

ORDINANCE NO. 010215-13

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5711 SOUTH CONGRESS AVENUE FROM LIMITED OFFICE (LO) DISTRICT AND COMMUNITY COMMERCIAL (GR) DISTRICT TO MULTIFAMILY RESIDENCE LOW DENSITY-CONDITIONAL OVERLAY (MF-2-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 limited office (LO) district and community commercial (GR) district to multifamily residence low density-conditional overlay (MF-2-CO) combining district on the property described in File C14-00-2223, as follows:

A 7.76 acre tract of land, more or less, out of the William Cannon League No. 19, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 5711 South Congress Avenue, in the City of Austin, Travis County, Texas, and 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:

1. Development on the Property may not exceed 18.7 residential units per acre.
2. 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 2,000 trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the multifamily residence low density (MF-2) base district and other applicable requirements of the City Code.

PART 3. The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on February 26, 2001.

PASSED AND APPROVED

February 15, 2001 §
 §
 § Jackie Goodmen
 for Kirk Watson
 Mayor

APPROVED: Andrew Martin **ATTEST:** Shirley A. Brown
 Andrew Martin Shirley A. Brown
 City Attorney City Clerk

Field Notes for Zoning Purposes
On Little Texas Lane

EXHIBIT "A"

LEGAL DESCRIPTION

FIELD NOTES FOR 7.76 ACRES OF LAND OUT OF THE WILLIAM CANNON LEAGUE NO. 19 IN TRAVIS COUNTY, TEXAS; BEING A PORTION OF THAT CERTAIN 9.907-ACRE TRACT OF LAND CONVEYED BY DEED TO GREEN ACRES INVESTMENTS, INC. BY DEED RECORDED IN VOLUME 12413, PAGE 1809 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 9.907-ACRE TRACT BEING FURTHER DESCRIBED IN A DEED CONVEYED TO O. D. BRADSHER, SR. AS RECORDED IN VOLUME 3147, PAGE 456 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the southeast corner of a 0.52-acre tract or parcel of land conveyed to Majid Ghassemi by deed recorded in Volume 11579, Page 1043 of the Real Property Records Travis County, Texas, same being the most northerly corner of Lot 1, Block "A", DMC Subdivision, a subdivision in Travis County, Texas according to the map or plat thereof recorded in Volume 100, Pages 68-69 of the Plat Records of Travis County, Texas, same being in the south right-of-way line of East Stassney Lane for the **POINT OF REFERENCE** for the herein described tract;

THENCE, with the common line of said 0.52-acre tract and said Lot 1, Block "A", DMC Subdivision, S30°37'36"W a distance of 9.39 feet to the most southwest corner of said 0.52-acre tract, same being the most easterly corner and **POINT OF BEGINNING** for the herein described tract;

THENCE, with the common line of said 9.907-acre tract and said Lot 1, Block "A", DMC Subdivision, S30°14'00"W a distance of 702.87 feet to the most southerly corner of this tract;

THENCE, with the north right-of-way line of Little Texas Lane and the south line of said 9.907-acre tract, N61°00'00"W a distance of 480.99 feet for the most westerly point and an outside corner of this tract;

THENCE, leaving the north right-of-way line of Little Texas Lane and through said 9.907-acre tract, N30°14'00"E a distance of 702.87 feet to a point on the southwest line of Lot A, Flournoy's East,

a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 61, Page 54 of the Plat Records Travis County, Texas, same being the northeast line of said 9.907-acre tract, for the most northerly point of this tract;

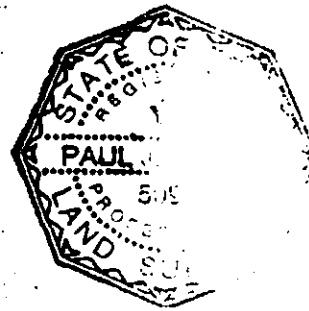
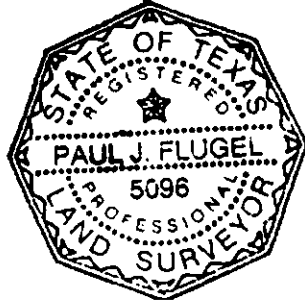
THENCE, with the common line of said 9.907-acre tract, said Lot A, Flourmoy's East, and said 0.52-acre tract, S61°00'00"E a distance of 480.99 feet to the **POINT OF BEGINNING** and containing 7.76-acres (337,996 square feet) of land, more or less.

