

ORDINANCE NO. 20060323-Z002

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF SOUTH FIRST STREET AND WEST FM 1626 HIGHWAY AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT ONE AND SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) 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. C14-05-0175, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From interim rural residence (I-RR) district to community commercial-conditional overlay (GR-CO) combining district.

A 3.266 acre tract of land, more or less, out of the S.F. Slaughter League No. 1, 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 interim rural residence (I-RR) district to single family residence standard lot (SF-2) district.

A 27.310 acre tract of land, more or less, out of the S.F. Slaughter League No. 1, 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 the property located at the northwest corner of South First Street and West FM 1626 Highway, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

PART 2. The Property identified as Tract One within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

The following uses are prohibited uses of the Property:

Automotive rentals
Bail bond services
Exterminating services
Indoor entertainment
Pawn shop services
Theater

Automotive sales
Drop-off recycling collection facility
Hotel-motel
Outdoor entertainment
Residential treatment


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 April 3, 2006.

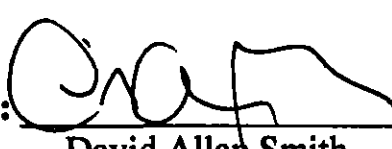
PASSED AND APPROVED

March 23, 2006

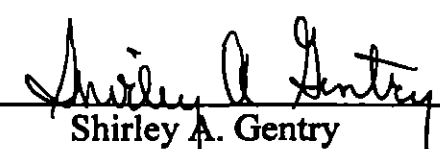
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Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:


Shirley A. Gentry
City Clerk

C14-05-0175
TRACT 1

3.266 ACRES
PORTION OF RIDDELL TRACT
ZONING TRACT 2

EXHIBIT A

FN. NO. 05-659(MJJ)
DECEMBER 20, 2005
BPI JOB NO. 1559-03.08

DESCRIPTION

OF A 3.266 ACRE TRACT OF LAND OUT OF THE S.F. SLAUGHTER LEAGUE NO. 1, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 229.899 ACRE TRACT OF LAND CALLED "TRACT ONE" CONVEYED TO THE RIDDELL FAMILY LIMITED PARTNERSHIP BY DEED OF RECORD IN VOLUME 12246, PAGE 585 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 3.266 ACRE TRACT OF LAND BEING DESCRIBED MORE PARTICULARLY BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a 1/2 inch iron rod with cap found in the northerly line of F.M. 1626 (R.O.W. varies), being the southeasterly corner of that certain 169.808 acre tract of land conveyed to Pulte Homes of Texas, L.P. by deed of record in Document No. 1999112072 of the Official Public Records of Travis County, Texas and the southwesterly corner of the remaining portion of said "Tract One";

THENCE, S75°06'11"E, along the northerly line of F.M. 1626, being a portion of the southerly line of the remaining portion of said "Tract One", a distance of 356.66 feet to a 1/2 inch iron rod with cap set for the POINT OF BEGINNING and southwesterly corner hereof;

THENCE, leaving the southerly line of F.M. 1626, over and across said "Tract One", for the westerly and northerly lines hereof, the following five (5) courses and distances:

- 1) N14°53'10"E, a distance of 220.00 feet to a 1/2 inch iron rod with cap set for the westernmost northwesterly corner hereof;
- 2) S75°06'11"E, a distance of 246.34 feet to a 1/2 inch iron rod with cap set for an angle point;
- 3) N59°55'30"E, a distance of 75.84 feet to a 1/2 inch iron rod with cap set for an angle point;
- 4) N14°53'10"E, a distance of 101.40 feet to a 1/2 inch iron rod with cap set for an angle point;
- 5) S75°06'11"E, a distance of 200.00 feet to a 1/2 inch iron rod with cap set in the westerly line of South First Street (120' R.O.W.), for the northeasterly corner hereof;

THENCE, along the westerly line of South First Street, being the easterly line hereof, the following two (2) courses and distances:

- 1) S14°53'10"W, a distance of 345.12 feet to the point of curvature of a curve to the right;
- 2) Along said curve to the right having a radius of 30.00 feet, a central angle of 89°45'49", an arc length of 47.00 feet and a chord which bears S60°00'33"W, a distance of 42.34 feet to a point in the northerly line of F.M. 1626, for the southeasterly corner hereof;

