

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 704, 706, 706 1/2, AND 708 EAST 53RD STREET IN THE NORTH LOOP NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-CO-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-DENSITY BONUS 90-NEIGHBORHOOD PLAN (CS-MU-V-CO-DB90-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 general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district to general commercial services-mixed use-vertical mixed use building-conditional overlay-density bonus 90-neighborhood plan (CS-MU-V-CO-DB90-NP) combining district on the property described in Zoning Case No. C14-2024-0113, on file at the Planning Department, as follows:

0.9809 acres of land, being:

all of LOTS 17, 18, 19, AND 20, BLOCK 27, THE HIGHLANDS ADDITION, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 3, Page 55, of the Plat Records of Travis County, Texas, together with 10 feet of adjacent alley vacated by the City of Austin, being that same property conveyed by deeds recorded in Document Nos. 2012218889 and 2012218892 of the Official Public Records of Travis County, Texas; and

the west 62.5 feet of LOTS 21, 22, 23, AND 24, BLOCK 27, THE HIGHLANDS ADDITION, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 3, Page 55, of the Plat Records of Travis County, Texas, together with 10 feet of adjacent alley vacated by the City of Austin, being that same property conveyed by deed recorded in Document No. 2012218898 of the Official Public Records of Travis County, Texas; and

the east 62.5 feet of LOTS 21, 22, 23, AND 24, BLOCK 27, THE HIGHLANDS ADDITION, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 3, Page 55, of the Plat Records of Travis County, Texas, conveyed by deed recorded in

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Document No. 2012218897 of the Official Public Records of Travis County, Texas; and

a northerly portion of BLOCK 27 1/2, THE HIGHLANDS ADDITION, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 3, Page 55, together with a portion of land vacated by the City of Austin and recorded in Volume 896, Page 109, of the Deed Records of Travis County, Texas, SAVE AND EXCEPT that portion of BLOCK 27 1/2 conveyed to the City of Austin by deed recorded in Volume 895, Page 43, of the Deed Records of Travis County, Texas, being the same parcel conveyed deed recorded in Document No. 2012218895 of the Official Public Records of Travis County, Texas,

said 0.9809 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance, (the "Property"),

locally known as 704, 706, 706 1/2, and 708 East 53rd 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 of the Property:

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|--------------------------------------|---|
| Adult-Oriented Businesses | Agricultural Sales and Services |
| Automotive Rentals | Automotive Repair Services |
| Automotive Sales | Campground |
| Commercial Blood Plasma Center | Construction Sales |
| Convenience Storage | Equipment Repair Services |
| Equipment Sales | Exterminating Services |
| Funeral Services | Hospital Services (General) |
| Kennels | Laundry Services |
| Limited Warehousing and Distribution | Medical Offices (exceeding 5,000 square feet) |
| Pawn Shop Services | Residential Treatment |
| Service Station | Transportation Terminal |
| Vehicle Storage | |

(B) The following uses are conditional uses of the Property:

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| Congregate Living | Drive-in Service as an accessory use to a |
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commercial use

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PART 3. The Property may be developed in compliance and used in accordance with the regulations established for density bonus 90 (DB90) combining district and other applicable requirements of the City Code.

PART 4. 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 5. Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 020523-31 that established zoning for the North Loop Neighborhood Plan.

PART 6. This ordinance takes effect on _____, 2025.

PASSED AND APPROVED

_____, 2025

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§

Kirk Watson
Mayor

APPROVED: _____
Deborah Thomas
Interim City Attorney

ATTEST: _____
Myrna Rios
City Clerk

EXHIBIT "A"

TRACT 1: 0.9809 ACRES

DESCRIPTION OF 0.9809 ACRES OF LAND (42,728 SQUARE FEET), BEING ALL OF THE FOLLOWING DESCRIBED TRACTS:

- LOTS 17 AND 18, BLOCK 27 OF SAID HIGHLANDS ADDITION, AND 10' OF ADJACENT ALLEY AS VACATED BY THE CITY OF AUSTIN IN SAID ORDINANCE DATED APRIL 24, 1947, BEING THAT SAME PARCEL DESCRIBED IN A DEED TO JEV FAMILY, LTD, DATED DECEMBER 26, 2012, AND APPEARING OF RECORD IN DOCUMENT NO. 2012218889, O.P.R.T.C.T.;
- LOTS 19 AND 20, BLOCK 27 OF SAID HIGHLANDS ADDITION, AND 10' OF ADJACENT ALLEY AS VACATED BY THE CITY OF AUSTIN IN SAID ORDINANCE DATED APRIL 24, 1947, BEING THAT SAME PARCEL DESCRIBED IN A DEED TO JEV FAMILY, LTD, DATED DECEMBER 26, 2012, AND APPEARING OF RECORD IN DOCUMENT NO. 2012218892, O.P.R.T.C.T.;
- THE WEST 62.5 FEET OF LOTS 21, 22, 23, AND 24, BLOCK 27, OF SAID HIGHLANDS ADDITION, AND 10' OF ADJACENT ALLEY AS VACATED BY THE CITY OF AUSTIN IN SAID ORDINANCE DATED APRIL 24, 1947, BEING THAT SAME PARCEL DESCRIBED IN A DEED TO JEV FAMILY, LTD, DATED DECEMBER 26, 2012, AND APPEARING OF RECORD IN DOCUMENT NO. 2012218898, O.P.R.T.C.T.;
- THE EAST 62.5 FEET OF LOTS 21, 22, 23, AND 24, BLOCK 27, OF SAID HIGHLANDS ADDITION, BEING THAT SAME PARCEL OF LAND DESCRIBED IN A DEED TO JEV FAMILY, LTD, DATED DECEMBER 26, 2012, AND APPEARING OF RECORD IN DOCUMENT NO. 2012218897, O.P.R.T.C.T.;
- A NORTHERLY PORTION OF BLOCK 27-1/2, LOCATED SOUTH OF THE H.&T.C. RAILROAD, OF SAID HIGHLANDS ADDITION, TOGETHER WITH A PORTION OF EILERS AVENUE NORTH OF EAST 53RD STREET TO THE RIGHT-OF-WAY OF SAID H.&T.C. RAILROAD VACATED BY THE CITY OF AUSTIN ORDINANCE DATED JANUARY 8, 1948, RECORDED IN VOLUME 896, PAGE 109, D.R.T.C.T., SAVE AND EXCEPT THAT PORTION OF BLOCK 27-1/2 DESCRIBED IN A DEED TO THE CITY OF AUSTIN, DATED JANUARY 8, 1948, AND APPEARING OF RECORD IN VOLUME 895, PAGE 43, D.R.T.C.T., ALL TOGETHER BEING THAT SAME PARCEL DESCRIBED IN A DEED TO JEV FAMILY, LTD, DATED DECEMBER 26, 2012, AND APPEARING OF RECORD IN DOCUMENT NO. 2012218895, O.P.R.T.C.T.;

SAID 0.9809 ACRES BEING FURTHER DESCRIBED BY THE FOLLOWING METES AND BOUNDS:

BEGINNING AT A POINT IN THE WESTERLY LINE OF A CAPITAL METRO TRANSPORTATION AUTHORITY, A 50'-WIDE RAILROAD RIGHT-OF-WAY, SAME BEING THE CENTER OF SAID VACATED ALLEY, AT THE NORTH CORNER OF SAID LOT 17 AND 18 THE FOR THE NORTH CORNER HEREOF;

THENCE S05°17'29"E 431.26', WITH SAID WESTERLY LINE OF THE CAPITAL METRO RIGHT-OF-WAY, THE EASTERLY LINES OF SAID LOTS 17 AND 18, THE EASTERLY LINE OF SAID BLOCK 27-1/2, AND THE EASTERLY LINE OF SAID VACATED PORTION OF EILERS AVENUE, TO THE NORTHEASTERLY LINE OF EAST 53RD/ STREET, A 50'-WIDE PUBLIC RIGHT-OF-WAY, FOR THE SOUTH CORNER HEREOF;

THENCE N61°57'58"W 237.15', WITH THE NORTHEASTERLY LINE OF SAID EAST 53RD STREET AND THE SOUTHWESTERLY LINE OF SAID PORTION OF BLOCK 27-1/2, THE SOUTHWESTERLY LINE OF LOT 24, AND SAID VACATED ALLEY, FOR THE SOUTH CORNER OF LOT 1, OF SAID HIGHLANDS ADDITION, AND SAID CENTERLINE OF VACATED ALLY, FOR THE WEST CORNER HEREOF;

THENCE N28°04'10"E 360.34', WITH THE CENTER OF SAID VACATED ALLEY, TO SAID WESTERLY LINE OF A CAPITAL METRO TRANSPORTATION AUTHORITY, TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED TRACT OF LAND, CONTAINING **0.9809 ACRES (42,728 SQUARE FEET)**, MORE OR LESS. DISTANCES AND AREAS SHOWN ARE GRID, RELATIVE TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD'83), TEXAS CENTRAL ZONE (4203).



