

ORDINANCE NO. 20051215-Z006

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 7720 SOUTH FIRST STREET, 7801-7805 COOPER LANE, AND 630-640 DITTMAR ROAD FROM DEVELOPMENT RESERVE (DR) DISTRICT AND LIMITED OFFICE (LO) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT FOR TRACT ONE AND MULTIFAMILY RESIDENCE LIMITED DENSITY-CONDITIONAL OVERLAY (MF-1-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. C14-05-0161, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From development reserve (DR) district to general commercial services-conditional overlay (CS-CO) combining district.

A 1.439 acre tract of land, more or less, out of the William Cannon Survey No. 19, Abstract No. 6, 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 and limited office (LO) district to multifamily residence limited density-conditional overlay (MF-1-CO) combining district.

A 3.092 acre tract of land, more or less, out of the William Cannon Survey No. 19, Abstract No. 6, 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 7720 South First Street, 7801-7805 Cooper Lane, and 630-640 Dittmar Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

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 following uses are prohibited uses of Tract One:

Agricultural sales and services
Automotive repair services
Automotive washing (of any type)
Campground
Commercial off-street parking
Consumer convenience services
Drop-off recycling collection facility
Food sales
General retail sales (convenience)
Group home, Class I (general)
Group home, Class II
Hospital services (general)
Hotel-motel
Indoor sports and recreation
Laundry services
Medical offices (exceeding 5000 sq. ft.
of gross floor area)
Monument retail sales
Outdoor entertainment
Pawn shop services
Personal services
Recreational equipment
maintenance and storage
Restaurant (general)
Service station
Theater
Transportation terminal
Veterinary services

Automotive rentals
Automotive sales
Bail bond services
Commercial blood plasma center
Congregate living
Consumer repair service
Financial services
Funeral services
General retail sales (general)
Group home, Class I (limited)
Guidance services
Hospital services (limited)
Indoor entertainment
Kennels
Maintenance and service facilities
Medical offices (not exceeding 5000
sq. ft. of gross floor area)
Off-site accessory parking
Outdoor sports and recreation
Personal improvement services
Printing and publishing
Research services
Residential treatment
Restaurant (limited)
Software development
Transitional housing
Vehicle storage

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

Business or trade school
Community recreation (private)
Construction sales and services
Exterminating services
Public secondary education facilities

College and university facilities
Community recreation (public)
Equipment repair services
Private secondary educational facilities

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 December 26, 2005.

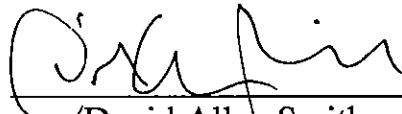
PASSED AND APPROVED

December 15, 2005

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§
§


Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:


Shirley A. Gentry
City Clerk



**Professional Land Surveying, Inc.
Surveying and Mapping**

EXHIBIT A

C14-05-0161

TRACT 1

Office: 512-443-1724

Fax: 512-441-6987

2807 Manchaca Road

Building One

Austin, Texas 78704

**1.439 ACRES
ZONING DESCRIPTION
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF A 1.439 ACRE (APPROXIMATELY 62,661 SQUARE FEET) TRACT OF LAND OUT OF A 4.625 ACRE TRACT SITUATED IN THE WILLIAM CANNON SURVEY NO. 19, ABSTRACT NO. 6, TRAVIS COUNTY, TEXAS, DESCRIBED IN A DEED TO BILL FITZGERALD, TRUSTEE AND PHILIP PRESSE, DATED JULY 5, 1972 AND RECORDED IN VOLUME 4387, PAGE 1397 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.439 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 3" aluminum disk found for the northwest corner of the said 4.625 acre tract, also being in the south line of a 1.17 acre tract of land described in Volume 963, Page 225 of the Deed Records of Travis County, Texas;

THENCE with north line of the 4.625 acre tract and the south line of the said 1.17 acre tract the following two (2) courses:

1. South 77°40'24" East, a distance of 380.31 feet to a 3" aluminum disk found;
2. South 85°03'08" East, a distance of 425.17 feet to a ½" rebar found for the northeast corner of said 4.625 acre tract, and being in the west right-of-way line of South 1st Street (variable right-of-way width);

