

ORDINANCE NO. 70 0115-B

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

- (1) A .83 OF ONE ACRE OF LAND OUT OF THE WILLIAM BARTON LABOR, LOCALLY KNOWN AS 1116-1126 BARTON HILLS DRIVE, FROM "B" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT;
- (2) A 28,140 SQUARE FOOT TRACT OF LAND, BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING THE SOUTH 25 FEET OF BLOCK #2, AND THE NORTH 40 FEET OF BLOCK #7, DIVISION E, LOCALLY KNOWN AS 800 WEST AVENUE, FROM "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "O" OFFICE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;
- (3) THE EAST 100 FEET OF THE SOUTH ONE-HALF OF LOT 12, BLOCK 2, OF THE RESUBDIVISION OF SHOALMONT ADDITION, LOCALLY KNOWN AS THE REAR OF 5414-5416 BURNET ROAD, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT;
- (4) A 1.16 ACRE TRACT OF LAND, LOCALLY KNOWN AS 5700-5708 MANOR ROAD AND 2708-2712 ROGGE LANE, FROM "LR" LOCAL RETAIL DISTRICT TO "GR" GENERAL RETAIL DISTRICT;
- (5) A 21,500 SQUARE FOOT TRACT OF LAND OUT OF THE THOMAS ELDRIDGE SURVEY, LOCALLY KNOWN AS 5807-5811 MANOR ROAD, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT;
- (6) LOTS 20 AND 21, SOUTH MEADOWS ADDITION, LOCALLY KNOWN AS 409-411 EBERHART LANE AND 6401-6403 SOUTH MEADOWS BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT;
- (7) A 6,679 SQUARE FOOT TRACT OF LAND OUT OF OUTLOT NO. 5, DIVISION E, LOCALLY KNOWN AS 810 WEST 11TH STREET, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT;
- (8) A 2.06 ACRE TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE, LOCALLY KNOWN AS 400-416 EAST BEN WHITE BOULEVARD AND 4002-4030 MANUFACTURING BOULEVARD; FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;
- (9) THE SOUTH 43 FEET OF LOT 1 AND THE SOUTH 43 FEET OF LOT 2, BLOCK 104, OF THE ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 801 WEST AVENUE, AND 706-708 WEST 8TH STREET, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND
- (10) TRACT 1: A 10 ACRE TRACT OF LAND OUT OF THE JAMES P. WALLACE SURVEY, LOCALLY KNOWN AS 8222-8320 NORTH INTERREGIONAL HIGHWAY, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT;
TRACT 2: A 5 ACRE TRACT OF LAND OUT OF THE JAMES P. WALLACE SURVEY, LOCALLY KNOWN AS 8322-8404 NORTH INTERREGIONAL HIGHWAY, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT;
ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE designation from "B" Residence District to "LR" Local Retail District on the property described in File C14-69-290, to-wit:

A .83 acre tract of land out of an original tract of 9.2 acres conveyed to Jack Andrewartha by deed of record in Volume 2599, Page 157, of the Travis County Deed Records and being a part of the William Barton Labor in Travis County, Texas, and being described by metes and bounds as follows:

BEGINNING at an iron stake set in the north line of Barton Hills Drive, said iron stake being also located south $84^{\circ} 45'$ west a distance of 138.00 feet from the east line of the aforementioned 9.2-acre tract;

THENCE with the north line of Barton Hills Drive, south $84^{\circ} 45'$ west for 144.82 feet to an iron stake set for the easternmost corner of a 2.16 acre tract presently zoned LR (Local Retail);

THENCE with the northeast line of the said 2.16 acre tract, zoned Local Retail, north $58^{\circ} 35'$ west for 455.95 feet to the northernmost corner of the said 2.16 acre tract;

THENCE with the north line of the previously mentioned 9.2 acre tract as follows:

- (1) N $58^{\circ} 08'$ E for 29.89 feet to an iron stake;
- (2) N $72^{\circ} 24'$ E for 50.00 feet to an iron stake;

THENCE with the northeast line of the .83 acre tract herein described, S $60^{\circ} 59'$ E for 526.35 feet to the place of beginning;

locally known as 1116-1126 Barton Hills Drive, in the City of Austin, Travis County, Texas.

