

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 400 VARGAS ROAD AND 6520 LYNCH LANE IN THE MONTOPOLIS NEIGHBORHOOD PLAN AREA FROM COMMUNITY COMMERCIAL-NEIGHBORHOOD PLAN (GR-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY-DENSITY BONUS 90-NEIGHBORHOOD PLAN (CS-CO-DB90-NP) COMBINING DISTRICT ON TRACT 1 AND FROM NEIGHBORHOOD COMMERCIAL-NEIGHBORHOOD PLAN (LR-NP) COMBINING DISTRICT TO NEIGHBORHOOD COMMERCIAL-DENSITY BONUS 90-NEIGHBORHOOD PLAN (LR-DB90-NP) 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 community commercial-neighborhood plan (GR-NP) combining district to general commercial services-conditional overlay-density bonus 90-neighborhood plan (CS-CO-DB90-NP) combining district on Tract 1 and from neighborhood commercial-neighborhood plan (LR-NP) combining district to neighborhood commercial-density bonus 90-neighborhood plan (LR-DB90-NP) combining district on Tract 2 on the property described in Zoning Case No. C14-2022-0107, on file at the Planning Department, as follows:

Tract 1:

3.234 acres of land out of the Santiago Del Valle Grant, Abstract No. 24, in Travis County, Texas, being a portion of Tracts I and IV conveyed by deed recorded in Volume 12842, Page 557, of the Official Public Records of Travis County, Texas, said 3.234 acres of land being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance; and

Tract 2:

1.069 acres of land out of the Santiago Del Valle Grant, Abstract No. 24, in Travis County, Texas, being a portion of Tracts IV and V conveyed by deed recorded in Volume 12842, Page 557, of the Official Public Records of Travis County, Texas, said 1.069 acres 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 400 Vargas Road and 6520 Lynch Lane 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 on Tract 1 established by this ordinance is subject to the following conditions:

(A) Development may not exceed an impervious coverage of 80 percent.

(B) The following uses are prohibited uses:

Adult Oriented Businesses	Agricultural Sales and Services
Automotive Rentals	Automotive Repair and Services
Automotive Sales	Automotive Washing (of any type)
Bail Bond Services	Commercial Blood Plasma Center
Commercial Off-Street Parking	Construction Sales and Services
Drop-Off Recycling Collection	Exterminating Services
Facility	
Kennels	Pawn Shop Services
Vehicle Storage	

PART 3. On Tract 1, 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. On Tract 2, except as specifically provided in this Part 4, 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:

A building is not required to be designed with one or more commercial or civic uses located along the principal street and on the ground floor.

PART 5. 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 neighborhood commercial (LR) base district on Tract 2, and other applicable requirements of the City Code.

PART 6. Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 010927-28 that established zoning for the Montopolis Neighborhood Plan.

PART 7. This ordinance takes effect on _____, 2025.

PASSED AND APPROVED

_____, 2025 § _____
 § _____
 § _____

Kirk Watson
Mayor

APPROVED: _____ **ATTEST:** _____
Deborah Thomas Erika Brady
City Attorney City Clerk

DRAFT

EXHIBIT A

EARLY LAND SURVEYING, LLC

P.O. Box 92588, Austin, TX 78709

512-202-8631

earlysurveying.com

TBPELS Firm No. 10194487

3.234 ACRES TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 3.234 ACRES (APPROXIMATELY 140,876 SQ. FT.) IN THE SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF TRACTS I AND IV CONVEYED TO VARGAS PROPERTIES I, LTD. IN A GENERAL WARRANTY DEED EXECUTED DECEMBER 27, 1996 AND RECORDED IN VOLUME 12842, PAGE 557 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 3.234 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2" rebar with "Premier" cap found at the western terminus of Saxon Lane (50' right-of-way width) as described in City of Austin file "TD 27-83, being the southernmost corner of a 2.50 acre tract described in Document No. 2018189677 of the Official Public Records of Travis County, Texas, being also in the northeast line of a 0.424 acre tract described in Document No. 2019012237 of the Official Public Records of Travis County, Texas, from which a 1/2" rebar found at the intersection of the northwest right-of-way line of Saxon Lane and the northeast right-of-way line of Torres Street as described in Volume 6923, Page 62 of the Deed Records of Travis County, Texas, being also in the southeast line of Lot 1, Block 3, Mohle Addition, a subdivision of record in Volume 4, Page 315 of the Plat Records of Travis County, Texas, bears North 30°28'22" East, a distance of 479.87 feet;

