

ZONING CHANGE REVIEW SHEET

CASE: C14-2019-0097 (Abhyas Kendra 1 Inc. - Part 2)

Z.A.P. DATE: September 3, 2019

ADDRESS: 12636 Research Boulevard South Bound, Building C, Suite C-108

DISTRICT AREA: 10

APPLICANT: City of Austin - Planning and Zoning Department (Sherri Sirwaitis)

ZONING FROM: LR

TO: GR

AREA: 0.0307 acres (1,338 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant GR, Community Commercial District, zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

**September 3, 2019: Approved staff's recommendation of GR zoning by consent (9-0);
A. Denkler-1st, E. Goff-2nd.**

ISSUES:

This is a City initiated rezoning case from LR to GR for 12636 Research Boulevard. The staff is rezoning this property to correct a longstanding error on the zoning map that inadvertently resulted in a downzoning of a portion of this property to LR in August 2016 through Ordinance No. 20160811-054.

It appears that the GR-CO zoning that was approved by the City Council on January 10, 1991 was inaccurately applied to only the two westernmost buildings on the property. Therefore, the zoning map retained the original LO zoning on the remaining portion of the site for 27+ years. CTM corrected the GIS zoning layer to apply GR-CO zoning to the property as spelled out in the 1991 ordinance (Ordinance No. 910110-M). However, case C14-2016-0036 was filed and processed in mid-2016 when the zoning map incorrectly showed LO zoning for this property. The 2016 rezoning case accidentally resulted in a downzoning of the property to LR.

Property Rezoning History:

- Ordinance 870219-B rezoned portion of middle building 27.5ft from north side from LO to CS-1.
- Ordinance 880915-D rezoned units in north and middle building from LO to GR-CO.
- Ordinance 910110-M rezoned all buildings to GR-CO, with the exception of portions of middle building currently zoned CS-1. All LR uses permitted with Medical Office, Restaurant, General Retail Sales, Communication Services, Business Support Services and Business and Trade School. **This appears to be when the map error occurred because this change is not reflected on any maps going forward.**
- Ordinance 20110113-050 rezoned (North) Building C, Unit 109 from GR-CO to CS-1 (approximately 38.05ft x 69.62ft.)

- Ordinance 20160811-054 rezoned (North) Building C, Unit 108 from LO to LR. **This rezoning appears to have inadvertently been a downzoning due to the map error.**

The staff is recommending a rezoning of this small 1,338 sq. ft. area to GR to correct the mapping/rezoning errors on this site.

DEPARTMENT COMMENTS:

The property in question is currently a suite in a commercial shopping center, which fronts U.S. Highway 183 North. The staff is recommending GR zoning to correct a mapping and re-zoning error. The property meets the intent of the Community Commercial district. This tract of land fronts onto a major arterial roadway, Research Boulevard (U.S. Highway 183) and has access to Jollyville Road and the south bound service road for U.S. Highway 183. The proposed rezoning will be compatible with surrounding land uses as there are office, retail and restaurant uses to the north, south, east and west of the site. The GR district would allow the applicant to utilize a vacant suite within an existing shopping center structure to allow for additional commercial services on the site. More intensive zoning is appropriate for a retail center located on a major retail highway within an area of concentrated commercial and retail development.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO	Suite within Existing Retail Center (North Brooke Shopping Center: Best Brains Learning Center)
<i>North</i>	LO	North Brooke Shopping Center: Karate
<i>South</i>	LO, GR-CO	North Brooke Shopping Center: Mind Body Yoga Studio, Massage Therapy, Kung Fu & Self Defense Studio, Kanji Ramen Restaurant
<i>East</i>	GR, LO, GR-CO	North Brooke Shopping Center: Smoke Shop, Massage
<i>West</i>	LO	Office Building

AREA STUDY: N/A

TIA: Not Required

WATERSHED: Walnut Creek

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Bike Austin
 Bull Creek Foundation
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Laurel Oaks Neighborhood Association
 Long Canyon Homeowners Association
 Mountain Neighborhood Association
 Neighborhood Empowerment Foundation
 North Oaks Neighborhood Association
 Northwest Austin Coalition
 SELTEXAS

