

**ORDINANCE NO. 20060824-083**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3401 MILLS AVENUE, BETWEEN WEST 34<sup>TH</sup> STREET AND WEST 35<sup>TH</sup> STREET, FROM PUBLIC (P) DISTRICT TO GENERAL OFFICE-CONDITIONAL OVERLAY (GO-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 public (P) district to general office-conditional overlay (GO-CO) combining district on the property described in Zoning Case No. C14-06-0139, on file at the Neighborhood Planning and Zoning Department, as follows:

A 2,384 square feet tract of land, more or less, out of the George W. Spears League, situated in Travis County, Texas; and

A 2,757 square feet tract of land, more or less, out of the George W. Spears League, situated in Travis County, Texas;

both tracts of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 3401 Mills Avenue, between West 34<sup>th</sup> Street and West 35<sup>th</sup> Street, 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:

The following uses are prohibited uses on the Property:

Administrative and business offices	Art gallery
Art workshop	Bed and breakfast (Group 1)
Bed and breakfast (Group 2)	Business or trade school
Business support services	Communications services
Group home, Class I (general)	Group home, Class I (limited)

Group home, Class II  
Medical offices (not exceeding  
5,000 sq. ft. gross floor area)  
Printing and publishing  
Restaurant (limited)  
Special use historic

Medical offices (exceeding 5,000 sq. ft.  
gross floor area)  
Personal services  
Professional office  
Software development  
Urban farm

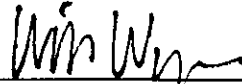
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general office (GO) base district and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on September 4, 2006.

**PASSED AND APPROVED**

August 24, 2006

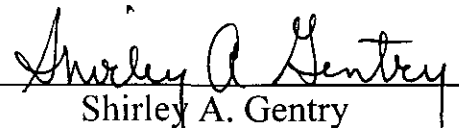
§  
§  
§

  
Will Wynn  
Mayor

**APPROVED:**

  
David Allan Smith  
City Attorney

**ATTEST:**

  
Shirley A. Gentry  
City Clerk

## DESCRIPTION

OF A 2,384 SQUARE FEET TRACT OF LAND OUT OF AND A PART OF THE GEORGE W. SPEARS LEAGUE, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PART OF A 1.4 ACRE TRACT AS CONVEYED TO THE CITY OF AUSTIN AS RECORDED IN VOLUME 610, PAGE 524, TRAVIS COUNTY DEED RECORDS, SAID 2,384 SQUARE FEET BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

Beginning at a ½" Iron Rod Found in the East Right-of-Way of Mills Avenue (30' Right-of-Way) as shown on the Subdivision Plat of William Thiele Subdivision as recorded in Book 1, Page 34 of the Travis County Plat Records, also being in the South Right-of-Way of West 35<sup>th</sup> Street and the West Right-of-Way of the Mills Avenue Cut-Off, From Which a ½" Iron Rod Found at the Northeast corner of Lot 8, of the said Williams Thiele Subdivision, Bears with a curve to the Left, having a Central Angle of 12°50'41", a Radius of 142.28, Chord Bears S40°11'25"E 31.83, for a Arc distance of 31.90;

Thence, crossing the said 1.4 Acre Tract, with the West Right-of-Way of the said Mills Avenue Cut-Off, a curve to the Right having a Central Angle of 09°22'16", a Radius of 142.28', Chord Bears S29°01'26"E 23.24', for an Arc distance of 23.27' feet to a Calculated Point, for the Northeast corner of the herein described tract;

Thence, crossing the said 1.4 Acre Tract for the following Two (2) consecutive courses;

1) S30°20'21"W, twenty feet East of and parallel with the said Mills Avenue (30' Right-of-Way) for a distance of 113.82' feet to a Calculated Point, for the Southeast corner of the herein described tract;

2) N54°32'10"W, for a distance of 20.08' feet to a Calculated Point in the East Right-of-Way of the said Mills Avenue (30' Right-of-Way), From Which a Mag nail Found in the North Right-of-Way of West 34<sup>th</sup> Street (Right-of-Way) varies, Bears S30°20'21" 138.91';

Thence, N30°20'21"E, with the East Right-of-Way of the said Mills Avenue (30' Right-of-Way) for a distance of 123.87' feet to the Place of Beginning, containing 2,384 Square Feet of land area.

