

ORDINANCE NO. 20100826-060

AN ORDINANCE AMENDING ORDINANCE NO. 20100624-110, REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICT ON TRACT 32 LOCATED AT 320 EAST RUNDBERG LANE IN THE NORTH LAMAR NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON THE TRACT.

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

PART 1. Ordinance No. 20100624-110 is amended to include the property identified in this Part in the North Lamar neighborhood plan combining district. The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood plan (NP) combining district to the base zoning districts and to change the base zoning districts on a tract of land described in File C14-2010-0048.01, as follows:

Tract 32	320 East Rundberg Lane, TCAD ID#246730,
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(the "Property" as shown on Exhibit "A", *the Tract Map*),

generally known as the North Lamar neighborhood plan combining district, locally known as the area bounded by Braker Lane on the north, IH-35 on the east, Rundberg Lane on the south and North Lamar Boulevard on the west, in the City of Austin, Travis County, Texas, and identified in the map attached as Exhibit "B" (*the Zoning Map*).

Except as otherwise provided in this ordinance, the existing base zoning districts and conditions of the neighborhood plan remain in effect.

PART 2. The base zoning districts for Tract 32 are changed from family residence (SF-3) district, multifamily residence low density (MF-2) district, multifamily residence medium density (MF-3) district, limited office (LO) district, community commercial (GR) district, and, community commercial-mixed use-conditional overlay (GR-MU-CO) combining district, to community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district, warehouse limited office-conditional overlay-neighborhood plant (W/LO-CO-NP) combining district, general commercial services-vertical mixed use building-conditional overlay-neighborhood plan

(CS-V-CO-NP) combining district, and public-neighborhood plan (P-NP) combining district, as more particularly described and identified in the chart below:

Tract #	TCAD Prop ID	COA Address or Description	From	To
32A	246730	320 E RUNDBERG LN / approx. 1.396 acres of the John Applegait Survey No. 58, Abstract No. 29, Travis County See Exhibit C	GR-MU-CO	GR-MU-V-CO-NP
32B	246730	320 E RUNDBERG LN / approx. 7.55 acres of the John Applegait Survey No. 58, Abstract No. 29, Travis County See Exhibit D	MF-2; GR	W/LO-CO-NP
32C	246730	320 E RUNDBERG LN / approx. 13.89 acres of the John Applegait Survey No. 58, Abstract No. 29, Travis County See Exhibit D	MF-2; MF-3; LO; GR	CS-V-CO-NP
32D	246730	320 E RUNDBERG LN / approx. 1.189 acres of the John Applegait Survey No. 58, Abstract No. 29, Travis County See Exhibit E	SF-3; MF-2; MF-3	P-NP

PART 3. The Property identified as Tract 32A, 32B, and 32C 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 identified as Tract 32A 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 2,000 trips per day.
- B. A site plan or building permit for the properties identified as Tract 32B and Tract 32C may not be approved, released, or issued, if the completed development or uses of the tracts, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
- C. The following uses are prohibited uses of Tract 32A:

Automotive washing (of any type)	Automotive repair services
Automotive sales	Hotel/motel
Bail bond services	Pawn shop services
Equipment repair services	Equipment sales

D. The following uses are prohibited uses of Tract 32C:

Adult oriented services
Bail bond services
Campground
Pet services
Vehicle storage

Hotel/motel
Pawn shop services
Kennels
Outdoor entertainment

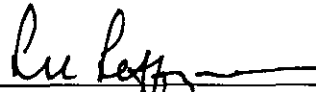
Except as otherwise specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts, the mixed use combining district, and other applicable requirements of the City Code.

PART 4. This ordinance takes effect on September 6, 2010.

