

ORDINANCE NO. 20060209-033

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 7900 THAXTON ROAD AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-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 interim rural residence (I-RR) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-05-0168, on file at the Neighborhood Planning and Zoning Department, as follows:

A 1.473 acre tract of land, more or less, out of the Santiago Del Valle Grant, Abstract No. 24, 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 7900 Thaxton Road, 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. Drive-in service is prohibited as an accessory use to a commercial use.
2. The following uses are conditional uses of the Property:

Community recreation (private)
Congregate living
Hospital services (limited)
Medical offices (exceeding 5000 sq. ft.
gross floor area)

Community recreation (public)
Group home (Class II)
Residential treatment

3. The following uses are prohibited uses of the Property:

Automotive rentals
Automotive sales
Bail bond services
Business support services
Communications services
Exterminating services
Funeral services
Hospital services (general)
Indoor entertainment
Off-site accessory parking
Outdoor sports and recreation
Personal improvement services
Theater

Automotive repair services
Automotive washing (of any type)
Business or trade school
Commercial off-street parking
Drop-off recycling collection facility
Food preparation
General retail sales (general)
Hotel-motel
Indoor sports and recreation
Outdoor entertainment
Pawn shop services
Research services

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 February 20, 2006.

PASSED AND APPROVED

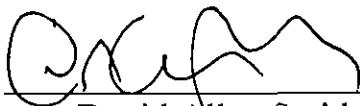
February 9, 2006

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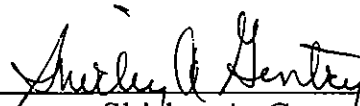
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

EXHIBIT A

DESCRIPTION OF A 1.473 ACRE TRACT OF LAND SITUATED IN THE SANTIAGO DEL VALLE GRANT ABSTRACT NO. 24, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 275.015 ACRE REMAINDER TRACT OF LAND CONVEYED IN THE DEED TO FC PROPERTIES ONE, LTD., A TEXAS LIMITED PARTNERSHIP AS RECORDED IN VOLUME 13147, PAGE 1555 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.473 ACRE TRACT OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod with a "Lenz & Associates, Inc." cap found on the east line of said remainder tract and the east line of Springfield Phase 'B', Section Six as recorded in Document No. 200300063 of the Plat Records of Travis County, Texas, same being the east right-of-way (R.O.W.) line of Salt Springs Drive, from which a 1/2-inch iron rod found with a cap stamped "L/JA Inc. RPLS 4532" bears N 28° 53' 32" E, passing at a distance of 53.91 feet a 1/2-inch iron rod with a "Lenz & Associates, Inc." cap found on said R.O.W. line continuing for a total distance of 54.99 feet, for the **POINT OF BEGINNING** of the tract described herein;

THENCE leaving said R.O.W. line with a north line of said remainder tract, same being a south line of said Springfield Phase 'B', S 61° 07' 12" E, a distance of 200.92 feet to a 1/2-inch iron rod with a "Lenz & Associates, Inc." cap found for the northeast corner of the tract described herein;

THENCE leaving said north and south lines with an east line of said remainder tract, same being a west line of said Springfield Phase 'B', S 28° 53' 26" W, a distance of 318.88 feet to a 1/2-inch iron rod with a "Lenz & Associates, Inc." cap found on the north R.O.W. line of Thaxton Road, as described in a final plat of Thaxton Road Street Dedication, as recorded in Volume 87, Page 24D of the Plat Records of Travis County, Texas, same being the southeast corner of the tract described herein for a point of curvature;

THENCE with the north R.O.W. line of said Thaxton Road the following four (4) courses and distances:

- 1) with the arc of said curve to the right a distance of 21.27 feet, through a central angle of 00° 40' 39", having a radius of 1798.18 feet and whose chord bears N 63° 04' 57" W, a distance of 21.27 feet to a 1/2-inch iron rod with a "Lenz & Associates, Inc." cap found,
- 2) N 61° 06' 17" W, a distance of 100.01 feet to a 1/2-inch iron rod with a "Lenz & Associates, Inc." cap found,
- 3) N 62° 54' 49" W, a distance of 53.99 feet to a calculated point, and
- 4) with the arc of a curve to the right a distance of 40.08 feet, through a central angle of 91° 51' 36", having a radius of 25.00 feet and whose chord bears N 16° 59' 02" W, a distance of 35.92 feet to an "X" in concrete found on the east R.O.W. line of said Salt Springs Drive;

THENCE with the east R.O.W. line of said Salt Springs Drive, same being the west line of said remainder tract, the following two (2) courses and distances:

- 1) N 28° 56' 46" E, a distance of 101.74 feet to a 1/2-inch iron rod with a "Lenz & Associates, Inc." cap found, and

1.473 Acres
Santiago Del Valle A-24
Travis County, Texas
Zoning: GR

FN 2934(ALG)
May12, 2003
SAM, Inc. Job No. 23142-20

- 2) N 28° 53' 32" E, a distance of 194.51 feet to the **POINT OF BEGINNING** and containing 1.473 acres of land, more or less.

