

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

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1700 SOUTH CONGRESS AVENUE IN THE BOULDIN CREEK NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-EQUITABLE TRANSIT-ORIENTED DEVELOPMENT-DENSITY BONUS ETOD-NEIGHBORHOOD PLAN (CS-V-CO-ETOD-DBETOD-NP) COMBINING DISTRICT TO COMMERCIAL-LIQUOR SALES-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-EQUITABLE TRANSIT-ORIENTED DEVELOPMENT-DENSITY BONUS ETOD-NEIGHBORHOOD PLAN (CS-1-V-CO-ETOD-DBETOD-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-vertical mixed use building-conditional overlay-equitable transit-oriented development-density bonus ETOD-neighborhood plan (CS-V-CO-ETOD-DBETOD-NP) combining district to commercial-liquor sales-vertical mixed use building-conditional overlay-equitable transit-oriented development-density bonus ETOD-neighborhood plan (CS-1-V-CO-ETOD-DBETOD-NP) combining district on the property described in Zoning Case No. C14-2025-0044, on file at the Planning Department, as follows:

0.0619 acres of land, being a portion of LOT 1, BLOCK 27, SWISHER ADDITION, a subdivision recorded in Volume 1, Page 2, of the Plat Records of Travis County, Texas, described as the north 38.59 feet of the east 69.9 feet of LOT 1, BLOCK 27, SWISHER ADDITION, said 0.0619 acres of land being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (the “Property”),

locally known as 1700 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:

General Retail Sales use exceeding 20,000 square feet is a conditional use.



## EXHIBIT "A"

### EXHIBIT “ ”

#### Legal Description

**BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.0619 ACRE (2,697 SQUARE FEET) BEING A PORTION OF LOT 1, BLOCK 27, SWISHER ADDITION, A SUBDIVISION RECORDED IN VOLUME 1, PAGE 2 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.T.), AND BEING ALL OF A TRACT (SHOWN AS TRACT 5(i)) DESCRIBED AS THE NORTH 38.59 FEET OF THE EAST 69.9 FEET OF SAID LOT 1, BLOCK 27 OF SWISHER ADDITION, AND CONVEYED TO DCW PROPERTIES, LTD., IN VOLUME 12343, PAGE 631 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (R.P.R.T.C.T.), SAID 0.0619 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**



PO Box 90876  
Austin, TX 78709  
512.554.3371  
jward@4wardls.com  
[www.4wardls.com](http://www.4wardls.com)

**BEGINNING**, at a chiseled “X” found in concrete at the intersection of the west right-of-way line of South Congress Avenue (120’ right-of-way) with the south right-of-way line of West Milton Street (60’ right-of-way), and being the northeast corner of said Lot 1 and said DCW Properties Tract 5(i), for the northeast corner and **POINT OF BEGINNING** hereof;

**THENCE**, with the west right-of-way line of said South Congress Avenue, and with the east lines of said Lot 1 and said DCW Properties Tract 5(i), **S16°35’34”W**, a distance of **38.59** feet to a calculated point for the southeast corner hereof, said point being at a corner in the east line of a tract (shown as Tract 5(ii)) described as the Lot 1 save and except the North 38.59 feet of the East 69.9 feet, and the North 19 feet of Lot 2, Block 27 of said Swisher Addition, conveyed to DCW Properties, Ltd., in Volume 12343, Page 631 (R.P.R.T.C.T.), from which a 1/2-inch iron rod found at the intersection of the north right-of-way line of West Annie Street (60’ right-of-way) with the west right-of-way line of said South Congress Avenue, and being the southeast corner of Lot 6, Block 27 of said Swisher Addition bears, **S16°35’34”W**, a distance of **257.57** feet;

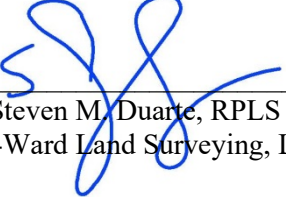
**THENCE**, leaving the west right-of-way line of said South Congress Avenue and the east line of said Lot 1, over and across said Lot 1, with the common line of said DCW Properties Tracts 5(i) and 5(ii), the following two (2) courses and distances:

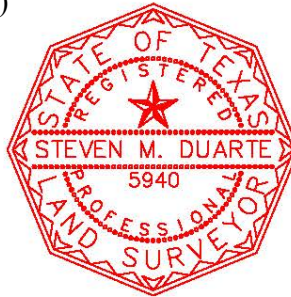
- 1) **N73°27’11”W**, a distance of **69.90** feet to a calculated point for the southwest corner hereof, and
- 2) **N16°35’34”E**, a distance of **38.59** feet to a calculated point for the northwest corner hereof, said point being in the south right-of-way line of said West Milton Street, from which a 1/2-inch iron rod found at the intersection of the west right-of-way line of an alley (16’ right-of-way, dedicated per said Swisher Addition) with the south right-of-way line of said West Milton Street, and being the northeast corner of Lot 12, Block 27 of said Swisher Addition, and being the northeast corner of a tract described as the East 46.67 feet of Lots 11 and 12, Block 27 of said Swisher Addition, conveyed to 105 Milton, Inc., in Document No. 2021208330 (O.P.R.T.C.T.) bears, **N73°27’11”W**, a distance of **86.14** feet;

