

ORDINANCE NO. 20100610-059

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 8401 SOUTHWEST PARKWAY IN THE WEST OAK HILL NEIGHBORHOOD PLAN AREA FROM INDUSTRIAL PARK-NEIGHBORHOOD PLAN (IP-NP) COMBINING DISTRICT TO GENERAL OFFICE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GO-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 industrial park-neighborhood plan (IP-NP) combining district to general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district on the property described in Zoning Case No. C14-2010-0042, on file at the Planning and Development Review Department, as follows:

A 9.606 acre tract of land, more or less, out of the Josiah Hudson Survey Abstract No. 410 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 8401 Southwest Parkway, 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 general office (GO) base 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. 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 2,200 trips per day.

B. Section 25-2-1025(A) (*Natural Area*) of the Code is modified:

- (1) to allow water quality and detention pond facilities for an office use to count toward fulfillment of the 40 percent natural area requirement; and
- (2) to reduce the natural area requirement to 30 percent for a religious assembly use and allow water quality and detention pond facilities to count toward fulfillment of this requirement.

PART 4. The Property is subject to Ordinance No. 20081211-097 that established the West Oak Hill neighborhood plan combining district.

PART 5. This ordinance takes effect on June 21, 2010.

PASSED AND APPROVED

_____, June 10, 2010 §
 §
 § Lee Leffingwell
 Lee Leffingwell
 Mayor

APPROVED: Karen M. Kennard **ATTEST:** Shirley A. Gentry
 Karen M. Kennard Shirley A. Gentry
 Acting City Attorney City Clerk

EXHIBIT A

**CARSON AND BUSH
PROFESSIONAL SURVEYORS, INC.****1904 FORTVIEW ROAD
AUSTIN, TX 78704
TELEPHONE: (512) 442-0990
FACSIMILE: (512) 442-1084**

JANUARY 9, 2003

FIELD NOTE DESCRIPTION OF 9.606 ACRES OF LAND OUT OF THE JOSIAH HUDSON SURVEY ABSTRACT No. 410 IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN (2.691 ACRE) TRACT AND ALL OF THAT CERTAIN (6.913 ACRE) TRACT OF LAND, BOTH HAVING BEEN CONVEYED TO LOS INDIOS VENTURES, INC. BY WARRANTY DEED RECORDED IN DOCUMENT TRV 2001073406 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found in the Southwest right-of-way line Southwest Parkway for the Northeasterly corner of that certain (2.691 acre) tract of land as conveyed to Los Indios Ventures, Inc. by Warranty Deed recorded in Document TRV 2001073406 of the Official Public Records of Travis County, Texas, and for the most Northerly corner of that certain (36.085 acre) tract of land as conveyed to Emerald Builders, Ltd. by Special Warranty Deed recorded in Document TRV 2001059318 of the Official Public Records of Travis County, Texas, and being the most Easterly corner and **PLACE OF BEGINNING** of the herein described tract;

THENCE leaving the Southwest right-of-way line of Southwest Parkway, S 37 deg. 47' 34" W at 463.53 ft. passing the record Southerly corner of said Los Indios Ventures, Inc. (2.691 acre) tract and an angle corner of that certain (6.913 acre) tract of land as conveyed to Los Indios Ventures, Inc. by Warranty Deed recorded in Document TRV 2001073406 of the Official Records of Travis County, Texas, and continuing along the same course for a total distance of 487.20 ft. to a ½" iron pipe found for an angle corner of said Los Indios Ventures, Inc. (6.913 acre) tract and for an angle corner of this tract;

THENCE with the Southeast line of said Los Indios Ventures, Inc. (6.913 acre) tract, S 37 deg. 17' 52" W 466.95 ft. to a ½" iron pipe found in the Northeast right-of-way line of Sunset Ridge Road for the most Southerly corner of said Los Indios Ventures, Inc. (6.913 acre) tract and for the most Westerly corner of said Emerald Builders, Ltd. (36.085 acre) tract and being the most Southerly corner of this tract;

THENCE with the Northeast right-of-way line of Sunset Ridge Road and with the Southwest line of said Los Indios Ventures, Inc. (6.913 acre) tract, N 51 deg. 03' 42" W 416.47 ft. to a ½" iron pipe found for the Southwesterly corner of said Los Indios Ventures, Inc. (6.913 acre) tract and for the most Southerly corner of that certain (9.9692 acre) tract of land as conveyed to Tim Jamail by Special Warranty Deed recorded in Volume 12005 Page 2200 of the Real Property Records of Travis County, Texas, and for the most Westerly or Southwesterly corner of this tract;

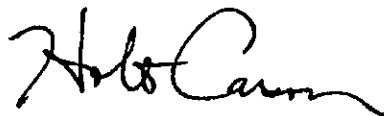
THENCE leaving the Northeast right-of-way line of Sunset Ridge Road with the Westerly line of said Los Indios Ventures, Inc. (6.913 acre) tract, the following three (3) courses;

- 1) N 39 deg. 23' 05" E 326.95 ft. to a ½" iron pipe found;
- 2) N 38 deg. 37' 27" E 494.22 ft. to a ½" iron rod found;
- 3) N 21 deg. 59' 46" E 262.43 ft. to a spindle found in the curving Southwest right-of-way line of Southwest Parkway for the most Northerly corner of said Los Indios Ventures, Inc. (6.913 acre) tract and for the most Easterly corner of said Jamail (9.9692 acre) tract of land, and being the most Northerly corner of this tract;

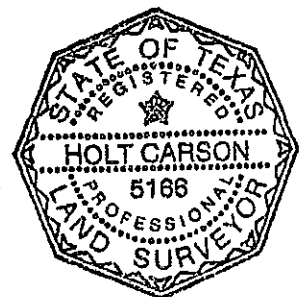
THENCE with the Southwesterly right-of-way line of Southwest Parkway, the following six (6) courses;

- 1) along a curve to the right with a radius of 1410.00 ft. for an arc length of 12.60 ft. and which chord bears S 44 deg. 28' 11" E 12.60 ft. to a ½" iron rod found;
- 2) S 45 deg. 22' 23" E 93.93 ft. to a ½" iron rod found for an angle corner;
- 3) S 41 deg. 31' 40" E 94.78 ft. to a ½" iron rod found for an angle corner;
- 4) S 31 deg. 48' 00" E 38.00 ft. to a ½" iron rod found for an angle corner;
- 5) S 32 deg. 15' 49" E 156.47 ft. to a ½" iron rod found for an angle corner;
- 6) S 32 deg. 35' 21" E 91.24 ft. to the **PLACE OF BEGINNING** containing 9.606 acres of land.

PREPARED JANUARY 9, 2003, FROM SURVEYS PERFORMED IN AUGUST, 2001.



Holt Carson
Registered Professional Land Surveyor No. 5166



SCANNED



ZONING

Exhibit B

ZONING CASE#: C14-2008-0042
LOCATION: 8401 SOUTHWEST PKWY
SUBJECT AREA: 9.6 ACRES
GRID: B21
MANAGER: W. RHOADES



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 400'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.