

ORDINANCE NO. 20231109-043

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 8400, 8402, 8406, 8408, AND 8412 SOUTH CONGRESS AVENUE AND 108 RALPH ABLANEDO DRIVE FROM LIMITED INDUSTRIAL SERVICE-CONDITIONAL OVERLAY (LI-CO) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY (CS-V-CO) 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 (LI-CO) combining district to general commercial services-vertical mixed use building-conditional overlay (CS-V-CO) combining district on the property described in Zoning Case No. C14-2023-0037, on file at the Planning Department, as follows:

2.2199 acres comprised of Tract 1: LOT 1, BLOCK A, QUINLAN SUBDIVISION, according to the map or plat recorded in Volume 93, Page 42, Plat Records Travis County, Texas; Tract 2: 0.406 acre tract, situated in the William Cannon League, as recorded in Volume 12950, Page 840, Official Public Records Travis County, Texas, and a called 0.460 of an acre tract, as recorded in Document No. 2008058500, Official Public Records Travis County, Texas, the tract of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 8400, 8402, 8406, 8408, and 8412 South Congress Avenue and 108 Ralph Ablanedo Drive 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:

- (A) Except for emergency vehicles, all vehicular access to Ralph Ablanedo Drive is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

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

Alternative Financial Services	Automotive rentals
Automotive Repairs & Services	Automotive Sales
Automotive Washing (of any type)	Bail Bond Services
Campground	Carriage Stable
Commercial Off-Street Parking	Construction Sales & Services
Convenience Storage	Custom Manufacturing
Drive through service as an accessory use to a commercial use	Equipment Repair Services
Equipment Sales	Exterminating Services
Funeral Services	Hospital Services (Limited)
Indoor Crop Production	Indoor Sports & Recreation
Laundry Services	Limited Warehousing & Distribution
Monument Retail Sales	Off-Site Accessory Parking
Outdoor Sports and Recreation	Pawn Shop Services
Pedicab Storage & Dispatch	Research Services
Service Station	Urban Farm
Vehicle Storage	

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 and other applicable requirements of the City Code.

PART 4. This ordinance takes effect on November 20, 2023.

PASSED AND APPROVED

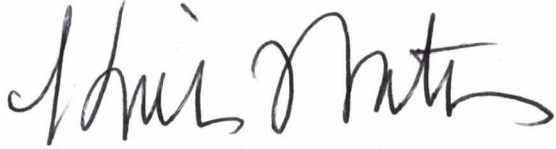

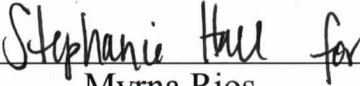
_____ November 9 _____, 2023	§ § § _____  Kirk Watson Mayor
APPROVED: _____  Anne L. Morgan City Attorney	ATTEST: _____  <i>for</i> Myrna Rios City Clerk

EXHIBIT "A"

STATE OF TEXAS
TRAVIS COUNTY

2.2199 ACRES

Exhibit "A"

Field Note Description of a **2.2199 Acres (54,974.6 square feet)**, comprised of Tract 1: Lot 1, Block A, Quinlan Subdivision, as recorded in Volume 93, Page 42, Plat Records Travis County, Texas, (P.R.T.C.T.), as conveyed to South Austin Partners LLC., in Volume 12950, Page 840, Official Public Records Travis County, Texas (O.P.R.T.C.T.), Tract 2: a 0.406 of an acre tract, situated in the William Cannon League, as conveyed to South Austin Partners LLC., Volume 12950, Page 840 (O.P.R.T.C.T.) & a called 0.460 of an acre tract, as conveyed to South Austin Partners LLC., in Document No. 2008058500, O.P.R.T.C.T., the said **2.2199 Acres (54,974.6 square feet)** being more particularly described by metes & bounds as follows:

BEGINNING at a ½ iron rod found in the north Right-of-Way (R.O.W.) of Ralph Ablanado Drive (70' R.O.W.), same point being the southeast corner of a called 5.19 acres, as conveyed to Ablanado, LLC., in Document No. 2020122623, O.P.R.T.C.T. for the southwest corner and the "**POINT OF BEGINNING**" of the herein described 2.2199 Acre tract;

THENCE Along and with the common boundary of the called 5.19 acres (Ablanado LLC tract) and the herein described 2.2199 acres, the following 4 (four) bearings and distances:

1. North 17°19'09" East, a distance of 125.53 feet to a ½ inch iron rod found for the north corner of a called 0.406 of an acre tract, as conveyed to South Austin Partners in Volume 12950, Page 840, O.P.R.T.C.T., for an internal corner of the herein described 2.2199 Acre tract;
2. North 17°53'01" East, a distance of 278.36 feet to a ½ inch iron rod found for the north corner of Lot 1, Block A, Quinlan Subdivision, as conveyed to South Austin Partners LLC., in Volume 12950, Page 840, O.P.R.T.C.T., for an internal corner of the herein described 2.2199 acre tract;
3. North 18°20'52" East, a distance of 111.58 feet to a ½ inch iron rod found for the north corner of the called 0.460 of an acre tract, for the north corner of the herein described 2.2199 acre tract;
4. South 64°06'33" East, along and with the called 5.19 acres, continuing along and with a called 0.284 of an acre tract as conveyed to Carl & Debora Galbreath in Document No. 2015101888, O.P.R.T.C.T., a distance of 166.30 feet to a ½ inch iron rod found for the most northerly northeast corner of the herein described 2.2199 acre tract;

THENCE South 15°47'09" East, along and with the common boundary of the called 0.284 of an acre tract (Galbreath tract), and the herein described 2.2199 acre tract, a distance of 59.70 feet to a ½ inch iron rod found on the west Right-of-Way (R.O.W.) of South Congress Avenue (120 foot R.O.W.), for a northeasterly corner of the herein described 2.2199 acre tract; from which a concrete monument found on the west R.O.W. of South Congress Avenue bears North 14°03'08" East, a distance of 48.41 feet;

THENCE South 13°48'02" West, along and with the common boundary of the west R.O.W. of South Congress Avenue, and the herein described 2.2199 acre tract, a distance of 52.30 feet to a ½ inch iron rod found for the northeast corner of the said Lot 1, Block A, Quinlan Subdivision, for an internal corner of the herein described 2.2199 acre tract;

THENCE South 14°08'35" West, along and with the common boundary of the west R.O.W. of South Congress Avenue, and the herein described 2.2199 acre tract, a distance of 280.95 feet to a ½ inch iron rod found for the northeast corner of a called 0.248 of an acre tract, as conveyed to Usman Holding LLC., in Document No. 2015101888, O.P.R.T.C.T., for the most the most northerly southeast corner of the herein described 2.2199 acre tract;

THENCE along and with the common boundary of the called 0.248 of an acre (Usman tract), and the herein described 2.2199 acre tract, the following two (2) bearings and distances:

1. North 68°13'27" West, a distance of 80.96 feet to a ½ inch iron rod found for an internal corner of the herein described 2.2199 Acre tract;

2. South 17°24' 28" West, a distance of 127.52 feet to a ½ inch iron rod found on the north R.O.W. of Ralph Ablanado Drive (70' R.O.W.), for the most southerly southeast corner of the herein described 2.2199 Acre tract;

THENCE North 67°14'23" West, along and with the common boundary of the north R.O.W. line Ralph Ablanado Drive (70' R.O.W.), and the herein described 2.2199 acres, a distance of 140.29 feet to the **"POINT OF BEGINNING"** and containing within these metes & bounds **2.2199 acres (54,974.6 square feet)**, of land, more or less. (All bearings are based on The Texas Coordinate System, Central Zone 4203, NAD 83).

I hereby certify that the foregoing legal description was prepared from an on the ground survey performed on September 15, 2022, under my supervision and it correctly represents the facts found at the time of the survey.


Xavier Sandoval
Registered Professional Land Surveyor
License No. 5886 State of Texas



APPROVED

By SR at 2:57 pm, Oct 11, 2022

ABLANEDO LLC,
CALLED 5.19 ACRES,
TRT A WATTINGER ACRES
DOC. NO. 2020122623,
O.P.R.T.C.T.

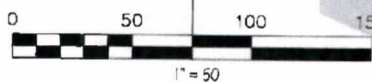
GALBREATH CARL E &
DEBORA,
ABS 6 SUR 19 CANNON W.,
CALLED 0.284 ACRES,
VOL. 4834, PG. 1263,
2015101888, O.P.R.T.C.T.

JOHNS LLC
ABS 6 SUR 19 CANNON W.
CALLED 0.4787 ACRES,
DOC. NO. 2017143048, O.P.R.T.C.T.

