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

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 6651 ED BLUESTEIN BOULEVARD AND 5601 DURANGO PASS FROM COMMUNITY COMMERCIAL (GR) DISTRICT, LIMITED OFFICE (LO) DISTRICT, MULTIFAMILY RESIDENCE MEDIUM DENSITY (MF-3) DISTRICT AND FAMILY RESIDENCE (SF-3) DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE (GR-MU) COMBINING DISTRICT FOR TRACT 1 AND GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY (CS-MU-CO) COMBINING DISTRICT FOR TRACT 2.**

**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 community commercial (GR) district, limited office (LO) district, multifamily residence medium density (MF-3) district and family residence (SF-3) district to community commercial -mixed use (GR-MU) combining district for Tract 1 and general commercial services-mixed use conditional overlay (CS-MU-CO) combining district for Tract 2 on the property described in Zoning Case No. C14-2018-0006, on file at the Planning and Zoning Department, as follows:

**Tract 1:**

28.46 acres out of the J.C. Tannehill League Survey No. 29, Abstract No. 22 in Travis County, Texas, and being a portion of those tracts as described in a Special Warranty Deed to Harold K. Kaemerle, Jr. and Sharie Kaemerle, recorded as Document No. 2014175485 of the Official Public Records, and in a General Warranty Deed to 3 S and D Interests, recorded in Volume 12603, Page 243 of the Real Property Records of Travis County, Texas, and more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance; and,

**Tract 2:**

1.96 acres out of the J.C. Tannehill League Survey No. 29, Abstract No. 22 in Travis County, Texas, and being a portion of that tract described in a General Warranty Deed to 3 S and D Interests, recorded in Volume 12603, Page 243 of the Real Property Records of Travis County, Texas, and more particularly described by metes and bounds in **Exhibit “B”** incorporated into this ordinance (cumulatively referred to as the “Property”),

1 locally known as 6651 Ed Bluestein Boulevard and 5601 Durango Pass in the City of  
2 Austin, Travis County, Texas, generally identified in the map attached as **Exhibit “C”**.  
3

4 **PART 2.** The Property within the boundaries of the conditional overlay combining district  
5 established by this ordinance is subject to the following conditions:  
6

7 The following uses are prohibited uses for Tract 2:  
8

Alternative financial services	Automotive rentals
Automotive repair services	Automotive sales
Automotive washing (of any type)	Building maintenance services
Bail bond services	Construction sales and services
Commercial blood plasma center	Drop-off recycling collection facility
Equipment repair services	Equipment sales
Exterminating services	Limited warehousing and distribution
Maintenance and service facilities	Transitional housing
Transportation terminal	Kennels
Laundry services	Monument retail sales
Pawn shop services	Service station
Vehicle storage	

9  
10 **PART 3.** Except as specifically restricted under this ordinance, the Property may be  
11 developed and used in accordance with the regulations established for the community  
12 commercial (GR) district for Tract 1, the general commercial services (CS) district for  
13 Tract 2 and other applicable requirements of the City Code.  
14

1 **PART 4.** This ordinance takes effect on \_\_\_\_\_, 2018.

2  
3 **PASSED AND APPROVED**

4  
5 §  
6 §  
7 \_\_\_\_\_, 2018 § \_\_\_\_\_

8 Steve Adler  
9 Mayor

10  
11  
12 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_

13 Anne L. Morgan  
14 City Attorney

Jannette S. Goodall  
City Clerk

DRAFT

**EXHIBIT "A"**

**FIELD NOTES**

JOB NO. 13379-00

DATE: DECEMBER 29, 2017

PAGE 1 OF 5 Field Notes to accompany exhibit

**28.46 ACRES**

**EXHIBIT A - TRACT 1**

28.46 ACRES OUT OF THE J.C. TANNEHILL LEAGUE SURVEY NO. 29, ABSTRACT No. 22 IN TRAVIS COUNTY TEXAS, AND BEING A PORTION OF THOSE TRACTS AS DESCRIBED IN A SPECIAL WARRANTY DEED TO HAROLD K. KAEMERLE, JR. AND SHARIE KAEMERLE, RECORDED AS DOC. No. 2014175485 OF THE OFFICIAL PUBLIC RECORDS, AND IN A GENERAL WARRANTY DEED TO 3 S AND D INTERESTS, RECORDED IN VOL. 12603, PG. 243 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, as surveyed on the ground on this, the 18th day of December, 2017, by Texas Land Surveying, Inc., and further described by metes and bounds as follows:

