

ORDINANCE NO. 20130131-062

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 8401 SOUTH 1ST STREET FROM DEVELOPMENT RESERVE (DR) DISTRICT AND SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT TO NEIGHBORHOOD COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (LR-MU-CO) COMBINING DISTRICT AND TOWNHOUSE & CONDOMINIUM RESIDENCE-CONDITIONAL OVERLAY (SF-6-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) district and single family residence standard lot (SF-2) district to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district and townhouse & condominium residence-conditional overlay (SF-6-CO) combining district on the property (the "Property") described in Zoning Case No. C14-2012-0060, on file at the Planning and Development Review Department, as follows:

TRACT 1: From development reserve (DR) district and single family residence-standard lot (SF-2) district to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district.

A 1.82 acre tract of land, more or less, out of the William Cannon Survey No. 19, the tract of land being more particularly described by metes and bounds in Exhibit "A".

TRACT 2: From development reserve (DR) district to townhouse & condominium residence-conditional overlay (SF-6-CO) combining district.

A 4.41 acre tract of land, more or less, out of the William Cannon Survey No. 19, the tract of land being more particularly described by metes and bounds in Exhibit "B".

locally known as 8401 South 1st Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

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

- A. 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.
- B. Vehicular access from the Property to Orr Drive is prohibited, except for pedestrian, bicycle and emergency ingress and egress. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the neighborhood commercial (LR) base district, townhouse & condominium residence (SF-6) base district, the mixed use combining district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on February 11, 2013.

PASSED AND APPROVED

January 31, 2013 §
Lee Leffingwell
Mayor

APPROVED: Karen M. Kennard
City Attorney

ATTEST: Jannette S. Goodall
City Clerk

FIELD NOTES
PROPOSED ZONING BOUNDARY – TRACT 1

ALL THAT CERTAIN PARCEL OR TRACT OF LAND OUT OF THE WILLIAM CANNON SURVEY NO. 19, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; BEING ALL OF LOT 1-B AND A PORTION OF LOT 1-A, RESUBDIVISION OF LOT 1 OF THE P.F. ORR SUBDIVISION, AS RECORDED IN BOOK 43, PAGE 25 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AS CONVEYED TO PV FIRST STREET INVESTORS, LLC BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2008085901 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED FROM RECORD INFORMATION BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the southwest corner of the above described Lot 1-B, Resubdivision of Lot 1 of the P.F. Orr Subdivision, also being the northwest corner of Lot 1-C of said Resubdivision of Lot 1 of the P.F. Orr Subdivision, on the east right-of-way line of South 1st Street, for the southwest corner and POINT OF BEGINNING of the herein described tract;

THENCE, with the east right-of-way line of said South 1st Street and the west lines of said Lots 1-B and 1-A, the following three (3) courses:

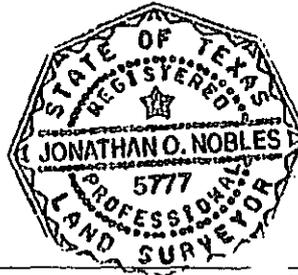
- 1) N28°37'E, pass the northwest corner of said Lot 1-B at a distance of 124.85 feet, and continuing on for a total distance of 192.71 feet to an angle point;
- 2) N31°14'E a distance of 159.00 feet to an angle point; and
- 3) N35°02'E a distance of 101.56 feet to the northwest corner of said Lot 1-A;

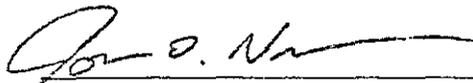
THENCE, with the northerly line of said Lot 1-A, S60°10'E, a distance necessary to arrive at a point being two-hundred (200') feet perpendicular to the east right-of-way line of South 1st Street;

THENCE, in a southwesterly direction, two-hundred (200') feet easterly of and parallel with the east right-of-way line of said South 1st street, a distance necessary to arrive at a point on the south line of said Lot 1-A and the north line of said Lot 1-C;

THENCE, with the south lines of said Lot 1-A and 1-B and the north line of said Lot 1-C, N83°18'W, a distance necessary to arrive at the POINT OF BEGINNING of the herein described tract.

