

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

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5201 EAST MARTIN LUTHER KING JR. BOULEVARD IN THE EAST MLK COMBINED NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO MULTIFAMILY RESIDENCE MEDIUM DENSITY-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (MF-3-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 family residence-neighborhood plan (SF-3-NP) combining district to multifamily residence medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district on the property described in Zoning Case No. C14-2020-0031.SH, on file at the Housing and Planning Department, as follows:

2.650 acres of land out of the Jesse C. Tannehill League Abstract No. 22 in Travis County, Texas, said 2.650 acres of land being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (the “Property”),

locally known as 5201 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. Development of the Property is limited to 50 dwelling units.
- B. The maximum height of a building or structure on the Property within 300 feet of the south property line shall not exceed 40 feet.
- C. A 30-foot wide vegetative buffer along the southern property line shall be provided and maintained. Improvements permitted within the buffer zone are limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

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 multifamily  
3 residence medium density (MF-3) base district and other applicable requirements of the  
4 City Code.

5  
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

**HOLT CARSON, INC.**  
**PROFESSIONAL LAND SURVEYORS**

1904 FORTVIEW ROAD  
AUSTIN, TEXAS 78704  
TELEPHONE: (512) 442-0990  
www.hciaustin.com

**FIELD NOTE DESCRIPTION OF 2.650 ACRES OF LAND OUT OF THE JESSE C. TANNEHILL LEAGUE ABSTRACT No. 22 IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN (2.65 ACRE) TRACT OF LAND AS CONVEYED TO FRANK G. DILLENBECK BY GENERAL WARRANTY DEED RECORDED IN DOCUMENT No. 2000161845 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a ½" iron pipe found in the North line of Lot 59, Stone Gate, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 20 Page 50 of the Plat Records of Travis County, Texas, for the Southwest corner of that certain (10 acre) tract of land as conveyed to Travis Audubon Society, Inc. by deed recorded in Volume 9334 Page 205 of the Real Property Records of Travis County, Texas, and for the Southeast corner of that certain (2.65 acre) tract of land as conveyed to Frank G. Dillenbeck by General Warranty Deed recorded in Document No. 2000161845 of the Official Public Records of Travis County, Texas, and being the Southeast corner and **PLACE OF BEGINNING** of the herein described tract of land;

THENCE with the common line of said Dillenbeck (2.65 acre) tract and said Stone Gate, the following three (3) courses;

- 1) N 63 deg. 42' 43" W 143.16 ft. to a ½" iron rod found at the point of termination of the East right-of-way line of Elmsgrove Drive for the Northwest corner of Lot 60;
- 2) N 61 deg. 57' 50" W 51.38 ft. to a ½" iron rod found at the point of termination of the West right-of-way line of Elmsgrove Drive for the Northeast corner of Lot 61;
- 3) N 62 deg. 43' 56" W 119.61 ft. to a ½" iron rod found for the Southwest corner of said Dillenbeck (2.65 acre) tract and for the Southeast corner of that certain (1.1462 acre) tract of land as conveyed to East 13<sup>th</sup> Street, LLC by Correction Instrument recorded in Document No. 2018174252 of the Official Public Records of Travis County, Texas, and having been previously described in General Warranty Deed recorded in Document No. 2014091826 of the Official Public Records of Travis County, Texas, and being the Southwest corner of this tract;

THENCE with the common line of said Dillenbeck (2.65 acre) tract and said (1.1462 acre) tract, N 27 deg. 55' 44" E 259.05 ft. to a ½" iron rod found in the South right-of-way line of East Martin Luther King, Jr. Boulevard for the Northeast corner of said (1.1462 acre) tract and for the Northwest corner of said Dillenbeck (2.65 acre) tract and being the Northwest corner of this tract;

end of Page 1

Exhibit A

Page 2 of 2  
2.650 ACRES

THENCE with the South right-of-way line of East Martin Luther King, Jr. Boulevard, N 82 deg. 49' 37" E 384.06 ft. to a ½" iron rod found for the Northwest corner of said Travis Audubon Society (10 acre) tract, and being the Northeast corner of this tract;

THENCE leaving the South right-of-way line of East Martin Luther King, Jr. Boulevard with the common line of said Travis Audubon Society (10 acre) tract and said Dillenbeck (2.65 acre) tract, S 27 deg. 56' 41" W 474.51 ft. to the **PLACE OF BEGINNING**, containing 2.650 acres of land.

