

ORDINANCE NO. 040212-46

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5220 JIM HOGG AVENUE FROM MULTIFAMILY RESIDENCE MEDIUM DENSITY (MF-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 multifamily residence medium density (MF-3) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No.C14-03-0148, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.41 acre tract of land, more or less, out of Lot 1, Resubdivision of Lots 6 and 7, Block 8, North Loop Terrace Subdivision, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 5220 Jim Hogg Avenue, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

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

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

Automotive rentals	Automotive sales
Automotive washing (of any type)	Business of trade school
Business support services	Commercial off-street parking
Exterminating services	Funeral services
General retail sales (general)	Hotel-motel
Indoor entertainment	Indoor sports and recreation
Medical offices (exceeding 5000 sq. ft.)	Pawn shop services
Personal improvement services	Research services
Restaurant (general)	Theater
Community recreation (private)	Community recreation (public)
Congregate living	Residential treatment

2. 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.
3. A solid privacy fence with one access entrance to the Property shall be provided and maintained along the east property line adjacent to the right-of-way of Jim Hogg Avenue.

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 February 23, 2004.

PASSED AND APPROVED


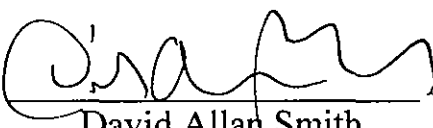

February 12	§ § §	
, 2004		Will Wynn Mayor
APPROVED: 	ATTEST: 	
David Allan Smith City Attorney	Shirley A. Brown City Clerk	

EXHIBIT A

LEGAL DESCRIPTION

ZONING PURPOSES

COVERING 0.41 OF AN ACRE (18,066 SQUARE FOOT) PARCEL OF LOT A OF THE RESUBDIVISION OF LOTS SIX (6) AND SEVEN (7) OF BLOCK EIGHT (8) AS DEPICTED BY THE INSTRUMENT RECORDED IN VOLUME 65, PAGE 18 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; THE AFOREMENTIONED 0.41 OF AN ACRE PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the southeasterly corner of Lot 5 of Block 8 of North Loop Terrace, a subdivision, as depicted by the instrument recorded in Volume 4, Page 148 of the Plat Records of Travis County and in the westerly right-of-way line of Jim Hogg Avenue;

THENCE, along the aforementioned westerly right-of-way line for the next five (5) courses as follows:

1. South 30 degrees 00 minutes 00 seconds West, a distance of 53.75 feet to a POINT OF CURVATURE for a curve to the right;
2. Southwesterly, along the aforementioned curve to the right having a central angle of 41 degrees 14 minutes 57 seconds, a radius of 15.00 feet, an arc length of 10.80 feet, and a chord which bears South 76 degrees 24 minutes 36 seconds West at 10.57 feet to a POINT OF REVERSE CURVATURE;
3. South westerly, along the aforementioned reverse curve to the left having a central angle of 92 degrees 22 minutes 25 seconds, a radius of 50.00 feet, an arc length of 80.61 feet, and a chord which bears South 30 degrees 00 minutes 00 seconds West at 72.16 feet to a POINT OF REVERSE CURVATURE for a curve to the right;
4. Southwesterly, along the aforementioned reverse curve to the right having a central angle of 65 degrees 40 minutes 18 seconds, a radius of 15.00 feet, an arc length of 17.19 feet, and a chord which bears South 01 degrees 55 minutes 57 seconds West at a distance of 16.27 feet;
5. South 30 degrees 00 minutes 00 seconds West, a distance of 17.85 feet to the northeasterly corner of Lot 8 of the aforementioned Block 8;

THENCE, North 60 degrees 00 minutes 00 seconds West, along the northerly line of the aforementioned Lot 8, a distance of 80.00 feet to a point in the easterly line of said Lot 8, from which the northwesterly of said Lot 8 bears North 60 degrees 00 minutes 00 seconds West at 104.10 feet;

THENCE, North 05 degrees 36 minutes 30 seconds East, crossing the aforementioned Lot A, a distance of 181.61 feet to the southerly line of the aforementioned Lot 5, from which the southwesterly corner of said Lot 5 bears North 60 degrees 00 minutes 00 seconds West at a distance of 29.10 feet;

THENCE, South 60 degrees 00 minutes 00 seconds East, along the southerly line of the aforementioned Lot 5, a distance of 155.00 feet to the POINT OF BEGINNING of the herein described parcel and covering a calculated area of 0.41 of an acre (18,066 square feet) parcel of land, more or less.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ACCOMPANYING SURVEY PLAT (BY SEPARATE INSTRUMENT), ONLY.

This legal description was prepared from record information only. And is not intended to imply upon the ground survey was made.


