

**ORDINANCE NO. 20090326-061**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4808 WEST WILLIAM CANNON DRIVE IN THE EAST OAK HILL NEIGHBORHOOD PLAN AREA FROM SINGLE FAMILY RESIDENCE-STANDARD LOT-NEIGHBORHOOD PLAN (SF-2-NP) COMBINING DISTRICT TO NEIGHBORHOOD COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LR-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 single family residence-standard lot-neighborhood plan (SF-2-NP) combining district to neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2008-0115, on file at the Neighborhood Planning and Zoning Department, as follows:

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

locally known as 4808 West William Cannon Drive, 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 neighborhood commercial (LR) base district, the mixed use combining 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. Impervious cover on the Property may not exceed 13.11 percent.
- B. The total building square footage may not exceed 5,000 square feet.
- C. The maximum height of a building or structure is 35 feet from ground level.

D. Setbacks and buffers:

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

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

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

**PART 4.** The Property is subject to Ordinance No. 20081211-098 that established the East Oak Hill neighborhood plan combining district.

**PART 5.** This ordinance takes effect on April 6, 2009.

**PASSED AND APPROVED**

\_\_\_\_\_, March 26, 2009      §  
§  
§ \_\_\_\_\_  
Will Wynn  
Mayor

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

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**Exhibit A**

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**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

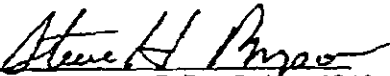
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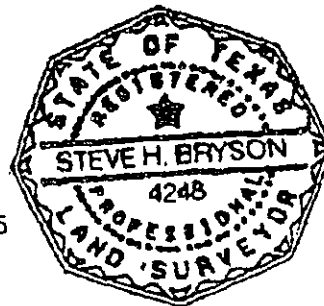
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corner of Lot 1, Westcreek Section Ten Phase I, a subdivision recorded in Volume 82, Page 360 of said Plat Records,

- 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.

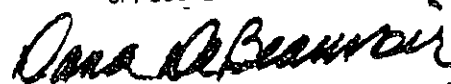
THENCE, N75°45'18"W, following said right-of-way line as conveyed by said Street Deed, 155.45 feet to the POINT OF BEGINNING containing 2.153 Acres Of Land.

  
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, 78748  
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

