

**ORDINANCE NO. 20190328-066**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED 4400-1/2 EAST WILLIAM CANNON DRIVE FROM COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) 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-mixed use-conditional overlay (GR-MU-CO) combining district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district on the property described in Zoning Case No. C14-2019-0005, on file at the Planning and Zoning Department, as follows:

Being 0.04 acres (approximately 1,600 square feet) of that certain tract of land as described in Doc No. 2016180923 in the Official Public Records of Travis County, Texas lying in the Santiago Del Valle Grant, Abstract No. 24, said 0.04 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 4400-1/2 East William Cannon 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. The following uses are prohibited uses on the Property:

- |  |  |
|--|--|
| Automotive rentals                     | Automotive repair services               |
| Automotive sales                       | Automotive washing (of any type)         |
| Club or lodge                          | College and university facilities        |
| Communication service facilities       | Custom manufacturing                     |
| Drop-off recycling collection facility | Exterminating services                   |
| Funeral services                       | Guidance services                        |
| Hospital services (general)            | Pawn shop services                       |
| Plant nursery                          | Private secondary educational facilities |

Public secondary educational Residential treatment  
facilities  
Service station Special use historic  
Theater Urban farm

B. The maximum height of a building or structure on the Property shall not exceed 45 feet, except that a telecommunications tower on the Property shall not exceed 100 feet.

C. Drive-in service as an accessory use to commercial uses is prohibited on the Property.

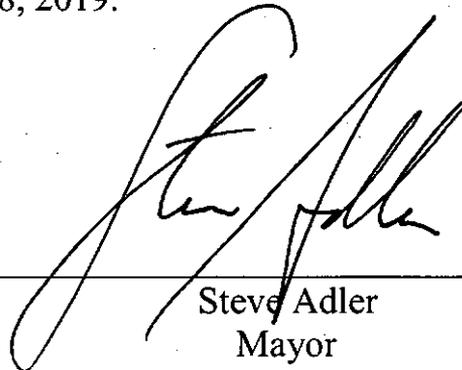
**PART 3.** Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district, mixed use (MU) combining district and other applicable requirements of the City Code.

**PART 4.** This ordinance takes effect on April 8, 2019.

**PASSED AND APPROVED**

\_\_\_\_\_, March 28, 2019

§  
§  
§



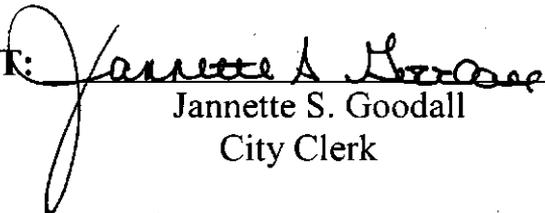
Steve Adler  
Mayor

**APPROVED:**



\_\_\_\_\_  
Anne L. Morgan  
City Attorney

**ATTEST:**



\_\_\_\_\_  
Jannette S. Goodall  
City Clerk

**EXHIBIT "A"**

**PROPOSED ZONING BOUNDARY  
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

Being a portion of that certain tract of land as described in Deed No. 2016180923 in the Official Public Records of Travis County, Texas lying in the Santiago Del Valle Grant, Abstract No. 24, said Travis County and being more particularly described as follows:

Commencing at a capped rebar found (illegible) on the northeasterly right-of-way line of E. William Cannon Drive at the southeast corner of above said certain tract of land; thence run N 45°04'11" E for a distance of 183.86 feet to a capped rebar found (illegible) at the northeast corner of said tract of land; thence N 68°00'40" W for a distance of 11.64 feet to a 5/8" capped rebar set and the Point of Beginning;

thence S 32°14'21" W for a distance of 40.00 feet to a 5/8" capped rebar set;

thence N 57°45'39" W for a distance of 40.00 feet to a 5/8" capped rebar set;

thence N 32°14'21" E for a distance of 40.00 feet to a 5/8" capped rebar set;

thence S 57°45'39" E for a distance of 40.00 feet to the Point of Beginning. Said above described Tract of Land contains 1,600.0 square feet or 0.04 acres, more or less.

**SURVEYOR'S CERTIFICATION**

I certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Texas to the best of my knowledge, information, and belief.

01/04/2019

Date

William H. Sommerville, III  
Texas License No. 6094  
Licensed Surveying Firm No. 10194430



<b>VICINITY MAP</b>		<b>PROJECT NO.</b> 18-10342	
		DRAWN BY: PWK CHECKED BY: PWK FIELD CREW: GC APPROVED BY: MKO DATE: 01/03/19 SCALE: N.T.S.	
<b>TEXAS CENTRAL GRID NORTH</b>		<b>SMW Engineering Group, Inc.</b> 158 Business Center Drive Birmingham, Alabama 35244 Ph: 205-252-6985 www.smweng.com	
GRID TO TRUE NORTH CONVERGENCE 1°19'40.66941"			
TRUE NORTH TO MAGNETIC DECLINATION 3°44'02.4" E			
COMBINED SCALE FACTOR 0.999982496			
<b>LEGEND</b>			
○ = 5/8" REBAR SET ● = FOUND PROPERTY MARKER			

