

ORDINANCE NO. 20210610-107

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF PLAZA DRIVE AT WEDGEWOOD DRIVE FROM DEVELOPMENT RESERVE (DR) DISTRICT TO NEIGHBORHOOD COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (LR-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 development reserve (DR) district to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district on the property described in Zoning Case No. C14-2021-0026, on file at the Housing and Planning Department, as follows:

4.210 acres of land in the Thomas H. Mays Survey No. 89, Abstract No. 562 and the J.C. Harrelson Survey No. 78, Abstract No. 352 Travis County, Texas, being a portion of that certain called 38.128 acres of land described in a Warranty Deed with Three Vendor's Lien to Big Opp Zone, LLC, recorded in Document No. 2020033183, Official Public Records of Travis County, Texas, said 4.210 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as the Northwest Corner of Plaza Drive at Wedgewood Drive 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:

The following uses are prohibited uses of the Property:

Alternative Financial Services Service Station

PART 3. Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the neighborhood commercial (LR) base district, mixed use (MU) combining district, and other applicable requirements of the City Code.

PART 4. This ordinance takes effect on June 21, 2021.


PASSED AND APPROVED

June 10, 2021

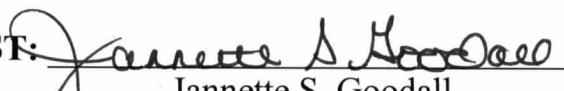
§
§
§


Steve Adler
Mayor

APPROVED:


Anne L. Morgan
City Attorney

ATTEST:


Jannette S. Goodall
City Clerk

FIELD NOTES DESCRIPTION

DESCRIPTION OF 4.210 ACRES OF LAND IN THE THOMAS H. MAYS SURVEY NO. 89, ABSTRACT NO. 562 AND THE J.C. HARRELSON SURVEY NO. 78, ABSTRACT NO. 352, TRAVIS COUNTY, TEXAS; BEING A PORTION OF THAT CERTAIN CALLED 38.128 ACRES OF LAND DESCRIBED IN THE WARRANTY DEED WITH THREE VENDOR'S LIEN TO BIG OPP ZONE, LLC OF RECORD IN DOCUMENT NO. 2020033183, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 4.210 ACRES OF LAND, AS SURVEYED BY LANDDEV CONSULTING, LLC, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the west right-of-way line of Wedgewood Drive, a 60-foot right-of-way as shown on Valley Side Heights, Sec. 1, a subdivision according to the plat or map of record in Volume 7, Page 31, Plat Records of Travis County, Texas, for a point in the north line of the said 38.128 acre tract, same being the southeast corner of Lot 10, Block "N", North Oaks Hillside Section 2-A, a subdivision according to the plat or map of record in Volume 62, Page 10, Plat Records of Travis County, Texas, for the northeast corner and **POINT OF BEGINNING** of the tract described herein, from which a ½-inch iron rod with a plastic cap stamped "CAPITOL SURVEYING" found for reference bears S 20°12'50" W, a distance of 0.22 feet, and also from said calculated point a ½-inch iron rod found in the east right-of-way line of said Wedgewood Drive, at an angle point in the north line of the said 38.128 acre tract, at the northwest corner of Lot 1, Block "H", said Valley Side Heights, Sec. 1, same being the southwest corner of Lot 1, Block "M", North Oaks Hillside Section 2-B, a subdivision according to the plat or map of record in Volume 62, Page 11, Plat Records of Travis County, Texas bears N 35°40'08" E, a distance of 67.20 feet;

THENCE, crossing the said 38.128 acre tract, with the west right-of-way line of said Wedgewood Drive, with the east line of the tract described herein, the following three (3) courses and distances:

1. with the arc of a curve to the left, having a radius of 323.75 feet, an arc distance of 129.36 feet, and a chord which bears S 38°52'20" W, a distance of 128.50 feet to a calculated point of reverse curvature,
2. with the arc of a curve to the right, having a radius of 748.82 feet, an arc distance of 191.25 feet, and a chord which bears S 34°37'18" W, a distance of 190.73 feet to a ½-inch iron rod found at a point-of-tangency, and
3. S 42°01'55" W, a distance of 560.57 feet to a ½-inch iron rod found at a point-of-curvature in the intersecting west right-of-way line of said Wedgewood Drive and the north right-of-way line of Plaza Drive, a 50-foot right-of-way as shown on said Valley Side Heights, Sec. 1, for a point of curvature in the south line of the tract described herein;

