

**ORDINANCE NO. 20220616-073**

**AN ORDINANCE AMENDING ORDINANCE NO. 001026-60, REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 200, 208, 210 AND 220 ½ SOUTH CONGRESS AVENUE IN THE BOULDIN CREEK NEIGHBORHOOD PLAN AREA FROM LIMITED INDUSTRIAL SERVICES-PLANNED DEVELOPMENT AREA-NEIGHBORHOOD PLAN (LI-PDA-NP) COMBINING DISTRICT TO LIMITED INDUSTRIAL SERVICES-PLANNED DEVELOPMENT AREA-NEIGHBORHOOD PLAN (LI-PDA-NP) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The planned development area (“PDA”) is comprised of approximately 5.575 acres of land located at 200-210 South Congress Avenue in Travis County and more particularly described by metes and bounds in Ordinance No. 001026-60 (the “Original Ordinance”), was approved on November 6, 2000.

**PART 2.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district on the property described in Zoning Case No. C14-99-0069.01, on file at the Housing and Planning Department, as follows:

A 0.575 tract of land situated in the Isaac Decker Survey, Abstract 8, City of Austin Travis County, Texas, and being the tract of land called 0.573 as described in Warranty Deed to Rivian Lone Star Holdings, LLC, recorded in Document No. 2021228902 of the Official Public Records of Travis County, Texas, said 0.575 acres of land being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (the “Property”),

locally known as 200, 208, 210 and 220 ½ South Congress Avenue, in the City of Austin, Travis County, Texas and generally identified in the map attached as **Exhibit “B”**.

**PART 3. Definitions.**

Landowner shall mean the owner of the Property, or the owner’s successors and assigns.

**PART 4.** Except as specifically provided in Part 5 and Part 6 of this ordinance, the Property may be developed and used in accordance with the regulations established for the limited industrial services (LI) base district and other applicable requirements of the City Code.

**PART 5.** Development of the Property shall comply with Section 25-2-648 (*Planned Development Area Performance Standards*) of the City Code.

**PART 6.** Exhibit “C” Site Development Standards of Ordinance No. 001026-60 is revised as detailed in this Part 4:

- (A) Section 1. (Applicable Site Development Regulations) is modified as follows:

Development of the Property shall comply with applicable City of Austin regulations, except as modified herein. Development on the Property will occur within three years of the release of an approved site plan for this project.

- (B) Section 2. B. (Uses) is modified to remove:

Indoor Entertainment                      Restaurant (drive-in, fast food)

- (C) Section 2. D. (Uses) is added to include:

A drive-in service use is prohibited as an accessory use.

- (D) Section 3. D. (Access) is modified as follows:

Non-emergency vehicular access from the Property to Barton-Springs Road through the adjoining property at 220 South Congress Avenue is prohibited. If non-emergency vehicular access to a public right-of-way is required as result of redevelopment or if the current access to a public right-of-way is removed, the Landowner shall work with the city manager at the time of site plan to obtain appropriate vehicular access to a public right-of-way.

- (E) Section 5. (Transportation) is modified as follows:

Development of the Property is limited to 56 condominium units. A Transportation Impact Analysis (“TIA”) waiver was obtained when this zoning case was filed. The development of the Property shall not be subject to minimum parking requirements. At the time of site plan, a Transportation Demand

Management (TDM) Plan shall be submitted, subject to approval by the Austin Transportation Department.

(F) Section 8. (Accessibility) is added to include:

1. Building Accessibility

The existing building shall be updated to have Americans with Disabilities Act (ADA) accessibility from South Congress Avenue prior to issuance of any Certificate of Occupancy associated with a change of use.

2. Site Accessibility

The landowner shall explore the feasibility of providing access through the site to the Butler hike and bike trail beyond business hours.

**PART 7.** Except as otherwise specifically provided by this ordinance, the Property is subject to all other rules, regulations, and ordinances of the City, including Ordinance No. 020523-33 that established zoning for the Bouldin Creek Neighborhood Plan.

**PART 8.** This ordinance takes effect on June 27, 2022.

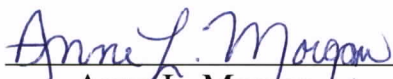
**PASSED AND APPROVED**

\_\_\_\_\_, June 16, 2022

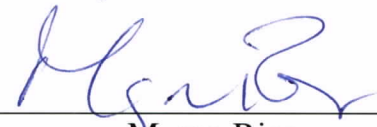
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\_\_\_\_\_  
Steve Adler  
Mayor

