

ORDINANCE NO. 20240118-081

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR A PORTION OF THE PROPERTY LOCATED AT 1601 WEST 38TH STREET, SUITE 3, FROM COMMUNITY COMMERCIAL (GR) DISTRICT TO COMMERCIAL-LIQUOR SALES-CONDITIONAL OVERLAY (CS-1-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 community commercial (GR) base district to commercial-liquor sales-conditional overlay (CS-1-CO) combining district on the property described in Zoning Case No. C14-2023-0125, on file at the Planning Department, as follows:

0.0616 acres of land (approximately 2,685 square feet), being a portion of LOT 8, JEFFERSON STREET ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof as recorded in Volume 530, Page 234 of the Plat Records of Travis County, Texas, said 0.0616 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 1601 West 38th Street, Suite 3, 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 on the Property:

Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Campground	Cocktail Lounge
Commercial blood plasma center	Drop-off recycling collection facility
Pawn shop services	Pedicab storage and dispatch
Service station	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 commercial-liquor sales (CS-1) base district, and other applicable requirements of the City Code.

PART 4. This ordinance takes effect on January 29, 2024.

PASSED AND APPROVED

January 18, 2024

§
§
§

Kirk Watson
Mayor

APPROVED: _____
Anne L. Morgan
City Attorney

ATTEST: _____
Myrna Rios
City Clerk

EXHIBIT A

(Zoning Description)
Lot 8, Map of Jefferson Street Addition

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.0616 ACRE (2,685 SQUARE FEET) OUT OF LOT 8 OF THE MAP OF THE JEFFERSON STREET ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, RECORDED IN VOLUME 530, PAGE 234 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.), AND BEING OUT OF AND A PORTION OF A CALLED 1.17 ACRE TRACT, CONVEYED TO EHRlich JEFFERSON SQUARE LIMITED PARTNERSHIP, RECORDED IN VOLUME 12474, PAGE 670 OF THE REAL PROPERTY RECORDS, OF TRAVIS COUNTY, TEXAS (R.P.R.T.C.T.), SAID 0.0616 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:



PO Box 90876
Austin, TX 78709
(512) 537-2384
jward@4wardls.com
www.4wardls.com

COMMENCING, at a 1/2-inch iron pipe found at the southeast corner of said Ehrlich Jefferson Square tract, and being the northeast corner of a called 0.095 acre tract conveyed to Christopher Linn Sanders and Hannah Lea Temple, recorded in Document No. 2013149253 of the Official Public Records of Travis County, Texas (O.P.R.T.C.T.), and being the west right-of-way line of Kerbey Lane (50' Right-of-way, platted as Blanco Street on said Map of Jefferson Street Addition), and being in the east line of Lot 6 of said Map of the Jefferson Addition, from which a 1/2-inch iron rod found at the southeast corner of a tract conveyed to Robert E. Parker and Catherine L. Parker, recorded in Volume 12554, Page 2166 (R.P.R.T.C.T.), and being the northeast corner of a called 0.0698 acre tract conveyed to J17 Fortune, LP, recorded in Document No. 2020075425 (O.P.R.T.C.T.), and being in the west right-of-way line of said Kerbey Lane bears, S27°33'04"W, a distance of 255.61 feet, also from which a 1/2-inch iron rod found at the northeast corner of said Ehrlich Jefferson Square tract, and being the intersection of the west right-of-way line of Kerbey Lane with the south right-of-way line of W 38th Street (Right-of-way Varies), and being a point in the east line of Lot 11 of said Map of The Jefferson Street Addition bears, N27°33'04"E, a distance of 223.23 feet;

THENCE, leaving the west right-of-way line of said Kerbey Lane, over and across said Ehrlich Jefferson Square tract and over and across said Lot 6 and said Lot 8, N10°35'01"W, a distance of 81.58 feet to a calculated point for the southeast corner and **POINT OF BEGINNING** hereof, said point lying within said Lot 8;

THENCE, over and across said Lot 8, N62°33'56"W, a distance of **50.28** feet to a calculated point for the southwest corner hereof, said point being in the west line of said Lot 8, and in the east line of Lot 7, also of said Map of Jefferson Street Addition;

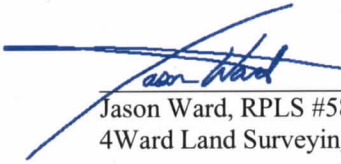
THENCE, in part with the east line of said Lot 7, in part with the west line of said Lot 8 and in part over and across said Lot 8, N29°30'35"E, a distance of **54.56** feet to a calculated point for the northwest corner hereof, said point lying entirely within said Lot 8;

THENCE, over and across said Lot 8, the following two (2) courses and distances:

- 1) **S62°00'14"E**, a distance of **48.65** feet to a calculated point for the northeast corner hereof, and
- 2) **S27°47'57"W**, a distance of **54.05** feet to the **POINT OF BEGINNING** and containing 0.0616 Acre (2,685 Square Feet) of land, more or less.

