

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

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 6400 FM 969 ROAD IN THE EAST MLK COMBINED NEIGHBORHOOD PLAN AREA FROM GENERAL OFFICE-NEIGHBORHOOD PLAN (GO-NP) COMBINING DISTRICT TO COMMERCIAL LIQUOR SALES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-1-MU-CO-NP) COMBINING DISTRICT FOR TRACT 1 AND GENERAL OFFICE-NEIGHBORHOOD PLAN (GO-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SALES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) COMBINING DISTRICT FOR 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 general office-neighborhood plan (GO-NP) combining district to commercial liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district for Tract 1 and general office-neighborhood plan (GO-NP) combining district to general commercial sales-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district for Tract 2 on the property described in Zoning Case No. C14-2017-0083, on file at the Planning and Zoning Department, as follows:

**Tract 1:**

Being 3,300 square feet of land out of Lot 1, Block A, final plat of the resubdivision of Lot 1, Block A, resubdivision of Stone Ridge Section One, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Document No. 200700282 of the Official Public Records of Travis County, Texas, said Lot 1 having been conveyed to Austin 1825 Fortview Inc., by Deed recorded in Volume 13383, Page 1671 of the Real Property Record of Travis County, Texas, said 3,300 square feet being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance, and;

**Tract 2:**

Being 114,240 square feet of land out of Lot 1, Block A, final plat of the resubdivision of Lot 1, Block A, resubdivision of Stone Ridge Section One, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Document No. 200700282 of the Official Public Records of Travis

County, Texas, said Lot 1 having been conveyed to Austin 1825 Fortview Inc., by Deed recorded in Volume 13383, Page 1671 of the Real Property Record of Travis County, Texas, said 114,240 square feet being more particularly described by metes and bounds in **Exhibit “B”** incorporated into this ordinance (cumulatively referred to as the “Property”),

locally known as 6400 FM 969 Road 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:

A. The following uses are prohibited uses for Tract 1:

Commercial blood plasma center	Equipment sales
Equipment repair services	Bail bond services
Off-site accessory parking	Vehicle storage

B. The following uses are prohibited uses for Tract 2:

Commercial blood plasma center	Equipment sales
Equipment repair services	Bail bond services
Alternative financial services	Off-site accessory parking
Vehicle storage	

**PART 3.** Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the commercial liquor sales (CS-1) district, general commercial sales (CS) district, and other applicable requirements of the City Code.

**PART 4.** The Property is subject to Ordinance No. 021107-Z-12b that established zoning for the MLK-183 Neighborhood Plan Combining District.

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**PART 5.** This ordinance takes effect on \_\_\_\_\_, 2017.

**PASSED AND APPROVED**

	§	
	§	
_____, 2017	§	_____
		Steve Adler
		Mayor

<b>APPROVED:</b> _____	<b>ATTEST:</b> _____
Anne L. Morgan	Jannette S. Goodall
City Attorney	City Clerk

DRAFT

**HOLT CARSON, INC.,**  
1904 FORTVIEW ROAD  
AUSTIN, TX 78704  
TELEPHONE: (512) 442-0990  
hci@austin.rr.com  
Texas Licensed Survey Firm No. 10050700

June 7, 2017

**TRACT ONE:**

**FIELD NOTE DESCRIPTION FOR RE-ZONING 3,300 SQUARE FEET OF LAND OUT OF LOT 1, BLOCK A, FINAL PLAT OF THE RESUBDIVISION OF LOT 1, BLOCK A, RESUBDIVISION OF STONE RIDGE SECTION ONE, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO. 200700282 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 1 HAVING BEEN CONVEYED TO AUSTIN 1825 FORTVIEW, INC. BY DEED RECORDED IN VOLUME 13383 PAGE 1671 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND SAID 3,300 SQUARE FEET BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

