

ORDINANCE NO. 20230831-126

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1508 WEST 5TH STREET IN THE OLD WEST AUSTIN NEIGHBORHOOD PLAN AREA FROM LIMITED OFFICE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LO-V-CO-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-V-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 limited office-vertical mixed use building-conditional overlay-neighborhood plan (LO-V-CO-NP) combining district to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district on the property described in Zoning Case No. C14-2023-0023, on file at the Planning Department, as follows:

0.499 acres of land, being a portion of OUTLOT 1, DIVISION "Z", ORIGINAL CITY OF AUSTIN, Travis County, Texas, as shown on the map or plat thereof on file in the General Land Office of the State of Texas, and being all of that tract of land described in a deed recorded in Volume 11447, Page 1468, Official Public Records of Travis County, Texas, and being a portion of that 1.612 acres of land described in a deed recorded in Volume 11447, Page 1471, Official Public Records of Travis County, Texas, said 0.499 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 1508 West 5th Street 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:

The following uses are prohibited uses on the Property:

Adult-oriented businesses	Agricultural sales and services
Automotive repair services	Automotive washing (of any type)
Bail bond services	Building maintenance services
Campground	Commercial off-street parking

Construction sales and services
Custom manufacturing

Drop-off recycling collection
facility

Exterminating services

Kennels

Monument retail services

Research services

Vehicle storage

Convenience storage

Drive-through services as an accessory
use

Electronic prototype assembly

Indoor crop production

Limited warehousing and distribution

Pawn shop services

Service station

PART 3. Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district, mixed use (MU) combining district, and other applicable requirements of the City Code.

PART 4. Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 020926-26 that established zoning for the Old West Austin Neighborhood Plan.

PART 5. This ordinance takes effect on September 11, 2023.

PASSED AND APPROVED

_____, August 31, 2023

§
§
§



Kirk Watson
Mayor

APPROVED:



Anne L. Morgan
City Attorney

ATTEST:



Myrna Rios
City Clerk

EXHIBIT A

EARLY LAND SURVEYING, LLC

P.O. Box 92588, Austin, TX 78709

512-202-8631

earlysurveying.com

TBPELS Firm No. 10194487

0.499 ACRES

TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 0.499 ACRES (APPROXIMATELY 21,733 SQ. FT.), IN OUTLOT 1, DIVISION Z OF THE ORIGINAL CITY OF AUSTIN, BEING ALL OF A TRACT OF LAND (NO ACREAGE GIVEN) CONVEYED TO GRIFFITH PARTNERS IN A SPECIAL WARRANTY DEED WITH VENDOR'S LIEN DATED MAY 28, 1991 RECORDED IN VOLUME 11447, PAGE 1468, AND A PORTION OF A 1.612 ACRE TRACT CONVEYED TO GRIFFITH PARTNERS IN A SPECIAL WARRANTY DEED WITH VENDOR'S LIEN DATED MAY 28, 1991, RECORDED IN VOLUME 11447, PAGE 1471, BOTH OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.499 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a mag nail with "Early Boundary" washer set at the intersection of the northeast right-of-way line of W 5th Street (public right-of-way width varies) and the northwest right-of-way line of Powell Street (public right-of-way width varies) as shown on The Settlement-II, a subdivision of record in Volume 80, Page 17 of the Plat Records of Travis County, Texas, being the southernmost corner of the said tract of land described in Volume 11447, Page 1468, from which a square bolt found at the intersection of the northeast right-of-way line of W 5th Street and the southeast right-of-way line of Powell Street, bears South 67°23'33" East, a distance of 28.73 feet;

THENCE with the northeast right-of-way line of W 5th Street and the southwest line of the said tract of land described in Volume 11447, Page 1468, the following two (2) courses and distances:

1. North 67°23'33" West, a distance of 110.03 feet to the corner of a rock wall found for an angle point in the northeast right-of-way line of W 5th Street, being the westernmost corner of the said tract of land described in Volume 11447, Page 1468;
2. North 22°59'27" East, a distance of 5.00 feet to a mag nail with "Early Boundary" washer set for an angle point in the northeast right-of-way line of W 5th Street, being the southernmost corner of the said 1.612 acre tract;

