

ORDINANCE NO. 20060427-045

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1300 WEST DITTMAR ROAD FROM DEVELOPMENT RESERVE (DR) DISTRICT AND GENERAL OFFICE (GO) 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 and general office (GO) district to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district on the property described in Zoning Case No. C14-05-0091, on file at the Neighborhood Planning and Zoning Department, as follows:

A 42.029 acre tract of land, more or less, out of the William Cannon League, in 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 1300 West Dittmar 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. Development of the Property may not exceed 252 dwelling units.
2. Development of the Property may not exceed 6 dwelling units per acre.
3. The maximum height of a building or structure on the Property is 20 feet from ground level.
4. Except as provided in Subsection 5 of this Part 2, vehicular access from the Property to Damon Road and Sherwood Road is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
5. Vehicular access from the Property to Sherwood Road shall function as a secondary access point only.

6. 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.

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 May 8, 2006.

PASSED AND APPROVED

_____ April 27, 2006	§ § § _____ Will Wynn Mayor
APPROVED: _____ David Allan Smith City Attorney	ATTEST: _____ Shirley A. Gentry City Clerk



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

EXHIBIT A

C14-05-0091

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

2807 Manchaca Road
Building One
Austin, Texas 78704

**42.029 ACRE TRACT
WILLIAM CANNON LEAGUE**

A DESCRIPTION OF 42.029 ACRES (1,830,771 S.F.) OF LAND OUT OF THE WILLIAM CANNON LEAGUE, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THE REMAINDER OF A 110.09 ACRE TRACT CONVEYED TO HEALTHCARE REHABILITATION OF AUSTIN, INC., IN THE SPECIAL WARRANTY DEED EXECUTED JULY 24, 1997 OF RECORD IN VOLUME 12988, PAGE 661 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 42.029 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with cap set in the south line of the remainder of the 110.09 acre tract, being also in the west line of a 67.532 acre tract recorded in Document No. 2001186037, of the Official Public Records of Travis County, Texas, in the north line of West Dittmar Road (right-of-way width varies) and the north line of a 0.063 acre tract recorded in Document No. 2003043681 of the Official Public Records of Travis County, Texas, from which a 1/2" rebar with cap set bears South 01°58'30" East, a distance of 19.58 feet;

THENCE with the south line of the remainder of the 110.09 acre tract, the north line of West Dittmar Road and the north line of the 0.063 acre tract, the following five (5) courses:

1. South 86°28'28" West, a distance of 68.64 feet to a 1/2" rebar with cap set;
2. South 87°15'45" West, a distance of 147.84 feet to a 1/2" rebar found;
3. South 87°57'55" West, a distance of 600.72 feet to a 1/2" rebar found for the beginning of a curve to the left;
4. 28.36 feet along the arc of said curve to the left, having a radius of 1745.00, and through a central angle of 00°55'52", the chord of which bears South 87°27'37" West, a distance of 28.36 feet to a 1/2" rebar found;
5. South 87°01'41" West, a distance of 164.10 feet to a 1/2" rebar with cap set for the southwest corner of the remainder of the 110.09 acre tract, being also in the east line of a 14.85 acre tract recorded in Volume 3387, Page 2048 of the Deed Records of Travis County, Texas, the north line of West Dittmar Road, and the northwest corner of the 0.063 acre tract, from which a 1/2" rebar found bears South 00°24'58" East, a distance of 4.37 feet;

THENCE with the common line of the 110.09 acre tract and the 14.85 acre tract, the

following two (2) courses:

1. North $00^{\circ}09'16''$ West, a distance of 872.05 feet to a $1/2''$ rebar with cap found for an interior corner of the 110.09 acre tract, being also the northeast corner of the 14.85 acre tract;
2. South $87^{\circ}19'00''$ West, a distance of 455.24 feet to a $1/2''$ rebar with cap found for a southwest corner of the 110.09 acre tract, being also the northwest corner of the 14.85 acre tract and in the southeast line of the Union Pacific Railroad (formerly the International-Great Northern Railroad)(100' right-of-way width);

THENCE North $29^{\circ}28'41''$ East, along the northwest line of the 110.09 acre tract and the southeast right-of-way line of the Union Pacific Railroad, a distance of 2518.46 feet to a $1/2''$ iron pipe found for the northwest corner of the 110.09 acre tract, being also in the southeast right-of-way line of the Union Pacific Railroad and being the west corner of a 0.759 acre tract recorded in Volume 11191, Page 130, of the Real Property Records of Travis County, Texas;

THENCE leaving the southeast right-of-way line of the Union Pacific Railroad, South $60^{\circ}30'00''$ East, along the common line of the 110.09 acre tract and the 0.759 acre tract, a distance of 147.94 feet to a 1" iron pipe found for a northeast corner of the 110.09 acre tract, being also in the south line of the 0.759 acre tract and in the northwest right-of-way line of Damon Road (50' right-of-way width)(cul-de-sac) for the beginning of a non-tangent curve to the left;

