

ORDINANCE NO. 20230720-183

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR A PORTION OF THE PROPERTY LOCATED AT 3601 SOUTH CONGRESS AVENUE IN THE GREATER SOUTH RIVER CITY COMBINED NEIGHBORHOOD PLAN AREA FROM LIMITED INDUSTRIAL SERVICE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LI-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 limited industrial service-conditional overlay-neighborhood plan (LI-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. C14-2022-0155, on file at the Planning Department, as follows:

3.022 acre 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 a portion of that certain 12.48 acre tract of land described by deed recorded in Document No. 2007194874 of the Official Public Records of Travis County, Texas, the 3.022 acres of land being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (the “Property”),

locally known as 3601 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 repair services
Convenience storage
Kennels

Automotive sales
Drop-off recycling collection facility

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, the mixed use combining district, and other applicable requirements of the City Code.

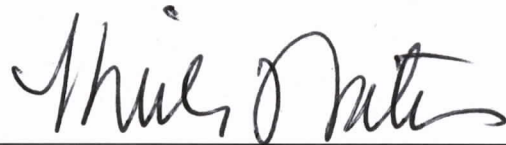
PART 4. Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 20050929-Z002 that established zoning for the St. Edward's Neighborhood Plan.

PART 5. This ordinance takes effect on July 31, 2023.

PASSED AND APPROVED

_____, July 20_____, 2023

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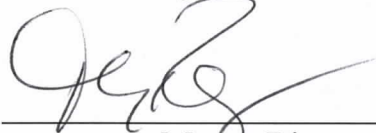
Kirk Watson
Mayor

APPROVED:



Anne L. Morgan
City Attorney

ATTEST:



Myrna Rios
City Clerk

EXHIBIT "A"



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

**3.022 ACRES, (\pm 131,636 Sq. Ft.)
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS
METES AND BOUNDS DESCRIPTION**

A DESCRIPTION TO ACCOMPANY A SKETCH OF A 3.022 ACRE (APPROX. 131,636 Sq. Ft.) TRACT OF LAND, SITUATED IN THE ISAAC DECKER SURVEY, BLOCK 20, ABSTRACT 8, LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN CALLED 12.48 ACRE TRACT OF LAND BEING DESCRIBED IN A SPECIAL WARRANTY DEED, CONVEYED TO CIM URBAN REIT PROPERTIES IX, LP., DATED OCTOBER 22, 2007 AND APPEARING OF RECORD UNDER DOCUMENT No. 2007194874 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 3.022 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY THE FOLLOWING METES AND BOUNDS DESCRIPTION:

BEGINNING at a calculated point for the southeasterly (southerly most) corner of the hereon, described 3.022 Acre tract of land and the aforementioned 12.48 Acre tract of land, same being the westerly right-of-way intersecting corner of Alpine Road, having an 80-foot right-of-way width and Willow Springs, having a variable right-of-way width, and from which a found cotton spindle bears North 30° 26' 28" East, along the common dividing line of said Willow Springs and 12.48 Acre tract of land a distance of 619.36 feet for the northeasterly property corner of said 12.48 Acre tract of land, same being the southerly most right-of-way intersecting corner of said Willow Springs and Braeswood Road, having a 60-foot right-of-way width;

THENCE continuing along the common dividing line of the aforementioned 12.48 Acre tract of land and the aforesaid Alpine Road, traversing along the perimeter of the hereon, described 3.022 Acre tract of land with the following Two (2) courses and distances:

- 1). **North 58° 40' 52" West**, a distance of **600.55 feet** to a found "X" scribed in concrete for a point of curvature along said common dividing line;
- 2). With a curve to the right, having an **Arc Length** of **60.36 feet**, a **Radius** of **2198.60 feet**, a **Delta Angle** of **01° 34' 22"** and a **Chord** which bears **North 57° 46' 55" West**, a **Distance** of **60.35 feet** to a calculated point for the southwesterly (westerly most) corner of the hereon, described 3.022 Acre tract of land;

THENCE over and across the aforementioned 12.48 Acre tract of land, traversing along the perimeter of the hereon, described 3.022 Acre tract of land with the following Four (4) courses and distances:

1). **North 31° 07' 13" East**, a distance of **164.15 feet** to a calculated point for the northwesterly (northerly most) corner of the hereon, described 3.022 Acre tract of land;

2). **South 58° 58' 06" East**, a distance of **487.94 feet** to a calculated point;

3). **North 31° 10' 12" East**, a distance of **128.46 feet** to a calculated point;

4). **South 58° 01' 22" East**, a distance of **169.37 feet** to a calculated point for the northeasterly (easterly most) corner of the hereon, described 3.022 Acre tract of land, same being a point along the common dividing line of said 12.48 Acre tract of land and the aforesaid Willow Springs;

THENCE South 30° 26' 28" West, along the common dividing line of the aforementioned 12.48 Acre tract of land and the aforesaid Willow Springs, a distance of **294.09 feet** to the **POINT OF BEGINNING**, containing the hereon, described 3.022 Acre (Approx. 131,636 Sq. Ft.) tract of land, more or less.

Surveyed on the ground September 19, 2022.

Bearings are based on the Texas Coordinate System, Central Zone (FIPS 4203)

Attachment: A separate sketch accompanies this metes and bounds description.



