

ORDINANCE NO. 20060727-110

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1001 SOUTH IH-35 FROM LIMITED OFFICE (LO) DISTRICT, GENERAL OFFICE (GO) DISTRICT, AND COMMERCIAL-LIQUOR SALES (CS-1) DISTRICT TO LAKE COMMERCIAL-CONDITIONAL OVERLAY (L-CO) COMBINING DISTRICT FOR TRACT ONE, GENERAL OFFICE-CONDITIONAL OVERLAY (GO-CO) COMBINING DISTRICT FOR TRACTS TWO AND FOUR, AND MULTIFAMILY RESIDENCE HIGHEST DENSITY-CONDITIONAL OVERLAY (MF-6-CO) COMBINING DISTRICT FOR TRACT THREE.

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. C14-06-0053, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From limited office (LO) district and general office (GO) district to lake-commercial-conditional overlay (L-CO) combining district.

A 0.843 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;

Tract Two: From commercial-liquor sales (CS-1) district to general office-conditional overlay (GO-CO) combining district.

A 2,270 square foot tract of land, more or less, out of Lots 9, 10, 11, Colorado River Park in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance;

Tract Three: From limited office (LO) district to multifamily residence highest density-conditional overlay (MF-6-CO) combining district.

A 0.666 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 "C" incorporated into this ordinance;

Tract Four: From limited office (LO) district to general office-conditional overlay (GO-CO) combining district.

A 0.109 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 "D" incorporated into this ordinance (the "Property"),

locally known as 1001 South IH-35, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "E".

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. A building or structure on Tract One may not exceed a height of 120 feet from ground level.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on August 7, 2006.

PASSED AND APPROVED

_____, July 27, 2006 §
 §
 § Will Wynn
 Will Wynn
 Mayor

APPROVED: David Allan Smith **ATTEST:** Shirley A. Gentry for
David Allan Smith Shirley A. Gentry
City Attorney City Clerk

0.843 Acre

Zoning Description

PD06-020 (pcs)
March 8, 2006
CFE Job No. 2092.001

Exhibit A

PROPERTY DESCRIPTION

DESCRIPTION OF A 0.843-ACRE TRACT OF LAND LOCATED IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS. AND BEING A PORTION OF A 4.023 ACRE TRACT AS DESCRIBED IN A DEED DATED OCTOBER 8, 2004, TO BRE/ESA P. PORTFOLIO TXNC PROPERTIES L.P. IN DOCUMENT NO. 2004215769 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

COMMENCING, at a ½" iron rod found on the northerly right-of-way line of Riverside Drive, (width varies) at it's intersection with the westerly right of way line of Manlove Street (50 feet wide).

THENCE, N47°47'22"W, with the northerly right-of-way line of said Riverside Drive, a distance of 52.23 feet to a ½" iron rod with yellow plastic cap stamped "CFE" set, for a point of curvature to the left;

THENCE, with said curve to the left having a radius of 443.16 feet, a central angle of 18°17'31", an arc distance of 141.48 feet, whose chord bears N77°31'10"W, a distance of 140.88 feet to a ½" iron rod with yellow plastic cap stamped "CFE" set;

THENCE N86°35'55"W, a distance of 55.38 feet to the POINT OF BEGINNING of the herein described tract of land;

THENCE, continuing with said northerly right of way line the following four (4) courses and distances:

1. N86°35'55"W, a distance of 28.50 feet a ½" iron rod with yellow plastic cap stamped "CFE" set,
2. N63°19'06"W, a distance of 83.78 feet to a square bolt found,
3. N42°09'43"W, a distance of 79.52 feet to a punch hole found in concrete, and
4. N29°35'08"W, a distance of 54.98 feet to a punch hole found in concrete from which a Texas Department of Transportation Type II monument found bears, S16°21'03"W, a distance of 0.61 feet, to the easterly right of way line of Interstate Highway No. 35;

THENCE, with the easterly right of way line of Interstate Highway No. 35 as described in said Volume 6585, Page 340, the following three (3) courses and distances;

