

ORDINANCE NO. 20120628-129

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 605 AND 607 RADAM LANE FROM FAMILY RESIDENCE (SF-3) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-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 family residence (SF-3) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-2012-0040, on file at the Planning and Development Review Department, as follows:

A 0.196 acre tract of land, more or less, out of a portion of Lot 8 Division D, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

A 0.192 acre tract of land, more or less, out of Block 8D the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (the "Property"),

locally known as 605 and 607 Radam Lane in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A. The following uses are subject to 25-2-587(D) (*Requirements for Certain Uses in a Neighborhood Commercial (LR) District*):

General retail sales (general)
Restaurant (general)

Personal improvement services

B. The following uses are conditional uses of the Property:

Group home (class II)
Residential treatment

Hospital services (limited)

C. The following uses are prohibited uses of the Property:

Automotive repair services
Automotive sales
Bail bond services
Business support services
Communications services
Congregate living
Exterminating services
Funeral services
Hotel-motel
Indoor sports and recreation
Outdoor sports and recreation
Research services
Theater

Automotive rentals
Automotive washing (of any type)
Business or trade school
Commercial off-street parking
Community recreation (private)
Drop-off recycling collection facility
Food preparation
Hospital services (general)
Indoor entertainment
Outdoor entertainment
Pawn shop services
Service station

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

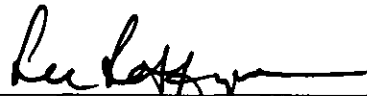
PART 3. This ordinance takes effect on July 9, 2012.

PASSED AND APPROVED

June 28

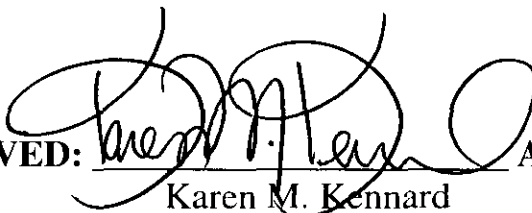
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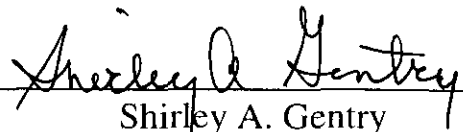
Lee Leffingwell
Mayor

APPROVED:



Karen M. Kennard
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

LEGAL DESCRIPTION

DESCRIBING 0.196 OF AN ACRE OF LAND, MORE OR LESS, OUT OF A PORTION OF LOT 8 DIVISION D, PARTITION OF THE JAMES E. BOULDIN ESTATE, CAUSE NO. 8930, IN TRAVIS COUNTY, TEXAS, RECORDED IN VOLUME 870, PAGE 61, DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAME BEING TRACT 3 DESCRIBED IN A WARRANTY DEED RECORDED IN DOCUMENT NO. 2006237696 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND FURTHER BEING A PORTION OF THAT TRACT OF LAND CONVEYED TO 605 RADAM LLC A TEXAS LIMITED LIABILITY COMPANY RECORDED IN DOCUMENT NO. 2011091291 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron rod found in the south right of way line of Radam Lane at the northeast corner of the George W. Neil III Tract, recorded in Volume 11187, Page, 8 of the Real Property Records of said County for the northwest corner hereof;

THENCE along the said right of way line of Radam Lane, being the northerly line hereof, South 60°14'39" East 63.83 feet to a capped iron rod found at the northwest corner of the H.B. Wunneburger Tract 2 described in Volume, 908 Page, 273 of the Deed Records of said County for the northeast corner hereof;

THENCE departing said right of way and running along the west line of the Wunneburger Tract and the east line of the herein described tract, South 31°16'21" West 80.04 feet to a capped iron rod found at the southwest corner of the Wunneburger Tract 2, same being the north line of the John W. Bradley Jr. Tract 1 recorded in Volume, 870 Page, 61 of the Deed Records of said County for an exterior corner hereof;

THENCE along the north line of said Bradley Tract North 60°14'53" West 2.14 feet to a ½ inch iron rod set at the northwest corner of the Bradley Tract for an interior corner hereof;

THENCE along the west line of said Bradley Tract and the east line of the herein described Tract, South 29°50'40" West 58.71 feet to a ½ inch iron rod found at the southwest corner of said Bradley Tract same being the northeast corner of said Bailey Tract recorded in Volume, 9974 Page, 985 of the Real Property Records of said County for the southeast corner hereof;

THENCE along the north line of said Bailey Tract and the south line of the herein described Tract, North 60°50'50 " West 59.70 feet to a ½ inch iron rod found at the southeast corner of said George W. Neil III Tract for the southwest corner hereof;

THENCE along the east line of said George W. Neil III Tract and the west line of the herein described Tract, North 29°50'40" East 139.35 feet to the PLACE OF BEGINNING hereof and containing 0.196 acre of land, more or less.

