

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3506 AND 3512 DARBY STREET, 6315, 6401, 6409, 6417 1/2, AND 6505 WILCAB ROAD, AND 6118, 6204, AND 6414 HUDSON STREET IN THE EAST MLK COMBINED NEIGHBORHOOD PLAN AREA FROM LIMITED INDUSTRIAL SERVICE-NEIGHBORHOOD PLAN (LI-NP) COMBINING DISTRICT, INDUSTRIAL PARK-NEIGHBORHOOD PLAN (IP-NP) COMBINING DISTRICT AND GENERAL COMMERCIAL SERVICES-NEIGHBORHOOD PLAN (CS-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-neighborhood plan (LI-NP) combining district, industrial park-neighborhood plan (IP-NP) combining district and general commercial services-neighborhood plan (CS-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. C14-2022-0105, on file at the Planning Department, as follows:

Being all of that certain 7.083 acre tract out of the J.C. TANNEHILL LEAGUE NO. 29, ABSTRACT NO. 22, in Travis County, Texas, being a portion of that called 2.611 acre tract described in a deed recorded in Document No. 2015016291, Official Public Records of Travis County, Texas, being all of that called 0.55 acre tract described in a deed recorded in Document No. 2015016292, Official Public Records of Travis County, Texas, being all of that called 2.514 acre tract described in a deed recorded in Document No. 2015016291, Official Public Records of Travis County, Texas, being all of that called 0.473 acre tract described in a deed recorded in Document No. 2018174863, Official Public Records of Travis County, Texas, being all of that called 0.48 acre tract described in a deed recorded in Document No. 2022038176, Official Public Records of Travis County, Texas, being all of that called 0.477 acre tract described in a deed recorded in Document No. 2000195557, Official Public Records of Travis County, said 7.083 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance; and

Being all of that certain 2.655 acre (115,666 square feet) tract out of the J.C. TANNEHILL LEAGUE NO. 29, ABSTRACT NO. 22, in Travis County, Texas,

being all of that called 0.97 acre tract and all of that called 1.68 acre tract described in a deed recorded in Document No. 2014127059, Official Public Records Of Travis County, Texas, said 2.655 acres of land being more particularly described by metes and bounds in **Exhibit “B”** incorporated into this ordinance,

(collectively, the “Property”),

locally known as 3506 and 3512 Darby Street, 6315, 6401, 6409, 6417 1/2, and 6505 Wilcab Road, and 6118, 6204, and 6414 Hudson Street in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit “C”**.

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 additional permitted uses of the Property:

Condominium residential
Multifamily residential

Group residential
Townhouse residential

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

Basic industry
Recycling center
Scrap and salvage

General warehousing and distribution
Resource extraction

(C) The maximum height of a building or structure shall not exceed 200 feet.

(D) Development on the Property may not exceed a floor-to-area ratio of 6 to 1.

(E) The maximum impervious cover is 85 percent.

(F) The maximum building coverage is 85 percent.

78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103

EXHIBIT "A"

7.083 ACRES
J.C. TANNEHILL LEAGUE NO. 29, ABSTRACT NO. 22
TRAVIS COUNTY, TEXAS

FIELD NOTES DESCRIPTION

BEING ALL OF THAT CERTAIN 7.083 ACRE TRACT OUT OF THE J.C. TANNEHILL LEAGUE NO. 29, ABSTRACT NO. 22, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 2.611 ACRE TRACT (TRACT 1) CONVEYED TO DARBY YARD, LLC BY DEED RECORDED IN DOCUMENT NO. 2015016291 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.TX.), BEING ALL OF THAT CALLED .55 ACRE TRACT CONVEYED TO DARBY YARD, LLC BY DEED RECORDED IN DOCUMENT NO. 2015016292, O.P.R.T.C.TX., BEING ALL OF THAT CALLED 2.514 ACRE TRACT (TRACT 2) CONVEYED TO DARBY YARD, LLC BY DEED RECORDED IN DOCUMENT NO. 2015016291, O.P.R.T.C.TX., BEING ALL OF THAT CALLED 0.473 ACRE TRACT CONVEYED TO TRIPLE L GROUP, LLC BY DEED RECORDED IN DOCUMENT NO. 2018174863, O.P.R.T.C.TX., BEING ALL OF THAT CALLED 0.48 ACRE TRACT CONVEYED TO STAY TAYLOR, LP BY DEED RECORDED IN DOCUMENT NO. 2022038176, O.P.R.T.C.TX., BEING ALL OF THAT CALLED 0.477 ACRE TRACT CONVEYED TO BRENDA KAY WINN AND JAMES JACKSON BY DEED RECORDED IN DOCUMENT NO. 2000195557, O.P.R.T.C.TX., SAID 7.083 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found at the intersection of the west line of Darby Street (right-of-way width varies) with the north line of Hudson Street (right-of-way width varies), being the southeast corner of said 0.473 acre tract and the southeast corner of the herein described tract;

