

ORDINANCE NO. 20131212-122

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5513 SOUTHWEST PARKWAY IN THE EAST OAK HILL NEIGHBORHOOD PLAN AREA FROM GENERAL OFFICE-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GO-MU-CO-NP) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-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 general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2013-0137, on file at the Planning and Development Review Department, as follows:

4.98 acre tract of land, more or less, out of the Thomas Anderson Survey No. 17, Abstract No. 2, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 5513 Southwest Parkway 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 community commercial (GR) 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.

B. The following uses are conditional uses of the Property:

Restaurant (limited)
Community recreation (private)
Community recreation (public)
Residential treatment

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

Alternative financial services	Automotive rentals
Automotive repair services	Automotive sales
Automotive washing (of any type)	Bail bond services
Commercial off-street parking	Consumer convenience services
Consumer repair services	Custom manufacturing
Drop off-recycling collection facility	Exterminating services
Financial services	Food preparation
Food sales	Funeral services
General retail services (general)	General retail services (convenience)
Hotel-motel	Indoor entertainment
Outdoor entertainment	Pawn shop services
Pedicab storage and dispatch	Pet services
Plant nursery	Research services
Restaurant (general)	Service station
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, the mixed use combining district and other applicable requirements of the City Code.

PART 4. The Property is subject to Ordinance No. 20081211-098 that established the East Oak Hill neighborhood plan combining district.

PART 5. This ordinance takes effect on December 23, 2013.

PASSED AND APPROVED

December 12, 2013 §
§
Lee Leffingwell
Mayor

APPROVED: Karen M. Kennard
City Attorney

ATTEST: Jannette S. Goodall
City Clerk

4.982 ACRES
AUSTIN AQUATICS AND SPORTS ACADEMY
5513 SOUTHWEST PARKWAY

FN. NO. 13-515(MJJ)
DECEMBER 2, 2013
BPI JOB NO. R0111697-10001

DESCRIPTION

OF 4.982 ACRES OF LAND OUT OF THE THOMAS ANDERSON LEAGUE NO. 17, ABSTRACT NO. 2, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING THAT CERTAIN TRACT OF LAND CONVEYED TO SOUTHWEST PARKWAY PARTNERS L.P. BY DEED OF RECORD IN DOCUMENT NO. 2006057459 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 4.982 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found in the southerly right-of-way line of Southwest Parkway (R.O.W. varies), being the northwesterly corner of Lot 1, Block "A" Murphey Subdivision, a subdivision of record in Document No. 200600209 of said Official Public Records and the northeasterly corner of said Southwest Parkway Partners L.P. tract, for the northeasterly corner hereof, from which a 1/2 inch iron rod found in the southerly right-of-way line of Southwest Parkway, being the northerly line of said Lot 1 bears, S56°25'45"E, a distance of 66.38 feet;

THENCE, leaving the southerly right-of-way line of Southwest Parkway, along the westerly lines of said Lot 1 and Lot 2, Block "A" of said Murphey Subdivision, being the easterly and southerly lines of said Southwest Parkway Partners L.P. tract, for the easterly and southerly lines hereof, the following two (2) courses and distances:

- 1) S30°08'19"W, a distance of 1043.50 feet to a 1/2 inch iron rod found at the southeasterly corner of said Southwest Parkway Partners L.P. tract, for the southeasterly corner hereof;
- 2) N59°21'20"W, a distance of 208.45 feet to a 1/2 inch iron rod with "BURY" cap set in the easterly line of Lot 4 Encino Trace Subdivision, a subdivision of record in Document No. 200800279 of said Official Public Records, being the southwesterly corner of said Southwest Parkway Partners L.P. tract, for the southwesterly corner hereof;


THENCE, N30°17'45"E, along the easterly line of said Lot 4, being the westerly line of said Southwest Parkway Partners L.P. tract, for the westerly line hereof, a distance of 1053.12 feet to a 1/2 inch iron rod with "BURY" cap set in the southerly right-of-way line of Southwest Parkway, being the northeasterly corner of said Lot 4 and the northwesterly corner of said Southwest Parkway Partners L.P. tract, for the northwesterly corner hereof;

