

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 10819 FM 2222 FROM COMMUNITY COMMERCIAL-CONDITONAL OVERLAY (GR-CO) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) 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 community commercial (GR-CO) district to community commercial-conditional overlay (GR-CO) district on the property described in Zoning Case No. C14-2015-0122, on file at the Planning and Zoning Department, as follows:

All that certain parcel or tract of land out of the William Bell Survey No. 802, City of Austin, Travis County, Texas; being a portion of Lot 7A Resubdivision of Lot 1, River Place Center, Lot 1, Block A, Four Points South and Lot 1, Block "A", River Place at 2222, a subdivision a recorded in Document No. 200800201 of the Official Public Records of Travis County, Texas; also being all of Unit 2 "Building Site", Capella 7A Riverplace Condominium, as recorded in Document No. 2014094904 of the Official Public Records of Travis County, Texas; said Lot 7A being conveyed to Capella Commercial-Riverplace, LLC by special warranty deed recorded in Document No. 2012104497 of the Official Public Records of Travis County, Texas; and being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 10819 FM 2222 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. 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 2,100 trips per day.
- B. Drive-in service use is prohibited as an accessory use to commercial uses on the Property.

41 C. The following uses are prohibited uses of the Property:
42

Custom manufacturing	Alternative financial services
Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Bail bond services	Commercial off-street parking
Drop-off recycling collection facility	Exterminating services
General retail services (convenience)	Funeral services
Off-site accessory parking	Guidance services
Pedicab storage and dispatch	Pawn shop services
Service station	

43
44 D. A food sales use shall not exceed 5,300 square feet on the Property.
45

46 Except as specifically restricted under this ordinance, the Property may be developed and
47 used in accordance with the regulations established for the community commercial (GR)
48 district and other applicable requirements of the City Code.
49

50 **PART 3.** This ordinance takes effect on _____, 2016.
51

52
53 **PASSED AND APPROVED**
54

55 §
56 §
57 _____, 2016 § _____
58 Steve Adler
59 Mayor
60

61
62 **APPROVED:** _____ **ATTEST:** _____
63 Anne L. Morgan Jannette S. Goodall
64 City Attorney City Clerk

**FIELD NOTES
PROPOSED ZONING BOUNDARY**

ALL THAT CERTAIN PARCEL OR TRACT OF LAND OUT OF THE WILLIAM BELL SURVEY NO. 802, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; BEING A PORTION OF LOT 7A, RESUBDIVISION OF LOT 1, RIVER PLACE CENTER, LOT 1, BLOCK A, FOUR POINTS SOUTH AND LOT 1, BLOCK "A", RIVER PLACE AT 2222, A SUBDIVISION AS RECORDED IN DOCUMENT NO. 200800201 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; ALSO BEING ALL OF UNIT 2 "BUILDING SITE", CAPELLA 7A RIVERPLACE CONDOMINIUM, AS RECORDED IN DOCUMENT NO. 2014094904 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID LOT 7A BEING CONVEYED TO CAPELLA COMMERCIAL-RIVERPLACE, LLC BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2012104497 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod set with cap stamped TERRA FIRMA at the most northerly corner of the above described Lot 7A, also being the most westerly corner of Lot 8A of the above described Resubdivision of Lot 1, River Place Center, Lot 1, Block A, Four Points South and Lot 1, Block "A", River Place at 2222, for the most northerly corner and POINT OF BEGINNING OF the herein described tract, from which a ½" iron rod found on the southwest right-of-way line of R.M. Highway No. 2222 at the most northerly corner of said Lot 8A bears N27°54'36"E a distance of 100.37 feet;

THENCE, with the south line of said Lot 8A and a north line of said Lot 7A, S57°08'48"E a distance of 525.80 feet to a ½" iron rod set with cap stamped TERRA FIRMA at an inside corner of said Lot 7A, at the most southerly corner of said Lot 8A;

THENCE, with an easterly line of said Lot 8A and a westerly line of said Lot 7A, N30°23'38"E a distance of 105.51 feet to a ½" iron rod set with cap stamped TERRA

FIRMA on the southwest right-of-way line of said R.M. Highway No. 2222 at the common north corner of said Lots 7A and 8A;

