

ORDINANCE NO. 20220901-131

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4303 VICTORY DRIVE, 2109 AND 2111 FORT VIEW ROAD, AND 2106, 2108 AND 2110 WEST BEN WHITE BOULEVARD SERVICE ROAD WEST BOUND FROM LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT, LIMITED OFFICE-MIXED USE-CONDITIONAL OVERLAY (LO-MU-CO) COMBINING DISTRICT AND NEIGHBORHOOD OFFICE-MIXED USE-CONDITIONAL OVERLAY (NO-MU-CO) COMBINING DISTRICT TO COMMUNITY COMMERCIAL (GR) DISTRICT ON TRACT 1 AND LIMITED OFFICE-MIXED USE-CONDITIONAL OVERLAY (LO-MU-CO) COMBINING DISTRICT ON TRACT 2.

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 limited office-conditional overlay (LO-CO) combining district and limited office-mixed use-conditional overlay (LO-MU-CO) combining district to community commercial (GR) district on Tract 1 and limited office-mixed use-conditional overlay (LO-MU-CO) combining district and neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district to limited office-mixed use-conditional overlay (LO-MU-CO) combining district on Tract 2 on the property described in Zoning Case No. C14-2022-0064, on file at the Housing and Planning Department, as follows:

Tract 1:

Being 0.668 acres of land in the Charles H. Riddle Survey No. 19, Abstract No. 676, City of Austin, Travis County, Texas, said 0.668 acres being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance, and

Tract 2:

Being 0.412 acres of land in the Charles H. Riddle Survey No. 19, Abstract No. 676, City of Austin, Travis County, Texas, said 0.412 acres being more particularly described by metes and bounds in **Exhibit “B”** incorporated into this ordinance,

(Tract 1 and Tract 2 collectively, the “Property”),

locally known as 4303 Victory Drive, 2109 and 2111 Fort View Road, and 2106, 2108 and 2110 West Ben White Boulevard Service Road West Bound in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit "C"**.

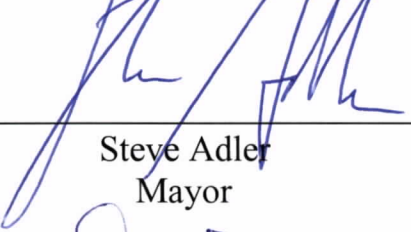

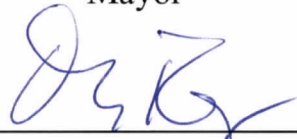
PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

Tract 2: Non-emergency vehicular access to Fort View Road is prohibited for civic and commercial uses.

PART 3. Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for community commercial (GR) base district (Tract 1), limited office (LO) base district, and mixed use (MU) combining district (Tract 2), and other applicable requirements of the City Code.

PART 4. This ordinance takes effect on September 12, 2022.

PASSED AND APPROVED

_____	§	_____
September 1	§	
, 2022	§	
		
		Steve Adler
		Mayor
APPROVED: 	ATTEST: 	
Anne L. Morgan	Myrna Rios	
City Attorney	City Clerk	



