

**ORDINANCE NO. 20240118-075**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR A PORTION OF THE PROPERTY LOCATED AT 4619 SOUTH CONGRESS AVENUE IN THE SOUTH CONGRESS COMBINED NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-MIXED USE-NEIGHBORHOOD PLAN (CS-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-mixed use-neighborhood plan (CS-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. C14-2023-0089, on file at the Planning Department, as follows:

A 0.0598 acre tract of land, more or less, out of LOT 1, THOM FARRELL SUBDIVISION PLAT, recorded in Volume 67, Page 21, of the Plat Records of Travis County, Texas, being that same tract conveyed by deed recorded in Document No. 2018200731, Official Public Records of Travis County, Texas, said 0.0598 acre of land being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (the “Property”),

a portion of the property locally known as 4619 South Congress 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:

The following uses are prohibited uses of the Property:

Adult-oriented businesses services

**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. 20050818-Z004 that established zoning for the East Congress Neighborhood Plan.

**PART 5.** This ordinance takes effect on January 29, 2024.

**PASSED AND APPROVED**

\_\_\_\_\_  
January 18, 2024

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§  
§



\_\_\_\_\_  
Kirk Watson  
Mayor

**APPROVED:**



\_\_\_\_\_  
Anne L. Morgan  
City Attorney

**ATTEST:**



\_\_\_\_\_  
Myrna Rios  
City Clerk

**EXHIBIT "A"**

**Political Metes and Bounds Description**

A metes and bounds description of a 0.0598 acre (2,606 Sq. Ft.) tract more or less, being out of Lot 1, Thom Farrell Subdivision Plat, recorded in Volume 67, Page 21, Deed and Plat Records (D.P.R.) of Travis County, Texas, conveyed to Congress Project LLC, by deed recorded in Document No. 2018200731, Official Public Records (O.P.R.), Travis County, Texas (all records referenced herein are in Travis County, Texas), said 0.0598 of an acre tract being more particularly described by metes and bounds as follows:

**COMMENCING:** at a point, on the northeast right-of-way (R.O.W.) line of Sheraton Avenue, (a 70-foot-R.O.W.), and a west corner of said Lot 1, Thom Farrel Subdivision,

**THENCE:** North 87°56'42" East, departing the northeast R.O.W. line of Sheraton Avenue, a distance of 237.12 feet to a point, for an interior corner of a stone façade of a suite wall,

**THENCE:** North 62°13'37" West, departing the interior corner of said stone façade, a distance of 4.20 feet to a point on a exterior glass wall of said suite,

**THENCE:** North 27°46'23" East, departing the exterior glass wall of said suite, a distance of 0.40 feet to a point for the **POINT OF BEGINNING** and the south corner of the herein described suite,

**THENCE:** into and across the existing suite, the following four (4) calls:

1. North 62°13'37" West, a distance of 73.10 feet, to a point for the west corner of the herein described tract,
2. North 27°46'23" East, a distance of 35.65 feet, to a point for the north corner of the herein described tract, from which a point in the southeast R.O.W. line of South Congress, (a Variable-Width R.O.W.), for the north corner of said Lot 1, bears North 58°01'16" West, 152.05 feet,
3. South 62°13'37" East, a distance of 73.10 feet, for the east corner of the herein described tract,
4. South 27°46'23" West, a distance of 35.65 feet to the **POINT OF BEGINNING** and containing 0.0598 acres (2,606 Sq. Ft.) more or less.

Notes:

This document was prepared under 22TAC663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creating or reconfiguration of the boundary of the political subdivision for which it was prepared.