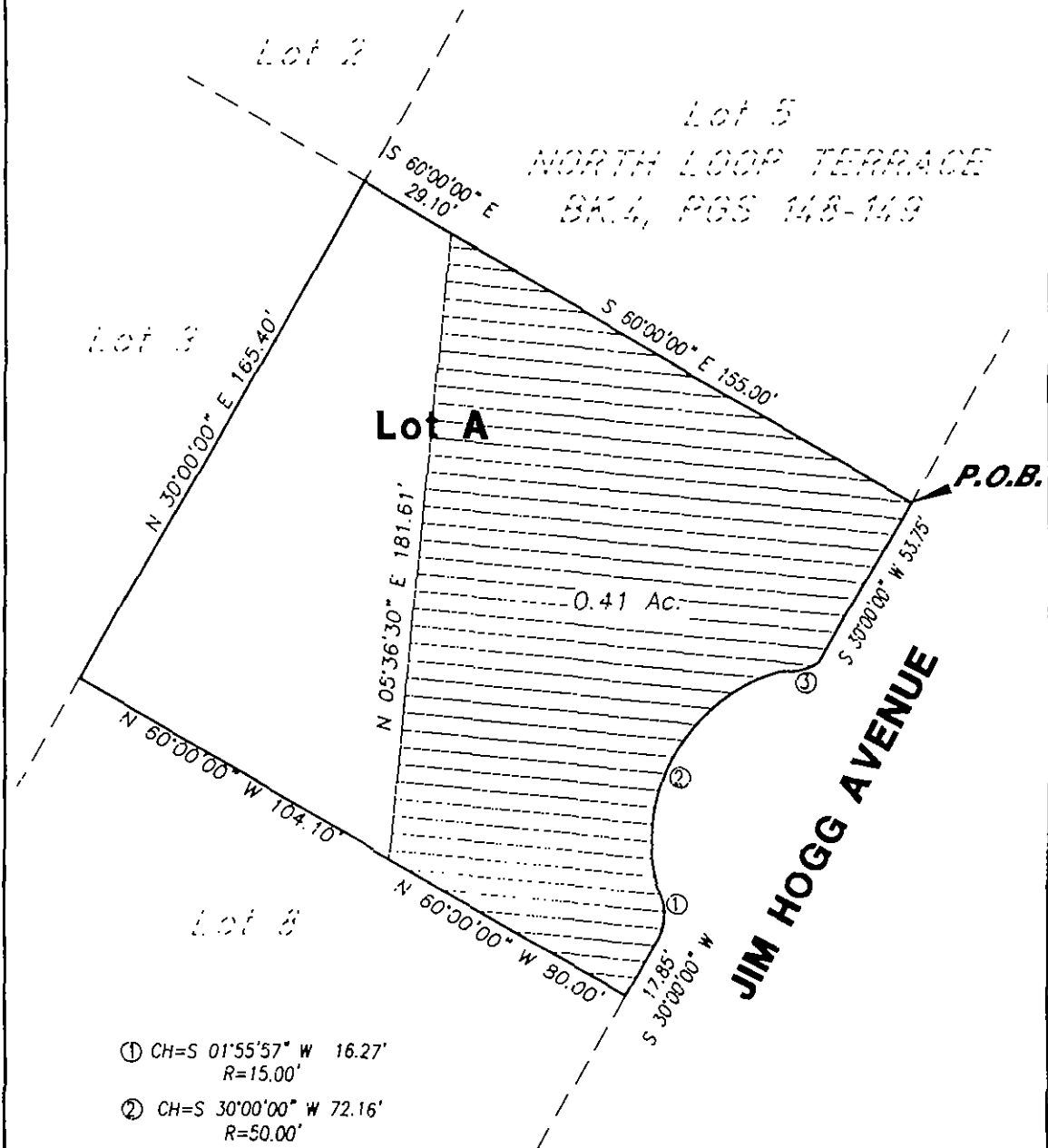
 09/30/03
J. McCormack, Tx. R.P.L.S. No. 5237 Date
Job No. B0924503



EXHIBIT "A"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION FOR ZONING PURPOSES




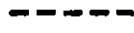


- ① CH=S 01°55'57" W 16.27'
R=15.00'
- ② CH=S 30°00'00" W 72.16'
R=50.00'
- ③ CH=S 76°24'36" W 10.57'
R=15.00'

LEGEND

- 1/2" IRON PIPE FOUND
- 1/2" REBAR FOUND
- 1/2" REBAR SET
- 600 NAIL FOUND
- 600 NAIL SET
- SPINDLE FOUND
- BARB WIRE FENCE
- CHAIN LINK FENCE
- WOOD FENCE
- METAL FENCE
- BUILDING LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- S.D.E. SURFACE DRAINAGE EASEMENT
- W/W.W. WATER/WASTEWATER
- E.E. ELECTRIC EASEMENT
- S.S.E. SANITARY SEWER EASEMENT
- () RECORD INFORMATION
- POWER HOLE
- O.H. OVERHEAD UTILITIES



 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT B		CITY GRID REFERENCE NUMBER J27
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-03-0148	DATE: 03-10	
	CASE MGR: G. RHOADES	ADDRESS: 5220 JIM HOGG AVE	INTLS: SM	
SUBJECT AREA (acres): 0.410				