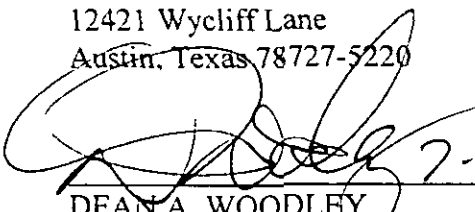
The bearings for the above description are based upon the William Thiele Subdivision Plat as recorded in Book 1, Pages 34 of the Travis County Plat Records.

STATE OF TEXAS )(

COUNTY OF TRAVIS )(

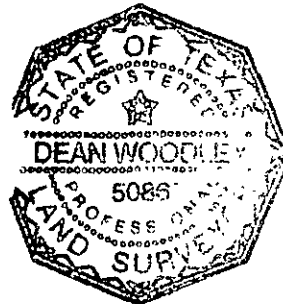
I hereby certify that this field note description was prepared from the results of an actual survey made on the ground under my supervision and that it is true and correct to the best of my knowledge.

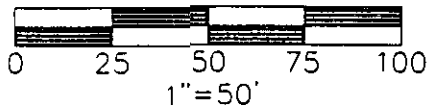
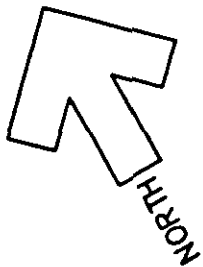
LIVE OAK SURVEYING  
12421 Wycliff Lane  
Austin, Texas 78727-5220

  
DEAN A. WOODLEY  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5086

Date:

7-13-2006





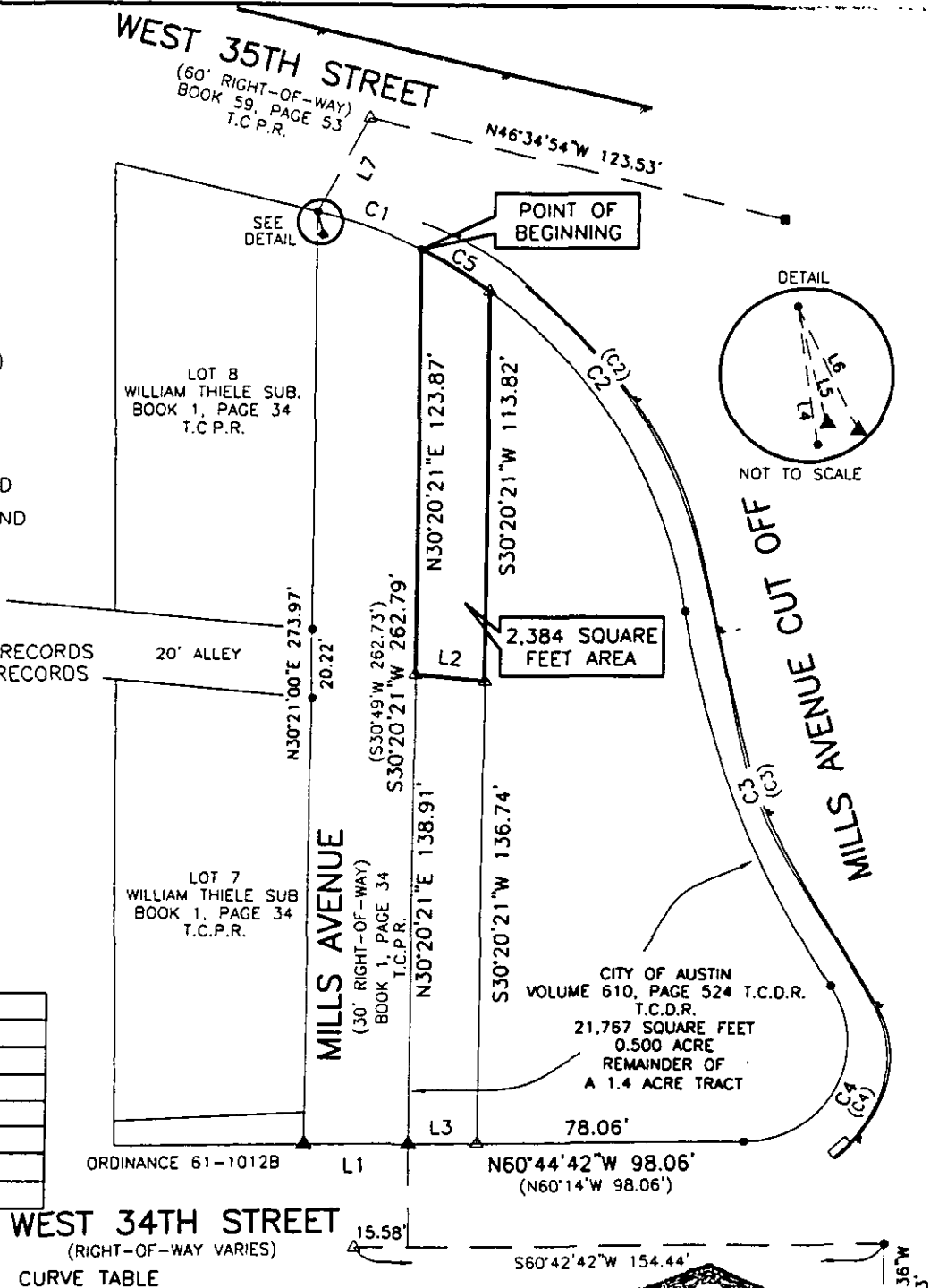
### LEGEND

- 1/2" IRON ROD FOUND
- 1" SQUARE BOLT FOUND
- △ CALCULATED POINT
- ( ) RECORD INFORMATION
- ▲ MAG NAIL FOUND

T.C.D.R. TRAVIS COUNTY DEED RECORDS  
T.C.P.R. TRAVIS COUNTY PLAT RECORDS

LINE TABLE

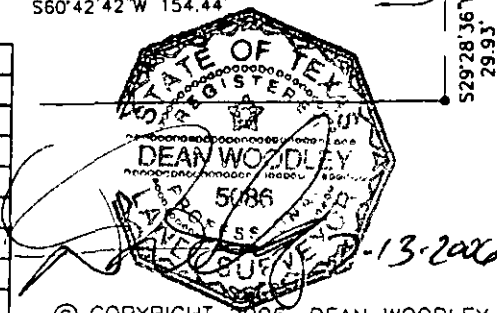
No.	Bearing	Distance
L1	N60°45'04"W	30.07'
L2	N54°32'10"W	20.08'
L3	N60°44'42"W	20.00'
L4	S16°11'45"W	6.90'
L5	S15°51'50"W	6.85'
L6	S13°51'55"E	7.01'
L7	N59°05'20"E	31.19'



WEST 34TH STREET  
(RIGHT-OF-WAY VARIES)

CURVE TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	12°50'41"	142.28	31.90	31.83	S40°11'25"E
C2	54°37'49"	142.28	135.66	130.58	S06°23'39"E
(C2)		142.28		130.58	
C3	24°59'57"	272.44	118.87	117.93	S08°25'21"W
(C3)	25°00'	272.44	118.87	117.93	
C4	123°04'44"	29.97	64.38	52.70	S57°31'20"W
(C4)	123°25'	29.97	64.56	52.78	
C5	09°22'16"	142.28	23.27	23.24	S29°01'26"E



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CLIENT: LIVE OAK GROUP  
FIELD BOOK 80, PAGE: 65  
DRAWN BY: D W  
PROJECT NO 208-04-01  
DATE: 7-13-06  
FILE: 2080401-PARKING2 DWG

### SKETCH TO ACCOMPANY FIELD NOTES

2,384 SQUARE FEET AREA OUT OF  
0.500 ACRE CITY OF AUSTIN TRACT  
AS RECORDED IN VOLUME 610, PAGE 524  
TRAVIS COUNTY, TEXAS



