

**ORDINANCE NO. 20240118-082**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1331 DELANO STREET IN THE EAST MLK COMBINED NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO TOWNHOUSE AND CONDOMINIUM RESIDENCE-NEIGHBORHOOD PLAN (SF-6-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 family residence-neighborhood plan (SF-3-NP) combining district to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district on the property described in Zoning Case No. C14-2023-0108, on file at the Planning Department, as follows:

2.9208 acres of land out of the JESSE C. TANNEHILL LEAGUE No. 29, Abstract No. 22, in Travis County, Texas, being that same 2.929 acre tract of land conveyed by deed recorded in Document No. 2022101451 of the Official Public Records of Travis County, Texas, said 2.208 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

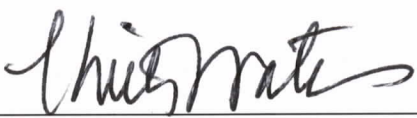
locally known as 1331 Delano Street in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit "B"**.

**PART 2.** Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 021107-Z-12b that established zoning for the MLK-183 Neighborhood Plan.

**PART 3.** This ordinance takes effect on January 29, 2024.

**PASSED AND APPROVED**

\_\_\_\_\_, January 18, 2024

§  
§  
§   
Kirk Watson  
Mayor

**APPROVED:**  **ATTEST:**   
Anne L. Morgan  
City Attorney  
Myrna Rios  
City Clerk

## EXHIBIT A

Jesse C. Tannehill League No. 29, Abstract No. 22

### Legal Description

**BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 2.9208 ACRES (127,229 SQUARE FEET) OUT OF THE JESSE C. TANNEHILL LEAGUE NO. 29, ABSTRACT NO. 22, OF TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 2.929 ACRES TRACT CONVEYED TO HOUSE OF GOOD TIDINGS, LLC IN DOCUMENT NO. 2020157342 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), PREVIOUSLY DESCRIBED AS THREE TRACTS OF LAND BEING TWO CALLED 1.0 ACRE TRACTS (CALLED SECOND TRACT AND FIRST TRACT) TO WILLIAM B. MOSELEY IN VOLUME 6858, PAGE 1929 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.), A CALLED 0.95 ACRE TRACT CONVEYED TO MOSELEY BROTHERS, INC. IN VOLUME 7536, PAGE 420 (D.R.T.C.T.), SAID 2.9208 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**



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**BEGINNING**, at a 1/2-inch iron rod found in the east right-of-way line of Delano Street (50' right-of-way), being the southwest corner of Lot 2, Moten Acres in Volume 26, Page 31 of the Plat Records of Travis County, Texas (P.R.T.C.T.), and being the Northwest corner of said House of Good Tidings tract, and being the northwest corner of said Moseley (Second Tract), and being the northwest corner and **POINT OF BEGINNING** hereof, from which a 1/2-inch iron pipe found for an angle point in the east right-of-way line of said Delano Street, being the west line of said Lot 2, Moten Acres bears, N18°28'28"W, a distance of 65.45 feet;

**THENCE**, leaving the east right-of-way line of said Delano Street, with the north line of said Moseley (Second Tract) and the south line of said Lot 2, Moten Acres, **N70°51'46"E**, a distance of **400.91** feet to a 1/2-inch iron rod found for the north corner hereof, being the north corner of said Moseley (Second Tract), and being the southeast corner of said Lot 2, Moten Acres, and being in the southwest line of Lot 8, Block "A", Truman Heights, a subdivision recorded in Volume 5, Page 131 of the Plat Records of Travis County, Texas (P.R.T.C.T.), and being the beginning of an apparent gap between deed and plat lines, from which a 1/2-inch iron rod found for the common south corner of said Lot 8 and Lot 9 of said Block "A" Truman Heights, being in the northeast line of said Lot 2, Moten Acres bears, N57°36'02"W, a distance of 45.79 feet;

**THENCE**, leaving the south line of said Lot 2, Moten Acres, with the south line of said apparent gap between deed and plat lines, in part with the with the northeast line of said Moseley (Second Tract and First Tract), in part with the northeast line of said Moseley Brothers tract, **S53°40'18"E**, passing at a distance of 124.10 feet a 1/2-inch iron rod found for the common north corner of said Moseley (Second Tract and First Tract), passing at a distance of 221.82 feet a 1/2-inch iron rod found for the end of said apparent gap between deed and plat lines, being the common south corner of Lot 5 and Lot 4 of said Block "A", Truman Heights, in all a distance of **251.80** feet to a 1/2-inch iron rod found for an angle point hereof, and being an angle point in the south line of said Lot 4, Truman Heights, and being an angle point in the north line of said Moseley Brothers tract, and being the beginning of an apparent gap between deed and plat lines;

**THENCE**, leaving the south line of said Lot 4, Truman Heights, with the south line of said apparent gap between deed and plat lines, and in part with the north line of said Moseley Brothers tract, **S49°55'31"E**, a distance of **59.40** feet to a 1/2-inch iron rod found for an angle point hereof, being the common north corner of House of Good Tidings tract and a called 5.215 acres tract conveyed to Jackie Robinson Investments LP in Document No. 2021196924 (O.P.R.T.C.T.), and being the southeast corner of said Moseley Brothers tract, and being the common north corner of a previously described called 0.887 acre tract (Tract 2) conveyed to ATEX Investments, LLC in Document No. 2017130674 (O.P.R.T.C.T.) and a called 0.92 acre tract conveyed to William DE. Moseley in Document No. 2003099244 (O.P.R.T.C.T.);

