

ORDINANCE NO. 20200521-074

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 7715 DELWAW LANE FROM FAMILY RESIDENCE (SF-3) DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY (CS-MU-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 family residence (SF-3) district to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district on the property described in Zoning Case No. C14-2019-0137, on file at the Planning and Zoning Department, as follows:

11.92 acre tract out of the James Burleson Survey No. 19, Abstract No. 4, in Travis County, Texas, said 11.92 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 7715 Delwau Lane 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:

Alternative financial services	Automotive rentals
Automotive repair services	Automotive sales
Automotive washing (of any type)	Bail bond services
Building maintenance services	College and university facilities
Commercial blood plasma center	Commercial off-street parking
Construction sales and services	Drop-off recycling collection facility
Electronic prototype assembly	Electronic testing
Equipment repair services	Exterminating services
Funeral services	General retail sales (general)
Group home, class II	Hospital services (general)
Hospital services (limited)	Hotel-motel
Indoor sports and recreation	Kennels
Laundry services	Limited warehousing and distribution

Maintenance and services facilities	Medical offices – exceeding 5,000 sq. ft. gross floor area
Monument retail sales	Multifamily residential
Offsite accessory parking	Outdoor entertainment
Pawn shop services	Residential treatment
Safety services	Service station
Theater	Transitional housing
Transportation terminal	Vehicle storage

B. Restaurant (general) use on the Property is limited to 1,500 square feet.

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

PART 4. This ordinance takes effect on June 1, 2020.

PASSED AND APPROVED

_____ May 21 _____, 2020

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Steve Adler
Mayor

APPROVED: Anne L. Morgan
Anne L. Morgan
City Attorney

by:
M. Thompson

ATTEST: Jannette S. Goodall
Jannette S. Goodall
City Clerk



LEGAL DESCRIPTION
Survey for: Noah Zim

11.92 ACRE TRACT

Being out of the James Burleson Survey No. 19, Abstract No. 4 in Travis County, Texas, being all of that certain called 11.70 acre tract of land to Interest Partners LLC, as recorded in Document No. 2006209878, Official Public Records of Travis County, Texas, a called 0.163 acre tract of land to the City of Austin as recorded in Volume 12588, Page 586, Real Property Records of Travis County, Texas, and a called 0.054 acre tract of land to Ranger Excavating, Inc. as recorded in Volume 12534, Page 2337, Real Property Records of Travis County, Texas, being more particularly described by metes and bounds as follows;

Beginning at an iron rod found (1/2-inch diameter) described as the northwest corner of said 11.70 acre tract, and described as being interior of the remainder of that certain tract of land to the City of Austin recorded in Volume 9837, Page 422, Deed Records, Travis County Texas and also described as 1.23 feet north of the south right of way line of that certain strip of land 100 feet wide, lying 50 feet each side of the centerline of Capital Metropolitan Transportation Authority's main track as recorded in Volume 9837, Page 407, Real Property Records, Travis County Texas as surveyed by Geomatics Surveying and Mapping on 8/17/2017, for the northwest corner of this;

Thence along the north line of said 11.70 acre tract the following eight (8) courses and distances:

