

ORDINANCE NO. 20171102-009

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 6705 ½ EMERALD FOREST DRIVE IN THE GARRISON PARK NEIGHBORHOOD PLAN AREA FROM NEIGHBORHOOD OFFICE-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (NO-MU-CO-NP) COMBINING DISTRICT TO NEIGHBORHOOD OFFICE-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (NO-MU-CO-NP) 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 neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district to neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2017-0064, on file at the Planning and Zoning Department, as follows:

Being out of a part of Lot 1, Big White Cloud, Section 2, a subdivision recorded in Plat Book 44, Page 30, located in Travis County, Texas, being out of that portion of Lot 1 conveyed by James Paul Hembree and Tina Keeling to James Paul Hembree and Tina Keeling of record in Document Number 2014101654, Travis County Deed Records and being 0.703 acres more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 6705 ½ Emerald Forest Drive 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 100 trips per day.
- B. A 15-foot wide undisturbed, vegetative buffer shall be provided and maintained along the north and east property lines. Improvements permitted in the buffer

are limited to drainage, underground utilities, or those improvements that may otherwise be required by the City of Austin.

- C. The maximum height of a telecommunication tower on the Property shall be limited to 75 feet.
- D. Development of the Property is limited to one telecommunication tower.
- E. The following uses are prohibited uses for the Property:

Bed and breakfast (group 1)
Communication service facilities
College or university facilities
Community recreation (public)
Counseling services
Public primary educational facilities
Public secondary educational facilities
Safety services

Bed and breakfast (group 2)
Special use historic
Community recreation (private)
Congregate living
Day care services (commercial)
Private primary educational facilities
Private secondary educational facilities
Residential treatment

PART 3. Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the neighborhood office (NO) district and other applicable requirements of the City Code.

PART 4. The Property is subject to Ordinance No. 20141106-088 that established zoning for the Garrison Park Neighborhood Plan.

PART 5. This ordinance takes effect on November 13, 2017.

PASSED AND APPROVED

November 2, 2017

§
§
§

Steve Adler
Mayor

APPROVED:

Anne L. Morgan
City Attorney

ATTEST:

Jannette S. Goodall
City Clerk

EXHIBIT A
0.703 ACRE ZONING SITE, PORTION OF
LOT 1, BIG WHITE CLOUD, SECTION 2,
PLAT BOOK 44, PAGE 30
TRAVIS COUNTY, TEXAS

All that certain tract or parcel of land or premises; being out of an a part of Lot 1, Big White Cloud, Section 2, a subdivision recorded in Plat Book 44, Page 30, located in Travis County, Texas; being out of that portion of Lot 1 conveyed by James Paul Hembree and Tina Keeling to James Paul Hembree and Tina Keeling of record in Document Number 2014101654, Travis County Deed Records and being 0.703 acres more particularly described by metes and bounds as follows:

Beginning at a 1" Pipe found, in the Northeast line of Anderson Professional Park, a subdivision recorded in Plat Book 76, Page 58, at the West corner of "La Hue Subdivision", Recorded in Plat Book 67, Page 14, and the South corner of the said Hembree tract, for the South corner of the tract described herein; Thence N 61°39'46" W a distance of 148.90 feet to a 1/2" Iron Rod found, in the East line of an 80 foot wide roadway known locally as Emerald Forest Drive, at the North corner of said Anderson Professional Park and the West corner of said Hembree tract for the West corner of the tract described herein; Thence N 01°01'27" W with the East line of Emerald Forest drive a distance of 48.27 feet to a point of curvature of a curve to the right; Thence with the East line of Emerald Forest Drive on a curve to the right having a Radius of 1,265.00 feet, Chord Bearing of N 04°34'17" E, Chord Length of 120.76 feet and an Arc length of 120.81 feet to a point for the West corner of the tract described herein; Thence crossing said Hembree tract S 66°34'44" E a distance of 220.49 feet to a point on the Northwest line of said "La Hue Subdivision" and the Southeast line of said Hembree tract for the East corner of the tract described herein; Thence S 27°49'05" W a distance of 171.49 feet to the Point and Place of Beginning of the tract described herein. There being contained within these metes and bounds 0.703 acre of land area, more or less, prepared from a survey made on the ground of the Hembree tract, under my direction, during January 2017.

Based on a survey performed on the ground on January 25, 2017.



