hereby certify that
the above survey was made upon the ground, under my supervision in September 2008
and is true and correct according to my best belief and knowledge.

[Signature]
Robert C. Steubing
Registered Professional Land Surveyor
State of Texas - No. 5548

Date: 10/07/08

WA1039-2008
Page 2 of 2
Zoning Case No. C14-2008-0142

STREET DEED

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF TRAVIS

That James W. Watters, Jr., of Travis County, hereinafter referred to as Grantor, whether one or more, for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration, to Grantor in hand paid by the City of Austin, Texas, P.O. Box 1088, Austin, Texas 78767-1088, the receipt and sufficiency of which is hereby acknowledged and confessed, and for which no lien, expressed or implied, is retained, have this day Granted, Sold and Conveyed, and by these presents do hereby Grant, Sell and Convey, unto the said City of Austin, a municipal corporation situated in Travis County, Texas, for street purposes, the following described property:

A 0.046 acre tract of land, more or less, being a portion of Lot 4, C.T. Baker Subdivision, in Travis County, and being more particularly described by metes and bounds in Exhibit “A” incorporated into this deed.

TO HAVE AND TO HOLD the above-described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said City of Austin, its successors and assigns forever; and Grantor, whether one or more, does hereby bind itself, its executors, administrators, successors and assigns, to warrant and defend the property against every person whomsoever lawfully claiming or to claim the same or any part hereof.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on the 24th day of Nov., 2008.

GRANTOR:

[Signature]

James W. Watters, Jr.
THE STATE OF TEXAS
COUNTY OF TRAVIS

This instrument was acknowledged before me on this the 24th day of October, 2008, by James W. Watters, Jr.

[Signature]
Notary Public, State of Texas

Address of Grantor:
6800 Manchaca Road
Austin, Texas 78745

AFTER RECORDING RETURN TO:
City of Austin
Law Department
P.O. Box 1088
Austin, Texas 78767-1088
Attn: Diana Minter, Paralegal

Street Deed-Watters
EXHIBIT "A"

LEGAL DESCRIPTION

BEING A 0.046 ACRE STRIP OF LAND OUT OF AND A PORTION OF LOT 4, C. T. BAKER SUBDIVISION, A SUBDIVISION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 6, PAGE 120, PLAT RECORDS TRAVIS COUNTY, TEXAS, SAID 0.046 ACRE TRACT OF LAND BEING A TEN FOOT STRIP OF LAND TO BE ACQUIRED FOR FUTURE ROAD WIDENING PURPOSES AND BEING SHOWN ON THE ATTACHED SKETCH MARKED EXHIBIT "D" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a one-half inch iron rod found for the southeast corner of the said Lot 4 and the herein described 0.046 acre tract of land, same being an interior angle corner of Manchaca Road, a road in the City of Austin whose right of way varies;

THENCE North 80°41'21" West, along the common dividing line of the said Lot 4 and the said Manchaca Road passing at a distance of 5.19 feet a point for an interior angle corner of the said Manchaca Road, same being the northeast corner of Lot 11-E, Resubdivision Lot 11-A and Lot 11-B Of The Resubdivision Of Lot 11, Shier Cliff-I, a subdivision in the City of Austin, Travis County, Texas, according to the plat recorded in Volume 58, Page 51, Plat Records Travis County, Texas, continuing and along the common dividing line of the said Lot 4 and the said Lot 11-E a Total Distance of 10.00 feet to a point for the southwest corner of the herein described 0.046 acre tract of land, same being a point on the common dividing line of the said Lot 4 and the said Lot 11-E and from this point the southwest corner of the said Lot 4, bears the following two (2) courses: 1) North 80°41'21" West, a distance of 70.02 feet to a point, 2) North 62°15'37" West, a distance of 995.62 feet to a one-half inch iron rod found in concrete;

THENCE North 09°42'00" East, ten foot perpendicular distance from and parallel to the east line of the said Lot 4 and through said and severing from said Lot 4, a distance of 199.86 feet to a point for the northwest corner of the herein described 0.046 acre tract of land, same being a point on the common dividing line of the said Lot 4 and Lot 3, of the said C. T. Baker Subdivision and from this point a ninety degree nail found for an interior angle corner of the said Lot 4 and an exterior angle corner of the said Lot 3, bears North 80°16'24" West, a distance of 88.81 feet;

THENCE South 80°16'24" East, a distance of 10.00 feet to a three-quarter inch diameter pipe found adjacent to a chain link corner post for the northeast corner of the said Lot 4, same being the southeast corner of the said Lot 3 and a point on the west right of way line of the said Manchaca Road;

THENCE South 09°42'00" West, along the common dividing line of the said Lot 4 and the said Manchaca Road a distance of 199.79 feet to the POINT OF BEGINNING, and containing 0.046 acres of land, more or less, within these metes and bounds.

BASIS OF BEARINGS for this survey is the east line of the said Lot 4, as South 09°42'00" West, as per recorded Plat of the said C. T. Baker Subdivision.

I, Robert C. Steubing, a Registered Professional Land Surveyor, do hereby certify that the above survey was made upon the ground, under my supervision in September 2008 and is true and correct according to my best knowledge and belief.

Robert C. Steubing  
Registered Professional Land Surveyor  
State of Texas - No. 5548

WA1039-2008
Page 1 of 1
SURVEY PLAT Showing the proposed right of way acquisition and proposed rezoning of Lot 4, C.T. BAKER SUBDIVISION, a subdivision in the City of Austin, Travis County, Texas, according to the plat recorded in Volume 6, Page 120, of the Plat Records of Travis County, Texas.

LOT 3

C.T. BAKER SUBDIVISION

VOL. 6, PG. 120 PR

2.792 Acres

LOT 4

4.649 Acres Total

1.857 Ac. Less

0.046 Ac ROW Acquisition

1.811 Ac. Balance

RESUB LOT 11A & LOT 11B

VOL. 58, PG. 51 PR

NOTES:
1. NO RESEARCH WAS DONE BY CENTRAL TEXAS SURVEYING FOR BASEMENTS, BUILDING LINES AND/OR CONDITIONS OF RECORDS WHICH MAY AFFECT THIS TRACT.

LEGEND
5/8" PIN IN CONCRETE FOUND
5/8" PIN IN CONCRETE FOUND
900 FT LENS POINT POST FOUND
CALCULATED POINT
POWER POLE
WATER METER
OVERHEAD ELECTRIC
PIPE LINE
BREAK LINE
POINT OF COMMENCEMENT
POINT OF BEGINNING

SURVEYOR'S CERTIFICATION
TO THE OWNER AND/OR LIENHOLDER, THE UNDERSIGNED DOES HEREBY CERTIFY THAT THE SURVEY WAS MADE ON THE BASIS OF THE PROPERTY SHOWN HEREIN AND TO THE BEST OF MY KNOWLEDGE IS CORRECT.

DATE: 10/06/2008
DRAWN BY: ROBERT STEENING
DRAWING NAME: WA1039-2008
FB 34 PG 77

CLIENT OF RECORD
ROBERT C. STEENING
REG. PROFESSIONAL LAND SURVEYOR

CENTRAL TEXAS SURVEYING
517 BARTSCH LANE
RED ROCK, TEXAS 78662
PH: (512) 581-4345
FAX: (512) 581-4360

EXHIBIT "D"