

**ORDINANCE NO. 20090226-037**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 112 ACADEMY DRIVE IN THE SOUTH RIVER CITY NEIGHBORHOOD PLAN AREA FROM COMMUNITY COMMERCIAL-HISTORIC LANDMARK-NEIGHBORHOOD CONSERVATION COMBINING DISTRICT-NEIGHBORHOOD PLAN (GR-H-NCCD-NP) COMBINING DISTRICT TO COMMERCIAL-LIQUOR SALES-HISTORIC LANDMARK-NEIGHBORHOOD CONSERVATION COMBINING DISTRICT-NEIGHBORHOOD PLAN (CS-1-H-NCCD-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 community commercial-historic landmark-neighborhood conservation combining district-neighborhood plan (GR-H-NCCD-NP) combining district to commercial-liquor sales-historic landmark-neighborhood conservation combining district-neighborhood plan (CS-1-H-NCCD-NP) combining district on the property described in Zoning Case No. C14-2008-0250, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.01 (583 sq. ft.) acre tract of land, more or less, out of Block 72, Fairfield Park Subdivision, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 112 Academy Drive, 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 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the commercial-liquor sales (CS-1) base district, and other applicable requirements of the City Code.

**PART 3.** The Property is subject to the following conditions:

A. The following uses are prohibited uses of the Property:

Adult oriented businesses

Outdoor entertainment

Liquor sales

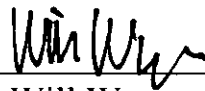
- B. An activity requiring a sound amplification permit under the City Code is prohibited and no application for a sound amplification may be filed.


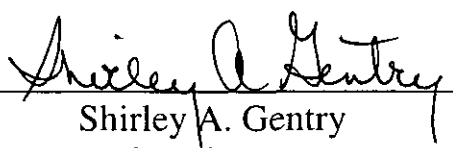
**PART 4.** The Property is subject to:

- A. Ordinance No. 860807-H and Ordinance No. 030717-119 that established the Fairview Park neighborhood conservation district; and
- B. Ordinance No. 20050929-Z003 that established the South River City neighborhood plan combining district.

**PART 5.** This ordinance takes effect on March 9, 2009.

**PASSED AND APPROVED**

February 26, 2009      §  
§  
§        
Will Wynn  
Mayor

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

# EXHIBIT A

EXHIBIT TO REZONING APPLICATION FOR  
PORTION OF 112 ACADEMY (ST CECELIA HOTEL)  
DETAIL OF ARE TO BE REZONED TO CS-1-H-NCCD-NP  
APPROXIMATELY 583 SQUARE FEET FOR USE AS A COCKTAIL  
LOUNGE AREA, WITH SALE OF ALCOHOL RESTRICTED TO HOTEL GUESTS

## DESCRIPTION 112 ACADEMY LLC

BEING 0.01 ACRES (583 SQ. FT. AREA) SITUATED IN BLOCK 72, FAIRFIELD PARK A SUBDIVISION OF RECORD IN VOLUME I, PAGE 46 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND A PORTION OF THE TRACT CONVEYED BY DOC. 2006197905, OF THE OFFICIAL RECORDS OF TRAVIS COUNTY, TEXAS (OPRTCT). THIS REZONING PARCEL WAS SURVEYED ON THE GROUND IN JULY OF 2008, BY WILLIAM F. FOREST, JR., REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1847. LINE CODES USED HEREIN ARE IN AGREEMENT WITH THE SURVEY PLAT PREPARED THIS DATE.

BEGINNING FOR A POINT OF REFERENCE AT A STEEL COTTON SPINDLE FOUND AT THE NORTHWEST CORNER OF BLOCK 72, FAIRFIELD PARK, A SUBDIVISION OF RECORD IN VOLUME I, PAGE 46 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

THENCE WITH S 52°05'16"E 98.61 FEET TO A POINT AT THE SOUTHWEST INTERIOR WALL CORNER OF THE TEA TIME LOUNGE AND THE TRUE POINT OF BEGINNING OF THIS REZONING PARCEL.

