

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 13635 RUTLEDGE SPUR AND CHANGING THE ZONING MAP FROM INTERIM-RURAL RESIDENCE (I-RR) DISTRICT AND GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY (CS-MU-CO) COMBINING DISTRICT TO MULTI FAMILY RESIDENCE MODERATE HIGH DENSITY-CONDITIONAL OVERLAY (MF-4-CO) 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 interim-rural residence (I-RR) district and general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district to multi family residence moderate high density-conditional overlay (MF-4-CO) combining district on the property (the "Property") described in Zoning Case No. C14-2014-0030.SH, on file at the Planning and Development Review Department, as follows:

Tract 1:

From interim-rural residence (I-RR) district to multi family residence moderate high density-conditional overlay (MF-4-CO) combining district,

1.99 acre tract of land, more or less, out of the Rachel Saul Survey, Abstract No. 551 the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance;

Tract 2:

From general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district to multi family residence moderate high density-conditional overlay (MF-4-CO) combining district,

2.43 acre tract of land, more or less, out of the Rachel Saul Survey, Abstract No. 551 the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance;

Tract 3:

From interim-rural residence (I-RR) district to multi family residence moderate high density-conditional overlay (MF-4-CO) combining district,

1
2 2.64 acre tract of land, more or less, out of the Rachel Saul Survey, Abstract No.
3 551 the tract of land being more particularly described by metes and bounds in
4 Exhibit "C" incorporated into this ordinance;

5
6 locally known as 13635 Rutledge Spur in the City of Austin, Williamson County, Texas,
7 and generally identified in the map attached as Exhibit "D".
8

9 **PART 2.** The Property within the boundary of the conditional overlay combining district
10 established by this ordinance is subject to the following condition:
11

12 A site plan or building permit for the Property may not be approved, released, or
13 issued, if the completed development or uses of the Property, considered cumulatively
14 with all existing or previously authorized development and uses, generate traffic that
15 exceeds 2,000 trips per day.
16

17 Except as specifically restricted under this ordinance, the Property may be developed and
18 used in accordance with the regulations established for the multifamily residence moderate
19 high density (MF-4) base district and other applicable requirements of the City Code.
20

21 **PART 3.** This ordinance takes effect on _____, 2014.
22

23
24 **PASSED AND APPROVED**

25
26 §
27 §
28 _____, 2014 § _____
29 Lee Leffingwell
30 Mayor
31

32
33 **APPROVED:** _____ **ATTEST:** _____
34 Karen M. Kennard Jannette S. Goodall
35 City Attorney City Clerk

TRACT 1



Land Surveyors, Inc.

8393 Cross Park Drive
Austin, Texas 78754
Office: 512.374.9722
Fax: 512.873-9743

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METES AND BOUNDS DESCRIPTION

BEING 1.994 ACRES OF LAND IN THE RACHEL SAUL SURVEY, ABSTRACT NUMBER 551 IN WILLIAMSON COUNTY, TEXAS AND BEING THE SAME TRACT OF LAND CALLED 2.00 ACRES AS CONVEYED TO BARBARA RUTH TURNER RANEY BY INSTRUMENT OF RECORD IN VOLUME 651, PAGE 715 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found for the southeast corner of said 2.00 acre tract, and being the northeast corner of the remainder of a 6.790 acre tract of land conveyed to Barbara Ruth Turner Raney and Elizabeth Turner Stark by instrument of record in Volume 1999, Page 527 of the Official Records of Williamson County, Texas and also being in the west line of an 18.665 acre tract of land conveyed to Koontz/McCombs 1, Ltd. by instrument of record in Document Number 2006007775 of the Official Public Records of Williamson County, Texas and known therein as "Tract 3"; from which a 1/2" rebar found with cap, which reads "Bury & Partners" for the southeast corner of said remainder of a 6.790 acre tract, being the southwest corner of said 18.665 acre tract and being in the north right-of-way line of State Highway Number 45 (R.O.W. varies) and being 346.89 feet left of and perpendicular to Engineer's Centerline Station 214+36.04 bears South 21°12'08" East a distance of 240.40 feet (record: South 21°01'36" East a distance of 241.10 feet);

THENCE South 70°31'32" West (record: South 72°47" West), along the south line of the 2.00 acre tract and the north line of the remainder of a 6.790 acre tract a distance of 442.01 feet (record: 443.37 feet) to a 1/2" rebar found for the southwest corner of the 2.00 acre tract, being the northwest corner of the remainder of a 6.790 acre tract and being in the east right-of-way line of County Road Number 183 (Rutledge Spur-R.O.W. varies);