Sierra Club, Austin Regional Group
TNR BCP- Travis County Natural Resources

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2016-0036 (Abhyas Kendra 1 Inc.: Best Brains Franchise – Tutoring Center, 12636 Research Boulevard South Bound, Building C, Suite C-108)	LO to LR	6/21/16: Approved staff's recommendation for LR zoning by consent (11-0); A. Denkler-1 st , G. Rojas-2 nd .	8/11/16: The public hearing was conducted and a motion to close the public hearing and approve Ordinance 20160811-054 for neighborhood commercial (LR) district zoning was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.
C14-2010-0176 (12636 Research Suite 109)	GR-CO to CS-1	12/07/10: Approved staff's rec. of CS-1 zoning on consent (5-0, Seeger, Tiemann-absent); Baldrige-1 st , Bourgeois-2 nd .	1/13/11: Approved CS-1 zoning on consent on all 3 readings (7-0); Spelman-1 st , Morrison-2 nd .
C14-05-0060	GR-CO to CS-1-CO	6/21/05: Postponed indefinitely at the applicant's request (8-0, K. Jackson-absent); J. Martinez-1 st , J. Gohil-2 nd . 12/21/05: Case expired.	N/A
C14-99-0099	SF-3 to LI	6/29/99: Approved staff's alternate rec. of LI-CO, w/ 2,000 vtpd limit, by consent (8-0)	7/29/99: Approved PC rec. of LI-CO (6-0); all 3 readings
C14-98-0143	GR to CS-1	11/17/98: Approved LO (TR1) and CS-1-CO (TR2), prohibit Adult Oriented uses and limit development to 2,000 vtpd, by consent (9-0)	1/7/99: Approved PC rec. of LO (TR1) and CS-1-CO (TR2) w/conditions (7-0); 1 st reading 4/8/99: Approved retaining LO (TR1) and CS-CO on (TR2); (6-0); 2 nd /3 rd readings
C14-96-0144	I-SF-2 to CS	1/28/97: Approved staff alternate rec. of GR-CO, w/ 2,000 vtpd limit (7-0)	2/27/97: Approved PC rec. of GR-CO (7-0); 1 st reading 4/10/97: Approved GR-CO (7-0); 2 nd /3 rd readings
C14-94-0045	LO to CS-CO	6/7/94: CS not recommended (5-0)	7/14/94: Postponed for 6 months to January 1995 by applicant (7-0) 3/31/05: Case expired
C14-93-0053	SF-2 to GR	5/18/93: Approved GR (7-0)	5/20/93: Approved GR (7-0); all 3 readings

C14-92-0105	LO to LR	11/10/92: Approved LR-CO; prohibiting Consumer Repair Services, Consumer Convenience Services, Food Sales, General Retail Sales (Convenience), Off-site accessory parking, Personal Services, Pet Services, Restaurant (Limited), Service Station, College and University Facilities, and Guidance Services	12/3/93: Approved LR-CO on all 3 readings
C14-92-0045	SF-2 to GR-MU	7/7/92: Approved GR-MU	7/9/92: Approved GR-MU on all 3 readings
C14-90-0076	LO, GR, GR-CO	12/18/90: Approved GR-CO, permit all LR uses and Medical Offices, Restaurant (General), General Retail Sales (General), Communication Services, Personal Improvement Services, Business Support Services, and Business or Trade School, by consent (5-0)	1/10/91: Approved GR-CO (7-0); all 3 readings

RELATED CASES: C14-2016-0036
C14-2010-0176
C14-90-0076

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
Research Boulevard (US Hwy 183)	Varies	Varies	Highway
Jollyville Road	90'	60'	Arterial

CITY COUNCIL DATE: **October 3, 2019**

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 512-974-3057,
sherri.sirwaitis@ci.austin.tx.us

STAFF RECOMMENDATION

The staff's recommendation is to grant GR, Community Commercial District, zoning.

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Community Commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major traffic ways.

This tract of land is located with a retail center that takes access to two arterial roadways, U.S. Highway 183 North and Jollyville Road.

2. *Zoning changes should promote an orderly and compatible relationship among land uses.*

The proposed rezoning will be compatible with surrounding land uses because there are commercial, retail and restaurant uses to the south and east of the site within this retail center.

3. *Zoning should allow for reasonable use of the property.*

The proposed re-zoning to the GR district would allow the applicant to utilize a vacant suite within an existing retail shopping center to develop new commercial uses on the site.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is a suite in an existing retail center (North Brooke Shopping Center) that is developed with a personal improvement services use (Best Brains Learning Center). The retail center currently contains personal services uses, personal improvement services uses, restaurant uses, a liquor store and commercial retail uses.

Comprehensive Planning

Please note: This rezoning was initiated by the City of Austin to correct a staff mapping error on a previous rezoning request, when the property was mistakenly downzoned to Zone LR from Zone GR-CO in August 2016.

This zoning case is located on the south side of Research Blvd., on a .032 acre portion of a larger 3.57 acre parcel, which contains a shopping center with a variety of restaurants and retail shops. The property is not located within the boundaries of a neighborhood planning area. Surrounding land uses include US Hwy 183 to the north; residential uses to the south (off of Jollyville Road); and retail and commercial uses to the east and west. The City initiated request is to rezone an existing commercial bay back to Zone GR-CO as part of a mapping correction.

Imagine Austin

The property is located along an Activity Corridor and by a Neighborhood Center, both which support a variety of commercial uses. Based on the adjoining commercial uses, and the comparative scale of the existing retail bay in relation to this existing shopping center, this rezoning supports the Imagine Austin Comprehensive Plan.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site.

At this time, no information has been provided as to whether this property has any ls that preempt current water quality or Code requirements.

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

FYI: Additional design regulations will be enforced at the time a site plan is submitted.

Compatibility Standards

The site is subject to compatibility standards due to proximity of SF-3 and SF-2 to the southwest and south, respectively. The following standards apply:

- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or may not be constructed 50 feet or less from property in an SF-5 or more restrictive zoning district.

