ORDINANCE NO. <u>20100513-051</u>

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 12104 NORTH LAMAR BOULEVARD FROM NEIGHBORHOOD OFFICE (NO) 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 neighborhood office (NO) district to neighborhood commercial-conditional overlay (LR-CO) combining district on the property described in Zoning Case No. C14-2010-0021, on file at the Planning and Development Review Department, as follows:

A 0.46 acre tract of land, more or less, out of Lot 1, Frank Stark Subdivision, in 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 12104 North Lamar Boulevard, 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:

A.   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.

B.   The following uses are prohibited uses of the Property:

Service station   Consumer convenience services
Off-site accessory parking   Guidance services

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 May 24, 2010.

PASSED AND APPROVED

§
§
May 13 , 2010 § _____
Lee Leffingwell
Mayor

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

0.46 Acre

Exhibit A

A PARCEL OF LAND IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT 0.46
ACRE TRACT OF LAND CONVEYED TO AUBREY DON KEELING, BY DEED
RECORDED IN VOLUME 3836, PAGE 558 OF THE DEED RECORDS OF TRAVIS
COUNTY, TEXAS, THE SAME BEING A PORTION OF LOT ONE (1), OF FRANK
STARK SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN
PLAT BOOK 4, PAGE 199 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS,
AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE at point in the West Line of Lamar Boulevard, (old U. S. Highway 81) at
the Northeast Corner of said Lot 1;

THENCE S.20°35'W., along the West Line of Lamar Boulevard, a distance of 202.00
feet to the Point of Beginning and the Northeast Corner hereof;

THENCE continue S.20°35'W. along said West Line of Lamar Boulevard, a distance of
105.00 feet to the Southeast Corner hereof;

THENCE N.61°35'W., across said Lot 1, a distance of 215.00 feet to the West Line of
said Lot 1 and the Southwest Corner hereof;

THENCE along the West Line of Lot 1 the following two courses:

1. N.47°30'E. a distance of 63.89 feet;
2. N.26°32'E. a distance of 43.66 feet to the Northwest Corner hereof;

THENCE S.61°35'E., across said Lot 1, a distance of 181.24 feet to the said Point of
Beginning.

Containing 0.46 acre, more or less.

J. Kenneth Weigand   Feb. 15, 2010
J. Kenneth Weigand
Registered Professional Land Surveyor No. 5741
State of Texas

RJ Surveying & Associates, Inc.
1212 East Braker Lane
Austin, Texas 78753

This document was prepared under 22TAC 663.21, does not reflect the results of an on the ground
survey, and is not to be used to convey or establish interests in real property except those rights and
interests implied or established by the creation or reconfiguration of the boundary of the political
subdivision for which it was prepared.

REFERENCE POINT
NE CORNER OF LOT 1,
FRANK STARK SUBDIVISION
PLAT BOOK 4, PAGE 199

WALNUT CREEK BAPTIST CHURCH

AUBREY DON KEELING
0.26 ACRE
VOLUME 6873, PAGE 1360

RESUBDIVISION OF A PORTION OF
LOT 1 OF THE FRANK STARK
SUBDIVISION

BEARING BASIS
S20°35'W
202.00'

NORTH LAMAR BLVD
(OLD U S HIGHWAY 81)
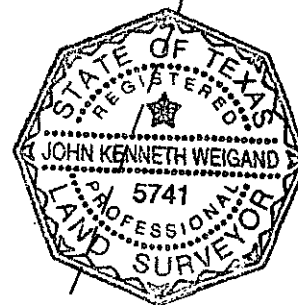RIGHT OF WAY VARIES

N26°32'E
43.66'

S61°35'E
181.24'

N47°30'E
63.89'

DON KEELING
0.46 ACRE
VOLUME 3836, PAGE 558

POINT OF
BEGINNING

S20°35'W
105.00'

N61°35'W
215.00'

LAVERA B. WILKES
PART OF LOT 1
FRANK STARK SUBDIVISION
VOLUME 6574, PAGE 1172

STATE OF TEXAS
REGISTERED
JOHN KENNETH WEIGAND
5741
PROFESSIONAL
LAND SURVEYOR

John K Weigand Feb.15, 2010

SKETCH TO ACCOMPANY FIELD NOTE
DESCRIPTION FOR ZONING
(SEE DESCRIPTION ON A SEPARATE ATTACHMENT)

DATE: FEB. 11, 2010   SCALE: 1" = 50'

