

ORDINANCE NO. 20240829-190

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2001, 2003, 2005, AND 2007 SOUTH LAMAR BOULEVARD FROM GENERAL COMMERCIAL SERVICES-VERTICAL MIXED USE BUILDING (CS-V) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-VERTICAL MIXED USE BUILDING-DENSITY BONUS 90 (CS-V-DB90) COMBINING DISTRICT ON TRACTS 1, 3, AND 4 AND FROM GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY (CS-MU-V-CO) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-DENSITY BONUS 90 (CS-MU-V-CO-DB90) COMBINING DISTRICT ON TRACT 2.

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 (CS-V) combining district to general commercial services-vertical mixed use building-density bonus 90 (CS-V-DB90) combining district on Tracts 1, 3, and 4 and from general commercial services-mixed use-vertical mixed use building-conditional overlay (CS-MU-V-CO) combining district to general commercial services-mixed use-vertical mixed use building-conditional overlay-density bonus 90 (CS-MU-V-CO-DB90) combining district on Tract 2 on the property described in Zoning Case No. C14-2024-0038, on file at the Planning Department, as follows:

Tract 1:

Lot 5A, Block 1, RESUBDIVISION OF LOTS 4 & 5 BLOCK 1 FREDERICKSBURG ROAD ACRES, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 66, Page 28, of the Plat Records of Travis County, Texas; and

Tract 2:

0.99 acres of land, more or less, being the East 65 feet of Lot 6, Block 1 and the East 115 feet of Lot 12, Block 1, FREDERICKSBURG ROAD ACRES, a subdivision in Travis County, Texas, according to the map or plat of record in Volume 3, Page 168, of the Plat Records of Travis County, Texas, said 0.99 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance; and

Tract 3:

The West 50 feet of Lot 6 and the East 10 feet of Lot 7, Block 1, FREDRICKSBURG ROAD ACRES, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 3, Page 168, of the Plat Records of Travis County, Texas; and

Tract 4:

The West 105 feet of Lot 7, Block 1, FREDERICKSBURG ROAD ACRES, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 3, Page 168, of the Plat Records of Travis County, Texas,

(Tract 1, Tract 2, Tract 3, and Tract 4 collectively, the "Property"),

locally known as 2001, 2003, 2005, and 2007 South Lamar Boulevard 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 on Tract 2 established by this ordinance is subject to the following conditions:

The following uses are prohibited uses of Tract 2:

Adult Oriented Businesses	Automotive Rentals
Automotive Repair Services	Automotive Sales
Automotive Washing (of any type)	Construction Sales and Services
Convenience Storage	Equipment Sales
Pawn Shop Services	Scrap And Salvage
Service Station	Vehicle Storage

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 on Tract 2, and other applicable requirements of the City Code.

PART 5. This ordinance takes effect on September 9, 2024.

PASSED AND APPROVED

_____ August 29 _____, 2024 §
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 Kirk Watson
 Mayor

APPROVED: Deborah Thomas **ATTEST:** Stephanie Hall for
 Deborah Thomas
 Acting City Attorney Myrna Rios
 City Clerk

EXHIBIT "A"

Tract 2 Metes and Bounds

0.99 ACRES

0.99 ACRES, BEING THE EAST 65 FEET OF LOT 6 AND THE EAST 115 FEET OF LOT 12, BLOCK 1, FREDERICKSBURG ROAD ACRES, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 3, PAGE 188, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING THAT SAME TRACT CONVEYED TO JOHNNY CUCHIA BY DEED RECORDED IN DOCUMENT NO. 2001030906, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" pipe found in the south line of S. Lamar Boulevard (60' right-of-way), being in the north line of said Lot 6, marking the northeast corner of that tract conveyed to Michael Macari by deed recorded in Volume 10565, Page 187, Real Property Records of Travis County, Texas, for the northwest corner of said Cuchia tract and this tract;

THENCE: N 71°45'47" E, 64.87 feet with the south line of said S. Lamar Boulevard and the north line of said Lot 6 to a 5/8" iron rod found, marking the northwest corner of Lot 5A of the Resubdivision of Lots 4 and 5, Block 1, Fredericksburg Road Acres, for the northeast corner of said Lot 6, said Cuchia tract, and this tract;

THENCE: S 19°26'34" E, 540.49 feet with the west line of said Lot 5A, in part with the east line of said Lot 6 and continuing with the east line of said Lot 12 to a 1/2" iron rod found in the north line of Mopac Railroad, marking the southwest corner of said Lot 5A and the easterly corner of that 1.079 acre tract called Tract 1 in a deed to JSTrain, LLC, recorded in Document No. 2014113524 of said Official Public Records, for the southeast corner of said Lot 12, said Cuchia tract, and this tract;


THENCE: S 70°49'58" W, 114.78 feet with the south line of said Lot 12 and the north line of said Tract 1 to a 1/2" pipe found, marking the southwest corner of that 1.658 acre tract called Tract 2 in said deed to JSTrain, LLC, for the southwest corner of said Cuchia tract, and this tract;

