

ORDINANCE NO. 050127-59

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT WINDY RIDGE ROAD AT FM 620 NORTH FROM DEVELOPMENT RESERVE (DR) DISTRICT AND SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT ONE AND RURAL RESIDENCE (RR) 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.C14-02-0154, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From single family residence standard lot (SF-2) district and development reserve (DR) district to community commercial-conditional overlay (GR-CO) combining district.

A 4.851 acre tract of land, more or less, out of the Livingston Survey No. 455, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: From development reserve (DR) district to rural residence (RR) district.

An 8.935 acre tract of land, more or less, out of the Wm. P. Rutledge Survey No. 603, the Jesse Grimes Survey No. 25, and the Livingston Survey No. 455, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance, (the "Property")

locally known as the property located at Windy Ridge Road at FM 620 North, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

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

A site plan or building permit for the Tract One may not be approved, released, or issued, if the completed development or uses of Tract One, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

Except as specifically restricted under this ordinance, Tract One 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 7, 2005.

PASSED AND APPROVED

<u>January 27</u> , 2005		§ § §	<u>Will Wynn</u> Will Wynn Mayor
APPROVED: <u>David Allan Smith</u> David Allan Smith City Attorney	ATTEST: <u>Shirley A. Brown</u> Shirley A. Brown City Clerk		

ZONING FIELD NOTES

OF A 4.851 ACRE TRACT OF LAND, BEING OUT OF AND A PART OF THE LIVINGSTON SURVEY NO. 455, SITUATED IN TRAVIS COUNTY, TEXAS, SAID 4.851 ACRES BEING A PORTION OF THAT 8.874 ACRES AS CONVEYED TO G.W. MCDUGAL FAMILY, LTD. AS RECORDED IN VOLUME 12705, PAGE 1932 OF THE TRAVIS COUNTY DEED RECORDS, SAID 4.851 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

Beginning at a 1/2" Iron Pipe Found at the Northwest corner of Farm to Market Road 620 (150' Right-of-Way) as recorded in Volume 948, Page 96 of the Travis County Deed Records and Windy Ridge Road (50' Right-of-Way) as recorded in Volume 6270, Page 2006 of the Travis County Deed Records, and being in the Southeast corner of the said 8.874 Acre Tract;

Thence, N66°30'45"W, with the North Right-of-Way of the said Windy Ridge Road and the South line of the said 8.874 Acre Tract, for a distance of 697.79' feet to a 1/2" Iron Rod Set at an angle point;

Thence, N66°27'45"W, with the North Right-of-Way of the said Windy Ridge Road and the South line of the said 8.874 Acre Tract, for a distance of 2.34 feet to a 1/2" Iron Rod Set, for the Southwest corner of the herein described tract;

Thence, N22°45'00"E, crossing the said 8.874 Acre Tract, for a distance of 237.31' feet to a Calculated Point in the South line of a 1.00 Acre Tract as conveyed to F.S. Walentin as recorded in Volume 5822, Page 1515 of the Travis County Deed Records, From Which a 1/2" Iron Rod Found at the Southwest corner of the said 1.00 Acre Tract, Bears N67°28'21"W 10.22' feet;

Thence, with the common line between the said 1.00 Acre Tract and the said 8.874 Acre Tract, for the following Four (4) consecutive courses;

- 1) S67°28'21"E, for a distance of 72.04' feet to a 1/2" Iron Rod Found;
- 2) S23°54'58"W, for a distance of 55.61' feet to a 1/2" Iron Rod Found, at the South Southwest corner of the said 1.00 Acre Tract;
- 3) S67°37'38"E, for a distance of 193.90' feet to a 1/2" Iron Rod Found, at the Southeast corner of the said 1.00 Acre Tract;

4) N22°39'43"E, for a distance of 174.82' feet to a 1/2" Iron Rod Set, at the Northeast corner of the said 1.00 Acre Tract, being in the South line of the a 10.00 Acre Tract as conveyed to Carl E. Richard as recorded in Volume 4673, Page 1311 of the Travis County Deed Records;

Thence, S67°14'13"E, with the common line between the said 10.00 Acre Tract and the said 8.874 Acre Tract, for a distance of 435.54' feet to a 1/2" Iron Rod Set at the Northeast corner of the said 8.874 Acre Tract, also being in the West Right-of-Way of Farm to Market Road #620 (150' Right-of-Way) are recorded in Volume 948, Page 96 of the Travis County Deed Records;

Thence, S22°45'00"W, with the common line between the said 8.874 Acre Tract and the said Farm to Market Road #620, for a distance of 367.00' feet to the Place of Beginning, containing 4.851 Acres of Land Area.