**BEGINNING:** at a 1/2" iron rod with plastic cap stamped "TLS INC" set in the east Right of Way of U.S. Highway 183 (aka Ed Blustein Blvd.), also being the east line of that tract described in a Special Warranty Deed to the State of Texas, recorded as Doc. No. 2004232132 of said Official Public Records, also being the south line of that tract described in that Special Warranty Deed to Hassan Rahimi, recorded in Vol. 12514, Pg. 2928 of said Real Property Records, and the north line of said 3 S and D Interests tract, for the northwest corner of this tract;

**THENCE:** S 61°56'44" E 615.02 feet with the south line of said Rahimi tract and the north line of said 3 S and D Interests tract to a 1/2" iron rod found for the southeast corner of said Rahimi tract and the southwest corner of said Kaemerle tract, for an interior "ell" corner in the north line of this tract,

**THENCE:** with the common east line of said Rahimi tract and the west line of said Kaemerle tract the following four (4) courses:

1. N 30°41'54" E 77.57 feet to a 1/2" iron rod found,
2. N 38°36'15" E 148.73 feet to a 1/2" iron rod found,
3. N 40°29'12" E 122.96 feet to a 1/2" iron rod found,
4. N 32°26'58" E 122.77 feet to a 1/2" iron rod with plastic cap stamped "TLS INC" set in the south line of Lot 2, Block 8, Las Cimas Section One, a Subdivision in Travis County, Texas as recorded in Vol. 65, Pg. 88 of the Plat Records of Travis County, Texas, being the northeast corner of said Rahimi tract, the northwest corner of said Kaemerle tract, and an exterior "ell" corner in the north line of this tract;

**THENCE:** with the south line of said Las Cimas Subdivision and the north line of said Kaemerle tract the following two (2) courses:

1. S 62°02'01" E 120.58 feet to a 1/2" iron rod found,
2. S 62°02'08" E 218.80 feet to a 1/2" iron rod with plastic cap stamped "TLS INC" set in the center line of a creek as surveyed, for the northeast corner of this tract,

**THENCE:** into, over and across said Kaemerle tract and said 3 S and D Interests tract with the center line of said creek as surveyed the following fourteen (14) courses for the east line of this tract:

1. S 25°15'03" W 146.06 feet to a calculated point,
2. S 41°38'05" W 259.94 feet to a calculated point,
3. S 06°22'45" W 78.74 feet to a calculated point,
4. S 11°09'26" W 155.25 feet to a calculated point,
5. S 02°13'45" W 167.92 feet to a calculated point,

**EXHIBIT "A"**

**FIELD NOTES**

JOB NO. 13379-00

DATE: DECEMBER 29, 2017

PAGE 2 OF 5 Field Notes to accompany exhibit

6. S 01°29'43" E 61.63 feet to a calculated point,
7. S 47°31'11" W 96.44 feet to a calculated point,
8. S 11°44'56" W 88.13 feet to a calculated point,
9. S 22°11'40" W 117.96 feet to a calculated point,
10. S 17°13'14" W 121.57 feet to a calculated point,
11. S 44°35'18" W 124.22 feet to a calculated point,
12. S 15°03'39" E 157.93 feet to a calculated point,
13. S 29°59'13" W 134.79 feet to a calculated point,
14. S 09°54'35" E 165.12 feet to a calculated point;

THENCE: leaving said creek and continuing across said 3 S and D Interests tract the following eight (8) courses for the east line of this tract:

1. S 49°59'38" E 82.38 feet to a 1/2" iron rod with plastic cap stamped "TLS INC" set,
2. S 49°59'38" E 133.32 feet to a 1/2" iron rod with plastic cap stamped "TLS INC" set,
3. S 37°41'45" E 117.21 feet to a 1/2" iron rod with plastic cap stamped "TLS INC" set,
4. S 19°31'18" E 114.95 feet to a 1/2" iron rod with plastic cap stamped "TLS INC" set,
5. S 33°38'46" E 87.78 feet to a 1/2" iron rod with plastic cap stamped "TLS INC" set,
6. S 55°02'51" E 60.68 feet to a 1/2" iron rod with plastic cap stamped "TLS INC" set,
7. S 07°18'20" E 127.64 feet to a 1/2" iron rod with plastic cap stamped "TLS INC" set,
8. S 82°40'38" E 50.54 feet to a 1/2" iron rod with plastic cap stamped "CS LTD" found on the east line of said 3 S and D Interests tract and the west line of that tract described in a Deed of Gift of Land to the City of Austin, recorded in Vol. 7882, Pg. 977 of the Deed Records of Travis County, Texas, being an exterior "ell" corner in the east line of this tract;

THENCE: with the west line of said City of Austin tract and the east line of said 3 S and D Interests tract the following two (2) courses:

1. S 28°16'28" W 290.75 feet to a 60d Nail found in the center line of said creek as surveyed,
2. S 28°13'58" W 196.11 feet to a 1/2" iron rod with plastic cap stamped "TLS INC" set in the north Right of Way of Loyola Lane, and being the north line of that tract described in a Street Deed to the City of Austin, recorded in Vol. 12434, Pg. 527 of said Real Property Records, being the south line of said 3 S and D Interests tract, for the southeast corner of this tract;

THENCE: S 77°51'07" W 138.13 feet with the north line of the Right of Way of said Loyola Lane, to a 1/2" iron rod with plastic cap stamped "TLS INC" set, for an exterior "ell" corner in the south line of this tract;

THENCE: into, over and across said 3 S and D Interests tract the following two (2) courses:

1. N 00°00'00" E 322.11 feet to a 1/2" iron rod with plastic cap stamped "TLS INC" set for an interior "ell" corner in the south line of this tract,
2. N 90°00'00" W 241.61 feet to a 1/2" iron rod with plastic cap stamped "TLS INC" set in the east Right of Way line of said U.S. Highway 183, for the southwest corner of this tract;

THENCE: with the east Right of Way line of said U.S. Highway 183 along a curve to the left ( $\Delta=15^{\circ}24'38"$ ,  $r=7051.75'$ ,  $LC=N06^{\circ}25'42"W$  1890.96'), at an arc length of 1078.30 feet passing a TxDot right of way marker (3" brass disc in concrete) found, at an additional arc length of 427.91 feet passing a 1/2" iron rod with an aluminum cap stamped "TxDoT" found, at an additional arc length of 109.41 feet passing a 1/2" iron rod with an aluminum cap stamped "TxDoT" found, at an

**EXHIBIT "A"**

**FIELD NOTES**

JOB NO. 13379-00

DATE: DECEMBER 29, 2017

PAGE 3 OF 5 Field Notes to accompany exhibit

additional arc length of 281.07 feet for an overall arc length of 1896.68 feet to a TxDot right of way marker (3" brass disc in concrete) found at the end of said curve;

THENCE: N 19°28'27" W continuing with the east Right of Way line of said U.S. Highway 183, passing at 191.33 feet a TxDot right of way marker (3" brass disc in concrete) found, passing at an additional distance of 203.76 feet a TxDot right of way marker (3" brass disc in concrete) found, continuing an additional 229.84 feet for a total distance of 624.93 feet to the POINT OF BEGINNING and containing a computed area of 28.46 acres, more or less.

Bearings cited herein based on: Texas State Plane Coordinate System, Grid North, Central Zone, Texas NAD 83(93). This survey may be in violation of State of Texas Local Government Code, Chapter 232, County Regulations of Subdivisions. Texas Land Surveying, Inc. assumes NO liability of any kind for the misuse (illegal use) of this survey.