UP Engineering + Surveying  
11903 Jones Maltsberger Rd.  
Suite 102  
San Antonio, Texas 78216  
TBPELS Firm No. 10194606



*Richard L. Neubauer III*

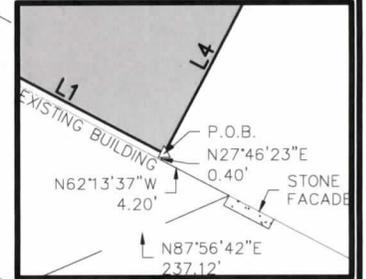
Richard L. Neubauer III Date: 11-17-2023  
Registered Professional Land Surveyor  
No. 6897 – State of Texas



SCALE: 1" = 60'

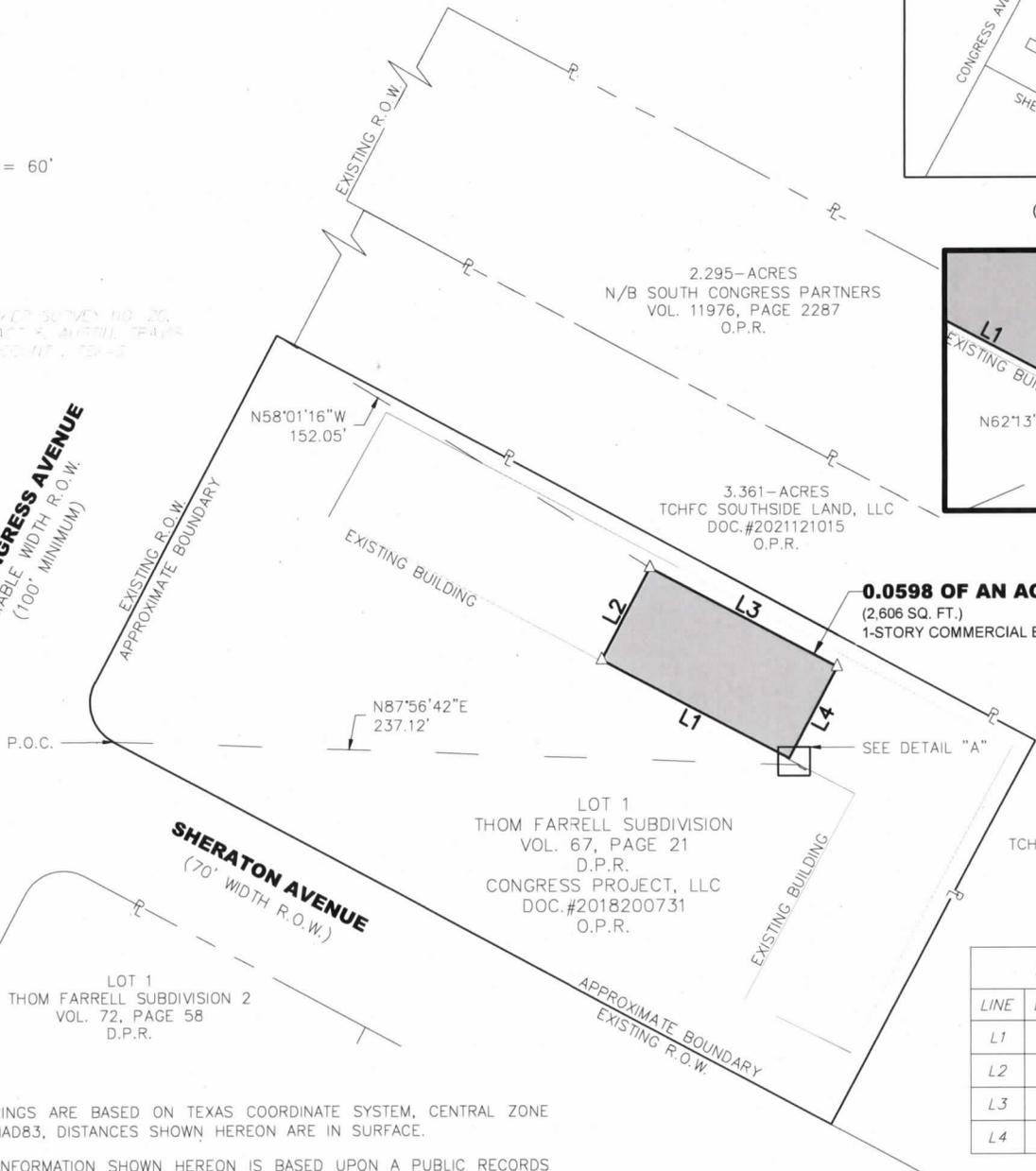


VICINITY MAP (NOT TO SCALE)



DETAIL "A" 1" = 10'

**SOUTH CONGRESS AVENUE**  
VARIABLE WIDTH R.O.W.  
(100' MINIMUM)



2.295-ACRES  
N/B SOUTH CONGRESS PARTNERS  
VOL. 11976, PAGE 2287  
O.P.R.

