

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1207, 1209, 1211, AND 1211 1/2 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. C14-2024-0007, on file at the Planning Department, as follows:

A 0.4571 acre tract of land, being the west 10 feet of the north 126.5 feet of LOT 6, and the north 126.5 feet of LOTS 7, 8, AND 9, SUBDIVISION OF BLOCK NO. 2 OF THE DUVAL SUBDIVISION, a subdivision recorded in Volume 1, Page 119, of the Plat Records of Travis County, Texas, being also described as a called 0.4580 acre tract of land conveyed by deed recorded in Document No. 2010087526 of the Official Public Records of Travis County, Texas, said 0.4571 acre tract of land being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (the “Property”),

locally known as 1207, 1209, 1211, and 1211 1/2 West 5th Street in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit “B”**.

**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.

40 **PART 4.** Development of the Property within the boundaries of the planned development  
41 area (PDA) combining district established by this ordinance is subject to the use and site  
42 development regulations set forth in this part:

43  
44 (A) The following uses are additional permitted uses of the Property:

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46 Child Care Services (General)                      Condominium Residential  
47 Group Residential                                      Multifamily Residential  
48 Townhouse Residential

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

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52 Adult Oriented Businesses                              Automotive Rentals  
53 Automotive Repair Services                              Automotive Sales  
54 Automotive Washing (of any type)                      Basic Industry  
55 Drop-Off Recycling Collection                              Exterminating Services  
56 Facility  
57 General Warehousing and                              Kennels  
58 Distribution  
59 Outdoor Entertainment                                      Outdoor Sports and Recreation  
60 Recycling Center    Resource Extraction  
61 Scrap and Salvage    Vehicle Storage

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

Bail Bond Services    Convenience Storage  
Equipment Repair Services                                      Equipment Sales  
Limited Warehousing and    Maintenance and Service Facilities  
Distribution

(D) Development of the Property shall comply with the following regulations:

- (1) The maximum height of a building or structure on the Property shall not exceed:
- (a) 120 feet for residential uses
  - (b) 90 feet for commercial uses



EXHIBIT “ \_\_\_\_\_ ”

**Legal Description**

**BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.4571 ACRE (19,910 SQUARE FEET), BEING THE WEST 10 FEET OF THE NORTH 126.5 FEET OF LOT 6, AND THE NORTH 126.5 FEET OF LOTS 7 THROUGH 9 OF THE SUBDIVISION OF BLOCK NO. 2 OF THE DUVAL SUBDIVISION, A SUBDIVISION RECORDED IN VOL. 1, PAGE 119 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.T.), ALSO BEING DESCRIBED AS A CALLED 0.4580 ACRE TRACT CONVEYED TO 1209 WEST FIFTH STREET, LLC, IN DOCUMENT NO. 2010087526 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), SAID 0.4571 ACRE 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 south right-of-way line of West 5th Street (60' right-of-way), being in the north line of said Lot 6, Duval Subdivision, being the northeast corner of said 0.4580 acre tract, and being the northwest corner of a called 7,802 Square Foot tract conveyed to 1205 1/2 W. 5<sup>th</sup>, LLC, in Document No. 2015111217 (O.P.R.T.C.T.), for the northeast corner and **POINT OF BEGINNING** hereof, from which a 3/4-inch iron rod found at the intersection of the south right-of-way line of said West 5th Street and the west right-of-way line of Walsh Street (right-of-way varies), being in the north line of Lot 4, of said Duval Subdivision, and being the northeast corner of a tract described as being 60 feet by 120 feet of Lot 4 and 5, Block 2, Outlot 1, Division Z, of Duval Subdivision, said tract having been conveyed to Steven D. Ogden in Document No. 2020136745 (O.P.R.T.C.T.), bears, S68°22'25"E, a distance of 122.80 feet;

