

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

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4700 WEIDEMAR LANE IN THE SOUTH CONGRESS COMBINED NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-CO-NP) COMBINING DISTRICT TO MULTIFAMILY RESIDENCE HIGHEST DENSITY-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (MF-6-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 to multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district on the property described in Zoning Case No. C14-2021-0015, on file at the Housing and Planning Department, as follows:

8.00 acres (348,481 square feet), more or less, being out of the Isaac Decker Survey No. 20, Abstract No. 8 in Travis County, Texas, said 8.000 acres of land being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (the “Property”),

locally known as 4700 Weidemar Lane 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 maximum height of a building or structure on the Property shall not exceed 60 feet.
- (B) A 25-foot wide building setback shall be established and maintained along the north and east property lines.
- (C) A 30-foot wide vegetative buffer along the west property line shall be provided and maintained. Improvements permitted within the buffer zone are limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

1 **PART 3.** Except as specifically restricted under this ordinance, the Property may be  
2 developed and used in accordance with the regulations established for the multifamily  
3 residence highest density (MF-6) district and other applicable requirements of the City  
4 Code.

5  
6 **PART 4.** Except as specifically modified by this ordinance, the Property is subject to  
7 Ordinance No. 20050818-Z004 that established zoning for the East Congress  
8 Neighborhood Plan.

9  
10 **PART 5.** This ordinance takes effect on \_\_\_\_\_, 2022.

11  
12 **PASSED AND APPROVED**

13  
14 §  
15 §  
16 \_\_\_\_\_, 2022 § \_\_\_\_\_  
17 Steve Adler  
18 Mayor

19  
20  
21 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
22 Anne L. Morgan Myrna Rios  
23 City Attorney City Clerk  
24

**Legal Description**

**BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 8.0000 ACRES (348,481 SQUARE FEET), MORE OR LESS, BEING OUT OF THE ISAAC DECKER SURVEY NO. 20, ABSTRACT NO. 8 IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THE REMAINDER OF A CALLED 18.201 ACRE TRACT CONVEYED TO RI/RMT ACQUISITION, LTD IN DOCUMENT NO. 2005180622 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), SAID 8.0000 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING**, at a 1/2-inch iron rod found in the northwest right-of-way line of Weidemar Lane (Right-of-way varies), being the southeast line of said RI/RMT remainder tract, for the southeast corner and **POINT OF BEGINNING** hereof, from which a 1/2-inch iron rod with "Waterloo 4324" cap found in the northwest right-of-way line of said Weidemar Lane, being the southeast corner of said RI/RMT remainder tract, and being the northeast corner of Lot 1, Block A, Champion Toyota Weidemar Subdivision, a subdivision in Travis County, Texas, recorded in Document No. 201000040 (O.P.R.T.C.T.) bears, S28°05'07"W, a distance of 179.62 feet;

**THENCE**, leaving the northwest right-of-way line of said Weidemar Lane, over and across said RI/RMT remainder tract, **N61°53'00"W**, a distance of **395.15** feet to a 1/2-inch iron rod with "4Ward-Boundary" cap set for the southwest corner hereof, said point being in the northwest line of said RI/RMT remainder tract, and being in the southeast line of Lot 23, Block "A", Colonial Trails Section One, a subdivision in Travis County, Texas, recorded in Document No. 200500048 (O.P.R.T.C.T.), from which a 1/2-inch iron rod with "4Ward-Boundary" cap set for an angle point in the northwest line of said RI/RMT remainder tract, and being the common east corner of said Lot 23 and Lot 22 of said Block "A", Colonial Trails Section One bears, S20°04'47"W, a distance of 9.18 feet;

**THENCE**, with the northwest line of said RI/RMT remainder tract and the southeast line of Lots 23-34, all of said Block "A", Colonial Trails Section One, the following nine (9) courses and distances:

- 1) **N20°04'47"E**, a distance of **52.80** feet to a 1/2-inch iron rod with "Landmark" cap found for an angle point hereof,
- 2) **N16°03'03"E**, a distance of **61.86** feet to a 1/2-inch iron rod found for an angle point hereof,
- 3) **N12°10'35"E**, a distance of **62.07** feet to a 1/2-inch iron rod with "Landmark" cap found for an angle point hereof,
- 4) **N07°58'35"E**, a distance of **62.14** feet to a 1/2-inch iron rod with illegible cap found for an angle point hereof,
- 5) **N03°57'53"E**, a distance of **61.88** feet to a 1/2-inch iron rod with "CFE" cap found for an angle point hereof,
- 6) **N02°01'08"E**, a distance of **220.00** feet to a 1/2-inch iron rod with "CFE" cap found for an angle point hereof,
- 7) **N02°11'12"E**, a distance of **57.89** feet to a 1/2-inch iron rod with "CFE" cap found for an angle point hereof,
- 8) **N07°05'49"E**, a distance of **60.08** feet to a 1/2-inch iron rod with "CFE" cap found for an angle point hereof, and
- 9) **N13°25'55"E**, a distance of **60.07** feet to a 1/2-inch iron rod with "Landmark" cap found for the northwest corner hereof, said point being in the south right-of-way line of Shelby Lane (80' Right-of-way), being the northwest corner of said RI/RMT remainder tract, and being the northeast corner of said Lot 34, Block "A", Colonial Trails Section One;

Exhibit A

**THENCE**, with the south right-of-way line of said Shelby Lane and the north line of said RI/RMT remainder tract, the following three (3) courses and distances:

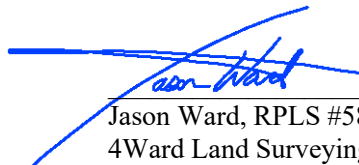
- 1) **S67°45'12"E**, a distance of **418.33** feet to a 1/2-inch iron rod found for a point of curvature hereof,
- 2) Along the arc of a curve to the right, whose radius is **360.00** feet, whose arc length is **227.91** feet and whose chord bears **S49°42'35"E**, a distance of **224.12** feet to a 1/2-inch iron rod found for a point of tangency hereof, and
- 3) **S31°58'53"E**, a distance of **26.95** feet to a 1/2-inch iron rod with "Terra Firma" cap found for the northeast corner hereof, said point being at the intersection of the south right-of-way line of said Shelby Lane with the northwest right-of-way line of said Weidemar Lane, and being the northeast corner of said RI/RMT remainder tract;

**THENCE**, with the northwest right-of-way line of said Weidemar Lane and the southeast line of said RI/RMT remainder tract, the following three (3) courses and distances:

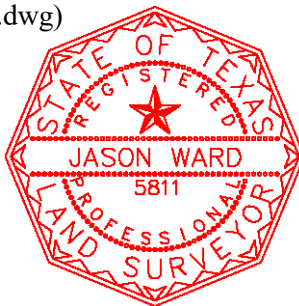
- 1) **S27°54'29"W**, a distance of **138.83** feet to a 1/2-inch iron rod found for a non-tangent point of curvature hereof,
- 2) Along the arc of a curve to the left, whose radius is **340.00** feet, whose arc length is **119.45** feet and whose chord bears **S38°23'25"W**, a distance of **118.84** feet to a 1/2-inch iron rod found for an angle point hereof, and
- 3) **S28°05'07"W**, a distance of **377.41** feet to the **POINT OF BEGINNING** and containing 8.0000 Acres (348,481 Square Feet) of land, more or less.