3.361-ACRES  
TCHFC SOUTHSIDE LAND, LLC  
DOC.#2021121015  
O.P.R.

**0.0598 OF AN ACRE**  
(2,606 SQ. FT.)  
1-STORY COMMERCIAL BUILDING

LOT 1  
THOM FARRELL SUBDIVISION  
VOL. 67, PAGE 21  
D.P.R.  
CONGRESS PROJECT, LLC  
DOC.#2018200731  
O.P.R.

3.361-ACRES  
TCHFC SOUTHSIDE LAND, LLC  
DOC.#2021121015  
O.P.R.

LOT 1  
THOM FARRELL SUBDIVISION 2  
VOL. 72, PAGE 58  
D.P.R.

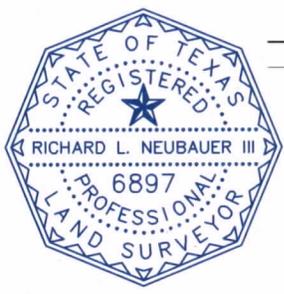
LINE TABLE		
LINE	LENGTH	BEARING
L1	73.10'	N62°13'37"W
L2	35.65'	N27°46'23"E
L3	73.10'	S62°13'37"E
L4	35.65'	S27°46'23"W

**NOTES:**

1. ALL BEARINGS ARE BASED ON TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203), NAD83, DISTANCES SHOWN HEREON ARE IN SURFACE.
2. RECORD INFORMATION SHOWN HEREON IS BASED UPON A PUBLIC RECORDS SEARCH PERFORMED BY UP ENGINEERING + SURVEYING NOV. 16, 2023.
3. FOR ADDITIONAL INFORMATION, SEE ATTACHED LEGAL DESCRIPTION MADE IN CONJUNCTION WITH AND CONSIDERED AN INTEGRAL PART OF THIS PLAT.
4. "THIS DOCUMENT WAS PREPARED UNDER 22TAC663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED."

*Richard L. Neubaue III* Date: 11-17-2023

RICHARD L. NEUBAUER III R.P.L.S., TEXAS NO. 6897  
REGISTERED PROFESSIONAL LAND SURVEYOR  
UP ENGINEERING + SURVEYING LLC



