

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 7200 EAST BEN WHITE BOULEVARD FROM LIMITED INDUSTRIAL SERVICES-NEIGHBORHOOD PLAN (LI-NP) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-CO-NP) COMBINING DISTRICT FOR TRACT 1 AND FROM COMMUNITY COMMERCIAL-MIXED USE-NEIGHBORHOOD PLAN (GR-MU-NP) COMBINING DISTRICT TO TOWNHOUSE & CONDOMINIUM RESIDENCE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (SF-6-CO-NP) 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 from limited industrial services-neighborhood plan (LI-NP) combining district to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district for Tract 1 and from community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district to townhouse & condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district for Tract 2 on the property described in Zoning Case No. C14-2015-0073, on file at the Planning and Zoning Department, as follows:

Tract 1 and Tract 2

A tract of land containing 12.0399 acres (524,460 square feet) of land out of the Santiago Del Valle grant, Abstract No. 24, in Travis County, Texas, being the remainder of a called 13.09 acre tract conveyed to the KWH Properties, and recorded in Volume 8663, Page 418 of the Real Property Records of Travis County, Texas (R.P.R.T.C.T.) said 12.0399 acres being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 7200 East Ben White Boulevard in the City of Austin, Travis County, Texas, 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. If a residential use is developed within the Property, a 50-foot wide building setback shall be established parallel to and measured from the west property line for Tract 1 and the southwest property line for Tract 2 as shown in the map attached as Exhibit "B".
- B. Right-of-way dedication for the extension of Carson Ridge along the western boundary of the subject tract will be required at the time of site plan submittal.
- C. In addition to the requirements in City Code Section 25-6-113 (*Traffic Impact Analysis Required*) and other applicable laws that trigger a Traffic Impact Analysis (TIA), a TIA is required at the time of site plan if development of the Property has access to any adjacent properties.

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) district and the townhouse & condominium residence (SF-6) district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on _____, 2015.

PASSED AND APPROVED

_____, 2015 §
 §
 §
 § _____
Steve Adler
Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan Jannette S. Goodall
Interim City Attorney City Clerk

Exhibit "A" – Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 12.0399 ACRES (524,460 SQUARE FEET) OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24, IN TRAVIS COUNTY, TEXAS, BEING THE REMAINDER OF A CALLED 13.09 ACRE TRACT CONVEYED TO KWH PROPERTIES, AND RECORDED IN VOLUME 8663, PAGE 418 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (R.P.R.T.C.T.), SAID 12.0399 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE (4203) ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000052849270):

BEGINNING at a calculated point in the north right-of-way line of State Highway 71 (a.k.a. East Ben White Boulevard, right-of-way varies), and being at the southeast corner of Lot 1 of Don Stewart Texaco Addition, a subdivision recorded in Volume 83, Page 144D of the Plat Records of Travis County, Texas (P.R.T.C.T.), and being in the west line of said KWH tract, for the southwest corner and **POINT OF BEGINNING** hereof, from which a 1/2-inch iron rod with "Terra Firma" cap found bears, S11°48'05"E, a distance of 0.29 feet, and also from which, a 1/2-inch rod with TxDOT Type III 5/8-inch aluminum cap found in the north right-of-way line of said SH 71, and being the southwest corner of Lot 1, Block "A" of Travis 51 Addition No. 2, a subdivision recorded in Document #200100312 of the Official Public Records of Travis County, Texas (O.P.R.T.C.T.), and being the southeast corner of Lot 1 of AHC Addition, a subdivision recorded in Volume 84, Page 48B (P.R.T.C.T.) bears, S68°19'23"W, passing at a distance of 299.59 feet, a 1/2-inch iron rod with "CSLTD" cap found at the common south corner of Lot 1 of said Don Stewart Texaco and Lot 2 of said Travis 51 Addition No. 2, and continuing for a total distance of 830.06 feet;

