

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

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**  
2 **PROPERTY LOCATED AT 410, 410 1/2, AND 412 1/2 PRESSLER STREET AND**  
3 **1401 1/2 AND 1407 WEST 5TH STREET IN THE OLD WEST AUSTIN**  
4 **NEIGHBORHOOD PLAN AREA FROM LIMITED INDUSTRIAL SERVICE-**  
5 **CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LI-CO-NP) COMBINING**  
6 **DISTRICT TO LIMITED INDUSTRIAL SERVICE-PLANNED DEVELOPMENT**  
7 **AREA-NEIGHBORHOOD PLAN (LI-PDA-NP) COMBINING DISTRICT.**

8  
9 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

10  
11 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to  
12 change the base district from limited industrial service-conditional overlay-neighborhood  
13 plan (LI-CO-NP) combining district to limited industrial service-planned development  
14 area-neighborhood plan (LI-PDA-NP) combining district on the property described in  
15 Zoning Case No. C14-2023-0101, on file at the Planning Department, as follows:

16  
17 A 0.2180 acre tract of land, being a 2051 square foot tract (Tract 1), being part of  
18 the alley adjacent to LOTS 1, 12, 11 AND 10, BLOCK 1, PRESSLER'S  
19 SUBDIVISION OF PART OF OUTLOT NO. 1, DIVISION Z, a subdivision in the  
20 City of Austin, according to the map or plat of record in Volume 2, Page 137, Plat  
21 Records of Travis County, Texas, and a 0.171 acre tract (Tract 2), being all of LOT  
22 1, BLOCK 1, PRESSLER'S SUBDIVISION OF PART OF OUTLOT NO 1, and  
23 being that same land described in a deed as Tract 1 and Tract 2 recorded in  
24 Document No. 2021277779 of the Official Public Records of Travis County,  
25 Texas, said 0.2180 acres of land being more particularly described by metes and  
26 bounds in **Exhibit "A"** incorporated into this ordinance; and

27  
28 0.915 acres of land, being all of LOTS 2, 3, 4, 5 AND 6, BLOCK 1, OF  
29 PRESSLER'S SUBDIVISION OF PART OF OUTLOT NO. 1, DIVISION Z, a  
30 subdivision in Travis County, Texas, according to the map or plat of record in  
31 Volume 2, Page 137, Plat Records of Travis County, Texas, together with one-half  
32 of the vacated portion of the alley adjacent to Lots 4, 5 and 6 in a document  
33 recorded in Volume 943, Page 444, Deed Records of Travis County, Texas, and  
34 that 1,022 square feet of land, more or less, being part of the alley adjacent to Lots  
35 2 and 3, described in a deed recorded in Document No. 2017019746 of the Official  
36 Public Records of Travis County, Texas, said 0.915 acres of land being more  
37 particularly described by metes and bounds in **Exhibit "B"** incorporated into this  
38 ordinance,  
39

(collectively, the “Property”),

locally known as 410, 410 1/2, and 412 1/2 Pressler Street and 1401 1/2 and 1407 West 5th 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 within the boundaries of the planned development area (PDA) combining district established by this ordinance is subject to the use and site development regulations set forth in this part:

(A) The following uses are additional permitted uses of the Property:

Condominium residential

Multi-family residential

Liquor sales not to exceed a maximum of 5,000 square feet  
Pet services

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

Adult-oriented business

Automotive washing (of any type)

Basic industry

Construction Sales and Services

Custom manufacturing

Electronic prototype assembly

General warehousing & distribution

Kennels

Limited warehousing and distribution

Monument retail services

Pedicab storage and dispatch

Research Services

Agricultural sales and services

Bail bond services

Campground

Convenience storage

Drop-off recycling collection facility

Exterminating services

Indoor crop production

Light manufacturing

Maintenance and service facilities

Pawn shop services

Recycling Center

Resource extraction

Scrap and salvage  
Vehicle storage

Service station

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

Automotive rentals

Automotive sales

Equipment repair services

Equipment sales

Laundry services exceeding 6,000  
square feet

Liquor sales exceeding 5,000 square  
feet

(D) The following development regulations shall apply to residential uses:

(1) The minimum setbacks are:

- (a) 0 feet for front yard
- (b) 0 feet for side street yard
- (c) 0 feet for interior side yard
- (d) 0 feet for rear yard setbacks

(2) The maximum height of a building or structure shall not exceed 120 feet.

