

**ORDINANCE NO. 20120524-128**

**AN ORDINANCE AMENDING ORDINANCE NO. 20090312-027 FOR THE MARTIN LUTHER KING, JR BLVD TRANSIT ORIENTED DEVELOPMENT DISTRICT STATION AREA PLAN TO MODIFY THE REGULATING PLAN, REZONING AND CHANGING THE ZONING MAP FROM TRANSIT ORIENTED DEVELOPMENT-NEIGHBORHOOD PLAN (TOD-NP) COMBINING DISTRICT TO TRANSIT ORIENTED DEVELOPMENT-NEIGHBORHOOD PLAN (TOD-NP) COMBINING DISTRICT FOR THE PROPERTY LOCATED AT 2911 AND 2915 EAST MARTIN LUTHER KING, JR., BOULEVARD.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The Martin Luther King, Jr. Blvd transit oriented development district station area plan with regulating plan (“the MLK-TOD”) was adopted under Ordinance No. 20090312-027 (“the MLK-TOD Original Ordinance”) and is comprised of approximately 108 acres of land described in Zoning Case No. C14-2008-0031, in the City of Austin, Travis County, Texas.

**PART 2.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from transit oriented development-neighborhood plan (TOD-NP) combining district to transit oriented development-neighborhood plan (TOD-NP) combining district on the property (the “Property”), described in Zoning Case No. C14-2012-0037, on file at the Planning and Development Review Department, as follows:

Tract 2:

A 0.07 acre tract of land, more or less, out of the Outlot 28, Division B of the Government, Original City of Austin, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit “A” incorporated into this ordinance

Tract 3:

A 0.27 acre tract of land, more or less, out of the Outlot 28, Division B of the Government, Original City of Austin, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit “B” incorporated into this ordinance

locally known as 2911 and 2915 East Martin Luther King, Jr., Boulevard in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit “C”.



**CARSON AND BUSH  
PROFESSIONAL SURVEYORS, INC.**

1904 FORTVIEW ROAD  
AUSTIN, TX 78704  
TELEPHONE: (512) 442-0990  
FACSIMILE: (512) 442-1084

TRACT 2

FIELD NOTE DESCRIPTION OF 0.07 ACRE OF LAND OUT OF OUTLOT 28, DIVISION B, OF THE GOVERNMENT OUTLOTS TO THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF LOT 21, HENRY ULIT'S SUBDIVISION, AN UNRECORDED SUBDIVISION, AND BEING ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED IN "EXHIBIT A-2" IN WARRANTY DEED TO MALIK KHURSHID AND MOHAMMED A. SHERZAMAN AS RECORDED IN DOCUMENT No. 2004066706 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, LESS THAT CERTAIN STRIP OF LAND AS CONVEYED TO THE CITY OF AUSTIN BY STREET DEED RECORDED IN VOLUME 5059 PAGE 1525 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a chiseled "X" set in a concrete sidewalk at the point of intersection of the West right-of-way line of Clifford Avenue and the South right-of-way line of Martin Luther King Jr. Boulevard and in the North line of Lot 21, Henry Ulit's Subdivision, an unrecorded subdivision, and in the North line of that certain (1 acre) tract of land as conveyed to Albert Ewings by deed recorded in Volume 486 Page 65 of the Deed Records of Travis County, Texas, for the Northwest corner of that certain tract of land as conveyed to the City of Austin by Street Deed recorded in Volume 5059 Page 1525 of the Deed Records of Travis County, Texas, and being the Northeast corner and **PLACE OF BEGINNING** of the herein described tract;