1. N 83°26'43" E a distance of 395.43 feet to an iron rod found (1/2-inch diameter) with cap stamped "GEOMATICS 5516", for a corner on the northern line of this,
2. N 76°18'31" E a distance of 147.22 feet to an iron rod found (1/2-inch diameter) with cap stamped "GEOMATICS 5516", for a corner on the northern line of this,
3. N 71°44'05" E a distance of 133.51 feet to an iron rod found (1/2-inch diameter) with cap stamped "GEOMATICS 5516", for a corner on the northern line of this,
4. N 86°13'45" E a distance of 127.73 feet to an iron rod found (1/2-inch diameter), for a corner on the northern line of this,
5. N 82°43'14" E a distance of 127.70 feet to an iron rod found (1/2-inch diameter), for a corner on the northern line of this,
6. N 57°38'19" E a distance of 99.94 feet to an iron rod found (1/2-inch diameter), with cap stamped "GEOMATICS 5516", for a corner on the northern line of this,
7. N 53°34'44" E passing an iron rod found (1/2-inch diameter) with cap stamped "COA Public Works" lying 2.47 feet perpendicular and to the right of line at a distance of 97.38 feet and continuing for a total distance of 135.89 feet to an iron rod found (1/2-inch diameter), with cap stamped "GEOMATICS 5516", for a corner on the northern line of this, and
8. N 49°01'39" E a distance of 24.99 feet to an iron rod found (1/2-inch diameter), with cap stamped "GEOMATICS 5516", being the northeast corner of said 11.70 acre tract and being the west corner of said 0.163 acre tract, for a point in the north line of this;

Thence along the north line of said 0.163 acre tract, being a curve to the left with a radius of 1455.34 feet, an arc distance of 75.52 feet, and which chord bears N 48°11'30" E a distance of 75.51 feet to an iron rod set (1/2-inch diameter) with pink cap stamped "Survey Works", being the north corner of said 0.163 acre tract, for the north corner of this;

Thence along the northeast line of said 0.163 acre tract, S 62°00'58" E a distance of 77.91 feet to a calculated point, being the east corner of said 0.163 acre tract, being a point on the northwest line of a called 43.391 acre tract, as recorded in Document No. 2005177300, Official Public Records of Travis County, Texas, for the east corner of this;

Exhibit A

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Thence along the southeast line of said 0.163 acre tract, common with the northwest line of said 43.391 acre tract S 28°40'37" W a distance of 7.55 feet, to a calculated point, being a corner of said 0.163 acre tract, the north corner of said 0.054 acre tract, for a corner in the southeast line of this;

Thence along the southeast line of said 0.054 acre tract, common with the northwest line of the said 43.391 acre tract S 28°40'44" W a distance of 127.46 feet to an iron rod found (1/2-inch diameter) with cap stamped "COA Public Works" at the easternmost corner of said 11.70 acre tract, being the southern corner of said 0.054 acre tract, for a corner in the southeast line of this;

Thence along the southeast line of said 11.70 acre tract, common with the northwest line of the said 43.391 acre tract S 27°56'53" W passing at a distance of 618.36 feet a 3/4 inch iron rod found and continuing for a total distance of 693.90 feet to an iron rod set (1/2-inch diameter) with pink cap stamped "Survey Works", for the south east corner of said 11.70 acre tract, being the southwest corner of a called 1.023 acre tract as recorded in Volume 12516, Page 1853, Real Property Records of Travis County, Texas, being a point on the approximate north bank of the Colorado River, for the southeast corner of this;

Thence along the south line of said 11.70 acre tract, common with the approximate north bank of the Colorado River the following seven (7) courses and distances:

1. S 71°27'53" W a distance of 93.67 feet to an iron rod found (1/2-inch diameter) with cap stamped "RPLS 5784", for a corner on the south line of this,
2. S 68°07'51" W a distance of 75.21 feet to a point, to an iron rod found (1/2-inch diameter) with cap stamped "RPLS 5784", for a corner on the south line of this,
3. S 85°32'09" W a distance of 67.96 feet to a point, to an iron rod found (1/2-inch diameter) with cap stamped "RPLS 5784", for a corner on the south line of this,
4. S 72°09'16" W a distance of 143.74 feet to a point, to an iron rod found (1/2-inch diameter) with cap stamped "RPLS 5784", for a corner on the south line of this,
5. S 71°40'26" W a distance of 117.75 feet to a point, to an iron rod found (1/2-inch diameter) with cap stamped "RPLS 5784", for a corner on the south line of this,
6. S 81°07'05" W a distance of 50.33 feet to a point, to an iron rod found (1/2-inch diameter) with cap stamped "RPLS 5784", for a corner on the south line of this, and
7. S 78°55'58" W a distance of 49.33 feet to an inundated calculated point, being the east corner of a called 1.77 acre tract as recorded in Document No. 2007015084, Official Public Records of Travis County, Texas, for the south corner of this;

