

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4515 SOUTH CONGRESS AVENUE AND 134 SHERATON AVENUE IN THE EAST CONGRESS NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-MIXED USE-NEIGHBORHOOD PLAN (CS-MU-NP) COMBINING DISTRICT FOR TRACT 1 AND GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) COMBINING DISTRICT FOR TRACT 2 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-mixed use-neighborhood plan (CS-MU-NP) combining district for Tract 1 and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district for Tract 2 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. C14-2017-0132, on file at the Planning and Zoning Department, as follows:

A 3.389 acre tract of land situated in the Isaac Decker Survey, Abstract No. 8 in the City of Austin, Travis County, Texas; same being a portion of Lot 25, Fortview Addition, a subdivision recorded in Volume Z, Page 606 of the Deed Records of Travis County, Texas, and being all of Lot 2, Thom Farrell Subdivision, a subdivision recorded in Volume 67, Page 21, of the Plat Records of Travis County, Texas; being the same called 3.3885 acre tract of land described in a Special Warranty Deed of CPTX 4515 S. Congress Avenue, LLC, recorded under Document No. 2012099891 of the Official Public Records of Travis County, Texas, and being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance, (the "Property"),

locally known as 4515 South Congress Avenue and 134 Sheraton Avenue 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. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
- B. The following uses are prohibited uses for the Property:

Automobile sales
Pawn shop services

Automotive washing (of any type)

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) district and other applicable requirements of the City Code.

PART 4. The Property is subject to Ordinance No. 20050818-Z004 that established zoning for the East Congress Neighborhood Plan.

PART 5. This ordinance takes effect on _____, 2018.

PASSED AND APPROVED

_____, 2018 §
 §
 § _____
Steve Adler
Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan Jannette S. Goodall
City Attorney City Clerk

Legal Description

BEING a 3.389 acre tract of land situated in the Isaac Decker Survey, Abstract No. 8 in the City of Austin, Travis County, Texas; same being a portion of Lot 25, FORTVIEW ADDITION, a subdivision recorded in Volume Z, Page 606 of the Deed Records of Travis County, Texas and being all of Lot 2, THOM FARRELL SUBDIVISION, a subdivision recorded in Volume 67, Page 21 of the Plat Records of Travis County, Texas; being the same called 3.3885 acre tract of land described in a Special Warranty Deed to CPTX 4515 S. Congress Avenue, LLC recorded under Document No. 2012099891 of the Official Public Records of Travis County, Texas; said 3.389 acre tract of land being more particularly described by metes and bounds as follows with bearings referenced to the Texas Coordinate System of 1983, Central Zone:

BEGINNING at a Type I TxDOT Concrete Monument found in the easterly right-of-way line of South Congress Avenue (a 100 foot wide public right-of-way) for the westerly corner of said 3.3885 acre tract of land and the northerly corner of Lot 1 of said THOM FARRELL SUBDIVISION;

THENCE with said easterly right of way line of South Congress Avenue, North 27°27'21" East a distance of 174.56 feet to a 1/2" iron rod found for the northerly corner of said 3.3885 acre tract of land and the westerly corner of a called 2.295 acre tract of land described in a Warranty Deed with Vendor's Lien to N/B South Congress Partners recorded in Volume 11976, Pg. 2287 of the Real Property Records of Travis County, Texas;

THENCE departing said easterly right of way line of South Congress Avenue, with the common line of said 3.3885 tract of land and said 2.295 acre tract of land, South 61°52'25" East a distance of 591.21 feet to a 1/2" iron rod found in the westerly right-of-way line of Suburban Drive (a 70 foot wide public right-of-way) for the easterly corner of said 3.3885 acre tract of land and the southerly corner of said 2.295 acre tract of land;

THENCE with said westerly right-of-way line of Suburban Drive the following courses and distance:

South 27°05'39" West a distance of 174.85 feet to a 5/8" iron rod with cap stamped "JONES|CARTER" set;

South 27°11'44" West a distance of 128.80 feet to a 1/2" iron rod found being the beginning of a non-tangent curve to the right;

Southwesterly with said non-tangent curve to the right having a radius of 16.29 feet and a delta angle of 82°15'34", an arc distance of 23.39 feet (the chord of said curve bears South 67°34'19" West a distance of 21.43 feet) to a PK-Nail found in the northerly right of way line of Sheraton Avenue (a 70 foot wide public right-of-way) to the beginning of a compound curve to the right;

THENCE with said northerly right of way line of Sheraton Avenue the following courses and distances:

Northwesterly with said compound curve to the right having a radius of 409.14 feet and a delta angle of 08°39'56", an arc distance of 61.88 feet (the chord of said curve bears North 66°11'23" West a distance of 61.82 feet) to a PK-Nail found;

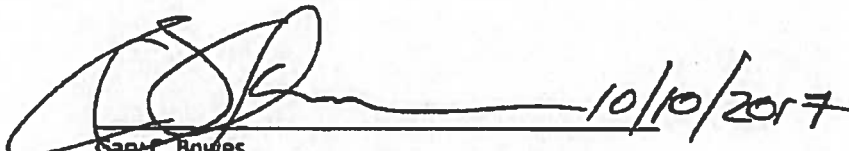
Exhibit A

North 61°51'23" West a distance of 221.92 feet to a 5/8" iron rod with cap stamped "JONES|CARTER" for the southwesterly corner of said 3.3885 acre tract of land and the southerly corner of said 2.295 acre tract of land;