THENCE South 49°26'14" East with the southwest terminus of Saxon Lane and the northeast line of the said 0.424 acre tract, a distance of 22.62 feet to a 1/2" rebar with "Premier" cap found for the easternmost corner of the said 0.424 acre tract, being an angle point in the northwest line of the said Tract IV, from which a 1/2" iron pipe found for the westernmost corner of said Tract IV, being the northernmost corner of a 0.55 acre tract (Tract V) described in Volume 12842, Page 557 of the Real Property Records of Travis County, Texas, being the easternmost corner of a 0.597 acre tract described in Document No. 2019041697 of the Official Public Records of Travis County, Texas, being also the southernmost corner of the said 0.424 acre tract, bears South 34°41'34" West, a distance of 158.14 feet;

THENCE South 49°26'14" East with the southwest terminus of Saxon Lane and the northeast line of said Tract IV, a distance of 28.16 feet to a 1/2" rebar with "Early Boundary" cap set for the southern terminus of Saxon Lane, and being the **POINT OF**

Page 2

BEGINNING, from which a metal spike found, bears North 34°16'35" West, a distance of 6.60 feet;

THENCE with the southeast right-of-way line of Saxon Lane and the northwest line of said Tracts I and IV, the following four (4) courses and distances

1. North 30°28'22" East, a distance of 488.76 feet to a calculated point, from which the 1/2" rebar found at the intersection of the northwest right-of-way line of Saxon Lane and the northeast right-of-way line of Torres Street as described in Volume 6923, Page 62 of the Deed Records of Travis County, Texas, being also in the southeast line of said Lot 1, Block 3, Mohle Addition, bears North 59°31'38" West, a distance of 50.00 feet;
2. North 30°28'22" East, a distance of 131.49 feet to a calculated point, from which an axle found at the intersection of the northwest right-of-way line of Saxon Lane and the southwest right-of-way line of Del Monte Road, bears North 59°31'38" West, a distance of 50.00 feet;
3. North 30°28'22" East, a distance of 43.45 feet to a 1/2" rebar with "Early Boundary" cap set;
4. North 35°49'16" East, a distance of 15.83 feet to a 1/2" rebar with "Early Boundary" cap set at the intersection of the southeast right-of-way line of Saxon Lane and the southwest right-of-way line of U.S. 183 (right-of-way width varies) as described in Document No. 2007217856 of the Official Public Records of Travis County, Texas;

THENCE South 24°25'21" East with the southwest right-of-way line of U.S. 183 and crossing said Tract I, a distance of 373.28 feet to a 1/2" rebar with "Early Boundary" cap set at the intersection of the southwest right-of-way line of U.S. 183 and the northwest right-of-way line of Vargas Road (60' right-of-way width) as shown on Civitan Park, a subdivision of record in Volume 77, Page 101 of the Plat Records of Travis County, Texas, being also in the southeast line of said Tract I;

THENCE with the northwest right-of-way line of Vargas Road and the southeast line of the said Tracts I and IV, the following three (3) courses and distances:

1. South 49°43'07" West, a distance of 488.84 feet to a pinched 1/2" iron pipe found;
2. South 49°43'07" West, a distance of 4.71 feet to a 1/2" rebar with "Early Boundary" cap set, from which a 1/2" rebar found in the southeast right-of-way line of Vargas Road, being in the northwest line of Lot 1, of said Civitan park, bears South 40°12'52" East, a distance of 60.00 feet;

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3. With a curve to the left, having a radius of 961.05 feet, an arc length of 40.77 feet, a delta angle of $02^{\circ}25'50''$, and a chord which bears South $48^{\circ}34'14''$ West, a distance of 40.77 feet to a calculated point, from which a 1/2" iron pipe found in the northwest right-of-way line of Vargas Road, being in the southeast line of the said 0.55 acre tract (Tract V), bears with a curve to the left, having a radius of 961.05 feet, an arc length of 252.24, a delta angle of $15^{\circ}02'16''$, and a chord which bears South $39^{\circ}50'11''$ West, a distance of 251.51 feet;

THENCE North $42^{\circ}38'41''$ West crossing said Tract IV, a distance of 137.43 feet to the **POINT OF BEGINNING** containing an area of 3.234 acres, more or less.

