

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 6800 MANCHACA ROAD FROM COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT AND LIMITED OFFICE-MIXED USE-CONDITIONAL OVERLAY (LO-MU-CO) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT FOR TRACT 1 AND LIMITED OFFICE-MIXED USE-CONDITIONAL OVERLAY (LO-MU-CO) COMBINING DISTRICT FOR TRACT 2.

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 on the property (the "Property") described in Zoning Case No. C14-2014-0042, on file at the Planning and Development Review Department, as follows:

TRACT 1

From community commercial-conditional overlay (GR-CO) combining district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district;

1.81 acre tract of land, more or less, out of a portion of Lot 4, C.T. Baker Subdivision the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

TRACT 2

From limited office-mixed use-conditional overlay (LO-MU-CO) combining district to limited office-mixed use-conditional overlay (LO-MU-CO) combining district;

2.79 acre tract of land, more or less, out of a portion of Lot 4, C.T. Baker Subdivision the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance

locally known as 6800 Manchaca Road 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 (Tracts 1 and 2) 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:

Community recreation (private)

Community recreation (public)

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

Automotive repair services

Automotive rentals

Automotive sales

Automotive washing (of any type)

Bail bond services

Business or trade school

Business support services

Commercial off-street parking

Communication services

Drop-off recycling collection facility

Exterminating services

Food preparation

Funeral services

Hospital services (general)

Hotel-motel

Indoor entertainment

Indoor sports and recreation

Outdoor entertainment

Outdoor sports and recreation

Pawn shop services

Personal improvement services

Research services

Restaurant (general)

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, limited office (LO) base district, the mixed use combining district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on _____, 2014.

PASSED AND APPROVED

_____, 2014

Lee Leffingwell
Mayor

APPROVED: _____ **ATTEST:** _____
 Karen M. Kennard Jannette S. Goodall
 City Attorney City Clerk

EXHIBIT A
LEGAL DESCRIPTION

BEING A 1.811 ACRE TRACT OF LAND OUT OF AND A PORTION OF LOT 4, C. T. BAKER SUBDIVISION, A SUBDIVISION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 6, PAGE 120, PLAT RECORDS TRAVIS COUNTY, TEXAS, THE LEGAL DESCRIPTION HEREIN IS INTENDED FOR THE PROPOSED REZONING OF LOT 4, C. T. BAKER SUBDIVISION AND NOT TO BE USED FOR THE CONVEYANCE OF ANY PORTION OF LOT 4, C. T. BAKER SUBDIVISION, SAID 1.811 ACRE TRACT OF LAND BEING SHOWN ON THE ATTACHED SKETCH MARKED EXHIBIT "D" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS :

COMMENCING for reference at a one-half inch iron rod found for the southeast corner of the said Lot 4, same being an interior angle corner of Manchaca Road, a road in the City of Austin whose right of way varies;

THENCE North 80°41'21" West, along the common dividing line of the said Lot 4 and the said Manchaca Road passing at a distance of 5.19 feet a point for an interior angle corner of the said Manchaca Road, same being the northeast corner of Lot 11-E, Resubdivision Lot 11-A and Lot 11-B Of The Resubdivision Of Lot 11, Shier Cliff-I, a subdivision in the City of Austin, Travis County, Texas, according to the plat recorded in Volume 58, Page 51, Plat Records Travis County, Texas, continuing and along the common dividing line of the said Lot 4 and the said Lot 11-E a Total Distance of 10.00 feet to a point for the southeast corner of and POINT OF BEGINNING of the herein described 1.811 acre tract of land, same being a point on the common dividing line of the said Lot 4 and the said Lot 11-E

THENCE along the common dividing line of the said Lot 4 and the said Lot 11-E, the following two courses:

- 1) North 80°41'21" West, a distance of 70.02 feet to a point for an exterior angle corner of the said Lot 4, same being an interior angle corner of said Lot 11-E;
- 2) North 62°15'37" West, a distance of 370.83 feet to a point for the southwest corner of the herein described 1.811 acre tract of land, same being the northwest corner of Lot 11-D of the said Resubdivision Lot 11-A and Lot 11-B Of The Resubdivision Of Lot 11, Shier Cliff-I, same being the northeast corner of Lot 8, of Shier Cliff-I, a subdivision in the City of Austin, Travis County, Texas, according to the plat recorded in Volume 47, Page 84, Plat Records of Travis County, Texas and from this point the southwest corner of the said Lot 4, C. T. Baker Subdivision bears North 62°15'37" West, a distance of 624.79 feet to a one-half inch iron rod in concrete found;

