

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2111 FORT VIEW ROAD FROM NEIGHBORHOOD OFFICE-MIXED USE-CONDITIONAL OVERLAY (NO-MU-CO) COMBINING DISTRICT AND FAMILY RESIDENCE (SF-3) 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 neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district and family residence (SF-3) district to limited office-mixed use-conditional overlay (LO-MU-CO) combining district on the property described in Zoning Case No. C14-2019-0040, on file at the Planning and Zoning Department, as follows:

Lot 1, Goodnight and Pearson Addition Subdivision, a subdivision in Travis County, Texas, according to the map or plat of record in Volume 5, Page 28, Plat Records of Travis County, Texas, and

A 0.067 acre tract of land (approximately 2,902 square feet) in the Charles H. Riddle Survey No. 19, Abstract No. 676, Travis County, Texas, said 0.067 acre of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (cumulatively referred to as the "Property"),

locally known as 2111 Fort View Road 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:

Civic and commercial vehicular access from the Property to Fort View Road is prohibited, except for pedestrian, bicycle and emergency ingress and egress. All other vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

**PART 3.** Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the limited office

1 (LO) base district, mixed use (MU) combining district and other applicable requirements of  
2 the City Code.

3  
4 **PART 4.** This ordinance takes effect on \_\_\_\_\_, 2019.

5  
6 **PASSED AND APPROVED**

7  
8 §  
9 §  
10 \_\_\_\_\_, 2019 § \_\_\_\_\_  
11 Steve Adler  
12 Mayor

13  
14  
15 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
16 Anne L. Morgan Jannette S. Goodall  
17 City Attorney City Clerk  
18



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

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

3500 McCall Lane  
Austin, Texas 78744

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**0.067 ACRES ZONING DESCRIPTION  
CITY OF AUSTIN, TRAVIS COUNTY**

A DESCRIPTION OF 0.067 ACRES (APPROXIMATELY 2,902 SQ. FT.) IN THE CHARLES H. RIDDLE SURVEY NO. 19, ABSTRACT NO. 676, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT A, BARTON MARKET SQUARE SECTION TWO-A, A SUBDIVISION OF RECORD IN VOLUME 82, PAGE 241 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO EVEANN INVESTMENTS, L.P., IN A CORRECTION WARRANTY DEED TO SECURE ASSUMPTION DATED AUGUST 11, 1999 AND RECORDED IN DOCUMENT NO. 199914680 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, ALSO BEING A PORTION OF TRACT 1, BARTON MARKET SQUARE SECTION TWO, A SUBDIVISION OF RECORD IN VOLUME 76, PAGE 157 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID PORTION OF TRACT 1 BEING DESCRIBED AS 0.1582 ACRES CONVEYED TO EVEANN INVESTMENTS, LP, IN A WARRANTY DEED DATED AUGUST 31, 1999 AND RECORDED IN DOCUMENT NO. 1999144681 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.067 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a TXDOT type II disk found in the northeast right-of-way of West Ben White Boulevard (right-of-way width varies), being the south corner of said 0.1582 acre tract, also being in the southeast line of said Tract 1 and also being the west corner of Lot 22, Goodnight and Pearson Addition, a subdivision of record in Volume 5, Page 28 of the Plat Records of Travis County, Texas;

**THENCE** North 62°26'40" West, with the northeast right-of-way line of West Ben White Boulevard, same being the southwest line of the 0.1582 acre tract and crossing Tract 1, a distance of 10.17 feet to a calculated point, from which a TXDOT type II Disk found for the intersection of the northeast right-of-way of West Ben White Boulevard and the southeast right-of-way line of Victory Drive (70' right-of-way width), described in Volume 82, Page 241 of the Plat Records of Travis County, Texas and also being an angle point in the southwest line of the 0.1582 acre tract, bears North 62°26'40" West, a distance of 131.12 feet;

**THENCE** crossing Tract 1, the 0.1582 acre tract and said Lot A, the following two (2) courses and distances:

1. North 37°56'51" East, a distance of 269.31 feet to a calculated point;
2. North 37°27'28" East, a distance of 21.76 feet to a calculated point in the

**EXHIBIT "A"**

northeast line of Lot A, same being the southwest line of Lot B, said Barton Market Square Section Two-A, from which a 1/2" rebar found in the southeast right-of-way of Victory Drive, being the north corner of Lot A and also being the west corner of said Lot B, bears North 52°11'45" West, a distance of 155.30 feet;

**THENCE** South 52°11'45" East, with the northeast line of Lot A, same being the southwest line of Lot B, a distance of 10.00 feet to a 1/2" rebar with "Terra Firma" cap found for the east corner of Lot A, same being the south corner of Lot B and also being in the northwest line of Lot 13, Sims Subdivision, a subdivision of record in Volume 4, Page 295 of the Plat Records of Travis County, Texas:

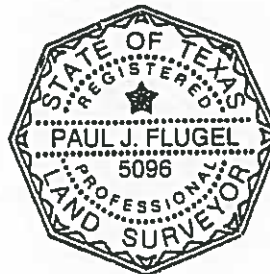
**THENCE** South 37°27'28" West, with the southeast line of Lot A, same being the northwest line of said Lot 13, a distance of 21.74 feet to a 5/8" iron pipe found for the north termination of Fort View Road (50' right-of-way width), described in Volume 4, Page 295 and Volume 5, Page 28, both of the Plat Records of Travis County, Texas, being an angle point in the southeast line of Lot A and also being the west corner of said Lot 13;

**THENCE** South 37°56'51" West, continuing with the southeast line of Lot A, same being the northwest termination of Fort View Road, at a distance of 49.89 feet passing a 1/2" rebar with "Terra Firma" cap found for the west termination of Fort View Road, being the north corner of Lot 1, said Goodnight and Pearson Addition, continuing with the southeast line of Lot A, same being the northwest lines of said Lot 1 and said Lot 22, a total distance of 267.52 feet to the **POINT OF BEGINNING**, containing 0.067 acres of land, more or less.

Surveyed on the ground May 11, 2018. 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 122-005-Z1.

*Paul J. Flugel 4-17-19*

Paul J. Flugel  
Registered Professional Land Surveyor  
State of Texas No. 5096  
T.X.B.P.L.S. Firm No. 10124500



TCAD # 308376 & 308380  
Austin Grid G19

SKETCH TO ACCOMPANY A DESCRIPTION OF 0.067 ACRES (APPROXIMATELY 2,902 SQ. FT.) IN THE CHARLES H. RIDDLE SURVEY NO. 19, ABSTRACT NO. 676, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT A, BARTON MARKET SQUARE SECTION TWO-A, A SUBDIVISION OF RECORD IN VOLUME 82, PAGE 241 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO EVEANN INVESTMENTS, L.P., IN A CORRECTION WARRANTY DEED TO SECURE ASSUMPTION DATED AUGUST 11, 1999 AND RECORDED IN DOCUMENT NO. 199914680 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, ALSO BEING A PORTION OF TRACT 1, BARTON MARKET SQUARE SECTION TWO, A SUBDIVISION OF RECORD IN VOLUME 76, PAGE 157 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID PORTION OF TRACT 1 BEING DESCRIBED AS 0.1582 ACRES CONVEYED TO EVEANN INVESTMENTS, LP, IN A WARRANTY DEED DATED AUGUST 31, 1999 AND RECORDED IN DOCUMENT NO. 1999144681 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N62°26'40"W	10.17'
L2	N37°27'28"E	21.76'
L3	S52°11'45"E	10.00'
L4	S37°27'28"W	21.74'

#### LEGEND

- <sup>TF</sup> 1/2" REBAR WITH "TERRA FIRMA" CAP FOUND
- 1/2" REBAR FOUND (OR AS NOTED)
- ⊙ 5/8" IRON PIPE FOUND
- ⊙ TxDOT TYPE II DISK FOUND
- △ CALCULATED POINT
- ( ) RECORD INFORMATION

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)

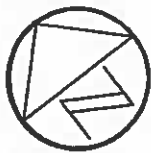
ATTACHMENTS: METES AND BOUNDS DESCRIPTION 122-005-Z1

*Chaparra*



*Paul J. Flugel*

DATE OF SURVEY: 05/11/18  
 PLOT DATE: 04/16/19  
 DRAWING NO.: 122-005-Z1  
 PROJECT NO.: 122-005  
 T.B.P.L.S. FIRM NO. 10124500  
 DRAWN BY: JDB  
 SHEET 1 OF 2



1" = 40'

LOT B  
BARTON MARKET SQUARE  
SECTION TWO-A  
(82/241)

S52°11'45"E 165.30'  
(S50°29'E 165.14')

N52°11'45"W 155.30'

LOT 13  
SIMS SUBDIVISION  
(4/295)

LOT A  
BARTON MARKET  
SQUARE  
SECTION TWO-A  
(82/241)

FORT VIEW ROAD  
(50' R.O.W. WIDTH)  
(4/295) (5/28)

VICTORY DRIVE  
(70' R.O.W. WIDTH)  
(82/241)

0.067 ACRES  
APPROX. 2,902 SQ. FT.

EVEANN  
INVESTMENTS, LP  
(1999144680)

LOT 1  
GOODNIGHT &  
PEARSON ADDITION  
(5/28)

N37°56'51"E 269.31'

217.63'

S37°56'51"W 267.52'  
(S40°04'W)

LOT 22  
GOODNIGHT &  
PEARSON ADDITION  
(5/28)

EVEANN  
INVESTMENTS, LP  
0.1582 ACRES  
(1999144681)

PORTION  
OF TRACT 1  
BARTON MARKET  
SQUARE SECTION TWO  
(76/157)

N62°26'40"W 131.12'  
N62°26'40"W 141.28'  
(N62°34'07"W 141.44')

W BEN WHITE BOULEVARD  
(R.O.W. WIDTH VARIES)

DATE OF SURVEY: 05/11/18  
PLOT DATE: 04/16/19  
DRAWING NO.: 122-005-Z1  
PROJECT NO.: 122-005  
T.B.P.L.S. FIRM NO. 10124500  
DRAWN BY: JDB  
SHEET 2 OF 2

Chaparra



**Created: 5/7/2019**