Kurtis R. Webb RPLS # 4125

5-04-2017

Date

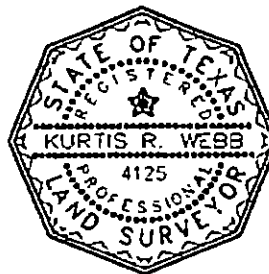


EXHIBIT A

**0.703 ACRE ZONING SITE, PORTION OF
LOT 1, BIG WHITE CLOUD, SECTION TWO,
TRAVIS COUNTY, TEXAS**

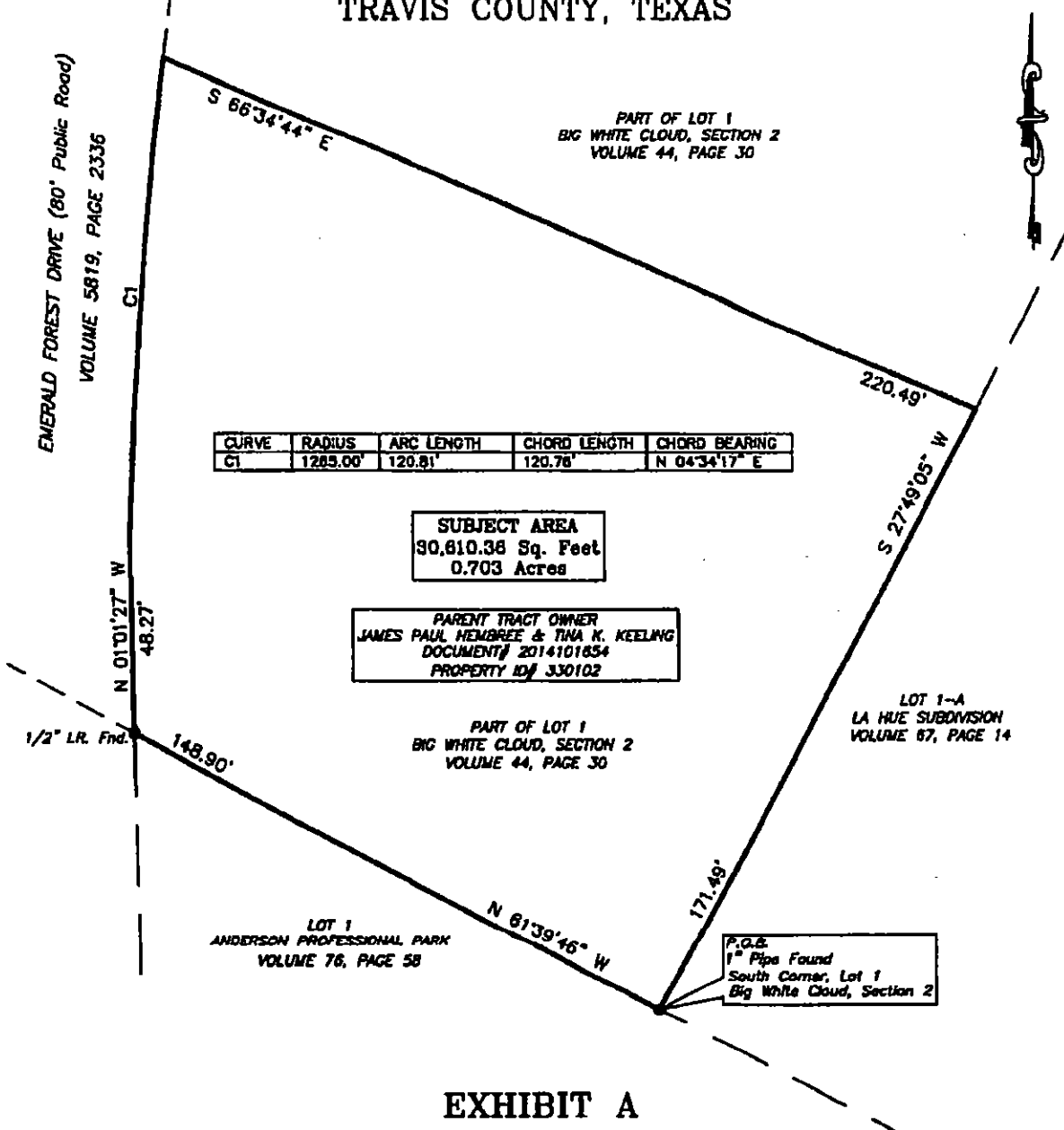


EXHIBIT A

Bearings Based on T.S.P.C.
Established GPS on: 01/25/17
Datum: Horz: NAD83 TX Central Zone
Vert: Geoid 96



