

ORDINANCE NO. 20140626-123

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 8515 FARM TO MARKET 1826 ROAD IN THE WEST OAK HILL NEIGHBORHOOD PLAN AREA FROM LIMITED OFFICE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LO-CO-NP) COMBINING DISTRICT FOR TRACT ONE AND SINGLE FAMILY RESIDENCE STANDARD LOT-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (SF-2-CO-NP) COMBINING DISTRICT FOR TRACT TWO TO LIMITED OFFICE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (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 on the property (the "Property") described in Zoning Case No. C14-2014-0023, on file at the Planning and Development Review Department, as follows:

TRACT ONE:

limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district to limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district

130,464 square feet of land, more or less, out of portion of Lot 2 of Final Plat of Blackbeard Subdivision, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, and;

TRACT TWO:

single family residence standard lot-conditional overlay-neighborhood plan (SF-2-CO-NP) combining district to limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district

11,855 square feet of land, more or less, out of the a portion of Lot 2 of Final Plat of Blackbeard Subdivision, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance

locally known as 8515 Farm to Market 1826 Road in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

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 limited office (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:

- 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. Vehicle access from the Property to Farm to Market 1826 Road is limited to two driveway approaches.
- C. The maximum height, as defined in City Code, of a building or structure on the Property may not exceed 35 feet.
- D. A building or structure on the Property may not exceed one story.
- E. Development of the Property shall provide for a fifty foot wide building setback along the northern and southern property lines.
- F. The following uses are prohibited uses of the Property:

Art gallery	Bed and breakfast (group 1)
Art workshop	Bed and breakfast (group 2)
Club or lodge	College and university facilities
Communication service facilities	Communication services
Community events	Community recreation (private)
Community recreation (public)	Congregate living
Convalescent services	Counseling services
Cultural services	Family home
Group home	Group home, Class I (general)
Group home, Class I (limited)	Group home, Class II
Hospital services (limited)	Special use historic
Public primary educational facilities	Public secondary educational facilities
Residential treatment	Safety services

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

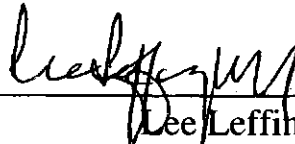
PART 4. The Property is subject to Ordinance No. 20081211-097 that established the West Oak Hill neighborhood plan combining district.

PART 5. This ordinance takes effect on July 7, 2014.

PASSED AND APPROVED

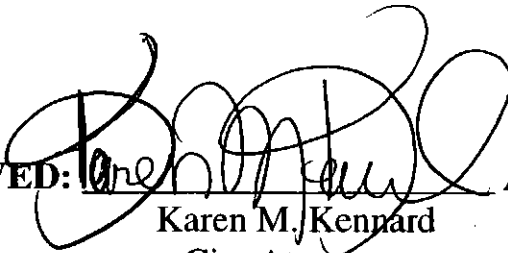
June 26, 2014

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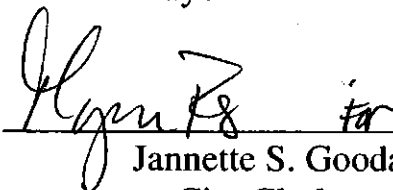
Lee Leffingwell
Mayor

APPROVED:



Karen M. Kennard
City Attorney

ATTEST:



Jannette S. Goodall
City Clerk

FIELD NOTES

C14-2014-0023
TRACT 1

BEING 130,464 SQUARE FEET OF LAND, MORE OR LESS, OUT OF AND A PORTION OF LOT 2 OF "FINAL PLAT OF BLACKBEARD SUBDIVISION" IN THE CITY OF AUSTIN, TEXAS AS RECORDED IN DOCUMENT NUMBER 200800264 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS SAID LOT 2 A 1/2 INTEREST TO LOT 2 WAS CONVEYED FROM GREGORY S. BEARD AND SOSSITY BEARD TO J & B INTERESTS, LLC AS RECORDED IN DOCUMENT NUMBER 2008179220 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS SAID 130,464 SQUARE FEET OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found on the easterly right-of-way line of FM 1826 at the west corner of said Lot 2,

