

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 6402 JOHNNY MORRIS ROAD FROM LIMITED INDUSTRIAL SERVICES-CONDITIONAL OVERLAY (LI-CO) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-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 limited industrial services-conditional overlay (LI-CO) combining district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district on the property described in Zoning Case No. C14-2021-0087, on file at the Housing and Planning Department, as follows:

22.114 acres in the J.C. Tannehill League No. 29, in Travis County, Texas, being all of that certain 22.68 acre tract of land conveyed to LSIR, Ltd., in Warranty Deed recorded in Volume 9111, Page 688, Deed Records of Travis County, Texas, save and except those tracts of land conveyed to the City of Austin in Deed recorded in Volume 11091, Page 872, Real Property Records of Travis County, Texas, said 22.114 acres of land being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (the “Property”),

locally known as 6402 Johnny Morris Road 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 prohibited uses on the Property:

Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Bail bond services	Custom manufacturing
Drop off recycling collection facility	Exterminating services
Funeral Services	Off-site accessory parking
Pawn shop services	Pedicab storage and dispatch
Service station	

1 B. Drive-in service use is prohibited as an accessory use to commercial uses on the
2 Property.
3

4 **PART 3.** Except as specifically restricted under this ordinance, the Property may be
5 developed and used in accordance with the regulations established for the community
6 commercial (GR) base district and other applicable requirements of the City Code.
7

8 **PART 4.** This ordinance takes effect on _____, 2021.
9

10 **PASSED AND APPROVED**
11

12 §
13 §
14 _____, 2021 § _____
15 Steve Adler
16 Mayor
17

18
19 **APPROVED:** _____ **ATTEST:** _____
20 Anne L. Morgan Jannette S. Goodall
21 City Attorney City Clerk
22



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

22.114 ACRES
J.C. TANNEHILL LEAGUE No. 29
TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 22.114 ACRES IN THE J.C. TANNEHILL LEAGUE NO. 29, IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 22.68 ACRE TRACT OF LAND CONVEYED TO LSIR, LTD., IN A WARRANTY DEED DATED APRIL 19, 1985 AND RECORDED IN VOLUME 9111, PAGE 688 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THOSE TRACTS OF LAND CONVEYED TO THE CITY OF AUSTIN BY DEED RECORDED IN VOLUME 11091, PAGE 872, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 22.114 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron bolt found in the south line of said 22.68 acres, being the southwest corner of Tract 1 (0.2792 acres) of said save and except tract, and also being in the north line of a 22.075 acre tract described in Volume 8948, Page 304 of the Deed Records of Travis County, Texas, from which a 1/2 inch rebar found in the west right-of-way line of Johnny Morris Road (variable width right-of-way), being the southeast corner of the 22.68 acre tract, same being the northeast corner of said 22.075 acre tract, and also being the southwest corner of Tract 1 said save and except tracts, bears South 61°19'19"East, a distance of 18.90 feet;

THENCE North 61°46'11" West, with the south line of the 22.68 acres, same being the north line of the 22.075 acres, a distance of 1150.35 feet to an iron bolt found in the south line of the 22.68 acres, same being the north line of the 22.075 acre tract and also being the southeast corner of Tract 2 (0.2456 acre) of said save and except tracts;

THENCE North 07°24'27" East, crossing the 22.68 acres, with the east line of Tract 2 of said save and except tracts, a distance of 433.66 feet to a 1/2 inch rebar with 'Chaparral' cap set for the northeast corner of Tract 2 of said save and except tracts, being in a south line of a 24.620 acre tract described in Volume 11339, Page 2005 of the Real Property Records of Travis County, Texas and a north line of the 22.68 acre tract;

THENCE South 87°55'11" East, with a north line of the 22.68 acre tract, same being a south line of said 24.620 acre tract, a distance of 25.23 feet to a 1/2 inch rebar found for an angle point in the west line of the 22.68 acre tract, same being the east line of the 24.620 acre tract;