THENCE, with the south line of said 0.473 acre tract, with the south line of said 0.48 acre tract, with the south line of said 0.477 acre tract, same being the north line of said Hudson Street, the following three (3) courses:

- 1) N59°43'54"W, a distance of 178.63 feet to a 1/2 inch iron rod with "ALLSTAR" cap found for the southwest corner of said 0.473 acre tract, being the southeast corner of said 0.48 acre tract;
- 2) N59°45'19"W, a distance of 186.51 feet to a 1/2 inch iron rod with "ALLSTAR" cap found for the southwest corner of said 0.48 acre tract, being the southeast corner of said 0.477 acre tract, from which a 1/2 inch iron rod with "ALLSTAR" cap found for the northwest corner of said 0.48 acre tract, being the northeast corner of said 0.477 acre tract bears, N28°22'14"E, a distance of 109.88 feet;
- 3) N59°48'54"W, a distance of 179.69 feet to a 1/2 inch iron rod with "PREMIER" cap found for the southwest corner of said 0.477 acre tract and of the herein described tract, being the southeast corner of that called 0.58 acre tract (SAVE AND EXCEPT 0.318 acre conveyed to Emzie Franklin by deed recorded in Volume 7305, Page 204 of the Deed Records of Travis County, Texas (D.R.T.C.TX.)) conveyed to Elijah Nelson and Carol Nelson by deed recorded in Document No. 2011055683, O.P.R.T.C.TX., from which a 1/2 inch iron rod found for the southeast corner of said 0.318 acre tract bears, N59°43'11"W, a distance of 136.14 feet;

THENCE, with the common line of said 0.58 acre tract and said 0.477 acre tract, N28°46'58"E, a distance of 109.19 feet to 1/2 inch iron rod with "PREMIER" cap found on the west line of said 2.611 acre tract for the northwest corner of said 0.477 acre tract, being the northeast corner of said 0.58

acre tract, same also being the southeast corner of that called 0.97 acre tract (Exhibit A) conveyed to Rehoboth Baptist Church by deed recorded in Document No. 2014127059, O.P.R.T.C.TX.;

THENCE, with the common line of said 0.97 acre tract and said 2.611 acre tract, N29°59'54"E, passing at a distance of 481.87 feet the northeast corner of said 0.97 acre tract, being the southeast corner of that called 0.026 acre tract conveyed to Travis County, Texas by deed recorded in Volume 2127, Page 20, D.R.T.C.TX., from which a cotton spindle found for reference in asphalt bears N10°40'45"E, a distance of 16.58 feet, from which a square head bolt found for the northwest corner of that 1.68 acre tract (Exhibit B) conveyed to Rehoboth Baptist Church by deed recorded in Document No. 2014127059, O.P.R.T.C.TX. bears the following two (2) courses: 1) N61°05'58"W, a distance of 88.00 feet to the common corner of said 0.97 acre tract and said 1.68 acre tract and 2) N60°37'35"W, a distance of 164.20 feet, continuing along the common line of said 0.026 acre tract and said 2.611 acre tract for a total distance of 483.87 feet to a "MAG" nail set at the base of a concrete fence post footing on the south line of Wilcab Road (right-of-way width varies) for the northwest corner of said 2.611 acre tract and the herein described tract;