BEGINNING FOR REFERENCE at a ½ inch iron rod found in the north right-of-way line of FM Road 969 at the southeast corner of Lot 1, Block A, Final Plat of the Resubdivision of Lot 1, Block A, Resubdivision of Stone Ridge Section One, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Document No. 200700282 of the Travis County Official Public Records, and being at the southeast corner of that certain tract conveyed to Austin 1825 Fortview, Inc. by deed recorded in Volume 13383 Page 1671 of the Travis County Real Property Records, and from which a ½ inch iron rod found with plastic cap marked "Waterloo" at the southwest corner of said Lot 1 bears N 80 deg. 22' 55" W 442.67, and also from which a ½ inch iron rod found at the most easterly corner of said Lot 1 bears N 27 deg. 39' 22" E 159.82 ft., and also from which a ½ inch iron rod found at the southwest corner of Lot 1, Block A, Ulit Baptist Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Document No. 199900192 of the Official Public Records of Travis County, Texas, bears S 26 deg. 53' 31" W 8.72 ft.,

THENCE leaving the north right-of-way line of FM Road 969 and crossing the interior of said Lot 1, Block A, Final Plat of the Resubdivision of Lot 1, Block A, Resubdivision of Stone Ridge Section One, N 67 deg. 58' 08" W 117.29 ft. to a calculated point at the most southerly corner of a 1-story stucco building;

THENCE with the most outward faces of the stucco building, the following eight courses:

- 1) N 25 deg. 30' W 44.95 ft. to a calculated point;

**EXHIBIT A**

page 2 of 3  
TRACT ONE  
3,300 sq. ft

- 2) S 64 deg. 30' W 26.25 ft. to a calculated point;
- 3) N 25 deg. 30' W 60.90 ft. to a calculated point;
- 4) N 64 deg. 30' E 14.37 ft. to a calculated point;
- 5) N 25 deg. 30' W 10.08 ft. to a calculated point;
- 6) N 64 deg. 30' E 11.00 ft. to a calculated point;
- 7) N 25 deg. 30' W 26.50 ft. to a calculated point;
- 8) N 64 deg. 30' E 32.48 ft. to a calculated point at the southwest corner and **PLACE OF BEGINNING** of the herein described tract for re-zoning;

THENCE continuing with the face of the stucco building, the following three courses:

- 1) N 25 deg. 30' W 68.00 ft. to a calculated point at the northwest corner of this tract;
- 2) N 64 deg. 30' E 44.10 ft. to a calculated point at the northeast corner of this tract;
- 3) S 25 deg. 30' E 19.87 ft. to a calculated point at the intersection of a courtyard at an angle point of this tract;

THENCE leaving the face of the building and with the north line of the courtyard, N 64 deg. 30' E 15.00 ft. to a calculated point at an angle point of this tract, and from which a ½ inch iron rod found with cap marked "1876" at the most northerly corner of said Lot 1 Block A, Final Plat of the Resubdivision of Lot 1, Block A, Resubdivision of Stone Ridge Section One bears N 43 deg. 42' E 33" E 124.61 ft.;

THENCE crossing the interior of the courtyard, the following two courses:

- 1) S 25 deg. 30' E 20.00 ft. to a calculated point;
- 2) S 64 deg. 30' W 15.00 ft. to a calculated point on the face of said stucco building and being at an angle point of this tract;

page 3 of 3  
TRACT ONE  
3,300 sq ft.

THENCE continuing on with the face of the stucco building, the following two courses:

- 1) S 25 deg. 30'E 28.13 ft. to a calculated point at the southeast corner of this tract
- 2) S 64 deg. 30' W 44.10 ft. to the Place of Beginning, containing 3,300 square feet of land;

PREPARED: June 7, 2017

BY:



Anne Thayer  
Registered Professional Land Surveyor No. 5850

see accompanying 2 page sketch 1009016b

Tax Map: 02-1328-09-17  
City Grid: N23 and N24

1009016

1666NO

- 1/2" Iron Rod Found
- Calculated Point
- (Record Bearing and Distance)
- POB- Place of Beginning

SCALE: 1"=70'



BLOCK A  
CAVALIER PARK  
SECTION ONE  
VOLUME 40 PAGE 16

LOT 3

LOT 2

LOT 2

LOT 4

LOT 1

LOT 5

BLOCK D  
FINAL PLAT OF  
KALEIDOSCOPE  
VILLAGE  
DOCUMENT  
NO. 200700281

3,300 SQUARE FEET  
TO BE RE-ZONED

**LOT 1  
BLOCK A  
FINAL PLAT OF  
THE RESUBDIVISION  
OF LOT 1, BLOCK A  
RESUBDIVISION OF STONE  
RIDGE SECTION ONE  
DOCUMENT NO. 200700282**