**NOTE:**

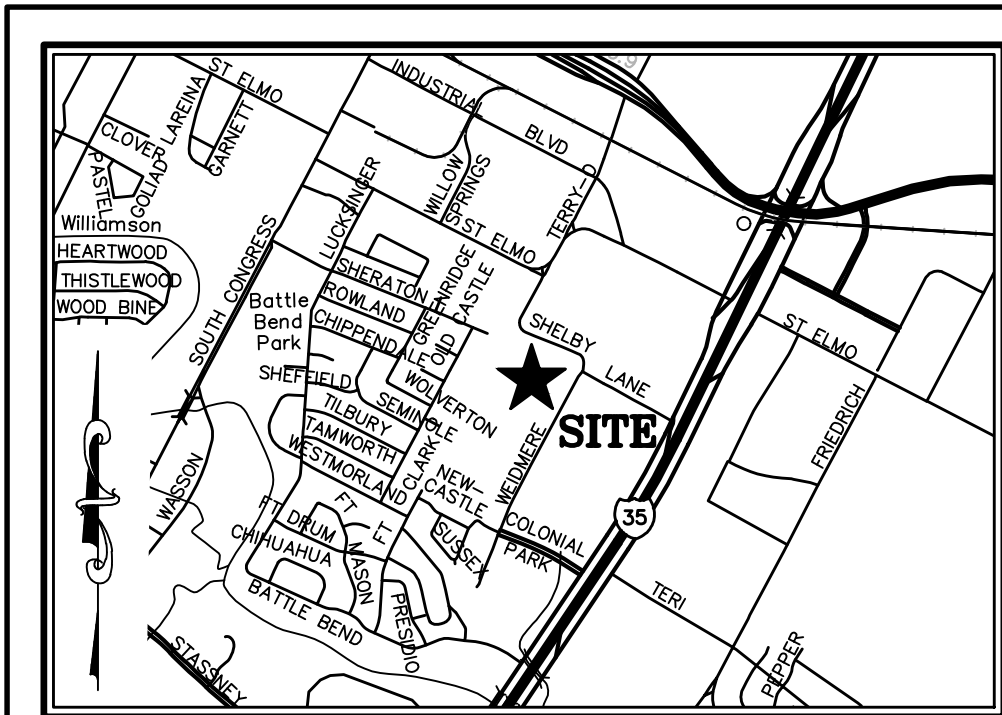
All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203), all distances were adjusted to surface using a combined scale factor of 1.000055208210. See attached sketch (reference drawing: 01053\_ALTA Survey.dwg)

  
Jason Ward, RPLS #5811  
4Ward Land Surveying, LLC

10/20/20







### VICINITY MAP

SCALE: 1" = 2000'

#### GENERAL NOTES:

- 1) PROPERTY ADDRESS: SHELBY LANE & WEIDEMAR LANE, AUSTIN, TEXAS 78745
- 2) THE LOCATION OF FENCES AND THE SIZE AND LOCATION OF UTILITY STRUCTURES, (IF SHOWN), MAY BE EXAGGERATED FOR GRAPHICAL CLARITY.
- 3) ADDITIONAL NUMBERS (IF SHOWN) IN THE TREE LIST AT THE END OF THE TREE DESCRIPTION, REPRESENT THE SIZES AND NUMBER OF MULTI-TRUNK TREES.
- 4) UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON UTILITY MAPS PROVIDED BY THE VARIOUS UTILITY COMPANIES. TEXAS811 WAS CONTACTED TO MARK UTILITIES FOR THIS SITE HOWEVER, NO UTILITIES WERE MARKED.
- 5) THERE WERE NO BUILDINGS ON THIS TRACT AT THE TIME OF THE ON-THE-GROUND FIELD SURVEY.
- 6) THERE WERE NO STRIPED PARKING SPACES ON THIS SITE AT THE TIME OF THE SURVEY.
- 7) SEE ATTACHED METES AND BOUNDS DESCRIPTION.

**TITLE COMMITMENT NOTES:**  
COMMITMENT FOR TITLE INSURANCE PREPARED BY: FIRST AMERICAN TITLE INSURANCE COMPANY  
C.F. NO.: 202002136  
EFFECTIVE DATE: AUGUST 19, 2020  
ISSUED: OCTOBER 02, 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 SHOWN IN BRACKETS. [ ]

1) THE FOLLOWING RESTRICTIVE COVENANTS OF RECORD ITEMIZED BELOW (WE MUST EITHER INSERT SPECIFIC RECORDING DATA OR DELETE THIS EXCEPTION):

DOCUMENT NO. 2010032631 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. [SUBJECT TO]

10) THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS:

A. A PIPE LINE AND APPURTENANCES EASEMENT GRANTED TO HOPE ENGINEERING AND SUPPLY COMPANY, BY INSTRUMENT DATED JANUARY 16, 1927, RECORDED IN VOLUME 413, PAGE 465 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AS AFFECTED BY THOSE INSTRUMENTS RECORDED IN VOLUME 8606, PAGE 322 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND DOCUMENT NOS. 2014018447 AND 2017092094 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. [SUBJECT TO - SHOWN ON SURVEY]

