

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 4808 WEST WILLIAM CANNON DRIVE IN THE
3 EAST OAK HILL NEIGHBORHOOD PLAN AREA FROM SINGLE FAMILY
4 RESIDENCE-STANDARD LOT-NEIGHBORHOOD PLAN (SF-2-NP)
5 COMBINING DISTRICT TO NEIGHBORHOOD COMMERCIAL-MIXED USE-
6 CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LR-MU-CO-NP)
7 COMBINING DISTRICT.

8
9 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

10
11 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
12 change the base district from single family residence-standard lot-neighborhood plan (SF-
13 2-NP) combining district to neighborhood commercial-mixed use-conditional overlay-
14 neighborhood plan (LR-MU-CO-NP) combining district on the property described in
15 Zoning Case No. C14-2008-0115, on file at the Neighborhood Planning and Zoning
16 Department, as follows:

17
18 A 2.153 acre tract of land, more or less, out of the Thomas Anderson Survey No.
19 17, the tract of land being more particularly described by metes and bounds in
20 Exhibit "A" incorporated into this ordinance (the "Property"),

21
22 locally known as 4808 West William Cannon Drive, in the City of Austin, Travis County,
23 Texas, and generally identified in the map attached as Exhibit "B".

24
25 **PART 2.** Except as specifically provided in Part 3 and Part 4 of this ordinance, the
26 Property may be developed and used in accordance with the regulations established for the
27 neighborhood commercial (LR) base district, the mixed use combining district, and other
28 applicable requirements of the City Code.

29
30 **PART 3.** The Property within the boundaries of the conditional overlay combining district
31 established by this ordinance is subject to the following conditions:

- 32
33 A. Impervious cover on the Property may not exceed 13.11 percent.
34
35 B. The total building square footage may not exceed 5,000 square feet.
36
37 C. The maximum height of a building or structure is 35 feet from ground level.

1
2
3 D. Setbacks and buffers:
4

- 5 1) A 25-foot wide building setback is required along the east property line.
6 2) Except as shown in subsection 3, a 15-foot wide building setback is
7 required along the west property line.
8 3) If the Property and the adjacent property to the west are developed as a
9 unified development the 15-foot wide setback will not be required.
10 4) A 50-foot wide building setback is required along West William Cannon
11 Drive.
12 5) A 25-foot wide vegetative buffer shall be provided along West William
13 Cannon Drive. Improvements permitted within the buffer zone are
14 limited to drainage, driveways, signage, underground utility
15 improvements or those improvements that may be otherwise required by
16 the City of Austin or specifically authorized in this ordinance.
17

18 E. The following uses are prohibited uses of the Property:
19

20 Consumer convenience services	Congregate living
21 Custom manufacturing	Financial services
22 Food sales	General retail sales (general)
23 Guidance services	Off-site accessory parking
24 Pet services	Plant nursery
25 Printing and publishing	Restaurant (general)
26 Restaurant (limited)	Residential treatment
27 Service station	

28
29 **PART 4.** The Property is subject to Ordinance No. 20081211-098 that established the East
30 Oak Hill neighborhood plan combining district.
31
32
33
34
35
36
37
38
39
40

PART 5. This ordinance takes effect on _____, 2009.

