

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 11400 ZIMMERMAN LANE FROM DEVELOPMENT RESERVE (DR) DISTRICT TO MULTIFAMILY RESIDENCE-LOW DENSITY-CONDITIONAL OVERLAY (MF-2-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 development reserve (DR) district to multifamily residence-low density-conditional overlay (MF-2-CO) combining district on the property described in Zoning Case No. C14-2022-0044, on file at the Housing and Planning Department, as follows:

Being 7.609 acres of land, situated in the Alexander Dunlap Survey No. 805, Abstract No. 224, in the City of Austin, Travis County, Texas, and being all of the 7.609 acres of land described by warranty deed with vendor's lien in Document No. 2003277405 in the Deed Records of Travis County, Texas, said 7.609 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 11400 Zimmerman 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:

Development of the Property is limited to 32 dwelling units and the site development regulations for townhouse and condominium residence (SF-6) district shall apply, unless a site plan approved by the City of Austin permits vehicular access from the Property to a TxDOT authorized access point on FM 620 through an adjacent property or a connecting street other than Zimmerman Lane, with access to Zimmerman Lane prohibited except for emergency vehicle access if required by the City of Austin.

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

PART 4. This ordinance takes effect on _____, 2022.

PASSED AND APPROVED

_____, 2022 § _____
 § _____
 § _____

Steve Adler
Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan Myrna Rios
City Attorney City Clerk

DRAFT



10090 W Highway 29 | Liberty Hill, Texas 78642
TBPELS Firm No. 10001800 | 512-238-7901 office

EXHIBIT " A "

METES AND BOUNDS DESCRIPTION

BEING 7.609 ACRES OF LAND, SURVEYED BY LANDESIGN SERVICES, INC., SITUATED IN THE ALEXANDER DUNLAP SURVEY NO. 805, ABSTRACT NO. 224 IN TRAVIS COUNTY, TEXAS, AND BEING ALL OF A CALLED 7.629 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN TO UDAYA KUMAR AND UMA KUMAR, RECORDED IN DOCUMENT NO. 2003277405 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found in the existing Northerly right-of-way line of Zimmerman Lane (50' R.O.W. – Volume 3556, Page 1443, Deed Records of Travis County, Texas (D.R.T.C.T.)) for the Southerly common corner of said 7.629 acre tract and of Lot 1, LONGHORN BOAT AND CAMPER STORAGE INC SUBDIVISION, a subdivision of record in Vol. 77, Pg. 365, of the Plat Records of Travis County, Texas (P.R.T.C.T.);

THENCE **North 27°33'52" East** with the Westerly line of said 7.629 acre tract and the common Easterly line of said Lot 1, a distance of **627.21** feet to a 1/2" rebar found in the Southerly line of Lot 1, 620 COMMERCIAL SUBDIVISION, a subdivision of record in Doc. No. 199900329 of said O.P.R.T.C.T., for the Northerly common corner of said 7.629 acre tract and of said Lot 1, of said Vol. 77, Pg. 365;

THENCE **South 62°13'26" East** with the Northerly line of said 7.629 acre tract and the common Southerly line of said Lot 1, of said Doc. No. 199900329, a distance of **528.73** feet to a 1/2" rebar found in the Westerly line of an apparent 5 foot strip of land owned by Arthur L. Zimmerman, recorded in Vol. 3590, Pg. 81, of the Deed Record of Travis County, Texas (D.R.T.C.T.), for the Easterly common corner of said 7.629 acre tract and of said Lot 1, of said Doc. No. 199900329;

THENCE **South 27°36'47" West** with the Easterly line of said 7.629 acre tract and the common Westerly line of said 5 foot strip of land, a distance of **627.10** feet to a 1/2" rebar with cap stamped "LSI SURVEY" set in the existing Northerly right-of-way line of said Zimmerman Lane, for the common Southerly corner of said 7.629 acre tract and of said 5 foot strip of land;

THENCE **North 62°14'10" West** with the Southerly line of said 7.629 acre tract and the common existing Northerly right-of-way line of said Zimmerman Lane, a distance of **528.20** feet to the **POINT OF BEGINNING** and containing 7.609 acres of land, more or less.

