

ORDINANCE NO. 20230209-056

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5604 SOUTH CONGRESS AVENUE IN THE SOUTH CONGRESS COMBINED NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) COMBINING DISTRICT TO COMMERCIAL-LIQUOR SALES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-1-MU-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 commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2022-0116, on file at the Housing and Planning Department, as follows:

Being 0.290 acres of land (approximately 12,624 square feet) in the William Cannon League in Travis County, Texas, and being a portion of a 0.54 acre tract as described in a quitclaim deed dated February 29, 2012 and recorded in Document No. 2012035922, Deed Records of Travis County, Texas, said 0.290 acre tract being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (the “Property”),

locally known as 5604 South Congress Avenue in the City of Austin, Travis County, Texas, and 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:

The following uses are prohibited uses of the Property:

Automotive 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 commercial-liquor sales (CS-1), the mixed use 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. 20050818-Z002 that established zoning for the Sweetbriar Neighborhood Plan.

PART 5. This ordinance takes effect on February 20, 2023.

PASSED AND APPROVED

February 9, 2023 §
§
§
Kirk Watson
Mayor

APPROVED: Anne L. Morgan
City Attorney

ATTEST: Myrna Rios
City Clerk

EXHIBIT "A"

EARLY LAND SURVEYING, LLC

P.O. Box 92588, Austin, TX 78709

512-202-8631

earlysurveying.com

TBPELS Firm No. 10194487

0.290 ACRES TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 0.290 ACRES (APPROXIMATELY 12,624 SQ. FT.) IN THE WILLIAM CANNON LEAGUE IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 0.54 ACRE TRACT CONVEYED TO CMG PARTNERSHIP, LTD., IN A QUITCLAIM DEED DATED FEBRUARY 29, 2012 AND RECORDED IN DOCUMENT NO. 2012035922 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.290 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the north line of the said 0.54 acre tract, being in the south line of Lot 1, Donihee Addition, a subdivision of record in Volume 77, Page 96 of the Plat Records of Travis County, Texas, from which a 1/2" rebar found in the west right-of-way line of S Congress Avenue (formerly State Highway No. 2) (120' public right-of-way width), being the northeast corner of the said 0.54 acre tract, being also the easternmost southeast corner of said Lot 1, bears South 73°23'27" East, a distance of 3.64 feet;

THENCE crossing the said 0.54 acre tract, the following four (4) courses and distances:

1. South 14°34'02" West, a distance of 35.83 feet to a calculated point;
2. North 75°15'00" West, a distance of 75.00 feet to a calculated point;
3. South 16°34'02" West, a distance of 98.50 feet to a calculated point;
4. North 62°09'35" West, a distance of 83.44 feet to a calculated point in the west line of the said 0.54 acre tract and the east line of said Lot 1, from which a 3/8" rebar found for an angle point in the north right-of-way line of Sandra Street (public right-of-way width varies) as shown on Connie Lynn Addition, a subdivision of record in Volume 4, Page 272 of the Plat Records of Travis County, Texas, as shown on said Donihee Addition and as described in Volume 4767, Page 65 of the Deed Records of Travis County, Texas, being the southwest corner of the said 0.54 acre tract, bears South 21°42'43" West, a distance of 57.14 feet;

THENCE with the common line of the said 0.54 acre tract and said Lot 1, the following two (2) courses and distances:

1. North 21°42'43" East, a distance of 120.97 feet to a 1/2" rebar found for the northwest corner of the said 0.54 acre tract;
2. South 73°23'27" East, a distance of 144.70 feet to the **POINT OF BEGINNING**, containing 0.290 acres of land, more or less.

Surveyed on the ground on November 10, 2022

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, utilizing the SmartNet North America Network.

Attachments: Survey Drawing No. 1167-001-ZONING1



Joe Ben Early, Jr.
Registered Professional Land Surveyor
State of Texas No. 6016

12/6/22

Date



SKETCH TO ACCOMPANY A DESCRIPTION OF 0.290 ACRES (APPROXIMATELY 12,624 SQ. FT.) IN THE WILLIAM CANNON LEAGUE IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 0.54 ACRE TRACT CONVEYED TO CMG PARTNERSHIP, LTD., IN A QUITCLAIM DEED DATED FEBRUARY 29, 2012 AND RECORDED IN DOCUMENT NO. 2012035922 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

CURVE TABLE						
CURVE	RADIUS	DELTA	ARC	BEARING	CHORD	(RECORD CHORD)
C1	8654.40'	1°01'10"	154.00'	S15°31'08"W	154.00'	(S18°02'W 154.1')

