

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE  
2 PROPERTY LOCATED AT 5316 ED BLUESTEIN BOULEVARD IN THE MLK  
3 NEIGHBORHOOD PLAN AREA FROM COMMUNITY COMMERCIAL-  
4 NEIGHBORHOOD PLAN (GR-NP) COMBINING DISTRICT TO GENERAL  
5 COMMERCIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD  
6 PLAN (CS-CO-NP) COMBINING DISTRICT.

7  
8 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

9  
10 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to  
11 change the base district from community commercial-neighborhood plan (GR-NP)  
12 combining district to general commercial services-conditional overlay-neighborhood plan  
13 (CS-CO-NP) combining district on the property described in Zoning Case No. C14-2009-  
14 0009, on file at the Neighborhood Planning and Zoning Department, as follows:

15  
16 A 1.185 acre tract of land, more or less, out of the Jesse C. Tannehill League,  
17 Abstract No. 22, Travis County, the tract of land being more particularly described  
18 by metes and bounds in Exhibit "A" incorporated into this ordinance (the  
19 "Property"),

20  
21 locally known as 5316 Ed Bluestein Boulevard, in the City of Austin, Travis County,  
22 Texas, and generally identified in the map attached as Exhibit "B".

23  
24 **PART 2.** Except as specifically provided in Part 3 and Part 4 of this ordinance, the  
25 Property may be developed and used in accordance with the regulations established for the  
26 general commercial services (CS) base district, and other applicable requirements of the  
27 City Code.

28  
29 **PART 3.** The Property within the boundaries of the conditional overlay combining district  
30 established by this ordinance is subject to the following conditions:

31  
32 A site plan or building permit for the Property may not be approved,  
33 released, or issued, if the completed development or uses of the Property,  
34 considered cumulatively with all existing or previously authorized development  
35 and uses, generate traffic that exceeds 2,000 trips per day.  
36

1 **PART 4.** The Property is subject to Ordinance No. 021107-Z-12c that established the  
2 MLK neighborhood plan combining district.  
3

4 **PART 5.** This ordinance takes effect on \_\_\_\_\_, 2009.  
5  
6

7 **PASSED AND APPROVED**  
8

9 \_\_\_\_\_ §  
10 \_\_\_\_\_ §  
11 \_\_\_\_\_, 2009 § \_\_\_\_\_  
12

13 Will Wynn  
14 Mayor  
15

16 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
17 David Allan Smith Shirley A. Gentry  
18 City Attorney City Clerk

## Field Notes

BEING 1.185 ACRES OF LAND, MORE OR LESS, OUT OF AND A PART OF THE JESSE C. TANNEHILL LEAGUE, ABSTRACT No. 22 IN TRAVIS COUNTY, TEXAS, SAME BEING THE REMAINDER OF LOT 1, "TMTA" SUBDIVISION RECORDED IN BOOK 88, PAGE 332 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS CONVEYED TO CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY BY SPECIAL WARRANTY DEED EXECUTED ON JUNE 16, 2003, FILED FOR RECORDED ON JUNE 19, 2003 AND RECORDED IN DOCUMENT 2003138265 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 1.185 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

BEGINNING at a TxDOT brass disc found in a westerly right-of-way line of US Highway 183 (right-of-way varies) known locally as Ed Bluestein Boulevard, same being the most easterly corner of the remainder of said Lot 1, for the Point of Beginning and the most easterly corner of the herein described tract of land having coordinate (Texas State Plane, Central Zone, NAD 83 CORS96, US feet, Combined Scale Factor of 1.00006) values of N=10079537.14, E=3138699.96;

1) THENCE, South 11°36'36" West, a distance of 167.51 feet, with a westerly right-of-way line of US Highway 183, and a southeasterly line of the remainder of said Lot 1, to a calculated point at the most southerly corner of the remainder of said Lot 1, and the most easterly corner of the remainder of Lot 2, of said "TMTA" Subdivision, conveyed to Capital Metropolitan Transportation Authority by Special Warranty Deed recorded in Document 2003138265 of the Official Public Records of Travis County, Texas, for the most southerly corner of the herein described tract of land, from which a TxDOT Aluminum disc found bears South 60°12'52" East, a distance of 0.66 feet, and from said calculated point a TxDOT brass disc found in a westerly line of US Highway 183 and in a southeasterly line of the remainder of Lot 2, of said "TMTA" Subdivision, bears South 11°36'36" West, a distance of 87.09 feet;