 1-3-18

Kenneth Louis Crider, R.P.L.S. No. 5624  
Texas Land Surveying, Inc.  
3613 Williams Drive, Suite 903  
Georgetown, Texas 78628



*Texas Land Surveying, Inc.*

-A Land Surveying and Geoscience Firm-  
3613 Williams Drive, Suite 903 – Georgetown, Texas 78628  
(512) 930-1600/ (512) 930-9389 fax [www.texas-ls.com](http://www.texas-ls.com)  
TBPLS FIRM No. 10056200 GEOSCIENCE FIRM No. 50538

AN EXHIBIT TO ACCOMPANY FIELD NOTES FOR:  
 28.46 ACRES OUT OF THE J.C. TANNEHILL LEAGUE SURVEY NO. 29, ABSTRACT No. 22 IN TRAVIS COUNTY TEXAS, AND BEING PORTIONS OF THOSE TRACTS DESCRIBED IN DOC. No. 2014175485 OF THE OFFICIAL PUBLIC RECORDS, AND VOL. 12603, PG. 243 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

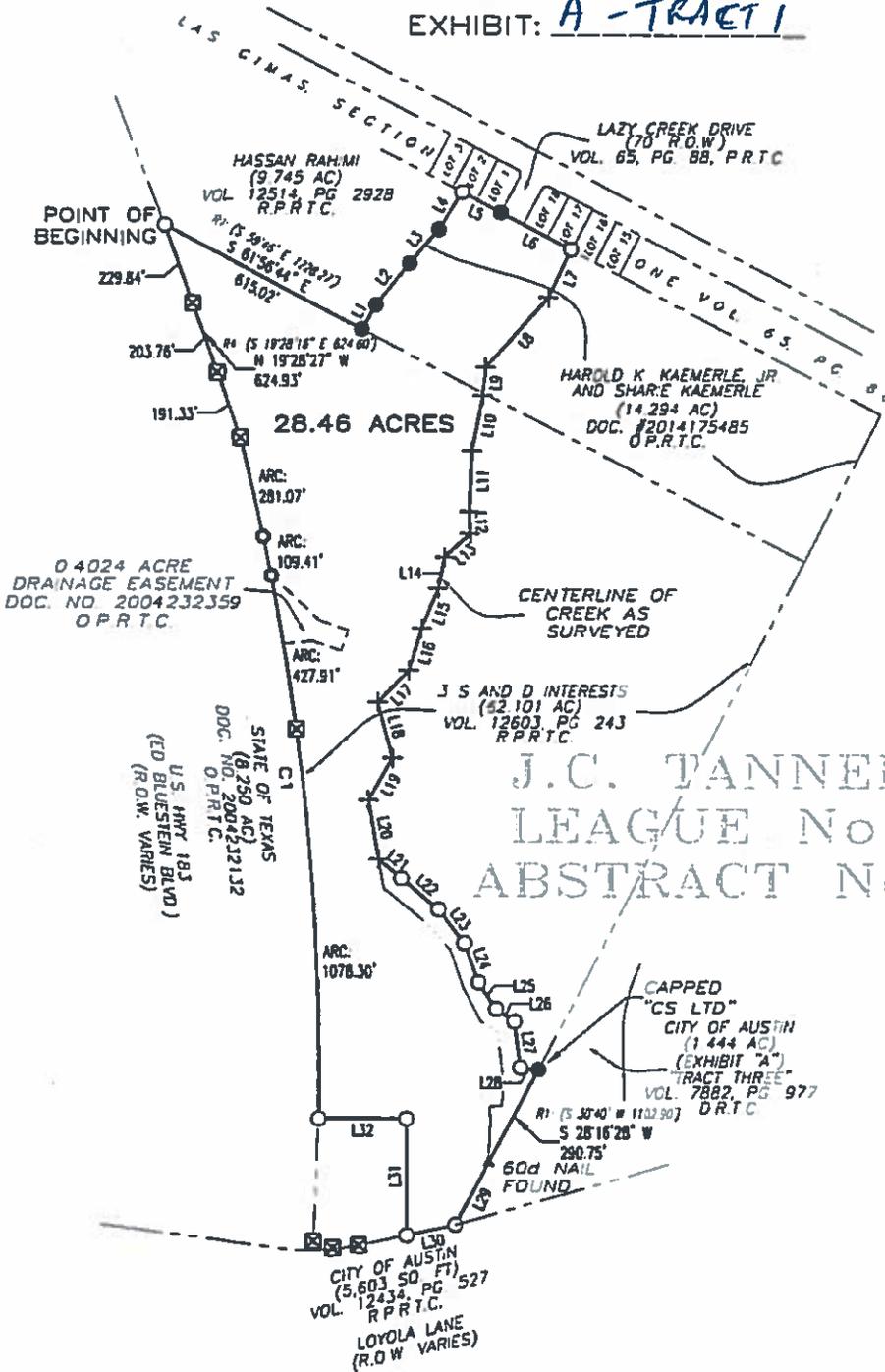
JOB NO: 13379

DRAWN: JRB

F.C.: CC

SHEET 4 OF 5

EXHIBIT: A - TRACT 1



Scale: 1" = 500'  
 BEARINGS CITED HEREON BASED ON STATE PLANE COORDINATES, GRID NORTH, CENTRAL ZONE, TEXAS NAD 83 (93).

LEGEND	
●	1/2" IRON ROD FOUND WITH NO CAP (UNLESS OTHERWISE NOTED)
○	1/2" IRON ROD SET W/PLASTIC CAP STAMPED "TLS INC."
⊗	TxDOT MON. 3" BRASS DISC IN CONC
◦	1/2" IRON ROD FOUND w/ ALUM. CAP "TxDOT"
+	CALCULATED POINT
( )	RECORD INFORMATION

J.C. TANNEHILL LEAGUE No. 29 ABSTRACT No. 22



S:\2011\_PROJECTS\13379 PURPLE SAGE TRACT +- 14 ACRES\13379\_2012\_WRK\13379 TRACT 1\_28.46 ac.dwg Jan 03, 2018 - 12:29 pm taylor

*Texas Land Surveying, Inc.*

