

**ORDINANCE NO. 20060406-058**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 13208 DESSAU ROAD FROM DEVELOPMENT RESERVE (DR) DISTRICT TO TOWNHOUSE AND CONDOMINIUM RESIDENCE-CONDITIONAL OVERLAY (SF-6-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 development reserve (DR) district to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district on the property described in Zoning Case No. C14-06-0011, on file at the Neighborhood Planning and Zoning Department, as follows:

An 8.709 acre tract of land, more or less, out of the Memucan Hunt Survey No. 88, Abstract No. 397, 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 13208 Dessau 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. 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. Development on the Property may not exceed 4.356 residential units per acre.
3. Development on the Property may not exceed 37.94 residential units.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the townhouse and condominium residence (SF-6) base district and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on April 17, 2006.

**PASSED AND APPROVED**

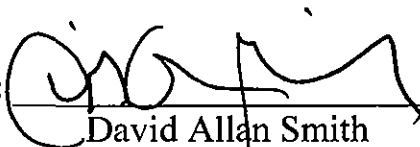
\_\_\_\_\_, April 6 \_\_\_\_\_, 2006

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Will Wynn

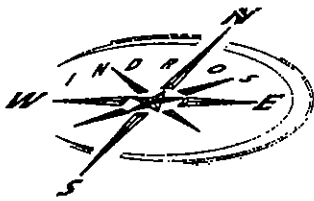
Mayor

**APPROVED:**

  
\_\_\_\_\_  
David Allan Smith  
City Attorney

**ATTEST:**

  
\_\_\_\_\_  
Shirley A. Gentry  
City Clerk



**Windros and Services Austin Ltd**

4120 Commercial Center Dr., Suite 300

Austin, Texas 78744

Phone (512) 326-2100 Fax (512) 326-2770

**EXHIBIT A**

**Professional Surveying and Engineering Services**

### LEGAL DESCRIPTION

BEING A TRACT OR PARCEL OF LAND CONTAINING 8.709 ACRES (379,369 SQ. FT.) OUT OF AND A PART OF A TRACT ON THE WATERS OF GILLELAND CREEK, SITUATED IN THE MEMUCAN HUNT SURVEY NO. 88, ABSTRACT NO. 397, TRAVIS COUNTY, TEXAS, AS CONVEYED TO EDDIE NAUERT BY DEED RECORDED IN VOLUME 383, PAGE 289, T.C.D.R. SAID 8.709 ACRE TRACT BEING THAT SAME CALLED 8 5/7 ACRE TRACT OF LAND CONVEYED TO GLENN H. SCHMIDT AND WIFE, RUBY M. SCHMIDT BY DEED RECORDED IN VOLUME 3108, PG. 961, T.C.D.R. AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A 1/2" IRON ROD FOUND LYING IN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF DESSAU ROAD (VARYING R.O.W.), MARKING THE MOST SOUTHERLY CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE MOST EASTERLY CORNER OF LOT 5, OF TOM BOMBADIL SUBDIVISION II, AS RECORDED IN VOLUME 87, PAGE 92D, T.C.P.R., FROM WHICH CORNER A 1/2" IRON ROD FOUND AT THE INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID DESSAU ROAD AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF DESSAU RIDGE LANE (70' R.O.W.) BEARS SOUTH 27°49'31" WEST, A DISTANCE OF 244.55';

THENCE ALONG THE NORTHEASTERLY LINE OF SAID TOM BOMBADIL SUBDIVISION II, NORTH 62°32'13" WEST, A DISTANCE OF 1474.38' TO A 1/2" IRON ROD FOUND MARKING THE MOST WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE MOST NORTHERLY CORNER OF LOT 3, OF SAID TOM BOMBADIL SUBDIVISION II, ALSO BEING AN ANGLE POINT IN THE SOUTHEASTERLY LINE OF LOT 30, BLOCK "B", HARRIS RIDGE, PHASE 2, SECTION 1, AS RECORDED IN VOLUME 94, PAGE 218, T.C.P.R.;

THENCE ALONG THE SOUTHEASTERLY LINE OF SAID HARRIS RIDGE, PHASE 2, SECTION 1, NORTH 28°11'23" EAST, A DISTANCE OF 253.66' TO A PUNCH HOLE FOUND IN STONE MARKING THE MOST NORTHERLY CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE MOST EASTERLY CORNER OF LOT 33, BLOCK "B", OF SAID HARRIS RIDGE, PHASE 2, SECTION 1, ALSO BEING AN ANGLE POINT IN THE SOUTHWESTERLY LINE OF A CALLED 24.270 ACRE TRACT, AS CONVEYED TO CONTINENTAL 134 FUND LIMITED PARTNERSHIP BY DEED RECORDED IN DOCUMENT NO. 2001121162, T.C.O.P.R.;

THENCE ALONG THE SOUTHWESTERLY LINE OF SAID 24.270 ACRE TRACT, SOUTH 63°08'53" EAST, A DISTANCE OF 703.08' TO A CAPPED 1/2" IRON ROD SET, MARKING AN ANGLE POINT IN THE NORTHEASTERLY LINE OF THE HEREIN DESCRIBED TRACT, SAME BEING AN EXTERIOR ELL CORNER OF SAID 24.270 ACRE TRACT, ALSO BEING THE MOST WESTERLY CORNER OF A CALLED 0.933 ACRE TRACT, AS CONVEYED TO DESSAU LUTHERAN CEMETERY ASSOCIATION BY DEED RECORDED IN DOCUMENT NO. 2001116860, T.C.O.P.R.;