Austin 1825 Fortview, Inc.  
Volume 13383 Page 1671

10' electric easement per 98/137  
Bearing Basils  
(N80°22'55"W 442.55')

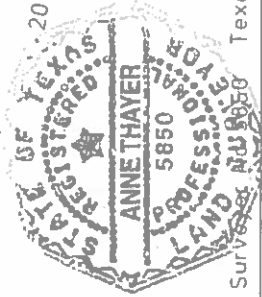
(N80°22'55"W 442.67')

marked "Waterloo"

PREPARED: June 7, 2017

BY:

*Handwritten signature of Anne Thayer*



Anne Thayer  
Registered Professional Land Surveyor

Texas Licensed Surveying Firm No. 10050700

HOLT CARSON, INC.

1904 FORTVIEW ROAD AUSTIN, TX 78704

(512) 442-0990

1009016

SKETCH TO ACCOMPANY FIELD NOTE DESCRIPTION OF 3,300 SQUARE FEET OF LAND FOR REZONING OF A PORTION OF LOT 1, BLOCK A, FINAL PLAT OF THE RESUBDIVISION OF LOT 1, BLOCK A, RESUBDIVISION OF STONE RIDGE SECTION ONE, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO. 200700282 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 1 HAVING BEEN CONVEYED TO AUSTIN 1825 FORTVIEW, INC. BY DEED RECORDED IN VOLUME 13383 PAGE 1671 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

PAGE 1 OF 2

drainage  
easement  
per 98/137

(N79°09'09"E 307.19')

(N79°09'53"E 307.00')

marked "1876"

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25' drainage and P.U.E. per 57/76  
(S25°27'51"E 224.89')  
S25°32'14"E 225.15'

S25°32'14"E 170.65'

courtyard

1-story  
stucco  
building

point of reference

drainage  
easement per  
98/137

(S27°35'18"W 159.80')

(S27°35'18"W 159.80')

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10' sanitary sewer  
easement  
per 57/76

LOT 1  
BLOCK A  
ULIT  
BAPTIST  
SUBDIVISION  
DOC. NO.  
199900192

8.72'

526.53' 3"W

527.39' 22"W

527.39' 22"W

527.39' 22"W

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527.39' 22"W

527.39' 22"W



**HOLT CARSON, INC,**  
1904 FORTVIEW ROAD  
AUSTIN, TX 78704  
TELEPHONE: (512) 442-0990  
hcl@austin.rr.com  
Texas Licensed Survey Firm No. 10050700

June 7, 2017

**TRACT Two**

**FIELD NOTE DESCRIPTION FOR RE-ZONING 114,240 SQUARE FEET OF LAND OUT OF LOT 1, BLOCK A, FINAL PLAT OF THE RESUBDIVISION OF LOT 1, BLOCK A, RESUBDIVISION OF STONE RIDGE SECTION ONE, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO. 200700282 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 1 HAVING BEEN CONVEYED TO AUSTIN 1825 FORTVIEW, INC. BY DEED RECORDED IN VOLUME 13383 PAGE 1671 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND SAID 114,240 SQUARE FEET BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

BEGINNING at a ½ inch iron rod found in the north right-of-way line of FM Road 969 at the southeast corner of Lot 1, Block A, Final Plat of the Resubdivision of Lot 1, Block A, Resubdivision of Stone Ridge Section One, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Document No. 200700282 of the Travis County Official Public Records, and being at the southeast corner of that certain tract conveyed to Austin 1825 Fortview, Inc. by deed recorded in Volume 13383 Page 1671 of the Travis County Real Property Records, and being at the southeast corner and **PLACE OF BEGINNING** of the herein described tract of land for re-zoning, and from which a ½ inch iron rod found at the southwest corner of Lot 1, Block A, Ulit Baptist Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Document No. 199900192 of the Official Public Records of Travis County, Texas, S 26 deg. 53' 31" W 8.72 ft.;