This description is to be used with the attached survey only.


Victor Garza RPLS. NO. 4740

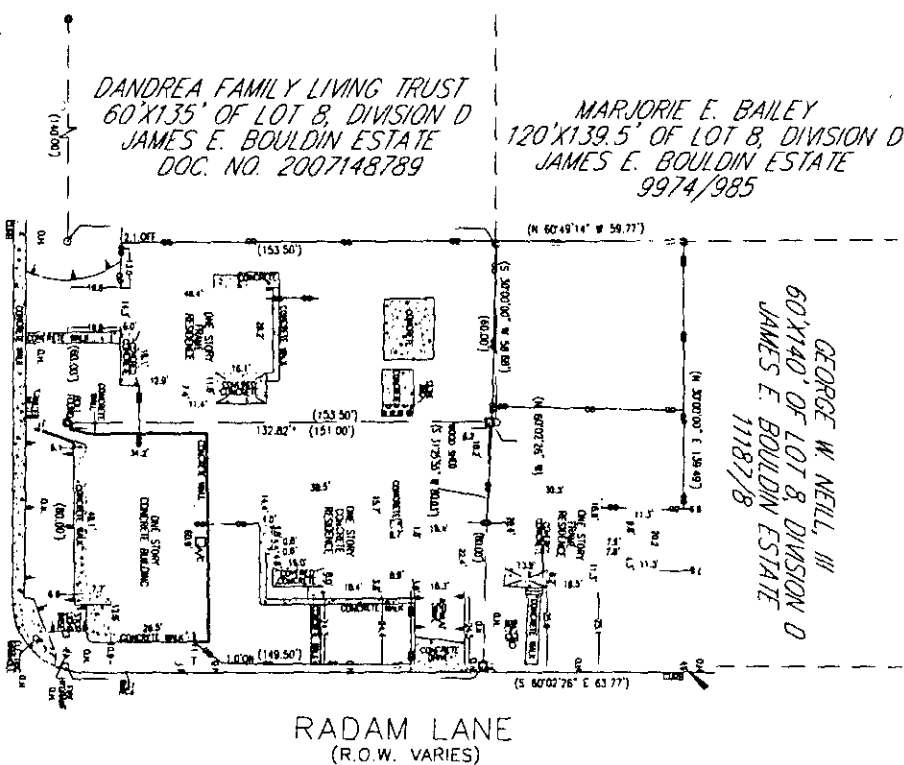
2-22-12
Date

B and G Land Surveying
1404 West North Loop Blvd.
Austin, TX 78756
PH 512-458-6969

Job #B0203012



30 0 30 60 90 Feet



Note: - Discrepancies exist between record and measured depths of tract 1 and tract 2. An undetermined right of way taking may have occurred along south 1st street or record data may be in error.

LEGEND

- 1/2" = 1' Scale
- 1/4" = 1/2' Scale
- 1/8" = 1/4' Scale
- 1/16" = 1/8' Scale
- 1/32" = 1/16' Scale
- 1/64" = 1/32' Scale
- 1/128" = 1/64' Scale
- 1/256" = 1/128' Scale
- 1/512" = 1/256' Scale
- 1/1024" = 1/512' Scale
- 1/2048" = 1/1024' Scale
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LEGAL DESCRIPTION

BEING 0.192 ACRE OF LAND, MORE OR LESS OUT OF BLOCK 8D JAS. E. BOULDIN ESTATE AS SHOWN IN CAUSE NUMBER 8930 IN THE DISTRICT COURT OF TRAVIS COUNTY, TEXAS, AND BEING THAT SAME TRACT OF LAND CONVEYED TO GEORGE NEILL IN VOLUME 11187 PAGE 8 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.192 ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron rebar found on the south right of way of Radam Lane at the northeast corner of the Lanora Barrientes tract in Volume 2389 Page 149 of the said Real Property Records, same being the northwest corner of said Neill tract and the northwest corner and PLACE OF BEGINNING hereof;

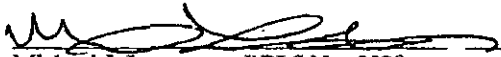
THENCE with the south line of Radam Lane and the northeast line hereof South 59°27'22" East a distance of 59.99 feet to a ½ inch iron rebar found at the northwest corner of the Aline Estelle Wunneburger Bradley tract recorded in Document 2006237696 of the Official Public Records of said County for the northeast corner hereof;

