

ORDINANCE NO. 040610-Z-10

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5800-5948 WEST SLAUGHTER LANE FROM NEIGHBORHOOD COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (LR-MU-CO) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) FOR TRACT ONE AND NEIGHBORHOOD COMMERCIAL-CONDITIONAL OVERLAY (LR-CO) COMBINING 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.C14-03-0156, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district to community commercial-conditional overlay (GR-CO) combining district.

Approximately 43.0 acres of land, out of a 60.649 acre tract of land, more or less, out of the Samuel Hamilton Survey No. 16 in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, SAVE AND EXCEPT the property identified as Tract Two in this ordinance,

Tract Two: From neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district to neighborhood commercial-conditional overlay (LR-CO) combining district.

A 17.0 acre tract of land, more or less, out of a 60.649 acre tract out of the Samuel Hamilton Survey No. 16 in Travis County, the tract of land beginning at the north property line of Tract One and continuing south for a distance of approximately 425 feet (the "Property")

locally known as 5800-5948 West Slaughter Lane, 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. A building or structure may not be constructed as follows:

- Within 425 feet of platted single family lots located along the north property line;
- Within 400 feet of platted single family lots located along the west property line north of the Phillips pipeline as described in instruments recorded in Volume 430, Page 4, Volume 430, Page 151, Volume 3750, Page 1563, Volume 3979, Page 2019, within 60 foot wide easement, Volume 5307, Page 1339, of the Travis County Deed Records. ("Phillips pipeline"); and
- Within 100 feet of platted single family lots located along the east property line north of the Phillips pipeline.

Improvements permitted within these buffer zones are limited to nature trails, landscaping, picnic tables, benches, solid fences, small trash receptacles, (i.e. 55 gallons or less), parking facilities unless otherwise provided in this section, detention and water quality re-irrigation facilities, utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

2. A surface parking facility is prohibited as follows:

- Within 375 feet of platted single family lots located along the north property line;
- Within 375 feet of platted single family lots located along the west property line north of the Phillips pipeline; and
- Within 75 feet of platted single family lots located on the east property line along a line from the north property line to the Phillips pipeline.

3. The following uses are prohibited uses of Tract One:

Bed and breakfast residential (Group 1)	Drop-off recycling collection facility
Bed and breakfast residential (Group 2)	Exterminating services
Funeral services	Hotel-motel
Off-site accessory parking	Outdoor entertainment
Pawn shop services	Research services
Custom manufacturing	Urban farm

Communication service facilities
Group home, Class I (general)
Group home, Class II
Automotive sales
Automotive rentals
Service station

Congregate living
Group home, Class I, (limited)
Residential treatment
Automotive washing (of any type)
Automotive repair services

4. The following uses are prohibited uses of Tract Two:

Bed and breakfast residential (Group 1)
Off-site accessory parking
Urban farm
Congregate living
Group home, Class I, (limited)
Residential treatment

Bed and breakfast residential (Group 2)
Custom manufacturing
Communication service facilities
Group home, Class I (general)
Group home, Class II
Service station

5. The following uses are prohibited uses for a single occupant of any lease space over 36,750 square feet on Tract One:

Private secondary educational facilities
Arts & crafts studio (limited)
Financial services
General retail sales (convenience)
Personal services
Plant nursery
Special use historic
Club or lodge
Public secondary educational facilities
Community recreation (public)
Cultural services
Day care services (general)
Religious assembly
Guidance services
Safety services
General retail sales (general)
Outdoor sports and recreation
Business support services
Indoor sports and recreation
Theater
Telecommunication tower

Group residential
Consumer convenience services
Public primary educational facilities
Off-site accessory parking
Pet services
Restaurant (limited)
Custom manufacturing
College and university facilities
Community recreation (private)
Counseling services
Day care services (commercial)
Day care services (limited)
Private primary educational facilities
Hospital services (limited)
Commercial off-street parking
Indoor entertainment
Restaurant (general)
Communication services
Personal improvement services
Business or trade school
Local utility services

6. The following uses are prohibited uses for a single occupant of any lease space over 36,750 square feet on Tract Two:

Private secondary educational facilities	Group residential
Arts & crafts studio (limited)	Consumer convenience services
Financial services	Public primary educational facilities
General retail sales (convenience)	Off-site accessory parking
Personal services	Pet services
Plant nursery	Restaurant (limited)
Special use historic	Custom manufacturing
Club or lodge	College and university facilities
Public secondary educational facilities	Community recreation (private)
Community recreation (public)	Counseling services
Cultural services	Day care services (commercial)
Day care services (general)	Day care services (limited)
Religious assembly	Private primary educational facilities
Guidance services	Hospital services (limited)
Safety services	Local utility services
Telecommunication tower	

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on June 21, 2004.

