

2-16

ORDINANCE NO. _____

1 AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE
2 PROPERTY LOCATED AT 1000 WEST HOWARD LANE AND CHANGING THE
3 ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO
4 MULTIFAMILY RESIDENCE LOW DENSITY-CONDITIONAL OVERLAY (MF-
5 2-CO) COMBINING DISTRICT FOR TRACT ONE AND LIMITED INDUSTRIAL
6 SERVICES-CONDITIONAL OVERLAY (LI-CO) COMBINING DISTRICT.

7
8 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

9
10 PART 1. The zoning map established by Section 21-21.01 of the City Code is amended to
11 change the base district on the property described in Zoning Case No. C14-04-0212, on file
12 at the Neighborhood Planning and Zoning Department as follows:

13
14 Tract One: From interim rural residence (I-RR) district to multifamily residence-
15 conditional overlay (MF-2-CO) combining district.

16
17 An 8.368 acre tract of land, more or less, out of the L.C. Cunningham Survey No.
18 68 in Travis County, the tract of land being more particularly described by metes
19 and bounds in Exhibit "A" incorporated into this ordinance; and

20
21 Tract Two: From interim rural residence (I-RR) district to limited industrial
22 services-conditional overlay (LI-CO) combining district.

23
24 An 8.309 acre tract of land, more or less, out of the L.C. Cunningham Survey No.
25 68 in Travis County, the tract of land being more particularly described by metes
26 and bounds in Exhibit "B" incorporated into this ordinance, (the "Property")

27
28 locally known as 1000 West Howard Lane, in the City of Austin, Travis County, Texas,
29 and generally identified in the map attached as Exhibit "C".

30
31 PART 2. The Property within the boundaries of the conditional overlay combining district
32 established by this ordinance is subject to the following conditions:

33
34 A site plan or building permit for the Property may not be approved, released, or
35 issued, if the completed development or uses of the Property, considered cumulatively with
36 all existing or previously authorized development and uses, generate traffic that exceeds
37 2,000 trips per day.

1 Except as specifically restricted under this ordinance, the Property may be developed and
2 used in accordance with the regulations established for the respective base districts and
3 other applicable requirements of the City Code.
4

5 **PART 3.** This ordinance takes effect on _____, 2005.
6
7

8 **PASSED AND APPROVED**
9

10 _____, 2005
11
12

13 Will Wynn
14 Mayor
15
16

17 **APPROVED:** _____
18
19

David Allan Smith
City Attorney

ATTEST: _____

Shirley A. Brown
City Clerk

8.368 ACRES
BEAL SERVICE CORPORATION
BEAL BANK, S.S.B.

EXHIBIT A

FN NO. 04-563(AL)
DECEMBER 22, 2004
BPI JOB NO. 1374-02

DESCRIPTION

OF 8.368 ACRES OF LAND, SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE L.C. CUNNINGHAM SURVEY NO. 68, BEING A PORTION OF THAT CERTAIN 139.803 ACRE TRACT OF LAND CONVEYED TO BEAL BANK, S.S.B. BY DEED OF RECORD IN DOCUMENT NO. 2003124090 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 8.368 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a 1/2 inch iron rod found in the northerly right-of-way line of Howard Lane East (R.O.W. Varies), being the southeasterly corner of said 139.803 acre tract and the southwesterly corner of Lot 5, Block "A" Amended Plat of Techridge Section Four, a subdivision of record in Document No. 200000307 of said Official Public Records;

THENCE, N02°23'04"E, leaving the northerly line of Howard Lane East, along the common line of said 139.803 acre tract and said Lot 5, for a distance of 1154.41 feet to the POINT OF BEGINNING and southwesterly corner hereof;

THENCE, leaving the common line of said 139.083 acre tract and said Lot 5, over and across said 139.803 acre tract, for the westerly, northerly and easterly lines hereof, the following twelve (12) courses and distances;

- 1) N02°23'04"E, a distance of 1232.81 feet to an angle point;
- 2) S79°01'36"E, a distance of 371.44 feet to an angle point;
- 3) S14°32'57"W, a distance of 22.93 feet to an angle point;
- 4) S08°50'58"W, a distance of 16.31 feet to an angle point;
- 5) S00°30'54"E, a distance of 18.85 feet to an angle point;
- 6) S18°02'50"E, a distance of 28.96 feet to an angle point;
- 7) S25°09'57"E, a distance of 54.62 feet to an angle point;
- 8) N64°02'57"E, a distance of 92.84 feet to an angle point;
- 9) S25°57'03"E, a distance of 61.13 feet to an angle point;
- 10) S10°41'44"E, a distance of 11.40 feet to an angle point;
- 11) S25°27'53"E a distance of 117.87 feet to an angle point;