THENCE South 31°31'44" West with the east line of said 4.625 acre tract, being also the west right-of-way line of South 1st Street, a distance of 85.66 feet to a calculated point, from which a ½" rebar with cap set for the southeast corner of the 4.625 acre tract bears South 31°31'44" West, a distance of 201.36 feet;

THENCE over and across the said 4.625 acre tract, with the approximate centerline of a 50 foot gas pipeline easement described in Volume 430, Page 153, also described in Volume 1359, Page 264 and further described in Volume 4086, Page 1600, all recorded in the Deed Records of Travis County, Texas (centerline based on gas markers) the following four (4) courses:

1. North 84°34'12" West, a distance of 392.89 feet to a calculated point;
2. North 87°29'37" West, a distance of 101.95 feet to a calculated point;
3. North 78°50'28" West, a distance of 77.03 feet to a calculated point;

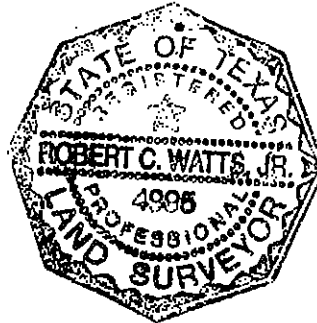
4. North 73°43'08" West, a distance of 185.91 feet to a calculated point in the east right-of-way line of Cooper Lane (variable right-of-way width), being also the west line of the 4.625 acre tract, from which a ½" rebar with cap set bears South 02°18'56" East, a distance of 176.55 feet;

THENCE North 02°18'56" West, with the west line of the 4.625 acre tract and the east right-of-way line of Cooper Lane, a distance of 82.28 feet to the **POINT OF BEGINNING**, containing 1.439 acres of land, more or less.

Surveyed on the ground in July, 2005. Bearing basis is grid azimuth for Texas central zone, 1983/93 HARN values from LCRA control network. Attachments: Survey Drawing 487-001-Z1.