THENCE, continuing across the said 38.128 acre tract, with the north right-of-way line of said Plaza Drive, with the south line of the tract described herein, the following four (4) courses and distances:

1. with the arc of a curve to the right, having a radius of 32.81 feet, an arc distance of 35.89 feet, and a chord which bears S 73°23'51" W, a distance of 34.13 feet to a ½-inch iron rod found at a point-of-tangency,
2. N 74°18'09" W, a distance of 25.93 feet to a ½-inch iron rod found at a point-of-curvature,
3. with the arc of a curve to the right, having a radius of 311.37 feet, an arc distance of 113.53 feet, and a chord which bears N 64°56'38" W, a distance of 112.91 feet to a calculated point-of-tangency, and
4. N 54°28'26" W, a distance of 7.09 feet to a calculated point in the west line of the said 38.128 acre tract, and the east line of a certain called 0.832 of one acre tract designated as Plaza Drive and described in the deed to Travis County, Texas of record in Volume 2766, Page 503, Deed Records of Travis County, Texas, and shown as a 60-foot right-of-way on North Oaks, Section 3 Phase 1, a subdivision according to the plat or map of record in Volume 22, Page 35, Plat Records of Travis County, Texas, for an angle point in the north right-of-way line of said Plaza Drive, for the southwest corner of the tract described herein, from which a ½-inch iron rod found at an angle point in the south right-of-way line of said Plaza Drive, at the southeast corner of the said 0.832 acre tract, same being the northeast corner of Lot 1, Braker Lane Center, Section Three, a subdivision according to the plat or map of record in Volume 85, Pages 168D and 169A, Plat Records of Travis County, Texas, in the west line of Lot 11, Block "A", said Valley Side Heights, Sec. 1, bears S 35°31'34" W, at a distance of 55.07 feet;

THENCE N 35°31'34" E, with the west line of the said 38.128 acre tract, with the east line of the said 0.832 acre tract, with the west line of the tract described herein, a distance of 4.94 feet to ½-inch iron rod with a plastic cap stamped "CAPITOL SURVEYING" found at an angle point in the north right-of-way line of Plaza Drive, at the northeast corner of the said 0.832 acre tract, same being the southeast corner of Lot 17, Block A, North Oaks, said Section 3 Phase 1, for an angle point in the west line of the tract described herein;

THENCE N 35°43'53" E, continuing with the west line of the said 38.128 acre tract, with the east line of Block A, said North Oaks, Section 3 Phase 1, continuing with the west line of the tract described herein, a distance of 898.45 feet to a calculated point in the south line of Lot 7, Block N, said North Oaks Hillside Section 2-A, at the northwest corner of the said 38.128 acre tract, same being the northeast corner of Lot 7, Block A, said North Oaks, Section 3 Phase 1, for the northwest corner of the tract described herein, from which a disturbed ½-inch iron rod found for reference bears N 70°56'12" W, a distance of 1.56 feet;

THENCE S 61°39'42" E, with the north line of the said 38.128 acre tract, with the south line of said Lot 7, Block N, North Oaks Hillside Section 2-A, with the north line of the tract described herein, at a distance of 1.93 feet passing a ½-inch iron rod found at the southeast corner of said Lot 7, Block N, North Oaks Hillside Section 2-A, same being the southwest corner of Lot 8, Block N, said North Oaks Hillside Section 2-A, and continuing for a total distance of 229.25 feet to a ½-inch iron rod with a plastic cap stamped "CAPITOL SURVEYING" found at an angle point in the north line of the said 38.128 acre tract and the south line of Lot 10, Block N, said North Oaks Hillside Section 2-A, for an angle point in the north line of the tract described herein;

THENCE S 63°37'55" E, continuing with the north line of the said 38.128 acre tract, with the south line of said Lot 10, Block N, North Oaks Hillside Section 2-A, with the north line of the tract described herein, a distance of 0.81 feet to the **POINT OF BEGINNING** and containing 4.210 acres of land, more or less.

BEARING BASIS: Texas Coordinate System, Central Zone, NAD83, Grid.