(3) Maximum impervious cover is 95 percent.

(4) Maximum building coverage is 95 percent.

(5) Development of the Property shall not exceed a floor to area ratio of 6.75 to 1.

(6) There are no minimum site area requirements.

(E) The following development regulations shall apply to commercial uses, if no residential uses are developed on the Property:

(1) The minimum setbacks are:

- (a) 0 feet for front yard
- (b) 0 feet for side street yard
- (c) 0 feet for interior side yard
- (d) 0 feet for rear yard setbacks

- (2) The maximum height of a building or structure shall not exceed 100 feet.
- (3) Maximum impervious coverage is 95 percent.
- (4) Maximum building cover is 95 percent.
- (5) Development of the Property shall not exceed a floor to area ratio of 4.5 to 1.
- (F) Section 25-6-471 (*Off-Street Parking Facility Required*) is modified to require all off street parking be below grade.
- (G) Section 25-6-531 (*Off-Street Loading Facility Required*) is modified to allow maneuvering within public right-of-way.
- (H) Section 25-6-532 (*Off-Street Loading Standards*) and Section 25-6, Appendix A (*Tables of Off-Street Parking and Loading Requirements*) is modified to require a maximum of 1 loading space to be provided on-site for the Property.

**PART 5.** 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 6.** This ordinance takes effect on \_\_\_\_\_, 2024.

**PASSED AND APPROVED**

\_\_\_\_\_, 2024      §  
   §  
   § \_\_\_\_\_

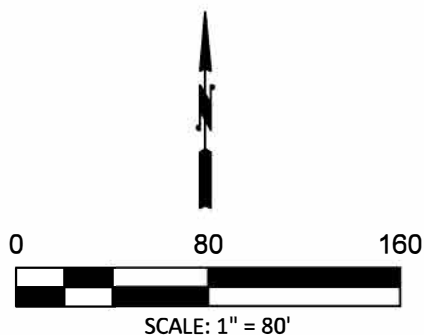
