

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE  
2 PROPERTY LOCATED AT 1511 SOUTH CONGRESS AVENUE IN THE  
3 FAIRVIEW PARK NCCD SUBDISTRICT OF THE SOUTH RIVER CITY  
4 NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-  
5 NEIGHBORHOOD PLAN CONSERVATION DISTRICT-NEIGHBORHOOD  
6 PLAN (SF-3-NCCD-NP) COMBINING DISTRICT TO GENERAL OFFICE-  
7 CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN CONSERVATION  
8 DISTRICT-NEIGHBORHOOD PLAN (GO-CO-NCCD-NP) COMBINING  
9 DISTRICT AND GENERAL COMMERCIAL SERVICES-CONDITIONAL  
10 OVERLAY-NEIGHBORHOOD PLAN CONSERVATION DISTRICT-  
11 NEIGHBORHOOD PLAN (CS-CO-NCCD-NP) COMBINING DISTRICT.  
12

13 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:  
14

15 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to  
16 change the base district from family residence-neighborhood plan conservation district-  
17 neighborhood plan (SF-3-NCCD-NP) combining district to general office-conditional  
18 overlay-neighborhood plan conservation district-neighborhood plan (GO-CO-NCCD-NP)  
19 combining district and general commercial services-conditional overlay-neighborhood plan  
20 conservation district-neighborhood plan (CS-CO-NCCD-NP) combining district on the  
21 property described in Zoning Case No. C14-2009-0032, on file at the Planning and  
22 Development Review Department, as follows:  
23

24 A 2.0117 acre tract of land, more or less, out of the Resubdivision of Block 18,  
25 Swisher Addition, a subdivision in the City of Austin, Travis County, Texas,  
26 according to the map or plat of record in Plat Book 3, Page 163, of the Plat  
27 Records of Travis County, Texas in the City of Austin, the tract of land being more  
28 particularly described by metes and bounds for its eastern 0.9513 acre portion and  
29 its western 1.0604 acre portion in Exhibits "A" and "B" incorporated into this  
30 ordinance (the "Property"),  
31

32 locally known as 1511 South Congress Avenue, in the City of Austin, Travis County,  
33 Texas, and generally identified in the map attached as Exhibit "C".  
34

35 **PART 2.** Except as specifically provided in Part 3 and Part 4 of this ordinance, the  
36 Property may be developed and used in accordance with the regulations established for the  
37 respective base districts, and other applicable requirements of the City Code.

**PART 3.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
- B. The following applies to the western 1.0604 acre portion of the Property that fronts Congress Avenue and is zoned CS-CO-NCCD-NP:

The following uses are prohibited uses:

Adult oriented businesses	Drop-off recycling collection facility
Pawn shop services	Automobile rentals
Automobile sales	Automobile repair services
Automobile washing	Exterminating services
(of any type)	Vehicle storage
Bail bond services	Service station

- C. The following applies to the eastern 0.9513 acre portion of the Property that fronts Nickerson Street and is zoned GO-CO-NCCD-NP:

1) The site development regulations are:

The maximum floor to area ratio (FAR) is 1.0 to 0.01.  
The maximum building coverage is 50 percent.  
The maximum impervious cover is 70 percent.  
The maximum height of a building or structure is 40 feet from ground level, or three stories.

2) The following uses are prohibited uses:

Bed & breakfast residential (Group 1)  
Bed & breakfast residential (Group 2)  
Business or trade school  
Business support services  
Communications services  
Medical offices (exceeding 5000 square feet of gross floor area)

### Public primary educational facilities

DESCRIPTION

Being all that certain 0.9513 acre tract or parcel of land out of the RESUBDIVISION OF BLOCK 18, SWISHER ADDITION, according to the map or plat thereof recorded in Volume 3, Page 163, Travis County Plat Records (TCPR), said Block 18 having been conveyed to Congress Avenue Baptist Church of Austin, Inc. by Deeds recorded in Volume 3064, Page 1043 (Lots 1 and 2); Volume 2271, Page 147 (Lots 3 and 4); Volume 1079, Page 12 (Lots 5 through 9); Volume 1275, Page 276 (Lot 10); and Volume 2304, Page 337 (Lots 11 and 12), Travis County Deed Records (TCDR); said 0.9513 acre tract being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a nail set marking the Northeast corner of said Block 18, same being located at the intersection of the South right-of-way line of East Elizabeth Street (60 feet in width) with the West right-of-way line of Nickerson Street (60 feet in width), same being located South 18 58'20" West-60.17 feet from an iron rod found;