PASSED AND APPROVED

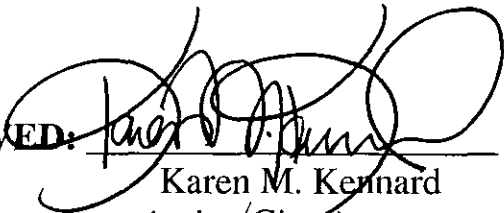
August 26, 2010

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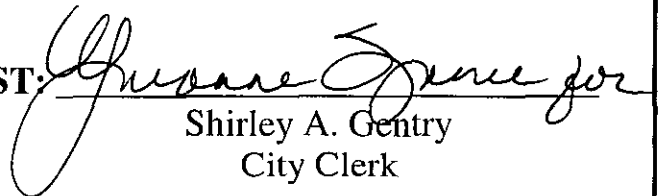
Lee Leffingwell
Mayor

APPROVED:

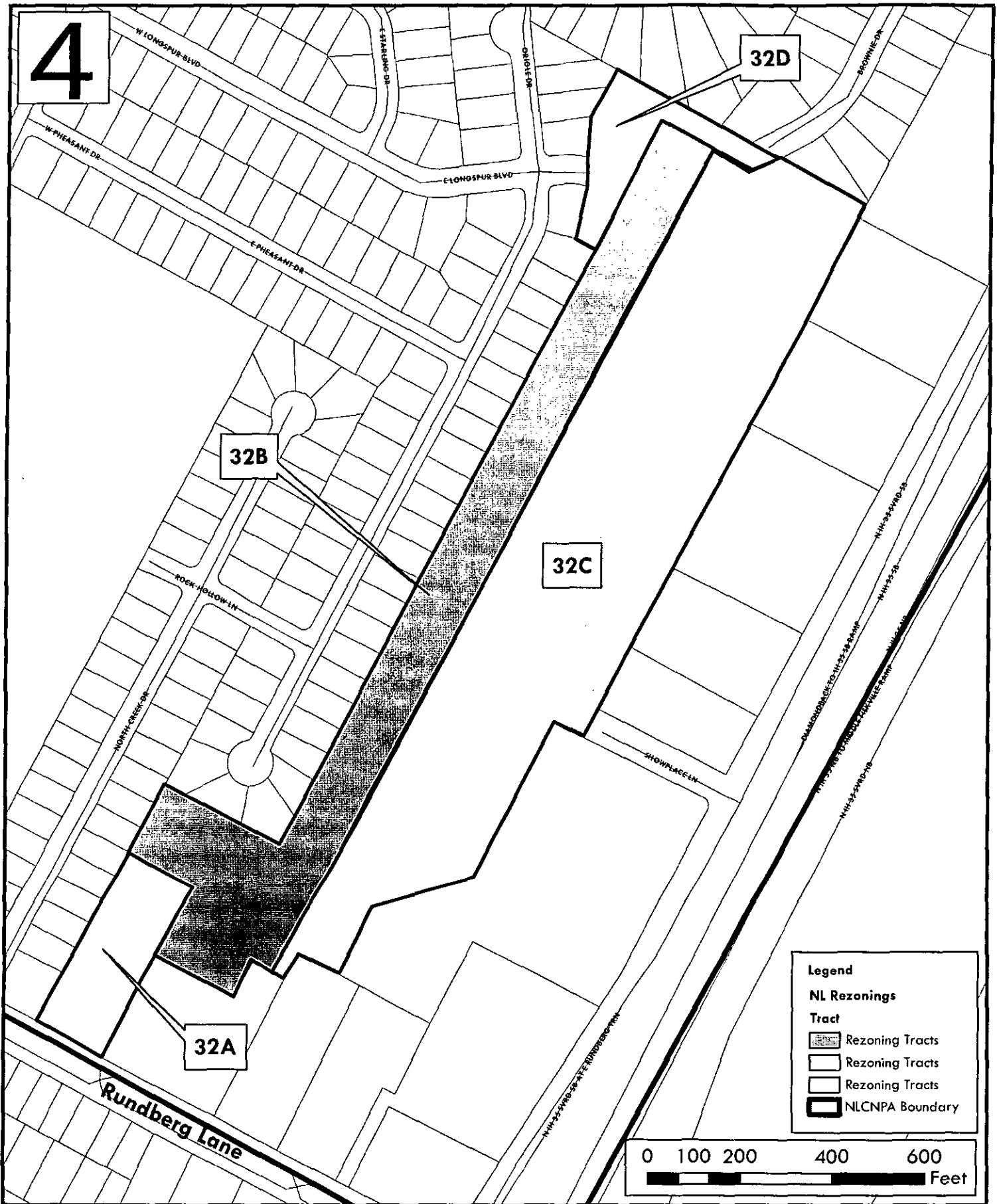


Karen M. Kennard
Acting City Attorney

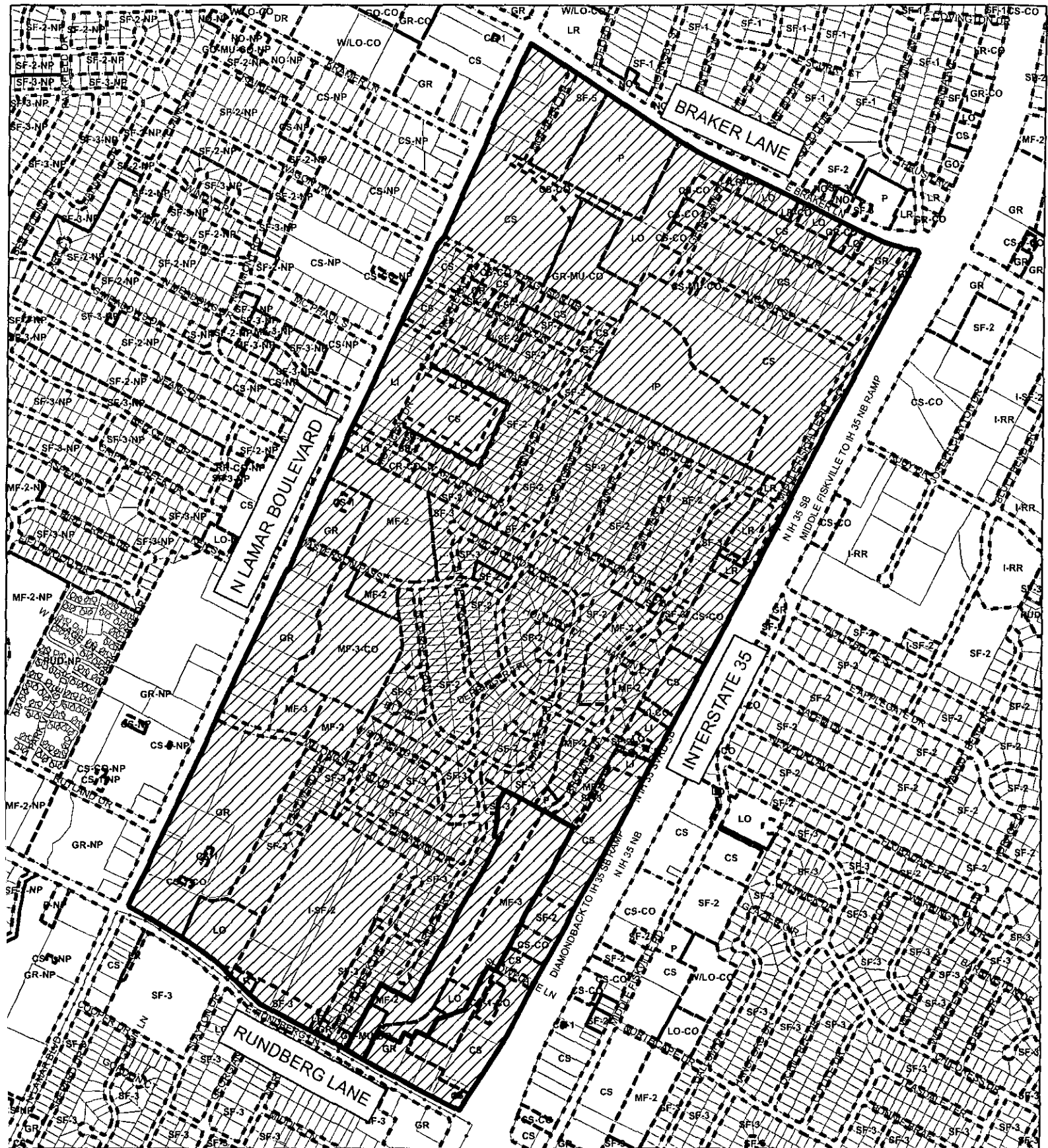
ATTEST:



Shirley A. Gentry
City Clerk

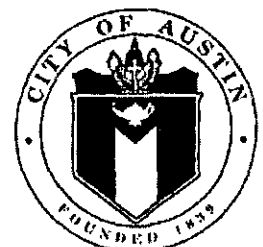


North Lamar Combined Neighborhood Planning Area North Lamar Neighborhood Plan Combining District *EXHIBIT A* Zoning Case # C14-2010-0048.01 (Tract 32)






ZONING EXHIBIT B

ZONING CASE#: C14-2010-0048
 LOCATION: NORTH LAMAR NEIGHBORHOOD
 PLANNING AREA
 SUBJECT AREA: 627.43 ACRES
 GRID: L30-31 & M30-32
 MANAGER: JACOB BROWNING



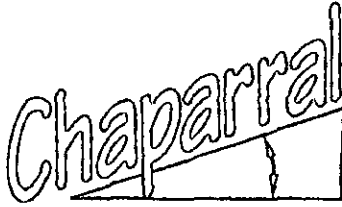
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-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 1000'

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.



**Professional Land Surveying, Inc.
Surveying and Mapping**

EXHIBIT C

Office 512-443-1724
Fax 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

**1.396 ACRE
ZONING DESCRIPTION**

A DESCRIPTION OF A 1 396 ACRE TRACT OF LAND IN THE JOHN APPLIGAIT SURVEY NO 58, ABSTRACT NO 29, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT 24 001 ACRE TRACT CONVEYED TO RUNDBERG BUSINESS PARK, LP, IN A SPECIAL WARRANTY DEED, DATED OCTOBER 6, 2006, RECORDED IN DOCUMENT NO 2006206151 OF THE OFFICIAL PUBLIC RECORD OF TRAVIS COUNTY, TEXAS, SAID 1 396 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING at a 1" bolt found for the southwest corner of the said 24 001 acre tract, being also the southeast corner of Lot 1, Block A, North Creek East Subdivision, a subdivision of record in Volume 47, Page 13 of the Plat Records of Travis County, Texas, the northwest corner of a 0 29 acre (street deed) recorded in Volume 4034, Page 1419, of the Deed Records of Travis County, Texas and the north right-of-way line of Rundberg Lane (right-of-way width varies),

THENCE North 27°25'25" East, with the common line of the 24 001 acre tract and Block A, North Creek East subdivision, a distance of 414 23 feet to a calculated point in the west line of the 24 001 acre tract being also in the east line of Lot 9, Block A, North Creek East, Subdivision, from which a cotton spindle found bears North 27°25'25" East, a distance of 171 80 feet,

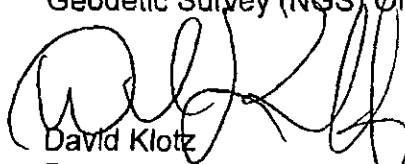
THENCE leaving the east line of Block A, North Creek East Subdivision, over and across the 24 001 acre tract, the following two (2) courses

- 1 South 62°34'35" East, a distance of 147 24 feet to a calculated point,
- 1 South 27°38'11" West, a distance of 416 20 feet to a 1/2" rebar found for the southeast corner of the 24 001 acre tract, being also the southwest corner of the Racetrac Subdivision No 2, a subdivision of record in Volume 102, Page 352, of the Plat Records of Travis County, Texas, in the north line of the 0 29 acre tract and in the north right-of-way line of Rundberg Lane,

THENCE North 61°48'16" West, along the common line of the 24 001 acre tract, the 0 29 acre tract and Rundberg Lane, a distance of 145 70 feet to the **POINT OF BEGINNING**, containing 1 396 acres of land, more or less

