

**ORDINANCE NO. 20150226-045**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 8611 NORTH MOPAC EXPRESSWAY FROM COMMERCIAL LIQUOR SALES (CS-1) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-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 commercial liquor sales (CS-1) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-2014-0192, on file at the Planning and Development Review Department, as follows:

0.24 acre tract of land, more or less, out of the James P. Wallace Survey No. 18 the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 8611 North Mopac Expressway in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**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 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 prohibited uses of the Property:

Bed & breakfast (group 1)	Bed & breakfast (group 2)
Alternative financial services	Art gallery
Art workshop	Automotive rentals
Automotive repair services	Automotive sales
Automotive washing (of any type)	Bail bond services
Business or trade school	Business support services
Commercial off-street parking	Consumer convenience services

Consumer repair services	Drop-off recycling collection facility
Exterminating services	Food preparation
Food sales	Funeral services
General retail sales (convenience)	General retail sales (general)
Hotel-motel	Indoor entertainment
Indoor sports and recreation	Off-site accessory parking
Outdoor entertainment	Outdoor sports and recreation
Pawn shop services	Pedicab storage and dispatch
Personal improvement services	Personal services
Pet services	Plant nursery
Printing and publishing	Research services
Restaurant (general)	Restaurant (limited)
Service station	Special use historic
Theater	Custom manufacturing
Community garden	Urban farm
Club or lodge	College and university 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)	Family home
Group home, class I (general)	Group home, class I (limited)
Group home, class II	Guidance services
Hospital services (general)	Local utility services
Private primary educational facilities	Private secondary educational facilities
Public primary educational facilities	Public secondary educational facilities
Residential treatment	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 and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on March 9, 2015.

**PASSED AND APPROVED**

February 26, 2015

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§  
§



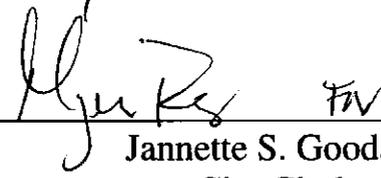
Steve Adler  
Mayor

**APPROVED:**



Anne L. Morgan  
Interim City Attorney

**ATTEST:**



Jannette S. Goodall  
City Clerk



Professional Land Surveying, Inc.  
Surveying and Mapping

Office: 512-443-1724  
Fax: 512-389-0943

3500 McCall Lane  
Austin, Texas 78744

EXHIBIT " \_\_\_\_ "

**0.24 ACRES ZONING DESCRIPTION  
CITY OF AUSTIN, TRAVIS COUNTY**

A DESCRIPTION OF 0.24 ACRES (APPROXIMATELY 10,419 SQ. FT.) IN THE JAMES P. WALLACE SURVEY NO. 18, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, THE ATRIUM, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT, OF RECORD IN VOLUME 83, PAGE 125C, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO 8611 MOPAC INVESTORS, LP., BY SPECIAL WARRANTY DEED DATED OCTOBER 4, 2007 AND RECORDED IN DOCUMENT NO. 2007185405 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.24 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** at an 1/2" rebar with "Chaparral" cap found in the east right-of-way line of Mopac Expressway (right-of-way width varies), being the northwest corner of Lot 1 and the southwest corner of Lot 2 of The Atrium;

**THENCE** South 61°24'35" East, with the common line of said Lots 1 and 2, a distance of 187.20 feet to a calculated point, from which the northeast corner of said Lot 1, being an angle point in the south line of said Lot 2, bears South 61°24'35" East, a distance of 204.04 feet;

**THENCE** South 28°35'25" West, crossing said Lot 1, a distance of 4.93 feet to a calculated point for the **POINT OF BEGINNING**;

**THENCE** crossing said Lot 1, the following twenty seven (27) courses and distances:

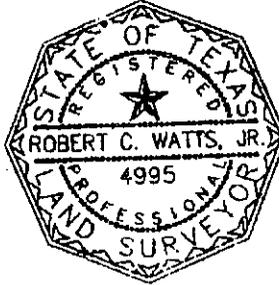
1. South 28°42'12" West, a distance of 18.10 feet to a calculated point;
2. North 61°17'48" West, a distance of 38.20 feet to a calculated point;
3. South 28°42'12" West, a distance of 58.90 feet to a calculated point;
4. North 61°17'48" West, a distance of 10.80 feet to a calculated point;
5. South 28°42'12" West, a distance of 3.90 feet to a calculated point;
6. South 61°17'48" East, a distance of 2.00 feet to a calculated point;