PASSED AND APPROVED

June 10, 2004

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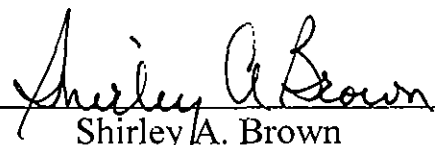
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Brown
City Clerk

AUGUST 26, 2003 JOB NO. 536-13
CLIENT: STRATUS PROPERTIES

FIELD NOTE NO. 536-01
PROJECT: 60.649 AC.
COA GRID NO. B-16

EXHIBIT A

FIELD NOTES

A DESCRIPTION PREPARED IN THE OFFICE FROM PUBLIC INFORMATION OF 60.649 ACRES OF LAND SITUATED IN THE SAMUEL HAMILTON SURVEY NO. 16, TRAVIS COUNTY, TEXAS BEING A PORTION OF THAT CERTAIN 538.5087 ACRES OF LAND CONVEYED TO CIRCLE C LAND CORP. BY DEED RECORDED IN VOLUME 11620, PAGE 1126 OF THE REAL PROPERTY RECORDS OF SAID COUNTY, SAID 60.649 ACRES, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod on the northerly right-of-way (R.O.W.) line of Slaughter Lane (120' R.O.W.) as described in a deed recorded in Volume 9457, Page 80 of the said Real Property Records for the southeast corner of Circle C Ranch Phase B Section 20-A a subdivision whose plat is recorded in Document No. 199900388 of the Official Public Records of said County;

THENCE crossing said 538.5087 acres along the east line of said Circle C Ranch Phase B Section 20-A the following two (2) courses:

1. N25°17'57"E, 385.00 feet to a 1/2 inch iron rod, and
2. N07°48'54"E, 1118.58 feet to a 1/2 inch iron rod for the northeast corner of said Circle C Ranch Phase B Section 20-A on the northerly line of said 538.5087 acres and the southerly line of Village at Western Oaks, Section 16-A a subdivision whose plat is recorded in Volume 86, Pages 62A-62D of the Plat Records of said county;

THENCE, departing the east line of said Circle C Ranch Phase B Section 20-A, along the northerly line of said 538.5087 acres and the southerly line of said Village at Western Oaks, Section 16-A S70°11'10"E, at 716.79 feet pass a 1/2 inch iron rod for the southeast corner of said Village at Western Oaks, Section 16-A and the southwest corner of Village at Western Oaks, Section 15-A, a subdivision whose plat is recorded in Volume 86, Pages 77C-77D of the said Plat Records, continuing with the northerly line of said 538.5087 acres and the southerly line of said Village at Western Oaks, Section 15-A at 1551.73 feet pass a 1/2 inch iron rod for the southeast corner of said Village at Western Oaks, Section 15-A and the southwest corner of Village at Western Oaks, Section 15-B, a subdivision whose plat is recorded in Volume 86, Pages 89B-90A of the said Plat Records, continuing with the northerly line of said 538.5087 acres and the southerly line of

said Village at Western Oaks, Section 15-B for 1749.96 feet to a 1/2 inch iron rod for the northwest corner of Circle C Ranch Phase C, Section Nine a subdivision whose plat is recorded in Document No. 200200245 of the said Official Public Records;

THENCE, departing the northerly line of said 538.5087 acres and the southerly line of said Village at Western Oaks, Section 15-B, crossing said 538.5087 acres along the westerly line of said Circle C Ranch Phase C, Section Nine S01°58'50"W, 1360.61 feet to a 1/2 inch iron rod for the southwest corner of said Circle C Ranch Phase C, Section Nine on the northerly line of said Slaughter Lane;

THENCE, departing the westerly line of said Circle C Ranch Phase C, Section Nine, along the northerly line of said Slaughter Lane a distance of 1995.04 feet along the arc of a curve to the right whose radius is 4580.00 feet, central angle is 24°57'29" and whose chord bears N75°27'59"W, 1979.30 feet the POINT OF BEGINNING containing 61.649 acres of land more or less SAVE AND EXCEPT that certain 1.000 acre of land conveyed to Daniel J. Brustkern by deed recorded in Volume 11740, Page 324 of the said Real Property Records leaving a net area of 60.649 acres of land more or less herein described.