THENCE, South 18 58'20" West, with the said West right-of-way line of Nickerson Street, a distance of 295.87 feet to an "x" set in concrete for the Southeast corner of said Block 18, same being located in the North right-of-way line of East Monroe Street (60 feet in width);

THENCE, North 71 03'25" West, with the said North right-of-way line of East Monroe Street, a distance of 140.04 feet to a point for the Southwest corner hereof;

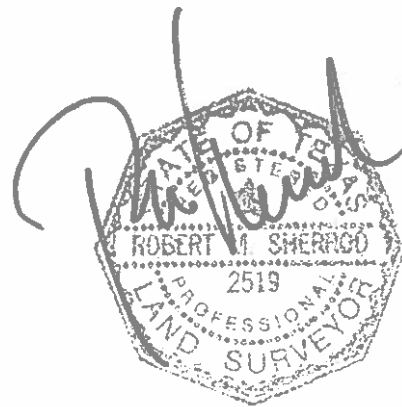
THENCE, North 18 58'45" West, a distance of 296.04 feet to a point for the Northwest corner hereof, same being located in the said South right-of-way line of East Elizabeth Street;

THENCE, North 70 59'35" East, with the said South right-of-way line of East Elizabeth Street, a distance of 140.01 feet to the POINT OF BEGINNING and containing 0.9513 acres of land.

BASIS OF BEARINGS: Vol. 3, Pg. 163, TCPR

Compiled By:

Robert M. Sherrod, R.P.L.S.  
GEO, A Geographical Land Services Co.  
4412 Spicewood Springs Road, #104  
Austin, Texas 78759  
February 25, 2009  
GEO Job No. 0912070



REFERENCES

TCAD MAP \_\_\_\_\_

Austin Grid \_\_\_\_\_

DESCRIPTION

Being all that certain 1.0604 acre tract or parcel of land out of the RESUBDIVISION OF BLOCK 18, SWISHER ADDITION, according to the map or plat thereof recorded in Volume 3, Page 163, Travis County Plat Records (TCPR), said Block 18 having been conveyed to Congress Avenue Baptist Church of Austin, Inc. by Deeds recorded in Volume 3064, Page 1043 (Lots 1 and 2); Volume 2271, Page 147 (Lots 3 and 4); Volume 1079, Page 12 (Lots 5 through 9); Volume 1275, Page 276 (Lot 10); and Volume 2304, Page 337 (Lots 11 and 12), Travis County Deed Records (TCDR); said 1.0604 acre tract being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a nail set marking the Southwest corner of said Block 18, same being located at the intersection of the North right-of-way line of East Monroe Street (60 feet in width) with the East right-of-way line of South Congress Avenue (120 feet in width), same being located North 18 58'45" East-60.00 feet from an "x" found in concrete;

THENCE, North 18 58'45" East, with the said East right-of-way line of South Congress Avenue, a distance of 296.19 feet to a point for the Northwest corner of said Block 18, same being located in the South right-of-way line of East Elizabeth Street (60 feet in width);

THENCE, South 70 59'35" East, with the said South right-of-way line of East Elizabeth Street, passing at a distance of 0.56 feet an iron rod found and continuing a total distance of 156.00 feet to a point for the Northeast corner hereof;

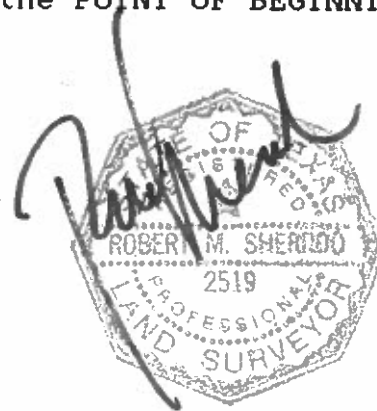
THENCE, South 18 58'45" West, a distance of 296.02 feet to a point for the Southeast corner hereof, same being located in the said North right-of-way line of East Monroe Street;

THENCE, North 71 03'25" West, with the said North right-of-way line of East Monroe Street, a distance of 156.00 feet to the POINT OF BEGINNING and containing 1.0604 acres of land.