**APPROVED:**

  
\_\_\_\_\_  
Anne L. Morgan  
City Attorney

**ATTEST:**

  
\_\_\_\_\_  
Myrna Rios  
City Clerk



**METES & BOUNDS LEGAL DESCRIPTION OF:**  
**TRACT 1 - 0.575 ACRES**

**BEING** A 0.575 TRACT OF LAND SITUATED IN THE ISAAC DECKER SURVEY, ABSTRACT 8, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND BEING THE SAME TRACT OF LAND, CALLED 0.573 ACRE, DESCRIBED TO RIVIAN LONE STAR HOLDINGS, LLC, AS SHOWN ON INSTRUMENT RECORDED IN DOCUMENT NO. 2021228902 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A MAG NAIL WITH WASHER STAMPED "SURVEY WORKS 6356" FOUND IN THE NORTHERLY RIGHT-OF-WAY LINE OF BARTON SPRINGS ROAD (VARIABLE RIGHT-OF-WAY WIDTH), AT THE SOUTHEAST CORNER OF LOT 4, BLOCK A, OF THE LADY BIRD LAKE WATER FRONT SUBDIVISION AS SHOWN ON PLAT RECORDED IN DOCUMENT NO. 201000085 OF THE PLAT RECORDS OF TRAVIS COUNTY; FOR THE SOUTHWEST CORNER OF THIS TRACT;

**THENCE**, NORTH 16°32'25" EAST, AT 330.84 FEET PASSING A 1/2" IRON ROD FOUND WITH PLASTIC SURVEYOR'S CAP STAMPED BURY PARTNERS" AT THE NORTHEAST CORNER OF SAID LOT 4, BLOCK A AND THE WESTERLY SOUTHEAST CORNER OF LOT 2, BLOCK A OF SAID LADY BIRD LAKE WATER FRONT SUBDIVISION, IN ALL A DISTANCE OF 400.21 FEET TO A PUNCH HOLE FOUND AT AN INTERIOR CORNER OF SAID LOT 2, BLOCK A, FOR THE WESTERLY NORTHWEST CORNER OF THIS TRACT;

**THENCE**, SOUTH 73°27'35" EAST, ALONG THE COMMON BOUNDARY LINE OF SAID LOT 2, BLOCK A AND THIS TRACT, A DISTANCE OF 58.35 FEET TO A 1/2 INCH IRON ROD FOUND AT THE EASTERLY SOUTHEAST CORNER OF SAID LOT 2, BLOCK A, FOR AN INTERIOR CORNER OF THIS TRACT;

**THENCE**, NORTH 16°32'25" EAST, CONTINUING ALONG THE COMMON BOUNDARY LINE OF SAID LOT 2, BLOCK B AND THIS TRACT, AT 209.46 FEET PASSING 0.75 FEET LEFT OF A 1/2" IRON ROD FOUND FOR A REFERENCE MARKER, IN ALL A DISTANCE OF 235.16 FEET TO A CALCULATED POINT FOR THE EASTERLY NORTHWEST CORNER OF THIS TRACT;

**THENCE**, SOUTH 73°27'35" EAST, A DISTANCE OF 25.00 FEET TO A CALCULATED POINT IN THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH CONGRESS AVENUE (CALLED 120' RIGHT-OF-WAY WIDTH), FOR THE NORTHEAST CORNER OF THIS TRACT;

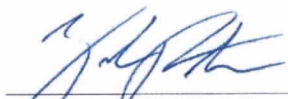
**THENCE**, SOUTH 16°32'25" WEST, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID SOUTH CONGRESS AVENUE, AT 25.60 FEET PASSING 0.27 FEET RIGHT OF A 1/2 INCH IRON ROD FOUND FOR A LINE MARKER, AT 235.27 FEET PASSING A 1/2 INCH IRON PIPE FOUND FOR A LINE MARKER, IN ALL A DISTANCE OF 454.11 FEET TO A CALCULATED POINT FALLING WITHIN THE SOUTHERN FACE OF A BRICK & MORTAR BUILDING, AT THE OSTENSIBLE NORTHEAST CORNER OF A CALLED 0.266 ACRE TRACT OF LAND DESCRIBED TO RAMROCK YETI JKC LLC AS SHOWN ON INSTRUMENT RECORDED IN DOCUMENT NO. 2018127736 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; FOR THE EASTERLY SOUTHEAST CORNER OF THIS TRACT;

**THENCE**, NORTH 73°32'35" WEST, A DISTANCE OF 78.35 FEET TO A CALCULATED POINT AT THE OSTENSIBLE NORTHWEST CORNER OF SAID 0.266 ACRE TRACT, FOR AN INTERIOR CORNER OF THIS TRACT; WHENCE A MAG NAIL FOUND WITH WASHER STAMPED "SURVEY WORKS 6356" FOR REFERENCE BEARS NORTH 62°23'32" WEST, A DISTANCE OF 0.60 FEET;