Transportation

FYI: Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be

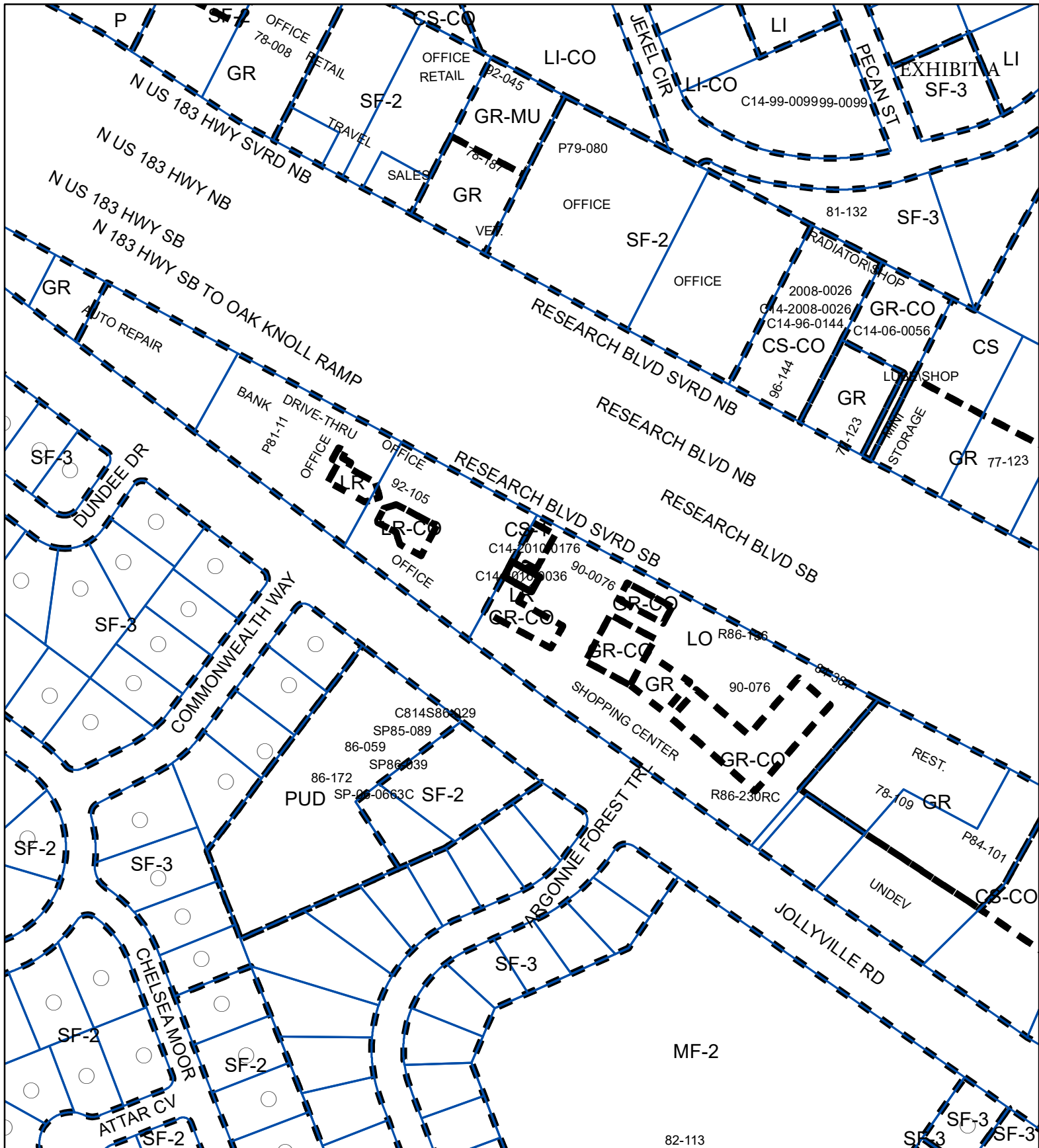
FYI: The Austin Strategic Mobility Plan calls for 104 feet of right of way. At time of site plan, additional right of way dedication may be required.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Jollyville Road	~90'	~60'	Arterial	No	Yes	No
Research Blvd (183)	~335'	Highway	Highway	No	Yes	No

Water and Wastewater

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fees once the landowner makes an application for Austin Water utility tap permits.