THENCE: N 19°26'34" W, 164.39 feet across said Lot 12 with the east line of said Tract 2 to a 1/2" iron rod with pink cap stamped "TLS INC." set in the north line of said Lot 12 and the south line of said Macari tract, marking the southeast corner of Lot 7 of said Fredericksburg Road Acres and the southwest corner of said Lot 6, for an exterior "ell" corner in the west line of said Cuchia tract, and this tract;

THENCE: N 70°33'46" E, 49.88 feet with the south line of said Lot 6 and said Macari tract and with the north line of said Lot 12 to a 2" pipe found, marking the southeast corner of said Macari tract, for an interior "ell" corner in the west line of said Cuchia tract, and this tract;

THENCE: N 19°26'14" W, 376.92 feet into and across said Lot 6 with the east line of said Macari tract to the point of beginning, containing 0.99 acres of land, more or less.

All Bearings cited hereon based on Grid North Texas State Plane Coordinate System (Central Zone) NAD83(93).

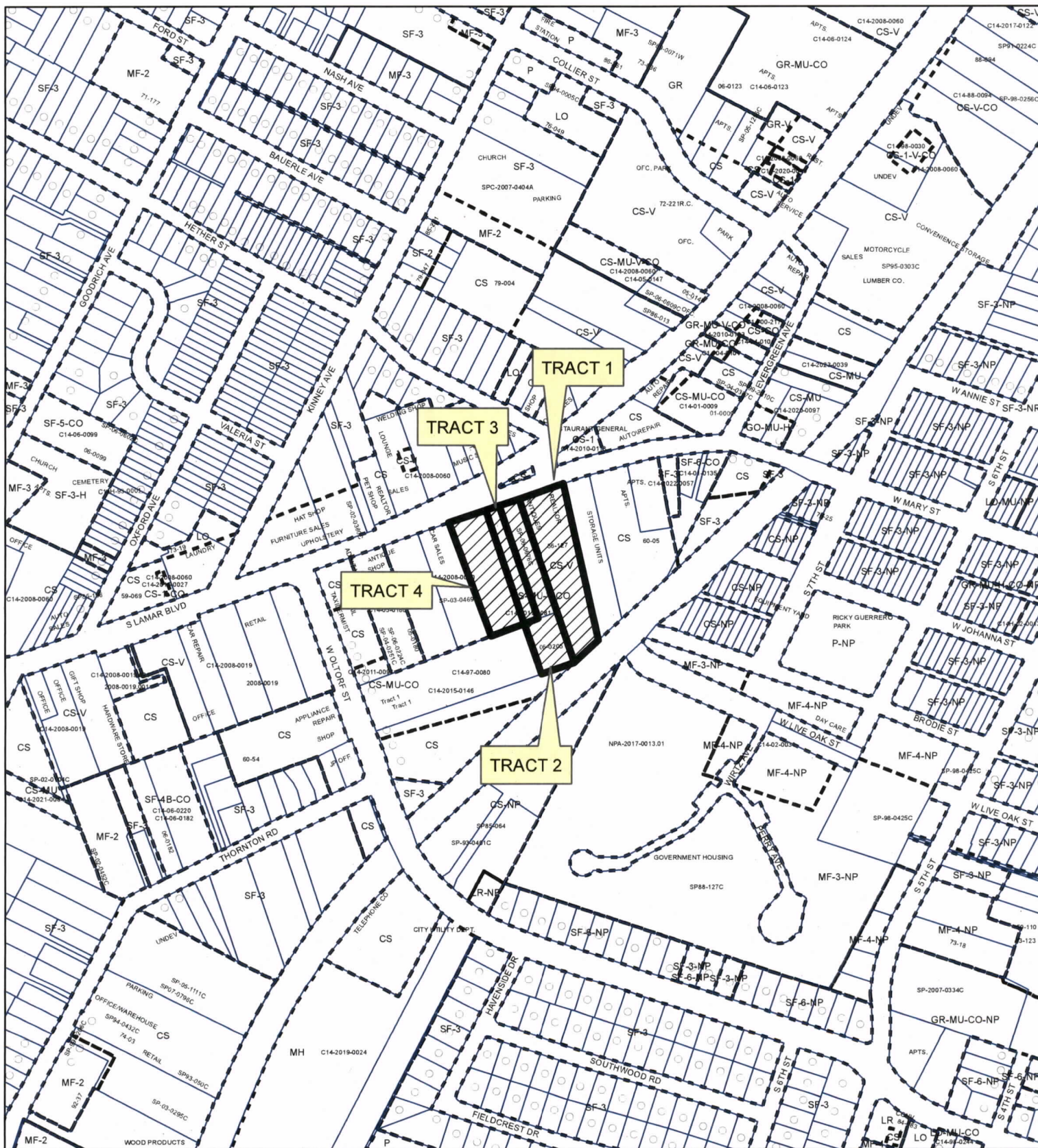

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BPLS FIRM No. 10056200 GEOSCIENCE FIRM No. 50538

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ZONING

EXHIBIT "B"

ZONING CASE#: C14-2024-0038



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.



Created: 3/25/2024