

ORDINANCE NO. _____

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**
2 **PROPERTY LOCATED AT 8611 ½ AND 8627 NORTH MOPAC EXPRESSWAY**
3 **FROM LIMITED OFFICE (LO) DISTRICT TO COMMUNITY COMMERCIAL-**
4 **CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT.**

5
6 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

7
8 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
9 change the base district from limited office (LO) district to community commercial-
10 conditional overlay (GR-CO) combining district on the property described in Zoning Case
11 No. C14-2014-0156, on file at the Planning and Development Review Department, as
12 follows:

13
14 0.172 acre tract of land, more or less, out of the James P. Wallace Survey No. 18
15 the tract of land being more particularly described by metes and bounds in Exhibit
16 "A" incorporated into this ordinance; and ,

17
18 0.810 acre tract of land, more or less, out of the James P. Wallace Survey No. 18
19 the tract of land being more particularly described by metes and bounds in Exhibit
20 "B" incorporated into this ordinance (cumulatively referred to as the "Property"),

21
22 locally known as 8611 ½ and 8627 North Mopac Expressway in the City of Austin, Travis
23 County, Texas, and generally identified in the map attached as Exhibit "C".

24
25 **PART 2.** The Property within the boundaries of the conditional overlay combining district
26 established by this ordinance is subject to the following conditions:

- 27
28 A. Except as otherwise provided in this section, vegetative screening or a 6 foot
29 solid or ornamental fence shall be provided and maintained along the eastern
30 property line. Vegetation is subject to the screening standards under Section
31 2.9.1 of the Environmental Criteria Manual. The screening is not required if
32 city staff determines the vegetative screening or fence should not be constructed
33 because it is in a floodplain.

1
2 B. A site plan or building permit for the Property may not be approved, released,
3 or issued, if the completed development or uses of the Property, considered
4 cumulatively with all existing or previously authorized development and uses,
5 generate traffic that exceeds 2,000 trips per day.

6
7 C. The following uses are not permitted uses of the Property:
8

Bed & breakfast (Group 1)

Alternative financial services

Art workshop

Automotive repair services

Automotive washing (of any type)

Business or trade school

Commercial off-street parking

Consumer repair services

Exterminating services

Food sales

General retail sales (convenience)

Hotel-motel

Indoor sports and recreation

Outdoor entertainment

Pawn shop services

Personal improvement services

Pet services

Printing and publishing

Restaurant (general)

Service station

Theater

Community garden

Club or lodge

Community events

Community recreation (public)

Counseling services

Day care services (commercial)

Day services (limited)

Group home, class I (general)

Group home, Class II

Hospital services (general)

Bed & breakfast (Group 2)

Art gallery

Automotive rentals

Automotive sales

Bail bond services

Business support services

Consumer convenience services

Drop-off recycling collection
facility

Food preparation

Funeral services

General retail sales (general)

Indoor entertainment

Off-site accessory parking

Outdoor sports and recreation

Pedicab storage and Dispatch

Personal services

Plant nursery

Research services

Restaurant (limited)

Special use historic

Custom manufacturing

Urban farm

College and university facilities

Community recreation (private)

Congregate living

Cultural services

Day care services (general)

Family home

Group home, Class I (limited)

Guidance services

Local utility services

Private primary educational
facilities
Public primary educational
facilities
Residential treatment

Private secondary educational
facilities
Public secondary educational
facilities
Safety services

1
2
3 Except as specifically restricted under this ordinance, the Property may be developed and
4 used in accordance with the regulations established for the community commercial (GR)
5 base district and other applicable requirements of the City Code.
6

7 **PART 3.** This ordinance takes effect on _____, 2014.
8

9 **PASSED AND APPROVED**

10
11 §
12 §
13 _____, 2014 §
14 _____
15 Lee Leffingwell
16 Mayor
17

18 **APPROVED:** _____ **ATTEST:** _____
19 Karen M. Kennard Jannette S. Goodall
20 City Attorney City Clerk