Page 2

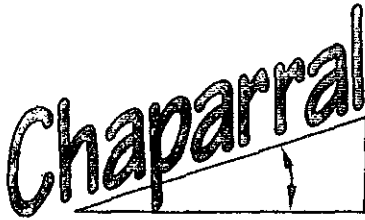
Surveyed on the ground in November, 2007, Bearing Basis is Grid Azimuth for the Texas Central Zone State Plane Coordinates, based on GPS solutions from the National Geodetic Survey (NGS) On-Line Positioning User Service (OPUS) Attachments None



David Klotz
Registered Professional Land Surveyor
State of Texas No 5428

11/14/07





⇒ main portions
field notes

Professional Land Surveying, Inc.
Surveying and Mapping

EXHIBIT D

for tracts 32B & 32C

Office: 512-443-1724
Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

22.622 ACRE ZONING DESCRIPTION

A DESCRIPTION OF A 22.622 ACRE TRACT OF LAND IN THE JOHN APPLGAIIT SURVEY NO. 58, ABSTRACT NO. 29, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT 24.001 ACRE TRACT CONVEYED TO RUNDBERG BUSINESS PARK, LP, IN A SPECIAL WARRANTY DEED, DATED OCTOBER 6, 2006, RECORDED IN DOCUMENT NO. 2006206151 OF THE OFFICIAL PUBLIC RECORD OF TRAVIS COUNTY, TEXAS SAID 22.622 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1" bolt found for the southwest corner of the said 24.001 acre tract, being also the southeast corner of Lot 1, Block A, North Creek East Subdivision, a subdivision of record in Volume 47, Page 13 of the Plat Records of Travis County, Texas, the northwest corner of a 0.29 acre (street deed) recorded in Volume 4034, Page 1419, of the Deed Records of Travis County, Texas and the north right-of-way line of Rundberg Lane (right-of-way width varies);

THENCE North 27°25'25" East, with the common line of the 24.001 acre tract and Block A, North Creek East subdivision, a distance of 414.23 feet to a calculated point in the west line of the 24.001 acre tract, being also in the east line of Block A, North Creek East for the POINT OF BEGINNING of the herein described tract;

THENCE North 27°25'25" East, with the common line of the 24.001 acre tract and Block A, North Creek East, a distance of 171.80 feet to a cotton spindle found for a northwest corner of the 24.001 acre tract; being also a point in the west line of Lot 9, Block A, North Creek East, Subdivision and the southwest corner of Lot 5, Block A, North Creek East, Section One, a subdivision of record in Volume 50, Page 55 of the Plat Records of Travis County, Texas;

THENCE leaving the east line of Block A, North Creek East Subdivision, along the common line of the 24.001 acre tract and Block A, North Creek East, Section One, the following four (4) courses:

1. South 62°22'38" East, a distance of 280.38 feet to a 1/2" rebar with Carson & Bush cap found;
2. North 27°24'14" East, a distance of 1461.69 feet to a 1/2" rebar found;
3. North 62°34'58" West, a distance of 50.03 feet to a 1/2" rebar with cap set;

4. North $11^{\circ}48'14''$ East, a distance of 114.48 feet to a 1/2" rebar found in the west line of the 24.001 acre tract, being also the north corner of Lot 30, Block A, North Creek East, Section One, and the point of terminus of the south right-of-way line of Longspur Boulevard (60' right-of-way width);

THENCE North $00^{\circ}14'18''$ East, along the west line of the 24.001 acre tract, being also the east line of North Creek East, Section One, a distance of 62.13 feet to a 1/2" rebar with cap set in the west line of the 24.001 acre tract, being also the point of terminus of the north right-of-way line of Longspur Boulevard, and the southeast corner of Lot 1, Block G, North Creek East, Section One;

THENCE leaving the north right-of-way line of Longspur Boulevard, along the common line of the 24.001 acre tract and Block G, North Creek East, Section One, the following two (2) courses:

1. North $03^{\circ}44'35''$ East, a distance of 87.12 feet to a 1/2" rebar found;
2. North $28^{\circ}33'18''$ East, a distance of 116.91 feet to a 1/2" rebar found for the northwest corner of the 24.001 acre tract, being also the northeast corner of Lot 3, Block G, North Creek East, Section One, and in the south line of Lot 4, Block H, Western Trails of Quail Creek, Section One-A, a subdivision of record in Volume 81, Page 106 of the Plat Records of Travis County, Texas;

