ORDINANCE NO.	
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AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3800, 3808, AND 3810 NORTH INTERSTATE HIGHWAY 35 SERVICE ROAD SOUTHBOUND, 1015 AND 1017 EAST 38TH HALF STREET, AND 1014 AND 1016 EAST 38TH STREET IN THE CENTRAL AUSTIN COMBINED NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-V-CO-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-DENSITY BONUS 90-NEIGHBORHOOD PLAN (CS-MU-V-CO-DB90-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 general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district to general commercial services-mixed use-vertical mixed use building-conditional overlay-density bonus 90-neighborhood plan (CS-MU-V-CO-DB90-NP) combining district on the property described in Zoning Case No. C14-2024-0044, on file at the Planning Department, as follows:

0.135 acres of land, being portions of Lots 1, 2, 3 and 4, Block A, RESUBDIVISION AND PART OF BLOCK 4 OF PLAINVIEW HEIGHTS, a subdivision of Outlots Nos. 20 and 21, Division "C", in the City of Austin, Travis County, Texas, according to the map or plat thereof as recorded in Volume 4, Page 128, of the Plat Records of Travis County, Texas, SAVE AND EXCEPT that portion of the property conveyed to the City of Austin by deed recorded in Volume 894, Page 317, Deed Records of Travis County, Texas, said 0.135 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance,

AND

LOTS 5, 6, 7, 8, 9, 10, 11, 12, BLOCK "A" of the RESUBDIVISION AND PART OF BLOCK 4 OF PLAINVIEW HEIGHTS, a subdivision of Outlots Nos. 20 and 21, Division "C" in the City of Austin, Travis County, Texas, according to the map or plat thereof as recorded in Volume 4, Page 128, of the Plat Records of Travis County, Texas,

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(collectively the "Property"),

locally known as 3800, 3808, and 3810 North Interstate Highway 35 Service Road Southbound, 1015 and 1017 East 38th Half Street, and 1014 and 1016 East 38th 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:

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

Agricultural Sales and Services Automotive Rentals

Automotive Sales Campground

Construction Sales and Services Convenience Storage

Drop-Off Recycling Collection Equipment Repair Services

Facilities

Equipment Sales Kennels

Limited Warehousing and Maintenance and Service Facilities

Distribution

Monument Retail Sales Outdoor Entertainment

Pawn Shop Services Service Station

Vehicle Storage

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

Automotive Repair Services Automotive Washing (of any type)
Building Maintenance Services Commercial Blood Plasma Center

Commercial Off-Street Parking Custom Manufacturing

Drive-In Service as an accessory Funeral Services

use to commercial uses

Hotel-Motel Outdoor Sports and Recreation

Research Services Residential Treatment

PART 3. When a site abuts a principal street, 75 percent of the building frontage must be designed for one or more commercial or civic uses and must comply with the dimensional requirements found in Section 4.3.3.C in Subchapter E (*Design Standards and Mixed Use*).

PART 6. This ordinance PASSED AND APPRO	e takes effect or	<u> </u>	ne Hancock Neighborhood Pl
	, 2024	§ § §	Kirk Watson Mayor
APPROVED:	e L. Morgan	ATTEST:	Myrna Rios
Cit	y Attorney		City Clerk

FIELD NOTES Tract 3

A tract of land containing 0.135 Acres, (5,893.82 Sq. Ft.) and being the West portions of Lots 1 and 2, Block A, RESUBDIVISION AND PART OF BLOCK 4 OF PLAINIEW HEIGHTS, a subdivision of Outlots Nos. 20 and 21, Division "C", in Travis County, Texas, according to the map or plat thereof, recorded in Volume 4, Page 128, Plat Records, Travis County, Texas. Being that same property described by metes and bounds in Volume 1212, Page 316, Deed Records, Travis County, Texas, also being Lots 3 and 4, Block A, RESUBDIVISION AND PART OF BLOCK 4 OF PLAINIEW HEIGHTS, a subdivision of Outlots Nos. 20 and 21, Division "C", in Travis County, Texas, according to the map or plat thereof, recorded in Volume 4, Page 128, Plat Records, Travis County, Texas. SAVE AND EXCEPT that portion conveyed to the City of Austin in Volume 894, Page 317, Deed Records, Travis County, Texas and being more particularly described as follows:

Beginning at a 1/2" iron rod set on the Southeast corner of Lot 1, Block A, RESUBDIVISION AND PART OF BLOCK 4 OF PLAINVIEW HEIGHTS, a subdivision of Outlots Nos. 20 and 21, Division "C" in Travis County, Texas, according to the map or plat thereof, recorded in Volume 4, Page 128, Plat Records, Travis County, Texas also being on the Northwest Right of Way Line of N. Interstate 35;

Thence N 62°25'59" W, for a distance of 28.99 ft. to a 1/2" iron rod set at the Southwest corner of said Tract 3;

Thence N 28°11'01" E, for a distance of 210.85 ft. to a 1/2" iron rod set at the Northwest corner of said Tract 3;

Thence S 62°39'30" E, for a distance of 26.91 ft. to a 1/2" iron rod set at the Northeast corner of said Tract 3;

Thence N 27°37'04" W, for a distance of 210.95 ft. to the Point of Beginning and containing 0.135 Acres, (5,893.82 Sq. Ft.) of land, more or less.

Corresponding plat prepared.

I, Enrique C. Elizondo, a Registered Professional Land Surveyor do hereby certify this legal description and plat represents an actual survey made on the ground under my supervision and substantially complies with the minimum standards for land surveying in Texas as set forth by the Texas Board of Professional Land Surveying and that there are no encroachments or visible easements, to the best of my knowledge and belief, except as shown herein.