THE STATE OF TEXAS


KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

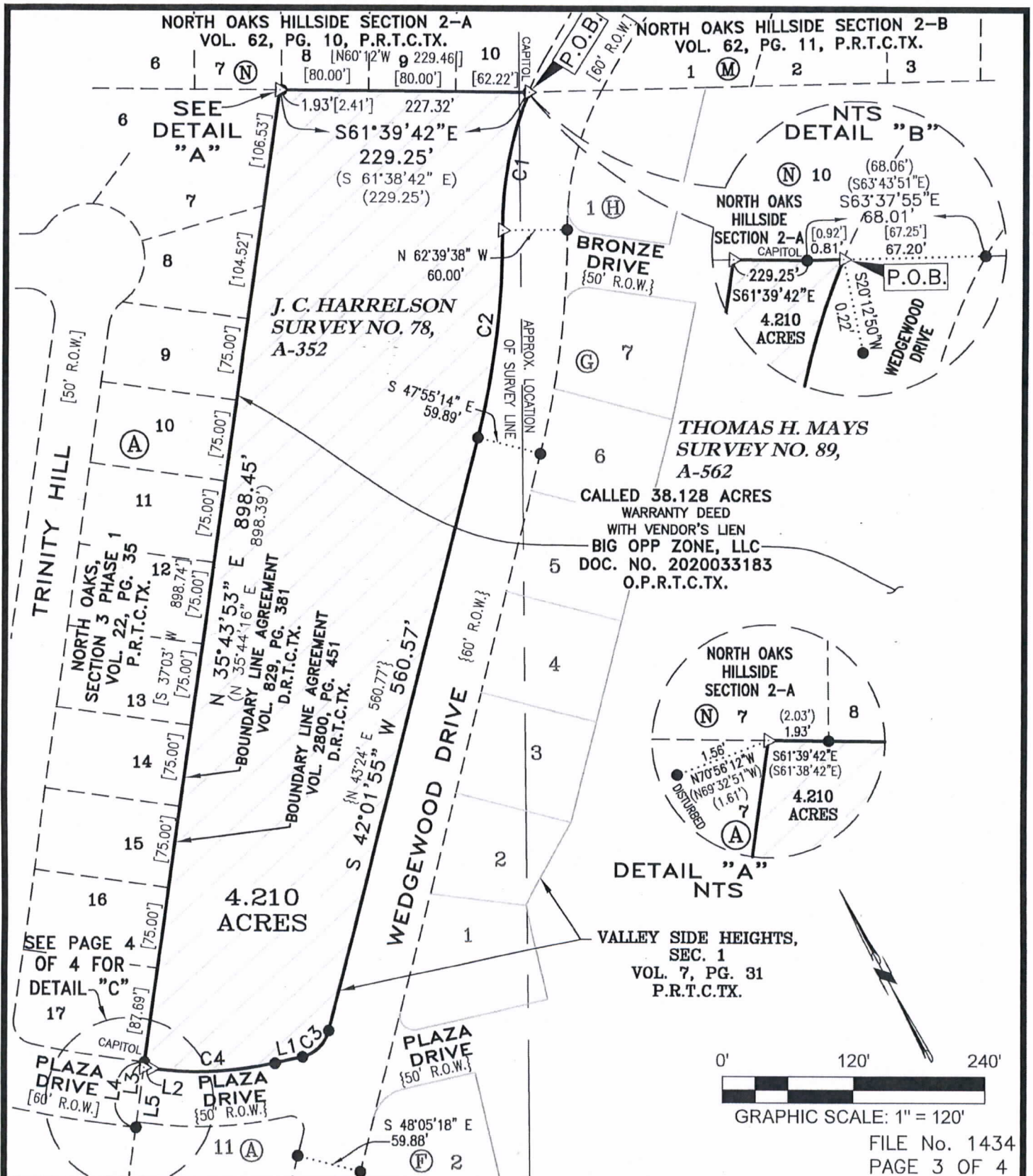
That I, Ernesto Navarrete, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the parcel of land described herein is based upon a survey performed upon the ground under my direct supervision during the months of November and December, 2020 and February, 2021.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 3rd day of March 2021 A.D.