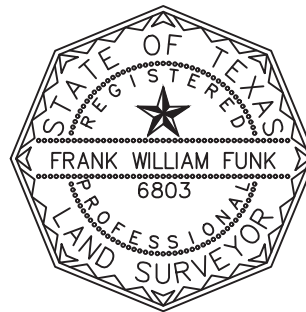
This project is referenced for all bearing and coordinate basis to the Texas State Plane Coordinate System, North American Datum of 1983 (NAD83 – 2011 Adjustment), Central Zone (4203). All distances shown hereon are surface values represented in U.S. Survey Feet based on a grid-to-surface combined adjustment factor of 1.0000651300.

This property description was prepared from an on-the-ground survey performed under my supervision and is accompanied by a separate plat of even date. The field work was completed on March 28, 2022.



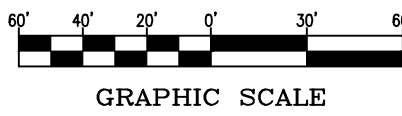
03/31/2022

Frank W. Funk
Registered Professional Land Surveyor
State of Texas No. 6803

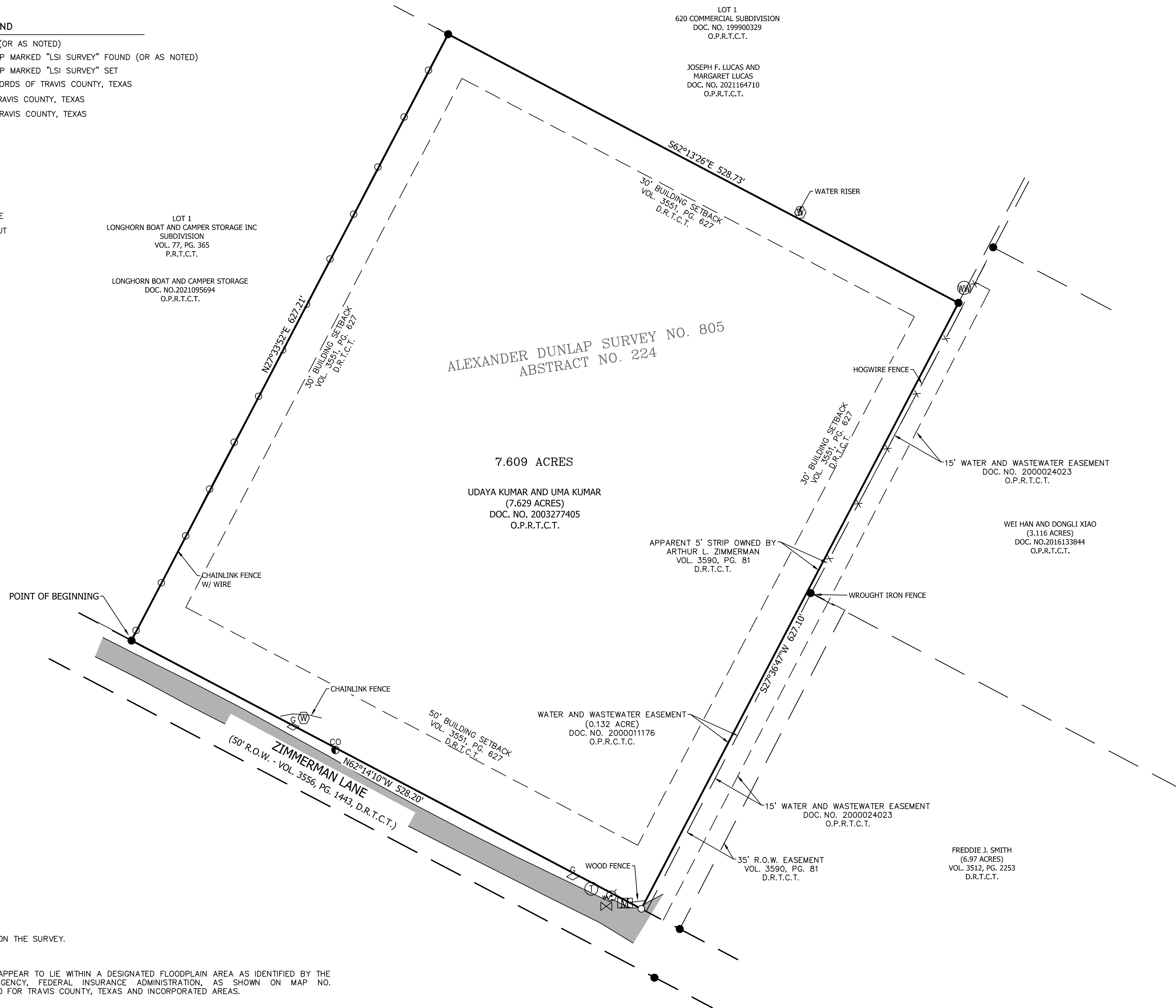


Job Number: 22-015

Attachments: K:\22018 – JCI 11400 Zimmerman\CAD\DWGs\JCI 11400 ZIMMERMAN ALTA.dwg



- LEGEND**
- 1/2" REBAR FOUND (OR AS NOTED)
 - 1/2" REBAR WITH CAP MARKED "LSI SURVEY" FOUND (OR AS NOTED)
 - 1/2" REBAR WITH CAP MARKED "LSI SURVEY" SET
 - O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
 - P.R.T.C.T. PLAT RECORDS OF TRAVIS COUNTY, TEXAS
 - D.R.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS
 - R.O.W. RIGHT-OF-WAY
 - POST
 - MAILBOX
 - TELEPHONE MANHOLE
 - GAS MARKER
 - WATER METER
 - WASTEWATER MANHOLE
 - WASTEWATER CLEANOUT
 - WATER VALVE
 - FIRE HYDRANT
 - BARBED WIRE FENCE
 - CHAIN LINK FENCE



- 2021 ALTA/NSPS TABLE A NOTES:
- ITEM 1: MONUMENTS FOUND OR SET AS SHOWN ON THE SURVEY.
- ITEM 2: ADDRESS IS 11400 ZIMMERMAN LANE
- ITEM 3: THE TRACT SHOWN HEREON DOES NOT APPEAR TO LIE WITHIN A DESIGNATED FLOODPLAIN AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, AS SHOWN ON MAP NO. 48453C0240K, DATED JANUARY 22, 2020 FOR TRAVIS COUNTY, TEXAS AND INCORPORATED AREAS.