THENCE North 22°34'50" West (record: North 19°40' West), along the west line of the 2.00 acre tract and the east right-of-way line of said County Road Number 183 a distance of 199.29 feet (record: 200.00 feet) to a 1/2" rebar found for the northwest corner of the 2.00 acre tract;

THENCE North 71°27'19" East (record: North 73°47'30" East), along the north line of the 2.00 acre tract and the east right-of-way of County Road Number 183, passing at a distance of 10.01 feet a 1/2" rebar found with plastic cap, which reads "Baseline Inc." for the southwest corner of the remainder of Lot Two, Schirplik & Sane Tracts; a subdivision of record in Cabinet C, Bldos 358-359 of the Plat Records of Williamson County, Texas and being the southeast corner of a 10-foot road dedication per said plat of Schirplik & Sane Tracts and continue along the north line of the 2.00 acre tract and the south line of said remainder of Lot Two, Schirplik & Sane Tracts for a total distance of 447.53 feet (record: 446.85 feet) to a 5/8" rebar found for the northeast corner of the 2.00 acre tract and being the southeast corner of the remainder of Lot Two, Schirplik & Sane Tracts and also being in the west line of the 18.665 acre tract;

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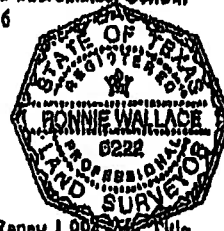
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THENCE South 21°04'13" East (record: South 18°45' East), along the east line of the 2.00 acre tract and the west line of the 18.665 acre tract a distance of 191.81 feet (record: 192.00 feet) to the POINT OF BEGINNING.

This parcel contains 1.994 acres of land, more or less, out of the Rachel Saul Survey, Abstract Number 551, in Williamson County, Texas. Bearing Basis: Texas State Plane Coordinates, Central Zone, NAD 83/96 CORS. Convergence: 01°18'52". Scale Factor: 0.99988316

Ronnie Wallace 8.15.13
Ronnie Wallace Date
Registered Professional Land Surveyor
State of Texas No. 5222



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TRACT 2



Land Surveyors, Inc.

8333 Cross Park Drive
Austin, Texas 78754

Office: 512.374.9722

Fax: 512.873-9743

Page 1 of 2

METES AND BOUNDS DESCRIPTION

BEING 2.439 ACRES OF LAND IN THE RACHEL SAUL SURVEY, ABSTRACT NUMBER 551 IN WILLIAMSON COUNTY, TEXAS AND BEING THE REMAINDER OF LOT TWO, SCHIRPIK & SANE TRACTS; A SUBDIVISION OF RECORD IN CABINET C, SLIDES 358-359 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS AS CONVEYED TO ILOR CLIVE LANKFORD III AND JANICE MARIE LANKFORD BY INSTRUMENT OF RECORD IN VOLUME 836, PAGE 421 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2" rebar found in the east right-of-way line of County Road Number 183 (Rutledge Spur-R.O.W. varies) for the southwest corner of a 1.995 acre tract of land conveyed to Mark A. and Teresa K. Toungate by instrument of record in Document Number 2011004038 of the Official Public Records of Williamson County, Texas and being the northwest corner of a 2.51 acre tract of land, known as Lot One of said Schirplik & Sane Tracts as conveyed to Franklin and Gloria Schirplik by instrument of record in Volume 638, Page 345 of the Deed Records of Williamson County, Texas and also being the northwest corner of a 10.00 foot wide strip of land oiled as "Road Dedication in Schirplik & Sane Tracts; from which a 1/2" rebar found for the southeast corner of said 1.995 acre tract and being an angle point in the west line of an 18.66 acre tract of land conveyed to Koontz/McCombs 1, Ltd. By instrument of record in Document Number 2006007775 of the Official Public Records of Williamson County, Texas and known therein as "Tract 3" bears North 71°42'54" East a distance of 414.58 feet (record: North 74°07'00" East a distance of 414.58 feet);

THENCE North 71°42'54" East (record: North 74°07' East), along the south line of the 1.995 acre tract and the north line of said 10.00 foot wide Road Dedication strip, now being the east right-of-way line of said County Road Number 183 a distance of 10.00 feet (record: 10.00 feet) to a 1/2" rebar set with plastic cap, which reads "BASELINE, INC." for the northwest corner of the remainder of said Lot One, Schirplik & Sane Tracts, same being the northwest corner of the remainder of said 2.51 acre tract; from which a 1/2" rebar found for the northeast corner of the remainder of Lot One, Schirplik & Sane Tracts and the remainder of the 2.51 acre tract and being an angle point in the west line of said 18.66 acre tract bears North 71°42'54" East a distance of 437.62 feet (record: North 74°07' East a distance of 437.71 feet);