**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

**0.172 ACRES – PORTION OF LOT 2
JAMES P. WALLACE SURVEY NO. 18**

A DESCRIPTION OF 0.172 ACRES (APPROXIMATELY 7,475 SQ. FT.) IN THE JAMES P. WALLACE SURVEY NO. 18, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2, THE ATRIUM, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT, OF RECORD IN VOLUME 83, PAGE 125C, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO CHANCELLOR MOPAC INVESTMENTS, LTD, BY SPECIAL WARRANTY DEED WITH VENDOR'S LIEN DATED JUNE 14, 2005 AND RECORDED IN DOCUMENT NO. 2005108634 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.172 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an 1/2" rebar found for an angle point in the south line of said Lot 2, being the northeast corner of Lot 1, said The Atrium subdivision, from which a 1/2" rebar with "Chaparral" cap found in the east right-of-way line of Mopac Expressway (right-of-way width varies), being the southwest corner of said Lot 2 and also being the northwest corner of said Lot 1, bears North 61°24'35" West, a distance of 391.24 feet;

THENCE South 61°24'35" East, crossing said Lot 2, a distance of 50.84 feet to a calculated point in the west right-of-way line of the Union Pacific Railroad (100' right-of-way width), described in Volume 36, Page 83 of the Deed Records of Travis County, Texas, same being the east line of said Lot 2, from which a 1/2" rebar found in the west right-of-way of the Union Pacific Railroad, being the northeast corner of said Lot 2 and also being the southeast corner of Lot 3, said The Atrium subdivision, bears North 18°32'06" East, a distance of 234.95 feet;

THENCE South 18°32'06" West, with the west right-of-way line of the Union Pacific Railroad, same being the east line of said Lot 2, a distance of 145.77 feet to an "X" in concrete found for the southeast corner of said Lot 2, being the northeast corner of a 0.798 acre tract described in Volume 11764, Page 3140 of the Real Property Records of Travis County, Texas;


THENCE with the south line of said Lot 2, same being the north line of said 0.798 acre tract, the following two (2) courses and distances:

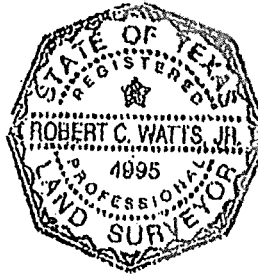
1. North 83°39'22" West, a distance of 10.65 feet to a 1/2" rebar with "Chaparral" cap found;

2. North $61^{\circ}53'37''$ West, a distance of 40.04 feet to a mag nail with "Chaparral" shiner found for the southernmost southwest corner of said Lot 2, being the southeast corner of said Lot 1;

THENCE North $18^{\circ}28'14''$ East, with a west line of said Lot 2, same being the east line of said Lot 1, a distance of 150.23 feet to the **POINT OF BEGINNING**, containing 0.172 acres of land, more or less.

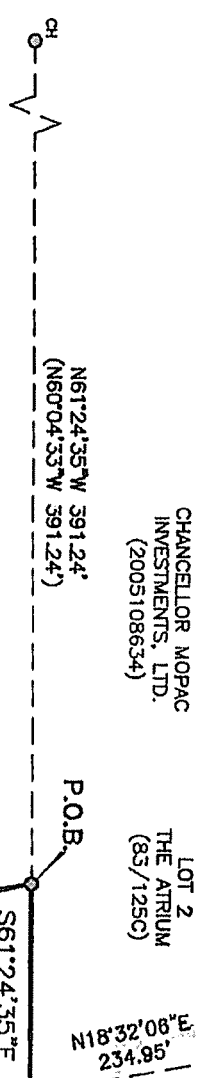
Surveyed on the ground February 13, 2014 Bearing Basis: Grid azimuth for Texas Central Zone state plane coordinates, based on GPS solutions from The National Geodetic Survey (NGS) On-line Positioning User Service (OPUS). Attachments: Drawing 040-055-TR1.