THENCE South $61^{\circ}32'32''$ East along the common line of the 24.001 acre tract and Block H, Western Trails of Quail Creek Section One-A, a distance of 142.95 feet to a 1/2" rebar with cap set in the north line of the 24.001 acre tract, being also in the south line of Lot 5, Block H, Western Trails of Quail Creek, Section One-A;

THENCE South $61^{\circ}33'39''$ East, along the common line of the 24.001 acre tract, the south line of Block H, Western Trails of Quail Creek and the south line of Western trails of Quail Creek Section Two, a subdivision of record in Volume 81, Page 214 of the Plat Records of Travis County, Texas, passing at 189.16 feet the point of terminus of the northwest right-of-way line of Chenault Parkway (60' right-of-way width) at 260.73 the point of terminus of the southwest right-of-way line of Chenault Parkway and continuing for a total distance of 473.21 feet to a 1/2" rebar found for the northeast corner of the 24.001 acre tract, being also the southeast corner of Western Trails of Quail Creek, Section Two, and in the west line of, A-AAA Storage Center, a subdivision of record in Volume 86, Page 72 of the Plat Records of Travis County, Texas;

THENCE South $27^{\circ}32'26''$ West along the east line of the 24.001 acre tract, the west line of the A-AAA Storage Center, the west line of the A-AAA Storage Center Resubdivision of Lot 2, a subdivision of record in Volume 87, page 114B, of the Plat Records of Travis County, Texas and the west line of the 2.518 acre tract recorded in Documents No. 2002069113, of the Official Public records of Travis County, Texas, a distance of 885.35

feet to a 1/2" rebar found in the east line of the 24.001 acre tract, being also the southwest corner of the 2.518 acre tract, and the northwest corner of a 1.443 acre tract recorded in Volume 12595, Page 1883, of the Real Property Records of Travis County, Texas,

THENCE South 27°06'47" West, along the common line of the 24.001 acre tract and the 1.443 acre tract, a distance of 199.67 feet to a 1/2" rebar with cap set in the east line of the 24.001 acre tract, being also the southwest corner of the 1.443 acre tract and the northwest corner of the said 1.08 acre tract;

THENCE South 27°59'54" West, along the common line of the 24.001 acre tract and the 1.08 acre tract, a distance of 149.88 feet to a 1/2" iron pipe found for the southwest corner of the 1.08 acre tract, being also in the east line of the 24.001 acre tract, and the point of terminus of the north right-of-way line of Show Place Lane (70' right-of-way width), K/N Subdivision, a subdivision of record in Volume 87, Page 153D of the Plat Records of Travis County, Texas;

THENCE along the common line of the 24.001 acre tract and K/N Subdivision the following five (5) courses:

1. South 27°50'28" West, a distance of 69.96 feet to a 1/2" rebar found;
2. North 62°33'40" West, a distance of 70.08 feet to a 1/2" rebar found;
3. South 27°28'00" West, a distance of 381.52 feet to a 1/2" rebar found;
4. South 71°59'09" West, a distance of 228.23 feet to a 1/2" rebar found;
5. South 27°37'24" West, a distance of 159.94 feet to a 1/2" rebar found for a southeast corner of the 24.001 acre tract, being also the southwest corner of K/N Subdivision and in the north line of the Reed Subdivision, a subdivision of record in Volume 82, Page 381 of the Plat Records of Travis County, Texas;

THENCE along the common line of the 24.001 acre tract and the Reed Subdivision the following two (2) courses:

1. North 61°40'55" West, a distance of 97.99 feet to a 1/2" rebar found;
2. South 27°30'03" West, a distance of 61.34 feet to a 1/2" rebar found for a southeast corner of the 24.001 acre tract, being also the northeast corner of the Racetrac Subdivision No. 2, a subdivision of record in Volume 102, Page 352 of the Plat Records of Travis County, Texas and in the west line of the Reed Subdivision;

