

ORDINANCE NO. 20150611-020

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 21 WALLER STREET IN THE EAST CESAR CHAVEZ NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-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 general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district on the property described in Zoning Case No. C14-2015-0055, on file at the Planning and Zoning Department, as follows:

17.411 acre tract of land, more or less, out of Outlots 56, 57, 69 and 70, Division "O" of the Government Outlots adjoining the Original City of Austin the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 21 Waller 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 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base 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. The Property may be developed as a neighborhood mixed use building special use as set forth in Section 25-2-1503 (*Residential Uses in Neighborhood Mixed Use Building*) and Section 25-2-1504 (*Neighborhood Mixed Use Building Regulation*).

B. The following are conditional uses on the Property:

Automotive rentals
Outdoor entertainment
Hospital services (limited)

C. The following uses are not permitted uses of the Property:

Adult oriented businesses	Automotive repair services
Automotive sales	Commercial off-street parking
Communications services	Convenience storage
Equipment repair services	Limited warehousing and distribution
Maintenance and service facilities	Outdoor sports and recreation
Hospital services (general)	Automotive washing (of any type)
Communication service facilities	Construction sales and services
Drop-off recycling collection facilities	Equipment sales
Off-site accessory parking	Townhouse residential
Vehicle storage	Transportation terminal

D. The Property is subject to Chapter 25-2, Subchapter E, Article 4.3 (Vertical Mixed Use Buildings). 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.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district, the mixed use combining district and other applicable requirements of the City Code.

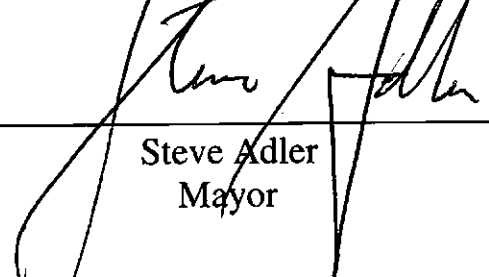
PART 4. The Property is subject to Ordinance No. 001214-20 that established the East Cesar Chavez neighborhood plan combining district.


PART 5. This ordinance takes effect on June 22, 2015.

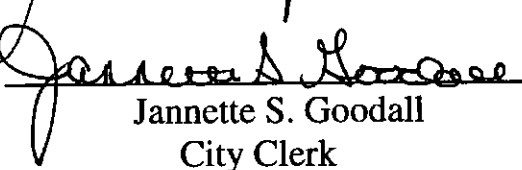
PASSED AND APPROVED

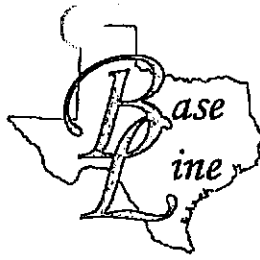
_____, June 11, 2015

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Steve Adler
Mayor

APPROVED: 
Anne L. Morgan
Interim City Attorney

ATTEST: 
Jannette S. Goodall
City Clerk



Land Surveyors, Inc.

8333 Cross Park Drive

Austin, Texas 78754

Office: 512.374.9722

Fax: 512.873-9743

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METES AND BOUNDS DESCRIPTION