Surveyed on the ground on July 26, 2022.

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, utilizing the SmartNet North America Network.

Attachments: Survey Drawing No. 1066-001-VARGAS GR-NP



Joe Ben Early, Jr.
Registered Professional Land Surveyor
State of Texas No. 6016

7/26/22

Date



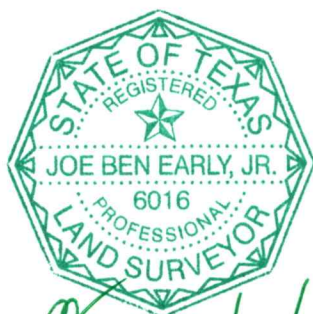
SKETCH TO ACCOMPANY A DESCRIPTION OF 3.234 ACRES (APPROXIMATELY 140,876 SQ. FT.) IN THE SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF TRACTS I AND IV CONVEYED TO VARGAS PROPERTIES I, LTD. IN A GENERAL WARRANTY DEED EXECUTED DECEMBER 27, 1996 AND RECORDED IN VOLUME 12842, PAGE 557 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	961.05'	2°25'50"	40.77'	S48°34'14"W	40.77'
C2	961.05'	15°02'16"	252.24'	S39°50'11"W	251.51'

LEGEND

- 1/2" REBAR FOUND (OR AS NOTED)
- ^{EL} 1/2" REBAR WITH "ELISANDRO LEOS" CAP FOUND
- ^{SNS} 1/2" REBAR WITH "SNS" CAP FOUND
- ^P 1/2" REBAR WITH "PREMIER" CAP FOUND
- 1/2" REBAR WITH "EARLY BOUNDARY" CAP SET
- ⊙ 1/2" IRON PIPE FOUND (OR AS NOTED)
- ⊙ METAL SPIKE FOUND
- * AXLE FOUND
- ▲ 60D NAIL FOUND IN TREE
- △ CALCULATED POINT
- ☒ "X" IN CONCRETE FOUND
- () RECORD INFORMATION

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S49°26'14"E	22.62'
L2	S49°26'14"E	28.16'
L3	N30°28'22"E	131.49'
L4	N30°28'22"E	43.45'
L5	N35°49'16"E	15.83'
L6	S49°43'07"W	4.71'
L7	N42°38'41"W	137.43'
L8	N59°31'38"W	50.00'
L9	N59°31'38"W	50.00'
L10	S40°12'52"E	60.00'
L11	N49°47'25"W	61.86'



DATE OF SURVEY: 7/26/22
PLOT DATE: 7/26/22
DRAWING NO.: 1066-001-VARGAS GR-NP
DRAWN BY: JBE
SHEET 1 OF 2

**EARLY LAND
SURVEYING, LLC**

P.O. BOX 92588
AUSTIN, TX 78709
512-202-8631
FIRM NO.10194487

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, UTILIZING THE SMARTNET NORTH AMERICA NETWORK.