- 12) S30°45'51"W a distance of 163.99 feet to a point in the curving northerly line of said Lot 5, being the southerly line of said 139.803 acre tract, from which a 1/2 inch iron rod found in the common line of said Lot 5 and said 139.803 acre tract for the point of curvature of a curve to the left bears, N82°27'50"E, a chord distance of 277.99 feet;

THENCE, along the common line of said Lot 5 and said 139.803 acre tract, for the southerly line hereof, the following two (2) courses and distances:

- 1) Along a non-tangent curve to the left having a radius of 440.00 feet, a central angle of 34°19'33", an arc length of 263.60 feet and a chord which bears S46°53'11"W, a distance of 259.68 feet to a 1/2 inch iron rod found for the end of said curve;
- 2) S29°45'24"W, a distance of 664.12 feet to the POINT OF BEGINNING containing an area of 8.368 acres (364,507 sq. ft.) of land, more or less, within these metes and bounds.

BASIS OF BEARINGS

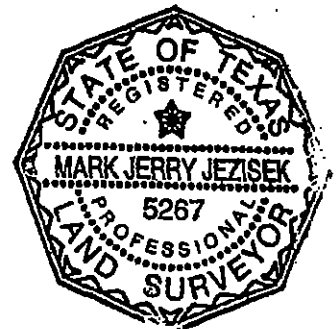
The bearing basis of this fieldnote description is the westerly line of Farmer North Section One, a subdivision of record in Volume 100, Page 366 of the Plat Records of Travis County, Texas.

I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PARTNERS, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVES ROAD, SUITE 200
AUSTIN, TEXAS 78746

Mark J. Jezisek
MARK J. JEZISEK
NO. 5267
STATE OF TEXAS

12/22/04
DATE



DATE: 12/22/04	FILE: H:\1050\01\105001X16.dwg	FN No.: 04-563(AL)	DRAWN BY: MJJ	PROJ. No: 1374-02
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LINE TABLE

No.	Bearing	Distance
L1	N02°23'04"E	1232.81'
L2	S79°01'36"E	371.44'
L3	S14°32'57"W	22.93'
L4	S08°50'58"W	16.31'
L5	S00°30'54"E	18.85'
L6	S18°02'50"E	28.96'
L7	S25°09'57"E	54.62'
L8	N64°02'57"E	92.84'
L9	S25°57'03"E	61.13'
L10	S10°41'44"E	11.40'
L11	S25°27'53"E	117.87'
L12	S30°45'51"W	163.99'
L13	S29°45'24"W	664.12'

CURVE TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	34°19'33"	440.00	263.60	259.68	S46°53'11"W
C2	36°49'47"	440.00	282.83	277.99	N82°27'50"E

BEARING BASIS:

THE BEARING BASIS OF THIS FIELDNOTE DESCRIPTION IS THE WESTERLY LINE OF PARMER NORTH SECTION ONE, A SUBDIVISION OF RECORD IN VOLUME 100, PAGE 366 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

SHEET 2 OF 2

b Bury+Partners
ENGINEERING SOLUTIONS
3345 Bee Caves Road, Suite 200
Austin, Texas 78746
Tel. (512)328-0011 Fax (512)328-0325
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SKETCH TO ACCOMPANY DESCRIPTION

OF 8.368 ACRES OF LAND OUT OF THE L. C. CUNNINGHAM SURVEY NO. 68, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 139.803 ACRE TRACT OF LAND CONVEYED TO BEAL BANK, S.S.B. BY DEED OF RECORD IN DOCUMENT NO. 2003124090 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