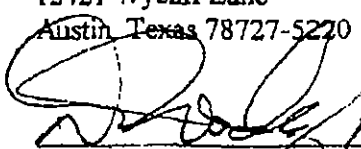
The bearings for the above description are based upon the east line of a 8.874 acre tract as conveyed to G.W. McDougal Family, LTD. as recorded in Volume 12705, Page 1932 of the , Travis County Plat Records.

STATE OF TEXAS)(

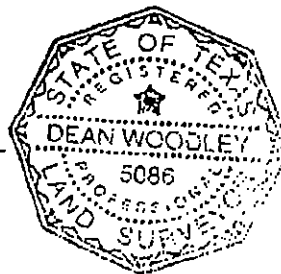
COUNTY OF TRAVIS)(

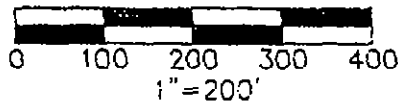
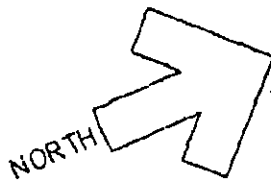
I hereby certify that this field note description was prepared from the results of an actual survey made on the ground under my supervision and that it is true and correct to the best of my knowledge.

LIVE OAK SURVEYING
12421 Wycliff Lane
Austin, Texas 78727-5220


DEAN A. WOODLEY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5086

DATE: 10-6-2000

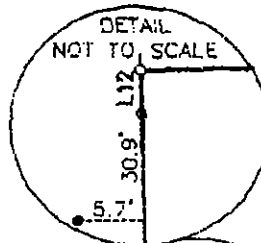




LEGEND

- 1/2" IRON ROD FOUND
- ⊙ 1/2" IRON PIPE FOUND
- 1/2" IRON ROD SET
- Δ CALCULATED POINT
- T.C.D.R. TRAVIS COUNTY DEED RECORDS

RIGHT-OF-WAY
DEDICATION
VOLUME 6505, PAGE 525
T.C.D.R.



LINE TABLE

No.	Bearing	Distance
L1	N14°01'10"E	9.07'
(L1)	N16°08'E	9.21'
L6	N26°36'14"W	30.14
(L6)	S24°55'E	30.8
L7	N67°36'20"W	20.00'
(L7)	N66°10'W	20.0'
L8	N14°52'07"E	10.90'
(L8)	N16°20'E	10.90'
L12	N66°27'45"W	2.34'
L15	N67°37'38"W	10.22'
L16	S22°23'18"W	50.29'
L17	S23°54'58"W	55.61'
(L17)	(S23°48'W)	(54.10')
L18	S22°41'37"W	120.81'
(L18)	(S22°48'W)	(120.60')
L19	S67°28'21"E	82.26'
(L19)	(S67°12'E)	(82.26')

WINDY RIDGE ROAD

(50' RIGHT-OF-WAY)
VOLUME 6270, PAGE 2006
T.C.D.R.

POINT OF BEGINNING

F.M. 620 NORTH

TXDOT
S.T.A.# 356+84.89

(150' RIGHT-OF-WAY)
VOLUME 948, PAGE 96
T.C.D.R.

G.W. MCDOUGAL FAMILY LTD.
TEXAS LIMITED PARTNERSHIP
8.874 ACRES
VOLUME 12705, PAGE 1932
T.C.D.R.

(N66°09'W 164.03')
(N67°36'20"W 144.00')

N22°45'00"E 237.31'

15' INGRESS & EGRESS EASEMENT
VOLUME 5821, PAGE 1106
T.C.D.R.

F.S. WALENTIN
(1.00 ACRES)
VOLUME 5822
PAGE 1515
T.C.D.R.

30' PRIVATE ROAD
VOLUME 2595, PAGE 276
T.C.D.R.

CARL E. RICHARD
(10.00 ACRES)
VOLUME 4673, PAGE 1311
T.C.D.R.

