

**ORDINANCE NO. 20221201-071**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 909, 911, 915, 1001, AND 1003 SOUTH 2ND STREET AND 604 AND 606 COPELAND STREET, IN THE BOULDIN CREEK NEIGHBORHOOD PLAN AREA FROM 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 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. C14-2021-0185, on file at the Housing and Planning Department, as follows:

Being 0.997 acres of land, situated in the Isaac Decker Survey, Block 20, Abstract No. 8, City of Austin, Travis County, Texas, and being more particularly described as all of LOTS 8, 9, 10, 11, 12, 13 and 14, BLOCK 1, OAK CLIFF ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof as recorded in Volume 3, Page 81 of the Plat Records of Travis County, Texas, said 0.997 acres of land being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (the “Property”),

locally known as 909, 911, 915, 1001 and 1003 South 2nd Street and 604 and 606 Copeland 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 conditional uses on the Property:

A general retail sales (general) use that exceeds 20,000 square feet of gross floor area.

(B) The following uses are prohibited uses on the Property:

Alternative financial services  
Automotive repair services  
Automotive washing (of any type)  
Communications services  
Drive-In services as an accessory use to commercial uses  
Exterminating services  
Limited warehousing and distribution  
Service station

Automotive rentals  
Automotive sales  
Commercial off-street parking  
Convenience storage  
Drop-off recycling collection facility  
Funeral services  
Pawn shop services  
Vehicle storage

(C) Parking is prohibited in a front yard setback.

**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, mixed use (MU) 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. 020523-33 that established zoning for the Bouldin Creek Neighborhood Plan.

**PART 5.** This ordinance takes effect on December 12, 2022.

**PASSED AND APPROVED**

December 1

§  
§  
§  
2022

  
Steve Adler  
Mayor

**APPROVED:**  **ATTEST:** 

Anne L. Morgan  
City Attorney

Myrna Rios  
City Clerk





## EXHIBIT A

Eagle Eye Construction Layout  
1807 S. US Highway 183  
Leander, Texas 78641  
(512) 528-5308  
TBPLS FIRM # 10194139

**0.997 ACRES, (± 43,413 Sq. Ft.)  
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.  
METES AND BOUNDS DESCRIPTION**

**A DESCRIPTION TO ACCOMPANY A SKETCH OF A 0.997ACRE (APPROX. 43,413 Sq. Ft.) TRACT OF LAND, SITUATED IN THE ISAAC DECKER SURVEY, BLOCK 20, ABSTRACT No. 8, LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS BEING ALL OF LOT(s) 8, 9, 10, 11, 12, 13 AND 14, BLOCK 1, OAK CLIFF ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 3, PAGE 81 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING THOSE SAME TRACT(s) OF LAND DESCRIBED IN THOSE TWO (2) INDIVIDUAL INSTRUMENTS BEING DESCRIBED AS A GENERAL WARRANTY DEED, CONVEYED TO THOMAS ESPARZA, JR., DATED DECEMBER 4, 1985 AND APPEARING OF RECORD IN VOLUME 9483, PAGE 61 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND A SPECIAL WARRANTY DEED, CONVEYED TO SB-GEORGE, LLC., DATED MARCH 12, 2021 AND APPEARING OF RECORD UNDER DOCUMENT No. 2021053478 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.997 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY THE FOLLOWING METES AND BOUNDS DESCRIPTION:**

**BEGINNING** at a calculated point for the southwesterly corner of the hereon, described 0.997 Acre tract of land, same being the southwesterly lot corner of the aforementioned Lot 8, Block 1, Oak Cliff Addition, same being the northeasterly most right-of-way intersecting corner of Copeland Street and Second Street, having a 40-foot right-of-way width, and from which a found iron rod with plastic cap bears South 28° 31' 32" West, over and across said Copeland Street, a distance of 40.04 feet, for the northwesterly lot corner of Lot A, Ragland Subdivision, a subdivision appearing of record in Volume 9, Page 15 of the Plat Records of Travis County, Texas;

