

ORDINANCE NO. 20070607-073

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2205 NORTH LAMAR BOULEVARD AND 2209 SHOAL CREEK BOULEVARD IN THE WEST UNIVERSITY NEIGHBORHOOD AREA FROM GENERAL OFFICE-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GO-MU-CO-NP) COMBINING DISTRICT TO GENERAL OFFICE-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GO-MU-CO-NP) 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 office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district to general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district on the property (the "Property") described in Zoning Case No. C14-2007-0013, on file at the Neighborhood Planning and Zoning Department, as follows:

Parcel One: Lots 15, 16, and the south part of Lot 14, Shoal Creek Boulevard Lots Addition, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 3, Page 218, of the Plat Records of Travis County, Texas; the same tracts described as 0.648 acres in a deed of record in Document No. 2005054997, of the Official Public Records of Travis County, Texas (2205 North Lamar Blvd.-Tract 43); and

Parcel Two: Lot 13, Resubdivision of Lots 11, 12, and 13, Shoal Creek Boulevard Lots Addition, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 4, Page 4, of the Plat Records of Travis County, Texas; the north part of Lot 14, Shoal Creek Boulevard Lots, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 3, Page 218, of the Plat Records of Travis County, Texas; and a portion of West 22 ½ Street as vacated in Ordinance No. 630117-A and recorded in Volume 2570, Page 647, Deed Records of Travis County, Texas; the same tracts described in a deed of record in Document No. 2005059780, of the Official Public Records of Travis County, Texas, (2209 Shoal Creek Blvd.-Tract 44),

locally known as 2205 North Lamar Boulevard and 2209 Shoal Creek Boulevard, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 2. Except as specifically provided in Part 3 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the general office (GO) base district, the mixed use (MU) combining district, and other applicable requirements of the City Code.

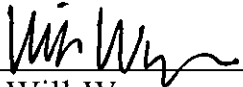
PART 3. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. A residential unit may not exceed 1,285 square feet of gross floor area.
- B. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
- C. Height restrictions on the Property apply as follows:
 - 1. A building or structure may not exceed a height of 575 feet above sea level on the property described as Tract 1 in Exhibit "B" incorporated into this ordinance.
 - 2. A building or structure may not exceed a height of 570 feet above sea level on the property described as Tract 2 in Exhibit "B" incorporated into this ordinance.

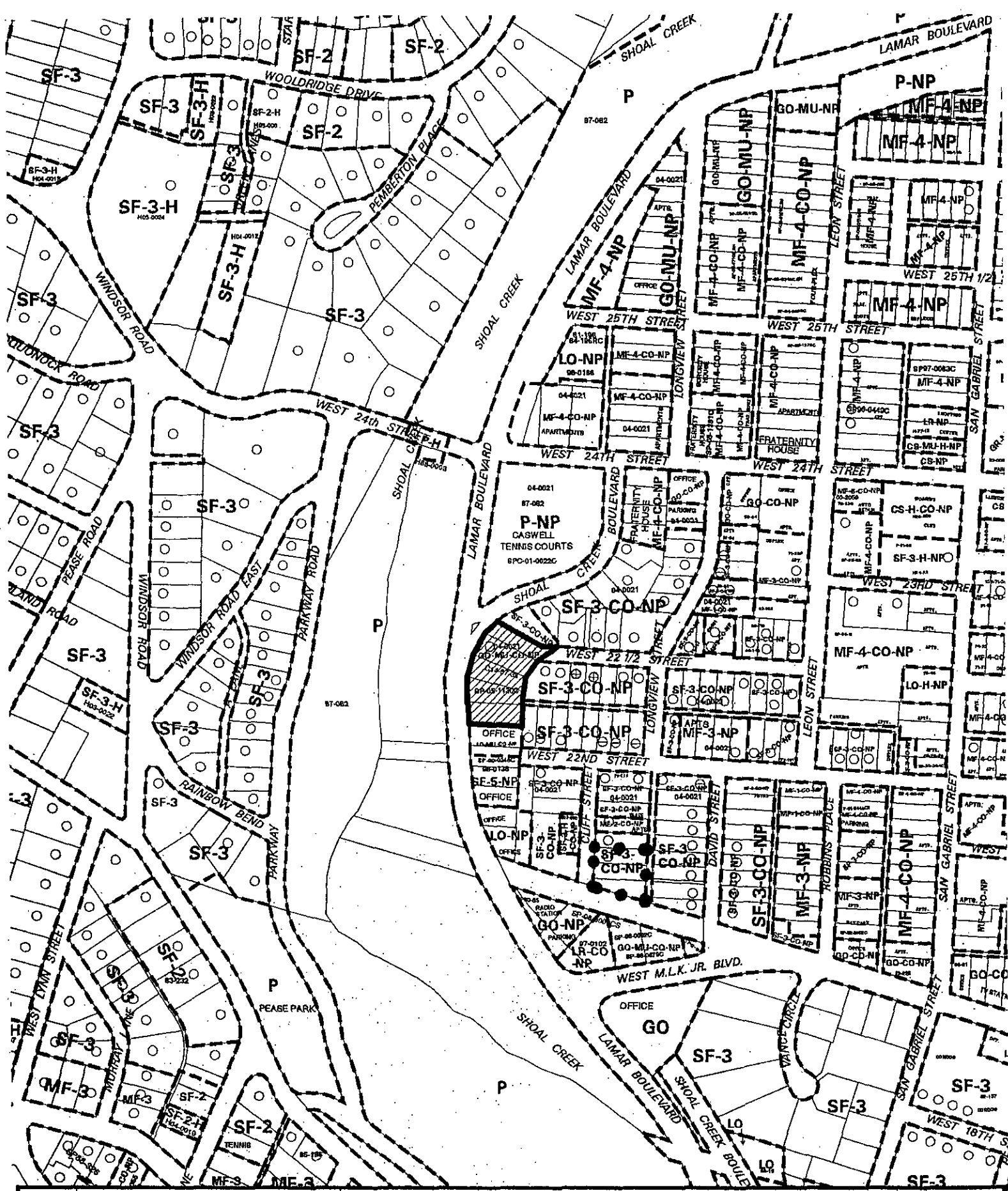
PART 4. The Property is subject to Ordinance No. 040826-57 that established the West University neighborhood plan combining district, as amended by Ordinance No. 041007-32.