4.851 ACRES

(S67°14'13"E 435.54')
(S67°12'E 435.53')

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CLIENT: Gerald McDougall
FIELD BOOK: 46, PAGE: 32
DRAWN BY: J.H.
PROJECT NO.: 406-01-00
DATE: 10-6-2000
FILE: 4060100_SKETCH1.DWG

SKETCH TO ACCOMPANY FIELD NOTES

4.851 ACRES PORTION OF 8.874 ACRES
GERALD W. MCDOUGAL, D.D.S., INC.,
PENSION PLAN TRUST
AS RECORDED VOLUME 12705, PAGE 1932
TRAVIS COUNTY, TEXAS



LIVE OAK
SURVEYING
12421 WYCLIFF LANE
AUSTIN, TX 78727-5220
(512) 837-1018

ZONING FIELD NOTES

OF A 8.935 ACRE TRACT OF LAND, BEING OUT OF AND A PART OF THE WM. P. RUTLEDGE SURVEY NO. 603, THE JESSE GRIMES SURVEY NO. 25 AND THE LIVINGSTON SURVEY NO. 455, SITUATED IN TRAVIS COUNTY, TEXAS, SAID 8.935 ACRES BEING A PORTION OF THAT 8.874 ACRES AS CONVEYED TO G.W. MCDUGAL FAMILY, LTD. AS RECORDED IN VOLUME 12705, PAGE 1932 OF THE TRAVIS COUNTY DEED RECORDS, ALSO BEING A PORTION OF A 4.916 ACRE TRACT AS CONVEYED TO GERALD W. MCDUGAL, D.D.S. INC. AS RECORDED IN VOLUME 8555, PAGE 966 OF THE TRAVIS COUNTY DEED RECORDS, SAVE AND EXCEPT THAT 0.005 ACRE TRACT AS CONVEYED TO THE PUBLIC AS RECORDED IN VOLUME 6505, PAGE 525 OF THE TRAVIS COUNTY DEED RECORDS, SAID 8.935 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Commencing at a 1/2" Iron Pipe Found at the Northwest corner of Farm to Market Road 620 (150' Right-of-Way) as recorded in Volume 948, Page 96 of the Travis County Deed Records and Windy Ridge Road (50' Right-of-Way) as recorded in Volume 6270, Page 2006 of the Travis County Deed Records, and being in the Southeast corner of the said 8.874 Acre Tract;

Thence, N66°30'45"W, with the North Right-of-Way of the said Windy Ridge Road and the South line of the said 8.874 Acre Tract, for a distance of 697.79' feet to a 1/2" Iron Rod Set at an angle point;

Thence, N66°27'45"W, with the North Right-of-Way of the said Windy Ridge Road and the South line of the said 8.874 Acre Tract, for a distance of 2.34 feet to a 1/2" Iron Rod Set for the Point of Beginning;

Thence, N66°27'45"W, with the North Right-of-Way of the said Windy Ridge Road and the South line of the said 8.874 Acre Tract, for a distance of 520.09' feet to a 1/2" Iron Rod Set at the Southwest corner of the said 8.874 Acre Tract and the Southeast corner of the said 4.916 Acres Tract.

Thence, N67°36'20"W, with the North Right-of-Way of the said Windy Ridge Road and the South line of the said 4.916 Acre Tract, for a distance of 144.0' feet to a 1/2" Iron Rod Set, at the East corner of the said 0.005 Acre Tract, From Which a 1/2 " Iron Rod Found at the Southwest corner of the said 0.005 Acre Tract and the Southwest corner of the said 4.916 Acre Tract and the Intersection of Windy Ridge Road and Windy Ridge Road, Bears N67°36'20"W, 20.00' feet;

Thence, N26°36'14"W, crossing the said 4.916 Acre Tract, and with the Northeast line of the said 0.005 Acre Tract, for a distance of 30.14' feet, to a 1/2" Iron Rod Set in the East Right-of-Way of Windy Ridge Road (50' Right-of-Way) as recorded in Volume 6270, Page 2008 of the Travis County Deed Records;

Thence, with the East Right-of-Way of the said Windy Ridge Road and the West side of the said 4.916 Acre Tract, for the Following Three (3) consecutive courses;

- 1) N14°52'07"E, for a distance of 512.33' feet to a 1/2" Iron Rod Set;
- 2) N09°29'53"W, for a distance of 129.82' feet to a 1/2" Iron Rod Set;
- 3) N21°29'53"W, for a distance of 85.44' feet to a 1/2" Iron Rod Set at the Northwest corner of the said 4.916 Acre Tract and the Southwest corner of a 4.83 Acre Tract as conveyed to Charles McLemore as recorded in Volume 4931, Page 1306 of the Travis County Deed Records;