THENCE, leaving the north right-of-way line of said SH 71, with the common line of Lot 1 of said Don Stewart Texaco and said KWH tract, the following two (2) courses and distances:

- 1) **N11°48'05"W**, a distance of **733.49** feet to a cotton spindle found for an angle point hereof, and
- 2) **N60°49'25"W**, a distance of **204.13** feet to a 1/2-inch iron rod with illegible cap found for the northwest corner hereof, said point being at the northeast terminus of Carson Ridge (right-of-way varies), and being the south corner of Lot 1, Block A of Bergara Addition, a subdivision recorded in Document #200200175 (O.P.R.T.C.T.), and being the northwest corner of said KWH tract;

THENCE, in part with the southeast line of Lot 1 of said Bergara Addition, in part with the southeast line of Lots 12-14 of A H Neighbors Addition Section Three, a subdivision recorded in Volume 66, Page 70 (P.R.T.C.T.), and with the northwest line of said KWH tract, **N33°52'49"E**, a distance of **313.86** feet to a 1/2-inch iron rod found for the north corner hereof, said point being at a southwest corner of Lot 2, Block A of Riverside II Subdivision, recorded in Document #201300231 (O.P.R.T.C.T.), and being the south corner of a called 0.3138 acre tract conveyed to Juan C. Reyes, and recorded in Volume 13204, Page 1211 (R.P.R.T.C.T.), and being the east corner of Lot 14 of said A H Neighbors Addition Section Three, and being the north corner of said KWH tract;

THENCE, with the southwest line of Lot 2 of said Riverside II and the northeast line of said KWH tract, **S61°07'01"E**, a distance of **629.73** feet to a 1/2-inch iron rod found for an angle point hereof, said point being the south corner of Lot 2 of said Riverside II, and being the southwest terminus of Yellowjacket Lane (right-of-way varies), conveyed in part as a called 7308 square foot tract to the City of Austin, recorded in Volume 6922, Page 2258 (D.R.T.C.T.), and being an angle point in the northeast line of said KWH tract;

THENCE, with the northeast line of said KWH tract, in part with the southern terminus of said Yellowjacket Lane, in part with the southwest line of a portion of a called 1.46 acre tract conveyed to Associates Financial Services Company, Inc., recorded in Document #2001139956 (O.P.R.T.C.T.), and in part with the southwest line of a called 1.05 acre tract conveyed to Herby's Joint Venture, recorded in Volume 12353, Page 744 (R.P.R.T.C.T.), **S61°01'40"E**, passing at a distance of 49.60 feet, a 1/2-inch iron pipe found at the southeast corner of said COA right-of-way tract, and continuing for a total distance of **351.96** feet to a 1/2-inch iron rod with "Ward-5811" cap set for an angle point hereof, said point being the southwest corner of Cantera Vista Condominiums (described by metes and bounds in Document #2003104621) declared in Document #2004142639 (O.P.R.T.C.T.), and being the southeast corner of said Herby's tract, and being an angle point in the northeast line of said KWH tract;


THENCE, with the southwest line of said Cantera Vista Condominiums tract and the northeast line of said KWH tract, **S61°15'40"E**, a distance of **148.95** feet to a 1/2-inch iron rod with "RPLS 4772" cap found for the northeast corner hereof, said point being an angle point in the northwest line of a called 4.002 acre tract (described by metes and bounds in Document #2006199765) conveyed to Seventy One Investments, LP, and recorded in Document #2010113714 (O.P.R.T.C.T.), and being the southeast corner of said Cantera Vista Condominiums tract, and being the northeast corner of said KWH tract;

THENCE, with the northwest line of said Seventy One tract and the southeast line of said KWH tract, **S41°45'29"W**, a distance of **85.67** feet to a 1/2-inch iron rod with "RPLS 4772" cap found for an exterior ell-corner hereof, said point being the northeast corner of a called 1.840 acre tract conveyed to Seventy One Investments, LP, and recorded in Document #2010113713 (O.P.R.T.C.T.), and being an angle point in the northwest line of said 4.002 acre Seventy One tract, and being an exterior ell-corner of said KWH tract;