THENCE, with the southwest right-of-way line of said R.M. Highway No. 2222, S59°43'24"E a distance of 15.00 feet to a ½" iron rod set with cap stamped TERRA FIRMA at the common north corner of said Lot 7A and Lot 5A of said Resubdivision of Lot 1, River Place Center, Lot 1, Block A, Four Points South and Lot 1, Block "A", River Place at 2222 for the most easterly corner of this tract;

THENCE, with the easterly line of said Lot 7A and the westerly line of said Lot 5A, the following five (5) courses:

- 1) S30°23'38"W a distance of 145.21 feet to a PK Nail set at a point of curvature of a curve to the right;
- 2) Along said curve to the right an arc distance of 66.86 feet, having a radius of 287.00 feet, and a chord which bears S37°04'04"W a distance of 66.71 feet to a PK Nail set at for corner;
- 3) S43°44'31"W a distance of 37.01 feet to a PK Nail set at a point of curvature of a curve to the left;
- 4) Along said curve to the left an arc distance of 171.45 feet, having a radius of 287.00 feet, and a chord which bears S26°37'34"W a distance of 168.92 feet to a ½" iron rod set with cap stamped TERRA FIRMA for corner; and
- 5) S09°30'03"W a distance of 21.43 feet to a calculated point at the most southerly corner of said Unit 2 "Building Site", for the most southerly corner of this tract;

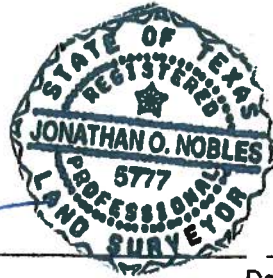
THENCE, with the southerly line of said Unit 2 "Building Site" and the northerly line of Unit 1 "Building Site" of said Capella 7A Riverplace Condominium, the following five (5) courses:

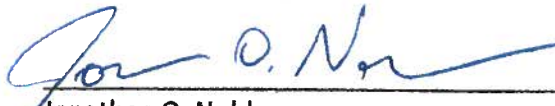
- 1) N56°57'45"W a distance of 251.17 feet to a calculated point;
- 2) N33°03'11"E a distance of 49.90 feet to a calculated point;
- 3) N56°59'51"W a distance of 193.32 feet to a calculated point;

- 4) S28°31'50"W a distance of 49.93 feet to a calculated point; and
- 5) N61°12'50"W a distance of 88.17 feet to a ½" iron rod found on the west line of said Lot 7A, at the southeast corner of Lot 2, Bull Creek Place as recorded in Book 77, Page 68 of the Plat Records of Travis County, Texas;

THENCE, with the west line of said Lot 7A and the east line of said Lot 2, Bull Creek Place, N27°54'36"E a distance of 335.54 feet to the POINT OF BEGINNING, and containing 3.761 acres of land, more or less.

I HEREBY CERTIFY that these notes were prepared by Terra Firma Land Surveying from a survey made on the ground on July 18, 2008 under my supervision and are true and correct to the best of my knowledge. This document was prepared under 22 TAC §663.21 and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared. A sketch accompanies this description.