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

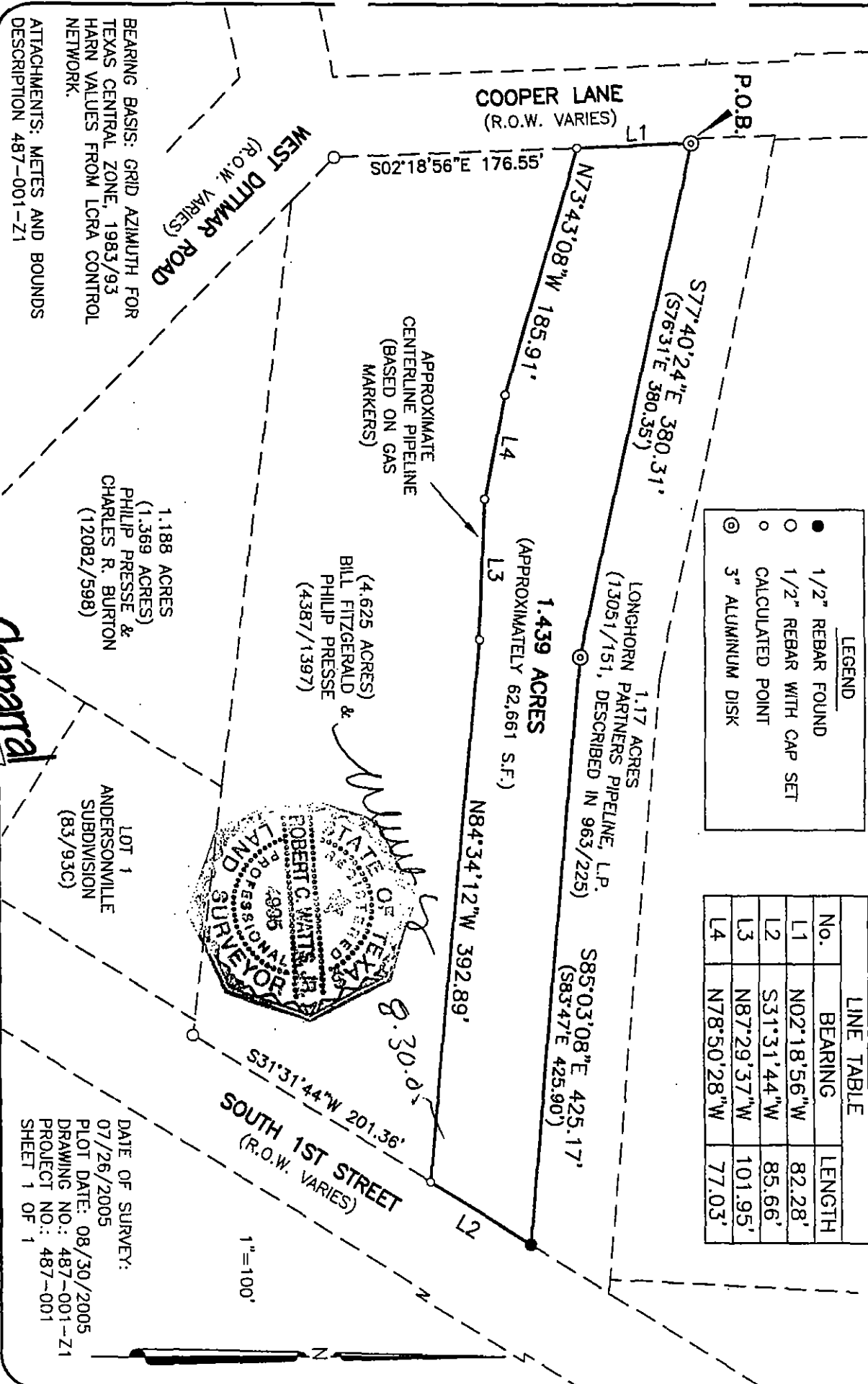


8.30.05

A SKETCH TO ACCOMPANY A DESCRIPTION OF A 1.439 ACRE (APPROXIMATELY 62,661 SQUARE FEET) TRACT OF LAND OUT OF A 4.625 ACRE TRACT SITUATED IN THE WILLIAM CANNON SURVEY NO. 19, ABSTRACT NO. 6, TRAVIS COUNTY, TEXAS, DESCRIBED IN A DEED TO BILL FITZGERALD, TRUSTEE AND PHILIP PRESSE, DATED JULY 5, 1972 AND RECORDED IN VOLUME 4387, PAGE 1397 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

LEGEND	
●	1/2" REBAR FOUND
○	1/2" REBAR WITH CAP SET
○	CALCULATED POINT
⊙	3" ALUMINUM DISK

LINE TABLE		
No.	BEARING	LENGTH
L1	N02°18'56"W	82.28'
L2	S31°31'44"W	85.66'
L3	N87°29'37"W	101.95'
L4	N78°50'28"W	77.03'



BEARING BASIS: GRID AZIMUTH FOR TEXAS CENTRAL ZONE, 1983/93 HARN VALUES FROM LCRA CONTROL NETWORK.

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 487-001-Z1

DATE OF SURVEY: 07/26/2005
DRAWING NO.: 487-001-Z1
PROJECT NO.: 487-001
SHEET 1 OF 1



**Professional Land Surveying, Inc.
Surveying and Mapping**

EXHIBIT B

C14-05-0161
TRACT 2

Office: 512-443-1724
Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

**3.092 ACRES
ZONING DESCRIPTION
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF A 3.092 ACRE (APPROXIMATELY 134,666 SQUARE FEET) TRACT OF LAND, BEING ALL OF 1.369 ACRES, MORE OR LESS, SITUATED IN THE WILLIAM CANNON SURVEY NO. 19, ABSTRACT NO. 6, TRAVIS COUNTY, TEXAS, DESCRIBED IN A SPECIAL WARRANTY DEED TO PHILIP PRESSE AND CHARLES R. BURTON, DATED DECEMBER 8, 1993 AND RECORDED IN VOLUME 12082, PAGE 598 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT 7,910 SQUARE FEET OF LAND CONVEYED TO THE CITY OF AUSTIN IN STREET DEED RECORDED IN VOLUME 10229, PAGE 757 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS;

AND BEING A PORTION OF 4.625 ACRES, MORE OR LESS, SITUATED IN THE WILLIAM CANNON SURVEY NO. 19, ABSTRACT NO. 6, TRAVIS COUNTY, TEXAS, DESCRIBED IN A DEED TO BILL FITZGERALD, TRUSTEE AND PHILIP PRESSE, DATED JULY 5, 1972 AND RECORDED IN VOLUME 4387, PAGE 1397 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAVE AND EXCEPT 0.009 OF AN ACRE CONVEYED TO THE CITY OF AUSTIN IN STREET DEED RECORDED UNDER DOCUMENT NO. 2001044817 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