Robert C. Watts, Jr.
Registered Professional Land Surveyor
State of Texas No. 4995
T.B.P.L.S. Firm No. 10124500



2-14-14

SCANNED



LEGEND

○ 1/2" REBAR FOUND (OR AS NOTED)

○^{CH} 1/2" REBAR WITH "CHAPARRAL" CAP FOUND

△ MAG NAIL WITH "CHAPARRAL" WASHER FOUND

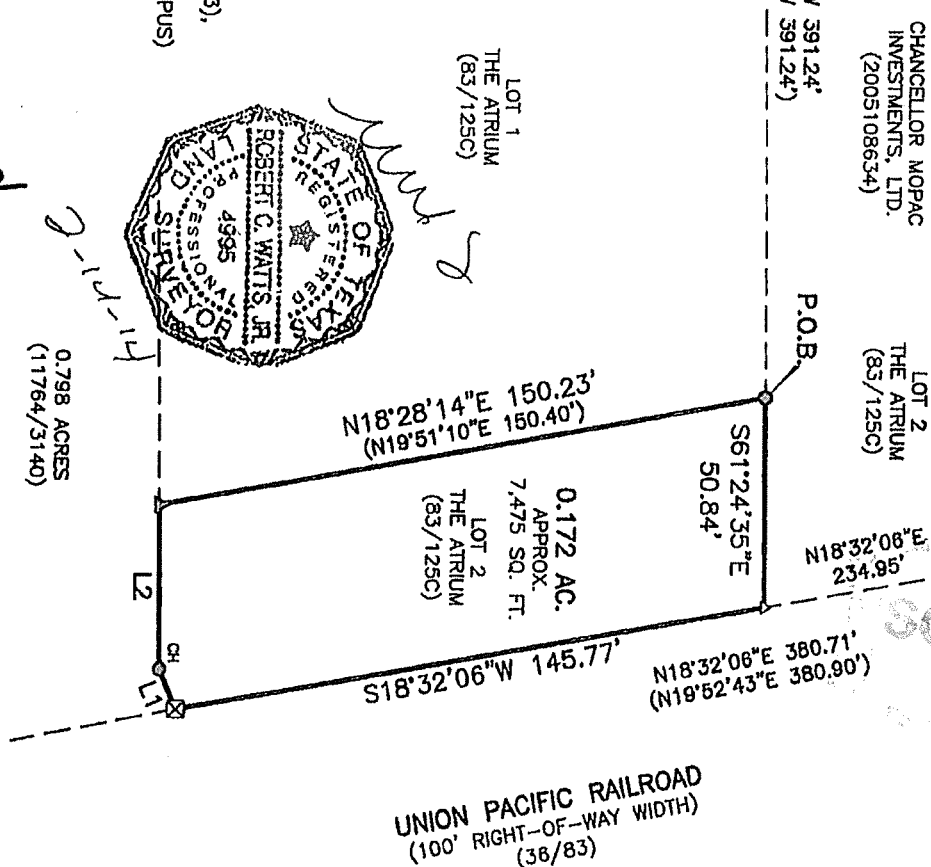
⊗ X IN CONC. FOUND

△ CALCULATED POINT

() RECORD INFORMATION

LINE TABLE			
LINE	BEARING	DISTANCE	(RECORD)
L1	N83.39°22'W	10.65'	(N82.41.44"W 10.70')
L2	N61°53'37"W	40.04'	(N60°33'35"W 40.04')

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 040-055-TR1
DATE OF SURVEY: 02/13/14
PLOT DATE: 02/14/14
DRAWING NO.: 040-055-TR1
PROJECT NO.: 040-055
T.B.P.L.S. FIRM NO. 10124500
DRAWN BY: JDB



Chaparral



**Professional Land Surveying, Inc.
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Austin, Texas 78744

**0.810 ACRES - UNPLATTED
JAMES P. WALLACE SURVEY NO. 18**

A DESCRIPTION OF 0.810 ACRES (APPROXIMATELY 35,283 SQ. FT.) IN THE JAMES P. WALLACE SURVEY NO. 18, TRAVIS COUNTY, TEXAS, BEING ALL OF A 0.798 ACRE TRACT DESCRIBED IN VOLUME 11764, PAGE 3140 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO 8611 MOPAC INVESTORS, LP, IN A SPECIAL WARRANTY DEED DATED OCTOBER 3, 2007 AND RECORDED IN DOCUMENT NO. 2007185405 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.810 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an 1/2" rebar found in the east right-of-way line of Mopac Expressway (right-of-way width varies), being the southwest corner of said 0.798 acre tract and also being the northwest corner of Lot 1, Block A, Reunion Park Subdivision, a subdivision of record in Document No. 200200253 of the Official Public Records of Travis County, Texas, from which an "X" in concrete found in the east right-of-way line of Mopac Expressway, same being the west line of said Lot 1, bears South 15°55'16" West, a distance of 51.23 feet;