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 (512) 930-1600/(512) 930-9389 fax www.texas-ls.com  
 TBPLS FIRM NO.10056200 GEOSCIENCE FIRM NO.50538

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**AN EXHIBIT TO ACCOMPANY FIELD NOTES FOR:**

28.46 ACRES OUT OF THE J.C. TANNEHILL LEAGUE SURVEY NO. 29, ABSTRACT No. 22 IN TRAVIS COUNTY TEXAS, AND BEING PORTIONS OF THOSE TRACTS DESCRIBED IN DOC. No. 2014175485 OF THE OFFICIAL PUBLIC RECORDS, AND VOL. 12603, PG. 243 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

JOB NO: 13379

DRAWN: JRB

F.C.: CC

SHEET 5 OF 5

EXHIBIT: \_\_\_\_\_

**RECORD INFORMATION TABLE:**

R1: VOL. 12603, PG. 243  
 R2: VOL. 12514, PG. 2928  
 R3: VOL. 65, PG. 88  
 R4: DOC. #2004232132

CURVE TABLE					
NUMBER	DELTA	RADIUS	ARC	CHORD	DIRECTION
C1	15°24'38"	7051.75'	1896.68'	1890.96'	N 06°25'42" W

RECORD CURVE TABLE					
NUMBER	DELTA	RADIUS	ARC	CHORD	DIRECTION
R4: C1	16°10'29"	7051.75'	2236.87'	2227.51'	N 05°02'56" W

LINE TABLE		
NUMBER	DIRECTION	DISTANCE
L1	N 30°41'54" E	77.57'
L2	N 38°36'15" E	148.73'
L3	N 40°29'12" E	122.96'
L4	N 32°26'58" E	122.77'
L5	S 62°02'01" E	120.58'
L6	S 62°02'08" E	218.80'
L7	S 25°15'03" W	146.06'
L8	S 41°38'05" W	259.94'
L9	S 06°22'45" W	78.74'
L10	S 11°09'26" W	155.25'
L11	S 02°13'45" W	167.92'
L12	S 01°29'43" E	61.63'
L13	S 47°31'11" W	96.44'
L14	S 11°44'56" W	88.13'
L15	S 22°11'40" W	117.96'
L16	S 17°13'14" W	121.57'