BASIS OF BEARINGS: Vol. 3, Pg. 163, TCPR

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REFERENCES

TCAD MAP \_\_\_\_\_

Austin Grid \_\_\_\_\_



B L O C K

" 1 5 "

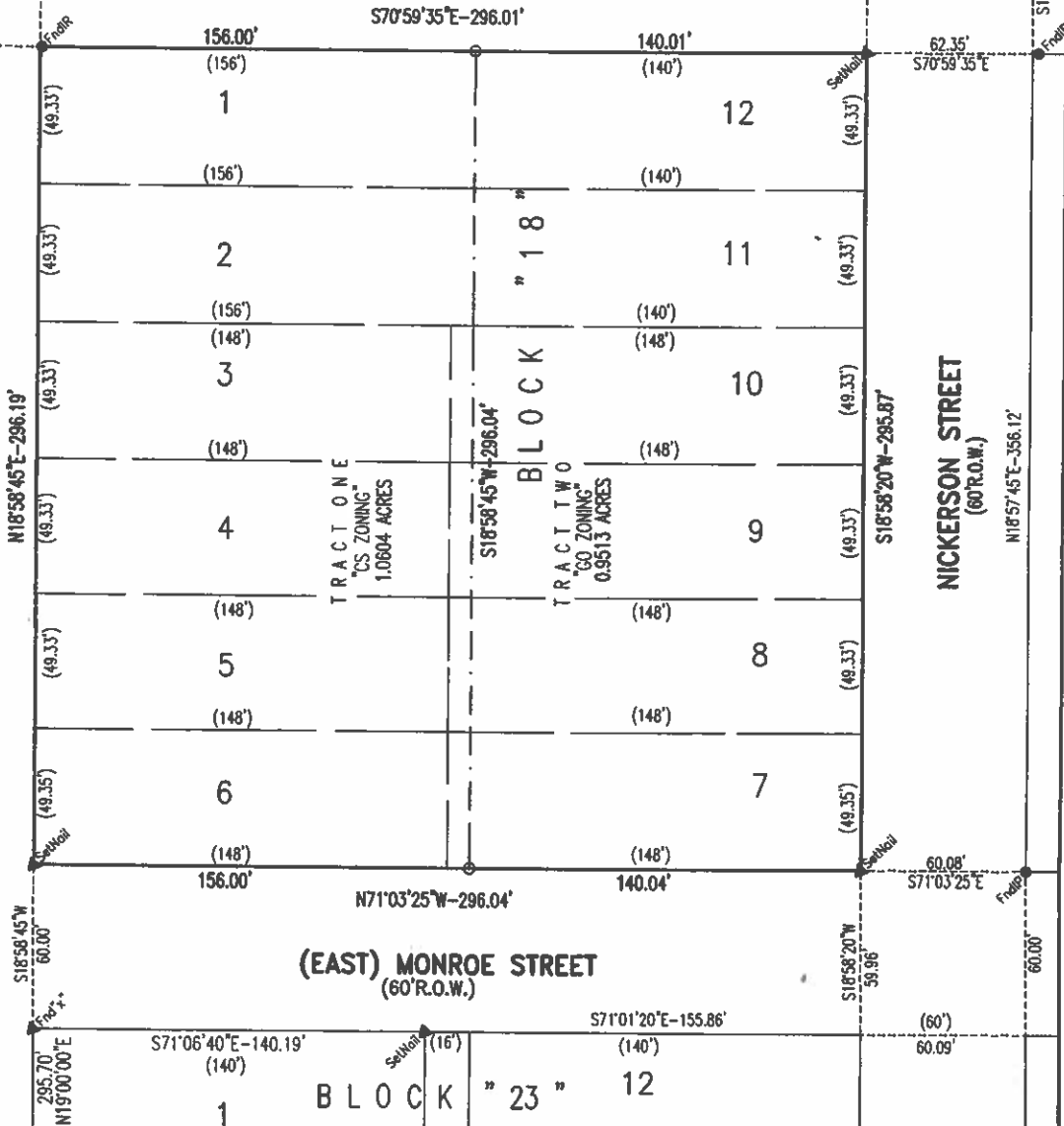


(60'R.O.W.)  
(EAST) ELIZABETH STREET

( SWISHER AVE. per plat )

(120' R.O.W.)

(SOUTH) CONGRESS AVENUE



SKETCH TO ACCOMPANY FIELD NOTES FOR TWO ZONING TRACTS  
OUT OF THE RESUBDIVISION OF BLOCK 18, SWISHER ADDITION  
TRAVIS COUNTY, TEXAS.

CONGRESS AVENUE BAPTIST CHURCH

1511 SOUTH CONGRESS AVENUE

FEBRUARY 24, 2009

GEO JOB NO.0912070-B