

**ORDINANCE NO. 20210127-066**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2201, 2203, 2205, 2207, 2209, AND 2211 EAST MARTIN LUTHER KING JR BOULEVARD AND 1807 FERDINAND STREET IN THE CHESTNUT NEIGHBORHOOD PLAN AREA FROM PUBLIC-NEIGHBORHOOD PLAN (P-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 public-neighborhood plan (P-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. C14-2020-0105, on file at the Housing and Planning Department, as follows:

A 1.563 acre tract of land situated in the City of Austin, Travis County, Texas, out of the F. WILHELM SR., SUBDIVISION OF OUTLOT 35, DIVISION B, a subdivision of record in Volume 1, Page 42, Plat Records of Travis County, Texas, said 1.563 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 2201, 2203, 2205, 2207, 2209, and 2211 East Martin Luther King Jr Boulevard and 1807 Ferdinand Street 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  
Automotive rentals  
Automotive sales  
Campground  
Equipment repair services

Agricultural sales and services  
Automotive repair services  
Automotive washing (of any type)  
Drop-off recycling collection facility  
Equipment sales

Exterminating services  
Limited warehousing and  
distribution  
Monument retail sales  
Vehicle storage

Kennels  
Maintenance and service facilities  
Pawn shop services

B. The following uses are conditional uses of the Property:

Construction sales and services  
Service station  
Laundry services

**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, mixed use (MU) combining district, and other applicable requirements of the City Code.

**PART 4.** The Property is subject to Ordinance No. 001207-47 that established zoning for the Chestnut Neighborhood Plan.


**PART 5.** This ordinance takes effect on February 7, 2021.

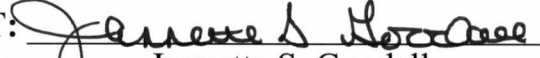
**PASSED AND APPROVED**

January 27, 2021

§  
§  
§

  
Steve Adler  
Mayor

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

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

1.563 ACRE  
DAVID CHAPEL MISSIONARY  
BAPTIST CHURCH  
ZONING DESCRIPTION - TRACT 1

FN. NO. 19-157(JMO)  
JULY 29, 2019  
JOB NO. 222011851

#### DESCRIPTION

A 1.563 ACRE TRACT OF LAND SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS OUT OF THE F. WILHELM SR. SUBDIVISION OF OUTLOT 35, DIVISION B, A SUBDIVISION OF RECORD IN VOLUME 1, PAGE 42 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS BEING ALL OF THOSE CERTAIN TRACTS OF LAND OF RECORD CONVEYED TO DAVID CHAPEL MISSIONARY BAPTIST CHURCH AND TO THE TRUSTEE OF THE DAVID CHAPEL MISSIONARY BAPTIST CHURCH AS FOLLOW:

- 1) CERTAIN PARCEL OF LAND IN VOLUME 8115, PAGE 620 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS;
- 2) CERTAIN PARCEL OF LAND IN DOCUMENT NO. 2007116630 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;
- 3) CERTAIN PARCEL OF LAND IN VOLUME 6952, PAGE 648 OF SAID DEED RECORDS;
- 4) CERTAIN PARCEL OF LAND IN VOLUME 6554, PAGE 845 OF SAID DEED RECORDS;
- 5) CERTAIN PARCEL OF LAND IN VOLUME 11142, PAGE 738 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS;
- 6) CERTAIN PARCEL OF LAND IN VOLUME 1567, PAGE 352 OF SAID DEED RECORDS;
- 7) CERTAIN PARCEL OF LAND IN VOLUME 10078, PAGE 234 OF SAID REAL PROPERTY RECORDS;

SAID 1.563 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a 1/2 inch iron rod with "STANTEC" cap set at the intersection of the southerly right-of-way line of E. Martin Luther King JR. Boulevard (60' R.O.W.) and the easterly right-of-way line of Ferdinand Street (48' R.O.W.) for the northwesterly corner of said Certain Parcel in Volume 8115, Page 620 and hereof, from which an iron rod with "4WARD" cap found at the intersection of the southerly line of E. Martin Luther King JR. Boulevard and the westerly line of Ferdinand Street bears S77°58'58"W, a distance of 48.19 feet;