THENCE North 15°58'04" East, with the east right-of-way line of Mopac Expressway, same being the west line of said 0.798 acre tract, a distance of 83.05 feet to a calculated point for the northwest corner of said 0.798 acre tract, being the southwest corner of Lot 1, The Atrium, a subdivision of record in Volume 83, Page 125C of the Plat Records of Travis County, Texas, from which a 1/2" rebar found in the east right-of-way line of Mopac Expressway, same being the west line of said Lot 1, The Atrium, bears North 15°58'04" East, a distance of 141.67 feet;

THENCE with the north line of said 0.798 acre tract, same being the south line of said Lot 1, The Atrium, the following two (2) courses and distances:

1. South 61°45'55" East, a distance of 150.91 feet to a calculated point;
2. South 62°01'33" East, a distance of 232.89 feet to a mag nail with "Chaparral" washer found for the southeast corner of said Lot 1, The Atrium, being the southernmost southwest corner of Lot 2, said The Atrium subdivision;

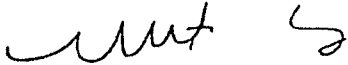
THENCE continuing with the north line of said 0.798 acre tract, same being the south line of said Lot 2, the following two (2) courses and distances:

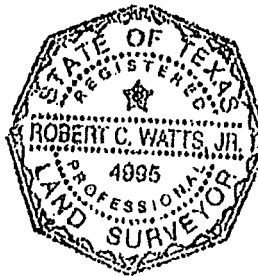
1. South $61^{\circ}53'37''$ East, a distance of 40.04 feet to a 1/2" rebar with "Chaparral" cap found;
2. South $83^{\circ}39'22''$ East, a distance of 10.65 feet to an "X" in concrete found in the west right-of-way line of the Union Pacific Railroad (100' right-of-way width), described in Volume 36, Page 83 of the Deed Records of Travis County, Texas, being the northeast corner of said 0.798 acre tract and also being the southeast corner of said Lot 2, from which a 1/2" rebar found in the west right-of-way line of the Union Pacific Railroad, being the northeast corner of said Lot 2 and also being the southeast corner of Lot 3, said The Atrium subdivision, bears North $18^{\circ}32'06''$ East, a distance of 380.71 feet;

THENCE South $17^{\circ}53'25''$ West, with the west right-of-way line of the Union Pacific Railroad, same being the east line of said 0.798 acre tract, a distance of 87.34 feet to a 1/2" rebar found for the southeast corner of said 0.798 acre tract, being the northeast corner of said Lot 1, Block A, Reunion Park Subdivision;

THENCE North $61^{\circ}48'44''$ West, with the south line of said 0.798 acre tract, same being the north line of said Lot 1, Block A, a distance of 431.75 feet to the **POINT OF BEGINNING**, containing 0.810 acres of land, more or less.

Surveyed on the ground February 13, 2014 Bearing Basis: Grid azimuth for Texas Central Zone state plane coordinates, based on GPS solutions from The National Geodetic Survey (NGS) On-line Positioning User Service (OPUS). Attachments: Drawing 040-055-TR2.