PASSED AND APPROVED

_____, 2009 §
 §
 §

Will Wynn
Mayor

APPROVED: _____ **ATTEST:** _____

David Allan Smith
City Attorney

Shirley A. Gentry
City Clerk

Exhibit A

0001

**STEVE H. BRYSON
SURVEYING CO.**

2499 Cap. of TX Hwy. S.,
Bldg. A, Ste. 205
Austin, TX 78746
(512) 347-9505
Fax: (512) 347-9510

FIELD NOTES

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE THOMAS ANDERSON SURVEY NO. 17, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, SAID TRACT MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO JANE C. SCHAEFFER BY DEED RECORDED IN VOLUME 6657, PAGE 1317 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THAT PORTION CONVEYED TO THE CITY OF AUSTIN IN THAT CERTAIN STREET DEED RECORDED IN VOLUME 9440, PAGE 998 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT BEING 2.153 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at an iron pin found at the intersection of the Westerly line of said Schaeffer tract and the Northerly right-of-way line of William Cannon Drive West as conveyed for right-of-way by said Street Deed, said right-of-way being of varied width, said point being the Southeasterly corner of a tract of land conveyed to Venturina Biggs by deed recorded in Document No. 2000102962 of the Official Public Records of Travis County, Texas, for the Southwesterly corner and the **POINT OF BEGINNING** of the herein described tract,

THENCE, with the Westerly line of said Schaeffer tract, the following two (2) courses and distances numbered 1 and 2,

1. N30°50'21"E, following common division line of said Schaeffer and Biggs tract, 517.45 feet to an iron pin set at the apparent Northwesterly corner of said Biggs tract, same being the most southerly corner of Lot 10, Westcreek Section One Amended, a subdivision recorded in Volume 76, Page 384 of the Plat Records of Travis County, Texas,
2. N30°42'18"E, following the common division line of said Lot 10 and said Schaeffer tract, 118.28 feet to an iron pin set at the Southeasterly corner of said Lot 10, same being the Southwesterly corner of Lot 11 of said subdivision, and the apparent Northwesterly corner of said Schaeffer tract, for the Northwesterly corner of the herein described tract,


THENCE, S72°51'00"E, following the common division line of said subdivision and said Schaeffer tract, 153.00 feet to an iron pin set in the Westerly line of Lot 13, at the Southeasterly corner of Lot 12 of said subdivision, same being the Northeasterly corner of said Schaeffer tract, for the Northeast corner of the herein described tract,

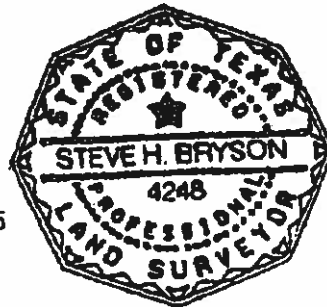
THENCE, with the Easterly line of said Schaeffer tract, the following two (2) courses and distances numbered 1 and 2,

1. S30°57'00"W, following common division line of said Schaeffer tract and said Lot 13, 138.73 feet to an iron pin set at the Southwesterly corner of said Lot 13, same being the Northwesterly

- corner of Lot 1, Westcreek Section Ten Phase I, a subdivision recorded in Volume 82, Page 350 of said Plat Records,
- 2 S30°44'14"W, passing an iron pin found in the Easterly line of said Schaeffer tract, at the Southwesterly corner of said Lot 1, continuing for a total distance of 488.81 feet to an iron pin found in the Northerly right-of-way line of said William Cannon Drive West, for the Southeasterly corner of the herein described tract.

THENCE, N75°45'18"W, following said right-of-way line as conveyed by said Street Deed, 155.45 feet to the POINT OF BEGINNING containing 2.153 Acres Of Land.


Steve H. Bryson - R.P.L.S. No. 4248
STEVE H. BRYSON SURVEYING CO.
2499 Capital of Texas Hwy, So., Bldg A, Suite 205
Austin, Texas, 78746
Ph: (512) 347-9505 Fax: (512) 347-9510



FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



2006 JUL 25 12:23 PM 2006141219

GUERREROR \$32.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS

Survey Map of 2.153 Acres of Land out of the Thomas Anderson Survey No. 17, Situated in Travis County, Texas.

