

ORDINANCE NO. 20060809-005

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT THE 11801 BLOCK OF DESSAU ROAD FROM DEVELOPMENT RESERVE (DR) 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 development reserve (DR) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-05-0176, on file at the Neighborhood Planning and Zoning Department, as follows:

A 6.49 acre tract of land, more or less, out of Lot 1, Block A, Copperfield Section One, Phase G Subdivision, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 11801 Block of 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. Drive-in service use is prohibited as an accessory use to a restaurant (limited) use and a restaurant (general) use.
2. Development on the Property may not exceed 70 percent impervious cover.
3. The following uses are prohibited uses of the Property:

Automotive rentals
Automotive sales
Bail bond services
Business support services
Communication services
Exterminating services
Funeral services

Automotive repair services
Automotive washing (of any type)
Business or trade school
Commercial off-street parking
Drop-off recycling collection facility
Food preparation
General retail sales (general)

Hotel-motel
Indoor sports and recreation
Community recreation (public)
Group home, Class II
Hospital services (limited)
Medical offices (exceeding 5000 sq. ft.
of gross floor area)
Pawn shop services
Research services

Indoor entertainment
Community recreation (private)
Congregate living
Hospital services (general)
Residential treatment
Outdoor entertainment
Outdoor sports and recreation
Personal improvement services
Theater

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 August 20, 2006.

PASSED AND APPROVED

_____, August 9, 2006 §
§
§ _____
Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk

EXHIBIT "A"
LEGAL DESCRIPTION

FIELD NOTES DESCRIBING 6.49 ACRES OF LAND, BEING ALL OF LOT ONE (1), BLOCK A, COPPERFIELD SECTION ONE, PHASE G, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, RECORDED IN VOLUME 85, PAGE 197D OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 6.49 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found at a point in a curve of the northeast right-of-way line of Shropshire Boulevard at a corner point of that certain N. P. C. Tract recorded in Volume 6859, Page 106 of the Deed Records of said county, for the northwest corner of said 6.49 acres and for the POINT OF BEGINNING hereof;

THENCE with the south line of said N. P. C. Tract and the north line of said Lot 1, the following eight (8) courses;

1) North 79 degrees 20 minutes 00 seconds East a distance of 36.95 feet to a point;

2) North 66 degrees 10 minutes 00 seconds East a distance of 140.00 feet to a point;

3) South 45 degrees 10 minutes 00 seconds East a distance of 113.00 feet to a point;

4) North 55 degrees 50 minutes 00 seconds East a distance of 120.00 feet to a point;

5) North 04 degrees 25 minutes 00 seconds East a distance of 236.00 feet to a point;

6) North 52 degrees 44 minutes 43 seconds East a distance of 363.71 feet to a point;

7) North 77 degrees 45 minutes 00 seconds East a distance of 170.00 feet to a point;

8) North 88 degrees 37 minutes 45 seconds East a distance of 176.18 feet to an iron rod found at a point in the west line of that certain Clinton P. Sayers, Trustee tract recorded in Volume 8561, Page 795 of said records, for the northeast corner of said 6.49 acres and for the northeast corner hereof;

THENCE with the west line of said Sayers tract and the east line of said Lot 1, the following three (3) courses;

1) South 17 degrees 30 minutes 16 seconds West a distance of 76.91 feet to an iron rod set;

2) South 18 degrees 49 minutes 06 seconds West a distance of 162.98 feet to an iron rod found;

3) South 18 degrees 11 minutes 57 seconds West a distance of 186.30 feet to an iron rod set at a point in the north right-of-way line of Dessau Road, for the southeast corner of said 6.49 acres and for the southeast corner hereof;

THENCE with said right-of-way line and the south line of said Lot 1, the following two (2) courses;

1) South 68 degrees 11 minutes 08 West a distance of 421.67 feet to an iron rod set at a point of curvature of a curve to the left;

2) with said curve, whose radius is 556.31 feet, an arc distance of 289.54 feet and a chord bearing of South 53 degrees 16 minutes 23 seconds West a distance of 286.28 feet to an iron rod set at a point of reverse curve at the intersection of said Dessau Road and said Shropshire Boulevard, for the southwest corner of said 6.49 acres and for the southwest corner hereof;

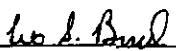
THENCE with said Boulevard the following three (3) courses;

1) with said curve, to the right whose radius is 15.00 feet an arc distance of 23.76 feet and a chord bearing of South 83 degrees 45 minutes 08 seconds West a distance of 21.35 feet to an iron rod found at a point of tangent;

2) North 50 degrees 50 minutes 00 seconds West a distance of 156.65 feet to an iron rod found at a point of curvature of a curve to the right;