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724

Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

**0.668 ACRES – ZONING DESCRIPTION
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 0.668 ACRES (APPROXIMATELY 29,079 SQ. FT.) IN THE CHARLES H. RIDDLE SURVEY NO. 19, ABSTRACT NO. 676, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, AMENDED PLAT OF LOTS 1, 2, 20, 21 & 22, GOODNIGHT AND PEARSON ADDITION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 201900143 OF THE OFFICIAL PUBLIC RECORDS, LOT 20, LOT 21 AND LOT 22 OF SAID GOODNIGHT & PEARSON ADDITION, (BOOK 5, PAGE 28, PLAT RECORDS) HAVING BEEN CONVEYED TO EVEANN INVESTMENTS, L.P. BY WARRANTY DEED WITH VENDOR'S LIEN DATED APRIL 23, 2018, AS RECORDED IN DOCUMENT NO. 2018061234, BY WARRANTY DEED WITH VENDOR'S LIEN DATED APRIL 23, 2018 AS RECORDED IN DOCUMENT NO. 2018061233 AND BY ASSUMPTION WARRANTY DEED DATED DECEMBER 8, 2005 AS RECORDED IN DOCUMENT NO. 2006020677, ALL OF THE OFFICIAL PUBLIC RECORDS, RESPECTIVELY; SAID 0.688 ACRES ALSO BEING A PORTION OF TRACT 1, BARTON MARKET SQUARE SECTION TWO, A SUBDIVISION OF RECORD IN VOLUME 76, PAGE 157 OF THE PLAT RECORDS, HAVING BEEN CONVEYED TO EVEANN INVESTMENTS, L.P. BY ASSUMPTION WARRANTY DEED DATED AUGUST 31, 1999 AS RECORDED IN DOCUMENT NO. 1999144681 AND ALSO BEING A PORTION OF LOT A, BARTON MARKET SQUARE, SECTION TWO-A, A SUBDIVISION OF RECORD IN VOLUME 82, PAGE 241 OF THE PLAT RECORDS, HAVING BEEN CONVEYED TO EVEANN INVESTMENTS, L.P. BY CORRECTION WARRANTY DEED TO SECURE ASSUMPTION DATED AUGUST 11, 1999 AS RECORDED IN DOCUMENT NO. 1999144680, BOTH OF THE OFFICIAL PUBLIC RECORDS; SAID 0.668 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found in the northeast right-of-way line of W Ben White Boulevard (a variable width, public right-of-way) for the south corner of said Lot 1, Amended Plat and hereof, same being the west corner of Lot 19, said Goodnight & Pearson Addition, from which a cotton spindle found for the south corner of said Lot 19, bears South 62°29'45" East a distance of 74.93 feet;

THENCE with the northeast right-of-way line of W Ben White, the following two (2) courses and distances:

1. **North 62°39'54" West** a distance of **272.30 feet** to a TxDOT Type II Disk found for the west corner of Lot 1, Amended Plat, same being the south

corner of said Tract 1;

2. **North 62°26'40" West** a distance of **10.17 feet** to a calculated point for the west corner hereof, from which a TxDOT Type II Disk found at a cutback corner at the northeast intersection of W Ben White Boulevard and Victory Drive (a 70' wide, public right-of-way), bears North 62°26'40" West a distance of 131.11 feet;

THENCE North 37°56'51" East over and across Tract 1 and said Lot A, a distance of **108.54 feet** to a calculated point for the north corner hereof;

THENCE South 62°35'56" East over and across Lot A and Lot 1, Amended Plat, a distance of **187.97 feet** to a 1/2" rebar found for an ell-corner of Lot 1, Amended Plat, same being the west corner of Lot 3, said Goodnight & Pearson Addition, from which a 1/2" rebar found for the east corner of Lot 1, Amended Plat and the north corner of said Lot 3, bears North 27°16'51" East a distance of 106.75 feet;

THENCE South 62°35'56" East with the northeast line of Lot 1, Amended Plat and the southwest line of Lot 3, a distance of **75.22 feet** to a 1/2" rebar found for the most eastern corner of Lot 1, Amended Plat and east corner hereof, same being the south corner of Lot 3 and the north corner of Lot 19;

THENCE South 27°42'56" West with the southeast line of Lot 1, Amended Plat and the northwest line of Lot 19, a distance of **106.43 feet** to the **POINT OF BEGINNING**, containing **0.668 acres** of land, more or less.

Surveyed on the ground May 11, 2018. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone (4203), based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User Service (OPUS).