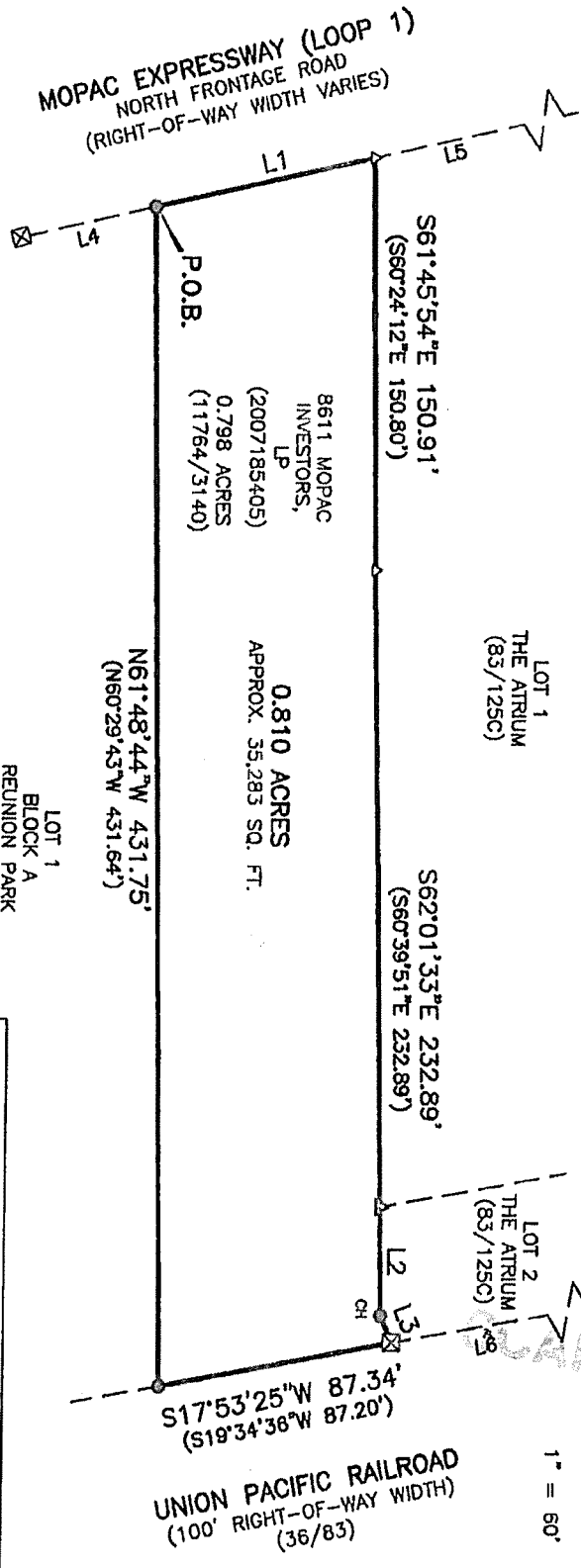

Robert C. Watts, Jr.
Registered Professional Land Surveyor
State of Texas No. 4995
T.B.P.L.S. Firm No. 10124500



2-14-14

SCANNED

SKETCH TO ACCOMPANY A DESCRIPTION OF 0.810 ACRES (APPROXIMATELY 35,283 SQ. FT.) IN THE JAMES P. WALLACE SURVEY NO. 18, TRAVIS COUNTY, TEXAS, BEING ALL OF A 0.798 ACRE TRACT DESCRIBED IN VOLUME 11764, PAGE 3140 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO 8611 MOPAC INVESTORS, LP, IN A SPECIAL WARRANTY DEED DATED OCTOBER 3, 2007 AND RECORDED IN DOCUMENT NO. 2007185405 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.



LINE	BEARING	DISTANCE	(RECORD)
L1	N15°58'04"E	83.05'	(N18°18'E 83.05')
L2	S61°53'37"E	40.04'	(S60°33'35"E 40.04')
L3	S83°39'22"E	10.65'	(S82°41'44"E 10.70')
L4	S15°55'16"W	51.23'	(S17°49'00"W 51.26')
L5	N15°58'04"E	141.67'	(N17°18'06"E 141.67')
L6	N18°32'06"E	380.71'	(N19°52'43"E 380.90')

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS)

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 040-055-TR2



LOT 1
BLOCK A
REUNION PARK
SUBDIVISION
(200200253)

- LEGEND
- 1/2" REBAR FOUND (OR AS NOTED)
 - ⊙ 1/2" REBAR WITH "CHAPARRAL" CAP FOUND
 - ▲ MAG NAIL WITH "CHAPARRAL" WASHER FOUND
 - ⊗ X IN CONC. FOUND
 - △ CALCULATED POINT
 - () RECORD INFORMATION

Chaparral

Watts
2-14-14

DATE OF SURVEY: 02/13/14
PLOT DATE: 02/14/14
DRAWING NO.: 040-055-TR1
PROJECT NO.: 040-055
T.B.P.L.S. FIRM NO. 10124500
DRAWN BY: JDB


$$1'' = 200'$$

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Exhibit C