

ORDINANCE NO. 20210729-165

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 2428 WEST BEN WHITE BOULEVARD SERVICE ROAD WESTBOUND AND 4215 SOUTH LAMAR BOULEVARD AND CHANGING THE ZONING MAP FROM UNZONED AND GENERAL COMMERCIAL SERVICES (CS) DISTRICT TO GENERAL COMMERCIAL SERVICES-VERTICAL MIXED USE BUILDING (CS-V) 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 unzoned and general commercial services (CS) district to general commercial services-vertical mixed use building (CS-V) combining district on the property described in Zoning Case No. C14-2020-0149, on file at the Housing and Planning Department, as follows:

Being a 1.5295 acre (66,624 square feet) tract situated in the Charles H. Riddle Survey, Abstract No. 676, Travis County, Texas, and being a portion of a called 6.792 acre tract conveyed to the State of Texas in a Deed recorded in Volume 3250, Page 2116, Deed Records of Travis County, Texas, said 1.5295 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance, and

Being a 0.318 acre (13,860 square feet) tract situated in the Charles H. Riddle Survey, Abstract No. 676, Travis County, Texas, and being a portion of a called 6.792 acre tract conveyed to the State of Texas in a Deed recorded in Volume 3250, Page 2116, Deed Records of Travis County, Texas, said 0.318 acres of land being more particularly described by metes and bounds in **Exhibit "B"** incorporated into this ordinance (the "Property"),

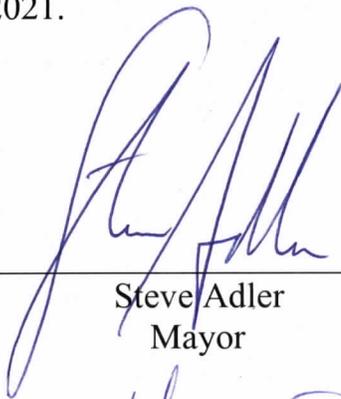
locally known as 2428 West Ben White Boulevard Service Road Westbound and 4215 South Lamar Boulevard Service Road Northbound in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit "C"**.

PART 2. This ordinance takes effect on August 9, 2021.