Thence, S78°58'29"E, with the common line between the said 4.916 Acre Tract and the said 4.83 Acre Tract, for a distance of 488.63' feet to a 1/2" Iron Rod Set, at the North Northeast Corner of the said 4.916 Acre Tract and the Southeast corner of the said 4.83 Acre Tract, also being in the West line of a 5.18 Acre Tract as conveyed to Charles McLemore as recorded in Volume 5159, Page 558 of the Travis County Deed Records;

Thence, S21°59'16"W, with the common line between the said 4.916 Acre Tract and the said 5.18 Acre Tract, for a distance of 64.53' feet to a 1/2" Iron Rod Found, at the Southwest corner of the said 5.18 Acre Tract and the Northwest corner of a 10.00 Acre Tract as conveyed to Carl E. Richard as recorded in Volume 4673, Page 1311 of the Travis County Deed Records;

Thence, with the common line between the said 4.912 Acre Tract and the said 10.00 Acre Tract, for the following Seven (7) consecutive courses;

- 1) S27°43'27"W, for a distance of 20.18' feet to a 1/2" iron Rod Found;
- 2) S28°11'24"W, for a distance of 26.68' feet to a 1/2" Iron Rod Set;
- 3) S33°08'07"W, for a distance of 66.92' feet to a 1/2" Iron Rod Set;
- 4) S36°09'46"W, for a distance of 157.04' feet to a 1/2" Iron Rod Set;
- 5) S30°19'29"W, for a distance of 97.22' feet to a 1/2" Iron Pipe Found;
- 6) S29°34'19"W, for a distance of 14.67' feet to a 1/2" Iron Rod Found;

7) S30°19'03"W, for a distance of 5.25' feet to a 1/2" Iron Rod Found at the Southwest corner of the said 10.00 Acre Tract, and the Northwest corner of the said 8.874 Acre Tract, for an Ell corner of the herein described tract;

Thence, S67°13'44"E, with the North line of the said 8.874 Acre Tract, and the South line of the said 10.00 Acre Tract, for a distance of 464.51' feet, to a 1/2" Iron Pipe Found, at the Northwest corner of a 1.00 Acre Tract as conveyed to F.S. Walentin as recorded in Volume 5822, Page 1515 of the Travis County Deed Records;

Thence, with the common line between the said 1.00 Acre Tract and the said 8.874 Acre Tract, for the following Two (2) consecutive courses;

- 1) S22°41'37"W, for a distance of 120.81' feet to a 1/2" Iron Rod Found, at the West Southwest corner of the said 1.00 Acre Tract;
- 2) S67°28'21"E, for a distance of 10.22' feet to a Calculated Point, From Which a 1/2" Iron Rod Found Bears S67°28'21"E, 72.04' feet;

Thence, S22°45'00"W, crossing the said 3.874 Acre Tract, for a distance of 237.31' feet to the Place of Beginning, containing 8.935 Acres of Land Area.

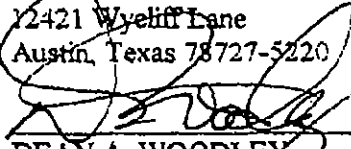
The bearings for the above description are based upon the east line of a 8.874 acre tract as conveyed to G.W. McDougal Family, LTD. as recorded in Volume 12705, Page 1932 of the Travis County Plat Records.

