

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2117 NORTHLAND DRIVE (TRACT 1) AND 2119 NORTHLAND DRIVE (TRACT 2) FROM FAMILY RESIDENCE (SF-3) DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT FOR TRACT 1 AND NEIGHBORHOOD OFFICE-MIXED USE-CONDITIONAL OVERLAY (NO-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. C14-2014-0025, on file at the Planning and Development Review Department, as follows:

TRACT 1

family residence (SF-3) district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district

0.22 acre tract of land, more or less, out of the George Spear League the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

TRACT 2

family residence (SF-3) district to neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district

0.14 acre tract of land, more or less, out of the George Spear League the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance,

locally known as 2117 Northland Drive for Tract 1 and 2119 Northland Drive for Tract 2 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:

1 A. A site plan or building permit for the Property may not be approved, released,
2 or issued, if the completed development or uses of the Property, considered
3 cumulatively with all existing or previously authorized development and uses,
4 generate traffic that exceeds 300 trips per day.

5
6 B. The following uses are prohibited uses on Tract 1:
7

Automotive repair services	Automotive rentals
Automotive sales	Automotive washing (of any type)
Bail bond services	Business or trade school
Club or lodge	College and university facilities
Commercial off-street parking	Communication service facilities
Community events	Community recreation (private)
Community recreation (public)	Congregate living
Counseling services	Cultural services
Day care services (commercial)	Day care services (general)
Day care services (limited)	Drop-off recycling collection facility
Exterminating services	Funeral services
Guidance services	Hospital services (general)
Hospital services (limited)	Hotel-motel
Indoor entertainment	Indoor sports and recreation
Off-site accessory parking	Outdoor entertainment
Outdoor sports and recreation	Pawn shop services
Private primary educational facilities	Private secondary educational facilities
Public primary educational facilities	Public secondary educational facilities
Residential treatment	Safety services
Service station	Theater

8
9 C. The following uses are prohibited uses on Tract 2:
10

College and university facilities	Communication service facilities
Community events	Community recreation (private)
Community recreation (public)	Congregate living
Counseling services	Day care services (commercial)
Day care services (general)	Day care services (limited)
Private primary educational facilities	Private secondary educational facilities

Public primary educational
facilities
Residential treatment

Public secondary educational
facilities
Safety services

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 for tract 1 and neighborhood office (NO) base district for tract 2 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

FIELD NOTES

Tract 2:

0.2253 ACRE OF LAND, MORE OR LESS, OUT OF THE GEORGE SPEAR LEAGUE, IN TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS SECOND TRACT IN DEED RECORDED IN VOLUME 3431, PAGE 2253, DEED RECORDS, TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THEREFROM THAT CERTAIN TRACT OF LAND CONVEYED TO THE CITY OF AUSTIN BY DEED RECORDED IN VOLUME 3237, PAGE 1532, DEED RECORDS, TRAVIS COUNTY, TEXAS; FOR WHICH A MORE PARTICULAR DESCRIPTION BY METES AND BOUNDS IS AS FOLLOWS WITH A SKETCH ATTACHED HERETO AND MADE A PART HEREOF:

BEGINNING at a 1/2" iron rod found on the present south right-of-way of Northland Drive, same being at the S.E. corner of that certain City of Austin, R.O.W. taking recorded in Volume 3237, Page 1532, Deed Records, Travis County, Texas and being further on the west line of that certain 0.220 acre tract of land conveyed to Munoz Family Limited Partnership, L.P. recorded in Document Number 2003298627, Official Public Records, Travis County, Texas;

THENCE S01°15'00"E along the common west line of said 0.22 acre tract and the east line of the "SECOND TRACT" recorded in Volume 3431, Page 2253, Deed Records, Travis County, Texas, for a distance of 187.34 feet to a pipe found at the S.W. corner of said 0.22 acre tract, same being on the north line of that certain tract or parcel of land described as the "FIRST TRACT" recorded in Volume 3431, Page 2253, Deed Records, Travis County, Texas, for the S.E. corner hereof, from which a 1/2" iron rod found at the N.E. corner of said "FIRST TRACT" bears S73°26'48"E at a distance of 31.02 feet;

THENCE N73°14'06"W along the north line of said "FIRST TRACT" and the south line of said "SECOND TRACT" for a distance of 49.95 feet to a pipe found at the common N.W. corner of said "FIRST TRACT" and the S.W. corner of said "SECOND TRACT", from which point a 1/2" iron rod found at the S.W. corner of said "FIRST TRACT" bears S05°28'55"E at a distance of 51.77 feet;

THENCE N04°06'42"W, at 60.31 feet passing a 1/2" iron rod set with cap at the S.E. corner of that certain tract or parcel of land recorded in Volume 5824, Page 276, Deed Records, Travis County, Texas, and in all 190.17 feet to a 1/2" iron rod at the S.W. corner of that certain tract or parcel of land conveyed to the City of Austin recorded in Volume 3237, Page 1532, Deed Records, Travis County, Texas, for the N.W. corner hereof;

THENCE S73°41'14"E along the present south R.O.W. of Northland Drive, same being on the south line of said City of Austin R.O.W. taking for a distance of 59.79 feet to the **POINT OF BEGINNING** of this 0.2253 acre tract or land, more or less.

