

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 8534 SOUTH CONGRESS AVENUE FROM DEVELOPMENT RESERVE (DR) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-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 development reserve (DR) district to general commercial services-conditional overlay (CS-CO) combining district on the property described in Zoning Case No. C14-2018-0125, on file at the Planning and Zoning Department, as follows:

2.8075 acres (122,297 square feet) out of the F.M. Hodges Survey, Abstract No. 377 in Travis County, Texas, said 2.8075 acres of land being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (the “Property”),

locally known as 8534 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:

- 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.

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) district and other applicable requirements of the City Code.

PART 4. This ordinance takes effect on _____, 2019.

PASSED AND APPROVED

_____, 2019 § _____
 § _____
 § _____
Steve Adler
Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan Jannette S. Goodall
City Attorney City Clerk

EXHIBIT “ _____ ”

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 2.8075 ACRES (122,297 SQUARE FEET) OUT OF THE F. M. HODGES SURVEY, ABSTRACT NO. 377 IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A TRACT OF LAND CONVEYED TO LILLA GRACE BELL SULLIVAN, RECORDED IN VOLUME 12820, PAGE 255 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (R.P.R.T.C.T.), SAID 2.8075 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:



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BEGINNING, at a Texas Department of Transportation (TxDOT) Type II concrete monument found in the west right-of-way line of South Congress Avenue (a.k.a. State Highway 81 and Loop 275 – right-of-way varies), being the southeast corner of said Sullivan tract, and being the southeast corner and **POINT OF BEGINNING** hereof;

THENCE, with the south line of said Sullivan tract, and in part the west right-of-way line of said South Congress Avenue, and in part the north line of a called 6.227 acres tract conveyed to 8708 South Congress, LTD. In Document No. 2007095447 of the Official Public Records of Travis County, Texas (O.P.R.T.C.T.), **S75°30'13"W**, passing at a distance of 1.40 feet a TxDOT Type II monument found in the west right-of-way line of said South Congress Avenue, being the northeast corner of said 8708 South Congress tract, in all a distance of **964.03** feet to a 12-inch Hackberry Tree (tag #5089) being the southwest corner hereof, and being the southwest corner of said Sullivan tract, and being the northwest corner of said 8708 South Congress tract, and being in the east line of Tract One (1), E. K. Stegall Subdivision, a subdivision recorded in Volume 44. Page 42 of the Plat Records of Travis County, Texas (P.R.T.C.T.) conveyed to Rhodes #4, L.L.C. in Document No. 2017106220 of the (O.P.R.T.C.T.), from which an iron rod with "All Points" cap found in the west line of said 8708 South Congress tract, being the southeast corner of said Tract One (1), and being the northeast corner of a called 7.558 acres tract conveyed to E. R. South by South Congress, LLC in Document No. 2017094296 of the (O.P.R.T.C.T.) bears, **S02°26'17"E**, a distance of 534.40 feet;

THENCE, with the west line of said Sullivan tract and the east line of said Tract One (1), **N02°26'17"W**, a distance of **127.76** feet to a 1/2-inch iron rod found for the northwest corner hereof (from which a 1/2-inch iron rod found bears **N66°27'52"W**, a distance of 3.08 feet), being the northwest corner of said Sullivan tract, and being the southwest corner of a called 2.053 acres tract conveyed to Perfector Javier Salazar in Document No. 2001215957 of the (O.P.R.T.C.T.), from which a 1/2-inch iron rod found (from which a 1/2-inch iron rod found in the east line of a called 5.3 acres tract conveyed to Joe T. Ferrell, Jr. and wife, Nelda Ferrell in Volume 7163, Page 1070, and being the northeast corner of said Tract One (1), and being the southeast corner of a called 1.2336 acres tract conveyed to Hazy Hills Warehouse, L.L.C. in Document No. 2014137061 of the (O.P.R.T.C.T.) bears, **S88°54'34"W**, a distance of 1.58 feet) bears, **N02°26'17"W**, a distance of 341.89 feet;

THENCE, leaving the east line of said Tract One (1), with the south line of said Salazar tract, being the north line of said Sullivan tract, **S75°45'51"E**, a distance of **999.98** feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for the northeast corner hereof, being in the west right-of-way line of said South Congress Avenue, and being the northeast corner of said Sullivan tract, and being the southeast corner of said Salazar tract, from which a 1-inch iron rod found in the west right-of-way line of said South Congress Avenue, being the northeast corner of said Salazar tract, and being the southeast corner of Lot 1, Kaleh Subdivision, a subdivision recorded in Volume 48, Page 28 of the (P.R.T.C.T.) bears, **N13°55'15"E**, a distance of 90.49 feet;

Exhibit A

THENCE, with the west right-of-way line of said South Congress Avenue and the east line of said Sullivan tract, **S13°55'15"W**, a distance of **126.78** feet to the **POINT OF BEGINNING** and containing 2.8075 Acres (122,297 Square Feet) more or less.

