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

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 440 EAST ST. ELMO ROAD, BUILDING F, IN THE EAST CONGRESS NEIGHBORHOOD PLAN AREA FROM LIMITED INDUSTRIAL SERVICES-NEIGHBORHOOD PLAN (LI-NP) COMBINING DISTRICT TO COMMERCIAL-LIQUOR SALES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-1-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 limited industrial services-neighborhood plan (LI-NP) combining district to commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district on the property described in Zoning Case No. C14-2016-0024, on file at the Planning and Zoning Department, as follows:

0.167 acres (approximately 7,289 sq. ft.), being a portion of Lot 1, St. Elmo Warehouse Addition, a subdivision of record in Volume 58, Page 18 of the Plat Records of Travis County, Texas; said 0.167 acre tract being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 440 East St. Elmo Road, Building F, 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 not permitted uses of the Property:

Adult-oriented businesses

B. The maximum size of a cocktail lounge use is limited to 2,049 square feet on the Property.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the commercial-liquor sales (CS-1) district and other applicable requirements of the City Code.

**PART 3.** The Property is subject to Ordinance No. 20050818-Z004 that established zoning for the East Congress Neighborhood Plan.

**PART 4.** This ordinance takes effect on \_\_\_\_\_, 2016.

**PASSED AND APPROVED**

\_\_\_\_\_, 2016

§  
§  
§

\_\_\_\_\_  
Steve Adler  
Mayor

**APPROVED:** \_\_\_\_\_

Anne L. Morgan  
City Attorney

**ATTEST:** \_\_\_\_\_

Jannette S. Goodall  
City Clerk



**Professional Land Surveying, Inc.  
Surveying and Mapping**

C14-2016-0024

Office: 512-443-1724  
Fax: 512-389-0943

3500 McCall Lane  
Austin, Texas 78744

**0.167 ACRES  
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 0.167 ACRES (APPROXIMATELY 7,289 SQ. FT.), BEING A PORTION OF LOT 1, ST. ELMO WAREHOUSE ADDITION, A SUBDIVISION OF RECORD IN VOLUME 58, PAGE 18 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.167 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at the southeast corner of an existing one story metal building (north building), from which a 3/8" rebar found for the northernmost northeast corner of said Lot 1, being in the south line of St. Elmo Heights Section 1, a subdivision of record in Volume 5, Page 158 of the Plat Records of Travis County, Texas, being also the westernmost northwest corner of Lot 4, Duplex Addition, a subdivision of record in Volume 74, Page 84 of the Plat Records of Travis County, Texas, bears North 50°03'16" East, a distance of 152.14 feet;

**THENCE** South 28°09'26" West crossing said Lot 1, a distance of 59.97 feet to the northeast corner of an existing one story metal building (south building), from which a 3/8" rebar found for an angle point in the east line of said Lot 1, being the westernmost southwest corner of said Lot 4, bears South 01°24'00" East, a distance of 123.45 feet;

**THENCE** North 61°54'16" West crossing said Lot 1 and with the north face of the south building, a distance of 41.73 feet to a calculated point;

**THENCE** crossing said Lot 1 and through the interior of the south building, the following eleven (11) courses and distances:

1. South 28°05'50" West, a distance of 27.70 feet to a calculated point;
2. North 61°54'17" West, a distance of 6.00 feet to a calculated point;
3. South 28°05'44" West, a distance of 18.59 feet to a calculated point;
4. North 61°54'16" West, a distance of 47.00 feet to a calculated point;
5. North 28°05'44" East, a distance of 16.09 feet to a calculated point;
6. South 61°54'15" East, a distance of 27.75 feet to a calculated point;
7. North 28°05'44" East, a distance of 16.45 feet to a calculated point;

8. North 61°54'16" West, a distance of 1.50 feet to a calculated point;
9. North 28°05'44" East, a distance of 10.00 feet to a calculated point;
10. South 61°54'16" East, a distance of 1.50 feet to a calculated point;
11. North 28°05'44" East, a distance of 3.75 feet to a calculated point on the north face of the south building;

**THENCE** North 61°54'16" West crossing said Lot 1 and with the north face of the south building, a distance of 29.04 feet to the northwest corner of the south building;

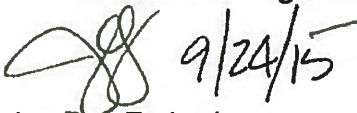
**THENCE** North 28°01'40" East crossing said Lot 1, a distance of 60.14 feet to the southwest corner of the north building;

**THENCE** South 61°48'25" East crossing said Lot 1 and with the south face of the north building, a distance of 96.15 feet to the **POINT OF BEGINNING**, containing 0.167 acres of land, more or less.