THENCE with a curving west line of the 22.68 acres, same being an east line of the 24.620 acres, with a curve to the right, having a radius of 1808.98 feet, a delta angle of 11°35'06", an arc length of 365.77 feet, and a chord which bears North 12°17'35" East, a distance of 365.15 feet to a 1/2 inch iron pipe found for the northwest corner of the 22.68 acres, also being the southwest corner of a 20.554 acre tract described in Document

Number 2006188973 of the Official Public Records of Travis County, Texas;

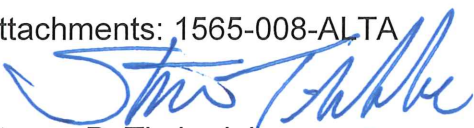
THENCE with the north line of the 22.68 acres, same being the south line of said 20.554 acres the following two (2) courses and distances:

1. South 35°57'22" East, a distance of 41.03 feet, to a 1/2 inch rebar found;
2. South 62°16'18" East, a distance of 1339.72 feet to a 1/2 inch rebar with 'Chaparral' cap set for the northwest corner of Tract 1 of said save and except tracts;

THENCE South 27°48'55" West, over and across the 22.68 acres, with the west line of said Tract 1, a distance of 761.46 to the **POINT OF BEGINNING**, containing 22.114 acres of land, more or less.

