

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4020 AIRPORT BOULEVARD IN THE UPPER BOGGY CREEK NEIGHBORHOOD PLAN AREA FROM NEIGHBORHOOD COMMERCIAL-VERTICAL MIXED USE BUILDING-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LR-V-MU-CO-NP) COMBINING DISTRICT TO NEIGHBORHOOD COMMERCIAL-VERTICAL MIXED USE BUILDING-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LR-V-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 neighborhood commercial-vertical mixed use building-mixed use-conditional overlay-neighborhood plan (LR-V-MU-CO-NP) combining district to neighborhood commercial-vertical mixed use building-mixed use-conditional overlay-neighborhood plan (LR-V-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2013-0152, on file at the Planning and Development Review Department, as follows:

A 2.79 acre tract of land, more or less, out of the Thomas Hawkins Survey No. 9, Abstract. 356 the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 4020 Airport Boulevard 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. Except as modified in this ordinance, development of the Property must comply with the site development regulations of the limited office (LO) zoning district as set out in City Code § 25-2-492.

- 1
2 B. A site plan or building permit for the Property may not be approved, released,
3 or issued, if the completed development or uses of the Property, considered
4 cumulatively with all existing or previously authorized development and uses,
5 generate traffic that exceeds 2,000 trips per day.
6
7 C. Vehicular access from the Property to Shieffer Avenue is prohibited. All
8 vehicular access to the Property shall be from other adjacent public streets or
9 through other adjacent property.
10
11 D. If Restaurant (general), restaurant (limited) or food sales uses are developed on
12 the Property, each use must be a minimum of 500 sq. ft. in building coverage.
13
14 E. Development of the Property may not exceed 45,000 square feet of building
15 coverage.
16
17 F. Hours of operation for any business on the Property are limited to 7:00 a.m. to
18 9:00 p.m.
19
20 G. The height, as defined in City Code § 25-1-21, of any building or structure may
21 not exceed 32 feet and a maximum of two stories.
22
23 H. The following uses are prohibited uses of the Property:
24
- | | |
|-------------------------|----------------------------|
| Service station | Off-site accessory parking |
| Pet services | Financial services |
| Printing and publishing | |

25
26 Except as specifically restricted under this ordinance, the Property may be developed and
27 used in accordance with the regulations established for the neighborhood commercial (LR)
28 base district, the mixed use combining district and other applicable requirements of the
29 City Code.
30

31 **PART 4.** The Property is subject to Ordinance No. 20020801-92 that established the Upper
32 Boggy Creek neighborhood plan combining district.
33
34

1 **PART 5.** This ordinance takes effect on _____, 2014.

2
3 **PASSED AND APPROVED**

4
5 §

6 §

7 _____, 2014 § _____

8 Lee Leffingwell
9 Mayor

10
11
12 **APPROVED:** _____ **ATTEST:** _____

13 Karen M. Kennard
14 City Attorney

Jannette S. Goodall
City Clerk

FIELD NOTES

BEING 2.79 ACRES, MORE OR LESS, OUT OF THE THOMAS HAWKINS SURVEY NO. 9, ABSTRACT NO. 356, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN (2.79 ACRE) TRACT AS CONVEYED TO LACRETA S. RICHARDSON, TRUSTEE OF THE AIRPORT BOULEVARD TRUST, AS RECORDED IN DOC. NO. 2004214923, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AND FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at ½" iron rod found in the existing south line of Schieffer Ave., a 50' right-of-way, for the northeast corner of Lot 14, Block E, Schieffer Place Section 5, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Book 12, Pg. 23, Plat Records, Travis County, Texas, and being at a Westerly corner of a tract conveyed to the City of Austin, same being the Northwest corner of the said Richardson (2.79 Acre) tract, for the Northwest corner and **POINT OF BEGINNING** of the herein described tract, from which a ½" iron rod found for the most Northerly Northwest corner of said Lot 14 bears N 60°41'30" W 76.95 feet;

THENCE: along the south line of the said City of Austin tract, and the north line of the said (2.79 Acre) tract, S 60°24'01" E 134.35 feet to a ½" iron rod set capped 'ats-engineers' in the west right-of-way line of Airport Boulevard (aka Loop 111), for the Northeast corner of the said (2.79 Acre) tract and the Northeast corner of the herein described tract;

THENCE: along the west line of Airport Boulevard and the east line of the said (2.79 Acre) tract, S 05°25' 22" E 732.03 feet to a ½" iron rod found capped "Cookston" for the Northeast corner of Lot 1, Block E, Schieffer Place Sec. 4, a subdivision in Travis County, Texas, according to the map or plat thereof as recorded in Book 7, Pg. 89, Plat Records, Travis County, Texas, same being at the Southeast corner of the said (2.79 Acre) tract, for the Southeast corner of the herein described tract;

THENCE: along the north line of said Schieffer Place Sec. 4, and the south line of the said (2.79 Acre) tract, S 84°37'07" W at 84.97 feet pass a ½" iron rod found for the Northwest corner of said Lot 1, Block E, Schieffer Place Sec. 4, same being the Northeast corner of Lot 2, Block E, Schieffer Place Sec. 4, and continuing along the same course for a total distance of 154.57 feet to a 5/8" iron rod found for the Northwest corner of said Lot 2, same being the Northeast corner of Lot 3, Block E, Schieffer Place Sec. 4, for an angle point of the said (2.79 Acre) tract and an angle point hereof;

THENCE along the North line of said Lot 3 and a south line of the said (2.79 Acre) tract N 48°36'57" W 52.47 feet to a 5/8" iron rod found in the west line of a 20 foot wide public utility and drainage easement as depicted on said plats of Schieffer Place Sec. 4, and Schieffer Place Section 5, and being in the east line of Lot 5, Block E, Schieffer Place Sec. 4, for the Southwest corner of the said (2.79 Acre) tract, and the Southwest corner of the herein described tract;