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 1066-001-VARGAS GR-NP

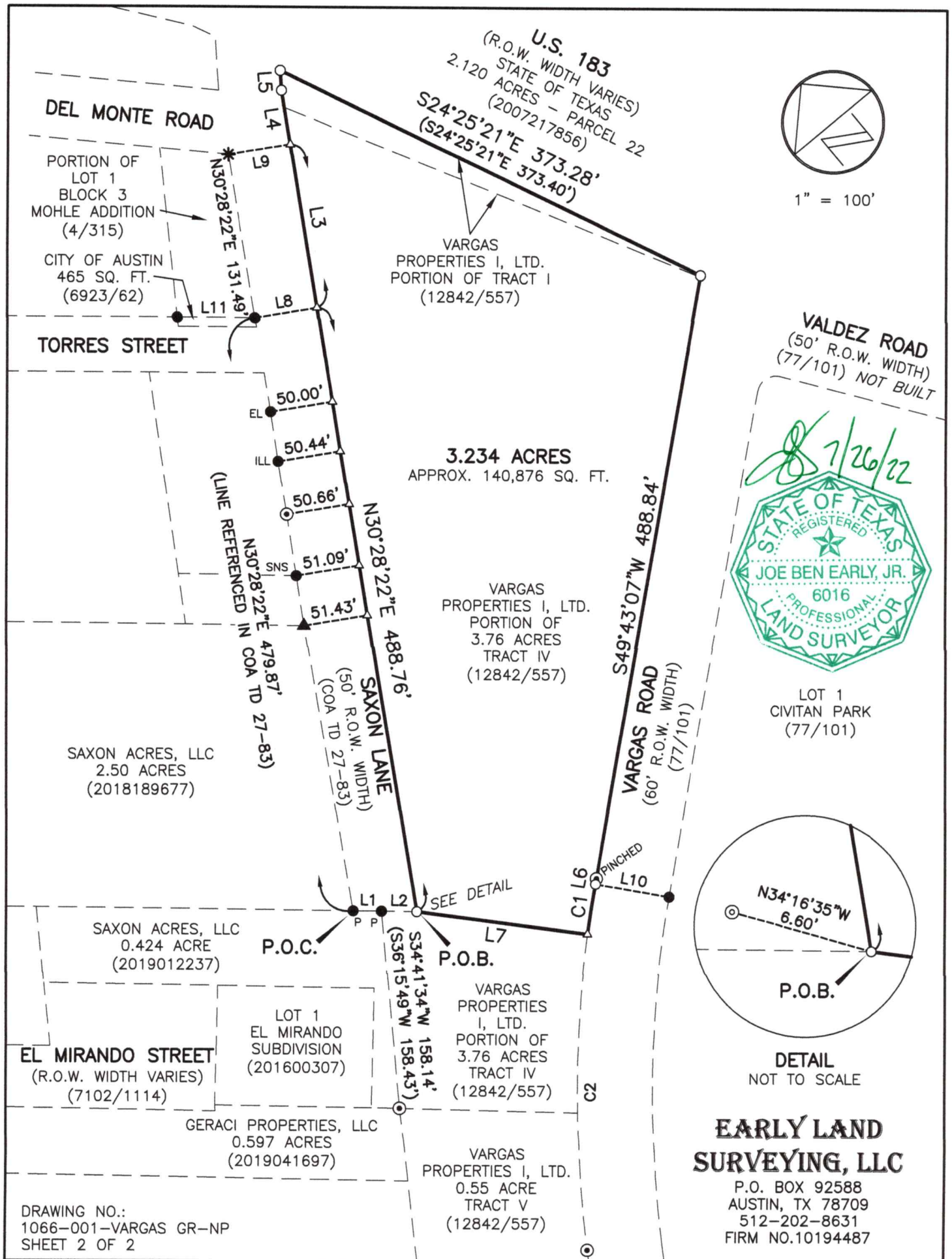


EXHIBIT B

EARLY LAND SURVEYING, LLC

P.O. Box 92588, Austin, TX 78709

512-202-8631

earllysurveying.com

TBPELS Firm No. 10194487

1.069 ACRES TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 1.069 ACRES (APPROXIMATELY 46,546 SQ. FT.) IN THE SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF TRACTS IV AND V CONVEYED TO VARGAS PROPERTIES I, LTD. IN A GENERAL WARRANTY DEED EXECUTED DECEMBER 27, 1996 AND RECORDED IN VOLUME 12842, PAGE 557 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.069 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found at the intersection of the northwest right-of-way line of Vargas Road (60' right-of-way width) as shown on Civitan Park, a subdivision of record in Volume 77, Page 101 of the Plat Records of Travis County, Texas and the northeast right-of-way line of Lynch Lane (50' right-of-way width) as shown on subdivision plats recorded in Volume 9, Page 75 and Volume 11, Page 9 of the Plat Records of Travis County, Texas and Document No. 200300286 of the Official Public Records of Travis County, Texas, being also the southernmost corner of said Tract V;

THENCE North 49°01'08" West with the northeast right-of-way line of Lynch Lane and the southwest line of said Tract V, a distance of 138.80 feet to a 1/2" rebar with Early Boundary" cap set for the westernmost corner of said Tract V, being the southernmost corner of Lot 1, Peck Subdivision, a subdivision of record in Volume 11, Page 9 of the Plat Records of Travis County, Texas, from which...