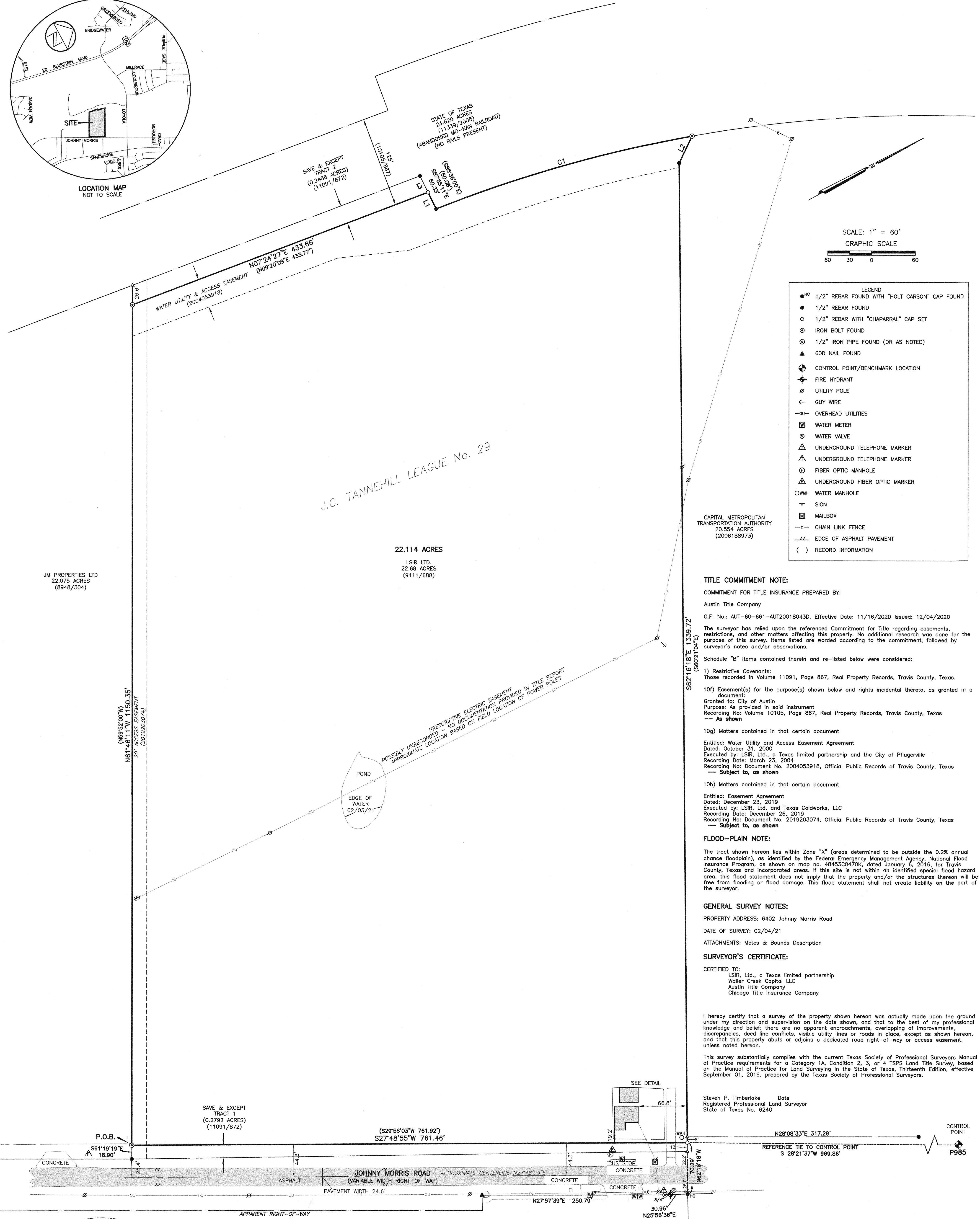
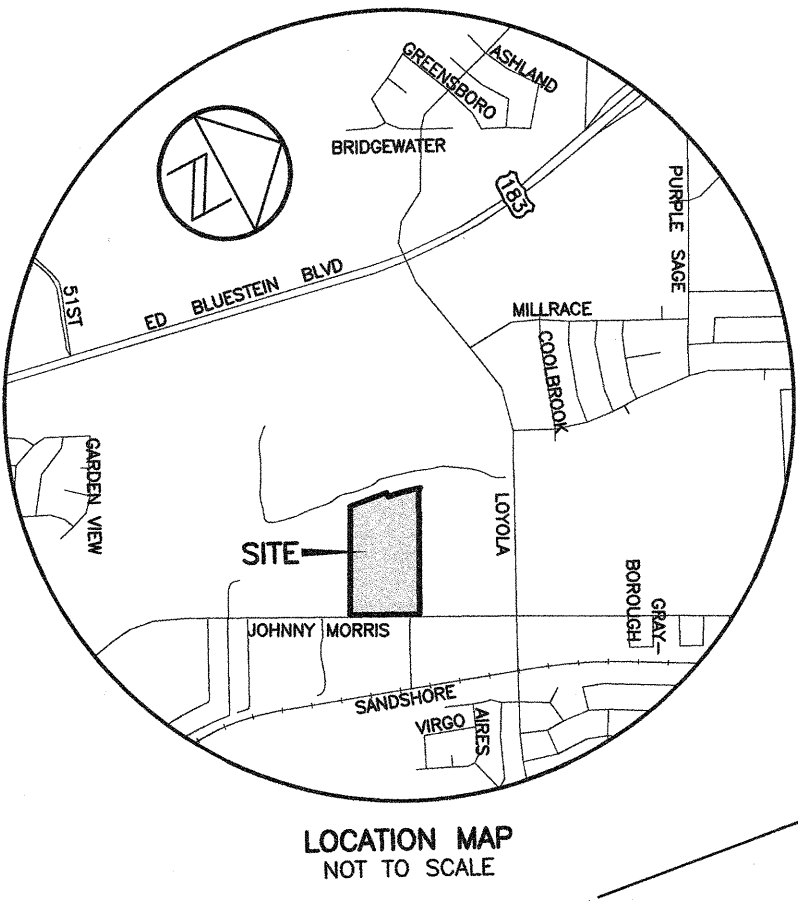
Surveyed on the ground February 4, 2021. Bearing basis: The Texas Coordinate System of 1983, Central Zone, based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User System (OPUS).

Attachments: 1565-008-ALTA


Steven P. Timberlake
Registered Professional Land Surveyor
State of Texas No. 6240
T.B.P.L.S. Firm No. 10124500



AN ALTA/NSPS LAND TITLE SURVEY OF 22.114 ACRES IN THE J.C. TANNEHILL LEAGUE NO. 29, IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 22.68 ACRE TRACT OF LAND CONVEYED TO W. ROBERT BOON AND WILLIAM G. KEMP BY DEEDS RECORDED IN VOLUME 4048, PAGE 476 AND VOLUME 5641, PAGE 2172, DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THOSE TRACTS OF LAND CONVEYED TO THE CITY OF AUSTIN BY DEED RECORDED IN VOLUME 11091, PAGE 872, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS.