LINE TABLE		
NUMBER	DIRECTION	DISTANCE
L17	S 44°35'18" W	124.22'
L18	S 15°03'39" E	157.93'
L19	S 29°59'13" W	134.79'
L20	S 09°54'35" E	165.12'
L21	S 49°59'38" E	82.38'
L22	S 49°59'38" E	133.32'
L23	S 37°41'45" E	117.21'
L24	S 19°31'18" E	114.95'
L25	S 33°38'46" E	87.78'
L26	S 55°02'51" E	60.68'
L27	S 07°18'20" E	127.64'
L28	S 82°40'38" E	50.54'
L29	S 28°13'58" W	196.11'
L30	S 77°51'07" W	138.13'
L31	N 00°00'00" E	322.11'
L32	N 90°00'00" W	241.61'

RECORD LINE TABLE		
NUMBER	DIRECTION	DISTANCE
R2: L1	S 32°56'00" W	77.30'
R2: L2	S 41°03'00" W	148.67'
R2: L3	S 42°58'00" W	123.21'
R2: L4	S 34°50'00" W	121.67'
R3: L5	N 59°39'00" W	2177.28'
R3: L6	N 59°39'00" W	2177.28'

RECORD LINE TABLE		
NUMBER	DIRECTION	DISTANCE
R1: L29	S 30°40'00" W	1102.90'
R1: L30	S 80°20'00" W	264.91'

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 TBPLS FIRM NO.10056200 GEOSCIENCE FIRM NO.50538

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EXHIBIT B

FIELD NOTES

JOB NO. 13379-00

DATE: DECEMBER 29, 2017

PAGE 1 OF 2 Field Notes to accompany exhibit

1.96 ACRES

EXHIBIT B-TRACT 2

1.96 ACRES OUT OF THE J.C. TANNEHILL LEAGUE SURVEY NO. 29, ABSTRACT No. 22 IN TRAVIS COUNTY TEXAS, AND BEING A PORTION OF THAT TRACT DESCRIBED IN A GENERAL WARRANTY DEED TO 3 S AND D INTERESTS, RECORDED IN VOL. 12603, PG. 243 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS,

as surveyed on the ground on this, the 18th day of December, 2017, by Texas Land Surveying, Inc., and further described by metes and bounds as follows:

**BEGINNING:** at a TxDot right of way marker (3" brass disc in concrete) found in the east Right of Way of U.S. Highway 183 (aka Ed Blustein Blvd.), also being the east line of that tract described in a Special Warranty Deed to the State of Texas, recorded as Doc. No. 2004232132 of the Official Public Records of Travis County, for the southwest corner of this tract;

**THENCE:** with the east Right of Way line of said U.S. Highway 183 into said 3 S and D Interests tract along a curve to the left ( $\Delta=02^{\circ}45'40''$ ,  $r=7051.75'$ ,  $LC=N02^{\circ}38'04''E$  339.78'), an arc length of 339.81 feet to a 1/2" iron rod with plastic cap stamped "TLS INC" set in said curve for the northwest corner of this tract;

**THENCE:** into, over and across said 3 S and D Interests tract the following two (2) courses:

1. N  $90^{\circ}00'00''$  E 241.61 feet to a 1/2" iron rod with plastic cap stamped "TLS INC" set, for the northeast corner of this tract;
2. S  $00^{\circ}00'00''$  E 322.11 feet to a 1/2" iron rod with plastic cap stamped "TLS INC" set in the north Right of Way of Loyola Lane, being the north line of that tract described in a Street Deed to the City of Austin, recorded in Vol. 12434, Pg. 527 of said Real Property Records, for the southeast corner of this tract;

**THENCE:** S  $77^{\circ}52'26''$  W 134.98 feet with the north line of said Loyola Lane, to a TxDot right of way marker (3" brass disc in concrete) found for an angle point in the south line of this tract;

**THENCE:** S  $83^{\circ}58'46''$  W 72.89 feet to a TxDot right of way marker (3" brass disc in concrete) found for an angle point in the south line of this tract;

**THENCE:** N  $70^{\circ}27'35''$  W 55.89 feet with the south line of this tract to the POINT OF BEGINNING and containing a computed area of 1.96 acres, more or less.

