

ORDINANCE NO. 20240118-084

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 410, 410 1/2, AND 412 1/2 PRESSLER STREET AND 1401 1/2 AND 1407 WEST 5TH STREET IN THE OLD WEST AUSTIN NEIGHBORHOOD PLAN AREA FROM LIMITED INDUSTRIAL SERVICE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LI-CO-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-conditional overlay-neighborhood plan (LI-CO-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. C14-2023-0101, on file at the Planning Department, as follows:

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 AND 10, BLOCK 1, PRESSLER'S SUBDIVISION OF PART OF OUTLOT NO. 1, DIVISION Z, a subdivision in the City of Austin, according to the map or plat 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 described in a deed as Tract 1 and Tract 2 recorded in Document No. 2021277779 of the Official Public Records of Travis County, Texas, said 0.2180 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance; and

0.915 acres of land, 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, Plat Records of Travis County, Texas, together with one-half of the vacated portion of the alley adjacent to Lots 4, 5 and 6 in a document recorded in Volume 943, Page 444, 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, described in a deed recorded in Document No. 2017019746 of the Official Public Records of Travis County, Texas, said 0.915 acres of land being more particularly described by metes and bounds in **Exhibit "B"** incorporated into this ordinance,

(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	Liquor sales not to exceed a maximum of 5,000 square feet
Multi-family residential	Pet services

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

Adult-oriented business	Agricultural sales and services
Automotive washing (of any type)	Bail bond services
Basic industry	Campground
Construction Sales and Services	Convenience storage
Custom manufacturing	Drop-off recycling collection facility
Electronic prototype assembly	Exterminating services
General warehousing & distribution	Indoor crop production
Kennels	Light manufacturing
Limited warehousing and distribution	Maintenance and service facilities
Monument retail services	Pawn shop services
Pedicab storage and dispatch	Recycling Center
Research Services	Resource extraction
Scrap and salvage	Service station
Vehicle storage	

(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 is 120 feet plus additional height allowed by Section 25-2-531 (*Height Limit Exceptions*).

(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 is 100 feet plus additional height allowed by Section 25-2-531 (*Height Limit Exceptions*).

(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 of Pressler Street.
- (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 January 29, 2024.

PASSED AND APPROVED

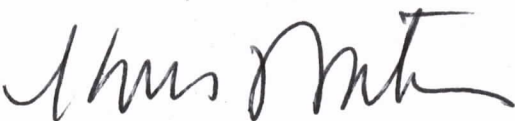

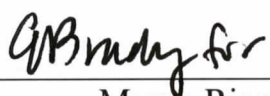
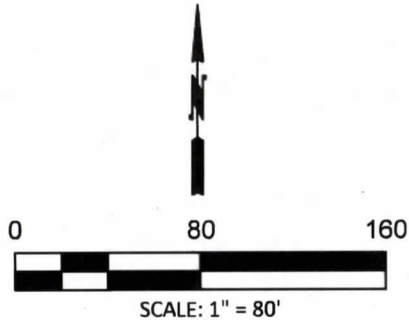
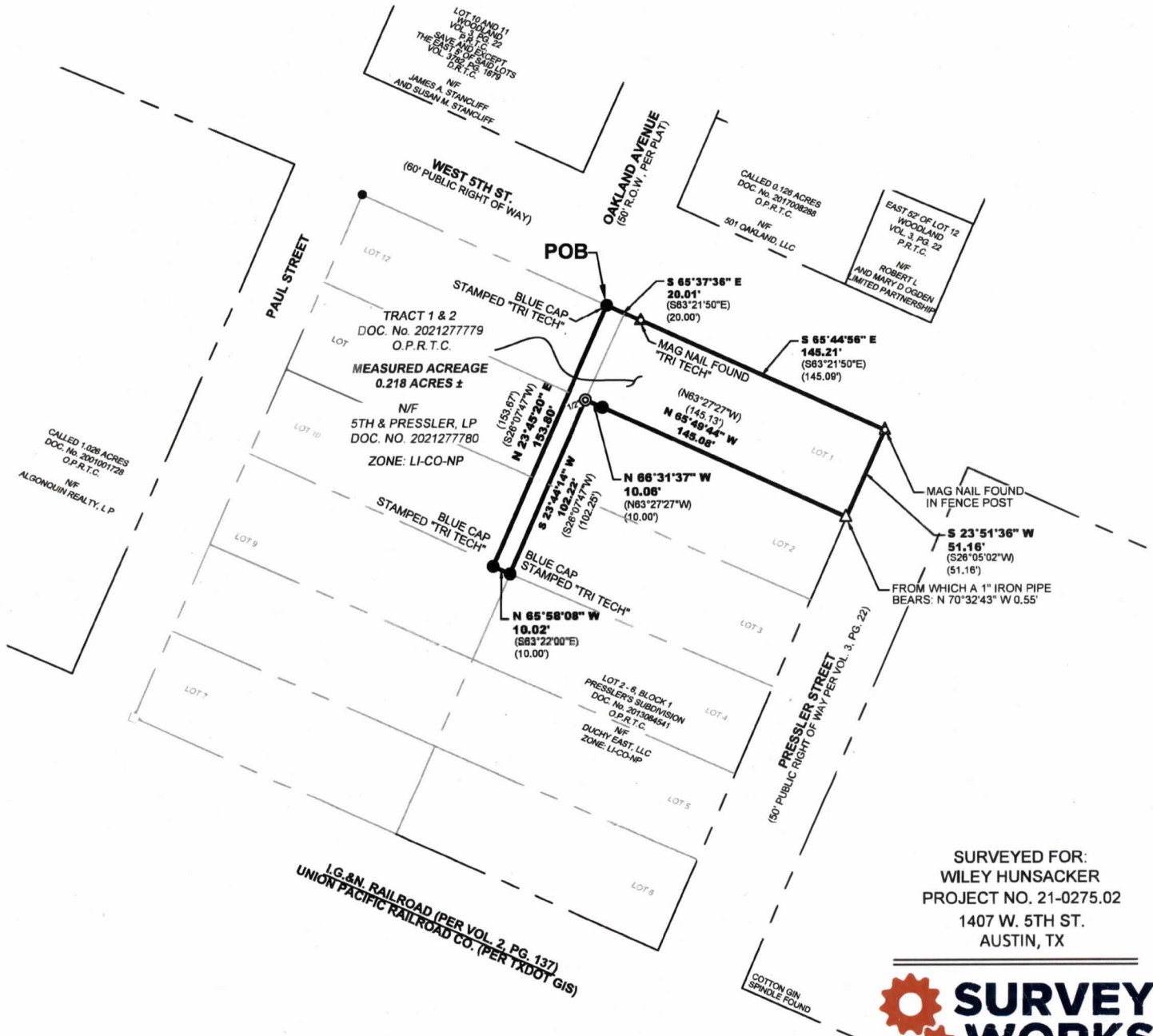
<u>January 18</u> , 2024		§ § § § _____	 Kirk Watson Mayor
APPROVED:	 Anne L. Morgan City Attorney	ATTEST:	 Myrna Rios City Clerk

