

ORDINANCE NO. 20080807-079

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 213 DUNLAP STREET AND 3907-A&B REYNA STREET IN THE DAWSON NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-V-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 family residence-neighborhood plan (SF-3-NP) combining district to community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district on the property described in Zoning Case No C14-2008-0073, on file at the Neighborhood Planning and Zoning Department, as follows

Three tracts of land, being a 0 041 acre tract, a 0 085 acre tract, and a 0 186 acre tract, more or less, out of the Isaac Decker League, Abstract No 8, in Travis County, the three tracts of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 213 Dunlap Street and 3907-A&B Reyna Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B"

PART 2. Except as specifically provided in Part 3, Part 4, and Part 5 of this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district and other applicable requirements of the City Code

PART 3. The Property is subject to Chapter 25-2, Subchapter E, Article 4 3 (*Vertical Mixed Use Buildings*) as follows

- A The Property is exempt from the dimensional standards identified in Article 4 3 3 E 2 (*Dimensional and Parking Requirements*)

- B The Property is subject to the parking reductions identified in Article 4 3 3 E 3
(*Dimensional and Parking Requirements*)
- C Ten percent of residential units available for rental in a vertical mixed use building shall be reserved for households earning no more than 60 percent of the Annual Median Family Income

PART 4. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions

- A 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 500 trips per day
- B The following uses are prohibited uses of the Property

Automotive repair services
Automotive sales
Pawn shop services
Vehicle storage

Automotive rentals
Automotive washing (of any type)
Commercial blood plasma center

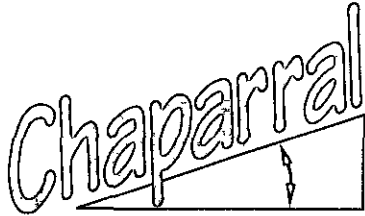
PART 5. The Property is subject to Ordinance No 011206-10 that established the Dawson neighborhood plan combining district

PART 6. This ordinance takes effect on August 18, 2008

PASSED AND APPROVED

_____, August 7, 2008 §
§
§ _____
Will Wynn
Mayor

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



**Professional Land Surveying, Inc.
Surveying and Mapping**

EXHIBIT A

Office 512-443-1724
Fax 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

JANIE YBARRA

0.041 ACRE ZONING DESCRIPTION

DESCRIPTION OF A 0.041 ACRE (APPROXIMATELY 1,804 S.F.) TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE, ABSTRACT NO. 8, IN TRAVIS COUNTY, TEXAS, BEING THE REMAINDER PORTION OF THAT TRACT OF LAND CONVEYED TO JANIE YBARRA, BY QUITCLAIM DEED, DATED JUNE 1, 1976, RECORDED IN VOLUME 5473, PAGE 1276, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.041 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at An X in concrete found for the southeast corner of the remainder of the Janie Ybarra tract, being also the southeast corner of a 0.282 acre tract, recorded in Document No. 2000015541, of the Official Public Records of Travis County, Texas and being in the north right-of-way line of Interstate Highway 35 (IH35) (right-of-way width varies), from which an X in concrete found bears South 53°34'52" East, a distance of 66.33 feet,

THENCE North 53°34'22" West, along the common line of the remainder of the Janie Ybarra tract and IH 35, a distance of 45.30 feet to a 1/2" rebar with cap set for the southwest corner of the remainder of the Janie Ybarra tract, being also the southeast corner of the remainder of the Alfredo Reyna tract recorded in Volume 4137, Page 894, of the Deed Records of Travis County, Texas, from which a Texas Department of Transportation (TxDOT) type II disk found bears North 53°34'22" West, a distance of 133.13 feet,

THENCE leaving the north right-of-way line of IH 35, North 25°42'17" East, along the common line of the remainder of the Janie Ybarra tract and the remainder of the Alfredo Reyna tract, a distance of 37.99 feet to a 1/2" rebar with cap set for the northwest corner of the Janie Ybarra tract, being also the northeast corner of the Alfredo Reyna tract and in the south line of a 50' X 150' tract to Raul Reyna per Travis Central Appraisal District property ID no. 312617. No record documents supporting this conveyance found at Travis County Clerk's Office,

