

ORDINANCE NO. 20230831-112

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 12121 NORTH INTERSTATE HIGHWAY 35 SERVICE ROAD NORTHBOUND FROM COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT TO MUTIFAMILY RESIDENCE MODERATE - HIGH DENSITY-CONDITIONAL OVERLAY (MF-4-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 community commercial-conditional overlay (GR-CO) combining district to multifamily residence moderate - high density-conditional overlay (MF-4-CO) combining district on the property described in Zoning Case No. C14-2020-0143, on file at the Planning Department, as follows:

12.0430 acres of land in the J.A.G. Brooke Survey No. 79, Abstract No. 69, and in the Louis Fritz Survey No. 291, Abstract No. 279, in the City of Austin, Travis County, Texas, the tract of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance, (the "Property")

locally known as 12121 North Interstate Highway 35 Service Road Northbound in the City of Austin, Travis County, Texas, and 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:

Notwithstanding the zoning of the adjacent properties along the south and east property lines, the Property shall be subject to the requirements of Chapter 25-2, Subchapter C, Article 10. (*Compatibility Standards*).


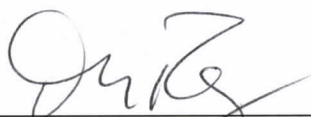
PART 3. Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the multifamily residence moderate - high density (MF-4) base district, and other applicable requirements of the City Code.

PART 4. This ordinance takes effect on September 11, 2023.

PASSED AND APPROVED

_____, August 31, 2023

§
§
§ 
Kirk Watson
Mayor

APPROVED:  **ATTEST:** 

Anne L. Morgan
City Attorney

Myrna Rios
City Clerk

EXHIBIT "A"

October 25, 2022

**12.0430 acres of land in the J. A. G. Brooke Survey No. 79, Abstract No. 69,
and in the Louis Fritz Survey No. 291, Abstract No. 279,
City of Austin, Travis County, Texas**

A FIELD NOTE DESCRIPTION of a 12.0430 acre (524,593 square feet) tract of land in the J. A. G. Brooke Survey No. 79, Abstract No. 69, and in the Louis Fritz Survey No. 291, Abstract No. 279, City of Austin, Travis County, Texas; said 12.0430 acre tract being all of a called 11.846 acre tract of land conveyed to Dupius Investments, LTD., as recorded in Travis County Clerk's File No. 2013189702 and a remaining portion of a 103.397 acre tract of land conveyed to Dupius Investments, LTD., as recorded in Travis County Clerk's File No. 2013108097; said tract being more particularly described by metes-and-bounds as follows with the bearings being based on Texas State Plane Coordinate System, Central Zone (NAD83) per GPS Observations using National Geodetic Survey Continuously Operating Reference Stations:

BEGINNING at a 1/2-inch iron rod with cap stamped "Wallace Group" found for an interior corner of Block A, The Springs of Walnut Creek Phase 1, according to the map or plat recorded in Plat No. 201100002 of the Travis County Plat Records and for the southeast corner of this tract;

THENCE, North 75° 37' 36" West - 962.34 feet (called North 73° 29' 17" West - 962.31 feet per Travis County Clerk's File No. 2013189702) (called North 75° 37' 04" West - 962.28 feet per Plat No. 201100002 of the Travis County Plat Records) with the north line of said The Springs at Walnut Creek Phase 1 to a 1/2-inch iron rod with cap stamped "Wallace Group" found in the east right-of-way line of Interstate Highway 35 (width varies) for the northwest corner of said The Springs at Walnut Creek Phase 1 and for the southwest corner of this tract;

THENCE, North 10° 07' 16" East - 62.27 feet (called North 12° 15' 27" East - 62.19 feet per Travis County Clerk's File No. 2013189702) with the east right-of-way line of said Interstate Highway 35 to a concrete monument found for the beginning of a non-tangent curve to the left;


THENCE, in a northeasterly direction with the east right-of-way line of said Interstate Highway 35 and with said curve to the left having a radius of 3,969.72 feet, at an arc distance of 532.03 feet (called 532.18 feet per Travis County Clerk's File No. 2013189702) pass a 1/2-inch iron rod with cap stamped "Wallace Group" found and continuing with said curve to the left having a radius of 3,969.72 feet, a central angle of 08° 28' 59", a total length of 587.74 feet, and a chord bearing North 05° 50' 30" East - 587.21 feet to 5/8-inch iron rod with cap stamped "McKim & Creed" set at the intersection of the east right-of-way line of said Interstate Highway 35 with the southwest right-of-way line of V.F.W. Road (60 feet wide), according to the map or plat recorded in Volume 7, Page 143 of the Travis County Plat Records for a north corner of said 103.397 acre tract and for the north corner of this tract;