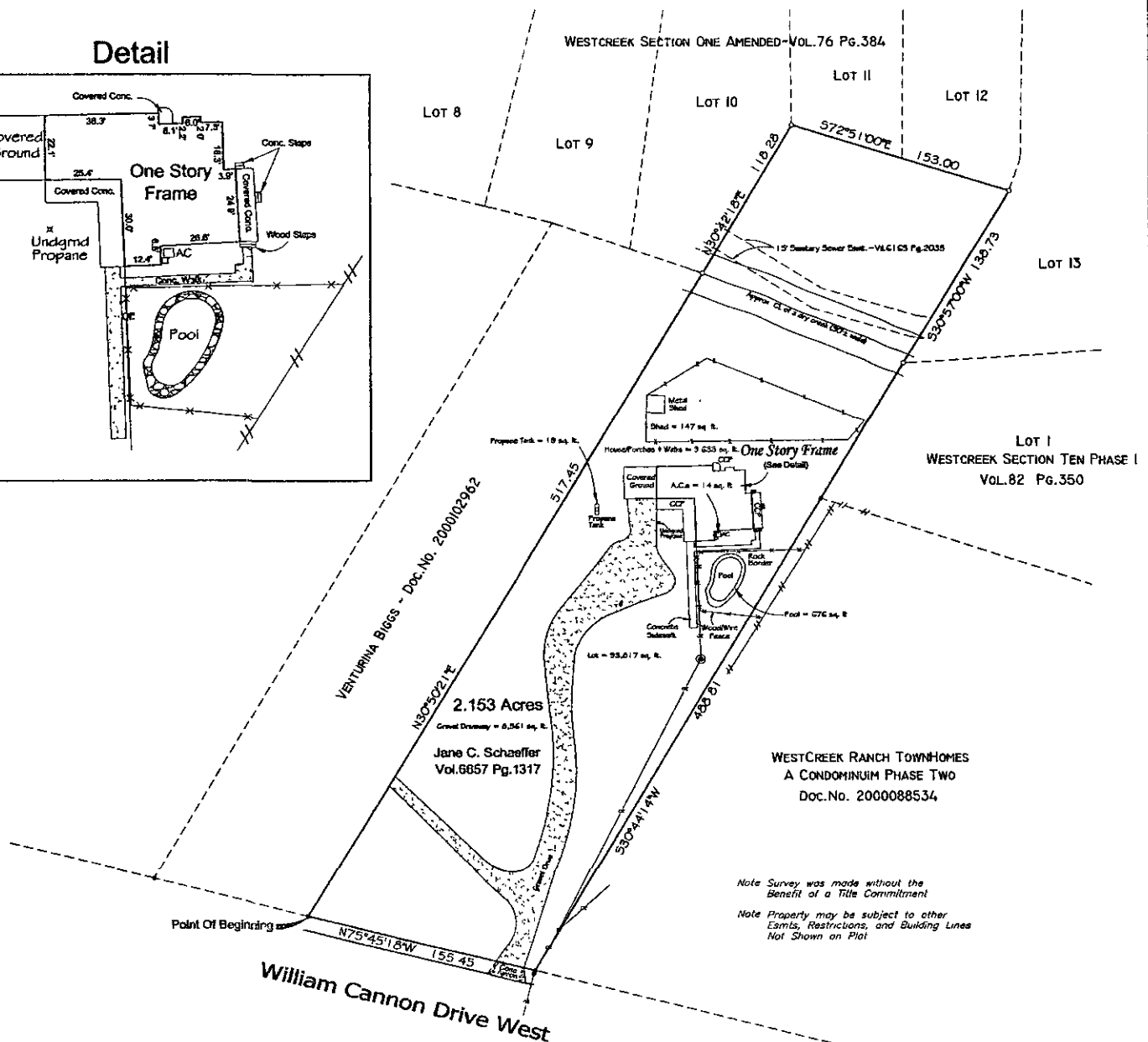
TRAVIS COUNTY TEXAS

Local Address: 4608 William Cannon Drive West

00-22420

- Total Lot = 93,817 Sq. Ft.  
Impervious Cover = 13,050 Sq. Ft.  
Impervious Cover = 13.91%

## A detailed site plan of a residential property. The main feature is a rectangular building labeled "One Story Frame". To its left is a smaller rectangular area labeled "Covered Ground". Below the building is an irregularly shaped "Pool". To the far left is a circle representing a "Propane Tank". Various dimensions are provided throughout the plan, such as 38.3' for the top width of the building, 25.6' for the distance between the building and the ground cover, and 12.7' for the distance from the building to the pool. Structural notes include "Covered Conc.", "Conc. Slaps", "Wood Slaps", and "Undgrmd Propane". A small square labeled "IAC" is located near the bottom center. The right boundary of the property is indicated by a diagonal line with cross-ticks.

