

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

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4927 EAST 5TH STREET IN THE GOVALLE/JOHNSTON TERRACE COMBINED NEIGHBORHOOD PLAN AREA FROM LIMITED INDUSTRIAL SERVICE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LI-CO-NP) COMBINING DISTRICT TO LIMITED INDUSTRIAL SERVICE-PLANNED DEVELOPMENT AREA-NEIGHBORHOOD PLAN (LI-PDA-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 service-conditional overlay-neighborhood plan (LI-CO-NP) combining district to limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) combining district on the property described in Zoning Case No. C14-2022-0103, on file at the Housing and Planning Department, as follows:

**Tract 1.** Being 0.908 acre of land, more or less, situated in the J.C. TANNEHILL LEAGUE, Travis County, Texas, being all of a called 1.425 acre tract described in a document recorded in Document No. 2021274548, Official Public Records of Travis County, Texas, save and except 22,515 square feet, said 0.908 acre of land being more particularly described by metes and bounds in **Exhibit “A-1”** incorporated into this ordinance; and

**Tract 2.** Being 0.517 acre of land, more or less, situated in the J.C. TANNEHILL LEAGUE, Travis County, Texas, being out of a called 1.425 acre tract described in a document recorded in Document No. 2021274548, Official Public Records of Travis County, Texas, said 0.517 acre of land being more particularly described by metes and bounds in **Exhibit “A-2”** incorporated into this ordinance,

(collectively, the “Property”),

locally known as 4927 East 5th Street in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit “B”**.

**PART 2.** Except as specifically provided in Part 3 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the limited industrial service (LI) base district and other applicable requirements of the City Code.

**PART 3.** Development of the Property shall comply with Section 25-2-648 (*Planned Development Area Performance Standards*) of the City Code.

**PART 4.** Development of the Property is subject to the regulations set forth in this part:

(A) The following uses are conditional uses of the Property:

Agricultural sales and services	Automotive rentals
Automotive repair services	Automotive sales
Automotive washing (of any type)	Building maintenance services
Commercial off-street parking	Construction sales and services
Drive-in service as an accessory use to commercial uses	Equipment repair services
Equipment sales	

(B) The following uses are prohibited uses on the Property:

Adult oriented businesses	Basic industry
Campground	Custom Manufacturing
General Warehousing and Distribution	Kennels
Laundry services	Light Manufacturing
Limited Warehousing and Distribution	Pawn shop services
Recycling Center	Residential treatment
Resource Extraction	Scrap and Salvage
Vehicle storage	

(C) The maximum height of a building or structure shall not exceed 60 feet on Tract 1 as depicted in **Exhibit "C"**.

(D) The maximum height of a building or structure shall not exceed 75 feet on Tract 2 as depicted in **Exhibit "C"**.

(E) Development on the Property may not exceed a floor-to-area ratio of 3:1.

(F) The maximum impervious cover is 95 percent.

(G) The maximum building coverage is 95 percent.

(H) The minimum setbacks are: 10 feet for front yard, and  
10 feet for side street yard, and  
0 feet for interior side yard, and  
0 feet for rear yard

**PART 5.** Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 030327-11a that established zoning for the Govalle Neighborhood Plan.

**PART 6.** This ordinance takes effect on \_\_\_\_\_, 2023.

**PASSED AND APPROVED**

§  
§  
§

\_\_\_\_\_, 2023

Kirk Watson  
Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_

Anne L. Morgan  
City Attorney

Myrna Rios  
City Clerk



## EXHIBIT "A-1"

📍 P.O. BOX 992 | 6477 FM 311, SPRING BRANCH, TX 78070  
🔗 [WWW.SHERWOODSURVEYING.COM](http://WWW.SHERWOODSURVEYING.COM)  
📍 TBPELS FIRM #10044200