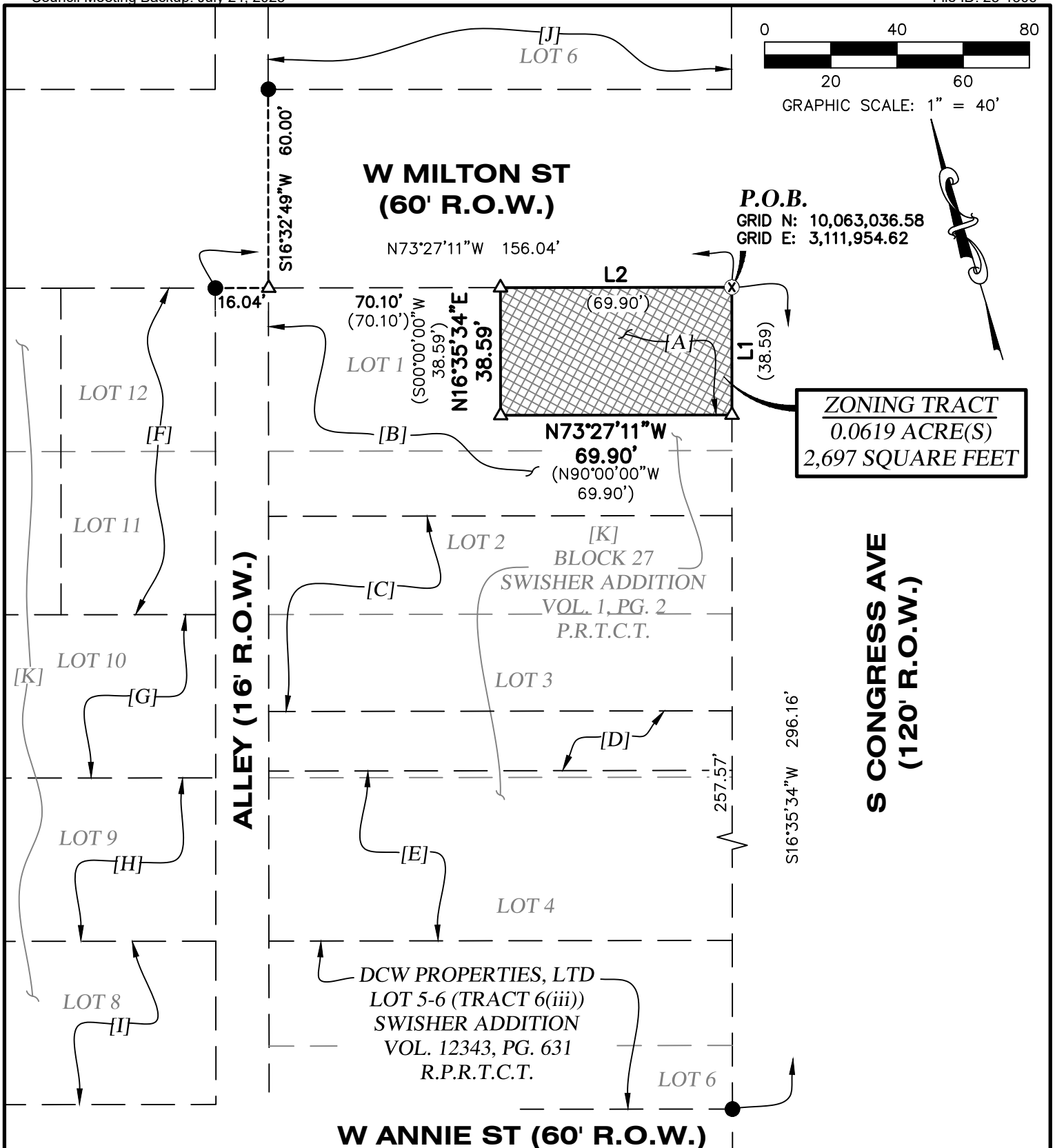
**THENCE**, with the south right-of-way line of said West Milton Street, the north lines of said Lot 1 and said DCW Properties Tract 5(i), **S73°27’11”E**, a distance of **69.90** feet to the **POINT OF BEGINNING** and containing 0.0619 Acre (2,697 Sq. Ft.) of land more or less.

