ORDINANCE NO. 20180201-096

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 7600, 7602, 7604, 7608, 7610, 7614, AND 7616 BENNETT AVENUE IN THE ST. JOHN’S NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO NEIGHBORHOOD COMMERCIAL-MIXED USE - NEIGHBORHOOD PLAN (LR-MU-NP) 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 family residence-neighborhood plan (SF-3-NP) combining district to neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district on the property described in Zoning Case No. C14-2017-0086, on file at the Planning and Zoning Department, as follows:

A 0.4807 acre (20,938 square feet), being a portion of Lots 1-9, Block 25 of St. John’s College Addition, a subdivision recorded in Volume 4, Page 71, of the Plat Records of Travis County, Texas, said Lots 1-9 having been conveyed to Victory Christian Center of Austin, Inc., in Document Nos. 2006104852, 2006220474, 2007101311, 2007213004, 2009062444, 2010043725 and 2010098560, all of the Official Public Records of Travis County, Texas, said 0.4807 acre being more particularly described by metes and bounds in Exhibit “A” incorporated into this ordinance (the “Property”),

locally known as 7600, 7602, 7604, 7608, 7610, 7614, and 7616 Bennett Avenue in the City of Austin, Travis County, Texas, generally identified in the map attached as Exhibit “B”.

PART 2. The Property is subject to Ordinance No. 20120426-101 that established zoning for the St. John’s Neighborhood Plan.
PART 3. This ordinance takes effect on February 12, 2018.

PASSED AND APPROVED

February 1, 2018

Steve Adler
Mayor

APPROVED: Anne L. Morgan
City Attorney

ATTEST: Jannette S. Goodall
City Clerk
EXHIBIT "__"

Lots 1-9, Block 25, St. John's College Addition

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.4807 ACRE (20,938 SQUARE FEET), BEING A PORTION OF LOTS 1-9, BLOCK 25 OF ST. JOHN'S COLLEGE ADDITION, A SUBDIVISION RECORDED IN VOLUME 4, PAGE 71 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.T.), SAID LOTS 1-9 HAVING BEEN CONVEYED TO VICTORY CHRISTIAN CENTER OF AUSTIN, INC., IN DOCUMENT NOS. 2006104852, 2006220474, 2007101311, 2007213004, 2009062444, 2010043725 AND 2010098560, ALL OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, (O.P.R.T.C.T.), SAID 0.4807 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a 1/2-inch iron rod found at the intersection of the east right-of-way line of Bennett Avenue (right-of-way varies) with the south right-of-way line of U.S. Highway 183 (right-of-way varies), and being the northwest corner of Lot 9, Block 26 of said St. John's College Addition;

THENENCE, with the south right-of-way line of said U.S. Highway 183, in part over and across said Bennett Avenue, and in part with the north line of Lot 9 of said Block 25 of St. John's College Addition, N62°40'08"W, a distance of 180.34 feet to a calculated point for the northeast corner and POINT OF BEGINNING hereof;

THENENCE, leaving the south right-of-way line of said U.S. Highway 183 and the north line of Lot 9 of said Block 25 of St. John's College Addition, S27°22'54"W, a distance of 47.53 feet to a calculated point for an interior ell-corner hereof, said point being in the common line of Lots 8 and 9 of said Block 25 of St. John's College Addition;

THENENCE, with the common line of Lots 8 and 9 of said Block 25 of St. John's College Addition, S62°40'08"E, a distance of 10.89 feet to a calculated point for an exterior ell-corner hereof, from which a 1/2-inch iron rod found at the common east corner of Lots 8 and 9 of said Block 25 of St. John's College Addition, and being in the east line of a called 655 square foot tract dedicated for right-of-way purposes to the City of Austin in Volume 5052, Page 2375 of the Deed Records of Travis County, Texas (D.R.T.C.T.) bears, S62°40'08"E, a distance of 119.30 feet;

THENENCE, leaving the common line of Lots 8 and 9 of said Block 25 of St. John's College Addition, over and across Lot 8 of said Block 25 of St. John's College Addition, S27°22'54"W, a distance of 49.98 feet to a calculated point for an exterior ell-corner hereof, said point being in the common line of Lots 7 and 8 of said Block 25 of St. John's College Addition;

THENENCE, with the common line of Lots 7 and 8 of said Block 25 of St. John's College Addition, S62°40'08"E, a distance of 4.20 feet to a calculated point for an exterior ell-corner hereof;