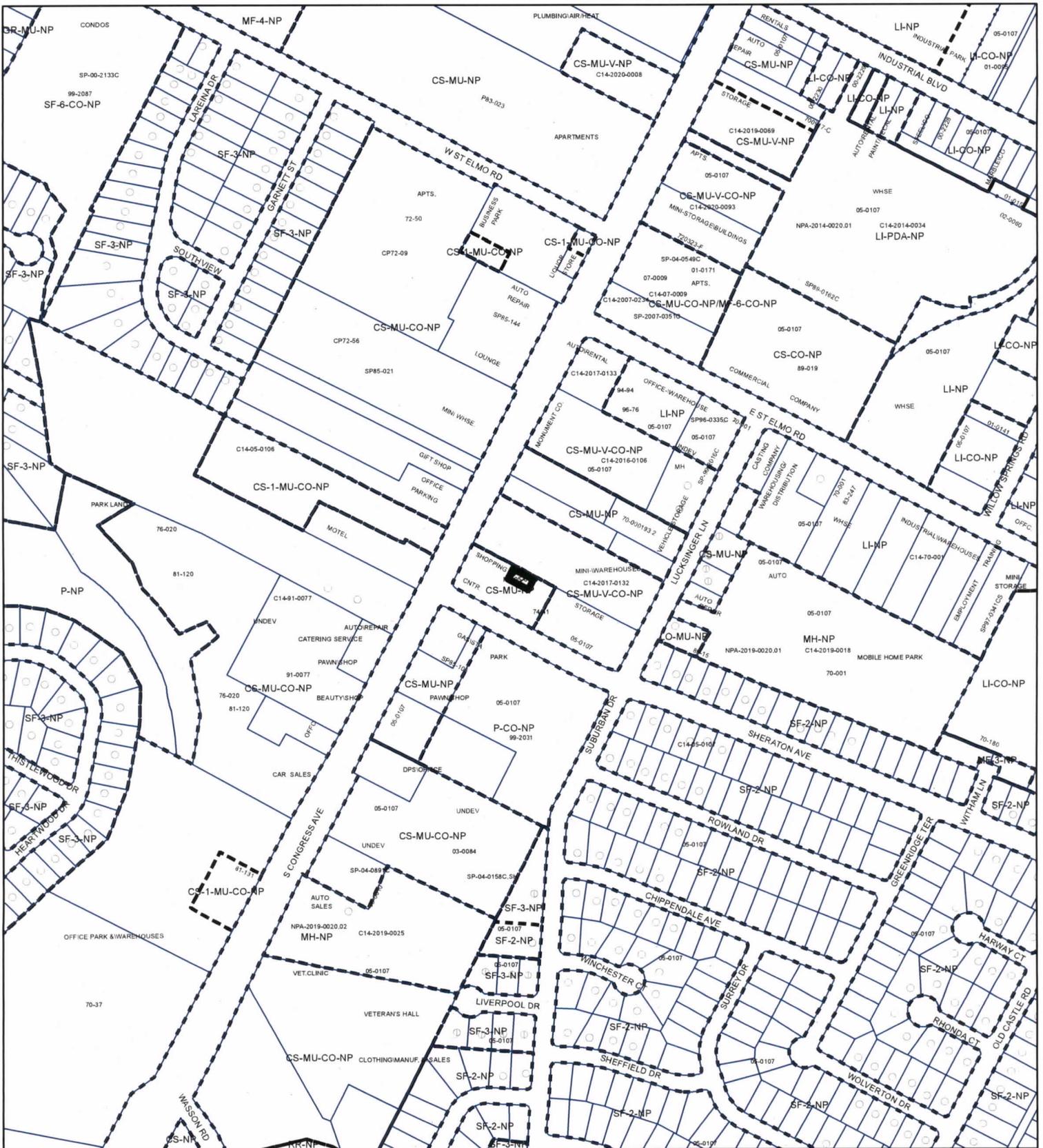
**LEGEND**

- BOUNDARY LINE
- - - EXISTING ADJOINER LINE
- Δ CALCULATED POINT
- VOL. VOLUME
- P.O.C. POINT OF COMMENCING
- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT-OF-WAY
- N.C.B. NEW CITY BLOCK
- O.P.R. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS DEED AND PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF TRAVIS COUNTY, TEXAS

<b>SHEET</b>  <b>2</b>  OF <b>2</b>	PROJECT NO.	513
	CHECKED:	RN
	DRAWN:	SP
	FIELD CREW:	TT/MW/JG
	FIELD WORK DATE:	11/13/2023

**0.0598 OF AN ACRE TRACT**  
**(2,606 SQ. FT.)**  
Address: 4619 S Congress Ave  
Austin, Texas 78745  
Travis County, Texas

**UP**  
**ENGINEERING + SURVEYING**  
11903 JONES MALTSBERGER RD, SUITE 102  
SAN ANTONIO, TX 78216 TEL. 210-774-5504  
WWW.UPENGINEERING.COM TYPE F-17992  
TBPELS F-10194906



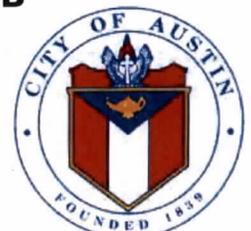
**ZONING**

**EXHIBIT "B"**

ZONING CASE#: C14-2023-0089



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



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 Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 400'

Exhibit A

Created: 11/21/2023