**NOTE:**

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 1.000058909901. See attached sketch (reference drawing: 02032\_zoning-rev.dwg)

  
4/28/25  
Steven M. Duarte, RPLS #5940  
4Ward Land Surveying, LLC





**0.0619 ACRE**  
**ZONING EXHIBIT**  
**City of Austin, Travis**  
**County, Texas**



PO Box 90876, Austin Texas 78709  
INFO@4WARDLS.COM (512) 537-2384  
TBPELS FIRM #10174300

Date:	4/28/2025
Project:	02032
Scale:	1" = 40'
Reviewer:	SMD
Tech:	JG/ERH
Field Crew:	JC/KH
Survey Date:	APR. 2025
Sheet:	1 OF 2

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S16°35'34"W	38.59'
L2	S73°27'11"E	69.90'

LEGEND	
	PROPOSED PROPERTY LINE
	ADJACENT PROPERTY LINES
	CALCULATED POINT
	1/2" IRON ROD FOUND (UNLESS NOTED)
	CHISELED "X" FOUND IN CONCRETE
P.O.B.	POINT OF BEGINNING
VOL./PG.	VOLUME, PAGE
DOC. NO.	DOCUMENT NUMBER
R.O.W.	RIGHT-OF-WAY
P.R.T.C.T.	PLAT RECORDS, TRAVIS COUNTY, TEXAS
R.P.R.T.C.T.	REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
(.....)	RECORD INFORMATION PER DEED VOL. 12343 PG. 631
[.....]	RECORD INFORMATION PER PLAT VOL. 1 PG. 2
{.....}	RECORD INFORMATION FOR ADJACENT PROPERTIES

TCAD PARCEL #302159  
COA GRID #H20

[A]  
DCW PROPERTIES, LTD  
NORTH 38.59' OF EAST 69.9'  
LOT 1, BLOCK 27  
(TRACT 5(i))  
SWISHER ADDITION  
VOL. 12343, PG. 631  
R.P.R.T.C.T.

[E]  
DCW PROPERTIES, LTD  
S 5' LOT 3 & LOT 4  
(TRACT 6(ii))  
SWISHER ADDITION  
VOL. 12343, PG. 631  
R.P.R.T.C.T.

[F]  
105 MILTON LLC,  
EAST 46.67' OF LOTS  
11 & 12, BLOCK 27  
SWISHER ADDITION  
DOC. NO. 2021208330  
O.P.R.T.C.T.

[B]  
DCW PROPERTIES, LTD  
LOT 1 LESS  
NORTH 38.59' OF EAST 69.9'  
OF LOT 1, BLOCK 27  
AND N 19.65' OF LOT 2  
(TRACT 5(ii))  
SWISHER ADDITION  
VOL. 12343, PG. 631  
R.P.R.T.C.T.

[G]  
JEFFREY SEIDEN &  
NANCYELLEN SEIDEN  
LOT 10, BLOCK 27  
SWISHER ADDITION  
DOC. NO. 2011108456  
O.P.R.T.C.T.

[C]  
DCW PROPERTIES, LTD  
S 29.65' OF LOT 2  
N 29.3' OF LOT 3  
(TRACT 5(iii))  
SWISHER ADDITION  
VOL. 12343, PG. 631  
R.P.R.T.C.T.

[H]  
TRI MINH VO  
LOT 9, BLOCK 27  
SWISHER ADDITION  
DOC. NO. 2020189116  
O.P.R.T.C.T.

[D]  
DCW PROPERTIES, LTD  
N 18' OF S 23' LOT 3  
(TRACT 6(i))  
SWISHER ADDITION  
VOL. 12343, PG. 631  
R.P.R.T.C.T.

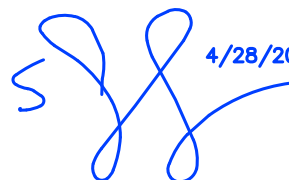
[I]  
1709 EVA ST, LLC  
LOT 8, BLOCK 27  
SWISHER ADDITION  
DOC. NO. 2020058681  
O.P.R.T.C.T.

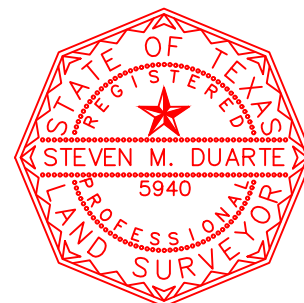
[J]  
MUELLER FAMILY  
PARTNERSHIP #2, L.P.  
LOTS 5 & 6, BLOCK 22  
SWISHER ADDITION  
VOL. 12791, PG. 983  
R.P.R.T.C.T.

### NOTES:

1) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83. ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000058909901.

2) SEE ATTACHED METES AND BOUNDS DESCRIPTION.

 4/28/2025



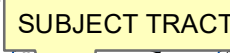
**0.0619 ACRE  
ZONING EXHIBIT  
City of Austin, Travis  
County, Texas**



PO Box 90876, Austin Texas 78709  
INFO@4WARDLS.COM (512) 537-2384  
TBPELS FIRM #10174300

Date:	4/28/2025
Project:	02032
Scale:	N/A
Reviewer:	SMD
Tech:	JG/ERH
Field Crew:	JC/KH
Survey Date:	APR. 2025
Sheet:	2 OF 2





**Created: 4/28/2025**

$$1'' = 400'$$