

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1157 AIRPORT BOULEVARD AND 3306, 3312, AND 3404 OAK SPRINGS DRIVE IN THE EAST MLK COMBINED NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-MIXED USE-NEIGHBORHOOD PLAN (CS-MU-NP) COMBINING DISTRICT AND NEIGHBORHOOD COMMERCIAL-MIXED USE-NEIGHBORHOOD PLAN (LR-MU-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-neighborhood plan (CS-MU-NP) combining district and neighborhood commercial-mixed use-neighborhood plan (LR-MU-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. C14-2024-0175, on file at the Planning Department, as follows:

0.325 acres of land, being of a portion of OUTLOT 15, DIVISION B, according to the map or plat filed in the General Land Office of the State of Texas, together with that portion of Tillery Street as recorded in Volume 1022, Page 279, of the Deed Records of Travis County, Texas, both conveyed by deed recorded in Volume 1061, Page 443, of the Deed Records of Travis County, Texas, said 0.325 acres of land being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance,

LOTS 1, 2, AND 3, WILLIE FISHER SUBDIVISION, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 31, Page 16, of the Plat Records of Travis County, Texas, and

A 1.554 acre tract of land situated in the City of Austin, Travis County, Texas, being out of and a part of the George J. Neill Survey, Abstract No. 586, in Travis County, Texas, and being all of that same tract of land conveyed by deed recorded in Document No. 2021095623 of the Deed Records of Travis County, Texas, said 1.554 acres of land being more particularly described by metes and bounds in **Exhibit “B”** incorporated into this ordinance,

(collectively the “Property”),

locally known as 1157 Airport Boulevard and 3306, 3312, and 3404 Oak Springs Drive in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit “C”**.

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	Alternative Financial Services
Automotive Repair Services	Automotive Rentals
Automotive Sales	Automotive Washing (of any type)
Bail Bond Services	Building Maintenance Services
Commercial Off-Street Parking	Construction Sales and Services
Drive-In Service as an accessory use	Drop-Off Recycling Collection Facility
Equipment Repair Services	Equipment Sales
Exterminating Services	Funeral Services
Laundry Services	Limited Warehousing and Distribution
Outdoor Entertainment	Outdoor Sports and Recreation
Pawn Shop Services	Service Station
Vehicle Storage	

(B) Off-Site Accessory Parking is a conditional use of the Property.

PART 3. The Property may be developed in compliance and used in accordance with the regulations established for density bonus 90 (DB90) combining district and other applicable requirements of the City Code.

PART 4. 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 5. Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 021107-Z-12c that established zoning for the MLK Neighborhood Plan.

PART 6. This ordinance takes effect on _____, 2025.

PASSED AND APPROVED

_____, 2025 § _____
 § _____
 § _____

Kirk Watson
Mayor

APPROVED: _____ **ATTEST:** _____
Deborah Thomas Erika Brady
City Attorney City Clerk

**HOLT CARSON, INC.
1904 FORTVIEW ROAD
AUSTIN, TEXAS 78704
(512) 442-0990
www.hciaustin.com
July 20, 2016**

FIELD NOTE DESCRIPTION OF 0.325 ACRE OF LAND, BEING ALL OF THOSE TWO TRACTS COMPRISED OF THAT PORTION OF OUTLOT 15, DIVISION B OF THE GOVERNMENT OUTLOTS TO THE CITY OF AUSTIN, ACCORDING TO THE MAP OR PLAT FILED IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, TOGETHER WITH THAT PORTION OF TILLERY STREET, ABANDONED BY TRAVIS COUNTY AS RECORDED IN VOLUME 1022 PAGE 279 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, WHICH WERE CONVEYED FROM V.E. GROVE TO PAUL C. WALTER AS DESCRIBED IN VOLUME 1061 PAGE 443 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a ½ inch iron rod found at the east common corner of Lots 1 and 3, Willie Fisher Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 31 Page 16 of the Plat Records of Travis County, Texas, and from which a ½ inch iron rod found at the west common corner of said Lots 1 and 3 bears S 82 deg. 41' 26" W 121.65 ft.;

THENCE with the east line of said Lot 3, S 02 deg. 03' 03" W 101.85 ft. to a calculated point in the north right-of-way line of Oak Springs Drive, and being at the southeast corner of said Lot 3;