Kirk Watson  
Mayor

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







Anne L. Morgan  
City Attorney

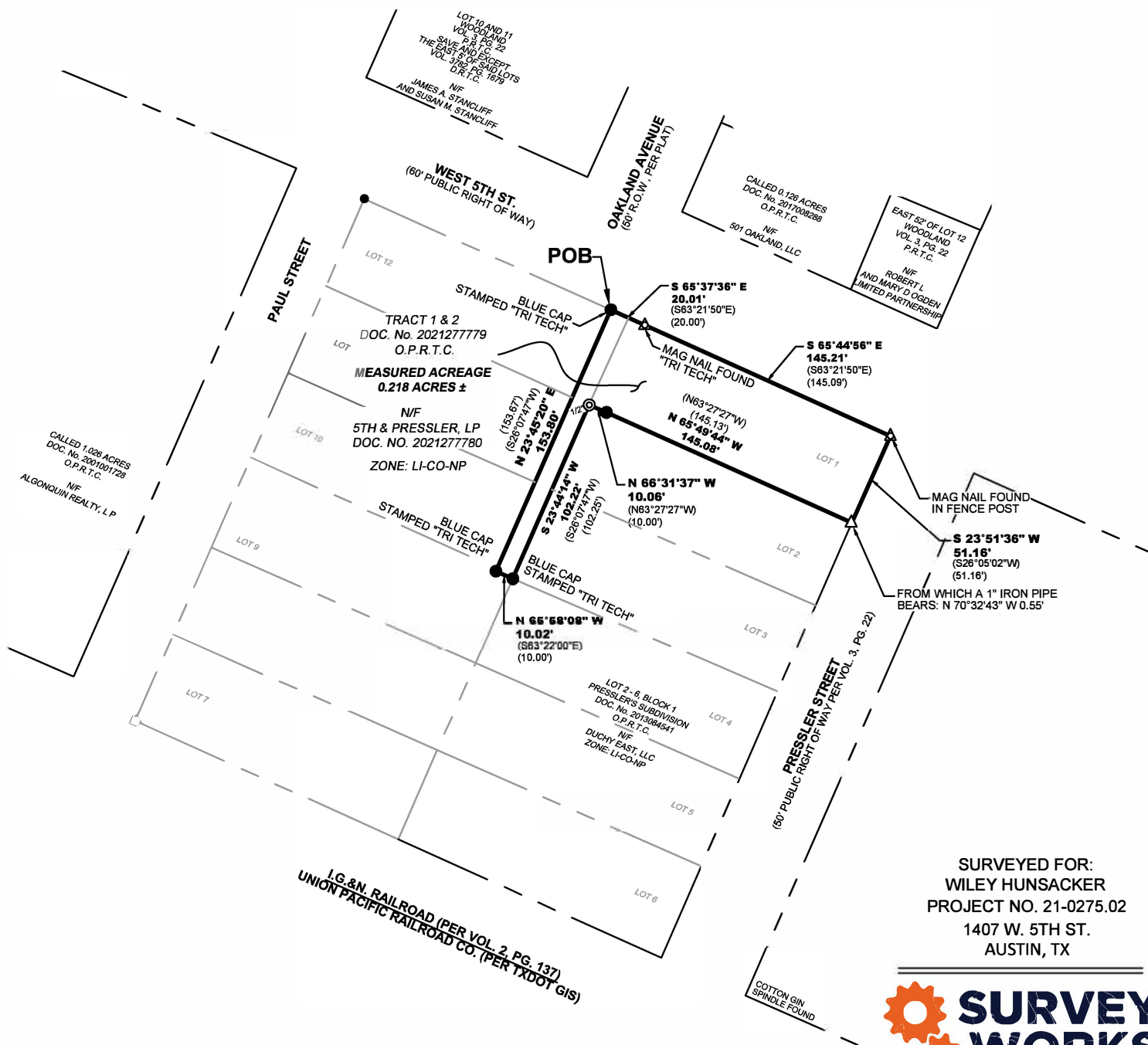
Myrna Rios  
City Clerk

**EXHIBIT "A"**



## LEGEND

- |   |  |
|---|--|
|  | MAG NAIL FOUND - WASHER                |
|  | CALCULATED POINT                       |
|  | 1/2" IRON PIPE FOUND<br>(UNLESS NOTED) |
|  | 1/2" IRON ROD FOUND<br>(UNLESS NOTED)  |
|  | PROPERTY LINE                          |
|  | ADJOINER LINE                          |
| POB   | POINT OF BEGINNING                     |
| VOL. PG.  | VOLUME AND PAGE                        |
| P.R.T.C.  | PLAT RECORDS                           |
|   | TRAVIS COUNTY                          |
| D.R.T.C.  | DEED RECORDS                           |
|   | TRAVIS COUNTY                          |
| DOC. NO.  | DOCUMENT NUMBER                        |
| O.P.R.T.C.  | OFFICIAL PUBLIC RECORDS                |
|   | TRAVIS COUNTY                          |
| (   | RECORD INFORMATION                     |



### DATUM & BEARING BASIS

TEXAS STATE PLANE COORDINATE SYSTEM,  
GRID NORTH, CENTRAL ZONE (4203), NAD  
83. ELEVATION DATA NAVD 88, GEOID 12B.  
DISTANCES IN US SURVEY FEET (GRID).

TCAD #: 0108030915  
AUSTIN GRID: MH-22

**SURVEYED FOR:  
WILEY HUNSACKER  
PROJECT NO. 21-0275.02  
1407 W. 5TH ST.  
AUSTIN, TX**



**INFO@SURVEYWORKS.COM**  
**SURVEYWORKS.COM**  
**1207 UPLAND DRIVE**  
**AUSTIN, TX 78741**  
**FIRM #10194157**  
**(512) 599-8067**