THENCE with the north right-of-way line of FM Road 969, N 80 deg. 22' 55" W 442.67 ft. to a ½ inch iron rod found with plastic cap marked "Waterloo" at the southwest corner of said Lot 1, Block A, Final Plat of the Resubdivision of Lot 1, Block A, Resubdivision of Stone Ridge Section One, and being at the southwest corner of this tract;

THENCE leaving the north right-of-way line of FM Road 969 with the west line of said Lot 1, Block A, Final Plat of the Resubdivision of Lot 1, Block A, Resubdivision of Stone Ridge Section One, N 27 deg. 44' 19" E 240.71 ft. to a ½ inch iron rod found with red cap and illegible markings at the northwest corner of said Lot 1, Block A, Final Plat of the Resubdivision of Lot 1, Block A, Resubdivision of Stone Ridge Section One, and being at the northwest corner of this tract;

**EXHIBIT B**

page 2 of 2  
TRACT TWO  
114,240 sq ft.

THENCE with the northwesterly line of said Lot 1, Block A, Final Plat of the Resubdivision of Lot 1, Block A, Resubdivision of Stone Ridge Section One, N 79 deg. 09' 53" E 177.66 ft. to a calculated point at the most westerly north corner of this tract, and from which a ½ inch iron rod found with cap marked "1876" at the most northerly corner of said Lot 1, Block A, Final Plat of the Resubdivision of Lot 1, Block A, Resubdivision of Stone Ridge Section One bears N 79 deg. 09' 53" E 129.34 ft.;

THENCE crossing the interior of said Lot 1, Block A, Final Plat of the Resubdivision of Lot 1, Block A, Resubdivision of Stone Ridge Section One, S 80 deg. 37' 08" E 152.57 ft. to a calculated point in the northeasterly line of said Lot 1, Block A, Final Plat of the Resubdivision of Lot 1, Block A, Resubdivision of Stone Ridge Section One, and being at the most easterly north corner of this tract;

THENCE with the easterly lines of said Lot 1, Block A, Final Plat of the Resubdivision of Lot 1, Block A, Resubdivision of Stone Ridge Section One, the following two courses:

- 1) S 25 deg. 32' 14" E 170.65 ft. to a ½ inch iron rod found;
- 2) S 27 deg. 39' 22" W 159.82 ft. to the Place of Beginning, containing 114,240 square feet of land;

PREPARED: June 7, 2017

BY:



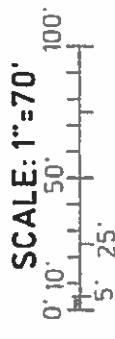
Anne Thayer  
Registered Professional Land Surveyor No. 5850



