

#104  
6-27-13

**Late Backup** ORDINANCE NO. \_\_\_\_\_

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**  
2 **PROPERTY LOCATED AT 800 WEST CESAR CHAVEZ STREET FROM**  
3 **DOWNTOWN MIXED USE-CENTRAL URBAN REDEVELOPMENT-**  
4 **CONDITIONAL OVERLAY (DMU-CURE-CO) COMBINING DISTRICT TO**  
5 **DOWNTOWN MIXED USE-CENTRAL URBAN REDEVELOPMENT -**  
6 **CONDITIONAL OVERLAY-HISTORIC LANDMARK (DMU-CURE-CO-H)**  
7 **COMBINING DISTRICT.**

8  
9 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

10  
11 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to  
12 change the base district from downtown mixed use-central urban redevelopment-  
13 conditional overlay (DMU-CURE-CO) combining district to downtown mixed use-central  
14 urban redevelopment-conditional overlay-historic landmark (DMU-CURE-CO-H)  
15 combining district on the property described in Zoning Case No. C14H-2013-0001, on file  
16 at the Planning and Development Review Department, as follows:

17  
18 Lot 1, (consisting of 2.619 acres) Seaholm Subdivision, a subdivision in the City  
19 of Austin, Travis County, Texas, in Document No. 201100062 of the Official  
20 Public Records of Travis County, Texas (the "Property"),

21  
22 locally known as 800 West Cesar Chavez Street, in the City of Austin, Travis County,  
23 Texas, and generally identified in the map attached as Exhibit "A".

24  
25 **PART 2.** The use and site development regulations for the Property within the boundaries  
26 of the CURE combining district established by this ordinance are modified as follows:

- 27  
28 A. The maximum height is 393 feet from ground level for a building or structure  
29 constructed on a 0.979 acre (42,662 sq. ft) area of the Property, this area being  
30 more particularly described by metes and bounds in Exhibit "B" (*the Tower*  
31 *Lot*) incorporated into this ordinance.
- 32  
33 B. Outdoor entertainment use is a permitted use of the Property.
- 34  
35 C. Section 25-6-592 (*Loading Facility Provisions For The Central Business*  
36 *District (CBD) And A Downtown Mixed Use (DMU) Zoning District*) is

1 modified to allow public right-of-way to be used for off-street loading and trash  
2 collection.

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

- 6  
7 A. A cocktail lounge use is a permitted use for a maximum gross floor area of  
8 9,000 square feet.  
9  
10 B. A convenience storage use is a permitted use for a maximum gross floor area of  
11 25,000 square feet.  
12

13 Except as specifically restricted under this ordinance, the Property may be developed and  
14 used in accordance with the regulations established for the downtown mixed use (DMU)  
15 base district, and other applicable requirements of the City Code.  
16

17 **PART 4.** This ordinance takes effect on \_\_\_\_\_, 2013.  
18

19  
20 **PASSED AND APPROVED**

21  
22 §  
23 §  
24 \_\_\_\_\_, 2013 § \_\_\_\_\_  
25 Lee Leffingwell  
26 Mayor  
27

28  
29 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
30 Karen M. Kennard Jannette S. Goodall  
31 City Attorney City Clerk  
32