I, the undersigned do hereby certify that the field notes hereon were prepared from an actual on-the-ground survey under my direct supervision and that they are true and correct to the best of my knowledge.


Thomas P. Dixon R.P.L.S. 4324


Date

FIELD NOTES

Tract 3:

0.1449 ACRE OF LAND, MORE OR LESS, OUT OF THE GEORGE SPEAR LEAGUE, IN TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN A DEED RECORDED IN VOLUME 5824, PAGE 276, DEED RECORDS, TRAVIS COUNTY, TEXAS; FOR WHICH A MORE PARTICULAR DESCRIPTION BY METES AND BOUNDS IS AS FOLLOWS WITH A SKETCH ATTACHED HERETO AND MADE A PART HEREOF:

BEGINNING FOR REFERENCE at a 1/2" iron rod found on the present south right-of-way of Northland Drive, same being at the S.E. corner of that certain City of Austin R.O.W. taking recorded in Volume 3237, Page 1532, Deed Records, Travis County, Texas and being further on the west line of that certain 0.220 acre tract of land conveyed to Munoz Family Limited Partnership, L.P. recorded in Document Number 2003298627, Official Public Records, Travis County, Texas;

THENCE N73°41'14"W along the south line of said City of Austin R.O.W. taking, same being along the present south R.O.W. of Northland Drive for a distance of 59.79 feet to a 1/2" iron rod found on the east line of that certain tract or parcel of land recorded in Volume 5834, Page 276, Deed Records, Travis County, Texas, for the **POINT OF BEGINNING** of this 0.1449 acre tract;

THENCE S04°06'42"E along the common west line of that certain tract or parcel of land described as the "Second Tract" recorded in Volume 3431, Page 2253, Deed Records, Travis County, Texas for a distance of 129.86 feet to a 1/2" iron rod set with cap for the S.E. corner hereof, same being the N.E. corner of that certain 0.1957 acre tract recorded in Volume 12542, Page 714, Real Property Records, Travis County, Texas;

THENCE N73°27'47"W along the north line of said 0.1957 acre tract for a distance of 49.93 feet to a 1/2" iron rod set with cap for the S.W. corner hereof, same being the S.E. corner of that certain tract or parcel of land recorded in Document Number 2005155487, Official Public Records, Travis County, Texas;

THENCE N04°06'42"W for a distance of 135.09 feet to a 3/8" iron rod found on the south R.O.W. of Northland Drive for the N.W. corner hereof, from which point a 3/8" iron rod found on the south R.O.W. of Northland Drive bears N74°10'35"W at a distance of 50.12 feet;

THENCE S73°26'53"E along the present south R.O.W. of Northland Drive for a distance of 49.94 feet to a 1/2" iron rod set on the west line of said City of Austin R.O.W. taking for the N.E. corner hereof;

THENCE S04°06'42"E along the west line of said R.O.W. taking for a distance of 5.22 feet to the **POINT OF BEGINNING** containing 0.1449 acres of land, more or less.

I, the undersigned do hereby certify that the field notes hereon were prepared from an actual on-the-ground survey under my direct supervision and that they are true and correct to the best of my knowledge.



Thomas P. Dixon R.P.L.S. 4324

1/6/14

Date

Steven & Karen Tweedy
6203/468

Waterloo Surveyors Inc.
SURVEY PLAT

J13949

6203/468
0.5204 ACRE

THE UNDERSIGNED DOES HEREBY CERTIFY TO CHICAGO TITLE INSURANCE COMPANY, R. BANK TEXAS AND AUSTIN RJM CORPORATION DBA UPHOLSTERY CHOP AS PER CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT HAVING A GENERAL FILE NUMBER 1333239-KFO WITH AN EFFECTIVE DATE OF DECEMBER 11, 2013