These field notes were written from record data only for zoning purposes and do not reflect an on the ground survey.

Paul J. Flugel

Paul J. Flugel
Registered Professional Land Surveyor No. 5096
October 25, 2000

9.097a-tract.doc



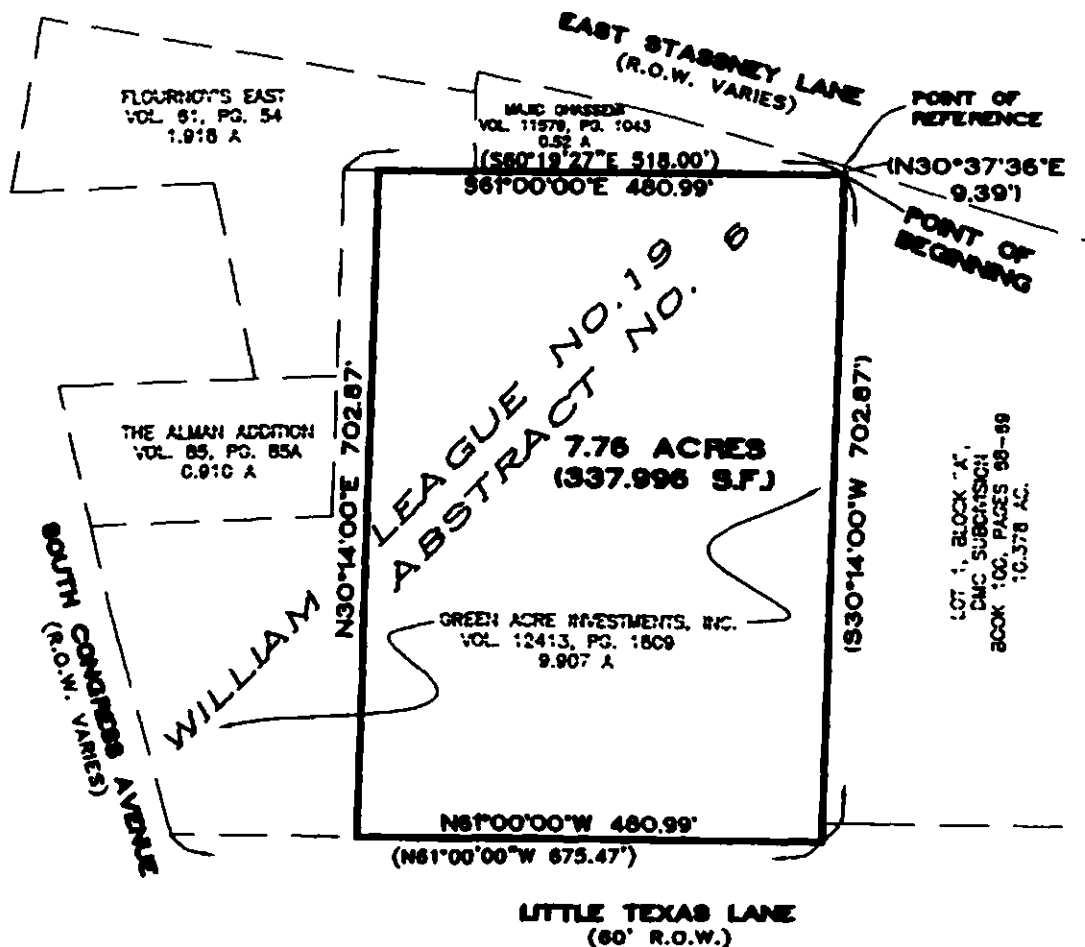
SKETCH FOR ZONING OF A PORTION OF A 9.907-ACRE TRACT OUT OF THE WILLIAM CANNON LEAGUE NO. 19 TRAVIS COUNTY, TEXAS



SCALE 1" = 200'