THENCE North 22°59'27" East, with the northwest line of the said tract of land described in Volume 11447, Page 1468 and the southeast line of the said 1.612 acre tract, a distance of 53.09 feet to a mag nail with "Early Boundary" washer set for the northernmost corner of the said tract of land described in Volume 11447, Page 1468;

THENCE North 24°24'18" East, crossing the said 1.612 acre tract, a distance of 57.07 feet to a 1/2" rebar with "B & G Surveying" cap found for the southernmost corner of Lot-1, of said The Settlement-II, from which a 1/2" rebar found for an angle point in the southeast right-of-way line of West Lynn Street (public right-of-way width varies) as shown on said The Settlement-II, being the westernmost corner of said Lot-1, being also an angle point in the northwest line of the said 1.612 acre tract, bears North 62°39'20" West, a distance of 108.44 feet;

THENCE North 23°38'40" East, crossing the said 1.612 acre tract and with the southeast line of said Lot-1, a distance of 82.18 feet to a 1/2" rebar with "Early Boundary" cap set, from which a 1/2" rebar found, bears North 44°22'20" West, a distance of 0.82 feet;

THENCE South 67°46'20" East, crossing the said 1.612 acre tract and with the southwest line of said Lot-1, a distance of 103.74 feet to a 1/2" rebar found for an angle point in the northwest right-of-way line of Powell Street, being an angle point in the southeast line of the said 1.612 acre tract, being also a southern corner of said Lot-1, from which a 5/8" rebar found for an angle point in the northwest right-of-way line of Powell Street, being an eastern corner of the said 1.612 acre tract, same being an eastern corner of said Lot-1, being also in the southwest line of a 7,127 square foot tract described in Document No. 2021281980 of the Official Public Records of Travis County, Texas, bears North 23°43'07" East, a distance of 68.03 feet;

THENCE with the northwest right-of-way line of Powell Street and the southeast line of the said 1.612 acre tract, the following three (3) courses and distances:

1. South 67°46'20" East, a distance of 6.04 feet to a 1/2" rebar found;
2. South 23°44'00" West, a distance of 79.73 feet to a 1/2" rebar found;
3. South 23°36'03" West, a distance of 60.10 feet to a 3/4" iron pipe found for a southern corner of the said 1.612 acre tract, being the easternmost corner of the said tract of land described in Volume 11447, Page 1468;

THENCE South 23°23'27" West, with the northwest right-of-way line of Powell Street and the southeast line of the said tract of land described in Volume 11447, Page 1468, a distance of 58.22 feet to the **POINT OF BEGINNING**, containing 0.499 acres of land, more or less.

Surveyed on the ground on January 30, 2023

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, utilizing the SmartNet North America Network.

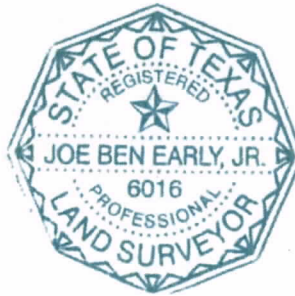
Attachments: Survey Drawing No. 1001-035-BASE



Joe Ben Early, Jr.
Registered Professional Land Surveyor
State of Texas No. 6016

1/31/23

Date

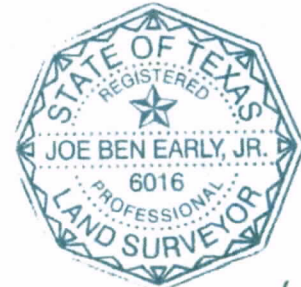


SKETCH TO ACCOMPANY A DESCRIPTION OF 0.499 ACRES (APPROXIMATELY 21,733 SQ. FT.), IN OUTLOT 1, DIVISION Z OF THE ORIGINAL CITY OF AUSTIN, BEING ALL OF A TRACT OF LAND (NO ACREAGE GIVEN) CONVEYED TO GRIFFITH PARTNERS IN A SPECIAL WARRANTY DEED WITH VENDOR'S LIEN DATED MAY 28, 1991 RECORDED IN VOLUME 11447, PAGE 1468, AND A PORTION OF A 1.612 ACRE TRACT CONVEYED TO GRIFFITH PARTNERS IN A SPECIAL WARRANTY DEED WITH VENDOR'S LIEN DATED MAY 28, 1991, RECORDED IN VOLUME 11447, PAGE 1471, BOTH OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