THENCE crossing the interior of said Ewings (1 acre) tract with the West right-of-way line of Clifford Avenue and with the West line of said City of Austin tract, S 09 deg. 32' 00" E 75.00 ft. to a ½" iron rod set with a plastic cap imprinted with "Carson and Bush Professional Surveyors" for the Southwest corner of said City of Austin tract, and for the Northeast corner of that certain tract of land as conveyed to Sharon Bullard by deed recorded in Document No. 2004145426 of the Official Public Records of Travis County, Texas, for the Southeast corner of this tract, and from which a capped iron rod found (stamped "Arpenteurs") in the West right-of-way line of Clifford Avenue for the Southeast corner of that certain tract of land as conveyed to Walter Roy Horton by deed recorded in Document No. 2003218607 of the Official Public Records of Travis County, Texas, bears S 09 deg. 29' 37" E 135.38 ft.;

end of Page 1

THENCE leaving the West right-of-way line of Clifford Avenue, S 80 deg. 27' 29" W 40.00 ft. to a point for the Southwest corner that certain tract of land described in "Exhibit A-2" in Warranty Deed to Malik Khurshid and Mohammed A. Sherzaman as recorded in Document No. 2004066706 of the Official Public Records of Travis County, of this tract, and from which a ½" iron rod found in the West line of said Lot 21, Henry Ulit's Subdivision (unrecorded) and in the West line of said Ewings (1 acre) tract and in the East line of that certain (9.50 acre) tract of land described as "13<sup>th</sup> Tract" in deed to Mrs. Ella May Westling as recorded in Volume 503 Page 453 of the Deed Records of Travis County, Texas, for the Northwest corner of said Bullard tract and for the Southwest corner of that certain tract of land described in "Exhibit A-3" in Warranty Deed to Malik Khurshid and Mohammed A. Sherzaman as recorded in Document No. 2004066706 of the Official Public Records of Travis County, Texas, bears S 80 deg. 27' 29" W 159.00 ft.;

THENCE with the common line of said Khurshid and Sherzaman tracts, N 09 deg. 32' 00" W 75.00 ft. to a point in the South right-of-way line of Martin Luther King Jr. Boulevard for the Northwest corner of said Khurshid and Sherzaman "Exhibit A-2" tract and the Northeast corner of said "Exhibit A-3" tract, and being the Northwest corner of this tract, and from which a ½" iron rod set with a plastic cap imprinted with "Carson and Bush Professional Surveyors" in the South right-of-way line of Martin Luther King Jr. Boulevard for the Northwest corner of said "Exhibit A-3" tract bears S 80 deg. 27' 29" W 159.00 ft.;

THENCE with the South right-of-way line of Martin Luther King Jr. Boulevard, N 80 deg. 27' 29" E 40.00 ft. to the **PLACE OF BEGINNING** containing 0.07 acre of land.

**SURVEYED:** June 30, 2005.



Holt Carson

Registered Professional Land Surveyor No. 5166

see accompanying map: A 752020



CARSON AND BUSH  
PROFESSIONAL SURVEYORS, INC.

1904 FORTVIEW ROAD  
AUSTIN, TX 78704  
TELEPHONE: (512) 442-0990  
FACSIMILE: (512) 442-1084

Tract 3

FIELD NOTE DESCRIPTION OF 0.27 ACRE OF LAND OUT OF OUTLOT 28, DIVISION B, OF THE GOVERNMENT OUTLOTS TO THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF LOT 21, HENRY ULIT'S SUBDIVISION, AN UNRECORDED SUBDIVISION, AND BEING ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED IN "EXHIBIT A-3" IN WARRANTY DEED TO MALIK KHURSHID AND MOHAMMED A. SHERZAMAN AS RECORDED IN DOCUMENT No. 2004066706 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR REFERENCE at a chiseled "X" set in a concrete sidewalk at the point of intersection of the West right-of-way line of Clifford Avenue and the South right-of-way line of Martin Luther King Jr. Boulevard and in the North line of Lot 21, Henry Ulit's Subdivision, an unrecorded subdivision, and in the North line of that certain (1 acre) tract of land as conveyed to Albert Ewings by deed recorded in Volume 486 Page 65 of the Deed Records of Travis County, Texas, for the Northwest corner of that certain tract of land as conveyed to the City of Austin by Street Deed recorded in Volume 5059 Page 1525 of the Deed Records of Travis County, Texas;