- a 1/2" iron pipe found at the intersection of northeast right-of-way line of Lynch Lane and the southeast right-of-way line of Thrasher Lane, being the westernmost corner of Lot 7, of said Peck Subdivision, bears North 49°01'08" West, a distance of 493.34 feet;
- a 1/2" rebar with "Carson & Bush" cap found in the southwest right-of-way line of Lynch Lane, bears South 33°09'02" West, a distance of 50.56 feet;

THENCE North 33°13'55" East with the northwest line of said Tract V, the southeast line of Lot 1, of said peck Subdivision and the southeast line of a 0.597 acre tract described in Document No. 2019041697 of the Official Public Records of Travis County, Texas, a distance of 172.22 feet to a 1/2" iron pipe found for the northernmost corner of said Tract V, being the westernmost corner of said Tract IV, being the easternmost corner of

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the said 0.597 acre tract, being also the southernmost corner of a 0.424 acre tract described in Document No. 2019012237 of the Official Public Records of Travis County, Texas;

THENCE North $34^{\circ}41'34''$ East with the northwest line of said Tract IV and the southeast line of the said 0.424 acre tract, a distance of 158.14 feet to a 1/2" rebar with "Premier" cap found in the southwest terminus of Saxon Lane (50' right-of-way width) as described in City of Austin file "TD 27-83, being the easternmost corner of the said 0.424 acre tract, from which a 1/2" rebar with "Premier" cap found for the western terminus of Saxon Lane, being in the northeast line of the said 0.424 acre tract, being also the southernmost corner of a 2.50 acre tract described in Document No. 2018189677 of the Official Public Records of Travis County, Texas, bears North $49^{\circ}26'14''$ West, a distance of 22.62 feet;

THENCE South $49^{\circ}26'14''$ East with the southwest terminus of Saxon Lane and the northeast line of said Tract IV, a distance of 28.16 feet to a 1/2" rebar with Early Boundary" cap set for the southern terminus of Saxon Lane, from which a metal spike found, bears North $34^{\circ}16'35''$ West, a distance of 6.60 feet;

THENCE South $42^{\circ}38'41''$ East crossing said Tract IV, a distance of 137.43 feet to a calculated point in the northwest right-of-way line of Vargas Road, being in the southeast line of said Tract IV, from which a 1/2" rebar with "Early Boundary" cap set in the northwest right-of-way line of Vargas Road, being in the southeast line of said Tract IV, bears With a curve to the right, having a radius of 961.05 feet, an arc length of 40.77 feet, a delta angle of $02^{\circ}25'50''$, and a chord which bears North $48^{\circ}34'14''$ East, a distance of 40.77 feet;

THENCE with the northwest right-of-way line of Vargas Road and the southeast line of said Tracts IV and V, the following two (2) courses and distances:

1. With a curve to the left, having a radius of 961.05 feet, an arc length of 252.24 feet, a delta angle of $15^{\circ}02'16''$, and a chord which bears South $39^{\circ}50'11''$ West, a distance of 251.51 feet to a 1/2" iron pipe found;
2. South $32^{\circ}06'23''$ West, a distance of 62.07 feet to the **POINT OF BEGINNING** containing an area of 1.069 acres, more or less.

Surveyed on the ground on July 26, 2022.

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, utilizing the SmartNet North America Network.

Attachments: Survey Drawing No. 1066-001-VARGAS LR-NP

Joe Ben Early, Jr.
Registered Professional Land Surveyor
State of Texas No. 6016

Date

[Signature] 7/26/22



SKETCH TO ACCOMPANY A DESCRIPTION OF 1.069 ACRES (APPROXIMATELY 46,546 SQ. FT.) IN THE SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF TRACTS IV AND V CONVEYED TO VARGAS PROPERTIES I, LTD. IN A GENERAL WARRANTY DEED EXECUTED DECEMBER 27, 1996 AND RECORDED IN VOLUME 12842, PAGE 557 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

LEGEND

- 1/2" REBAR FOUND (OR AS NOTED)
- ^{C&B} 1/2" REBAR WITH "CARSON & BUSH" CAP FOUND
- ^P 1/2" REBAR WITH "PREMIER" CAP FOUND
- 1/2" REBAR WITH "EARLY BOUNDARY" CAP SET
- ⊙ 1/2" IRON PIPE FOUND (OR AS NOTED)
- ⊙ METAL SPIKE FOUND
- △ CALCULATED POINT
- () RECORD INFORMATION

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	961.05'	15°02'16"	252.24'	S39°50'11"W	251.51'
C2	961.05'	2°25'50"	40.77'	N48°34'14"E	40.77'
C3	901.05'	17°27'29"	274.55'	S41°03'24"W	273.49'