LANDDEV CONSULTING, LLC
5508 Highway 290 West, Suite 150
Austin, Texas 78735


Ernesto Navarrete
Registered Professional Land Surveyor
No. 6642 – State of Texas





LAND DEV

CONSULTING, LLC
5508 HIGHWAY 290 WEST, SUITE 150
AUSTIN, TX 78735
OFFICE: 512.872.6696
TBPLS FIRM NO. 10194101

SURVEY SKETCH to Accompany Description:

4.210 ACRES OUT OF THE
THOMAS H. MAYS SURVEY NO. 89, A-562 AND
THE J.C. HARRELSON SURVEY NO. 78, A-352
TRAVIS COUNTY, TEXAS

CURVE TABLE

| CURVE # | RADIUS | ARC DISTANCE | CHORD BEARING | CHORD DISTANCE |
|---------|----------------------|----------------------|-------------------------------|----------------------|
| C1 | 323.75' {323.75'} | 129.36' {129.31'} | S 38°52'20" W {N 40°12' E} | 128.50' {128.45'} |
| C2 | 748.82' {748.82'} | 191.25' {191.25'} | S 34°37'18" W {N 36°05' E} | 190.73' {190.73'} |
| C3 | 32.81' {32.81'} | 35.89' {35.92'} | S 73°23'51" W {N 74°46' E} | 34.13' {34.16'} |
| C4 | 311.37' {311.37'} | 113.53' {113.76'} | N 64°56'38" W {S 63°24' E} | 112.91' {113.13'} |

NOTES:

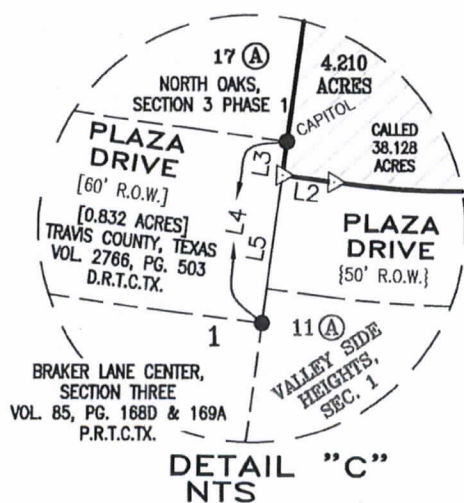
1. SURVEYOR MAKES NO EXPRESSED OR IMPLIED WARRANTIES AS TO THE FEE OWNERSHIP OF THE PROPERTY.
2. BEARINGS AND DIRECTIONAL CONTROL ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, 4203 NAD83.
3. DISTANCES SHOWN HEREON ARE BASED ON SURFACE MEASUREMENTS, TO CONVERT SURFACE DISTANCES TO GRID, MULTIPLY BY A COMBINED SCALE FACTOR OF 0.9999127400.

LINE TABLE

| LINE # | BEARING | DISTANCE |
|--------|--|--------------------|
| L1 | N 74°18'09" W {S 73°52' E} | 25.93' {25.77'} |
| L2 | N 54°28'26" W {S 52°56' E} | 7.09' {7.09'} |
| L3 | N 35°31'34" E [S 37°03' W] (N 35°27'52" E) | 4.94' [5'] |
| L4 | N 35°31'34" E (N 35°27'52" E) | 60.01' (60.04') |
| L5 | S 35°31'34" W (N 35°27'52" E) | 55.07' (55.04') |

LEGEND

- 1/2" IRON ROD FOUND
- IRON ROD W/ A PLASTIC CAP STAMPED "CAPITOL SURVEYING" FOUND
- △ CALCULATED POINT
- { } RECORD INFORMATION PER VOL. 7, PG. 31, P.R.T.C.TX.
- () RECORD INFORMATION PER DOC. NO. 2020033183, O.P.R.T.C.TX.
- [] ADJOINER INFORMATION
- P.O.B. POINT OF BEGINNING
- D.R.T.C.TX. DEED RECORDS OF TRAVIS COUNTY, TEXAS
- P.R.T.C.TX. PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- R.P.R.T.C.TX. REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.TX. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- NTS NOT TO SCALE
- R.O.W. RIGHT-OF-WAY



