

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE  
2 PROPERTY LOCATED AT 3801 NORTH CAPITAL OF TEXAS HIGHWAY  
3 FROM COMMERCIAL-LIQUOR SALES-CONDITIONAL OVERLAY (CS-1-CO)  
4 COMBINING DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL  
5 OVERLAY (GR-CO) COMBINING DISTRICT.

6  
7 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

8  
9 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to  
10 change the base district from commercial liquor-sales-conditional overlay (CS-1-CO)  
11 combining district to community commercial-conditional overlay (GR-CO) combining  
12 district on the property described in Zoning Case No.C14-04-0032, on file at the  
13 Neighborhood Planning and Zoning Department, as follows:

14  
15 A 5,980 square foot tract of land, more or less, out of Davenport Ranch Phase 3  
16 Subdivision, the tract of land being more particularly described by metes and  
17 bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

18  
19 locally known as 3801 North Capital of Texas Highway, in the City of Austin, Travis  
20 County, Texas, and generally identified in the map attached as Exhibit "B".

21  
22 **PART 2.** The Property within the boundaries of the conditional overlay combining district  
23 established by this ordinance is subject to the following conditions:

- 24  
25 1. Drive-in services use is prohibited as an accessory use to a commercial use of the  
26 Property.  
27  
28 2. The following uses are prohibited uses of the Property:

29  
30 Automotive rentals  
31 Automotive sales  
32 Business or trade school  
33 Drop-off recycling collection facility  
34 Funeral services  
35 Indoor entertainment  
36 Outdoor sports and recreation  
37 Service station

Automotive repair services  
Automotive washing (of any type)  
Commercial off-street parking  
Exterminating services  
Hotel-motel  
Indoor sports and recreation  
Pawn shop services  
Bed and breakfast residential (Group 1)

1 Bed and breakfast residential (Group 2)  
2 College and university facilities  
3 Private secondary educational facilities  
4 Public secondary educational facilities  
5 Residential treatment

Theater  
Community recreation (public)  
Private primary educational facilities  
Public primary educational facilities  
Telecommunications tower

6  
7 Except as specifically restricted under this ordinance, the Property may be developed and  
8 used in accordance with the regulations established for the community commercial (GR)  
9 base district and other applicable requirements of the City Code.

10  
11 **PART 3.** This ordinance takes effect on \_\_\_\_\_, 2004.

12  
13  
14 **PASSED AND APPROVED**

15  
16  
17  
18 \_\_\_\_\_, 2004

§  
§  
§

Will Wynn  
Mayor

19  
20  
21  
22  
23 **APPROVED:**

David Allan Smith  
City Attorney

**ATTEST:**

Shirley A. Brown  
City Clerk



Professional Land Surveying, Inc.  
Surveying and Mapping

Office: 512-476-7103  
Fax: 512-476-7105

510 South Congress Ave.  
Suite B-100  
Austin, Texas 78704

Zoning Description

A DESCRIPTION OF A 5980 SQUARE FOOT TRACT OUT OF DAVENPORT RANCH PHASE 3 SECTION 12, A SUBDIVISION OF RECORD IN VOLUME 85, PAGE 93B OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO D.V. PARTNERS NO. 2 BY SPECIAL WARRANTY DEED DATED JULY 19, 1999, OF RECORD IN DOCUMENT NO. 1999071830 OF THE OFFICIAL RECORDS OF TRAVIS COUNTY, TEXAS; SAID 5980 SQUARE FEET BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2" rebar found at the northwest corner of Phase 3, Section 12, being also the southwest corner of Davenport Ranch Phase 3, Section 10, a subdivision of record in Volume 86, Page 46A of the Plat Records of Travis County, Texas, being also in the east right-of-way line of the Capital of Texas Highway (Loop 360, 300' wide right-of-way);

THENCE South 60°52'38" East, with the north line of Davenport Ranch Phase 3, Section 12, being also the south line of Davenport Ranch Phase 3, Section 10, a distance of 429.12 feet to a point;

THENCE South 29°07'22" West, crossing Phase 3, Section 10, a distance of 165.10 feet to the POINT OF BEGINNING;

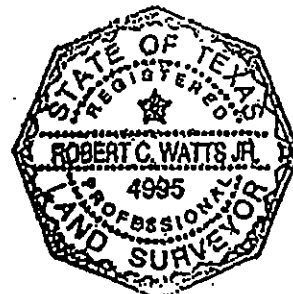
THENCE over and across Phase 3, Section 12, the following four (4) courses:

1. South 29°07'22" West, a distance of 92.00 feet;
2. North 60°52'38" West, a distance of 65.00 feet;
3. North 29°07'22" East, a distance of 92.00 feet;
4. South 60°52'38" East, a distance of 65.00 feet to the POINT OF BEGINNING, containing 5980 square feet of land.