An on the ground survey was not performed, as this description was written from record information noted on the plat recorded in Book 43, Page 25 of the Plat Records of Travis County, Texas. This document was prepared under 22 TAC §663.21 and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.




Jonathan O. Nobles
Registered Professional Land Surveyor No. 5777

1/8/2013
Date

Client: Aquila Commercial
Date: January 8, 2013
Job No.: 0A663-004-00/500
File: J:\Projects\A663\004\Survey\Legal Desc\A663-004 Zoning FN-1.doc

**FIELD NOTES
PROPOSED ZONING BOUNDARY – TRACT 2**

ALL THAT CERTAIN PARCEL OR TRACT OF LAND OUT OF THE WILLIAM CANNON SURVEY NO. 19, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; BEING A PORTION OF LOT 1-A, RESUBDIVISION OF LOT 1 OF THE P.F. ORR SUBDIVISION, AS RECORDED IN BOOK 43, PAGE 25 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AS CONVEYED TO PV FIRST STREET INVESTORS, LLC BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2008085901 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED FROM RECORD INFORMATION BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the southeast corner of the above described Lot 1-A, Resubdivision of Lot 1 of the P.F. Orr Subdivision, for the southeast corner and POINT OF BEGINNING of the herein described tract;

THENCE, with the south line of said Lot 1-A, N88°55'W a distance of 344.28 feet to an outside corner of said Lot 1-A, also being the southeast corner of Lot 1-C of said Resubdivision of Lot 1 of the P.F. Orr Subdivision;

THENCE, with a west line of said Lot 1-A and the east line of said Lot 1-C, N0°12'W a distance of 190.64 feet to an inside corner of said Lot 1-A, also being the northeast corner of said Lot 1-C;

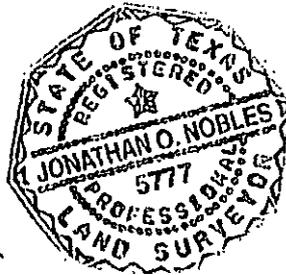
THENCE, with the south line of said Lot 1-A and the north line of said Lot 1-C, N83°18'W, a distance necessary to arrive at a point being two-hundred (200') feet perpendicular to the east right-of-way line of South 1st Street;

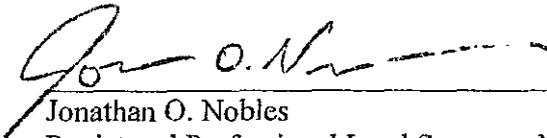
THENCE, in a northeasterly direction, two-hundred (200') feet easterly of and parallel with the east right-of-way line of said South 1st Street, a distance necessary to arrive at a point on the northerly line of said Lot 1-A;

THENCE, with the northerly line of said Lot 1-A, S60°10'E, a distance necessary to arrive at the northeast corner of said Lot 1-A;

THENCE, with the east line of said Lot 1-A, S2°45'W a distance of 315.96 feet to the POINT OF BEGINNING of the herein described tract.

An on the ground survey was not performed, as this description was written from record information noted on the plat recorded in Book 43, Page 25 of the Plat Records of Travis County, Texas. This document was prepared under 22 TAC §663.21 and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.




