

ORDINANCE NO. 20060622-091

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF CACTUS LANE AND REDD STREET, ALSO KNOWN AS 2101-2117 WEST BEN WHITE BOULEVARD, FROM MULTIFAMILY RESIDENCE MEDIUM DENSITY (MF-3) 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 multifamily residence medium density (MF-3) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-05-0198, on file at the Neighborhood Planning and Zoning Department, as follows:

A 42,209 square foot tract of land, more or less, out of the James Trammel 1/3 League, Abstract No. 769 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 the northwest corner of Cactus Lane and Redd Street, also known as 2101-2117 West Ben White Boulevard, 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. The following uses are prohibited uses of the Property:

Automotive rentals	Automotive repair services
Automotive washing (of any type)	Bail bond services
Business or trade school	Business support services
Commercial off-street parking	Communications services
Drop-off recycling collection facility	Exterminating services
Food preparation	Funeral services
General retail sales (general)	Hospital services (general)
Hotel-motel	Indoor entertainment

Indoor sports and recreation
Outdoor sports and recreation
Personal improvement services
Restaurant (general)

Outdoor entertainment
Pawn shop services
Research services
Theater

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

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

Community recreation (public)
Group homes (Class II)
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 July 3, 2006.


PASSED AND APPROVED

June 22, 2006

www.wws

Will Wynne
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

EXHIBIT A
CARSON AND BUSH
PROFESSIONAL SURVEYORS, INC.
1904 FORTVIEW ROAD
AUSTIN, TX 78704
TELEPHONE: (512) 442-0990
FACSIMILE: (512) 442-1084

OCTOBER 11, 2005

FIELD NOTE DESCRIPTION OF 42,209 SQUARE FEET OF LAND OUT OF THE JAMES TRAMMEL 1/3 LEAGUE, ABSTRACT NO. 769 IN TRAVIS COUNTY, TEXAS BEING A PORTION OF THAT CERTAIN (2.92 ACRE) TRACT OF LAND AS CONVEYED TO ALFRED E. FIELDER BY DEED RECORDED IN VOLUME 2984, PAGE 1856 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND A PORTION OF THAT CERTAIN (2.87 ACRE) TRACT OF LAND AS CONVEYED TO 2101 W. BEN WHITE BOULEVARD, INC. BY DEED RECORDED IN VOLUME 8111, PAGE 714 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING at a ½" iron pipe found in the Northeasterly right-of-way line of Redd Street, at the Southwest corner of that certain (2.87 acre) tract of land as conveyed to the 2101 W. Ben White Boulevard, Inc. by deed recorded in Volume 8111, Page 714 of the Deed Records of Travis County, Texas, same being a point in the Southeasterly line of Lot 1, Block H, Western Trails Section 3, a Subdivision in Travis County, Texas according to the map or plat thereof recorded in Volume 8, Page 73 of the Plat Records of Travis County, Texas and the Southwest corner and **PLACE OF BEGINNING** of the herein described tract, from which a ½" iron pipe found in the Southwest right-of-way line of Redd Street at the Northwest corner of that certain (5.89 acre) tract of land as conveyed to the City of Austin by deed recorded in Volume 1326, Page 149 of the Deed Records of Travis County, Texas, same being the Northeast corner of Lot 5, Block G, Western Trails Section 2, a subdivision in Travis County, Texas according to the map or plat thereof recorded in Volume 8, Page 73 of the Plat Records of Travis County, Texas, bears, S 29 deg 26'17" W 59.00 ft.

THENCE leaving the Northeasterly right-of-way line of Redd Street with the common line of said Lot 1 and 2101 W. Ben White Boulevard, Inc. tract, **N 29 deg 27'24" E**, passing a ½" iron rod found at a distance of 69.82 ft. for the Northeast corner of said Lot 1, same being the Southeast corner of Lot 2, Block H, Western Trails Section 2, continuing along said bearing for a total distance of **85.00 ft.** to a point for the Northwest corner of the herein described tract;

THENCE crossing the interior of said 2101 W. Ben White Boulevard, Inc. (2.87 acre) tract, **S 60 deg 15'39" E 248.08 ft.** to a point in the Southeast line of said 2101 W. Ben White Boulevard, Inc. (2.87 acre) tract, same being a point in the Northwest line of that certain (2.92 acre) tract of land as conveyed to Alfred E. Fielder by deed recorded in Volume 2981, Page 1856 of the Deed Records of Travis County, Texas;