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2019-0097

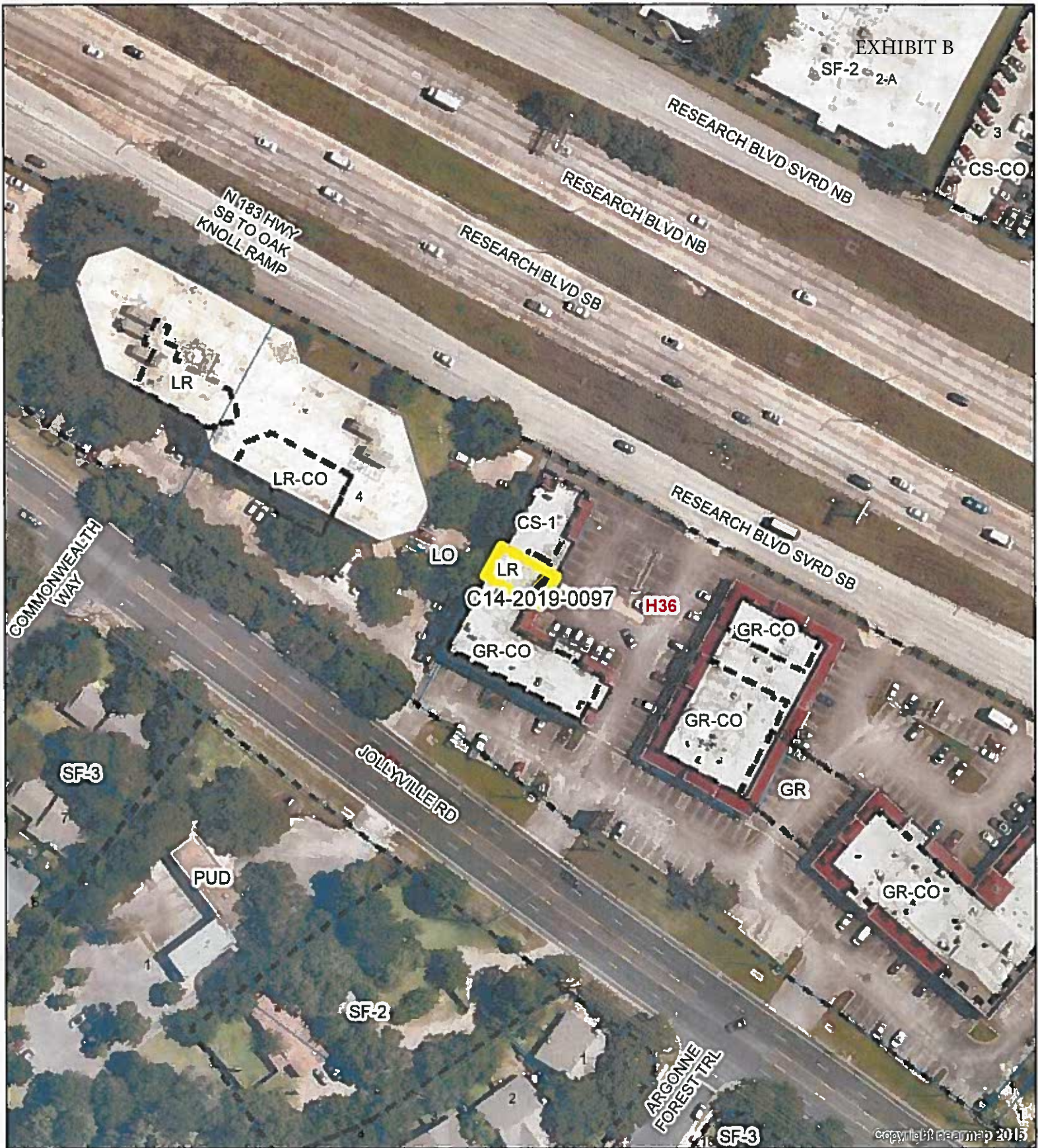
1" = 200'

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: 7/29/2019



ABHYAS KENDRA 1 INC. - PART 2 (CITY INITIATED)

ZONING CASE#: C14-2019-0097

LOCATION: 12636 RESEARCH BLVD

SUBJECT AREA: .0319 ACRES

GRID: H36

MANAGER: Sherri Sirwaitis

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made.



N



1" = 100'

- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE
- CREEK BUFFER

CITY OF AUSTIN, TEXAS

ORDINANCE NO. 910110- M

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1981 AS FOLLOWS:

TRACT 1: 9,600 SQUARE FOOT TRACT OF LAND OUT OF LOT 1, HOWARD ADDITION TWO SUBDIVISION, FROM "LO" LIMITED OFFICE DISTRICT AND "GR-CO" COMMUNITY COMMERCIAL DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT TO "GR-CO" COMMUNITY COMMERCIAL DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT; AND,

TRACT 2: 11,200 SQUARE FOOT TRACT OF LAND OUT OF LOT 1, HOWARD ADDITION TWO SUBDIVISION, SAVE AND EXCEPT A 2,200 SQUARE FOOT TRACT OF LAND, FROM "LO" LIMITED OFFICE DISTRICT, "GR" COMMUNITY COMMERCIAL DISTRICT AND "GR-CO" COMMUNITY COMMERCIAL DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT TO "GR-CO" COMMUNITY COMMERCIAL DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT; AND,

TRACT 3: 18,420 SQUARE FOOT TRACT OF LAND OUT OF LOT 1, HOWARD ADDITION TWO SUBDIVISION, FROM "LO" LIMITED OFFICE DISTRICT AND "GR" COMMUNITY COMMERCIAL DISTRICT TO "GR-CO" COMMUNITY COMMERCIAL DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT,

LOCALLY KNOWN AS 12636 RESEARCH BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Chapter 13-2 of the Austin City Code of 1981 is amended to change the respective base zoning districts and to establish a Conditional Overlay combining district on all of the property described in File C14-90-0076, as follows:

Tract 1: From "LO" Limited Office district and "GR-CO" Community Commercial district-Conditional Overlay combining district to "GR-CO" Community Commercial district-Conditional Overlay combining district.

9,600 square foot tract of land out of the Lot 1, Howard Addition Two Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 84, Page 78D, of the Plat Records of Travis County, Texas, said 9,600 square foot tract of land being more particularly described by metes and bounds in "Exhibit A" attached and incorporated herein for all purposes.

Tract 2: From "LO" Limited Office district, "GR" Community Commercial district and "GR-CO" Community Commercial district-Conditional Overlay combining district to "GR-CO" Community Commercial district-Conditional Overlay combining district.