FN NO. 13-515(MJJ)
DECEMBER 2, 2013
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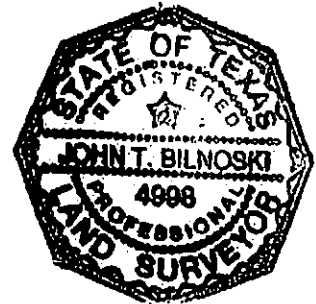
THENCE, S56°40'16"E, along the southerly right-of-way line of Southwest Parkway, along the northerly line of said Southwest Parkway Partners L.P. tract, for the northerly line hereof, a distance of 205.87 feet to the **POINT OF BEGINNING**, containing 4.982 acres (217,009 sq. ft.) of land, more or less, within these metes and bounds.

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY-AUS, INC.
221 WEST SIXTH STREET
SUITE 600
AUSTIN, TEXAS 78701


12/2/13

JOHN T. BILNOSKI
R.P.L.S. NO. 4998
STATE OF TEXAS



SOUTHWEST PARKWAY
(R.O.W. VARIES)

P.O.B.

S56°40'16"E
205.87'

S56°25'45"E
66.38'

LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD WITH "BURY" CAP SET
- P.O.B. POINT OF BEGINNING

LOT 1
ENCINO TRACE SUBDIVISION
DOC. NO. 200800279

LOT 4
ENCINO TRACE SUBDIVISION
DOC. NO. 200800279

LOT 2
ENCINO TRACE SUBDIVISION
DOC. NO. 200800279

**4.982
ACRES**
(217,009
SQ. FT.)

SOUTHWEST PARKWAY PARTNERS L.P.
DOCUMENT NO. 2006057459

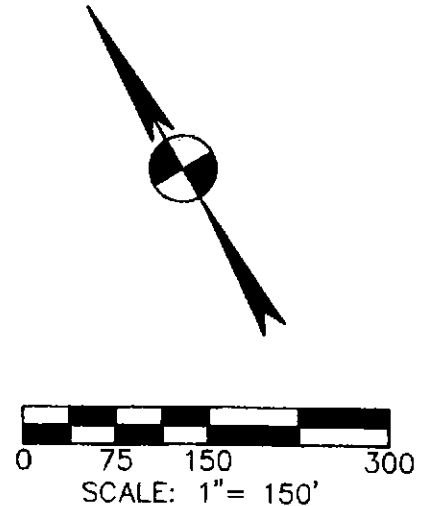
N30°17'45"E 1053.12'

S30°08'19"W 1043.50'

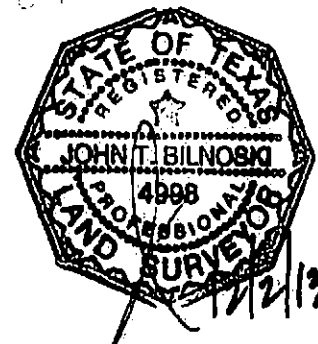
N59°21'20"W
208.45'

LOT 1, BLOCK "A"
MURPHEY SUBDIVISION
DOC. NO. 200500209

LOT 2, BLOCK "A"
MURPHEY SUBDIVISION
DOC. NO. 200600209



THOMAS ANDERSON
SURVEY
ABSTRACT



BEARING BASIS:

THE BASIS OF BEARINGS SHOWN HEREON IS A PORTION OF THE IRREGULAR NORTHERLY LINE OF THAT CERTAIN 48.86 ACRE TRACT OF LAND OF RECORD IN VOLUME 13224, PAGE 869 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, BEING THE WESTERLY LINE OF THAT CERTAIN 9.989 ACRE TRACT OF LAND OF RECORD IN DOCUMENT NO. 2000202168 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

BURY

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TBPE # F-1048 TBPLS # F-10107500
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SKETCH TO ACCOMPANY DESCRIPTION

OF 4.982 ACRES OF LAND OUT OF THE THOMAS ANDERSON SURVEY NO. 17, ABSTRACT NO. 2, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING THAT CERTAIN TRACT OF LAND CONVEYED TO SOUTHWEST PARKWAY PARTNERS L.P. BY DEED OF RECORD IN DOCUMENT NO. 2006057459 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

**AUSTIN
AQUATICS AND
SPORTS
ACADEMY**