**BEAL SERVICE
CORPORATION**

DATE: 12/22/04 FILE: H:\1050\01\105001X16.dwg FN No.: 04-563(AL) DRAWN BY: MJJ PROJ. No: 1374-02

8.309 ACRES
BEAL SERVICE CORPORATION
BEAL BANK, S.S.B.

FN NO. 04-564(MJJ)
DECEMBER 22, 2004
BPI JOB NO. 1374-02

EXHIBIT B

DESCRIPTION

OF 8.309 ACRES OF LAND, SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE L.C. CUNNINGHAM SURVEY NO. 68, BEING A PORTION OF THAT CERTAIN 139.803 ACRE TRACT OF LAND CONVEYED TO BEAL BANK, S.S.B. BY DEED OF RECORD IN DOCUMENT NO. 2003124090 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 8.309 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a 1/2 inch iron rod found in the northerly right-of-way line of Howard Lane East (R.O.W. Varies), being the southeasterly corner of said 139.803 acre tract and the southwesterly corner of Lot 5, Block "A" Amended Plat of Tech.ridge Section Four, a subdivision of record in Document No. 200000307 of said Official Public Records;

THENCE, leaving the northerly line of Howard Lane East, along the common line of said 139.803 acre tract and said Lot 5, the following three (3) courses and distances:

- 1) N02°23'04"E, a distance of 1154.41 feet to a 1/2 inch iron rod found for an angle point;
- 2) N29°45'24"E, a distance of 664.12 feet to a 1/2 inch iron rod found for the point of curvature of a non-tangent curve to the right;
- 3) Along said non-tangent curve to the right having a radius of 440.00 feet, a central angle of 34°19'33", an arc length of 263.60 feet and a chord which bears S46°53'11"W, a distance of 259.68 feet to the POINT OF BEGINNING and southwesterly corner hereof;

THENCE, leaving the common line of said 139.803 acre tract and said Lot 5, over and across said 139.803 acre tract, for the westerly, northerly and easterly lines hereof, the following twelve (12) courses and distances:

- 1) N30°45'51"E, a distance of 163.99 feet to an angle point;
- 2) N25°27'53"W, a distance of 117.87 feet to an angle point;
- 3) N10°41'44"W, a distance of 11.40 feet to an angle point;
- 4) N25°57'03"W, a distance of 61.13 feet to an angle point;
- 5) S64°02'57"W, a distance of 92.84 feet to an angle point;
- 6) N25°09'57"W, a distance of 54.62 feet to an angle point;

- 7) N18°02'50"W, a distance of 28.96 feet to an angle point;
- 8) N00°30'54"W, a distance of 18.85 feet to an angle point;
- 9) N08°50'58"E, a distance of 16.31 feet to an angle point;
- 10) N14°32'57"E, a distance of 22.93 feet to the northwesterly corner hereof;
- 11) S79°01'36"E, a distance of 1377.78 feet to the northeasterly corner hereof;
- 12) S19°28'05"W, a distance of 293.85 feet to a 1/2 inch iron rod found at the northeasterly corner of Lot 4, Block "A" of said Amended Plat of Tech.Ridge Section Four, being an angle point in the southerly line of said 139.803 acre tract, for the southeasterly corner hereof;

THENCE, along the common line of said 139.803 acre tract and said Lots 4 and 5, for the southerly line hereof, the following two (2) courses and distances:

- 1) N79°05'37"W, a distance of 891.94 feet to a 1/2 inch iron rod found for the point of curvature of a non-tangent curve to the left;
- 2) Along said non-tangent curve to the left having a radius of 440.00 feet, a central angle of 36°49'47", an arc length of 282.83 feet and a chord which bears S82°27'50"W, a distance of 277.99 feet to the POINT OF BEGINNING, containing an area of 8.309 acres (361,936 sq. ft.) of land, more or less, within these metes and bounds.

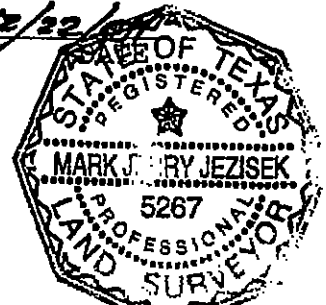
BASIS OF BEARINGS

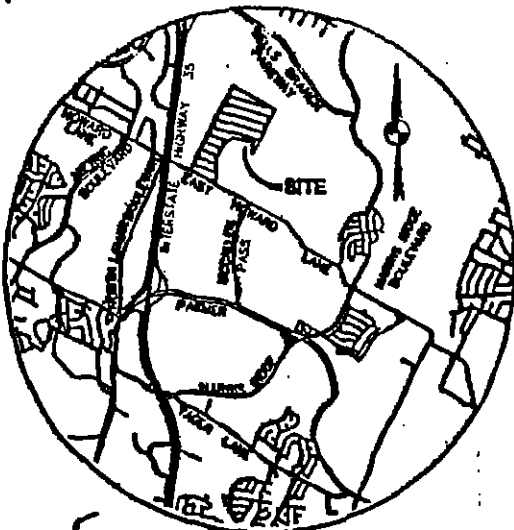
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BURY & PARTNERS, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVES ROAD, SUITE 200
AUSTIN, TEXAS 78746