THENCE South 30°33'50" West (BEARING BASIS) with the common line of the said Bradley tract and the tract hereof a distance of 139.42 feet to a ½ inch iron rebar found at the southwest corner of said Bradley tract, same being in the northeast line of the Margorie E. Bailey tract recorded in Volume 9974 Page 985 of the said Real Property Records for the southeast corner hereof;

THENCE North 60°02'03" West with the common line of said Bailey tract and the tract hereof a distance of 60.00 feet to a spindle found at the most northerly corner of said Bailey tract, same being the most easterly corner of the Felipa Q. Ramirez tract recorded in Volume 7595 Page 608 of the said Real Property Records, same being the southeast corner of said Barrientes tract for the southwest corner hereof;

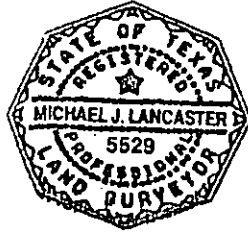
THENCE North 30°34'08" East with the common line of said Barrientes tract and the tract hereof a distance of 140.03 feet to the PLACE OF BEGINNING hereof and containing 0.192 acre of land, more or less.

This description is to be used with the attached survey only.


Michael J. Lancaster RPLS No. 5529 Date 02/29/2012

B and G Land Surveying, Inc.
1404 West North Loop Blvd.
Austin, TX 78756
PH 512-458-6969

Job# B0203112_legal



20' 0 20'

RADAM LANE

R.O.W. VARIES

(60.00')

S 59°27'22" E 59.99'

0.192 AC.

(60' X 140')

GEORGE NEILL

V.11187, P.8

LEGEND

- 1/2" REBAR FOUND
- 1/2" CAPPED REBAR SET
- 1/2" IRON PIPE FOUND
- 60D NAIL FOUND
- CAPPED REBAR FOUND
- "X" SET IN CONCRETE
- "X" FOUND IN CONCRETE
- SPINDLE FOUND
- CHAIN LINK FENCE
- WOOD FENCE
- METAL FENCE
- DARKENED LINE
- PUBLIC UTILITY EASEMENT
- DRAINAGE EASEMENT
- PER 11187/8
- CONTROL MONUMENT
- R.O.W.
- PLACE OF BEGINNING
- OVERHEAD ELECTRIC
- POWER POLE

BOULDER ESTATE - CAUSE NO. 8930

BLOCK 8D, JAS. E. BOULDER ESTATE

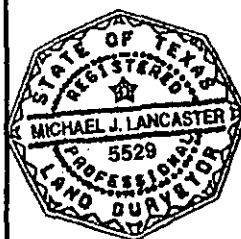
LENORA BARRIENTES V.2389, P.149

FELIPA Q. RAMIREZ
V.7595, P.608

MARJORIE E. BAILEY
V.9974, P.985

S 30°33'50" W 139.42' (140.00')

ALINE ESTELLE
WUNNEBURGER BRADLEY
DOC.#2006237696



THIS AREA IS NOT DEPICTED AS BEING IN A SPECIAL FLOOD HAZARD AREA PER FEMA'S FLOOD INSURANCE RATE MAP 08354A, DATED 09/26/00. IT IS REPRESENTED AS IN ZONE "X". HOWEVER, AT THE PRESENT TIME, NO ELEVATIONS, DRAINAGE, OR FLOOD STUDIES HAVE BEEN PERFORMED AND INFORMATION IS BASED SOLELY UPON SAID MAP. THE SURVEYOR DOES NOT ASSUME RESPONSIBILITY AS TO ANY INFORMATION PROVIDED SAID MAP AND DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE OF FLOOD DAMAGE. FOR FURTHER INFORMATION CONTACT YOUR FLOOD PLAIN ADMINISTRATOR.