**SURVEYED:** September 23, 2019



Holt Carson

Registered Professional Land Surveyor No. 5166

see accompanying map: A 1034140

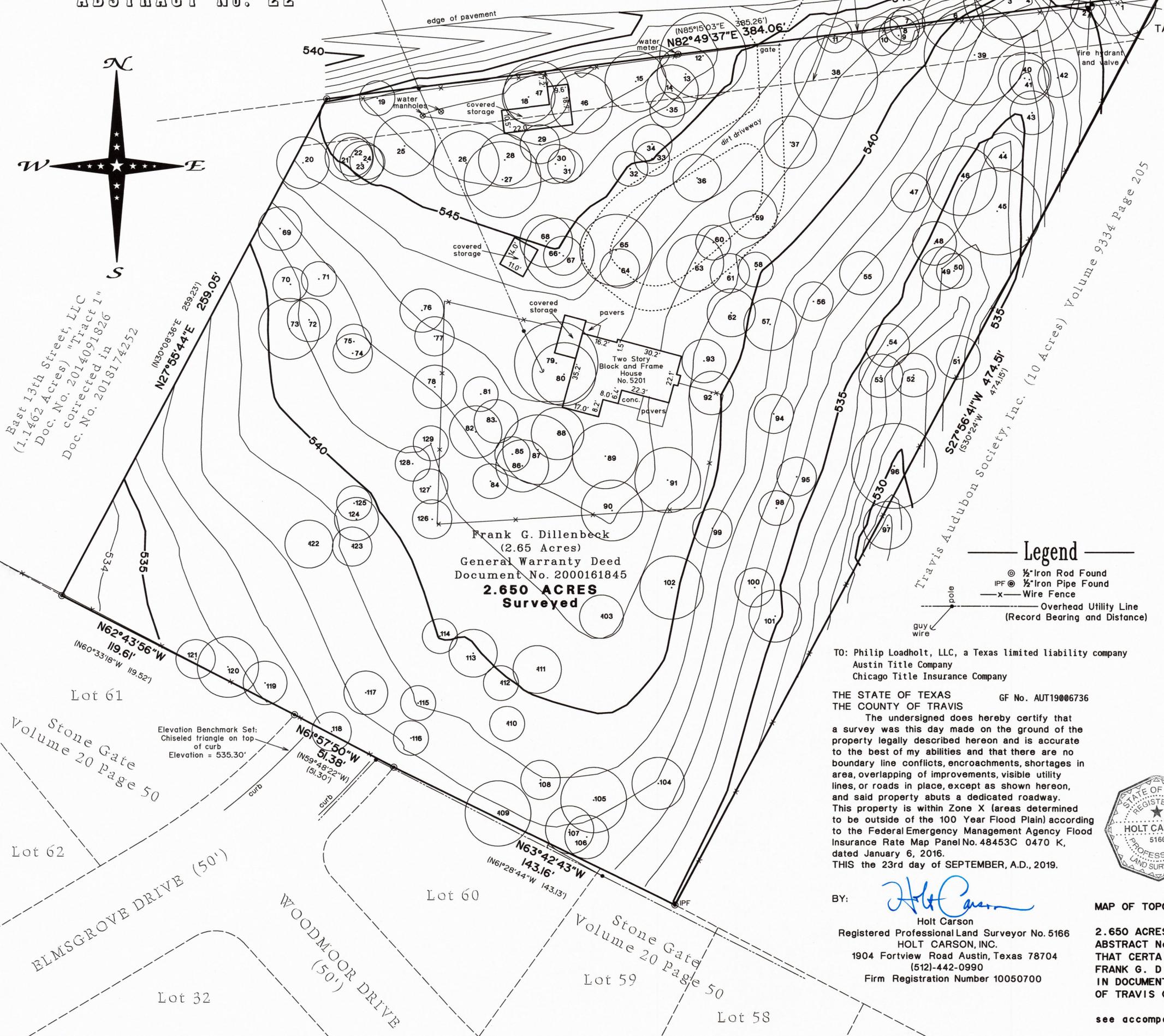
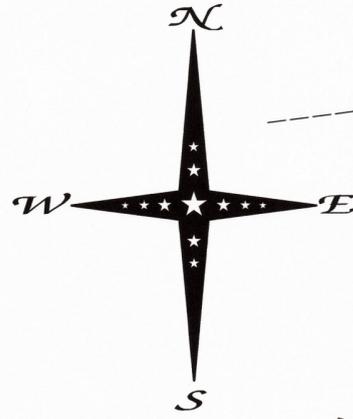


