

**ORDINANCE NO. 20051117-065**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED IN THE MONTOPOLIS NEIGHBORHOOD PLAN AREA AT 1007 MONTOPOLIS DRIVE FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO LIMITED OFFICE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LO-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 family residence-neighborhood plan (SF-3-NP) combining district to limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district on the property described in Zoning Case No. C14-05-0095, on file at the Neighborhood Planning and Zoning Department, as follows:

A 4.7992 acres tract of land, more or less, out of the Santiago del Valle Grant, 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 1007 Montopolis Drive, 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 limited office (LO) 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:

1. The following uses are prohibited uses of the Property:

Communications services

Professional office

Software development

Medical offices (exceeding 5000 sq. ft. of gross floor area)

Medical offices (not exceeding 5000 sq. ft. of gross floor area)

2. 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.

**PART 4.** The Property is subject to Ordinance No. 010927-28 that established the Montopolis neighborhood plan combining district.

**PART 5.** This ordinance takes effect on November 28, 2005.

**PASSED AND APPROVED**

\_\_\_\_\_, November 17 \_\_\_\_\_, 2005

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Will Wynn  
Mayor

**APPROVED:**

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David Allan Smith  
City Attorney

**ATTEST:**

\_\_\_\_\_  
Shirley A. Brown  
City Clerk

CRICHTON AND ASSOCIATES, INC.  
LAND SURVEYORS  
107 NORTH LAMPASAS  
ROUND ROCK, TEXAS  
512-244-3395

FIELD NOTES

FIELD NOTES FOR 4.7992 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS AND BEING TWO TRACTS CONVEYED TO ALCANCE DE RESTAURACION, INC., TRACT ONE BEING A 1.911 ACRE TRACT CONVEYED IN DOCUMENT NO. 2002251963 AND TRACT TWO BEING A 2.888 ACRE TRACT CONVEYED IN DOCUMENT NO. 2003007173, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron pin found on the East R.O.W. of Montopolis Drive, said point being the Northwest corner of a 3.13 acre tract conveyed to Guadalupe and Carlos Fabian, (No Deed Record Found), also being the Southwest corner of said Tract One, and the Southwest corner of this tract and the POINT OF BEGINNING.

THENCE N 29° 37' 01" E, with the East R.O.W. of Montopolis Drive at about 100 feet pass the West common corner of said Tracts One and Two, continuing along said Tract Two, in all a distance of 251.29 feet to an iron pin found at the Northwest corner of said Tract Two; said point also being the Southwest corner of Mary Vice Estates a subdivision of record in Vol. 101, Pg. 321, Plat Records, Travis County, Texas, for the Northwest corner of this tract.

THENCE S 46° 57' 32" E, with the North line of said Tract Two, and the South line of said Mary Vice Estates, 862.83 feet to an iron pin found at the Southeast corner of said Mary Vice Estates; on the West line of Chernosky Subdivision Number 15, a subdivision recorded in Book 5, Page 92, of the Travis County, Texas Plat Records, for the Northeast corner of said Tract Two, and the Northeast corner of this tract.

THENCE S 33° 49' 22" W, with the West line of Chernosky Subdivision Number 15 and the East line of this tract at 148.58 feet pass the East common corner of said Tracts Two, and One, in all a distance of 248.87 feet to an iron pin found at the Northeast corner of said Fabian 3.13 acre tract for the Southeast corner of said Tract One and the Southeast corner of this tract.

THENCE N 46° 52' 32" W, with the North line of said Fabian 3.13 acre tract, and the South line of said Tract One, 844.36 feet to the POINT OF BEGINNING and containing 4.7992 acres of land more or less.

