

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

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2700 EAST 5<sup>TH</sup> STREET IN THE HOLLY NEIGHBORHOOD PLAN AREA FROM LIMITED INDUSTRIAL SERVICES-NEIGHBORHOOD PLAN (LI-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-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 limited industrial services-neighborhood plan (LI-NP) combining district to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2019-0089, on file at the Planning and Zoning Department, as follows:

A 0.543 acre (23,667 square feet) tract of land situated in Outlot 11, Division A of the Government Outlots of the City of Austin, Travis County, Texas (record map filed at the Texas General Land Office), said 0.543 acre of land being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (the “Property”),

locally known as 2700 East 5<sup>th</sup> 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 on the Property:

Adult oriented businesses  
Bail bond services  
Convenience storage  
Kennels

Alternative financial services  
Campground  
Exterminating services  
Pawn shop services

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

2 Automotive washing (of any type) Commercial off-street parking

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 general  
6 commercial services (CS) base district, mixed use (MU) combining district and other  
7 applicable requirements of the City Code.

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9 **PART 4.** The Property is subject to Ordinance No. 011213-44 that established zoning for  
10 the Holly Neighborhood Plan.

11  
12 **PART 5.** This ordinance takes effect on \_\_\_\_\_, 2019.

13  
14 **PASSED AND APPROVED**

15  
16 §  
17 §  
18 \_\_\_\_\_, 2019 § \_\_\_\_\_  
19 Steve Adler  
20 Mayor

21  
22  
23 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
24 Anne L. Morgan Jannette S. Goodall  
25 City Attorney City Clerk  
26

**WUEST GROUP**  
FIRM NO. 10194507

**EXHIBIT "\_\_\_"**

**FIELD NOTES DESCRIPTION**

**DESCRIPTION OF A 0.543 ACRE (23,667 SQUARE FEET) TRACT OF LAND SITUATED IN OUTLOT 11, DIVISION A OF THE GOVERNMENT OUTLOTS OF THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS (RECORD MAP FILED AT THE TEXAS GENERAL LAND OFFICE), BEING A PORTION OF A CALLED 1.74 ACRE TRACT DESCRIBED IN THE SPECIAL WARRANTY DEED TO TEXAS RESERVE PROPERTIES, L.P., OF RECORD IN DOCUMENT NO. 2005217490, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, ALSO BEING COMPRISED OF A PORTION OF THAT CERTAIN TRACT CONVEYED TO THE HOUSTON AND TEXAS CENTRAL RAILWAY COMPANY BY DEED OF RECORD IN VOLUME 30, PAGE 217, DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.543 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a 1/2" iron rod with cap stamped "Survey Works 6356" found on the southerly curving right-of-way (R.O.W.) line of the Union Pacific Railroad, being on the north R.O.W. line of E. 5th Street (62.5' R.O.W. per City of Austin Plan & Profile No. 1-A-912 B&C), also being the southwest corner of said 1.74 acre tract, for the southwest corner and **POINT OF BEGINNING** of the tract described herein;

**THENCE**, leaving the north R.O.W. line of E. 5th Street, with the southerly curving R.O.W. line of Union Pacific Railroad and the northerly curving R.O.W. line of said 1.74 acre tract, also with the north curving line of the tract described herein, with the arc of a curve to the left having a radius of 2953.00 feet, an arc distance of 446.40 feet, and a chord which bears S 85°26'20" E, a distance of 445.97 feet to a calculated point being in the approximate location of the common line of said Outlot 11 and Outlot 12, Division A of said Government Outlots of the City of Austin, for the northeast corner of the tract described herein, from which a 1/2" Iron rod with cap stamped "Delta Survey" found for the common north corner of said 1.74 acre tract and a called 1.809 acre tract described in the deed to Burnup Sims of Texas, of record in Volume 5157, Page 1305, Deed Records of Travis County, Texas, bears a chord bearing and distance of N 87°10'43" E, 314.43 feet;

**THENCE**, S 20°50'23" W, leaving the southerly R.O.W. line of Union Pacific Railroad and through the interior of said 1.74 acre tract, being with the common line of said Outlots 11 and 12, with the east line of the tract described herein, a distance of 122.28 feet to a calculated point on the north R.O.W. line of E. 5th Street, being on the south line of said 1.74 acre tract, same being the approximate location of the common south corner of said Outlots 11 and 12, for the southeast corner of the tract described herein, from which a 1/2" iron rod with cap stamped "Delta Survey" found on the north R.O.W. line of E. 5th Street, being the common south corner of said 1.74 acre tract and said 1.809 acre tract bears S 69°31'33" E, a distance of 288.00 feet;

**THENCE**, N 69°31'33" W, with the north R.O.W. line of East 5th Street and the south line of said 1.74 acre tract, with the south line of the tract described herein, a distance of 428.10 feet to the **POINT OF BEGINNING** and containing 0.543 acre of land, more or less.