**AREA TO BE REZONED**  
OUT OF THE SANTIAGO DEL VALLE GRANT,  
ABST. NO. 24  
TRAVIS COUNTY, TEXAS

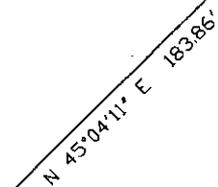
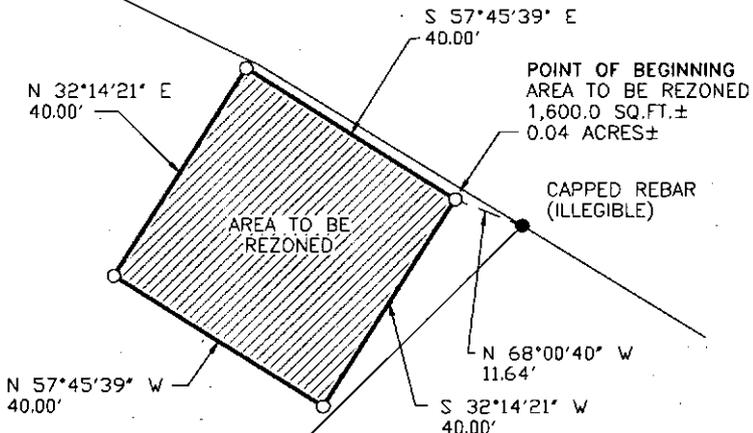
SHEET 1 OF 2

PROPERTY ID: 337679  
 LDG DEVELOPMENT LLC  
 DEED NO. 2016138157

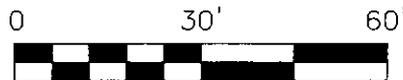
PARENT TRACT  
 PROPERTY ID: 339055  
 LDG DEVELOPMENT LLC  
 DEED NO. 2016180923



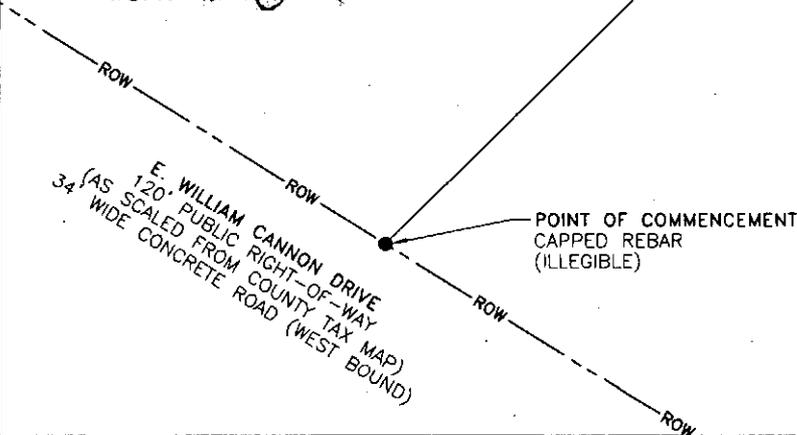
*William H. Sommerville, III*



PROPERTY ID: 339056  
 GARCIA, DANIEL  
 DEED NO. 2003287160

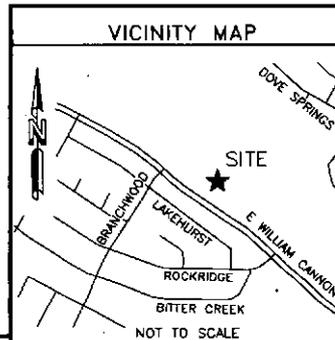
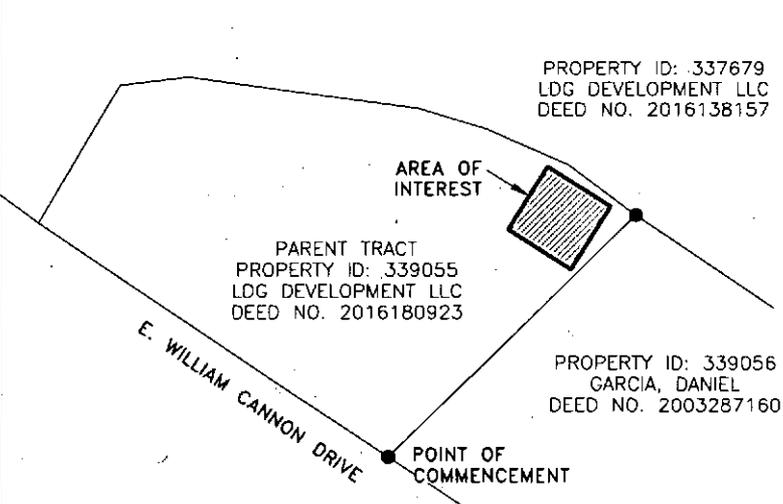


SCALE: 1" = 30'