THENCE, with the north line of said 2.611 acre tract, with the north line of said .55 acre tract, with the north line of said 2.514 acre tract, same being the south right-of-way line of said Wilcab Road, the following two (2) courses:

- 1) S61°18'48"E, passing at a distance of 238.04 feet the northwest corner of said .55 acre tract, passing at a distance of 288.09 feet the northeast corner of said .55 acre tract, continuing for a total distance of 507.17 feet to a 1/2 inch iron rod found for a point of curvature of a curve to the right,
- 2) Along said curve to the right, having a radius of 19.70 feet, an arc length of 30.67 feet, and a chord that bears S16°33'03"E, a distance of 27.66 feet to a 1/2 inch iron rod with "CBD SETSTONE" cap set on the west line of said Darby Street for the northeast corner of said 2.514 acre tract and of the herein described tract, from which a disturbed 5/8 inch iron pipe found bears, N04°41'54"E, a distance of 3.96 feet;

THENCE, with the east line of said 2.514 acre tract, with the north, west and south lines of that .3 acre tract conveyed to Cornelius Byrd by deed recorded in Document No. 2009044087, O.P.R.T.C.TX., with the east line of said said 0.473 acre tract, same being the west line of said Darby Street, the following six (6) courses:

- 1) S27°53'20"W, a distance of 148.51 feet to a calculated point for the northeast corner of said .3 acre tract,
- 2) N60°56'02"W, a distance of 124.33 feet to the northwest corner of said .3 acre tract, from which a found 10 inch wood post bears N81°52'29"E, a distance of 0.74 feet;
- 3) S28°15'26"W, a distance of 108.60 feet to a 5/8 inch iron rod found for the southwest corner of said .3 acre tract,
- 4) S61°09'28"E, a distance of 124.55 feet to a 5/8 inch iron rod found for the southeast corner of said .3 acre tract on the west line of said Darby Street;

- 5) S28°09'51"W, a distance of 214.04 feet to a calculated point for the southeast corner of said 2.514 acre tract, being the northeast corner of said 0.473 acre tract;
- 6) S27°57'19"W, a distance of 117.52 feet to the **POINT OF BEGINNING** and containing 7.083 acres of land, as shown on the attached exhibit.