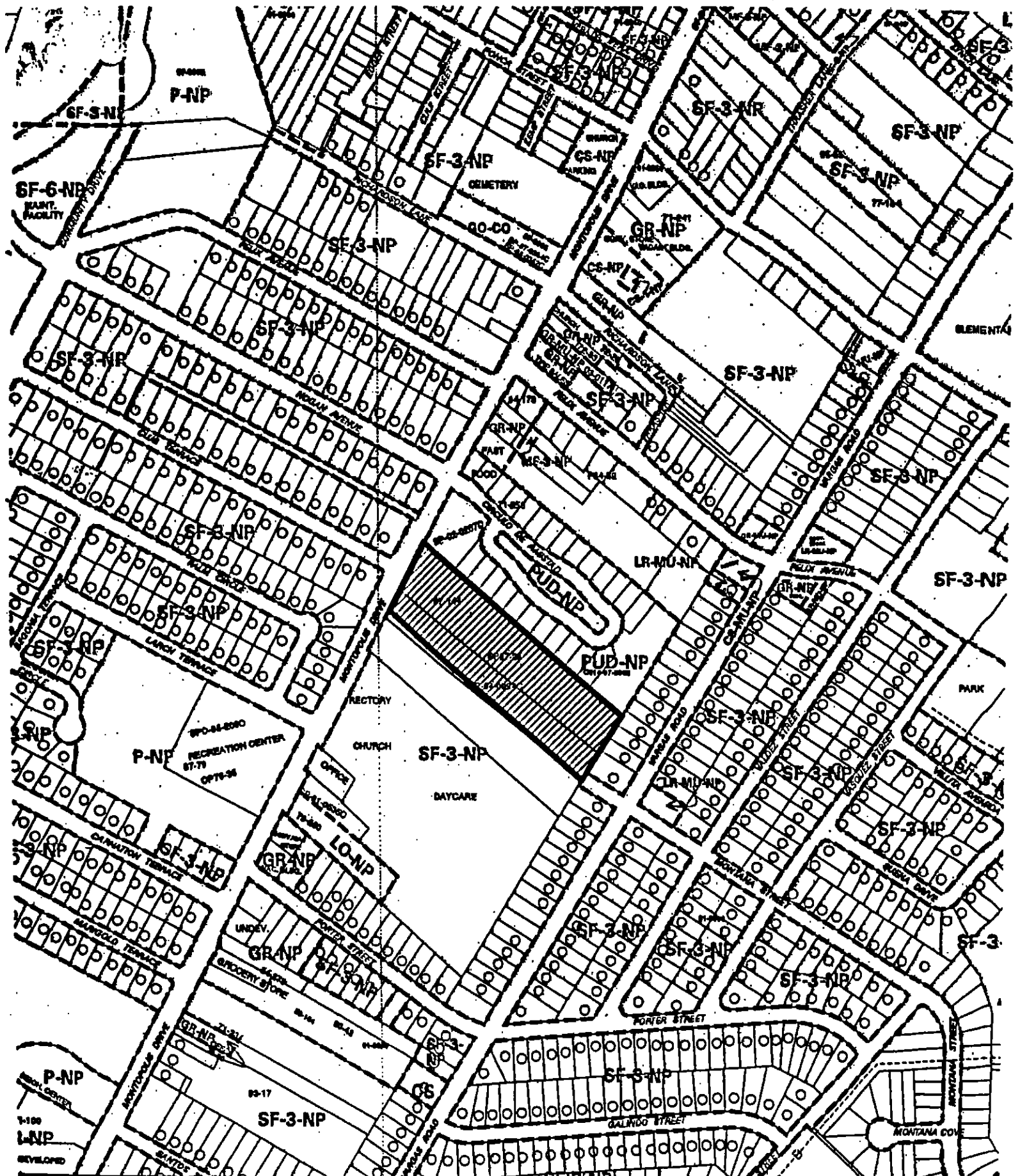
I hereby certify that the foregoing field notes were prepared from a survey on the ground under my supervision and are true and correct to the best of my knowledge and belief.





Witness my hand and seal this 10th day of September, 2002

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



EXHIBIT A



 1" = 400'	<b>SUBJECT TRACT</b> 	<b>ZONING EXHIBIT B</b>		<b>CITY GRID REFERENCE NUMBER</b> L19
	<b>PENDING CASE</b> 			
	<b>ZONING BOUNDARY</b> 	<b>CASE #:</b> C14-05-0095	<b>DATE:</b> 05-08	
	<b>CASE MGR:</b> R. HEIL	<b>ADDRESS:</b> 1007 MONTOPOLIS DR	<b>INTLS:</b> SM	
<b>SUBJECT AREA (acres):</b> 4.799				