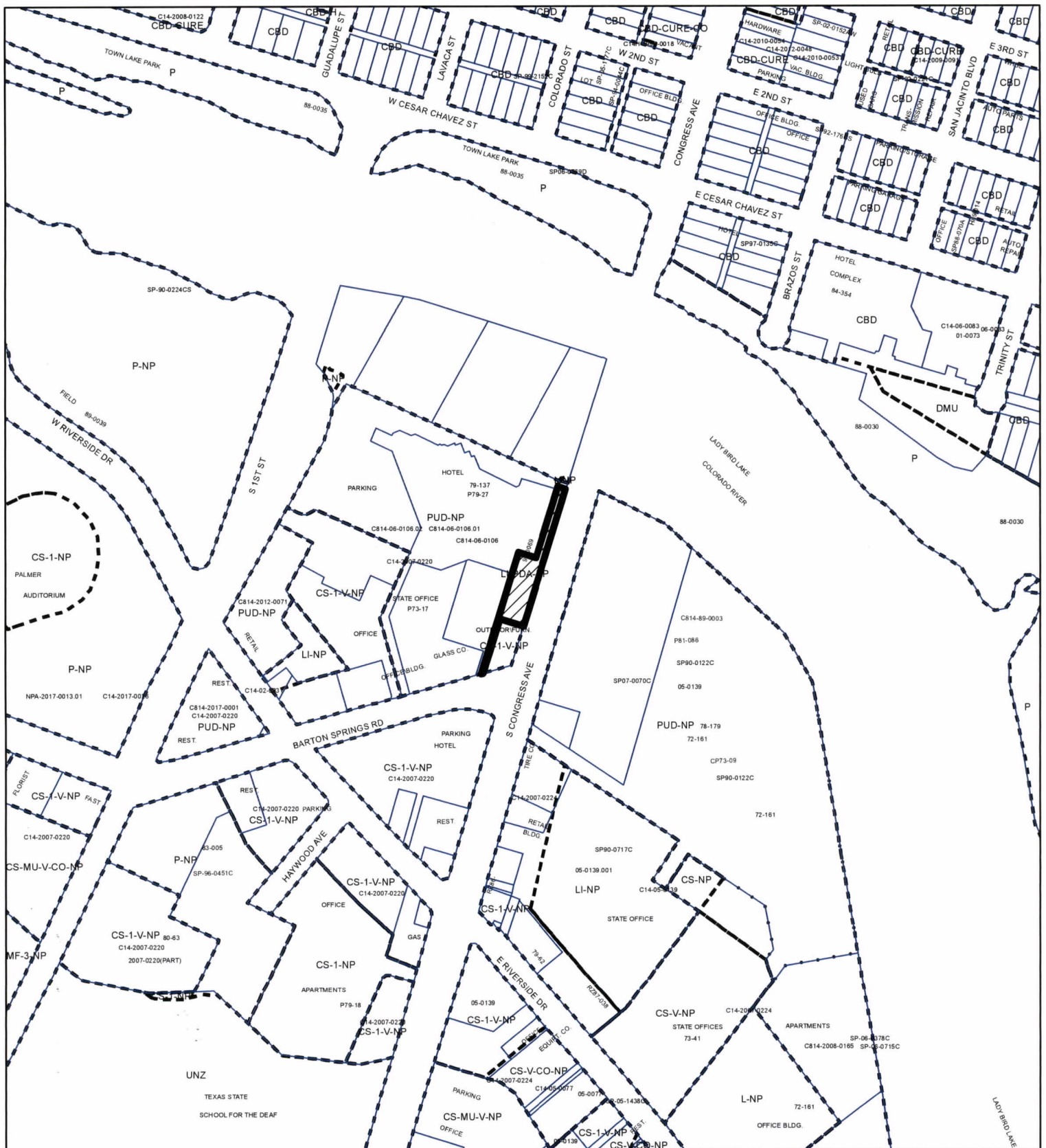
**THENCE**, SOUTH 16°32'24" WEST, A DISTANCE OF 177.94 FEET TO A CALCULATED POINT IN THE NORTHERLY RIGHT-OF-WAY LINE OF SAID BARTON SPRINGS ROAD AND AT THE OSTENSIBLE SOUTHWEST CORNER OF SAID 0.266 ACRE TRACT, FOR THE WESTERLY SOUTHEAST CORNER OF THIS TRACT;

**THENCE**, SOUTH 73°52'24" WEST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID BARTON SPRINGS ROAD, AT 0.50 FEET PASSING A MAG NAIL WITH WASHER STAMPED "SURVEY WORKS 6356" FOUND FOR A LINE MARKER, IN ALL A DISTANCE OF 5.94 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.575 ACRES OF LAND, MORE OR LESS, IN TRAVIS COUNTY, TEXAS. THIS DOCUMENT WAS PREPARED IN THE OFFICE OF KIMLEY-HORN INC. IN AUSTIN, TEXAS.

THIS DOCUMENT WAS PREPARED UNDER 22 TEXAS ADMINISTRATIVE CODE §138.95, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

  
ZACHARY KEITH PETRUS  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6769  
10814 JOLLYVILLE ROAD  
CAMPUS IV, SUITE 200  
AUSTIN, TEXAS 78759  
PH. (512) 572-6674  
ZACH.PETRUS@KIMLEY-HORN.COM





SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

## ZONING

ZONING CASE#: C14-99-0069.01

## Exhibit B

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



Created: 9/30/2021

1" = 400'