

ORDINANCE NO. 20210127-070

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1129 ½ AND 1135 GUNTER STREET IN THE GOVALLE/JOHNSTON TERRACE COMBINED NEIGHBORHOOD PLAN AREA FROM 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-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. C14-2020-0083, on file at the Housing and Planning Department, as follows:

3.400 acres out of Outlot 49, Division "A", of the Government Tracts adjoining the City of Austin, according to the map or plat on file at the Texas General Land Office, situated in the City of Austin, Travis County, Texas, said 3.400 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 1129 ½ and 1135 Gunter 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
Alternative financial services
Automotive repair services

Agricultural sales and services
Automotive rentals
Automotive sales

Automotive washing (of any type)
Building maintenance services
Commercial blood plasma center
Construction sales and services
Drop-off recycling collection facility
Equipment sales
Limited warehousing and distribution
Outdoor entertainment
Pawn shop services
Service station
Vehicle storage

Bail bond services
Campground
Community recreation (public)
Convenience storage
Equipment repair services
Exterminating services
Maintenance and service facilities
Outdoor sports and recreation
Pedicab storage and dispatch
Transportation terminal

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. 030327-11a that established zoning for the Govalle Neighborhood Plan.

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

PASSED AND APPROVED

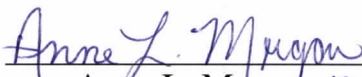
_____, January 27, 2021

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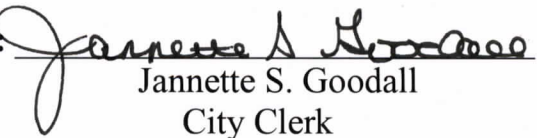


Steve Adler
Mayor

APPROVED:


Anne L. Morgan
City Attorney

ATTEST:


Jannette S. Goodall
City Clerk

ABRAM DASHNER RPLS, LLC

TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR 5901

TBPLS FIRM NO. 10194420

rpls5901@gmail.com

512-905-4369

3.400 ACRES
OUTLOT 49, DIVISION "A"
AUSTIN, TX

FILE NO. 2020.069
PROJECT: 107-01
DATE: 12/01/2020

DESCRIPTION

3.400 ACRES OUT OF OUTLOT 49, DIVISION "A", OF THE GOVERNMENT TRACTS ADJOINING THE CITY OF AUSTIN, ACCORDING TO THE MAP OR PLAT ON FILE AT THE TEXAS GENERAL LAND OFFICE, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; BEING COMPRISED OF A PORTION OF THAT CERTAIN 3.17 ACRE TRACT CONVEYED TO 1135 GUNTER PARTNERS, LP, BY DEED OF RECORD IN DOCUMENT NO. 1999108386, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND THAT CERTAIN 0.23 ACRE TRACT CONVEYED TO RENAISSANCE FAMILY PROPERTIES, L.P., BY DEED OF RECORD IN DOCUMENT NO. 2008058461, OF SAID OFFICIAL PUBLIC RECORDS; SAID 3.400 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at 1/2-inch iron pipe found beneath a 60d nail in an elm root in the west right-of-way line of Kirk Avenue (50' r.o.w.), being the northeast corner of Lot 1, Block 3, E.C. Goodwin Subdivision, of record in Volume 4, Page 59, of the Plat Records of Travis County, Texas, for the southeasterly corner of said 3.17 acre tract and hereof;

THENCE, N69°33'01"W, leaving said west right-of-way line, along the north line of said Block 3, being the south line of said 3.17 acre tract, a distance of 220.67 feet to a calculated point at the southeast corner of 1123 and One-Half Condominiums, of record in Document No. 2019036217, of said Official Public Records, for the southwesterly corner of said 3.17 acre tract and hereof;

THENCE, N20°29'08"E, leaving the north line of said Block 3, along the east lines of said 1123 and One-Half Condominiums, 1123 and Three-Fourths Condominiums, of record in Document No. 2019116361, of said Official Public Records, that certain tract conveyed to Kirk N. Large, by Deed of record in Document No. 2008206136, of said Official Public Records, and 1127 One and Half Condominiums, of record in Document No. 2018117376, of said Official Public Records, a distance of 240.42 feet to a cotton spindle with "Holt Carson" washer found in an elm root at the northeast corner of said 1127 One and Half Condominiums, being the southeast corner of said 0.23 acre tract, for an angle point;

Exhibit A

THENCE, N69°27'08"W, leaving the west line of said 3.17 acre tract, along the north line of said 1127 One and Half Condominiums, being the south line of said 0.23 acre tract, a distance of 228.96 feet to a 1/2-inch iron rod found at the southwest corner of said 0.23 acre tract, being in the east right-of-way line of Gunter Street (r.o.w. varies), for an angle point;

THENCE, along said east right-of-way line of Gunter Street, the following three (3) courses and distances:

1. N20°16'38"E, along the west line of said 0.23 acre tract, a distance of 45.34 feet to a 1/2-inch iron pipe found at the northwest corner of said 0.23 acre tract, being the southwest corner of that certain tract conveyed to the City of Austin, by Deed of record in Volume 2246, Page 20, of the Deed Records of Travis County, Texas, for an angle point;
2. S69°26'14"E, along the south line of said Volume 2246, Page 20 tract, being the north line of said 0.23 acre tract, a distance of 10.17 feet to a steel bolt found at the southeast corner of said Volume 2246, Page 20 tract, for an angle point in the west line of said 3.17 acre tract and hereof;
3. N20°33'39"E, along the east line of said Volume 2246, Page 20 tract, being the west line of said 3.17 acre tract, a distance of 226.73 feet to a calculated point at the northwest corner of said 3.17 acre tract, being in the south line of that certain tract conveyed to New Life Temple Pentecostal Church of Austin, Inc., by Deed of record in Document No. 2007071146, of said Official Public Records, for the northwesterly corner hereof;

