

**ORDINANCE NO. 20231019-070**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2304, 2308, AND 2312 MORELOS STREET, AND 2237 WEBBERVILLE ROAD, IN THE CENTRAL EAST AUSTIN NEIGHBORHOOD COMBINED PLAN AREA FROM GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY-MIXED USE-NEIGHBORHOOD PLAN (CS-CO-MU-NP) COMBINING DISTRICT TO COMMERCIAL-LIQUOR SALES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-1-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-conditional overlay-mixed use-neighborhood plan (CS-CO-MU-NP) combining district to commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district on the property described in Zoning Case No. C14-2023-0020, on file at the Planning Department, as follows:

0.1679 acre of land, being a portion of the north 45 feet of LOT 1, the north 45 feet of LOT 2, the south 105 feet and the east 40 feet of LOT 2, BLOCK 6, LINCOLN PLACE OUTLOTS 23 & 23 ½ DIVISION "A", a subdivision in the City of Austin, Travis County, Texas, according to the map or plat thereof as recorded in Volume 3, Page 1, of the Plat Records of Travis County, Texas, said 0.1679 acre of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance, and

South 105 feet of the East 40 feet of LOT 2, and the South 105 feet of the West 5 feet of LOT 3, BLOCK 6, LINCOLN PLACE OUTLOTS 22 AND 23 ½ DIVISION "A", a subdivision in the City of Austin, Travis County, Texas, according to the map or plat thereof as recorded in Volume 3, Page 1, of the Plat Records of Travis County, Texas, and

North 45 feet of LOTS 1, 2, and 3, BLOCK 6, LINCOLN PLACE OUTLOTS 22 AND 23 ½ DIVISION "A", a subdivision in the City of Austin, Travis County, Texas, according to the map or plat thereof as recorded in Volume 3, Page 1, of the Plat Records of Travis County, Texas, and

South 105 feet of the East 40 feet of LOT 3, BLOCK 6, LINCOLN PLACE OUTLOTS 23 AND 23 ½ DIVISION “A”, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat thereof as recorded in Volume 3, Page 1, of the Plat Records of Travis County, Texas, and

LOT 4, BLOCK 6, LINCOLN PLACE OUTLOTS 23 AND 23 ½ DIVISION “A”, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat thereof as recorded in Volume 3, Page 1, of the Plat Records of Travis County, Texas (the “Property”),

locally known as 2304, 2308, and 2312 Morelos Street, and 2237 Webberville Road, 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) Cocktail lounge use on the Property shall be limited to a maximum of 3,500 square feet.

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

- |  |                           |
|--|---------------------------|
| Adult-oriented businesses              | Automotive rentals        |
| Automotive sales                       | Campground                |
| Commercial off-street parking          | Convenience storage       |
| Drop-off recycling collection facility | Equipment repair services |
| Equipment sales                        | Laundry service           |
| Pawn shop services                     | Vehicle storage           |

(C) The following uses are conditional uses on the Property:

- |                                      |                                   |
|--------------------------------------|-----------------------------------|
| Building maintenance services        | Communications service facilities |
| Construction sales and services      | Kennels                           |
| Limited warehousing and distribution |                                   |

**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) base 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. 011213-42 that established zoning for the Central East Austin Neighborhood Plan.

**PART 5.** This ordinance takes effect on October 30, 2023.

**PASSED AND APPROVED**

\_\_\_\_\_, October 19 \_\_\_\_\_, 2023

§  
§  
§

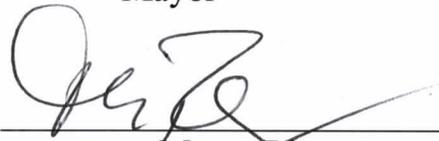


Kirk Watson  
Mayor

**APPROVED:**

  
Anne L. Morgan *by [initials]*  
City Attorney

**ATTEST:**

  
Myrna Rios  
City Clerk

# EXHIBIT A

CITY OF AUSTIN

FOR 0.1679 OF AN ACRE [7,313 sq.ft.]  
THE REMAINDER OF THE NORTH 45 FEET OF LOT 1,  
THE NORTH 45 FEET OF LOT 2 AND THE SOUTH 105 FEET OF  
THE EAST 40 FEET OF LOT 2  
BLOCK 6, LINCOLN PLACE, OUTLOTS 23 & 23-1/2  
VOLUME 3, PAGE 1, PLAT RECORDS TRAVIS COUNTY, TEXAS