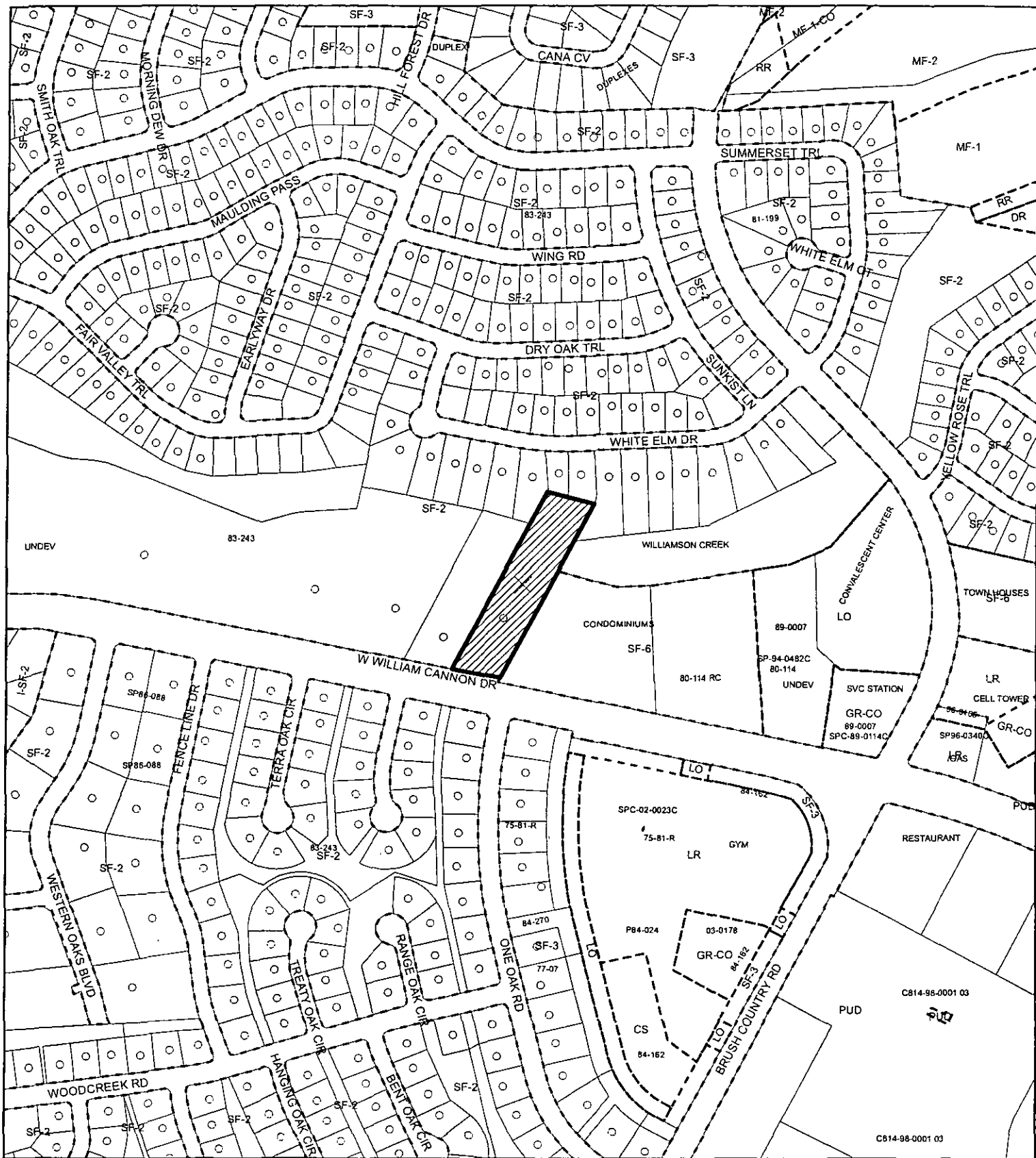


Note Property may be subject to other  
Esmts, Restrictions, and Building Lines  
Not Shown on Plot

STEVE H BRYSON, R.P.L.S. NO. 4243  
STEVE H BRYSON SURVEYING CO  
7525 West Hwy. 71  
Austin, Texas 78735 (512) 288-2400  
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The legally described property is \_\_\_\_\_ with a special flood hazard area as designated by the Department of Housing and Urban Development Federal Insurance Administration Flood Hazard Boundary Map file #43453C-0256F for \_\_\_\_\_ County, Texas, dated \_\_\_\_\_ 6-5-97. Located in Zone "AP". This certification is for insurance purposes only and is not a guarantee that this property will or will not flood.



## ZONING Exhibit B



**SUBJECT TRACT**



**ZONING BOUNDARY**



**PENDING CASE**

OPERATOR: S. MEEKS

ZONING CASE#: C14-2008-0115  
 ADDRESS: 4808 W WILLIAM CANNON DR  
 SUBJECT AREA: 2.15 ACRES  
 GRID: D18  
 MANAGER: W. RHOADES



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