THENCE with the north right-of-way line of Oak Springs Drive, S 79 deg. 29' 00" W 269.10 ft. to a ½ inch iron rod found at the southeast corner of Lot 2 of said Willie Fisher Subdivision, and being at the southeast corner of Chief Auto Parts Subdivision No. 1, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 87 Page 107B of the Plat Records of Travis County, Texas;

THENCE leaving the north right-of-way line of Oak Springs Drive with the west line of said Willie Fisher Subdivision, being the occupied "centerline" of Tillery Street, which street was abandoned by Travis County as described in Volume 1022 Page 279 of the Travis County Deed Records, N 25 deg. 41' 00" W 95.29 ft. to a calculated point at the location of a nail found in iron pipe by J. Leroy Bush, RPLS 1828 on September 25, 1986 at the west common corner of Lots 1 and 2 of said Willie Fisher Subdivision, and continuing on N 25 deg. 38' 35" W 116.17 ft. to a ½ inch iron rod set with plastic cap marked "Holt Carson, Inc." at the southeast corner of "Tract One" conveyed by V. E. Grove to Paul C. Walter by deed recorded in Volume 1061 Page 598 of the Travis County Deed Records, and being at the southeast corner and PLACE OF BEGINNING of the herein described tract of land;

page 2 of 3
0.325 Acre

THENCE crossing the abandoned right-of-way of Tillery Street with the south line of said Walter "Tract One", S 74 deg. 52' 36" W at 26 ft. passing the west right-of-way line of abandoned Tillery Street, being the east line of Outlot 15, Division B of the Government Outlots to the City of Austin, according to the map or plat filed in the General Land Office of the State of Texas, and being the east line of that certain tract conveyed to W.M. Daniel et Ux, by deed recorded in Volume 873 Page 102 of the Travis County Deed Records, and continuing on the same course 93.37 ft., for a total distance on this course of 119.37 ft., to a ½ inch iron rod set with plastic cap marked "Holt Carson, Inc." in the curving east right-of-way of Airport Boulevard at the southwest corner of said Walter "Tract One" and being at the southwest corner of this tract;

THENCE 106.02 ft. along the arc of a curve to the left, having a radius of 1492.7 ft. and chord bearing N 24 deg. 15' 35" W 106.00 ft., to a ½ inch iron rod set with plastic cap marked "Holt Carson, Inc." at the northeast corner of "Tract Two" conveyed by V. E. Grove to Paul C. Walter by deed recorded in said Volume 1061 Page 598 of the Travis County Deed Records, and being at the southwest corner of that certain tract conveyed by V.E. Grove et Ux. To Niell Boldrick et Al. by deed recorded in Volume 1167 Page 182 of the Travis County Deed Records, and being at the northwest corner of this tract;

THENCE leaving the east right-of-way line of Airport Boulevard with the north line of said Walter "Tract Two", N 65 deg. 35' 13" W at 91.00 ft. passing the west right-of-way line of Tillery Street, being the east line of that certain tract conveyed to V.E. Grove by deed recorded in Volume 866 Page 637 of the Travis County Deed Records, and continuing on the same course across the abandoned right-of-way of Tillery Street 53.80 ft. more, for a total distance on this course of 144.80 ft., to a ½ inch iron rod set with plastic cap marked "Holt Carson, Inc." in the interior of Lot 17, Sam Huston Heights, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 3 Page 249 of the Travis County Plat Records, and being in the occupied east "right-of-way" line of Tillery Street, and being at the northeast corner of said Walter "Tract Two", and being at an angle point of said Boldrick tract;

THENCE crossing the interior of said Lot 17 with the common line of said Boldrick tract and said Walter "Tract Two", S 25 deg. 39' 40" E at 19.88 ft. passing the common line of said Lots 1 and 17, and being at an angle corner of said Boldrick tract, and continuing 5.12 ft more across the interior of said Lot 1, for a total distance on this course of 25.00 ft., to a ½ inch iron rod set with plastic cap marked "Holt Carson, Inc." at the southeast corner of said Walter "Tract Two", and being an angle corner of this tract, and from which a cotton spindle found at the northeast corner of said Lot 17 bears N 25 deg. 39' 40" W 5.12 ft., N 81 deg. 08' 57" E 122.55 ft., and N 08 deg. 49' 33" W 264.30 ft., and also from which a ½ inch iron pipe found at the southeast corner of Lot 20 of said Sam Huston Heights bears N 25 deg. 39' 40" W 5.12 ft., N 81 deg. 08' 57" E 122.55 ft. and N 81 deg. 08' 57" E 483.59 ft.;