(See Attached Field Note Description)

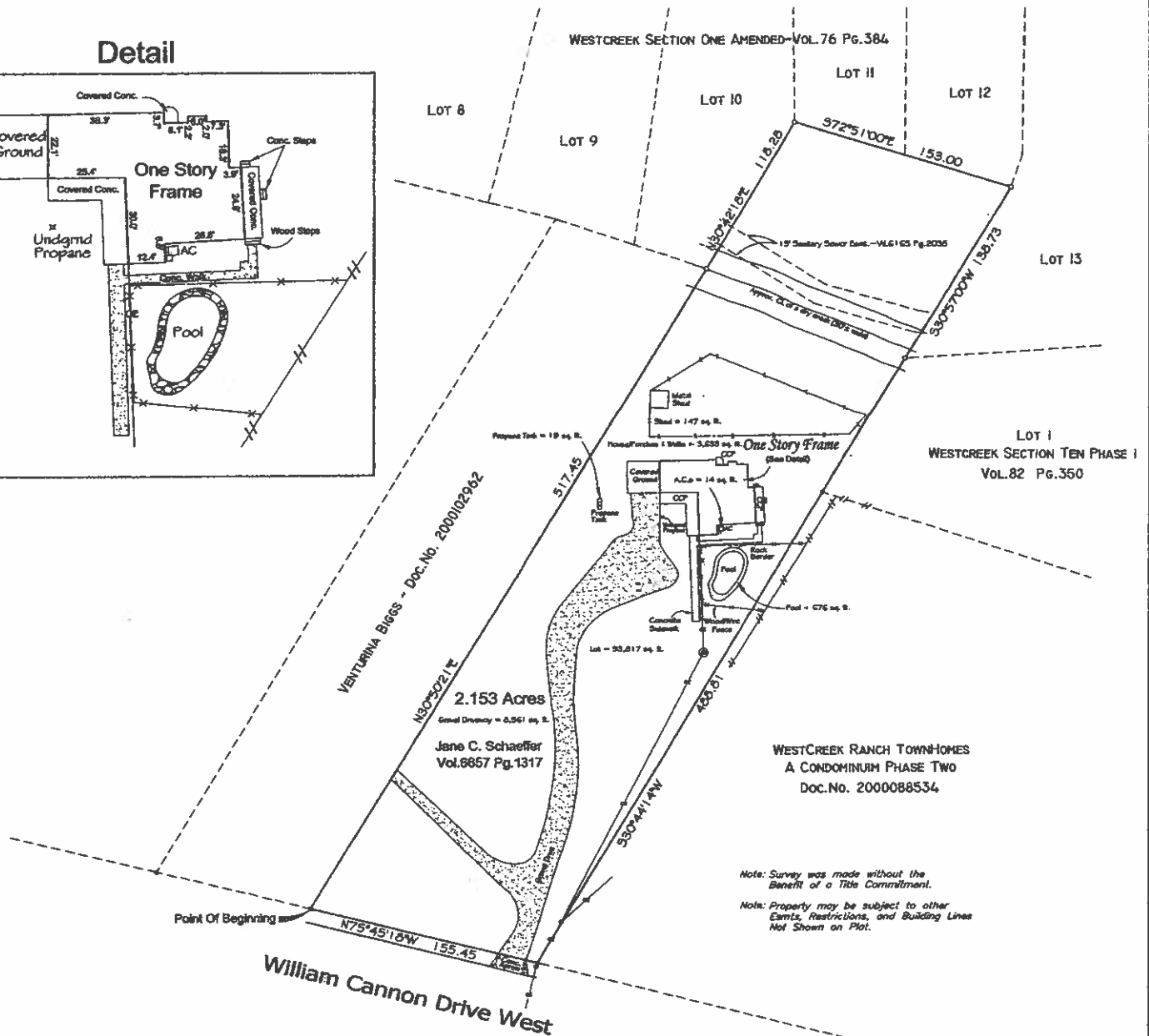
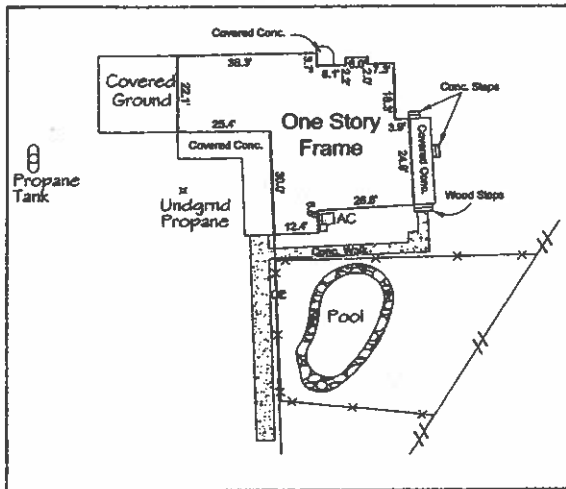
Local Address: 4808 William Cannon Drive West