PART 5. This ordinance takes effect on June 18, 2007.

PASSED AND APPROVED

_____, June 7, 2007 §
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 Will Wynn
 Mayor

APPROVED:  **ATTEST:** 
 David Allan Smith Shirley A. Gentry
 City Attorney City Clerk



DESCRIPTION FOR CASWELL LOFTS L.P. – CENTRO PARTNERS DEVELOPMENT CO.

BEING 0.27 acres in Travis County, Texas, the East 90 foot of Lot 13 of the Resubdivision of Lots 11, 12, and 13 of the Shoal Creek Boulevard Lots Addition (4/4 Plat Records). Also included is a portion of West 22 1/2 Street as vacated by City of Austin Ordinance # 630117-A of record in Vol. 2570, Pg. 647, Deed Records. This property was conveyed to Caswell Lofts L.P. as described in Doc. 2005059780 (3 tracts), of the Official Public Records of Travis County, Texas (OPRTCT). This tract was surveyed on the ground in November of 2006, by William F. Forest, Jr., Registered Professional Land Surveyor No. 1847. Survey note: The bearing basis for this survey is the monumentation found on the North line of this property as shown on the attached survey plat.

BEGINNING at a 1 inch galvanized iron pipe found at the Northeast corner of Lot 13 at the Southeast corner of Lot 11 of the Shoal Creek Blvd. Lots Addition.

THENCE with the East boundary of the Caswell Lofts L.P. property, setting iron pins at bends as follows; S 55 deg. 29 min. 49 sec. W 82.89 feet; continuing with the West boundary of the P.J. Lawless Addition as follows, S 36 deg. 42 min. 45 sec. W 64.76 feet to the lower Northeast corner of Height Limitation Tract 2.

THENCE with the East boundary of the Height Limitation Tract 2, N 65 deg. 39 min. 00 sec. W 92.14 feet; N 36 deg. 42 min. 45 sec. E 99.38 feet; and N 55 deg. 29 min. 49 sec. E 26.99 feet to a point in the North line of Lot 13 at the Northeast corner of Tract 2.

THENCE with the North line of the former 22 1/2 Street, with the North line of the property conveyed to Caswell Lofts L.P. (Doc. 2005059780), & with the South line of Lot 11 of Shoal Creek Lots Addition, S 61 deg. 35 min. E 64.69 feet to an iron pin found; and S 86 deg. 24 min. 37 sec. E 52.52 feet to POINT OF BEGINNING.

STATE OF TEXAS :
 : KNOW ALL MEN BY THESE PRESENTS;
 COUNTY OF WILLIAMSON :

I, WM. F. FOREST, JR., do hereby certify that this survey was made on the ground of the property legally described hereon, under my supervision. This description is true and correct to the best of my knowledge and belief. The attached plat identifies the monumentation and records for the subject tract. Note: Building construction hereon is ongoing, and staking for this property is incomplete as shown on the attached plat.

TO CERTIFY WHICH, WITNESS my hand and seal at Georgetown, Texas, this the 17th day of April of 2007, A.D.