THENCE 141.60 feet along the arc of said curve to the left, having a radius of 45.07 feet, and through a central angle of $180^{\circ}00'00''$, the chord of which bears South $26^{\circ}53'17''$ East, a distance of 90.14 feet to a $1/2''$ rebar found for a northeast corner of the 110.09 acre tract, being also in the south right-of-way line of Damon Road (cul-de-sac) and the north corner of Lot 5, Damon Subdivision, a subdivision of record in Volume 6, page 31, Plat Records of Travis County, Texas;

THENCE leaving the south right-of-way line of Damon Road, along the common line of the 110.09 acre tract and the Damon Subdivision, for the following six (6) courses:

1. South $29^{\circ}32'10''$ West, a distance of 325.01 feet to a $1/2''$ iron pipe found for an interior corner of the 110.09 acre tract;
2. North $87^{\circ}52'02''$ East, a distance 113.24 feet to a 1" iron pipe found for an interior corner of the 110.09 acre tract;

3. North 87°39'28" East, a distance of 169.69 feet to a 1/2" rebar found for an exterior corner of the 110.09 acre tract being also an interior corner of the Damon Subdivision;
4. South 77°18'08" East, a distance of 205.42 feet to a 1/2" rebar with cap set for the beginning of a non-tangent curve to the right;
5. 83.28 feet along the arc of said non-tangent curve to the right, having a radius of 90.12 feet, and through a central angle of 52°56'42", the chord of which bears North 02°49'00" East, a distance of 80.35 feet to a 1/2" rebar found;
6. North 29°49'29" East, a distance of 44.54 feet to a 1/2" rebar with cap set for a north corner of the 110.09 acre tract, being also in the southwest line of the Damon Subdivision, the intersecting point of the southwest line of Damon Road with the west line of Sherwood Road (50' right-of-way width) and the northwest corner of a "Street Deed" recorded in Volume 3234, Page 1934, of the Deed Records of Travis County, Texas, for the beginning of a non-tangent curve to the left;

THENCE with the common line of the 110.09 acre tract, Sherwood Road and the said "Street Deed", the following three (3) courses:

1. 159.13 feet along the arc of said non-tangent curve to the left, having a radius of 75.36 feet, and through a central angle of 120°59'03", the chord of which bears South 31°14'40" East, a distance of 131.17 feet to a 1/2" rebar found;
2. North 88°04'39" East, a distance of 75.42 feet to a 60d nail found;
3. North 87°21'59" East, a distance of 333.29 feet to a 5/8" Iron pipe found for the northeast corner of the 110.09 acre tract, being also in the south line of Sherwood Road, the southeast corner of the said "Street Deed" and the northwest corner of Brownleaf Estates, a subdivision of record in Volume 31, Page 48, Plat Records of Travis County, Texas;

THENCE leaving the south line of Sherwood Road, South 03°06'11" East, along the common line of the 110.09 acre tract and Brownleaf Estates, a distance of 250.00 feet to a 1/2" rebar with cap set in the east line of the 110.09 acre tract, being also in the west line of Brownleaf Estates and the northeast corner of a 67.532 acre tract recorded in Document No. 2001186037, of the Official Public Records of Travis County, Texas;

THENCE leaving the west line of Brownleaf Estates, over and across the 110.09 acre tract, with the north and west lines of the 67.532 acre tract, for the following 4 (four) courses:

1. South 87°21'59" West, a distance of 1058.75 feet to a 1/2" rebar with cap set for the northwest corner of the 67.532 acre tract;
2. South 29°28'31" West, a distance of 633.18 feet to a 1/2" rebar with cap set;
3. South 14°21'26" West, a distance of 673.06 feet to a 1/2" rebar with cap set;
4. South 08°45'22" East, a distance of 327.26 feet to a calculated point in the approximate centerline of a creek;

THENCE with the approximate centerline of said creek the following five (5) courses and distances:

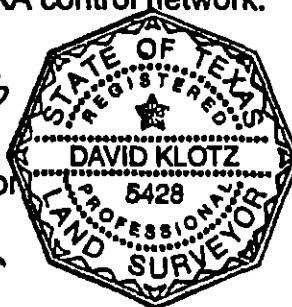
1. South 82°28'58" East, a distance of 143.88 feet to a calculated point;
2. South 71°55'49" East, a distance of 178.70 feet to a calculated point;
3. South 34°04'25" East, a distance of 65.09 feet to a calculated point;
4. South 64°29'26" East, a distance of 330.28 feet to a calculated point;
5. South 89°20'05" East, a distance of 41.49 feet to a calculated point;

THENCE departing the approximate centerline of said creek, South 01°58'30" East, a distance of 459.74 feet to the **POINT OF BEGINNING**, containing an area of 42.029 acres of land, more or less.

Surveyed on the ground in August 2003. Bearing basis is grid azimuth for Texas central zone, 1983/93 HARN values from LCRA control network.


David Klotz

Registered Professional Land Surveyor
State of Texas No. 5428





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

ZONING EXHIBIT B
CASE #: C14-05-0091
ADDRESS: 1300 W DITTMAR RD
SUBJECT AREA (acres): 42.029
DATE: 05-07
INTLS: SM

**CITY GRID
REFERENCE
NUMBER**
F16