

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2205 TILLERY STREET, 2213 TILLERY STREET AND 3303 MANOR ROAD IN THE EAST MLK COMBINED NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-V-CO-NP) COMBINING DISTRICT, GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-CO-NP) COMBINING DISTRICT AND FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-V-CO-NP) 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 general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district, and family residence-neighborhood plan (SF-3-NP) combining district to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district on the property described in Zoning Case No. C14-2018-0155, on file at the Planning and Zoning Department, as follows:

A 2.882 acre tract of land situated in the City of Austin, Travis County, Texas, being out of a portion of Outlot No. 51, Division "B" of the government tract adjoining the City of Austin, Travis County, Texas, said 2.882 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 2205 Tillery Street, 2213 Tillery Street and 3303 Manor Road, in the City of Austin, Travis County, Texas, 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 A. A 15-foot wide vegetative buffer shall be provided and maintained along the western
2 property line adjacent to Tillery Street and along the southern property line where
3 the Property abuts a residential property. Improvements permitted within the buffer
4 zone are limited to drainage, underground utility improvements or those
5 improvements that may be otherwise required by the City of Austin or specifically
6 authorized in this ordinance.

7
8 B. The following uses are not permitted uses on the Property:
9

Adult oriented businesses	Agricultural sales and services
Automotive sales	Building maintenance services
Campground	Convenience storage
Drop-off recycling collection facility	Electronic prototype assembly
Equipment repair services	Equipment sales
Exterminating services	Funeral services
Kennels	Laundry services
Limited warehousing and distribution	Maintenance and service facilities
Monument retail sales	Outdoor entertainment
Outdoor sports and recreation	Pawn shop services
Transitional housing	Vehicle storage
Veterinary services	

10
11 **PART 3.** Except as specifically restricted under this ordinance, the Property may be
12 developed and used in accordance with the regulations established for the general
13 commercial services (CS) base district, mixed use (MU) combining district and other
14 applicable requirements of the City Code.

15
16 **PART 4.** The Property is subject to Ordinance No. 021107-Z-12c that established zoning
17 for the MLK Neighborhood Plan.
18

PART 5. This ordinance takes effect on _____, 2019.

PASSED AND APPROVED

_____, 2019 § _____
 § _____
 § _____
Steve Adler
Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan Jannette S. Goodall
City Attorney City Clerk

WUEST GROUP

Firm No. 10194507

EXHIBIT " _ "

FIELD NOTES DESCRIPTION

DESCRIPTION OF A 2.882 ACRE TRACT OF LAND SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING OUT OF A PORTION OF OUTLOT No. 51, DIVISION "B" OF THE GOVERNMENT TRACT ADJOINING THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS (MAP FILED IN THE TEXAS GENERAL LAND OFFICE RECORDS), BEING ALL OF THAT CERTAIN 2.882 ACRE TRACT OF LAND CONVEYED TO 3303 MANOR QOF, LP BY A SPECIAL WARRANTY DEED WITH VENDOR'S LIEN IN DOCUMENT No. 2019037859, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING FURTHER CORRECTED BY CORRECTION AFFIDAVIT AS TO SPECIAL WARRANTY DEED WITH VENDOR'S LIEN IN DOCUMENT No. 2019042678, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 2.882 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found on the east right-of-way line of Tillery Street (50' R.O.W. width), being the common west corner of said 2.882 acre tract and Lot 14, Block "B", Manor Road Addition, a subdivision of record in Volume 5, Page 33, Plat Records of Travis County, Texas, being the southwest corner of the tract described herein, from which a 1/2-inch iron rod found at a point of curvature at the intersection of the east right-of-way line of said Tillery Street with the north right-of-way line of Denver Avenue (50' R.O.W. width), being the southwest corner of said Lot 14, bears S 11°44'27" E, a distance of 110.05 feet;

THENCE N 12°06'45" W, with the east right-of-way line of said Tillery Street and the west line of said 2.882 acre tract, being with the west line of the tract described herein, a distance of 268.51 feet to a 1/2-inch iron rod with cap stamped "Wuest Group" set at the intersection of the east right-of-way line of said Tillery Street with the south right-of-way line of Manor Road (R.O.W. width varies), being the northwest corner of said 2.882 acre tract and the tract described herein, from which a 5/8-inch iron rod found in the right-of-way of said Manor Road bears N 12°06'45" W, a distance of 0.81 feet;

THENCE leaving the east right-of-way line of said Tillery Street and with the south right-of-way line of said Manor Road, being with the north line of said 2.882 acre tract and the tract described herein, the following three (3) courses and distances:

1. N 69°13'15" E, a distance of 134.03 feet to a 5/8-inch iron rod found for an angle point,
2. N 66°23'22" E, a distance of 81.09 feet to a bent 5/8-inch iron rod found for an angle point, and
3. N 50°26'31" E, a distance of 182.03 feet to a 1/2-inch iron rod with cap stamped "Wuest Group" set being the common north corner of said 2.882 acre tract and Lot 1, Block B of said Manor Road Addition, for the northeast corner of the tract described herein, from which a 3/8-inch iron rod found at a point of curvature at the intersection of the south right-of-way line of said Manor Road with the west right-of-way line of Palo Pinto Drive (50' R.O.W. width), being a northerly corner of said Lot 1, bears N50°26'31"E, a distance of 86.05 feet;