FILE No. 1434

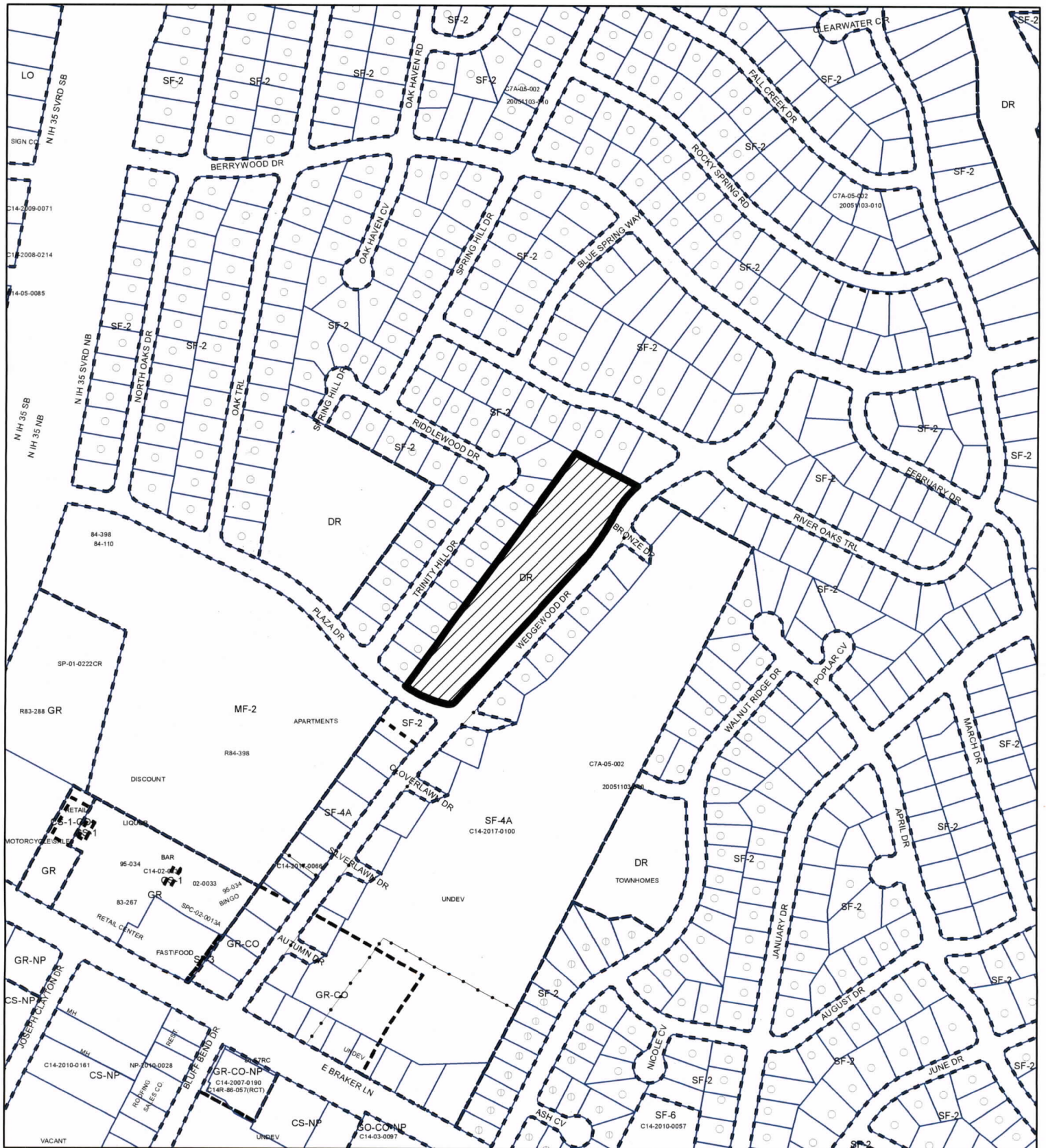
PAGE 4 OF 4

LAND DEV

CONSULTING, LLC
5508 HIGHWAY 290 WEST, SUITE 150
AUSTIN, TX 78735
OFFICE: 512.872.6696
TBPLS FIRM NO. 10194101

SURVEY SKETCH to Accompany Description:

4.210 ACRES OUT OF THE
THOMAS H. MAYS SURVEY NO. 89, A-562 AND
THE J.C. HARRELSON SURVEY NO. 78, A-352
TRAVIS COUNTY, TEXAS



ZONING

ZONING CASE#: C14-2021-0026

EXHIBIT B



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 400'

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 the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or



Created: 3/9/2021