**MACIAS & ASSOCIATES, L.P.**  
LAND SURVEYORS

CITY OF AUSTIN  
TO  
SEAHOLM DEVELOPMENT  
CORPORATION  
(TOWER LOT)  
December 20, 2007

**DESCRIPTION FOR 0.979 ACRE OF LAND**

DESCRIPTION OF A 0.979 ACRE (42,662 SQUARE FOOT) TRACT OF LAND OUT OF OUTLOT 11, DIVISION Z, ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS SHOWN ON THE 1840 MAP KNOWN AS THE "SANDUSKY MAP" ON FILE IN THE GENERAL LAND OFFICE IN AUSTIN, TRAVIS COUNTY, TEXAS; ALSO BEING OUT OF A PORTION OF A 2.614 ACRE TRACT REFERRED TO AS TRACT 1 IN EXHIBIT A AS DESCRIBED IN A DEED WITHOUT WARRANTY DATED NOVEMBER 24, 2003, FROM UNION PACIFIC RAILROAD COMPANY TO THE CITY OF AUSTIN, RECORDED IN DOCUMENT NO. 2003282535, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 2.614 ACRE TRACT BEING PART OF LOTS 1-4, BLOCK 6, RAYMOND PLATEAU, A SUBDIVISION RECORDED IN BOOK 1, PAGE 30, PLAT RECORDS OF TRAVIS COUNTY, TEXAS; AND ALSO BEING OUT OF A PORTION OF A 3.16 ACRE TRACT REFERRED TO AS TRACT 2 AS DESCRIBED IN THE DISTRICT COURT OF THE UNITED STATES, EASTERN DIVISION, EASTERN JUDICIAL DISTRICT OF MISSOURI IN PROCEEDINGS FOR THE REORGANIZATION OF A RAILROAD NO. 6935, DATED JULY 29, 1949, FROM INTERNATIONAL AND GREAT NORTHERN RAILROAD COMPANY TO THE CITY OF AUSTIN, RECORDED IN VOLUME 961, PAGE 547, DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.979 ACRE (42,662 SQUARE FOOT) TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a mag nail with washer stamped "LAI RPLS 4878" found in concrete wall along the south side of a concrete sidewalk having Texas State Plane Coordinate (Central Zone, NAD83, U.S. Feet, Combined Scale Factor 0.999941) values of N=10,070,525.15, E=3,111,505.03, at the intersection of the south right-of-way line of West 3<sup>rd</sup> Street, a 60-foot wide right-of-way, with the west right-of-way line of West Avenue, an 80-foot wide right-of-way, and at the northeast corner of said 2.614 acre tract, for the northeast corner and the **POINT OF BEGINNING** of this tract;

**THENCE**, S 16°35'45" W, with the west right-of-way line of West Avenue and the east line of said 2.614 acre tract, at 103.32 feet, pass a 1/2" iron rod with plastic cap stamped "MACIAS & ASSOC." set at the most northerly southeast corner of said 2.614 acre tract and at the northeast

0.979 Acre (42,662 Square Feet)

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0.979\_AC doc

5410 South 1st Street • Austin, Texas 78745 • (512) 442-7875 • Fax (512) 442-7876 • maciasurvey@earthlink.net  
www.maciasworld.com

Exhibit B

corner of said 3.16 acre tract, and continuing with the west right-of-way line of West Avenue and the east line of said 3.16 acre tract, a total distance of 321.00 feet to a 1/2" iron rod with plastic cap stamped "MACIAS & ASSOC." set for the southeast corner of this tract, from said point, an iron bolt found, bears S 16°35'45" W, 521.03 feet;

THENCE, across said 3.16 acre tract and said 2.614 acre tract, the following two (2) courses:

- 1) N 73°24'15" W, a distance of 130.00 feet to a 1/2" iron rod with plastic cap stamped "MACIAS & ASSOC." set for the southwest corner of this tract;
- 2) N 16°35'45" E, a distance of 334.94 feet to a 1/2" iron rod with plastic cap stamped "MACIAS & ASSOC." set on the south right-of-way line of West 3<sup>rd</sup> Street and on the north line of said 2.614 acre tract, for the northwest corner of this tract, from said point, a 60d nail found at the northwest corner of said 2.614 acre tract, bears N 67°27'34" W, 503.76 feet;

THENCE, S 67°27'34" E, with the south right-of-way line of West 3<sup>rd</sup> Street and the north line of said 2.614 acre tract, a distance of 130.70 feet to the POINT OF BEGINNING and containing 0.979 acre (42,662 square feet) of land.