B. AN ELECTRIC LINES AND SYSTEMS EASEMENT GRANTED TO THE CITY OF AUSTIN, BY INSTRUMENT DATED MARCH 20, 1972, RECORDED IN VOLUME 4290, PAGE 719 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. [SUBJECT TO - SHOWN ON SURVEY]

C. THE TERMS, CONDITIONS AND STIPULATIONS OF THAT CERTAIN REIMBURSEMENT AGREEMENT DATED SEPTEMBER 26, 2005, RECORDED UNDER DOCUMENT NO. 2005180623 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. [SUBJECT TO]

D. THE TERMS, CONDITIONS, STIPULATIONS AND OBLIGATIONS (WHICH MAY BE SECURED BY SEPARATELY RECORDED LIENS) OF THAT CERTAIN DECLARATION OF EASEMENTS AND RESTRICTIVE COVENANT REGARDING MAINTENANCE OF DRAINAGE FACILITIES DATED MARCH 5, 2010, RECORDED UNDER DOCUMENT NO. 2010032631 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. [SUBJECT TO - SHOWN ON SURVEY]

**LEGAL DESCRIPTION:**  
BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 8.00 ACRES, MORE OR LESS, SITUATED IN THE ISAAC DECKER LEAGUE, SURVEY NO. 20, TRAVIS COUNTY, TEXAS.

#### BEARING BASIS:

ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.00005208210.

#### SURVEY CONTROL:

CONTROL FOR THIS SURVEY IS BASED ON A 1/2" IRON ROD WITH "4WARD CONTROL" CAP SET, WITH GRID COORDINATES (STATE PLANE, TEXAS CENTRAL - 4203) AND ELEVATIONS SHOWN HEREON DERIVED FROM NGS O.P.U.S. SOLUTION REPORT COMPUTED ON JULY 31, 2020.

#### FLOODPLAIN NOTE:

THIS PROPERTY IS LOCATED WITHIN ZONE "X", (UNSHADED) AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON F.I.R.M. MAP NO. 48453C0585H, TRAVIS COUNTY, TEXAS AND INCORPORATED AREAS, MAP REVISED SEPTEMBER 26, 2008.

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.

#### UTILITY NOTE:

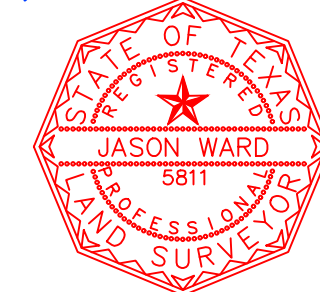
THE SURVEYOR MAKES NO GUARANTEES THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED (UTILITIES SHOWN HEREON MAY BE EXAGGERATED FOR GRAPHIC REPRESENTATION ONLY), ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES ONLY THE VISIBLE ABOVE GROUND UTILITY STRUCTURES.