### Tract 1

FILE NO. 21AQU003  
MAY 25, 2022

**FIELDNOTE DESCRIPTION**  
**39,551 SQUARE FEET**  
**ZONING**

BEING 39,551 SQUARE FEET, SITUATED IN THE J.C. TANNEHILL LEAGUE, TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 1.425 ACRE TRACT, RECORDED IN DOCUMENT NUMBER 2021274548 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT 22,515 SQUARE FEET BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A FOUND 1/2" IRON ROD AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF E. 5<sup>TH</sup> STREET AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SPENCER LANE, FOR THE NORTHEASTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE**, ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF SPENCER LINE, COMMON WITH THE SOUTHEASTERLY LINE OF THE HEREIN DESCRIBED TRACT, S 20° 28' 40" W, A DISTANCE OF 193.05 FEET, TO A FOUND 1/2" IRON ROD, FOR THE NORTHEASTERLY CORNER OF A CALLED 0.9564 ACRE TRACT, RECORDED IN DOCUMENT NUMBER 2006209685, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, AND FOR THE SOUTHEASTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE**, ALONG THE SOUTHWESTERLY LINE OF THE HEREIN DESCRIBED TRACT, N 76° 15' 11" W, PASSING A FOUND IRON ROD AT A DISTANCE OF 230.56 FEET FOR THE NORTHWESTERLY CORNER OF SAID 0.9564 ACRE TRACT AND THE NORTHEASTERLY CORNER OF A CALLED 0.537 ACRE TRACT, RECORDED IN DOCUMENT NUMBER 2017008269, OFFICIAL PUBLIC RECORDS, TRAVIS, AND CONTINUING FOR A TOTAL DISTANCE OF 296.69 FEET TO A SET 1/2" IRON ROD (WITH CAP STAMPED "SHERWOOD SURVEYING") FOR AN INTERIOR CORNER OF LOT 2, CAPITOL MACHINE WORKS ADDITION, RECORDED IN VOLUME 80, PAGE 244, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND FOR THE SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE**, ALONG THE SOUTHEASTERLY LINE OF LOT 2, COMMON WITH THE NORTHWESTERLY LINE OF THE HEREIN DESCRIBED TRACT, N 20° 27' 48" E, A DISTANCE OF 227.57 FEET, TO A FOUND 1/2" IRON ROD IN THE AFOREMENTIONED SOUTHWESTERLY RIGHT-OF-WAY LINE OF E. 5<sup>TH</sup> STREET, FOR THE NORTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE**, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF E. 5<sup>TH</sup> STREET, COMMON WITH THE NORTHEASTERLY LINE OF THE HEREIN DESCRIBED TRACT, THE FOLLOWING COURSES:

S 69° 58' 23" E, A DISTANCE OF 90.20 FEET, TO A FOUND 1" IRON PIPE AT AN ANGLE POINT;

S 69° 23' 44" E, A DISTANCE OF 204.51 FEET TO THE **POINT OF BEGINNING**, CONTAINING AN AREA OF 1.425 ACRES OF LAND, MORE OR LESS.



# HEIGHT TRACTS EXHIBIT

**SAVE AND EXCEPT** THAT 22,515 SQUARE FEET TRACT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT ABOVE REFERENCED **POINT OF BEGINNING** OF SAID 1.425 ACRE TRACT, SITUATED AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF E. 5<sup>TH</sup> STREET AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SPENCER LANE;

**THENCE**, S 55° 54' 41" W, INTO AND ACROSS SAID 1.425 ACRE TRACT, A DISTANCE OF 9.32 FEET TO THE NORTHEASTERLY CORNER AND **POINT OF BEGINNING** OF THE HEREIN DESCRIBED 22,515 SQUARE FEET TRACT

**THENCE**, CONTINUING INTO AND ACROSS SAID 1.425 ACRTE TRACT, THE FOLLOWING COURSES AND DISTANCES:

S 20° 29' 35" W, A DISTANCE OF 181.07 FEET TO THE SOUTHEASTERLY CORNER OF SAID 22,515 SQUARE FEET TRACT;

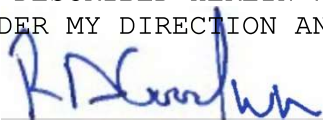
N 76° 15' 11" W, A DISTANCE OF 120.38 FEET TO THE SOUTHWESTERLY CORNER OF SAID 22,515 SQUARE FEET TRACT;

N 20° 28' 40" E, A DISTANCE OF 195.53 FEET TO THE NORTHWESTERLY CORNER OF SAID 22,515 SQUARE FEET TRACT;

S 69° 21' 08" E, A DISTANCE OF 119.60 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED 22,515 SQUARE FEET TRACT;

A SURVEY EXHIBIT WAS PREPARED ON THIS SAME DATE. BASIS OF BEARING IS NAD 83 TEXAS STATE PLANE COORDINATES, CENTRAL ZONE.

