

ORDINANCE NO. 20070621-144

AN ORDINANCE AMENDING ORDINANCE NO. 20050623-Z012 TO REZONE AND CHANGE THE ZONING MAP FROM LIMITED INDUSTRIAL SERVICE-PLANNED DEVELOPMENT AREA-NEIGHBORHOOD PLAN (LI-PDA-NP) COMBINING DISTRICT TO LIMITED INDUSTRIAL SERVICE-PLANNED DEVELOPMENT AREA-NEIGHBORHOOD PLAN (LI-PDA-NP) COMBINING DISTRICT FOR LAND LOCATED AT 1621 WEST 5TH STREET.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The original planned development area (the "Original PDA") is comprised of approximately 3.116 acres of land located at 1601-1611 West 5th Street in the Old West Austin neighborhood plan area (the "Original Property") and more particularly described in Ordinance No. 20050623-Z012. The Original PDA was approved June 23, 2005.

PART 2. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) combining district to limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) combining district on the property described in Zoning Case No. C14-2007-0053, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.170 acre tract of land, more or less, out of the George W. Spear League in the City of Austin, Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

locally known as 1621 West 5th Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 3. Except as specifically provided in Part 4 of this ordinance, the terms and conditions set forth in Ordinance No. 20050623-Z012 remain in effect.

PART 4. Part 3 Subsection 2 of Ordinance No. 20050623-Z012 is amended to add cocktail lounge use as an additional permitted use only for the portion of the Original Property identified as 0.170 acres of land and further described in Part 2 of this ordinance.

PART 5. This ordinance takes effect on July 2, 2007.

PASSED AND APPROVED

_____, June 21, 2007

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§
§

Will Wynn
Will Wynn
Mayor

APPROVED:

David Allan Smith
David Allan Smith
City Attorney

ATTEST:

Shirley A. Gentry
Shirley A. Gentry
City Clerk

0.170 ACRE
GABLES REALTY L.P.

EXHIBIT A

FN NO. 07-205(MAZ)
APRIL 19, 2007
BPI JOB NO. 659-24.92

DESCRIPTION

OF 0.170 ACRE OF LAND OUT OF THE GEORGE W. SPEAR LEAGUE, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 4.5 ACRE TRACT DESCRIBED IN THE DEED TO J17 FORTUNE, L.P., OF RECORD IN VOLUME 12653, PAGE 45 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.170 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron rod found at the southwesterly intersection of West 5th Street (R.O.W varies) and West Lynn Street (Unimproved R.O.W.), being the northeasterly corner of said 4.5 acre tract, from which a 1/2 inch iron rod found at the southeasterly corner of said 4.5 acre tract bears S29°15'00"W, a distance of 209.84 feet;

THENCE, along the southerly right-of-way line of West 5th Street, being a portion of the northerly line of said 4.5 acre tract, the following two (2) courses and distances:

- 1) N51°41'32"W, a distance of 188.99 feet to a 1/2 inch iron rod found for an angle point;
- 2) N46°51'37"W, a distance of 322.41 feet to the **POINT OF BEGINNING** and the northeasterly corner hereof;

THENCE, leaving the southerly right-of-way line of West 5th Street, over and across the remainder of said 4.5 acre tract along the easterly, southerly, and westerly lines hereof, the following three (3) courses and distances:

- 1) S65°20'46"W, a distance of 132.50 feet to a point for the southeasterly corner hereof;
- 2) N46°46'33"W, a distance of 35.00 feet to a point for the southwesterly corner hereof;
- 3) N43°13'27"E, a distance of 124.17 feet to a point in said southerly right-of-way line of West 5th Street, being the northerly line of said 4.5 acre tract, for the northwesterly corner hereof, from which a an "X" cut in concrete found in said southerly right-of-way line, for the northeasterly corner of Lot 2, Lake Austin Commons, a subdivision of record in Volume 83, Page 58C of the Plat Records of Travis County, Texas bears N45°07'13"W, a distance of 30.39 feet;

THENCE, along said southerly right-of-way line of West 5th Street, being a portion of the northerly line of said 4.5 acre tract, for the northerly line hereof, the following two (2) courses and distances:


FN 07-205(MAZ)
April 19, 2007
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- 1) S45°07'13"E, a distance of 50.88 feet to a 1/2 inch iron rod found for an angle point;
- 2) S46°51'37"E, a distance of 34.04 feet to the **POINT OF BEGINNING**, containing an area of 0.170 acres (7,393 sq. ft.) of land, more or less, within these metes and bounds.