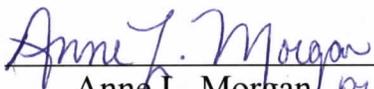
PASSED AND APPROVED

July 29, 2021

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§
§

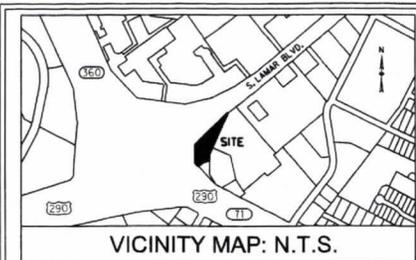


Steve Adler
Mayor

APPROVED: 
Anne L. Morgan ^{10/21}
City Attorney

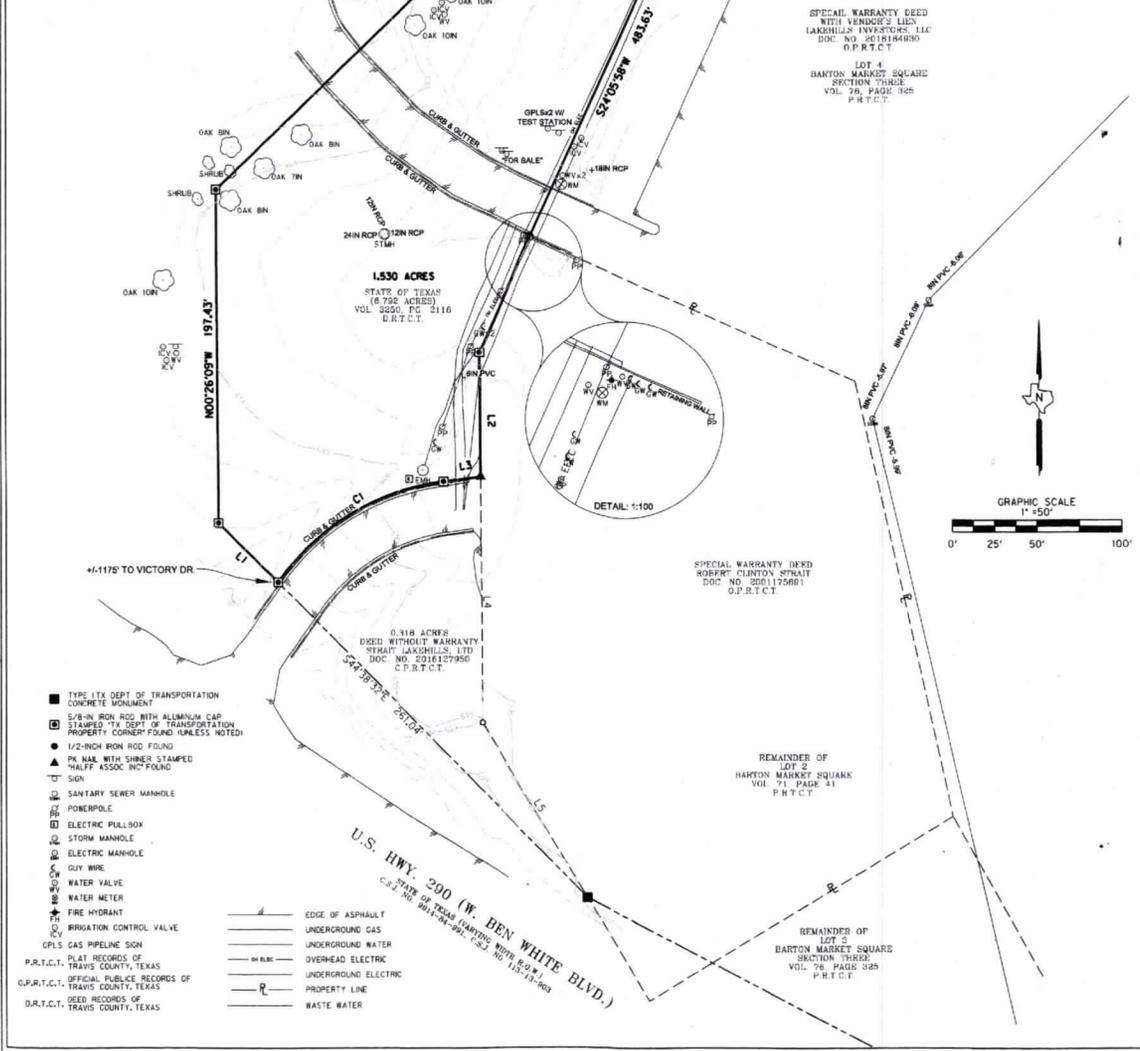
ATTEST: 

Jannette S. Goodall
City Clerk



LV. NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	48°18'48"	140.00'	118.05'	114.58'	558°31'55"

LINE	BEARING	DISTANCE
L1	N44°38'32"W	49.54'
L2	S00°26'19"E	73.68'
L3	S82°47'18"W	22.24'
L4	S00°26'19"E	145.00'
L5	S31°10'19"E	120.59'



CHARLES H. RIDDLE SURVEY A-676

BEING A 1.5295 ACRE (66,824 SQUARE FEET) TRACT SITUATED IN THE CHARLES H. RIDDLE SURVEY, ABSTRACT NUMBER 676, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 6.792 ACRE TRACT CONVEYED TO THE STATE OF TEXAS IN A DEED RECORDED ON MARCH 9, 1967 IN VOLUME 3250, PAGE 2116 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.), AND ALSO SHOWN ON TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) ROW MAP OF LOOP 360, C.S.J. NO. 115-15-10, DATED JULY 1966, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found in the existing east right-of-way line of Loop 343 (also known as South Lamar Boulevard), same being in the west line of Lot 1, Barton Market Square, a legal subdivision according to the plat of record in Volume 71, Page 41 of the Plat Records of Travis County, Texas (P.R.T.C.T.), and being in the east line of said 6.792 acre tract, said point having state plane coordinates of X=3,098,951.10 and Y=10,056,705.16;

