

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 7901 RANCH TO MARKET ROAD 2222 FROM LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT TO LIMITED OFFICE-MIXED USE-CONDITIONAL OVERLAY (LO-MU-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-conditional overlay (LO-CO) combining district to limited office-mixed use-conditional overlay (LO-MU-CO) combining district on the property described in Zoning Case No. C14-2016-0096, on file at the Planning and Zoning Department, as follows:

Metes and bounds description of a survey of 4.724 acres of land, a portion of the Hrs. WM. L. Swain Survey No. 810, Abstract No. 727, in the City of Austin, Travis County, Texas, said 4.724 acres of land being a portion of that 5.593 acre tract of land, a portion of the said Hrs. WM. L. Swain Survey No. 810, in the City of Austin, Travis County, Texas, as described in a warranty deed from Clyde Beard, et ux to Tom Clyde Bearde in Volume 7630, Page 498, Deed Records of Travis County, Texas, as surveyed for James V. Potter by Metcalfe & Sanders, Inc., land surveyors, 4800 South Congress Avenue, Austin, Texas, said 4.724 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 7901 Ranch to Market Road 2222 in the City of Austin, Travis County, Texas, 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. The following uses are prohibited uses for the Property:

Communications services
Personal services
Congregate living
Group home, class II

Off-site accessory parking
Club or lodge
Cultural services
Guidance services

Hospital services (general)
Art workshop

Hospital services (limited)

- 1
- 2 B. A 35-foot wide vegetative buffer along the western property line shall be
- 3 provided and maintained. Improvements permitted within the buffer zone are
- 4 limited to drainage, underground utility improvements or those improvements
- 5 that may be otherwise required by the City of Austin or specifically authorized
- 6 in this ordinance.
- 7
- 8 C. A 35-foot wide building setback shall be established and maintained along the
- 9 southern property line where the Property abuts a residential property.
- 10 Improvements permitted within the buffer zone are limited to drainage,
- 11 underground utility improvements or those improvements that may be
- 12 otherwise required by the City of Austin or specifically authorized in this
- 13 ordinance.
- 14
- 15 D. A 24-foot wide vegetative buffer along the southern property line shall be
- 16 provided and maintained. Improvements permitted within the buffer zone are
- 17 limited to drainage, underground utility improvements or those improvements
- 18 that may be otherwise required by the City of Austin or specifically authorized
- 19 in this ordinance.
- 20
- 21 E. Multifamily residential use on the Property shall be limited to a maximum of
- 22 eight (8) units.
- 23
- 24 F. An eight-foot high solid fence shall be provided and maintained along any
- 25 portion of the southern property line that abuts a residential use.
- 26
- 27 G. The maximum height of a building or structure on the Property is limited to 28
- 28 feet from ground level and may not exceed two stories.
- 29

30 **PART 4.** Except as specifically restricted under this ordinance, the Property may be

31 developed and used in accordance with the regulations established for the limited office

32 (LO) district and other applicable requirements of the City Code.

33

PART 5. This ordinance takes effect on _____, 2017.

PASSED AND APPROVED

_____, 2017 § _____
 § _____
 § _____
Steve Adler
Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan Jannette S. Goodall
City Attorney City Clerk

