

ORDINANCE NO. 20060302-053

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5602, 5604, AND 5700 EAST RIVERSIDE DRIVE (TRACTS 304 AND 305) FROM FAMILY RESIDENCE (SF-3) DISTRICT TO SINGLE FAMILY RESIDENCE LARGE LOT (SF-1) DISTRICT AND NEIGHBORHOOD COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (LR-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 on the property described in Zoning Case No. C14-05-0113.03, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract 304: From family residence (SF-3) district to single family residence large lot (SF-1) district.

A 2.499 acre tract of land, more or less, out of the Santiago Del Valle Grant, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract 305 (the "Property"): From family residence (SF-3) district to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district.

A 2.434 acre tract of land, more or less, out of the Santiago Del Valle Grant, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance,

locally known as 5602, 5604, and 5700 East Riverside Drive, 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. Vehicular access to and from the Property along Country Club Road shall be by a limited function driveway that allows left-in, right-in, and left-out movement only.

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

Off-site accessory parking
Custom manufacturing
Day care services (general)

Service station
Day care services (commercial)


Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the neighborhood commercial (LR) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on March 13, 2006.


PASSED AND APPROVED

March 2, 2006

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Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:

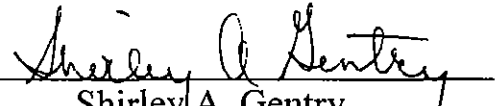

Shirley A. Gentry
City Clerk

EXHIBIT A
DESCRIPTION
TRACT 304

FOR A 2.499 ACRE TRACT OF LAND SITUATED IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOTS 9, 10, 12, 13, 14, PENICK PLACE, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORD IN BOOK 5, PAGE 147 OF THE PLAT RECORDS OF SAID COUNTY, BEING ALL OF TRACT 1, A 0.700 ACRE TRACT OF LAND AND A PORTION OF TRACT 2, A 0.241 ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO GREIF YOUNT PARTNERSHIP, RECORDED AS DOCUMENT NO. 2005081066 OF THE REAL PROPERTY RECORDS OF SAID COUNTY, SAID 2.449 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point on the northwest boundary line of said Lot 12 and on the southeast right-of-way line of Penick Drive, for the westerly northwest corner hereof, from which a ½" iron rod with Baker-Aicklen Inc. cap found bears, S 29°40'26" W a distance of 17.45 feet;

THENCE with the southeast and southwest right-of-way line of said Penick Drive and in part with the northwest and northeast boundary lines of said Lot 9, Lot 12 and Lot 14, and the northwest and northeast boundary lines of said Tract 1, the following eleven (11) courses and distances:

1. N 29°40'26" E a distance of 40.85 feet to a 1" iron pipe found for an angle point hereof;
2. N 26°33'09" E a distance of 172.04 feet to a point on the back of a concrete curb, for a calculated point of curvature hereof;
3. a distance of 92.14 feet along the arc of a curve to the right, having a radius of 155.06 feet, a central angle of 34°02'54", and a chord which bears N 49°14'55" E a distance of 90.79 feet to a calculated point of compound curvature hereof;
4. a distance of 48.28 feet along the arc of a curve to the right, having a radius of 165.09 feet, a central angle of 16°45'24", and a chord which bears N 75°13'51" E a distance of 48.11 feet to a calculated point of compound curvature hereof;