1. N05°54'21"W, a distance of 79.52 feet to a calculated point, at the time of this survey under waters of Harpers Branch,
2. N21°55'35"W, a distance of 44.00 feet to a calculated point at the time of this survey under waters of Harpers Branch, and
3. N17°21'04"W, a distance of 140.88 feet to a Texas Department of Transportation Type II monument found;

THENCE, N09°02'24"E, with said easterly right of way line of Interstate Highway No. 35 as shown on Texas Department of Transportation strip map Account No. 9014-5-17, a distance of 8.95 feet to a calculated point and being the northwest corner of the herein described tract;

THENCE, crossing said 4.023-acre tract the following eight (8) courses and distances:

0.843 Acre

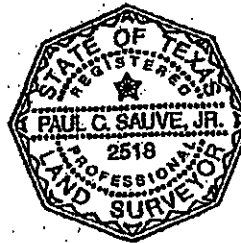
Zoning Description

Exhibit A

PD06-020 (pcs)
March 8, 2006
CFE Job No. 2092.001

1. S 59°09'43" E, a distance of 74.78 feet;
2. S 65°42'20" E, a distance of 23.00 feet;
3. S 09°56'36" W, a distance of 92.95 feet;
4. S 23°17'35" E, a distance of 55.21 feet;
5. S 73°49'06" E, a distance of 194.98 feet;
6. S 16°51'48" W, a distance of 16.69 feet;
7. S 26°12'52" W, a distance of 97.14 feet;
8. S 16°45'09" E, a distance of 64.61 feet to the POINT OF BEGINNING and containing 0.843-ACRE of land, more or less.

Property Description prepared by:
CFE, L.P.
400 Bowie St, Suite 250
Austin, Texas 78703



Paul C. Sauve, Jr.
Paul C. Sauve, Jr.
Registered Professional Land Surveyor
No. 2518 - State of Texas

3-8-06

Date

Exhibit B

TRACT TWO

DESCRIPTION OF APPROXIMATELY 2270 SQUARE FEET OF LAND OUT OF AND A PART OF LOTS 9, 10 AND 11, COLORADO RIVER PARK, LOCALLY KNOWN AS THE REAR OF 1001 SOUTH INTERREGIONAL HIGHWAY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED FROM RECORD INFORMATION AS FOLLOWS:

STARTING at an iron stake on Northeast corner of Lot 8 which is listed in Travis County Map Records, Book 3, Page 98 resubdivided June, 1924. This includes Lots 8 thru 16 and Lots 17 thru 21, Colorado Park Addition.

STARTING at the iron stake on Northeast corner of Lot 8, South on property line 11'-6" to an iron stake then North 81° West 120', then North 9° East 36' 1 ¼", then North 81° West 63', then South 9° West 36' 1 ¼", then South 81° East to place of beginning. Locally known as the rear of 1001 South Interregional Highway, in the City of Austin, Travis County, Texas.

0.666 Acre

Zoning Description

PD06-020 (pcs)
March 8, 2006
CFE Job No. 2092.001

Exhibit C

PROPERTY DESCRIPTION

DESCRIPTION OF A 0.666-ACRE TRACT OF LAND LOCATED IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A 4.023 ACRE TRACT AS DESCRIBED IN A DEED DATED OCTOBER 8, 2004, TO BRE/ESA P. PORTFOLIO TXNC PROPERTIES L.P. IN DOCUMENT NO. 2004215769 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING, at a ½" iron rod found on the northerly right-of-way line of Riverside Drive, (width varies) at it's intersection with the westerly right of way line of Manlove Street (50 feet wide).