 WM.F. FOREST JR.
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1847

File: Proj: Caswell Lofts 575 Height.doc

REFERENCES: TCAD PROPERTY ID 112381 ALTERNATE ID REF. 0113000348



DESCRIPTION FOR CASWELL LOFTS L.P. – CENTRO PARTNERS DEVELOPMENT CO.

BEING 1.11 acres in Travis County, Texas, including portions of Lots 14, 15 and 16 of the Shoal Creek Boulevard Lots Addition (3/218 Plat Records), and part of Lot 13 of the Resubdivision of Lots 11, 12, and 13 of the Shoal Creek Boulevard Lots Addition (4/4 Plat Records). Also included is a portion of West 22 1/2 Street as vacated by City of Austin Ordinance # 630117-A of record in Vol. 2570, Pg.647, Deed Records. This property was conveyed to Caswell Lofts L.P. as described in Doc. 2005054997 (South 0.6428 ac.), and in Doc. 2005059780 (3 tracts), of the Official Public Records of Travis County, Texas (OPRTCT). This tract was surveyed on the ground in November of 2006, by William F. Forest, Jr., Registered Professional Land Surveyor No. 1847. Survey note: The bearing basis for this survey is the monumentation found on the North line of this property as shown on the attached survey plat.

BEGINNING at a 1 inch galvanized iron pipe found in the East boundary of North Lamar Boulevard at the Southwest corner of the said 0.6428 acre parcel described in Doc. 2005054997 (OPRTCT), and at the common West corner between Lots 16 and 17 in said Shoal Creek Blvd. Lots Addition.

THENCE with the East boundary of North Lamar Blvd., N 02 deg. 10 min. 22 sec. W 70.34 feet to a nail set in a rock wall; N 02 deg. 39 min. 03 sec. W 45.70 feet to an iron pin found; N 01 deg. 31 min. 05 sec. W 37.29 feet to an "X" chiseled in a concrete driveway; N 14 deg. 00 min. 15 sec. E at 15.00 feet pass an iron pin set; continuing in all 76.81 feet to an iron pin set.

THENCE with the South boundary of Shoal Creek Boulevard, setting iron pins at bends in the R.O.W. line as follows; N 31 deg. 48 min. 54 sec. E 79.75 feet; and N 49 deg. 07 min. 41 sec. E 53.14 feet.

THENCE with the North line of the former 22 1/2 Street, with the North line of the property conveyed to Caswell Lofts L.P. (Doc. 2005059780), & with the South line of Lot 11 of Shoal Creek Lots Addition, S 61 deg. 35 min. E 102.51 feet to a point in the North line of the tract.

THENCE with the West boundary of the Height Limitation Tract 1, S 55 deg. 29 min. 49 sec. W 26.99 feet; S 36 deg. 42 min. 45 sec. W 99.38 feet; and S 65 deg. 39 min. 00 sec. E 92.14 feet with the South line of Lot 13 to an iron pin set at the southeast corner of tract 1.

THENCE with the boundary between Caswell Lofts L.P. and the P.J. Lawless Addition, finding iron pins as follows; S 08 deg. 59 min. 29 sec. W 18.99 feet, S 08 deg. 20 min. 04 sec. W 56.07 feet; S 00 deg. 01 min. 34 sec. W 15.50 feet; and S 01 deg. 39 min. 36 sec. W 70.18 feet to a nail found in a rock ledge.

THENCE with the South line of Lot 16 and the North line of Lot 17, N 86 deg. 16 min. 50 sec. W 174.73 feet to the POINT OF BEGINNING.

STATE OF TEXAS :
: KNOW ALL MEN BY THESE PRESENTS;
COUNTY OF WILLIAMSON :

I, WM. F. FOREST, JR., do hereby certify that this survey was made on the ground of the property legally described hereon, under my supervision. This description is true and correct to the best of my knowledge and belief. The attached plat identifies the monumentation and records for the subject tract. Note: Building construction hereon is ongoing, and staking for this property is incomplete as shown on the attached plat.

TO CERTIFY WHICH, WITNESS my hand and seal at Georgetown, Texas, this the 17th day of April of 2007, A.D.



WM.F. FOREST JR.

