

ORDINANCE NO. 20091119-084

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1511 SOUTH CONGRESS AVENUE IN THE FAIRVIEW PARK NCCD SUBDISTRICT OF THE SOUTH RIVER CITY NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN CONSERVATION DISTRICT-NEIGHBORHOOD PLAN (SF-3-NCCD-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN CONSERVATION DISTRICT-NEIGHBORHOOD PLAN (CS-CO-NCCD-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 family residence-neighborhood plan conservation district-neighborhood plan (SF-3-NCCD-NP) combining district to general commercial services-conditional overlay-neighborhood plan conservation district-neighborhood plan (CS-CO-NCCD-NP) combining district on the property described in Zoning Case No. C14-2009-0032, on file at the Planning and Development Review Department, as follows:

A 1.0604 acre tract of land, more or less, out of the Resubdivision of Block 18, Swisher Addition, a subdivision in the City of Austin, 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 1511 South Congress Avenue, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. Except as specifically provided in Part 3 and Part 4 of 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 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 uses are prohibited uses of the Property:

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

PART 4. The Property is subject to Ordinance No. 20050929-Z003, as amended, that established the South River City neighborhood plan combining district.

PART 5. This ordinance takes effect on November 30, 2009.

PASSED AND APPROVED

_____, November 19, 2009

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§ _____
Lee Leffingwell
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk

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;

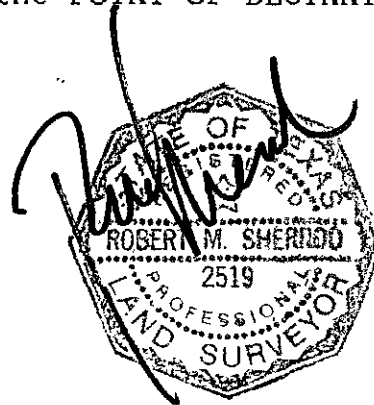
THENCE, South 18 58'45" West, a distance of 296.02 feet to a point for the Southeast corner hereof, same being located in the said North right-of-way line of East Monroe Street;

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

Compiled By:

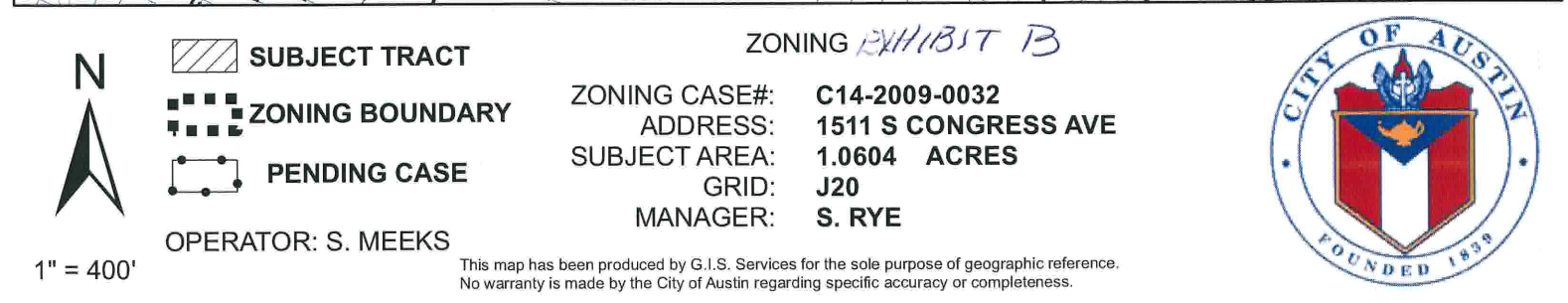
Robert M. Sherrod, R.P.L.S.
GEO, A Geographical Land Services Co.
4412 Spicewood Springs Road, #104
Austin, Texas 78759
February 25, 2009
GEO Job No. 0912070



REFERENCES

TCAD MAP _____

Austin Grid _____



ZONING CASE#: C14-2009-0032
ADDRESS: 1511 S CONGRESS AVE
SUBJECT AREA: 1.0604 ACRES
GRID: J20
MANAGER: S. RYE