## FIELD NOTE DESCRIPTION

A 0.1679 ACRE (OR 7,313 SQUARE FEET) TRACT OF LAND, BEING OUT OF THE REMAINDER OF THE NORTH 45 FEET OF LOT 1, BLOCK 6, THE NORTH 45 FEET OF LOT 2 OF LINCOLN PLACE OUTLOTS 23 & 23-1/2, ACCORDING TO THE PLAT RECORDED IN VOLUME 3, PAGE 1, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, (P.R.T.C.TX.) CONVEYED TO FLYING X INVESTMENTS, LLC, ACCORDING TO A GENERAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2022090718 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS (O.P.R.T.C.TX.), AND THE SOUTH 105 FEET OF THE EAST 40 FEET OF LOT 2, CONVEYED TO FLYING X INVESTMENTS, LLC, ACCORDING TO A GENERAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2022090716 O.P.R.T.C.TX. AS SURVEYED BY SURVEY WORKS, LLC ON SEPTEMBER 22, 2021, PROJECT NO. 21-0256.01, ALL MEASUREMENTS SHOWN IN GRID AND BASED ON STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD 1983, THIS DESCRIPTION TO ACCOMPANY AN EXHIBIT OF LIKE DATE REPRESENTING AN ON THE GROUND SURVEY, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2-inch iron rod with pink cap stamped "SURVEY WORKS" set marking the intersection of the southeast Right of Way (R.O.W.) line of Webberville Road (R.O.W. Varies) and the south line of the north 45 feet of said Lot 1;

**Thence, N 60°09'14" E** along the southeast line of said Webberville Road, for a distance of **59.08 feet**, to a 1/2-inch iron rod with pink cap stamped "SURVEY WORKS" set on the south line of a 17.9' wide Alley, common to the north line of said Lot 2, for the northwest corner of the herein described tract;

**Thence, S 69°39'06" E** along the south line of said Alley and the north line of said Lot 2, for a distance of **49.68 feet**, to a calculated point for the northeast corner of said Lot 2, common to the northwest corner of Lot 3, Block 6 of said Lincoln Place;

**Thence, S 20°20'54" W** along the east line of said Lot 2, common to the west line of said Lot 3, for a distance of **150.38 feet**, to a 1/2-inch iron rod with pink cap stamped "SURVEY WORKS" set on the north line of Morelos Street, formerly Eighth Street (ROW varies), for the southeast corner of said Lot 2 and the herein described tract;

**Thence, N 69°39'06" W** along the north line of Morelos Street, common to the south line of said Lot 2, for a distance of **40.00 feet**, to a 1/2-inch iron rod found for the southwest corner of the herein described tract;

**Thence, N 20°20'54" E** along the west line of said South 105 feet of the east 40 feet tract, common to the east line of a called 35 feet by 105 feet of Lot 1 and the west 10 feet by 105 feet of Lot 2, as conveyed to Derrick Bonyuet in warranty deed recorded in Document No. 2005108557 O.P.R.T.C.TX., for a distance of **105.00 feet**, to a calculated point for the northeast corner of said Derrick Bonyuet tract, common to an internal corner of the herein described tract;

**Thence, N 69°39'06" W** along the south lines of the north 45 feet of said Lots 1 & 2 for a distance of **47.50 feet** to the **POINT OF BEGINNING**, in all containing **0.1679** acres or 7,313 square feet of land, more or less.

I CERTIFY THAT THIS SURVEY HAS BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF TEXAS TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE OF LAST FIELD WORK: SEPTEMBER 22, 2021



DEREK KINSAUL, R.P.L.S. NO. 6356 FEBRUARY 3, 2023

DRAWN BY: EV REVIEWED BY: REK  
FIELD CREW: JK

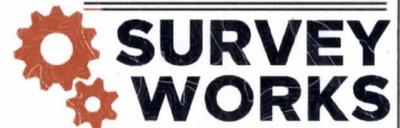
REVISION #1: REVISED ZONNING AREA FEBRUARY 7, 2023

SHEET SIZE = 8.5"X11"



2237 WEBBERVILLE ROAD  
AUSTIN, TX

PROJECT NO. 21-0256.01  
PARCEL ID: 0204100502  
GRID MAP : MK-22



INFO@SURVEYWORKSAUSTIN.COM  
SURVEYWORKSAUSTIN.COM  
1207 UPLAND DRIVE  
AUSTIN, TX 78741  
FIRM #10194157  
(512) 599-8067

SHEET  
1 of 2

# ZONING EXHIBIT (MAP TO ACCOMPANY FIELD NOTES)

LOT 1, BLOCK 5  
LINCOLN PLACE  
OUTLOTS 23 & 23-1/2 DIVISION "A"  
VOL. 3 PG. 1  
P.R.T.C.TX.

LOT 2, BLOCK 5  
LINCOLN PLACE  
OUTLOTS 23 & 23-1/2 DIVISION "A"  
VOL. 3 PG. 1  
P.R.T.C.TX.