**THENCE North 28° 18' 35" East**, along the common dividing of the aforementioned Lot(s) 8, 9, 10, 11, 12, 13 and 14, Block A, Oak Cliff Addition, and the aforesaid Second Street, a distance of **352.87 feet** to a previously set ½-inch iron rod with plastic cap, stamped "4863" for the northwesterly corner of the hereon, described 0.997 Acre tract of land, same being the northwesterly lot corner of said, Lot 14, same being the northeasterly point of terminus for Second Street, and a point along the southwesterly lot line of Lot 1B, 900 South 1<sup>st</sup> Plat,



a subdivision appearing of record under Document No. 201500266 of the Official Public Records of Travis County, Texas;

**THENCE South 61° 40' 41" East**, along the common dividing line of the aforementioned Lot 14, Block 1, and the aforesaid Lot 1B, 900 South 1<sup>st</sup> Plat, a distance of **123.06 feet** to a previously set ½-inch iron rod with plastic cap, stamped "4863" for the northeasterly corner of the hereon, described 0.997 Acre tract of land, same being the northeasterly lot corner of said Lot 14, same being the northeasterly point of terminus for a 12-foot wide Alley, traversing between Lot(s) 1-7, Block 1, and Lot(s) 8-14, Block 1, of said Oak Cliff Addition;

**THENCE South 28° 19' 19" West**, along the common dividing line of the aforementioned Lot(s) 14, 13, 12, 11, 10, 9 and 8, Block 1, Oak Cliff Addition, and the aforesaid 12-foot wide Alley, a distance of **352.90 feet** to a found iron rod with plastic cap, stamped "Holt Carson" for the southeasterly corner of the hereon, described 0.997 Acre tract of land, same being the southeasterly corner of said Lot 8, Block 1 and the westerly most right-of-way intersecting corner of said 12-foot wide Alley and the aforesaid Copeland Street;

**THENCE** continuing along the common dividing line of the aforementioned Lot 8, Block 1, Oak Cliff Addition, and the aforesaid Copeland Street, traversing along the southwesterly boundary line of the hereon, described 0.997 Acre tract of land with the following Two (2) courses and distances:

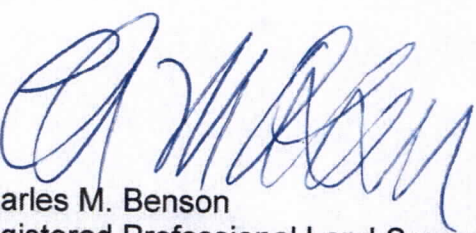
1). **North 61° 42' 33" West**, a distance of **42.08 feet** to a found iron rod with plastic cap, stamped "Holt Carson", for a point of angle along said common dividing line;

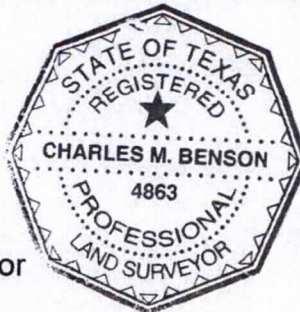
2). **North 61° 38' 21" West**, a distance of **80.90 feet** to the **POINT OF BEGINNING**, containing the hereon, described 0.997 Acre (Approx. 43,413 Sq. Ft.) tract of land, more or less.

Survey on the ground February of 2018.

Bearings are based on the Texas Coordinate System, North American Datum of 1983, Central Zone (FIPS 4203).

A separate sketch accompanies this metes and bounds description.

  
Charles M. Benson  
Registered Professional Land Surveyor  
State of Texas No. 4863