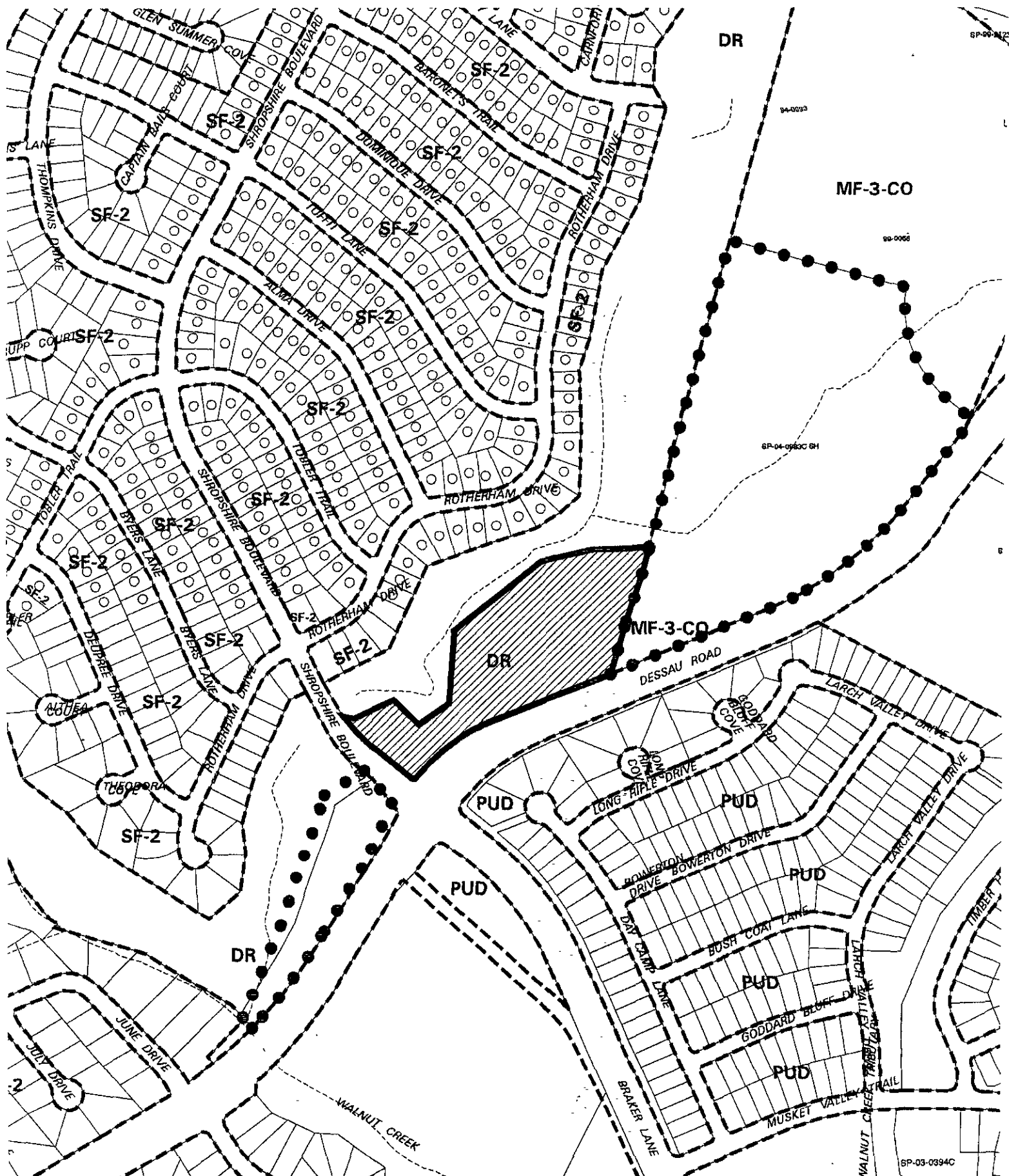
3) with said curve, whose radius is 525.65 feet, an arc distance of 141.14 feet and a chord bearing of North 43 degrees 09 minutes 07 seconds West a distance of 140.71 feet to the POINT OF BEGINNING and containing 6.49 acres of land, more or less.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ATTACHED SURVEY PLAT (BY SEPARATE INSTRUMENT), ONLY.


Leo S. Bond
TX R.P.L.S. No. 5793
Job No. A0923105



September 29, 2005
Date



SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY
 CASE MGR: S. SIRWAITIS



CASE #: C14-05-0176
 ADDRESS: DESSAU RD
 SUBJECT AREA (acres): 6.490

ZONING EXHIBIT B

DATE: 05-10
 INTLS: SM

CITY GRID
 REFERENCE
 NUMBER
 N31

1" = 400'