

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

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5301 AND 5303 MARTIN AVENUE IN THE NORTH LOOP NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-CO-NP) COMBINING DISTRICT AND FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-V-CO-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-conditional overlay-neighborhood plan (CS-CO-NP) combining district and family residence-neighborhood plan (SF-3-NP) combining district to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district on the property described in Zoning Case No. C14-2024-0112, on file at the Planning Department, as follows:

0.3088 acres of land, being all of LOTS 1, 2, 3, AND 4, BLOCK 27, THE HIGHLANDS ADDITION, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 3, Page 55, of the Plat Records of Travis County, Texas, together with 10 feet of adjacent alley vacated by the City of Austin and recorded in Volume 851, Page 65, of the Deed Records of Travis County, Texas, being that same property conveyed by deeds recorded in Document Nos. 2012218887 and 2012218891 of the Official Public Records of Travis County, Texas, said 0.3088 acres of land being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (the “Property”),

locally known as 5301 and 5303 Martin Avenue in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit “B”**.

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**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:

- |                                      |   |
|--------------------------------------|---|
| Adult-Oriented Businesses            | Agricultural Sales and Services               |
| Automotive Rentals                   | Automotive Repair Services                    |
| Automotive Sales                     | Campground                                    |
| Commercial Blood Plasma Center       | Construction Sales                            |
| Convenience Storage                  | Equipment Repair Services                     |
| Equipment Sales                      | Exterminating Services                        |
| Funeral Services                     | Hospital Services (General)                   |
| Kennels                              | Laundry Services                              |
| Limited Warehousing and Distribution | Medical Offices (exceeding 5,000 square feet) |
| Pawn Shop Services                   | Residential Treatment                         |
| Service Station                      | Transportation Terminal                       |
| Vehicle Storage                      |   |

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

- |                   |  |
|-------------------|--|
| Congregate Living | Drive-in Service as an accessory use to a commercial use |
|-------------------|--|

**PART 3.** Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district, the mixed use combining district, and other applicable requirements of the City Code.

**PART 4.** Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 020523-31 that established zoning for the North Loop Neighborhood Plan.

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**PART 5.** This ordinance takes effect on \_\_\_\_\_, 2025.

**PASSED AND APPROVED**

\_\_\_\_\_, 2025      §  
   §  
   §

\_\_\_\_\_  
Kirk Watson  
Mayor

**APPROVED:** \_\_\_\_\_  
Deborah Thomas  
Interim City Attorney

**ATTEST:** \_\_\_\_\_  
Myrna Rios  
City Clerk

DRAFT

**TRACT 1:  
0.3088 ACRES**

**DESCRIPTION OF 0.3088 ACRES OF LAND (13,453 SQUARE FEET), BEING ALL OF THE FOLLOWING DESCRIBED TRACTS:**

- LOTS 3 AND 4, BLOCK 27 OF THE HIGHLANDS ADDITION, LOCATED IN THE CITY OF AUSTIN, ACCORDING TO THE MAP OR PLAT THEREOF, APPEARING OF RECORD IN VOLUME 3, PAGE 55 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS ("P.R.T.C.T." HEREAFTER) AND 10' OF ADJACENT ALLEY AS VACATED BY THE CITY OF AUSTIN IN ORDINANCE ADOPTED APRIL 24, 1947, EVIDENCED BY RESOLUTION RECORDED IN VOLUME 851, PAGE 65, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS ("D.R.T.C.T." HEREAFTER), BEING THAT SAME PARCEL DESCRIBED IN A DEED TO JEV FAMILY, LTD, DATED DECEMBER 26, 2012, AND APPEARING OF RECORD IN DOCUMENT NO. 2012218891, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS ("O.P.R.T.C.T." HEREAFTER);
- LOTS 1 AND 2, BLOCK 27 OF SAID HIGHLANDS ADDITION, AND 10' OF ADJACENT ALLEY AS VACATED BY THE CITY OF AUSTIN IN SAID ORDINANCE DATED APRIL 24, 1947, BEING THAT SAME PARCEL DESCRIBED IN A DEED TO JEV FAMILY, LTD, DATED DECEMBER 26, 2012, AND APPEARING OF RECORD IN DOCUMENT NO. 2012218887, O.P.R.T.C.T.;

SAID 0.3088 ACRES BEING FURTHER DESCRIBED BY THE FOLLOWING METES AND BOUNDS:

**BEGINNING** AT THE NORTH CORNER OF SAID LOT 4, SAME BEING THE WEST CORNER OF LOT 5, BLOCK 27 OF SAID HIGHLANDS ADDITION, BEING IN THE SOUTHEASTERLY LINE OF MARTIN AVENUE, A 50'-WIDE PUBLIC RIGHT-OF-WAY, AS DEDICATED BY SAID HIGHLANDS ADDITION, FROM SAID POINT OF BEGINNING A FOUND 1-INCH IRON PIPE BEARS S 62°02'28" E 0.16', ALSO FROM SAID POINT OF BEGINNING, A 1/2-INCH REBAR FOUND IN CONCRETE FOR THE NORTH CORNER OF BLOCK 27 BEARS N 28°04'10" E 300.07';

**THENCE S62°02'28"E 135.00'**, WITH THE NORTHEASTERLY LINE OF SAID LOT 4 AND THE SOUTHWESTERLY LINE OF SAID LOT 5, AT 125.26' PASSING A 1/2-INCH IRON PIPE FOUND IN THE NORTHWESTERLY LINE OF SAID VACATED ALLEY, FOR THE EAST CORNER OF SAID LOT 4 AND THE SOUTH CORNER OF SAID LOT 5, CONTINUING TO THE CENTER LINE OF SAID VACATED ALLEY FOR AN INTERIOR CORNER HEREOF;

**THENCE S28°04'10"W 99.74'**, WITH THE CENTER OF SAID VACATED ALLEY, TO THE NORTHEASTERLY LINE OF EAST 53RD/ STREET, A 50'-WIDE PUBLIC RIGHT-OF-WAY, TO THE SOUTH CORNER OF LOT 1, FOR THE SOUTH CORNER HEREOF;

**THENCE N61°57'58"W 135.00'**, WITH SAID NORTHEASTERLY LINE OF SAID EAST 53RD STREET AND THE SOUTHWESTERLY LINE SOUTHWESTERLY LINE OF LOT 1, , TO THE SOUTHWEST CORNER OF SAID LOT 1, FOR THE WEST CORNER HEREOF, FROM WHICH A 1/2-INCH REBAR FOUND FOR THE NORTH CORNER OF BLOCK 20 OF SAID HIGHLANDS ADDITION BEARS S28°04'10"W 50.00', ALSO FROM SAID WEST CORNER A FOUND 1"-INCH REBAR WITH PUNCH HOLE FOUND FOR THE SOUTH CORNER OF BLOCK 26 OF SAID HIGHLANDS ADDITION BEARS N61°57'58"W 50.00';

**THENCE N28°04'10"E 99.57'**, WITH THE SOUTHEAST LINE OF SAID MARTIN AVENUE AND THE NORTHWEST LINES OF SAID LOTS 1, 2, 3, AND 4, AT 49.64' PASSING 0.21' TO THE LEFT OF A FOUND 1" IRON PIPE, AND CONTINUING TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED TRACT OF LAND, CONTAINING **0.3088 ACRES (13,453 SQUARE FEET)**, MORE OR LESS. DISTANCES AND AREAS SHOWN ARE GRID, RELATIVE TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD'83), TEXAS CENTRAL ZONE (4203).



PROJECT: 0057595  
 CHECKED: JRG  
 DRAWN: RPP  
 FIELD WORK DATE: 11/10/2024

**Westwood**

Phone (512) 485-0831 8701 NORTH MOPAC EXPY, STE 320  
 AUSTIN, TX 78759  
 westwoodps.com

**Westwood Professional Services, Inc.**  
 TPBELS ENGINEERING FIRM REGISTRATION NO. 117156  
 TPBELS SURVEYING FIRM REGISTRATION NO. 10074301

**A 0.3088 ACRE ZONING EXHIBIT OF  
 LOTS 1, 2, 3 & 4, BLOCK 27  
 THE HIGHLANDS ADDITION, VOLUME 851, PAGE 65,  
 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS**

TRAVIS COUNTY, TEXAS

SHEET NUMBER:

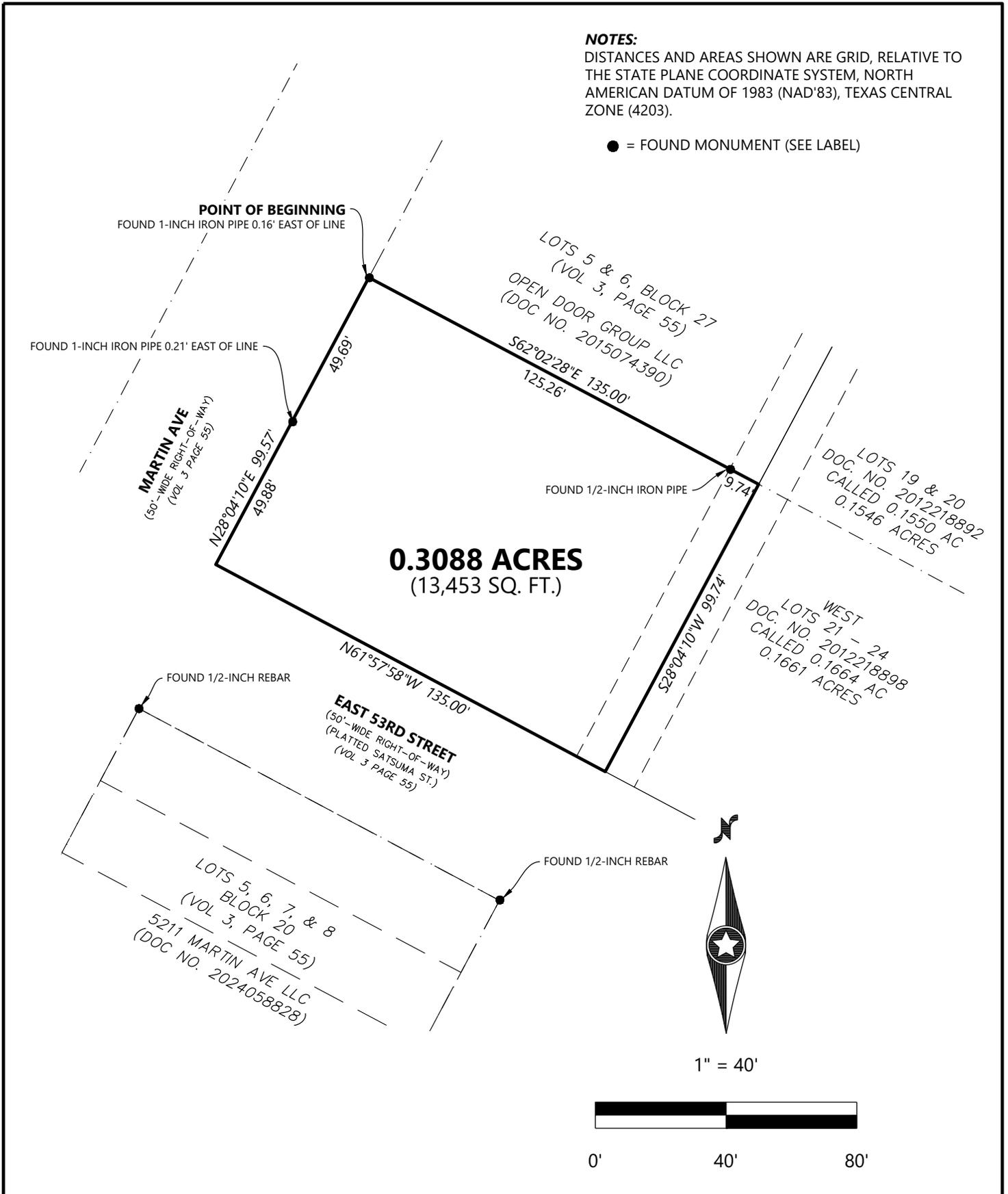
**1** OF **2**

DATE: 03/31/2025

**NOTES:**

DISTANCES AND AREAS SHOWN ARE GRID, RELATIVE TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD'83), TEXAS CENTRAL ZONE (4203).

