

ORDINANCE NO. 20060809-006

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT THE 11000 BLOCK OF DESSAU ROAD FROM DEVELOPMENT RESERVE (DR) DISTRICT TO NEIGHBORHOOD COMMERCIAL-CONDITIONAL OVERLAY (LR-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 neighborhood commercial-conditional overlay (LR-CO) combining district on the property described in Zoning Case No. C14-05-0177, on file at the Neighborhood Planning and Zoning Department, as follows:

A 2.92 acre tract of land, more or less, out of the Thomas H. Mays Survey No. 89, 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 11000 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. Development on the Property may not exceed 70 percent impervious cover.
2. The following uses are prohibited uses of the Property:

Financial services

Service station

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the neighborhood commercial (LR) 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: _____ **ATTEST:** _____
 David Allan Smith Shirley A. Gentry
 City Attorney City Clerk

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

May 16, 2005

FIELD NOTE DESCRIPTION OF 2.92 ACRES OF LAND OUT OF THE THOMAS H. MAYS SURVEY NO. 89, ABSTRACT NO. 562, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN (181.94 ACRE) TRACT OF LAND AS CONVEYED TO B.R. PAYTON BY DEED RECORDED IN VOLUME 419, PAGE 230 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a square head bolt found in the Southwest right-of-way line of Shropshire Boulevard, recorded as Copperfield, Section One, Phase F, according to the map or plat thereof recorded in Volume 85, Page 97D of the Plat Records of Travis County, Texas, same being a point in the Southeasterly line of that certain (178.12 acre) tract of land as conveyed to Davidson & Associates VII, by deed recorded in Volume 3638, Page 275 of the Deed Records of Travis County, Texas and the most Northerly corner and **PLACE OF BEGINNING** of the herein described tract, from which a square head bolt found in the Southwest right-of-way line of said Shropshire Boulevard bears, N50 deg. 50'00"W 79.82 feet;

THENCE with the Southwest right-of-way line of Shropshire Boulevard, same being the Southeast line of said Davidson & Associates VII (178.12 acre) tract, **S36 deg 56'30"E 138.09 feet** to a 1/2" iron rod set with a plastic cap imprinted "Carson and Bush Professional Surveyors, Inc.", for the Southeast corner of Shropshire Boulevard, same being a point in the West right-of-way line of Dessau Road and the Northeast corner of the herein described tract, from which a PK nail found for the most Westerly corner of Lot 25, Block A, Pioneer Crossing, Section 2, according to the map or plat thereof recorded in Document No. 200200323 of the Official Public Records of Travis County, Texas, bears, N80 deg. 30'48"E 226.10 feet (direct tie);

THENCE leaving the Southeast line of said Davidson & Associates VII (178.12 acre) tract and crossing the interior of said Payton (181.94 acre) tract with the West right-of-way line of Dessau Road, **S27 deg. 17'51"W 233.09 feet**, to a 1/2" iron rod set with a plastic cap imprinted "Carson and Bush Professional Surveyors, Inc.", for the most northerly corner of that certain (5445 square feet) tract of land as conveyed to Travis County, Texas, by deed recorded in Volume 10807, Page 1659 of the Real Property Records of Travis County, Texas;

THENCE continuing across the interior of said Payton (181.94 acre) tract with the West right-of-way line of Dessau Road and the East line of said Travis County (5445 square feet) tract, the following two courses:

1.) **S33 deg. 47'05"W 258.98 feet**, to a ½" iron rod set with a plastic cap imprinted "Carson and Bush Professional Surveyors, Inc." for a point of curvature;

2.) following along a curve to the right whose radius is 1577.02 feet, for an arc length of 370.30 feet, and which chord bears, **S40 deg. 30'42" W 369.45 feet** to a point in the approximate centerline of Walnut Creek, from which a ½" iron rod found for the most Northerly corner of Lot 1, Block A, Pioneer Crossing, Phase A, Section 2, according to the map or plat thereof recorded in Document No: 1999000176 of the Official Public Records of Travis County, Texas., bears, **S07 deg. 42'12"W 179.62 feet** (direct tie);

THENCE leaving the West right-of-way line of Dessau Road with the approximate centerline of Walnut Creek, **N38 deg. 26'01"W 44.66 feet** to a point for the most Southerly Southeast corner of said Davidson & Associates VII (178.12 acre) tract, same being the most Southwesterly corner of the herein described tract;

THENCE leaving the approximate centerline of Walnut Creek, with the Southeasterly line of said Davidson & Associates VII (178.12 acre) tract, the following three courses:

1.) following along a branch of Walnut Creek, **N25 deg. 32'30"E 323.00 feet** to a 60D nail found at the top of a bluff;

2.) **N21 deg. 30'41"E** passing a square head bolt at a distance of 38.91 feet, from which a square head bolt found bears, **N16 deg. 50'27"W 27.51 feet**, continuing along said bearing for a total distance of **446.72 feet** to a 60D nail found in the Northwest face of a 36" Live Oak tree;

3.) **N61 deg. 37'44"E 150.71 feet**, to the **PLACE OF BEGINNING** and containing 2.92 acres of land.