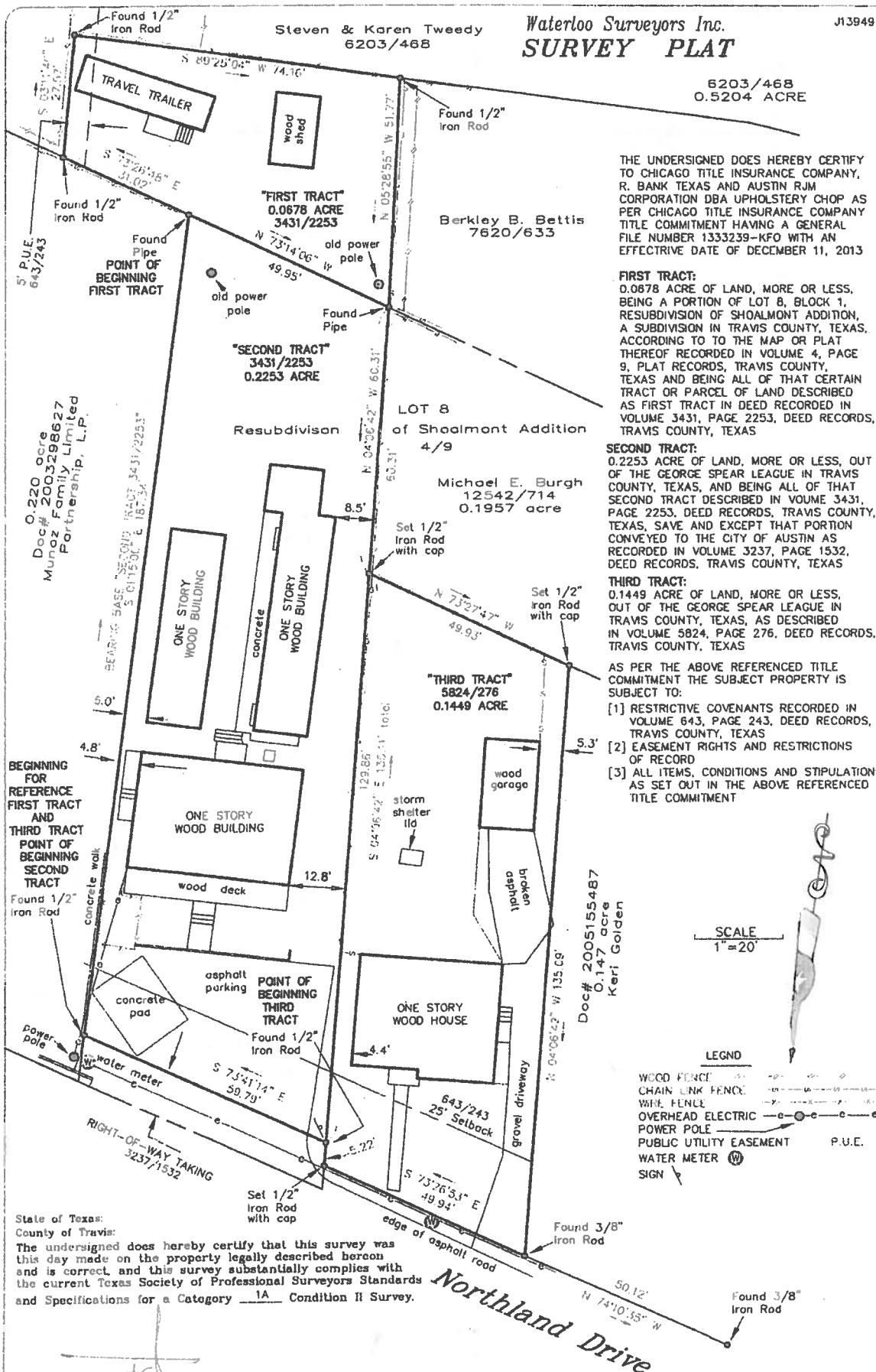
FIRST TRACT:
0.0678 ACRE OF LAND, MORE OR LESS, BEING A PORTION OF LOT 8, BLOCK 1, RESUBDIVISION OF SHOALMONT ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 4, PAGE 9, PLAT RECORDS, TRAVIS COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND DESCRIBED AS FIRST TRACT IN DEED RECORDED IN VOLUME 3431, PAGE 2253, DEED RECORDS, TRAVIS COUNTY, TEXAS

SECOND TRACT:
0.2253 ACRE OF LAND, MORE OR LESS, OUT OF THE GEORGE SPEAR LEAGUE IN TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT SECOND TRACT DESCRIBED IN VOLUME 3431, PAGE 2253, DEED RECORDS, TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THAT PORTION CONVEYED TO THE CITY OF AUSTIN AS RECORDED IN VOLUME 3237, PAGE 1532, DEED RECORDS, TRAVIS COUNTY, TEXAS

THIRD TRACT:
0.1449 ACRE OF LAND, MORE OR LESS, OUT OF THE GEORGE SPEAR LEAGUE IN TRAVIS COUNTY, TEXAS, AS DESCRIBED IN VOLUME 5824, PAGE 276, DEED RECORDS, TRAVIS COUNTY, TEXAS

AS PER THE ABOVE REFERENCED TITLE COMMITMENT THE SUBJECT PROPERTY IS SUBJECT TO:

- [1] RESTRICTIVE COVENANTS RECORDED IN VOLUME 643, PAGE 243, DEED RECORDS, TRAVIS COUNTY, TEXAS
- [2] EASEMENT RIGHTS AND RESTRICTIONS OF RECORD
- [3] ALL ITEMS, CONDITIONS AND STIPULATIONS AS SET OUT IN THE ABOVE REFERENCED TITLE COMMITMENT



SCALE
1"=20'

LEGEND

WOOD FENCE
CHAIN LINK FENCE
WIRE FENCE
OVERHEAD ELECTRIC
POWER POLE
PUBLIC UTILITY EASEMENT
WATER METER
SIGN

State of Texas:
County of Travis:

The undersigned does hereby certify that this survey was this day made on the property legally described hereon and is correct, and this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A Condition II Survey.

Thomas P. Dixon R.P.L.S. 4324
www.WaterlooSurveyors.com - Phone: (512)-481-9602

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