THENCE along the common line of the 24.001 acre tract and the Racetrac Subdivision the following three (3) courses:

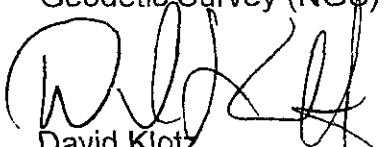
1. North $61^{\circ}47'59''$ West, a distance of 80.15 feet to a 1/2" rebar found;
2. South $27^{\circ}43'41''$ West, a distance of 85.09 feet to a 1/2" rebar found;
3. North $61^{\circ}44'22''$ West, a distance of 194.94 feet to a 1/2" rebar found for an interior corner of the 24.001 acre tract, being also the northwest corner of the Racetrac Subdivision, from which a 1/2" rebar found bears South $27^{\circ}38'11''$ West, a distance of 250.07 feet:

THENCE over and across the 24.001 acre tract the following two (2) courses:

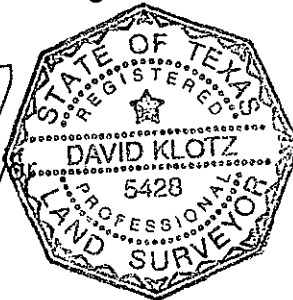
North $27^{\circ}38'11''$ East, a distance of 166.13 feet to a calculated point;

North $62^{\circ}34'35''$ West, a distance of 147.24 feet to the **POINT OF BEGINNING**, containing 22.622 acres of land, more or less.

Surveyed on the ground in November, 2007, Bearing Basis is Grid Azimuth for the Texas Central Zone State Plane Coordinates, based on GPS solutions from the National Geodetic Survey (NGS) On-Line Positioning User Service (OPUS). Attachments: None


David Klotz
Registered Professional Land Surveyor
State of Texas No. 5428

11/14/07





Professional Land Surveying, Inc.
Surveying and Mapping

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

3500 McCall Lane
Austin, Texas 78744

EXHIBIT E

**1.189 ACRES
PROPOSED DONATION TRACT**

A DESCRIPTION OF 1.189 ACRES IN THE JOHN APPLGAIIT SURVEY NO. 58, ABSTRACT NO. 29, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 24.001 ACRE TRACT CONVEYED TO RUNDBERG BUSINESS PARK, LP, IN A SPECIAL WARRANTY DEED DATED OCTOBER 6, 2006, RECORDED IN DOCUMENT NO. 2006206151 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.189 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found for the northwest corner of the 24.001 acre tract, being also the northeast corner of Lot 3, Block G, North Creek East Section One, a subdivision of record in Volume 50, Page 55 of the Plat Records of Travis County, Texas, and being in the south line of Lot 4, Block H, Western Trails of Quail Creek Section One-A, a subdivision of record in Volume 81, Page 106 of the Plat Records of Travis County, Texas;

THENCE South 61°32'32" East, with the north line of the 24.001 acre tract, being also the south line of Lots 4 and 5 of Block H, Western Trails of Quail Creek Section One-A, a distance of 142.95 feet to a 1/2" rebar with cap set for an angle point in said line;

THENCE South 61°33'39" East, continuing with the north line of the 24.001 acre tract, and the south line of Lots 5 and 6 of Block H, Western Trails of Quail Creek Section One-A, and the south line of Lot 24, Block H, Western Trails of Quail Creek Section Two, a subdivision of record in Volume 81, Page 214 of the Plat Records of Travis County, Texas, and with the south termination of Chenault Parkway (60' right-of-way width) as shown on the final plat of Western Trails of Quail Creek Section Two, and with the south line of Lot 11, Block M, Western Trails of Quail Creek Section Two, a distance of 272.67 feet to a calculated point, from which the a 1/2" rebar found for the northeast corner of the 24.001 acre tract, being also the southeast corner of Lot 11, Block M, and being in the east line of Lot 1, A-AAA Storage Center, a subdivision of record in Volume 86, Page 72B of the Plat Records of Travis County, Texas, bears South 61°33'39" East, a distance of 200.53 feet;

THENCE over and across the 24.001 acre tract, the following three (3) courses and distances:

1. South 66°34'07" West, a distance of 63.56 feet to a calculated point;

2. North $61^{\circ}33'39''$ West, a distance of 233.64 feet to a calculated point;
3. South $27^{\circ}24'14''$ West, a distance of 309.63 feet to a $1/2''$ rebar found for an angle point in the west line of the 24.001 acre tract, being also the northeast corner of Lot 29, Block A, North Creek East Section One;

THENCE North $62^{\circ}34'58''$ West, with the west line of the 24.001 acre tract and the north line of Lot 29, a distance of 50.03 feet to a $1/2''$ rebar with cap set for an angle point in the north line of Lot 29, and the southeast corner of Lot 30, Block A of North Creek East Section One;

THENCE North $11^{\circ}48'14''$ East, with the west line of the 24.001 acre tract, and the east line of Lot 30, a distance of 114.48 feet to a $1/2''$ rebar found for the northeast corner of Lot 30, being also the east termination of Longspur Boulevard (60' right-of-way width) as shown on the final plat of North Creek East Section One;

THENCE North $00^{\circ}14'18''$ East, with the west line of the 24.001 acre tract, and east termination of Longspur Boulevard, a distance of 62.13 feet to a $1/2''$ rebar with cap set for the southeast corner of Lot 1, Block G of North Creek East Section One;

THENCE North $03^{\circ}44'35''$ East, with the west line of the 24.001 acre tract, and the east line of Lot 1, a distance of 87.12 feet to a $1/2''$ rebar found for the northeast corner of Lot 1, and the southeast corner of Lot 2, Block G of North Creek East Section One;

THENCE North $28^{\circ}33'18''$ East, with the west line of the 24.001 acre tract, and the east line of Lots 2 and 3 of Block G, North Creek East Section One, a distance of 116.91 feet to the **POINT OF BEGINNING**, containing 1.189 acres of land, more or less.

Surveyed on the ground November 11, 2007. Bearing basis is Grid Azimuth for Texas Central Zone State Plan Coordinates, based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User Service (OPUS). Set caps on rebars are plastic, stamped "Chaparral Boundary". Attachments: Survey Drawing No. 040-061-ZO-1.

Robert C. Watts, Jr. 7-8-10

Robert C. Watts, Jr. Date
Registered Professional Land Surveyor
State of Texas No. 4995

10/11/07

$1'' = 100'$

A-AAA
STORAGE CENTER
LOT 1
86/72B

A-AAA STORAGE
CENTER
RESUBDIVISION
OF LOT 2
87/114B
LOT A

LEGEND

- 1/2" REBAR FOUND
- 1/2" REBAR WITH CHAPARRAL CAP SET
- △ CALCULATED POINT

LINE TABLE

LINE TABLE			
No.	BEARING	LENGTH	RECORD
L1	S61°32'32"E	142.95'	(S59°34'00"E 143.62')
L2	S61°33'39"E	272.67'	(S59°33'00"E 473.88')
L3	S66°34'07"W	63.56'	
L4	N61°33'39"W	233.64'	
L5	S27°24'14"W	309.63'	
L6	N62°34'58"W	50.03'	(N60°38'47"W 50.04')
L7	N11°48'14"E	114.48'	(N13°44'25"E 114.50')
L8	N00°14'18"E	62.13'	(N02°03'00"E 62.41')
L9	N03°44'35"E	87.12'	(N05°33'17"E 87.51')
L10	N28°33'18"E	116.91'	(N30°26'00"E 116.91')

24.001 ACRES
RUNDBERG BUSINESS PARK, LP
DOCUMENT NO. 2006206151

Sammy

DATE OF SURVEY: 11/11/07
PLOT DATE: 07/08/10
DRAWING NO.: 40-061-ZO-1
PROJECT NO.: 040-061
DRAWN BY: RCW

BEARING BASIS: GRID AZIMUTH FOR TEXAS CENTRAL ZONE STATE
PLANE COORDINATES, BASED ON GPS SOLUTIONS FROM THE
NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER
SERVICE (OPUS).

Chaparral