BEARING BASIS: 1/2-inch iron rods at the southwest and southeast corners of Springfield Phase "C", a subdivision of record in Document No. 200000045 of the Official Public Records of Travis County, Texas. Called bearing and distance between these iron rods is N 60° 03' 41" W a distance of 2172.32 feet. Held called bearing of N 60° 04' 00" W as shown in Volume 2312, Page 155 of the Deed Records of Travis County, Texas and found actual distance to be 2172.33 feet.

NOTE: This Document does not reflect the results of a recent on the ground survey and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

THE STATE OF TEXAS


KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That I, C. M. Solomon, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during July and August 2002 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 2nd day of June, 2003 A.D.

SURVEYING AND MAPPING, Inc.
5508 West Highway 290, Building B
Austin, Texas 78735


C. M. Solomon
Registered Professional Land Surveyor
No. 5734 - State of Texas



LEGEND

- △ CALCULATED POINT
- ⊕ 1/2" IRON ROD WITH "LENZ & ASSOCIATES, INC."
PLASTIC CAP FOUND (UNLESS NOTED)
- ✕ "X" IN CONCRETE FOUND
- D.R.T.C.Tx. DEED RECORDS TRAVIS COUNTY, TEXAS
- R.P.R.T.C.Tx. REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS
- P.R.T.C.Tx. PLAT RECORDS TRAVIS COUNTY, TEXAS
- P.O.B. POINT-OF-BEGINNING
- () RECORD INFORMATION



GRAPHIC SCALE

SCALE: 1" = 100 FEET

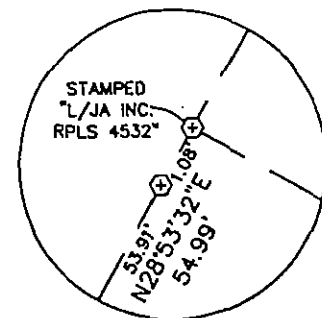
MAY 2003

SANTIAGO DEL VALLE GRANT,
ABSTRACT NO. 24
TRAVIS COUNTY, TEXAS

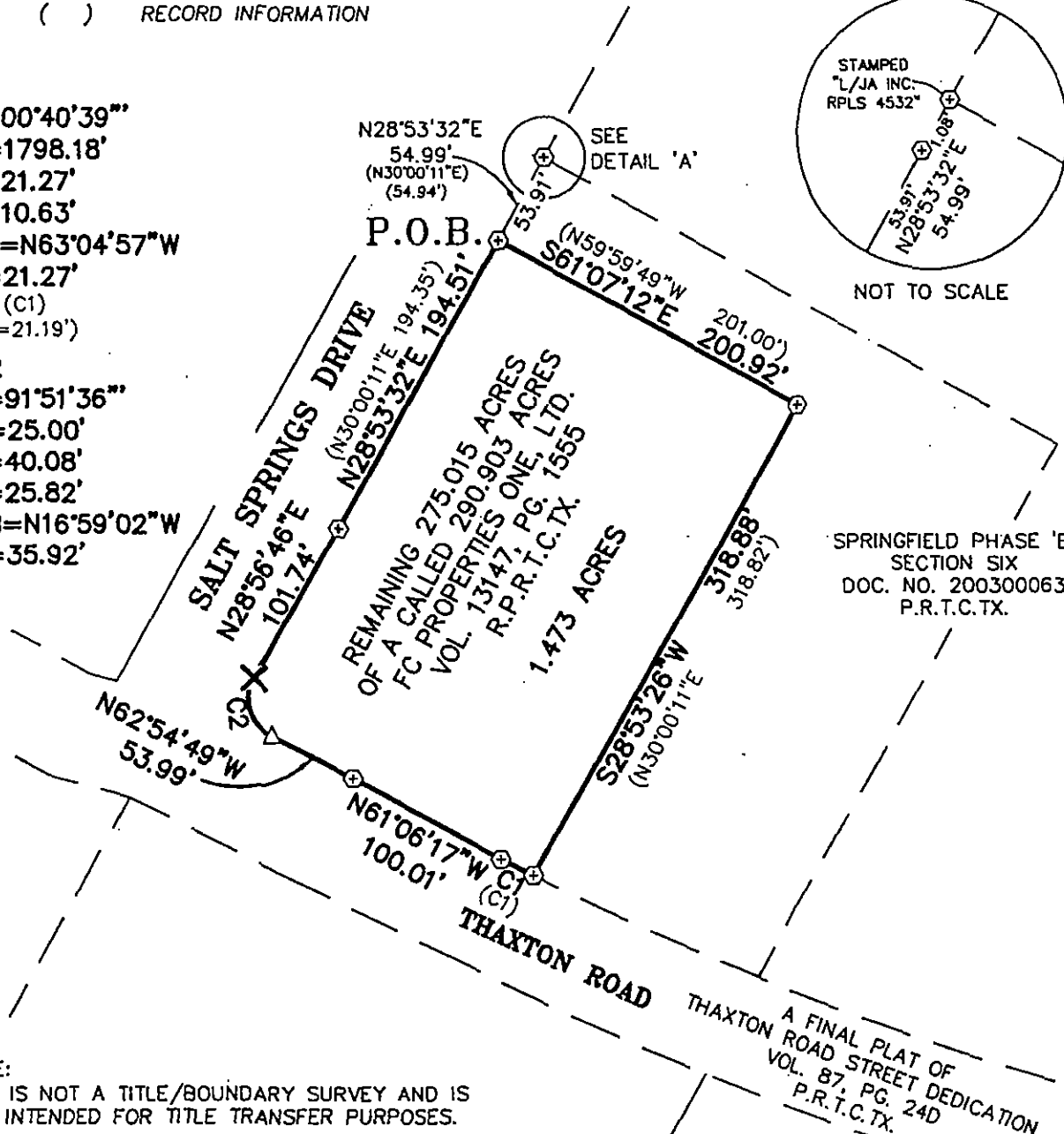
C1
 $\Delta = 00^{\circ}40'39''$
 $R = 1798.18'$
 $L = 21.27'$
 $T = 10.63'$
 $CB = N63^{\circ}04'57''W$
 $C = 21.27'$
 (C1)
 (A = 21.19')