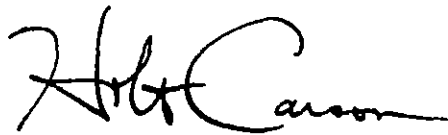
THENCE crossing the interior of said Fielder (2.92 acre) tract, **S 60 deg 15'39" E 248.33 ft.** to a point in the Southeast line of said Fielder (2.92 acre) tract, same being a point in the Northwest right-of-way line of Cactus Lane for the Northeast corner of the herein described tract;

THENCE with the Northwest right-of-way line of Cactus Lane, same being the Southeast line of said Fielder (2.92 acre) tract, **S 29 deg 12'30" W 85.00 ft.** to a point in the Southeast line of said Fielder (2.92 acre) tract, same being the record Northeast corner of that certain tract of land as conveyed to the City of Austin by Street Deed recorded in Volume 3011, Page 943 of the Deed Records of Travis County, Texas for the Southeast corner of the herein described tract, from which a 1" iron pipe found bears, **S 29 deg 12'30" W 10.00 ft.** and **S 60 deg 16' E 2.20 ft.**;

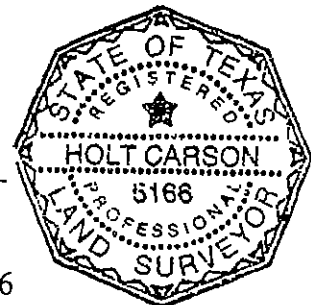
THENCE crossing the interior of said Fielder (2.92 acre) tract with the Northeasterly right-of-way line of Redd Street and with the record Northeast line of said City of Austin tract, **N 60 deg 15'39" W 248.33 ft.** to a point in the Northwest line of said Fielder (2.92 acre) tract, for the Northwest corner of said City of Austin tract, also being the Southeast corner of said 2101 W. Ben White Boulevard, Inc. (2.87 acre) tract;

THENCE with the Northeast right-of-way line of Redd Street, same being the Southwest line of said 2101 W. Ben White Boulevard, Inc. (2.87 acre) tract, **N 60 deg 15'39" W 248.44 ft.** to the **PLACE OF BEGINNING**, containing **42,209 Square Feet** of land.