LEGEND

() RECORD INFORMATION

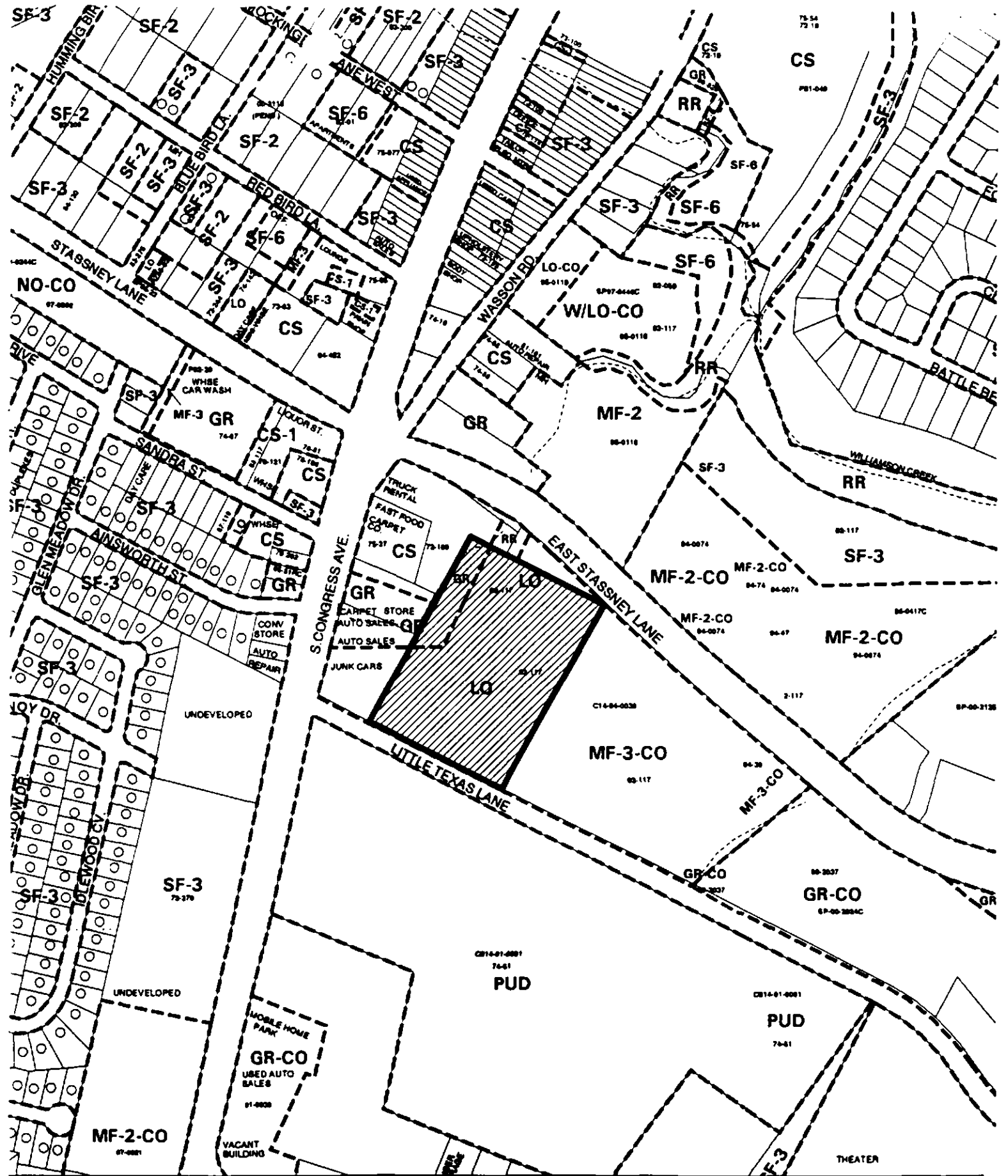


NOTE:
THIS SURVEY WAS MADE FROM RECORD DATA ONLY FOR
ZONING PURPOSES AND DOES NOT REFLECT AN ON THE
GROUND SURVEY.

Client: COMLEY
Date: October 23, 2000
Officer: SRE
Crew: F.B.
Dial: G:\DWG11\Falcon\zone.dwg
Copies: Job No.: 430-01-04

**SKETCH TO
ACCOMPANY
FIELD NOTES**

Landmark
SURVEYING, INC.
1301 E. CAPITAL OF TEXAS HWY.
BUILDING A, SUITE 231
AUSTIN, TEXAS 78746
Ph (512) 260-7411 Fax (512) 260-7413



 = 400'	SUBJECT TRACT		ZONING EXHIBIT B		CITY GRID REFERENCE NUMBER H16
	PENDING CASE				
	ZONING BOUNDARY		CASE #: C14-00-2223	DATE: 00-11	
	CASE MGR: M.ROGERSON		ADDRESS: 5711 S. CONGRESS AVE.	INTLS: TRC	
			SUBJECT AREA (acres): 7.760		