Surveyed on the ground January 18, 1997. Attachments: Survey Drawing No. 14-16WL1. Bearing basis is the west right-of-way line of Long Champ Drive from a survey of Davenport Ranch Phase 3 Section 11 (86/53A, Travis County Plat Records).

*Robert C. Watts* 3-2-00

Robert C. Watts, Jr.  
Registered Professional Land Surveyor  
State of Texas No. 4995



000-803-98

EXHIBIT A

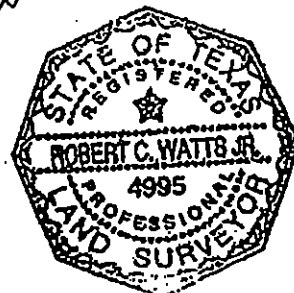
A SKETCH TO ACCOMPANY A DESCRIPTION OF A 5980 S.F. ZONING TRACT, BEING A PORTION OF DAVENPORT RANCH PHASE 3, SECTION 12, A SUBDIVISION OF RECORD IN VOLUME 85, PAGE 93B OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

| NUMBER | DELTA     | BEARING     | RADIUS | ARC    | CHORD  | (RECORD CHORD)        |
|--------|-----------|-------------|--------|--------|--------|-----------------------|
| C1     | 31°29'17" | S49°19'55"W | 305.23 | 167.75 | 165.64 | (S49°22'15"W 165.56') |
| C2     | 30°20'49" | S49°54'40"W | 762.43 | 403.83 | 399.12 | (S49°56'03"W 399.13') |
| C3     | 12°03'21" | S59°03'25"W | 762.43 | 160.43 | 160.13 |                       |

| NUMBER | DIRECTION   | DISTANCE | (RECORD BEARING)      |
|--------|-------------|----------|-----------------------|
| L1     | N55°14'30"W | 100.01'  | (N55°14'22"W 100.00') |
| L2     | N87°43'35"W | 125.13'  | (N87°35'58"W 125.00') |
| L3     | S60°52'38"E | 65.00'   |                       |
| L4     | S29°07'22"W | 92.00'   |                       |
| L5     | N60°52'38"W | 65.00'   |                       |
| L6     | N29°07'22"E | 92.00'   |                       |

*Robert Watts*  
3-2-00

BEARING BASIS: RECORD PLAT BASIS,  
WEST R.O.W. LONG CHAMP AS SHOWN  
ON THE ADJOINING PLAT (86/53A)  
ATTACHMENTS: METES AND BOUNDS DESC. 04-1603.WPD



PROJECT NO: 004-016  
DRAWING NO: 04-1603.DWG  
PLOT DATE: 03-02-00  
DRAWN BY: RGH

000803-98

*Chaparral*

DAVENPORT RANCH  
PHASE 3 SEC. 10  
BK. 86 PG. 46A

S60°52'38"E 649.98'  
(S60°51'00"E 650.00')

429.12'

P.O.C.

CAPITAL OF TEXAS HWY. (LOOP 360)

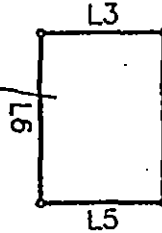
N29°07'45"E 575.16'  
(N29°09'00"E 575.00')

5980 S.F.  
ZONING TRACT

DAVENPORT RANCH  
PHASE 3 SEC. 12  
(85/93B)  
6.848 AC.

S29°07'22"W  
165.10'

P.O.B.



91.60'

C3  
LONG CHAMP DRIVE  
(90' R.O.W.)

DAVENPORT RANCH  
PHASE 3 SEC. 4 P.U.D.  
BK. 84 PG. 71-D & 72-A

N60°50'59"W 240.00'  
(N60°51'00"W 240.00')

5/8"

LOT 1  
DAVENPORT RANCH  
PHASE 3 SEC. 11  
86/53A

L2

L1

C=97.99'  
S31°00'12"W

SCALE: 1" = 100'

LEGEND

- 1/2" REBAR FOUND (OR AS NOTED)
- 1/2" REBAR W/ CAP SET
- CALCULATED POINT

000803-98

Chaparral

LO

1-079

CAPITAL OF TEXAS HIGHWAY NORTH  
Loop 360

RR

PUD  
MESSENGER  
STAKE  
(PVT)

PUD

SP-99-0231C

GR-CO

CS-1-CO  
00-2080

98-0124

PUD  
HAMILTONIAN  
PYT

SHOPPING  
CENTER

I-GR

980326-L

SF-1

RR

LONG CHAMP COURT

REDWATER PARK DRIVE

CANE PLACE  
PYT

PUD

R



SUBJECT TRACT  
PENDING CASE  
ZONING BOUNDARY  
CASE MGR: G.RHOADES

CASE #: C14-04-0032  
ADDRESS: 3801 N.CAPITAL OF TX.  
SUBJECT AREA (acres): 0.137

ZONING EXHIBIT B

DATE: 04-02

INTLS: TRC

CITY GRID  
REFERENCE  
NUMBER  
F28