

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 7401 WEST U.S. 290 HIGHWAY IN THE WEST OAK HILL NEIGHBORHOOD PLAN AREA FROM LIMITED OFFICE-NEIGHBORHOOD PLAN (LO-NP) COMBINING DISTRICT TO NEIGHBORHOOD COMMERCIAL-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LR-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 limited office-neighborhood plan (LO-NP) combining district to neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district on the property described in Zoning Case No. C14-2011-0146, on file at the Planning and Development Review Department, as follows:

Lot 1, Block 5, Oak Hill Heights Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 82, Pages 265-266 of the Plat Records of Travis County, Texas (the "Property"), SAVE AND EXCEPT a 2.193 acre tract of land, more or less, a portion of Lot 1, Section 5, Oak Hill Heights Subdivision, more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance.

locally known as 7401 West U.S. 290 Highway 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 of this ordinance, 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:

- 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.

1
2 B. A service station use is a prohibited use of the Property.
3

4 Except as specifically restricted under this ordinance, the Property may be developed and
5 used in accordance with the regulations established for the neighborhood commercial (LR)
6 base district, and other applicable requirements of the City Code.
7

8 **PART 4.** The Property is subject to Ordinance No. 20081211-097 that established the
9 West Oak Hill neighborhood plan combining district.
10

11 **PART 5.** This ordinance takes effect on _____, 2013.
12

13 **PASSED AND APPROVED**
14

15 §
16 §
17 _____, 2013 § _____
18 Lee Leffingwell
19 Mayor
20

21
22 **APPROVED:** _____ **ATTEST:** _____
23 Karen M. Kennard Jannette S. Goodall
24 City Attorney City Clerk

EXHIBIT "A"

County: Travis
Highway: US 290
Limits: From RM Highway 1826 to Brodie Lane
Account: 8014-1-74

FIELD NOTES FOR PARCEL NO. 4

Being 2.193 acres of land, more or less, out of and a part of Lot 1, Section 5, Oak Hill Heights Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 82, Page 265, Plat Records of Travis County, Texas, said Section 5, being the same land described in a deed from CBS Development Corporation to Oak Hill Heights Joint Venture, dated July 6, 1983, recorded in Volume 8154, Page 547, Deed Records of Travis County, Texas, said 2.193 acres of land, more or less, being more particularly described by metes and bounds as follows:

BEGINNING at the point of intersection of the proposed southerly right of way line of US 290 with the easterly boundary line of said Lot 1, said point being North 35 degrees 37 minutes 29 seconds West, a distance of 357.80 feet from the southeasterly corner of said Lot 1;

THENCE South 60 degrees 17 minutes 02 seconds West, along the proposed southerly right of way line, a distance of 490.09 feet to a point in the westerly boundary line of said Lot 1;

THENCE North 29 degrees 23 minutes 46 seconds West, along the westerly boundary line of said Lot 1, a distance of 166.11 feet to a point, said point being the northwesterly corner of said Lot 1;

THENCE North 51 degrees 34 minutes 14 seconds East, along the northerly boundary line of said Lot 1, a distance of 241.64 feet to a point;

THENCE North 40 degrees 38 minutes 54 seconds East along said northerly boundary line, a distance of 3.55 feet to a point on the existing southerly right of way line of US 290 and the beginning of a circular curve to the left having a radius of 2934.79 feet and a long chord of 12.51 feet in length which bears North 54 degrees 39 minutes 17 seconds East;

THENCE in an easterly direction along said existing southerly right of way line and along and around said circular curve a distance of 12.51 feet to a point, said point being 2.70 feet left of US 290 Engineer's centerline station 3+40.36;

THENCE North 54 degrees 22 minutes 31 seconds East, along said existing southerly right of way line, a distance of 192.15 feet to the beginning of a circular curve to the right having a radius of 20.00 feet and a long chord of 28.28 feet in length which bears South 80 degrees 37 minutes 28 seconds East;

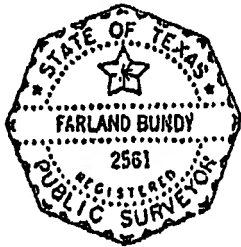
REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

11123 0305

THENCE in a southeasterly direction along and around said circular curve, a distance of 31.42 feet to a point in the easterly boundary line of said Lot 1;

THENCE South 35 degrees 37 minutes 29 seconds East, along said easterly boundary line, a distance of 208.18 feet to the POINT OF BEGINNING and containing 2.193 acres of land, more or less.

Lockwood, Andrews & Newnam, Inc.