PARENT TRACT OVERVIEW

NOT TO SCALE



PROJECT NO.  
 18-10342

DRAWN BY: PWK  
 CHECKED BY: PWK  
 FIELD CREW: GG  
 APPROVED BY: MKO  
 DATE: 01/03/19  
 SCALE: AS SHOWN  
 SHEET 2 OF 2

SMW Engineering Group, Inc.  
 158 Business Center Drive  
 Birmingham, Alabama 35244  
 Ph: 205-252-6985  
 www.smweng.com



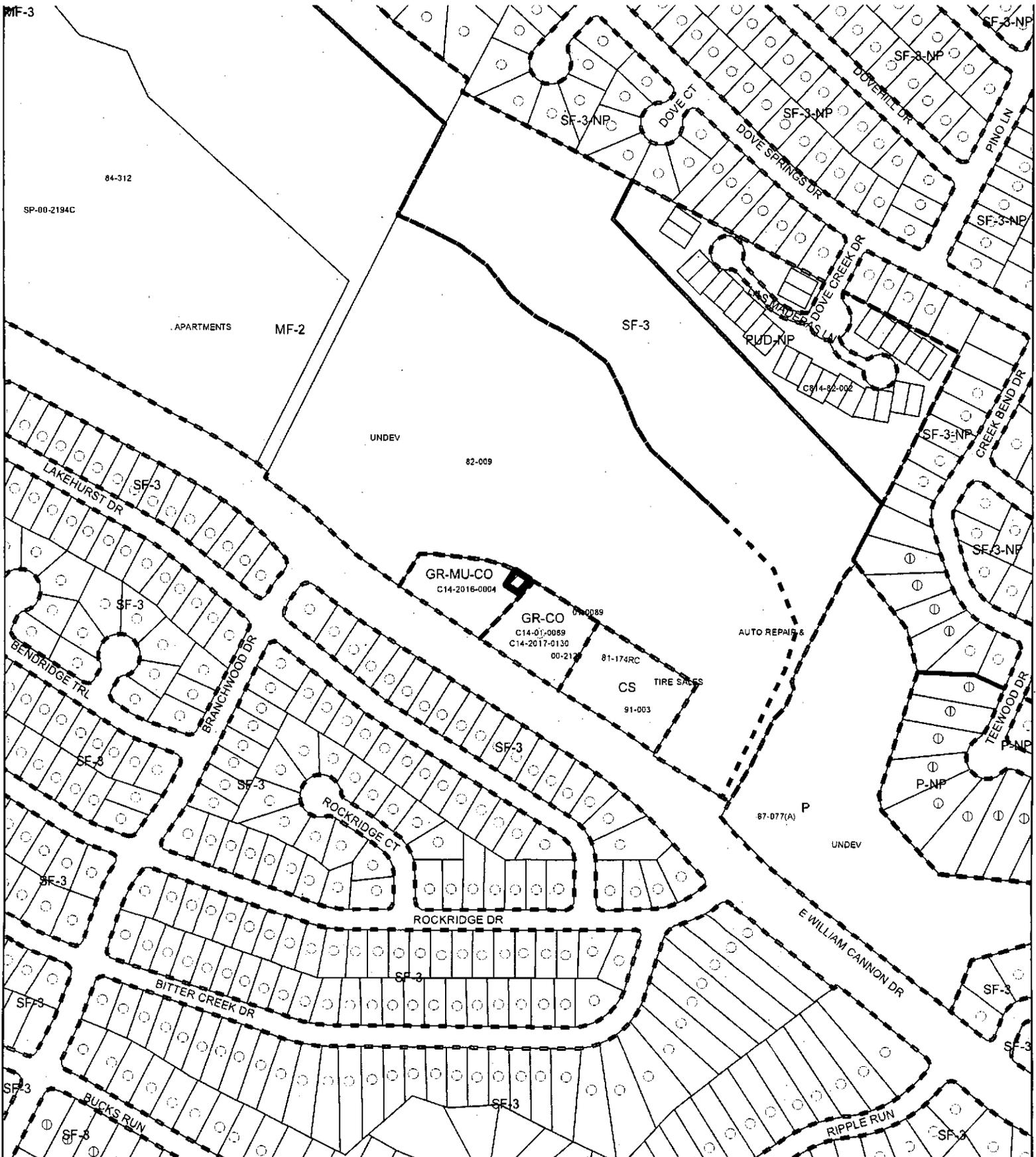
TEXAS CENTRAL  
 GRID NORTH  
 GRID TO TRUE NORTH  
 CONVERGENCE  
 1°19'40.66941"

TRUE NORTH TO MAGNETIC  
 DECLINATION  
 3°44'02.4" E

COMBINED SCALE FACTOR  
 0.999982496

LEGEND  
 ○ = 5/8" REBAR SET  
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 ABST. NO. 24  
 TRAVIS COUNTY, TEXAS



**ZONING**

**ZONING CASE#: C14-2019-0005**

Exhibit B

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



1" = 300'

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.



Created: 1/18/2019