page 3 of 3
0.325 Acre

THENCE continuing across the interior of said Lot 1 with the south line of said Walter "Tract Two", S 65 deg. 33' 14" W 30.00 ft. to a ½ inch iron rod set with plastic cap marked "Holt Carson, Inc," in the occupied "centerline" of abandoned Tillery Street, being in the west line of said Lot 1, and being at the northeast corner of said Walter "Tract One" and being at an angle corner of this tract;

THENCE with the common line of said Walter "Tract One" and said Lot 1, being the occupied "centerline" of abandoned Tillery Street, S 25 deg. 39' 39" E 100.27 ft. to the Place of Beginning, containing 0.325 Acre of land.

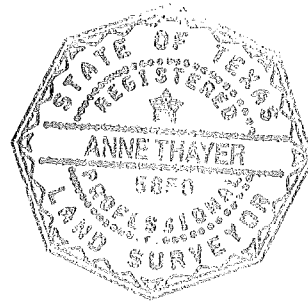
SURVEYED: July 20, 2016

BY:



Anne Thayer
Registered Professional Land Surveyor No. 5850

see survey map 969136 (2 sheets)



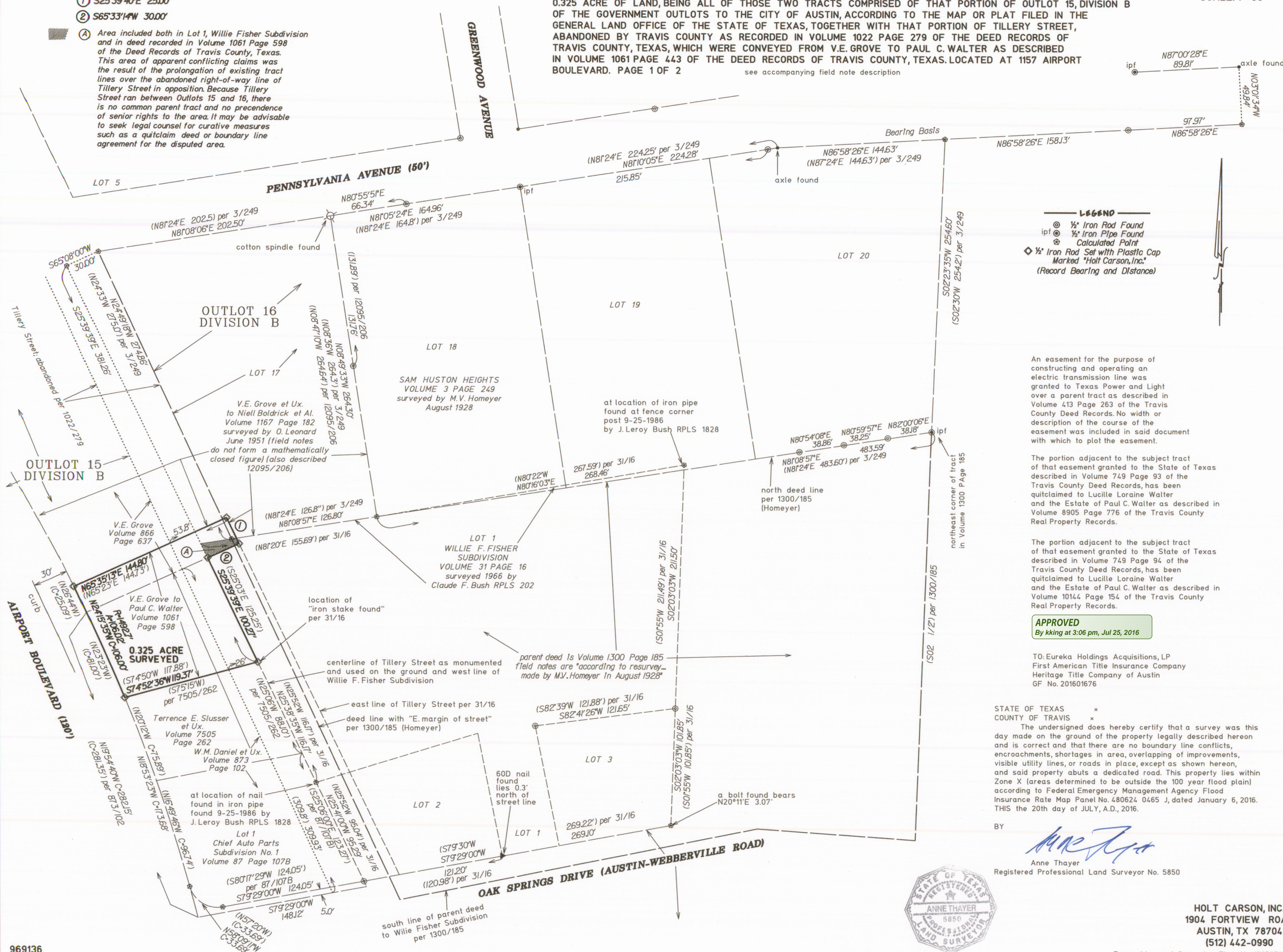
② $S65^{\circ}33'14''W \quad 30.00'$

(A) Area included both in Lot 1, Willie Fisher Subdivision and in deed recorded in Volume 1061 Page 598 of the Deed Records of Travis County, Texas. This area of apparent conflicting claims was the result of the prolongation of existing tract lines over the abandoned right-of-way line of Tillery Street in opposition. Because Tillery Street ran between Outlots 15 and 16, there is no common parent tract and no precedence of senior rights to the area. It may be advisable to seek legal counsel for curative measures such as a quitclaim deed or boundary line agreement for the disputed area.

SURVEY PLAT OF
0.325 ACRE OF LAND, BEING ALL OF THOSE TWO TRACTS COMPRISED OF THAT PORTION OF OUTLOT 15, DIVISION B
OF THE GOVERNMENT OUTLOTS TO THE CITY OF AUSTIN, ACCORDING TO THE MAP OR PLAT FILED IN THE
GENERAL LAND OFFICE OF THE STATE OF TEXAS, TOGETHER WITH THAT PORTION OF TILLERY STREET,
ABANDONED BY TRAVIS COUNTY AS RECORDED IN VOLUME 1022 PAGE 279 OF THE DEED RECORDS OF
TRAVIS COUNTY, TEXAS, WHICH WERE CONVEYED FROM V.E. GROVE TO PAUL C. WALTER AS DESCRIBED