PART 2. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE and HEIGHT and AREA designations from "B" Residence District and First Height and Area District and Second Height and Area District to "O" Office District and First Height and Area District and Second Height and Area District on the property described in File 014-69-291, to-wit:

A 28,140 square foot tract of land, being all that certain tract or parcel of land being the South 25 feet of Block #2, and the North 40 feet of Block #7, Division E, of the City of Austin, Travis County, Texas, and being the same tract of land as described in Volume 349, Page 627, of the Deed Records of Travis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING FOR REFERENCE at a nail found on the center line of West Avenue at the intersection of the centerline of West 8th Street, as established by the Engineering Department of the City of Austin;

THENCE with the center line of West Avenue, N 19° 13' E for a distance of 64.84 feet to a point;

THENCE N 70° 21' W for a distance of 37.85 feet to an iron stake set in the west r.o.w line of West Avenue for the northeast corner to place of beginning hereof;

THENCE with the west r.o.w. line of West Avenue S 19° 22' W for a distance of 65.00 feet to an iron stake set for the southeast corner hereof;

THENCE N 70° 21' W for a distance of 404.50 feet to an iron stake set on the top bank of Shoal Creek for the southwest corner hereof;

THENCE upstream with the top bank of Shoal Creek, N 04° 15' W for a distance of 71.10 feet to an iron stake set for the northwest corner hereof;

THENCE S 70° 21' E for a distance of 433.06 feet to the place of beginning;

locally known as 800 West Avenue, in the City of Austin, Travis County, Texas.

PART 3. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE designation from "A" Residence District to "C" Commercial District on the property described in File C14-69-293, to-wit:

East 100 feet of the South one-half of Lot No. 12, in Block no. 2, in the Resubdivision of Shoalmont Addition, such resubdivision being of record in Book 4, Page 9, Plat Records of Travis County, Texas, locally known as the Rear of 5414-5416 Burnet Road, in the City of Austin, Travis County, Texas.

PART 4. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE designation from "LR" Local Retail District to "GR" General Retail District on the property described in File C14-69-298, to-wit:

A 1.16 acre tract of land fronting 260 feet on the west right of way line of Manor Road and 200.82 feet on the north right of way line of Rogge Lane, same being more particularly described as follows:

BEGINNING at the intersection point of the west right of way line of Manor Road and the north right of way line of Rogge Lane for the southeast corner of the hereindescribed tract;

THENCE in a northerly direction along the west right of way line of Manor Road a distance of 260 feet to a point for the northeast corner of the herein described tract;

THENCE N 59° 44' W a distance of 201.05 feet to a point on the east line of Lot 3, Block "O", Royal Oak Estates, Section 2, a subdivision of record in Book 12, Page 27, Travis County Plat Records, said point being N 32° 48' E 28.24 feet from the southeast corner of said Lot 3 for the northwest corner of the herein described tract;

THENCE S 32° 92' W a distance of 253.92 feet along the east line of Block "O", Royal Oak Estates, Section 2, to a point in the north right of way line of Rogge Lane for the south west corner of the herein described tract;

THENCE S 60° 53' E along the north right of way line of Rogge Lane, a distance of 200.82 feet to the place of beginning;

locally known as 5700-5708 Manor Road and 2708-2712 Rogge Lane, in the City of Austin, Travis County, Texas.

PART 5. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE designation from "A" Residence District to "GR" General Retail District on the property described in File C14-69-300, to-wit:

A 21,500 square foot tract of land out of the Thomas Eldridge Survey and being part of the tract conveyed to A. L. Nobles, et ux by a deed of record in Vol. 736, Page 502 of the Deed Records of Travis County, Texas, and being described as follows:

BEGINNING at the present northwest corner of the tract conveyed to A. L. Nobles, et ux by deed of record in Vol. 736, Page 502 of the Deed Records of Travis County, Texas in the east line of Manor Road;

THENCE with the north line of the Nobles tract S 59° 25' E 180.13 feet to the northeast corner of the Nobles tract;

THENCE with the east line of the said Nobles tract S 29° 35' W 110 feet, more or less, to a point in the east line of Manor Road in a northerly direction 110 feet to the point of beginning;

locally known as 5807-5811 Manor Road, in the City of Austin, Travis County, Texas.

PART 6. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE designation from "A" Residence District to "BB" Residence District on the property described in File C14-69-301, to-wit:

Lots 20 and 21, South Meadows Addition, such subdivision being of record in Book 48, Page 52, Plat Records of Travis County, Texas, locally known as 409-411 Eberhart Lane and 6401-6403 South Meadows Boulevard, in the City of Austin, Travis County, Texas.