see accompanying sketch 1009016

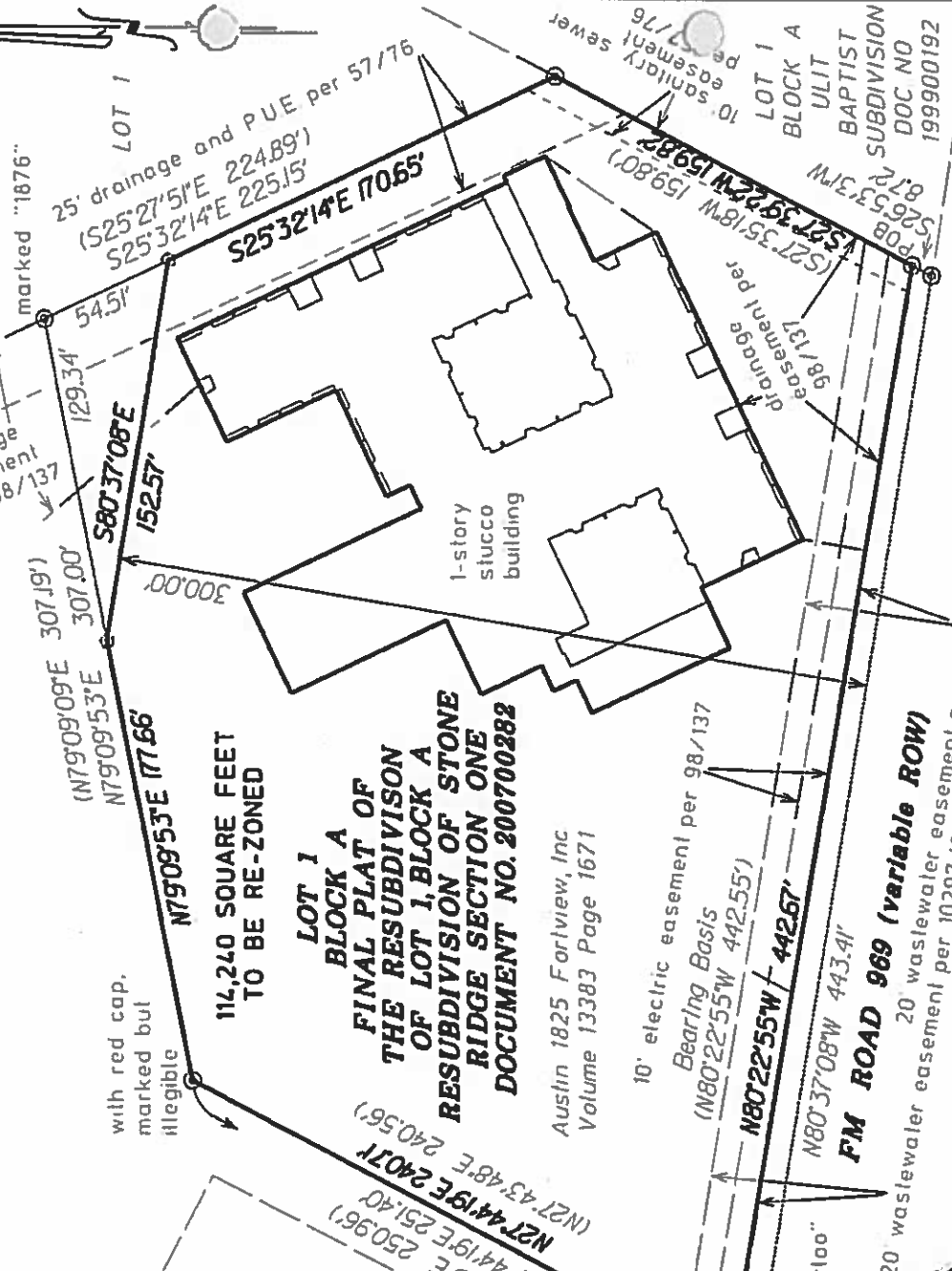
Tax Map: 02-1328-09-17  
City Grid: N23 and N24

1666N0  
 1/2" Iron Rod Found  
 Calculated Point  
 (Record Bearing and Distance)  
 POB- Place of Beginning



SKETCH TO ACCOMPANY FIELD NOTE DESCRIPTION OF 114,240 SQUARE FEET OF LAND FOR REZONING OF A PORTION OF LOT 1, BLOCK A, FINAL PLAT OF THE RESUBDIVISION OF LOT 1, BLOCK A, RESUBDIVISION OF STONE RIDGE SECTION ONE, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO. 200700282 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 1 HAVING BEEN CONVEYED TO AUSTIN 1825 FORTVIEW, INC. BY DEED RECORDED IN VOLUME 13383 PAGE 1671 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

LOT 5  
 LOT 4  
 BLOCK A  
 CAVALIER PARK  
 SECTION ONE  
 VOLUME 40 PAGE 16  
 LOT 3  
 BLOCK D  
 FINAL PLAT OF  
 KALEIDOSCOPE  
 VILLAGE  
 DOCUMENT  
 NO 200700281  
 LOT 2

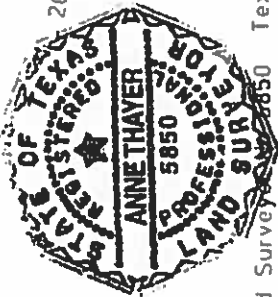


**LOT 1  
 BLOCK A  
 FINAL PLAT OF  
 THE RESUBDIVISION  
 OF LOT 1, BLOCK A  
 RESUBDIVISION OF STONE  
 RIDGE SECTION ONE  
 DOCUMENT NO. 200700282**