THENCE along said right-of-way line, same being the west line of this tract of land the following two (2) courses and distances:


- 1) N 25° 00' 58" E a distance of 14.42 feet, a calculated point for an angle point in said right-of-way line and this easement, and
- 2) N 28° 28' 02" E (Basis of Bearings) a distance of 371.43 feet to a calculated point for the north corner of this tract of land; from this point a 1/2" iron rod found for the north corner of said Blackbeard Subdivision bears N 28° 28' 02" E, along said right-of-way line a distance of 50.00 feet;

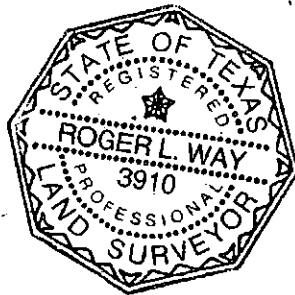
THENCE S 61° 27' 29" E through said Lot 2 along the northerly line of this tract of a distance of 338.72 feet to the point of intersection with the common dividing line between Lots 1 and 2 of said subdivision:

THENCE S 28° 28' 02" W, along the common dividing line between said Lots 1 and 2 a distance of 384.55 feet, to the point of intersection with the southerly line of said Lot 2, same being the northerly line of Lot 3 of Block C of Shadowidge Crossing, Section 11 as recorded in Document Number 200000134 of the Official Public Records of Travis County, Texas;

THENCE S 61° 40' 27" W, along the common dividing line between said Lots 2 and 3, a distance of 337.85 feet to THE POINT OF BEGINNING and containing 130,464 square feet of land, more or less.

This metes and bounds description is to accompany a survey map of same date.


ROGER L. WAY
R.P.L.S. No. 3910
JOB No. 04B33614



4/28/14
Date



EXHIBIT A

SCALE: 1"=100'

LEGEND

● 1/2" IRON ROD FND.



F.M. HIGHWAY NO. 1826
(VARIABLE R.O.W.)

(N 29°08'30" E 371.43')
S 28°28'02" W 421.43'
N 28°28'02" E 371.43'

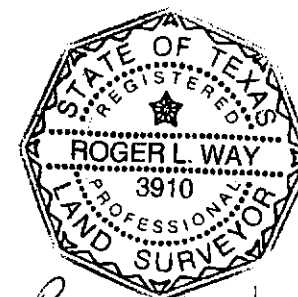
50.00'

S 61°27'29"E 338.72'

130,464 SQ. FT.

S 28°28'02" W 384.55'

LOT 1
FINAL PLAT OF
BLACKBEARD
SUBDIVISION
DOC. NO.
200800264



Roger L. Way

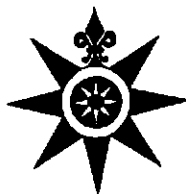
LOT 2
FINAL PLAT OF
BLACKBEARD
SUBDIVISION
DOC. NO. 200800264

N 25°00'58"E
14.42'

POINT OF
BEGINNING

N 61°40'27"W 337.85'