#### **BEARING BASIS NOTE**

The coordinates and bearings described herein are Texas State Plane Grid Bearings, (Central Zone, NAD83, Combined Scale Factor 0.999941). The coordinates were established by GPS from reference point "H-22-2001" having coordinate values of N=10,071,008.45, E=3,110,361.65 and "J-21-4001" (CB08) having coordinate values of N=10,065,600.89, E=3,114,070.43.

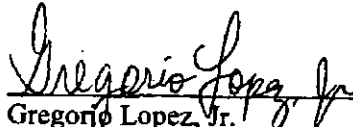
THE STATE OF TEXAS §  
COUNTY OF TRAVIS §

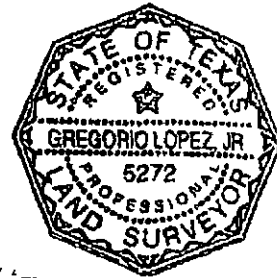
KNOW ALL MEN BY THESE PRESENTS:

That I, Gregorio Lopez, Jr., a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 20<sup>th</sup> day of December, 2007, A.D.

Macias & Associates, L.P.  
5410 South 1<sup>st</sup> Street  
Austin, Texas 78745  
512-442-7875

  
\_\_\_\_\_  
Gregorio Lopez, Jr.  
Registered Professional Land Surveyor  
No. 5272 – State of Texas