SHEET  
1 of 2

METES AND BOUNDS DESCRIPTION OF A 0.2180 ACRE TRACT OF LAND BEING A 2051 SQUARE FOOT TRACT (TRACT 1), BEING PART OF THE ALLEY ADJACENT TO LOTS 1,12,11 & 10, BLOCK 1, PRESSLER'S SUBDIVISION OF PART OF OUTLOT NO. 1, DIVISION "Z", CITY OF AUSTIN, A SUBDIVISION OF RECORD IN VOLUME 2, PAGE 137, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND A 0.171 ACRE TRACT (TRACT 2), BEING ALL OF LOT 1, BLOCK 1, PRESSLER'S SUBDIVISION OF PART OF OUTLOT NO 1, AND BEING THAT SAME LAND CONVEYED IN A DEED TO 5TH & PRESSLER, LP, RECORDED AS TRACT 1 AND TRACT 2 IN DOCUMENT NO. 2021277779, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.2180 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT A 1/2" IRON ROD WITH CAP STAMPED "TRI-TECH" CAP FOUND ALONG THE SOUTH R.O.W. OF SAID WEST 5TH STREET, FOR THE NORTHEAST CORNER OF SAID LOT 12 AND THE NORTHWEST CORNER OF SAID TRACT 1, FOR THE NORTHERNMOST POINT OF THE TRACT HEREIN DESCRIBED;

**THENCE SOUTH 65°37'36" EAST** ALONG THE SOUTH MARGIN OF WEST 5TH STREET AND THE NORTH LINE OF SAID BLOCK 1, A DISTANCE OF **20.01 FEET** TO A MAG NAIL WITH WASHER STAMPED "TRI TECH" FOUND ON THE SOUTH MARGIN OF SAID WEST 5TH STREET, FOR THE NORTHEAST CORNER OF SAID TRACT 1, AND THE NORTHWEST CORNER OF LOT 1;

**THENCE SOUTH 65°44'56" EAST** CONTINUING WITH THE SOUTH MARGIN OF SAID WEST 5TH STREET, COMMON WITH THE NORTH LINE OF LOT 1, A DISTANCE OF **145.21 FEET** TO A MAG NAIL FOUND AT THE NORTHEAST CORNER OF LOT 1, FOR THE EASTERNMOST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE, SOUTH 23°51'36" WEST**, WITH THE WEST RIGHT-OF-WAY OF PRESSLER STREET AND THE EAST LINE OF SAID LOT 1, A DISTANCE OF **51.16 FEET**, TO A CALCULATED POINT AT THE SOUTHEAST CORNER OF TRACT 2, FROM WHICH A 1-INCH IRON PIPE FOUND BEARS NORTH 70°32'55" WEST, A DISTANCE OF 0.55 FEET;

**THENCE, NORTH 65°49'44" WEST**, WITH THE SOUTH LINE OF LOT 1, A DISTANCE OF **145.08 FEET** TO A 1/2" IRON ROD WITH CAP STAMPED "TRI-TECH" CAP FOUND FOR THE SOUTHWEST CORNER OF LOT 1;

**THENCE NORTH 66°31'37" WEST** WITH THE PROJECTED SOUTH LINE OF LOT 1, INTO AND ACROSS SAID ALLEY, A DISTANCE OF **10.06 FEET** TO A 1/2"-IRON PIPE FOUND FOR AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE SOUTH 23°44'14" WEST**, WITH THE EAST LINE OF SAID TRACT 1 AND THE CENTERLINE OF SAID ALLEY, **102.22 FEET** TO A 1/2" IRON ROD WITH CAP STAMPED "TRI-TECH" CAP FOUND IN THE CENTER OF SAID ALLEY AT THE PROJECTED SOUTH LINE OF LOT 10, BLOCK 1 OF SAID SUBDIVISION, FOR THE SOUTHERNMOST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE NORTH 65°58'08" WEST**, WITH THE PROJECTED SOUTH LINE OF LOT 10, A DISTANCE OF **10.02 FEET** TO A 1/2" IRON ROD WITH CAP STAMPED "TRI-TECH" CAP FOUND AT THE SOUTHWEST CORNER OF LOT 10, THE NORTHEAST CORNER OF LOT 9 OF SAID SUBDIVISION, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE NORTH 23°45'20" EAST**, WITH THE EAST LINE OF LOTS 10, 11 AND 12 AND THE WEST LINE OF SAID ALLEY, COMMON WITH THE WEST LINE OF TRACT 1, A DISTANCE OF **153.80 FEET** TO THE POINT OF BEGINNING AND CONTAINING 0.2180 ACRES OF LAND, MORE OR LESS.