METCALFE & SANDERS, INC. / LAND SURVEYORS

4800 SOUTH CONGRESS
AUSTIN, TEXAS 78745
(512) 442-5363

SURVEYS & RECORDS SINCE 1904

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION OF A SURVEY OF 4.724 ACRES OF LAND, A PORTION OF THE HRS. WM. L. SWAIN SURVEY NO. 810, ABSTRACT NO. 727, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, SAID 4.724 ACRES OF LAND BEING A PORTION OF THAT 5.593 ACRE TRACT OF LAND, A PORTION OF THE SAID HRS. WM. L. SWAIN SURVEY NO. 810, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS DESCRIBED IN A WARRANTY DEED FROM CLYDE BEARD, ET UX TO TOM CLYDE BEARD IN VOLUME 7630, PAGE 498, DEED RECORDS OF TRAVIS COUNTY, TEXAS, AS SURVEYED FOR JAMES V. POTTER BY METCALFE & SANDERS, INC., LAND SURVEYORS, 4800 SOUTH CONGRESS AVENUE, AUSTIN, TEXAS, SAID 4.724 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" steel pin with plastic cap set at the intersection of the west line of RM Highway No. 2222 with the south line of that 5.593 acre tract of land, a portion of the Hrs. Wm. L. Swain Survey No. 810, Abstract No. 727, in the City of Austin, Travis County, Texas, as described in a deed from Clyde Beard, et ux to Tom Clyde Beard in Volume 7630, Page 498, Deed Records of Travis County, Texas, said 1/2" steel pin with plastic cap set being also in the north line of Lot 25, Block A, Long Canyon Phase 1-A, a subdivision of a portion of the said Hrs. Wm. L. Swain Survey No. 810, in the City of Austin, Travis County, Texas, of record in Plat Book 80, Pages 369-372, Plat Records of Travis County, Texas, and being also in the west line of that 0.185 of one acre tract, a portion of the said Hrs. Wm. L. Swain Survey No. 810, described as being a portion of said Lot 25, Block A, Long Canyon Phase 1-A, as described in a deed from Long Canyon Developers to the State of Texas in Volume 11783, Page 349, Real Property Records of Travis County, Texas, for the **POINT OF BEGINNING** and southeast corner of the herein described tract;

THENCE with the south line of the said Tom Clyde Beard 5.593 acre tract and the north line of said Lot 25, Block A, Long Canyon Phase 1-A, and the north line of Lot 24, Block A, of said Long Canyon Phase 1-A, and being also with the north line of Lot 19, Block A, Long Canyon Phase 1-B, a subdivision of a portion of the said Hrs. Wm. L. Swain Survey No. 810, in the City of Austin, Travis County, Texas, of record in Plat Book 81, Pages 10-13, Plat Records of Travis County, Texas, courses numbered 1 through 4, inclusive as follows:

1. N 80°04'35" W 255.93 feet to a 3/4" steel pin found;
2. N 79°42'55" W 133.13 feet to a 1/2" round head bolt found;
3. N 79°59'55" W 265.09 feet to a 5/8" steel pin found at the northwest corner of said Lot 24, Block A, Long Canyon Phase 1-A and the northeast corner of said Lot 19, Block A, Long Canyon Phase 1-B, said 5/8" steel pin found being also the most northerly corner of Lot 23, Block A, of said Long Canyon Phase 1-A;
4. N 79°51'25" W 367.10 feet to a 5/8" steel pin found at the southwest corner of the said Tom Clyde Beard 5.593 acre tract and the northwest corner of said Lot 19, Block A, Long Canyon Phase 1-B, said 5/8" steel pin found being also the northeast corner of Lot 18, Block A, of said Long Canyon Phase 1-B, and the southeast corner of Lot 5, Block A, Angel

EXHIBIT A

Pass, a subdivision of a portion of the said Hrs. Wm. L. Swain Survey No. 810, in the City of Austin, Travis County, Texas, of record in Plat Book 101, Pages 87-89, Plat Records of Travis County, Texas, for the southwest corner of the herein described tract;

THENCE with the west line of the said Tom Clyde Beard 5.593 acre tract and the most southerly east line of said Lot 5, Block A, Angel Pass, courses numbered 5 through 6, inclusive as follows:

5. N 5°12'00" E 133.57 feet to a 1/2" square rod found;
6. N 2°09'00" E 123.78 feet to a 3/8" inch steel pin found at the northwest corner of the said Tom Clyde Beard 5.593 acre tract and at a southwest corner of that 7.644 acre tract of land, a portion of the said Hrs. Wm. L. Swain Survey No. 810, as described in a deed from Clyde Beard, et ux to Ted Warren Beard in Volume 7630, Page 502, Deed Records of Travis County, Texas, for the northwest corner of the herein described tract;