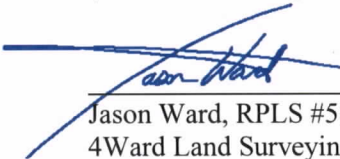


**THENCE**, with the common line of said House of Good Tidings tract and said Jackie Robinson Investments tract, being the common line of said Mosely Brothers 0.95 acre tract, in part with said ATEX Investments 0.887 acre tract and in part with previously described called 1.058 acre tract (Tract 1) conveyed to ATEX Investments, LLC in Document No. 2017130674 (O.P.R.T.C.T.), **S70°43'18"W**, a distance of **576.68** feet to a 1/2-inch iron rod found in the east right-of-way line of said Delano Street, being the common west corner of said House of Good Tidings tract and said Jackie Robinson Investments tract, and being the common east corner of said Mosley Brothers 0.95 acre tract and said ATEX Investments 1.058 acre tract;

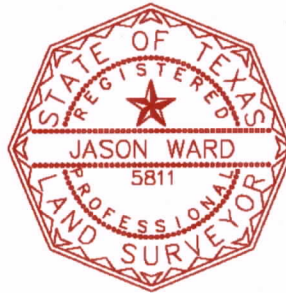
**THENCE**, leaving the north line of said Jackie Robinson Investments tract, with the east right-of-way line of said Delano street and the west line of said House of Good Tidings tract, **N18°33'25"W**, a distance of **259.89** feet to the **POINT OF BEGINNING** and containing 2.9208 Acres (127,229 Square Feet) more or less.

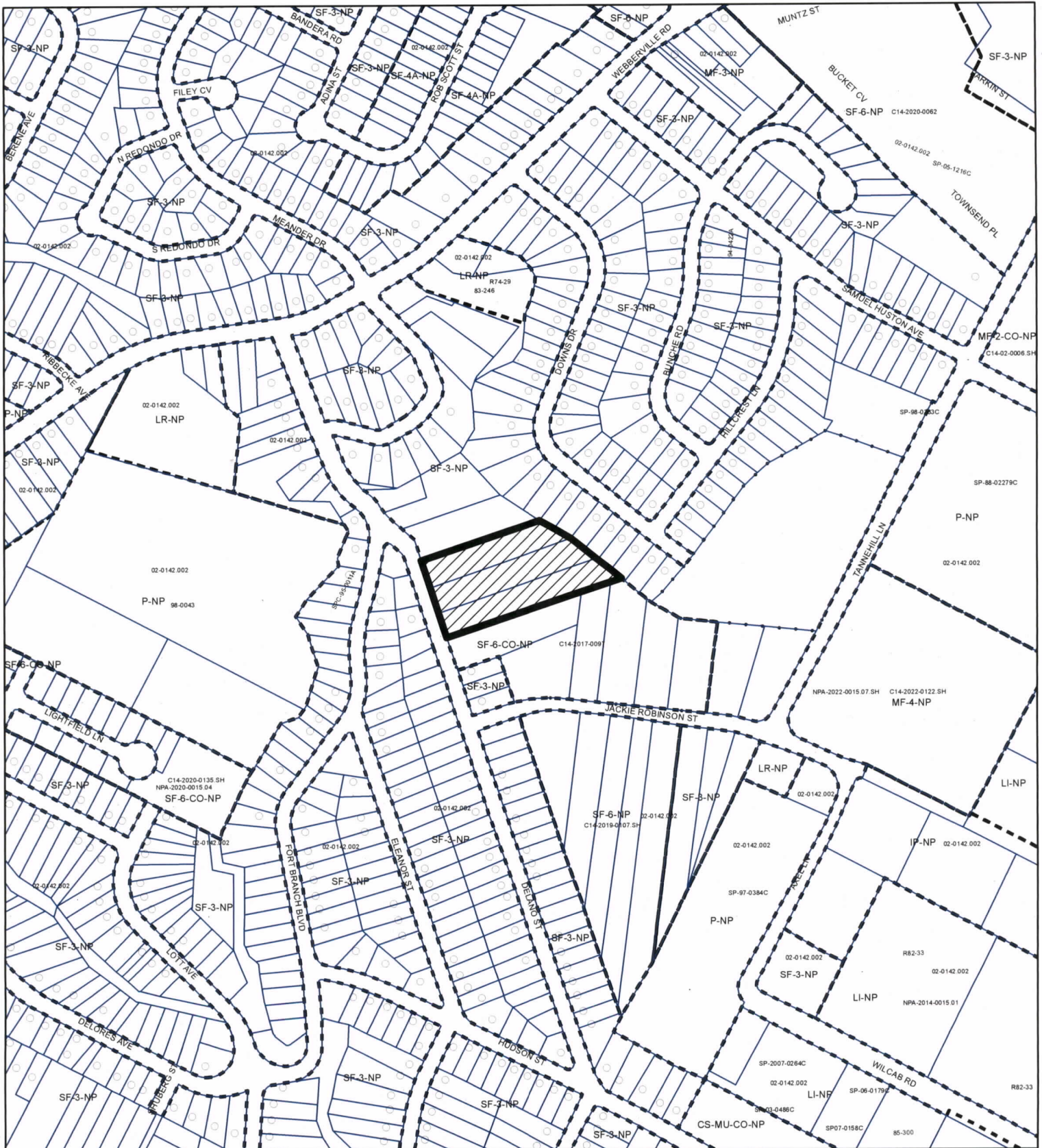
**Notes:**

All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203); all distances were adjusted to surface using a combined scale factor of 1.000064674900. See attached sketch (reference drawing: 01363.dwg.)

  
Jason Ward, RPLS #5811  
4Ward Land Surveying, LLC

2/11/2022





1" = 400'



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

## ZONING

ZONING CASE#: C14-2023-0108

## 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



Created: 9/19/2023