17.9' ALLEY  
(PER PLAT)

WEBBERVILLE ROAD  
(R.O.W. WIDTH VARIES)

S 69°39'06" E 49.68'

N 60°09'14" E 59.08'

**MEASURED ACREAGE**  
0.1679 ACRES OR  
7,313 SQ. FT. ±

NORTH 45 FEET OF LOTS 1,2,3  
BLOCK 6  
LINCOLN PLACE  
OUTLOTS 23 & 23-1/2 DIVISION "A"  
VOL. 3 PG. 1  
P.R.T.C.TX.  
DOC. NO. 2004170096  
O.P.R.T.C.TX.

FLYING X INVESTMENTS, LLC  
DOC. NO. 2022090718  
O.P.R.T.C.TX.

LOT 4, BLOCK 6  
LINCOLN PLACE  
OUTLOTS 23 & 23-1/2  
DIVISION "A"  
VOL. 3 PG. 1  
P.R.T.C.TX.

FLYING X INVESTMENTS, LLC  
DOC. NO. 2022090718  
O.P.R.T.C.TX.

P.O.B.  
N 69°39'06" W 47.50'

THE EAST 35 FEET BY 105 FEET  
OF LOT 1 AND THE  
WEST 10 FEET BY 105 FEET  
OF LOT 2, BLOCK 6  
LINCOLN PLACE  
OUTLOTS 23 & 23-1/2  
DIVISION "A"  
VOL. 3 PG. 1  
P.R.T.C.TX.

DERRICK BONYUET  
DOC. NO. 2005108557  
O.P.R.T.C.TX.

SOUTH 105 FT OF EAST 40 FEET  
OF LOT 2 AND THE  
SOUTH 105 FT OF THE  
WEST 5 FT OF LOT 3  
BLOCK 6  
LINCOLN PLACE  
OUTLOTS 23 & 23-1/2  
DIVISION "A"  
VOL. 3 PG. 1  
P.R.T.C.TX.

FLYING X INVESTMENTS, LLC  
DOC. NO. 2022090716  
O.P.R.T.C.TX.

THE SOUTH 105 FEET OF  
THE EAST 40 FEET  
OF LOT 3, BLOCK 6  
LINCOLN PLACE  
OUTLOTS 23 & 23-1/2  
DIVISION "A"  
VOL. 3 PG. 1  
P.R.T.C.TX.

FLYING X INVESTMENTS, LLC  
DOC. NO. 2022090717  
O.P.R.T.C.TX.

### LEGEND

- 1/2" IRON ROD FOUND (PINK CAP STAMPED "SURVEY WORKS")
- 1/2" IRON ROD FOUND
- ▲ MAG NAIL SET WITH WASHER STAMPED "SURVEY WORKS"
- △ CALCULATED POINT
- PROPERTY LINE
- - - ADJOINER LINE
- - - ORIGINAL LOT LINE
- - - EDGE OF PAVEMENT
- VOLUME AND PAGE
- P.R.T.C.TX. PLAT RECORDS TRAVIS COUNTY TEXAS
- O.P.R.T.C.TX. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY TEXAS
- R.O.W. RIGHT OF WAY
- ( ) RECORD INFORMATION
- P.O.R. POINT OF REFERENCE
- P.O.B. POINT OF BEGINNING

PORTION OF LOT 1, BLOCK 6  
LINCOLN PLACE  
OUTLOTS 23 & 23-1/2  
DIVISION "A"  
VOL. 3 PG. 1  
P.R.T.C.TX.

ROLLING RDR  
PROPERTIES, LLC  
DOC. NO. 2011061602  
O.P.R.T.C.TX.

LOT 1

PORTION OF LOT 1,  
BLOCK 6  
LINCOLN PLACE  
OUTLOTS 23 & 23-1/2  
DIVISION "A"  
VOL. 3 PG. 1  
P.R.T.C.TX.

ROLLING RDR  
PROPERTIES, LLC  
DOC. NO. 2006149418  
O.P.R.T.C.TX.

ORIGINAL LOT LINE

N 20°20'54" E 105.00'

LOT 2

ORIGINAL LOT LINE S 20°20'54" W 150.38'

LOT 3

N 69°39'06" W 40.00'

MORELOS ST  
(FORMERLY EIGHTH STREET)  
(R.O.W. WIDTH VARIES)

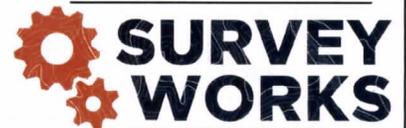


SCALE: 1" = 30'

### DATUM & BEARING BASIS

TEXAS STATE PLANE COORDINATE SYSTEM,  
GRID NORTH, CENTRAL ZONE (4203), NAD 83.  
ELEVATION DATA NAVD 88, GEOID 12B.  
DISTANCES IN US SURVEY FEET (GRID).

PROJECT NO. 21-0256.01  
AUSTIN, TEXAS  
TRAVIS COUNTY



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