THENCE with the South right-of-way line of Martin Luther King Jr. Boulevard, S 80 deg. 27' 29" W 40.00 ft. to a point for the Northeast corner of that certain tract of land described in "Exhibit A-3" and for the Northwest corner of that certain tract of land described in "Exhibit A-2" in Warranty Deed to Malik Khurshid and Mohammed A. Sherzaman as recorded in Document No. 2004066706 of the Official Public Records of Travis County, Texas, and being the Northeast corner and **PLACE OF BEGINNING** of the herein described tract;

THENCE leaving the South right-of-way line of Martin Luther King Jr. Boulevard and entering the interior of said Lot 21, Henry Ulit's Subdivision (unrecorded) and the interior of said Ewings (1 acre) tract with the common line of said "Exhibit A-2" and "Exhibit A-3" tracts, S 09 deg. 32' 00" E 75.00 ft. to a point in the North line of that certain tract of land as conveyed to Sharon Bullard by deed recorded in Document No. 2004145426 of the Official Public Records of Travis County, Texas, for the Southeast corner of this tract, and from which a 1/2" iron rod set with a plastic cap imprinted with "Carson and Bush Professional Surveyors" in the West right-of-way line of Clifford Avenue for the Southwest corner of said City of Austin Street Deed tract bears N 80 deg. 27' 29" E 40.00 ft.;

end of Page 1

THENCE with the common line of said "Exhibit A-3" tract and said Bullard tract, S 80 deg. 27' 29" W 159.00 ft. to a ½" iron rod found in the West line of said Lot 21 and in the West line of said Ewings (1 acre) tract and in the East line of that certain (9.50 acre) tract of land described as "13<sup>th</sup> Tract" in deed to Mrs. Ella May Westling as recorded in Volume 503 Page 453 of the Deed Records of Travis County, Texas, for the Northwest corner of said Bullard tract, and for the Southwest corner of said "Exhibit A-3" tract, and being the Southwest corner of this tract, and from which a ½" iron rod found for the Southwest corner of said Ewings (1 acre) tract and for the Northwest corner of Lot 4, Davis Place II, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Document No. 200200317 of the Official Public Records of Travis County, Texas, bears S 09 deg. 32' 08" E 135.22 ft.;

THENCE with the West line of said "Exhibit A-3" tract and with the East line of said Westling "13<sup>th</sup> Tract", N 09 deg. 32' 08" W 75.00 ft. to a ½" iron rod set with a plastic cap imprinted with "Carson and Bush Professional Surveyors" in the South right-of-way line of Martin Luther King Jr. Boulevard for the Northwest corner of said "Exhibit A-3" tract and for the Northeast corner of said Westling "13<sup>th</sup> Tract" and being the Northwest corner of this tract;

THENCE with the South right-of-way line of Martin Luther King Jr. Boulevard, N 80 deg. 27' 29" E 159.00 ft. to the **PLACE OF BEGINNING** containing 0.27 acre of land.