LINE TABLE

LINE	BEARING	DISTANCE
L1	N49°01'08"W	138.80'
L2	N33°13'55"E	172.22'
L3	N34°41'34"E	158.14'
L4	S49°26'14"E	28.16'
L5	S42°38'41"E	137.43'
L6	S32°06'23"W	62.07'
L7	N49°26'14"W	22.62'
L8	S40°12'52"E	60.00'
L9	S57°50'08"E	60.00'
L10	S33°09'02"W	50.56'



7/26/22

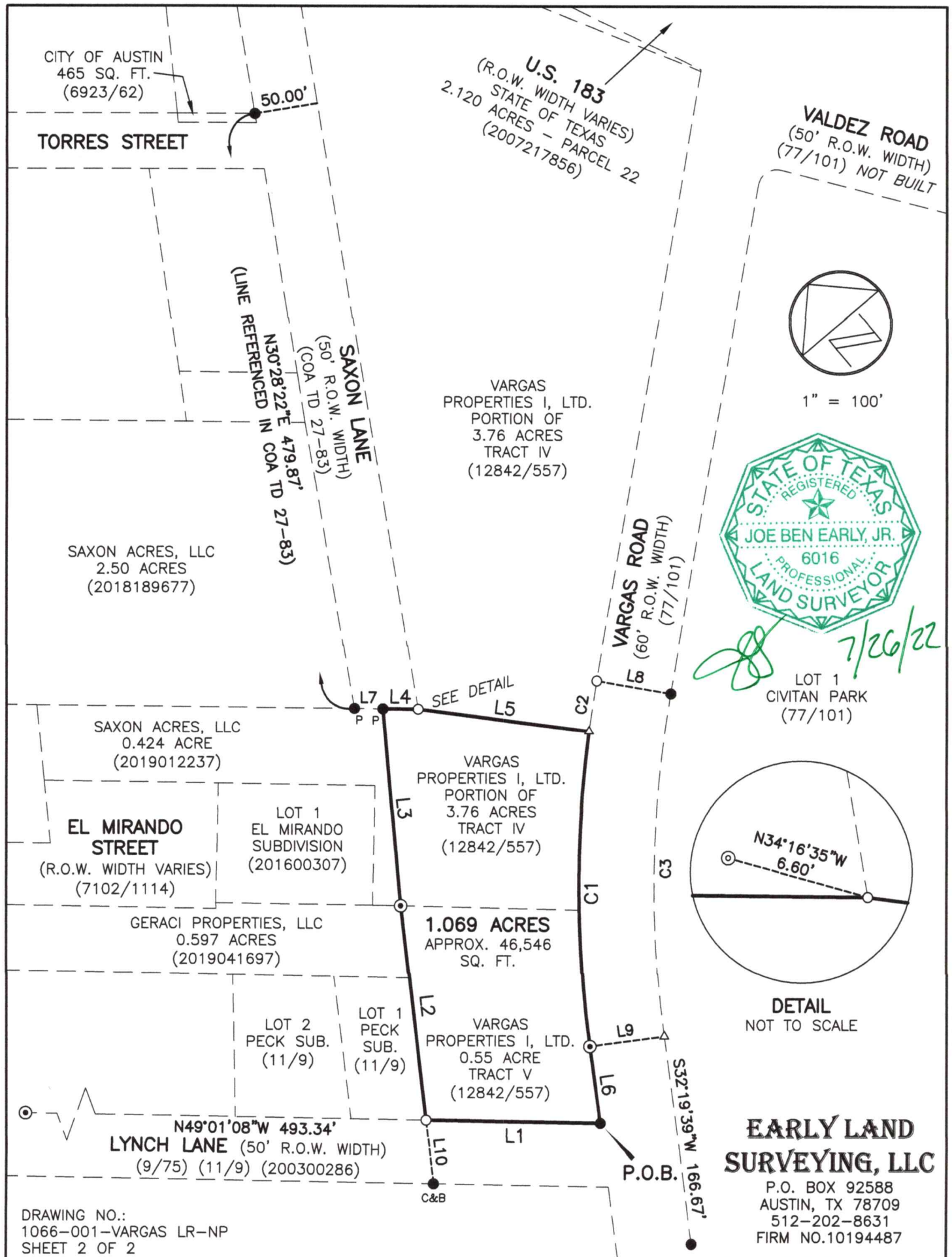
DATE OF SURVEY: 7/26/22
PLOT DATE: 7/26/22
DRAWING NO.: 1066-001-VARGAS LR-NP
DRAWN BY: JBE
SHEET 1 OF 2