BEING 17.411 ACRES OF LAND OUT OF OUTLOTS 56, 57, 69, AND 70, DIVISION "O", OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN AND BEING COMPRISED OF TWO TRACTS: TRACT ONE BEING AN 11.617 ACRE REMAINDER OF A 15.028 ACRE TRACT OF LAND CONVEYED TO AUSTIN GERIATRIC CENTER, INC. BY INSTRUMENT OF RECORD IN VOLUME 3593, PAGE 1932 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; AND TRACT TWO BEING ALL OF LOTS 2, 3, 4, AND 5, BLOCK "1" AND LOTS 1 AND 2, BLOCK "2", MAGNOLIA ADDITION, A SUBDIVISION OF RECORD IN VOLUME 4, PAGE 92 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND ALSO INCLUDING ALL THAT PORTION OF NAVASOTA STREET DEDICATED BY SAID MAGNOLIA ADDITION AND WHICH WAS SUBSEQUENTLY VACATED, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar set with plastic cap which reads "Baseline Inc" for the northwest corner of said 11.617 acre remainder of a 15.028 acre tract, being an angle point in the northerly line of Lot 1, Rebekah Baines Johnson Health Center Addition, a subdivision of record in Volume 82, Page 362 of the Plat Records of Travis County, Texas, and also being in the south line of Lot 6, Resubdivision of Lot 1, Block "1", Magnolia Addition, a subdivision of record in Volume 26, Page 4 of the Plat Records of Travis County, Texas, from which a 1/2" rebar found for the northwest corner of said Lot 1, Rebekah Baines Johnson Health Center Addition, the southwest corner of said Lot 6, Resubdivision of Lot 1, Block "1", Magnolia Addition, and being in the east right-of-way line of Waller Street (R.O.W. varies), bears North 69°44'03" West (record - North 67°13' West) a distance of 115.14 feet [Point of Beginning Coordinates: Northing=10,065,829.22; Easting= 3,116,997.73];

THENCE South 69°44'03" East (record - South 67°13' East), along the northerly line of the 11.617 acre remainder of a 15.028 acre tract and the south line of Lot 6, Resubdivision of Lot 1, Block "1", Magnolia Addition, a distance of 11.19 feet to a Type II concrete monument found for the southeast corner of Lot 6, Resubdivision of Lot 1, Block "1", Magnolia Addition and the southwest corner of said Lot 2, Block "1", Magnolia Addition;

THENCE North 20°32'21" East (record - North 22°48' East), along the west line of Lot 2, Block "1", Magnolia Addition and the east line of Lots 6, 5, 4, 3, and 1, Resubdivision of Lot 1, Block "1", Magnolia Addition, a distance of 314.32 feet (record - 313.79 feet) to a Type II concrete monument found for the northwest corner of Lot 2, Block "1", Magnolia Addition, and being an angle point in the south right-of-way line of Haskell Street (R.O.W. varies),

THENCE South 69°36'11" East (record - South 67°10' East), along the north lines of Lots 2, 3, and 4, Block "1", Magnolia Addition and the south right-of-way line of said Haskell Street,

passing at a distance of 323.09 feet a 1/2" rebar found for the northwest corner of the 15.028 acre tract, and continuing along the north lines of Lots 4 and 5, Block "1", Magnolia Addition, the north line of said vacated portion of Navasota Street, the north lines of said Lots 1 and 2, Block "2", Magnolia Addition, the northerly line of the 15.028 acre tract, and the south right-of-way line of Haskell Street, for a total distance of 802.73 feet to a 1/2" rebar set with plastic cap which reads "Baseline Inc" for the northeast corner of Lot 2, Block "2", Magnolia Addition, the northeast corner of the 15.028 acre tract, and being the northwest corner of Lot 3, Block "2", Magnolia Addition, from which a Type II concrete monument found for the northeast corner of said Lot 3 Block "2", Magnolia Addition, the northwest corner of Lot 4, Block "2", Magnolia Addition, and being in the south right-of-way line of Haskell Street, bears South 69°36'11" East a distance of 118.30 feet (record - South 67°10' East a distance of 118.00 feet);

THENCE South 20°27'47" West (record - South 22°48' West), along the east line of Lot 2, Block "2", Magnolia Addition, the easterly line of the 15.028 acre tract, and the west line of Lot 3 Block "2", Magnolia Addition, a distance of 314.29 feet (record - 314.95 feet) to a 1/2" rebar set with plastic cap which reads "Baseline Inc" for the southeast corner of Lot 2 Block "2", Magnolia Addition and the southwest corner of Lot 3 Block "2", Magnolia Addition;

THENCE South 69°36'20" East (record - South 66°49' East), along the easterly line of the 15.028 acre tract, and the south line of Lot 3, Block "2", Magnolia Addition, a distance of 118.30 feet (record - 118.00 feet) to a 1/2" rebar found for the southeast corner of Lot 3, Block "2", Magnolia Addition and being in the west line of Lot E, Block 1, Austin Oaks "68", a subdivision of record in Volume 44, Page 32 of the Plat Records of Travis County, Texas;