I, DEREK KINSAUL LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THE FOREGOING METES AND BOUNDS LEGAL DESCRIPTION AND SKETCH WERE BASED ON AN ON THE GROUND SURVEY.


THE STATE OF TEXAS  
KNOW ALL MEN BY THESE PRESENTS  
COUNTY OF TRAVIS

WITNESS MY HAND AND SEAL AT AUSTIN, TRAVIS COUNTY, TEXAS ON  
AUGUST 9, 2023

  
DEREK KINSAUL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6356  
PROJECT #21-0275.02



SURVEYED FOR:  
WILEY HUNSACKER  
PROJECT NO. 21-0275.02  
1407 W. 5TH ST.  
AUSTIN, TX

 **SURVEY  
WORKS**  
INFO@SURVEYWORKS.COM  
SURVEYWORKS.COM  
1207 UPLAND DRIVE  
AUSTIN, TX 78741  
FIRM #10194157  
(512) 599-8067

## EXHIBIT "B"

# EARLY LAND SURVEYING, LLC

P.O. Box 92588, Austin, TX 78709

512-202-8631

[earlysurveying.com](http://earlysurveying.com)

TBPELS Firm No. 10194487

### 0.915 ACRES

### TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 0.915 ACRES (APPROXIMATELY 39,845 SQ. FT.), BEING ALL OF LOTS 2, 3, 4, 5 AND 6, BLOCK 1, OF PRESSLER'S SUBDIVISION OF PART OF OUTLOT NO. 1, DIVISION Z, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 2, PAGE 137, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, TOGETHER WITH ONE-HALF OF THE VACATED PORTION OF THE ALLEY ADJACENT TO LOTS 4, 5 AND 6, SAID VACATION RECORDED IN VOLUME 943, PAGE 444, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND THAT 1,022 SQUARE FEET OF LAND, MORE OR LESS, BEING PART OF THE ALLEY ADJACENT TO LOTS 2 AND 3, AS CONVEYED IN DEED WITHOUT WARRANTY RECORDED IN DOCUMENT NO. 2017019746, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.915 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" rebar found at the intersection of the northwest right-of-way line of Pressler Street (50' right-of-way width) and the northeast right-of-way line of the I. and G.N. Railroad (right-of-way width varies), being the southernmost corner of said Lot 6, from which a cotton spindle found at the intersection of the southeast right-of-way line of Pressler Street and the northeast right-of-way line of the I. and G.N. Railroad, bears South 65°51'50" East, a distance of 50.24 feet;

**THENCE** North 65°51'50" West, with the northeast right-of-way line of the I. and G.N. Railroad, the south line of said Lot 6 and the south line of the said vacated portion of the 20' alley, a distance of 155.43 feet to a nail found in a concrete wall;

**THENCE** North 23°45'29" East, crossing the said vacated portion of the 20' alley, a distance of 154.29 feet to a 1/2" rebar with "Tri-Tech" cap found in the northeast line of the said vacated portion of the 20' alley, being the westernmost corner of the said 1,022 square foot tract, being also the southernmost corner of a 2,051 square foot tract described in Document No. 2021277779 of the Official Public Records of Travis County, Texas, from which a 1/2" rebar with "Tri-Tech" cap found for the northernmost terminus of the said vacated portion of the 20' alley, being the westernmost corner of the said 2,051 square foot tract, bears North 65°56'37" West, a distance of 10.00 feet;



**THENCE** with the perimeter of the said 1,022 square foot tract and the said 2,051 square foot tract and crossing the said 20' alley, the following two (2) courses and distances:

1. North 23°45'29" East, a distance of 102.26 feet to a 1/2" iron pipe with an inset 60d nail found for the northernmost corner of the said 1,002 square foot tract;
2. South 65°52'09" East, a distance of 10.04 feet to a 1/2" rebar with "Tri-Tech" cap found for the northernmost corner of said Lot 2, being the easternmost corner of the said 1,022 square foot tract, being also the westernmost corner of Lot 1, Block 1, of said Pressler's Subdivision, from which a 60d nail with "Tri-Tech" washer found in the southwest right-of-way line of W 5th Street (60' right-of-way width), being the easternmost corner of the said 2,051 square foot tract, being also the northernmost corner of said Lot 1, bears North 23°45'29" East, a distance of 51.44 feet;