LIVE OAK  
SURVEYING  
12421 WYCLIFF LANE  
AUSTIN, TX 78727-5220  
(512) 837-1018

## DESCRIPTION

OF A 2,757 SQUARE FEET TRACT OF LAND OUT OF AND A PART OF THE GEORGE W. SPEARS LEAGUE, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PART OF A 1.4 ACRE TRACT AS CONVEYED TO THE CITY OF AUSTIN AS RECORDED IN VOLUME 610, PAGE 524, TRAVIS COUNTY DEED RECORDS, SAID 2,757 SQUARE FEET BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

Beginning at a Mag Nail Found in the East Right-of-Way of Mills Avenue (30' Right-of-Way) as shown on the Subdivision Plat of William Thiele Subdivision as recorded in Book 1, Page 34 of the Travis County Plat Records, also being in the North Right-of-Way of West 34<sup>th</sup> Street, From Which a Mag Nail Found at the Southeast corner of Ordinance 61-1012B , being 9.7' South of the Southeast corner of Lot 7, of the said Williams Thiele Subdivision, Bears N60°45'04"W, 30.07';

Thence, N30°20'21"E, with the East Right-of-Way of the said Mills Avenue (30' Right-of-Way) for a distance of 138.91' feet to a Calculated Point, for the Northeast corner of the herein described tract, From Which a ½" Iron Rod Found at the intersection of the said Mills Avenue (30' Right-of-Way) and West 35<sup>th</sup> Street, Bears N30°20'21"E 123.87' feet;

Thence, crossing the said 1.4 Acre Tract for the following Two (2) consecutive courses;

1) S54°32'10"E, for a distance of 20.08' feet to a Calculated Point for the Northeast corner of the herein described tract;

2) S30°20'21"W, for a distance of 136.74' feet to a Calculated Point in the North Right-of-Way of West 34<sup>th</sup> Street (Right-of-Way) varies, From Which a ½" Iron Rod Found, Bears S60°44'42"E 78.06';

Thence, N60°44'42"W, with the North Right-of-Way of the said West 34<sup>th</sup> Street and the South line of the said 1.4 Acre Tract, for a distance of 20.00' feet to the Place of Beginning, containing 2,757 Square Feet of land area.

