

ORDINANCE NO. 20141211-149

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 8611 ½ AND 8627 NORTH MOPAC EXPRESSWAY FROM LIMITED OFFICE (LO) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-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 limited office (LO) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-2014-0156, on file at the Planning and Development Review Department, as follows:

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

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

locally known as 8611 ½ and 8627 North Mopac Expressway in the City of Austin, Travis 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:

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

B. 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.

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

Bed & breakfast (Group 1)	Bed & breakfast (Group 2)
Alternative financial services	Art gallery
Art workshop	Automotive rentals
Automotive repair services	Automotive sales
Automotive washing (of any type)	Bail bond services
Business or trade school	Business support services
Commercial off-street parking	Consumer convenience services
Consumer repair services	Drop-off recycling collection facility
Exterminating services	Food preparation
Food sales	Funeral services
General retail sales (convenience)	General retail sales (general)
Hotel-motel	Indoor entertainment
Indoor sports and recreation	Off-site accessory parking
Outdoor entertainment	Outdoor sports and recreation
Pawn shop services	Pedicab storage and Dispatch
Personal improvement services	Personal services
Pet services	Plant nursery
Printing and publishing	Research services
Restaurant (general)	Restaurant (limited)
Service station	Special use historic
Theater	Custom manufacturing
Community garden	Urban farm
Club or lodge	College and university facilities
Community events	Community recreation (private)
Community recreation (public)	Congregate living
Counseling services	Cultural services
Day care services (commercial)	Day care services (general)
Day services (limited)	Family home
Group home, class I (general)	Group home, Class I (limited)
Group home, Class II	Guidance services
Hospital services (general)	Local utility services

Private primary educational
facilities
Public primary educational
facilities
Residential treatment

Private secondary educational
facilities
Public secondary educational
facilities
Safety services

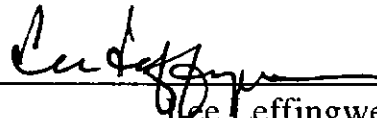
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on December 22, 2014.

PASSED AND APPROVED

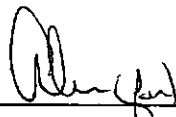
December 11, 2014

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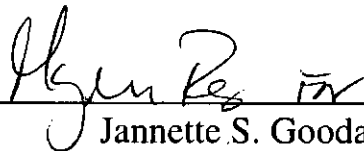
Lee Leffingwell
Mayor

APPROVED:



Karen M. Kennard
City Attorney

ATTEST:



Jannette S. Goodall
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;

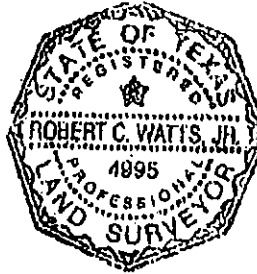
Page 2 of 2

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.

mt 5
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 0.172 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.

CHANCELLOR MOPAC
INVESTMENTS, LTD.
(2005108634)

LOT 2
THE ATRIUM
(83/125C)

CH $N61^{\circ}24'35''W$ 391.24'
 $(N60^{\circ}04'33''W$ 391.24')

P.O.B.

$S61^{\circ}24'35''E$
50.84'

$N18^{\circ}32'08''E$
234.95'

$N18^{\circ}32'06''E$ 380.71'
 $(N18^{\circ}52'43''E$ 380.90')

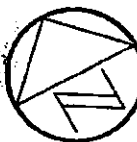
$S18^{\circ}32'06''W$ 145.77'

0.172 AC.
APPROX.
7,475 SQ. FT.

LOT 2
THE ATRIUM
(83/125C)

$N18^{\circ}28'14''E$ 150.23'
 $(N18^{\circ}51'10''E$ 160.40')

LOT 1
THE ATRIUM
(83/125C)



1" = 40'

UNION PACIFIC RAILROAD
(100' RIGHT-OF-WAY WIDTH)
(36/83)

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	$N83^{\circ}39'22''W$	10.65'	$(N82^{\circ}41'44''W$ 10.70')
L2	$N61^{\circ}53'37''W$	40.04'	$(N60^{\circ}33'35''W$ 40.04')

