

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 611 EAST BRAKER LANE IN THE NORTH LAMAR COMBINED NEIGHBORHOOD PLAN AREA FROM COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-CO-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-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 community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district on the property described in Zoning Case No. C14-2017-0114, on file at the Planning and Zoning Department, as follows:

A 0.7415 acre of land to be re-zoned out of the John Applegait Survey No. 58, Abstract No. 29, in Travis County, Texas, and being a portion of the remainder of that certain (1.74 acre) tract of land as conveyed to MP Braker, LP, by Special Warranty Deed recorded in Document No. 2000056544 of the Official Public Records of Travis County, Texas, same being a portion of Lot 6, Eddie Ludwig Subdivision, a recorded subdivision in Travis County, Texas, and being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (the “Property”),

locally known as 611 East Braker Lane 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. The following uses are prohibited uses for the Property:

Commercial blood plasma center	Outdoor entertainment
Transitional housing	Transportation terminal
Drop-off recycling collection facility	

1
2 **PART 3.** Except as specifically restricted under this ordinance, the Property may be
3 developed and used in accordance with the regulations established for the general
4 commercial services (CS) district and other applicable requirements of the City Code.
5

6 **PART 4.** The Property is subject to Ordinance No. 20100624-111 that established zoning
7 for the North Lamar neighborhood plan combining district.
8

9 **PART 5.** This ordinance takes effect on _____, 2018.
10

11 **PASSED AND APPROVED**
12

13 §
14 §
15 _____, 2018 § _____
16 Steve Adler
17 Mayor
18
19

20 **APPROVED:** _____ **ATTEST:** _____
21 Anne L. Morgan Jannette S. Goodall
22 City Attorney City Clerk
23

EXHIBIT "A"
HOLT CARSON, INCORPORATED
PROFESSIONAL LAND SURVEYORS

Texas Licensed Surveying Firm Registration No. 10050700
1904 FORTVIEW ROAD
AUSTIN, TX 78704
TELEPHONE: (512) 442-0990
email: hcl@austin.rr.com

August 7, 2017

FIELD NOTE DESCRIPTION OF 0.7415 ACRE OF LAND TO BE RE-ZONED OUT OF THE JOHN APPLGAIT SURVEY NO. 58, ABSTRACT NO. 29, IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THE REMAINDER OF THAT CERTAIN (1.74 ACRE) TRACT OF LAND AS CONVEYED TO MP BRAKER, LP BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2000056544 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF LOT 6, EDDIE LUDWIG SUBDIVISION, AN UNRECORDED SUBDIVISION IN TRAVIS COUNTY, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod with a plastic cap imprinted "Baker-Aicklen" found in the South right-of-way line of East Braker Lane, same being a point in the East line of the remainder of that certain (1.74 acre) tract of land as conveyed to MP Braker, LP by Special Warranty Deed recorded in Document No. 2000056544 of the Official Public Records of Travis County, Texas, also being a point in the West line of Lot 1, C.L. Daniel, Jr. Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 59, Page 87 of the Plat Records of Travis County, Texas and also being the Southeast corner of that certain (640 square feet) tract of land as conveyed to the City of Austin by Street Deed recorded in Document No. 2012130937 of the Official Public Records of Travis County, Texas, and also being the Southwest corner of that certain (0.0398 acre) tract of land as conveyed to the City of Austin by Street Deed recorded in Document No. 2009053897 of the Official Public Records of Travis County, Texas and the Northeast corner and **PLACE OF BEGINNING** of the herein described tract;

THENCE leaving the South right-of-way line of East Braker Lane with the West line of Lot 1 and Lot 3, C.L. Daniel, Jr. Subdivision and with the East line of said MP Braker, LP (1.74 acre remainder) tract, S 27 deg. 40'23" W 171.47 ft. to a calculated point for the Southeast corner of the herein described tract, from which a 1/2" iron rod found in the North right-of-way line of Farley Drive at the Southwest corner of Lot 5, C.L. Daniels, Jr. Subdivision bears, S 27 deg. 40'23" W 189.99 ft.;

THENCE crossing through the interior of said MP Braker, LP (1.74 acre remainder) tract, N 64 deg. 25'42" W 189.92 ft. to a calculated point in the West line of said MP Braker, LP (1.74 acre remainder) tract;