2) THENCE, North 56°06'45" West, a distance of 380.00 feet, with a southwesterly line of said Lot 1, and a northeasterly line of Lot 2, of said "TMTA" Subdivision, to a calculated point at the most westerly corner of said Lot 1 and the most northerly corner of Lot 2, of said TMTA Subdivision, same being in a southeasterly line of Lot 2, Amended Plat of Lots 1, 2 and 3 of Oriens Park Section Five, conveyed to Baer Engineering and Environmental Consulting, Inc. and Therese M. Baer by Special Warranty deed recorded in Document 2007151102 of the Official Public Records of Travis County, Texas, for the most westerly corner of the herein described tract of land, from which a 1/2 inch iron rod found bears South 75°18'41" West, a distance of 0.50 feet, and from said calculated point, a 1/2 inch iron rod found, in a northwesterly line of Lot 2, of said "TMTA" Subdivision, at the most southerly corner of Lot 2, of said Amended Plat of Lots 1, 2 and 3 of Oriens Park Section Five, bears South 27°41'23" East, a distance of 354.35 feet;

3) THENCE, North 27°41'23" East, a distance of 108.15 feet, with a northwesterly line of said Lot 1, and a southeasterly line of Lot 2, of said Amended Plat of Lots 1, 2 and 3 of Oriens Park Section Five, to a 1/2 inch iron rod found in the southwesterly right-of-way line of East 51<sup>st</sup> Street, (90' Right-of-way) at the most northerly corner of said Lot 1 and the most easterly corner of Lot 2, of said Amended Plat of Lots 1, 2 and 3 of Oriens Park Section Five, for the most northerly corner of the herein described tract of land;

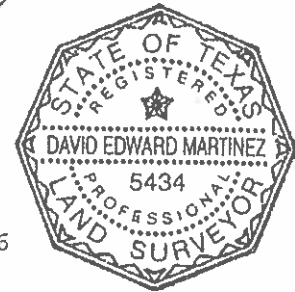
5) THENCE, South 33°23'22" East, a distance of 49.92 feet, with a westerly line of US Highway 183 and a northeasterly line of the remainder of said Lot 1, to the Point of Beginning and containing an area of 1.185 acres of land, more or less.

David E Martinez  
David Edward Martinez  
Registered Professional Land Surveyor 5434

Date \_\_\_\_\_

Bearing Basis: Texas State Plane, Central Zone, NAD83 CORS96

TCAD No.: 0214260114  
CITY GRID No.: N24



AMENDED PLAT OF LOTS 1, 2 AND 3  
OF ORIENS PARK SECTION FIVE  
BK. 88, PG. 334 PRCTCT

BAER ENGINEERING AND  
ENVIRONMENTAL CONSULTING, INC.  
AND THERESE M. BAER  
DOC. 2007151102 OPRCTCT

JESSE C. TANNEHILL LEAGUE  
ABSTRACT #22

SCALE:  
1"=60'

EAST 51ST STREET  
(90' ROW)

POINT OF BEGINNING  
N= 10079537.14  
E= 3138699.96  
GRID COORDINATES

LOT 2

S69°25'42"E  
(108.03')

289.92'

(S66°56'35"E)

50' ACCESS EASEMENT  
BK. 88, PG. 332  
PRCTCT

30' PIPELINE EASEMENT  
VOL. 2725, PG. 57  
DRTCT

S33°23'22"E 49.92'  
(N33°23'05"W) (50.00')

CAPITAL METROPOLITAN  
TRANSPORTATION AUTHORITY  
DOC. 2003138265 OPRCTCT  
1.185 ACRES

"TMTA" SUBDIVISION  
BK. 88, PG. 332  
PRCTCT

US HIGHWAY 183  
(ROW VARIES)

S75°18'41"W  
0.50'

INSET B  
NTS

LOT 2

CAPITAL METROPOLITAN  
TRANSPORTATION AUTHORITY  
DOC. 2003138265 OPRCTCT

LOT 1

(S53°37'38"E)

(N11°36'52"E)

(167.45')

S11°36'36"W

254.60'

INSET A  
NTS

TxDOT  
ALUMINUM  
DISC

S60°12'52"E  
0.66'

INSET A  
NTS

87.09' (87.06')

(N11°36'52"E)

# LEGEND:

- 1/2" IRON ROD FOUND  
(UNLESS OTHERWISE INDICATED)
- ▲ CALCULATED POINT
- TxDOT BRASS DISC FOUND  
(UNLESS OTHERWISE INDICATED)
- ( ) INDICATES RECORD DATA
- PRCTCT PLAT RECORDS OF  
TRAVIS COUNTY, TEXAS
- DRTCT OEE RECORDS OF  
TRAVIS COUNTY, TEXAS
- RPRCTCT REAL PROPERTY RECORDS OF  
TRAVIS COUNTY, TEXAS
- OPRCTCT OFFICIAL PUBLIC RECORDS  
OF TRAVIS COUNTY, TEXAS

BEARING BASIS: THE COORDINATES SHOWN ARE TEXAS  
STATE PLANE CENTRAL ZONE NAD 83, CORS96. FOR  
SURFACE COORDINATES MULTIPLY GRID COORDINATES BY A  
COMBINED SCALE FACTOR OF 1.00006. ALL DISTANCES  
SHOWN ARE SURFACE DISTANCES