- THIS FLOOD PLAIN NOTE DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
- ITEM 4: THE TOTAL AREA OF THE COMMITMENT PARCEL IS 7.609 ACRES, MORE OR LESS.
- ITEM 7a. NO BUILDINGS OBSERVED AT THE TIME OF THE SURVEY.
- ITEM 8: SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE SURVEY ARE AS SHOWN ON THE SURVEY.
- ITEM 9: NO PARKING SPACES WERE OBSERVED AT THE TIME OF THE SURVEY.
- ITEM 13. NAMES OF ADJOINING OWNERS ACCORDING TO PUBLIC RECORDS ARE AS SHOWN ON THE SURVEY.

ALTA/NSPS LAND TITLE SURVEY CERTIFICATION:

TO JCI RESIDENTIAL, LLC AND FIDELITY NATIONAL TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(a), 8, 9 & 13 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON MARCH 28, 2022.

DATE OF PLAT OR MAP: MARCH 31, 2022



Frank W. Funk
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 6803

LEGAL DESCRIPTION:

BEING 7.609 ACRES OF LAND, SURVEYED BY LANDESIGN SERVICES, INC., SITUATED IN THE ALEXANDER DUNLAP SURVEY NO. 805, ABSTRACT NO. 224 IN TRAVIS COUNTY, TEXAS, AND BEING ALL OF A CALLED 7.629 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN TO UDAYA KUMAR AND UMA KUMAR, RECORDED IN DOCUMENT NO. 2003277405 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

COMMITMENT FOR TITLE INSURANCE PROVIDED BY:
FIDELITY NATIONAL TITLE INSURANCE COMPANY
COMMITMENT NO. 1709922200178
EFFECTIVE DATE: FEBRUARY 14, 2022
ISSUE DATE: MARCH 1, 2022

ONLY THOSE ITEMS LISTED IN SCHEDULE B OF THE ABOVE REFERENCED COMMITMENT FOR TITLE INSURANCE WERE REVIEWED FOR THE PURPOSE OF THIS SURVEY. NO ADDITIONAL RESEARCH WAS PERFORMED BY THIS SURVEYOR. THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS, OR OTHER ENCUMBRANCES WHICH AFFECT THIS SURVEY THAT ARE NOT KNOWN TO THIS SURVEYOR.