Thence along the southwest line of said 11.70 acre tract, common with the northeast line of the said 1.77 acre tract N 72°09'02" W a distance of 60.66 feet to an inundated calculated point, being the east corner of a called 8.50 acre tract as recorded in Document No. 2007214518, Official Public Records of Travis County, Texas;

Thence continuing along the southwest line of said 11.70 acre tract, common with the northeast line of said 8.50 acre tract the following two (2) courses and distances:

1. N 40°28'47" W a distance of 126.89 feet to an inundated calculated point, for a corner on the southwest line of this, and
2. N 81°28'47" W a distance of 114.59 feet to a punch hole in concrete found, being a southwest corner of said 11.70 acre tract, the southeast corner of Lot 2, Block A of Delwau Acres as recorded in Document No. 200900027, Plat Records of Travis County, Texas, for a corner on the southwest line of this;

Thence along the west line of said 11.70 acre tract, common with the east line Lot 2, N 04°40'51" W passing an iron rod found (1/2-inch diameter) at a distance of 38.83 feet and continuing for a total distance of 292.65 feet to an iron rod found (1/2-inch diameter), being the northeast corner of Lot 2, for a corner on the west line of this;



Thence continuing with the west line of said 11.70 acre tract, N 04°49'25" W a distance of 35.18 feet to the POINT OF BEGINNING, in all containing 11.92 acres of land, more or less.

All bearings and distances are based on State Plane Coordinate System, Texas Central Zone, NAD 1983.

This description to accompany a plat of like date representing an on the ground survey supervised by me Derek Kinsaul, Registered Professional Land Surveyor.

December 27, 2017

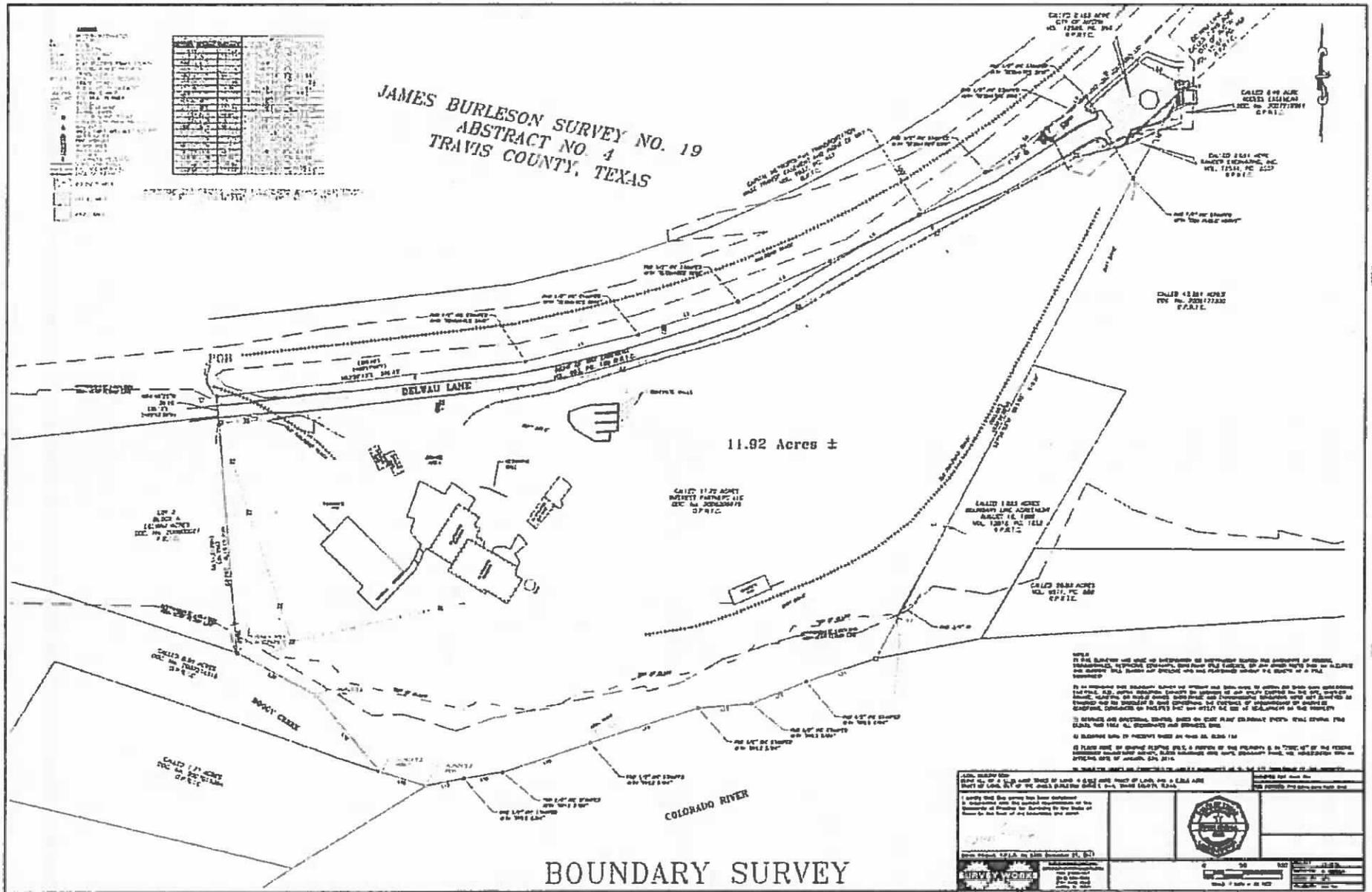
A handwritten signature in black ink, appearing to read "Derek Kinsaul", written over a horizontal line.