C2
 $\Delta = 91^{\circ}51'36''$
 $R = 25.00'$
 $L = 40.08'$
 $T = 25.82'$
 $CB = N16^{\circ}59'02''W$
 $C = 35.92'$

DETAIL 'A'



NOT TO SCALE



NOTE:
THIS IS NOT A TITLE/BOUNDARY SURVEY AND IS
NOT INTENDED FOR TITLE TRANSFER PURPOSES.

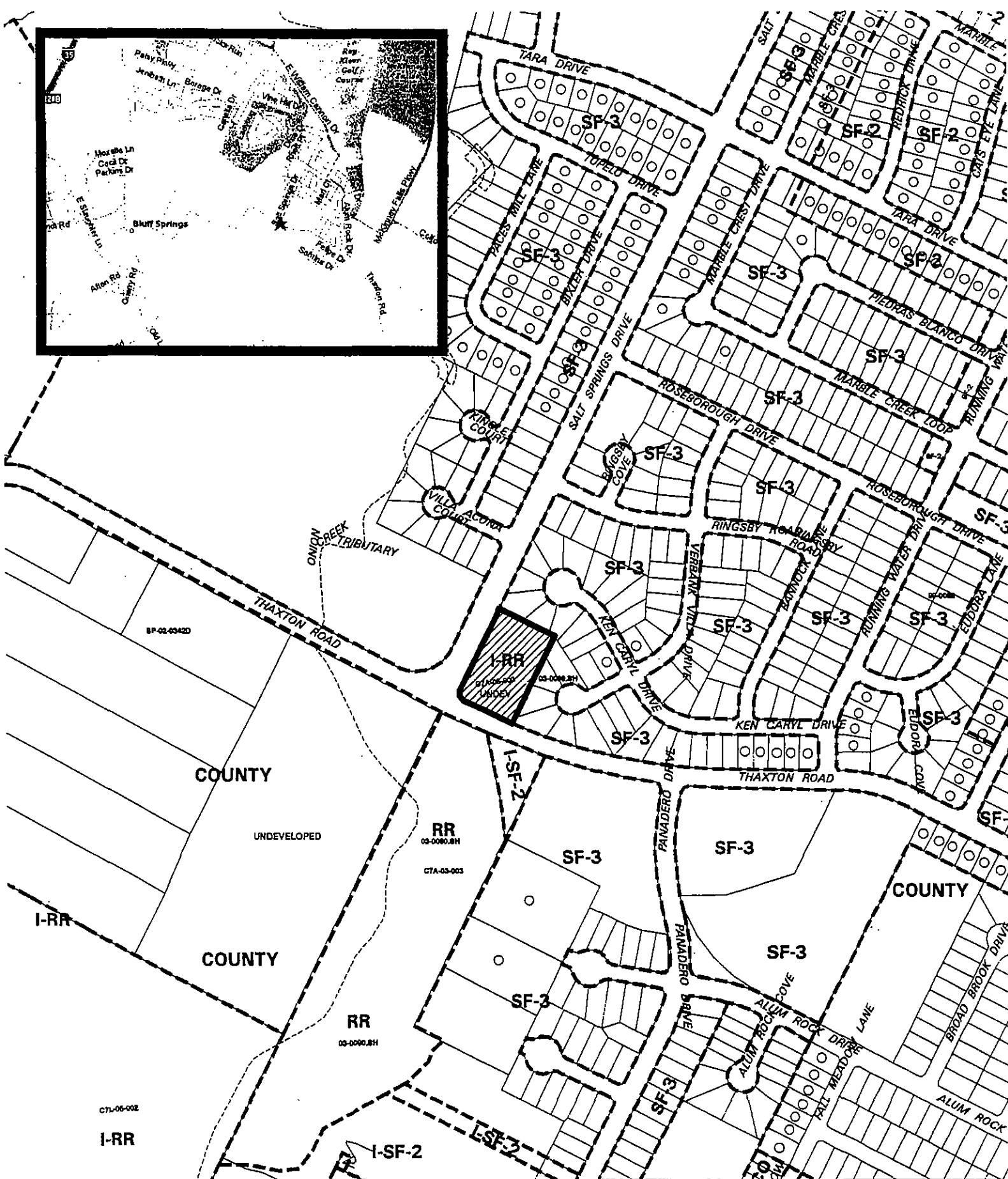
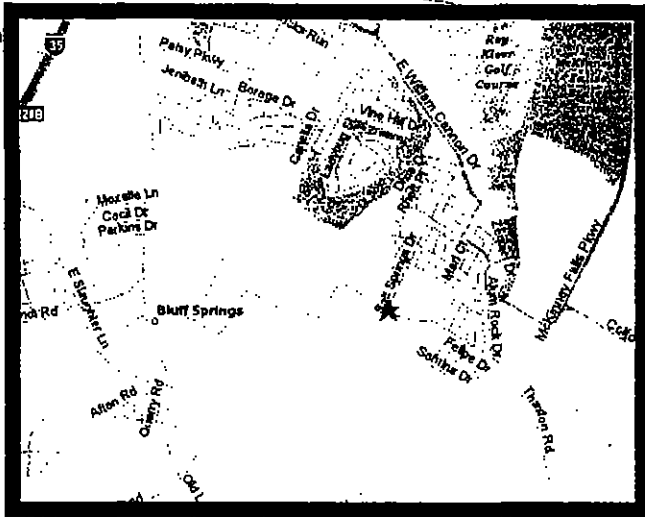
BEARING BASIS: 1/2" IRON RODS AT THE SOUTHWEST AND SOUTHEAST CORNERS OF SPRINGFIELD PHASE "C" A
SUBDIVISION OF RECORD IN DOCUMENT NO. 200000045 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY,
TEXAS. CALLED BEARING AND DISTANCE BETWEEN THESE IRON RODS IS $N60^{\circ}03'41''W$ - 2172.32 FEET. HELD
CALLED BEARING OF $N60^{\circ}04'00''W$ AS SHOWN IN VOLUME 2312, PAGE 155 OF THE D.R.T.C.TX. AND FOUND ACTUAL
DISTANCE TO BE 2172.33 FEET.

PROJECT:	KB ZIMING 230
JOB NUMBER:	23142-20
DATE:	MAY 12, 2003
SURVEYOR:	CMS
PARTY CHIEF:	NA
FIELDBOOK:	NA
FIELDNOTE:	FM2334
TECHNICIAN:	ALG
DRAWING:	FM2334.DWG
SCALE:	1" = 100'



5508 WEST HIGHWAY 290
BUILDING B
AUSTIN TEXAS, 78735
(512) 447-0575
FAX: (512) 326-3029
EMAIL: SAM@SAMINCAUS.COM

SKETCH
TO
ACCOMPANY FIELD
NOTE No. 2934
PAGE 3 OF 3



 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT B		CITY GRID REFERENCE NUMBER J13
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-05-0168 ADDRESS: 7900 THAXTON RD SUBJECT AREA (acres): 1.473	DATE: 05-10 INTLS: SM	
	CASE MGR: W.WALSH			