THENCE South 20°59'46" East (record: South 18°34' East), along the west line of the remainder of Lot One, Schirplik & Sane Tracts, the west line of the remainder of the 2.51 acre tract and the east right-of-way line of County Road Number 183, being parallel with and 10.00 feet east of (as measured perpendicularly) the west line of the 10.00 foot wide Road Dedication strip a distance of 244.91 feet (record: 244.82 feet) to a 1/2" rebar set with plastic cap, which reads "BASELINE, INC." for the southwest corner of the remainder of Lot One, Schirplik & Sane Tracts, the southwest corner of the remainder of the 2.51 acre tract and being the northwest corner of said remainder of Lot Two, Schirplik & Sane Tracts and the POINT OF BEGINNING; from which an iron pipe found bears South 41°41'53" West a distance of 9.14 feet (record: South 74°07' West a distance of 10.00 feet);

THENCE North $71^{\circ}41'53''$ East (record: North $74^{\circ}07'$ East), along the north line of the remainder of Lot Two, Schirplik & Sane Tracts and the south line of the remainder of Lot One, Schirplik & Sane Tracts and the remainder of the 2.51 acre tract a distance of 437.60 feet (record: 437.85 feet) to a $1/2''$ rebar found for the northeast corner of the remainder of Lot Two, Schirplik & Sane Tracts and the southeast corner of the remainder of Lot One, Schirplik & Sane Tracts and the remainder of the 2.51 acre tract and being in the west line of the 18.66 acre tract; from which said northeast corner of the remainder of Lot One, Schirplik & Sane Tracts and the remainder of the 2.51 acre tract bears North $20^{\circ}59'43''$ West a distance of 244.78 feet (record: North $18^{\circ}36'$ West a distance of 244.83 feet);

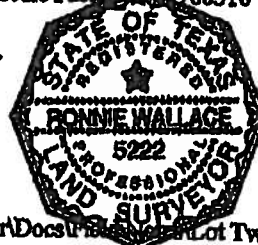
THENCE South $20^{\circ}59'43''$ East (record: South $18^{\circ}36'$ East), along the east line of the remainder of Lot Two, Schirplik & Sane Tracts and the west line of the 18.66 acre tract a distance of 242.09 feet (record: 242.50 feet) to a $1/2''$ rebar found for the southeast corner of the remainder of Lot Two, Schirplik & Sane Tracts, being the northeast corner of a 2.00 acre tract of land conveyed to Barbara Ruth Turner Raney by instrument of record in Volume 651, Page 715 of the Deed Records of Williamson County, Texas;

THENCE $S71^{\circ}27'19''$ West (record: South $73^{\circ}54'$ West), along the south line of the remainder of Lot Two, Schirplik & Sane Tracts and the north line of said 2.00 acre tract a distance of 437.52 feet (record: 437.91 feet) to a $1/2''$ rebar set with plastic cap, which reads "BASELINE, INC." for the southwest corner of the remainder of Lot Two, Schirplik & Sane Tracts, being the southeast corner of the 10.00 foot wide Road Dedication strip and also being in the east right-of-way line of County Road Number 183; from which a $1/2''$ rebar found for the southwest corner of the 10.00 foot wide Road Dedication strip and being the northwest corner of the 2.00 acre tract bears South $71^{\circ}27'19''$ West a distance of 10.00 feet (record: South $73^{\circ}54'$ West a distance of 10.00 feet);

THENCE North $20^{\circ}59'46''$ West (record: North $18^{\circ}34'$ West), along the west line of the remainder of Lot Two, Schirplik & Sane Tracts and the east right-of-way line of County Road Number 183, parallel with and 10.00 feet east of (as measured perpendicularly) the west line of the 10.00 foot wide Road Dedication strip a distance of 243.94 feet (record: 244.15 feet) to the POINT OF BEGINNING.