11,200 square foot of land out of the Lot 1, Howard Addition Two Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 84, Page 78D, of the Plat Records of Travis County, Texas, Save and Except a 2,200 square foot tract of land, said 11,200 square foot tract of

land being more particularly described by metes and bounds in "Exhibit B" attached and incorporated herein for all purposes.

Tract 3: From "LO" Limited Office district and "GR" Community Commercial district to "GR-CO" Community Commercial district-Conditional Overlay combining district.

18,420 square foot tract of land out of the Lot 1, Howard Addition Two Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 84, Page 78D, of the Plat Records of Travis County, Texas, said 18,420 square foot tract of land being more particularly described by metes and bounds in "Exhibit C" attached and incorporated herein for all purposes.

locally known as 12636 Research Boulevard, in the City of Austin, Travis County, Texas.

PART 2. All of the property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following condition:

1. Uses of the Property shall be restricted to the following uses: (a) the range of "LR" Neighborhood Commercial district uses that are permitted in the "GR" Community Commercial district as set forth in Sec. 13-2-221 of the Austin City Code, (b) Medical offices, (c) Restaurant (general), (d) General retail sales (general), (e) Communication services, (f) Personal improvement services, (g) Business support services, and (h) Business or trade school.

Except as specifically restricted by this ordinance, the property may be developed and used in accordance with regulations established for the respective base districts and other applicable requirements of the Land Development Code.

PART 3. It is ordered that the Zoning Map established by Sec. 13-2-22 of the Austin City Code of 1981 and made a part thereof shall be changed to record the amendment enacted by this ordinance.

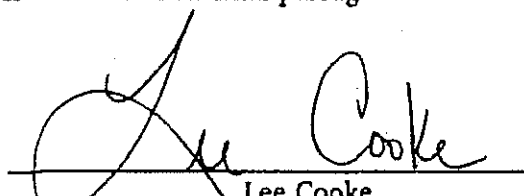
PART 4. The requirement imposed by Section 2-2-3 of the Austin City Code of 1981 that this ordinance be read on three separate days shall be waived by the affirmative vote of five members of the City Council to pass this ordinance through more than one reading on a single vote.

PART 5. This ordinance shall be effective ten days after the date of its final passage.

PASSED AND APPROVED:

January 10, 1991

§
§
§
§


Lee Cooke
Mayor

APPROVED:


Iris J. Jones
City Attorney

ATTEST:


James E. Aldridge
City Clerk

ME/jj

C. CRICHTON & ASSOCIATES
LAND SURVEYORS
1406 THREE POINTS ROAD
PFLUGERVILLE, TEXAS 78660
512-251-4105

FIELD NOTES

FIELD NOTES FOR 9600 SQUARE FEET
OUT OF LOT 1 OF THE HOWARD ADDITION
TWO, A SUBDIVISION RECORDED IN BOOK
84 PG. 78D OF THE TRAVIS COUNTY,
TEXAS PLAT RECORDS. SAID TRACT
BEING MORE PARTICULARLY DESCRIBED
BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at the Southwest corner of said Lot 1, said point also being on the North R.O.W. of Jollyville Road.

THENCE N 30 deg. 45' E with the West line of said Lot 1, 50.50 feet to the Southwest corner of an existing building for the Southwest corner of this tract and the POINT OF BEGINNING.

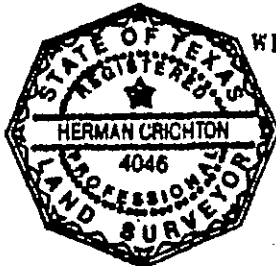
THENCE N 30 deg. 35' E with the West line of Lot 1 and the 160.00 feet to the Northwest corner of this tract.

THENCE through the interior of said Lot 1 with said building the following five (5) courses:

- 1) S 59 deg. 15' E, 40.00 feet to a point for the most Northerly Northeast corner of this tract.
- 2) S 30 deg. 35' W, 120.00 feet to a point for an interior ell corner of this tract..
- 3) S 59 deg. 15' E, 80.00 feet to a point for the most Easterly Northeast corner of this tract..
- 4) S 30 deg. 35' W, 40.00 feet to a point for the Southeast corner of this tract.
- 5) N 59 deg. 15' W, 120.00 feet to the POINT OF BEGINNING and containing 9600 square feet more or less.

I hereby certify that the foregoing field notes were prepared from a survey on the ground, under my supervision and are true and correct to the best of my knowledge and belief.

WITNESS MY HAND AND SEAL THIS THE 8TH DAY OF NOVEMBER, 1990.



Herman Crichton

Herman Crichton, R.P.L.S. #4046

"EXHIBIT A"

CRICHTON & ASSOCIATES
LAND SURVEYORS
1406 THREE POINTS ROAD
PFLUGERVILLE, TEXAS 78660
512-251-4105

FIELD NOTES

**FIELD NOTES FOR 11,200 SQUARE FEET
OUT OF LOT 1 OF THE HOWARD ADDITION
TWO, A SUBDIVISION RECORDED IN BOOK
84 PG. 78D OF THE TRAVIS COUNTY,
TEXAS PLAT RECORDS. SAID TRACT
BEING MORE PARTICULARLY DESCRIBED
BY METES AND BOUNDS AS FOLLOWS:**

COMMENCING at the Southwest corner of said Lot 1, said point
also being on the North R.O.W. of Jollyville Road.