STREET DEED

STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS**
COUNTY OF TRAVIS §

That GREEN ACRES INVESTMENTS, INC., a Texas corporation, hereinafter referred to as Grantors, whether one or more, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to Grantors in hand paid by the City of Austin, Texas, P.O. Box 1088, Austin, Texas 78767-8828, the receipt and sufficiency of which is hereby acknowledged and confessed, and for which no lien, expressed or implied, is retained, have this day Granted, Sold and Conveyed, and by these presents do hereby Grant, Sell and Convey, unto the said City of Austin, a municipal corporation situated in Travis County, Texas, for street purposes, the following described property:

A 2,404 square foot (0.055 acre) tract of land, more or less, out of the William Cannon League Survey No. 19, Abstract No. 6, in Travis County, Texas, said tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this deed.

TO HAVE AND TO HOLD the above-described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said City of Austin, its successors and assigns forever; and Grantors, whether one or more, do hereby bind themselves, their executors, administrators, successors and assigns, to warrant and defend the property against every person whomsoever lawfully claiming or to claim the same or any part hereof.

IN WITNESS WHEREOF, Grantors have caused this instrument to be executed on the _____ day of _____, 2001.

GRANTORS:

GREEN ACRES INVESTMENTS, INC.,
a Texas corporation

By: _____
Hazel Bradsher, Secretary

THE STATE OF TEXAS

§
§
§

COUNTY OF TRAVIS

This instrument was acknowledged before me on this the ____ day of _____, 2001, by Hazel Bradsher, Secretary of Green Acres Investments, Inc., a Texas corporation, on behalf of the corporation.

Notary Public, State of Texas

Address of Grantors:

12521 Twin Creek Dr.
Manhaca, Texas 78652-3755

AFTER RECORDING RETURN TO:

City of Austin
Law Department
P.O. Box 1546
Austin, Texas 78767-1546
Attn: Diana Minter, Paralegal

EXHIBIT "A"

FIELD NOTES
(5' Right-of-Way Dedication)

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE WILLIAM CANNON LEAGUE SURVEY NO 19, ABSTRACT NO. 6, TRAVIS COUNTY, TEXAS; BEING A PORTION OF A 9.708-ACRES TRACT AS CONVEYED TO GREEN ACRE INVESTMENTS, INC BY DOCUMENT RECORDED IN VOLUME 12413, PAGE 1809 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1.2" iron pipe found at the most southerly corner of the above referenced Green Acres Investments, Inc. 9.708-acres tract, on the north right-of-way line of Little Texas Lane for the most southerly corner and POINT OF BEGINNING of the herein described tract of land:

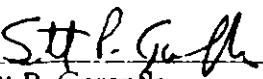
THENCE, with said south line of Little Texas Lane N60°12'46"W a distance of 480.99 feet to a 1/2" iron rod set for the most westerly corner of this tract;

THENCE N30°54'39"E a distance of 5.00 feet to a 1/2" iron rod set for the most northerly corner of this tract;

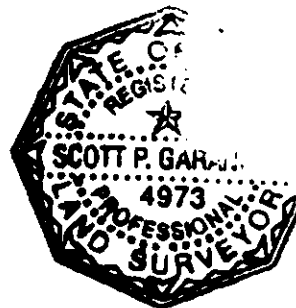
THENCE S60°12'46"E a distance of 480.99 feet to a 1/2" iron rod set at the most westerly corner of Lot 1, DMC Subdivision, a subdivision as recorded in Plat Book 100, Page 68 of the Plat Records of Travis County, Texas and on the north right-of-way line of said Little Texas Lane for the most easterly corner of this tract;

THENCE S30°54'33"W a distance of 5.00 feet to the POINT OF BEGINNING and containing 0.055-acre (2,404 square feet) of land, more or less.

I HEREBY CERTIFY that these field notes were prepared by Landmark Surveying, Inc. from a survey made on the ground November 2000 under my supervision.
Prepared by Landmark Surveying, Inc.