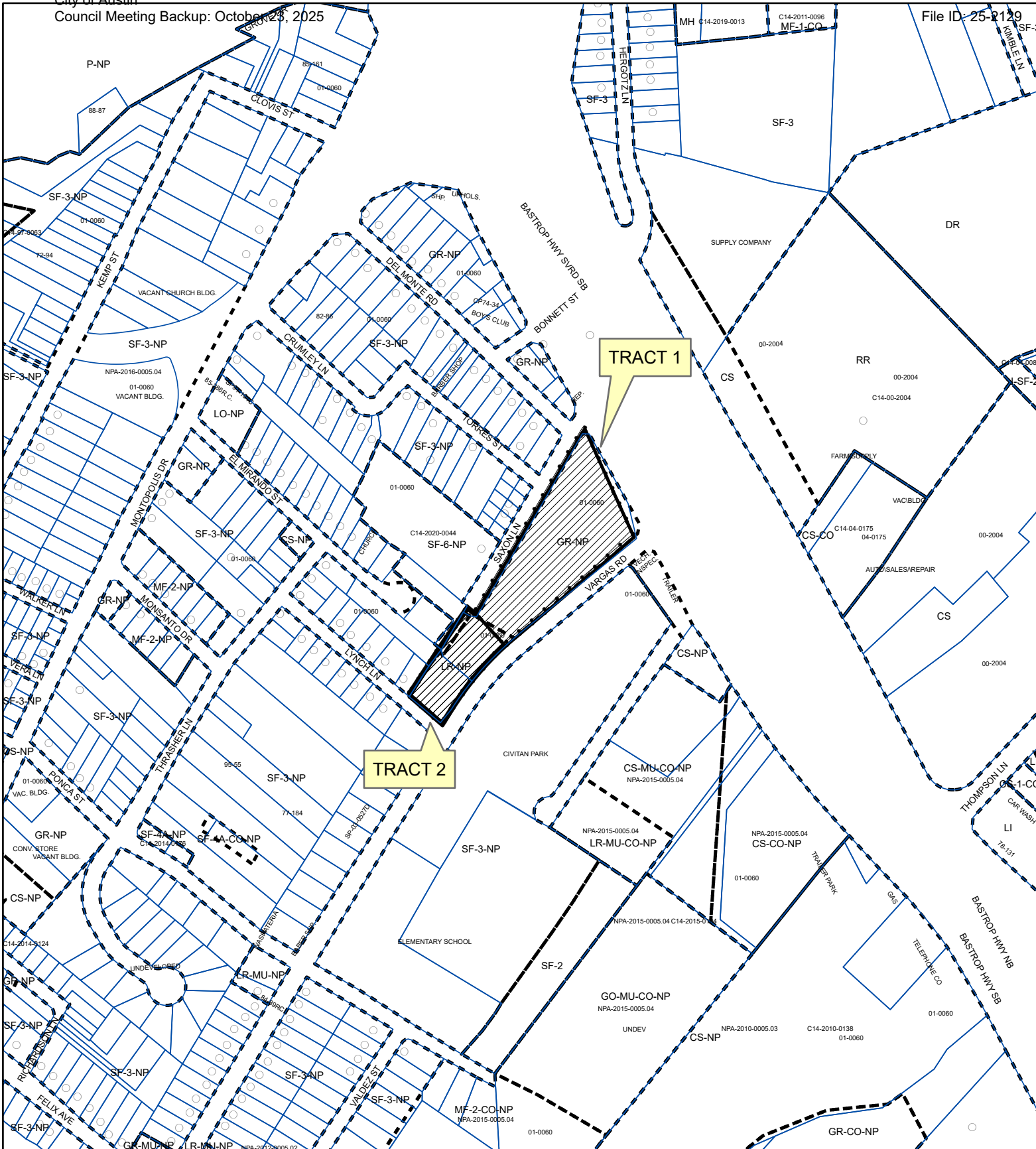
**EARLY LAND
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BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, UTILIZING THE SMARTNET NORTH AMERICA NETWORK.

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 1066-001-VARGAS LR-NP





ZONING

ZONING CASE#: C14-2022-0107

EXHIBIT C



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 completeness.

Created: 8/16/2022