Surveyed by: John D Kipp 07/18/2022

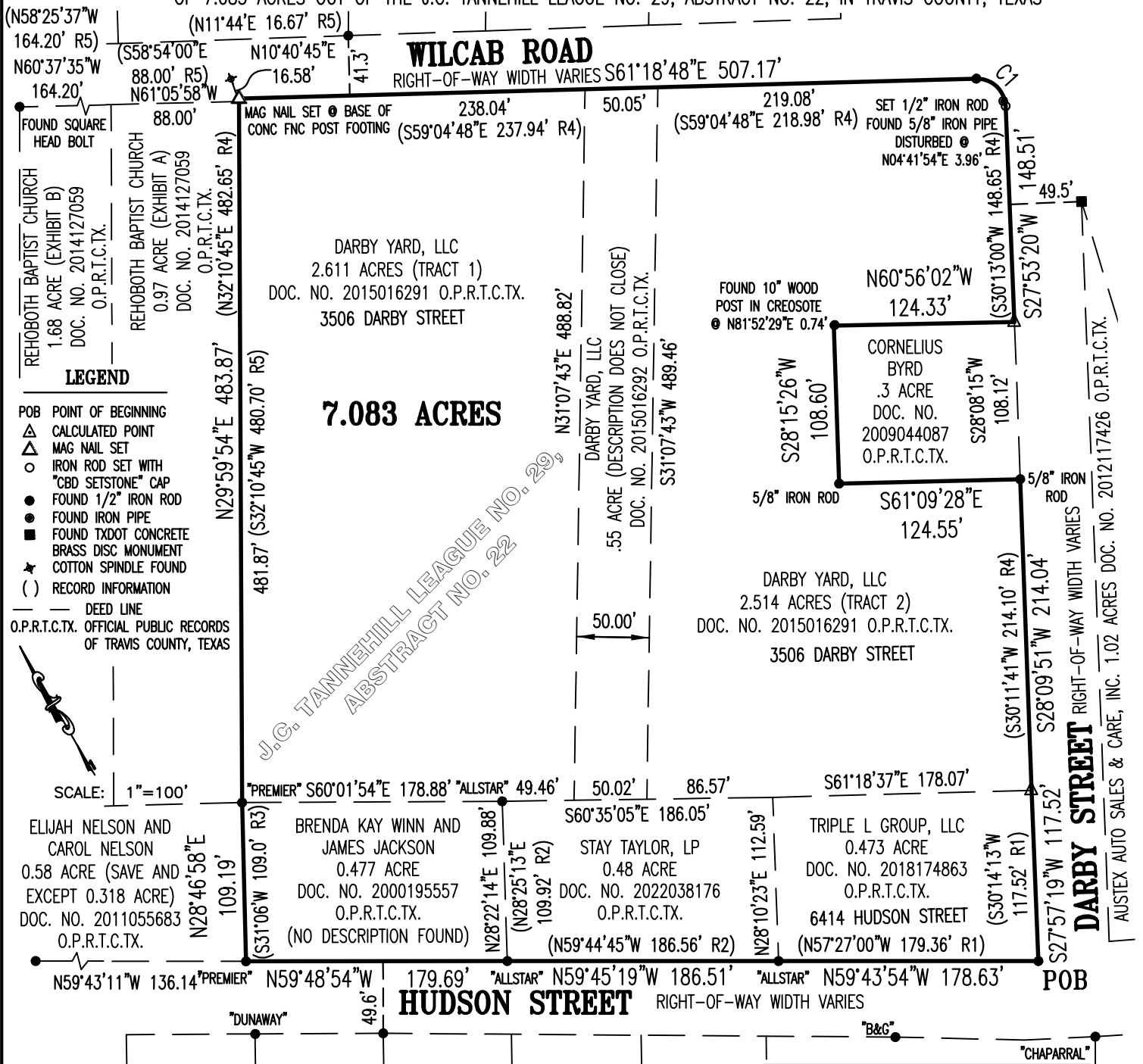
JOHN DAVID KIPP, R.P.L.S. NO. 5844
Carlson, Brigrance and Doering, Inc.
Reg. # 10024900
5501 West William Cannon
Austin, TX 78749
Ph: 512-280-5160
jkipp@cbdeng.com



BEARING BASIS: TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE

ZONING BOUNDARY EXHIBIT

OF 7.083 ACRES OUT OF THE J.C. TANNEHILL LEAGUE NO. 29, ABSTRACT NO. 22, IN TRAVIS COUNTY, TEXAS



CURVE TABLE					
NO.	LENGTH	RADIUS	CENTRAL ANGLE	CH. BEARING	CH. DISTANCE
C1	30.67'	19.70'	89°11'50"	S16°33'03"E	27.66'

RECORD TABLE	
NO.	RECORDED DOCUMENT NUMBER
R1	DOC. NO. 2018174863, O.P.R.T.C.TX.
R2	DOC. NO. 2022038176, O.P.R.T.C.TX.
R3	DOC. NO. 2011055683, O.P.R.T.C.TX.
R4	DOC. NO. 2015016291, O.P.R.T.C.TX.
R5	DOC. NO. 2014127059, O.P.R.T.C.TX.
R6	DOC. NO. 2009044087, O.P.R.T.C.TX.

John D Kipp

07/18/2022



ADDRESSES: 3506 DARBY STREET AND 6414 HUDSON STREET
AUSTIN, TEXAS, 78721 (PER TRAVIS CENTRAL APPRAISAL DISTRICT)
BEARING BASIS: TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE

Carlson, Brigrance & Doering, Inc.