- NOTES:
- THIS SURVEY IS CERTIFIED TO: BANK ONE, ENCLAVE PROPERTY MANAGEMENT LLC & DE ANANE LIMITED LIABILITY COMPANY, HERITAGE TITLE COMPANY OF AUSTIN, INC., AND/OR FIRST AMERICAN TITLE INSURANCE COMPANY.
 - TITLE COMMITMENT # NO. 202203557
 - PROPOSED INSURED: ENCLAVE PROPERTY MANAGEMENT LLC.
 - SITE ADDRESS: 8402-8412 S. CONGRESS AVE. AUSTIN, TX 78745.
 - GRID BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD83, CENTRAL ZONE 4203.
 - O.P.R.T.C.T. = OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS.
 - P.R.T.C.T. = PLAT RECORDS TRAVIS COUNTY, TEXAS.
 - D.R.T.C.T. = DEED RECORDS TRAVIS COUNTY, TEXAS.
 - PL # DENOTES PROPERTY LINE.
 - P.U.E. = PUBLIC UTILITY EASEMENT.
 - 5 FOOT ELECTRIC EASEMENT, VOL. 93, PG. 42, P.R.T.C.T. HAS BEEN RELEASED.
 - PROPERTY CORNERS NOTED.
 - THE SUBJECT PROPERTY HAS ACCESS TO A FROM A PUBLIC ROADWAY.
 - THERE ARE NO VISIBLE ENCROACHMENTS OR OVERLAPPING OF IMPROVEMENTS EXCEPT AS SHOWN. FENCES ARE DETERMINED TO NOT BE ENCROACHMENTS.
 - THERE MAY BE EXISTING UTILITIES & PIPELINES NOT SHOWN ON PLAT. USE THE TEXAS ONE CALL SYSTEM TO LOCATE PIPELINES BEFORE PERFORMING EXCAVATIONS ON THIS PROPERTY (<http://texas811.org>).
 - UNLESS OTHERWISE NOTED, AN EXAMINATION OF THE ABSTRACT OF TITLE WAS NOT PERFORMED BY THE SIGNING SURVEYOR TO DETERMINE WHICH INSTRUMENTS, IF ANY, ARE AFFECTING THIS PROPERTY.
 - THIS SURVEY IS BEING PROVIDED SOLELY FOR THE USE OF CURRENT PARTIES, AND CONTAINS THE ORIGINAL SIGNATURE IN BLUE INK. NO EXPRESSED OR IMPLIED LICENSE HAS BEEN CREATED TO COPY THIS SURVEY EXHIBIT, EXCEPT AS NECESSARY IN CONJUNCTION WITH THE ORIGINAL TRANSACTION, AND IS LIMITED TO SIX (6) MONTHS FROM THE DATE OF THIS SURVEY.
 - ALL RIGHTS RESERVED © UCC1-306, 2022.

LEGEND

- GW GUY WIRE
MH STORM MANHOLE
PP POWER POLE
MH COMMUNICATION MANHOLE
MH SANITARY MANHOLE
SN SIGN
FH FIRE HYDRANT
CO CLEAN OUT
GI GRATE INLET
WM WATER METER
WM MAILBOX
ASHPALT
GRAVEL/NG
CONCRETE



Xavier Sandoval
REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSE NO. 5886, STATE OF TEXAS

I, XAVIER SANDOVAL, REGISTERED PROFESSIONAL LAND SURVEYOR OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT REPRESENTS AN ON THE GROUND SURVEY, PERFORMED UNDER MY SUPERVISION THIS THE 15TH DAY OF SEPTEMBER 2022.