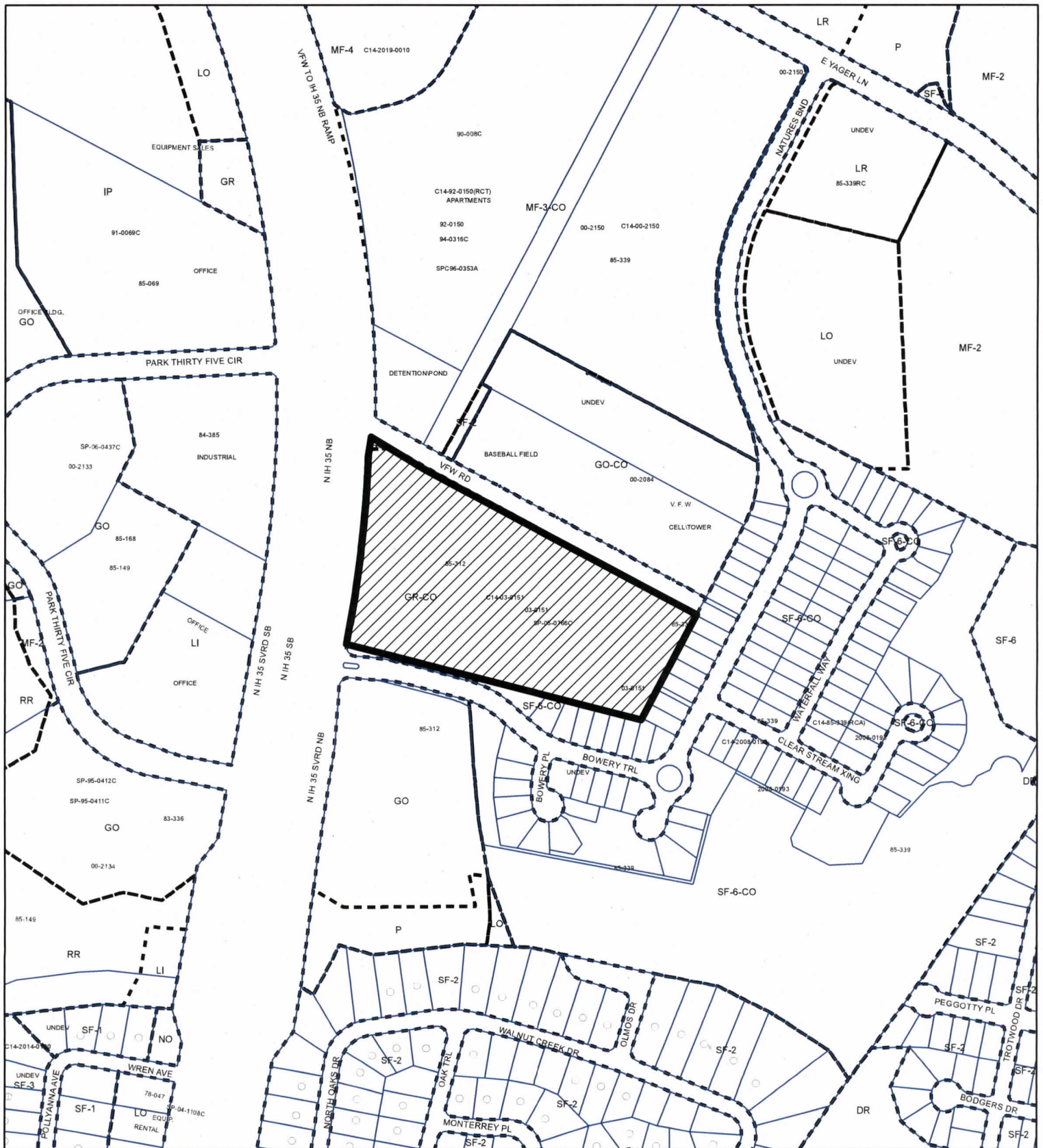
THENCE, South 61° 58' 00" East - 1,176.04 feet with the southwest right-of-way line of said V.F.W. Road to a 1/2-inch iron rod with cap stamped "Wallace Group" found in the northwest line of Block A, The Springs of Walnut Creek Phase II, according to the map or plat recorded in Plat No. 2011000003 of the Travis County Plat Records for the east corner of this tract;

THENCE, South 28° 01' 44" West - 375.69 feet (called South 30° 10' 00" West - 375.80 feet per Travis County Clerk's File No. 2013189702) with the northwest line of said The Springs of Walnut Creek Phase II to the POINT OF BEGINNING and containing 12.0430 acre (524,593 square feet) of land.

COMPILED BY:
MCKIM & CREED
Engineers, Surveyors, Planners
Stafford, Texas
Firm Registration No. 10177600
Job No. 1284-7
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Robert Chris Kelly
Registered Professional Land Surveyor
State of Texas No. 6833



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

ZONING

EXHIBIT "B"

ZONING CASE#: C14-2020-0143

1" = 400'

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: 10/26/2022