THENCE S 77 deg. 05' 19" E through the interior of said Lot
1, 197.50 feet to the Southwest corner of an existing building for
the Southwest corner of this tract and the **POINT OF BEGINNING**.

THENCE through the interior of said Lot 1 with said building
the following four (4) courses:

- 1) N 30 deg. 35' E, 140.00 feet to a point for the Northwest
corner of this tract.
- 2) S 59 deg. 15' E, 80.00 feet to a point for the Northeast
corner of this tract.
- 3) S 30 deg. 35' W, 140.00 feet to a point for the Southeast
corner of this tract.
- 4) N 59 deg. 15' W, 80.00 feet to the **POINT OF BEGINNING** and
containing 11,200 square feet more or less.

**SAVE AND EXCEPT A 2200 SQUARE FOOT
TRACT OUT OF LOT 1 OF THE
HOWARD ADDITION TWO, A SUBDIVISION
RECORDED IN BOOK 84 PG. 78D OF THE
TRAVIS COUNTY, TEXAS PLAT RECORDS.
SAID TRACT BEING A PORTION OF THE
THE ABOVE DESCRIBED 11,200 SQUARE
FOOT TRACT. BEING MORE PARTICULARLY
DESCRIBED BY METES AND BOUNDS AS
FOLLOWS:**

COMMENCING at the Southwest corner of said Lot 1, said point
also being on the North R.O.W. of Jollyville Road.

"EXHIBIT B"

THENCE S 77 deg. 05' 19" E through the interior of said Lot 1, 197.50 feet to the Southwest corner of an existing building

THENCE N 30 deg. 45' E with the west line of said building, 83.00 feet to the Southwest corner of this tract and the POINT OF BEGINNING.

THENCE N 30 deg. 45' E with the west line of said building, 27.5 feet to the Northwest corner of this tract.

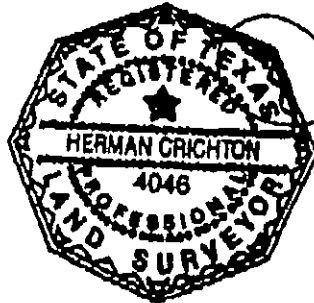
THENCE S 59 deg. 15' E, through the interior of said building, 80.00 feet to the East side of said building for the Northeast corner of this tract.

THENCE S 30 deg. 45' W with the East line of said building, 27.50 feet for the Southeast corner of this tract.

THENCE N 59 deg. 15' W through the interior of said building, 80.00 feet to the POINT OF BEGINNING and containing 2200 square feet more or less for a net area of 9000 square feet.

I hereby certify that the foregoing field notes were prepared from a survey on the ground, under my supervision and are true and correct to the best of my knowledge and belief.

WITNESS MY HAND AND SEAL THIS THE 8TH DAY OF NOVEMBER, 1990.



Herman Crichton
Herman Crichton, R.P.L.S. #4046

C. CRICHTON & ASSOCIATES
LAND SURVEYORS
1406 THREE POINTS ROAD
PFLUGERVILLE, TEXAS 78660
512-251-4105

FIELD NOTES

**FIELD NOTES FOR 18420 SQUARE FEET
OUT OF LOT 1 OF THE HOWARD ADDITION
TWO, A SUBDIVISION RECORDED IN BOOK
84 PG. 78D OF THE TRAVIS COUNTY,
TEXAS PLAT RECORDS. SAID TRACT
BEING MORE PARTICULARLY DESCRIBED
BY METES AND BOUNDS AS FOLLOWS:**

COMMENCING at the Southwest corner of said Lot 1, said point also being on the North R.O.W. of Jollyville Road.

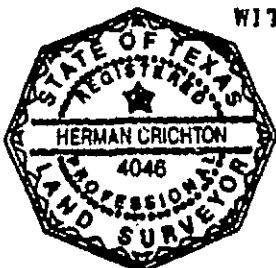
THENCEN 10 deg. 44' 51" E through the interior of said Lot 1, 89.05 feet to the Southeast corner of an existing building for the Southeast corner of this tract and the POINT OF BEGINNING.

THENCE with the face of said building in the interior of said Lot 1 the following six (6) courses:

- 1) N 46 deg. 38' W, 175.00 feet to a point for the Southwest corner of this tract.
- 2) N 43 deg. 22' E, 60.00 feet to a point for the most Westerly Northwest corner of this tract.
- 3) S 46 deg. 38' E, 109.00 feet to a point for an interior ell corner of this tract.
- 4) N 43 deg. 22' E, 120.00 feet to a point for the most Northerly Northwest corner of this tract.
- 5) S 46 deg. 38' E, 86.00 feet to a point for the Northeast corner of this tract.
- 6) S 43 deg. 22' W, 180.00 feet to the POINT OF BEGINNING and containing 18,420 square feet more or less.

I hereby certify that the foregoing field notes were prepared from a survey on the ground, under my supervision and are true and correct to the best of my knowledge and belief.

WITNESS MY HAND AND SEAL THIS THE 8TH DAY OF NOVEMBER, 1990.



A handwritten signature in cursive script, appearing to read "Herman Crichton", written in dark ink.