This parcel contains 2.439 acres of land, more or less, out of the Rachel Saul Survey, Abstract Number 551, in Williamson County, Texas. Bearing Basis: Texas State Plane Coordinates, Central Zone, NAD 83/96CORS. Convergence: $01^{\circ}18'52''$. Scale Factor: 0.99988316

Ronnie Wallace 14 June 2011
Ronnie Wallace Date
Registered Professional Land Surveyor
State of Texas No. 5222



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Drawing: S:\Projects\Schirplik & Sane Tracts Rutledge Spur\Dwg\Schirplik & Sane Rutledge Spur Base.dwg

TRACT 3



Land Surveyors, Inc.
8333 Cross Park Drive
Austin, Texas 78754
Office: 512.374.9722
Fax: 512.873-9743

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METES AND BOUNDS DESCRIPTION

BEING 2.649 ACRES OF LAND IN THE RACHEL SAUL SURVEY, ABSTRACT NUMBER 551 IN WILLIAMSON COUNTY, TEXAS AND BEING THE REMAINDER OF A 6.790 ACRE TRACT OF LAND CONVEYED TO BARBARA RUTH TURNER RANEY AND ELIZABETH TURNER STARK BY INSTRUMENT OF RECORD IN VOLUME 1999, PAGE 527 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found with cap, which reads "Bury & Partners" for the southeast corner of said remainder of a 6.790 acre tract, being the southwest corner of an 18.665 acre tract of land conveyed to Koontz/McCombs I, Ltd. by instrument of record in Document Number 2006007775 of the Official Public Records of Williamson County, Texas and known therein as "Tract 3" and being in the north right-of-way line of State Highway Number 45 (R.O.W. varies) and also being 346.89 feet left of and perpendicular to Engineer's Centerline Station 214+36.04;

THENCE along the south line of the remainder of a 6.790 acre tract and the north right-of-way line of said State Highway Number 45 the following three (3) courses:

1. Along the arc of a non-tangential curve to the left, having a radius of 2884.79 feet (record: 2884.79 feet), a length of 113.06 feet (record: 113.06 feet), a delta angle of 2°14'44" (record: 2°14'44") and a chord which bears South 65°23'50" West a distance of 113.05 feet (record: South 65°24'56" West a distance of 113.05 feet) to a 1/2" rebar set with plastic cap, which reads "Baseline Inc.", being 330.18 feet left of and perpendicular to Engineer's Centerline Station 213+30.47 of State Highway Number 45 for a point of tangency;
2. South 64°16'21" West a distance of 309.70 feet (record: South 64°17'34" West a distance of 309.71 feet) to a 1/2" rebar set with plastic cap, which reads "Baseline Inc.", being 288.99 feet left of and perpendicular to Engineer's Centerline Station 210+39.22 of State Highway Number 45;
3. North 68°16'17" West a distance of 25.39 feet (record: North 68°15'10" West a distance of 25.03 feet) to a 1/2" rebar set with plastic cap, which reads "Baseline Inc." for the southwest corner of the remainder of a 6.790 acre tract, being at the intersection of the north right-of-way line of State Highway Number 45 with the east right-of-way line of County Road Number 183 (Rutledge Spur-R.O.W. varies) and being 305.53 feet left of and perpendicular to Engineer's Centerline Station 210+21.36 of State Highway Number 45;

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THENCE along the west right-of-way line of said County Road Number 183 the following two (2) courses:

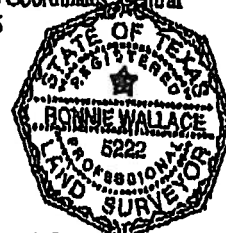
1. North 20°18'28" West (record: North 18°03' West) a distance of 63.25 feet to a 1/2" rebar set with plastic cap, which reads "Baseline 1nc.",
2. North 21°44'28" West a distance of 204.34 feet (record: North 19°29' West a distance of 204.34 feet) to a 1/2" rebar found for the northwest corner of the remainder of a 6.790 acre tract, being the southwest corner of a 2.00 acre tract of land conveyed to Barbara Ruth Turner Raney by instrument of record in Volume 651, Page 715 of the Deed Records of Williamson County, Texas;

THENCE North 70°31'32" East (record: North 72°47' East), along the north line of the remainder of a 6.790 acre tract and the south line of said 2.00 acre tract a distance of 442.01 feet (record: 442.04 feet) to a 1/2" rebar found for the northeast corner of the remainder of a 6.790 acre tract, being the southeast corner of the 2.00 acre tract and being in the west line of said 18.655 acre tract;