Austin 1825 Fortview, Inc  
 Volume 13383 Page 1671

PREPARED June 7, 2017

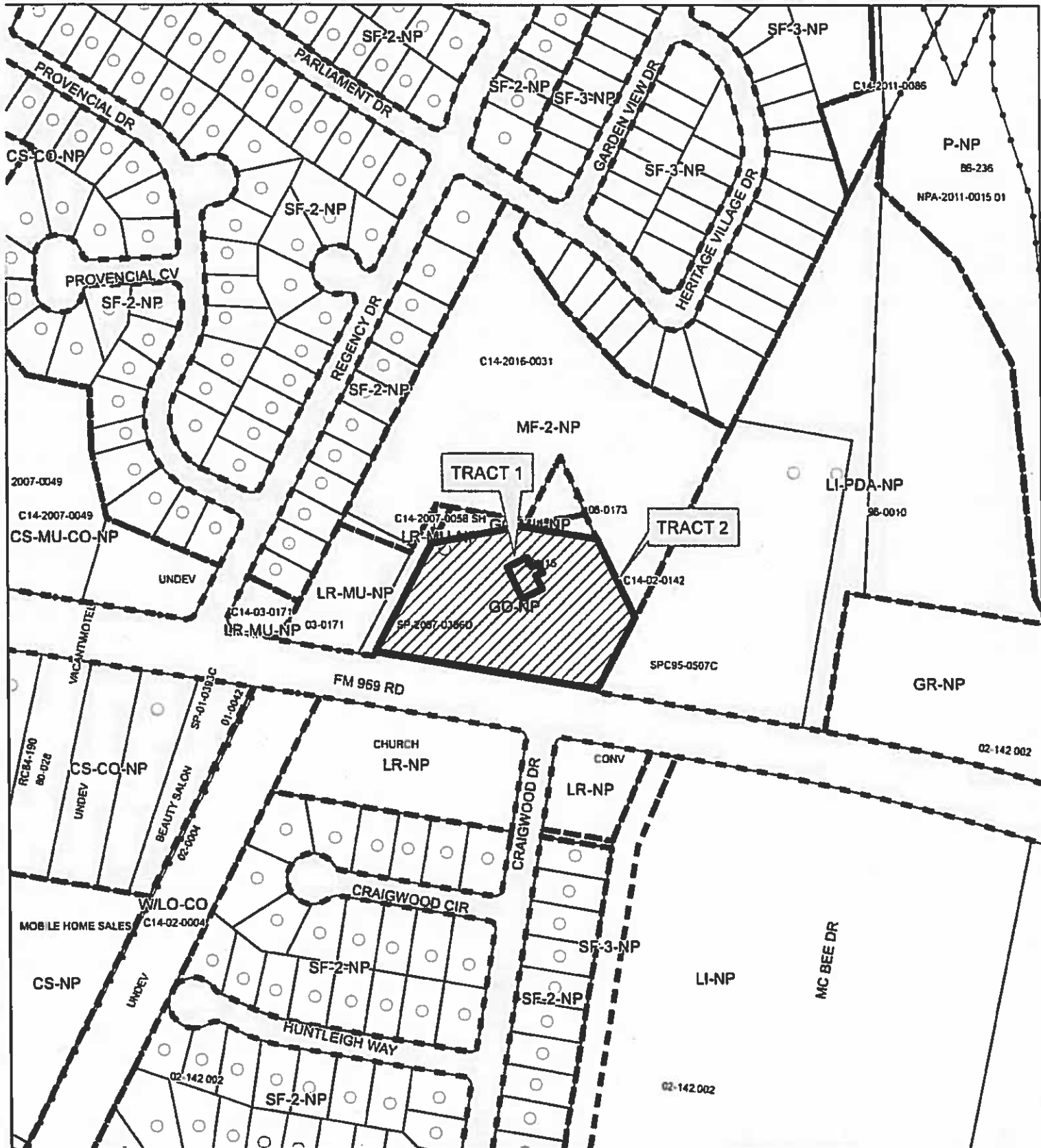
BY: *[Signature]*






Anne Thayer  
 Registered Professional Land Surveyor

HOLT CARSON, INC.  
 1904 FORTVIEW ROAD AUSTIN, TX 78704  
 (512) 442-0990

1009016



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

**ZONING**  
**ZONING CASE#: C14-2017-0083**

**EXHIBIT C**

1" = 250'

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.

