

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2203 NUECES STREET IN THE CENTRAL AUSTIN COMBINED NEIGHBORHOOD PLAN AREA FROM COMMUNITY COMMERCIAL-MIXED USE-HISTORIC LANDMARK-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-H-CO-NP) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-CO-NP) 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-mixed use-historic landmark-conditional overlay-neighborhood plan (GR-MU-H-CO-NP) combining district to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2017-0025, on file at the Planning and Zoning Department, as follows:

0.030 acres (approximately 1,287 sq. ft.) in the City of Austin, Travis County, Texas, being a portion of Lots 18 and 18½, Louis Horsts's Subdivision of Outlot 34, Division D, a subdivision of record of Book Z, Page 594, and in Book Z, Page 613, of the Deed Records of Travis County, Texas, and being a portion of a 5,750 square foot tract described in a reciprocal easement agreement of record in Document 2001161358 of the Official Public Records of Travis County, Texas, said 0.030 acre tract being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

generally known as the Pompee-Clarke-Cook House, locally known as 2203 Nueces Street 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:

A. The following uses are prohibited uses for the Property:

Cultural services

Food sales

Consumer convenience services

Financial services

Medical offices - exceeding 5000
sq. ft. gross floor area
Personal services
Residential treatment
Automotive repair services
Consumer repair services
Personal improvement services
Congregate living
Hospital services (limited)
Automotive rentals
Communications services
Funeral services
Outdoor sports and recreation
Restaurant (general)
Community recreation (private)
Business support services
Business or trade school
Drop-off recycling collection
facility
Indoor entertainment
Off-site accessory parking
Restaurant (limited)
Communication service facilities
Telecommunication tower
Research services

Medical offices - not exceeding
5000 sq. ft. gross floor area
College and university facilities
Local utility services
Guidance services
General retail sales (convenience)
Club or lodge
Hospital services (general)
Automotive sales
Automotive washing (of any type)
Exterminating services
Outdoor entertainment
Pawn shop services
Theater
Safety services
Pet services
Commercial off-street parking
Private secondary educational
facilities
Indoor sports and recreation
Plant nursery
Service station
Community recreation (public)
General retail sales (general)

- 1
2 B. Drive-in service as an accessory use to restaurant (general and limited) uses is
3 prohibited.
4

5 Except as specifically restricted under this ordinance, the Property may be developed and
6 used in accordance with the regulations established for the community commercial (GR)
7 district and other applicable requirements of the City Code.
8

9 **PART 3.** The Property is subject to Ordinance No. 040826-57 that established zoning for
10 the Central Austin Combined Neighborhood Plan.
11
12
13
14

PART 4. This ordinance takes effect on _____, 2017.

PASSED AND APPROVED

_____, 2017 §
 §
 §

Steve Adler
Mayor

APPROVED: _____ **ATTEST:** _____

Anne L. Morgan
City Attorney

Jannette S. Goodall
City Clerk



**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

**0.030 ACRES
CITY OF AUSTIN
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 0.030 ACRES (APPROXIMATELY 1287 SQ. FT.) IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOTS 18, AND 18 1/2, LOUIS HORST'S SUBDIVISION OF OUTLOT 34, DIVISION D, A SUBDIVISION OF RECORD IN BOOK Z, PAGE 594, AND IN BOOK Z, PAGE 613, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A 5750 SQUARE FOOT TRACT DESCRIBED IN A RECIPROCAL EASEMENT AGREEMENT OF RECORD IN DOCUMENT 2001161358 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.030 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the east right-of-way line of Nueces Street (60' right-of-way width), same being the west line of said Lot 18, also being the west line of said 5750 square foot tract, from which a Mag nail with "Chaparral" washer set for the southwest corner of said Lot 18 1/2, same being the southwest corner of the 5750 square foot tract, also being the intersection of the north right-of-way line of W 22nd Street (60' right-of-way width) and the east right-of-way line of Nueces Street, bears South 3°29'44" West, a distance of 80.39 feet;

THENCE North 03°29'44" East, with the common line of Nueces Street, the 5750 square foot tract, and Lot 18, a distance of 19.61 feet to a calculated point for the northwest corner of the 5750 square foot tract, from which a PK nail found in the east right-of-way line of Nueces Street, for the northwest corner of Lot 16 of said subdivision, same being the southwest corner of Lot 15 of said subdivision, bears North 3°29'44" East, a distance of 156.29 feet;

THENCE crossing Lot 18 and Lot 18 1/2, with the north and east lines of the 5750 square foot tract, the following two (2) courses and distances:

South 86°27'33" East, a distance of 57.50 feet to a calculated point for the northeast corner of the 5750 square foot tract;