THENCE ALONG THE SOUTHWESTERLY LINE OF SAID 0.933 ACRE TRACT, THE SOUTHWESTERLY LINE OF A CALLED 1.370 ACRE TRACT CONVEYED TO DESSAU LUTHERAN CEMETERY ASSOCIATION BY DEED RECORDED IN VOLUME 5857, PAGE 778, T.C.D.R. AND THE SOUTHWESTERLY LINE OF A CALLED 6.941 ACRE TRACT CONVEYED TO CORNERSTONE BAPTIST CHURCH BY DEED RECORDED IN DOCUMENT NO. 2001117933, T.C.O.P.R., SOUTH 61°59'51" EAST, A DISTANCE OF 769.71' TO A CAPPED 1/2" IRON ROD SET LYING IN THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID DESSAU ROAD, MARKING THE MOST EASTERLY CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE MOST SOUTHERLY CORNER OF SAID 6.941 ACRE TRACT;

THENCE ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID DESSAU ROAD, SOUTH 27°48'54" WEST, A DISTANCE OF 253.90' TO THE PLACE OF BEGINNING AND CONTAINING 8.709 ACRES (379,369 SQ. FT.) OF LAND.

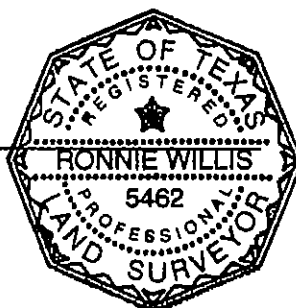
ALL BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (NAD83).

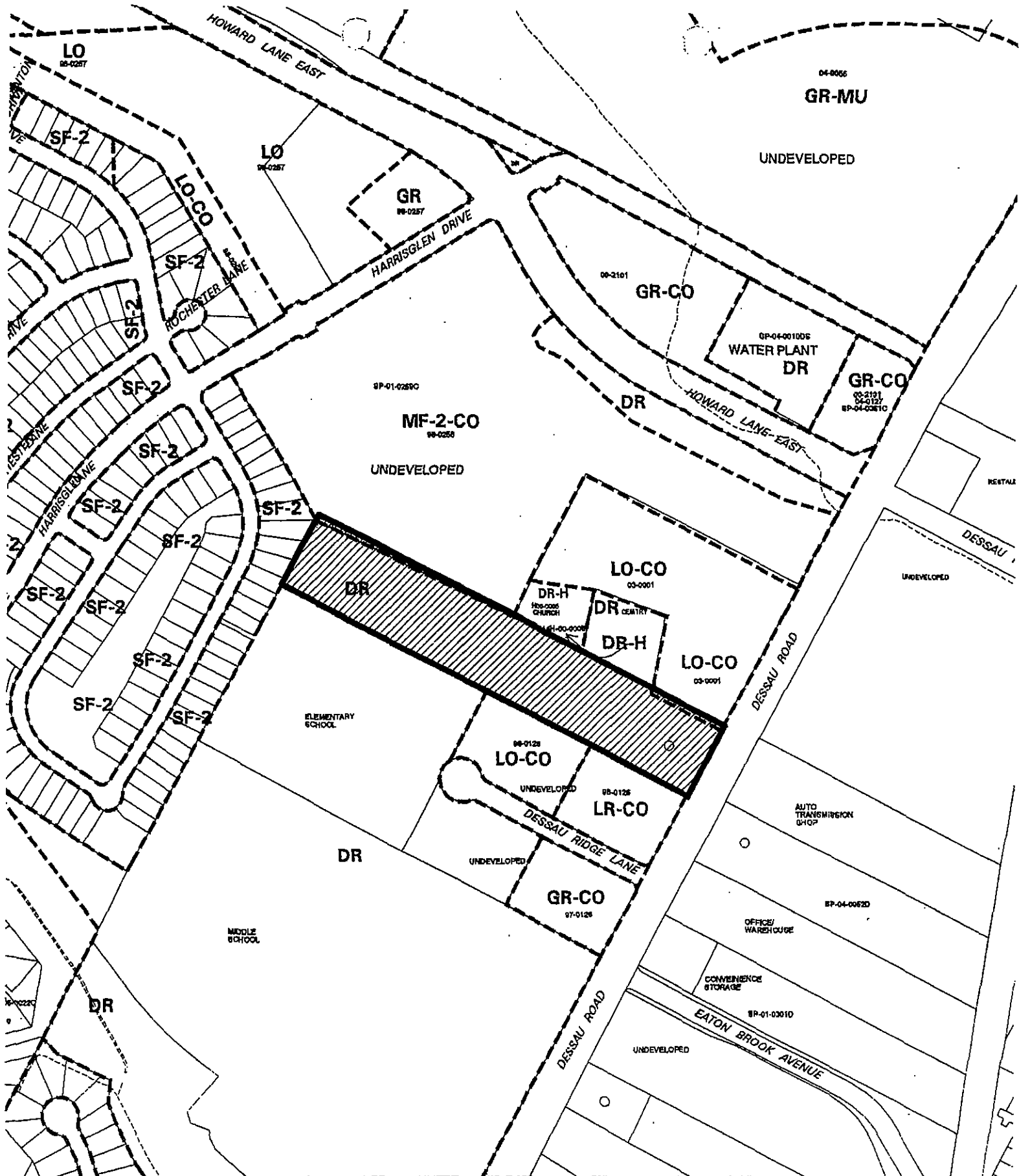


RONNIE WILLIS, R.P.L.S. NO. 5462

JANUARY 20, 2006

JOB NO. 13826WC





 1" = 400'	SUBJECT TRACT		<b>ZONING EXHIBIT B</b>  CASE #: C14-06-0011 ADDRESS: 13208 DESSAU RD SUBJECT AREA (acres): 8.709	DATE: 06-01  INTLS: SM	CITY GRID REFERENCE NUMBER  P33
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: S.SIRWAITIS				