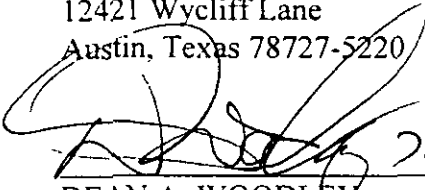
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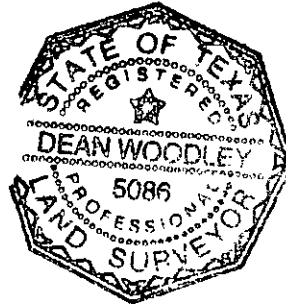
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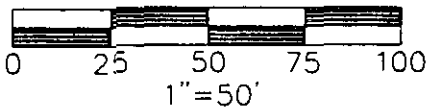
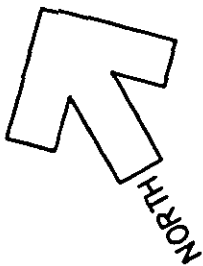
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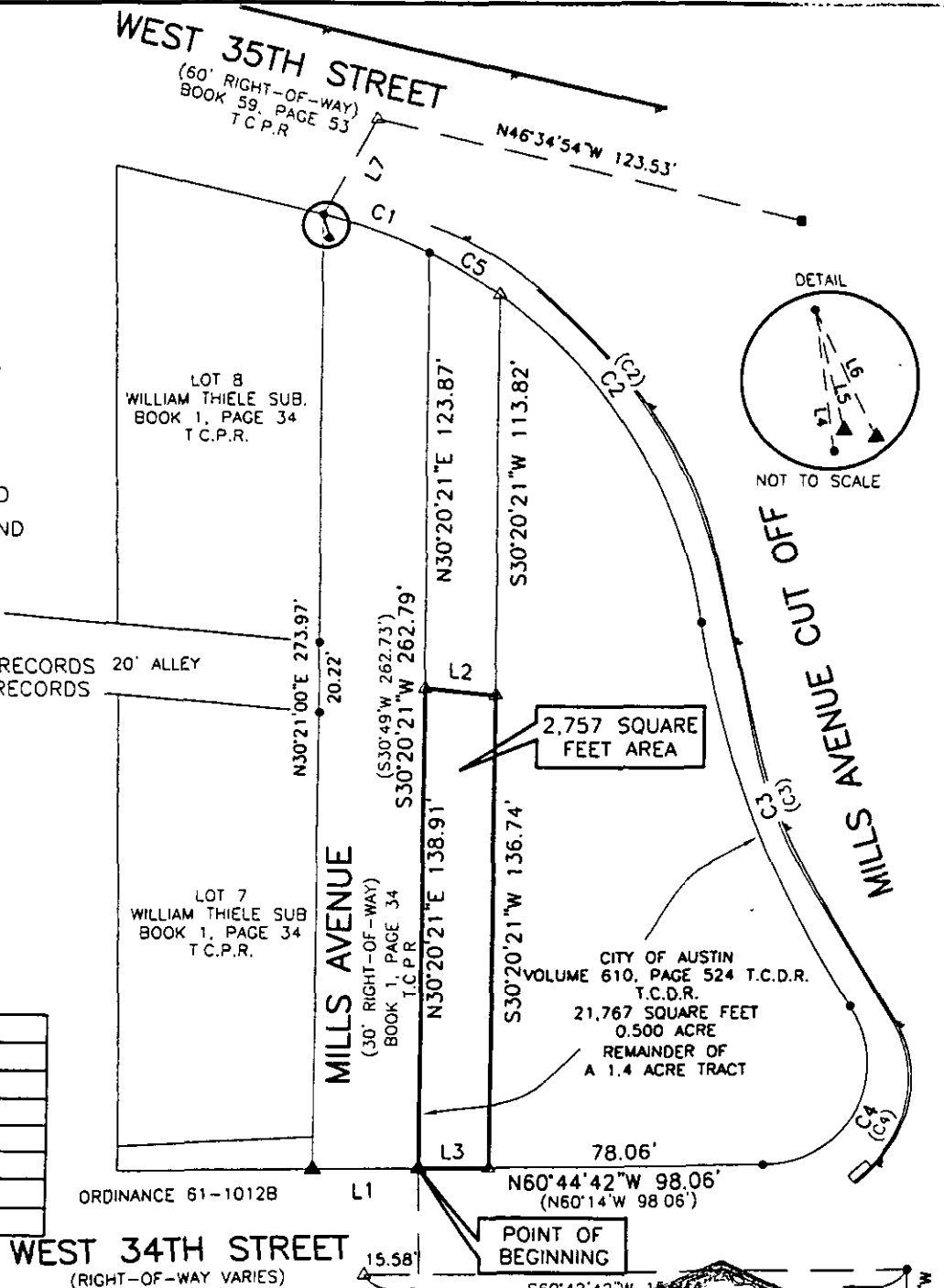
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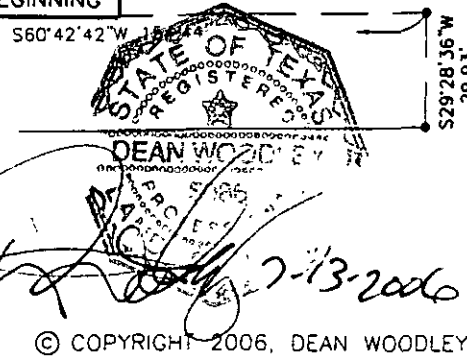
