

ORDINANCE NO. 20240321-061

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4201 SOUTH CONGRESS AVENUE IN THE SOUTH CONGRESS COMBINED NEIGHBORHOOD PLAN AREA FROM LIMITED INDUSTRIAL SERVICE-NEIGHBORHOOD PLAN (LI-NP) COMBINING DISTRICT AND 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-neighborhood plan (LI-NP) combining district and 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. C14-2023-0043, on file at the Planning Department, as follows:

A 5.515 acre tract of land out of the ISSAC DECKER LEAGUE, ABSTRACT NO. 8, in Travis County, Texas, being all of a called 5.515 acre tract of land conveyed in document recorded in Volume 13128, Page 248, of the Real Property Records of Travis County, Texas, said 5.515 acre tract of land being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (the “Property”),

locally known as 4201 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	Alternative financial services
Automotive rentals	Automotive sales
Automotive washing (of any type)	Bail bond services
Construction sales & services	Convenience storage
Equipment sales	Exterminating services
Funeral services	Monument retail sales
Pawn shop services	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 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. 20050818-Z004 that established zoning for the East Congress Neighborhood Plan.

PART 5. This ordinance takes effect on April 1, 2024.

PASSED AND APPROVED

March 21, 2024

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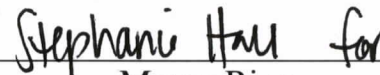
Kirk Watson
Mayor

APPROVED:



Anne L. Morgan
City Attorney

ATTEST:



Myrna Rios
City Clerk

EXHIBIT "A"

Exhibit "___"

Isaac Decker League, Abstract No. 8

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 5.5156 ACRES (240,259 SQUARE FEET) OUT OF THE ISAAC DECKER LEAGUE, ABSTRACT NO. 8, IN TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 5.515 ACRE TRACT CONVEYED TO BARR COMMERCIAL LIMITED PARTNERSHIP I, L.P. IN VOLUME 13128, PAGE 248 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (R.P.R.T.C.T.), SAID 5.5156 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:



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BEGINNING, at a 1/2-inch iron rod found in the north right-of-way line of Industrial Boulevard (right-of-way varies), being the southeast corner of said 5.515 acre tract, and being the southwest corner of a called 0.843 acre tract partially conveyed to Ungar Holdings LLC and Regional Holdings Inc. in Document No. 2021278112 in the Official Public Records of Travis County, Texas (O.P.R.T.C.T.), for the southeast corner and **POINT OF BEGINNING** hereof, from which a 1/2-inch iron rod with "Chaparral" cap found at the intersection of the north right-of-way line of said Industrial Boulevard and the west right-of-way line of Willow Springs Road (60' right-of-way), and being the southeast corner of Lot 1, St. Elmo Heights, Section 1, a subdivision recorded in Volume 5, Page 158 of the Plat Records of Travis County, Texas (P.R.T.C.T.), said Lot 1 having been conveyed to Bay Ten Holdings, LLC in Document No. 2020245768 (O.P.R.T.C.T.), bears, S62°33'50"E, a distance of 456.27 feet;

THENCE, with the north right-of-way line of said Industrial Boulevard and the south line of said 5.515 acre tract, the following two (2) courses and distances:

- 1) **N62°42'28"W**, a distance of **103.81** feet to a 1/2-inch iron rod found for an angle point hereof, and
- 2) **N62°29'04"W**, a distance of **600.39** feet to Mag nail with "4Ward Boundary" washer set for the southwest corner hereof, said point being in the east right-of-way line of South Congress Avenue (right-of-way varies), and being the southwest corner of said 5.515 acre tract;

THENCE, leaving the north right-of-way line of said Industrial Boulevard, with the east right-of-way line of said South Congress Avenue and the west line of said 5.515 acre tract, **N27°22'30"E**, a distance of **341.10** feet to an "X" cut in concrete found for the northwest corner hereof, said point being in the south right-of-way line of International-Great Northern Railroad (also known as Bergstrom Field Spur, 50' right-of-way, this portion of right-of-way being apparently abandoned), also being the northwest corner of said 5.515 acre tract;

THENCE, with the south right-of-way line of said I.G.&N. Railroad and the north line of said 5.515 acre tract, **S62°35'16"E**, passing at a distance of 599.30 feet a 1/2-inch iron rod found for a point on line, continuing for a total distance of **702.02** feet to 1/2-inch iron rod found for the northeast corner hereof, said point being the northeast corner of said 5.515 acre tract, also being the northwest corner of said 0.843 acre tract, from which a TxDot Type III Monument found in the south right-of-way line of said I.G.&N. Railroad, for the northwest corner of said Lot 1, also being the northeast corner of a called 0.762 acre tract partially conveyed to Ungar Holdings LLC and Regional Holdings Inc. in Document No. 2021278113 (O.P.R.T.C.T.), bears, S62°35'16"E, a distance of 297.57 feet;

THENCE, leaving the south right-of-way line of said I.G.&N. Railroad, with the common line of said 5.515 acre tract and said 0.843 acre tract, **S27°00'39"W**, a distance of **341.98** feet to the **POINT OF BEGINNING** and containing 5.5156 Acres (240,259 Square Feet) more or less.