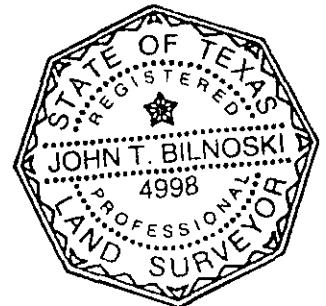
BEARING BASIS: THE BASIS OF BEARING OF THE SURVEY DESCRIPTION HEREIN IS THE EASTERLY LINE OF SAID 4.5 ACRE TRACT ACCORDING TO VOLUME 12653, PAGE 45 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY & PARTNERS, INC.
ENGINEERING SOLUTIONS
221 WEST SIXTH STREET
SUITE 600
AUSTIN, TEXAS 78701


JOHN T. BILNOSKI
R.P.L.S. NO. 4998
STATE OF TEXAS

4/19/07

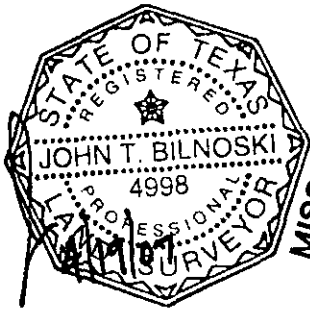
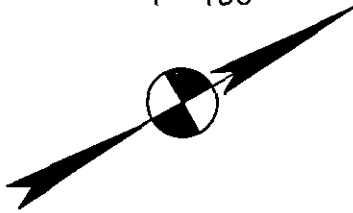
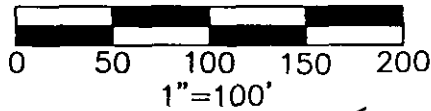


LEGEND

PAGE 3 OF 3

- 1/2" IRON ROD FOUND
- ⊗ CUT "X" FOUND
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING

0.696 ACRES
LAKE AUSTIN
COMMONS, LTD.
VOL 12455, PG 867



0.485 ACRES
LAKE AUSTIN
COMMONS, LTD.
DOC NO 2000031178

MISSOURI PACIFIC RAILROAD (200' R.O.W.)
GEORGE W. SPEAR LEAGUE

J17 FORTUNE, L.P.
REMAINDER OF
4.5 ACRES
VOL 12653, PG 45

LOT 2
LAKE AUSTIN
COMMONS
VOL 83, PG 58C

0.170 ACRE
(7,393 SQ. FT.)

P.O.B.

WEST 5th STREET
(R.O.W. VARIES)

CAMPBELL STREET
(60' R.O.W.)

LINE TABLE

No.	BEARING	DISTANCE
L1	S65°20'46"W	132.50'
L2	N46°46'33"W	35.00'
L3	N43°13'27"E	124.17'
L4	S45°07'13"E	50.88'
L5	S46°51'37"E	34.04'
L6	N45°07'13"W	30.39'

BEARING BASIS
S29°15'00"W 209.84'

WEST LYNN STREET

P.O.C.

(R.O.W. VARIES)

ROYATEX SUBDIVISION
VOL 91, PG 9

Bury+Partners

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Austin, Texas 78701
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SKETCH TO ACCOMPANY DESCRIPTION

OF 0.170 ACRE OF LAND OUT OF THE GEORGE W. SPEAR LEAGUE, SITUATED IN THE CITY OF AUSTIN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 4.5 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO J17 FORTUNE, L.P., OF RECORD IN VOLUME 12653, PAGE 45 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS,

GABLES REALTY LP.

**5TH STREET
COMMONS**