- SCHEDULE B EXCEPTIONS:**
1. THE FOLLOWING RESTRICTIVE COVENANTS OF RECORD ITEMIZED BELOW.
- VOLUME 3551, PAGE 627, DEED RECORDS OF TRAVIS COUNTY, TEXAS.

OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW.

10. a. THOSE LIENS CREATED AT CLOSING, IF ANY, PURSUANT TO LENDER INSTRUCTIONS. (NOT A SURVEY MATTER)
- b. RIGHTS OF PARTIES IN POSSESSION. (NOT A SURVEY MATTER)
- c. ALL LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF COAL, LIGNITE, OIL, GAS AND OTHER MINERALS, TOGETHER WITH ALL RIGHTS, PRIVILEGES, AND IMMUNITIES RELATING THERETO, APPEARING IN THE PUBLIC RECORDS WHETHER LISTED IN SCHEDULE B OR NOT. THERE MAY BE LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF MINERAL INTEREST THAT ARE NOT LISTED. (NOT A SURVEY MATTER)
- d. THE FOLLOWING EXCEPTION WILL APPEAR IN ANY POLICY ISSUED (OTHER THAN THE T-1R RESIDENTIAL OWNER'S POLICY OF TITLE INSURANCE AND THE T-2R SHORT-FORM RESIDENTIAL LOAN POLICY) IF THE COMPANY IS NOT PROVIDED A SURVEY OF THE LAND, ACCEPTABLE TO THE COMPANY, FOR REVIEW AT OR PRIOR TO CLOSING.

ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND. (NOTED HEREON)

- e. IF ANY PORTION OF THE PROPOSED LOAN AND/OR THE OWNER'S TITLE POLICY COVERAGE AMOUNT INCLUDES FUNDS FOR IMMEDIATELY CONTEMPLATED IMPROVEMENTS, THE FOLLOWING EXCEPTIONS WILL APPEAR IN SCHEDULE B OF ANY POLICY ISSUED AS INDICATED:
- OWNER'S AND LOAN POLICY(IES): ANY AND ALL LIENS ARISING BY REASON OF UNPAID BILLS OR CLAIMS FOR WORK PERFORMED OR MATERIALS FURNISHED IN CONNECTION WITH IMPROVEMENTS PLACED, OR TO BE PLACED, UPON THE SUBJECT LAND, HOWEVER, THE COMPANY DOES INSURE THE INSURED AGAINST LOSS, IF ANY, SUSTAINED BY THE INSURED UNDER THIS POLICY IF SUCH LIENS HAVE BEEN FILED WITH THE COUNTY CLERK OF TRAVIS COUNTY, TEXAS, PRIOR TO THE DATE HEREOF.

OWNER'S POLICY(IES) ONLY: LIABILITY HEREUNDER AT THE DATE HEREOF IS LIMITED TO \$. LIABILITY SHALL INCREASE AS CONTEMPLATED IMPROVEMENTS ARE MADE, SO THAT ANY LOSS PAYABLE HEREUNDER SHALL BE LIMITED TO SAID SUM PLUS THE AMOUNT ACTUALLY EXPENDED BY THE INSURED IN IMPROVEMENTS AT THE TIME THE LOSS OCCURS. ANY EXPENDITURES MADE FOR IMPROVEMENTS, SUBSEQUENT TO THE DATE OF THIS POLICY, WILL BE DEEMED MADE AS OF THE DATE OF THIS POLICY. IN NO EVENT SHALL THE LIABILITY OF THE COMPANY HEREUNDER EXCEED THE FACE AMOUNT OF THIS POLICY. NOTHING CONTAINED IN THIS PARAGRAPH SHALL BE CONSTRUED AS LIMITING ANY EXCEPTION OR ANY PRINTED PROVISION OF THIS POLICY.