THENCE WITH THE WEST INTERIOR WALL OF THE TEA TIME LOUNGE (L1) N 11°41'42"E 19.50 TO THE NORTHWEST CORNER OF THE ROOM.

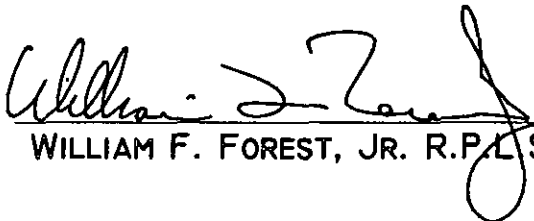
THENCE WITH THE NORTH INTERIOR WALL OF THE TEA TIME LOUNGE S 78°18'18"E 29.88 TO THE NORTHEAST CORNER OF THE ROOM.

THENCE WITH THE EAST INTERIOR WALL OF THE TEA TIME LOUNGE (L2) S 11°41'42"E 19.50 TO THE SOUTHEAST CORNER OF THE ROOM.

THENCE WITH THE SOUTH INTERIOR WALL OF THE TEA TIME LOUNGE N 78°18'18"W 29.88 TO THE TRUE POINT OF BEGINNING.

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.

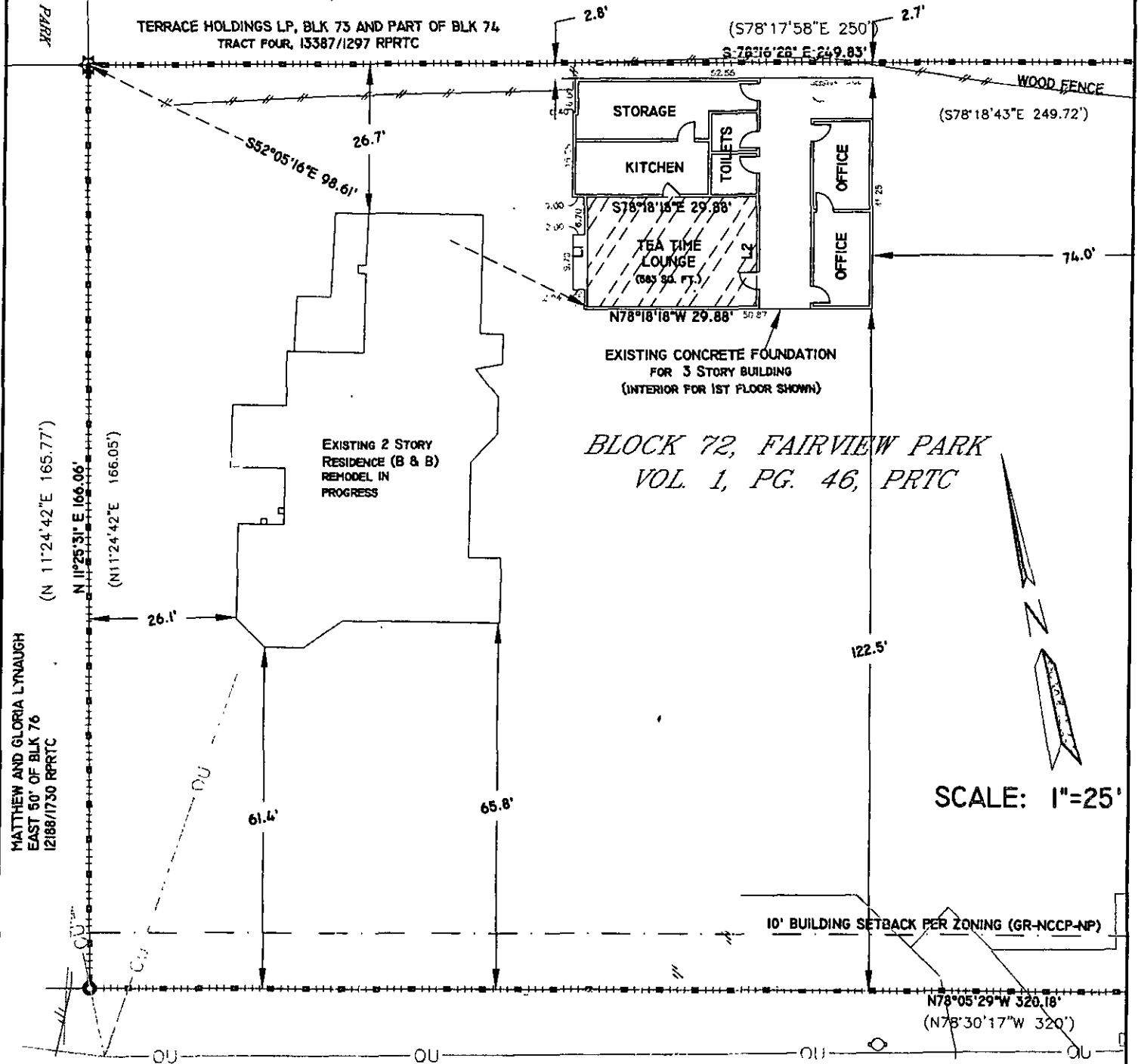
SURVEY DATE DECEMBER 29, 2008.

