

ORDINANCE NO. 20050901-063

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 11704-11706 NORTH LAMAR BOULEVARD FROM LIMITED OFFICE (LO) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-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 limited office (LO) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-05-0066, on file at the Neighborhood Planning and Zoning Department, as follows:

A 2.566 acre tract of land, more or less, out of Lot 7, Frank Stark Subdivision, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 11704-11706 North Lamar Boulevard, in the City of Austin, Travis County, Texas, and 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:

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
2. Drive-in service is prohibited as an accessory use to a restaurant (general) use and a restaurant (limited) use.
3. The following uses are prohibited uses of the Property:

Automotive rentals
Automotive sales
Business or trade school
Commercial off-street parking

Automotive repair services
Automotive washing (of any type)
Business support services
Exterminating services

Financial services
General retail sales (general)
Indoor entertainment
Off-site accessory parking
Pawn shop services
Research services
Theater
Community recreation (public)
College and university facilities
Hospital services (limited)
Residential treatment

Funeral services
Hotel-motel
Indoor sports and recreation
Outdoor sports and recreation
Pet services
Service station
Community recreation (private)
Congregate living
Guidance services
Private secondary educational facilities

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on September 12, 2005.

PASSED AND APPROVED

_____, September 1, 2005 §
§
§

Will Wynn
Mayor

APPROVED: _____ **ATTEST:** _____
David Allan Smith Shirley A. Brown
City Attorney City Clerk

Exhibit "A"

July 22, 2005

FIELD NOTES

FIELD NOTES FOR 2.566 ACRES OUT OF AND PART OF LOT 7, FRANK STARK SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN BOOK 4, PAGE 199, PLAT RECORDS OF SAID COUNTY, AND BEING OUT OF THAT 4.4380 ACRES OF LOT 7, CONVEYED TO MAU TRAN AND KHANH TRAN BY WARRANTY DEED RECORDED IN DOC# 2004149655, OFFICIAL RECORDS, TRAVIS COUNTY, TEXAS, AND FOR WHICH A MORE PARTICULAR DESCRIPTION BY METES AND BOUNDS IS AS FOLLOWS:

BEGINNING FOR REFERENCE at a Found Iron Rod located on the West R.O.W. of North Lamar Boulevard, also being the most southerly East corner of Lot 8, and the most Northerly East corner of Lot 9, Frank Stark Subdivision, for a corner hereof;

THENCE N 21°19'13" E for a distance of 258.45 feet along the West R.O.W. of N. Lamar Blvd, for a distance of 258.45 feet, to a Found Iron Rod for the most southerly corner of Lot 7, for the POINT OF BEGINNING;

THENCE N 61°35'00" W along the common dividing line of Lot 7, and Lot 8 of the aforementioned subdivision, for a distance of 400.00 feet to a Point, for the most southerly west corner of the herein described tract, from which point, the S.E. corner of Lot 7, bears N 61°35'00" W, 303.20 feet, for the S.W. corner hereof;

THENCE leaving the south line of Lot 7, and passing through the interior of Lot 7, N 20°35'00" E for a distance of 282.10 feet to a Point in the North line of Lot 7 and the South line of Lot 2, of The Resub. of Lot 6, Frank Stark Sub. a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Book 51, Page 88, Plat Records, from which point, the N.W. corner of Lot 7 bears N61°35'00" W, 338.20 feet, for the N.W. corner hereof;

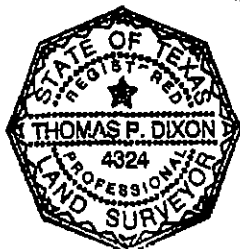
THENCE S 61°35'00" E along the common line of Lot 7, and the aforementioned Lot 2, a distance of 400.00 feet to a Found Iron Rod in the West R.O.W. of N. Lamar Blvd. for the N.E. corner hereof;

THENCE S 20°35'00" W along the North R.O.W. of N. Lamar Blvd. for a distance of 282.10 feet to the POINT OF BEGINNING, containing 2.566 acres of land.

I, the undersigned do hereby certify the the field notes hereon were prepared from an actual on-the-ground survey under my direct supervision and that they are true and correct to the best of my knowledge.



Thomas P. Dixon R.P.L.S. 4324



OWNER: 3
MAU TRAN AND KHANH H. TRAN
ADDRESS:
1704 & 11706 NORTH LAMAR BOULEVARD

LINE	DIRECTION	DISTANCE
L1	N 32°13'48" E	33.87'
L2	N 32°13'48" E	16.88'
L3	N 50°45'48" E	69.80'
L4	N 39°17'48" E	56.40'
L5	N 22°12'42" E	24.43'
L6	N 15°54'20" E	21.02'
L7	N 22°23'17" E	64.43'

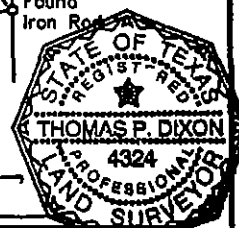
LEGAL DESCRIPTION:

BEING 2.566 ACRES, MORE OR LESS, OUT OF LOT 7, FRANK STARK SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 4, PAGE 199, PLAT RECORDS, TRAVIS COUNTY, TEXAS, FOR WHICH A MORE PARTICULAR DESCRIPTION BY METES AND BOUNDS IS ATTACHED IN EXHIBIT "B", AND MADE A PART HEREOF.