THENCE along the easterly line of the 15.028 acre tract and the west and south lines of said Austin Oaks "68" the following four (4) courses:

1. South 20°34'04" West a distance of 25.81 feet (record - South 26°26' West a distance of 24.37 feet) to a 1/2" rebar found for the southwest corner of Lot E, Block 1, Austin Oaks "68";
2. South 70°01'43" East a distance of 25.77 feet (record - South 67°08' East a distance of 25.65 feet) to cotton spindle found in the south line of Lot E, Block 1, Austin Oaks "68" and the west line of Robert Weaver Avenue (R.O.W. varies);
3. South 20°24'25" West a distance of 173.24 feet (record - South 22°53' West a distance of 172.95 feet) to an iron pipe found for the south corner of Lot D, Block 2, Austin Oaks "68", and the southwest corner of Lot C, Lot 1, Austin Oaks "68";
4. South 69°41'45" East a distance of 211.12 feet (record - South 67°08' East a distance of 211.09 feet) to a 1/2" rebar found for the southeast corner of Lot B, Block 2, Austin Oaks "68", the south corner of Lot A, Block 2, Austin Oaks "68", and being in the west right-of-way line of Comal Street (60' R.O.W.);

THENCE South 20°27'02" West (record - South 22°51' West), along the easterly line of the 15.028 acre tract and the west right-of-way line of said Comal Street, a distance of 341.20 feet (record - 340.07 feet) to an iron pipe found for the southeast corner of the 15.028 acre tract and the northeast corner of Lot 1, Rebekah Baines Johnson Health Center Addition, from which a

1/2" rebar found for the southeast corner of Lot 1, Rebekah Baines Johnson Health Center Addition, and being the point of intersection of the west right-of-way line of Comal Street and the north right-of-way line of Nash Hernandez Senior Road (R.O.W. varies), bears South 20°25'45" West a distance of 244.64 feet (record - South 22°51' West a distance of 247.84 feet);

THENCE along the southerly lines of the 15.028 acre tract and the northerly lines of Lot 1, Rebekah Baines Johnson Health Center Addition, the following seven (7) courses:

1. North 69°29'51" West a distance of 242.03 feet (record - North 67°09' West a distance of 242.00 feet) to a 1/2" rebar found;
2. South 20°28'06" West a distance of 111.50 feet (record - South 22°51' West a distance of 111.52 feet) to a 1/2" rebar found;
3. South 77°35'25" West a distance of 110.07 feet (record - South 80°03' West a distance of 109.96 feet) to a 1/2" rebar found;
4. North 12°20'25" West a distance of 337.43 feet (record - North 09°57' West a distance of 337.25 feet) to an iron pipe found;
5. South 77°37'31" West a distance of 253.26 feet (record - South 80°03' West a distance of 253.34 feet) to a punch hole in concrete found, from which a nail found in asphalt bears South 77°36'59" West a distance of 64.05 feet;
6. North 12°52'05" West a distance of 12.03 feet (record - North 09°57' West a distance of 12.00 feet) to an iron pipe found;
7. South 77°34'10" West a distance of 63.94 feet (record - South 80°03' West a distance of 64.00 feet) to an iron pipe found for the southwest corner of the 15.028 acre tract, from which said nail found in asphalt bears South 12°20'08" East a distance of 11.98 feet;

THENCE North 12°22'36" West (record - North 09°57' West), along the west line of the 15.028 acre tract and the northerly line of Lot 1, Rebekah Baines Johnson Health Center Addition, a distance of 699.55 feet (record - 699.32 feet) to the POINT OF BEGINNING.

