

ORDINANCE NO. 20061130-045

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT NORTH F.M. 620 ROAD AND RIDGELINE BOULEVARD FROM LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT, COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT, GENERAL COMMERCIAL SERVICES (CS) DISTRICT, AND COMMERCIAL HIGHWAY (CH) DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT FOR TRACT ONE AND LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT FOR TRACT TWO.

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 (the "Property") described in Zoning Case No C14-06-0134, on file at the Neighborhood Planning and Zoning Department, as follows

Tract One From limited office-conditional overlay (LO-CO) combining district, community commercial-conditional overlay (GR-CO) combining district, general commercial services (CS) district, and commercial highway (CH) district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district

A 56 04 acre tract of land, more or less, out of the Rachel Saul Survey, Abstract No 551, Williamson County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, Save and Except a 2 579 acre tract described in Tract Two in this ordinance, and

Tract Two From limited office-conditional overlay (LO-CO) combining district, community commercial conditional overlay (GR-CO) combining district, general commercial services (CS) district, and commercial highway (CH) district to limited office-conditional overlay (LO-CO) combining district

A 2 579 acre tract of land, more or less, being a part of a 56 04 acre tract out of the Rachel Saul Survey, Abstract No 551, Williamson County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance,

locally known as the property located at North F M 620 Road and Ridgeline Boulevard, in the City of Austin, Williamson County, Texas, and generally identified in the map attached as Exhibit "C"

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions

- 1 Tract Two shall be preserved as a buffer between development on Tract One and the adjoining residential properties to the west of the tract identified as Shenandoah Section 5 Subdivision ("Shenandoah") A 50-foot wide vegetative buffer shall be provided and maintained in a natural state for its entire length Improvements permitted within the buffer zone are limited to a fence, drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance
- 2 An eight foot high fence shall be provided and maintained along the west property line of Tract Two
- 3 Outdoor sports and recreation use and outdoor entertainment use are prohibited uses of the Property
- 4 Vehicular access from the Property to Jackson Drive is prohibited All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property
- 5 Exterior lighting must be hooded or shielded so that the light source is not directly visible from adjacent properties
- 6 Within an area 300 feet from the eastern property line of Shenandoah, the following uses are prohibited uses of Tract One

Automotive repair services
Restaurant (general)
Theater
Club or lodge

Automotive washing (of any type)
Restaurant (limited)
Indoor entertainment

- 7 A building setback line shall be established on Tract One 100 feet from the eastern property line of Shenandoah to run in a north-south direction only the length of Shenandoah

8 The height of a building or structure on Tract One shall be

- a) 30 feet above ground level within the area beginning at the 100-foot setback line established in Subpart 7 and continuing westward a distance of 100 feet, and
- b) 45 feet above ground level for the remaining property within the area beginning at 200 feet from Shenandoah

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 December 11, 2006

PASSED AND APPROVED

_____, November 30, 2006 §
§
§ _____
Will Wynn
Mayor

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

FIELD NOTE DESCRIPTION

56.04 ACRES OF LAND SITUATED IN THE RACHEL SAUL SURVEY, ABSTRACT NO. 551 IN WILLIAMSON COUNTY, TEXAS, AND BEING THE REMAINDER OF THE TRACT DESCRIBED IN DOCUMENT NO. 2000008709 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A TxDOT CONCRETE MONUMENT FOUND ON THE WEST RIGHT-OF-WAY OF RIDGELINE BLVD. AND THE NORTH FUTURE RIGHT-OF-WAY OF RM 620, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE WITH THE SAID FM 620 ROW THE FOLLOWING 2 COURSES AND DISTANCES:

1. S 26°23'02" W 119.28 FEET TO A TxDOT MONUMENT FOUND.
2. S 71°17'25" W 758.22 FEET TO AN IRON ROD FOUND FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 18°11'54" W 118.64 FEET TO AN IRON PIPE FOUND AT THE SOUTHEAST CORNER OF A 12.4738 ACRE TRACT RECORDED IN DOC NO 9533689 OPRWC;