SAID 3.092 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" rebar with cap set for the north corner of the said 0.009 acre tract, at the intersection with the east right-of-way line of Cooper Lane (variable right-of-way width), being an angle point on the west line of the said 4.625 acre tract;

THENCE North 02°18'56" West with the west line of the said 4.625 acre tract and the east right-of-way line of Cooper Lane, a distance of 176.55 feet to a calculated point for the approximate centerline of a 50 foot gas pipeline easement described in Volume 430, Page 153, also described in Volume 1359, Page 264 and further described in Volume 4086, Page 1600, all recorded in the deed records of Travis County, Texas (centerline based on gas markers), and from which a 3" aluminum disk found for the northwest corner of the said 4.625 acre tract, bears North 02°18'56" West a distance of 82.28 feet;

THENCE over and across the said 4.625 acre tract and with the approximate centerline of the said 50 foot gas pipeline easement, the following four (4) courses:

1. South 73°43'08" East, a distance of 185.91 feet to a calculated point;
2. South 78°50'28" East, a distance of 77.03 feet to a calculated point;
3. South 87°29'37" East, a distance of 101.95 feet to a calculated point;
4. South 84°34'12" East, a distance of 128.43 feet to a calculated point;

THENCE South 06°53'08" West, over and across the said 4.625 acre tract of land, a distance of 176.31 feet to a ½" rebar found at the northeast corner of the said 1.369 acre tract, also being the northwest corner of Lot 1, Andersonville Subdivision, a subdivision of record in Volume 83, Page 93C of the Plat Records of Travis County, Texas;

THENCE South 31°51'08" West, with the east line of the said 1.369 acre tract of land, being also the west line of said Lot 1, Andersonville Subdivision, a distance of 116.18 feet to a ½" rebar found for the southwest corner of said Lot 1, Andersonville Subdivision, also being the northwest corner of Lot A, Dittmarville, a subdivision of record in Volume 77, Page 52 of the Plat Records of Travis County, Texas;

THENCE South 31°55'19" West, with the east line of the said 1.369 acre tract of land, also being the west line of said Lot A, Dittmarville, a distance of 90.78 feet to a ½" rebar with cap set for the southwest corner of said Lot A, Dittmarville, also being the northwest corner of Lot B, of the said Dittmarville subdivision;


THENCE South 31°55'19" West, with the east line of the said 1.369 acre tract, and the west line of the said Lot B, Dittmarville, a distance of 60.17 feet to a ½" rebar with cap set for the most easterly corner of the said 7,910 s.f. Street Deed, being in the northeast line of West Dittmar Road (variable right-of-way width), from which a ½" rebar found for the southwest corner of the said Lot B, Dittmarville bears South 31°55'19" West, a distance of 4.91 feet;

THENCE North 45°28'43" West, crossing the 1.369 acre tract, with the northeast line of the 7,910 s.f. Street Deed, and the northeast right-of-way line of West Dittmar Road, a distance of 396.82 feet to a square bolt found for the northeast corner of the 7,910 s.f. Street Deed, being also the southeast corner of the said 0.009 acre Street Deed, being in the north line of the 1.369 acre tract and the south line of the 4.625 acre tract;

THENCE North 45°31'12" West, crossing the 4.625 acre tract, with the northeast line of the 0.009 acre tract, being also the northeast right-of-way line of West Dittmar Road, a distance of 44.01 feet to the **POINT OF BEGINNING**, and containing 3.092 acres of

land, more or less.

Surveyed on the ground in July, 2005. Bearing basis is grid azimuth for Texas central zone, 1983/93 HARN values from LCRA control network. Attachments: Survey Drawing 487-001-Z2.


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



8.30.05

A SKETCH TO ACCOMPANY A DESCRIPTION OF A 3.092 ACRE (APPROXIMATELY 134,666 SQUARE FEET), BEING ALL OF 1.369 ACRES, MORE OR LESS, SITUATED IN THE WILLIAM CANNON SURVEY NO. 19, ABSTRACT NO. 6, TRAVIS COUNTY, TEXAS, DESCRIBED IN A SPECIAL WARRANTY DEED TO PHILIP PRESSE AND CHARLES R. BURTON, DATED DECEMBER 8, 1993 AND RECORDED IN VOLUME 12082, PAGE 598 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT 7,910 SQUARE FEET OF LAND CONVEYED TO THE CITY OF AUSTIN IN STREET DEED RECORDED IN VOLUME 10229, PAGE 757 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS;