Mark J. Jezisek 12/22/04
MARK J. JEZISEK
NO. 5267
STATE OF TEXAS

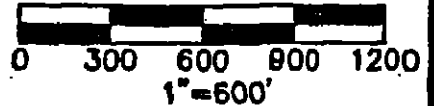
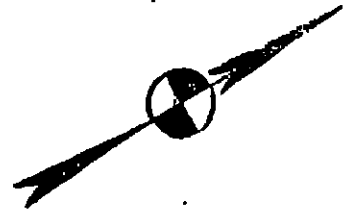




VICINITY MAP
M.T.S.

LEGEND

- 1/2" IRON ROD FOUND
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT



ROUTE SUBDIVISION
VOL. 92, PG. 41

LOT 8 LOT 5 LOT 4 LOT 3

81.172 ACRES
CAPITAL PARKS LAND INVESTMENTS, INC.
VOL. 9555, PG. 325

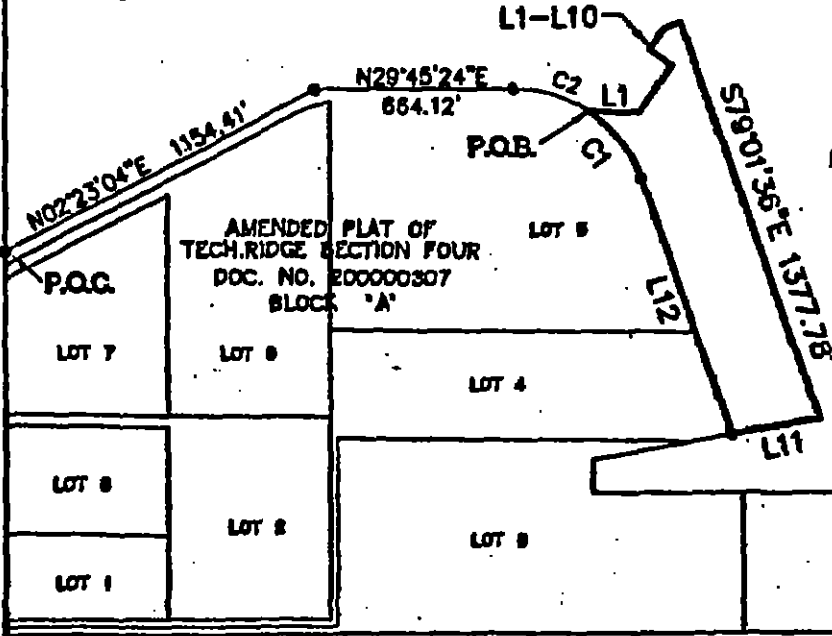
152 ACRES
CAPITAL PARKS LAND INVESTMENTS, INC.
VOL. 9555, PG. 325

5409 ACRES
BEAL SERVICE, INC.
VOL. 1844, PG. 44

BEALY HEATHERWILDE L.P.
DOC. 2000101898
DOC. 2000101898

L.C. CUNNINGHAM SURVEY NO. 68

HOWARD LANE EAST (R.O.W. Varies)



139.803 ACRES
BEAL BANK, S.S.B.
DOC. NO. 2003124090

8.309 ACRES
(361,936 SQ. FT.)

17.041 ACRES
BEALY HEATHERWILDE L.P.
DOC. NO. 2000101898

VILLAGE AT NORTHTOWN, LTD.
DOC. NO. 2000186544

11.087 ACRES
NEW WELLS PARTNERS, LTD.
DOC. NO. 1999036335

SHEET 1 OF 2

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Bury+Partners, Inc. ©Copyright 2004