LINE TABLE			
LINE	BEARING	DISTANCE	(RECORD)
L1	N67°23'33"W	110.03'	(N65°21'W 110.00')
L2	N22°59'27"E	5.00'	(N25°02'E 5.00')
L3	N22°59'27"E	53.09'	(N25°02'E 53.09')
L4	N24°24'18"E	57.07'	
L5	N23°38'40"E	82.18'	(N25°39'E 82.18')
L6	S67°46'20"E	103.74'	(S65°46'E 104.00')
L7	S67°46'20"E	6.04'	(S65°47'E 6.02')
L8	S23°44'00"W	79.73'	(S25°44'W 79.74')
L9	S23°36'03"W	60.10'	(S25°42'W 60.05')
L10	S23°23'27"W	58.22'	(S25°26'W 58.25')
L11	S67°23'33"E	28.73'	(S65°21'E 28.73')

LEGEND

- 1/2" REBAR FOUND (OR AS NOTED)
- B&G ● 1/2" REBAR WITH "B&G SURVEYING" CAP FOUND
- 1/2" REBAR WITH "EARLY BOUNDARY" CAP SET
- △ MAG NAIL WITH "EARLY BOUNDARY" WASHER SET
- ☒ CORNER OF ROCK WALL FOUND
- ⊙ 3/4" IRON PIPE FOUND
- SQUARE BOLT FOUND
- () RECORD INFORMATION



8/1/31/23

EARLY LAND SURVEYING, LLC

P.O. BOX 92588
AUSTIN, TX 78709
512-202-8631
TBPELS FIRM NO. 10194487

DATE OF SURVEY: 1/30/23
PLOT DATE: 1/31/23
DRAWING NO.: 1001-035-BASE
DRAWN BY: MAW & JBE
SHEET 1 OF 2

THE BASIS OF BEARINGS SHOWN HEREON IS THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, UTILIZING THE SMARTNET NORTH AMERICA NETWORK.

ATTACHMENTS: METES AND BOUNDS
DESCRIPTION 1001-035-BASE

**EARLY LAND
SURVEYING, LLC**

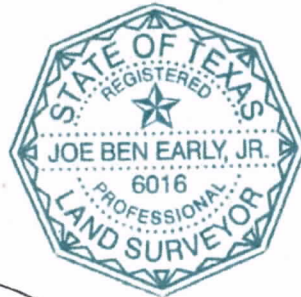
P.O. BOX 92588
AUSTIN, TX 78709
512-202-8631
TBPELS FIRM NO. 10194487



1" = 40'

GRIFFITH
DESCENDANTS, LLC
7127 SQ. FT.
(2021281980)

1/31/23



WEST LYNN STREET
(PUBLIC R.O.W. WIDTH VARIES)
(80/17)

LOT-1
THE SETTLEMENT-II
(80/17)

GRIFFITH PARTNERS
1.612 ACRES
(11447/1471)

N62°39'20"W 108.44'
(N60°39'W 108.44')

GRIFFITH PARTNERS
1.612 ACRES
(11447/1471)

LOT-1
THE SETTLEMENT-II
(80/17)

GRIFFITH PARTNERS
1.612 ACRES
(11447/1471)

N23°43'07"E 68.03'
(N25°45'E 68.07')

0.499 ACRES
AS SURVEYED
APPROX. 21,733 SQ. FT.

N67°27'33"W 110.44'
(N65°25'W 110.44')