THENCE with said existing east right-of-way line of Loop 343 (also known as South Lamar Boulevard), and said east line of the 6.792 acre tract, in part with said west line of Lot 1, S24°05'50"W at a distance of 406.63 feet passing a 1/2-inch iron rod found for the most westerly common corner of Lot 4, Barton Market Square, then, a legal subdivision according to the plat of record in Volume 76, Page 325, P.R.T.C.T. and Lot 2, said Barton Market Square, in all a total distance of 483.83 feet to a 5/8-inch iron rod with aluminum cap stamped "TX DEPT OF TRANSPORTATION PROPERTY CORNER" found for an angle point of the tract described herein;

CONTINUING with said existing east right-of-way line of Loop 343 (also known as South Lamar Boulevard), said east line of the 6.792 acre tract, and the west line of Lot 2, S00°26'19"E a distance of 73.68 feet to a PK nail with silver stamped "HALFF ASSOC. INC." set in concrete for the southeast corner of the tract described herein;

THENCE leaving said existing east right-of-way line of Loop 343 (also known as South Lamar Boulevard), over and across said 6.792 acre tract, with the arc of a curve to the left, a distance of 22.24 feet to a 5/8-inch iron rod with aluminum cap stamped "TX DEPT OF TRANSPORTATION PROPERTY CORNER" set for a point of tangency of a curve to the left;

CONTINUING over and across said 6.792 acre tract, with the arc of a curve to the left, a distance of 118.05 feet, said curve having a radius of 140.00 feet, a central angle of 48°18'48", and a chord bearing S58°31'55"W a distance of 114.58 feet to a 5/8-inch iron rod with aluminum cap stamped "TX DEPT OF TRANSPORTATION PROPERTY CORNER" set in the proposed north right-of-way line of U.S. Highway 290 (also known as W. Ben White Boulevard), with said existing east right-of-way line of Loop 343 (also known as South Lamar Boulevard), same being in the west line of said Lot 2, and the east line of said 6.792 acre tract, same also being the most westerly corner of that certain 0.033 acre tract described in a Judgment Nunc Pro Tunc to the State of Texas and recorded on July 27, 1983 in Volume 11860, Page 828 of the Real Property Records of Travis County, Texas (P.R.T.C.T.), bears S44°38'32"E a distance of 281.04 feet;

CONTINUING with said proposed north right-of-way line of U.S. Highway 290 (also known as W. Ben White Boulevard), and continuing over and across said 6.792 acre tract, N44°38'32"W a distance of 49.54 feet to a 5/8-inch iron rod with aluminum cap stamped "TX DEPT OF TRANSPORTATION PROPERTY CORNER" found for an angle point in said existing right-of-way line at the intersection of U.S. Highway 290 (also known as W. Ben White Boulevard) and said Loop 343 (also known as South Lamar Boulevard);

CONTINUING with said proposed east right-of-way line of Loop 343 (also known as South Lamar Boulevard) and continuing over and across said 6.792 acre tract, N45°02'17"E a distance of 459.62 feet to said POINT OF BEGINNING of the tract described herein, and containing 1.5295 acres (66,824 square feet).

CONTINUING with said proposed east right-of-way line of Loop 343 (also known as South Lamar Boulevard) and continuing over and across said 6.792 acre tract, N45°02'17"E a distance of 459.62 feet to said POINT OF BEGINNING of the tract described herein, and containing 1.5295 acres (66,824 square feet).

NOTES:

- Basis of bearings is the Texas Coordinate System of 1983, Central Zone 4203. All coordinates and distances are U.S. survey feet, shown in surface values and may be converted to Grid using the surface adjustment factor of 1.00172. Vertical datum is based on NAVD83, Geoid 124.
 - The surveyor has relied on Fidelity National Title Insurance Company to provide copies of recorded deeds, plats or other instruments describing the subject property and adjoining tracts, used to support the determination of the location of the intended boundaries of the land surveyed.
 - The recorded easements, setbacks and encumbrances shown hereon are from Schedule B of the commitment for title insurance issued by Fidelity National Insurance Company, G.F. No. 282002007, effective date February 16, 2018, issue date February 28, 2018. The surveyor has relied upon the accuracy and completeness of the information described above and has made no independent investigation or search for this information.
 - The utility apertures shown hereon include those visible at the time of the survey and those located by Texas 811 as of May 2015 and are for general locative purposes only. In providing this boundary survey, no attempt has been made to locate or show details concerning existence, size, depth, condition, capacity or location of any utility existing on or adjacent to the site, whether private, municipal or public owned.
 - By scaling the surveyed tract onto the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 48453C0085H, effective date January 2016, the subject property is in ZONE X (unshaded), defined as areas determined to be outside the 0.2% annual chance floodplain.
 - No evidence of recent earth moving work, building construction, or building additions was observed in the process of conducting the fieldwork.
 - Changes in R.O.W. will be affected by subject tract being conveyed. R.O.W changes have been noted on survey.
 - The above referenced title commitment lists the following easements, restrictive covenants, mineral or other rights, or other encumbrances in connection with the property surveyed and have been addressed by the surveyor hereon:
 - The following matters and all terms of the document creating or offering evidence of the matters (We must insert matters or delete this exception):
- The Following Matters Affect Subject Tract:
- Interest in and to oil, gas and other minerals and/or royalties, bonuses, rentals and all other rights relating thereto as set forth in the document recorded in Volume 3250, Page 2116, Deed Records of Travis County, Texas. Said mineral interest not traced subsequent to the date of the above cited instrument. (DOES AFFECT)

SURVEYOR'S CERTIFICATE

To: Fidelity National Insurance Company, Origin Bank, and Viquero Austin Lamar Partners, LP

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA and NSPS Land Title Surveys, duly established and adopted by ALTA and NSPS, and includes Items 1-5, 6, 9, 11, 12, 14, 16 and 17 of Table "A" thereof. The field work was completed May 2018.

[Signature] 5/25/2018
Dan P. Clark
Registered Professional Land Surveyor
Texas Registration No. 8011



This certification is revoked and the survey is null and void if it does not bear an original signature and seal of the surveyor, if it is relied upon or used by any party other than addressed above or if this document is altered by anyone other than the surveyor.

Exhibit A

1.530 ACRES TRACT
CHARLES H. RIDDLE SURVEY
ABSTRACT NO. 676
TRAVIS CO., TX.



Revision No.	Date	Description

Project No.:	32216
Issue:	09/25/2018
Drawn By:	MMH
Checked By:	DHC
Scale:	1" = 50'
Sheet Title	SV-ALTA-32216.dgn
Sheet 1 of 1	

05/25/2018 2:28:05 PM m02405 HALFF L:\32000\32216\CADD\SV-ALTA-32216-180525.dgn

County: Travis
Highway: U.S. HWY. 290
AVO: 31728

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6/3/2016

TRACT 3

BEING A 0.318 ACRE (13,860 SQUARE FEET) TRACT SITUATED IN THE CHARLES H. RIDDLE SURVEY, ABSTRACT NUMBER 676, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 6.792 ACRE TRACT CONVEYED TO THE STATE OF TEXAS IN A DEED RECORDED ON MARCH 9, 1967 IN VOLUME 3250, PAGE 2116 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND ALSO SHOWN ON TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) ROW MAP OF LOOP 360, CSJ NO. 113-13-10, DATED JULY 1966, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rod found at the intersection of the existing north right-of-way line of U.S. Highway 290 (also known as W. Ben White Blvd.), a varying width right-of-way according to TxDOT ROW Map CSJ 113-13-903, final revision date June 18, 1998, with the southeast line of the remainder of Lot 2, Barton Market Square, a legal subdivision according to the plat of record in Volume 71, Page 41 of the Plat Records of Travis County, Texas (P.R.T.C.T.), same being in the northwest line of the remainder of Lot 3, Barton Market Square Section Three, a legal subdivision according to the plat of record in Volume 76, Page 325 of said P.R.T.C.T., for the east corner of a called 0.035 acre tract as described in a Judgment Nunc Pro Tunc to the State of Texas and recorded on July 27, 1993 in Volume 11860, Page 936 of the Real Property Records of Travis County, Texas (R.P.R.T.C.T.), and having state plane coordinates of X=3,098,891.45 and Y=10,058,903.45;

THENCE with said existing north right-of-way line of U.S. Highway 290, same being the north line of said 0.035 acre tract, crossing said Lot 2, N62°29'21"W a distance of 83.10 feet to a Texas Department of Transportation (TxDOT) Type I concrete monument found at the intersection of said existing north right-of-way line of U.S. Highway 290 with the east right-of-way line of Loop 343 (also known as South Lamar Boulevard), same being in the west line of said Lot 2, and the east line of said 6.792 acre tract, same being the most westerly corner of said 0.035 acre tract, for the **POINT OF BEGINNING** of the tract described herein, and having state plane coordinates of X=3,098,817.71 and Y=10,058,941.84;