NOTE:  
Orientation for this survey was based of the State Plane Coordinate System, Texas Central Zone (4203).

SCALE: 1" = 30'

**JESSE C. TANNERHILL LEAGUE  
ABSTRACT No. 22**

**E MLK Jr. BOULEVARD**



| TREE LIST |                     | TREE LIST |                       |
|-----------|---------------------|-----------|-----------------------|
| TAG No.   | DESCRIPTION         | TAG No.   | DESCRIPTION           |
| 1         | 15" Drake Elm       | 61        | 9" Cedar Elm          |
| 2         | 8" Hackberry        | 62        | 11" Cedar Elm         |
| 3         | 20" Willow          | 63        | 13" Cedar Elm         |
| 4         | 24" Willow          | 64        | 9" Cedar Elm          |
| 5         | 10" Drake Elm       | 65        | 9" and 12" Cedar Elm  |
| 6         | 14" Hackberry       | 66        | 16" Cedar Elm         |
| 7         | 8" Bumelia          | 67        | 9" Cedar Elm          |
| 8         | 8" Cedar Elm        | 68        | 12" Cedar Elm         |
| 9         | 9" Cedar Elm        | 69        | 10" Cedar Elm         |
| 10        | 9" Cedar Elm        | 70        | 8" Cedar Elm          |
| 11        | 8" Cedar Elm        | 71        | 8" Cedar Elm          |
| 12        | 20" Live Oak        | 72        | 10" Cedar Elm         |
| 13        | 13" Cedar Elm       | 73        | 14" Burr Oak          |
| 14        | 12" Cedar Elm       | 74        | 9" Live Oak           |
| 15        | 14" Cedar Elm       | 75        | 8" Live Oak           |
| 16        | 14" Cedar           | 76        | 10" Live Oak          |
| 17        | 15" Cedar Elm       | 77        | 9" Cedar Elm          |
| 18        | 12" Cedar Elm       | 78        | 10" Cedar Elm         |
| 19        | 8" Cedar Elm        | 79        | 10" and 14" Cedar Elm |
| 20        | 12" Mesquite        | 80        | 9" and 10" Cedar Elm  |
| 21        | 11" Hackberry       | 81        | 8" Live Oak           |
| 22        | 9" Live Oak         | 82        | 12" Cedar Elm         |
| 23        | 10" Mesquite        | 83        | 10" Cedar Elm         |
| 24        | 8" Hackberry        | 84        | 8" Cedar Elm          |
| 25        | 14" Mesquite        | 85        | 8" Cedar Elm          |
| 26        | 8" and 11" Mesquite | 86        | 12" Cedar Elm         |
| 27        | 17" Cedar Elm       | 87        | 16" Cedar Elm         |
| 28        | 12" Cedar Elm       | 88        | 12" Cedar Elm         |
| 29        | 9" Cedar Elm        | 89        | 15" Cedar Elm         |
| 30        | 9" Cedar Elm        | 90        | 14" Cedar Elm         |
| 31        | 8" Cedar Elm        | 91        | 15" Cedar Elm         |
| 32        | 8" Cedar Elm        | 92        | 10" Cedar Elm         |
