

ORDINANCE NO. 041118-54

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3512 THROUGH 3610 SOUTH LAMAR BOULEVARD FROM SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-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 single family residence standard lot (SF-2) district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district on the property described in Zoning Case No.C14-04-0102, on file at the Neighborhood Planning and Zoning Department, as follows:

A 2.231 acre tract of land, more or less, out of the Charles H. Riddle Survey No. 19, in 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 3512 through 3610 South Lamar Boulevard, 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 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.
2. The maximum height is 40 feet from ground level for a building or structure located within 150 feet of the northwest property line.

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 November 29, 2004.

PASSED AND APPROVED

_____, November 18, 2004 §
 §
 § Will Wynn
 Will Wynn
 Mayor

APPROVED: David Allan Smith **ATTEST:** Shirley A. Brown
 David Allan Smith Shirley A. Brown
 City Attorney City Clerk

METES AND BOUNDS DESCRIPTION

BEING A 2.231 ACRE TRACT OF LAND LOCATED IN THE CHARLES H. RIDDLE SURVEY NO. 19, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, SAME BEING ALL OF THAT CERTAIN 2 ACRE TRACT LAND DESCRIBED BY DEED TO D.C. ESKEW RECORDED IN VOLUME 846 AT PAGE 215 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND ALL OF THAT CERTAIN 0.26 ACRE TRACT LAND DESCRIBED BY DEED TO LORENE SHAFFER ESKEW RECORDED IN VOLUME 8738 AT PAGE 621 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 2.231 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8-inch iron pipe found on the northwesterly right of way line of Lamar Boulevard (100' ROW) at the southeasterly corner of said Eskew 2 acre tract, from which point a 1/2-inch iron rod in concrete found at the southwesterly corner Lot 1 of Andrews Tract Subdivision, a subdivision of record in Book 86 at Page 74A of the Plat Records of Travis County, Texas, bears N 53°16'00" W, 10.41 feet, said 5/8-inch iron pipe being the southeasterly corner hereof;

THENCE along said northwesterly right of way line and the southeasterly line of said Eskew 2 acre tract, S 51°36'27" W, 273.02 feet to a 1/2-inch iron rod found at the most southerly common corner of said Eskew 0.26 acre tract and Lot C of Barton Creek Plaza, a subdivision of record in Book 81 at Page 369 of the Plat Records of Travis County, Texas, for the southwesterly corner hereof;

THENCE along the common line of said Eskew 0.26 acre tract and said Lot C, N 46°35'10" W, 358.97 feet to a 1/2-inch iron rod found for for the northwesterly corner hereof;

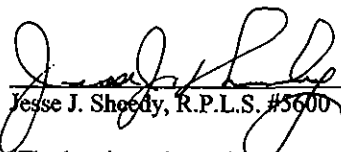
THENCE along the common line of said Eskew 2 acre tract and said Lot C, N 23°44'44" E, 223.86 feet to a 5/8-inch iron pipe found at the common corner of said Eskew 2 acre tract, said Lot C and that certain 5.728 acre tract described by deed to Alejandro Salazar recorded as Document No. 1999154810 of the Official Public Records of Travis County, Texas, for the northeasterly corner hereof;

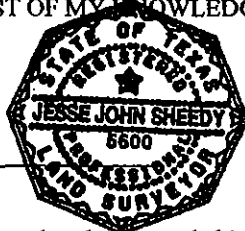
THENCE along the common line of said Eskew 2 acre tract and said 5.728 acre Salazar tract, S 50°56'53" E, 57.48 feet to a 1/2-inch iron rod found at the most northerly common corner of said Eskew 2 acre tract and the aforementioned Lot 1 of Andrews Tract Subdivision, for an angle point in the northeasterly line hereof;

THENCE along the common line of said Eskew 2 acre tract and said Lot 1 of Andrews Tract Subdivision the following three (3) courses:

- 1) S 37°40'55" E, 93.49 feet to a 1/2-inch iron rod found for an angle point in the northeasterly line hereof;
- 2) S 65°00'34" E, 154.39 feet to a 1/2-inch iron rod in concrete found for an angle point in the northeasterly line hereof;
- 3) S 53°16'00" E, 178.28 feet to the POINT OF BEGINNING for the end of this description which contains 2.231 acres of land, more or less.

I HEREBY CERTIFY THAT THIS METES AND BOUNDS DESCRIPTION WAS PREPARED FROM A SURVEY PERFORMED ON THE GROUND UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.


Jesse J. Shedy, R.P.L.S. #5600



(The bearings shown hereon are referenced to deed recorded in Vol. 846 at Pg. 215 of the Deed Records of Travis County, Texas.)