Exhibit A



**THENCE**, N77°58'58"E, leaving the easterly line of Ferdinand Street, along the southerly line of E. Martin Luther King JR. Boulevard, being in part the northerly line of said Certain Parcel in Volume 8115, Page 620, said Certain Parcel in Document No. 2007116630, said Certain Parcel in Volume 6952, Page 648, said Certain Parcel in Volume 6554, Page 845, said Certain Parcel in Volume 11142, Page 738 and said Certain Parcel in Volume 1567, Page 352, for the northerly line hereof, a distance of 374.48 feet to a P.K. nail with "STANTEC" washer set at the intersection of the westerly right-of-way line of Chestnut Avenue (60' R.O.W.) and the southerly line of E. Martin Luther King JR. Boulevard for the northeasterly corner hereof;

**THENCE**, S11°37'30"E, leaving the southerly line of E. Martin Luther King JR. Boulevard, along the westerly line of Chestnut Avenue, being the easterly line of said Certain Parcel in Volume 1567, Page 352, for the easterly line hereof, a distance of 181.79 feet to a 1/2 inch iron rod with "SATANTEC" cap set at the intersection the northerly right-of-way line of an Alley (20' R.O.W.) and the westerly line of Chestnut Avenue for the southeasterly corner hereof;

**THENCE**, S77°58'58"W, leaving the westerly line of Chestnut Avenue, along the northerly line of said 20' Alley, being in part the southerly line of said Certain Parcel in Volume 1567, Page 352, said Certain Parcel in Volume 11142, Page 738, said Certain Parcel in Volume 6554, Page 845, and said Certain Parcel in Volume 10078, Page 234, for the southerly line hereof, at a distance of 233.79 feet passing an iron pipe found for the southwesterly corner of the aforementioned Certain Parcel in Volume 6554, Page 845, and continuing for a total distance of 374.48 feet to a cotton spindle set at the intersection of the easterly line of Ferdinand Street and the northerly line of said 20' Alley for the southwesterly corner hereof, from which an iron pipe found in the southerly line of said 20' Alley bears S11°37'30"E, a distance of 20.00 feet;

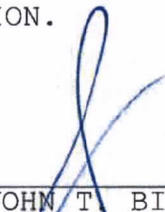
FN NO. 19-157(JMO)  
JULY 29, 2019  
PAGE 3 OF 3

**THENCE**, N11°37'30"W, leaving the northerly line of said 20' Alley, along the easterly line of Ferdinand Street, being in part the westerly line of said Certain Parcel in Volume 10078, Page 234 and said Certain Parcel in Volume 8115, Page 620, for the westerly line hereof, a distance of 181.79 feet to the **POINT OF BEGINNING**, containing an area of 1.563 acre (68,075 square feet) of land, more or less, within these metes and bounds.

THE BASIS OF BEARING OF THE SURVEY SHOWN HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83(2011), BY UTILIZING REAL-TIME KINEMATIC (RTK) CORRECTIONS PROVIDED BY RTK COOPERATIVE NETWORK, MANAGED BY ALLTERRA CENTRAL.