THENCE WITH THE EAST LINE OF THE SAID 12.4739 ACRE TRACT THE FOLLOWING 3 COURSES AND DISTANCES:

1. N 18°09'28" W 152.59 FEET TO AN IRON ROD FOUND
2. N 18°06'32" W 281.30 FEET TO AN IRON ROD FOUND.
3. N 17°59'38" W 99.26 FEET TO AN IRON ROD FOUND AT THE SOUTHEAST CORNER OF A 7.05 ACRE TRACT RECORDED IN VOLUME 888, PAGE 796 OPRWC;

THENCE N 18°16'54" W 524.79 FEET TO AN IRON ROD FOUND AT THE SOUTHEAST CORNER OF SHENANDOAH SUBDIVISION, SECTION 4;

THENCE N 18°07'58" W 1710.62 FEET TO AN IRON ROD FOUND AT THE SOUTHWEST CORNER OF A 10.45 ACRE TRACT RECORDED IN VOLUME 1624, PAGE 217 OPRWC;

THENCE WITH THE SOUTH LINE OF THE SAID 10.45 ACRE TRACT THE FOLLOWING 3 COURSES AND DISTANCES:

1. N 03°50'20" E 344.76 FEET TO AN IRON ROD FOUND
2. N 35°21'03" E 179.23 FEET TO AN IRON ROD FOUND.
3. N 65°51'24" E 469.80 FEET TO AN IRON ROD FOUND AT THE SOUTHWEST CORNER OF A 1.115 ACRE TRACT RECORDED IN DOC NO 9807932 OPRWC;

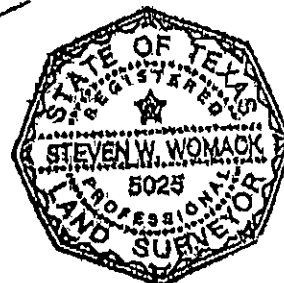
THENCE S 78°07'45" E 524.00 FEET TO AN IRON ROD FOUND AT THE SOUTHEAST CORNER OF A 3.04 ACRE TRACT RECORDED IN VOLUME 2717, PAGE 262 OPRWC, AND BEING ALSO ON THE WEST SAID RIGHT-OF-WAY OF RIDGELINE BLD, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

EXHIBIT "A"

THENCE WITH THE SAID ROW THE FOLLOWING 14 COURSES AND DISTANCES:

1. S 04°41'03" E 27.58 FEET TO AN IRON ROD FOUND.
2. WITH A CURVE TO THE RIGHT WHOSE RADIUS=604.15 FEET, TANGENTS=193.78 FEET, ARC=375.04 FEET AND WHOSE CHORD BEARS S 07°10'47" W 369.05 FEET TO AN IRON ROD FOUND.
3. S 24°12'56" W 306.62 FEET TO AN IRON ROD FOUND.
4. WITH A CURVE TO THE LEFT WHOSE RADIUS=1015.66 FEET, TANGENTS=384.76 FEET, ARC=735.59 FEET AND WHOSE CHORD BEARS S 04°09'06" W 719.62 FEET TO AN IRON ROD FOUND.
5. S 16°35'19" E 500.51 FEET TO AN IRON ROD FOUND.
6. WITH A CURVE TO THE LEFT WHOSE RADIUS=1111.80 FEET, TANGENTS=236.29 FEET, ARC=465.64 FEET AND WHOSE CHORD BEARS S 28°33'31" E 462.25 FEET TO AN IRON ROD FOUND.
7. S 40°45'12" E 14.12 FEET TO AN IRON ROD FOUND.
8. WITH A CURVE TO THE LEFT WHOSE RADIUS=301.50 FEET, TANGENTS=22.14 FEET, ARC=44.19 FEET AND WHOSE CHORD BEARS S 36°02'34" E 44.15 FEET TO AN IRON ROD FOUND.
9. S 38°51'43" E 95.59 FEET TO AN IRON ROD FOUND.
10. WITH A CURVE TO THE LEFT WHOSE RADIUS=959.83 FEET, TANGENTS=2.14 FEET, ARC=4.27 FEET AND WHOSE CHORD BEARS S 38°14'49" E 4.27 FEET TO A PK NAIL FOUND.
11. S 43°11'38" E 144.40 FEET TO AN IRON ROD FOUND.
12. S 40°31'46" E 159.12 FEET TO AN IRON ROD FOUND.
13. WITH A CURVE TO THE RIGHT WHOSE RADIUS=600.00 FEET, TANGENTS=117.39 FEET, ARC=231.86 FEET AND WHOSE CHORD BEARS S 29°31'30" E 230.42 FEET TO AN IRON ROD FOUND.
14. S 18°27'24" E 147.93 FEET TO THE POINT OF BEGINNING, CONTAINING 56.04 ACRES OF LAND, MORE OR LESS