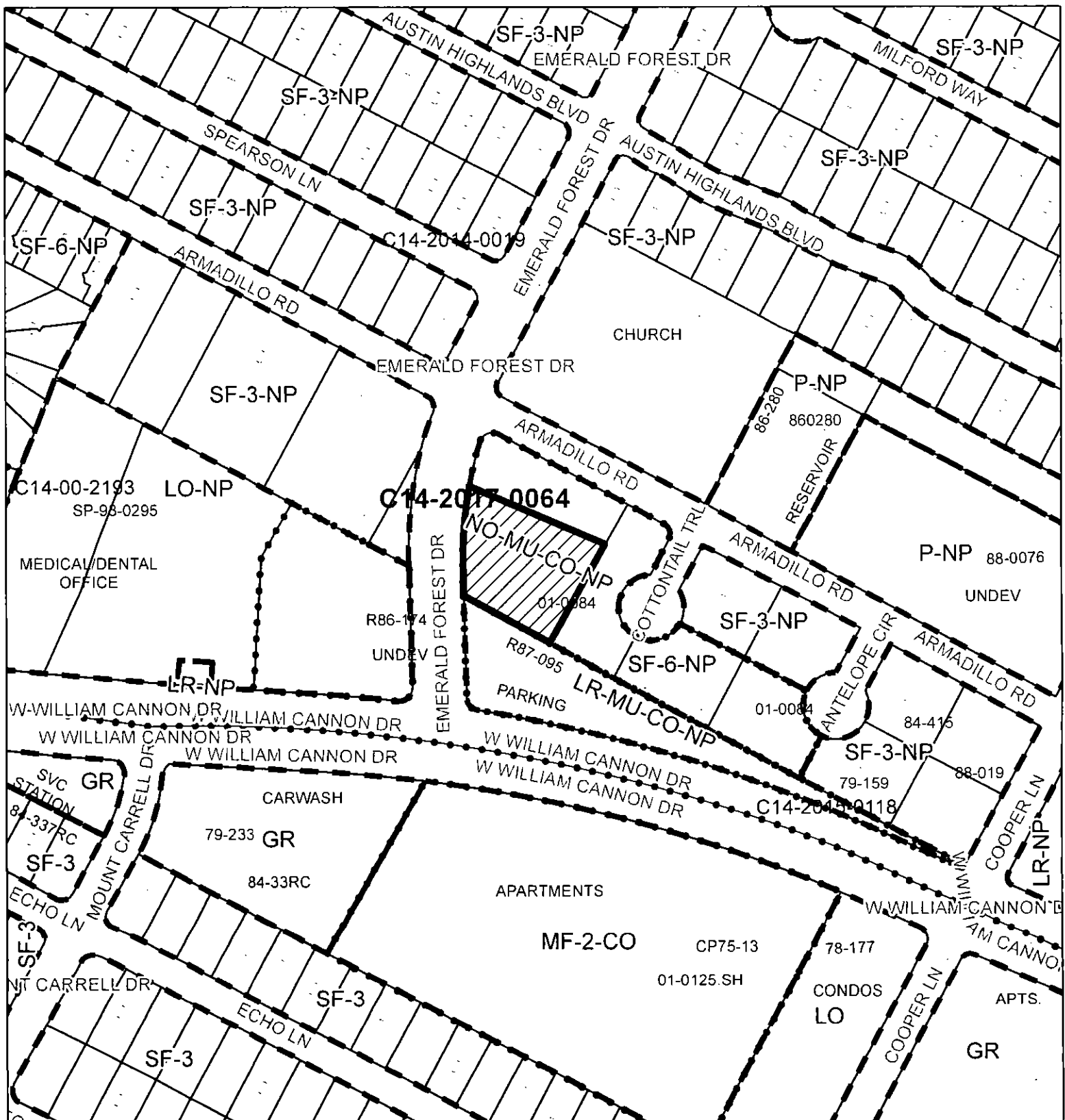
ZONING DRAWING 0.703 AC.

NO.	REVISION	DATE	BY
SURVEYED BY: S.G.			
DATE SURVEYED: 1/25/17			
APPROVED BY: K.R.W.			



PREPARED BY:
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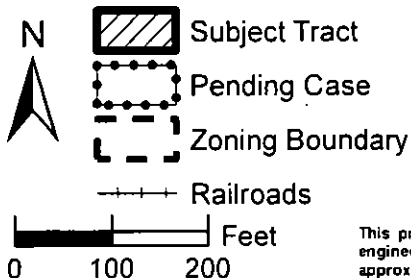
SCALE: 1" = 40'
DRAWN BY: GLH
JOB NO.: 3010.1501
FIELD BOOK NO.: NA
PAGE NO.: NA
SHEET 1 **OF** 2



ZONING

Case#: C14-2017-0064

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 the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 5/16/2017