November 2, 2021



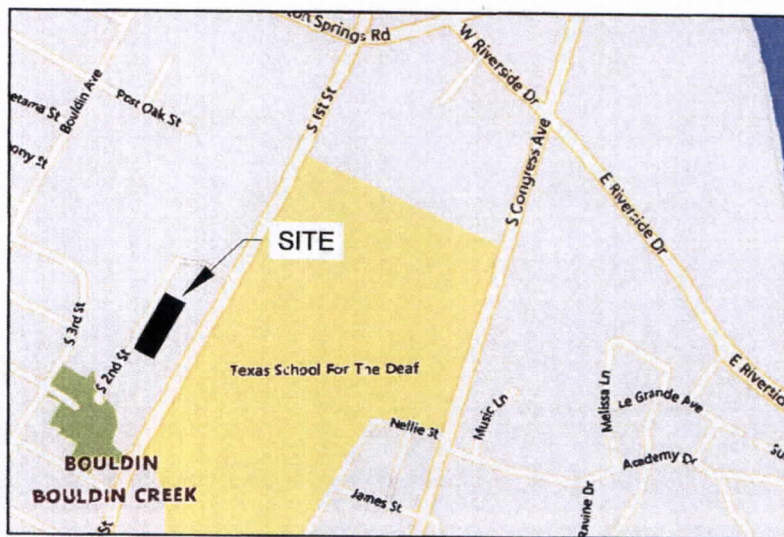
A SKETCH TO ACCOMPANY A DESCRIPTION OF A 0.997 ACRE (APPROX. 43,413 Sq. Ft.) TRACT OF LAND, SITUATED IN THE ISAAC DECKER SURVEY, BLOCK 20, ABSTRACT No. 8, LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS LOT(S) 8, 9, 10, 11, 12 AND 13, BLOCK 1, OF THE OAK CLIFF ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 3, PAGE 81 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING THOSE SAME TRACT(S) OF LAND DESCRIBED IN THOSE TWO (2) INDIVIDUAL INSTRUMENTS BEING DESCRIBED AS A GENERAL WARRANTY DEED, CONVEYED TO THOMAS ESPARZA, JR., DATED DECEMBER 4, 1985 AND APPEARING OF RECORD IN VOLUME 9483, PAGE 61 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND A SPECIAL WARRANTY DEED, CONVEYED TO SB-GEORGE, LLC., DATED MARCH 12, 2021 AND APPEARING OF RECORD UNDER DOCUMENT No. 2021053478 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.



**VICINITY MAP**  
1" = 1000'

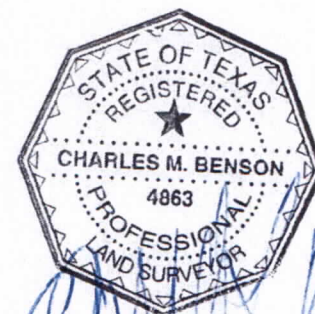
**LEGEND**

- BOUNDARY FOUND/SET (NOTED)
- CALCULATED POINT
- P.R.T.C.T. PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
- D.R.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS



**NOTES:**

- 1). BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983, CENTRAL ZONE 4203.
- 2). GRID DISTANCES SHOWN ARE IN U.S. SURVEY FEET.
- 3). THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE OR A TITLE COMMITMENT. THERE MAY BE EASEMENTS, RESTRICTIONS OR OTHER MATTERS THAT ARE NOT LISTED OR SHOWN HEREON, THAT MAY AFFECT THE SUBJECT TRACTS. THE SURVEYOR HAS MADE NO INDEPENDENT INQUIRY AS TO EASEMENTS AND RESTRICTIONS AFFECTING THE PROPERTY.
- 4). THIS SKETCH IS ACCOMPANIED BY A SEPARATE METES AND BOUNDS DESCRIPTION.



 <b>EAGLE EYE</b> <small>CONSTRUCTION LAYOUT</small>	<b>PROJECT:</b> 2ND & COPELAND	
	<b>CLIENT:</b> STORYBUILT	
	<b>DATE:</b> 11/01/2021	
	<b>SCALE:</b> 1" = 1000'	
<b>BY:</b> rclomb		<b>EXHIBIT "A"</b>
<b>WEB:</b> eed.us <b>EMAIL:</b> eagle@eed.us		<b>T.B.P.L.S. FIRM</b> #10194139 <b>SHEET 01 OF 02</b>

1807 S. U.S. HIGHWAY 183  
LEANDER, TEXAS 78641  
(512) 528-5308



SCALE: 1" = 40'



LOT 2  
BLOCK 2  
OAK CLIFF ADDITION  
(VOL. 3, PAGE 81)  
P.R.T.C.T.

LOT 1  
BLOCK 2  
OAK CLIFF ADDITION  
(VOL. 3, PAGE 81)  
P.R.T.C.T.

LOT 1B  
900 SOUTH 1ST PLAT  
(DOC. No. 201500266)  
O.P.R.T.C.T.