THENENCE, leaving the common line of Lots 7 and 8 of said Block 25 of St. John's College Addition, over and across Lots 1-7 of said Block 25 of St. John's College Addition, S27°22'54"W, a distance of 349.87 feet to a calculated point for the southeast corner hereof, said point being in the north right-of-way of Wheatley Avenue (50' right-of-way), and being in the south line of said Lot 1, from which a 1/2-inch iron rod with "McGray" cap found at the intersection of the north right-of-way line of said Wheatley Avenue with the west right-of-way line of said Bennett Avenue, and being the southeast corner of said Lot 1 bears, S62°40'08"E, a distance of 115.14 feet;

Exhibit A

P:\00617\Metes & Bounds & Certifications\00617_zoning overall.docx  Page 1 of 2
THENCE, with the north right-of-way line of said Wheatley Avenue and the south line of said Lot 1, N62°40'08"W, a distance of 48.87 feet to a calculated point for the southwest corner hereof, said point being in the east line of Lot 1 of Bridge Creek Section III-A, a subdivision recorded in Volume 87, Page 198C (P.R.T.C.T.), and being at the northwest terminus of said Wheatley Avenue, and being the southwest corner of Lot 1 of said Block 25 of St. John's College Addition;

THENCE, with the east line of Lot 1 of said Bridge Creek Section III-A and the west line of said Block 25 of St. John's College Addition, N27°22'54"E, a distance of 447.37 feet to a TxDot Type II brass disc found for the northwest corner hereof, said point being in the south right-of-way line of said U.S. Highway 183, and being the northeast corner of Lot 1 of said Bridge Creek Section III-A, and being the northwest corner of Lot 9 of said Block 25 of St. John's College Addition, from which a TxDot Type III aluminum cap found at a corner in the south right-of-way line of said U.S. Highway 183, and being a corner in the north line of Lot 1 of said Bridge Creek Section III-A bears, N62°31'07"W, a distance of 388.58 feet;

THENCE, with the south right-of-way line of said U.S. Highway 183 and north line of Lot 9 of said Block 25 of St. John’s College Addition, S62°40'08"E, a distance of 33.78 feet to the POINT OF BEGINNING and containing 0.4807 Acre (20,938 Square Feet) more or less.

Notes:
All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203); all distances were adjusted to surface using a combined scale factor of 1.000083787030. See attached sketch (reference drawing: 00617_zoning overall.dwg.)

6/28/2017
Steven M. Duarte, RPLS #5940
4Ward Land Surveying, LLC

REFERENCES:
TCAD #s 234112-234118
COA GRID L28
U.S. HIGHWAY 183
(R.O.W. VARIES)

LOT 9
BLOCK 26

LOT 8 [B]

LOT 7 [C]

LOT 6

LOT 5
COLLEGE
ADDITION

LOT 4

LOT 3 [E]

LOT 2 [F]

LOT 1 [G]

0.4807 ACRE
ZONING TRACT
City of Austin,
Travis County, Texas

ZONING TRACT
0.4807 ACRE(S)
20,938 SQUARE FEET

BENNET AVENUE (R.O.W. VARIES)
VICTORY CHRISTIAN CENTER OF AUSTIN, INC.
DOC. NO. 2010098560
O.P.R.T.C.T.

VICTORY CHRISTIAN CENTER OF AUSTIN, INC.
DOC. NO. 2009062444
O.P.R.T.C.T.

VICTORY CHRISTIAN CENTER OF AUSTIN, INC.
DOC. NO. 2007110311
O.P.R.T.C.T.

WHEATLEY AVENUE
(50' R.O.W.)
CALLED 655 SQ. FT.
R.O.W. DEDICATION
VOL. 5052, PG. 2375
D.R.T.C.T.

0.4807 ACRE
ZONING TRACT
City of Austin,
Travis County, Texas

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<tr>
<td>L6</td>
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LEGEND

PROPERTY LINE
EXISTING PROPERTY LINES
EXISTING EASEMENTS
1/2" IRON ROD FOUND
1/2" IRON PIPE FOUND
IRON ROD WITH "MCGRAW" CAP FOUND
TXDOT TYPE III ALUMINUM CAP FOUND
TXDOT TYPE II BRASS DISC FOUND
CALCULATED POINT
BOLT FOUND
DOCUMENT NUMBER
POINT OF BEGINNING
POINT OF COMMENCEMENT
VOLUME, PAGE
RIGHT-OF-WAY
PLAT RECORDS, TRAVIS COUNTY, TEXAS
OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
RECORD INFORMATION PER PLAT VOL. 4, PG. 71
RECORD INFORMATION PER PLAT VOL. 87, PG. 1980

NOTES:
1) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83.
   ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000083787030.
2) SEE ATTACHED METES AND BOUNDS DESCRIPTION.