Surveyed on the ground September 22, 2015

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone.

Attachments: Drawing 040-107-Z1

 9/24/15

Joe Ben Early, Jr.  
Registered Professional Land Surveyor  
State of Texas No. 6016  
T.B.P.L.S. Firm No. 10124500



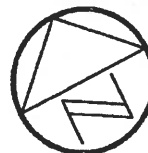


LOT 1  
O.K. ADDITION  
(69/99)

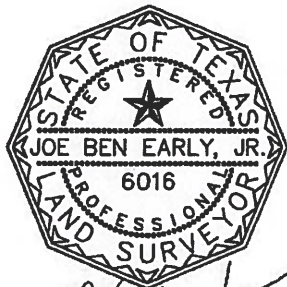
LOT 2  
O.K. ADDITION  
(69/99)

LOT 3  
O.K. ADDITION  
(69/99)

1" = 50'

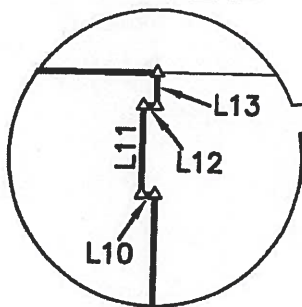


ST. ELMO HEIGHTS  
SECTION 1  
(5/158)

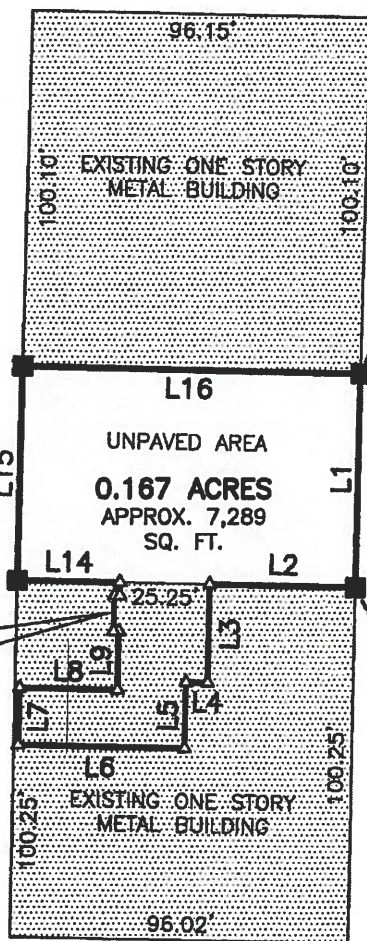


8/9/24/15

LOT 16  
ST. ELMO  
INDUSTRIAL  
SUBDIVISION  
(6/122)



LOT C  
RESUBDIVISION  
LOTS 11-14  
ST. ELMO INDUSTRIAL  
SUBDIVISION  
(65/61)



P.O.B.

LOT 4  
DUPLEX  
ADDITION  
(74/84)

LOT 1  
DUPLEX  
ADDITION  
(74/84)

LOT 4  
DUPLEX  
ADDITION  
(74/84)

LOT 1  
ST. ELMO  
WAREHOUSE ADDITION  
(58/18)

LOT 3  
ST. ELMO  
WAREHOUSE  
ADDITION  
(58/18)

Chaparral

DRAWING NO.: 040-107-Z1  
SHEET 2 OF 2

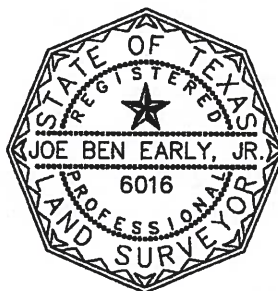
SKETCH TO ACCOMPANY A DESCRIPTION OF 0.167 ACRES (APPROXIMATELY 7,289 SQ. FT.), BEING A PORTION OF LOT 1, ST. ELMO WAREHOUSE ADDITION, A SUBDIVISION OF RECORD IN VOLUME 58, PAGE 18 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

LEGEND

- 1/2" REBAR FOUND (OR AS NOTED)
- EXISTING BUILDING CORNER
- △ CALCULATED POINT
- ( ) RECORD INFORMATION

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S28°09'26"W	59.97'
L2	N61°54'16"W	41.73'
L3	S28°05'50"W	27.70'
L4	N61°54'17"W	6.00'
L5	S28°05'44"W	18.59'
L6	N61°54'16"W	47.00'
L7	N28°05'44"E	16.09'
L8	S61°54'15"E	27.75'
L9	N28°05'44"E	16.45'
L10	N61°54'16"W	1.50'
L11	N28°05'44"E	10.00'
L12	S61°54'16"E	1.50'
L13	N28°05'44"E	3.75'
L14	N61°54'16"W	29.04'
L15	N28°01'40"E	60.14'
L16	S61°48'25"E	96.15'