VIOLA STREET  
(30' RIGHT-OF-WAY WIDTH)  
(VOL. 3, PAGE 81)  
P.R.T.C.T.

SECOND STREET  
(40' RIGHT-OF-WAY WIDTH)  
(VOL. 3, PAGE 81)  
P.R.T.C.T.

CAPPED 1/2" IRON ROD SET  
STAMPED, "4863"

S61° 40' 41"E  
(123.00') 123.06'

CAPPED 1/2" IRON ROD SET  
STAMPED, "4863"

LOT 1  
BLOCK 3  
OAK CLIFF ADDITION  
(VOL. 3, PAGE 81)  
P.R.T.C.T.

LOT 2  
BLOCK 3  
OAK CLIFF ADDITION  
(VOL. 3, PAGE 81)  
P.R.T.C.T.

LOT(s) 10, 11, 12, 13, 14 AND E. 42' OF LOT(s) 8 AND 9  
BLOCK 1  
0.810 ACRES  
(± 35,273 Sq. Ft.)  
OAK CLIFF ADDITION  
(VOL. 3, PAGE 81)  
P.R.T.C.T.  
OWNER: SB-GEORGE, LLC  
(DOC. No. 2021053478)  
O.P.R.T.C.T.

12' WIDE ALLEY  
(VOL. 3, PAGE 81)

N28° 18' 35"E  
(352.80') 352.87'

N28° 18' 35"E  
(252.00') 252.55'

S28° 19' 19"W  
(352.80') 352.90'

CAPPED IRON ROD FOUND  
STAMPED, "HOLT CARSON"

SECOND STREET  
(40' RIGHT-OF-WAY WIDTH)  
(VOL. 3, PAGE 81)  
P.R.T.C.T.

WEST 81' OF LOT(s) 8 AND 9  
BLOCK 1  
0.187 ACRES  
(± 8,140 Sq. Ft.)  
OAK CLIFF ADDITION  
(VOL. 3, PAGE 81)  
P.R.T.C.T.  
OWNER: THOMAS ESPARZA  
(VOL. 9483, PAGE 61)  
R.P.R.T.C.T.

"POINT OF BEGINNING"  
CALCULATED POINT

N28° 18' 35"E  
(100.80') 100.32'

N61° 38' 21"W  
(81.00') 80.90'

"REFERENCE POINT"  
CAPPED IRON ROD  
FOUND

LOT A  
RAGLAND SUBDIVISION  
(VOL. 9, PAGE 15)  
P.R.T.C.T.  
OWNER: SB-GEORGE, LLC  
(DOC. No. 2021053479)  
O.P.R.T.C.T.

COPELAND STREET  
(40' RIGHT-OF-WAY WIDTH)  
(VOL. 3, PAGE 81)  
P.R.T.C.T.

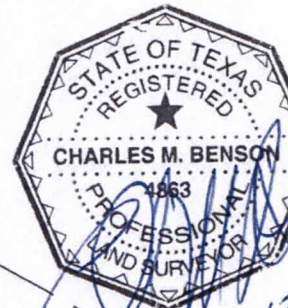
N61° 42' 33"W  
(42.00') 42.08'

CAPPED IRON ROD FOUND  
STAMPED, "HOLT CARSON"

12' WIDE ALLEY  
(VOL. 3, PAGE 81)

LOT 6  
BLOCK 1  
OAK CLIFF ADDITION  
(VOL. 3, PAGE 81)  
P.R.T.C.T.  
OWNER: DARRELL J. STAMP  
(VOL. 7531, PAGE 495)  
R.P.R.T.C.T.

LOT 7  
BLOCK 1  
OAK CLIFF ADDITION  
(VOL. 3, PAGE 81)  
P.R.T.C.T.  
OWNER: SB-GEORGE, LLC  
(DOC. No. 2021053478)  
O.P.R.T.C.T.



