

**ORDINANCE NO. 20221208-092**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1700 EAST 2ND STREET AND 205 CHALMERS AVENUE, IN THE EAST CESAR CHAVEZ NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-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-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-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. C14-2022-0091, on file at the Housing and Planning Department, as follows:

Being 22,410 square feet of land, being a portion of BLOCK 1, OUTLOT 22, DIVISION "O", a subdivision in the City of Austin, Travis County, Texas, being that same land as recorded in Document No. 2006213319, of the Official Public Records of Travis County, Texas, said 22,410 square feet of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 1700 East 2nd Street and 205 Chalmers 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) The following uses are prohibited uses on the Property:

Adult oriented businesses	Campground
Commercial off-street parking	Communication service facilities
Convenience storage	Drop-off recycling collection facilities
Equipment repair services	Equipment sales
Kennels	Outdoor entertainment
Pawn shop services	Residential treatment
Transportation terminal	Vehicle storage

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

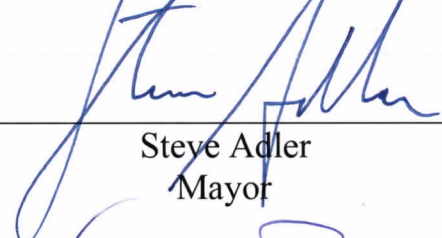
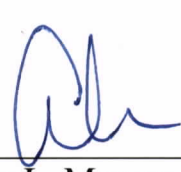
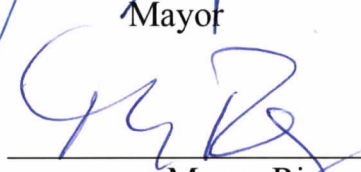
Agricultural sales and services	Automotive rentals
Automotive repair services	Automotive sales
Automotive washing (of any type)	Building maintenance services
Club or lodge	College and university facilities
Communications services	Construction sales and services
Custom manufacturing	Electronic prototype assembly
Exterminating services	Guidance services
Hospital services (general)	Hospital services (limited)
Hotel-Motel	Indoor entertainment
Limited warehousing and distribution	Local utility services
Off-site accessory parking	Outdoor sports and recreation
Research services	Restaurant (drive-in, fast food)
Restaurant (general)	Restaurant (limited)
Service station	Transitional housing

**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. 990513-70 that established zoning for the East Cesar Chavez Neighborhood Plan.

**PART 5.** This ordinance takes effect on December 19, 2022.

**PASSED AND APPROVED**

	§ § §	
December 8	, 2022	§
		 Steve Adler Mayor
<b>APPROVED:</b>	 Anne L. Morgan City Attorney	<b>ATTEST:</b>  Myrna Rios City Clerk



# EXHIBIT A

## REZONING

### **HOLT CARSON, INC.**

1904 FORTVIEW ROAD

AUSTIN, TEXAS 78704

(512) 442-0990

Texas Licensed Survey Firm No. 10050700

August 4, 2022

**FIELD NOTE DESCRIPTION OF 22,410 SQUARE FEET OF LAND FOR REZONING AND BEING ALL OF THAT CERTAIN TRACT OUT OF THE SUBDIVISION OF BLOCK 1, OUTLOT 22, DIVISION "O" A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME K PAGE 564 OF THE DISTRICT COURT RECORDS OF TRAVIS COUNTY, TEXAS, WHICH WAS CONVEYED TO 2ND STREET, LLC BY WARRANTY DEED RECORDED IN DOCUMENT NO. 2006213319 OF THE OFFICIAL PUBLIC 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 intersection of the south right-of-way line of East 3<sup>rd</sup> Street and the east right-of-way line of Chalmers Avenue;

THENCE with the east right-of-way line of Chalmers Avenue, S 23 deg. 03' 00" W 150.00 ft. to a calculated point at the northwest corner of that certain tract out of the Subdivision of Block 1, Outlot 22, Division "O", a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume K Page 564 of the District Court Records of Travis County, Texas, which was conveyed to 2nd Street LLC by Warranty Deed recorded in Document No. 2006213319 of the Official Public Records of Travis County, Texas, and being at the northwest corner and PLACE OF BEGINNING of the herein described tract of land, and from which a 1/2" iron rod found bears S 36 deg. 00' W 1.44 ft. and also from which a 1/2" iron pipe found bears S 23 deg. 56' W 2.90 ft.;

THENCE leaving the east right-of-way line of Chalmers Avenue with the north line of said 2<sup>nd</sup> Street LLC tract, S 67 deg. 14' 00" E 146.20 ft. to a calculated point at the northeast corner of said 2<sup>nd</sup> Street LLC tract, and being at the northeast corner of this tract, and from which a ½ inch iron rod found bears S 22 deg. 28' W 2.04 ft.;