EXHIBIT "A"



THENCE S 18°11'33" E, leaving the south right-of-way line of said Manor Road and with the east line of said 2.882 acre tract, being with the west lines of said Lot 1 and Lots 2 through 7, Block "B" of said Manor Road Addition, also being with the east line of the tract described herein, passing a calculated point at a distance of 242.03 feet at the common west corner of said Lots 4 and 5, from which a 1/2-inch iron rod found in the interior of said 2.882 acre tract bears S 83°23'12" W, a distance of 0.53 feet, continuing at a distance of 307.00 feet to a calculated point at the common west corner of said Lots 5 and 6, from which a 1/2-inch iron rod found in the interior of said 2.882 acre tract bears S 71°53'21" W, a distance of 0.42 feet, and continuing for a total distance of 395.71 feet to a 1/2-inch iron rod with cap stamped "Wuest Group" set for the southeast corner of said 2.882 acre tract and the tract described herein, also being the northeast corner of Lot 9, Block "B" of said Manor Road Addition, from which a 1/2-inch iron rod found on the north right-of-way line of said Denver Avenue, being the common south corner of said Lot 9 and Lot 8, Block "B" of said Manor Road Addition, bears S 18°11'35" E, a distance of 124.32 feet;


THENCE S 78°32'17" W, with the south line of said 2.882 acre tract and the tract described herein, also being with the north lines of said Lots 9 and 14 and Lots 10-13, Block "B" of said Manor Road Addition, passing at a distance of 65.02 feet a calculated point at the common north corner of said Lots 9 and 10, from which a 1/2-inch iron rod found on the common line of said Lots 9 and 10, bears S 12°10'37" E, a distance of 0.64 feet, and continuing for a total distance of 415.45 feet to the **POINT OF BEGINNING** and containing 2.882 acres of land, more or less.

BEARING BASIS: Texas Coordinate System, Central Zone (4203), NAD83, Grid.

That I, Cara L. Williams, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying survey map are true and correct to the best of my knowledge and belief and was prepared from an actual on-the-ground survey under my direction and supervision.

As Prepared by
WUEST GROUP
Firm Registration No. 10194507



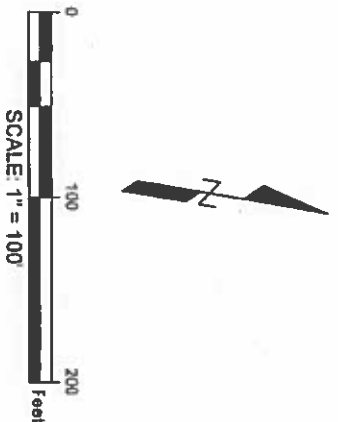
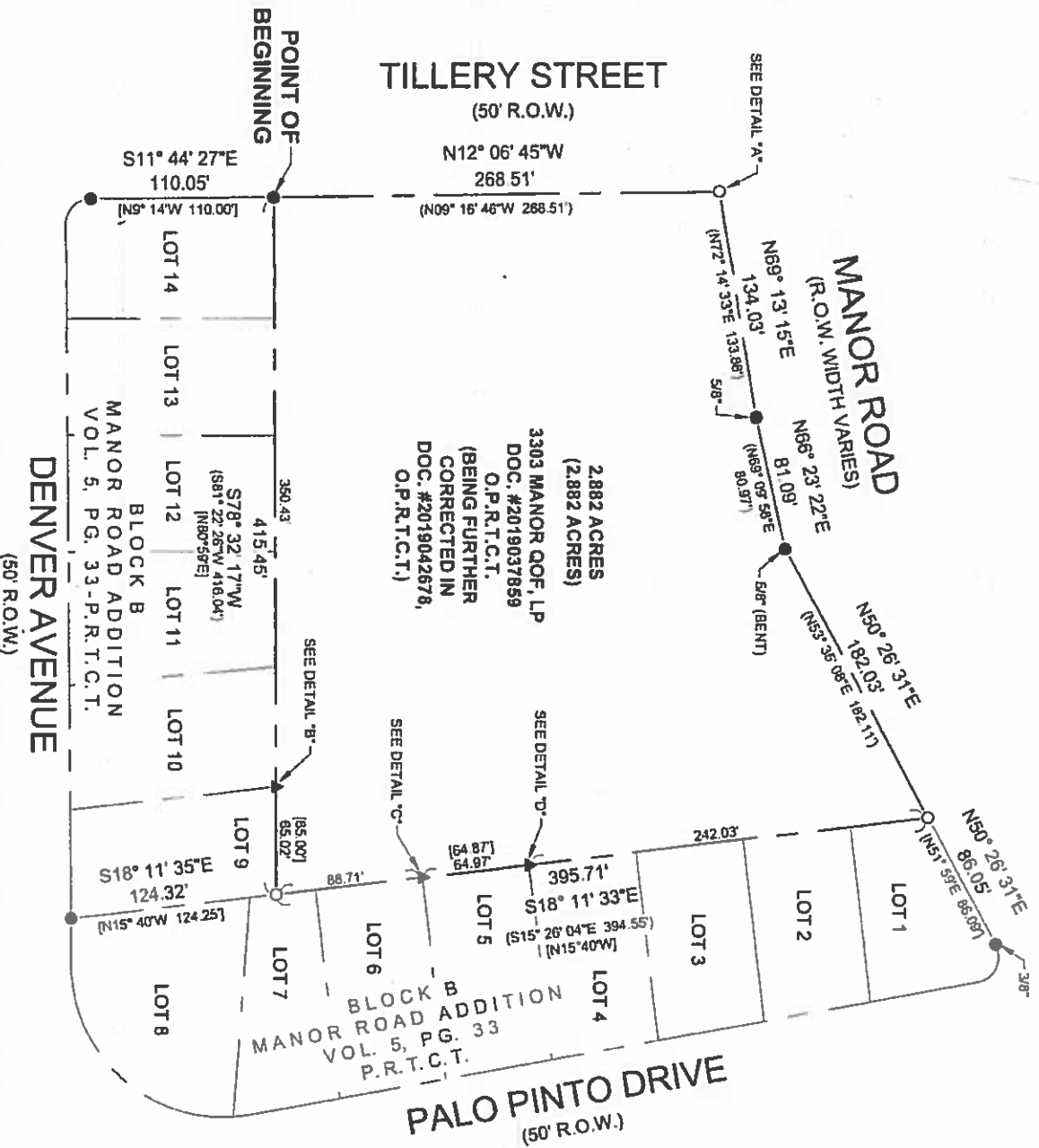