**SURVEYED:** June 30, 2005.

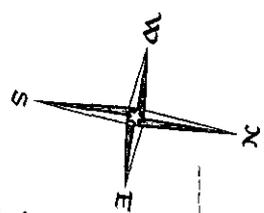


Holt Carson  
Registered Professional Land Surveyor No. 5166

see accompanying map: A 752020

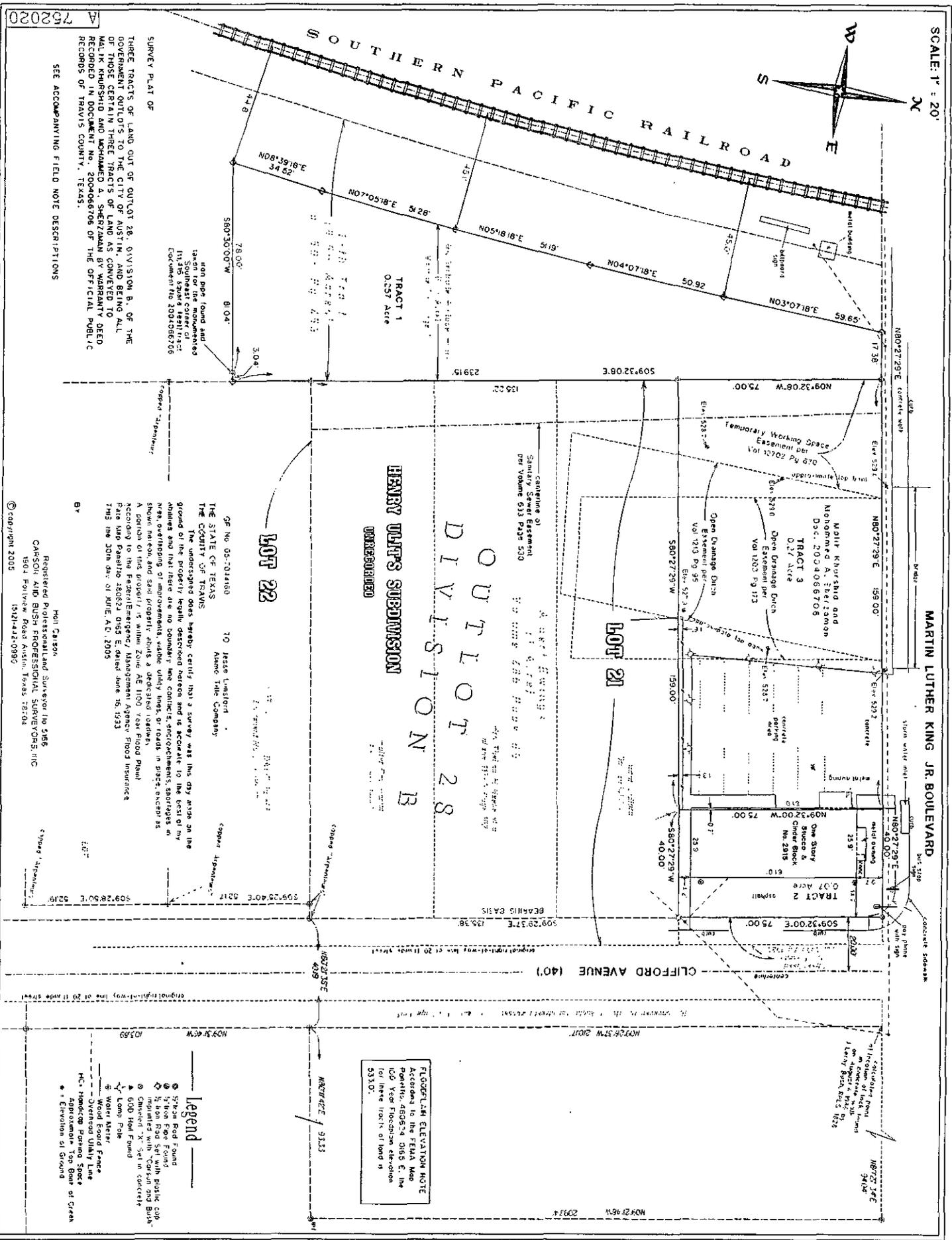


SCALE: 1" = 20'



SOUTHERN PACIFIC RAILROAD

MARTIN LUTHER KING JR. BOULEVARD



TRACT 1  
0.537 Acre

Molly Khurshid and  
Mohammed A. Elkajjaman  
Doc: 2004086708  
TRACT 3  
0.27 Acre

TRACT 2  
0.07 Acre

OUTLOT  
DIVISION B  
HENRY ULF'S SUBDIVISION  
UNRECORDED

LOT 22

LOT 21

SURVEY PLAT OF  
THREE TRACTS OF LAND OUT OF OUTLOT 28, DIVISION B, OF THE  
GOVERNMENT OUTLOTS TO THE CITY OF AUSTIN, AND BEING ALL  
OF THOSE CERTAIN THREE TRACTS OF LAND AS CONVEYED TO  
MOLLY KHURSHID AND MOHAMMED A. SHEKZAMAN BY WARRANTY DEED  
RECORDED IN DOCUMENT NO. 2004086708 OF THE OFFICIAL PUBLIC  
RECORDS OF TRAVIS COUNTY, TEXAS.