THENCE with the east line of said 2<sup>nd</sup> Street LLC tract, S 23 deg. 04' 00" W 153.42 ft. to a ¾ inch square iron rod found in the north right-of-way line of East 2<sup>nd</sup> Street and being at the southeast corner of said 2<sup>nd</sup> Street LLC tract, and being at the southeast corner of this tract, and from which a 1/2 inch iron rod found but not used bears S 76 deg. 44' E 0.64 ft., and also from which a ½ inch iron rod found with cap marked "Terra Firma" bears S 67 deg. 08' 23" E 478.19 ft., and also from which a ¾ inch square iron rod found at the northeast corner of Lot 4-A, Choate Villa, a subdivision in Travis County, Texas, according to the map or plat thereof recorded bears S 22 deg. 48' 14" W 59.89 ft. and S 67 deg. 11' 46" E 147.74 ft.;

Page 2 of 2  
Rezoning 22,410 sq. ft.

THENCE with the north right-of-way line of East 2<sup>nd</sup> Street, N 67 deg. 09' 17" W 146.16 ft. to a ½ inch iron rod found at the intersection of the east right-of-way line of Chalmers Avenue, and being at the southwest corner of said 2<sup>nd</sup> Street LLC tract, and being at the southwest corner of this tract, and also from which a second ½ inch iron rod found bears S 69 deg. 29' W 0.14 ft.;

THENCE with the east right-of-way line of Chalmers Avenue, N 23 deg. 03' 00" E 153.22 ft. to the Place of Beginning, containing 22,410 sq. ft. of land.

PREPARED: August 4, 2022 from survey of November 2010

BY:

*Anne Thayer*  
Anne Thayer  
Registered Professional Land Surveyor No. 5850

See accompanying sketch 865100

City Grid K-21  
TCAD parcel 02-0408-06-23





# EAST 3RD STREET

SCALE: 1"=40'

Point of Reference

Emerald Grove Properties LLC  
Document No. 2021185836

Subdivision of  
Block 1  
Outlot 22  
Division "O"  
Volume K Page 564  
District Court Records

Emerald Grove Properties LLC  
Document No. 2021185836

Place of  
Beginning

S67°14'00"E 146.20'

a 1/2" iron rod found  
bears S36°00'W 1.44'  
and a 1/2" iron pipe  
found bears S23°56'W 2.90'

a 1/2" iron rod found  
bears S22°28'W 2.04'

OUTLOT 22  
DIVISION "O"

2nd Street LLC  
Warranty Deed  
Document No. 2006213319  
22,410 SQUARE FEET  
FOR REZONING

a 1/2 inch  
iron rod  
found bears  
S69°29'W 0.14'

a 1/2 inch iron  
rod found bears  
S76°44'E 0.64'

N67°09'17"W 146.16'

S23°04'00"W 153.42'

Bearing Basis  
S67°08'23"E 478.19'

"Terra  
Firma"

59.89'  
S22°48'14"W

S67°11'46"E 147.74'

LOT 4-A  
CHOATE VILLA  
VOLUME 80 PAGE 376

EAST 2ND STREET (60')

SKETCH TO ACCOMPANY  
FIELD NOTE DESCRIPTION OF  
22,410 SQUARE FEET OF LAND  
FOR REZONING AND BEING ALL  
OF THAT CERTAIN TRACT OUT  
OF THE SUBDIVISION OF BLOCK 1,  
OUTLOT 22, DIVISION "O"  
A SUBDIVISION IN TRAVIS COUNTY,  
TEXAS, ACCORDING TO THE MAP  
OR PLAT THEREOF RECORDED IN  
VOLUME K PAGE 564 OF THE DISTRICT  
COURT RECORDS OF TRAVIS COUNTY,  
TEXAS, WHICH WAS CONVEYED TO  
2ND STREET, LLC BY WARRANTY  
DEED RECORDED IN DOCUMENT  
NO. 2006213319 OF THE OFFICIAL  
PUBLIC RECORDS OF TRAVIS COUNTY,  
TEXAS.

## Legend

- ⊙ 1/2" Iron Rod Found
- ipf ⊙ 1/2" Iron Pipe Found
- ⊗ Calculated Point
- 3/4" Square Rod Found






PREPARED: August 4, 2022  
BY:

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 865100




$$1'' = 400'$$

-  SUBJECT TRACT  
 PENDING CASE  
 ZONING BOUNDARY

## ZONING

ZONING CASE#: C14-2022-0091

## 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

**Created: 7/6/2022**