I, RICHARD A. GOODWIN, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

  
5-25-2022  
STATE OF TEXAS RPLS #4069      DATE





## EXHIBIT "A-2"

📍 P.O. BOX 992 | 6477 FM 311, SPRING BRANCH, TX 78070  
🔗 [WWW.SHERWOODSURVEYING.COM](http://WWW.SHERWOODSURVEYING.COM)  
📍 TBPELS FIRM #10044200

FILE NO. 21AQU003

MAY 25, 2022

## Tract 2

### FIELDNOTE DESCRIPTION 22,515 SQUARE FEET ZONING

BEING 22,515 SQUARE FEET, SITUATED IN THE J.C. TANNEHILL LEAGUE, TRAVIS COUNTY, TEXAS, BEING OUT OF A CALLED 1.425 ACRE TRACT, RECORDED IN DOCUMENT NUMBER 2021274548 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 22,515 SQUARE FEET BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT A FOUND 1/2" IRON ROD AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF E. 5<sup>TH</sup> STREET AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SPENCER LANE, FOR THE NORTHEASTERLY CORNER OF THE ABOVE REFERENCED 1.425 ACRE TRACT;

**THENCE**, S 55° 54' 41" W, INTO AND ACROSS SAID 1.425 ACRE TRACT, A DISTANCE OF 9.32 FEET TO THE NORTHEASTERLY CORNER AND **POINT OF BEGINNING** OF THE HEREIN DESCRIBED 22,515 SQUARE FEET TRACT

**THENCE**, CONTINUING INTO AND ACROSS SAID 1.425 ACRTE TRACT, THE FOLLOWING COURSES AND DISTANCES:

S 20° 29' 35" W, A DISTANCE OF 181.07 FEET TO THE SOUTHEASTERLY CORNER OF SAID 22,515 SQUARE FEET TRACT;

N 76° 15' 11" W, A DISTANCE OF 120.38 FEET TO THE SOUTHWESTERLY CORNER OF SAID 22,515 SQUARE FEET TRACT;

N 20° 28' 40" E, A DISTANCE OF 195.53 FEET TO THE NORTHWESTERLY CORNER OF SAID 22,515 SQUARE FEET TRACT;

S 69° 21' 08" E, A DISTANCE OF 119.60 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED 22,515 SQUARE FEET TRACT;



# HEIGHT TRACTS EXHIBIT

A SURVEY EXHIBIT WAS PREPARED ON THIS SAME DATE. BASIS OF BEARING IS NAD 83 TEXAS STATE PLANE COORDINATES, CENTRAL ZONE.