7. South 28°42'12" West, a distance of 7.70 feet to a calculated point;
8. South 61°17'48" East, a distance of 5.80 feet to a calculated point;
9. South 28°42'12" West, a distance of 22.20 feet to a calculated point;
10. North 61°17'48" West, a distance of 4.00 feet to a calculated point;
11. South 28°42'12" West, a distance of 4.00 feet to a calculated point;
12. North 61°17'48" West, a distance of 35.20 feet to a calculated point;
13. South 28°42'12" West, a distance of 6.20 feet to a calculated point;
14. North 61°17'48" West, a distance of 17.70 feet to a calculated point;
15. North 28°42'12" East, a distance of 6.20 feet to a calculated point;
16. North 61°17'48" West, a distance of 22.50 feet to a calculated point;
17. North 28°42'12" East, a distance of 28.30 feet to a calculated point;
18. South 61°17'48" East, a distance of 2.00 feet to a calculated point;
19. North 28°42'12" East, a distance of 9.60 feet to a calculated point;
20. North 61°17'48" West, a distance of 2.00 feet to a calculated point;
21. North 28°42'12" East, a distance of 9.70 feet to a calculated point;
22. North 61°17'48" West, a distance of 8.00 feet to a calculated point;
23. North 28°42'12" East, a distance of 12.40 feet to a calculated point;
24. South 61°17'48" East, a distance of 8.00 feet to a calculated point;
25. North 28°42'12" East, a distance of 21.80 feet to a calculated point at the beginning of a curve to the right;
26. with said curve to the right, having a radius of 17.00 feet, a delta angle of 153°25'41", an arc length of 45.52 feet, and a chord which bears North 32°52'12" East, a distance of 33.09 to a calculated point;
27. South 61°17'48" East, a distance of 118.20 feet to the **POINT OF BEGINNING**, containing 0.24 acres of land, more or less.

Surveyed on the ground February 13, 2014 Bearing Basis: Grid azimuth for Texas Central Zone state plane coordinates, based on GPS solutions from The National Geodetic Survey (NGS) On-line Positioning User Service (OPUS). Attachments: Drawing 040-055-GR REZONING.

*rw* 12-1-14

Robert C. Watts, Jr.  
Registered Professional Land Surveyor  
State of Texas No. 4995  
T.B.P.L.S. Firm No. 10124500



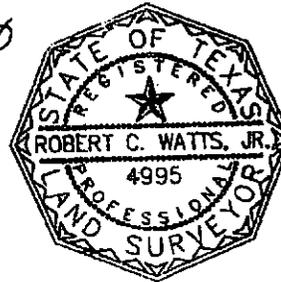
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S28°42'12"W	18.10'
L2	N61°17'48"W	38.20'
L3	S28°42'12"W	58.90'
L4	N61°17'48"W	10.80'
L5	S28°42'12"W	3.90'
L6	S61°17'48"E	2.00'
L7	S28°42'12"W	7.70'
L8	S61°17'48"E	5.80'
L9	S28°42'12"W	22.20'
L10	N61°17'48"W	4.00'
L11	S28°42'12"W	4.00'
L12	N61°17'48"W	35.20'
L13	S28°42'12"W	6.20'
L14	N61°17'48"W	17.70'
L15	N28°42'12"E	6.20'
L16	N61°17'48"W	22.50'
L17	N28°42'12"E	28.30'
L18	S61°17'48"E	2.00'
L19	N28°42'12"E	9.60'
L20	N61°17'48"W	2.00'
L21	N28°42'12"E	9.70'
L22	N61°17'48"W	8.00'
L23	N28°42'12"E	12.40'
L24	S61°17'48"E	8.00'
L25	N28°42'12"E	21.80'
L26	N28°35'25"E	4.93'

SKETCH TO ACCOMPANY A DESCRIPTION OF 0.24 ACRES (APPROXIMATELY 10,419 SQ. FT.) IN THE JAMES P. WALLACE SURVEY NO. 18, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, THE ATRIUM, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT, OF RECORD IN VOLUME 83, PAGE 125C, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO 8611 MOPAC INVESTORS LP., BY SPECIAL WARRANTY DEED DATED OCTOBER 4, 2007 AND RECORDED IN DOCUMENT NO. 2007185405 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	17.00'	153°25'41"	45.52'	N32°52'12"E	33.09'

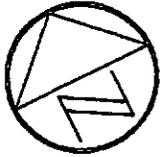
BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS).