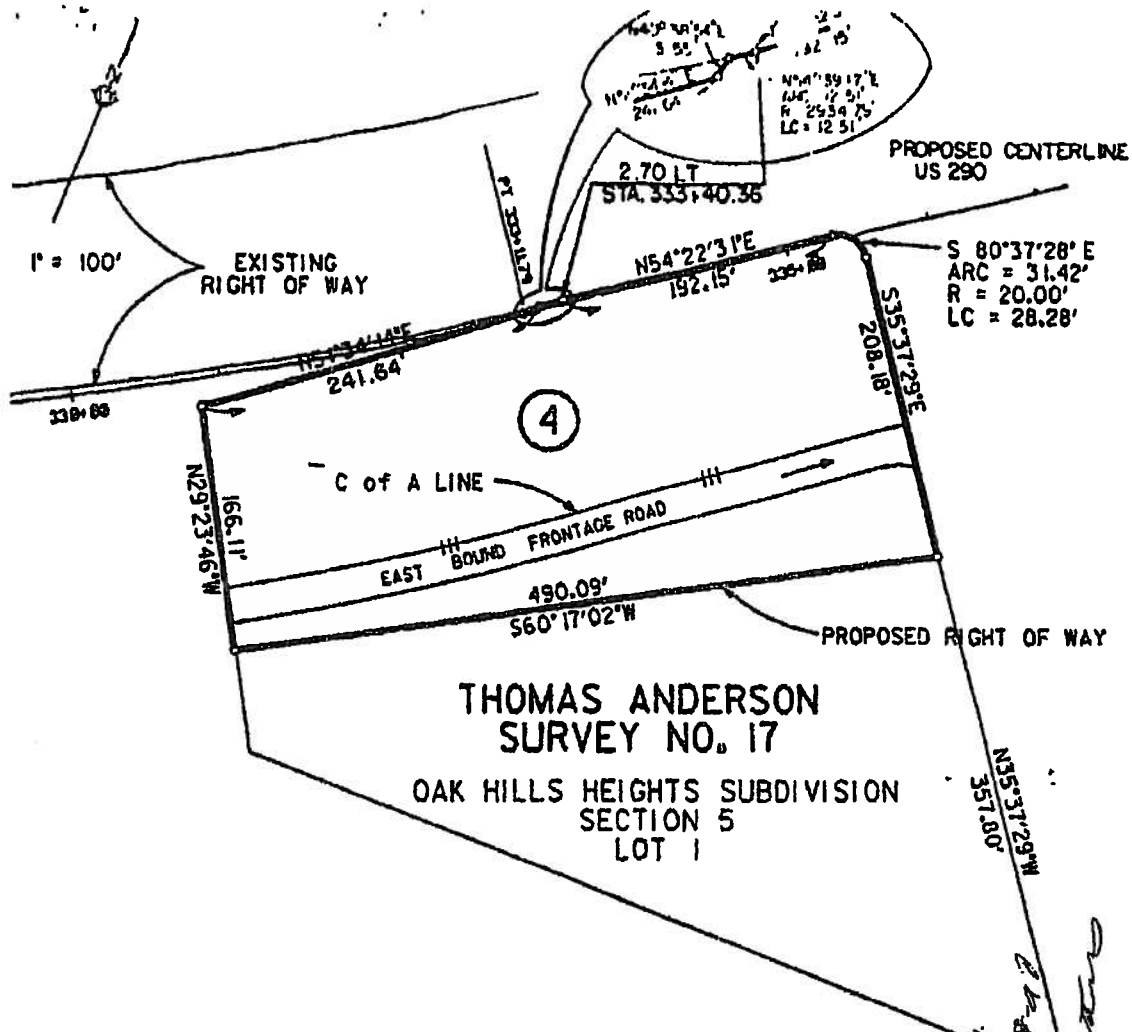
Farland Bundy Dec 16, 1987
Farland Bundy, RPS 2561 Date

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

11123 0306

I, JAMES H. HARRIS, County Clerk of Travis County, Texas, do hereby certify that the foregoing is a true and correct copy of the original record as the same appears in the public records of this county.

James H. Harris



PARCEL 4
OAK HILL HEIGHT JOINT VENTURE

VOL.

PAGE

AREA ACQUIRED
APPROX. REMAINDER

95522 S.F.
107071 S.F.

2.193 ACRES
2.458 ACRES

NOTE: BEARINGS SHOWN WERE DETERMINED
USING TEXAS STATE PLANE COORDINATES
ADJUSTED TO SURFACE.