Paul J. Flugel 8-11-2022

Paul J. Flugel
Registered Professional Land Surveyor
State of Texas No. 5096
T.B.P.E.L.S. Firm No. 10124500



REFERENCES

Travis Central Appraisal District Property ID Nos. 934986 & 308380
Austin Grid G19



Professional Land Surveying, Inc.
Surveying and Mapping

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Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

**0.412 ACRES – ZONING DESCRIPTION
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 0.412 ACRES (APPROXIMATELY 17,933 SQ. FT.) IN THE CHARLES H. RIDDLE SURVEY NO. 19, ABSTRACT NO. 676, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, AMENDED PLAT OF LOTS 1, 2, 20, 21 & 22, GOODNIGHT AND PEARSON ADDITION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 201900143 OF THE OFFICIAL PUBLIC RECORDS, LOT 1 AND LOT 2 OF SAID GOODNIGHT & PEARSON ADDITION, (BOOK 5, PAGE 28, PLAT RECORDS) HAVING BEEN CONVEYED TO EVEANN INVESTMENTS, L.P. BY WARRANTY DEED WITH VENDOR'S LIEN DATED NOVEMBER 16, 2005, AND RECORDED IN DOCUMENT NO. 2005218461 OF THE OFFICIAL PUBLIC RECORDS, AND BY SPECIAL WARRANTY DEED DATED JUNE 19, 2018 AS RECORDED IN DOCUMENT NO. 2018095975 OF THE OFFICIAL PUBLIC RECORDS RESPECTIVELY; SAID 0.412 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with plastic "Terra Firma" cap found in the southwest right-of-way line and west terminus of Fort View Road (a 50' wide, public right-of-way), same being in the southeast line of Lot A, Barton Market Square Section Two-A, a subdivision of record in Volume 82, Page 241 of the Plat Records of Travis County, Texas, for the north corner of said Lot 1, Amended Plat and hereof, from which a 5/8" rebar found for the north terminus of Fort View Road, bears North 37°56'51" East a distance of 49.89 feet;

THENCE with the southwest right-of-way line of Fort View Road and the northeast line of Lot 1, Amended Plat, the following two (2) courses and distances:

1. **South 62°20'52" East** a distance of **82.83 feet** to a 1/4" iron pipe found;
2. **South 62°31'27" East** a distance of **74.78 feet** to a 1/2" rebar found for the east corner of Lot 1, Amended Plat and hereof, same being the north corner of Lot 3, said Goodnight & Pearson Addition, from which a 1/2" iron pipe found for the east corner of said Lot 3, bears South 62°31'27" East a distance of 75.17 feet;

THENCE South 27°16'51" West with the southeast line of Lot 1, Amended Plat and the northwest line of Lot 3, a distance of **106.75 feet** to a 1/2" rebar found for an ell-corner of Lot 1, Amended Plat, the south corner hereof and the west corner of Lot 3, from which a 1/2" rebar found for the most eastern corner of Lot 1,

Amended Plat and the south corner of Lot 3, bears South 62°35'56" East a distance of 75.22 feet;

THENCE North 62°35'56" West over and across Lot 1, Amended Plat, a distance of **177.79 feet** to a calculated point in the northwest line of Lot 1, Amended Plat, same being southeast line of said Lot A, for the west corner hereof, from which a TxDOT Type II Disk found in the northeast right-of-way line of W Ben White Boulevard (a variable width, public right-of-way), bears South 37°56'51" West a distance of 108.57 feet;

THENCE North 37°56'51" East with the northwest line of Lot 1, Amended Plat and the southeast line of Lot A, a distance of **109.05 feet** to the **POINT OF BEGINNING**, containing **0.412 acres**, more or less.

Surveyed on the ground May 11, 2018. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone (4203), based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User Service (OPUS).