**EXHIBIT "A"**

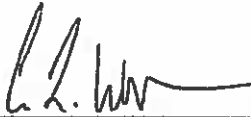
TBPLS FIRM NO. 10194507  
2007 S 1ST STREET, SUITE 103  
AUSTIN, TEXAS 78704  
(512)394-1900

**BASIS OF BEARINGS:**

Bearings are based on NAD '83 State Plane Coordinates.  
(Texas Central 4203)

I, Cara L. Williams, a Registered Professional Land Surveyor, do hereby certify that this description is true and correct to the best of my knowledge and belief, and was prepared from an actual on the ground survey under my supervision during the month of June, 2019, and that the markers described herein actually exist, as described, at the time of my survey.

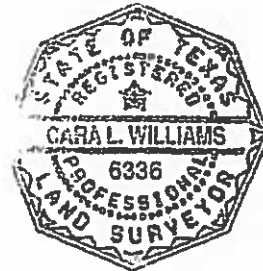
As Prepared By:  
Wuest Group  
Firm Registration No. 10194507



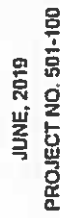
Cara L. Williams  
RPLS No. 6336 - State of Texas

6-17-19

Date



0.543 ACRE (23,667 SQUARE FEET), BEING A PORTION OF A CALLED 1.74 ACRE TRACT CONVEYED TO TEXAS RESERVE PROPERTIES, LP, AS RECORDED IN DOCUMENT #2005217490, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS

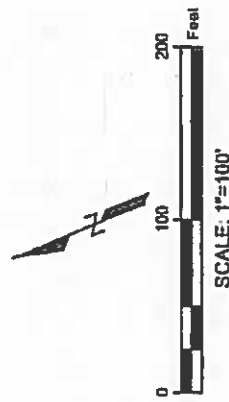


## ENGINEERING & CONSTRUCTION

TBPLS FIRM # 10104507  
 TBPE FIRM # F-15324  
 2007 S 1<sup>ST</sup> STREET, SUITE 103  
 AUSTIN, TEXAS 78704  
 (512)394-1900

SHEET  
3 of 4

CURVE TABLE			
CURVE #	LENGTH	RADIUS	CHORD
C1	446.40'	2953.00'	S85° 26' 20"E 445.97'
C2	314.57'	2953.00'	N87° 10' 43"E 314.43'
C3	760.97' (760.96')	2953.00'	S88° 29' 26"E 758.87' (S86° 01' 25"E 758.88')



**HORIZONTAL DATUM:**


TEXAS STATE PLANE COORDINATES  
NAD '83 (CENTRAL ZONE 4203)

**E. 5TH STREET**

(82.5' R.O.W. PER C.O.A. PLAN &amp; PROFILE NO. 1-A-912 B&amp;C)

# SURVEY OF

0.543 ACRE (23,667 SQUARE FEET), BEING A PORTION OF A CALLED 1.74 ACRE TRACT CONVEYED TO TEXAS RESERVE PROPERTIES, LP, AS RECORDED IN DOCUMENT #2005217490, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS

LEGEND	
●	CAPPED 1/2" IRON ROD FOUND
Δ	CALCULATED POINT
( )	RECORD INFORMATION PER DOC. #2005217490
R.O.W.	RIGHT-OF-WAY
C.O.A.	CITY OF AUSTIN
D.R.T.C.T.	DEED RECORDS, TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
P.O.B.	POINT OF BEGINNING
L-HP	LIMITED INDUSTRIAL-NEIGHBORHOOD PLAN
CS-MU-CO-NP	GENERAL COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN
	AREA OF PROPOSED ZONING CHANGE

I, CARA L. WILLIAMS, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND DURING THE MONTH OF JUNE, 2019, UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



*[Signature]* 6-17-19  
DATE

CARA L. WILLIAMS  
R.P.L.S. NO. 6336 - STATE OF TEXAS  
WJEST GROUP  
(512)394-1900

JUNE, 2019  
PROJECT NO. 501-100



ENGINEERING & SURVEYING

TBPLS FIRM # 10194507  
TYPE FIRM # F-15324  
2007 S 1<sup>ST</sup> STREET, SUITE 103  
AUSTIN, TEXAS 78704  
(512)394-1900  
SHEET  
4 of 4



**Created: 6/24/2019**