THENCE South 62°13'15" East, along the common line of the Raul Reyna tract and the Janie Ybarra tract, a distance of 42.81 feet, to a 1/2" rebar with cap set for the northeast corner of the Janie Ybarra tract, being also the southeast corner of the Raul Reyna tract and in the west line of the 0.282 acre tract,

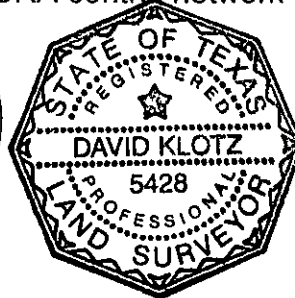
THENCE South 23°29'45" West, along the common line of the Janie Ybarra tract and the 0.282 acre tract, a distance of 44.91 feet to the **POINT OF BEGINNING**, containing an area of 0.041 acres of land, more or less

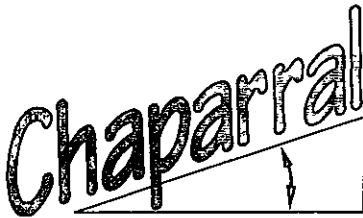
Surveyed on the ground February 12, 2007 Bearing basis is Grid Azimuth for Texas central zone, 1983/93 HARN values from LCRA control network Attachments None



David Klotz Date
Registered Professional Land Surveyor
State of Texas No. 5428

02/12/07





**Professional Land Surveying, Inc.
Surveying and Mapping**

EXHIBIT A

Office 512-443-1724
Fax 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

**ALFREDO G. REYNA
0.085 ACRE ZONING DESCRIPTION**

DESCRIPTION OF A 0 085 ACRE (APPROXIMATELY 3,683 S F) TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE, ABSTRACT NO 8, IN TRAVIS COUNTY, TEXAS, BEING THE REMAINDER PORTION OF THAT TRACT OF LAND CONVEYED TO ALFREDO G REYNA, BY WARRANTY DEED, DATED AUGUST 27, 1971, RECORDED IN VOLUME 4137, PAGE 894, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0 085 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING at a 1/2" rebar with cap set for the southeast corner of the remainder of the Alfredo Reyna tract, being also the southwest corner of the remainder of a tract of land conveyed to Janie Ybarra, recorded in Volume 5473, Page 1276, of the Deed Records of Travis County, Texas and in the north right-of-way line of Interstate Highway 35, from which an X in concrete found bears South 53°34'22" East, a distance of 45 30 feet,

THENCE North 53°34'22" West, along the common line of IH 35 and the Alfredo G Reyna tract, a distance of 133 13 feet to a TxDOT type II disk found for the southwest corner of the Alfredo G Reyna tract, being also the intersecting point of the north right-of-way line of IH 35 with the east right-of-way line of Reyna Street (right-of-way width varies), from which a TxDOT type II disk found bears North 53°36'46" West, a distance of 39 62 feet,

THENCE leaving the north right-of-way line of IH 35, North 27°47'29" East, along the east right-of-way line of Reyna Street, being also the west line of the Alfredo G Reyna tract, a distance of 18 27 feet to a 1/2" rebar with cap set for the northwest corner of the Alfredo Reyna tract, being also the southwest corner of a 0 19 acre tract recorded in Document No 2006165973, of the Official Public Records of Travis County, Texas, intersecting point of the east right-of-way line of Reyna Street with the south right-of-way line of Dunlap Street (right-of-way width varies), from which a 1/2" rebar found bears North 27°47'29" East, a distance of 140 68 feet,


THENCE leaving the east right-of-way line of Reyna Street, South 62°13'06" East, along the north line of the Alfredo Reyna tract, being also the south line of the 0 19 acre tract, a distance of 54 35 feet to a 1/2" rebar found,

THENCE South 61°58'52" East, along the north line of the Alfredo Reyna tract, being also the south line of a 0 224 acre tract, recorded in Volume 8111, Page 265, of the Deed Records of Travis County, Texas and in part the south line of a 50' X 150' tract to