Notes:

All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203); all distances were adjusted to surface using a combined scale factor of 1.000074515776. See attached sketch (reference drawing: 01728_ZONING EXHIBIT 2.dwg.)

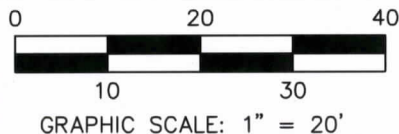

Jason Ward, RPLS #5811
4Ward Land Surveying, LLC

9/1/23



References:

TCAD # 119390
COA GRID # H-25



W. 38TH ST (R.O.W VARIES)

**JEFFERSON STREET
(R.O.W. VARIES)**

**KERBEY LANE (50' R.O.W.)
(PLATTED AS BLANCO STREET)**

J17 FORTUNE, L.P.
VOL. 12952, PG. 30
R.P.R.T.C.T.

S62°00'14"E 48.65'

0.0616 ACRE(S)
2,685 SQUARE FEET

**2 STORY
BRICK & FRAME
COMMERCIAL**

N62°33'56"W 50.28'

COMMON LINE BETWEEN
OVER THE RAINBOW UNIT #3
AND ANDERSON'S COFFEE
CO, UNIT #2

MAP OF THE
JEFFERSON STREET
ADDITION
VOL. 530, PG. 234,
P.R.T.C.T.

P.O.C.
GRID N: 10,085,266.70
GRID E: 3,111,618.06

P.O.B.
GRID N: 10,085,346.94
GRID E: 3,111,602.99

SURVEY CONTROL POINT
GRID N: 10,085,378.43
GRID E: 3,111,739.83

Date:	9/1/2023
Project:	01728
Scale:	1" = 20'
Reviewer:	JSW
Tech:	SG
Field Crew:	SV
Survey Date:	AUG, 2023
Sheet:	1 OF 2

**0.0616 ACRE
ZONING EXHIBIT
City of Austin,
Travis County, Texas**

4WARD
Land Surveying
A Limited Liability Company

PO Box 90876, Austin Texas 78709
INFO@4WARDLS.COM (512) 537-2384
TBPELS FIRM #10174300

[A]
**EHRlich JEFFERSON SQUARE
 LIMITED PARTNERSHIP
 CALLED 1.17 ACRES
 VOL. 12474, PG. 0670
 R.P.R.T.C.T.**

[B]
 CITY OF AUSTIN
 CALLED 3001 SQUARE FEET
 VOL. 3107, PG. 578
 D.R.T.C.T.

[C]
 CHRISTOPHER LINN SANDERS
 AND HANNAH LEA TEMPLE
 CALLED 0.095 ACRE
 DOC. NO. 2013149253
 O.P.R.T.C.T.

[D]
 PART OF LOT 2 & 3 OF
 JEFFERSON STREET ADDITION
 OWNER: ROBERT E PARKER AND
 CATHERINE L PARKER
 VOL. 12554, PG. 2166, R.P.R.T.C.T.

[E]
 CALLED 0.0698 ACRE
 OWNER: J17 FORTUNE L.P.,
 A TEXAS LIMITED PARTNERSHIP
 DOC. NO. 2020075425, O.P.R.T.C.T.

LEGEND

— — — — —	PROPERTY LINE
— — — — —	EXISTING PROPERTY LINES
△	CALCULATED POINT
●	1/2" IRON ROD FOUND (UNLESS NOTED)
⊙	1/2" IRON PIPE FOUND (UNLESS NOTED)
////	BUILDING
VOL./PG.	VOLUME, PAGE
DOC. NO.	DOCUMENT NUMBER
R.O.W.	RIGHT-OF-WAY
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
D.R.T.C.T.	DEED RECORDS, TRAVIS COUNTY, TEXAS
R.P.R.T.C.T.	REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
P.O.B.	POINT OF BEGINNING
P.O.B.	POINT OF COMMENCEMENT
[.....]	RECORD INFORMATION PER DOC. NO. 2013149253
(.....)	RECORD INFORMATION PER DEED VOL. 12474, PG. 670
{.....}	RECORD INFORMATION PER DEED VOL. 3107, PG. 578

TCAD PARCEL 119390
 COA GRID #H-25



9/1/2023



BEARING BASIS:

- 1) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000074515776.
- 2) SEE ATTACHED METES AND BOUNDS DESCRIPTION

**0.0616 ACRE
 ZONING EXHIBIT
 City of Austin,
 Travis County, Texas**



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 INFO@4WARDLS.COM (512) 537-2384
 TBPELS FIRM #10174300

Date:	9/1/2023
Project:	01728
Scale:	1" = 20'
Reviewer:	JSW
Tech:	SG
Field Crew:	SV
Survey Date:	AUG, 2023
Sheet:	2 OF 2



ZONING

ZONING CASE#: C14-2023-0125

EXHIBIT B



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 200'

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.



Created: 10/23/2023