THENCE, with the common line of said 1.840 acre Seventy One tract and said KWH tract, the following two (2) courses and distances:

- 1) **S72°11'23"W**, a distance of **613.20** feet to a 1/2-inch iron rod with "Ward-5811" cap set for an interior ell-corner hereof, and
- 2) **S21°55'04"E**, a distance of **188.19** feet to a 1/2-inch iron rod with "Ward-5811" cap set for the southeast corner hereof, said point being in the north right-of-way line of said SH 71, and being at the southwest corner of said 1.840 acre Seventy One tract, and being in the east line of said KWH tract, from which a 1/2-inch iron rod found in the north right-of-way line of said SH 71, and being the southwest corner of a called 5.71 acre tract conveyed to K L Comfort Park Ltd., and recorded in Document #2009194875 (O.P.R.T.C.T.), and being the southeast corner of a called 2.194 acre tract conveyed to Lock Away Ben White LLC, and recorded in Document #2012180960 (O.P.R.T.C.T.) bears, **N68°19'23"E**, a distance of **1,420.01** feet;

THENCE, over and across said KWH tract, with the north right-of-way line of said SH 71, **S68°19'23"W**, a distance of **286.25** feet to the **POINT OF BEGINNING** and containing 12.0399 Acres (524,460 Sq. Ft.), more or less.


Jason Ward, RPLS #5811
4Ward Land Surveying, LLC

11/26/14



SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24

LOT 2, BLOCK A
RIVERSIDE II
DOC. #201300231
O.P.R.T.C.T.

S61°07'27"E 629.77'
(S58°26'37"E 630.68')
S61°07'01"E 629.73'

FROM WHICH A
1/2" IRON ROD
WITH "MCANGUS"
CAP FOUND BEARS
S56°07'09"E, 0.49'

NOT
LEGIBLE

S33°35'02"W 50.18'
(S36°21'00"W 49.71')

N60°49'25"W 204.13'
(N58°00'00"W 204.07')
(N58°10'44"W 203.65')

LOT 1
DON STEWART
TEXACO ADDITION
VOL. 83, PG. 14AD
P.R.T.C.T.

LOT 2
BLOCK "A"
TRAVIS 51 ADDITION NO. 2
DOC. #200100312
O.P.R.T.C.T.

FROM WHICH A
1/2" IRON ROD
WITH "TERRA
FIRMA" CAP
FOUND BEARS
S11°48'05"E, 0.29'

[300.04']
[299.59']

P.O.B.

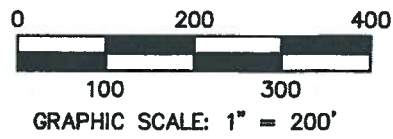
GRID N: 10,052,139.00
GRID E: 3,128,336.90

LOT 1
AHC ADDITION
VOL. 84, PG. 48B
P.R.T.C.T.

12.0399 ACRE(S)
524,460 SQUARE FEET

REMAINDER OF
CALLED 13.09 ACRES
KWH PROPERTIES
VOL. 8663, PG. 418
R.P.R.T.C.T.

STATE HIGHWAY 71
a.k.a. EAST BEN
WHITE BOULEVARD
(R.O.W. WIDTH VARIES)



12.0399 ACRES
in the Santiago
Del Valle Grant
City of Austin,
Travis County, Texas



PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TBPLS FIRM #10174300

Date:	11/26/2014
Project:	00374
Scale:	1" = 200'
Reviewer:	JSW
Tech:	SMD
Field Crew:	KDL
Survey Date:	NOV. 2014
Sheet:	1 OF 2