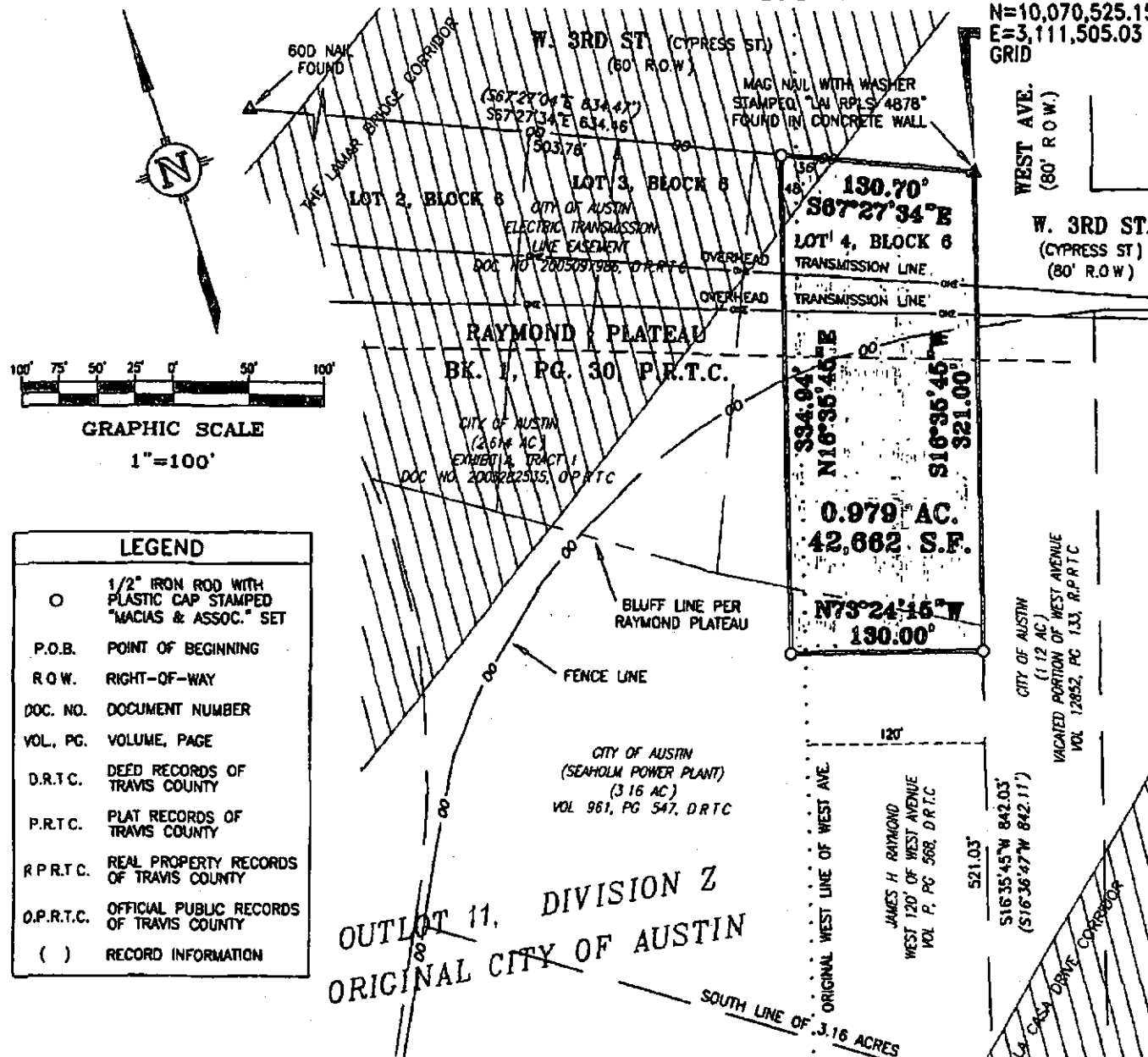


**REFERENCES**

MAPSCO 2003 584Z  
Austin Grid No. MH-22  
TCAD PARCEL ID NO. 01-0500-0102 & 0105  
MACIAS & ASSOCIATES, L.P., PROJECT NO. 423-01-07

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

P.O.B.  
N=10,070,525.15  
E=3,111,505.03  
GRID



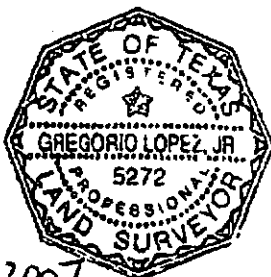
GRAPHIC SCALE  
1"=100'

## LEGEND

- 1/2" IRON ROD WITH PLASTIC CAP STAMPED "MACIAS & ASSOC." SET
- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT-OF-WAY
- DOC. NO. DOCUMENT NUMBER
- VOL., PG. VOLUME, PAGE
- D.R.T.C. DEED RECORDS OF TRAVIS COUNTY
- P.R.T.C. PLAT RECORDS OF TRAVIS COUNTY
- R.P.R.T.C. REAL PROPERTY RECORDS OF TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
- ( ) RECORD INFORMATION

## BEARING BASIS:

THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE, NAD83, COMBINED SCALE FACTOR = 0.9999941). THE COORDINATES WERE ESTABLISHED BY GPS FROM CITY OF AUSTIN REFERENCE POINT "H-22-2001", HAVING COORDINATE VALUES OF N=10,071,008.45, E=3,110,361.65 AND "J-21-4001" (CB08) HAVING COORDINATE VALUES OF N=10,065,600.89, E=3,114,070.43 ALL DISTANCES SHOWN ARE SURFACE DISTANCES.






*Gregorio Lopez, Jr.* Dec. 20, 2007  
Gregorio Lopez, Jr.  
Registered Professional Land Surveyor  
No. 5272 - State of Texas

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DATE: 12-20-07  
DRAWN BY: G.L.  
MAN JOB NO.: 423-01-07  
REFERENCE: FB 492, PG. 28  
J:\JOBS\HS&A\SEAHOLM POWER PLANT\4230107\DWG\42301-1.DWG

**MACIAS & ASSOCIATES, L.P.**  
LAND SURVEYORS  
★ ★ ★ ★ ★ ★ ★  
5410 SOUTH 1ST STREET  
AUSTIN, TEXAS 78745 PH (512)442-7875  
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 SUBJECT TRACT  
 PENDING CASE  
 ZONING BOUNDARY

**ZONING CASE#: C14H-2013-0003**

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Exhibit A