Herman Crichton, R.P.L.S. #4046

"EXHIBIT C"

ORDINANCE NO. 20160811-054

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 12636 RESEARCH BOULEVARD SOUTH BOUND, BUILDING C, SUITE C-108 FROM LIMITED OFFICE (LO) DISTRICT TO NEIGHBORHOOD COMMERCIAL (LR) 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 neighborhood commercial (LR) district on the property described in Zoning Case No. C14-2016-0036, on file at the Planning and Zoning Department, as follows:

1,388 square feet of land, more or less, out of and a portion of the James D. Goode Survey, Number 30, in Travis County, Texas and being out of and a portion of Lot 1 of "Howard Addition Two" a subdivision recorded in Book 84, Page 78D of the Plat Records of Travis County, Texas, said 1,338 square feet of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 12636 Research Boulevard South Bound, Building C, Suite C-108 in the City of Austin, Travis County, Texas, generally identified in the map attached as Exhibit "B".

PART 2. This ordinance takes effect on August 22, 2016.

PASSED AND APPROVED

August 11, 2016

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§
§

Steve Adler
Mayor

APPROVED:

Anne L. Morgan
City Attorney

ATTEST:

Jannette S. Goodall
City Clerk

**FIELD NOTES - REZONING UNIT C-108
12636 RESEARCH BOULEVARD**

BEING 1338 SQUARE FEET OF LAND, MORE OR LESS, OUT OF AND A PORTION OF THE JAMES D. GOODE SURVEY, NUMBER 30, IN TRAVIS COUNTY, TEXAS AND BEING OUT OF AND A PORTION OF LOT 1 OF "HOWARD ADDITION TWO" A SUBDIVISION RECORDED IN BOOK 84, PAGE 78D OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 1338 SQUARE FEET OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for reference at a 1/2" iron rod found on the existing southerly right-of-way line (ROW Varies) of U.S. Highway No. 183, said point being the west corner of that certain 0.904 of an acre tract of land out of and a portion of said Lot 1 conveyed to the State of Texas in a condemnation proceeding as recorded in Volume 11979, Page 62 of the Real property Records of Travis County, Texas, said point also being the north corner of the remainder of said Lot 1, and being the east corner of the remainder of Lot 4 of the "Anthony Udjur Addition" as recorded in Book 86, Page 76A of the Plat Records of Travis County, Texas, from this point a nail found for the west corner of said Lot 1, same being the south corner of said Lot 4 and being on the northerly right-of-way line of Jollyville Road (100' ROW) bears S 30° 45' 00" W a distance of 223.21 feet; and from this point a 1/2" iron rod found for the east corner of the remainder of said Lot 1 bears S 59° 09' 19" E, along said right-of-way line a distance of 617.62 feet;

THENCE S 30° 45' 00" W (Basis of Bearings), along the common dividing line between said Lots 1 and 4, a distance of 82.22 feet to a calculated point;

THENCE S 59° 15' 00" E, through said Lot 1, a distance of 0.92 feet to a calculated point for the north corner of and **THE TRUE POINT OF BEGINNING** for this rezoning tract of land;

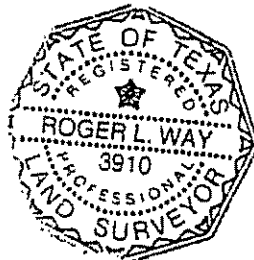
THENCE continuing through said Lot 1 the following four (4) courses and distances to a calculated point at the terminus of each course:

- 1) S 59° 12' 55" E 49.56 feet, the east corner of this tract of land
- 2) S 30° 47' 05" W 27.00 feet, the south corner of this tract of land
- 3) S 59° 12' 55" E 49.56 feet, the west corner of this tract of land, and
- 4) N 30° 47' 05" E 27.00 feet to **THE POINT OF BEGINNING** and containing 1338 square feet of land, more or less, in this rezoning tract of land.

This metes and bounds description is to accompany a survey map of same date.



ROGER L. WAY
R.P.L.S. No. 3910
JOB No. 02B24716-C-108





Date



ALL POINTS SURVEYING
1714 Forview Road, Suite 200, Austin, TX 78704
Telephone: (512) 440-0071 Fax: (512) 440-0199

Exhibit A

SCALE: 1"=40'

PROPOSED RE-ZONING SKETCH

12636 RESEARCH BOULEVARD
(A.K.A. U.S. HIGHWAY 183 - R.O.W. VAURES)
STATE OF TEXAS - VOL 11979, PG. 62

POINT OF
COMMENCEMENT

REMAINDER OF 75' B.L., PLAT

S 59°09'19"E 617.62'

LEGEND

- CONCRETE MONUMENT
- IRON ROD FND.
- ▲ NAIL FND.
- B.L. BUILDING LINE
- D.E. DRAINAGE EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- WWE WASTEWATER EASEMENT

BUILDING C

LOT 1 LESS 0.904 ACRE
HOWARD ADDITION NO. 2

12636 RESEARCH LTD.
DOC.# 2002146829

POINT OF
BEGINNING

S 59°12'55"E
49.56'

SUITE C-108

N 59°12'55"W
49.56'

AREA OF PROPOSED
PROPOSED REZONING
1,338 SQ.FT.