FIRM ID #F3791 REG. # 10024900

Civil Engineering 5501 West William Cannon Phone No. (512) 280-5160

Surveying Austin, Texas 78749 Fax No. (512) 280-5165

SHEET 1 OF 1
(TO ACCOMPANY FIELD NOTES DESCRIPTION)

EXHIBIT "B"

2.655 ACRES
J.C. TANNEHILL LEAGUE NO. 29, ABSTRACT NO. 22
TRAVIS COUNTY, TEXAS

FIELD NOTES DESCRIPTION

BEING ALL OF THAT CERTAIN 2.655 ACRE (115,666 SQUARE FEET) TRACT OUT OF THE J.C. TANNEHILL LEAGUE NO. 29, ABSTRACT NO. 22, IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CALLED 0.97 ACRE TRACT (EXHIBIT A) AND ALL OF THAT CALLED 1.68 ACRE TRACT (EXHIBIT B) CONVEYED TO REHOBOTH BAPTIST CHURCH BY DEED RECORDED IN DOCUMENT NO. 2014127059 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.TX.), SAID 2.655 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a square head bolt found on the south line of Wilcab Road (right-of-way width varies) for the northwest corner of said 1.68 acre tract, being the northeast corner of that called 0.49 acre tract conveyed to Claudia Ramirez and Amy Aranda by deed recorded in Document No. 2015063160, O.P.R.T.C.TX., being the northwest corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, with the south right-of-way line of said Wilcab Road, same being the north line of said 1.68 acre tract and said 0.97 acre tract, the following two (2) courses and distances, numbered 1 and 2:

- 1) S60°33'25"E, a distance of 164.36 feet to a square head bolt found for the north common corner of said 1.68 acre tract and said 0.97 acre tract, being the southwest corner of that called 0.026 acre tract conveyed to Travis County, Texas by deed recorded in Volume 2127, Page 20, of the Deed Records of Travis County, Texas (D.R.T.C.TX.);
- 2) S61°13'49"E, a distance of 87.85 feet to a calculated point on the west line of that called 2.611 acre tract (Tract 1) conveyed to Darby Yard, LLC by deed recorded in Document No. 2015016291, O.P.R.T.C.TX., being the southeast corner of said 0.026 acre tract, same being the northeast corner of the herein described tract, from which a "MAG" nail set in base of concrete fence post footing for the northwest corner of said 2.611 acre tract bears N29°59'54"E, a distance of 2.00 feet, from which northeast corner a cotton spindle found for reference in asphalt bears, N10°40'45"E a distance of 16.58 feet;

THENCE, with the common line of said 0.97 acre tract and said 2.611 acre tract, S29°59'54"W, a distance of 481.87 feet to a 1/2 inch iron rod with "PREMIER" cap found on the west line of said 2.611 acre tract for the southeast corner of said 0.97 acre tract and the herein described tract, being the northwest corner of that called 0.477 acre tract conveyed to Brenda Kay Winn and James Jackson by deed recorded in Document No. 2000195557, O.P.R.T.C.TX., being the northeast corner of that 0.58 acre tract (SAVE AND EXCEPT 0.318 acre conveyed to Emzie Franklin by deed recorded in Volume 7305, Page 204, D.R.T.C.TX.) conveyed to Elijah Nelson and Carol Nelson by deed recorded in Document No. 2011055683, O.P.R.T.C.TX., from which a 1/2 inch iron rod with "PREMIER" cap found on the north line of Hudson Street (right-of-way width varies) for the common corner of said 0.477 acre tract and said 0.58 acre tract bears, S28°46'58"W a distance of 109.19 feet;

THENCE, with the south deed line of said 0.97 acre tract and the south deed line of said 1.68 acre tract, being the south line of the herein described tract, the following four (4) courses and distances, numbered 1 through 4:

- 1) N59°44'41"W, a distance of 88.23 feet to a calculated point for the common south corner of said 0.97 acre tract and said 1.68 acre tract;
- 2) N61°19'47"W, a distance of 52.48 feet to a calculated point;
- 3) N09°02'25"W, a distance of 4.70 feet to a calculated point;
- 4) N62°08'25"W, a distance of 86.77 feet to a calculated point for the southwest corner of said 1.68 acre tract, being the southeast corner of said 0.49 acre tract;

THENCE, with the west line of said 1.68 acre tract, being the east line of said 0.49 acre tract, N27°23'25"E, a distance of 479.30 feet to the said **POINT OF BEGINNING** and containing 2.655 acres (115,666 square feet) of land, as shown on the attached Zoning Boundary Exhibit.