Scale: 1" = 50'

- Iron Pin Set
- Iron Pin Found
- Calculated Point
- Power Pole
- Overhead Utility Line
- Wire Fence
- C.C.P. Covered Conc. Porch/Patio
- (XXX) Record Information

Total Lot = 93,817 Sq. Ft.
Impervious Cover = 13,060 Sq. Ft.
Impervious Cover = 13.91%

Detail



Note: Survey was made without the
Benefit of a Title Commitment.

Note: Property may be subject to other
Easements, Restrictions, and Building Lines
Not Shown on Plot.

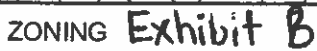
Prepared By:

STEVE H. BRYSON, S.P.L.S. NO. 4248
STEVE H. BRYSON SURVEYING CO.
7025 West Hwy. 71
Austin, Texas 78735 (512) 269-2400
Copyright 2009 Steve H. Bryson Surveying Company



This legally described property is within a special
flood hazard area as designated by the Department of
Housing and Urban Development Federal Insurance
Administration Flood Hazard Boundary Map No. 22453C-0255F
for Travis County, Texas, dated 8-5-87
Located in Zone "AE". This certification is for
insurance purposes only and is not a guarantee that this
property will or will not flood.

Job No. 05-076



RECREATION EASEMENT

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

_____ of _____ County, Texas, whose mailing address is _____, (called "Grantors", whether one or more), in consideration of the sum of \$10.00 and other good and valuable consideration to Grantors in hand paid, by the City of Austin, the receipt and sufficiency of which is acknowledged, have this day **GRANTED** and **CONVEYED** and by these presents do **GRANT** and **CONVEY** unto the City of Austin, a municipal corporation situated in the Counties of Hays, Travis and Williamson and whose address is P.O. Box 1088, Austin, Travis County, Texas, 78767-8839, Attention: Real Estate Services Division, a easement for recreational purposes (including but not limited to park greenbelt, pedestrian, hike and bike trails) to construct, operate, maintain, repair, replace and upgrade, in, upon and across the following described land, to-wit:

All that certain parcel of land, lying, and being situated in the Travis County, Texas, described in the attached **EXHIBIT "A"** and made a part hereof for purposes ("Property").

TO HAVE AND TO HOLD the same perpetually to the City of Austin, its successors and assigns, together with the right and privilege at any and all times to enter all or part of the Property to construct, operate, maintain, replace, upgrade and repair for use as a public recreation easement, subject, however, to all ordinances and amendments thereto passed by the City Council of the City of Austin, the Charter of the City of Austin and any amendments thereof.

GRANTORS do hereby bind themselves, their heirs, successors, assigns and legal representatives to warrant and forever defend all and singular the recreation easement and all rights unto the said Grantee, its successors and assigns, against every persons whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this _____ day of _____, 2008.

GRANTORS:

By: _____

Name: _____

Title: _____

ACCEPTED AND AGREED:

By: _____
Stuart Strong, Assistant Director
Parks and Recreation Department
City of Austin

Date: _____

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2008 by
_____, _____, of _____, a _____ corporation, on
behalf of said corporation.

[SEAL]

Notary Public, State of _____

After Recording Return To:

City of Austin
Contract and Land Management Department
Real Estate Services Division
P.O. Box 1088
Austin, Texas 78767-8839

Attn: Marsha L. Schulz

File #: _____

TCAD #: _____