ORDINANCE NO. 20110303-059

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 9726 CIRCLE DRIVE IN THE WEST OAK HILL NEIGHBORHOOD PLAN AREA FROM RURAL RESIDENCE-NEIGHBORHOOD PLAN (RR-NP) COMBINING DISTRICT TO WAREHOUSE LIMITED OFFICE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (W/LO-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 rural residence-neighborhood plan (RR-NP) combining district to warehouse limited office-conditional overlay-neighborhood plan (W/LO-CO-NP) combining district on the property described in Zoning Case No. C14-2010-0175, on file at the Planning and Development Review Department, as follows:

A 3.003 acre tract of land, more or less, out of the Casper Dittmar Survey No. 611, 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 9726 Circle 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 warehouse limited office (W/LO) 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:

The following uses are prohibited uses of the Property:

Bed and breakfast (Group 1)
Administrative and business office
Art workshop
Business or trade school
Communication services
Bed and breakfast (Group 2)
Art gallery
Building and maintenance services
Business support services
Construction sales and services

Convenience storage
Electronic testing
Exterminating services
Printing & publishing
Club or lodge
Community recreation (private)
Convalescent services
Cultural services
Day care services (general)
Local utility services
Private secondary educational facilities
Public secondary educational facilities
Safety services
Electronic prototype assembly
Equipment repair services
Food preparation
Custom manufacturing
College and university facilities
Community recreation (public)
Counseling services
Day care services (commercial)
Day care services (limited)
Private primary educational facilities
Public primary educational facilities
Residential treatment

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 March 14, 2011.

PASSED AND APPROVED

March 3, 2011 § Lee Leffingwell
Mayor

APPROVED: Karen M. Kennard
Acting City Attorney

ATTEST: Shirley A. Gentry
City Clerk

EXHIBIT A

FIELD NOTES FOR
3.003 ACRES OUT OF
THE CASPER DITTMAR SURVEY No 611
TRAVIS COUNTY, TEXAS

METES AND BOUNDS DESCRIPTION

DESCRIPTION OF A 3.003 ACRE TRACT OF LAND, BEING OUT OF THE CASPER DITTMAR SURVEY No. 611 IN TRAVIS COUNTY, TEXAS AND BEING THAT CERTAIN TRACT OF LAND CALLED 3.00 ACRES AS CONVEYED TO HENRY E. DURAN AND STELLA DURAN BY DEED RECORDED IN VOLUME 4356, PAGE 2288 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. SAID TRACT HAVING BEEN SURVEYED ON THE GROUND BY SNS ENGINEERING AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found on the northeasterly line of Circle Drive, at the west corner of a 1.059 acre tract of land conveyed to Keating Holding Group, L.L.C. by deed recorded in Document No. 2001212923 of the Official Public Records of Travis County, Texas, for the south corner of the tract herein described;

THENCE, along the common line of Circle Drive and the tract herein described as follows

1.) N 43°11'13"W, a distance of 40.80 FEET to a ½" iron rod with a cap stamped "SNS" set for an angle point,

2.) N 42°20'40"W, a distance of 376.98 FEET to a ½" iron pipe found at the south corner of a 1.00 acre tract of land owned by Bettie J. Petrucci according to the Travis County Appraisal District, for the west corner of the tract herein described;

THENCE, departing the northeasterly line of Circle Drive and along the common line of said Petrucci tract and the tract herein described, N 68°45'00"E, at 293.21 feet pass a ½" iron rod found at the southerly common corner of said Petrucci tract and a 5.02 acre tract of land conveyed to Steve Monreal by deed recorded in Volume 13123, Page 1747 of the Real Property Records of Travis County, Texas, continuing a total distance of 412.56 FEET to a ½" iron rod found at the west corner of a 1.99 acre tract of land conveyed to Thomas Willington Rose, II and Uta Anna Rose by deed recorded in Volume 4530, Page 328 of the Deed Records of Travis County, Texas, for the north corner of the tract herein described; 114.35