South 03°29'44" West, a distance of 100.00 feet to a calculated point for the southeast corner of the 5750 square foot tract, being in the north right-of-way line of W 22nd Street, same being the south line of Lot 18 1/2, from which a Mag nail found for the southeast corner of Lot 18 1/2, same being the intersection of the north right-of-way line of W 22nd Street and the west line of a 20' alley, bears South 86°27'33" East, a distance of 62.80 feet;


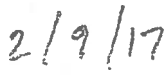
THENCE North 86°27'33" West, with the north right-of-way line of W 22nd Street, same being the south line of Lot 18 1/2, also being the south line of the 5750 square foot tract, a distance of 1.87 feet, from which said Mag nail with "Chaparral" washer set for the southwest corner of Lot 18 1/2 bears North 86°27'33" West, a distance of 55.63 feet;

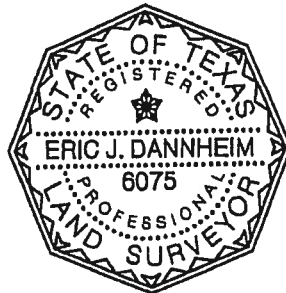
THENCE crossing Lot 18 1/2, Lot 18, and the 5750 square foot tract, the following two (2) courses and distances:

1. North 03°27'23" East, a distance of 80.16 feet to a calculated point;
2. North 86°13'08" West, a distance of 55.58 feet to the **POINT OF BEGINNING**, containing 0.030 acres of land, more or less.

Surveyed on the ground December 22, 2016. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on 1983/93 HARN values from LCRA control network.

Attachments: Drawing 1265-001-ZN2

 
Eric J. Dannheim Date
Registered Professional Land Surveyor
State of Texas No. 6075
TBPLS Firm No. 10124500

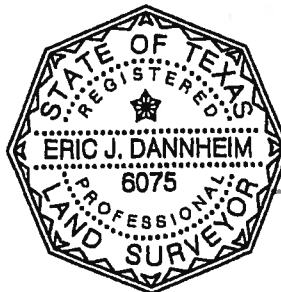


SKETCH TO ACCOMPANY A DESCRIPTION OF 0.030 ACRES (APPROXIMATELY 1287 SQ. FT.) IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOTS 18, AND 18 1/2, LOUIS HORST'S SUBDIVISION OF OUTLOT 34, DIVISION D, A SUBDIVISION OF RECORD IN BOOK Z, PAGE 594, AND IN BOOK Z, PAGE 613, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A 5750 SQUARE FOOT TRACT DESCRIBED IN A RECIPROCAL EASEMENT AGREEMENT OF RECORD IN DOCUMENT 2001161358 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

LEGEND

- ▲ NAIL FOUND (TYPE NOTED)
- △ MAG NAIL WITH "CHAPARRAL" WASHER SET
- ☒ PUNCH HOLE IN CONCRETE SET
- △ CALCULATED POINT
- ◎ FOUND 1/4" COPPER PIN IN CONCRETE IN MONUMENT CASING

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N03°29'44"E	19.61'
L2	S86°27'33"E	57.50'
L3	S03°29'44"W	100.00'
L4	N86°27'33"W	1.87'
L5	N03°27'23"E	80.16'
L6	N86°13'08"W	55.58'
L7	N86°27'33"W	55.63'



DATE OF SURVEY: 12/22/16
 PLOT DATE: 2/9/17
 DRAWING NO.: 1265-001-ZN2
 PROJECT NO.: 1265-001
 T.B.P.L.S. FIRM NO. 10124500
 DRAWN BY: EJD
 SHEET 1 OF 2

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON 1983/93 HARN VALUES FROM LCRA CONTROL NETWORK

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 1265-001-ZN2

Chaparral

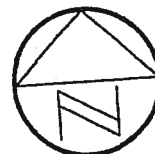
LOT 15
LOUIS HORST'S
SUBDIVISION
(Z/613)

LOT 16
LOUIS HORST'S
SUBDIVISION
(Z/613)

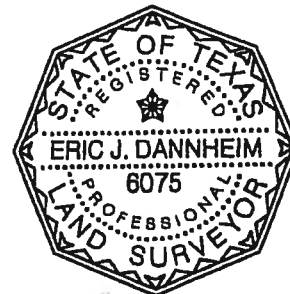
LOT 17
LOUIS HORST'S
SUBDIVISION
(Z/613)

LOT 18
LOUIS HORST'S
SUBDIVISION
(Z/613)

LOT 18 1/2
LOUIS HORST'S
SUBDIVISION
(Z/613)



1" = 40'



Handwritten signature and date:
2/9/17

NUECES STREET
(60' R.O.W.)

N03°29'44"E

PK

S86°55'03"E 120.18'
(120')

N03°29'44"E 156.29'

(120')

30.00'

(120')

S03°28'08"W 257.25'

(70')

0.030 ACRES

APPROX. 1287 SQ. FT.

(S84°00'E 57.50')

L1

L2

L6

P.O.B.