#### ALTA/NSPS CERTIFICATION:

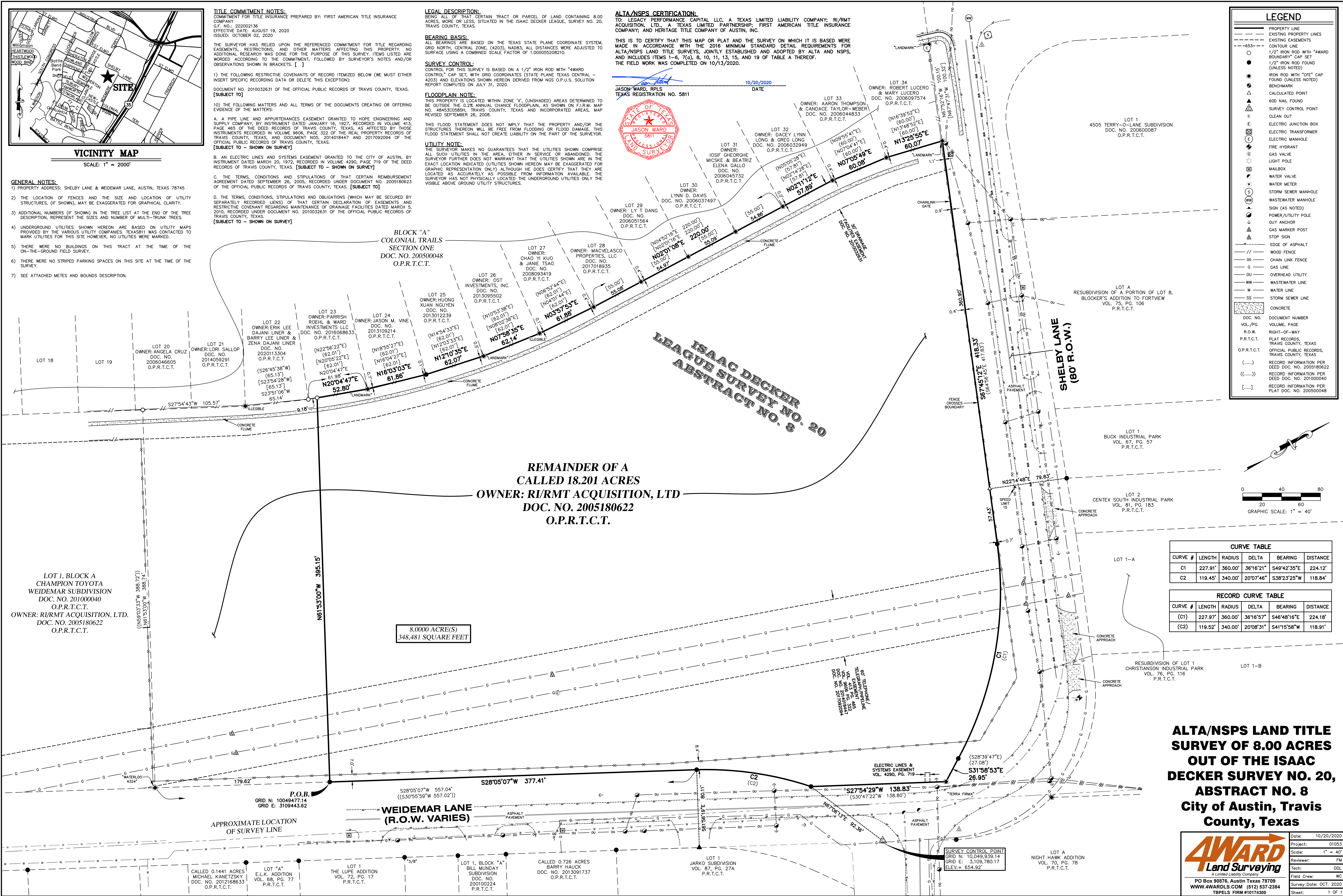
TO: LEGACY PERFORMANCE CAPITAL, LLC, A TEXAS LIMITED LIABILITY COMPANY; R/RMT ACQUISITION, LTD., A TEXAS LIMITED PARTNERSHIP; FIRST AMERICAN TITLE INSURANCE COMPANY; AND HERITAGE TITLE COMPANY OF AUSTIN, INC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-6, 7(a), 8, 10, 11, 13, 15, AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 10/13/2020.

JASON WARD, RPLS  
TEXAS REGISTRATION NO. 5811



10/20/2020  
DATE



**ALTA/NSPS LAND TITLE  
SURVEY OF 8.00 ACRES  
OUT OF THE ISAAC  
DECKER SURVEY NO. 20,  
ABSTRACT NO. 8**  
City of Austin, Travis  
County, Texas



PO Box 90876, Austin Texas 78709  
WWW.4WARDLS.COM (512) 537-2384  
TPELS FIRM #10174300

Date: 10/20/2020  
Project: 01053  
Scale: 1" = 40'  
Reviewer: FM  
Tech: DDL  
Field Crew: WC  
Survey Date: OCT. 2020  
Sheet: 1 OF 1




$$1'' = 400'$$

## ZONING

ZONING CASE#: C14-2021-0015

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: 2/12/2021**