PROJECT: 0057595
 CHECKED: JRG
 DRAWN: RPP
 FIELD WORK DATE: 11/10/2024

Westwood

Phone (512) 485-0831 8701 NORTH MOPAC EXPY, STE 320
 AUSTIN, TX 78759
 westwoodps.com

Westwood Professional Services, Inc.
TPELS ENGINEERING FIRM REGISTRATION NO. 11756
 TPELS SURVEYING FIRM REGISTRATION NO. 10074301

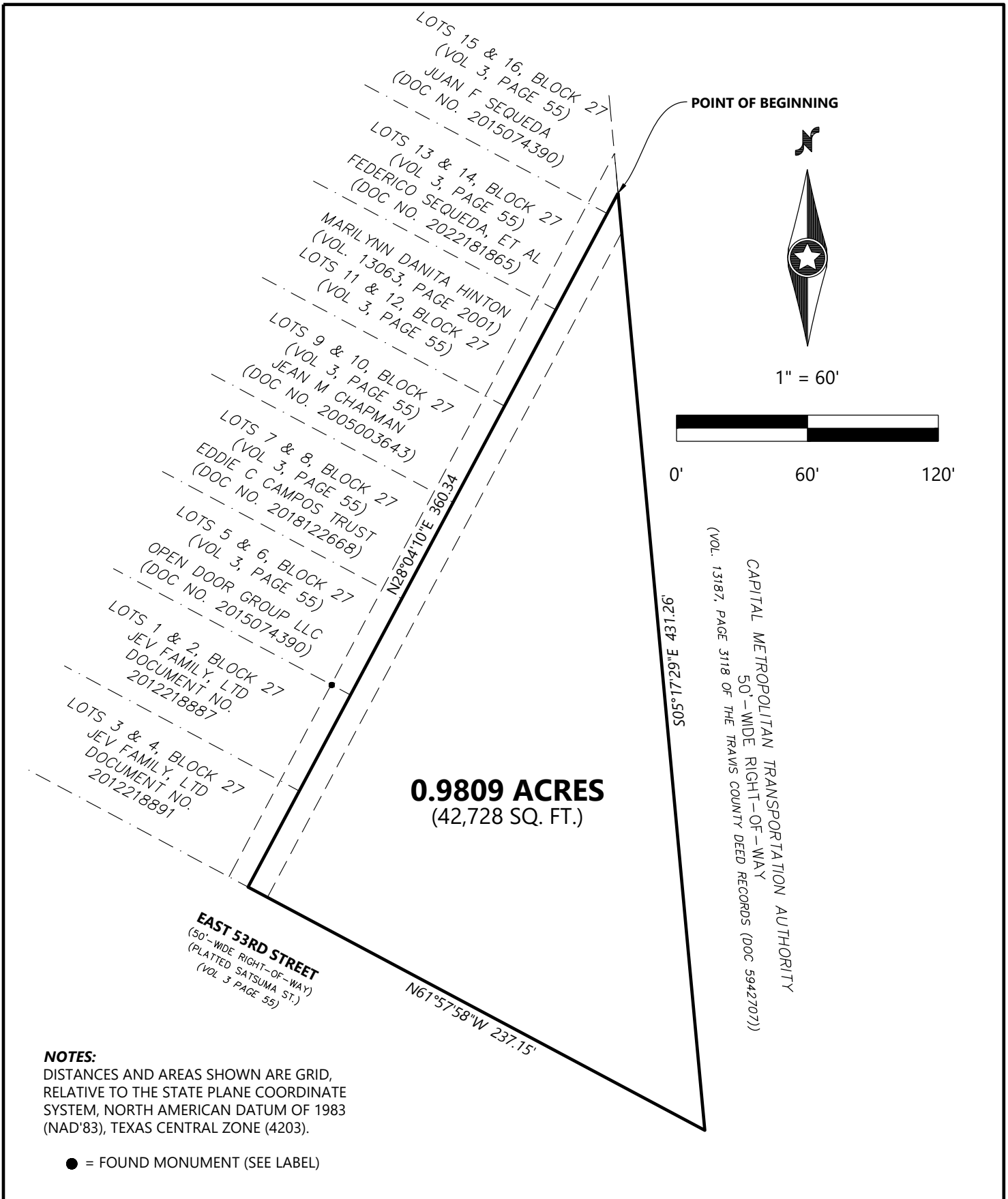
A 0.9809 ACRE ZONING EXHIBIT OF
 LOTS 17 THROUGH 24, BLOCK 27 &
 NORTHERLY PORTION OF BLOCK 27-1/2,
 THE HIGHLANDS ADDITION, VOLUME 851, PAGE 65,
 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS

TRAVIS COUNTY, TEXAS

SHEET NUMBER:

1 OF 2

DATE: 02/21/2025



PROJECT:	0057595
CHECKED:	JRG
DRAWN:	RPP
FIELD WORK DATE:	11/10/2024

Westwood

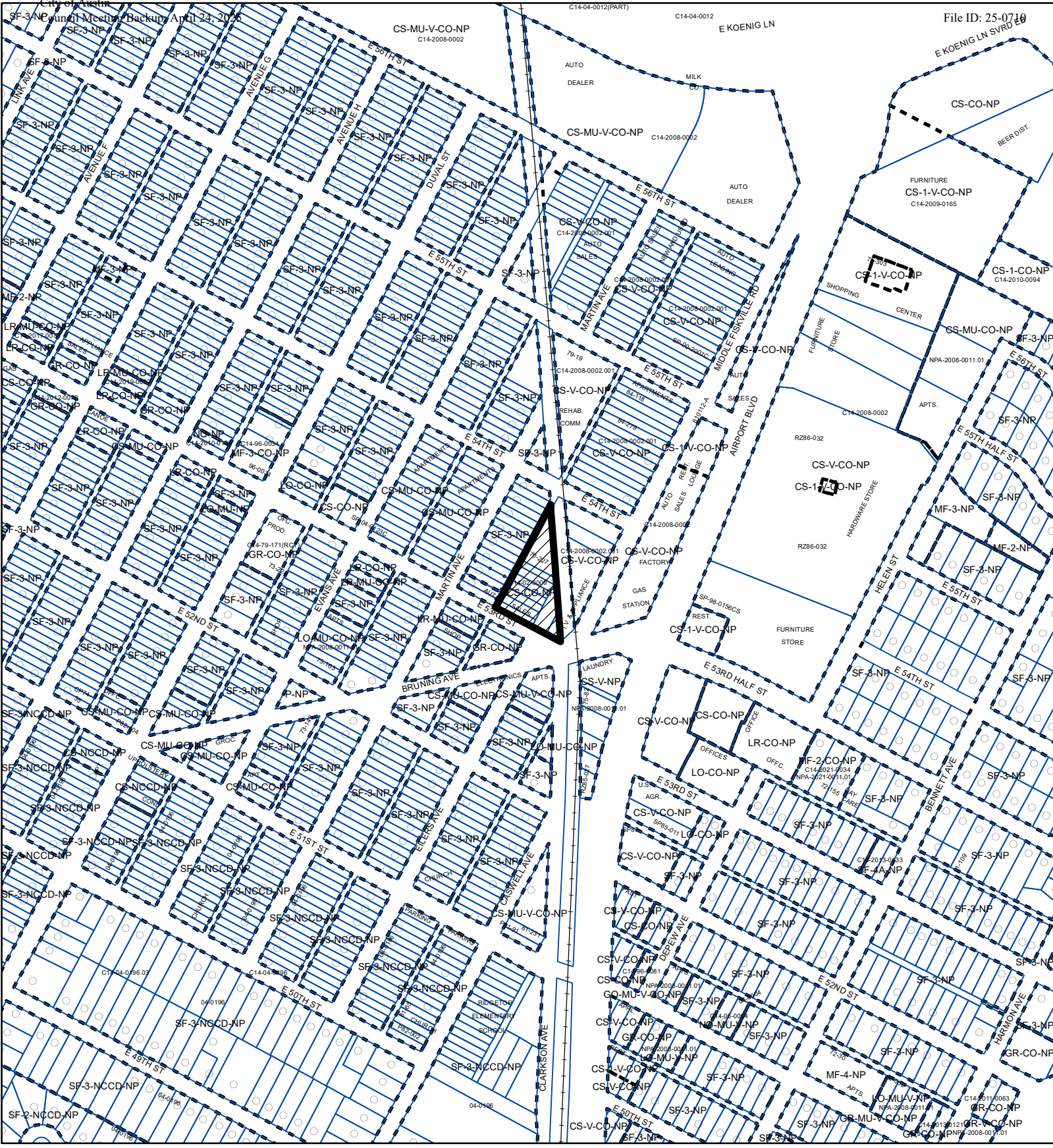
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AUSTIN, TX 78759
westwoodps.com

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TPELS ENGINEERING FIRM REGISTRATION NO. 11756
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A 0.9809 ACRE ZONING EXHIBIT OF
LOTS 17 THROUGH 24, BLOCK 27 &
NORTHERLY PORTION OF BLOCK 27-1/2,
THE HIGHLANDS ADDITION, VOLUME 851, PAGE 65,
OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS

TRAVIS COUNTY, TEXAS

SHEET NUMBER:
2 OF 2
DATE: 02/21/2025



ZONING EXHIBIT "B"

ZONING CASE#: C14-2024-0113

SUBJECT TRACT

 PENDING CASE

 ZONING BOUNDARY

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



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