Jonathan O. Nobles
Registered Professional Land Surveyor No. 5777

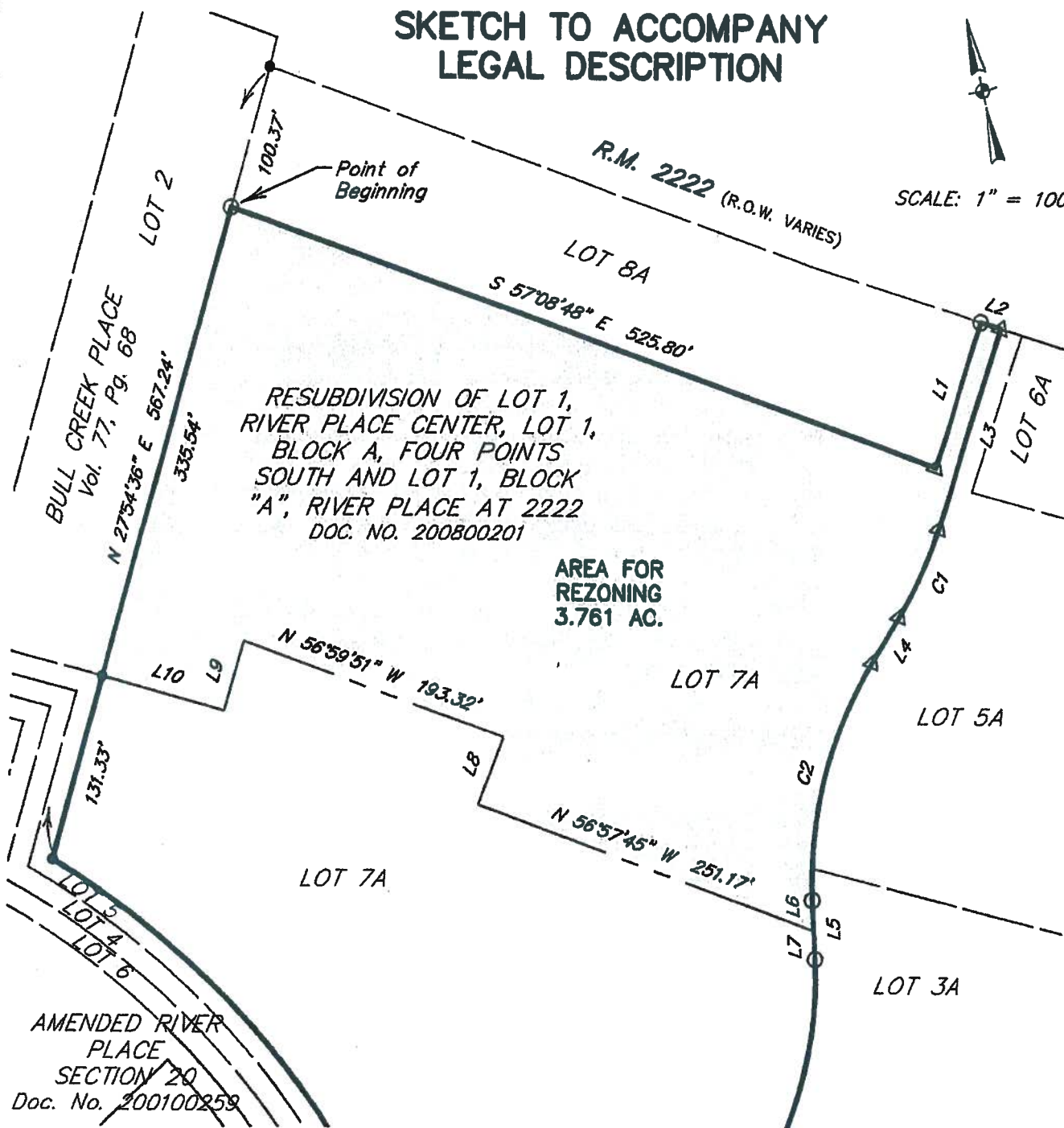
8/13/2015
Date

Client: Land Answers, Inc.
Date: August 13, 2015
Job No.: 0A434-002-15
FB: 590/55
File: J:\Projects\A434\002-15\Survey\Legal Desc\A434-002-07 Zoning-FN.doc

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



SCALE: 1" = 100'



LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD SET W/CAP
STAMPED "TERRA FIRMA"
- △ P-K NAIL SET

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 30°23'38" E	105.51'
L2	S 59°43'24" E	15.00'
L3	S 30°23'38" W	145.21'
L4	S 43°44'31" W	37.01'
L5	S 09°30'03" W	40.80'
L6	S 09°30'03" W	21.43'
L7	S 09°30'03" W	19.47'
L8	N 33°03'11" E	49.90'
L9	S 28°31'50" W	48.93'
L10	N 61°12'50" W	88.17'

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	287.00'	66.88'	66.71'	N 37°04'04" E
C2	287.00'	171.45'	188.92'	S 26°37'34" W