THENCE along the east line of said Lot 5, Block E, Schieffer Place Sec. 4, and the west line of the said (2.79 Acre) tract, the following two (2) courses:

1. N 43°17'19" E 47.42 feet to a mini-mag nail found in concrete;
2. N 05°00'56" W 17.76 feet to a ½" iron pipe found for the Northeast corner of said Lot 5, same being the Southeast corner of Lot 6, Block E of said Schieffer Place Section 5, for an angle point of the said (2.79 Acre) tract and an angle point hereof;

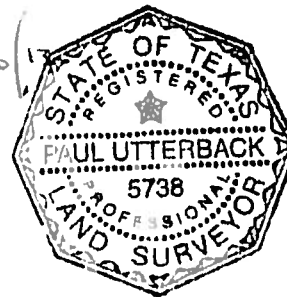
THENCE: continuing along the east line of Lots 6, 7, 8, 9, 10, 11, 12, and 13, Block E, Schieffer Place Section 5, respectively, and the west line of the said (2.79 Acre) tract, the following three (3) courses:

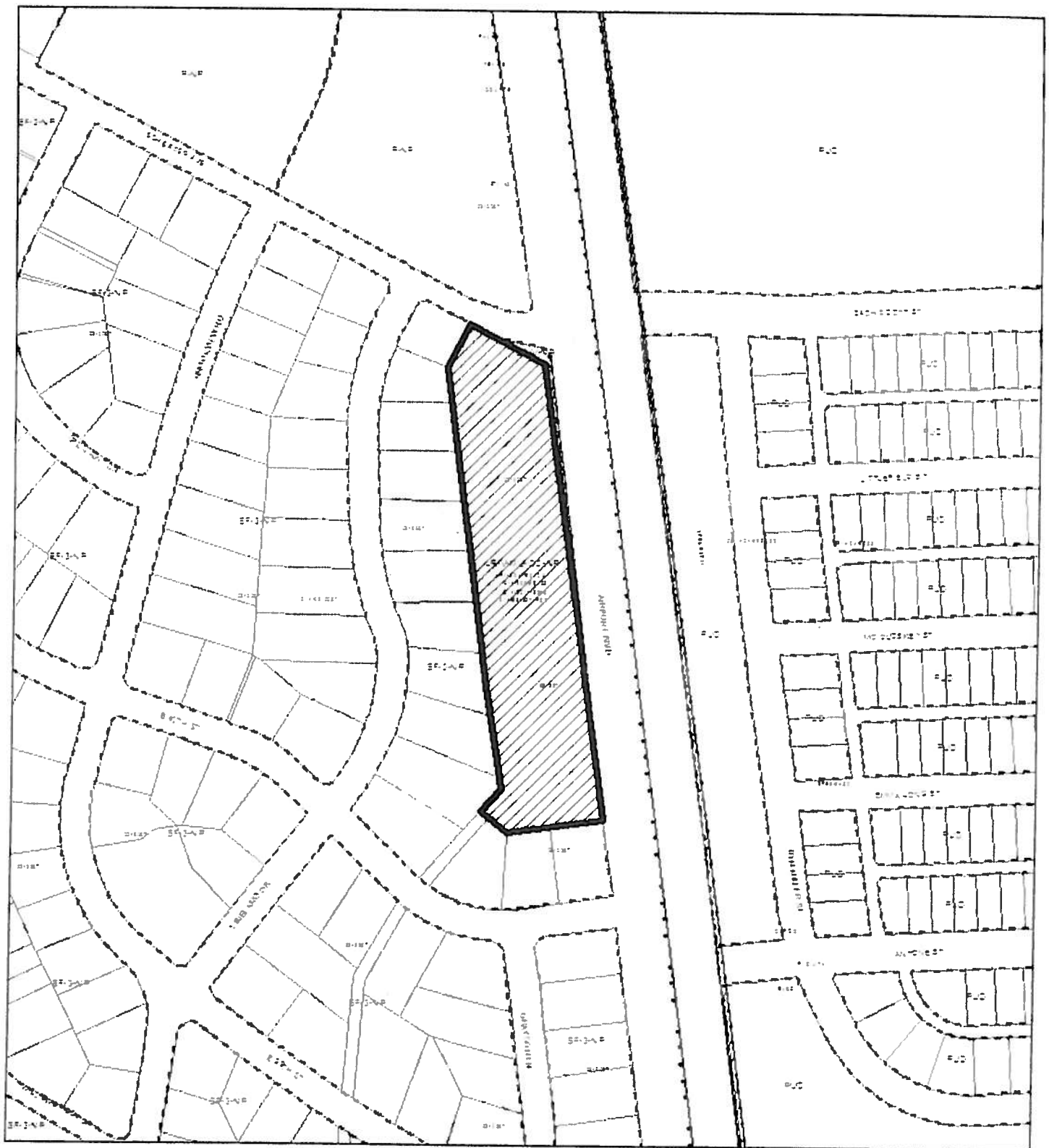
1. N 06°07'16" W 160.34 feet to a ½" iron rod set capped "ats-engineers";
2. N 05°12'00" W 498.21 feet to a ½" iron found capped "Cookston";
3. N 29°52'17" E 77.41 feet to the **POINT OF BEGINNING** and containing 2.79 Acres, more or less.




Bearings cited hereon are based on Schieffer Place Section 5, as recorded in Book 12, Pg. 23, Plat Records, Travis County, Texas.



Paul Utterback
Registered Professional Land Surveyor No. 5738
Prepared: November 24, 2013





-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2013-0152

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.

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