Surveyed: August 17, 2005

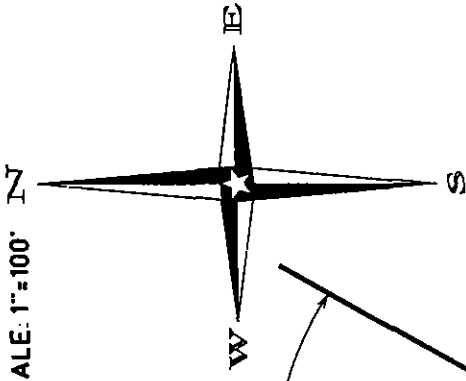


Holt Carson
Registered Professional Land Surveyor No. 5166

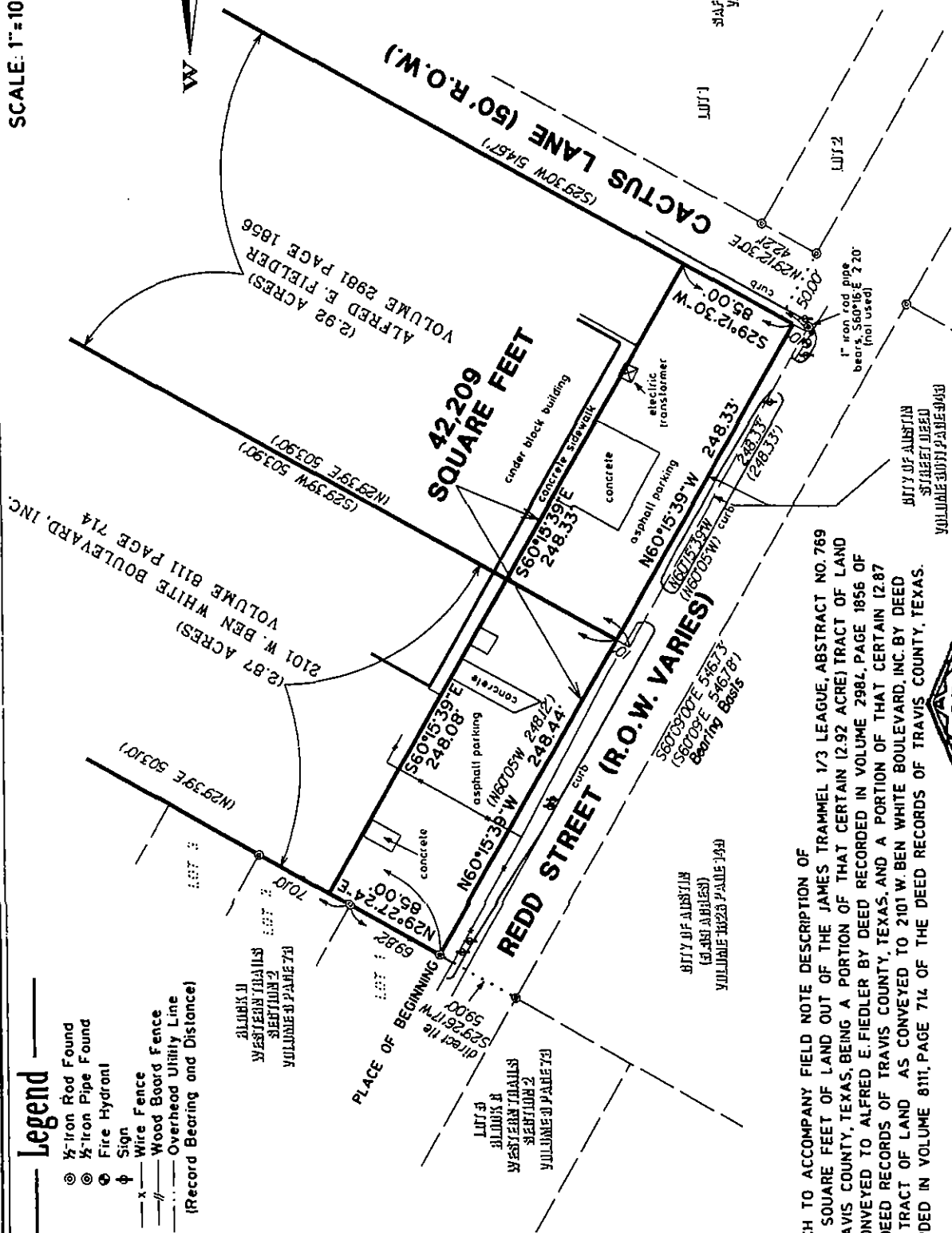


See accompanying map no. C 747090

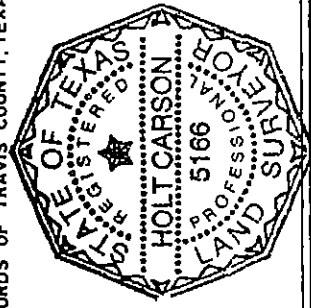
SCALE: 1"=100'



- Legend**
- ⊙ 1/2" Iron Rod Found
 - ⊙ 1/2" Iron Pipe Found
 - ⊙ Fire Hydrant
 - ⊕ Sign
 - x- Wire Fence
 - ||- Wood Board Fence
 - - - Overhead Utility Line
 - (Record Bearing and Distance)



SKETCH TO ACCOMPANY FIELD NOTE DESCRIPTION OF 42,209 SQUARE FEET OF LAND OUT OF THE JAMES TRAMMEL 1/3 LEAGUE, ABSTRACT NO. 769 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN (2.92 ACRE) TRACT OF LAND AS CONVEYED TO ALFRED E. FIEDLER BY DEED RECORDED IN VOLUME 2984, PAGE 1856 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND A PORTION OF THAT CERTAIN (2.87 ACRE) TRACT OF LAND AS CONVEYED TO 2101 W. BEN WHITE BOULEVARD, INC. BY DEED RECORDED IN VOLUME 811, PAGE 714 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.