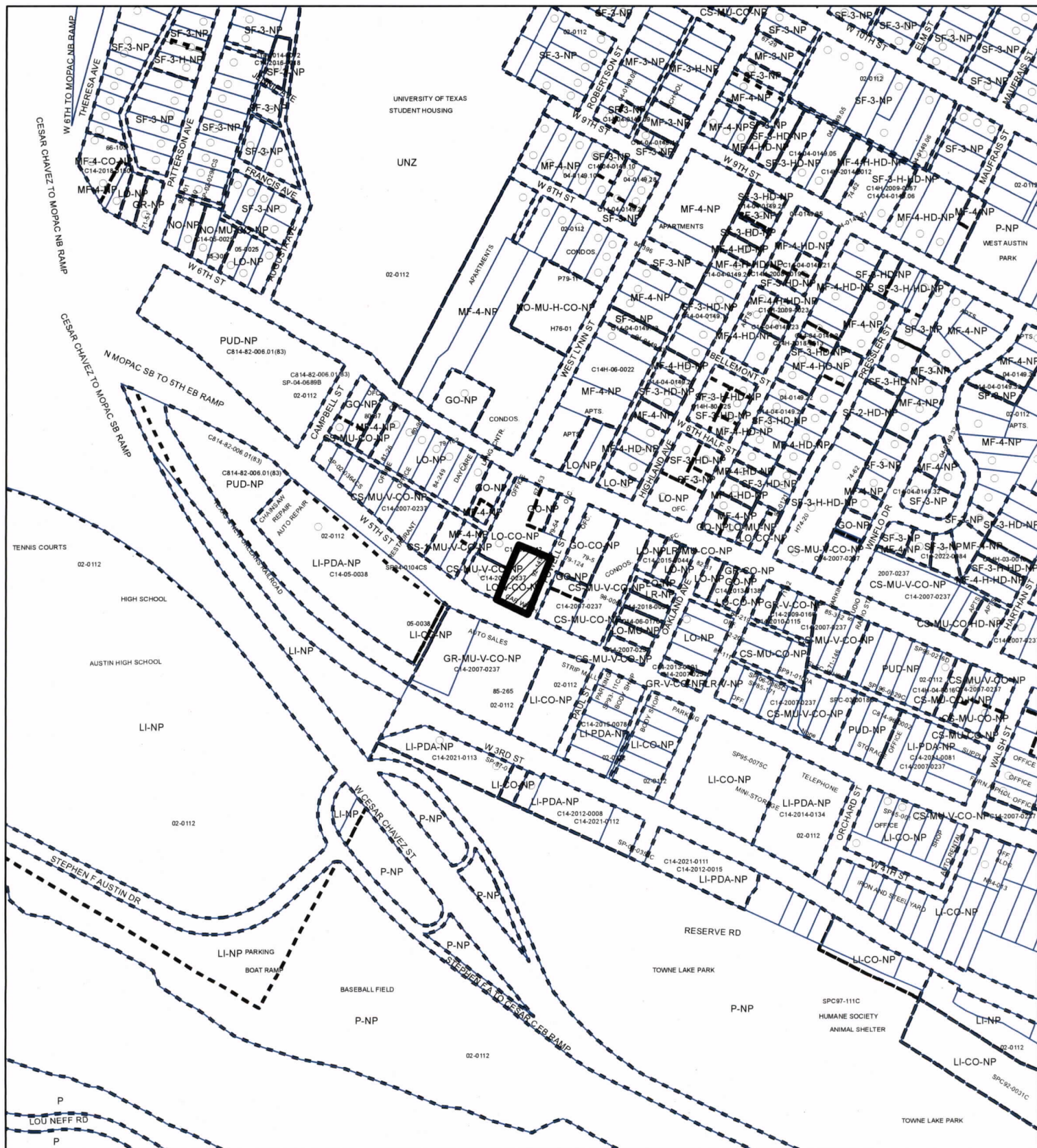
GRIFFITH PARTNERS
NO AREA GIVEN
(11447/1468)




POWELL STREET
(PUBLIC R.O.W. WIDTH VARIES)
(80/17)

CORNER OF ROCK WALL
HELD FOR CORNER

W 5TH STREET
(PUBLIC R.O.W. WIDTH VARIES)

P.O.B.



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

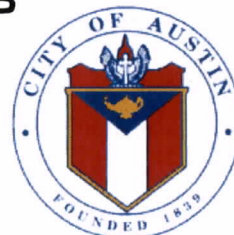
ZONING CASE#: C14-2023-0023

EXHIBIT B

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: 3/8/2023