

**ORDINANCE NO. 20050901-Z005**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5700 NORTH LAMAR BOULEVARD IN THE BRENTWOOD NEIGHBORHOOD PLAN AREA FROM PUBLIC-NEIGHBORHOOD PLAN (P-NP) COMBINING DISTRICT TO NEIGHBORHOOD COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LR-MU-CO-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 public-neighborhood plan (P-NP) combining district to neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district on the property described in Zoning Case No. C14-05-0090, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.48 acre tract of land, more or less, out of the George W. Spear League, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 5700 North Lamar Boulevard, in the Brentwood neighborhood plan area, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** Except as specifically provided in Part 3 and Part 4, the Property may be developed and used in accordance with the regulations established for the neighborhood commercial (LR) base district and other applicable requirements of the City Code.

**PART 3.** 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:

Custom manufacturing  
Service station

Off-site accessory parking  
Telecommunication tower-1

**PART 4.** The Property is subject to Ordinance No. 040513-33A that established the Brentwood neighborhood plan combining district.

**PART 5.** This ordinance takes effect on September 12, 2005.

**PASSED AND APPROVED**

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September 1\_\_\_\_\_, 2005

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\_\_\_\_\_  
Will Wynn  
Mayor

**APPROVED:** \_\_\_\_\_  
David Allan Smith  
City Attorney

**ATTEST:** \_\_\_\_\_  
Shirley A. Brown  
City Clerk

EXHIBIT "A"

.48 acres of land, same being out of and a part of that certain 5 acre tract of land out of the George W. Spear League in the City of Austin, Travis County, Texas, which was conveyed to the City of Austin by Charles Wild, et ux by warranty deed dated September 9, 1912, of record in Volume 253, Page 439, Deed Records of Travis County, Texas, which .48 acres of land is more particularly described by metes and bounds as follows:

BEGINNING at an iron stake in the west right-of-way line of Lamar Boulevard and the east line of this tract, which iron stake is also the point of curvature of a curve with an intersection angle of  $100^{\circ} 19'$ , a radius of 20.00 feet and a tangent distance of 23.96 feet, and from which point of beginning an iron stake in the west right-of-way line of Lamar Boulevard, same being the northeast corner of the Stark Addition, the southeast corner of the City of Austin 5 acre tract bears  $S 29^{\circ} 44' W 129.53$  feet;

THENCE, following a curving line to the left, an arc distance of 35.02 feet, the long chord of which arc bears  $S 79^{\circ} 54' W 30.71$  feet to an iron stake on the north right-of-way line of Koenig Lane, and the south line of the herein described 0.48 acre tract, which iron stake is the point of curvature of a curve having an intersecting angle of  $49^{\circ} 59'$ , a radius of 679.53 feet and a tangent distance of 316.76 feet;

THENCE, continuing along said curving line same being the north line of Koenig Lane to the right, an arc distance of 164.02 feet, the sub-chord of which arc bears  $N 43^{\circ} 02' W 163.77$  feet to an iron stake at the southwest corner of the herein described tract;

THENCE,  $N 29^{\circ} 44' E 87.16$  feet to an iron stake at the northwest corner of this tract;

THENCE,  $S 60^{\circ} 16' E 180.00$  feet to an iron stake at the northeast;

THENCE,  $S 29^{\circ} 44' 116.04$  feet along the west right-of-way line of Lamar Boulevard to the point of BEGINNING.



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 1" = 400'	SUBJECT TRACT		<b>ZONING EXHIBIT B</b>  <b>CASE #: C14-05-0090</b> <b>ADDRESS: 5700 N LAMAR BLVD</b> <b>SUBJECT AREA (acres): 0.480</b>	<b>DATE: 05-06</b>  <b>INTLS: SM</b>	<b>CITY GRID REFERENCE NUMBER</b> <b>K27</b>
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: T.BOLT				