

ORDINANCE NO. 20240829-192

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2800 AND 2802 SOUTH LAMAR BOULEVARD AND 2805 AND 2807 SKYWAY CIRCLE 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 1 AND FROM COMMUNITY COMMERCIAL-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY (GR-MU-V-CO) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-DENSITY BONUS 90 (GR-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-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 1 and from community commercial-mixed use-vertical mixed use building-conditional overlay (GR-MU-V-CO) combining district to community commercial-mixed use-vertical mixed use building-conditional overlay-density bonus 90 (GR-MU-V-CO-DB90) combining district on Tract 2 on the property described in Zoning Case No. C14-2024-0073, on file at the Planning Department, as follows:

Tract 1:

A 1.0199 acre tract of land, being a portion of LOTS 8A-1 AND 13A-1, REPLAT OF LOTS 8-A AND 13-A OF THE RESUBDIVISION NO. ONE BARTON VILLAGE SECTION THREE, a subdivision in Travis County, Texas, recorded in Document No. 202100045 of the Official Public Records of Travis County, Texas, and being that same property conveyed by deed record in Document No. 2021070342 of the Official Public Records of Travis County, Texas, said 1.0199 acre tract of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance;

and

Tract 2:

A 0.3331 acre tract of land, being a portion of LOT 8A-1, REPLAT OF LOTS 8-A AND 13-A OF THE RESUBDIVISION NO. ONE BARTON VILLAGE SECTION THREE, a subdivision in Travis County, Texas, recorded in Document No. 202100045 of the Official Public Records of Travis County, Texas, and being LOT 9-A OF THE RESUBDIVISION NO. ONE BARTON VILLAGE SECTION THREE, a subdivision in Travis County, Texas, according to the map or plat thereof as recorded in Volume 45, Page 12, of the Plat Records of Travis County, Texas, said 0.3331 acre tract of land being more particularly described by metes and bounds in **Exhibit "B"** incorporated into this ordinance,

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

locally known as 2800 and 2802 South Lamar Boulevard and 2805 and 2807 Skyway Circle in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit "C"**.

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 on Tract 1:

Automotive Repair Services	Automotive Rentals
Automotive Sales	Automotive Washing (of any type)
Bail Bond Services	Exterminating Services
Outdoor Sport and Recreation	Pawn Shop Services
Service Station	

(B) The following uses are prohibited uses on Tract 2:

Alternative Financial Services	Automotive Rentals
Automotive Repair Services	Automotive Sales
Automotive Washing (of any type)	Bail Bond Services
Bed & Breakfast (Group 1)	Bed & Breakfast (Group 2)
Business or Trade School	Community Events
Community Garden	Cultural Services
Drop-Off Recycling Collection Facility	Exterminating Services
Funeral Services	Hospital Services (General)
Mobile Home Residential	Outdoor Entertainment
Outdoor Sports and Recreation	Pawn Shop Services

Printing and Publishing
Urban Farm

Service Station

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 on Tract 1, the community commercial (GR) base district on Tract 2, the mixed use combining district on Tract 1 and Tract 2, and other applicable requirements of the City Code

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

PASSED AND APPROVED

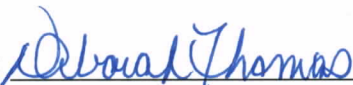
August 29, 2024

§
§
§



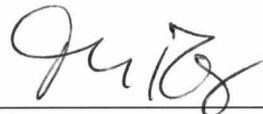
Kirk Watson
Mayor

APPROVED:



Deborah Thomas
Acting City Attorney

ATTEST:



Myrna Rios
City Clerk

EXHIBIT "A"

EXHIBIT "_____"

Zoning Exhibit

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 1.0199 ACRES (44,428 SQUARE FEET), BEING A PORTION OF LOTS 8A-1 AND 13A-1, REPLAT OF LOTS 8-A AND 13-A OF THE RESUBDIVISION NO. ONE BARTON VILLAGE SECTION THREE, A SUBDIVISION RECORDED IN DOCUMENT NO. 202100045 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), CONVEYED TO SEAMLESS LMA, LTD., IN DOCUMENT NO. 2021070342 (O.P.R.T.C.T.), SAID 1.0199 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:



PO Box 90876
Austin, TX 78709
(512) 537-2384
jward@4wardls.com
www.4wardls.com

BEGINNING, at a chiseled "X" found in concrete in the northwest right-of-way line of South Lamar Boulevard (right-of-way varies), and being the south corner of Lot 2 of the Resubdivision of Part of Block "J", Barton Hills Section 1, recorded in Volume 16, Page 66 of the Plat Records of Travis County, Texas (P.R.T.C.T.), and being the east corner of said Lot 13A-1, for the east corner and **POINT OF BEGINNING** hereof;

THENCE, with the northwest right-of-way of said South Lamar Boulevard and the southeast line of said Lot 13A-1, **S48°53'27"W**, a distance of **215.76** feet to a mag nail with "Chaparral" washer found for the south corner hereof, said point being at the east corner of Lot A of the Don Morris Subdivision, recorded in Volume 81, Page 331 (P.R.T.C.T.), and being the south corner of said Lot 13A-1;

THENCE, leaving the northwest right-of-way line of said South Lamar Boulevard, in part with the southwest lines of said Lot 13A-1 and said Lot 8A-1, in part with the northeast line of said Lot A, and in part with the northeast line of Lot 11-A of the Resubdivision No. One Barton Village Section Three, recorded in Volume 45, Page 12 (P.R.T.C.T.), **N36°16'04"W**, a distance of **239.63** feet to a 1/2-inch iron rod found for the west corner hereof, said point being in the southeast line of Lot 10-A of said Resubdivision No. One Barton Village Section Three, and being the common north corner of said Lot 11-A and said Lot 8A-1;

THENCE, with the common line of said Lot 10A and said Lot 8A-1, **N53°58'07"E**, a distance of **20.79** feet to a 1/2-inch iron rod with "Holt-Carson" cap found for an angle point hereof, said point being at the common south corner of Lots 9-A and 10-A of said Resubdivision No. One Barton Village Section Three;

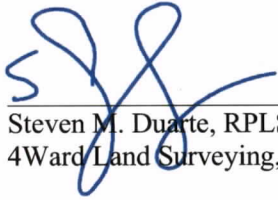
THENCE, in part with the common line of said Lot 9-A and said Lot 8A-1, and in part over and across said Lot 8A-1, the following four (4) courses and distances:

- 1) **N54°00'04"E**, passing at a distance of 80.03 feet, a 1/2-inch iron rod found at the common east corner of said Lot 9-A and said Lot 8A-1, and continuing for a total distance of **97.72** feet to a calculated point for an angle point hereof,
- 2) **S43°56'08"E**, a distance of **38.34** feet to a calculated point for an angle point hereof,
- 3) **N52°29'50"E**, a distance of **71.56** feet to a calculated point for an angle point hereof, and
- 4) **S45°51'36"E**, a distance of **46.99** feet to a 1/2-inch iron rod found for an angle point hereof, said point being at the common corner of said Lot 2, said Lot 8A-1 and said Lot 13A-1;

THENCE, with the common line of said Lot 2 and said Lot 13A-1, **S41°13'46"E**, a distance of **138.60** feet to the **POINT OF BEGINNING** and containing 1.0199 Acres (44,428 Square Feet) of land, more or less.

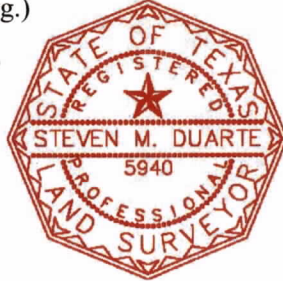
Notes:

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 1.000063715744. See attached sketch (reference drawing: 00528-zoning 5.dwg.)



8/4/2023

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



[A]
REPLAT OF LOTS 8-A AND 13-A
OF THE RESUBDIVISION
NO. ONE BARTON VILLAGE
SECTION THREE
DOC. NO. 202100045
O.P.R.T.C.T.

[B]
RESUBDIVISION
NO. ONE BARTON VILLAGE
SECTION THREE
VOL. 45, PG. 12
P.R.T.C.T.