THENCE with the West line of said MP Braker, LP (1.74 acre remainder) tract, N 27 deg. 42'00" E 173.39 ft. to an iron rod found with an aluminum cap found in the South right-of-way line of East Braker Lane at the Northwest corner of said MP Braker, LP (1.74 acre remainder) tract, same being the West corner of said City of Austin (640 square feet) tract, also being the Southwest corner of that certain (0.1166 acre) tract of land as conveyed to the City of Austin by General Warranty Deed Recorded in Volume 10264, Page 45 of the Real Property Records of Travis County, Texas, and also being the Southeast corner of that certain (0.0109 acre) tract of land as conveyed to Travis County by General Warranty Deed recorded in Volume 10043, Page 203 of the Real Property Records of Travis County, Texas the Northwest corner of the herein described tract;

Exhibit A

0.7415 Acre

Page 2 of 2

THENCE re-crossing the interior of said MP Braker, LP (1.74 acre remainder) tract with the South line of said City of Austin (640 square feet) tract, and with the South right-of-way line of East Braker Lane, the following four courses:

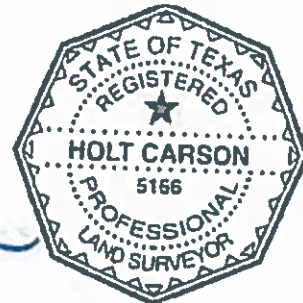
- 1.) S 61 deg. 40'47" E 94.00 ft. to a ½" iron rod with a plastic cap imprinted "Dean Woodley" found at a point of curvature;
- 2.) Along a curve to the left with a radius of 308.50 ft. for an arc length of 15.04 ft. and which chord bears, S 63 deg. 31'34" E 15.04 ft. to a calculated point of tangency;
- 3.) S 64 deg. 11'17" E 9.99 ft. to a ½" iron rod with a plastic cap imprinted "Dean Woodley" found at a point of curvature;
- 4.) Along a curve to the left with a radius of 808.50 ft. for an arc length of 70.94 ft. and which chord bears, S 66 deg. 44'54"E 70.92 ft. to the PLACE OF BEGINNING and containing 0.7415 acre of land.

All bearings cited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.

SURVEYED: JULY 29th, 2017


Holt Carson

Registered Professional Land Surveyor No. 5166
see accompanying map: C1014020



EAST BRAKER LANE (R.O.W. VARIES)



Legend

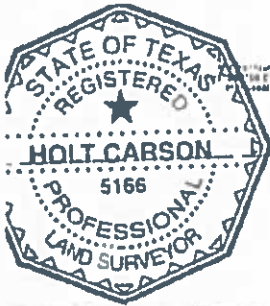
- Calculated Point
- Iron Rod Found
- Iron Rod Found with plastic cap inscribed with "Don Woodley" unless noted
- For Hybrid
- Surveyor's Corner Monument
- Surveyor's Corner
- Utility Marker
- Utility Valve
- 1/2" - 3/4" Wrought Iron Fence
- Wire Fence
- Wood Board Fence
- --- Overhead Utility Line (Noted Overhead and Disposed)

10' x 5' FENCE (UNDER 10' SECTION)

Tract II
Lot 28
W.A. Chrysler Subdivision
Volume 14 Page 23
Hanna Dallas Partners, L.L.C.
Document No. 200871249