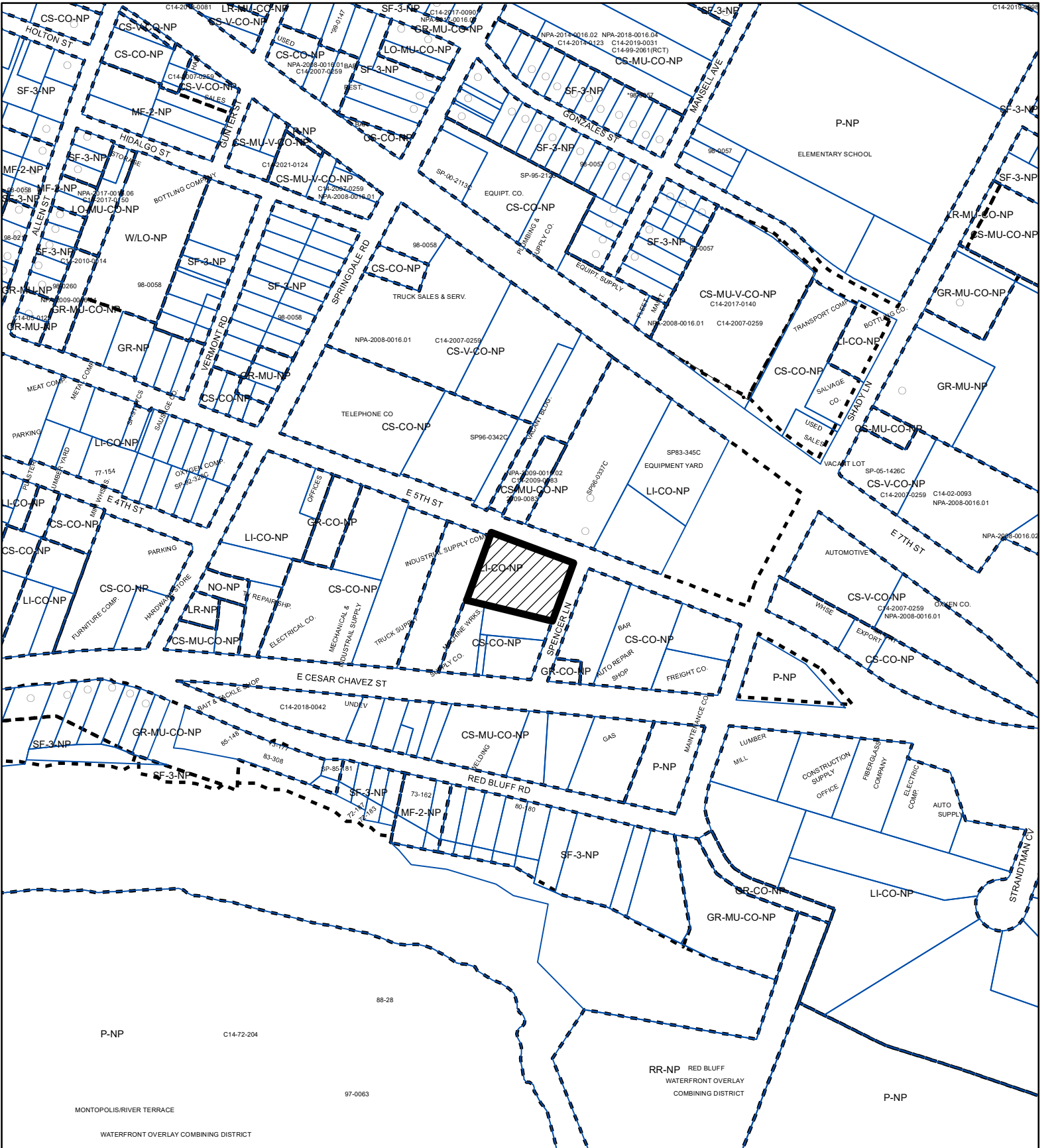
I, RICHARD A. GOODWIN, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.




5-25-2022

STATE OF TEXAS RPLS #4069





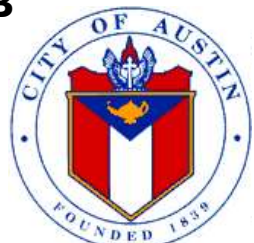


-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

## ZONING

ZONING CASE#: C14-2022-0103

## 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

1" = 400'