NOTE:

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 1.000057907880. See attached sketch (reference drawing: 01434.dwg)

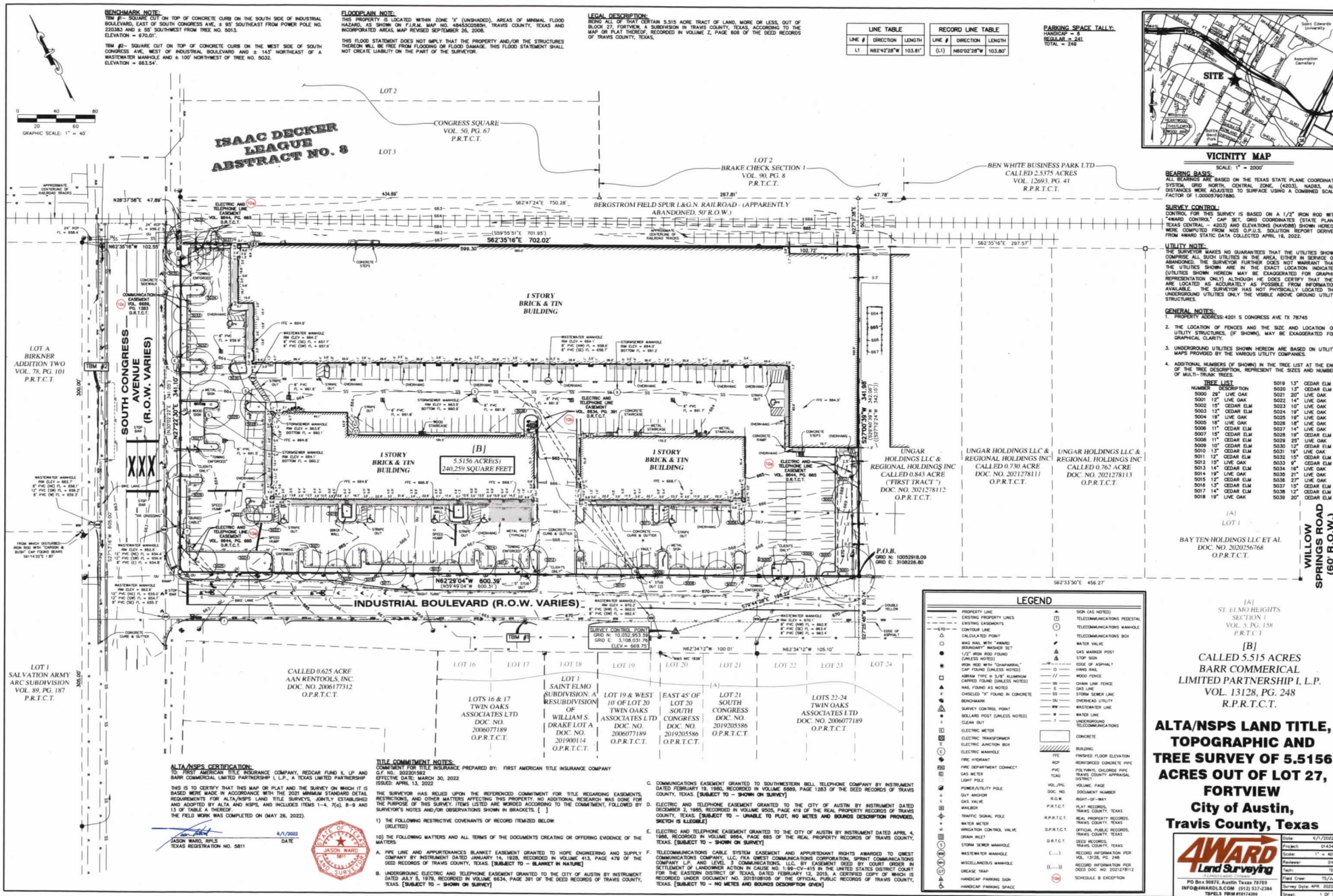


5/27/22

Jason Ward, RPLS #5811

4Ward Land Surveying, LLC





**ALTA/NSPS LAND TITLE,
TOPOGRAPHIC AND
TREE SURVEY OF 5.5156
ACRES OUT OF LOT 27,
FORTVIEW
City of Austin,
Travis County, Texas**



4WARD
Land Surveying
A Limited Liability Company

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