

CITY OF AUSTIN, TEXAS

ORDINANCE NO. 950803- F

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1992 AS FOLLOWS: 0.519 ACRES OF LAND, FROM "LR" NEIGHBORHOOD COMMERCIAL DISTRICT TO "GR-CO" COMMUNITY COMMERCIAL DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT, LOCALLY KNOWN AS 4007-4011 RED RIVER STREET [ODD NUMBERS ONLY], IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE REQUIREMENTS OF SECTIONS 2-2-3, 2-2-5, AND 2-2-7 OF THE AUSTIN CITY CODE OF 1992; AND PROVIDING AN EFFECTIVE DATE.

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

PART 1. That Chapter 13-2 of the Austin City Code of 1992 is amended to change the base zoning district from "LR" Neighborhood Commercial district to "GR-CO" Community Commercial district-Conditional Overlay combining district, on the property described in File C14-95-0075, as follows:

0.519 acres of land, said 0.519 acres of land being more particularly described by metes and bounds in "Exhibit A" attached and incorporated herein for all purposes, *hereinafter referred to as the "Property"*

locally known as 4007-4011 Red River Street [ODD NUMBERS ONLY], in the City of Austin, Travis County, Texas.

PART 2. That the Property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following condition:

Notwithstanding any other provision of the Land Development Code applicable to the Property on the effective date of this ordinance or at the time an application for approval of a site plan or building permit is submitted, no site plan for development of the Property, or any portion of the Property, shall be approved or released, and no building permit for construction of a building on the Property, shall be issued if the completed development or uses authorized by the proposed site plan or building permit, considered cumulatively with all existing or previously authorized development and uses of the Property, generates traffic exceeding the total traffic generation of 2,000 vehicle trips per day.

Except as specifically restricted pursuant to this ordinance, the Property may be developed and used in accordance with the regulations established for the "GR" Community Commercial base district and other applicable requirements of the Land Development Code.

PART 3. That it is ordered that the Zoning Map established by Sec. 13-2-22 of the Austin City Code of 1992 and made a part thereof shall be changed to record the amendment enacted by this ordinance.

PART 4. That the requirements imposed by Sections 2-2-3, 2-2-5, and 2-2-7 of the Austin City Code of 1992, as amended, regarding the presentation and adoption of ordinances are hereby waived by the affirmative vote of at least five members of the City Council.

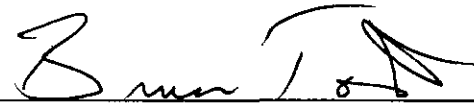
PART 5. That this ordinance shall become effective upon the expiration of ten days following the date of its final passage, as provided by the Charter of the City of Austin.

CITY OF AUSTIN, TEXAS

PASSED AND APPROVED:

August 3, 1995

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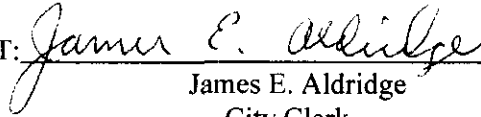
Bruce Todd
Mayor

APPROVED:



Andrew Martin
City Attorney

ATTEST:



James E. Aldridge
City Clerk

3Aug95
ME/jj

EXHIBIT "A"

FIELD NOTES FOR ZONING

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND IN AUSTIN, TRAVIS COUNTY, TEXAS; BEING ALL OF LOT 1, AND A PORTION OF LOT 2, NORTH HALF OF BLOCK NO. 12, PLAINVIEW HEIGHTS SUBDIVISION, A SUBDIVISION OF OUTLOTS 20 AND 21, DIVISION C OF THE ORIGINAL CITY OF AUSTIN, AS RECORDED IN VOLUME 380, PAGE 248 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AS CONVEYED TO DONALD B. SAWYER BY DEED RECORDED IN VOLUME 12024, PAGE 1854 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point on the south right-of-way line of East 41st Street at the easternmost corner of the above referenced deed for **POINT OF BEGINNING** of the herein described tract of land;

THENCE with the east, south and west lines of this tract the following six (6) courses:

- 1) S30°42'00"W a distance of 118.14 feet to a point for an inside corner of this tract;
- 2) S60°45'00"E a distance of 55.05 feet to a point for an outside corner of this tract;
- 3) S30°06'00"W a distance of 38.37 feet to a point for an outside corner of this tract;

- 4) N59°51'20"W a distance of 164.05 feet to a point on the east right-of-way line of Red River Street for an outside corner of this tract;
- 5) With the east right-of-way of Red River Street N12°18'55"E a distance of 101.59 feet to an angle point and;
- 6) N23°19'00"E a distance of 58.67 feet to a point on the south right-of-way line of East 41st Street for an outside corner of this tract;

THENCE, with said south right-of-way line of East 41st Street S60°07'00"E a distance of 148.19 feet to the **POINT OF BEGINNING** and containing 0.519-acre (22,611 square feet) of land, more or less.

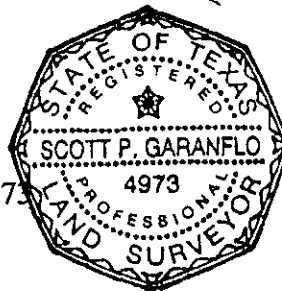
Prepared from RECORD information by Landmark Surveying, Inc.

Scott P. Garanflo

Scott P. Garanflo

Registered Professional Land Surveyor No. 4973

July 16 1995



File #: C:\FN95\LOKZONE

Austin American-Statesman

PO#: _____

Ad ID#: 8BKE03700

Acct #: 512-499-2499

Acct. Name: City of Austin
City Clerk's Office

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:

Sharon Nell Janak

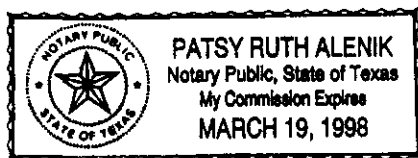
Classified Advertising Agent of the *Austin American-Statesman*, a daily newspaper published in said County and State that is generally circulated in Travis, Hays, Burnet and Williamson Counties, who being duly sworn by me, states that the attached advertisement was published in said newspaper on the following dates, to wit:

Date (s): August 13th, 1995
Class: 9980 Lines: 19 Cost: 54³⁴

and that the attached is a true copy of said advertisement.

Sharon Nell Janak

SWORN AND SUBSCRIBED TO BEFORE ME, this the 21st day of Sept, 1995.



Patsy Ruth Alenik
Notary Public in and for
TRAVIS COUNTY, TEXAS

Patsy Ruth Alenik
(Type or Print Name of Notary)

My Commission Expires: 3/19/98

ORDINANCE NO. 950803-F
An ordinance ordering a rezoning and changing the zoning map accompanying Chapter 13-2 of the Austin City Code of 1992 as follows: 0.519 acres of land, from "LR" Neighborhood Commercial District to "GR-CO" Community Commercial District-Conditional Overlay Combining District, locally known as 4007-4011 Red River Street (odd numbers only), in the City of Austin, Travis County, Texas; waiving the requirements of Sections 2-2-3, 2-2-5, and 2-2-7 of the Austin City Code of 1992; and providing an effective date.
Mayor Bruce Todd
Austin, Texas