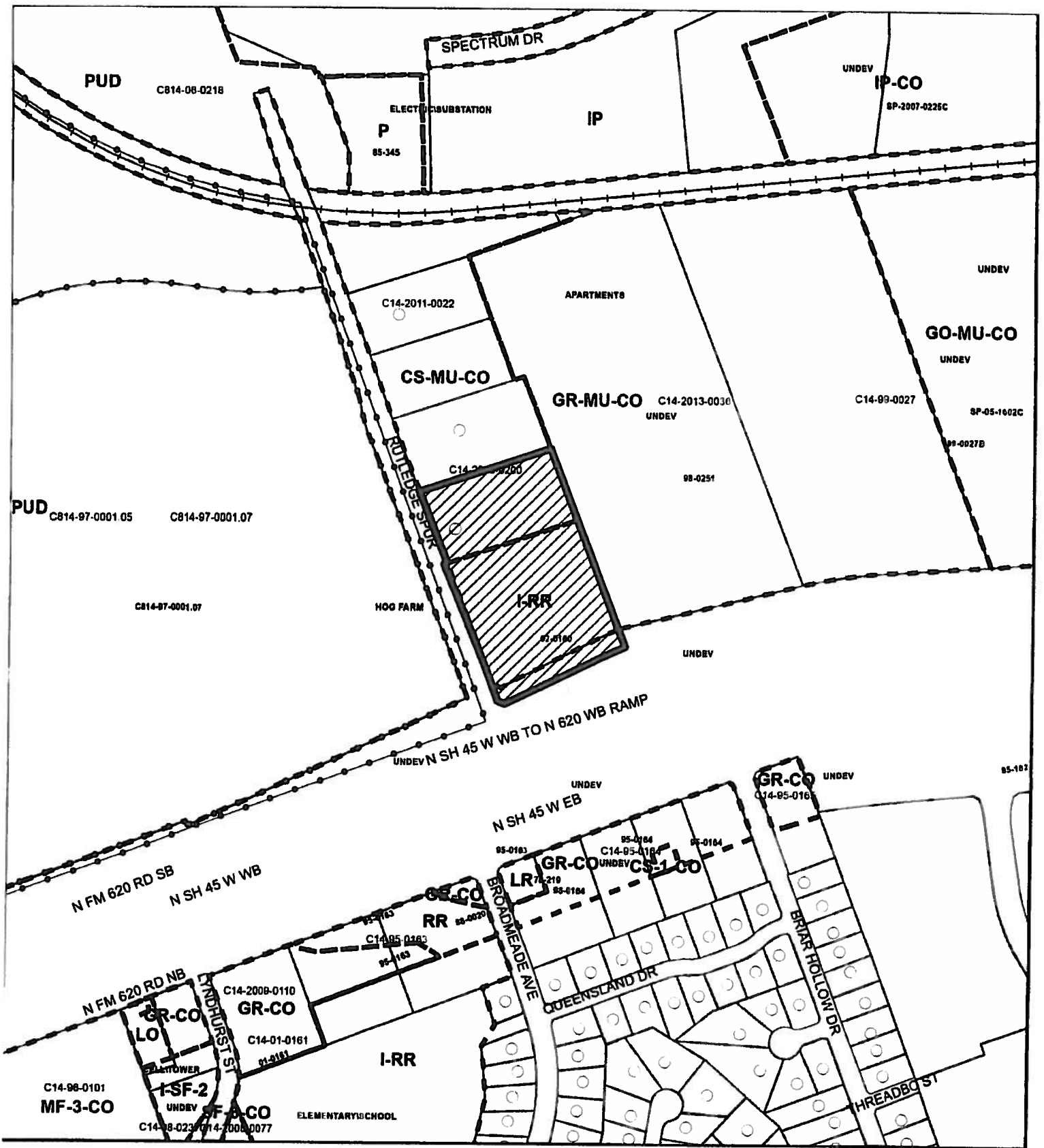
THENCE South 21°02'08" East (record: South 21°01'36" East), along the east line of the remainder of a 6.790 acre tract and the west line of the 18.665 acre tract a distance of 240.40 feet (record: 241.10 feet) to the POINT OF BEGINNING.




This parcel contains 2.649 acres of land, more or less, out of the Rachel Saul Survey, Abstract Number 551, in Williamson County, Texas. Bearing Basis: Texas State Plane Coordinates, Central Zone, NAD 83/96CORS. Convergence: 01°18'52". Scale Factor: 0.99988316

Ronnie Wallace 8.15.13
Ronnie Wallace Date
Registered Professional Land Surveyor
State of Texas No. 5222



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Title Survey_fn.doc



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

CASE#: C14-2014-0030.SH

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 geogr by the City of Austin regarding specific accuracy or completeness.

Exhibit D