**THENCE** South 65°52'09" East, with the northeast line of said Lot 2 and the southwest line of said Lot 1, passing a 1" iron pipe found at a distance of 144.59 feet and continuing for a total distance of 145.15 feet to a calculated point in the northwest right-of-way line of Pressler Street, being the easternmost corner of said Lot 2, being also the southernmost corner of said Lot 1, from which a mag nail found at the intersection of the southwest right-of-way line of W 5th Street and the northwest right-of-way line of Pressler Street, bears North 23°42'09" East, a distance of 50.97 feet;

**THENCE** South 23°42'09" West, with the northwest right-of-way line of Pressler Street and the southeast line of Lots 2-6, a distance of 256.57 feet to the **POINT OF BEGINNING**, containing 0.915 acres of land, more or less.

Surveyed on the ground on May 10, 2023

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

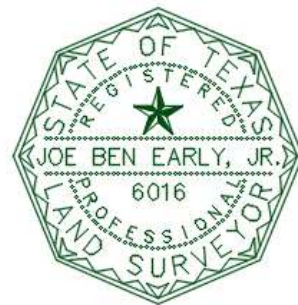
Attachments: Survey Drawing No. 1008-030-BASE



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

5/18/2023

Date



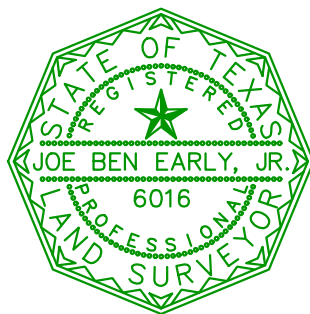


SKETCH TO ACCOMPANY A DESCRIPTION OF 0.915 ACRES (APPROXIMATELY 39,845 SQ. FT.), BEING ALL OF LOTS 2, 3, 4, 5 AND 6, BLOCK 1, OF PRESSLER'S SUBDIVISION OF PART OF OUTLOT NO. 1, DIVISION Z, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 2, PAGE 137, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, TOGETHER WITH ONE-HALF OF THE VACATED PORTION OF THE ALLEY ADJACENT TO LOTS 4, 5 AND 6, SAID VACATION RECORDED IN VOLUME 943, PAGE 444, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND THAT 1,022 SQUARE FEET OF LAND, MORE OR LESS, BEING PART OF THE ALLEY ADJACENT TO LOTS 2 AND 3, AS CONVEYED IN DEED WITHOUT WARRANTY RECORDED IN DOCUMENT NO. 2017019746, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

LINE TABLE			
LINE	BEARING	DISTANCE	(RECORD)
L1	N23°45'29"E	154.29'	
L2	N23°45'29"E	102.26'	(N26°07'47"E 102.25')
L3	S65°52'09"E	10.04'	(S63°27'27"E 10.00')
L4	N65°56'37"W	10.00'	(N63°20'00"W 10.00')
L5	N23°45'29"E	153.78'	(N26°07'47"E 153.67')

#### LEGEND

- 1/2" REBAR FOUND (OR AS NOTED)
- <sup>TT</sup> 1/2" REBAR WITH "TRI-TECH" CAP FOUND
- ⊙ 1/2" IRON PIPE W/60D INSET FOUND (OR AS NOTED)
- ▲<sup>TT</sup> MAG NAIL WITH "TRI-TECH" WASHER FOUND
- ▲ NAIL FOUND
- \* COTTON SPINDLE FOUND
- △ CALCULATED POINT
- ( ) RECORD INFORMATION