Cara L. Williams
RPLS No. 6336 - State of Texas
(512)394-1900

10-23-19

Date

SKETCH TO ACCOMPANY FIELD NOTES DESCRIPTION



HORIZONTAL DATUM:

TEXAS STATE PLANE COORDINATES
NAD 83 (CENTRAL ZONE 4203 - GRID)

3303 MANOR RD

OCTOBER, 2019

PROJECT NO. 501-093



ENGINEERING & SURVEYING

TBPLS FRM # 0194507

TBPE FRM # F-15324

2007 S 1ST STREET, SUITE 103

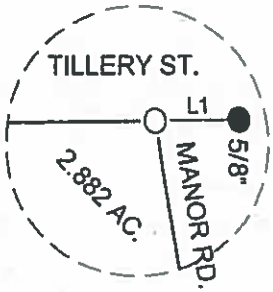
AUSTIN, TEXAS 78704

(512) 394-1000

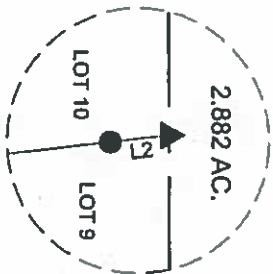
SHEET

3 of 4

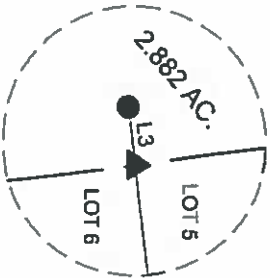
SKETCH TO ACCOMPANY FIELD NOTES DESCRIPTION



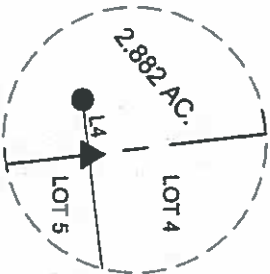
DETAIL "A"
(NOT TO SCALE)



DETAIL "B"
(NOT TO SCALE)



DETAIL "C"
(NOT TO SCALE)



DETAIL "D"
(NOT TO SCALE)

LEGEND

- ½" IRON ROD FOUND
(UNLESS NOTED)
- CAPPED ½" IRON ROD SET
STAMPED "WUEST GROUP"
- ▲ CALCULATED POINT
- () RECORD INFO. PER DOC.
#2019042678, O.P.R.T.C.T.
- [] RECORD INFO. PER VOL. 5,
PG. 33, P.R.T.C.T.
- R.O.W. RIGHT-OF-WAY
- P.R.T.C.T. PLAT RECORDS, TRAVIS
COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS,
TRAVIS COUNTY, TEXAS

LINE TABLE

L1 N12°06'45"W 0.81'
L2 S12°10'37"E 0.64'
L3 S71°53'21"W 0.42'
L4 S83°23'12"W 0.53'

AS SURVEYED BY:

Carla L. Williams

CARA L. WILLIAMS
RPLS NO. 6336 - STATE OF TEXAS
WUEST GROUP
(512)394-1900

DATE
10-23-19



3303 MANOR RD

OCTOBER, 2019

PROJECT NO. 501-093



ENGINEERING & SURVEYING

TBPLS FRM # 10194507
TBPE FRM # F-15324
2007 S 1ST STREET, SUITE 103
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Created: 12/28/2018