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-TR1

DATE OF SURVEY: 02/13/14

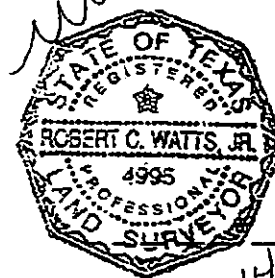
PLOT DATE: 02/14/14

DRAWING NO.: 040-055-TR1

PROJECT NO.: 040-055

T.B.P.L.S. FIRM NO. 10124500

DRAWN BY: JDB



2-14-14

0.798 ACRES
(11764/3140)

Chaparral



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

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

3500 McCall Lane
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:

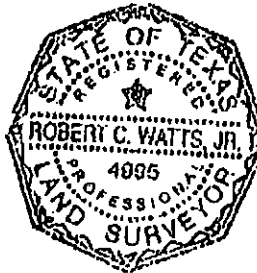
1. South 61°53'37" East, a distance of 40.04 feet to a 1/2" rebar with "Chaparral" cap found;
2. South 83°39'22" East, a distance of 10.65 feet to an "X" in concrete found in the west right-of-way line of the Union Pacific Railroad (100' right-of-way width), described in Volume 36, Page 83 of the Deed 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°32'06" East, a distance of 380.71 feet;

THENCE South 17°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°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.

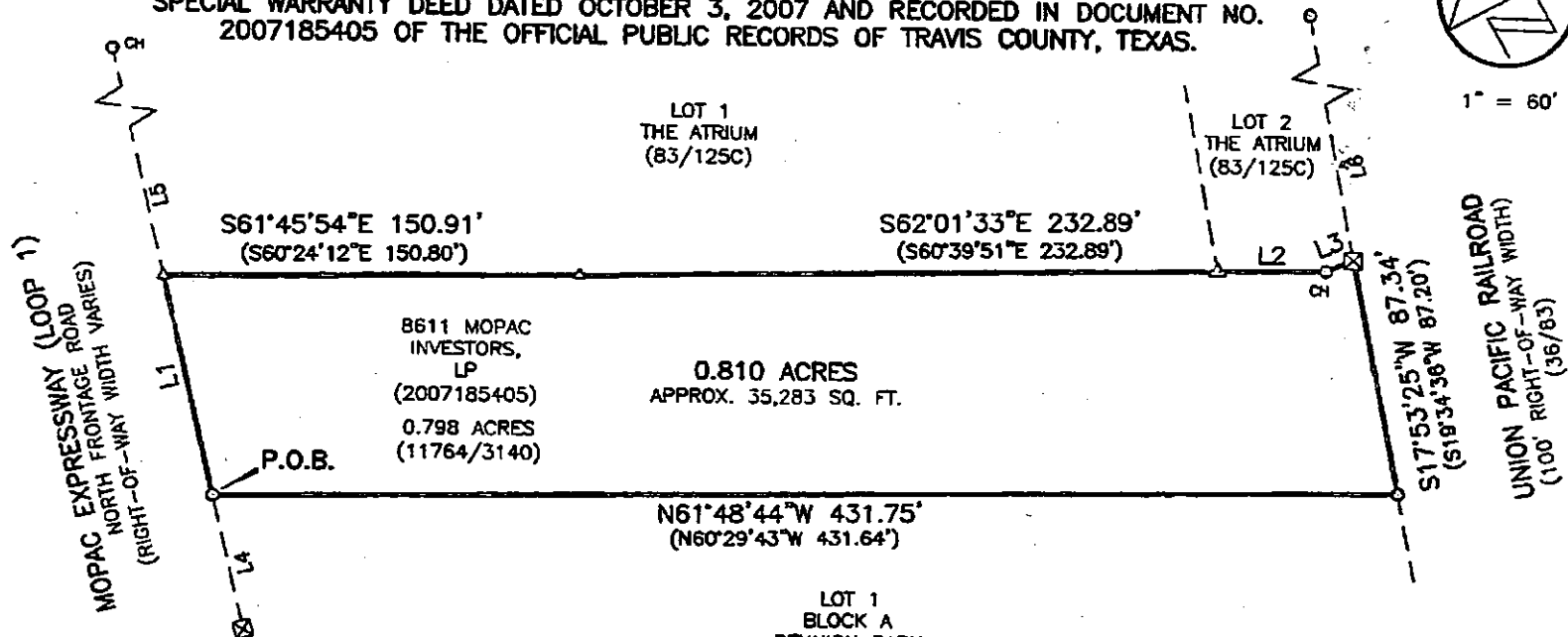
Surveyed on the ground February 13, 2014 Bearing Basis: Grid azimuth for Texas Central Zone state plane coordinates, based on GPS solutions from The National Geodetic Survey (NGS) On-line Positioning User Service (OPUS). Attachments: Drawing 040-055-TR2.

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



2-14-14

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.