SCRIBED "X"  
IN CONCRETE FOUND



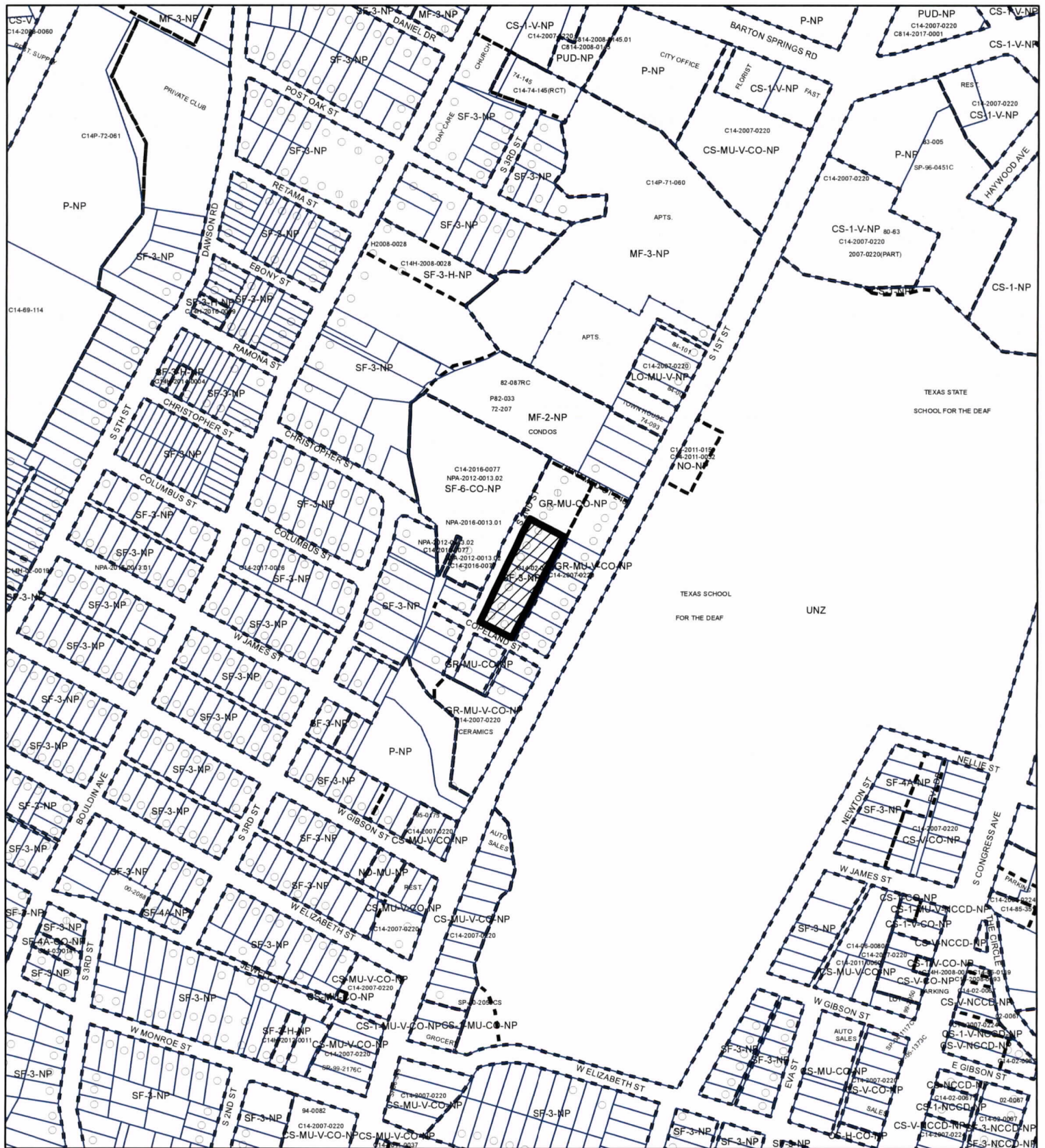
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(512) 528-5308

WEB: eed.us  
EMAIL: eagle@eed.us

T.B.P.L.S. FIRM  
#10194139

PROJECT:  
2ND & COPELAND  
CLIENT:  
STORYBUILT  
DATE: 11/01/2021  
SCALE: 1" = 40'  
BY: rc/amb  
EXHIBIT "A"  
SHEET 02 OF 02





SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

## ZONING

ZONING CASE#: C14-2021-0185

## EXHIBIT B



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 Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or

1" = 400'

Created: 12/7/2021