| 33        | 8" Cedar Elm        | 93        | 10" Cedar Elm         |
| 34        | 9" Cedar Elm        | 94        | 9" Cedar Elm          |
| 35        | 8" Cedar Elm        | 95        | 9" Cedar Elm          |
| 36        | 11" Cedar Elm       | 96        | 20" Cedar Elm         |
| 37        | 12" Cedar Elm       | 97        | 11" Cedar Elm         |
| 38        | 19" Cedar Elm       | 98        | 8" Cedar Elm          |
| 39        | 23" Cedar Elm       | 99        | 9" Cedar Elm          |
| 40        | 12" Cedar Elm       | 100       | 9" Cedar Elm          |
| 41        | 9" Cedar Elm        | 101       | 6" and 9" Cedar Elm   |
| 42        | 9" Cedar Elm        | 102       | 9" and 10" Mesquite   |
| 43        | 10" Cedar Elm       | 103       | 10" Mesquite          |
| 44        | 9" Cedar Elm        | 104       | two 8" Cedar Elms     |
| 45        | 20" Cedar Elm       | 105       | 15" Cedar Elm         |
| 46        | 16" Cedar Elm       | 106       | 10" Post Oak          |
| 47        | 9" Live Oak         | 107       | 11" Cedar Elm         |
| 48        | 10" Cedar Elm       | 108       | 9" Cedar Elm          |
| 49        | 10" Cedar Elm       | 109       | 15" Cedar Elm         |
| 50        | 8" Cedar Elm        | 110       | 8" Cedar Elm          |
| 51        | 10" Cedar Elm       | 111       | 11" Cedar Elm         |
| 52        | 10" Pear            | 112       | 8" Cedar Elm          |
| 53        | 10" Cedar Elm       | 113       | 11" Cedar Elm         |
| 54        | 10" Cedar Elm       | 114       | 8" Cedar Elm          |
| 55        | 10" Cedar Elm       | 115       | 8" Cedar Elm          |
| 56        | 9" Cedar Elm        | 116       | 8" Cedar Elm          |
| 57        | 12" Cedar Elm       | 117       | 10" Cedar Elm         |
| 58        | 8" Cedar Elm        | 118       | 9" Cedar Elm          |
| 59        | 11" Cedar Elm       | 119       | 10" Cedar Elm         |
| 60        | 8" Cedar Elm        | 120       | 14" Cedar Elm         |
|           |                     | 121       | 9" Cedar Elm          |
|           |                     | 122       | 11" Post Oak          |
|           |                     | 123       | 9" Cedar Elm          |
|           |                     | 124       | 10" Cedar Elm         |
|           |                     | 125       | 8" Cedar Elm          |
|           |                     | 126       | 9" Cedar Elm          |
|           |                     | 127       | 8" Cedar Elm          |
|           |                     | 128       | 8" Cedar Elm          |
|           |                     | 129       | 8" Cedar Elm          |