Jonathan O. Nobles

Registered Professional Land Surveyor No. 5777

1/8/2013

Date

Client: Aquila Commercial

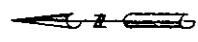
Date: January 8, 2013

Job No.: 0A663-004-00/500

File: J:\Projects\A663\004\Survey\Legal Desc\A663-004 Zoning FN-2.doc

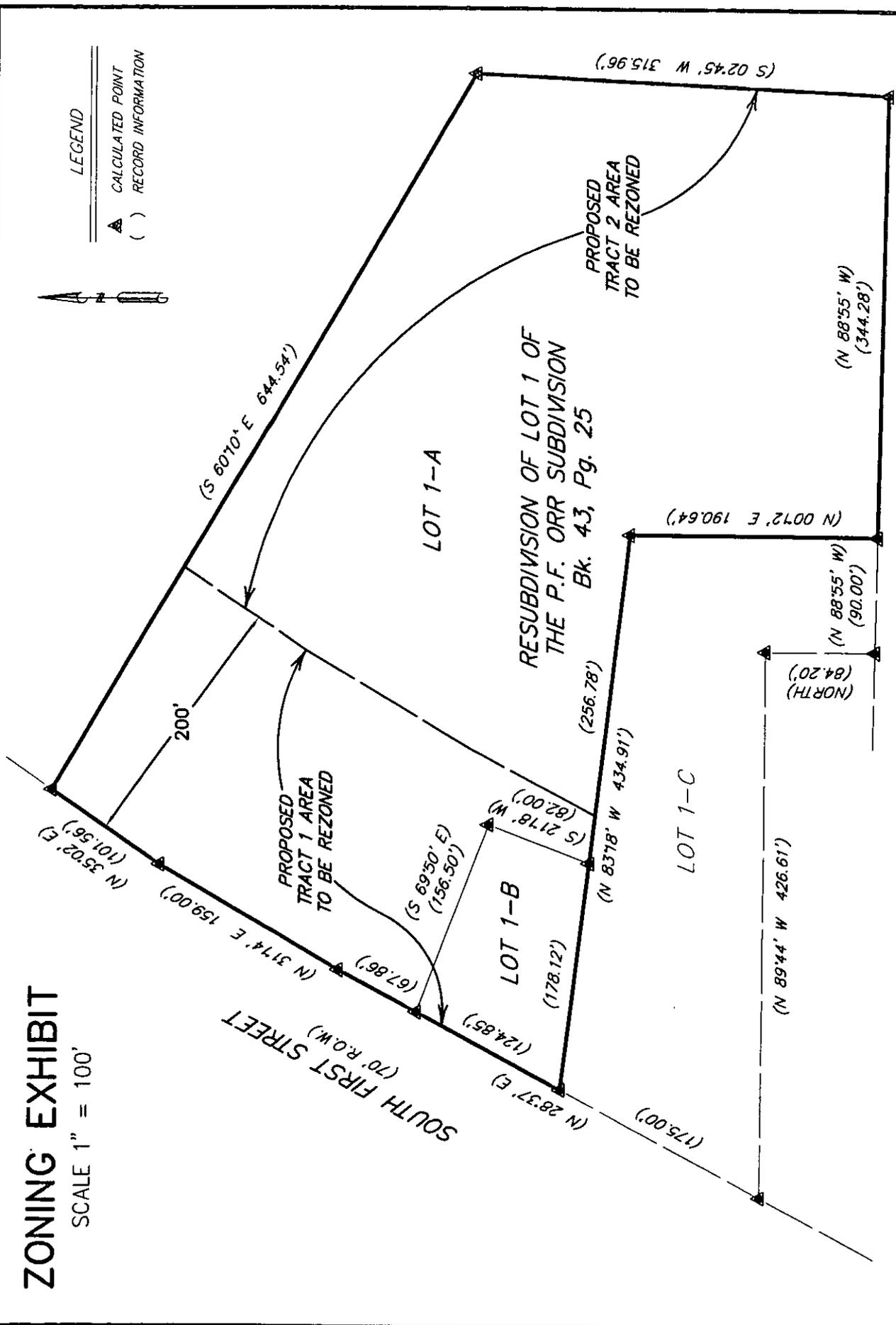
ZONING EXHIBIT

SCALE 1" = 100'