THENCE North 27°40'39" East, through said Lot 4, a distance of 190.89 feet to a point for the northwest corner of the herein described 1.811 acre tract of land, same being a point on the common dividing line of the said Lot 4 and Lot 3, of the said C. T. Baker Subdivision and from this point a one-half inch iron rod found for the northwest corner of the said Lot 4, same being the southwest corner of the said Lot 3, bears North 62°15'37" East, a distance of 701.90 feet;

THENCE along the common dividing line of the said Lot 3 and the said Lot 4, the following two (2) courses:

- 1) South 62°15'37" East, a distance of 310.14 feet to a ninety d nail found for an interior angle corner of the herein described 1.811 acre tract of land and the said Lot 4, same being an exterior angle corner of the said Lot 3;
- 2) South 80°16'24" East, a distance of 68.81 feet to a point for the northeast corner of the herein described 1.811 acre tract of land and from this point a three-

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PROFESSIONAL LAND SURVEYING

ROBERT C. STEUBING OWNER

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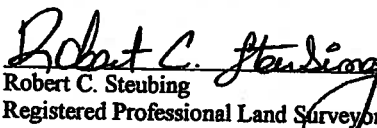
(BEING A 1.811 ACRE TRACT OF LAND OUT OF AND A PORTION OF LOT 4, C. T. BAKER SUBDIVISION)

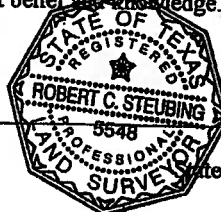
quarter inch diameter pipe found adjacent to a chain link corner post for the northeast corner of the said Lot 4, same being the southeast corner of the said Lot 3 and a point on the west right of way line of the said Manchaca Road bears South 80°16'24" East, a distance of 10.00 feet;

THENCE South 09°42'00" West, through said Lot 4, a distance of 199.86 feet to the **POINT OF BEGINNING**, and containing 1.811 acres of land, more or less, within these metes and bounds.

BASIS OF BEARINGS for this survey is the east line of the said Lot 4, as South 09°42'00" West, as per recorded Plat of the said C. T. Baker Subdivision.

I, Robert C. Steubing, a Registered Professional Land Surveyor, do hereby certify that the above survey was made upon the ground, under my supervision in September 2008 and is true and correct according to my best belief and knowledge.


Robert C. Steubing
Registered Professional Land Surveyor



10/07/08
Date
State of Texas - No. 5548

EXHIBIT B
LEGAL DESCRIPTION

BEING A 2.792 ACRE TRACT OF LAND OUT OF AND A PORTION OF LOT 4, C. T. BAKER SUBDIVISION, A SUBDIVISION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 6, PAGE 120, PLAT RECORDS TRAVIS COUNTY, TEXAS, THE LEGAL DESCRIPTION HEREIN IS INTENDED FOR THE PROPOSED REZONING OF LOT 4, C. T. BAKER SUBDIVISION AND NOT TO BE USED FOR THE CONVEYANCE OF ANY PORTION OF LOT 4, C. T. BAKER SUBDIVISION, SAID 2.792 ACRE TRACT OF LAND BEING SHOWN ON THE ATTACHED SKETCH MARKED EXHIBIT "D" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS :

COMMENCING for reference at a one-half inch iron rod found for the southeast corner of the said Lot 4, same being an interior angle corner of Manchaca Road, a road in the City of Austin whose right of way varies;

THENCE North 80°41'21" West, along the common dividing line of the said Lot 4 and the said Manchaca Road passing at a distance of 5.19 feet a point for an interior angle corner of the said Manchaca Road, same being the northeast corner of Lot 11-E, Resubdivision Lot 11-A and Lot 11-B Of The Resubdivision Of Lot 11, Shier Cliff-I, a subdivision in the City of Austin, Travis County, Texas, according to the plat recorded in Volume 58, Page 51, Plat Records Travis County, Texas, continuing for a Total Distance of 80.02 feet a point for an exterior angle corner of the said Lot 4, same being an interior angle corner of said Lot 11-E;