Tract III
Lot 29
Hanna Dallas Partners, L.L.C.
Document No. 200871249

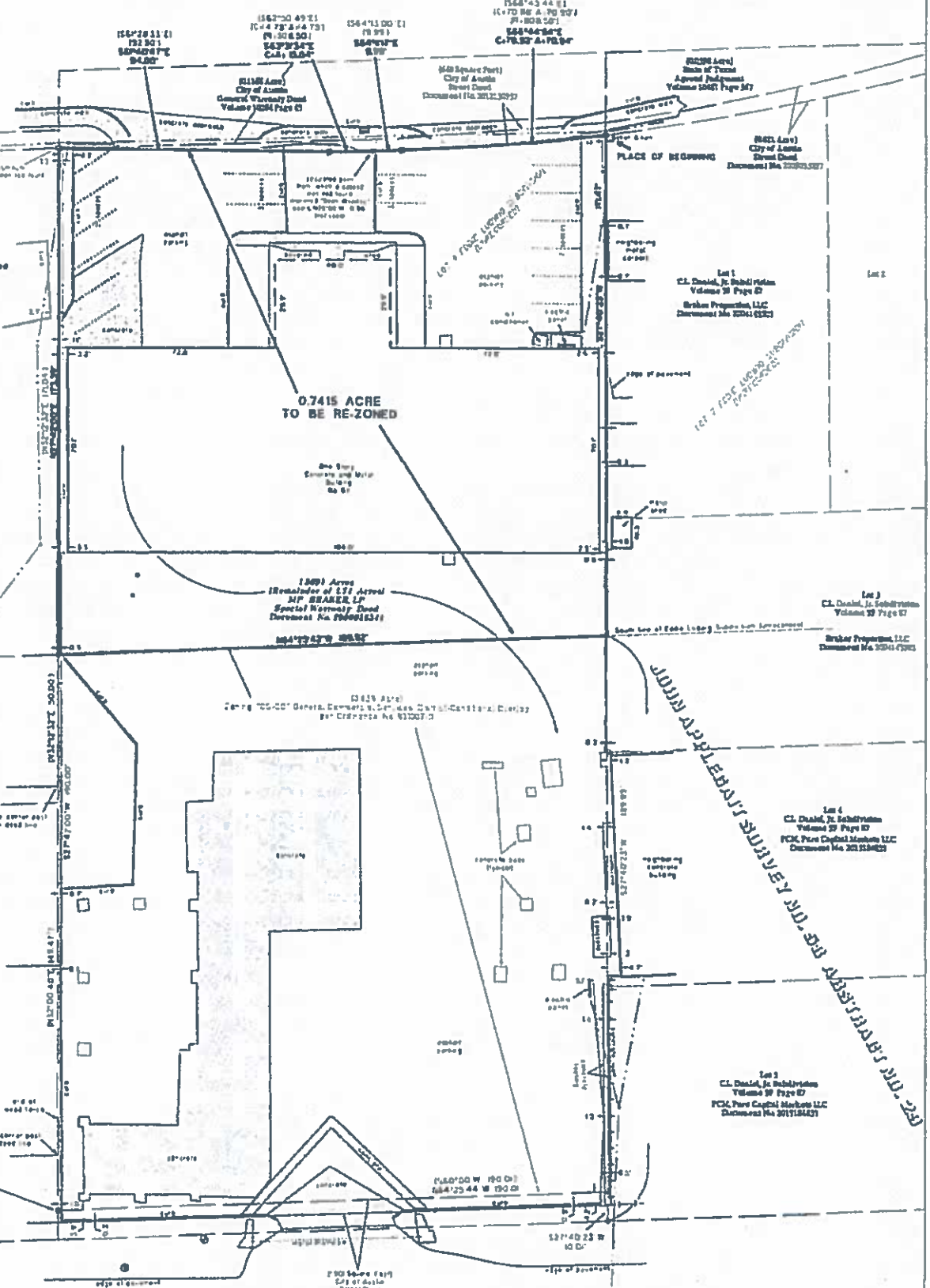
(13-26 Area)
15-00 Peoples College, Ltd.
Document No. 177908251



FARLEY DRIVE (R.O.W. VARIES)

