

ORDINANCE NO. 20090618-062

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 900-1000 WEST BEN WHITE BOULEVARD FROM GENERAL COMMERCIAL SERVICES (CS) DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY (CS-MU-CO) 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 general commercial services (CS) district to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district on the property described in Zoning Case No. C14-2008-0218, on file at the Neighborhood Planning and Zoning Department, as follows:

A 7.951 acre tract of land, more or less, out of the Isaac Decker League, Survey No. 20, Abstract No. 8, 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 900-1000 West Ben White Boulevard, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. Vehicular access from the Property to Bannister Lane/South 2nd Street is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
- B. Pedestrian and bicycle access is required from the Property to Bannister Lane.
- C. The following uses are prohibited uses of the Property:

Agricultural sales and services
Automotive sales
Convenience storage
Pawn shop Services


Automotive repair services
Automotive washing (of any type)
Drop-off recycling collection facility
Vehicle storage

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

PART 3. This ordinance takes effect on June 29, 2009.

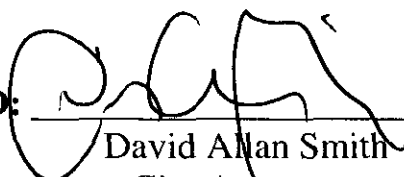
PASSED AND APPROVED

June 18, 2009

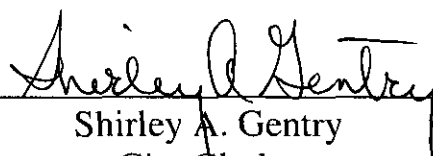
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for Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:


Shirley A. Gentry
City Clerk

Description

DESCRIBING A 7.951 ACRE TRACT OF LAND BEING A PART OF THE ISAAC DECKER LEAGUE, SURVEY NUMBER 20, ABSTRACT NUMBER 8 IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, SAID 7.951 ACRE TRACT ALSO BEING A PORTION OF ITEMS 9 AND 12 OF EXHIBIT A OF A CORRECTION WARRANTY DEED TO TWIN OAKS ASSOCIATES, LTD EXECUTED ON DECEMBER 31, 2005 AND RECORDED IN DOCUMENT NUMBER 2007071857 OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY, SAID 7.951 ACRE TRACT ALSO BEING A PORTION OF LOTS 9 THROUGH 13 , INCLUSIVE, BEN WHITE COMMERCIAL SUBDIVISION, A SUBDIVISION RECORDED IN BOOK 37 PAGE 30 OF THE PLAT RECORDS OF SAID COUNTY AND ALSO BEING A PORTION OF THAT 7.15 ACRE TRACT DESCRIBED AS TRACT #2 IN A DEED RECORDED IN VOLUME 10201 PAGE 185 OF THE REAL PROPERTY RECORDS OF SAID COUNTY, SAID 7.951 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a Texas Department of Transportation concrete monument with brass disk (Type II monument) found in the north line of West Ben White Boulevard (R.O.W. varies), same being in the east line of said Lot 9 and also being in the west line the of that 0.987 of an acre tract described in a deed to the State of Texas as recorded in Volume 11184 Page 1075 of the Real Property Records of said County and at the northeast corner of that 1.749 acre tract described in a deed to the State of Texas as recorded in Volume 11198 Page 759 of the Real Property Records of said County;

THENCE, with the north line of said West Ben White Boulevard and the north line of said 1.749 acre tract, and being also with the north line of that 1.284 acre tract described as Parcel No. 32 in a deed to the State of Texas as recorded in Volume 11198 Page 767 of the Real Property Records of said County, the following three courses:

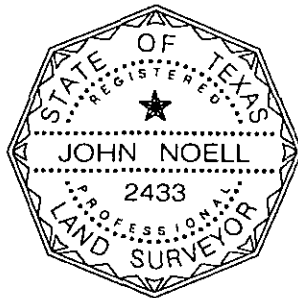
- 1) With a curve to the left having a radius of 1924.86 feet, an arc length of 306.84 feet, a central angle of $09^{\circ}08'01''$ and a chord which bears $S88^{\circ}13'46''W$, 306.52 feet to a Texas Department of Transportation concrete monument with brass disk found;
- 2) $S83^{\circ}37'10''W$, 465.13 feet to a Texas Department of Transportation concrete monument with brass disk found;
- 3) With a curve to the right having a radius of 2849.79 feet, an arc length of 210.79 feet, a central angle of $04^{\circ}14'16''$ and a chord which bears $S85^{\circ}45'07''W$, 210.74 feet to a Texas Department of Transportation concrete monument with brass disk found in the east line of the M. K. & T. R. R. right-of-way (100' R.O.W.), and in the west line of said 7.15 acre tract, same being at the northwest corner of said 1.284 acre tract;


THENCE, with the west line of said 7.15 acre tract and the east line of said M. K. & T. R. R. right-of-way, N15°12'48"E, 643.82 feet to an iron rod found in the south right-of-way line of Banister Lane (R.O.W. varies), same being at the northwest corner of said 7.15 acre tract and at the southwest corner of that 9,501 square foot tract described in a deed to the City of Austin as recorded in Volume 3230 Page 1844 of the Deed Records of said County;

THENCE, with the south line of said Banister Lane and with the south line of said 9,501 square foot tract, and being also with the north line of said 7.15 acre tract and with the north line of said Lots 9 through 13, S62°46'15"E, 969.45 feet to a Texas Department of Transportation concrete monument with brass disk found at the intersection of said Banister Lane and the west line of said West Ben White Boulevard, same being at the northeast corner of said Lot 9 and at the northwest corner of said 0.987 of an acre tract;

THENCE, with the east line of said Lot 9 and the west line of said 0.987 of an acre tract, S27°20'42"W, 113.62 feet to the POINT OF BEGINNING and containing 7.951 acres of land.