[C]
LOT A
THE DON MORRIS
SUBDIVISION
VOL. 81, PG. 331
P.R.T.C.T.

[D]
LOT 2
RESUBDIVISION OF
PART OF BLOCK "J",
BARTON HILLS SECTION 1
VOL. 16, PG. 66
P.R.T.C.T.

[E]
CALLED 14,674.76 SQ FT
PORTION OF BLOCK "J" BARTON
HILLS SECTION 1
VOL. 16, PG. 66
P.R.T.C.T.

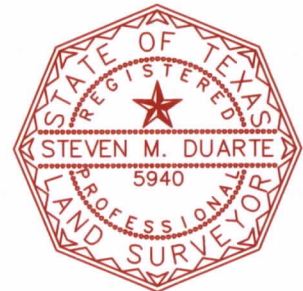
[F]
CALLED 0.50 ACRE
DAVIS 2708 S LAMAR, LLC.
DOC. NO. 2013097236
O.P.R.T.C.T.

[G]
OWNER: SEAMLESS LMA, LTD
DOC. NO. 2021070342
O.P.R.T.C.T.

[H]
LOT 5
BARTON VILLAGE
SECTION THREE
VOL. 39, PG. 24



8/4/2023



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 1.000063715744.

2. SEE ATTACHED METES AND BOUNDS DESCRIPTION.

**1.0199 ACRES
ZONING EXHIBIT
City of Austin,
Travis County, Texas**



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

Date:	8/4/2023
Project:	00528
Scale:	N/A
Reviewer:	SMD
Tech:	TS
Field Crew:	SV/DR
Survey Date:	DEC. 2018
Sheet:	2 OF 3

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	BEARING	DISTANCE
C1	17.26'	15.00'	65°56'23"	N86°57'58"E	16.33'
C2	81.71'	60.00'	78°01'36"	N81°19'40"E	75.54'
C3	38.76'	60.00'	37°01'04"	N23°48'20"E	38.09'
C4	38.45'	60.00'	36°42'59"	N13°03'42"W	37.79'

RECORD CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	BEARING	DISTANCE
(C1)	17.26'	15.00'	65°56'23"	N88°57'58"E	16.33'
(C2)	81.71'	60.00'	78°01'36"	N81°19'40"E	75.54'
(C3)	38.68'	60.00'	—	N26°04'00"E	38.01'
(C4)	38.68'	60.00'	—	N10°52'00"W	38.01'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N53°58'07"E	20.79'
L2	N54°00'04"E	97.72'
L3	S43°56'08"E	38.34'
L4	N52°29'50"E	71.56'
L5	S45°51'36"E	46.99'
L6	S41°13'46"E	138.60'
L7	N36°18'30"W	87.96'
L8	N53°42'34"E	80.10'
L9	S45°54'43"E	66.63'
L10	N48°53'27"E	84.56'

RECORD LINE TABLE		
LINE #	DIRECTION	LENGTH
(L1)	S56°05'00"W	20.67'
((L6))	S41°13'46"W	138.60'
(L7)	N34°00'00"W	87.96'
(L8)	N56°00'00"E	80.00'
[L10]	N51°10'00"E	84.55'

LEGEND

	PROPERTY LINE
	EXISTING PROPERTY LINES
	1/2" IRON ROD FOUND (UNLESS NOTED)
	1" IRON PIPE FOUND (UNLESS NOTED)
	IRON ROD WITH "HOLT CARSON" CAP FOUND UNLESS NOTED
	CALCULATED POINT
	CHISELED "X" FOUND IN CONCRETE
	MAG NAIL WITH "CHAPARRAL" WASHER FOUND UNLESS NOTED
VOL./PG.	VOLUME, PAGE
DOC. NO.	DOCUMENT NUMBER
R.O.W.	RIGHT-OF-WAY
P.R.T.C.T.	PLAT RECORDS, TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
(.....)	RECORD INFORMATION PER PLAT VOL. 45, PG. 12
{.....}	RECORD INFORMATION PER PLAT VOL. 81, PG. 331
((.....))	RECORD INFORMATION PER PLAT DOC. NO 202100045
[.....]	RECORD INFORMATION PER PLAT VOL. 16, PG. 66