THENCE North 62°15'37" West, along the common dividing line of the said Lot 4 and the said Lot 11-E, a distance of 370.83 feet to a point for the southeast corner of and POINT OF BEGINNING of the herein described 2.792 acres of land, same being the northwest corner of Lot 11-D of the said Resubdivision Lot 11-A and Lot 11-B Of The Resubdivision Of Lot 11, Shier Cliff-I and being the northeast corner of Lot 8, of Shier Cliff-I, a subdivision in the City of Austin, Travis County, Texas, according to the plat recorded in Volume 47, Page 84, Plat Records of Travis County, Texas;

THENCE North 62°15'37" West, along the common dividing line of the said Lot 4, and the said Shier Cliff-I subdivision a distance of 624.79 feet to a one-half inch iron rod in concrete found for the southwest corner of the said Lot 4 and the herein described 2.792 acre tract of land, same being the northwest corner of Lot 1, Shier Cliff-I and a point on the east line of Lot 1, Block B, The Arbors At Cannon's Gate, a subdivision in the City of Austin, Travis County, Texas, according to the plat recorded in document number 200200166 Official Records Travis County, Texas;

THENCE along the common dividing line of the said Lot 4, C. T. Baker Subdivision and the said Lot 1, The Arbors At Cannon's Gate the following two (2) courses:

- 1) North 30°01'44" East, a distance of 155.29 feet to a one-half inch iron rod in concrete found for an interior angle corner of the herein described 2.792 acre tract of land and the said Lot 4, same being the northeast corner of the said Lot 1, The Arbors At Cannon's Gate;
- 2) North 58°41'32" West, a distance of 104.31 feet to a one-half inch iron rod found for the upper southwest corner of the herein described 2.792 acre tract of land and the said Lot 4, same being a point on the north line of the said Lot 1, The Arbors At Cannon's Gate and the southwest corner of an apparent 20 foot private lane as depicted on the plat of C. T. Baker Subdivision;

THENCE North 62°53'33" East, along the common dividing line of the said Lot 4

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(BEING A 2.792 ACRE TRACT OF LAND OUT OF AND A PORTION OF LOT 4, C. T. BAKER SUBDIVISION)

and the said private Lane a distance of 35.76 feet to a one-half inch iron rod found for the northwest corner of the said Lot 4, same being the southwest corner of the said Lot 3, and a point on the east line of the said private lane;

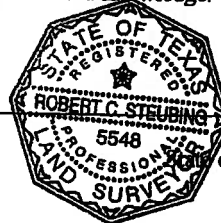
THENCE South $62^{\circ}15'37''$ East, along the common dividing line of the said Lot 4 and the said Lot 3, a distance of 701.90 feet to a point for the northeast corner of the herein described 2.792 acre tract of land, same being a point on the common dividing line of the said Lot 4 and Lot 3, of the said C. T. Baker Subdivision and from this point a three-quarter inch pipe found adjacent to a chain link post for the northeast corner of the said Lot 4 and the southeast corner of the said Lot 3, bears the following two (2) courses: 1) South $62^{\circ}15'37''$ East, a distance of 310.14 feet to a ninety d nail found for an interior angle corner of the said Lot 4, same being an exterior angle corner of the said Lot 3, 2) South $80^{\circ}16'24''$ East, a distance of 78.81 feet;

THENCE South $27^{\circ}40'39''$ West, through said Lot 4, a distance of 190.89 feet to the **POINT OF BEGINNING** and containing 2.792 acres of land, more or less, within these metes and bounds.

BASIS OF BEARINGS for this survey is the east line of the said Lot 4, as South $09^{\circ}42'00''$ West, as per recorded Plat of the said C. T. Baker Subdivision.

I, Robert C. Steubing, a Registered Professional Land Surveyor, do hereby certify that the above survey was made upon the ground, under my supervision in September 2008 and is true and correct according to my best belief and knowledge.