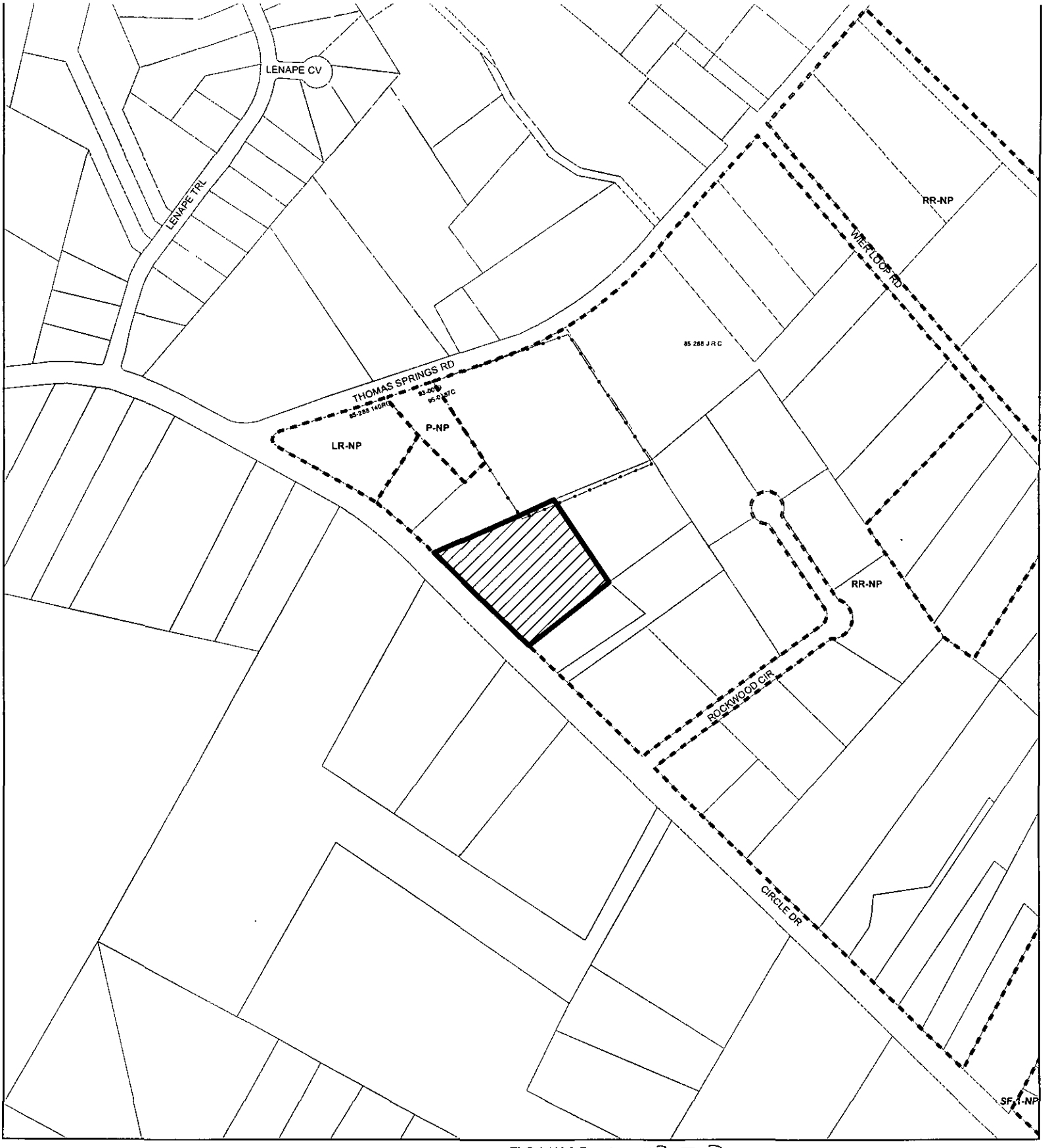
THENCE, departing the southeasterly line of said 5.02 acre tract and along the common line of said 1.99 acre tract and the tract herein described, S 30°36'11"E, a distance of 313.10 FEET to a ½" iron rod found on the northwesterly line of the aforementioned 1.059 acre tract, at the south corner of said 1.99 acre tract, for the east corner of the tract herein described and from which a 100d nail found at the north corner of said 1.059 acre tract bears N 54°16'32"E, a distance of 8.25 FEET;

THENCE, along the common line of said 1.059 acre tract and the tract herein described, S 54°17'05"W, a distance of 322.76 FEET to the POINT OF BEGINNING and containing 3.003 acres of land, more or less.

See SNS Engineering "Plat of Survey" No. 04424, page 2 of 2 attached hereto and made a part hereof.

Mary P. Hawkins
Registered Professional Land Surveyor No. 4433
State of Texas

STATE OF TEXAS
REGISTERED
MARY P. HAWKINS
4433
PROFESSIONAL
LAND SURVEYOR



ZONING EXHIBIT B

N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1' = 400'

ZONING CASE#: C14-2010-0175
LOCATION: 9726 CIRCLE DR
SUBJECT AREA: 3.003 ACRES
GRID: WZ20
MANAGER: STEPHEN RYE

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