

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

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1311 SOUTH LAMAR BOULEVARD FROM GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY (CS-V-CO) 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 (CS-CO) combining district to general commercial services-vertical mixed use building-conditional overlay (CS-V-CO) combining district on the property described in Zoning Case No. C14-2016-0132, on file at the Planning and Zoning Department, as follows:

A description of a tract of land containing 0.6066 acre (26,422 square feet) out of Lot 1 of the Maufrais Subdivision, recorded in Volume 90, Page 90-91 of the Plat Records of Travis County, Texas (P.R.T.C.T.), and being the same tract conveyed to Seamless GCW, Ltd, called Tract 2, recorded in Document Number 2009197813 of the Official Public Records of Travis County, Texas (O.P.R.T.C.T.), said 0.6066 acre being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 1311 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 established by this ordinance is subject to the following conditions:

A. The following uses are prohibited uses for the Property:

Adult-oriented businesses  
Automotive rentals  
Bail bond services  
Construction sales and services  
Laundry services  
Equipment repair services

Agricultural sales and services  
Automotive sales  
Campground  
Convenience storage  
Equipment sales  
Exterminating services

Funeral sales  
Drop-off recycling collection  
facility  
Outdoor entertainment  
Pawn shop services  
Scrap and salvage services  
Vehicle storage

Kennels  
Limited warehousing and  
distribution  
Outdoor sports and recreation  
Plant nursery  
Service station  
Alternative financial services

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- B. Drive-in service as an accessory use to commercial uses is prohibited on the Property.
- C. A restaurant (general) use on the Property that requires a late hours permit is prohibited.

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) district and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on \_\_\_\_\_, 2017.

**PASSED AND APPROVED**

\_\_\_\_\_, 2017      §  
                                 §  
                                 §  
\_\_\_\_\_, 2017      §  
\_\_\_\_\_  
Steve Adler  
Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
Anne L. Morgan      Jannette S. Goodall  
City Attorney      City Clerk

**Legal Description**

**BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.6066 ACRE (26,422 SQUARE FEET) OUT OF LOT 1 OF THE MAUFRAIS SUBDIVISION, RECORDED IN VOLUME 90, PAGE 90-91 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.T.), AND BEING THE SAME TRACT CONVEYED TO SEAMLESS GCW, LTD, CALLED TRACT 2, RECORDED IN DOCUMENT NUMBER 2009197813 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), SAID 0.6066 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**COMMENCING**, at a 1/2-inch iron rod found in the east right-of-way line of South Lamar Boulevard (Right-of-way Varies), and being in the north line of Lot 1 of said Maufrais Subdivision, and being the southwest corner of Lot 3 of Commercial Square Subdivision, recorded in Volume 29, Page 26 (P.R.T.C.T.), from which a 1/2-inch iron rod with "RPLS 4337" cap found at the northwest corner of said Lot 1, and being in the east right-of-way line of said South Lamar Boulevard bears, N57°20'38"W, a distance of 4.93 feet, also from which a 1/2-inch iron rod found at a point of curvature in the west line of said Lot 3, and being a point of curvature in the east right-of-way line of said South Lamar Boulevard bears, along the arc of a curve to the left, whose radius is 1960.50 feet, whose arc length is 170.62 feet and whose chord bears N29°04'28"E, a distance of 170.56 feet;

**THENCE**, with the south line of said Lot 3, and the north line of said Lot 1, S57°20'38"E, a distance of 195.00 feet to a 1/2-inch iron rod with an illegible cap found for the southwest corner and **POINT OF BEGINNING** hereof, said point being the most southerly corner of said Lot 3, and being an angle point in the north line of said Lot 1, and being the southwest corner of said 0.606 acre Seamless GCW tract;

**THENCE**, with the common line between said Lot 3 and said Lot 1, and with the west and north line of said 0.606 acre Seamless GCW tract, the following three (3) courses and distances:

- 1) N50°51'00"E, a distance of 145.48 feet to a calculated point for an angle point hereof,
- 2) S63°28'00"E, a distance of 60.18 feet to a calculated point for an angle point hereof, and
- 3) S73°56'00"E, a distance of 88.13 feet to a 1/2-inch iron rod found for the northeast corner hereof, said point being the northeast corner of said 0.606 acre Seamless GCW tract, the northeast corner of said Lot 1 and being the southeast corner of said Lot 3 and being in the west right-of-way line of the Union Pacific Railroad (called the International and Great Northern Railroad per plat, Volume 90, Pages 90-61), (100' Right-of-way), from which a 1/2-inch iron rod with illegible cap found at the northeast corner of said Lot 3, and being the southeast corner of Lot 2A of Commercial Square Resubd., recorded in Volume 47, Page 47 (P.R.T.C.T.), and being in the west right-of-way line of said railroad right-of-way bears, N25°43'03"E, a distance of 65.08 feet;

**THENCE**, with the east line of said Lot 1, the east line of said 0.606 acre Seamless GCW tract, and the west right-of-way line of said Railroad, the following two (2) courses and distances:

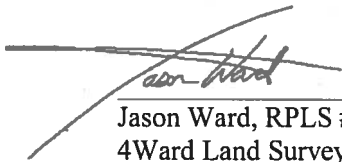
- 1) S25°43'03"W, a distance of 24.28 feet to a 1/2-inch iron rod found for a point of curvature hereof, and
- 2) Along the arc of a curve to the right, whose radius is 2,814.79 feet, whose arc length is 146.33 feet and whose chord bears S27°20'21"W, a distance of 146.32 feet to a 1/2-

inch iron rod with "RPLS 4337" cap found for the southeast corner hereof, said point being the southeast corner of said 0.606 acre Seamless GCW tract, and being the northeast corner of a tract conveyed to C.A.C.R. Limited Partnership, recorded in Volume 12444, Page 124 of the Real Property Records of Travis County, Texas (R.P.R.T.C.T.), and being in the west right-of-way line of said railroad, and being in the east line of said Lot 1, from which a 1/2-inch iron rod found at the southeast corner of said Lot 1, and being the northeast corner of Lot 2, also of said Maufrais subdivision, and being in the west right-of-way line of said railroad bears, along the arc of a curve to the right, whose radius is 2,814.79 feet, whose arc length is 95.46 feet and whose chord bears S29°48'00"W, a distance of 95.46 feet;

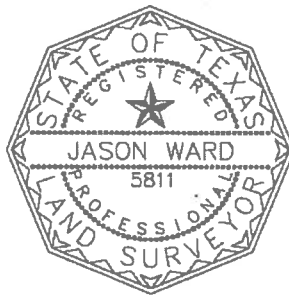
**THENCE**, leaving the west right-of-way line of said railroad, and the east line of said Lot 1, over and across said Lot 1 with the south line of said 0.606 acre Seamless GCW tract, and the north line of said C.A.C.R. tract, **N57°20'38"W**, a distance of **206.21** feet to the **POINT OF BEGINNING** and containing 0.6066 Acre (24,422 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 1.000059212078. See attached sketch (reference drawing: 00555\_ALTA.dwg.)

  
Jason Ward, RPLS #5811  
4Ward Land Surveying, LLC

1/12/17









## EXHIBIT B