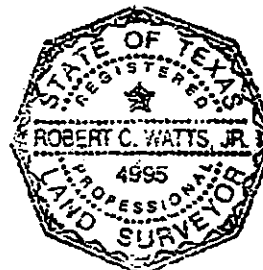


LINE TABLE			
LINE	BEARING	DISTANCE	(RECORD)
L1	N15°58'04"E	83.05'	(N18°18'E 83.05')
L2	S61°53'37"E	40.04'	(S60°33'35"E 40.04')
L3	S83°39'22"E	10.65'	(S82°41'44"E 10.70')
L4	S15°55'16"W	51.23'	(S17°49'00"W 51.26')
L5	N15°58'04"E	141.67'	(N17°18'06"E 141.67')
L6	N18°32'06"E	380.71'	(N19°52'43"E 380.90')

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)

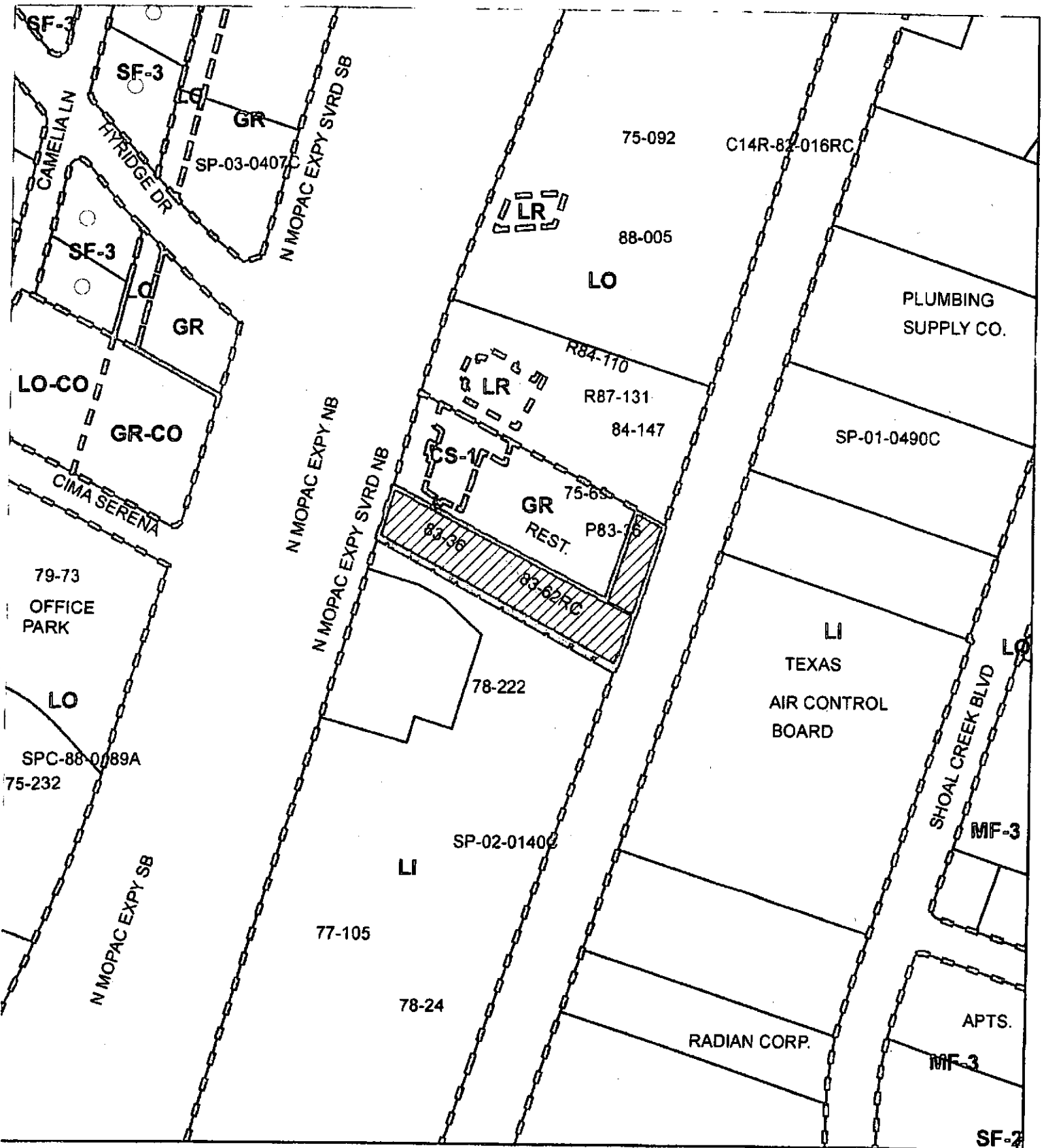





Chaparral

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

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

Unit 7
2-14-14



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING CASE C14-2014-0156

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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

1" = 200'