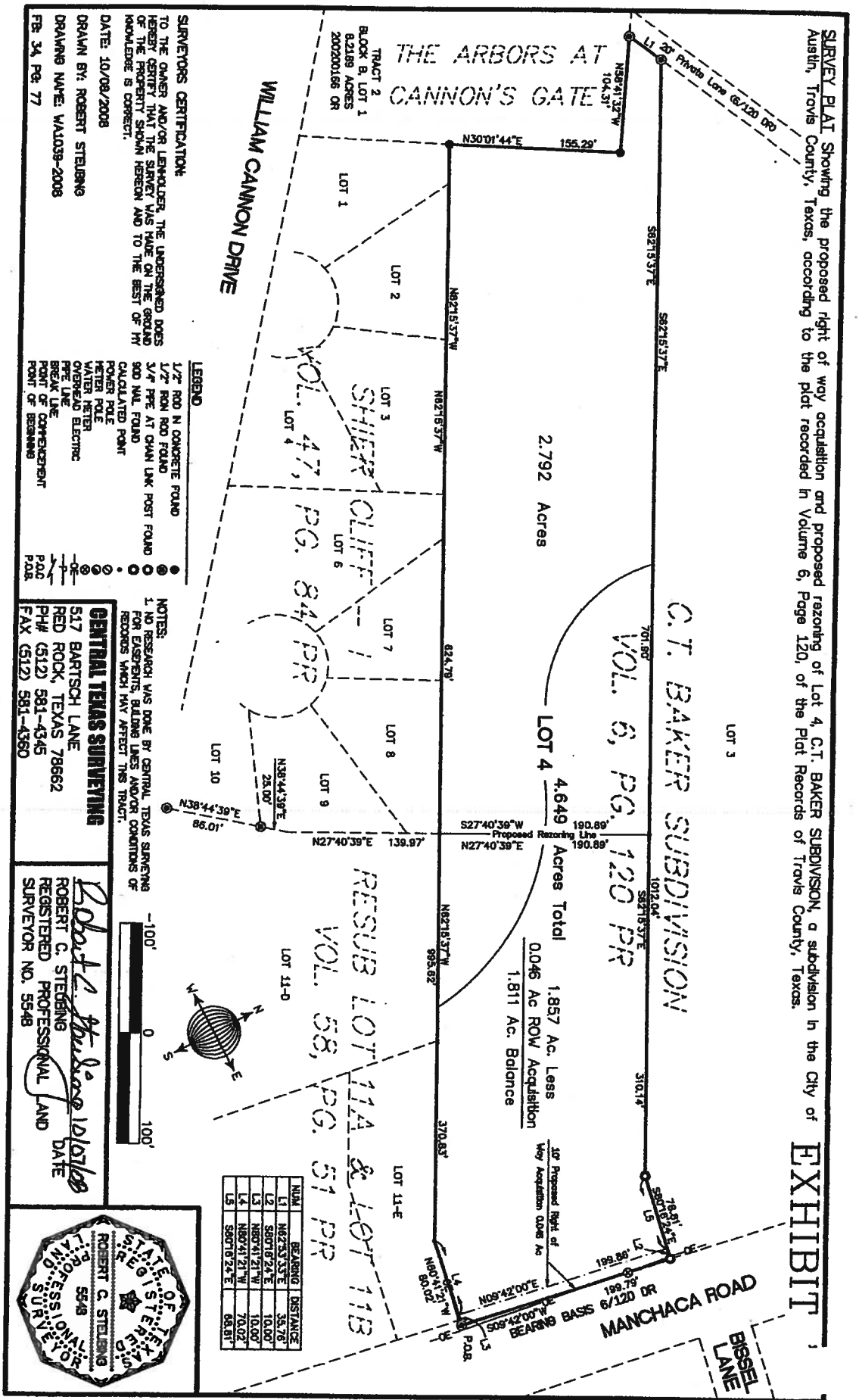
Robert C. Steubing
Robert C. Steubing
Registered Professional Land Surveyor