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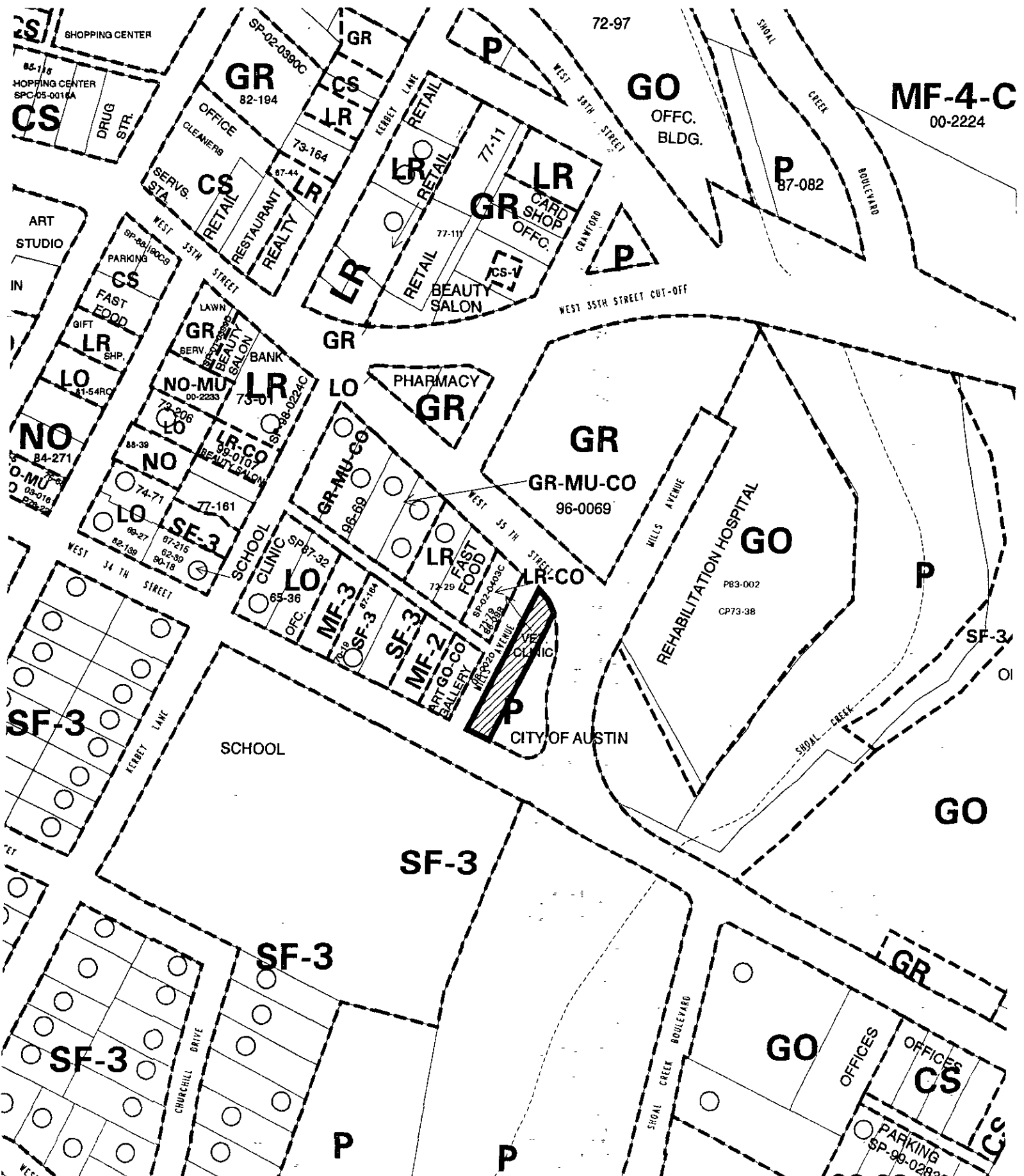
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 1" = 200'	SUBJECT TRACT		ZONING <b>Exhibit "B"</b>  CASE #: C14-06-0139 ADDRESS: 3401 MILLS AVE. SUBJECT AREA (acres): 0.224	CITY GRID REFERENCE NUMBER J25
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR: J.ROUSSELIN			
			DATE: 06-06	
			INTLS: TRC	