THENCE, S69°47'21"E, leaving said east right-of-way line, along the south lines of said New Life Temple Pentecostal Church of Austin, Inc. tract, of Daugherty Subdivision, of record in Volume 60, Page 41, of said Plat Records, and of that certain tract conveyed to Charly Sarkadi, by Deed of record in Document No. 2011055791, of said Official Public Records, being the north line of said 3.17 acre tract, a distance of 218.41 feet to a calculated point at the southeast corner of said Charly Sarkadi tract, being in the west line of that certain 0.674 acre tract conveyed to Barkat Ali, by Deed of record in Document No. 2005220826, of said Official Public Records, for an angle point;

THENCE, S21°44'57"W, along the west line of said 0.674 acre tract, over and across said 3.17 acre tract, a distance of 113.64 feet to a calculated point at the southwest corner of said 0.674 acre tract, being in the north line of said 3.17 acre tract, for an angle point;

THENCE, S69°27'53"E, along the south line of said 0.674 acre tract, being the north line of said 3.17 acre tract, a distance of 212.26 feet to a 1/2-inch iron rod found at the southeast corner of said 0.674 acre tract, being in the southwest right-of-way line of Airport Blvd. (r.o.w. varies), for the northeasterly corner of said 3.17 acre tract and hereof;

THENCE, S17°16'08"E, along said southwest right-of-way line of Airport Blvd., being the east line of said 3.17 acre tract, a distance of 17.99 feet to a calculated point at the intersection of said southwest right-of-way line and said west right-of-way line of Kirk Avenue, for an angle point;

THENCE, S20°27'46"W, leaving said southwest right-of-way line, along said west right-of-way line of Kirk Avenue, being the east line of said 3.17 acre tract, a distance of 385.61 feet to the **POINT OF BEGINNING**, and containing 3.400 acres (148,119 square feet) of land, more or less.

BEARING BASIS: TEXAS COORDINATE SYSTEM, NAD 83(2011), CENTRAL ZONE, UTILIZING THE LEICA SMARTNET CONTINUALLY OPERATING REFERENCE NETWORK.

I HEREBY CERTIFY THAT THE ABOVE DESCRIPTION WAS PREPARED BASED UPON A FIELD SURVEY PERFORMED UNDER MY SUPERVISION DURING THE MONTH OF NOVEMBER, 2020, AND IS TRUE AND CORRECT TO THE BEST OF MY ABILITIES.



ABRAM C. DASHNER
TEXAS RPLS 5901
TBPLS FIRM NO. 10194420



LEGEND

- 1/2-INCH IRON ROD FOUND
- ⊙ 1/2-INCH I.D. IRON PIPE FOUND

LINE TABLE

LINE	BEARING	DISTANCE
L1	N20°16'38"E	45.34'
L2	S69°26'14"E	10.17'
L3	S21°44'57"W	113.64'
L4	S17°16'08"E	17.99'
L5	S20°28'55"W	45.28'
L6	N69°37'57"W	49.80'
L7	N69°26'21"W	59.90'

GOODWIN AVE.

(R.O.W. VARIES)

0 100 200 300



AIRPORT BLVD.
(R.O.W. VARIES)



CHARLES ST.

(50' R.O.W.)

1135 GUNTER PARTNERS, LP

3.17 ACRES

DOC. NO. 1999108386

BOLT FOUND

S69°26'14"E 218.95'

TOTAL AREA
3.400 ACRES
(148,119 SQ. FT.)

COTTON SPINDLE FOUND

KIRK N. LARGE
DOC. NO. 2008206136

PICKLE ST.

(50' R.O.W.)

[A]
RENAISSANCE FAMILY PROPERTIES, L.P.
0.23 ACRE
DOC. NO. 2008058461

[B]
NEW LIFE TEMPLE PENTECOSTAL
CHURCH OF AUSTIN, INC.
DOC. NO. 2007071146

[C]
DAUGHERTY SUBDIVISION
VOL. 60, PG. 41

[D]
CHARLY SARKADI
DOC. NO. 2011055791

[E]
BARKAT ALI
0.674 ACRE
DOC. NO. 2005220826

[F]
1127 ONE AND HALF
GUNTER STREET CONDOMINIUMS
DOC. NO. 2018117376

[G]
1123 AND THREE-FOURTHS
GUNTER STREET CONDOMINIUMS
DOC. NO. 2019116361

[H]
1123 AND ONE-HALF
GUNTER STREET CONDOMINIUMS
DOC. NO. 2019036217

N69°33'01"W 220.67'

POINT OF
BEGINNING

BLOCK 3
E.C. GOODWIN SUBDIVISION
VOL. 4, PG. 59

THOMPSON ST.

S20°27'46"W 385.61'

KIRK AVE.
(50' R.O.W.)

CHECKED BY:

AD

JOB NUMBER:

107-01

ISSUE DATE:

12/01/20

SHEET:

1 OF 1

3.400 ACRES OUT OF OUTLOT 49, DIVISION "A", OF THE
GOVERNMENT TRACTS ADJOINING THE CITY OF AUSTIN,
ACCORDING TO THE MAP OR PLAT ON FILE AT THE TEXAS
GENERAL LAND OFFICE, SITUATED IN THE CITY OF AUSTIN,
TRAVIS COUNTY, TEXAS.

ZONING EXHIBIT

ABRAM DASHNER
RPLS, LLC

rpls5901@gmail.com
512-905-4369
TBPLS FIRM NO. 10194420

CLIENT INFORMATION

1135 GUNTER ST.



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY


$$1'' = 400'$$

ZONING

ZONING CASE#: C14-2020-0083

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: 7/30/2020