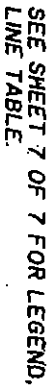
5. a distance of 91.62 feet along the arc of a curve to the right, having a radius of 146.11 feet, a central angle of $35^{\circ}55'48''$, and a chord which bears $S 78^{\circ}25'05'' E$ a distance of 90.13 feet to a calculated point of non-tangency hereof;
6. departing said back of curb, $S 58^{\circ}07'10'' E$ a distance of 199.94 feet to a point on the southwest right-of-way line of said Penick Drive, to a $\frac{1}{2}$ " iron rod with Baker-Aicklen Inc. cap found for a point of curvature hereof;
7. a distance of 19.62 feet along the arc of a curve to the right, having a radius of 136.99 feet, a central angle of $08^{\circ}12'24''$, and a chord which bears $S 53^{\circ}48'02'' E$ a distance of 19.60 feet to a $\frac{1}{2}$ " iron rod with Baker-Aicklen Inc. cap found for a point of compound curvature hereof;
8. a distance of 85.30 feet along the arc of a curve to the right, having a radius of 272.83 feet, a central angle of $17^{\circ}54'45''$, and a chord which bears $S 40^{\circ}44'20'' E$ a distance of 84.95 feet to $\frac{1}{2}$ " iron rod with Baker-Aicklen Inc. cap found for a point of reverse curvature hereof;
9. a distance of 169.51 feet along the arc of a curve to the left, having a radius of 323.98 feet, a central angle of $29^{\circ}58'41''$, and a chord which bears $S 46^{\circ}46'06'' E$ a distance of 167.58 feet to a $\frac{1}{2}$ " iron rod with Baker-Aicklen Inc. cap found for a point of reverse curvature hereof;
10. a distance of 33.67 feet along the arc of a curve to the right, having a radius of 21.62 feet, a central angle of $89^{\circ}12'52''$, and a chord which bears $S 17^{\circ}10'43'' E$ a distance of 30.37 feet to a 1" iron pipe found for a point of non-tangency hereof, and
11. $S 26^{\circ}57'57'' W$ passing at a distance of 48.99 feet a 1" iron pipe in concrete found at a point of curvature for said Lot 9, in all a total distance of 69.03 feet to a calculated point, for the southeast corner hereof;

THENCE over and across said tract 2, and said Lots 9, 10, 12, 13, 14 the following three (3) courses and distances:

1. $N 61^{\circ}13'32'' W$ a distance of 526.92 feet to a calculated point for an inside ell corner hereof;
2. $S 28^{\circ}46'28'' W$ a distance of 184.51 feet to a calculated point for an outside ell corner hereof, and
3. $N 60^{\circ}09'32'' W$ a distance of 104.74 feet to the **POINT OF BEGINNING** hereof and containing 2.499 acres of land.

SANTIAGO DEL
VALLE GRANT

SCALE: 1" = 100'



**GREIF YOUNT
PARTNERSHIP
DOC. NO. 2005081066
TRACT 2, 0.241 ACRE**

JOB NO.: 1497-2-001-25
BY: BJ
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**BAKER-NICKLEN
& ASSOCIATES, INC.**
ENGINEERS/SURVEYORS

EXHIBIT B
DESCRIPTION
TRACT 305

FOR A 2.434 ACRE TRACT OF LAND SITUATED IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOTS 9, 10, 12, 13, 14, AND ALL OF LOT 11, PENICK PLACE, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORD IN BOOK 5, PAGE 147 OF THE PLAT RECORDS OF SAID COUNTY AND BEING A PORTION OF TRACT 2, A 0.241 ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO GRIEF YOUNT PARTNERSHIP, RECORDED AS DOCUMENT NO. 2005081066 OF THE REAL PROPERTY RECORDS OF SAID COUNTY, SAID 2.434 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point on the southwest boundary line of said Penick Place and on the northeast right-of-way line of said Riverside Drive for the most westerly northwest corner hereof, from which a ½" iron rod with "Baker-Aicklen cap found at the southwest corner of said Lot 12 bears, N 61°13'32" W a distance of 105.00 feet;