TRAVIS COUNTY RECORDS
TRAVIS COUNTY, TEXAS

11123 0307

ACCOUNT: 8014-1-74
TRAVIS COUNTY
US 290
FROM RM 1826 TO BRODIE LA

I, the undersigned, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy of the record as the same appears of record in my office. Witness my hand and seal of office on this 11th day of May, 1974.

County Clerk, Travis County, Texas

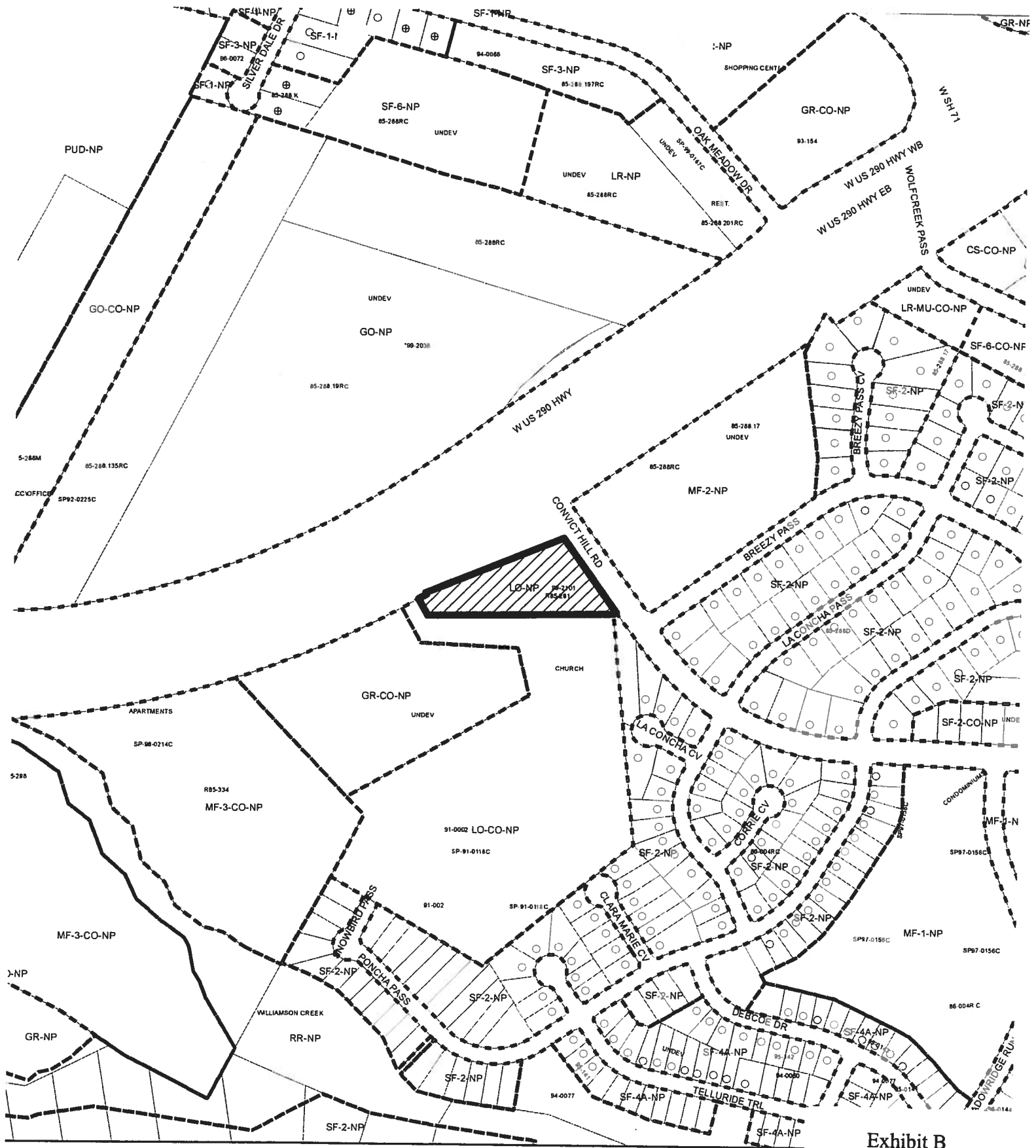
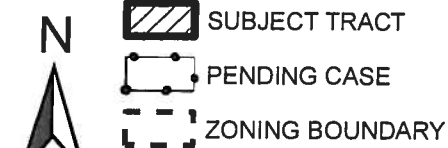


Exhibit B



ZONING
ZONING CASE#: C14-2011-0146

1" = 400'

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.