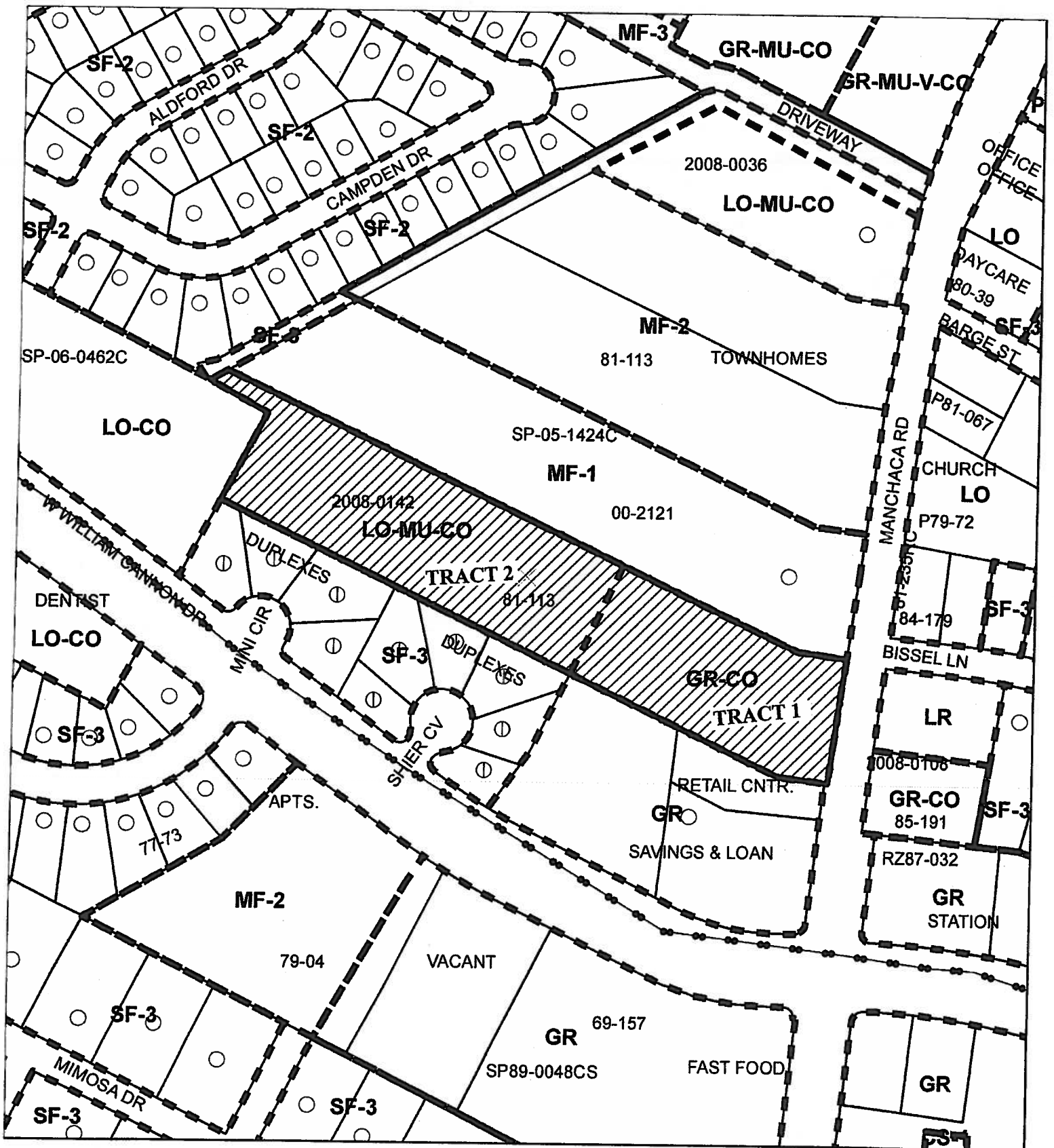





10/07/08
Date
State of Texas - No. 5548

SURVEY PLAT Showing the proposed right of way acquisition and proposed rezoning of Lot 4, C.T. BAKER SUBDIVISION, a subdivision in the City of Austin, Travis County, Texas, according to the plat recorded in Volume 6, Page 120, of the Plat Records of Travis County, Texas.

EXHIBIT





-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING CASE **C14-2014-0042**

Exhibit C

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.