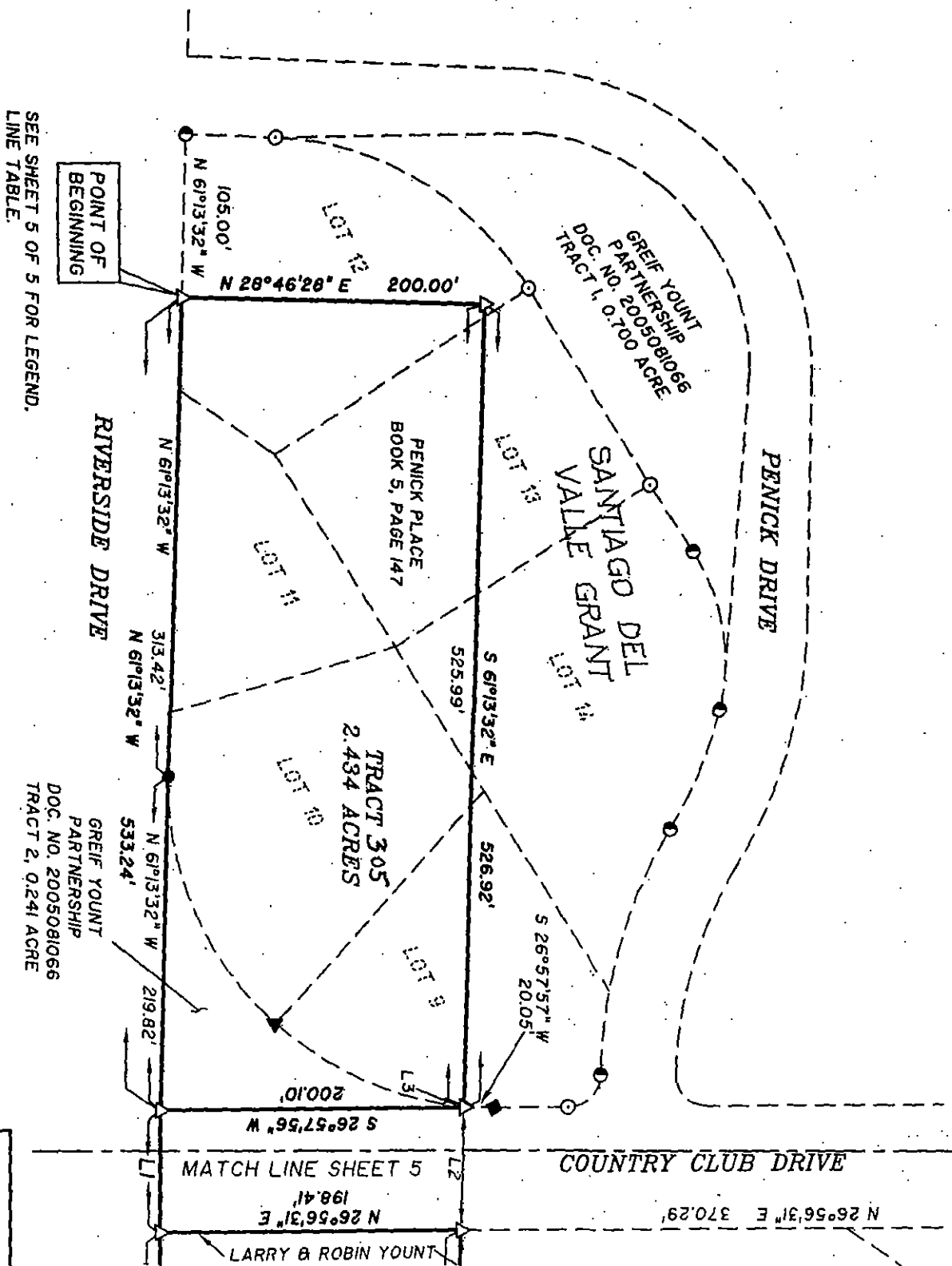
THENCE over and across said Lots 9, 10, 12, 13 and 14, Penick Place, the following two (2) courses and distances:

1. N 28°46'28" E a distance of 200.00 feet to a calculated point for the most northerly northwest corner hereof, and
2. S 61°13'32" E passing at a distance of 525.99 feet to a calculated point on the curving southeast boundary line of said Penick Place and on the northwest boundary line of said 0.241 acre tract, in all a total distance of 526.92 feet to a point on the southeast boundary line of said 0.241 acre tract and on the northwest right-of-way line of Country Club Drive, for the southeast corner hereof, from which a 1" iron pipe found in concrete at a point of curvature of said Lot 9 bears, N 26°57'56" E a distance of 20.05 feet;

THENCE with the southeast boundary line of said 0.241 acre tract and on the northwest right-of-way line of said Country Club Drive, S 26°57'56" W a distance of 200.10 feet to a calculated point at the south corner of said 0.241 acre tract and on the northeast right-of-way line of said Riverside Drive, for the southwest corner hereof;

THENCE with the northeast right-of-way line of said Riverside Drive and in part with the southwest boundary line of said 0.241 acre tract and the southwest boundary line of said Penick Place, N 61°13'32" W, passing at a distance of 219.82 to a ½" iron found on the southwest boundary line of said Penick Place and at the west corner of said 0.241 acre tract, in all a total distance of 533.24 feet to the **POINT OF BEGINNING** hereof and containing 2.434 acres of land.