*[Handwritten Signature]*

7/27/2023

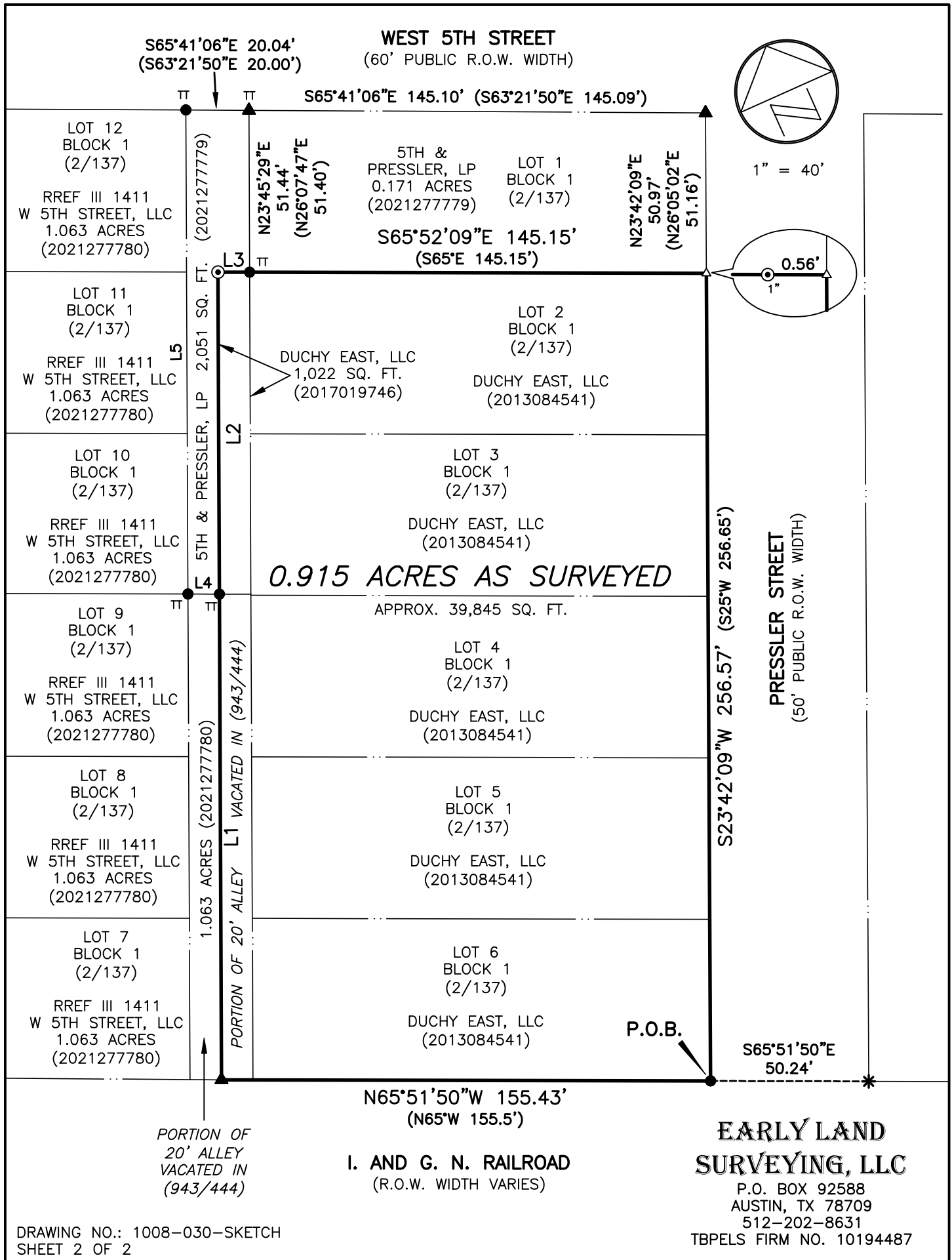
**EARLY LAND  
SURVEYING, LLC**

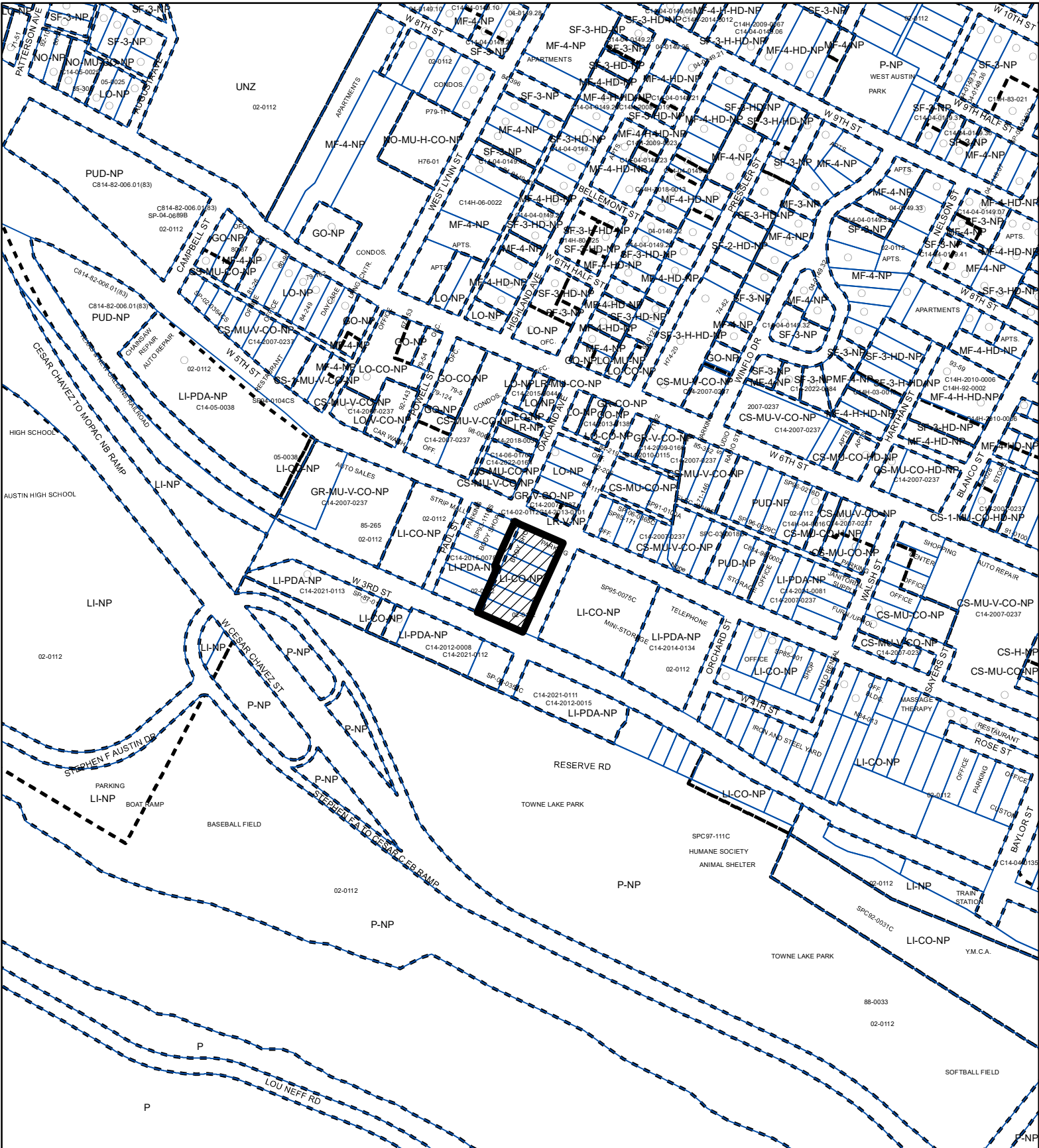
P.O. BOX 92588  
AUSTIN, TX 78709  
512-202-8631  
TBPELS FIRM NO. 10194487

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 1008-030-SKETCH

DATE OF SURVEY: 5/10/23  
PLOT DATE: 7/27/23  
DRAWING NO.: 1008-030-SKETCH  
DRAWN BY: JBE  
SHEET 1 OF 2

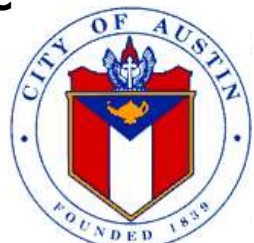




**ZONING**

**EXHIBIT "C"**

ZONING CASE#: C14-2023-0101



- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

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: 8/30/2023