THIS the 29th day of MAY A.D. 2017

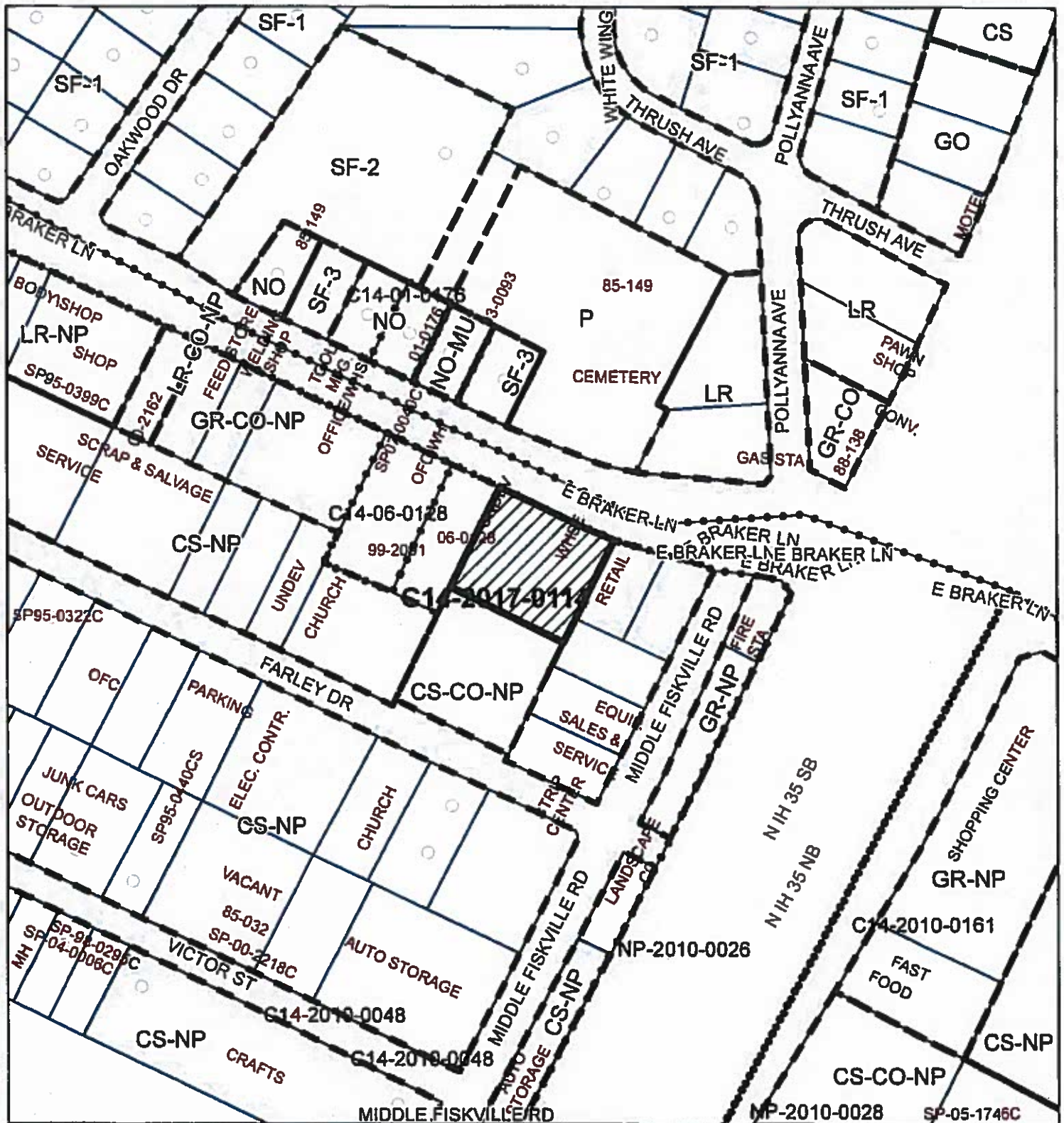
BY *Holt Carson*



SKETCH TO ACCOMPANY DESCRIPTION OF
0.7415 ACRE OF LAND TO BE RE-ZONED OUT OF THE JOHN APPELGAIT SURVEY NO. 58,
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IN DOCUMENT NO. 2000056544 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

LOCATED AT 611 EAST BRAKER LANE

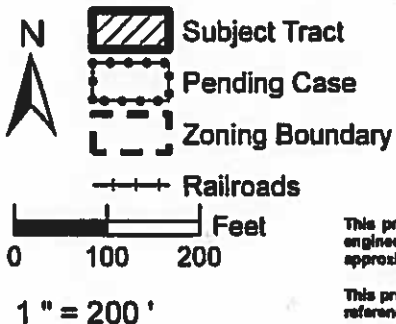
HOLT CARSON, INCORPORATED
PROFESSIONAL LAND SURVEYORS
1904 FORTVIEW ROAD
AUSTIN, TX 78704



ZONING

Case#: C14-2017-0114

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: 9/1/2017