LEGEND

- 1/2" REBAR FOUND (OR AS NOTED)
- 1/2" REBAR WITH "EARLY BOUNDARY" CAP SET
- * AXLE FOUND
- △ CALCULATED POINT
- () RECORD INFORMATION



8/12/6/22

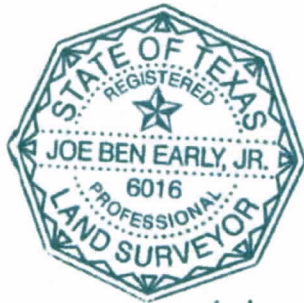
DATE OF SURVEY: 11/10/22
 PLOT DATE: 12/6/22
 DRAWING NO.: 1167-001-ZONING1
 DRAWN BY: JBE
 SHEET 1 OF 2

**EARLY LAND
 SURVEYING, LLC**

P.O. BOX 92588
 AUSTIN, TX 78709
 512-202-8631
 TBPELS FIRM NO. 10194487

THE BASIS OF BEARINGS SHOWN HEREON IS THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, UTILIZING THE SMARTNET NORTH AMERICA NETWORK.

ATTACHMENTS: METES AND BOUNDS
 DESCRIPTION 1167-001-ZONING1

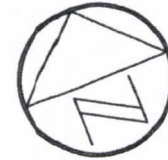


8/12/6/22

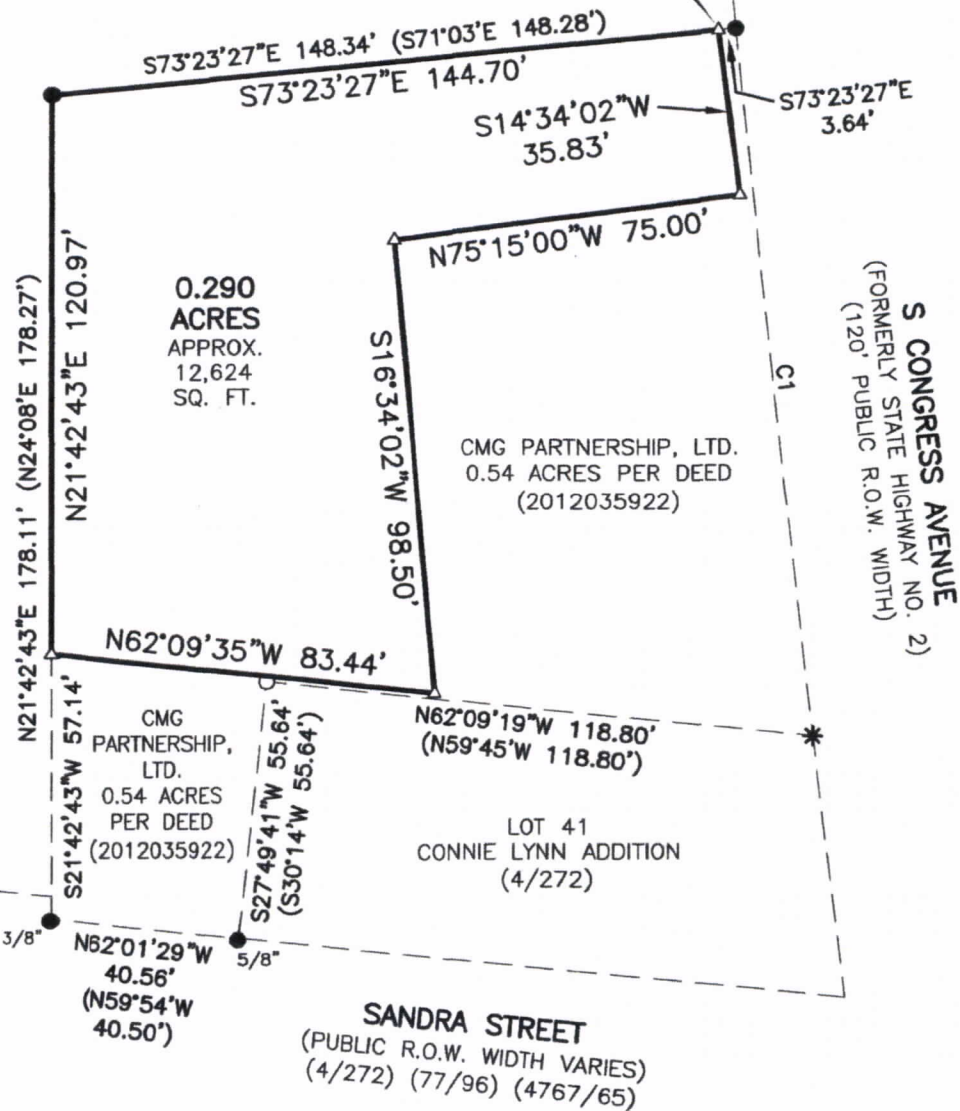
LOT 1
DONIHEE ADDITION
(77/96)