SKETCH TO ACCOMPANY DESCRIPTION



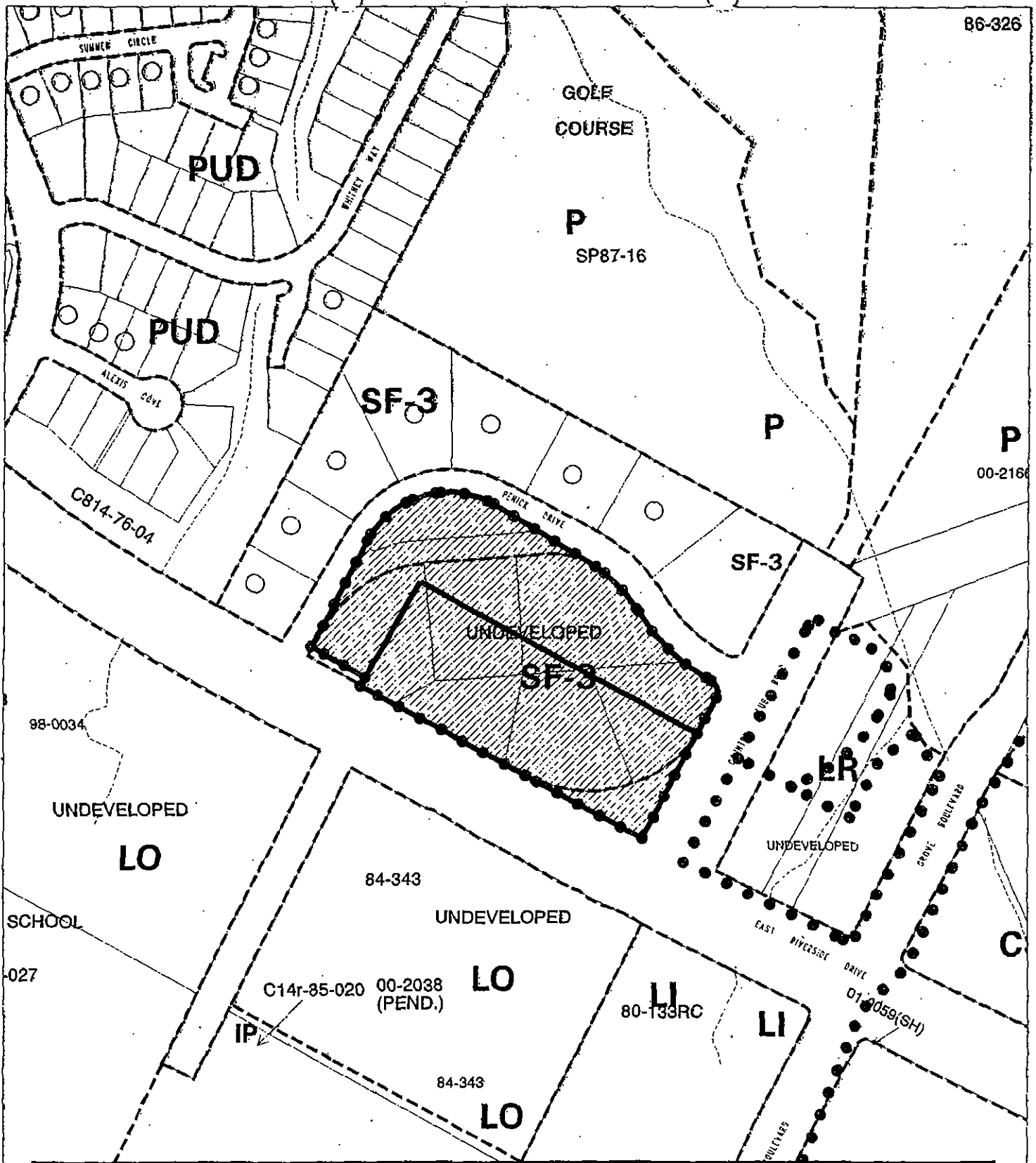
0 100
SCALE: 1" = 100'

TRAVIS COUNTY,
TEXAS

JOB NO.: 1497-2-001-25
BY: BJ
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**BAKER-AICKLEN
& ASSOCIATES, INC.**
ENGINEERS/SURVEYORS



	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR. S. WALKER	<div style="text-align: center;"> ZONING EXHIBIT C </div> CASE #: C14-05-0113.03 ADDRESS: 5700 - 5604 E RIVERSIDE DATE: 05-11 SUBJECT AREA (acres): N/A INTLS: SM	CITY GRID REFERENCE NUMBER K19
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