THENCE, N47°47'22"W, with the northerly right-of-way line of said Riverside Drive, a distance of 52.23 feet to a ½" iron rod with yellow plastic cap stamped "CFE" set, for a point of curvature to the left;

THENCE, with said curve to the left having a radius of 443.16 feet, a central angle of 18°17'31", an arc distance of 141.48 feet, whose chord bears N77°31'10"W, a distance of 140.88 feet to a ½" iron rod with yellow plastic cap stamped "CFE" set;

THENCE N86°35'55"W, a distance of 55.38 feet to a calculated point and being southwest corner of the herein described tract of land;

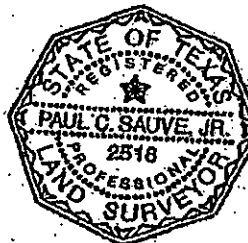
THENCE, leaving said northerly right of way line and crossing said 4.023-acre tract the following three (3) courses and distances:

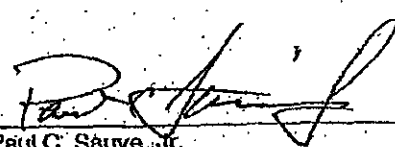
1. N 16°45'09" W a distance of 64.61 feet,
2. N 26°12'52" E a distance of 84.85 feet,
3. S 66°53'42" E a distance of 177.95 feet to a ½" iron rod with yellow plastic cap stamped "CFE" set for an angle point of the herein described tract,

THENCE, S66°55'26"E, a distance of 91.26 feet to a ½" iron rod with yellow plastic cap stamped "CFE" set for the east corner of the herein described tract and being on the westerly right of way line of said Manlove Street;

THENCE, S19°04'34"W, with said westerly right of way line, a distance of 107.09 feet to the POINT OF BEGINNING and containing 0.666-acres of land, more or less.

Property Description prepared by:
CFE, L.P.
400 Bowle St, Suite 250
Austin, Texas 78703




Paul C. Sauve, Jr.
Registered Professional Land Surveyor
No. 2518 - State of Texas

3-8-06
Date

Exhibit D

DESCRIPTION OF A 0.109-ACRE TRACT OF LAND LOCATED IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS. AND BEING A PORTION OF A 4.023 ACRE TRACT AS DESCRIBED IN A DEED DATED OCTOBER 8, 2004, TO BRE/ESA P. PORTFOLIO TXNC PROPERTIES L.P. IN DOCUMENT NO. 2004215769 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

COMMENCING, at a 1/2-inch iron rod found on the east right-of-way line of Interstate Highway No. 35 as shown on Texas Department of Transportation strip map Account No. 9014-5-17, for the northwest corner of said 4.023 acre tract;

THENCE, S 09° 02' 24" W, with said easterly right of way line of Interstate Highway No. 35, a distance of 74.28 feet to a calculated point;

THENCE, over and across said 4.023 acre tract, the following three (3) courses and distances:

12. S 59° 09' 43" E, a distance of 74.78 feet,
13. S 65° 42' 20" E, a distance of: 23.00 feet, and
14. S 09° 56' 36" W, a distance of 60.45 feet to a calculated point for the northwest corner and **POINT OF BEGINNING** of the tract described herein;

Exhibit D

Star Riverside
Zoning Descriptions

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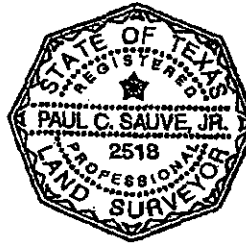
PD06-061 (pcs)
May 25, 2006
Job No. 2089.001

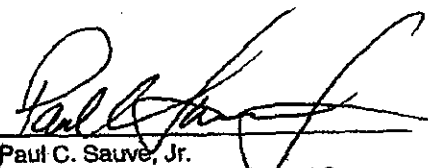
THENCE, continuing across said 4.023 acre tract, the following four (4) courses and distances:

1. S 47° 32' 02" E, a distance of 169.19 feet;
2. N 73° 49' 08" W, a distance of 113.07 feet;
3. N 23° 17' 35" W, a distance of 55.21 feet;
4. N 09° 56' 36" E, a distance of 32.50 feet to the **POINT OF BEGINNING** and containing 0.109-acre of land, more or less.

I hereby state that the above description is true and correct to the best of my knowledge and belief.

CFE, L.P.
400 Bowle St., Suite 250
Austin, Texas 78703




Paul C. Sauve, Jr.
Registered Professional Land Surveyor
No. 2518 State of Texas