S 30°47'05"W
27.00'

N 30°45'00"E 223.21'
S 30°47'05"W 27.00'

BRIARCROFT TX
INVESTMENTS, LP
DOC.# 2013105378

LOT 4
ANTHONY UJDUR ADDN.
BK. 83, PG. 76A-76B

25' B.L., PLAT

10' P.U.E., PLAT

N 50°14'42"W 162.12'

N 51°30'32"W 122.69'

LINE TABLE

- ① L-S 30°45'00"W 82.22'
- ② L-S 59°15'00"E 0.92'

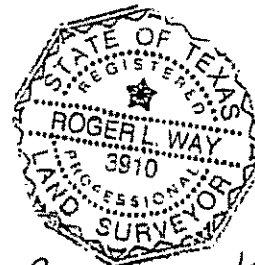
JOLLYVILLE ROAD
(A.K.A. OLD HIGHWAY 183 - 100' R.O.W.)



ALL POINTS SURVEYING

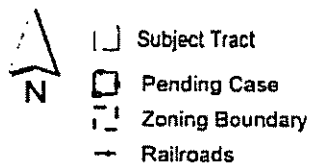
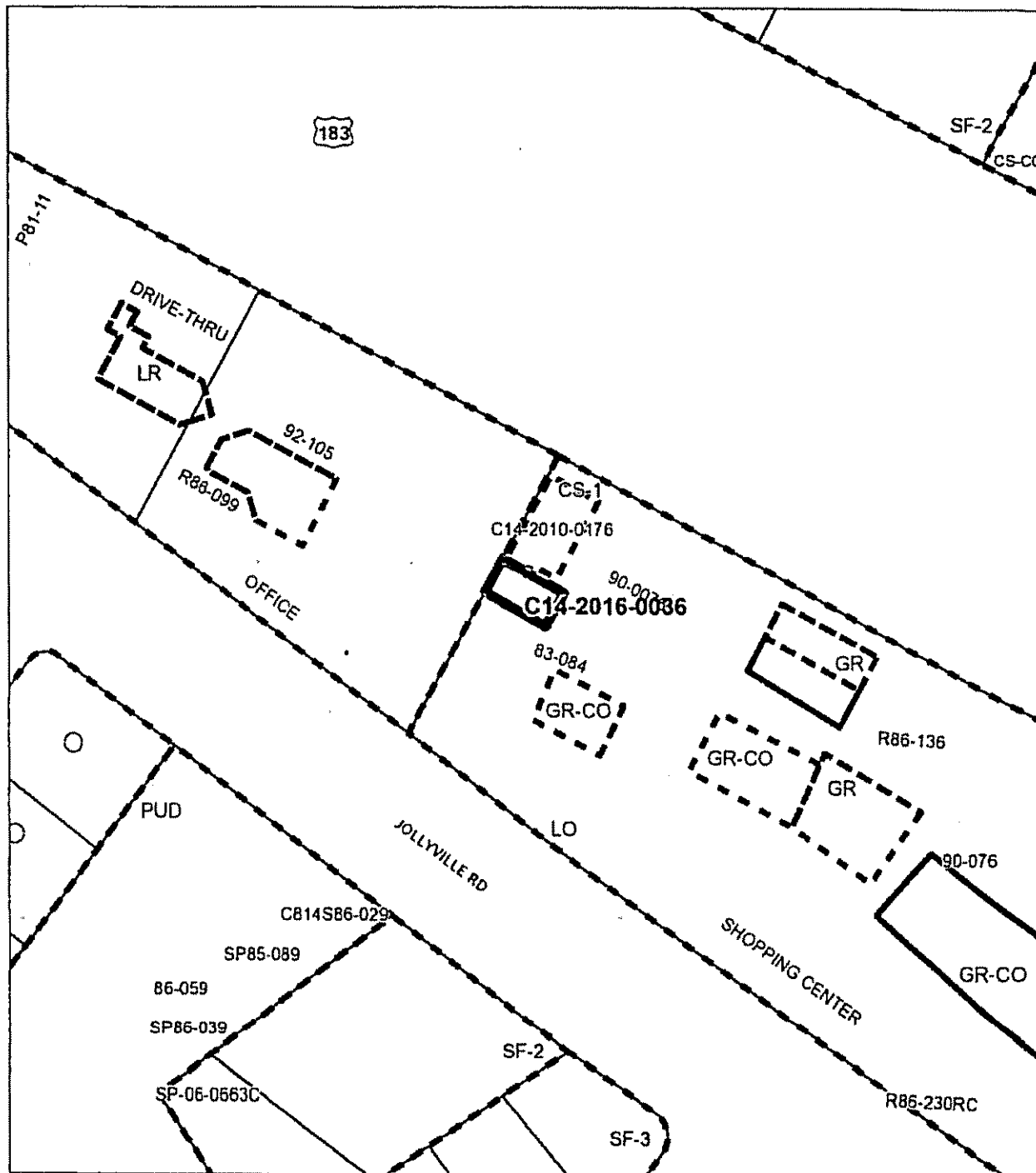
1714 FORTVIEW ROAD - SUITE 200
AUSTIN TX. 78704

TELE.: (512) 440-0071 - FAX: (512) 440-0199
FIRM REGISTRATION # 10118900



Roger L. Way

Date: 02-26-16
Job No. 02B24716



50 100 Feet

1" = 100'

ZONING

ZONING CASE#: C14-2016-0036

Exhibit B



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 05/25/16