Notes:

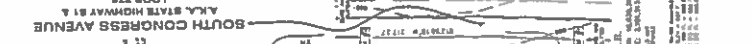
All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203), all distances were adjusted to surface using a combined scale factor of 1.000047252542. See attached sketch (reference drawing: 00771.dwg)

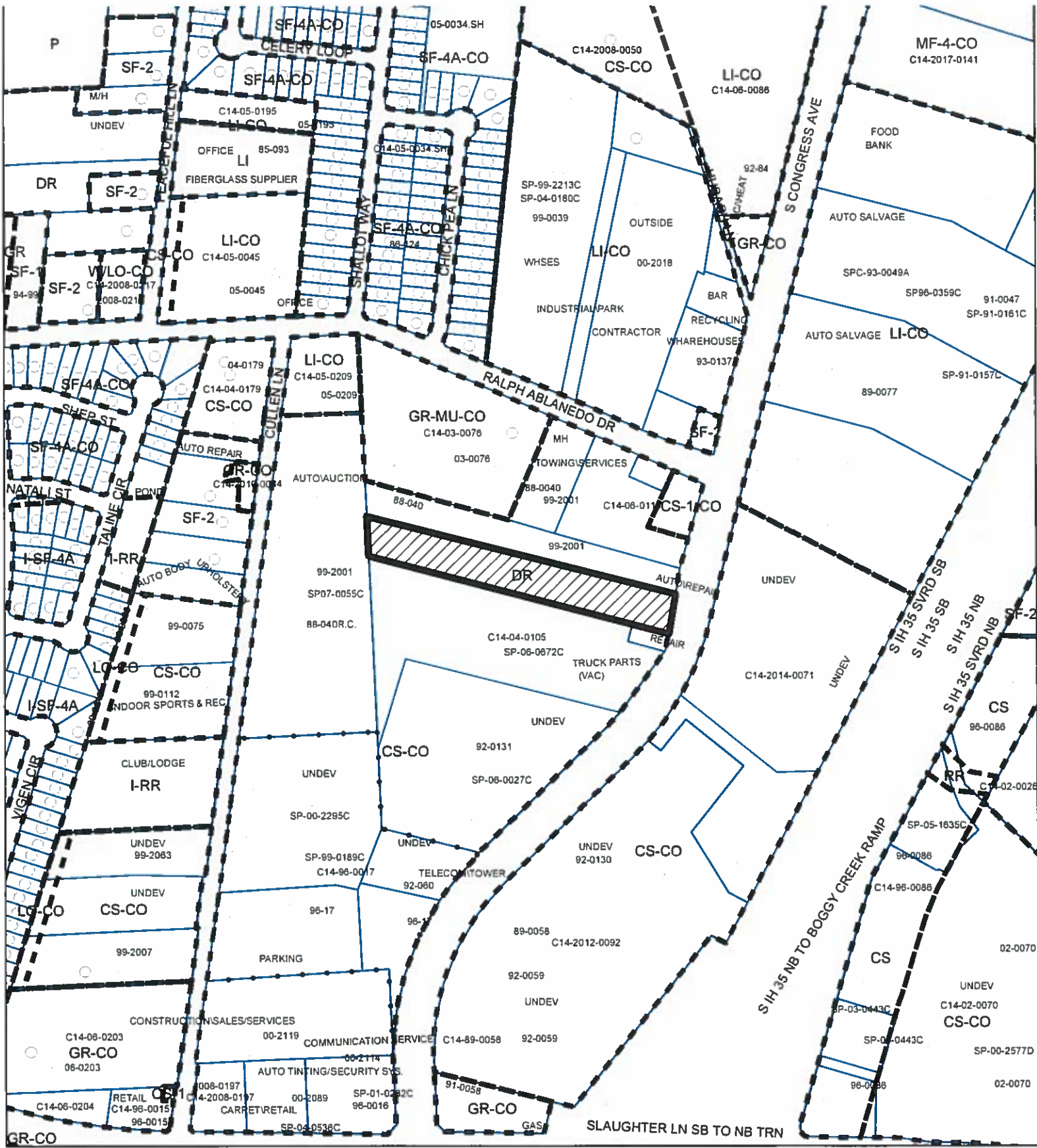





Jason Ward, RPLS #5811
4Ward Land Surveying, LLC

10/3/2018







-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2018-0125 Exhibit B

1" = 400'

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



Created: 12/13/2018