

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5701 EAST MARTIN LUTHER KING, JR. BOULEVARD IN THE EAST MLK COMBINED NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-CO-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-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-conditional overlay-neighborhood plan (CS-CO-NP) combining district to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2020-0019, on file at the Planning and Zoning Department, as follows:

A 12.41 acre tract of land out of the J.C. Tannehill Survey No. 29, in Travis County, Texas, said 12.41 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 5701 East Martin Luther King, Jr. Boulevard 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:

A. The following uses are not permitted uses of the Property:

Adult oriented businesses	Agricultural sales and services
Automotive sales	Campground
Commercial blood plasma center	Construction sales and services
Convenience storage	Equipment repair services
Equipment sales	Kennels
Limited warehousing and distribution	Vehicle storage

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

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

8
9 **PART 5.** This ordinance takes effect on _____, 2020.

10
11 **PASSED AND APPROVED**

12
13 §
14 §
15 _____, 2020 § _____
16 Steve Adler
17 Mayor
18

19
20 **APPROVED:** _____ **ATTEST:** _____
21 Anne L. Morgan Jannette S. Goodall
22 City Attorney City Clerk
23



FOR A 12.41 ACRE TRACT OF LAND OUT OF THE J. C. TANNEHILL SURVEY NO. 29, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 26.828 ACRE TRACT OF LAND AS DESCRIBED IN A DEED TO THE CHURCH OF CHRIST AT EAST SIDE AND RECORDED IN DOCUMENT NO. 2011065761 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AS SHOWN ON THE LAND TITLE SURVEY PREPARED BY CP&Y, INC., IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod with orange cap stamped "RPLS 5687" found having a Texas Central State Plane NAD '83 (HARN '93) Coordinate of: Northing = 10,077141.2 feet and Easting = 3,136,907.2 feet, for the west corner of said 26.828 acre tract, the north corner of a called 7.55 acre tract of land as described in a deed to The Salvation Army and recorded in Document No. 2016000592 of said Official Public Records, being on the southeast right-of-way line of Tannehill Lane (right-of-way width varies), for the west corner and **POINT OF BEGINNING** hereof;

THENCE with the northwest line of said 26.828 acre tract and the southeast right-of-way line of said Tannehill Lane, the following three (3) courses and distances:

- 1) **North 31° 33' 00" East**, a distance of **117.76 feet** to a 1/2-inch iron pipe found disturbed for an angle point hereof,
- 2) **North 29° 45' 04" East**, a distance of **404.09 feet** to a 1/2-inch iron rod with yellow cap stamped "Allstar 5729" found for an angle point hereof, and
- 3) **North 30° 31' 26" East**, a distance of **142.58 feet** to a 1/2-inch iron rod with yellow cap stamped "Allstar 5729" found for the north corner hereof, from which a 3/8-inch iron pipe found for the most westerly northwest corner of said 26.828 acre tract bears, **North 30° 31' 26" East**, a distance of **122.26 feet**;

THENCE through the interior of said 26.828 acre tract, the following eleven (11) courses and distances:

- 1) **South 59° 27' 44" East**, a distance of **271.88 feet** to a 5/8-inch iron rod with yellow cap stamped "CP&Y" set for an angle point hereof,
- 2) **South 19° 09' 45" East**, a distance of **79.76 feet** to a 1/2-inch iron rod with yellow cap stamped "Allstar 5729" found for an angle point hereof,

Exhibit A



- 3) **South 53° 06' 49" East**, a distance of **107.22 feet** to a 5/8-inch iron rod with yellow cap stamped "CP&Y" set for an angle point hereof,
- 4) **South 18° 25' 48" East**, a distance of **212.01 feet** to a 5/8-inch iron rod with yellow cap stamped "CP&Y" set for an angle point hereof,
- 5) **South 43° 06' 12" West**, a distance of **28.75 feet** to a 1/2-inch iron rod with aluminum cap stamped "TXDOT R.O.W. MARKER" found for an angle point hereof,
- 6) **South 31° 30' 54" West**, a distance of **7.58 feet** to a 1/2-inch iron rod with aluminum cap stamped "TEXAS DEPARTMENT OF TRANSPORTATION" found for an angle point hereof,
- 7) **South 46° 40' 31" East**, a distance of **155.10 feet** to a 1/2-inch iron rod with aluminum cap stamped "TEXAS DEPARTMENT OF TRANSPORTATION" found for an angle point hereof,
- 8) **South 17° 25' 41" West**, a distance of **95.13 feet** to a 1/2-inch iron rod with aluminum cap stamped "TEXAS DEPARTMENT OF TRANSPORTATION" found for an angle point hereof,
- 9) **South 54° 29' 07" East**, a distance of **300.85 feet** to a 1/2-inch iron rod found disturbed for an angle point hereof,
- 10) **South 24° 21' 55" East**, a distance of **187.49 feet** to a 1/2-inch iron rod with aluminum cap stamped "TEXAS DEPARTMENT OF TRANSPORTATION" found for an angle point hereof, and
- 11) **South 76° 52' 08" East**, a distance of **81.32 feet** to a 1/2-inch iron rod with yellow cap stamped "Allstar 5729" found on the east line of said 26.828 acre tract and the west right-of-way line of U. S. Highway 183 (right-of-way width varies), for the east corner hereof, from which a TXDOT type I concrete monument found for the most easterly northeast corner of said 26.828 acre tract bears, **North 11° 30' 39" East**, a distance of **889.06 feet**;

THENCE with the east and south line of said 26.828 acre tract and the west right-of-way line of said U. S. Highway 183, the following three (3) courses and distances:

- 1) **South 11° 30' 39" West**, a distance of **111.36 feet** to a TXDOT type I concrete monument found disturbed, for an angle point hereof,
- 2) **South 00° 21' 54" West**, a distance of **40.75 feet** to a TXDOT type II brass disc stamped "TEXAS DEPARTMENT OF TRANSPORTATION 356+02.97 228.73RT" found, for the southeast corner of said 26.828 acre tract, and
- 3) **North 62° 13' 00" West**, a distance of **46.65 feet** to a 5/8-inch iron rod with yellow cap stamped "CP&Y" for an angle point on the south line of said 26.828 acre tract and the east corner of a called 9.14 acre tract of land as described in a deed to the City of Austin and recorded in Document No. 2019003476 of said Official Public Records, for an angle point hereof;

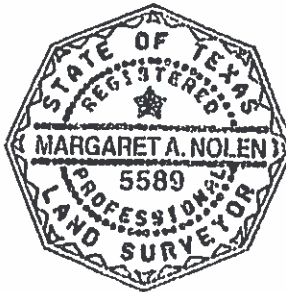
THENCE with the south line of said 26.828 acre tract and in part with the north line of said 9.14 acre tract and the north line of said 7.55 acre tract, **North 61° 31' 10" West**, a distance of **1303.90 feet** to the **POINT OF BEGINNING** hereof and containing 12.41 acres of land.

Bearings are based on the Texas Central Zone State Plane Coordinate System, NAD '83 (HARN '93), which is based on the Trimble RTKNet, AllTerra VRS Network.

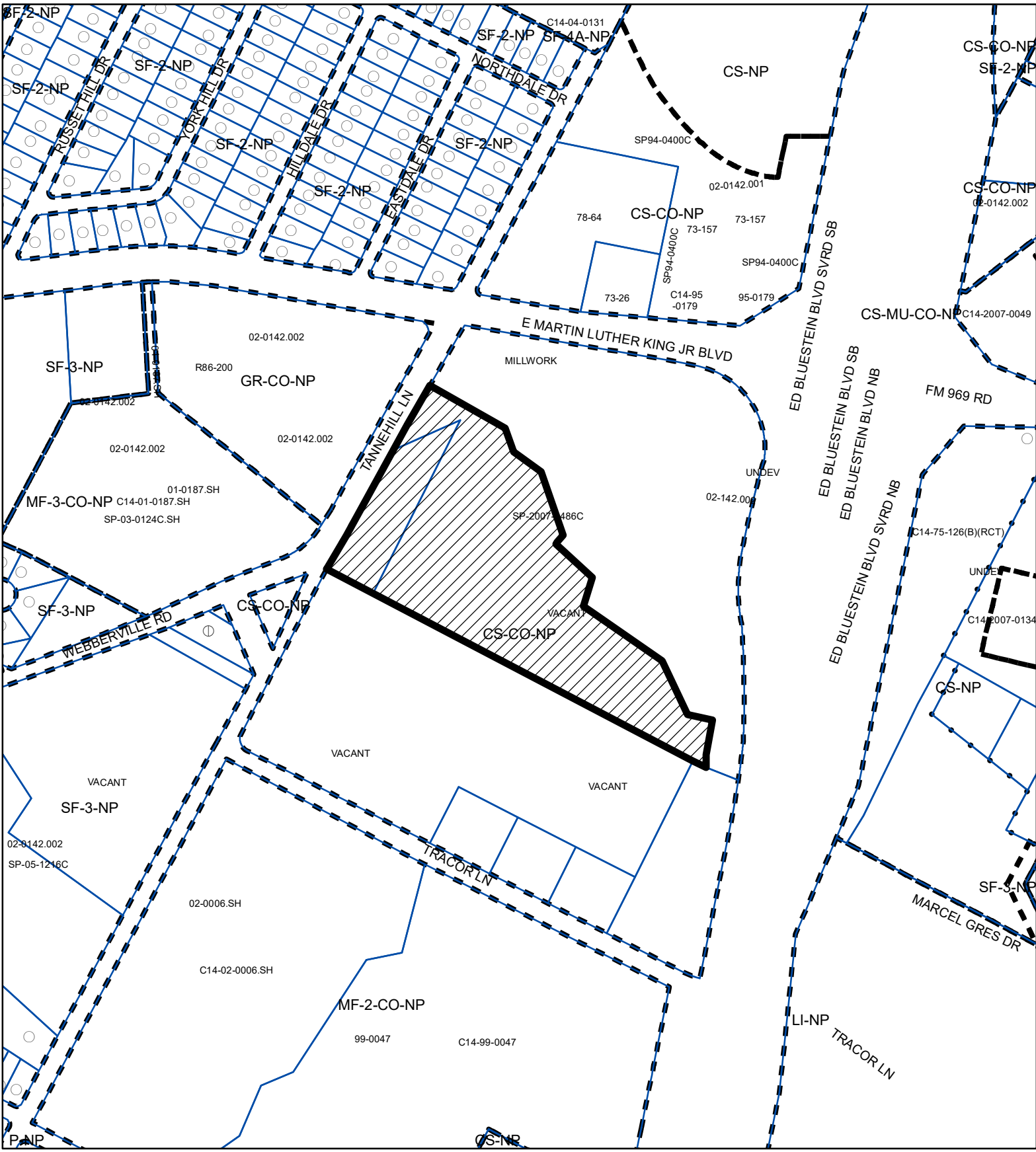
Surveyed in the field June 21, 2019.






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CP&Y, Inc.
One Chisholm Trail, Suite 130
Round Rock, Texas 78681
Ph. (512) 248-0065
TBPLS Firm No. 10194125
Project No. 1800541



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-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2020-0019

Exhibit B

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.



Created: 2/14/2020

1" = 400'