SURVEYED: May 19, 2005

BY:

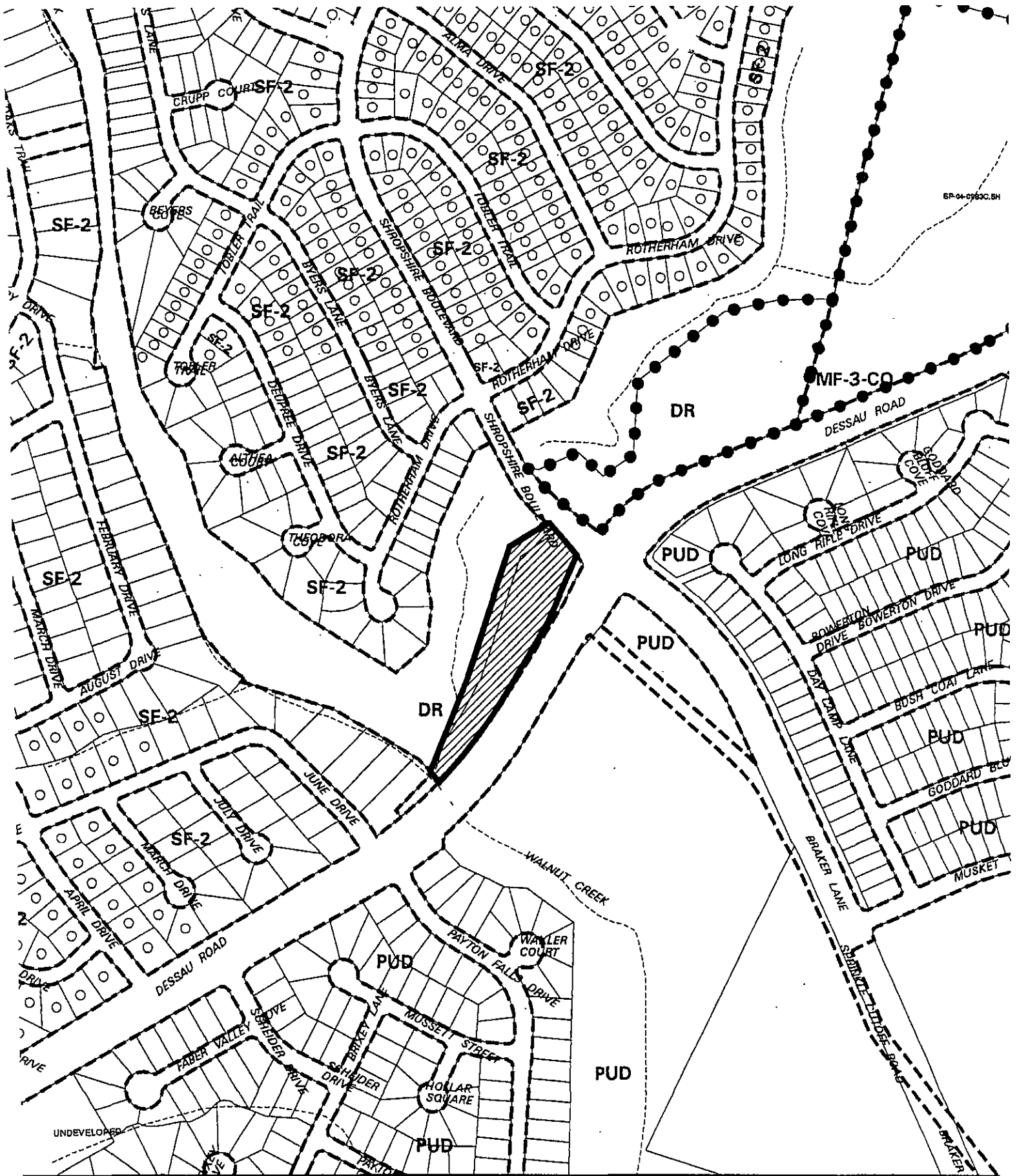
Holt Carson

Holt Carson

Registered Professional Land Surveyor No. 5166



see accompanying map: B 748002



SP-04-07830.BH

 1" = 400'	SUBJECT TRACT		ZONING EXHIBIT B		CITY GRID REFERENCE NUMBER N31
	PENDING CASE				
	ZONING BOUNDARY		CASE #: C14-05-0177	DATE: 05-10	
	CASE MGR: S. SIRWAITIS	ADDRESS: 11000 BLOCK OF DESSAU RD	SUBJECT AREA (acres): 2.920	INTLS: SM	