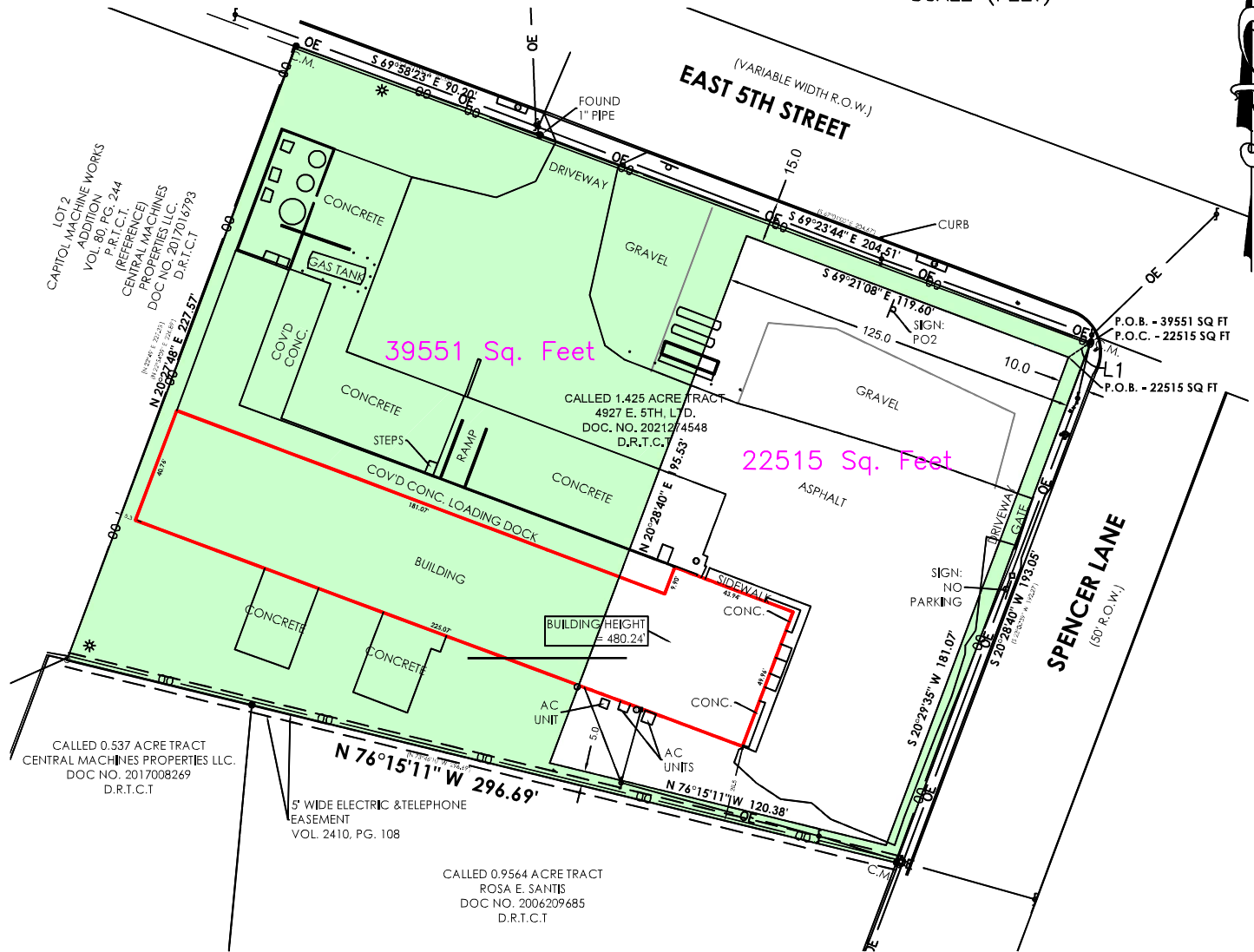
Created: 7/26/2022



# EXHIBIT "C"

0 30 60 120

SCALE (FEET)



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 55°54'41" W	9.32'

## ZONING EXHIBIT

Tract 1

60' ZONE 39551 SQ. FT.

Tract 2

75' ZONE 22515 SQ. FT.

### SURVEYOR NOTES:

THIS BOUNDARY SURVEY WAS COMPLETED WITHOUT ADDITIONAL RESEARCH TO DETERMINE IF OTHER MATTERS OF RECORD, IF ANY, MIGHT AFFECT THIS PROPERTY, SUCH AS EASEMENTS, SETBACKS, OR OTHER ENCUMBRANCES.

BASIS OF BEARING IS NAD83 TEXAS STATE PLANE COORDINATES, CENTRAL ZONE

DATE OF FIELDWORK: 10/11/21

### LEGAL DESCRIPTION

PROPOSED ZONING PARCELS  
OUT OF A CALLED 1.425 ACRE TRACT  
CONVEYED TO 4927 E. 5TH, LTD.,  
AS SHOWN ON DOC. NO. 2021274548  
OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

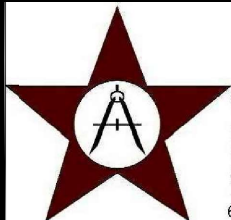
### SURVEYORS CERTIFICATE

I, RICHARD A. GOODWIN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, REGISTRATION NUMBER 4069, HEREBY STATE THAT DURING THE MONTH OF OCTOBER, 2021, A SURVEY OF THE REAL PROPERTY SHOWN HEREON WAS MADE UPON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

RICHARD A. GOODWIN  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 4069

5-25-2022

DATE



**SHERWOOD  
SURVEYING & S.U.E.**

UTILITIES | RESIDENTIAL | COMMERCIAL | INDUSTRIAL  
6477 FM 311, P.O. BOX 992 TBPB FIRM#10044200  
SPRING BRANCH, TEXAS 78070  
PHONE (830) 228-5788 FAX (830) 885-2170

DATE: 05/24/2022

DRAWN BY: RG

PROJECT No. 21AQU003