LOT 3
BLOCK C
SHADOWRIDGE
CROSSING
SECTION 11
DOC. NO.
200000134



ALL POINTS SURVEYING

1714 FORTVIEW ROAD - SUITE 200

AUSTIN TX. 78704

TELE.: (512) 440-0071 - FAX: (512) 440-0199

FIRM REGISTRATION # 10118900

*BASIS OF BEARINGS FOR THIS SURVEY IS THE SOUTHEAST LINE OF THE
BLACKBEARD SUBDIVISION AS BEING S 28°57'03" W

SURVEY DATE: 04-28-14
Job No.: 04833614

FIELD NOTES

BEING 11,855 SQUARE FEET OF LAND, MORE OR LESS, OUT OF AND A PORTION OF LOT 2 OF "FINAL PLAT OF BLACKBEARD SUBDIVISION" IN THE CITY OF AUSTIN, TEXAS AS RECORDED IN DOCUMENT NUMBER 200800264 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS SAID LOT 2 A 1/2 INTEREST TO LOT 2 WAS CONVEYED FROM GREGORY S. BEARD AND SOSSITY BEARD TO J & B INTERESTS, LLC AS RECORDED IN DOCUMENT NUMBER 2008179220 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS SAID 11,855 SQUARE FEET OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for reference at a 1/2" iron rod found on the easterly right-of-way line of F. M. 1826 (variable width right-of-way) said point being the southwest corner of Lot 1B of the Resubdivision of Lot 1, Lots 5-8 and Lot 21, Block C Shadowridge Crossing Section 12 a subdivision of record as recorded in Document Number 200600065 of the Official Public Records of Travis County, Texas, said point also being the west corner of Lot 2 of Shadowridge Crossing Section 12 a subdivision of record as recorded in Document Number 200000133 of the Official Public Records of Travis County, Texas, said point also being most northerly corner of Lot 1 of the Final Plat of Blackbeard Subdivision;

THENCE S 28° 28' 02" W (Basis of Bearings), along said right-of-way line, same being the most westerly line of Lots 1 and 2 of said Final Plat of Blackbeard Subdivision, a distance of 15.00 feet to the most northerly corner of said Lot 2, same being the most westerly corner of said Lot 1 and being the **TRUE POINT OF BEGINNING** for this tract of land.


THENCE, departing from said right-of-way line along the common dividing line between said lots 1 and 2 the following two (2) courses and distances to calculated points at the terminus of each course:

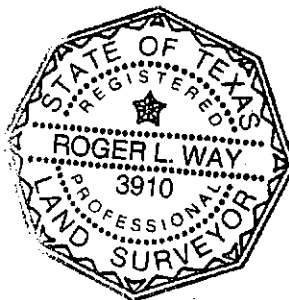
- 1) S 61° 27' 29" E, 338.72 feet to the most easterly corner of said Lot 2, same being an angle point in said Lot 1, and
- 2) S 28° 28' 02" W, continuing along said common dividing line a distance of 35.00 feet to a point for the most southerly corner of this tract of land;

THENCE N 61° 27' 29" W, through said Lot 2, a distance of 338.72 feet to the point of intersection with said right-of-way line for the most westerly corner of this tract of land, from this point, from this point a 1/2" iron rod found for the most westerly corner of said Lot 2 bears S 28° 28' 02" W, 371.43 feet an angle point in said right-of-way, and S 25° 00' 58" W, 14.42 feet;

THENCE N 28° 28' 02" E, along said right of way line same being the west line of said Lot 2, a distance of 35.00 feet to **THE POINT OF BEGINNING** and containing 11,855 square feet of land, more or less.

This metes and bounds description is to accompany a survey map of same date.


ROGER L. WAY
R.P.L.S. No. 3910
JOB No. 04B33714



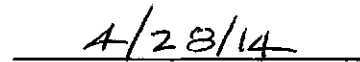

Date



EXHIBIT A2

SCALE: 1"=100'

LEGEND

● 1/2" IRON ROD FND.

POINT OF
COMMENCEMENT

15.00'

N 28°28'02"E
35.00'

S 61°27'29"E 338.72'

11,855 SQ. FT.

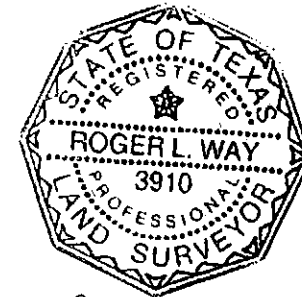
N 61°27'29"W 338.72'

POINT OF
BEGINNING

S 28°28'02"E
35.00'

LOT 1
FINAL PLAT OF
BLACKBEARD
SUBDIVISION
DOC. NO.
200800264

LOT 2
FINAL PLAT OF
BLACKBEARD
SUBDIVISION
DOC. NO. 200800264



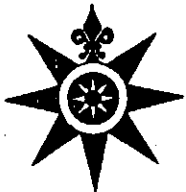
Roger L. Way

F.M. HIGHWAY NO. 1826
(VARIABLE R.O.W.)

(N 29°09'30" E 371.43')
S 28°28'02"W 421.43'

371.43

(N 25°42'26" E 14.42')
N 25°00'58"E 14.42'



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