LEGEND

	PROPERTY LINE
	EXISTING PROPERTY LINES
	EXISTING EASEMENTS
	1/2" IRON ROD WITH "WARD-5811" CAP SET
	1/2" IRON ROD FOUND (UNLESS NOTED)
	1/2" IRON PIPE FOUND (UNLESS NOTED)
	IRON ROD WITH "SURVEYOR" CAP FOUND
	CALCULATED POINT
	COTTON SPINDLE FOUND
	TXDOT TYPE III 5/8" ALUMINUM CAP FOUND
DOC. #	DOCUMENT NUMBER
P.O.B.	POINT OF BEGINNING
VOL./PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
P.R.T.C.T.	PLAT RECORDS, TRAVIS COUNTY, TEXAS
R.P.R.T.C.T.	REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
(.....)	RECORD INFORMATION PER VOL. 8663 PG. 418
((.....))	RECORD INFORMATION PER PLAT VOL. 83 PG. 144D
[.....]	RECORD INFORMATION PER TXDOT ROW MAPS
<.....>	RECORD INFORMATION PER PLAT DOC. #201300231
[[.....]]	RECORD INFORMATION PER DOC. #2010113714
{.....}	RECORD INFORMATION PER DOC. #2010113713



11/26/2014

**12.0399 ACRES
in the Santiago
Del Valle Grant
City of Austin,
Travis County, Texas**

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	N33°52'49"E	313.86'
(L1)	(N36°26'46"E)	(313.39')
L2	S61°01'40"E	351.96'
(L2)	(S58°19'51"E)	(353.20')
L3	S61°15'40"E	148.95'
(L3)	(S58°33'51"E)	(149.47')
<<(L3)>>	<<S58°33'51"E>>	<<149.66'>>
L4	S41°45'29"W	85.67'
(L4)	(S44°32'08"W)	(85.68')
[[L4]]	[[S44°21'38"W]]	[[85.65']]

[A] LOT 1, BLOCK A
BERGARA ADDITION
DOC. #200200175
O.P.R.T.C.T.

[B] A H NEIGHBORS
ADDITION SECTION THREE
VOL. 66, PG. 70
P.R.T.C.T.

[C] CALLED 0.3138 ACRE
JUAN C. REYES
VOL. 13204, PG. 1211
R.P.R.T.C.T.

[D] PORTION OF A
CALLED 1.46 ACRES
ASSOCIATES FINANCIAL
SERVICES COMPANY INC.
DOC. #2001139956
O.P.R.T.C.T.

[E] CALLED 1.05 ACRES
HERBY'S JOINT VENTURE
VOL. 12353, PG. 744
R.P.R.T.C.T.

[F] CANTERA VISTA
CONDOMINIUMS
(DESCRIBED IN DOC.
#2003104621)
DOC. #2004142639
O.P.R.T.C.T.

[G] CALLED 4.002 ACRES
(DESCRIBED IN DOC.
#2006199765)
SEVENTY ONE
INVESTMENTS, LP
DOC. #2010113714
O.P.R.T.C.T.

[H] CALLED 1.840 ACRES
SEVENTY ONE
INVESTMENTS, LP
DOC. #2010113713
O.P.R.T.C.T.

[I] CALLED 7308 S.F.
CITY OF AUSTIN
STREET DEED
VOL. 6922, PG. 2258
P.R.T.C.T.

[J] CALLED 2.194 ACRES
LOCK AWAY BEN WHITE LLC
DOC. #2012180960
O.P.R.T.C.T.

[K] CALLED 5.71 ACRES
K L COMFORT PARK LTD
DOC. #2009194875
O.P.R.T.C.T.

BEARING BASIS:

ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE (4203), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000052849270.



PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TBPLS FIRM #10174300

Date:	11/26/2014
Project:	00374
Scale:	1" = 200'
Reviewer:	JSW
Tech:	SMD
Field Crew:	KDL
Survey Date:	NOV. 2014
Sheet:	2 OF 2



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2015-0073

Exhibit B



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.

1" = 400'