

ORDINANCE NO. 2011208-126

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2500 AND 2502 MANOR ROAD IN THE UPPER BOGGY CREEK NEIGHBORHOOD PLAN AREA FROM NEIGHBORHOOD COMMERCIAL-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LR-MU-V-CO-NP) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-CO-NP) COMBINING DISTRICT FOR TRACT ONE AND COMMERCIAL-LIQUOR SALES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-1-MU-CO-NP) COMBINING DISTRICT FOR TRACT TWO.

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 districts on the property described in Zoning Case No. C14-2011-0125, on file at the Planning and Development Review Department, as follows:

Tract One: From neighborhood commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (LR-MU-V-CO-NP) combining district to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district.

A 7,469 square foot tract of land, more or less, out of Outlot 33, Division C, City of Austin, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: From neighborhood commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (LR-MU-V-CO-NP) combining district to commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district.

A 535 square foot tract of land, more or less, out of Outlot 33, Division C, City of Austin, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (the "Property"),

locally known as 2500 and 2502 Manor Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

PART 2. Except as otherwise 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 respective base districts, the mixed use combining 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 2,000 trips per day.
- B. A certificate of occupancy shall not be issued unless ten bicycle parking spaces in addition to the required parking, are provided for each tract. The bicycle parking may be phased with tract development.
- C. The following uses are prohibited uses of the Property:


Service station	Automotive repair services
Automotive sales	Automotive washing (of any type)
Bail bond services	Exterminating services
Outdoor sports and recreation	Pawn shop services

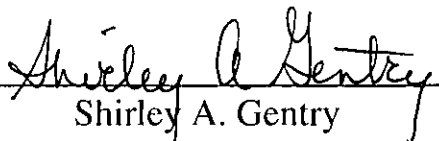
PART 4. The Property is subject to Ordinance No. 020801-092, that established the Upper Boggy Creek neighborhood plan combining district.

PASSED AND APPROVED

December 8, 2011

Lee Leffingwell
Mayor

APPROVED: 
Karen M. Kennard
City Attorney

ATTEST: 
Shirley A. Gentry
City Clerk

C14-2011-0125
TRACT 1

EXHIBIT A
CRICHTON AND ASSOCIATES, INC.
LAND SURVEYORS
6448 HIGHWAY 290 EAST
SUITE B-105
AUSTIN, TX 78723
512-244-3395 - PHONE
512-244-9508 - FAX

FIELD NOTES

FIELD NOTES FOR A 7469 SQUARE FOOT TRACT AND A 535 SQUARE FOOT TRACT OUT OF THE OUTLOT NO. 33 DIVISION C OF THE OUTLOT ADJOINING THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS ALSO BEING OUT OF A 0.213 ACRE TRACT CONVEYED TO JASON AND RICHARD BERKOWITZ IN DOC. NO. 2006016157 AND A 0.186 ACRE TRACT CONVEYED TO JASON AND RICHARD BERKOWITZ IN DOC. NO. 2006016155 BOTH OF THE OFFICIAL RECORDS OF TRAVIS COUNTY, TEXAS. SAID TRACTS BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

7469 SQUARE FEET

BEGINNING at a 1/2" iron pin found at the Northwest corner of said 0.186 acre tract also being on the East line of a 1.278 acre tract conveyed to William Stewart Trustee in Vol. 11604 Pg. 639 of the Real Property Records of Travis County, Texas also being the most Northerly Southwest corner of a 0.867 acre tract conveyed to Manor Road Partners, LTD in Doc. No. 2006016151 of the Official Records of Travis County, Texas for the Northwest corner of this tract and the POINT OF BEGINNING.

THENCE N 80° 41' 49" E with the South line of said 0.867 acre tract, 48.87 feet to a 1/2" iron pin found at the North common corner of said 0.213 acre tract and said 0.186 acre tract.

THENCE N 81° 03' 28" E with the common line of said 0.867 acre tract, 31.43 feet to a point for the Northeast corner of this tract.

THENCE S 09° 19' 42" E through the interior of said 0.213 acre tract, 46.23 feet to a point.

THENCE S 80° 40' 18" W passing the common line of said 0.213 acre tract and said 0.186 acre tract, in all a distance of 41.63 feet to a point..

THENCE S 09° 24' 11" E through the interior of said 0.186 acre tract, 52.05 feet to a point on the common line of said 0.186 acre tract and said 0.213 acre tract.

THENCE S 02° 49' 04" E with the common line of said 0.186 acre tract and said 0.213 acre tract, 13.93 feet to a point for the Southeast corner of this tract.

THENCE S 80° 51' 24" W through the interior of said 0.186 acre tract, 57.36 feet to a point on the common line of said 0.186 acre tract and said 1.278 acre tract for the Southwest corner of this tract.

THENCE N 00° 44' 51" E with the common line of said 0.186 acre tract and said 1.278 acre tract, 115.44 feet to the POINT OF BEGINNING and containing 7469 square feet more or less.

C14.2011-0125
TRACT 2

EXHIBIT B

535 SQUARE FEET

COMMENCING at a ½" iron pin found at the Northeast corner of said 0.213 acre tract, also being an ell corner of a 0.867 acre tract conveyed to Manor Road Partners, LTD in Doc. No. 2006016151 of the Official Records of Travis County, Texas for the POINT OF COMMENCING.

