

ORDINANCE NO. 20100624-108

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 11505 ANDERSON MILL ROAD FROM DEVELOPMENT RESERVE (DR) DISTRICT TO NEIGHBORHOOD COMMERCIAL-CONDITIONAL OVERLAY (LR-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 development reserve (DR) district to neighborhood commercial-conditional overlay (LR-CO) combining district on the property described in Zoning Case No. C14-2009-0097, on file at the Planning and Development Review Department, as follows:

A 1.582 acre tract of land, more or less, out of the S.A. and M.G. R.R. Survey No. 800, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 11505 Anderson Mill Road, 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. 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 1,333 trips per day.
- B. For a building or portion of a building constructed within the 75 foot setback from the eastern property line:
 - 1. the maximum height is 15 feet from ground level; and
 - 2. the maximum height is one story.

C. Except as set forth in Section D of this Part 2, the following uses of the Property are prohibited uses:

1. Consumer convenience services
College and university facility facilities
Day care services (commercial)
Day care services (general)
Day care services (limited)
Group home, Class I (general)
Group home, Class II
Private primary educational facilities
Private secondary educational facilities
Public primary educational facilities
Public secondary educational facilities
Restaurant (limited)
Safety services
Service station

2. Drive-in service is prohibited as an accessory use to commercial uses.

D. A food sales use, general retail sales (convenience) use, and a general retail sales (general) use are permitted uses on the ground/1st floor of a building.

Except as specifically provided in this ordinance, the Property may be developed and used in accordance with the regulations established for the neighborhood commercial (LR) base district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on July 5, 2010.

PASSED AND APPROVED

_____, June 24, 2010 §
 §
 § _____ *M. Metz*
 Lee Leffingwell
 Mayor

APPROVED: _____ *Karen M. Kennard*
 Karen M. Kennard
 Acting City Attorney

ATTEST: _____ *Shirley A. Gentry*
 Shirley A. Gentry
 City Clerk



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

REMAINDER OF 1.582 ACRES

A DESCRIPTION OF THE REMAINDER OF 1.582 ACRES OF LAND IN THE S.A. & M.G. R.R. SURVEY NO. 800, BEING THE REMAINDER OF A 1.582 ACRE TRACT DESCRIBED IN A DEED TO MARVIN C. AND ELIZABETH M. HENRY AND RECORDED IN VOLUME 6428 PAGE 320 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID REMAINDER TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point in the east line of said 1.582 acre tract, same being the west line of Lot 2, Oak Deer Park, a subdivision of record in Book 55, page 43 of the Plat Records of Travis County, Texas, also being the southeast corner of a 0.187 acre tract conveyed to Travis county and recorded in Document Number 2004130801 of the Official public Records of Travis County, Texas;

THENCE with the east line of said 1.582 acre tract same being the west line of Lots 4 and 6 of said Oak Deer Park to the south east corner of said 1.582 acre tract, same being the northeast corner of a 1.762 acre tract conveyed to David and Jo Beth Kerr.

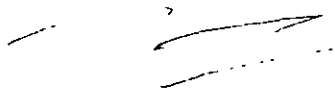
THENCE with the south line of said 1.582 acre tract, same being the north line of said 1.762 acre tract to the southwest corner of said 1.582 acre tract, same being the northwest corner of said 1.762 acre tract, also being in the east line of a tract conveyed to David and Leota Thornton in Volume 11582 Page 86, of the Real Property Records of Travis County, Texas;.

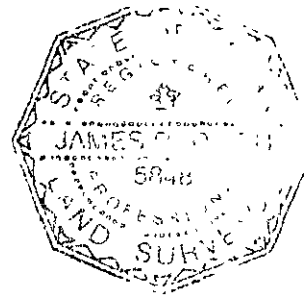
THENCE with the west line of said 1.582 acre tract, same being the east line of said Thornton tract to a point in said common line being the southwest corner of said 0.187 acre tract;