REFERENCES

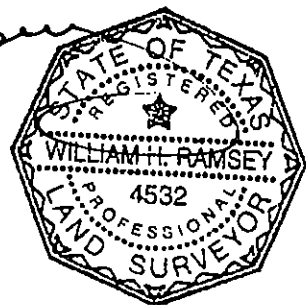
TCAD NO. 04-2347-01-220000

BEARING BASIS

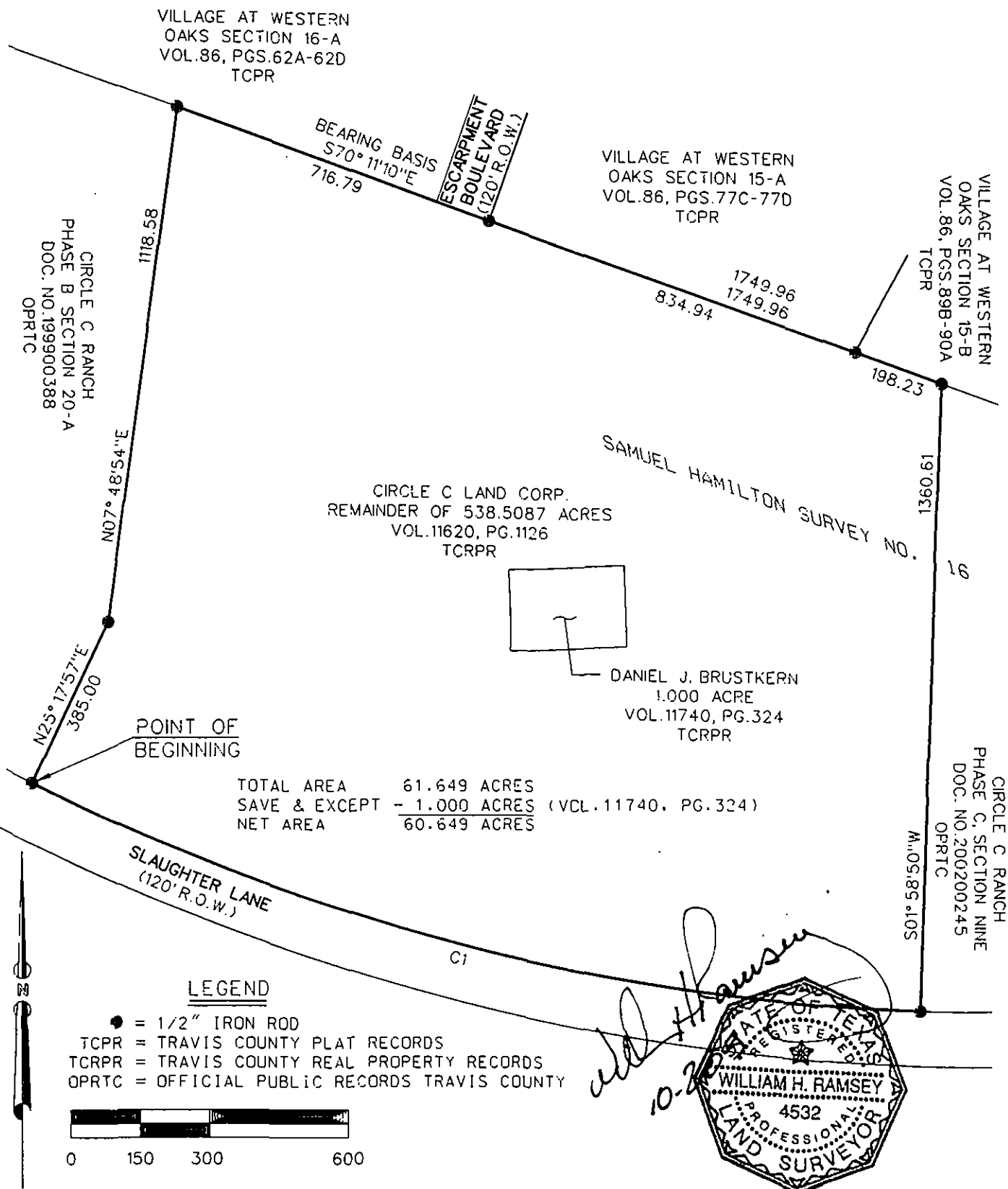
North line of the 538.5087 acres recorded in Volume 11620, Page 1126 of the Real Property Records of Travis County, Texas.

William H. Ramsey

10-2-03



CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	1995.04	124° 57' 29"	4580.00	N75° 27' 59" W	1979.30



RAMSEY LAND SURVEYING, L.L.C.

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SKETCH TO ACCOMPANY
FIELD NOTE NO. 536-01

JOB NO 536-01

COA GRID NO. 8-16

536/200200245.DGN CAR 8-27-03