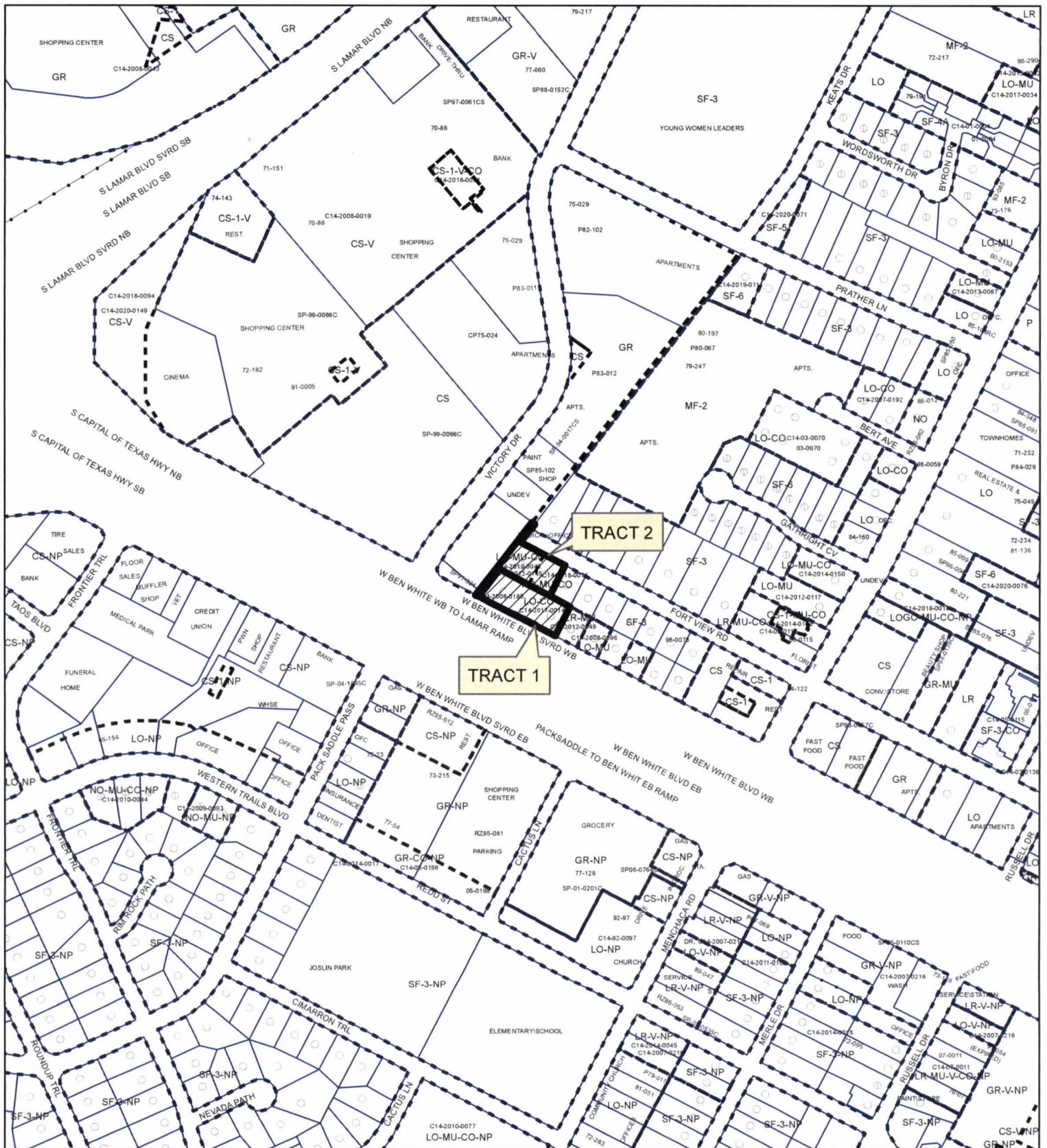
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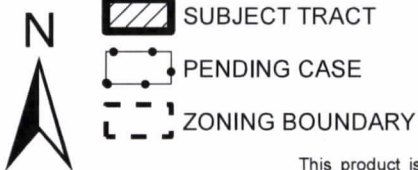
REFERENCES

Travis Central Appraisal District Property ID Nos. 934986 & 308380
Austin Grid G19



ZONING Exhibit C

ZONING CASE#: C14-2022-0064



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



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