BEING 0.192 ACRE OF LAND, MORE OR LESS OUT OF BLOCK 8D JAS. E. BOULDER ESTATE AS SHOWN IN CAUSE NUMBER 8930 IN THE DISTRICT COURT OF TRAVIS COUNTY, TEXAS, AND BEING THAT SAME TRACT OF LAND CONVEYED TO GEORGE NEILL IN VOLUME 11187 PAGE 8 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.192 ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS SHOWN IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

STREET ADDRESS: 607 RADAM LANE
REFERENCE NAME: STEVE PORTNOY

CITY: AUSTIN COUNTY: TRAVIS STATE OF TEXAS



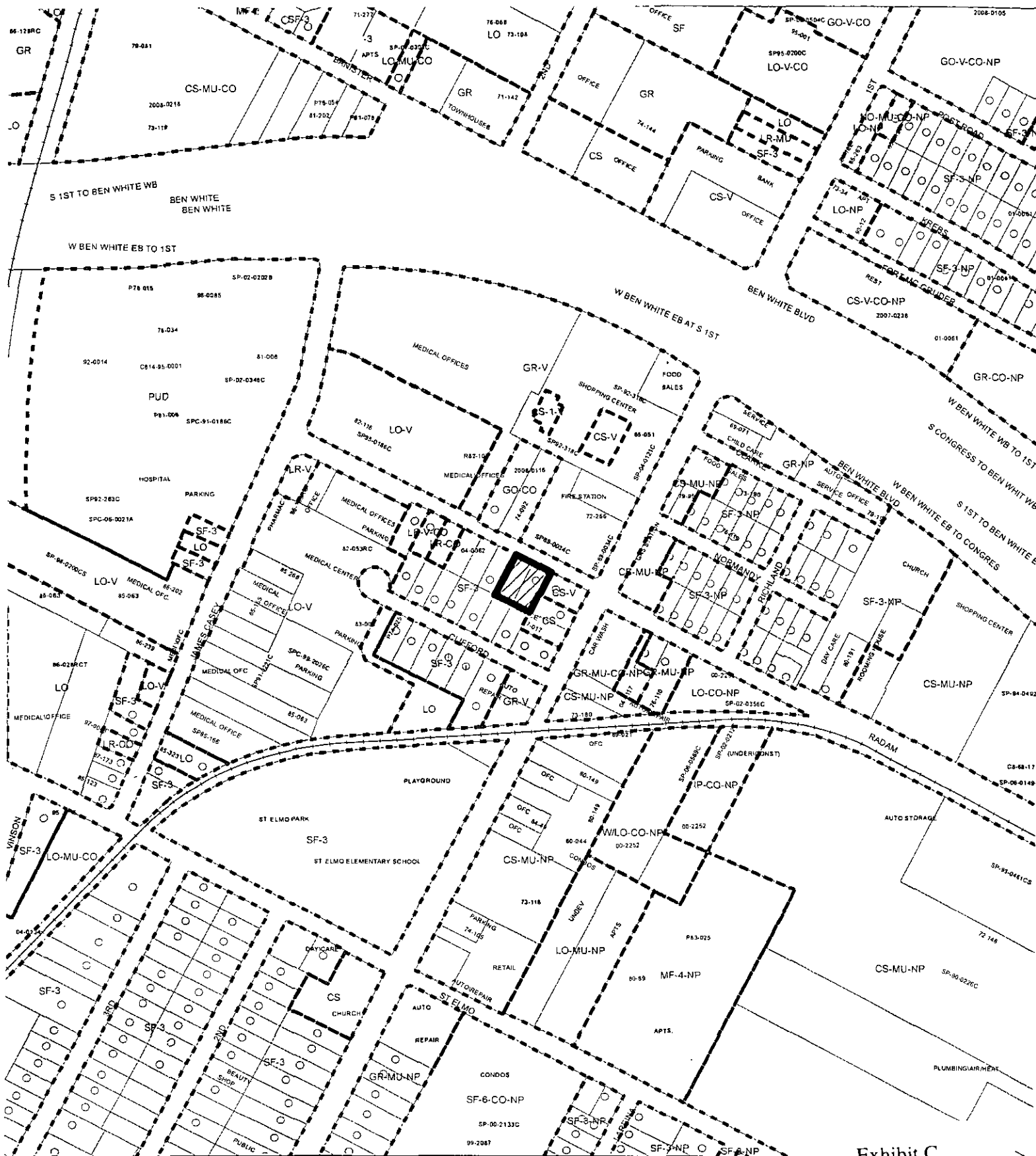
B & G SURVEYING, INC.
DEWEY H. BURRIS & ASSOCIATES, INC.
Surveyed by: B & G Surveying, Inc.

WWW.BANDGSURVEY.COM

1404 West North Loop Blvd. Austin, Texas 78756
Office 512-458-6969, Fax 512-458-9845

JOB #: B0203112_TA
DATE: 2-29-12
SCALE: 1" = 20'

FIELD WORK BY	WILLIAM	2-28-12
CALC'D BY	VG	2-29-12
DRAFTED BY	AW3	2-29-12
CHECKED BY	ML	2-29-12



ZONING

ZONING CASE#: C14-2012-0040

Exhibit C



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.