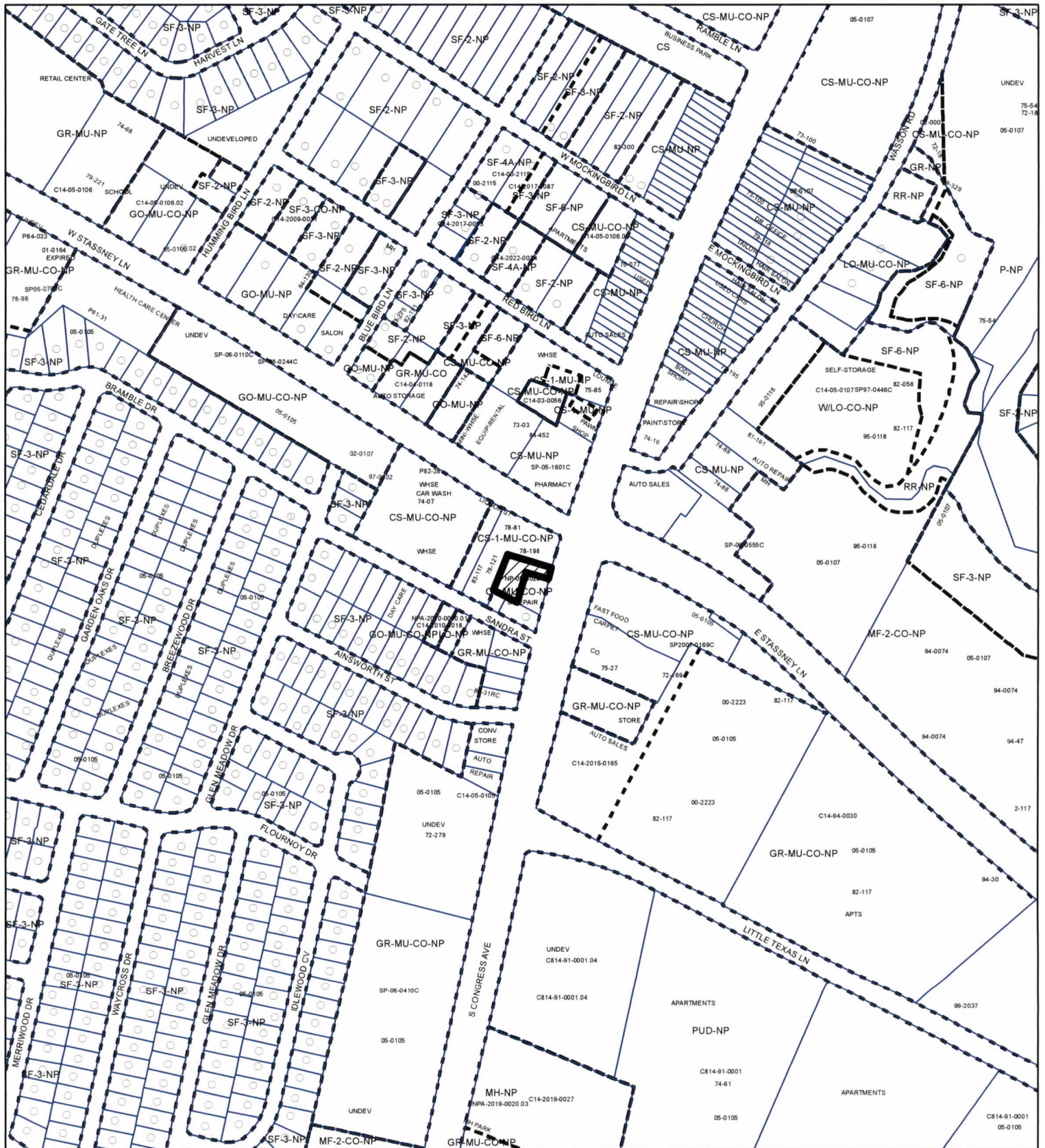
LOT 1
DONIHEE ADDITION
(77/96)

P.O.B.



1" = 40'





ZONING

EXHIBIT "B"

ZONING CASE#: C14-2022-0116



- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

1" = 400'

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: 12/6/2022