Derek Kinsaul
RPLS No. 6356
Job #17-0136 Zlm



Block	Acres	Owner
1	1.00	...
2	1.00	...
3	1.00	...
4	1.00	...
5	1.00	...
6	1.00	...
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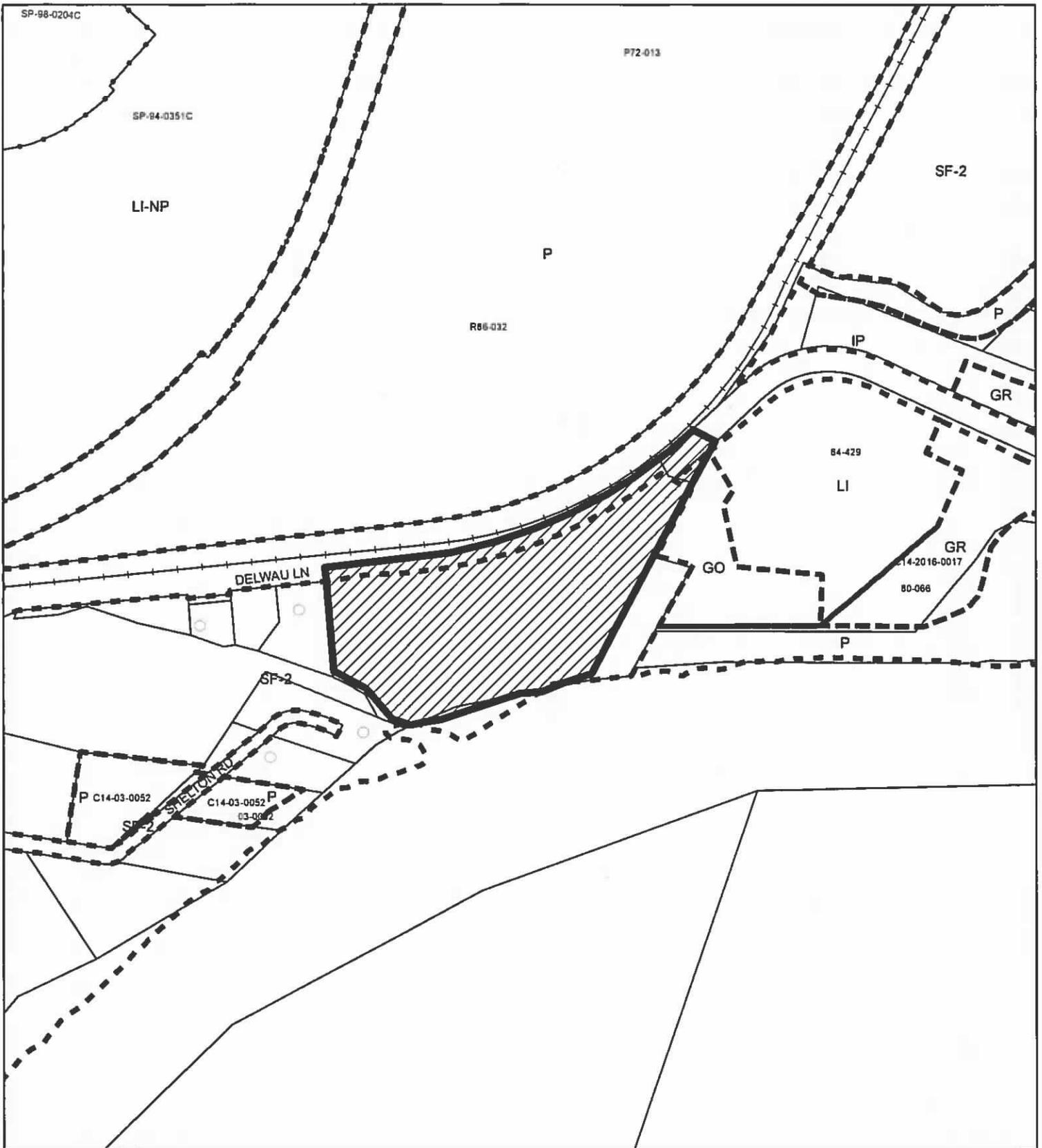
**JAMES BURLESON SURVEY NO. 19
ABSTRACT NO. 4
TRAVIS COUNTY, TEXAS**



BOUNDARY SURVEY

NOTES:
 1. THIS SURVEY WAS MADE BY MEASUREMENTS OF INTERIOR ANGLES AND DISTANCES, AND BY THE USE OF THE METHOD OF TRIANGULATION, AND THE METHOD OF MEASUREMENT OF ANGLE BY THE USE OF A THEODOLITE.
 2. ALL DISTANCES WERE MEASURED BY THE USE OF A STEEL TAPE, AND ALL ANGLES WERE MEASURED BY THE USE OF A THEODOLITE.
 3. THE COURSE OF THIS SURVEY WAS RUN BY THE METHOD OF TRIANGULATION, AND THE METHOD OF MEASUREMENT OF ANGLE BY THE USE OF A THEODOLITE.
 4. THE COURSE OF THIS SURVEY WAS RUN BY THE METHOD OF TRIANGULATION, AND THE METHOD OF MEASUREMENT OF ANGLE BY THE USE OF A THEODOLITE.
 5. THE COURSE OF THIS SURVEY WAS RUN BY THE METHOD OF TRIANGULATION, AND THE METHOD OF MEASUREMENT OF ANGLE BY THE USE OF A THEODOLITE.

<p>W. H. HOOKS Surveyor No. 1000 Travis County, Texas</p>	<p>W. H. HOOKS Surveyor No. 1000 Travis County, Texas</p>	<p>W. H. HOOKS Surveyor No. 1000 Travis County, Texas</p>
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ZONING

ZONING CASE#: C14-2019-0137

Exhibit B

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



1" = 400'

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: 10/9/2019