  
WILLIAM F. FOREST, JR. R.P.L.S. 1847



# EXHIBIT TO REZONING APPLICATION FOR PORTION OF 112 ACADEMY (ST CECELIA HOTEL)

DETAIL OF ARE TO BE REZONED TO CS-I-H-NCCD-NP  
APPROXIMATELY 583 SQUARE FEET FOR USE AS A COCKTAIL  
LOUNGE AREA, WITH SALE OF ALCOHOL RESTRICTED TO HOTEL GUESTS



BLOCK 72, FAIRVIEW PARK  
VOL 1, PG. 46, PRTC

SCALE: 1"=25'

112 ACADEMY DRIVE  
(60' RIGHT-OF-WAY)

LINE TABLE		
LINE	BEARING	LENGTH
L1	N11°41'42"E	19.50
L2	S11°41'42"W	19.50



**EXHIBIT TO REZONING APPLICATION FOR  
PORTION OF 112 ACADEMY (ST CECELIA HOTEL)  
DETAIL OF ARE TO BE REZONED TO CS-1-H-NCCD-NP  
APPROXIMATELY 583 SQUARE FEET FOR USE AS A COCKTAIL  
LOUNGE AREA, WITH SALE OF ALCOHOL RESTRICTED TO HOTEL GUESTS**

**LEGEND**

ELEVATION BENCHMARK	
STEEL COTTON SPINDLE	
IRON PIN FOUND	
CORNER NOT FOUND, REPLACED WITH 1/2" IRON PIN	
IRON PIN SET	
IRON PIPE FOUND	
FENCE POST	
NAIL FOUND	
NAIL SET	
CONCRETE MONUMENT FOUND	
EXISTING WIRE FENCE	— X —
CHAINLINK FENCE	— o —
BOARD FENCE	— o —
DRAINAGE MANHOLE	
GAS LINE VALVE	
WELL	
FIRE HYDRANT	
POWER POLE	
WATER VALVE	
TELEPHONE CABLE	— T —
WATERLINE EXISTING	— W —
OVERHEAD POWER LINE	— E —
CENTER LINE OF CHANNEL	— G —
RECORD CALLS (BEARING / DISTANCE)	
DATA THIS SURVEY BEARING / DISTANCE	
SPECIAL FLOOD HAZARD AREA PER F.E.M.A. (APPROXIMATE LIMIT WILL VARY WITH CONDITIONS)	— — — — —

TRACT LINES — — — — —  
BOUNDARY LINES — — — — —  
REZONING AREA

LINE TABLE		
LINE	BEARING	LENGTH
L1	N11°41'42"E	19.50
L2	S11°41'42"W	19.50

OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY OPRTC  
PLAT RECORDS OF TRAVIS COUNTY PRTC  
REAL PROPERTY RECORDS OF TRAVIS COUNTY RPRTC  
ALL DOCUMENT REFERENCES ARE IN TRAVIS COUNTY

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.

SURVEY DATE DECEMBER 29, 2008.

WILLIAM F. FOREST, JR. R.P.L.S. 1847