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

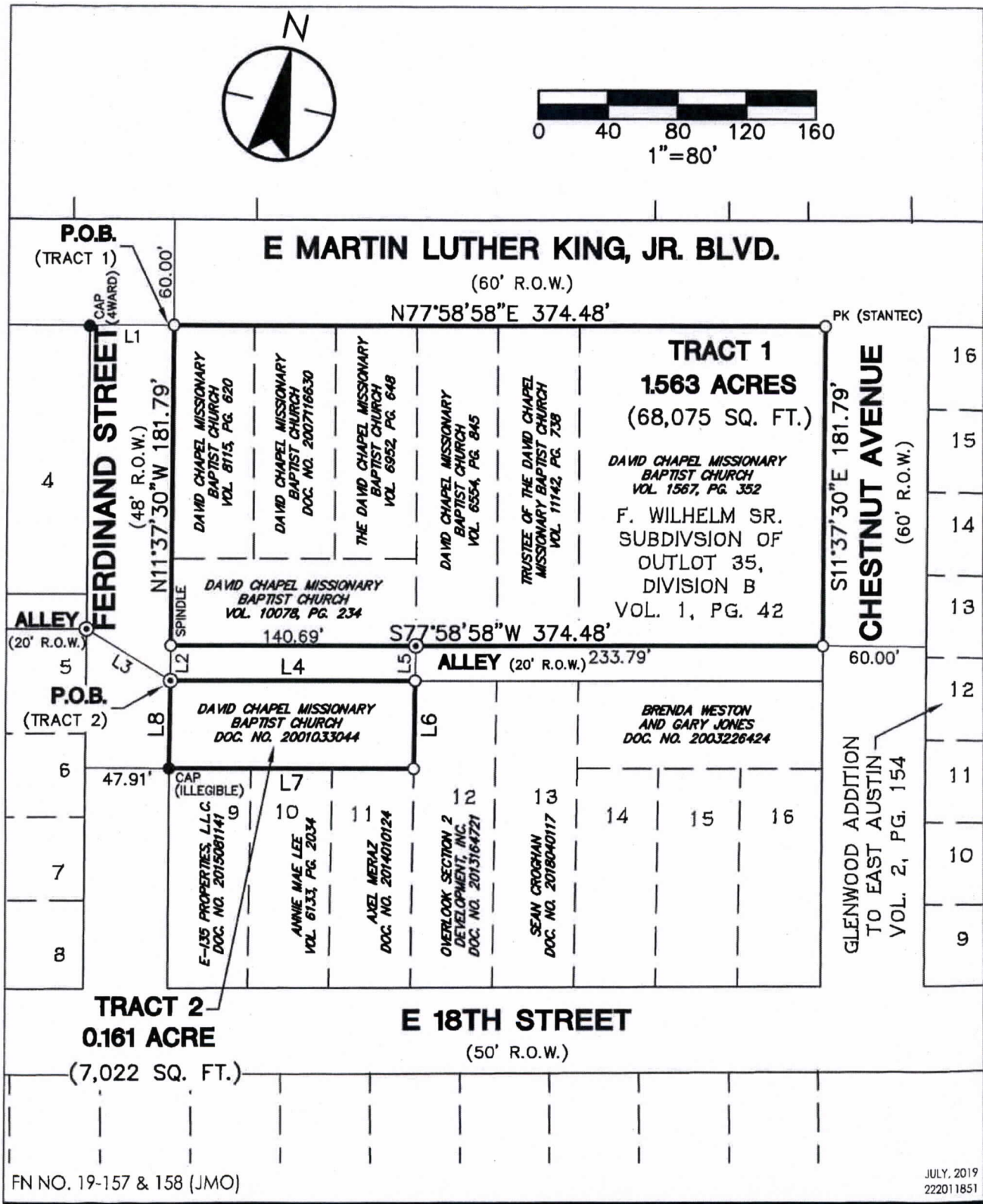
STANTEC CONSULTING  
SERVICES INC.  
1905 ALDRICH STREET  
SUITE 300  
AUSTIN, TEXAS 78723

  
JOHN T. BILNOSKI Date  
R.E.L.S. NO. 4998  
STATE OF TEXAS  
TBPLS # 10194230  
john.bilnoski@stantec.com

8/2/19



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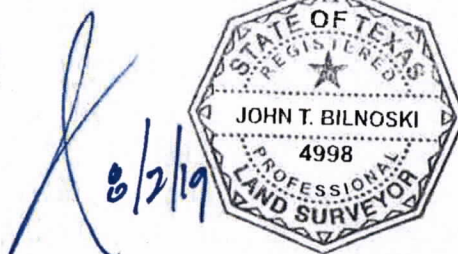


FN NO. 19-157 & 158 (JMO)

JULY, 2019  
 222011851



1905 Aldrich Street, Suite 300  
 Austin, TX 78723  
 TBPE # F-6324 TBPLS # 10194230  
 www.stantec.com



Client/Project  
**DAVID CHAPEL  
 MISSIONARY  
 BAPTIST CHURCH**

Figure No.