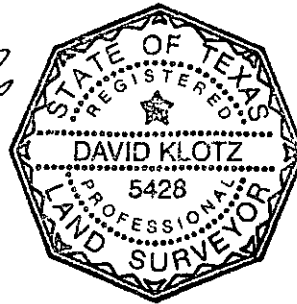
Raul Reyna per Travis Central Appraisal District property ID no 312617 No record documents supporting this conveyance found at Travis County Clerk's Office, a distance of 75 89 feet, to a 1/2" rebar with cap set for the northeast corner of the remainder of the Alfredo Reyna tract, being also the northwest corner of the Janie Ybarra tract,

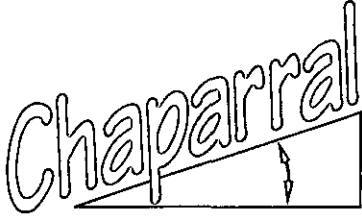
THENCE South 25°42'17" West, a distance of 37 99 feet to the **POINT OF BEGINNING**, containing an area of 0 085 acres of land, more or less

Surveyed on the ground February 12, 2007 Bearing basis is Grid Azimuth for Texas central zone, 1983/93 HARN values from LCRA control network Attachments None

 3/12/08

David Klotz Date
Registered Professional Land Surveyor
State of Texas No 5428





**Professional Land Surveying, Inc.
Surveying and Mapping**

EXHIBIT A

Office 512-443-1724
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2807 Manchaca Road
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**COLONNETTA FAMILY L.P.
0.186 ACRE ZONING DESCRIPTION**

DESCRIPTION OF A 0.186 ACRE (APPROXIMATELY 8,116 S.F.) TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE, ABSTRACT NO. 8, IN TRAVIS COUNTY, TEXAS, BEING ALL OF A 0.19 ACRE TRACT CONVEYED TO COLONNETTA FAMILY LIMITED PARTNERSHIP, BY A WARRANTY DEED, DATED AUGUST 25, 2006, RECORDED IN DOCUMENT NO. 2006165973, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.186 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING at a 1/2" rebar with cap set for the southwest corner of the 0.186 acre tract, being also in east right-of-way line of Reyna Street (right-of-way width varies), from which a Texas Department of Transportation (TxDOT) type II disk found bears South 27°47'29" West, a distance of 18.27 feet,

THENCE North 27°47'29" East, along the common line of the 0.186 acre tract, and Reyna Street, a distance of 140.68 feet to a 1/2" rebar found for the intersecting point of the east right-of-way line of Reyna Street with the south right-of-way line of Dunlap Street (right-of-way width varies),

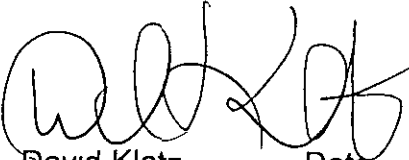
THENCE North 76°59'15" East, along the common line of the 0.186 acre tract and Dunlap Street, a distance of 14.37 feet to an "X" in concrete found,

THENCE South 62°47'21" East, along the common line of the 0.186 acre tract and Dunlap Street, a distance of 43.48 feet to a 1/2" rebar with cap set for the northeast corner of the 0.186 acre tract being also the northwest corner of a 0.224 acre tract recorded in Volume 8111, Page 265, of the Deed Records of Travis County, Texas, from which a bolt found bears South 62°47'21" East, a distance of 304.72 feet,

THENCE leaving the south right-of-way line of Dunlap Street, South 27°47'29" West, along the common line of the 0.186 acre tract and the 0.224 acre tract, a distance of 150.51 feet to a 1/2" rebar found for the southeast corner of the 0.186 acre tract, being also the southwest corner of the 0.224 acre tract and in the north line of the remainder of that tract of land conveyed to Alfredo G. Reyna, by Warranty Deed dated August 27, 1971, recorded in Volume 4137, Page 894, of the Deed Records of Travis County, Texas

THENCE North 62°13'06" West, along the common line of the 0 186 acre tract and the said Alfredo G Reyna remainder portion, a distance of 54 35 feet to the **POINT OF BEGINNING**, containing an area of 0 186 acres of land, more or less

Surveyed on the ground February 12, 2007 Bearing basis is Grid Azimuth for Texas central zone, 1983/93 HARN values from LCRA control network Attachments None

 3/12/08

David Klotz Date
Registered Professional Land Surveyor
State of Texas No 5428