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1847

File:Proj: Caswell Lofts 570 Height.doc

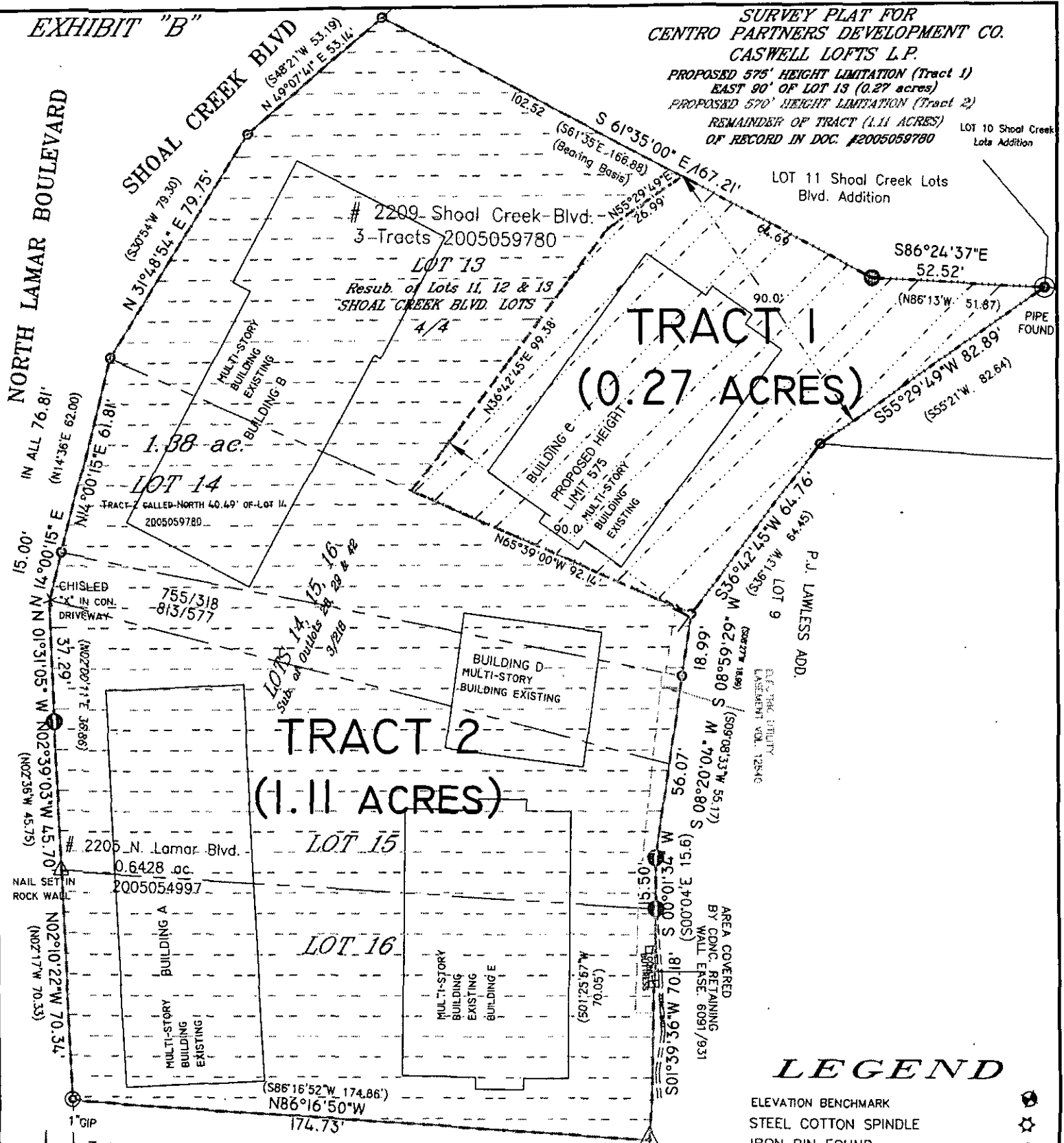
REFERENCES: TCAD PROPERTY ID 112381 ALTERNATE ID REF. 0113000348



EXHIBIT "B"

SURVEY PLAT FOR CENTRO PARTNERS DEVELOPMENT CO. CASWELL LOFTS L.P.

PROPOSED 575' HEIGHT LIMITATION (Tract 1)
EAST 90' OF LOT 13 (0.27 acres)
PROPOSED 570' HEIGHT LIMITATION (Tract 2)
REMAINDER OF TRACT (1.11 ACRES)
OF RECORD IN DOC. #2005059780



LEGEND

- ELEVATION BENCHMARK
- STEEL COTTON SPINDLE
- IRON PIN FOUND
- CORNER NOT FOUND, REPLACED WITH 1/2" IRON PIN
- IRON PIN SET
- IRON PIPE FOUND
- NAIL FOUND
- NAIL SET
- PROPOSED 575' HEIGHT LIMIT (TRACT 1)
- PROPOSED 570' HEIGHT LIMIT (TRACT 2)
- RECORD CALLS (BEARING / DISTANCE)
- DATA THIS SURVEY BEARING / DISTANCE

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, UNDER MY SUPERVISION. THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS PROPERTY ABUTS A PUBLIC ROADWAY, EXCEPT AS SHOWN HEREON.

SURVEY DATE NOV. 13, 2006, MAP DATE APRIL 17, 2007.

William F. Forest, Jr.
WILLIAM F. FOREST, JR. R.P.L.S. 1847

SCALE: 1"=40'