By: John D Kipp 12/09/2022
JOHN DAVID KIPP, R.P.L.S. NO. 5844
Carlson, Brigrance and Doering, Inc.
Reg. # 10024900
5501 West William Cannon
Austin, TX 78749
Ph: 512-280-5160
jkipp@cbdeng.com



BEARING BASIS: TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE

THIS DOCUMENT WAS PREPARED UNDER 22 TEXAS ADMINISTRATIVE CODE §138.95, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

ZONING BOUNDARY EXHIBIT

OF 2.655 ACRES OUT OF THE JESSE C. TANNEHILL LEAGUE NO. 29, ABSTRACT NO. 22, IN TRAVIS COUNTY, TEXAS

SCALE: 1"=100'

LEGEND

- POB POINT OF BEGINNING
- △ CALCULATED POINT
- IRON ROD SET WITH "CBD SETSTONE" CAP
- FOUND IRON ROD (UNLESS NOTED OTHERWISE)
- FOUND IRON PIPE
- △ MAG NAIL SET
- ✦ COTTON SPINDLE FOUND
- () RECORD INFORMATION
- DEED LINE
- O.P.R.T.C.TX. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- D.R.T.C.TX. DEED RECORDS OF TRAVIS COUNTY, TEXAS

SURVEYOR NOTES:

1. SURVEYOR WAS NOT ALLOWED ACCESS TO THE REAR OF THE LOT PAST THE 6-FOOT CORRUGATED METAL FENCE. AS A CONSEQUENCE, THE REAR BOUNDARY LINE IS BASED ON RECORD INFORMATION FROM THE DEED RECORDED IN DOCUMENT NO. 2014127059, O.P.R.T.C.TX.
2. THIS ZONING BOUNDARY EXHIBIT IS ACCOMPANIED BY A FIELD NOTES DESCRIPTION.

JORGE HERNANDEZ
0.72 ACRE
DOC. NO. 2013127757
O.P.R.T.C.TX.
CORRECTED BY
DOC. NO. 2013170281
O.P.R.T.C.TX.

"HOLT CARSON"
N59°44'28"W
341.08'

DEED LINE
EMZIE FRANKLIN
0.318 ACRE
VOL. 7305, PG. 204
D.R.T.C.TX.

DEED LINE
ELIJAH NELSON AND
CAROL NELSON
0.58 ACRE (SAVE AND
EXCEPT 0.318 ACRE)
DOC. NO. 2011055683
O.P.R.T.C.TX.

BRENDA KAY WINN AND
JAMES JACKSON
0.477 ACRE
DOC. NO. 2000195557
O.P.R.T.C.TX.
(NO DESCRIPTION FOUND)

"ALLSTAR"

HUDSON STREET

RIGHT-OF-WAY WIDTH VARIES

12/09/2022



John D Kipp

LINE TABLE		
NO.	BEARING	DISTANCE
L1	N59°44'41"W	88.23'
L2	N61°19'47"W	52.48'
L3	N09°02'25"W	4.70'
L4	N62°08'25"W	86.77'

RECORD LINE TABLE		
NO.	BEARING	DISTANCE
L1	N57°32'16"W (R1)	88.23' (R1)
L2	N59°07'22"W (R1)	52.48' (R1)
L3	N06°50'W (R1)	4.70' (R1)
L4	N59°56'00"W (R1)	86.77' (R1)

RECORD TABLE	
NO.	RECORDED DOCUMENT NUMBER
R1	DOC. NO. 2014127059, O.P.R.T.C.TX.
R2	DOC. NO. 2015016291, O.P.R.T.C.TX.
R3	DOC. NO. 2011055683, O.P.R.T.C.TX.
R4	DOC. NO. 2015063160, O.P.R.T.C.TX.