● = FOUND MONUMENT (SEE LABEL)



PROJECT: 0057595  
CHECKED: JRG  
DRAWN: RPP  
FIELD WORK DATE: 11/10/2024

**Westwood**

Phone (512) 485-0831 8701 NORTH MOPAC EXPY, STE 320  
AUSTIN, TX 78759  
westwoodps.com

Westwood Professional Services, Inc.  
TPELS ENGINEERING FIRM REGISTRATION NO. 11756  
TPELS SURVEYING FIRM REGISTRATION NO. 10074301

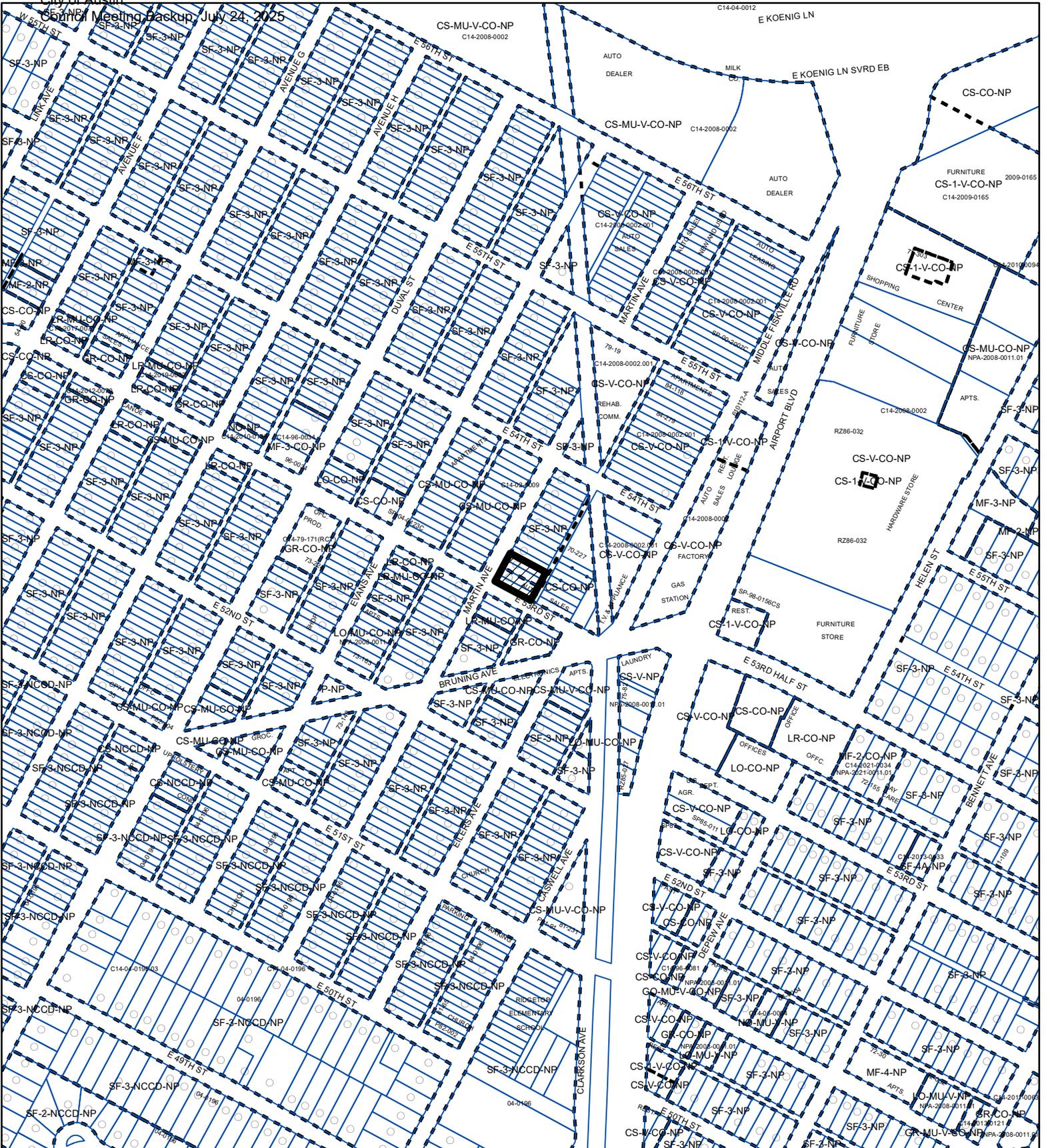
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LOTS 1, 2, 3 & 4, BLOCK 27  
THE HIGHLANDS ADDITION, VOLUME 851, PAGE 65,  
OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS

TRAVIS COUNTY, TEXAS

SHEET NUMBER:

2 OF 2

DATE: 03/31/2025



### ZONING

### EXHIBIT "B"

ZONING CASE#: C14-2024-0112



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

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.



1" = 400'

Created: 7/29/2024