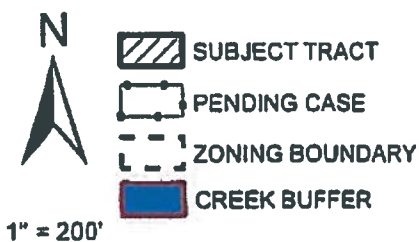
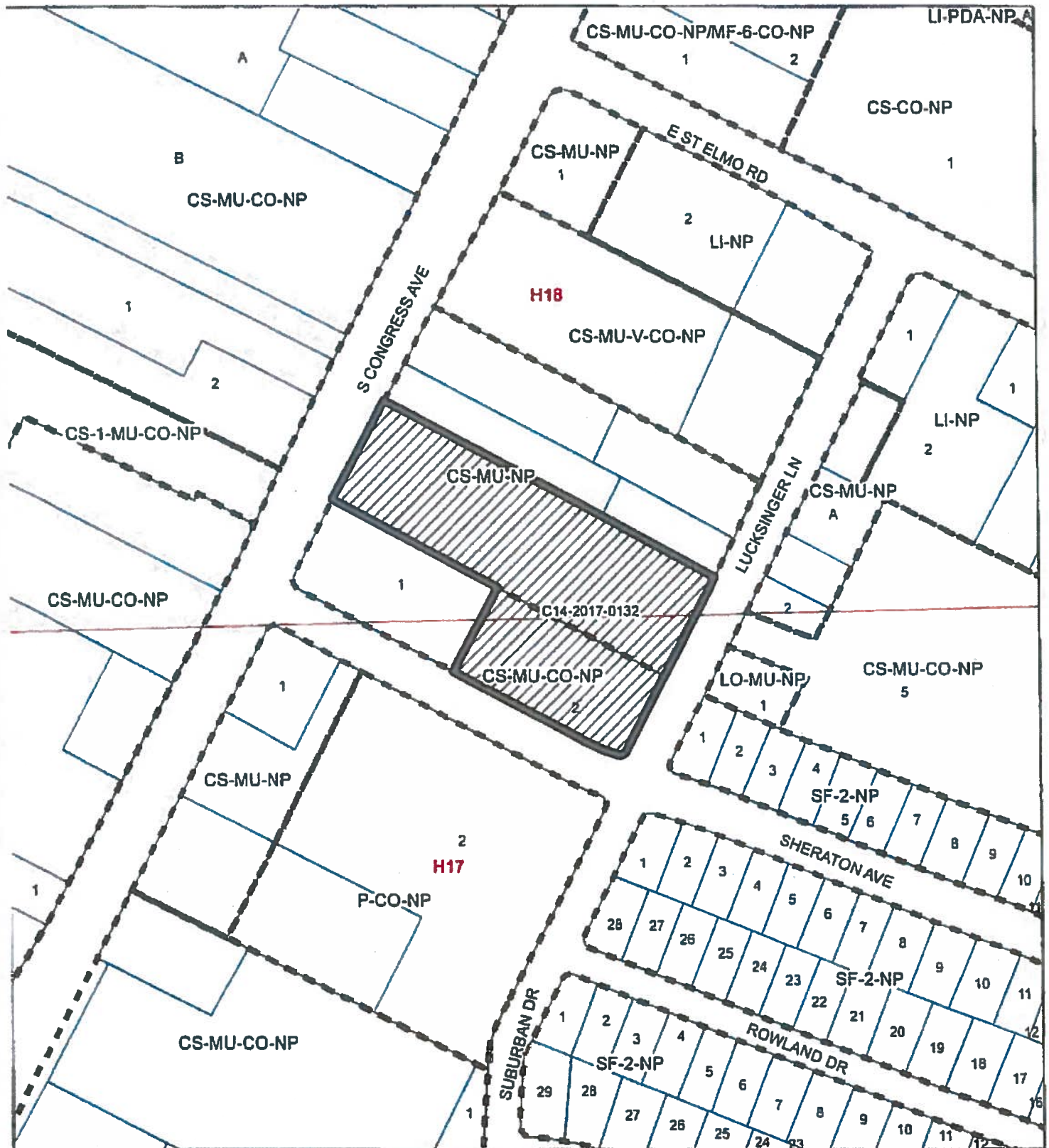
THENCE departing said northerly right of way line of Sheraton Avenue, with the common lines of said 3.3885 acre tract of land and said 2.295 acre tract of land the following courses and distances:

North 28°08'37" East a distance of 150.05 feet to a 5/8" iron rod with cap stamped "JONES|CARTER" set;

North 61°50'48" West a distance of 297.27 feet to the POINT OF BEGINNING and CONTAINING an area of 3.389 acres of land.


Gary C. Bowes
Registered Professional Land Surveyor No. 4053





4515 SOUTH CONGRESS REZONING Exhibit B

ZONING CASE#: C14-2017-0132
 LOCATION: 4515 SOUTH CONGRESS AVENUE
 SUBJECT AREA: 3.39 ACRES
 GRID: H17 & H18
 MANAGER: WENDY RHOADES



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.