1. **THENCE** leaving said existing north right-of-way line of U.S. Highway 290, crossing said 6.792 acre tract, with the future proposed north right-of-way line of said U.S. Highway 290, N44°38'32"W a distance of 261.04 feet to a 5/8-inch iron rod with aluminum cap stamped "TX DEPT OF TRANSPORTATION PROPERTY CORNER" set, and from which a 5/8-inch iron rod with aluminum cap stamped "TX DEPT OF TRANSPORTATION PROPERTY CORNER" found for an angle point in said future proposed right-of-way line of U.S. Highway 290 bears N44°38'32"W a distance of 49.54 feet;
2. **THENCE** leaving said future proposed north right-of-way line of U.S. Highway 290, crossing said 6.792 acre tract, with the arc of a curve to the right a distance of 118.05 feet, said curve having a radius of 140.00 feet, a central angle of 48°18'45", and a chord bearing N58°37'55"E a distance of 114.58 feet to a 5/8-inch iron rod with aluminum cap stamped "TX DEPT OF TRANSPORTATION PROPERTY CORNER" set for a point of tangency;

Exhibit B

County: Travis
Highway: U.S. HWY. 290
AVO: 31728

Page 2 of 3
6/3/2016

TRACT 3

3. **CONTINUING** across said 6.792 acre tract, N82°47'18"E a distance of 22.24 feet to a PK nail with shiner stamped "HALFF ASSOC. INC." set in concrete in the existing east right-of-way line of said Loop 343 (also known as South Lamar Boulevard), same being in the east line of said 6.792 acre tract and the west line of said Lot 2, and from which a 5/8-inch iron rod with aluminum cap stamped "TX DEPT OF TRANSPORTATION PROPERTY CORNER" found for an angle point in said existing east right-of-way line of Loop 343, said east line of the 6.792 acre tract, and said west line of Lot 2, bears N00°26'15"W a distance of 73.68 feet;
4. **THENCE** with said existing east right-of-way line of Loop 343, said east line of the 6.792 acre tract, and said west line of Lot 2, S00°26'15"E a distance of 145.00 feet to a 1/2-inch iron rod with plastic cap stamped "HALFF ASSOC. INC." set for an angle point in said existing east right-of-way line of Loop 343, said east line of the 6.792 acre tract, and said west line of Lot 2;
5. **CONTINUING** with said existing east right-of-way line of Loop 343, said east line of the 6.792 acre tract, and said west line of Lot 2, S31°10'19"E a distance of 120.59 feet to said **POINT OF BEGINNING** of the tract described herein, and containing 0.318 acre (13,860 square feet).

Basis of bearings is the Texas Coordinate System of 1983, Central Zone 4203 (NAD83/2011). All coordinates and distances shown hereon are surface and may be converted to grid by using the surface adjustment factor of 1.00012. Units: U.S. Survey Feet.

This survey was prepared without the benefit of a title commitment. Easements or other matters of record may exist where none are shown.

These property descriptions are accompanied by a parcel plat of even date.

I, Dan Clark, Registered Professional Land Surveyor, hereby certify that this legal description and the accompanying parcel plat of even date represent an actual survey made on the ground under my supervision.



6/3/2016

Dan Clark, R.P.L.S.

Date

Texas Registered Professional Land Surveyor No. 6011

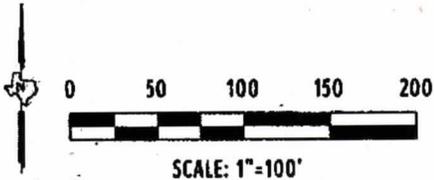
Half Associates, Inc.,

TBPLS Firm No. 10029607

4030 West Braker Lane, Suite 410, Austin, Texas 78759, 512-777-4600



CHARLES H. RIDDLE SURVEY
A-676



LEGEND

- 1/2-INCH IRON ROD WITH CAP STAMPED "HALFF" SET
- ◻ 5/8-INCH IRON ROD WITH ALUMINUM CAP MARKED "TX DEPT OF TRANSPORTATION PROPERTY CORNER" SET
- ◻ 5/8-INCH IRON ROD WITH ALUMINUM CAP MARKED "TX DEPT OF TRANSPORTATION PROPERTY CORNER" FOUND (UNLESS NOTED)
- 1/2" IRON ROD FOUND --UNLESS NOTED
- ▲ SET PK NAIL WITH SHINER STAMPED "HALFF ASSOC. INC."
- () RECORD INFORMATION
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- D.R.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS

FUTURE RIGHT-OF-WAY (R.O.W.) LINE
 EXISTING RIGHT-OF-WAY (R.O.W.) LINE
 PROPERTY LINE

I, Dan Clark, Registered Professional Land Surveyor, hereby certify that this parcel plat and accompanying legal description of even date represent an actual survey made on the ground under my supervision.

Dan Clark 6/3/2016
 Dan Clark
 Registered Professional Land Surveyor
 Texas Number 6011
 TBPLS Firm No. 10029607



NOTES:

These surveys were prepared without the benefit of title commitments. Easements or other matters of record may exist where none are shown.

Basis of bearings is the Texas Coordinate System of 1983, Central Zone (4203) NAD 83/2011. All coordinates and distances shown hereon are surface and may be converted to grid by using the surface adjustment factor of 1.00012. Units: U.S. Survey Feet.

CV. NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
CI	48°18'45"	140.00'	118.05'	114.58'	N58°37'55"E

A.K.A. LOOP 343
 SOUTH LAMAR BLVD
 STATE OF TEXAS
 EXISTING WIDTH R.O.W.
 C.S.L. NO. 113-13-10

LOT 1
 BARTON MARKET SQUARE
 VOL. 71, PAGE 41
 P.R.T.C.T.

LINE	BEARING	DISTANCE
L1	N82°47'18"E	22.24'
L2	S00°26'15"E	145.00'
L3	S31°10'19"E	120.59'
L4	N44°38'32"W	49.54'
L5	N00°26'15"W	73.68'

LOT 4
 BARTON MARKET SQUARE
 SECTION THREE
 VOL. 76 PAGE 325
 P.R.T.C.T.

1.8177 AC
 (80,484 SQ. FT.)
 TO BE CONVEYED
 IN THE FUTURE BY
 SEPARATE INSTRUMENT

STATE OF TEXAS
 (6,792 ACRES)
 VOL. 3250, PG. 2116
 D.R.T.C.T.

SPECIAL WARRANTY DEED
 ROBERT CLINTON STRAIT
 DOC. NO. 2001175691
 O.P.R.T.C.T.

REMAINDER OF
 LOT 2
 BARTON MARKET SQUARE
 VOL. 71, PAGE 41
 P.R.T.C.T.

U.S. HWY. 290 (W. BEN WHITE BLVD.)
 STATE OF TEXAS (VARYING WIDTH R.O.W.)
 C.S.L. NO. 9911-01-091, C.S.L. NO. 113-13-001

JUDGMENT NUNC PRO TUNC
 STATE OF TEXAS
 (10,035 ACRES)
 VOL. 11860, PG. 936
 R.P.R.T.C.T.

P.O.B.
 TYPE 1 MON.
 X=3,098,817.71
 Y=10,058,941.84

P.O.C.
 1/2-INCH IRON ROD
 X=3,098,891.45
 Y=10,058,903.45

REMAINDER OF
 LOT 3
 BARTON MARKET SQUARE
 SECTION THREE
 VOL. 76, PAGE 325
 P.R.T.C.T.



HALFF

4030 WEST BRAKER LANE, SUITE 410
 AUSTIN, TEXAS 78759-5358
 TEL (512) 777-4600
 FAX (512) 252-8141
 TBPLS FIRM REGISTRATION NO. 10029607

TRACT 3
 0.318 ACRES
 OUT OF THE
 CHARLES H. RIDDLE SURVEY,
 ABSTRACT NO. 676
 TRAVIS COUNTY, TEXAS

Project No.: 31728
 Issued: 6/3/2016

Accompanying file Name:
 SV-LD-TRACT 3-31728.doc

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