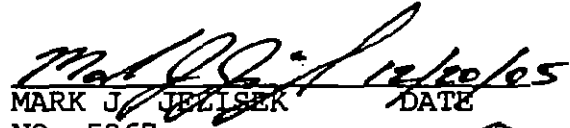
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DECEMBER 20, 2005
PAGE 2 OF 2

THENCE, N75°06'11"W, along the northerly line of F.M. 1626, being a portion of the southerly line of the remaining portion of said "Tract One", for the southerly line hereof, a distance of 470.00 feet to the **POINT OF BEGINNING**, containing an area of 3.266 acres (142,245 sq. ft.) of land, more or less, within these metes and bounds.

BEARING BASIS IS TEXAS CENTRAL ZONE NAD83. CONTROL MONUMENTS USED FOR THIS SURVEY ARE CITY OF AUSTIN AND LOWER COLORADO RIVER AUTHORITY MONUMENTATION.

I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PARTNERS, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVES ROAD, SUITE 200
AUSTIN, TEXAS 78746


MARK J. JEZISEK DATE
NO. 5267
STATE OF TEXAS



C14-05-0175
TRACT 2

27.310 ACRES
PORTION OF RIDDELL TRACT
ZONING TRACT 1

FN. NO. 05-658 (MJJ)
DECEMBER 20, 2005
BPI JOB NO. 1559-03.08

EXHIBIT B

DESCRIPTION

OF A 27.310 ACRE TRACT OF LAND OUT OF THE S.F. SLAUGHTER LEAGUE NO. 1, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 229.899 ACRE TRACT OF LAND CALLED "TRACT ONE" CONVEYED TO THE RIDDELL FAMILY LIMITED PARTNERSHIP BY DEED OF RECORD IN VOLUME 12246, PAGE 585 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 27.310 ACRE TRACT OF LAND BEING DESCRIBED MORE PARTICULARLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod with cap found in the northerly line of F.M. 1626 (R.O.W. varies), being the southeasterly corner of that certain 169.808 acre tract of land conveyed to Pulte Homes of Texas, L.P. by deed of record in Document No. 1999112072 of the Official Public Records of Travis County, Texas and the southwesterly corner of the remaining portion of said "Tract One", for the southwesterly corner hereof;

THENCE, leaving the northerly line of F.M. 1626, along a portion of the easterly line of said 169.808 acre tract, being a portion of the westerly line of the remaining portion of said "Tract One" and a portion of the westerly line hereof, the following nine (9) courses and distances:

- 1) N23°50'44"E, a distance of 142.30 feet to a 1/2 inch iron rod with cap found for an angle point;
- 2) N24°32'47"E, a distance of 50.84 feet to a 1/2 inch iron rod with cap found for an angle point;
- 3) N18°35'15"E, a distance of 195.31 feet to a 1/2 inch iron rod with cap set for an angle point;
- 4) N03°43'16"W, a distance of 168.47 feet to a 1/2 inch iron rod with cap found for an angle point;
- 5) N22°42'02"W, a distance of 96.29 feet to a 1/2 inch iron rod with cap found for an angle point;
- 6) N45°40'22"W, a distance of 60.83 feet to a 1/2 inch iron rod with cap found for an angle point;
- 7) N17°56'28"W, a distance of 129.22 feet to a 1/2 inch iron rod with cap found for an angle point;
- 8) N13°04'21"W, a distance of 109.74 feet to a 1/2 inch iron rod with cap found for an angle point;
- 9) N45°56'08"W, a distance of 201.95 feet to a 1/2 inch iron rod found in the easterly line of Lot 58, Block VV Stablewood at Slaughter Creek Section Three, a subdivision of record in Document No. 199900385 of said Official Public Records, for an angle point hereof;

THENCE, along a portion of the easterly line of said Lot 58, being the westerly line of the remaining portion of said "Tract One" and a portion of the westerly line hereof, the following two (2) courses and distances:

- 1) N37°57'44"E, a distance of 209.65 feet to a 1/2 inch iron rod with cap set for an angle point;
- 2) N35°37'50"E, a distance of 16.86 feet to a 1/2 inch iron rod with cap set for the northwesterly corner hereof;

THENCE, leaving the easterly line of said Lot 58, over and across said "Tract One", along the northerly line hereof, the following three (3) courses and distances:

- 1) N68°44'05"E, a distance of 154.05 feet to a 1/2 inch iron rod with cap set for an angle point;
- 2) S87°05'03"E, a distance of 675.00 feet to a 1/2 inch iron rod with cap set for an angle point;
- 3) S63°25'10"E, a distance of 496.84 feet to a 1/2 inch iron rod with cap set in the westerly line of South First Street (120' R.O.W.), for the northeasterly corner hereof;

THENCE, along the westerly line of South First Street, being a portion of the easterly line hereof, the following two (2) courses and distances:

- 1) S12°30'48"W, a distance of 15.76 feet to a 1/2 inch iron rod with cap set for the point of curvature of a curve to the right;
- 2) Along said curve to the right having a radius of 940.00 feet, a central angle of 05°57'31", an arc length of 97.76 feet and a chord which bears S15°29'34"W, a distance of 97.71 feet to a 1/2 inch iron rod with cap set at the northeasterly corner of that certain 0.254 acre tract of land conveyed to the City of Austin, Texas by deed of record in Document No. 2000101517 of said Official Public Records, for an angle point hereof;

THENCE, leaving the westerly line of South First Street, along the northerly, westerly and southerly lines of said 0.254 acre tract, being a portion of the easterly line hereof, the following five (5) courses and distances:

- 1) N71°31'43"W, a distance of 30.00 feet to a 1/2 inch iron rod with cap set for an angle point;
- 2) S67°15'19"W, a distance of 103.30 feet to a 1/2 inch iron rod with cap set for an angle point;
- 3) S22°15'19"W, a distance of 224.68 feet to a 1/2 inch iron rod with cap set for an angle point;

- 4) S22°44'45"E, a distance of 106.10 feet to a 1/2 inch iron rod with cap set for an angle point;
- 5) S67°44'13"E, a distance of 30.00 feet to a 1/2 inch iron rod with cap set in the westerly line of South First Street, being the southeasterly corner of said 0.254 acre tract, for an angle point hereof;

THENCE, along the westerly line of South First Street, being a portion of the easterly line hereof, the following three (3) courses and distances:

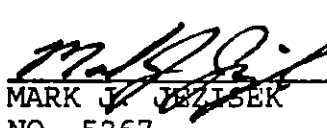
- 1) S22°15'19"W, a distance of 214.87 feet to a 1/2 inch iron rod with cap set for the point of curvature of a curve to the left;
- 2) Along said curve to the left having a radius of 1060.00 feet, a central angle of 07°22'09", an arc length of 136.33 feet and a chord which bears S18°34'14"W, a distance of 136.24 feet to a 1/2 inch iron rod with cap set for the end of said curve;
- 3) S14°53'10"W, a distance of 85.01 feet to an angle point;

THENCE, leaving the westerly line of South First Street, over and across said "Tract One", for a portion of the easterly line hereof, the following five (5) courses and distances:

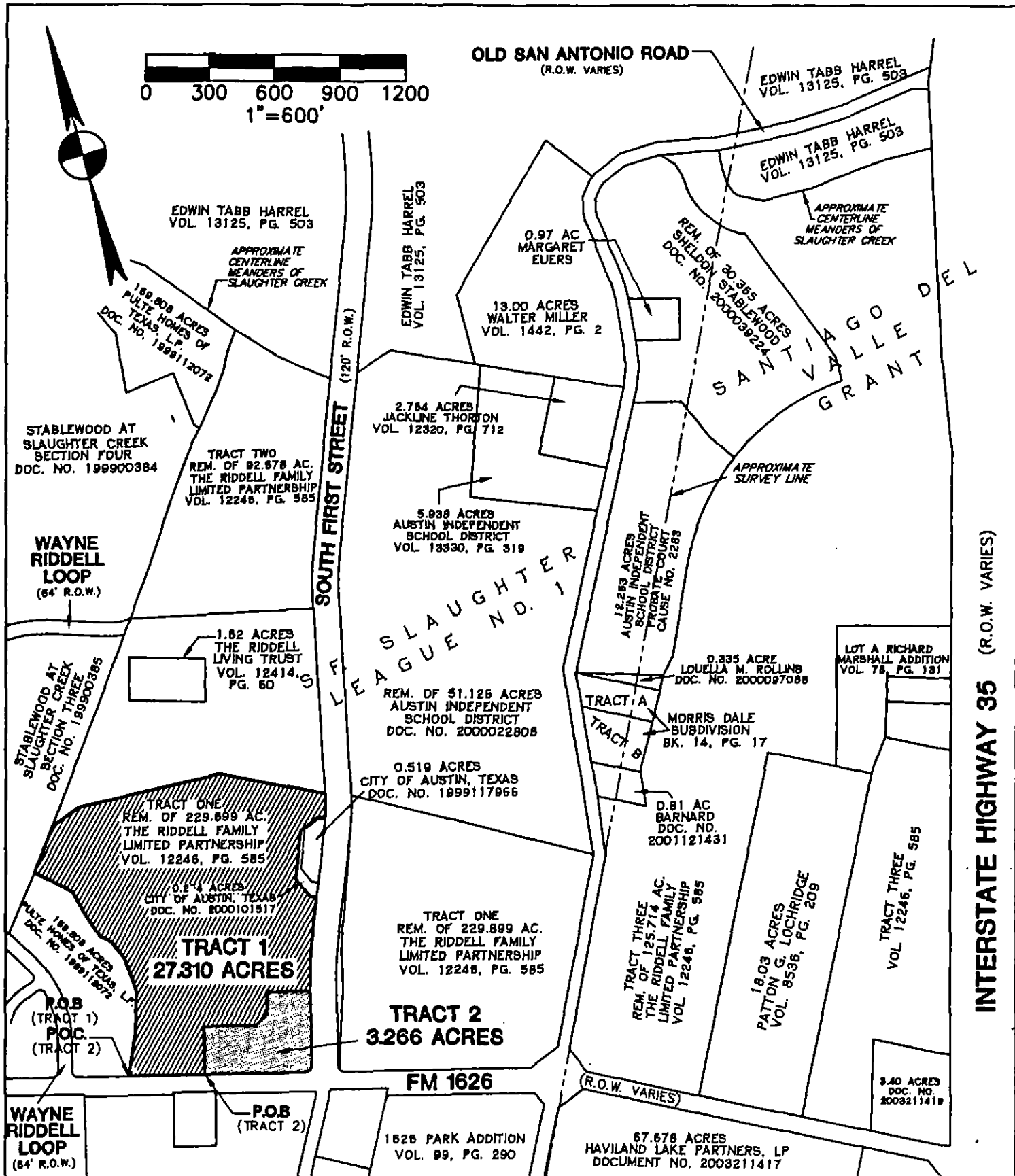
- 1) N75°06'11"W, a distance of 200.00 feet to a 1/2 inch iron rod with cap set for an angle point;
- 2) S14°53'10"W, a distance of 101.40 feet to a 1/2 inch iron rod with cap set for an angle point;
- 2) S59°55'30"W, a distance of 75.84 feet to a 1/2 inch iron rod with cap set for an angle point;
- 4) N75°06'11"W, a distance of 246.34 feet to a 1/2 inch iron rod with cap set for an angle point;
- 5) S14°53'10"W, a distance of 220.00 feet to a 1/2 inch iron rod with cap set, in the northerly line of F.M. 1626, being the southerly line of the remaining portion of said "Tract One", for the southeasterly corner hereof;

THENCE, N75°06'11"W, along the northerly line of F.M. 1626, being the southerly line of the remaining portion of said "Tract One" and the southerly line hereof, a distance of 356.66 feet to the **POINT OF BEGINNING**, containing an area of 27.310 acres (1,189,636 sq. ft.) of land, more or less, within these metes and bounds.

BURY & PARTNERS, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVES ROAD, SUITE 200
AUSTIN, TEXAS 78746


MARK J. JEZISEK
NO. 5267
STATE OF TEXAS





Bury+Partners

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Austin, Texas 78748
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SKETCH TO ACCOMPANY DESCRIPTION

OF TWO (2) TRACTS OF LAND OUT OF THE RIDDELL FAMILY LIMITED PARTNERSHIP TRACT DESCRIBED AS "TRACT ONE", OF RECORD IN VOLUME 12246, PAGE 585 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