AND BEING A PORTION OF 4.625 ACRES, MORE OR LESS, SITUATED IN THE WILLIAM CANNON SURVEY NO. 19, ABSTRACT NO. 6, TRAVIS COUNTY, TEXAS, DESCRIBED IN A DEED TO BILL FITZGERALD, TRUSTEE AND PHILIP PRESSE, DATED JULY 5, 1972 AND RECORDED IN VOLUME 4387, PAGE 1397 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAVE AND EXCEPT 0.009 OF AN ACRE CONVEYED TO THE CITY OF AUSTIN IN STREET DEED RECORDED UNDER DOCUMENT NO. 2001044817 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

LINE TABLE			
No.	BEARING	LENGTH	(RECORD)
L1	S78°50'28"E	77.03'	
L2	S87°29'37"E	101.95'	
L3	S84°34'12"E	128.43'	
L4	S31°51'08"W	116.18'	
L5	S31°55'19"W	90.78'	
L6	S31°55'19"W	60.17'	
L7	S31°55'19"W	4.91'	
L8	N45°31'12"W	44.01'	(N45°30'48"W 44.00')
L9	N02°18'56"W	82.28'	

LEGEND

- 1/2" REBAR FOUND
- 1/2" REBAR WITH CAP SET
- CALCULATED POINT
- ⊙ 3" ALUMINUM DISK
- SQUARE BOLT FOUND

BEARING BASIS: GRID AZIMUTH FOR
TEXAS CENTRAL ZONE, 1983/93
HARN VALUES FROM LCRA CONTROL
NETWORK.

ATTACHMENTS: METES AND BOUNDS
DESCRIPTION 487-001-Z2

DATE OF SURVEY:
07/26/2005
PLOT DATE: 08/30/2005
DRAWING NO.: 487-001-Z2
PROJECT NO.: 487-001
SHEET 1 OF 2

Chaparral

COOPER LANE
(R.O.W. VARIES)

N02°18'56"W
176.55'

S73°43'08"E
185.91'

APPROXIMATE
CENTERLINE PIPELINE
(BASED ON GAS
MARKERS)

(4.625 ACRES)
BILL FITZGERALD &
PHILIP PRESSE
(4387/1397)

3.092 ACRES
(APPROXIMATELY 134,666 S.F.)

S06°53'08"W
176.31'

(4.625 ACRES)
BILL FITZGERALD &
PHILIP PRESSE
(4387/1397)

1.17 ACRES
LONGHORN PARTNERS PIPELINE, L.P.
(13051/151, DESCRIBED IN 963/225)

N45°28'43"W 396.82'
(N44°24'41"W 397.02')
WEST DITMAR ROAD
(R.O.W. VARIES)

(1.369 ACRES)
PHILIP PRESSE &
CHARLES R. BURTON
(12082/598)

LOT 1
ANDERSONVILLE
SUBDIVISION
(83/93C)

N83°06'52"W 169.39'

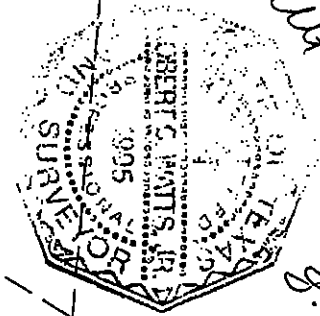
LOT A
DITMARVILLE
(77/52)
LOT B
DITMARVILLE
(77/52)

SOUTH 1ST STREET
(R.O.W. VARIES)

BEARING BASIS: GRID AZIMUTH FOR
TEXAS CENTRAL ZONE, 1983/93
HARN VALUES FROM LCRA CONTROL
NETWORK.
ATTACHMENTS: METES AND BOUNDS
DESCRIPTION 487-001-Z2