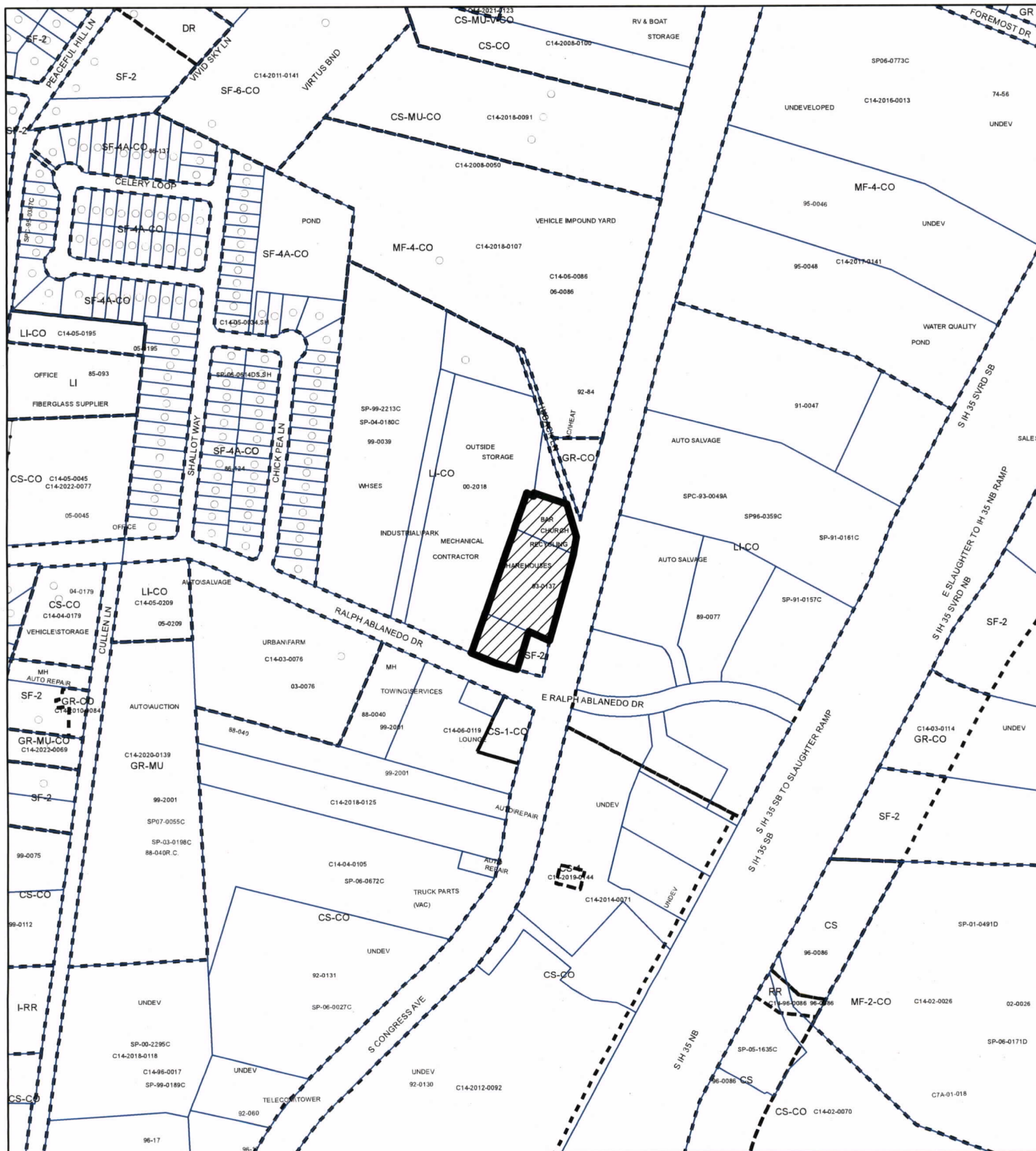
SURVEY OF 2.2199 ACRES (96,700.0 SQ. FEET), TRACT 1: LOT 1, BLOCK A, QUINLAN SUBD., VOL. 93, PG. 42, P.R.T.C.T., TRACT 2: 0.406 ACRES, SITUATED IN WM. CANNON LEAGUE, AS CONVEYED TO SOUTH AUSTIN PARTNERS LLC, VOL. 12950, PG. 840, O.P.R.T.C.T. & 0.460 ACRES DOC. NO. 2008058300, O.P.R.T.C.T.

DRAWN BY:	DATE:
XDS	10/06/2022
APPROVED:	DATE:
XDS	09/27/2022
SCALE:	PROJECT NO.:
1" = 50'	22-819

SURVEYING & MAPPING

SERVICES

Xavier D Sandoval SURVEYOR,
210.718.7189
xaviersandoval@gmail.com
320 S. WALNUT AVE. NEW
BRAUNFELS, TX 78130



SUBJECT TRACT

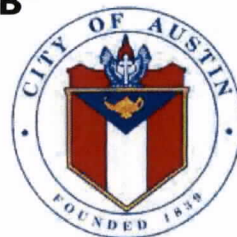
PENDING CASE

ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2023-0037

EXHIBIT "B"



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: 3/27/2023