Bearings cited herein based on: Texas State Plane Coordinate System, Grid North, Central Zone, Texas NAD 83(93). This survey may be in violation of State of Texas Local Government Code, Chapter 232, County Regulations of Subdivisions. Texas Land Surveying, Inc. assumes NO liability of any kind for the misuse (illegal use) of this survey.

 1-3-18

Kenneth Louis Crider, R.P.L.S. No. 5624

Texas Land Surveying, Inc.

3613 Williams Drive, Suite 903

Georgetown, Texas 78628

TBPLS FIRM No. 10056200



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TBPLS FIRM No. 10056200 GEOSCIENCE FIRM No. 50538

AN EXHIBIT TO ACCOMPANY FIELD NOTES FOR:  
 1.96 ACRES OUT OF THE J.C. TANNEHILL LEAGUE SURVEY NO. 29, ABSTRACT No. 22 IN TRAVIS  
 COUNTY TEXAS, AND BEING A PORTION OF THAT TRACT DESCRIBED IN VOL. 12603, PG. 243 OF THE  
 REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

JOB NO: 13379  
 DRAWN: JRB  
 F.C.: CC  
 SHEET 2 OF 2

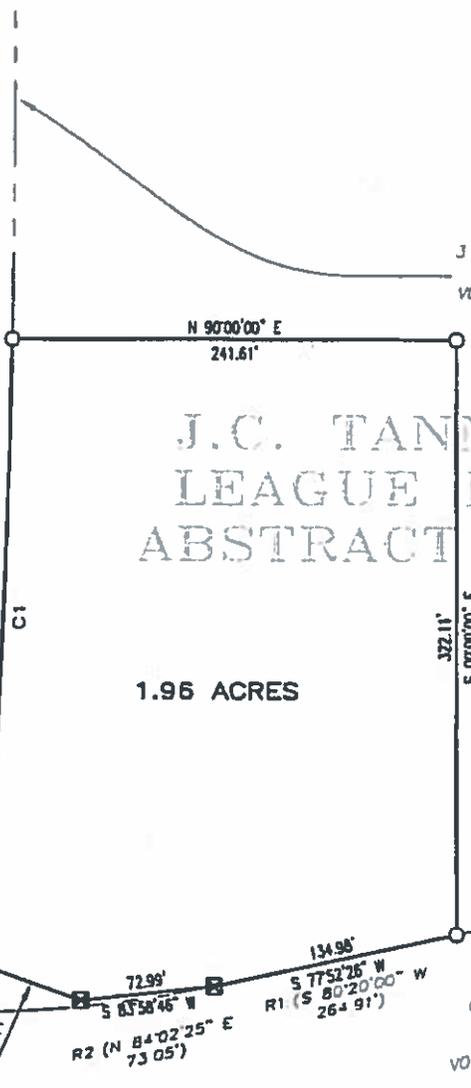
EXHIBIT: B-TRACT 2

LEGEND	
○	1/2" IRON ROD SET W/PLASTIC CAP STAMPED "TLS INC."
⊗	TxDOT MON 3" BRASS D.S.C IN CONC
( )	RECORD INFORMATION



Scale: 1" = 100'  
 BEARINGS CITED HEREON BASED ON  
 STATE PLANE COORDINATES, GRID  
 NORTH, CENTRAL ZONE, TEXAS  
 NAD 83 (93).

(ROW VARIES)  
 (ED BLUESTEIN BLVD.)  
 U.S HWY 183  
 STATE OF TEXAS  
 (8.250 AC)  
 DOC NO. 2004232132  
 D.P.R.T.C.



RECORD INFORMATION TABLE:

R1: VOL. 12603, PG. 243  
 R2: DOC. #2004232132

CURVE TABLE					
NUMBER	DELTA	RADIUS	ARC	CHORD	DIRECTION
C1	2°45'40"	7051.75'	339.81'	339.78'	N 02°38'04" E

RECORD CURVE TABLE					
NUMBER	DELTA	RADIUS	ARC	CHORD	DIRECTION
C1	16°10'29"	7051.75'	2236.87'	2227.51'	N 05°02'56" E R2

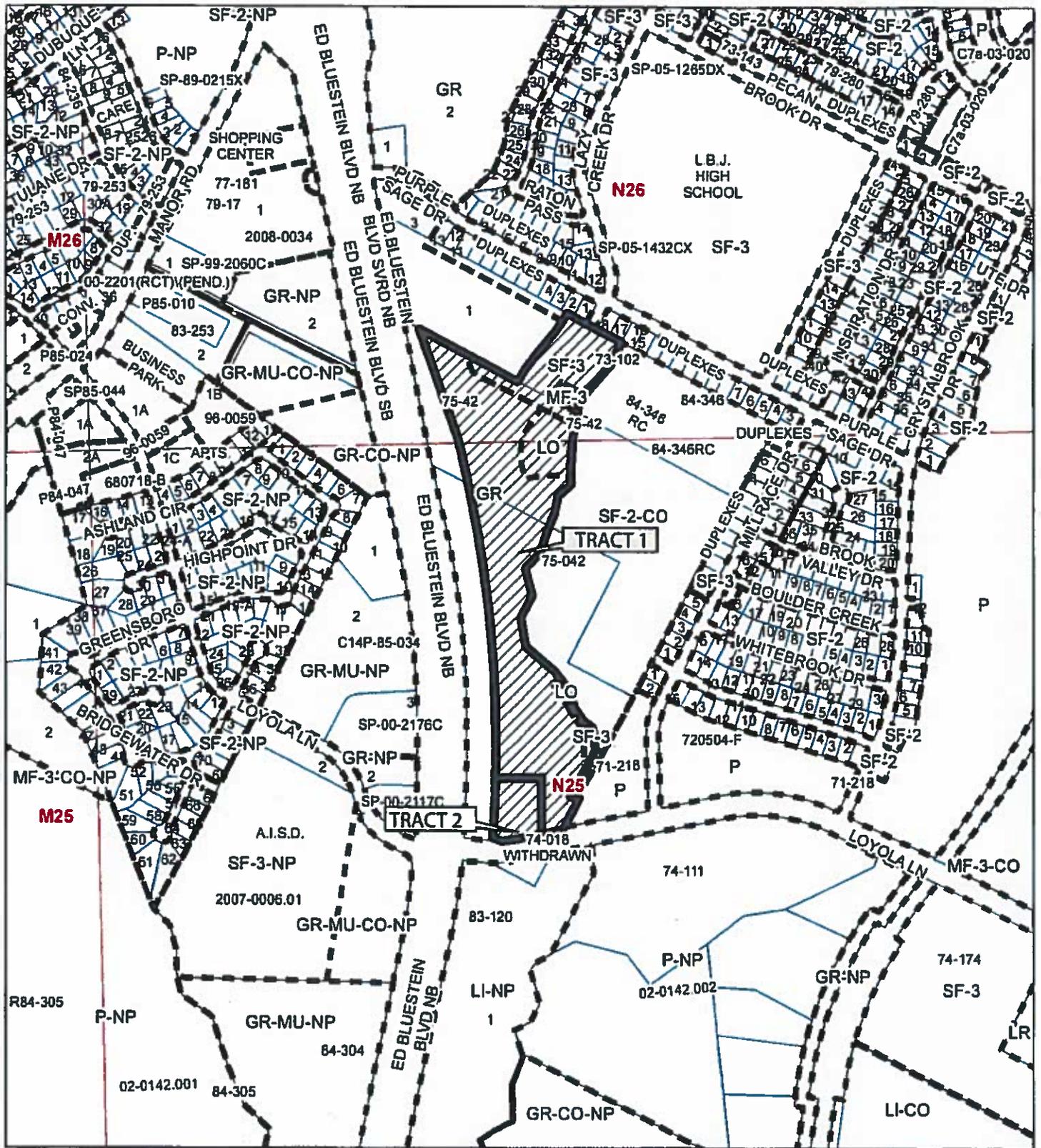


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**LOYOLA LANDING (REZONING) Exhibit C**

ZONING CASE#: C14-2018-0006  
 LOCATION: 6651 ED BLUESTEIN BLVD. & 5801 DURANGO PASS  
 SUBJECT AREA: 30.42 ACRES  
 GRID: N25 & N26  
 MANAGER: HEATHER CHAFFIN



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 700'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.