THENCE S 09° 17' 00" E with the common line of said 0.213 acre tract and said 0.867 acre tract, 46.07 feet to a point.

THENCE S 80° 41' 18" W through the interior of said 0.213 acre tract, 54.94 feet to a point for the Northeast corner of this tract and the POINT OF BEGINNING.

THENCE S 80° 40' 18" W passing the common line of said 0.213 acre tract and said 0.186 acre tract, in all a distance of 10.00 feet to a point for the Northwest corner of this tract.

THENCE S 09° 24' 11" E passing the common line of said 0.186 acre tract and said 0.213 acre tract, in all a distance of 53.54 feet to a point for the Southwest corner of this tract.

THENCE N 80° 36' 06" E through the interior of said 0.213 acre tract, 10.00 feet to a point for the Southeast corner of this tract.

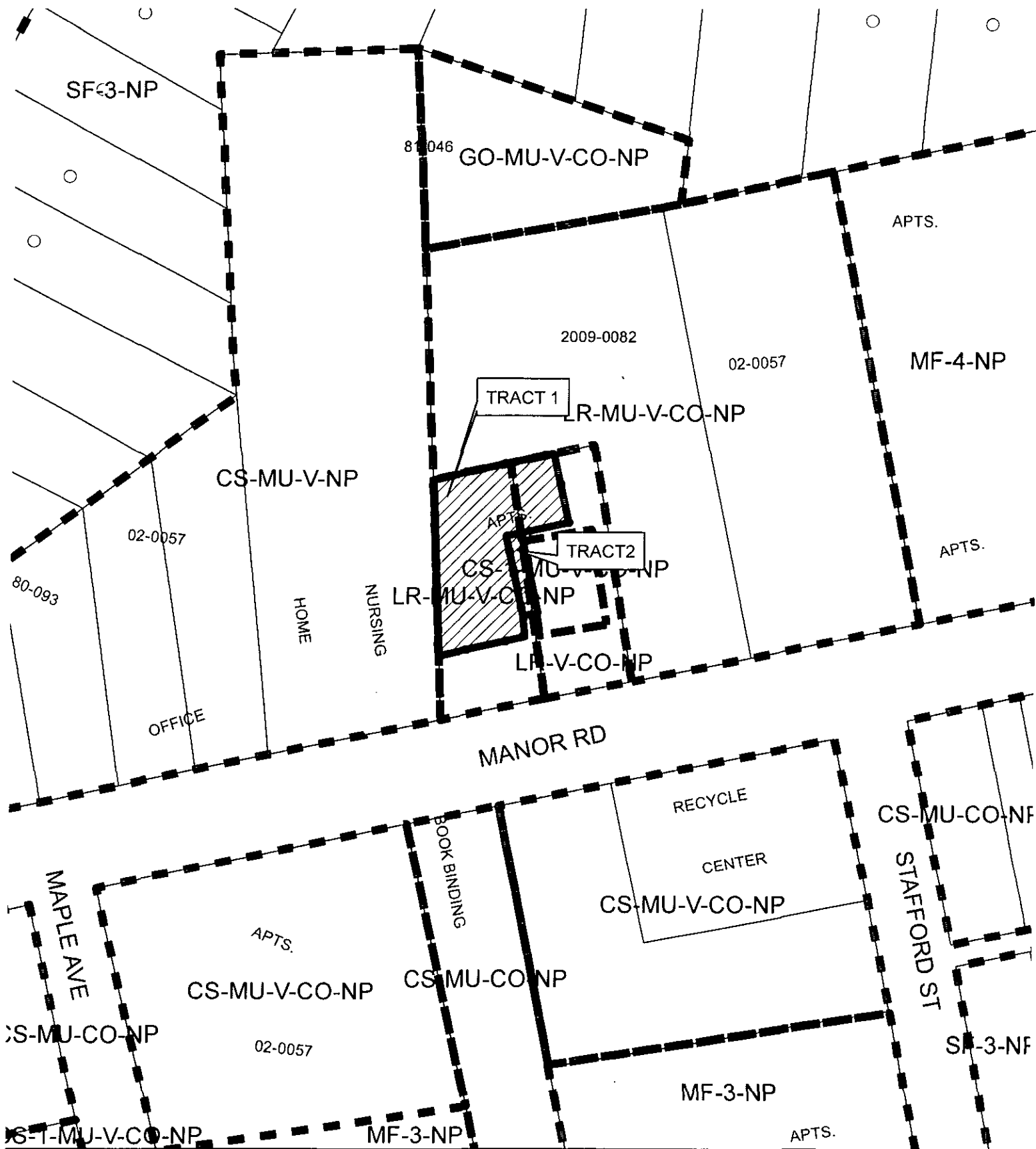
THENCE N 09° 24' 11" W through the interior of said 0.213 acre tract, 53.53 feet to the POINT OF BEGINNING and containing 535 square feet more or less.




I hereby certify that the foregoing field notes were prepared from a survey on the ground, under my supervision and are true and correct to the best of my knowledge and belief.

Witness my hand and seal September 20, 2011

Herman Crichton, R.P.L.S 4046
11_356





-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING EXHIBIT C

ZONING CASE#: C14-2011-0125

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