Chaparral

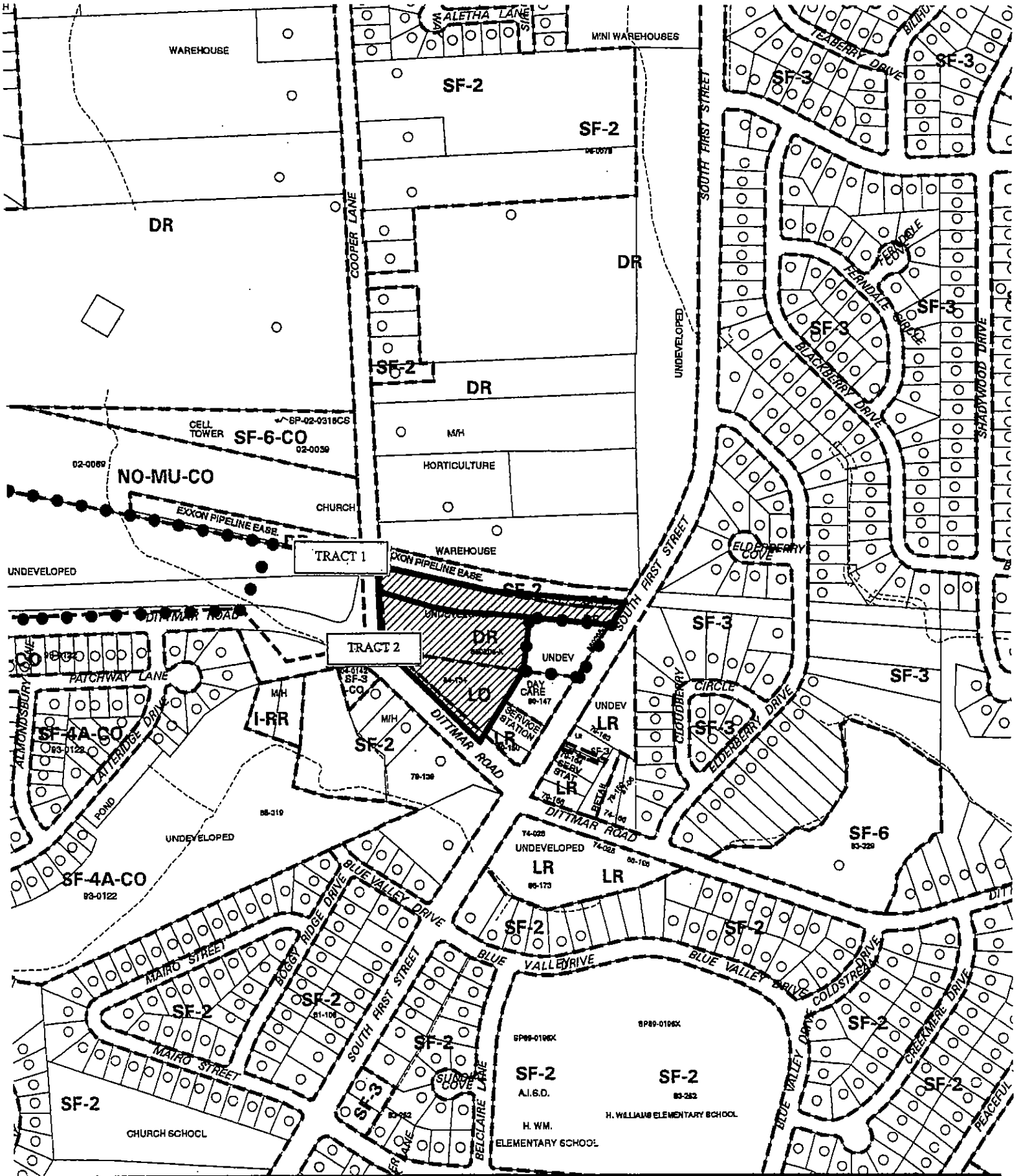
Amended
8-30-05



1"=100'

DATE OF SURVEY:
07/26/2005
PLOT DATE: 08/30/2005
DRAWING NO.: 487-001-Z2
PROJECT NO.: 487-001
SHEET 2 OF 2

LEGEND	
●	1/2" REBAR FOUND
○	1/2" REBAR WITH CAP SET
○	CALCULATED POINT
⊙	3" ALUMINUM DISK
■	SQUARE BOLT FOUND



SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY
 CASE MGR: W. WALSH

CASE #: C14-05-0161
 ADDRESS: 7720 SOUTH FIRST ST; 7801-7805
 COOPER LANE; 630-640 DITTMAR RD
 SUBJECT AREA (acres): 4.530

ZONING EXHIBIT C

DATE: 05-10
 INTLS: SM

CITY GRID
 REFERENCE
 NUMBER
 F15

1" = 400'