ATTACHMENTS: METES AND BOUNDS DESCRIPTION  
040-055-GR REZONING



DATE OF SURVEY: 02/13/14  
PLOT DATE: 12/01/14  
DRAWING NO.: 040-055-GR  
PROJECT NO.: 040-055  
DRAWN BY: DC  
SHEET 1 OF 2

**Chaparral**



1" = 30'

LOT 2  
THE ATRIUM  
(83/125C)

S61°24'35"E 391.24'  
(S60°04'33"E 391.24')

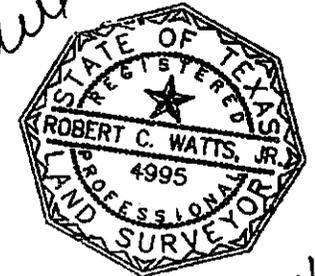
S61°24'35"E 187.20'

S61°24'35"E 204.04'

P.O.C.

S61°17'48"E 118.20'

P.O.B.

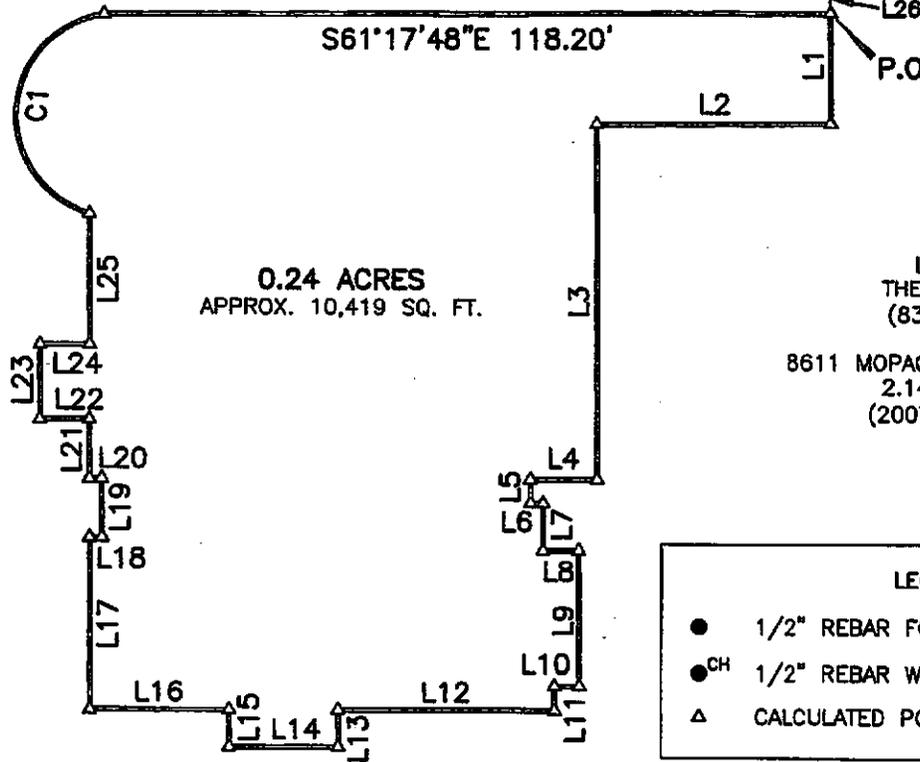


0.24 ACRES  
APPROX. 10,419 SQ. FT.

LOT 1  
THE ATRIUM  
(83/125C)

8611 MOPAC INVESTORS, LP  
2.144 ACRES  
(2007185405)

MOPAC EXPRESSWAY  
(LOOP 1)  
NORTH FRONTAGE ROAD  
(RIGHT-OF-WAY WIDTH VARIES)