IN VOLUME 1061 PAGE 443 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. LOCATED AT 1157 AIRPORT
BOULEVARD. PAGE 1 OF 2

see accompanying field note description

SCALE: 1"=50'



An easement for the purpose of constructing and operating an electric transmission line was granted to Texas Power and Light over a parent tract as described in Volume 413 Page 263 of the Travis County Deed Records. No width or description of the course of the easement was included in said document with which to plot the easement.

The portion adjacent to the subject tract of that easement granted to the State of Texas described in Volume 749 Page 93 of the Travis County Deed Records, has been quitclaimed to Lucille Loraine Walter and the Estate of Paul C. Walter as described in Volume 8905 Page 776 of the Travis County Real Property Records.

The portion adjacent to the subject tract of that easement granted to the State of Texas described in Volume 749 Page 94 of the Travis County Deed Records, has been quitclaimed to Lucille Loraine Walter and the Estate of Paul C. Walter as described in Volume 10144 Page 154 of the Travis County Real Property Records.

APPROVED
By kking at 3:06 pm, Jul 25, 2016

TO: Eureka Holdings Acquisitions, LP
First American Title Insurance Company
Heritage Title Company of Austin
GF No. 201601676

STATE OF TEXAS x
COUNTY OF TRAVIS x

The undersigned does hereby certify that a survey was this day made on the ground of the property legally described hereon and is correct and that there are no boundary line conflicts, encroachments, shortages in area, overlapping of improvements, visible utility lines, or roads in place, except as shown hereon, and said property abuts a dedicated road. This property lies within Zone X [areas determined to be outside the 100 year flood plain] according to Federal Emergency Management Agency Flood Insurance Rate Map Panel No. 480624 0465 J, dated January 6, 2016. THIS the 20th day of JULY, A.D., 2016.