SEE ACCOMPANYING FIELD NOTE DESCRIPTIONS

iron pipe found and  
taken for the monuments  
14.135 Square Feet  
Easement No. 2004086708

Sanitary Sewer Easement  
per Volume 533 Page 530

Temporary Working Space  
Easement per  
Vol 101202 Pg 676

Open Drainage Easement  
per  
Vol 1202 Pg 113

Open Drainage Easement  
per  
Vol 1213 Pg 95

GF No. 05-014180 TO Jesse Lunsford  
THE STATE OF TEXAS  
THE COUNTY OF TRAVIS  
Amoco Title Company

The undersigned does hereby certify that a survey was this day made on the  
ground of the property legally described herein and is accurate to the best of my  
abilities and that there are no boundaries, water courses, encroachments, shortages in  
area, overlapping of improvements, water utility lines, or roads in place except as  
shown hereon, and said property suits a dedicated location.

A portion of this plat is within Zone AE 1100 Year Flood Plain  
According to the Federal Emergency Management Agency Flood Insurance  
Rate Map Panel 480821 0155 E, dated June 16, 1993  
This the 20th day of JULIE, A.C. 2005

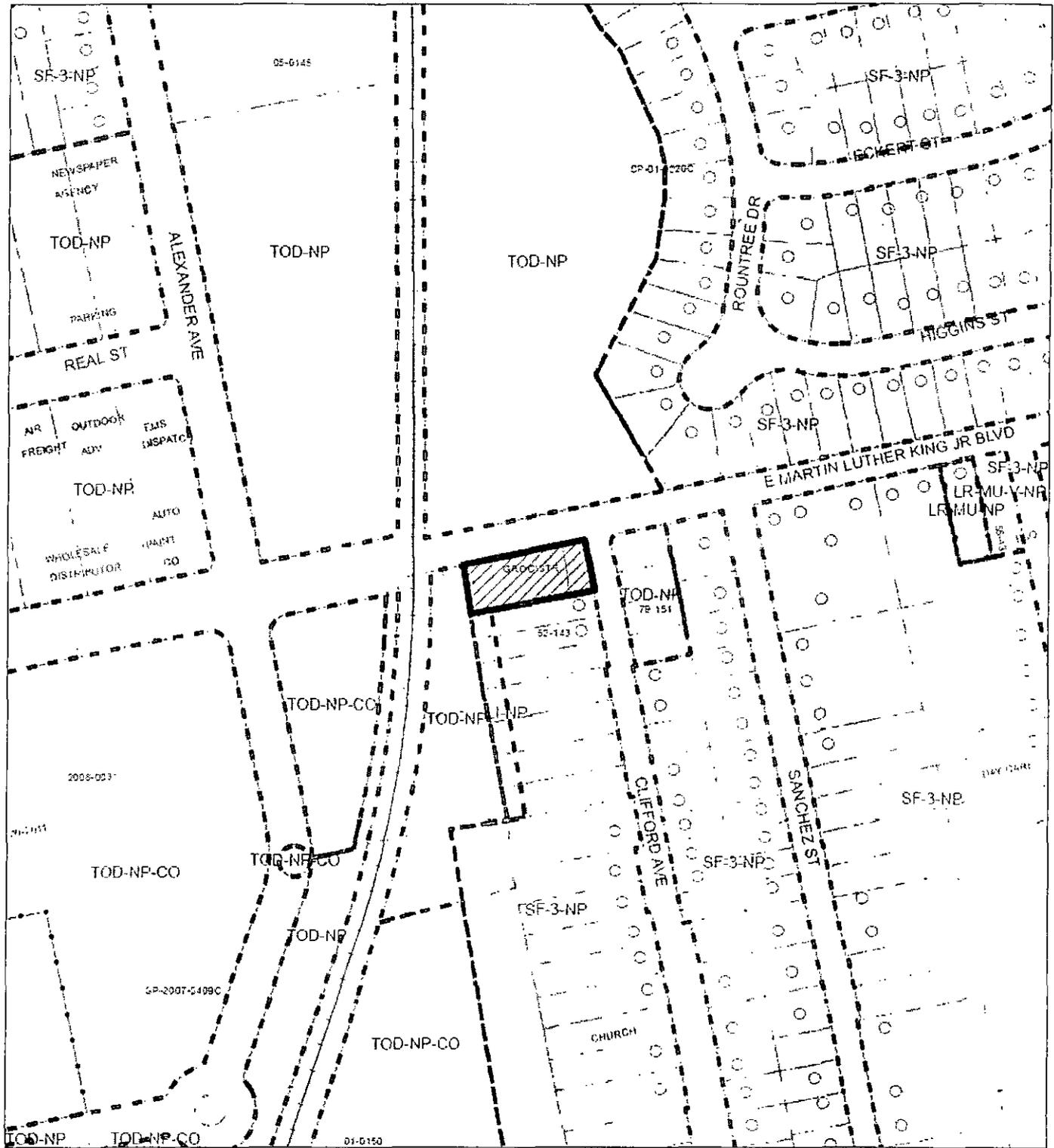
BY

Requested Professional Land Surveyor No. 5086  
CARSON AND BUSH PROFESSIONAL SURVEYORS, INC  