LEGEND

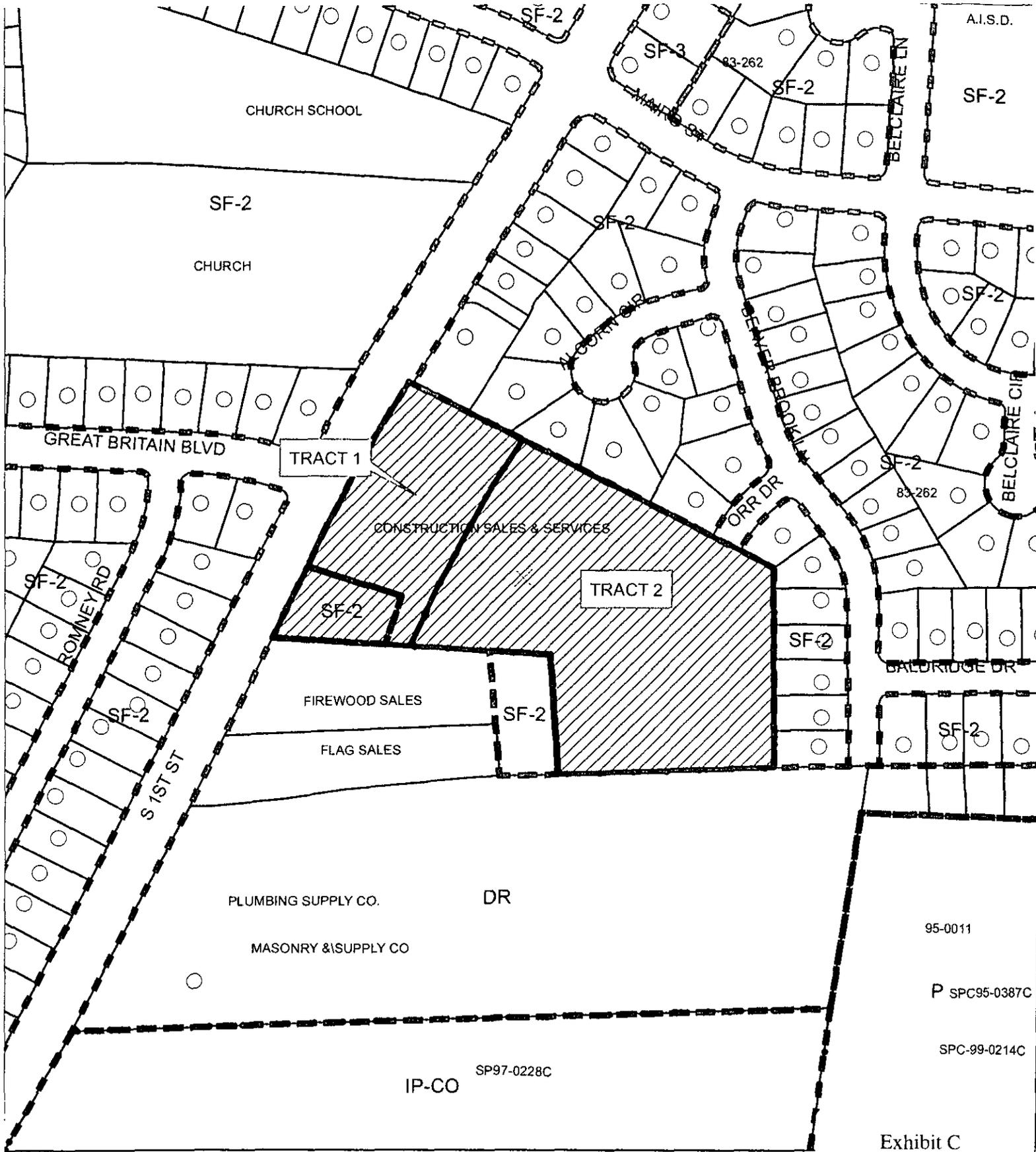
- CALCULATED POINT
- RECORD INFORMATION



terra firma
LAND SURVEYING

1701 Directors Boulevard, Suite 400 Austin, Texas 78744 512/328-8373 Fax 512/445-2288

Client : Aquila Commercial
Date : January 9, 2013
Office : J. Nobles, M. Carney, S. Barger
Job No : A663-004-00/500
File : J:\Projects\A663\004\Survey\Drawing Files\500\A663-004-Zoning Exhibit.dwg



ZONING

ZONING CASE#: C14-2012-0060



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 200'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness

Exhibit C