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BEAL SERVICE CORPORATION

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L10	N14°32'57"E	22.93'
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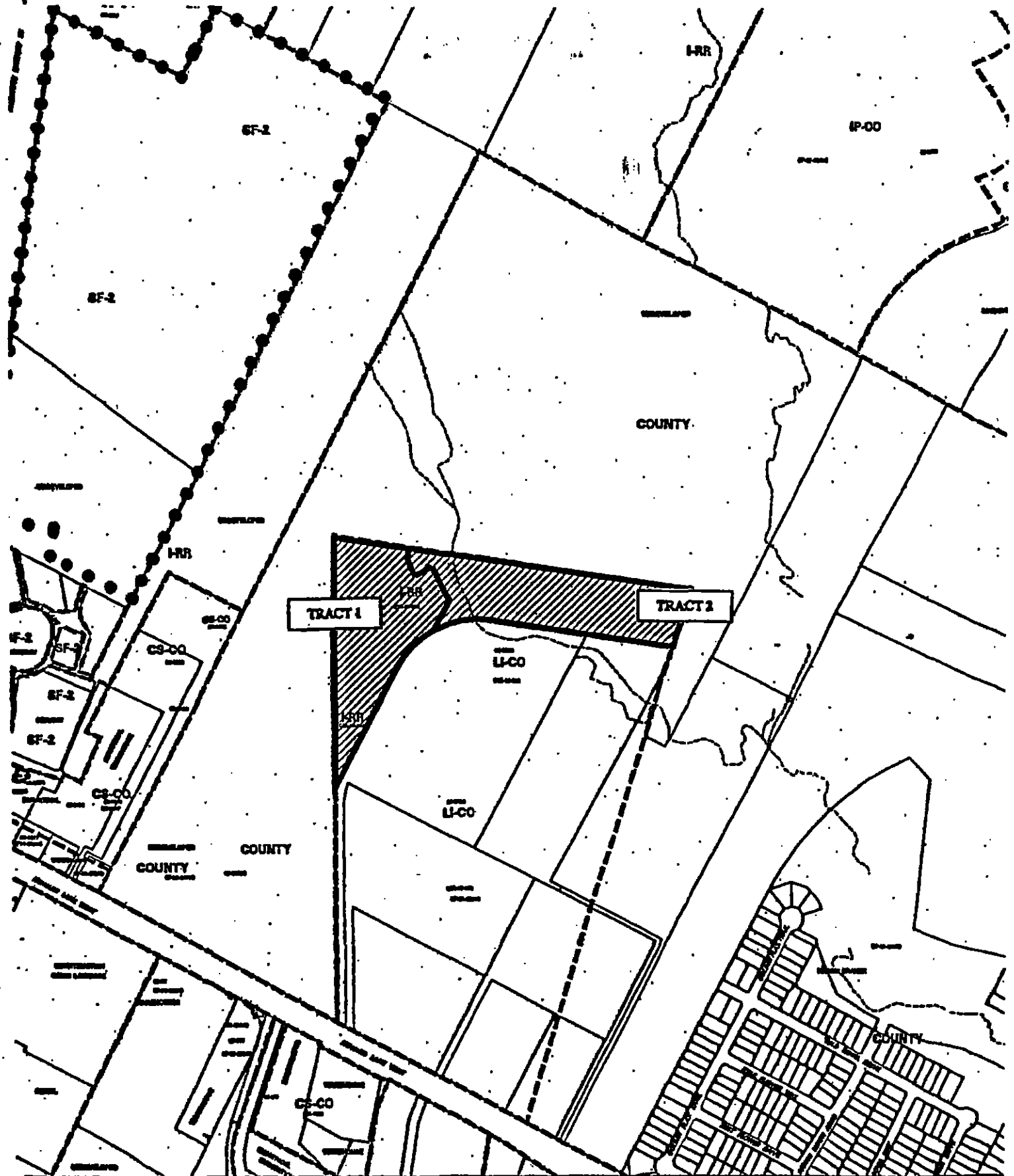
SHEET 2 OF 2

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BEAL SERVICE CORPORATION

DATE: 12/22/04 FILE: H:\1050\01\105001X17.dwg FN No.: 04-564(MJJ) DRAWN BY: MJJ PROJ. No: 1374-02



<p>1"=800'</p>	<p>SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: S. GAGER</p>	<p align="center">ZONING EXHIBIT C</p> <p>CASE #: C14-04-0212 ADDRESS: 1000 W HOWARD LANE SUBJECT AREA (acres): 16.677</p> <p align="right">DATE: 05-04 INTLS: SM</p>	<p>CITY GRID REFERENCE NUMBER N36</p>
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