NEWMARK HOMES

RIDDELL TRACT

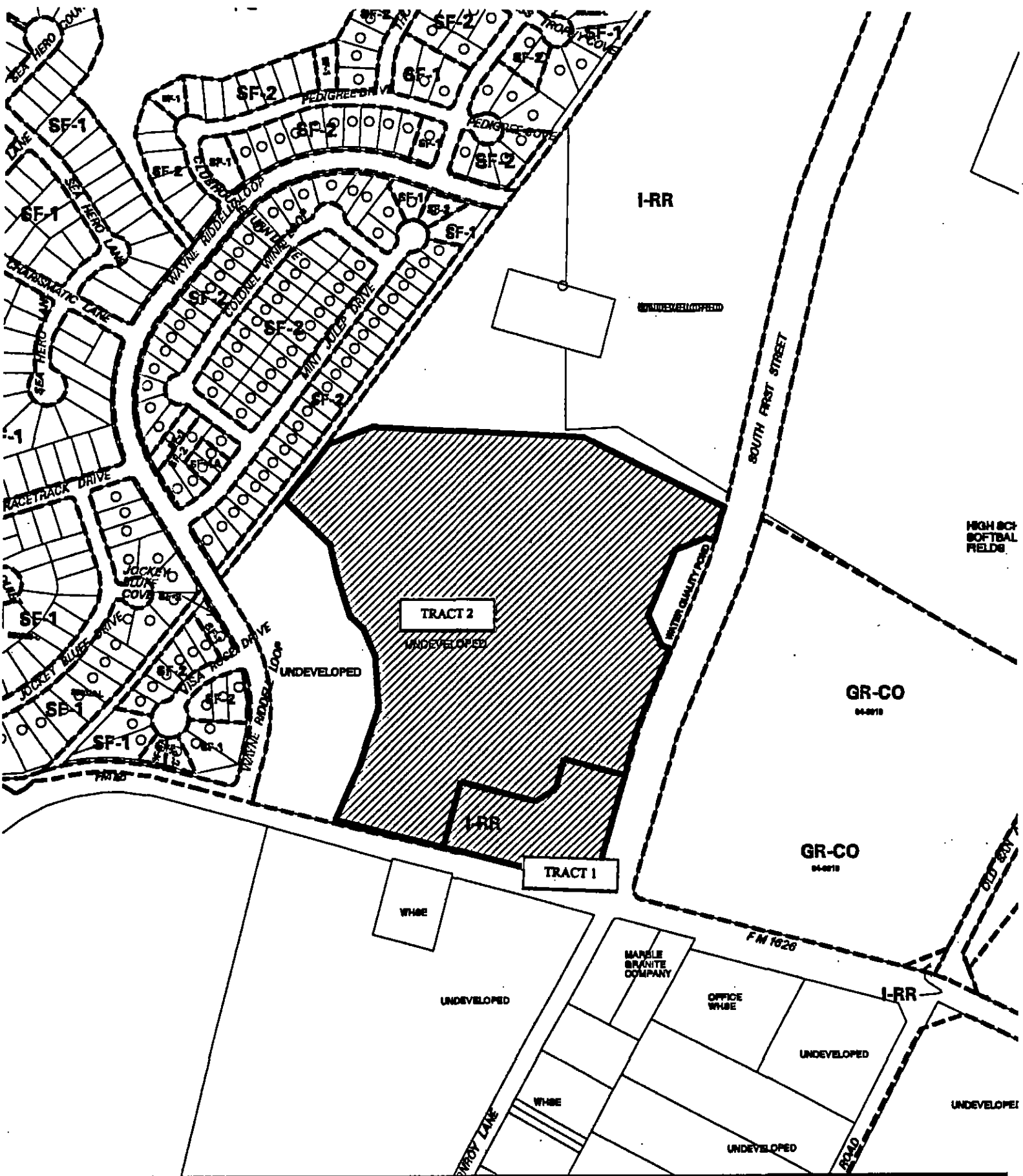
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FN No.: 05-658/659(MJJ)

DRAWN BY: MJJ

PROJ. No: 1559-03.08



 1" = 400'	SUBJECT TRACT		ZONING EXHIBIT C CASE #: C14-05-0175 ADDRESS: NORTHWEST CORNER SOUTH FIRST ST @ W FM 1026 SUBJECT AREA (acres): 30.576	DATE: 08-01 INTLS: 8M	CITY GRID REFERENCE NUMBER F12
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: W. WALSH				