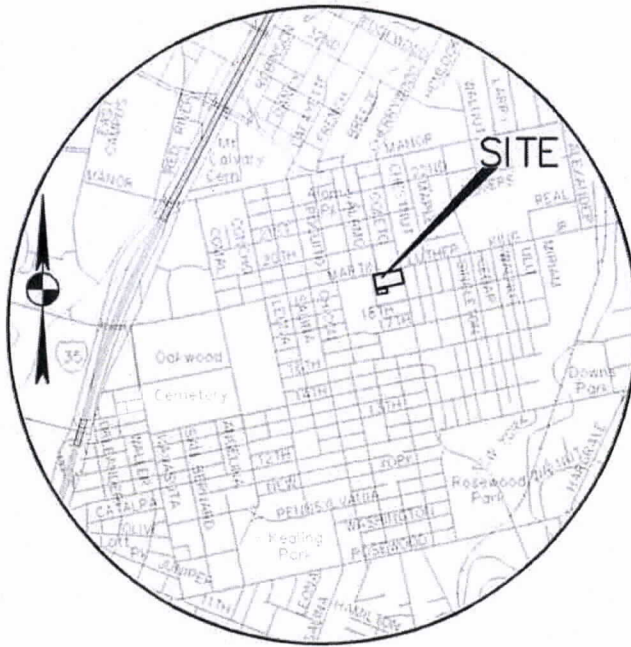
**SHEET 1 OF 2**

Title

**ZONING DESCRIPTION**



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2019/07/29 11:30 AM By: Miranda Ortiz, Josue



**VICINITY MAP**  
N.T.S.

LINE TABLE		
NO.	BEARING	DISTANCE
L1	S77°58'58"W	48.19'
L2	S11°37'30"E	20.00'
L3	N70°36'42"W	56.30'
L4	N77°58'58"E	140.44'
L5	N10°55'19"W	19.93'
L6	S11°17'59"E	50.00'
L7	S77°58'55"W	140.44'
L8	N11°17'59"W	50.00'

**LEGEND**

- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- <sup>CAP</sup> IRON ROD WITH CAP (AS NOTED)
- ⊙ IRON PIPE FOUND (UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD WITH "STANTEC" CAP SET (UNLESS OTHERWISE NOTED)
- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT-OF-WAY

**BEARING BASIS NOTE:**

THE BASIS OF BEARING OF THE SURVEY SHOWN HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83(2011), BY UTILIZING REAL-TIME KINEMATIC (RTK) CORRECTIONS PROVIDED BY RTK COOPERATIVE NETWORK, MANAGED BY ALLTERRA CENTRAL.

FN NO. 19-157 & 158 (JMO)

JULY, 2019  
222011851



1905 Aldrich Street, Suite 300  
Austin, TX 78723  
TBPE # F-6324 TBPLS # 10194230  
www.stantec.com

*Handwritten signature and date 8/2/19*



Client/Project  
**DAVID CHAPEL  
MISSIONARY  
BAPTIST CHURCH**

Figure No.

**SHEET 2 OF 2**

Title

**ZONING DESCRIPTION**



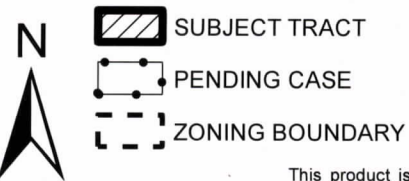


Exhibit B


$$1'' = 400'$$

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: 9/28/2020**