State of Texas:
County of Travis:

The undersigned does hereby certify that this survey was this day made on the ground on the property legally described hereon and is correct, and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements except as shown hereon, and that said property has access to and from a dedicated roadway, except as shown hereon, dated this the 27TH day of JULY, 200 4 :







and I further certify that the
property surveyed hereon IS NOT
within a special flood hazard area as
identified by the Federal Insurance
Adm. Department of HUD flood hazard
boundary map revised as per map
Number: 48453C0115 E
Zone X Dated: 06/16/93



Thomas P. Dixon R. 4324
© Copyright 2005

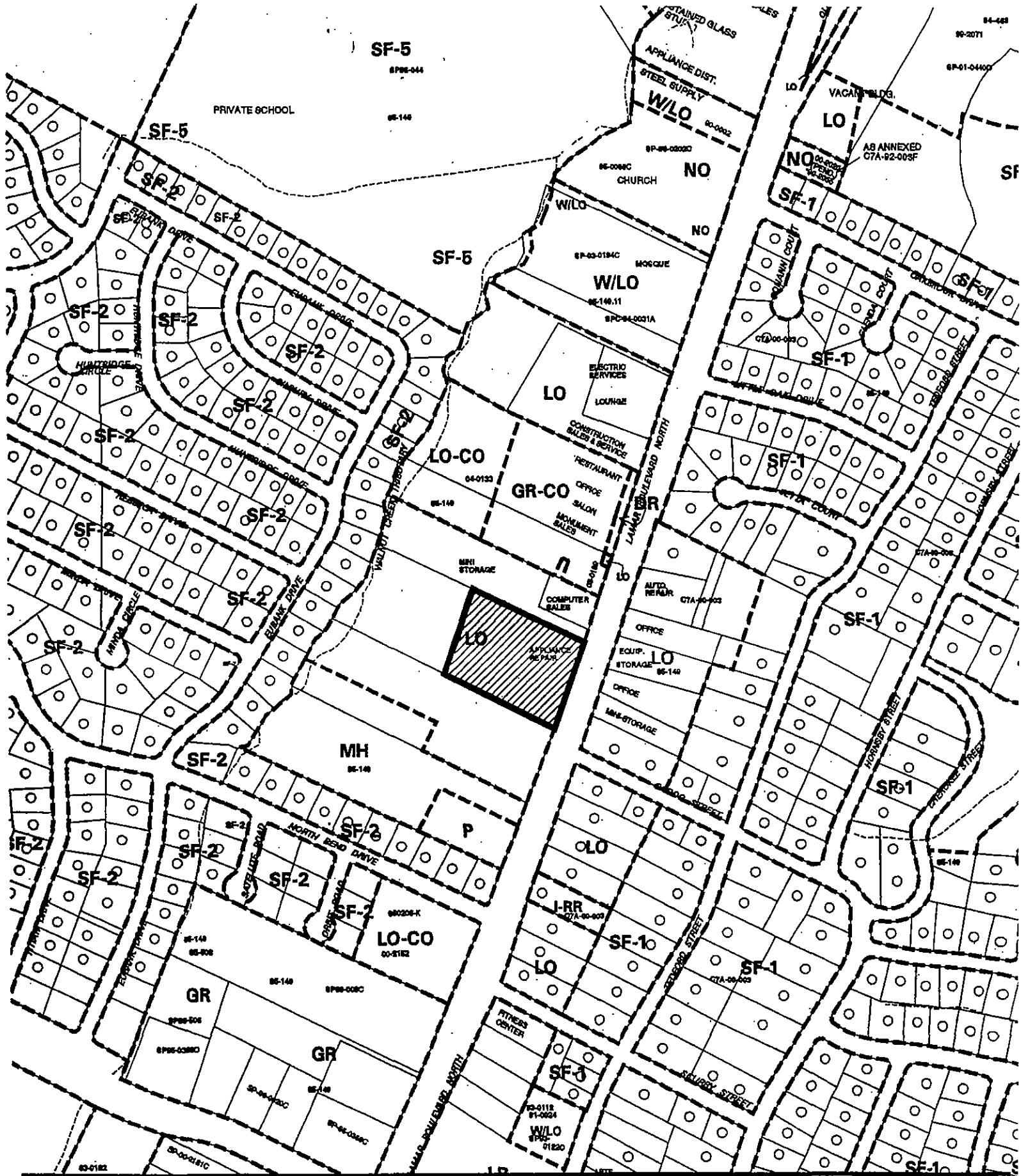
© Copyright 2005

SCALE
1" = 60'

LEGEND
RECORD CALL ()
SHEET METAL FENCE 
CHAIN LINK FENCE 
ELECTRIC LINE/POLE 
WATER METER  UP
SWB BOX 
FIRE HYDRANT 

Revised 07/22/05

P.O. Box 160176, Austin, Texas 78716-0176 Phone: 481-9602



 1" = 400' SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: T. BOLT	 CASE #: C14-05-0066 ADDRESS: 11704-11706 N LAMAR BLVD SUBJECT AREA (acres): 2.588	ZONING EXHIBIT B DATE: 05-07 INTLS: SM	CITY GRID REFERENCE NUMBER M32
--	--	---	---