*David E. Martinez*

**mwm**  
DesignGroup

305 East Huntland Dr.  
Suite 200  
Austin, Texas 78752  
p: 512.453.0767  
f: 512.453.1734

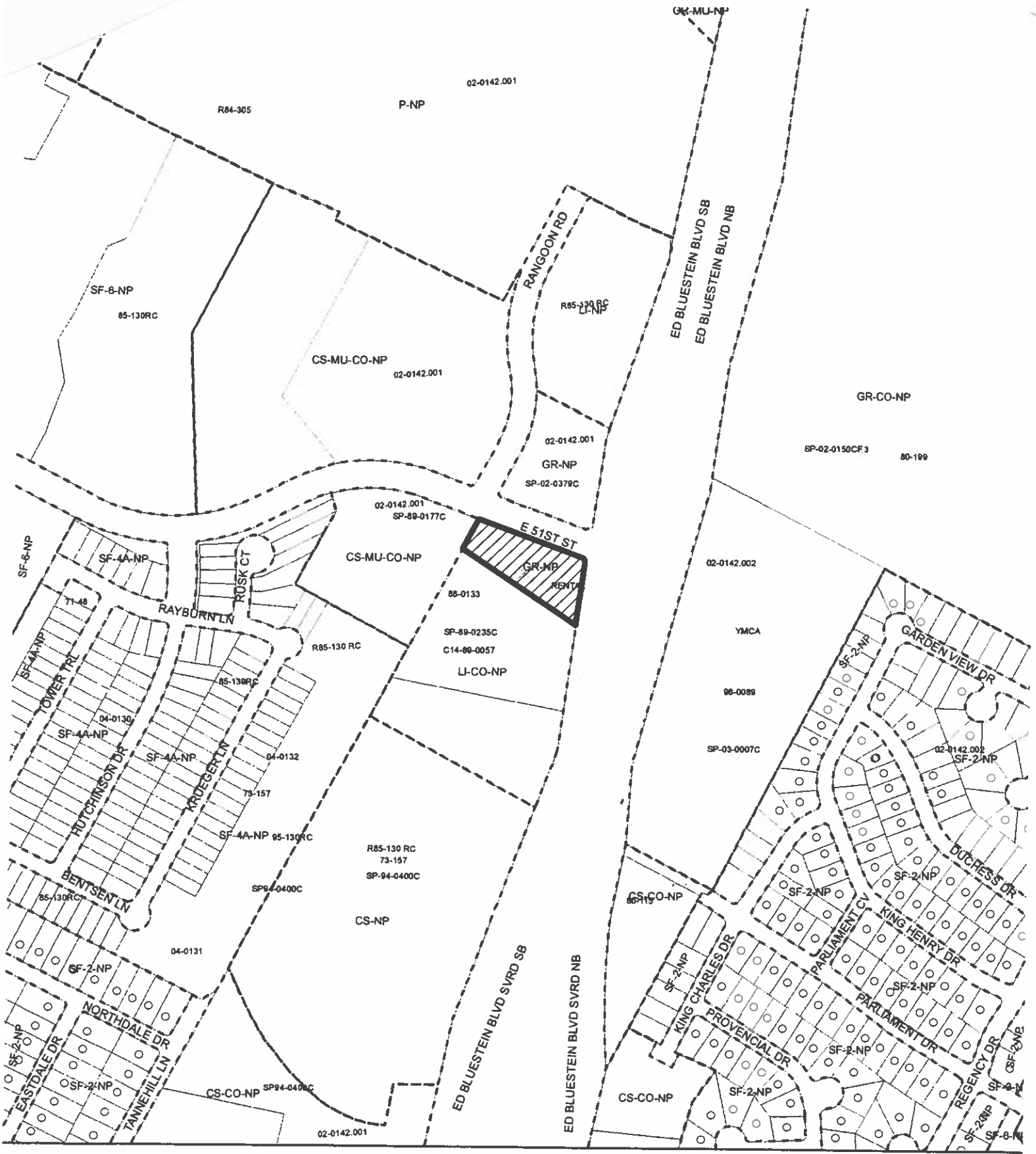
SKETCH TO ACCOMPANY  
FIELD NOTES

TRAVIS COUNTY, TEXAS

DATE 06 APR 2009  
JOB NO 188140  
FILE LOT1TMTARZ

3

3 of 3



**N**

**SUBJECT TRACT**

**ZONING BOUNDARY**

**PENDING CASE**

**" = 400'**

**OPERATOR: S. MEEKS**

**ZONING EXHIBIT B**

**ZONING CASE#: C14-2009-0009**  
**ADDRESS: 5316 ED BLUESTEIN BLVD**  
**SUBJECT AREA: 1.19 ACRES**  
**GRID: N24**  
**MANAGER: J. HARDEN**



This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.