ADDRESSES: 6315 WILCAB ROAD, AUSTIN, TEXAS, 78721
(PER TRAVIS CENTRAL APPRAISAL DISTRICT #783923)
BEARING BASIS: TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE

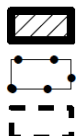
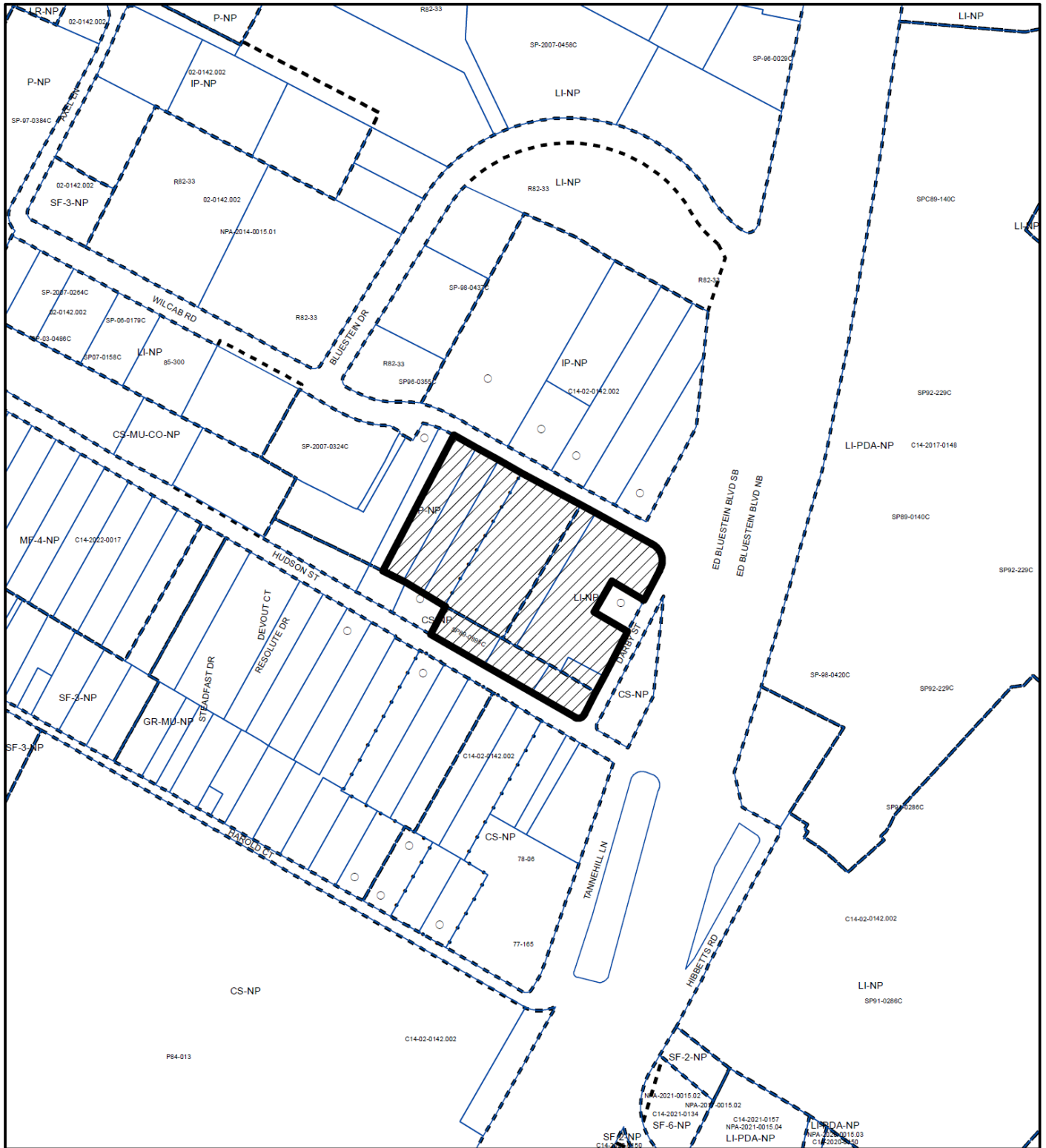
Carlson, Brigrance & Doering, Inc.

FIRM ID #F3791 REG. # 10024900

Civil Engineering Surveying

5501 West William Cannon Austin, Texas 78749

Phone No. (512) 280-5160 Fax No. (512) 280-5165



SUBJECT TRACT
PENDING CASE
ZONING BOUNDARY

1" = 400'

ZONING

ZONING CASE#: C14-2022-0105

EXHIBIT "C"



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: 12/13/2022