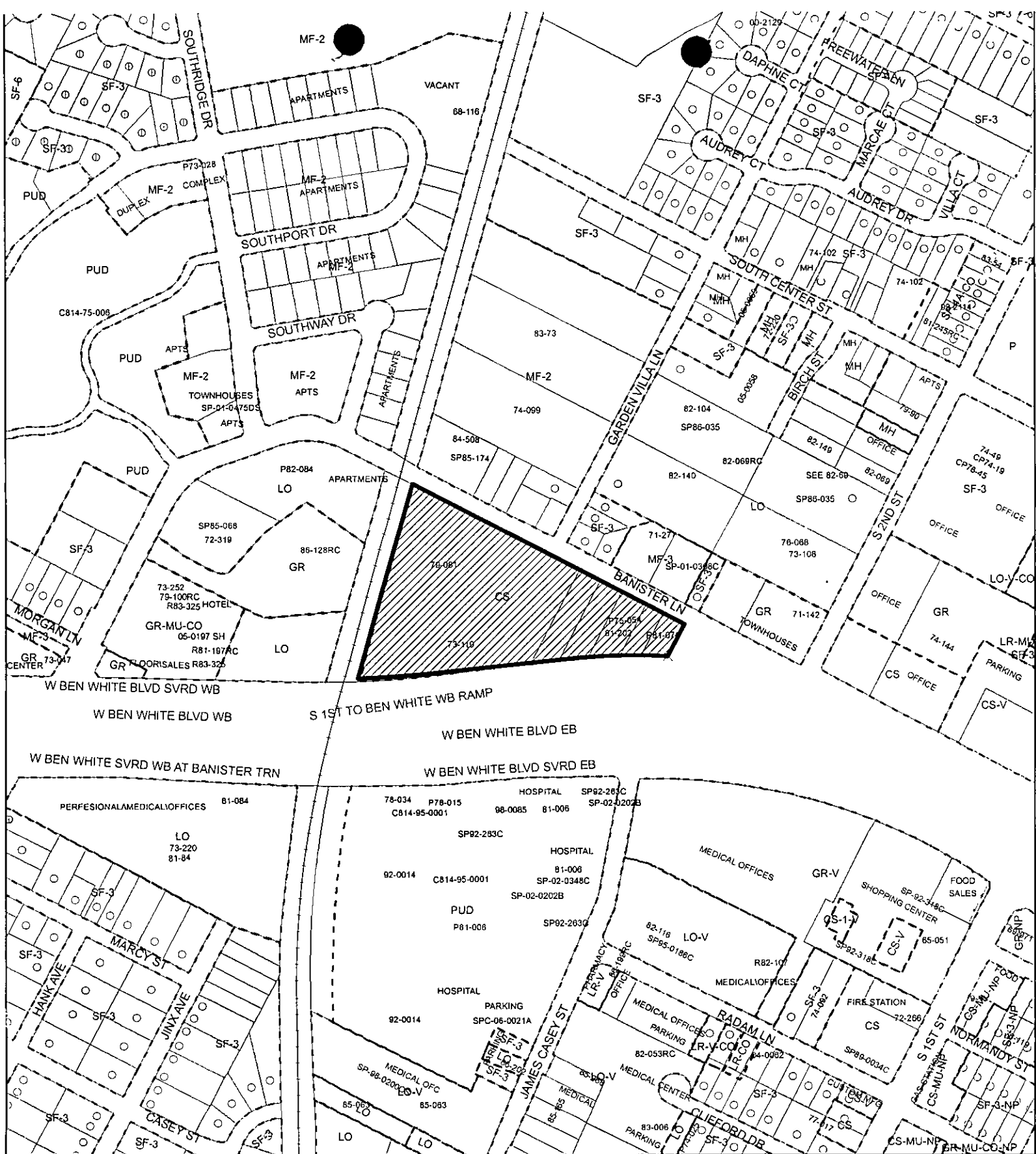
Surveyed by:
URBAN DESIGN GROUP
3660 Stoneridge Road, # E101
Austin, Texas 78746
(512) 347-0040




John Noell, R.B.L.S. #2433
Date 6/20/08




Map attached.

Bearing Basis: Texas State Plane Coordinate System, NAD 83, Texas Central Zone



ZONING EXHIBIT B



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

ZONING CASE#: C14-2008-0218
 ADDRESS: 1000 W BEN WHITE BLVD
 SUBJECT AREA: 7.951 ACRES
 GRID: G19
 MANAGER: S. RYE

OPERATOR: S. MEEKS



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.