**THENCE**, leaving the south right-of-way line of said West 5th Street, with the common line of said 0.4580 acre tract and said 7,802 Square Foot tract, **S22°01'20"W**, a distance of **126.28** feet to a 1/2-inch iron rod found for the southeast corner hereof, said point being the common south corner of said 0.4580 acre tract and said 7,802 Square Foot tract, being the northwest corner of a tract described as being the South 30 feet of Lots 4 through 6 and Less 6 feet by 62 feet of Lot 5 and Lot 6, plus the East 122 feet of Lot 12, Block 2, Outlot 1, Division Z, Duval Subdivision, said tract having been conveyed to Steven D. Ogden in Document No. 2020136746 (O.P.R.T.C.T.), also being the northeast corner of a tract described as being the South Center 86 feet by 132 feet of Lots 6 through 9 and Lots 1 through 12, Block 2, Outlot 1, Division Z, Duval Subdivision, said tract having been conveyed to Steven D. Ogden in Document No. 2020136748 (O.P.R.T.C.T.);

**THENCE**, over and across said Lots 6 through 9 of said Duval Subdivision, with the south line of said 0.4580 acre tract, in part with the north line of said South Center 86 feet by 132 feet of Lots 6 through 9 and Lots 1 through 12, Block 2, Outlot 1, Division Z, Duval Subdivision tract, and in part with the north line of a tract described as being the South 23.5 feet of the West 50 feet of Lot 10, and the Southwest 23.5 feet by 27 feet of Lot 9, and the North 17.5 feet of the West 77 feet of Lot 11, Block 2, Outlot 1, Division Z, Duval Subdivision, said tract having been conveyed to Steven D. Ogden in Document No. 2020136742 (O.P.R.T.C.T.), **N68°24'24"W**, a distance of **157.66** feet to a 1/2-inch square bolt found for the southwest corner hereof, said point being in the west line of said Lot 9, Duval Subdivision, also being in the east line of Lot 10 of said Duval Subdivision, being the southwest corner of said 0.4580 acre tract, being in the north line of said South 23.5 feet of the West 50 feet of Lot 10, and the Southwest 23.5 feet by 27 feet of Lot 9, and the North 17.5 feet of the West 77 feet of Lot 11, Block 2, Outlot 1, Division Z, Duval Subdivision tract, and being the southeast corner of a called 0.147 acre tract conveyed to Westt Fifth LP in Document No. 2013089350 (O.P.R.T.C.T.), from which a 1/2-inch iron rod found in the east right-of-way line of Orchard Street (50' right-of-way), being the common west corner of said 0.147 acre tract and said South

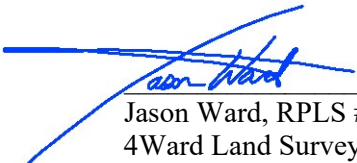
23.5 feet of the West 50 feet of Lot 10, and the Southwest 23.5 feet by 27 feet of Lot 9, and the North 17.5 feet of the West 77 feet of Lot 11, Block 2, Outlot 1, Division Z, Duval Subdivision tract, bears, N68°47'19"W, a distance of 50.60 feet;

**THENCE**, with the common line of said Lot 9 and said Lot 10, Duval Subdivision, with the west line of said 0.4580 acre tract, and with the east line of said 0.147 acre tract, **N22°04'06"E**, a distance of **126.38** feet to a 1-inch iron pipe found for the northwest corner hereof, said point being in the south right-of-way line of said West 5th Street, being the common north corner of said Lot 9 and said Lot 10, Duval Subdivision, and being the common north corner of said 0.4580 acre tract and said 0.147 acre tract;