- LEGEND
- 1/2" REBAR FOUND WITH "HOLT CARSON" CAP FOUND
 - 1/2" REBAR FOUND
 - 1/2" REBAR WITH "CHAPARRAL" CAP SET
 - IRON BOLT FOUND
 - ⊙ 1/2" IRON PIPE FOUND (OR AS NOTED)
 - ▲ 60D NAIL FOUND
 - ⊕ CONTROL POINT/BENCHMARK LOCATION
 - ⊕ FIRE HYDRANT
 - ⊕ UTILITY POLE
 - ← GUY WIRE
 - ou— OVERHEAD UTILITIES
 - ⊕ WATER METER
 - ⊕ WATER VALVE
 - ⊕ UNDERGROUND TELEPHONE MARKER
 - ⊕ UNDERGROUND TELEPHONE MARKER
 - ⊕ FIBER OPTIC MANHOLE
 - ⊕ UNDERGROUND FIBER OPTIC MARKER
 - ⊕ WATER MANHOLE
 - ⊕ SIGN
 - ⊕ MAILBOX
 - o— CHAIN LINK FENCE
 - //— EDGE OF ASPHALT PAVEMENT
 - () RECORD INFORMATION

TITLE COMMITMENT NOTE:

COMMITMENT FOR TITLE INSURANCE PREPARED BY:
Austin Title Company

G.F. No.: AUT-60-661-AUT20018043D. Effective Date: 11/16/2020 Issued: 12/04/2020

The surveyor has relied upon the referenced Commitment for Title regarding easements, restrictions, and other matters affecting this property. No additional research was done for the purpose of this survey. Items listed are worded according to the commitment, followed by surveyor's notes and/or observations.

Schedule "B" items contained therein and re-listed below were considered:

1) Restrictive Covenants:
Those recorded in Volume 11091, Page 867, Real Property Records, Travis County, Texas.

10f) Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: City of Austin
Purpose: As provided in said instrument
Recording No: Volume 10105, Page 867, Real Property Records, Travis County, Texas
--- As shown

10g) Matters contained in that certain document

Entitled: Water Utility and Access Easement Agreement
Dated: October 31, 2000
Executed by: LSIR, Ltd., a Texas limited partnership and the City of Pflugerville
Recording Date: March 23, 2004
Recording No: Document No. 2004053918, Official Public Records of Travis County, Texas
--- Subject to, as shown

10h) Matters contained in that certain document

Entitled: Easement Agreement
Dated: December 23, 2019
Executed by: LSIR, Ltd. and Texas Coldworks, LLC
Recording Date: December 26, 2019
Recording No: Document No. 2019203074, Official Public Records of Travis County, Texas
--- Subject to, as shown

FLOOD-PLAIN NOTE:

The tract shown hereon lies within Zone "X" (areas determined to be outside the 0.2% annual chance floodplain), as identified by the Federal Emergency Management Agency, National Flood Insurance Program, as shown on map no. 48453C0470K, dated January 8, 2016, for Travis County, Texas and incorporated areas. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. This flood statement shall not create liability on the part of the surveyor.

GENERAL SURVEY NOTES:

PROPERTY ADDRESS: 6402 Johnny Morris Road

DATE OF SURVEY: 02/04/21

ATTACHMENTS: Metes & Bounds Description

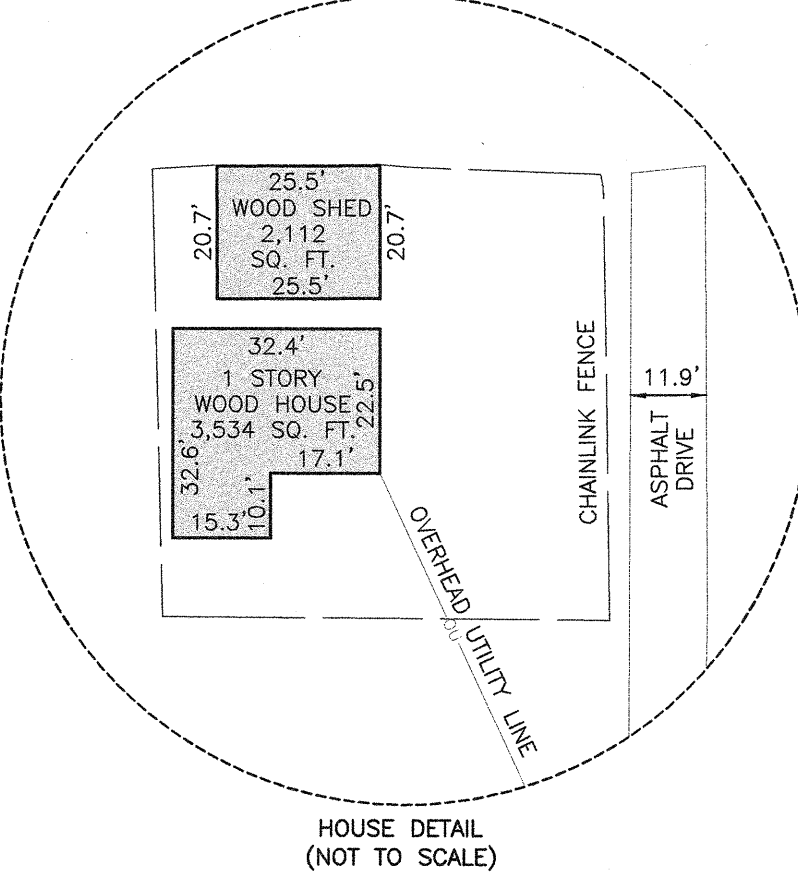
SURVEYOR'S CERTIFICATE:

CERTIFIED TO:
LSIR, Ltd., a Texas limited partnership
Waller Creek Capital LLC
Austin Title Company
Chicago Title Insurance Company

I hereby certify that a survey of the property shown hereon was actually made upon the ground under my direction and supervision on the date shown, and that to the best of my professional knowledge and belief: there are no apparent encroachments, overlapping of improvements, discrepancies, deed line conflicts, visible utility lines or roads in place, except as shown hereon, and that this property abuts or adjoins a dedicated road right-of-way or access easement, unless noted hereon.

This survey substantially complies with the current Texas Society of Professional Surveyors Manual of Practice requirements for a Category 1A, Condition 2, 3, or 4 TSPS Land Title Survey, based on the Manual of Practice for Land Surveying in the State of Texas, Thirteenth Edition, effective September 01, 2019, prepared by the Texas Society of Professional Surveyors.

Steven P. Timberlake Date
Registered Professional Land Surveyor
State of Texas No. 6240



CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	1808.98'	11°35'06"	365.77'	N12°17'35"E	365.15'
(C1)	(1808.80')	(11°35'54")	(366.15')	(N12°21'04"E)	(365.53')

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S87°55'11"E	25.23'
(L1)	(S85°47'20"E)	(25.15')
L2	S35°57'22"E	41.03'
(L2)	(S34°14'00"E)	(42.08')
L3	S87°55'11"E	25.10'
(L3)	(S85°47'20"E)	(25.10')

THIS IS A SURFACE DRAWING.

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS) FOR CHAPARRAL CONTROL POINT "P985".

MAG NAIL WITH WASHER SET

SURFACE COORDINATES:
N 10084128.35
E 3144144.11

TEXAS STATE PLANE COORDINATES:
N 10083118.05
E 3143829.73

ELEVATION = 511.93'
VERTICAL DATUM: NAVD 88 (GEOID 12B)

COMBINED SCALE FACTOR = 0.999900010 (FOR SURFACE TO GRID CONVERSION)

INVERSE SCALE FACTOR = 1.000100 (FOR GRID TO SURFACE CONVERSION)

SCALED ABOUT 0.0
THETA ANGLE: 1°22'59"