EXHIBIT "A"



LEGEND

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



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

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

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



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

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.

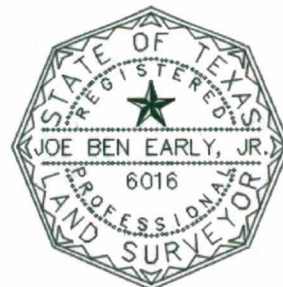
Surveyed on the ground on May 10, 2023

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

Attachments: Survey Drawing No. 1008-030-BASE



5/18/2023
Date
Joe Ben Early, Jr.
Registered Professional Land Surveyor,
State of Texas No. 6016

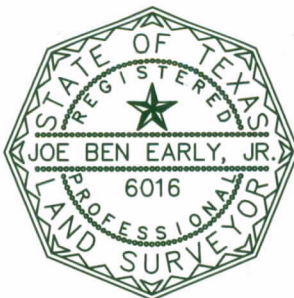


SKETCH TO ACCOMPANY A DESCRIPTION OF 0.915 ACRES (APPROXIMATELY 39,845 SQ. FT.), BEING ALL OF LOTS 2, 3, 4, 5 AND 6, BLOCK 1, OF PRESSLER'S SUBDIVISION OF PART OF OUTLOT NO. 1, DIVISION Z, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 2, PAGE 137, OF THE PLAT 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)
- ^{TT} 1/2" REBAR WITH "TRI-TECH" CAP FOUND
- ⊙ 1/2" IRON PIPE W/60D INSET FOUND (OR AS NOTED)
- ▲^{TT} MAG NAIL WITH "TRI-TECH" WASHER FOUND
- ▲ NAIL FOUND
- * COTTON SPINDLE FOUND
- △ CALCULATED POINT
- () RECORD INFORMATION



7/27/2023

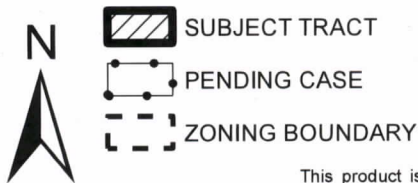
**EARLY LAND
SURVEYING, LLC**

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.

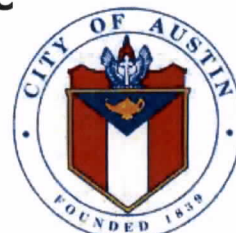
DATE OF SURVEY: 5/10/23
PLOT DATE: 7/27/23
DRAWING NO.: 1008-030-SKETCH
DRAWN BY: JBE
SHEET 1 OF 2

ATTACHMENTS: METES AND BOUNDS
DESCRIPTION 1008-030-SKETCH



ZONING
ZONING CASE#: C14-2023-0101

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