1904 Fulview Road Austin, Texas 78704  
15121-412-0990

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FLOODPLAIN ELEVATION NOTE  
According to the FEMA Map  
Panel 480821 0155 E, the  
100 Year Floodplain elevation  
for these tracts of land is  
5330.

- Legend
- Iron Rod Found
  - Iron Rod Set with Plastic cap
  - ▲ Monument with "Carson and Bush"
  - ▲ Monument "X" set in concrete
  - ▲ 600 Iron Found
  - ▲ Lamp Pole
  - ▲ Water Meter
  - Wood Easement Fence
  - Overhead Powering Space
  - Easement
  - Elevation of Ground



1" = 200'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

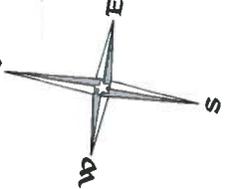
**ZONING**  
 ZONING CASE#: C14-2012-0037



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.

SCALE: 1" = 20'



Martin Luther King Jr. Boulevard

**TRACT 2**  
(TOD-NP)  
TOD Mixed Use

**TRACT 3**  
(TOD-NP)  
TOD Mixed Use

**TRACT 1**  
(TOD-NP)  
Low-Density Residential

**OUTLOT 28**  
**DIVISION B**  
**HENRY ULIT'S SUBDIVISION**  
**UNRECORDED**

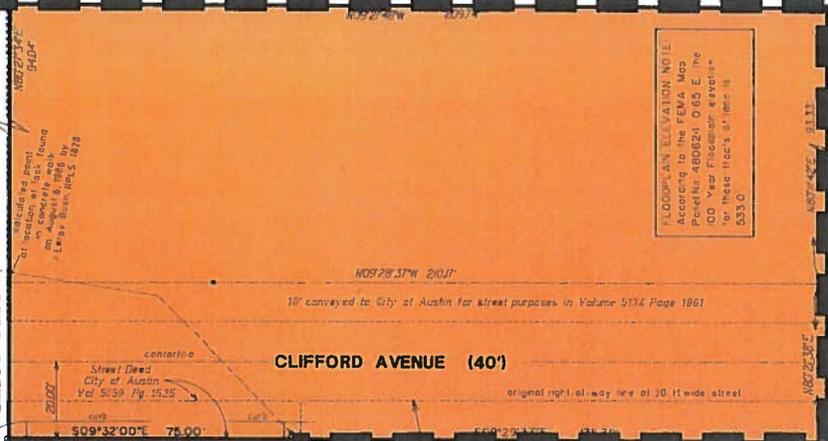
LOT 21

LOT 22

**LEGEND**

- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- TOD MIXED USE
- CORRIDOR MIXED USE
- LIVE/WORK FLEX
- EXISTING CITY PARKLAND
- MLK TOD Boundary