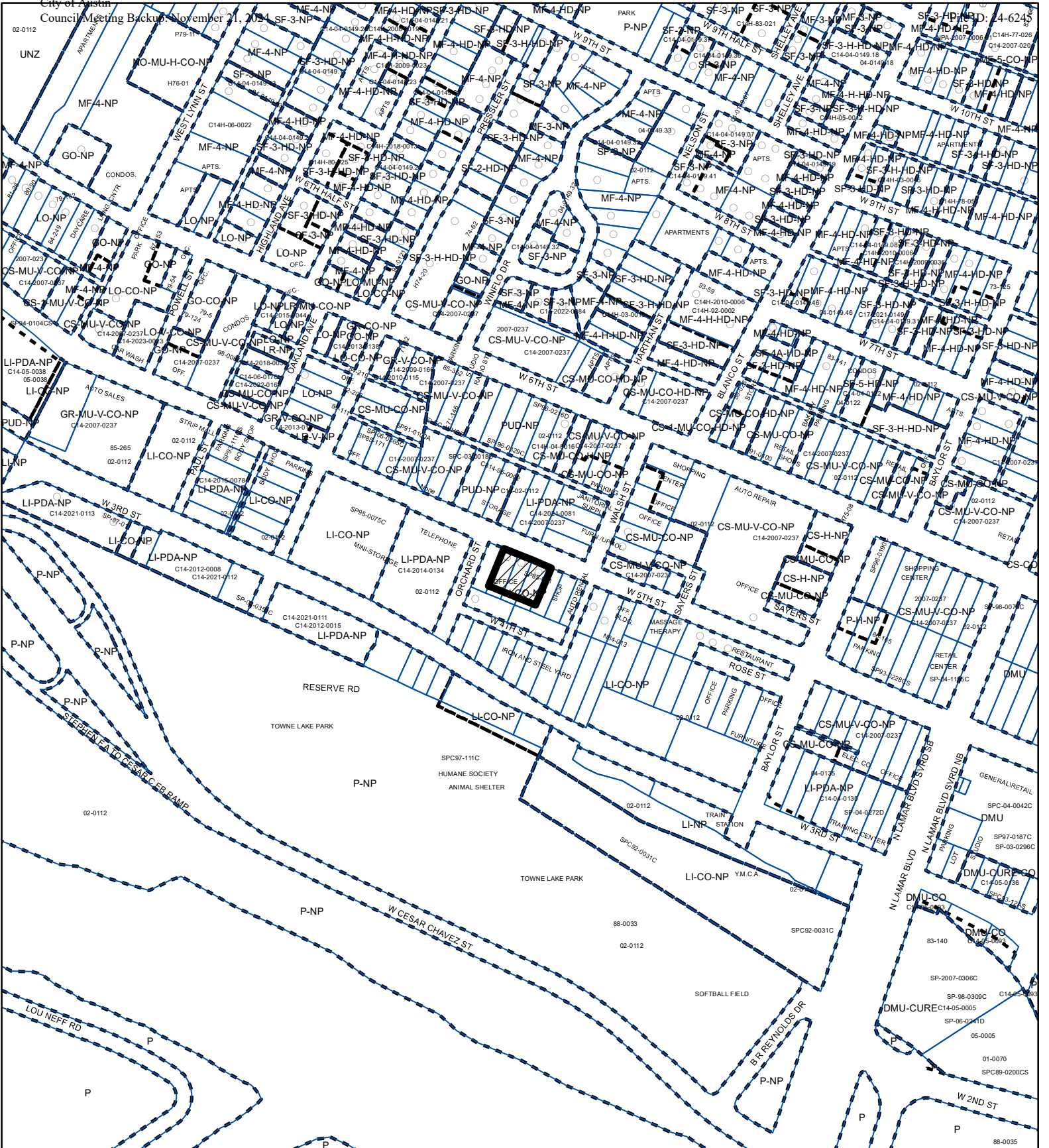
**THENCE**, with the south right-of-way line of said West 5th Street, with the north lines of said Lots 6 through 9 of said Duval Subdivision, and with the north line of said 0.4580 acre tract, **S68°22'25"E**, a distance of **157.56** feet to the **POINT OF BEGINNING** and containing 0.4571 Acre (19,910 Square Feet) of land, 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 1.000061018855.

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





## ZONING EXHIBIT "B"

ZONING CASE#: C14-2024-0007



**N**

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 Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

**Created: 1/26/2024**