Scott P. Garza
Registered Professional Land Surveyor No. 4973
C:\fn2001 Talavera5.DOC





SCALE 1" = 100'

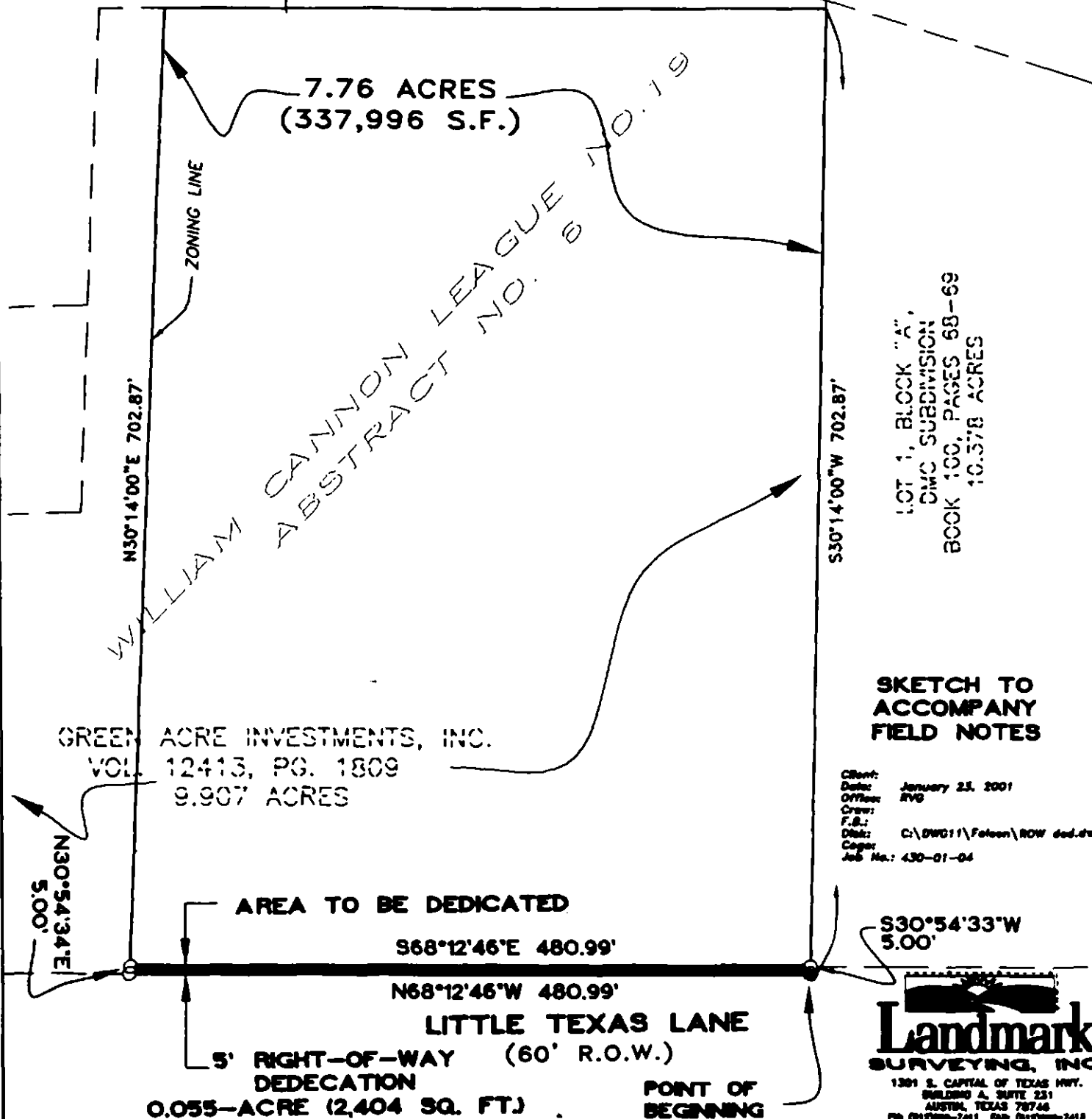
FLOURNOY'S EAST
VOL. 61, PG. 54
1.918 ACRES

MAJID GHASSEMI
VOL. 11579, PG. 1043
0.52 ACRES

**SURVEY OF A PORTION OF
THE WILLIAM CANNON LEAGUE NO. 19
TRAVIS COUNTY, TEXAS
(5' RIGHT-OF-WAY DEDICATION)**

LEGEND

- 1/2" IRON PIPE FOUND
- 1/2" IRON ROD SET



Landmark
SURVEYING, INC.
1301 S. CAPITAL OF TEXAS HWY.
BUILDING A, SUITE 251
AUSTIN, TEXAS 78746
PH (512) 266-7411 FAX (512) 266-7415