

ORDINANCE NO. 040527-77

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED ALONG SOUTHWEST PARKWAY AT TERRAVISTA DRIVE FROM LIMITED OFFICE (LO) DISTRICT, GENERAL OFFICE (GO) DISTRICT, AND COMMUNITY COMMERCIAL (GR) DISTRICT TO TOWNHOUSE AND CONDOMINIUM RESIDENCE-CONDITIONAL OVERLAY (SF-6-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 limited office (LO) district, general office (GO) district, and community commercial (GR) district to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district on the property described in Zoning Case No.C14-03-0098, on file at the Neighborhood Planning and Zoning Department, as follows:

A 59.5 acre tract of land, more or less, out of the August Herold Survey No. 59 and the Josiah Hudson Survey No. 590, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as the property located along Southwest Parkway at Terravista Drive, 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:

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.

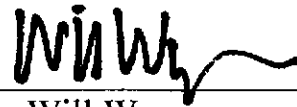
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the townhouse and condominium residence (SF-6) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on June 7, 2004.

PASSED AND APPROVED

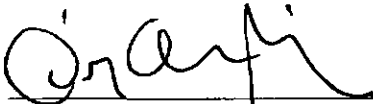
May 27, 2004

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Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Brown
City Clerk

DESCRIPTION

DESCRIBING 64.70 ACRES OF LAND LYING IN AND SITUATED OUT OF THE AUGUST HEROLD SURVEY NO. 59, ABSTRACT 2547 AND THE JOSIAH HUDSON SURVEY NO. 590, ABSTRACT 410 IN TRAVIS COUNTY, TEXAS AND BEING ALL OF THOSE CERTAIN TRACTS OF LAND DESCRIBED AS TRACT 10 (3.01 ACRES), TRACT 13 (7.17 ACRES) AND TRACT 15 (0.38 ACRE) DESCRIBED IN A DEED RECORDED IN VOLUME 12828, PAGE 2166; ALL OF THOSE CERTAIN TRACTS OF LAND DESCRIBED AS TRACT 11 (9.98 ACRES) AND TRACT 12 (9.52 ACRES) DESCRIBED IN A DEED RECORDED IN VOLUME 12828, PAGE 2187; ALL OF THAT CERTAIN 20.2337 ACRE TRACT OF LAND DESCRIBED IN A DEED RECORDED IN VOLUME 13090, PAGE 2248, ALL OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (R.P.R.T.C.T.); AND ALL OF THAT CERTAIN 9.163 ACRE TRACT OF LAND DESCRIBED IN A DEED RECORDED IN DOCUMENT NUMBER 2000167046 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.); SAID 64.70 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING at an iron rod on the northerly R.O.W. of Southwest Parkway as described in a deed recorded in Volume 11208, Page 1646 of said Deed Records for the most easterly southeast corner hereof and said 20.2337 acre tract;

THENCE, along the northerly R.O.W. of said Southwest Parkway, the following eleven (11) courses:

- 1) S87°06'16"W, a distance of 559.20 feet to an iron rod for point of curvature of a curve to the right;
- 2) a length of 274.50 feet along the arc of said curve to the right having a radius of 1415.00 feet, passing an iron rod at a distance of 29.89 feet along said arc for the southeast corner of said 0.39 acre tract and passing an iron rod for the most easterly corner of said 9.163 acre tract at a distance of 120.84 feet along said arc, said curve having a chord of N87°21'22"W, a distance of 273.99 feet to an iron rod for end of curve;
- 3) N81°43'22"W, a distance of 94.46 feet to an iron rod for an angle point hereof;
- 4) N76°05'03"W, a distance of 94.52 feet to an iron rod for an angle point hereof;
- 5) N71°19'03"W, a distance of 94.56 feet to an iron rod for a point of curvature of a curve to the right;
- 6) a length of 472.92 feet along the arc of said curve to the right having a radius of 1415.00 feet and a chord of N60°52'16"W, a distance of 469.98 feet to an iron rod for end of curve;
- 7) N48°07'58"W, a distance of 94.40 feet to an iron rod for a point of curvature of a curve to the right;
- 8) a length of 420.59 feet along the arc of said curve to the right having a radius of 1415.00 feet and a chord of N38°55'37"W, a distance of 418.75 feet to an iron rod for end of curve;
- 9) N30°25'04"W, a distance of 154.46 feet to an iron rod for angle point hereof;

- 10) N16°22'54"W, a distance of 103.08 feet to an iron rod for angle point hereof;
- 11) N30°25'04"W, a distance of 178.77 feet to an iron rod for the most westerly southwest corner hereof and said 9.163 acre tract;

THENCE, N39°57'37"E, a distance of 91.67 feet along the westerly line of said 9.163 acre tract to an iron pipe for the northwest corner of said 9.163 acre tract;

THENCE, S48°35'31"E, a distance of 488.78 feet along the northerly line of said 9.163 acre tract to an iron rod for the southwest corner of said Tract 13 and the southeast corner of that certain 20.63 acre tract of land recorded in Volume 12467, Page 391 (R.P.R.T.C.T.);

THENCE, along the easterly line of said 20.63 acre tract, the following five (5) courses:

- 1) N31°28'49"E, a distance of 550.84 feet to a 5/8" iron pipe for an angle point hereof;
- 2) N23°16'30"E, a distance of 51.41 feet to a 5/8" iron pipe for an angle point hereof;
- 3) N30°16'26"E, a distance of 207.46 feet to an iron rod for the northwest corner of said Tract 13 and most westerly southwest corner of said 20.2337 acre tract;
- 4) N30°20'04"E, a distance of 191.07 feet to an iron rod for an angle point hereof;
- 5) N31°41'43"E, a distance of 237.74 feet to an iron rod on the southerly line of that certain 237.97 acre tract of land recorded in Volume 11706, Page 698, (R.P.R.T.C.T.) For the northeast corner of said 20.63 acre tract and the northwest corner of said 20.2337 acre tract;

THENCE, along the southerly line of the said 237.97 acre tract, the following nine (9) courses:

- 1) S60°14'48"E, a distance of 451.10 feet to an iron rod for an angle point hereof;
- 2) S61°20'48"E, a distance of 182.45 feet to an iron rod for an angle point hereof;
- 3) S55°00'43"E, a distance of 49.70 feet to an iron rod for an angle point hereof;
- 4) S59°46'27"E, a distance of 180.35 feet to an iron rod for an angle point hereof;
- 5) S59°40'16"E, a distance of 309.53 feet to a 5/8" iron pipe for the most northerly northeast corner of said 20.2337 acre tract and the northwest corner of said Tract 11;
- 6) S61°09'40"E, a distance of 172.59 feet to an iron rod for an angle point hereof;
- 7) S60°07'28"E, a distance of 180.22 feet to a 60d nail in a fence post for an angle point hereof;
- 8) S68°52'58"E, a distance of 204.65 feet to an iron rod for an angle point hereof;
- 9) S67°05'52"E, a distance of 48.10 feet to a 60d nail in a fence post on the westerly line of that certain 327.894 acre tract of land recorded in Volume 12467, Page 391 (R.P.R.T.C.T.) for the southeast corner of said 237.97 acre tract and the most northerly northeast corner hereof and said Tract 11;

THENCE, along the westerly line of said 327.894 acre tract, the following four (4) courses:

- 1) S29°03'20"W, a distance of 743.52 feet to an iron rod for the southerly corner of said Tract 11, the easterly corner of said Tract 10 and an angle point hereof;
- 2) S29°47'35"W, a distance of 247.25 feet to an iron rod for the southerly corner of said Tract 10, the most easterly northeast corner of said 20.2337 acre tract and an angle point hereof;
- 3) S30°00'28"W, a distance of 156.05 feet to an iron rod for an angle point hereof;

- 4) S27°41'28"W, a distance of 14.78 feet to the POINT OF BEGINNING and containing 64.70 acres of land.

SAVE AND EXCEPT

5.20 ACRES OF LAND LYING IN AND SITUATED OUT OF THE AUGUST HEROLD SURVEY NO. 59, ABSTRACT 2547 IN TRAVIS COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN 5.198 ACRE TRACT OF LAND DESCRIBED AS EXHIBIT "A" DESCRIBED IN A DEED RECORDED IN VOLUME 11208, PAGE 1668 OF THE REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS; SAID 5.20 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND FROM PREVIOUS SURVEYS PERFORMED UNDER THE SUPERVISION OF JAMES E. GARON & ASSOCIATES;

BEGINNING at an iron rod on the northerly line of that certain 9.163 acre tract of land described in a deed recorded in Document No. 2000167046 of said records for the southwest corner of that certain 0.39 acre tract of land described as "Tract 15" described in a deed recorded in Volume 12828, Page 2166 of said records and the southeast corner hereof;

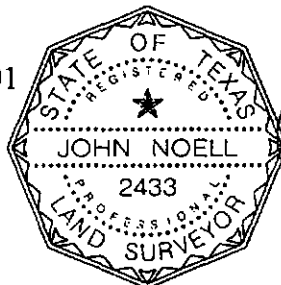
THENCE, along the northerly line of said 9.163 acre tract, N48°37'12"W, a distance of 305.95 feet to an iron rod for a corner of that certain 9.82 acre tract of land described as Tract 12 described in a deed recorded in Volume 12828, Page 2187 of said records and the southwest corner hereof;

THENCE, along the common line of said 9.82 acre tract, the following five (5) courses:

- 1) N04°50'51"E, a distance of 339.56 feet to an iron pipe for an angle point;
- 2) N47°43'10"E, a distance of 219.92 feet to an iron pipe for an angle point;
- 3) S89°24'29"E, a distance of 259.82 feet to an iron rod for an angle point;
- 4) S01°48'56"E, a distance of 300.05 feet to an iron pipe for an angle point;
- 5) S30°55'04"W, a distance of 388.85 feet passing an iron pipe at 61.03 feet and continuing for a total distance of 449.88 feet to the POINT OF BEGINNING and containing 5.20 acres of land, more or less, and as shown on map of survey prepared herewith.

Field Notes Prepared by

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




John Noell, R.P.L.S. #2433

Date: April 22, 2003