LOAN POLICY(IES) ONLY: PENDING DISBURSEMENT OF THE FULL PROCEEDS OF THE LOAN SECURED BY THE LIEN INSTRUMENT SET FORTH UNDER SCHEDULE A HEREOF, THIS POLICY INSURES ONLY TO THE EXTENT OF THE AMOUNT ACTUALLY DISBURSED, BUT INCREASE AS EACH DISBURSEMENT IS MADE IN GOOD FAITH AND WITHOUT KNOWLEDGE OF ANY DEFECT IN, OR OBJECTIONS TO, THE TITLE UP TO THE FACE AMOUNT OF THE POLICY. NOTHING CONTAINED IN THIS PARAGRAPH SHALL BE CONSTRUED AS LIMITING ANY EXCEPTION UNDER SCHEDULE B, OR ANY PRINTED PROVISION OF THIS POLICY. (NOT A SURVEY MATTER)

- f. BUILDING SETBACK LINES AS SET OUT IN VOLUME 3551, PAGE 627, DEED RECORDS OF TRAVIS COUNTY, TEXAS. (SHOWN ON SURVEY)
- g. PORTION OF THE SUBJECT PROPERTY LIES WITHIN A 50 FOOT PUBLIC ROAD, TOGETHER WITH THE RIGHTS OF THE PUBLIC TO SAID PORTION, AS EVIDENCED IN THE WARRANTY DEED RECORDED IN DOCUMENT NO. 2000110128, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. (NOTED HEREON)
- h. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:

IN FAVOR OF: PEDERNALES ELECTRIC COOPERATIVE, INC.
PURPOSE: CONSTRUCTION AND MAINTENANCE OF ELECTRIC POWER LINES
RECORDING NO: DOCUMENT NO. 2000110128, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
AFFECTS: AS TO THAT PORTION WITHIN THE 50 FOOT PUBLIC ROAD (NOTED HEREON)

- i. RIGHTS OF TENANTS IN POSSESSION, AS TENANTS ONLY, UNDER UNRECORDED LEASE AGREEMENTS. (NOT A SURVEY MATTER)

GENERAL NOTES:

THIS PROJECT IS REFERENCED FOR ALL BEARING AND COORDINATE BASIS TO THE TEXAS COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83 - 2011 ADJUSTMENT), CENTRAL ZONE (4203).

DISTANCES AND AREAS SHOWN HEREON ARE SURFACE VALUES REPRESENTED IN U.S. SURVEY FEET BASED ON A GRID-TO-SURFACE COMBINED ADJUSTMENT FACTOR OF 1.0000651300.

SOME FEATURES SHOWN HEREON MAY BE OUT OF SCALE FOR CLARITY.

UTILITIES SHOWN HEREON ARE BASED ON ABOVE GROUND AND VISIBLE EVIDENCE. LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE. SURVEYOR DOES NOT CERTIFY TO THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN HEREON. CONTRACTORS SHALL CONTACT APPROPRIATE UTILITY COMPANIES AND TEXAS 811 PRIOR TO EXCAVATION.



ALTA/NSPS LAND TITLE SURVEY OF 7.609 ACRES OF LAND, SITUATED IN THE ALEXANDER DUNLAP SURVEY NO. 805, ABSTRACT NO. 224, TRAVIS COUNTY, TEXAS, AND BEING ALL OF A CALLED 7.629 ACRE TRACT OF LAND DESCRIBED IN DOC. NO. 2003277405 OF THE OFFICIAL PUBLIC RECORD OF TRAVIS COUNTY, TEXAS

REVISIONS	DATE	DESCRIPTION
1	03/30/2022	PROJECT NAME: JCI 11400 ZIMMERMAN
2	03/30/2022	JOB NUMBER: 22-018
3	03/30/2022	DRAWING FILE PATH: K:\22018 - JCI 11400
4	03/30/2022	FIELDNOTE FILE PATH: JCI 11400 ZIMMERMAN ALTA.DWG
5	03/30/2022	FIELDNOTE FILE PATH: JCI 11400 ZIMMERMAN ALTA.DWG
6	03/30/2022	RPLS: FWF TECH: JRM PARTY/CHIEF: CD
7	03/30/2022	CHECKED BY: HAS FIELDBOOK: 404
8	03/30/2022	DRAWING NAME: JCI 11400 ZIMMERMAN ALTA
9	03/30/2022	SHEET 01 of 01



Created: 3/28/2022