TCAD PARCEL #952464, #952465
COA GRID #G20

1.0199 ACRES
ZONING EXHIBIT
City of Austin,
Travis County, Texas



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

Date:	8/4/2023
Project:	00528
Scale:	N/A
Reviewer:	SMD
Tech:	TS
Field Crew:	SV/DR
Survey Date:	DEC. 2018
Sheet:	3 OF 3

EXHIBIT "B"

EXHIBIT " _____ "

Zoning Exhibit

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.3331 ACRE (14,509 SQUARE FEET), BEING A PORTION OF LOT 8A-1, REPLAT OF LOTS 8-A AND 13-A OF THE RESUBDIVISION NO. ONE BARTON VILLAGE SECTION THREE, A SUBDIVISION RECORDED IN DOCUMENT NO. 202100045 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), AND LOT 9-A OF THE RESUBDIVISION NO. ONE BARTON VILLAGE SECTION THREE, RECORDED IN VOLUME 45, PAGE 12 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.T.), BOTH LOTS CONVEYED TO SEAMLESS LMA, LTD., IN DOCUMENT NO. 2021070342 (O.P.R.T.C.T.), SAID 0.3331 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:



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jward@4wardls.com
www.4wardls.com

BEGINNING, at a 1-inch iron pipe found in the curving east right-of-way of Skyway Circle (60' right-of-way), and being the southwest corner of Lot 7-A of said Resubdivision No. One Barton Village Section Three, and being a corner in the west line of said Lot 8A-1, for the most easterly north corner and **POINT OF BEGINNING** hereof;

THENCE, leaving the east right-of-way line of said Skyway Circle, in part with the common line of said Lot 7-A and said Lot 8A-1, in part over and across said Lot 8A-1, and in part with the common line of Lot 9-A of said Resubdivision No. One Barton Village Section Three and said Lot 8A-1, the following four (4) courses and distances:

- 1) **S45°54'43"E**, passing at a distance of 66.63 feet, a 1/2-inch iron rod found at the common east corner of said Lot 7-A and said Lot 8A-1, and continuing for a total distance of **82.13** feet to a calculated point for the east corner hereof,
- 2) **S52°29'50"W**, a distance of **71.56** feet to a calculated point for an angle point hereof,
- 3) **N43°56'08"W**, a distance of **38.34** feet to a calculated point for an angle point hereof, and
- 4) **S54°00'04"W**, passing at a distance of 17.69 feet, a 1/2-inch iron rod found at the common east corner of said Lot 9-A and said Lot 8A-1, and continuing for a total distance of **97.72** feet to a 1/2-inch iron rod with "Holt-Carson" cap found for the south corner hereof,, said point being at the common south corner of Lots 9-A and 10-A of said Resubdivision No. One Barton Village Section Three;

THENCE, with the common line of said Lot 9-A and said Lot 10-A, **N36°18'30"W**, a distance of **87.96** feet to a 1/2-inch iron pipe found for the west corner hereof, said point being in the southeast right-of-way of said Skyway circle, and being the common west corner of said Lot 9-A and said Lot 10-A;

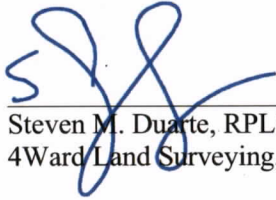
THENCE, with the southeast right-of-way line of said Skyway Circle, and with the northwest lines of said Lot 9-A and said Lot 8A-1, the following three (3) courses and distances:

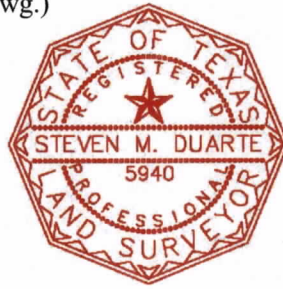
- 1) **N53°42'34"E**, a distance of **80.10** feet to a 1-inch iron pipe found for a non-tangent point of curvature hereof;
- 2) along the arc of a curve to the right, whose radius is **15.00** feet, whose arc length is **17.26** feet and whose chord bears **N86°57'58"E**, a distance of **16.33** feet to a 1/2-inch iron rod found for a non-tangent point of compound curvature hereof, and