STATE OF TEXAS)(

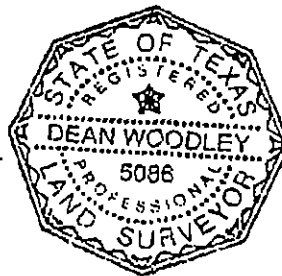
COUNTY OF TRAVIS)(

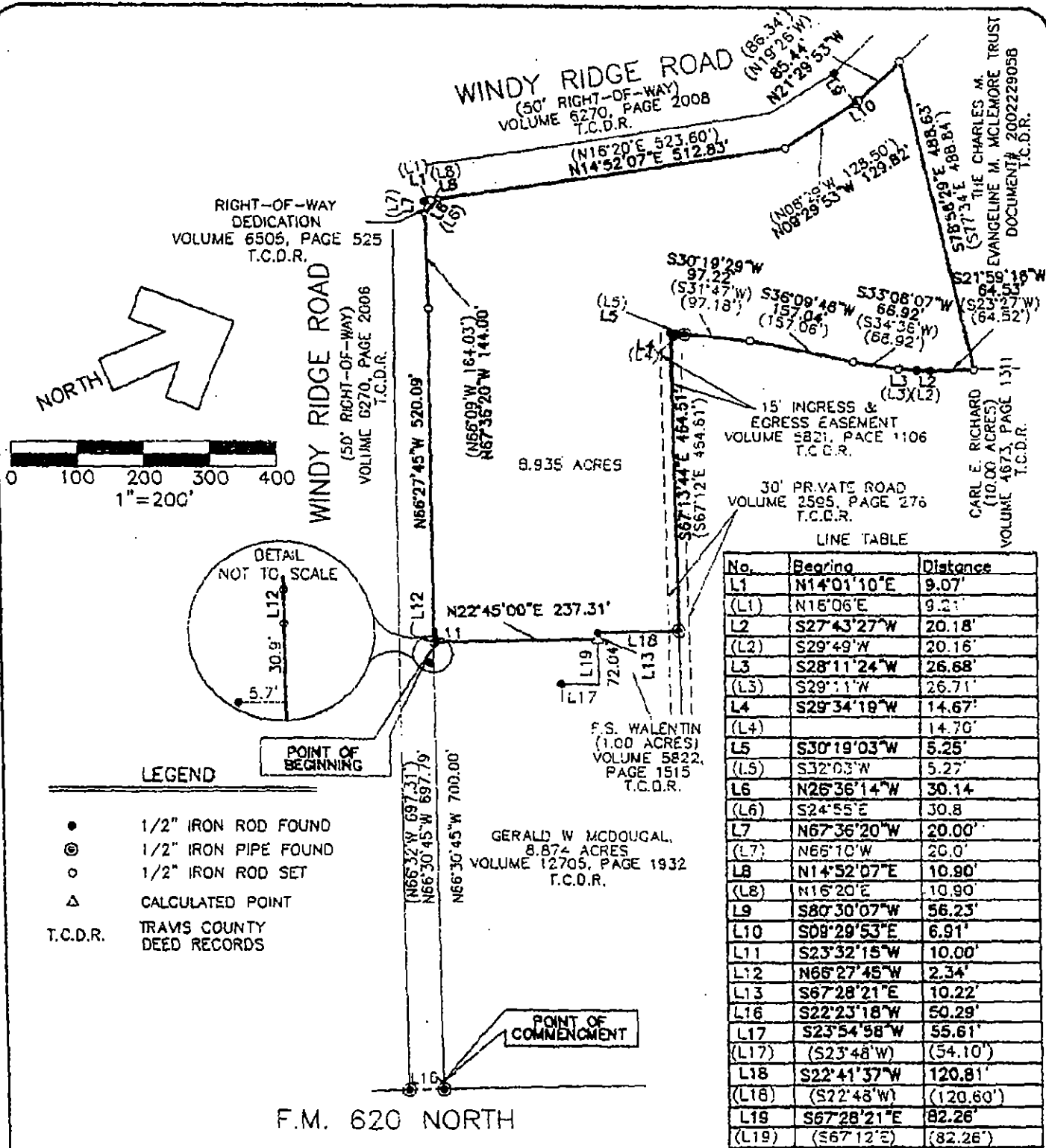
I hereby certify that this field note description was prepared from the results of an actual survey made on the ground under my supervision and that it is true and correct to the best of my knowledge.

LIVE OAK SURVEYING
12421 Wycliff Lane
Austin, Texas 78727-5220


DEAN A. WOODLEY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5086

DATE: 10-6-2000





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CLIENT: Gerald McDougal
FIELD BOOK: 46, PAGE: 32
DRAWN BY: J.H.
PROJECT NO.: 406-01-00
DATE: 10-6-2000
FILE: 4060100_SKETCH2.DWG

SKETCH TO ACCOMPANY FIELD NOTES
8.935 ACRES PORTION OF 8.874 ACRES AND A
4.916 ACRE TRACT
GERALD W. MCDOUGAL, D.D.S., INC.,
AS RECORDED VOLUME 12705, PAGE 1932
AND VOLUME 8555, PAGE 966
TRAVIS COUNTY, TEXAS