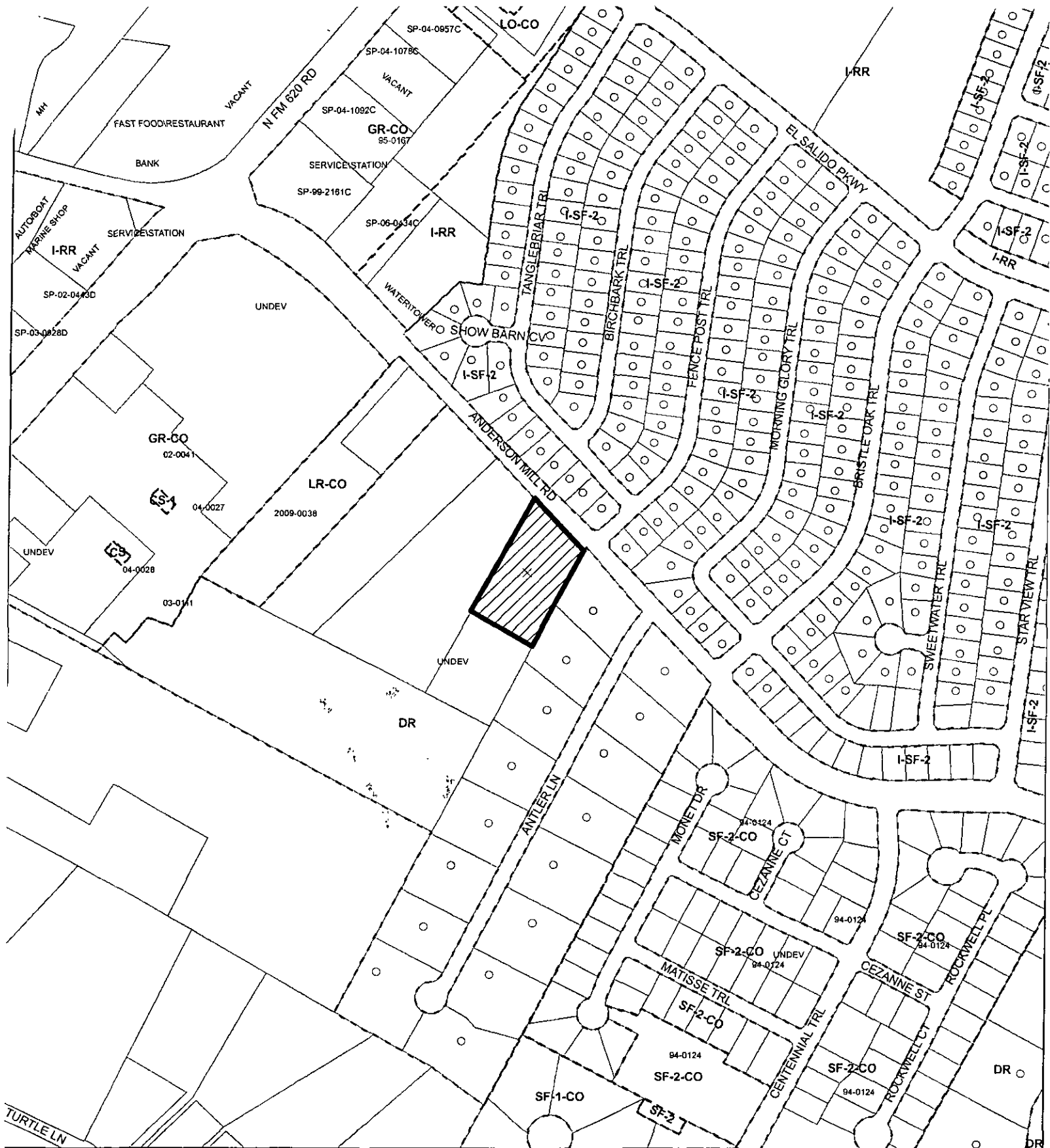
THENCE crossing said 1.582 acre tract with the south line of said 0.187 acre tract to the **POINT OF BEGINNING**.




This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Attachments: None

 8-11-09
James Redmon
Registered Professional Land Surveyor
State of Texas No. 5848



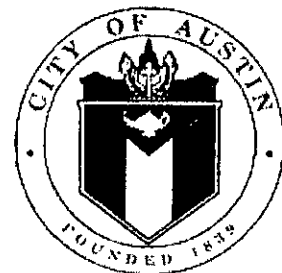


-  **SUBJECT TRACT**
-  **ZONING BOUNDARY**
-  **PENDING CASE**

OPERATOR: S. MEEKS

ZONING Exhibit B

ZONING CASE#: C14-2009-0097
 ADDRESS: 11505 ANDERSON MILL RD
 SUBJECT AREA: 1.582 ACRES
 GRID: E38
 MANAGER: S. SIRWAITIS



1" = 400'

This map has been produced by G I S Services for the sole purpose of geographic reference
 No warranty is made by the City of Austin regarding specific accuracy or completeness