Clifford Avenue



**FLOODPLAIN ELEVATION NOTE**  
According to the FEMA Map  
Panel No. 480624-0-65 E, the  
100 Year Floodplain elevation  
for these tracts is 533.0

TO Jesse Lunford  
Alamo Title Company

LOT 4  
DAVID BLAZE  
Instrument No. 2002118007

LOT 22  
JAMES BLAZE  
Instrument No. 2002118007

LOT 21  
JAMES BLAZE  
Instrument No. 2002118007

LOT 20  
JAMES BLAZE  
Instrument No. 2002118007

LOT 19  
JAMES BLAZE  
Instrument No. 2002118007

LOT 18  
JAMES BLAZE  
Instrument No. 2002118007

LOT 17  
JAMES BLAZE  
Instrument No. 2002118007

LOT 16  
JAMES BLAZE  
Instrument No. 2002118007

LOT 15  
JAMES BLAZE  
Instrument No. 2002118007

LOT 14  
JAMES BLAZE  
Instrument No. 2002118007

LOT 13  
JAMES BLAZE  
Instrument No. 2002118007

LOT 12  
JAMES BLAZE  
Instrument No. 2002118007

LOT 11  
JAMES BLAZE  
Instrument No. 2002118007

LOT 10  
JAMES BLAZE  
Instrument No. 2002118007

LOT 9  
JAMES BLAZE  
Instrument No. 2002118007

LOT 8  
JAMES BLAZE  
Instrument No. 2002118007

LOT 7  
JAMES BLAZE  
Instrument No. 2002118007

LOT 6  
JAMES BLAZE  
Instrument No. 2002118007

LOT 5  
JAMES BLAZE  
Instrument No. 2002118007

LOT 4  
JAMES BLAZE  
Instrument No. 2002118007

LOT 3  
JAMES BLAZE  
Instrument No. 2002118007

LOT 2  
JAMES BLAZE  
Instrument No. 2002118007

LOT 1  
JAMES BLAZE  
Instrument No. 2002118007

TO THE CITY OF AUSTIN, TEXAS  
THE COUNTY OF TRAVIS  
THE STATE OF TEXAS

The undersigned does hereby certify that a survey was this day made on the grounds 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.

A portion of this property is within Zone AE (100 Year Flood Plain) according to the Federal Emergency Management Agency Flood Insurance Rate Map Panel No. 480624-0-65 E dated June 16, 1993.