LIVE OAK SURVEYING
12421 WYCLIFF LANE
AUSTIN, TX 78727-5220
(512) 837-1018

ORDINANCE NO. 050127-58

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 0 WIER HILLS DRIVE FROM GENERAL OFFICE (GO) DISTRICT TO TOWNHOUSE AND CONDOMINIUM RESIDENCE (SF-6) 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 general office (GO) district to townhouse and condominium residence (SF-6) district on the property described in Zoning Case No. C14-04-0182, on file at the Neighborhood Planning and Zoning Department, as follows:

A 5.20 acre tract of land, more or less, out of the August Herold Survey No. 59, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

locally known as 0 Wier Hills Drive, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. This ordinance takes effect on February 7, 2005.

PASSED AND APPROVED

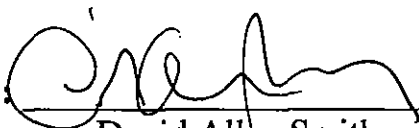
January 27, 2005

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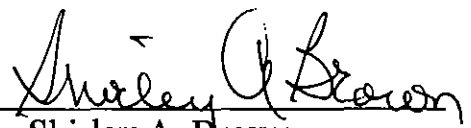
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Brown
City Clerk

FIELD NOTE 661
UDG #03-235
EXHIBIT "A"

SOUTHWEST TRAVIS COUNTY
ROAD DISTRICT NO. 1
ZONING
PAGE 1 OF 2

DESCRIPTION

DESCRIBING A TRACT OF LAND CONTAINING 5.20 ACRES BEING A PART OF THE AUGUST HEROLD SURVEY NO. 59, TRAVIS COUNTY, TEXAS, SAID 5.20 ACRE TRACT ALSO BEING ALL OF THAT CERTAIN 5.1983 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY DEED TO SOUTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 1 EXECUTED ON JUNE 14, 1999, RECORDED IN VOLUME 11208, PAGE 1668 OF THE REAL PROPERTY RECORDS OF THE SAID COUNTY, SAID 5.20 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found at the southeast corner of the said 5.1983 acre tract, said iron rod also being the southwest corner of that certain 0.3841 of an acre access easement described in Volume 11208, Page 1672 of the said Real Property Records and from which an iron rod found at the southeast corner of the said access easement in the north right-of-way line of Southwest Parkway (170' R.O.W. dedicated in Volume 11208, Page 1646 of the said Real Property Records) bears S50°54'25"E, 239.37 feet;

THENCE, with the south line of the said 5.1983 acre tract, N50°56'54"W, 305.99 feet to an iron rod set at the southwest corner of the said 5.1983 acre tract, same being an interior corner of Lot 2, Block 1 of Hilltop Subdivision, a subdivision recorded in Document Number 200400210 of the Plat Records of the said county;

THENCE, with the common lines of the said 5.1983 acre tract and the said Lot 2, Block 1, the following four (4) courses:

- 1) N02°32'15"E, 339.56 feet to an iron rod found;
- 2) N45°21'55"E, 219.77 feet to an iron rod found;
- 3) N88°13'47"E, 259.87 feet to an iron rod set;
- 4) S04°09'29"E, 300.03 feet to an iron rod set;

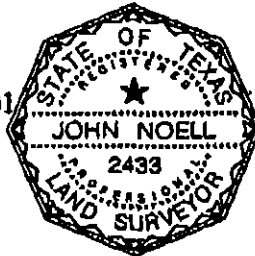
THENCE, with the common line of the said 5.1983 acre tract and Lot 1 and Lot 2, Block 1 of the said Hilltop Subdivision, S28°34'53"W, 388.92 feet to an iron rod found;


FIELD NOTE 661
UDG #03-235
EXHIBIT "A"

SOUTHWEST TRAVIS COUNTY
ROAD DISTRICT NO. 1
ZONING
PAGE 2 OF 2

THENCE, with an east line of the said 5.1983 acre tract, S28°34'42"W, 61.13 feet to the POINT OF BEGINNING and containing 5.20 acres.

Prepared by:
URBAN DESIGN GROUP
3660 Stoneridge Road, # E101
Austin, Texas 78746
(512) 347-0040




John Noell, R.P.L.S. #2433
Date: October 4, 2004

Map Accompanies

Bearing Basis: Texas State Plane Coordinate System, Texas Central Zone, NAD 83
References: TCAD Parcel No. 01-0140-0201
Austin Grid MB-21

[illegible]