JONES & CARTER

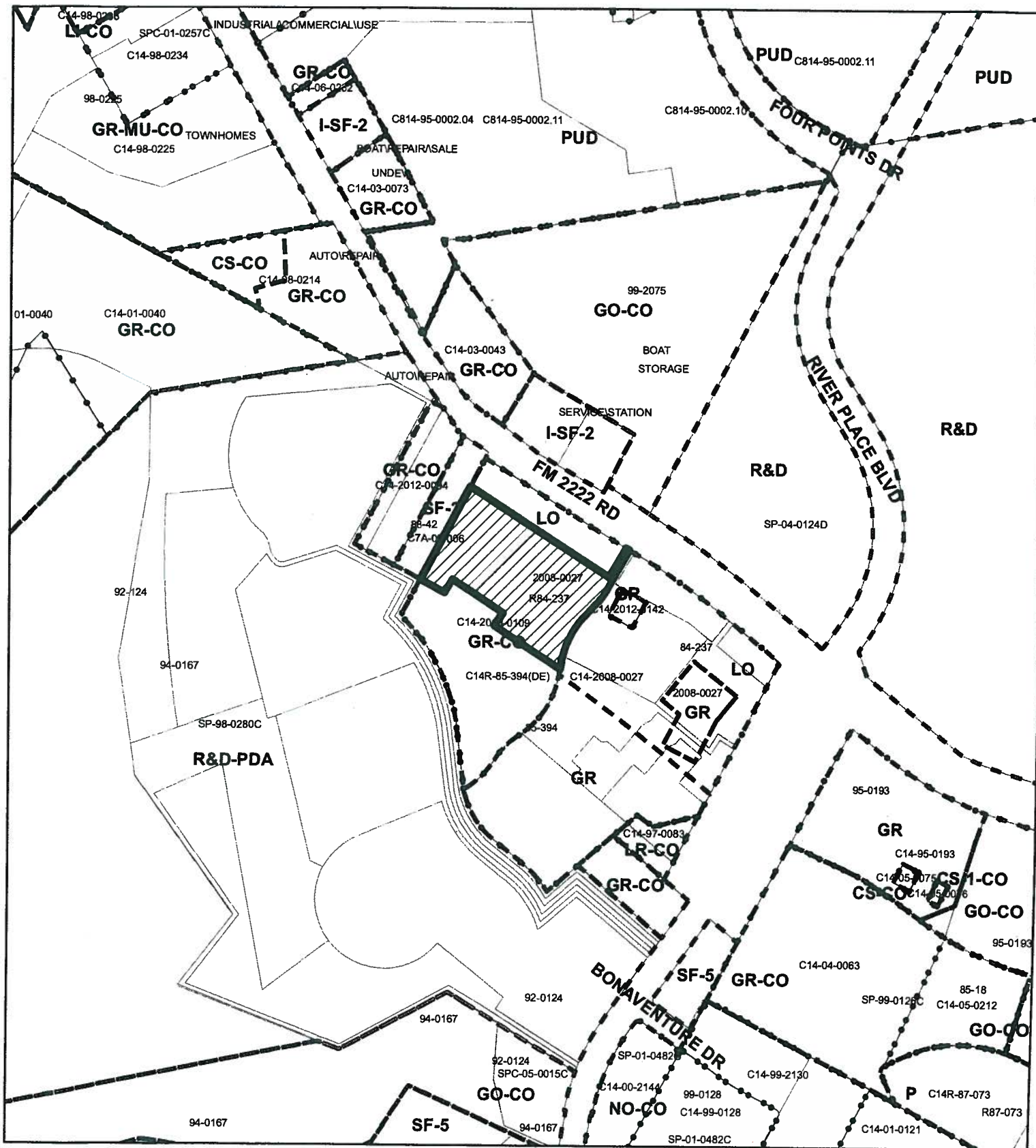
Texas Board of Professional Engineers Registration No. F-439
1701 Directors Boulevard, Suite 400 • Austin, Texas 78744 • (512) 441-0493

tterra firma LAND SURVEYING

TEXAS BOARD OF PROFESSIONAL LAND SURVEYING REGISTRATION NO. 10048101

1701 DIRECTORS BOULEVARD, SUITE 400 • AUSTIN, TEXAS 78744
TEL (512) 328-6373 • FAX (512) 445-2288

Client : Land Answers, Inc.
Date : August 13, 2018
Office : J. Nobles, M. Carney
Job No : 0A434-002-08
File : J:\Projects\A434\002-08\Survey\Drawing Files\0A434-0002-15_Zoning.dwg
J:\Projects\A434\002-08\Survey\Point Files\0A434-002-08.crd



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

ZONING

Exhibit B

CASE#: C14-2015-0122

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 geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