3-23-2021

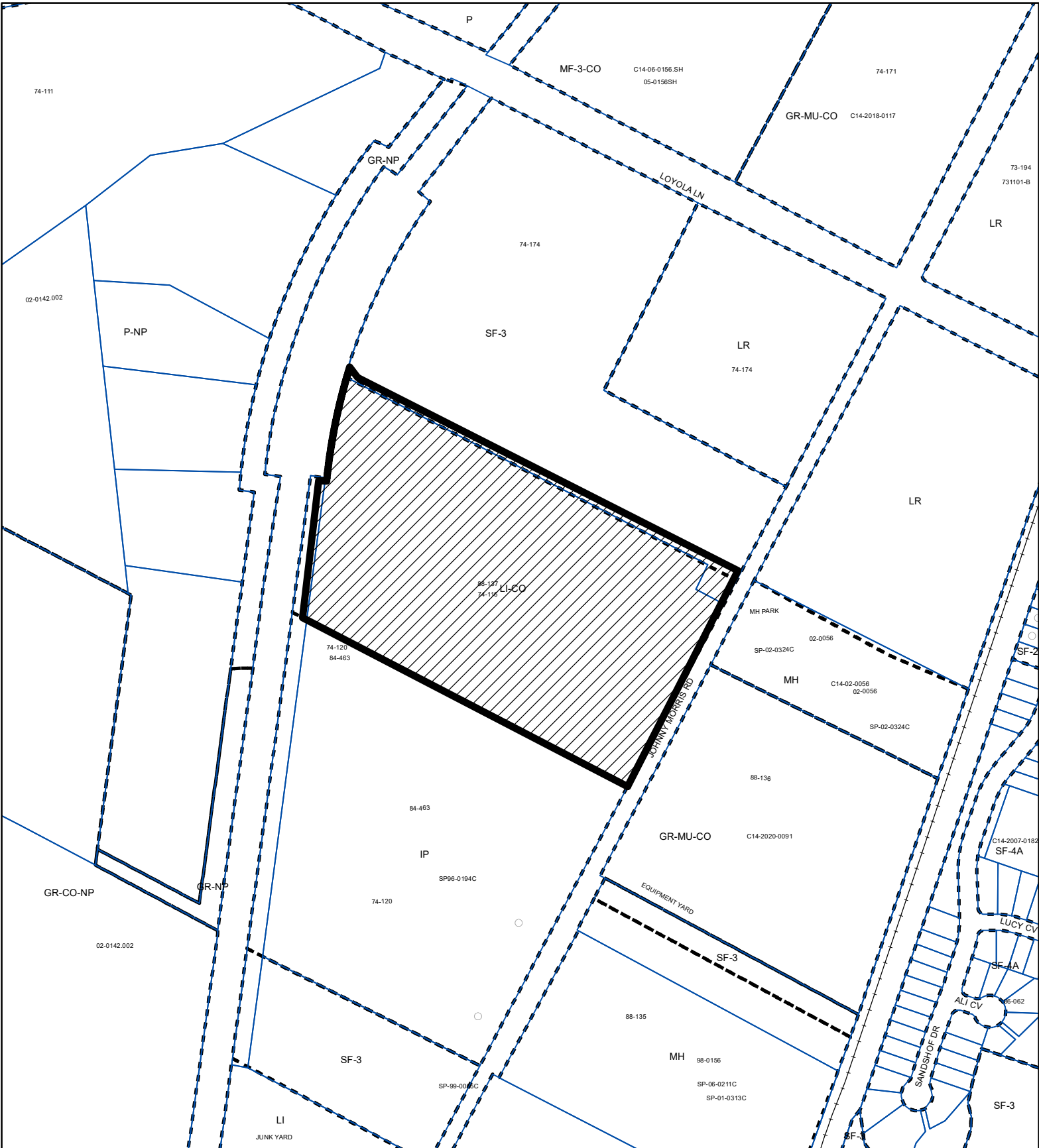
STEVEN P. TIMBERLAKE
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 6240




Chaparral

Professional Land Surveying, Inc.
Surveying and Mapping

3500 McCall Lane
Austin, Texas 78744
512-443-1724
Firm No. 10124500

PROJECT NO.: 1565-008
DRAWING NO.: 1565-008-ALTA.dwg
PLOT DATE: March 23, 2021
PLOT SCALE: 1"=60'
DRAWN BY: DJ
SHEET 01 OF 01



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

ZONING

ZONING CASE#: C14-2021-0087

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 the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or



Created: 5/5/2021