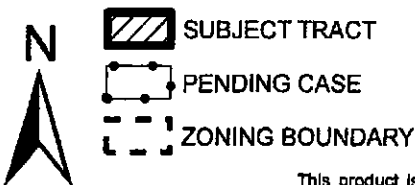
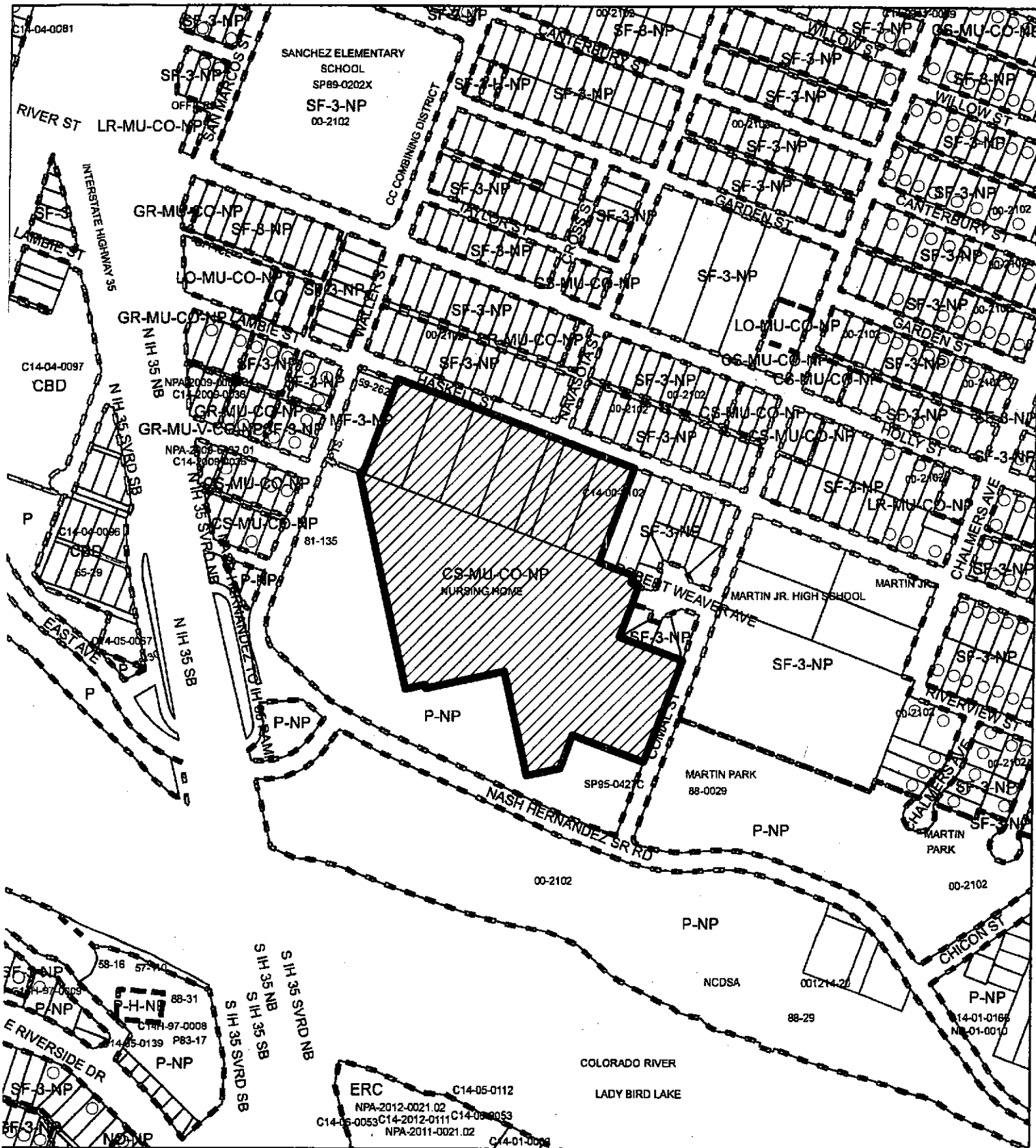
This parcel contains 17.411 acres of land, more or less, out of Outlots 56, 57, 69, and 70, Division "O", of the Government Outlots adjoining the original City of Austin.

Bearing Basis: Texas State Plane Coordinates, Central Zone, NAD 83\96CORS.

J. Scott Laswell 10/8/14
J. Scott Laswell Date
Registered Professional Land Surveyor
State of Texas No. 5583

File: S:\Projects\RBJ Center\Docs\Field Notes\Title Survey M&B.doc





ZONING **ZONING CASE#: C14-2015-0055**

1" = 400'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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 B