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

October 5, 2022

A SKETCH TO ACCOMPANY A DESCRIPTION OF A 3.022 ACRE (APPROX. 131,636 Sq. Ft.) TRACT OF LAND, SITUATED IN THE ISAAC DECKER SURVEY, BLOCK 20, ABSTRACT 8, LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN CALLED 12.48 ACRE TRACT OF LAND IN A SPECIAL WARRANTY DEED, CONVEYED TO CIM URBAN REIT PROPERTIES IX, LP., DATED OCTOBER 22, 2007 AND APPEARING OF RECORD UNDER DOCUMENT No. 2007194874 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

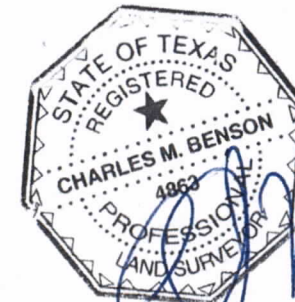
SCALE: 1" = 150'

LEGEND

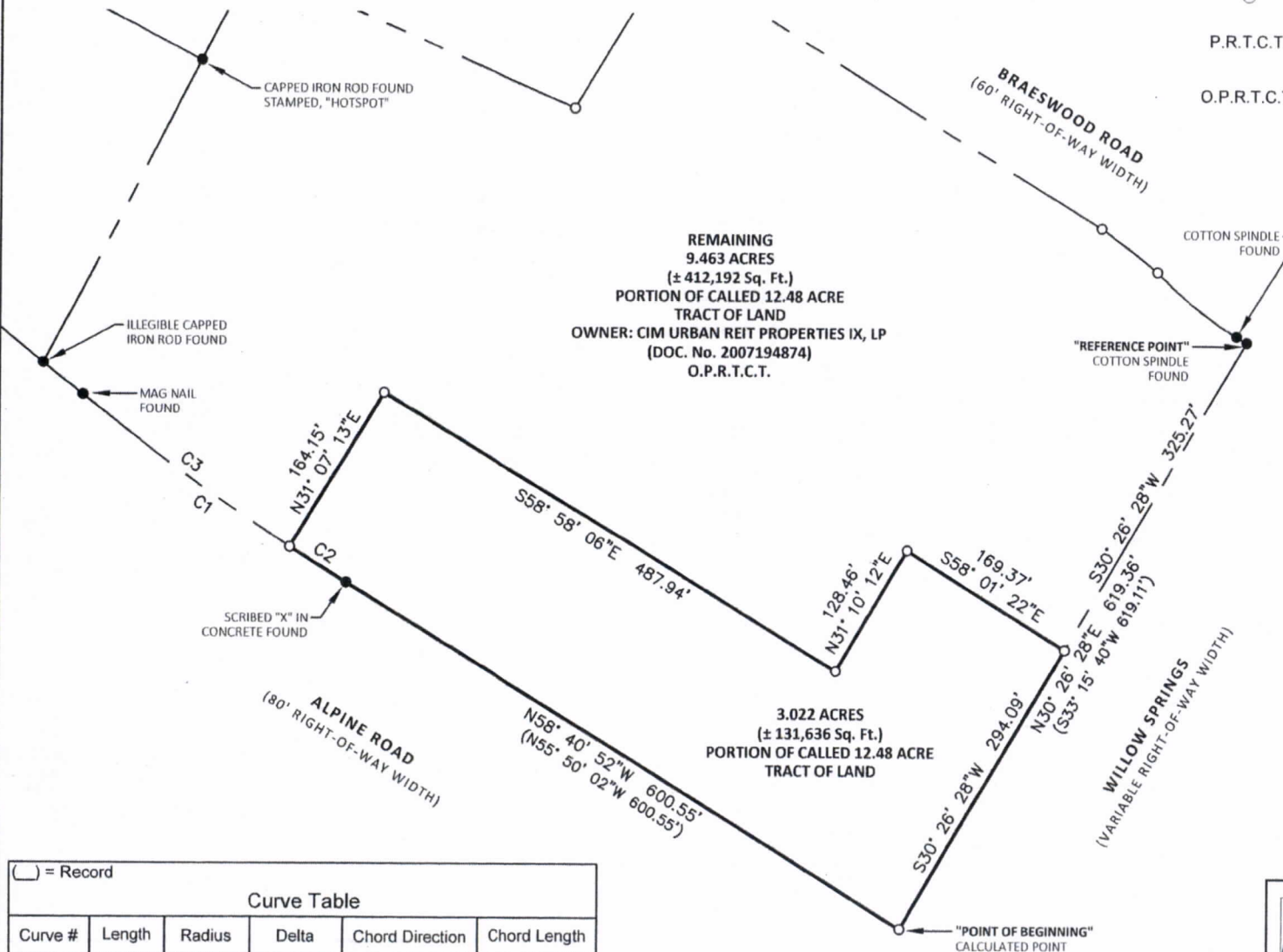
- BOUNDARY FOUND/SET (NOTED)
- CALCULATED POINT
- P.R.T.C.T. PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

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.



10/05/22

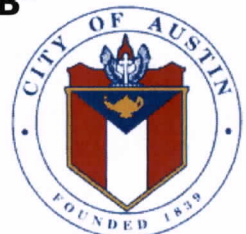


Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	294.20'	2198.60'	7° 40' 00"	N54° 44' 06"W	293.98'
(C1)	(294.23')	(2198.60')	N/A	(N51° 53' 16"W)	(294.01')
C2	60.36'	2198.60'	1° 34' 22"	N57° 46' 55"W	60.35'
C3	233.84'	2198.60'	6° 05' 38"	N53° 56' 55"W	233.73'

		PROJECT: PENNFIELD
		CLIENT: CIM GROUP
1807 S. US. HIGHWAY 183 LEANDER, TEXAS 78641 (512) 528-5308		DATE: 10/05/2022
WEB: eecl.us EMAIL: eagle@eecl.us		SCALE: 1" = 150'
T.B.P.L.S. FIRM #10194139		BY: rc/cmb
		EXHIBIT "A" SHEET 01 OF 01


$$1'' = 400'$$

ZONING CASE#: C14-2022-0155



Created: 11/8/2022