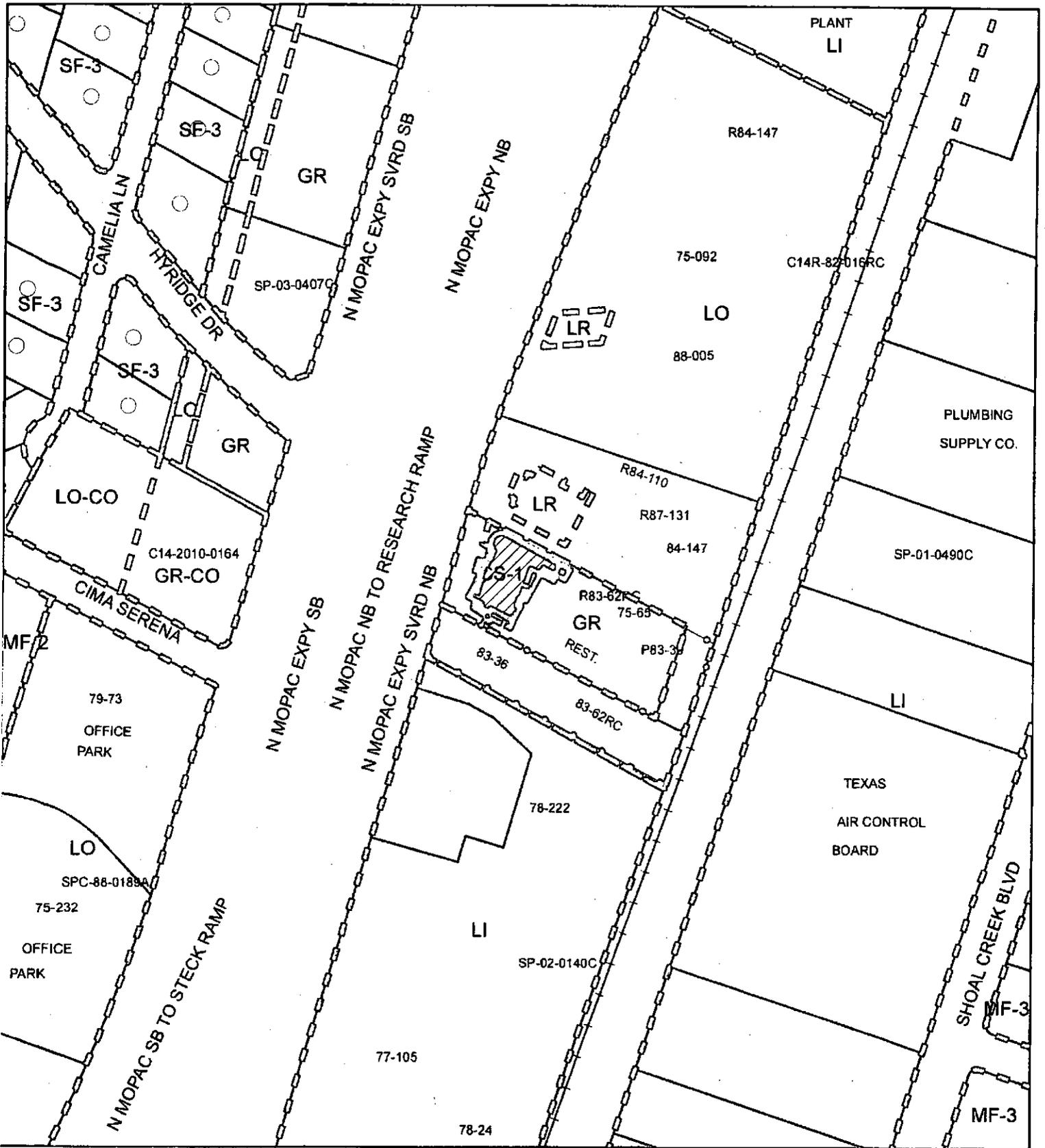
LEGEND

- 1/2" REBAR FOUND (OR AS NOTED)
- <sup>CH</sup> 1/2" REBAR WITH "CHAPARRAL" CAP FOUND
- ▲ CALCULATED POINT

8611 MOPAC INVESTORS, LP  
0.798 ACRES  
(2007185405)

DATE OF SURVEY: 02/13/14  
PLOT DATE: 12/01/14  
DRAWING NO.: 040-055-GR  
PROJECT NO.: 040-055  
DRAWN BY: DC  
SHEET 2 OF 2

Chaparral



**ZONING**

**ZONING CASE#: C14-2014-0192**



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

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 by the City of Austin regarding specific accuracy or completeness.

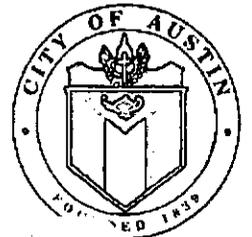


Exhibit B