THENCE with the north, northeast and north lines of the said Tom Clyde Beard 5.593 acre tract and the south, southwest and south lines of the said Ted Warren Beard 7.644 acre tract, courses numbered 7 through 13, inclusive as follows:

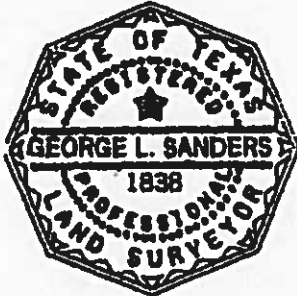
7. S 82°20'20" E 200.65 feet to a 3/8" steel pin found;
8. S 75°17'40" E 65.79 feet to a 3/8" steel pin found;
9. S 38°51'00" E 214.96 feet to a 1/2" steel pin found;
10. S 84°31'50" E 133.83 feet to a 1/2" steel pin found;
11. N 66°06'25" E 76.50 feet to a 3/8" steel pin found;
12. N 66°06'25" E 158.10 feet to a 1/2" steel pin found;
13. N 76°04'25" E 86.53 feet to a 1/2" steel pin with plastic cap set in the west line of RM Highway No. 2222 and in the west line of that 0.865 of one acre tract, a portion of the said Hrs. Wm. L. Swain Survey No. 810, described as being a portion of the said Tom Clyde Beard 5.593 acre tract, as described in a deed from Tom Clyde Beard to the State of Texas in Volume 11776, Page 393, Real Property Records of Travis County, Texas, for the northwest corner of the herein described tract, and from said 1/2" steel pin with plastic cap set a 1/2" steel pin found at the northwest corner of the said State of Texas 0.865 of one acre tract bears N 30°26'35" W 0.26 feet;

THENCE with the west line of RM Highway No. 2222 and the west line of the said State of Texas 0.865 of one acre tract and being also with the west line of the said State of Texas 0.185 of one acre tract, courses numbered 14 through 15 inclusive as follows:

14. with a curve to the right an arc distance of 362.50 feet, said curve having a radius of 1963.48, a central angle of 10°34'41", and a chord of which bears S 26°10'15" E 361.99 feet to a Texas Department of Transportation brass disc in concrete found at the southwest corner of the said State of Texas 0.865 of one acre tract and at the northwest corner of the said State of Texas 0.185 of one acre tract;
15. S 2°11'45" E 2.64 feet to the Point of Beginning of the herein described tract, containing 4.724 acres of land.

Note: The plastic caps on the 1/2" steel pins set are inscribed with "M & S 1838".

Metes and Bounds Description Revised December 30, 2005.
Metes and Bounds Description Prepared August 14, 2003
From A Survey Completed August 4, 2003



METCALFE & SANDERS, INC.
Land Surveyors

By:

A handwritten signature in cursive script, appearing to read "George L. Sanders".

George L. Sanders
Texas Registered Professional
Land Surveyor No. 1838

Plan 9869B
Ref Plan 9869A
Ref Plan 9869
Ref Plan 8230
FB 873, P 31-60 & DC
FB 889, P 8-10 & DC

Job No. 05362.01
Ref Job No. 03211.01

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Return:

James Potter
8412 Long Canyon Dr
Austin TX 78730

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

FILED AND RECORDED

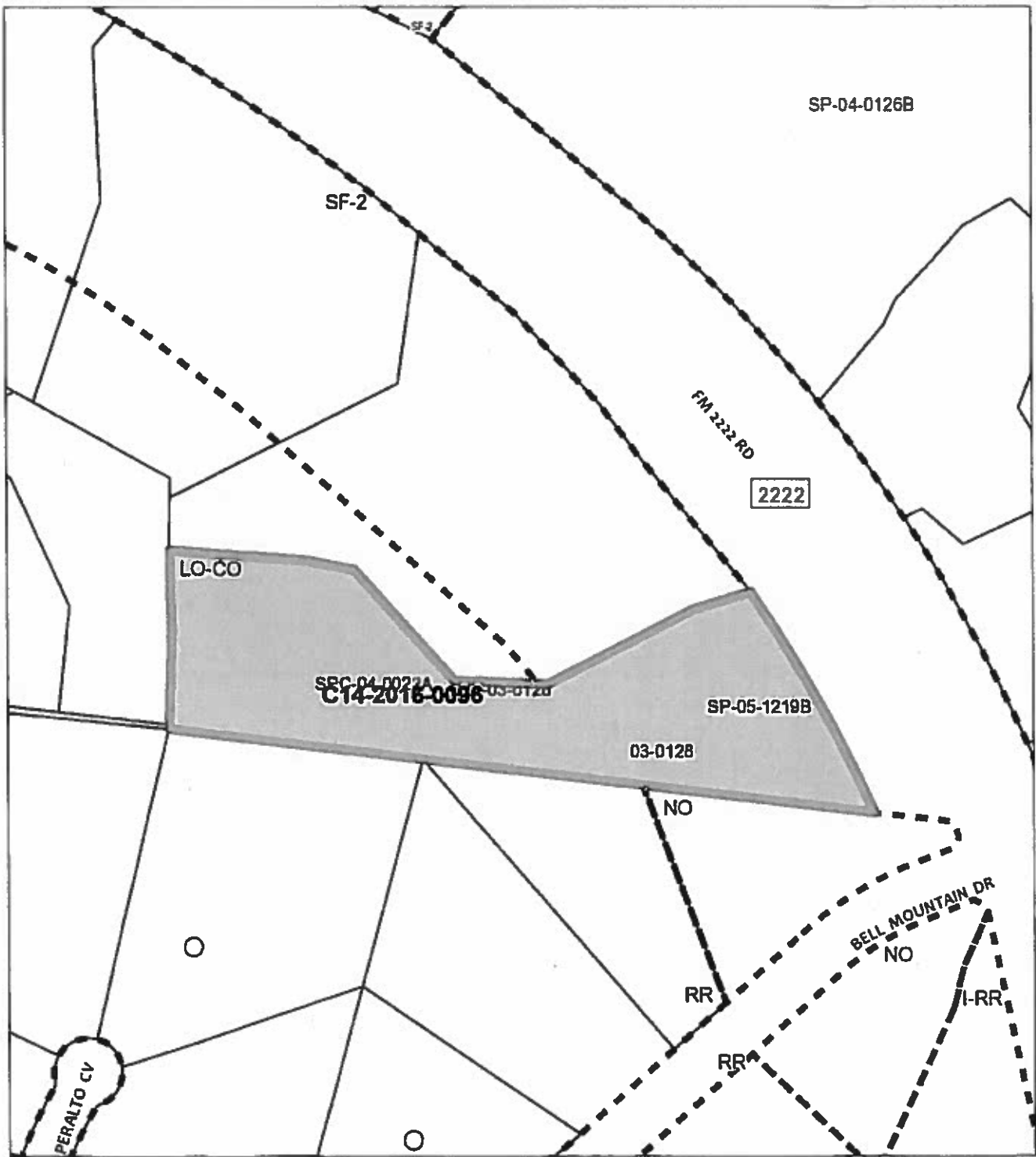
OFFICIAL PUBLIC RECORDS

A handwritten signature in cursive script, appearing to read "Dana DeBeauvoir".

2005 Feb 23 11:17 AM 2006031881

BENAVIDESV \$32.00

DANA DEBEAUVOIR COUNTY CLERK
TRAVIS COUNTY TEXAS



- Subject Tract
- Pending Case
- Zoning Boundary
- Railroads

100 200 Feet

1" = 200'

ZONING EXHIBIT B

ZONING CASE#: C14-2016-0096



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.

Created 09/22/16