RJ SURVEYING & ASSOCIATES, INC.
1212 E. BRAKER LANE, AUSTIN, TEXAS 78753
(512) 836-4793 FAX: (512) 836-4817

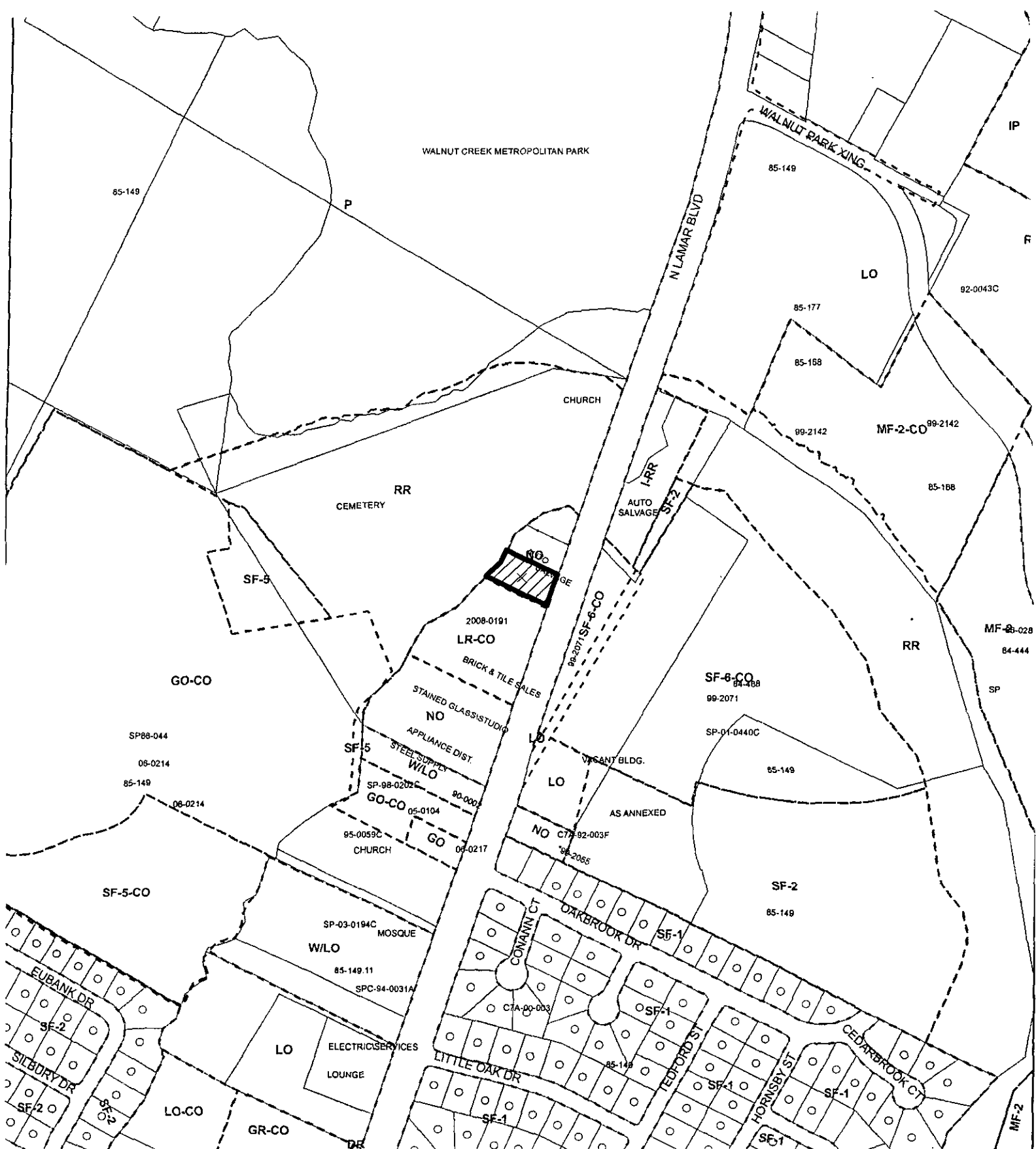This document was prepared under 22TAC 663.21, does not reflect the
results of an on the ground survey, and is not to be used to convey or
establish interests in real property except those rights and interests implied
or established by the creation or reconfiguration of the boundary of the
political subdivision for which it was prepared.

S:\LAND1751-1800\1788\DWG\1788-SURVEY-NORTH.dwg 2/11/2010 11:04:36 AM CST

WALNUT CREEK METROPOLITAN PARK

85-149

P

WALNUT PARK XING

IP

85-149

LO

92-0043C

R

85-177

85-168

99-2142

MF-2-CO 99-2142

85-168

CHURCH

CEMETERY

RR

I-RR

SF-2

AUTO SALVAGE

SF-6-CO 99-2071

RR

MF-2-028

84-444

SP

SF-5

NO

2008-0191
LR-CO

BRICK & TILE SALES

STAINED GLASS STUDIO

GO-CO

SF-5

NO

APPLIANCE DIST.

STEEL SUPPLY
W/LO

SP-98-0202C

GO-CO 05-0104

90-0003

SP86-044

06-0214

85-149

06-0214

LO

SF-6-CO 84-468
99-2071

SP-01-0440C

85-149

VACANT BLDG.

AS ANNEXED

NO C7A-92-003F

98-2065

SF-2
85-149

95-0059C

GO 06-0217

CHURCH

SF-5-CO

SP-03-0194C MOSQUE

W/LO

85-149.11

SPC-94-0031A

CONANN CT

OAKBROOK DR

SF-1

LEDFORD ST

CEDARBROOK CT

EUBANK DR

SF-2

SILBURY DR

SF-2

LO

ELECTRIC SERVICES

LOUNGE

LITTLE OAK DR

SF-1

85-149

SF-1

HORNSBY ST

SF-1

MF-2

LO-CO

GR-CO

DR

SF-1

SF-1

C7A-00-003

SF-1

N

1" = 400'

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

OPERATOR: S. MEEKS

ZONING EXHIBIT B

ZONING CASE#: C14-2010-0021
ADDRESS: 12104 N LAMAR BLVD
SUBJECT AREA: 0.46 ACRES
GRID: M33
MANAGER: S. SIRWAITIS

CITY OF AUSTIN
FOUNDED 1839

This map has been produced by G.I.S. Services for the sole purpose of geographic reference.
No warranty is made by the City of Austin regarding specific accuracy or completeness.