5750 SQ. FT.
(2001161358)

S03°29'44"W 80.39'
(N06°00'E 100.00')
(47-1/2')

(S06°00'W 100.00')

L3

L5

(120')

(47-1/2')

(N84°00'W 57.50')

(120')

L4 S86°27'33"E 62.80'

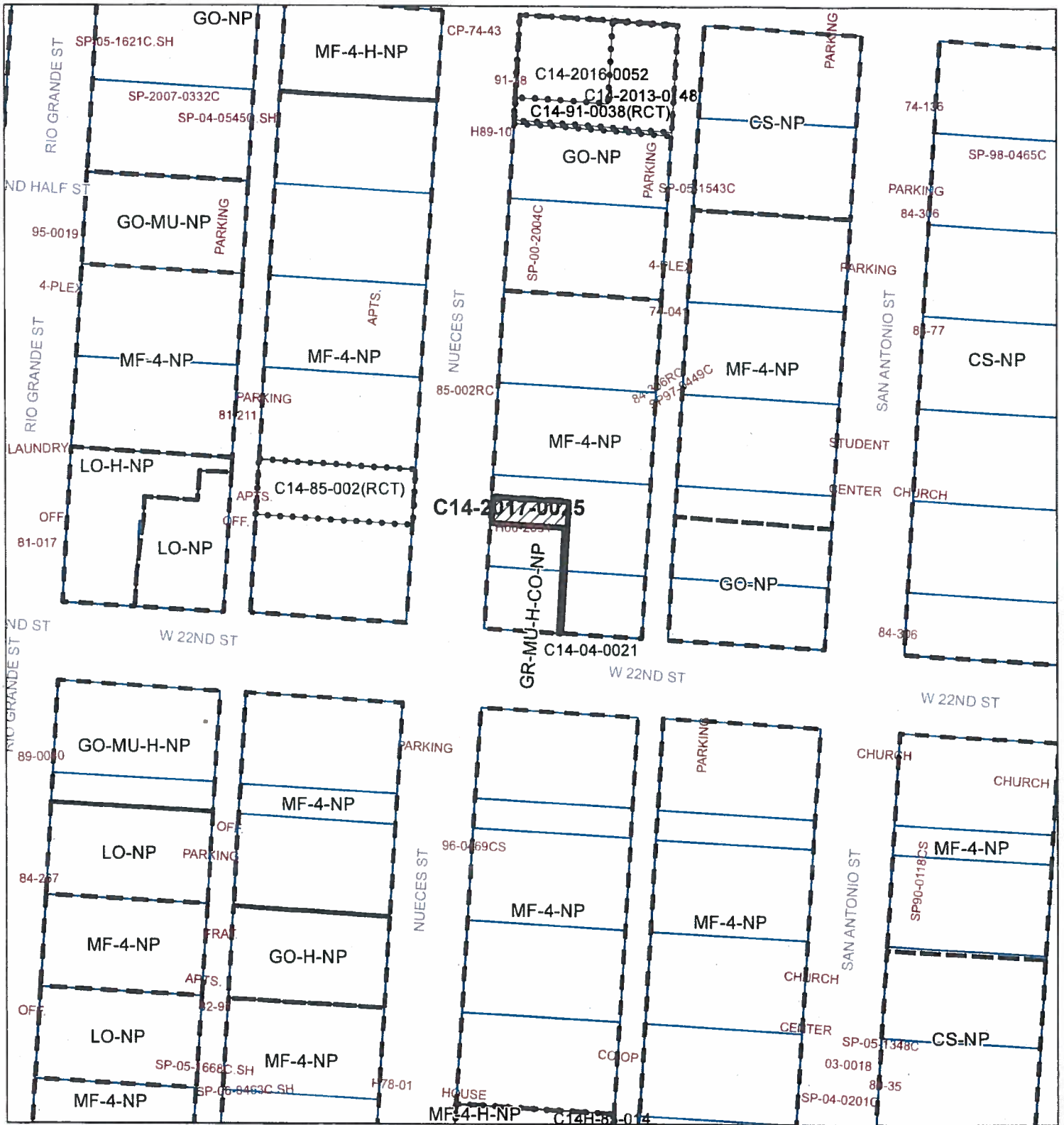
30.00'

N86°27'33"W

W 22ND STREET
(60' R.O.W.)

DATE OF SURVEY: 12/22/16
PLOT DATE: 2/9/17
DRAWING NO.: 1265-001-ZN2
PROJECT NO.: 1265-001
T.B.P.L.S. FIRM NO. 10124500
DRAWN BY: EJD
SHEET 2 OF 2





Chaparral



ZONING

Case#: C14-2017-0025

EXHIBIT B

- N
-  Subject Tract
 -  Pending Case
 -  Zoning Boundary
 -  Railroads

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



1" = 100'

Created: 3/22/2017