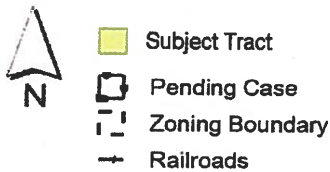
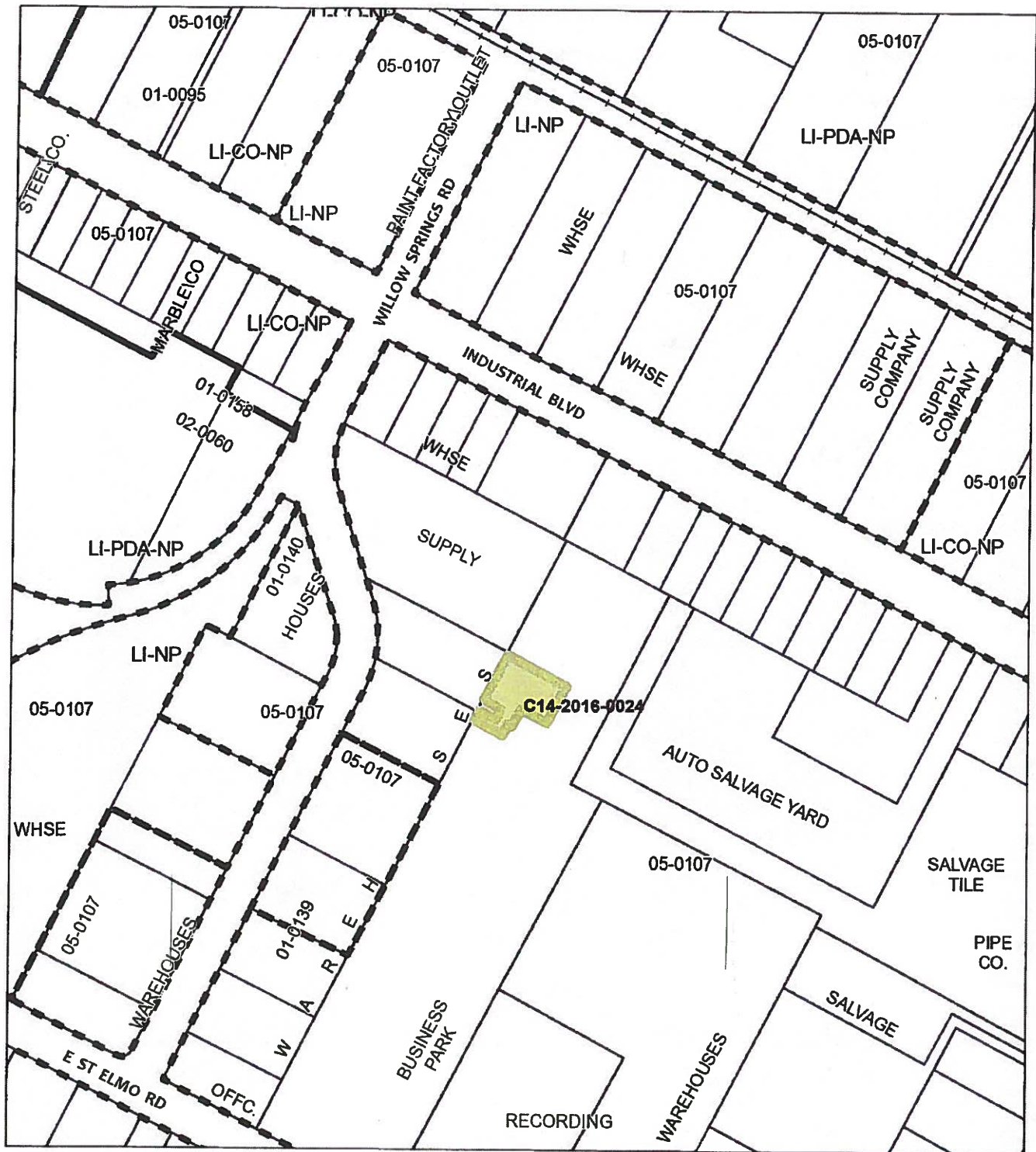
DATE OF SURVEY: 9/22/15  
 PLOT DATE: 9/23/15  
 DRAWING NO.: 040-107-Z1  
 T.B.P.L.S. FIRM NO. 10124500  
 DRAWN BY: JBE  
 SHEET 1 OF 2



*Chaparral*

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE.

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 040-107-Z1



100 200 Feet

1" = 200'

## ZONING

### ZONING CASE#: C14-2016-0024



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

Exhibit B