BY

Anne Thayer
Registered Professional Land Surveyor No. 5850



HOLT CARSON, INC.
1904 FORTVIEW ROAD
AUSTIN, TX 78704
(512) 442-0990

Texas Licensed Surveying Firm No. 10050700

SCALE: 1"=20'

LEGEND

- 1/2" Iron Rod Set with Plastic Cap Marked "Holt Carson, Inc."
- Overhead Utility Line
- guy wire
- Light Pole

OUTLOT 15
DIVISION B

OUTLOT 16
DIVISION B

SURVEY PLAT OF
0.325 ACRE OF LAND, BEING ALL OF THOSE
TWO TRACTS COMPRISED OF THAT PORTION OF
OUTLOT 15, DIVISION B OF THE GOVERNMENT
OUTLOTS TO THE CITY OF AUSTIN, ACCORDING
TO THE MAP OR PLAT FILED IN THE GENERAL
LAND OFFICE OF THE STATE OF TEXAS,
TOGETHER WITH THAT PORTION OF TILLERY
STREET, ABANDONED BY TRAVIS COUNTY AS
RECORDED IN VOLUME 1022 PAGE 279 OF THE
DEED RECORDS OF TRAVIS COUNTY, TEXAS,
WHICH WERE CONVEYED FROM V.E. GROVE
TO PAUL C. WALTER AS DESCRIBED IN
VOLUME 1061 PAGE 443 OF THE DEED
RECORDS OF TRAVIS COUNTY, TEXAS.
LOCATED AT 1157 AIRPORT BOULEVARD.
PAGE 2 OF 2

see accompanying field note description

① S25°39'40"E 25.00'

④ Area included both in Lot 1, Willie Fisher Subdivision and in deed recorded in Volume 1061 Page 598 of the Deed Records of Travis County, Texas. This area of apparent conflicting claims was the result of the prolongation of existing tract lines over the abandoned right-of-way line of Tillery Street in opposition. Because Tillery Street ran between Outlots 15 and 16, there is no common parent tract and no precedence of senior rights to the area. It may be advisable to seek legal counsel for curative measures such as a quitclaim deed or boundary line agreement for the disputed area.

STATE OF TEXAS x TO: Eureka Holdings Acquisitions, LP
COUNTY OF TRAVIS x First American Title Insurance Company
Heritage Title Company of Austin
GF No. 201601676

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THIS the 20th day of JULY, A.D., 2016

BY

Anne Thayer

Anne Thayer
Registered Professional Land Surveyor No 5850

Texas Licensed Surveying Firm No 10050700

HOLT CARSON, INC.
1904 FORTVIEW ROAD
AUSTIN, TX 78704
(512) 442-0990



FIELD NOTE DESCRIPTION TRACT FOR A 1.554 ACRE TRACT OF LAND:

BEING A TRACT OR PARCEL OF LAND SITUATED IN TRAVIS COUNTY, TEXAS AND BEING OUT OF AND A PART OF THE GEORGE J. NEILL SURVEY, ABSTRACT NO. 586, TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT SAME TRACT OF LAND DESCRIBED IN A DEED TO 2016 SQUARE OAK BRUSH LP IN A DEED RECORDED IN DOCUMENT NO. 2021095623, DEED RECORDS OF TRAVIS COUNTY, TEXAS (HEREINAFTER REFERRED TO AS THE “2016 SQUARE OAK BRUSH TRACT”), SAID 1.554 ACRES OF LAND, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod set on the north right-of-way line of Oak Springs Drive, for the southwest corner of a tract of land conveyed to Jason Darling Trust in a deed recorded in Document No. 2025017248, Official Public Records, Travis County, Texas (hereinafter referred to as the “Darling Tract”), being the southeast corner and POINT OF BEGINNING of herein described tract:

THENCE with the south line of this tract and the north right-of-way line of Oak Springs Drive, the following three (3) calls:

1. North 84°49’34” West a distance of 93.52 feet to an iron rod set;
2. Along a curve to the left with a radius of 456.22 feet and an arc length of 107.25 feet, with a chord bearing of South 85°29’47” West and a chord distance of 107.00 feet to an iron rod set;
3. South 79°23’00” West a distance of 13.45 feet to an iron rod set for the southeast corner of a tract of land conveyed to 2016 Round Oak Tree LP in a deed recorded in Document No. 2021095622, Official Public Records, Travis County, Texas (hereinafter referred to as the “2016 Round Oak Tree Tract”), being the southwest corner of this tract;

THENCE with the west line of this tract and the east line of the 2016 Round Oak Tree Tract, the following two (2) calls:

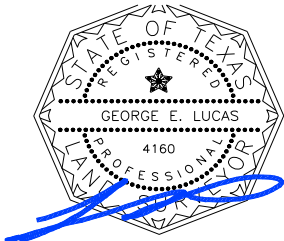
1. North 02°41’23” East a distance of 99.03 feet to an iron rod found;
2. North 03°02’00” East a distance of 211.41 feet to an iron rod found on the southeast line of a tract of land conveyed to Penn Ball LLC in a deed recorded in Document No. 2023058043, Official Public Records, Travis County, Texas (hereinafter referred to as the “Penn Ball Tract”), for the northeast corner of the 2016 Round Oak Tree Tract, being the northwest corner of this tract;

THENCE with the northwest line of this tract and the southeast line of the Penn Ball Tract, North 81°27’00” East a distance of 214.47 feet to an iron rod set on the west line of a tract of land conveyed to BMJD LLC in a deed recorded in 2000144334, Official Public Records, Travis County, Texas (hereinafter referred to as the “BMJD Tract”), for the southeast corner of a tract of land conveyed to a tract of land conveyed to Pavillion Communities Texas LLC, being the northeast corner of this tract;

THENCE with east line of this tract and the west line of the BMJD Tract, South 02°13’36” West a distance of 199.18 feet to an iron rod found for a southwest corner of the BMJD Tract, and the northwest corner of the Darling Tract;

THENCE with the east line of this tract and the west line of the Darling Tract, South 02°55'00" West a distance of 140.62 feet to the POINT OF BEGINNING, containing 1.554 acres of land, more or less.

CELCO Surveying
P.O. Box 701267
San Antonio, Tx 78270
Firm Registration No. 10193975
PHONE: 830-214-5109
e-mail: eddie@celcosurveying.com



BY: GEORGE E. LUCAS
R.P.L.S. No. 4160
State of Texas
May 12, 2025
2013-520

Bearing basis is the Texas State Plane Coordinate system, NAD 83 Datum, Texas Central Zone

Survey was conducted on July 22, 2016.

2205 STONECREST PATH
NEW BRAUNFELS, TEXAS 78130



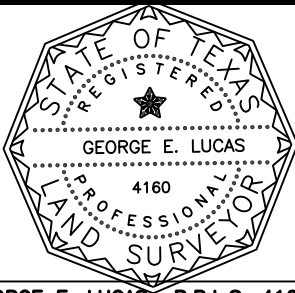
CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	107.25	456.22	107.00	S85°29'47"W
(C1)	109.09	456.22	108.83	S86°14'05"W

LEGAL DESCRIPTION: SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

THE UNDERSIGNED DOES HEREBY CERTIFY TO THE PARTIES LISTED BELOW THAT THIS
 PLAT CORRECTLY REPRESENTS A SURVEY MADE UPON THE GROUND OF THE PROPERTY
 SHOWN HEREON, AND THAT THERE ARE NO ENCROACHMENTS OF VISIBLE IMPROVEMENTS,
 EXCEPT AS SHOWN HEREON, AND THAT THIS PROPERTY HAS ACCESS TO A PUBLIC ROADWAY,
 EXCEPT AS SHOWN HEREON.

LENDER: N/A

SURVEY DATE: JULY 27, 2013



GEORGE E. LUCAS R.P.L.S. 4160

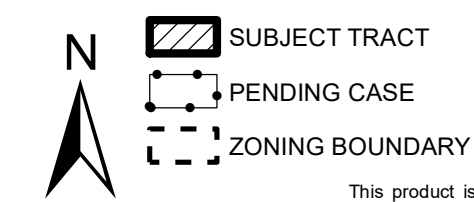


EXHIBIT "C"



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: 12/3/2024

$$1'' = 400'$$