

ORDINANCE NO. 20051215-Z007

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 7800-7804 SOUTH FIRST STREET FROM DEVELOPMENT RESERVE (DR) DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-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) to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district on the property described in Zoning Case No. C14-05-0162, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.914 acre tract of land, more or less, out of the William Cannon Survey No. 19, Abstract No. 6, in 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 7800-7804 South First Street, 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. The following uses are conditional uses of the Property:

| | |
|---|--------------------------------|
| Medical offices (exceeding 5000 sq. ft. of gross floor area) | Congregate living |
| Community recreation (public) | Community recreation (private) |
| Hospital services (limited) | Group home, Class II |
| | Residential treatment |

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

Automotive rentals
Automotive sales
Bail bond services
Business support services
Communications services
Exterminating services
Funeral services
Hospital services (general)
Indoor entertainment
Outdoor sports and recreation
Pawn shop services
Research services

Automotive repair services
Automotive washing (of any type)
Business or trade school
Commercial off-street parking
Drop-off recycling collection facility
Food preparation
General retail sales (general)
Hotel-motel
Indoor sports and recreation
Outdoor entertainment
Personal improvement services
Theater

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 December 26, 2005.

PASSED AND APPROVED

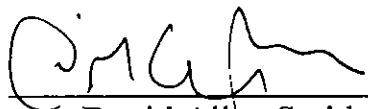
December 15, 2005

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Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk



**Professional Land Surveying, Inc.
Surveying and Mapping**

EXHIBIT A

Office: 512-443-1724
Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

**0.914 ACRES
ZONING DESCRIPTION
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF A 0.914 ACRE (APPROXIMATELY 39,817 SQUARE FEET) TRACT OF LAND BEING A PORTION OF 4.625 ACRES, MORE OR LESS, SITUATED IN THE WILLIAM CANNON SURVEY NO. 19, ABSTRACT NO. 6, TRAVIS COUNTY, TEXAS, DESCRIBED IN A DEED TO BILL FITZGERALD, TRUSTEE AND PHILIP PRESSE, DATED JULY 5, 1972 AND RECORDED IN VOLUME 4387, PAGE 1397 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.914 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" rebar with cap set for the southeast corner of the said 4.625 acre tract, being also an angle point in the west right-of-way line of South 1st Street (variable right-of-way width);

THENCE North 83°06'52" West, with the south line of the said 4.625 acre tract, also being the west right-of-way line of South 1st Street, a distance of 11.03 feet to a ½" rebar found for the northeast corner of Lot 1, Andersonville Subdivision, a subdivision of record in Volume 83, Page 93C of the Plat Records of Travis County, Texas;

THENCE North 83°06'52" West, with the south line of the said 4.625 acre tract and the north line of said Andersonville Subdivision, a distance of 169.39 feet to a ½" rebar found for the northwest corner of Lot 1 of said Andersonville Subdivision, also being the northeast corner of a 1.369 acre tract of land described in Volume 12082, Page 598 of the Deed Records of Travis County, Texas;

THENCE North 06°53' 08" East, over and across the said 4.625 acre tract, a distance of 176.31 feet to a calculated point in the approximate centerline of a 50 foot gas pipeline easement described in Volume 430, Page 153, also described in Volume 1359, Page 264 and further described in Volume 4086, Page 1600, all recorded in the Deed Records of Travis County, Texas (centerline based on gas markers);

THENCE South 84°34'12" East, over and across the said 4.625 acre tract, with the approximate centerline of said 50 foot gas pipeline easement, a distance of 264.47 feet to a calculated point on the east line of the 4.625 acre tract, also being in the west right-of-way line of South First Street, from which a ½" rebar found for the northeast corner of the 4.625 acre tract bears North 31°31'44" East, a distance of 85.66 feet;

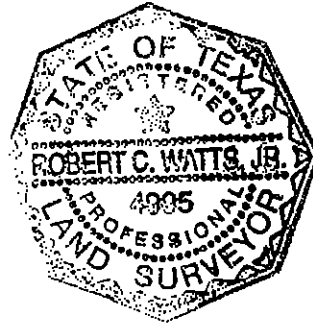
THENCE South 31°31'44" West, with the east line of the 4.256 acre tract and the west right-of-way of South First Street, a distance of 201.36 feet to the **POINT OF**

BEGINNING, and containing 0.914 acres of land, more or less.

Surveyed on the ground in July, 2005. Bearing basis is grid azimuth for Texas central zone, 1983/93 HARN values from LCRA control network. Attachments: Survey Drawing 487-001-Z3.

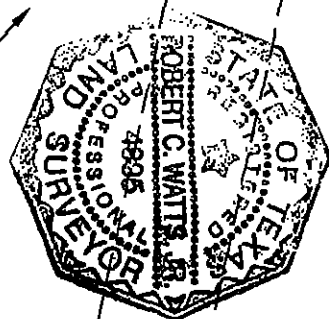


Robert C. Watts, Jr.
Registered Professional Land Surveyor
State of Texas No. 4995



8-30-05

SKETCH TO ACCOMPANY A DESCRIPTION OF A 0.914 ACRE (APPROXIMATELY 39,817 SQUARE FEET) TRACT OF LAND BEING A PORTION OF 4.625 ACRES, MORE OR LESS, SITUATED IN THE WILLIAM CANNON SURVEY NO. 19, ABSTRACT NO. 6, TRAVIS COUNTY, TEXAS, DESCRIBED IN A DEED TO BILL FITZGERALD, TRUSTEE AND PHILIP PRESSE, DATED JULY 5, 1972 AND RECORDED IN VOLUME 4387, PAGE 1397 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.



1.17 ACRES
LONGHORN PARTNERS PIPELINE, L.P.
(13051/151, DESCRIBED IN 963/225)

COOPER LANE
(R.O.W. VARIES)

APPROXIMATE
CENTERLINE PIPELINE
(BASED ON GAS
MARKERS)

(4.625 ACRES)
BILL FITZGERALD &
PHILIP PRESSE
(4387/1397)

N06°53'08"E
176.31'

0.914 ACRES
(APPROXIMATELY 39,817
S.F.)

N83°06'52"W
169.39'

S31°31'44"W
201.36'

P.O.B.

L1

LOT 1
ANDERSONVILLE
SUBDIVISION
(83/93C)

(1.369 ACRES)
PHILIP PRESSE &
CHARLES R. BURTON
(12082/598)

N83°05'03"W 427.16'

WEST DITTMAR ROAD
(R.O.W. VARIES)

BEARING BASIS: GRID AZIMUTH FOR
TEXAS CENTRAL ZONE, 1983/93
HARN VALUES FROM LCRA CONTROL
NETWORK.

ATTACHMENTS: METES AND BOUNDS
DESCRIPTION 487-001-Z3

LOT A
DITTMARVILLE
(77/52)

LOT B
DITTMARVILLE
(77/52)

SOUTH 1ST STREET
(R.O.W. VARIES)

LEGEND

- 1/2" REBAR FOUND
- 1/2" REBAR WITH CAP SET
- CALCULATED POINT
- SQUARE BOLT FOUND

DATE OF SURVEY:
07/26/2005
PLOT DATE: 08/30/2005
DRAWING NO.: 487-001-Z3
PROJECT NO.: 487-001
SHEET 1 OF 1

| LINE TABLE | |
|------------|-------------|
| No. | BEARING |
| L1 | N83°06'52"W |
| L2 | N31°31'44"E |
| | LENGTH |
| | 11.03' |
| | 85.66' |

Chaparral