**Legend**

- ⊙ 1/2" Iron Rod Found
- IPF ⊙ 1/2" Iron Pipe Found
- x- Wire Fence
- Overhead Utility Line (Record Bearing and Distance)
- guy wire
- pole

TO: Philip Loadholt, LLC, a Texas limited liability company  
Austin Title Company  
Chicago Title Insurance Company

THE STATE OF TEXAS GF No. AUT19006736  
THE COUNTY OF TRAVIS

The undersigned does hereby certify that a survey was this day made on the ground of the property legally described hereon and is accurate to the best of my abilities and that there are no boundary line conflicts, encroachments, shortages in area, overlapping of improvements, visible utility lines, or roads in place, except as shown hereon, and said property abuts a dedicated roadway. This property is within Zone X (areas determined to be outside of the 100 Year Flood Plain) according to the Federal Emergency Management Agency Flood Insurance Rate Map Panel No. 48453C 0470 K, dated January 6, 2016.  
THIS the 23rd day of SEPTEMBER, A.D., 2019.

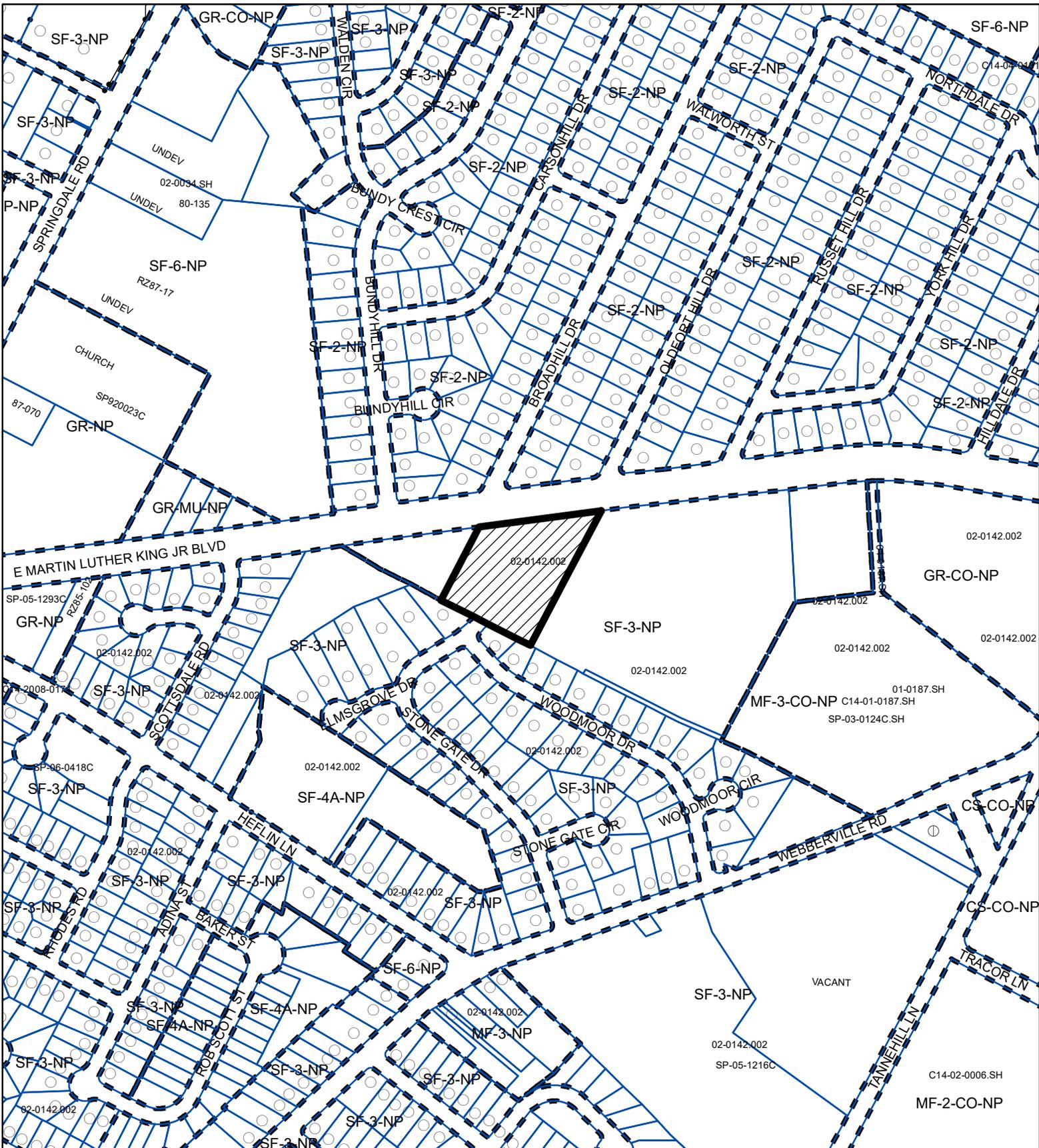
BY: *Holt Carson*  
Holt Carson  
Registered Professional Land Surveyor No. 5166  
HOLT CARSON, INC.  
1904 Fortview Road Austin, Texas 78704  
(512)-442-0990  
Firm Registration Number 10050700



MAP OF TOPOGRAPHIC SURVEY OF  
**2.650 ACRES OF LAND OUT OF THE JESSE C. TANNERHILL LEAGUE ABSTRACT No. 22 IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN (2.65 ACRE) TRACT OF LAND AS CONVEYED TO FRANK G. DILLENBECK BY GENERAL WARRANTY DEED RECORDED IN DOCUMENT No. 2000161845 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.**

see accompanying Field Note Description

**A 1034140**



**ZONING**

ZONING CASE#: C14-2020-0031.SH

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: 3/4/2020