Steven Womack
5/31/05



Tract 2: 2.57 acres
out of 56.04 acres
described as Tract 1

FIELD NOTES FOR ZONING
RACHEL SAUL SURVEY
2.579 ACRES, 50' STRIP OUT OF TRACT 26
PAGE 1 OF 1

EXHIBIT B
DESCRIPTION

DESCRIPTION OF 2.579 ACRES OF LAND LOCATED IN
THE RACHEL SAUL SURVEY, ABSTRACT NO 551,
WILLIAMSON COUNTY, TEXAS, SAME BEING A PORTION
OF A CERTAIN TRACT OF LAND DESCRIBED IN A DEED
TO B&W VACKAR PARTNERSHIP AS TRACTS "B" and
"C", IN VOLUME 1164, PAGE 919, SAID 2 579
ACRES OF LAND BEING MORE PARTICULARLY
DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING at a concrete monument found in the west line of said B&W Vackar Partnership tract from which monument an iron rod found at the southwest corner of tract "D" described in said B&W Vackar Partnership deed bears S20°34'55"E, 1,003 25 feet;

THENCE, along said west line N20°34'55"W, passing an iron rod found (0 18' right of said bearing) at 1,147.86 feet for a total distance of 2,185.05 feet to an iron rod set;

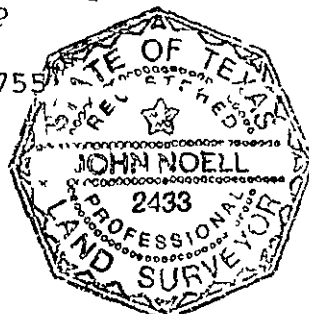
THENCE, N1°23'17"E, 133 65 feet with the south line of a tract of land described in a deed to the City of Austin as recorded in Volume 1624, Page 217 of the Deed Records of Williamson County, Texas, and through the interior of said B&W Vackar Partnership tract "B" to a point,

THENCE, through the interior of said B&W Vackar Partnership, tracts "B" and "C", S20°34'55"E, 2,308 97 feet to a point on the southern line of Tract 26,

THENCE, continuing through the interior of said B&W Vackar Partnership, tract "C", S69°23'58"W, 50 00 feet to THE POINT OF BEGINNING and containing 2 579 acres of land

The bearing basis for this survey is the east line of Lot 4, Lakeline, Section One, a subdivision of record in Cabinet "H", Slides 173-175, Plat Records of Williamson County, Texas