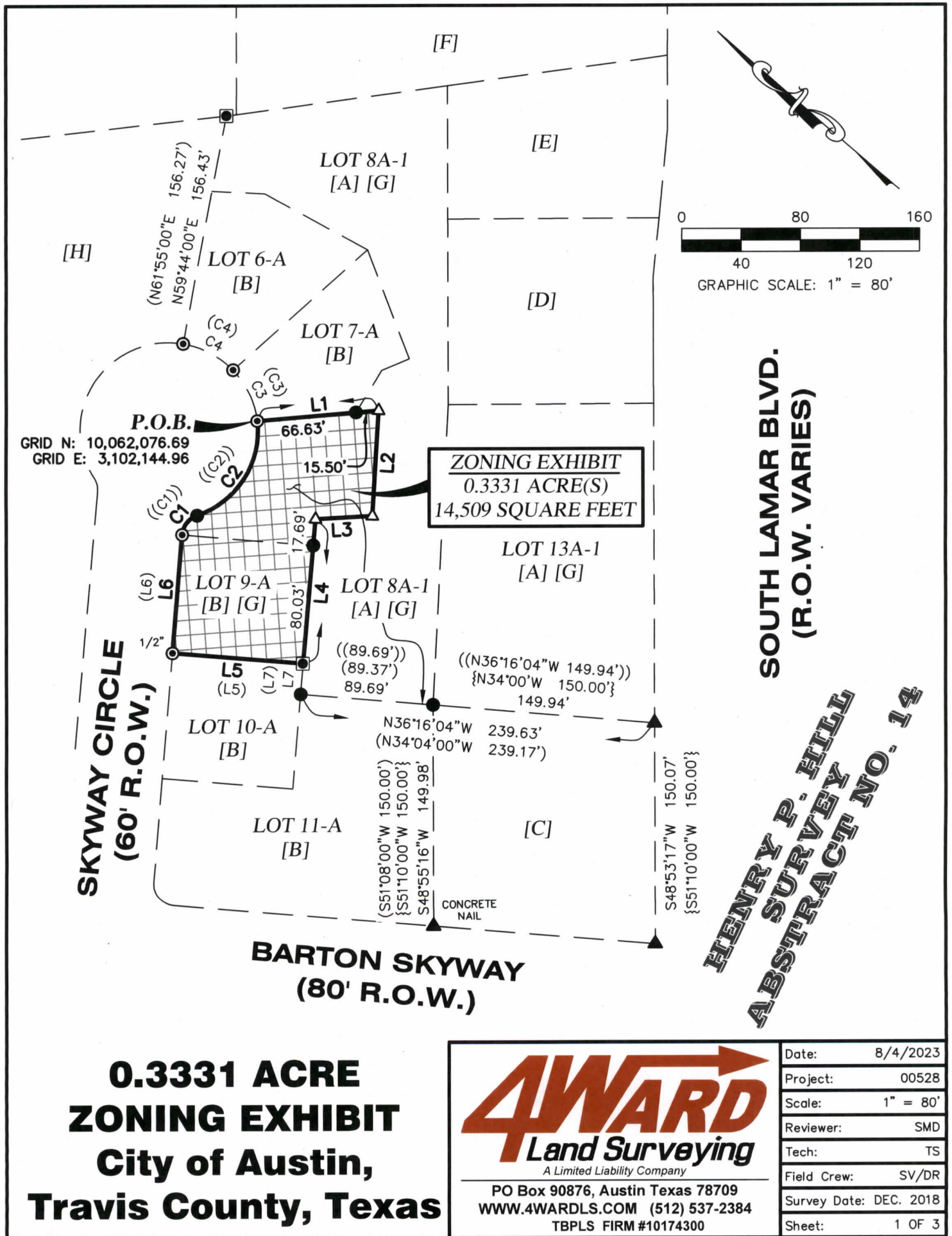
- 3) along the arc of a curve to the left, whose radius is **60.00** feet, whose arc length is **81.71** feet and whose chord bears **N81°19'40"E**, a distance of **75.54** feet to the **POINT OF BEGINNING** and containing 0.3331 Acre (14,509 Square Feet) of land, more or less.