ENRIQUE C. ELIZONDO

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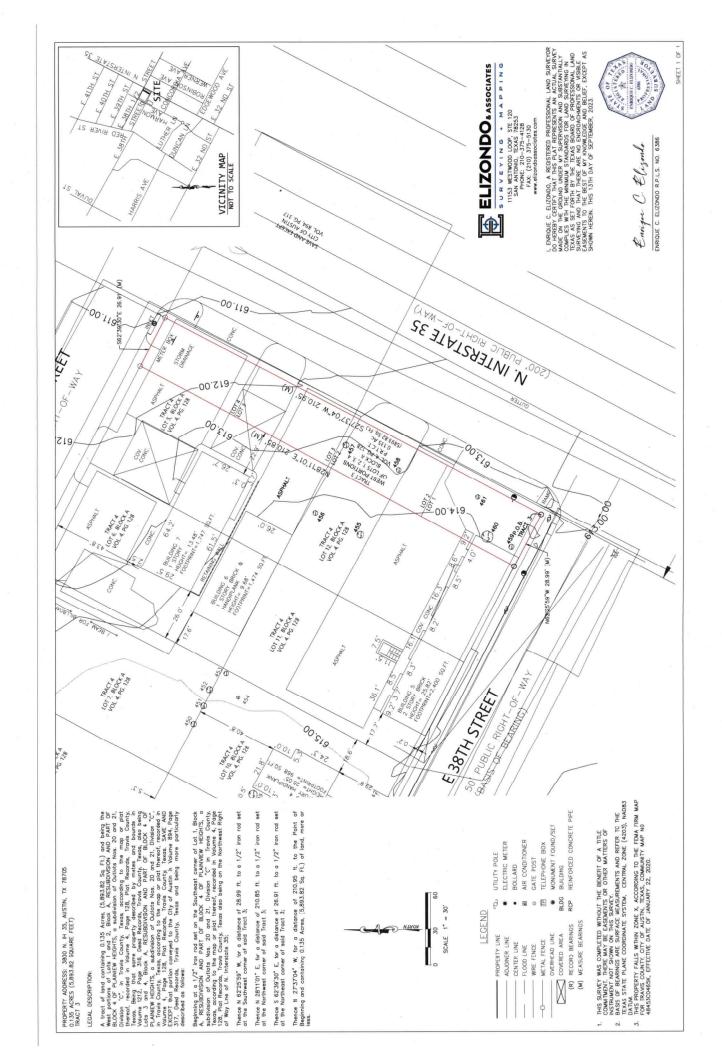
SURV

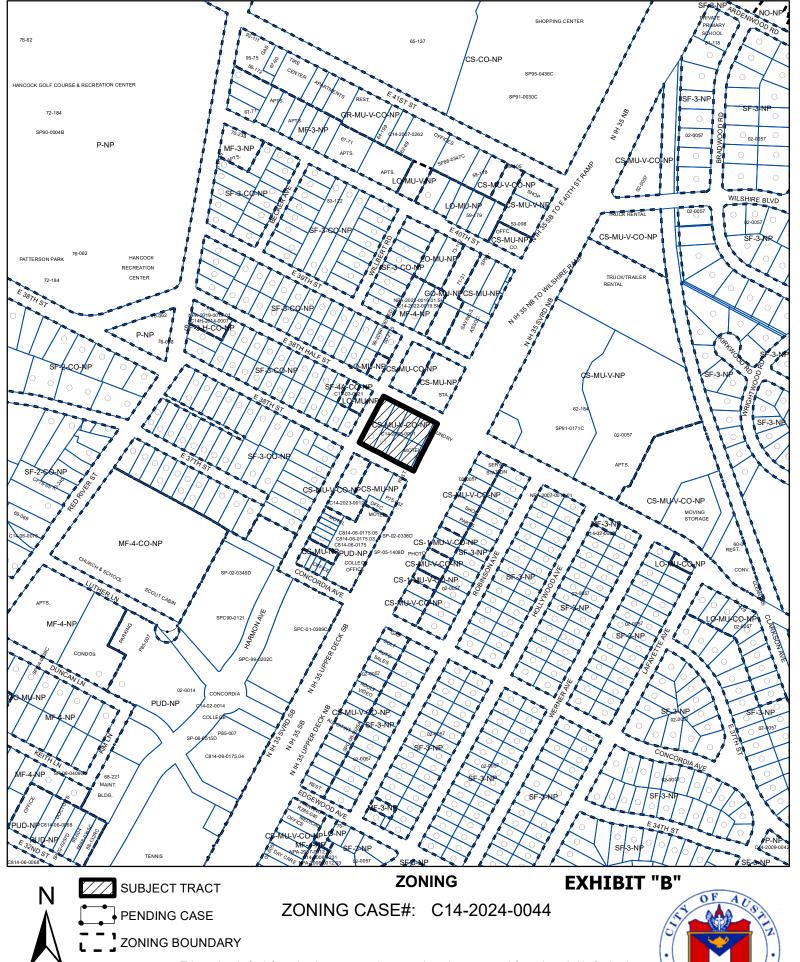
Elizondo & Associates Land Surveying & Mapping, LLC. 11153 Westwood Loop San Antonio, Texas 78253 (210) 375-4128 Texas Firm No. 10193864

Enrique C Elizondo

Registered Professional Land Surveyor

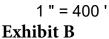
No. 6386, State of Texas







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.

UNDED Created: 3/27/2024