THIS the 30th day of JUNE A.D. 2005

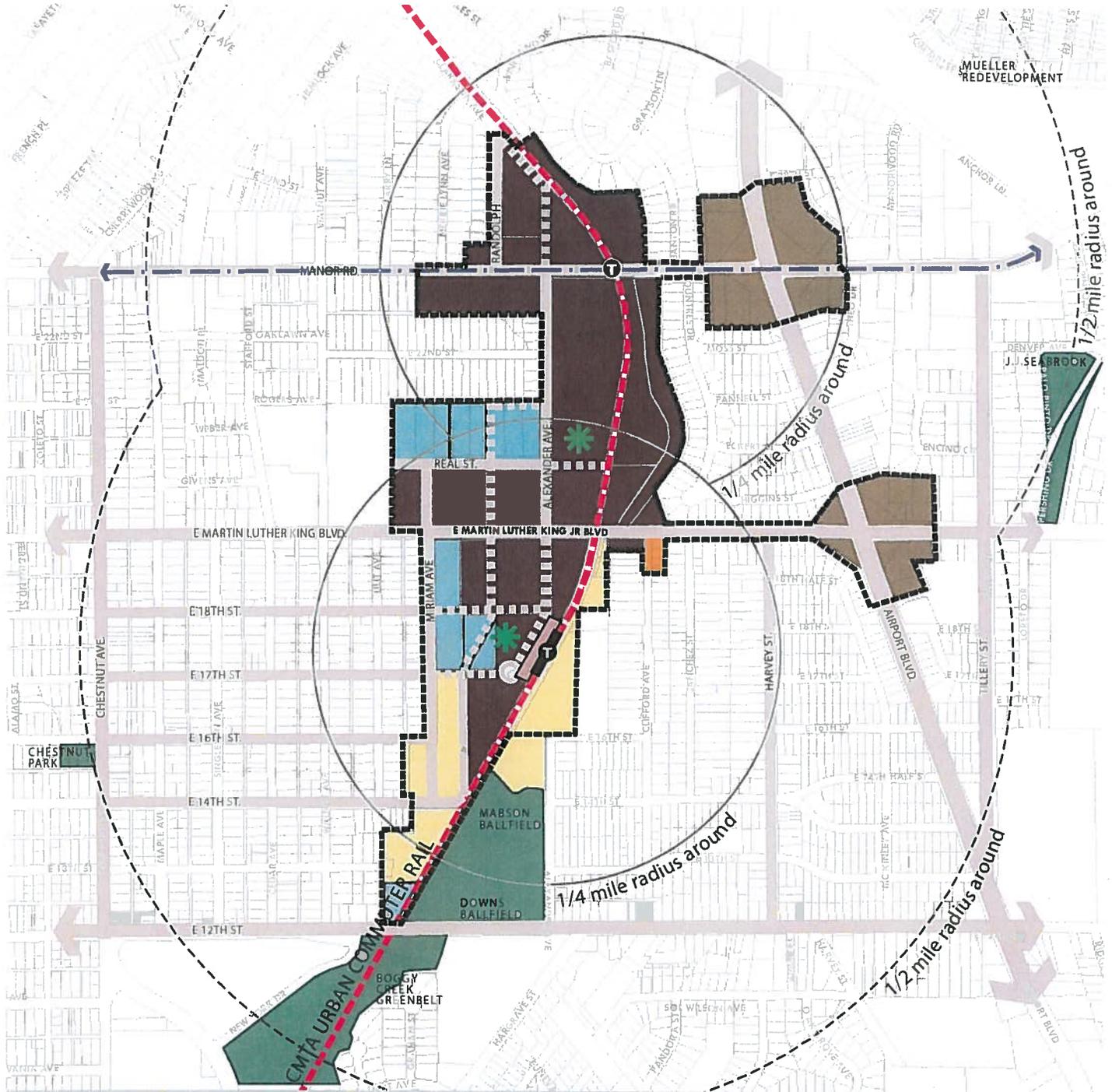
BY  
Holt Carson  
Registered Professional Land Surveyor No. 5186  
CARLSON AND BUSH PROFESSIONAL SURVEYORS, INC.  
1904 Fortview Road Austin, Texas 78701  
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**Exhibit D': Proposed Zoning**

# Revised MLK TOD Land Use and Design Concept Plan

## MLK TOD

## LAND USE AND DESIGN CONCEPT PLAN



### LEGEND

- |   |   |   |                           |
|---|---|---|---------------------------|
|  | LOW DENSITY RESIDENTIAL                 |  | EXISTING STREETS          |
|  | MEDIUM DENSITY RESIDENTIAL              |  | POTENTIAL NEW STREETS     |
|  | TOD MIXED USE<br>(showing active edges) |  | TOD DISTRICT BOUNDARY     |
|  | CORRIDOR MIXED USE                      |  | POTENTIAL STREETCAR ROUTE |
|  | LIVE/WORK FLEX                          |  | METRO RAIL STATION        |
|  | EXISTING CITY PARKLAND                  |  | POTENTIAL STREETCAR STOP  |
|  | POTENTIAL PARKLAND                      |  | TRANSIT PLAZA             |

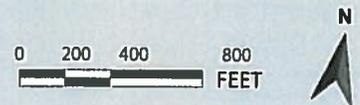


Exhibit E