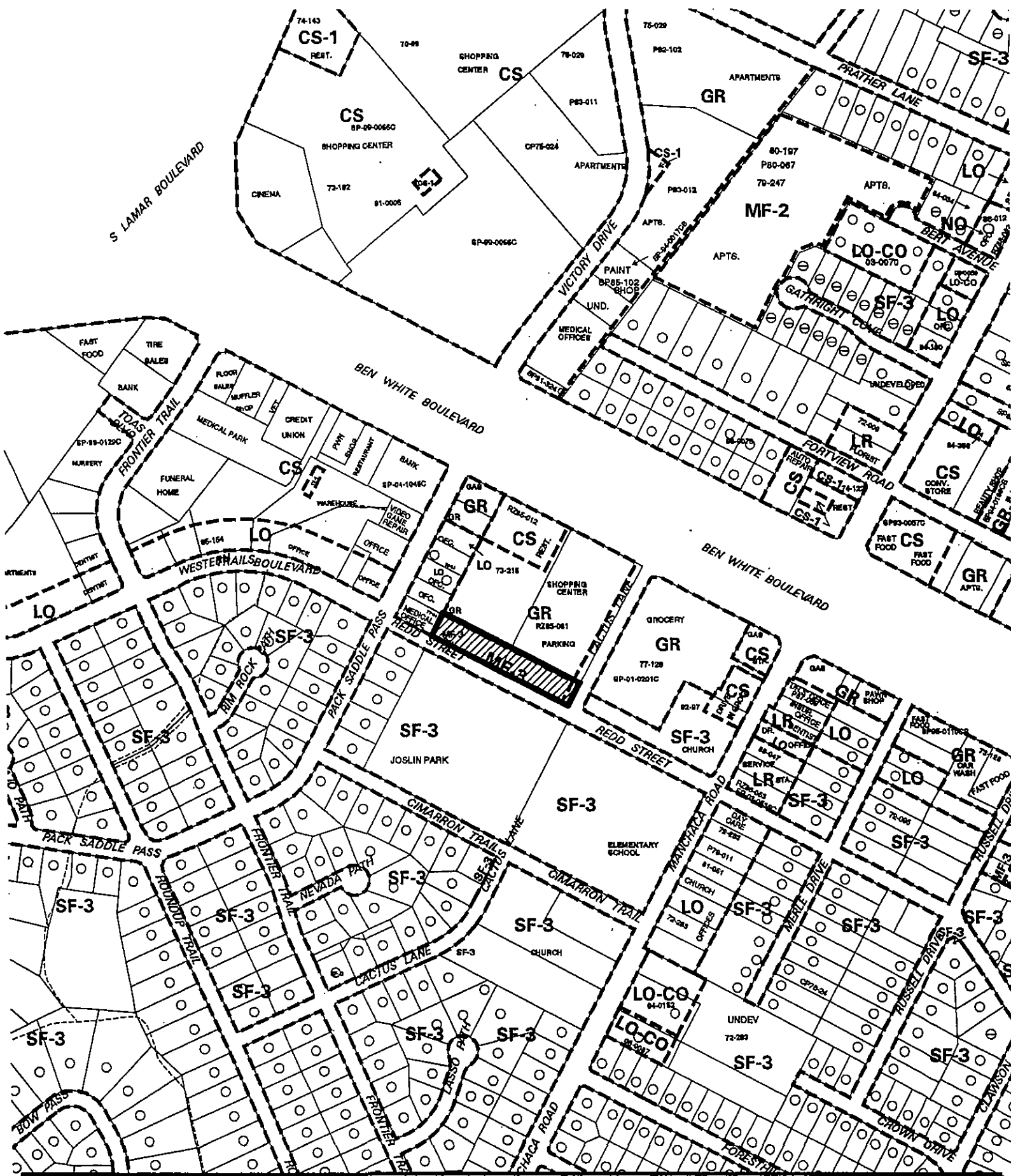
PREPARED: OCTOBER 11, 2005.




BY *Holt Carson*

Holt Carson
Registered Professional Land Surveyor No. 5166

CARSON AND BUSH
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AUSTIN, TX 78704
(512) 442-0990

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

CASE #: C14-05-0198
ADDRESS: 2101 - 2117 W BEN WHITE
SUBJECT AREA (acres): 2.920

ZONING EXHIBIT B

DATE: 05-12

INTLS: SM

CITY GRID
REFERENCE
NUMBER
G19