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 1.000063715744. See attached sketch (reference drawing: 00528-zoning 4.dwg.)


8/4/2023
Steven M. Duarte, RPLS #5940
4Ward Land Surveying, LLC





[A]
REPLAT OF LOTS 8-A AND 13-A
OF THE RESUBDIVISION
NO. ONE BARTON VILLAGE
SECTION THREE
DOC. NO. 202100045
O.P.R.T.C.T.

[B]
RESUBDIVISION
NO. ONE BARTON VILLAGE
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VOL. 45, PG. 12
P.R.T.C.T.

[C]
LOT A
THE DON MORRIS
SUBDIVISION
VOL. 81, PG. 331
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[D]
LOT 2
RESUBDIVISION OF
PART OF BLOCK "J",
BARTON HILLS SECTION 1
VOL. 16, PG. 66
P.R.T.C.T.

[E]
CALLED 14,674.76 SQ FT
PORTION OF BLOCK "J" BARTON
HILLS SECTION 1
VOL. 16, PG. 66
P.R.T.C.T.

[F]
CALLED 0.50 ACRE
DAVIS 2708 S LAMAR, LLC.
DOC. NO. 2013097236
O.P.R.T.C.T.

[G]
OWNER: SEAMLESS LMA, LTD
DOC. NO. 2021070342
O.P.R.T.C.T.

[H]
LOT 5
BARTON VILLAGE
SECTION THREE
VOL. 39, PG. 24



8/4/2023



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 1.000063715744.

2. SEE ATTACHED METES AND BOUNDS DESCRIPTION.

**0.3331 ACRE
ZONING EXHIBIT
City of Austin,
Travis County, Texas**



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

Date:	8/4/2023
Project:	00528
Scale:	N/A
Reviewer:	SMD
Tech:	TS
Field Crew:	SV/DR
Survey Date:	DEC. 2018
Sheet:	2 OF 3

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	BEARING	DISTANCE
C1	17.26'	15.00'	65°56'23"	N86°57'58"E	16.33'
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(C4)	38.68'	60.00'	—	N10°52'00"W	38.01'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S45°54'08"E	82.13'
L2	S52°29'50"W	71.56'
L3	N43°56'08"W	38.34'
L4	S54°00'04"W	97.72'
L5	N36°18'30"W	87.96'
L6	N53°42'34"E	80.10'
L7	S53°58'07"W	20.79'

RECORD LINE TABLE		
LINE #	DIRECTION	LENGTH
(L5)	N34°00'00"W	87.96'
(L6)	N56°00'00"E	80.00'
(L7)	S56°05'00"W	20.67'

LEGEND	
	PROPERTY LINE
	EXISTING PROPERTY LINES
	1/2" IRON ROD FOUND (UNLESS NOTED)
	1" IRON PIPE FOUND (UNLESS NOTED)
	IRON ROD WITH "HOLT CARSON" CAP FOUND (UNLESS NOTED)
	CALCULATED POINT
	MAG NAIL WITH "CHAPARRAL" WASHER FOUND (UNLESS NOTED)
VOL./PG.	VOLUME, PAGE
DOC. NO.	DOCUMENT NUMBER
R.O.W.	RIGHT-OF-WAY
P.R.T.C.T.	PLAT RECORDS, TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
(.....)	RECORD INFORMATION PER PLAT VOL. 45, PG. 12
{.....}	RECORD INFORMATION PER PLAT VOL. 81, PG. 331
((.....))	RECORD INFORMATION PER PLAT DOC. NO 202100045

TCAD PARCEL #952464, #952465, #303316
COA GRID #G20

**0.3331 ACRE
ZONING EXHIBIT
City of Austin,
Travis County, Texas**



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WWW.4WARDLS.COM (512) 537-2384
TBPLS FIRM #10174300

Date:	8/4/2023
Project:	00528
Scale:	N/A
Reviewer:	SMD
Tech:	TS
Field Crew:	SV/DR
Survey Date:	DEC. 2018
Sheet:	3 OF 3

Created: 5/6/2024