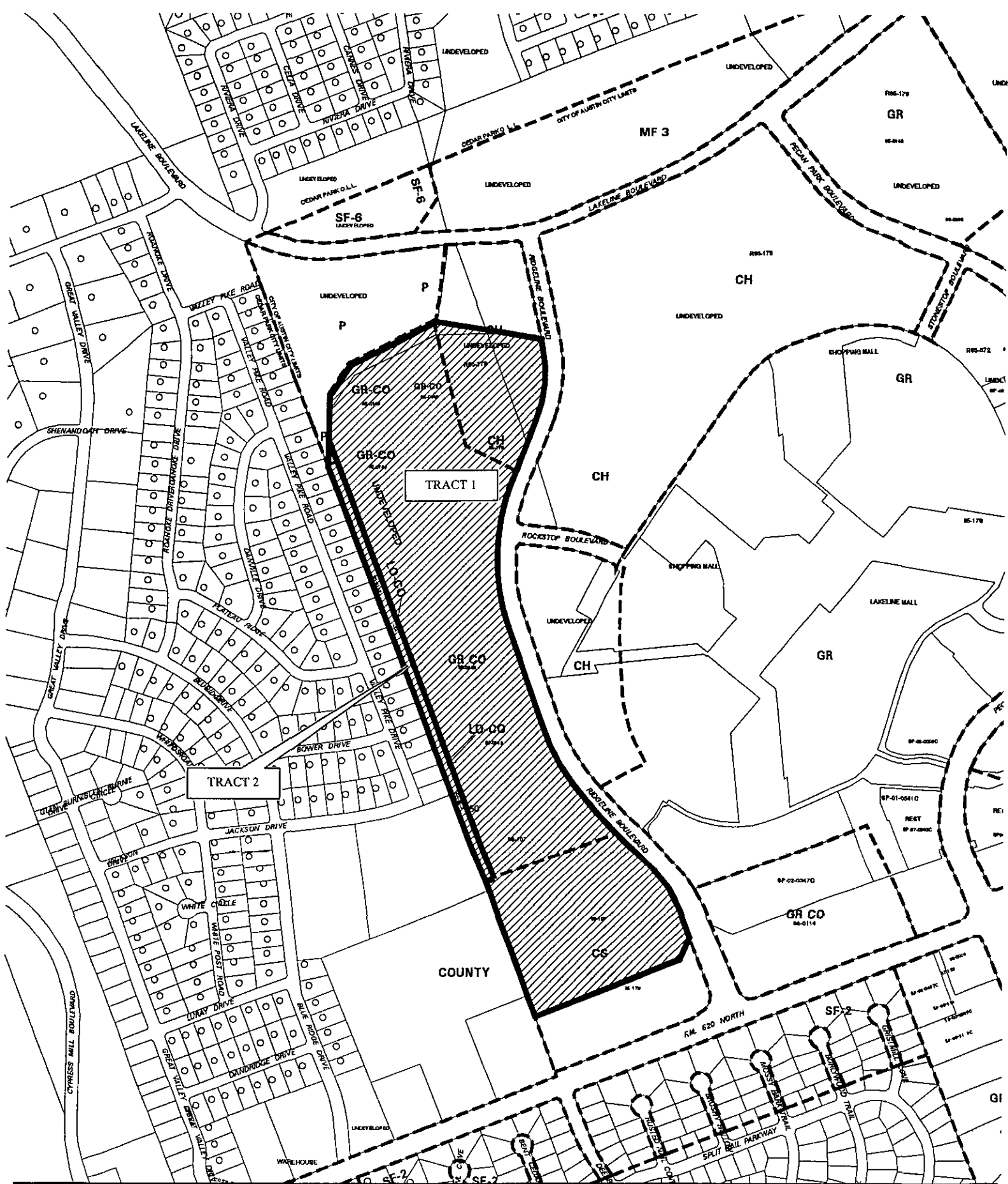
Field Notes Prepared by
URBAN DESIGN GROUP
P O Box 26912
Austin, Texas 78755
(512) 346-2353







John Noell, R P L S #2433

Date

8-26-96



 1" = 600	SUBJECT TRACT 	ZONING EXHIBIT C		CITY GRID REFERENCE NUMBER F39
	PENDING CASE 			
	ZONING BOUNDARY 	CASE # C14-06-0134		
	CASE MGR S SIRWAITIS	ADDRESS N FM 620 RD AND N RIDGELINE SUBJECT AREA (acres) 56.040		
		DATE 06-11	INTLS SM	