PART 7. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE designation from "B" Residence District to "O" Office District on the property described in File C14-69-307, to-wit:

A 6,679 square foot tract of land out of Outlot No. 5, in Division E, in the City of Austin, Travis County, Texas, being more particularly described by metes and bounds as follows:

BEGINNING at a point in the north line of West 11th Street, from which point the northwest intersection of West 11th Street and West Avenue bears S 70° 43' E 248 feet;

THENCE N 70° 43' W 46 feet along the north line of West 11th Street to a corner post;

THENCE N 19° 00' E 145.2 feet to a corner post;

THENCE S 70° 20' E 46 feet to an iron stake;

THENCE S 19° 00' W 145.05 feet to the place of beginning;

locally known as 810 West 11th Street, in the City of Austin, Travis County, Texas.

PART 8. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE and HEIGHT and AREA designations from Interim "A" Residence District and Interim First Height and Area District to "D" Industrial District and First Height and Area District on the property described in File C14-69-311, to-wit:

A 2.06 acre tract out of the Isaac Decker League in Travis County, Texas, bounded on the south by Ben White Boulevard and on the east by Manufacturing Boulevard, and measuring east to west approximately 239.16 feet, being locally known as 400-416 East Ben White Boulevard and 4002-4030 Manufacturing Boulevard, in the City of Austin, Travis County, Texas.

PART 9. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE designation from "B" Residence District to "O" Office District on the property described in File C14-69-312, to-wit:

The south 43 feet of Lot 1 and the south 43 feet of Lot 2, Block 104 of the Original City of Austin, according to a map or plat of the City of Austin on file in the General Land Office of the State of Texas, locally known as 801 West Avenue and 706-708 West 8th Street, in the City of Austin, Travis County, Texas.

PART 10. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE and HEIGHT and AREA designations from Interim "A" Residence District and Interim First Height and Area District to "C" Commercial District and Fifth Height and Area District on the property described in File C14-69-314, to-wit:

TRACT 1: A 10 acre tract of land out of the James P. Wallace Survey, in Travis County, Texas, fully described in two deeds from James J. Lumpkin and wife, Zadie Lumpkin, both dated December 17, 1945, which are respectively recorded in Book 758, Page 559, and Book 762, Page 58, Deed Records of Travis County, Texas, save and except 1.326 acres of land conveyed to the State of Texas by Perry Dawson and wife Helen Dawson, by deed dated November 29, 1949, recorded in Book 993, Page 278, Deed Records of Travis County, Texas, locally known as 8222-8320 North Interregional Highway, in the City of Austin, Travis County, Texas.

TRACT 2: A 5 acre tract of land out of the James P. Wallace Survey in Travis County, Texas, fully described in the Deed dated December 24, 1945, recorded in Book 779, Page 368, Deed Records of Travis County, Texas, from James J. Lumpkin to Zadio Lumpkin, save and except so much of said 5.00 acre tract of land as has heretofore been conveyed to the State of Texas for highway right-of-way, locally known as 8322-8404 North Interregional Highway, in the City of Austin, Travis County, Texas.

PART 11. It is hereby ordered that the USE and HEIGHT and AREA maps accompanying Chapter 45 of the Austin City Code of 1967 and made a part thereof shall be changed so as to record the changes ordered in this Ordinance.

PART 12. The rule requiring that ordinances shall be read on three separate days is hereby suspended, and this Ordinance shall become effective as provided by the Charter of the City of Austin.

PASSED AND APPROVED ☒

January 15, 1970 ☒


Mayor

APPROVED: 

City Attorney

ATTEST: _____

City Clerk

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS

COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public, in and for the County of Travis, State of Texas, on this day personally appeared, Eleanor Walker, Classified Advertising Agent of the Austin American-Statesman, a daily newspaper published in said County and State, who, being duly sworn by me, states that the attached advertisement was published in said newspaper on the following dates, to wit: January 23, 1970 and that the attached is a true copy of said advertisement.

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(2) A 28,140 SQUARE FOOT TRACT OF LAND BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING THE SOUTH 25 FEET OF BLOCK NO. 2, AND THE NORTH 40 FEET OF BLOCK NO. 7, DIVISION E, LOCALLY KNOWN AS 800 WEST AVENUE, FROM "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "O" OFFICE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND SECOND HEIGHT AND AREA DISTRICT.

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(Sgd) Eleanor Walker

SWORN AND SUBSCRIBED TO BEFORE ME, this 26th Day of January A.D. 1970.

(Sgd) Merle Duncan
Notary Public in and for
TRAVIS COUNTY, TEXAS

I, Elsie Woosley, City Clerk of the City of Austin, hereby certify that the above and foregoing Ordinance was published as required by the Charter, in the American-Statesman, a daily newspaper published in said City on January 6, 1970.

City Clerk, City of Austin, Texas