ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1211 AND 1301 EAST 5TH STREET IN THE EAST CESAR CHAVEZ NEIGHBORHOOD PLAN AREA FROM TRANSIT ORIENTED DEVELOPMENT-NEIGHBORHOOD PLAN (TOD-NP) COMBINING DISTRICT TO TRANSIT ORIENTED DEVELOPMENT-CENTRAL URBAN REDEVELOPMENT-NEIGBORHOOD PLAN (TOD-CURE-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 transit oriented development-neighborhood plan (TOD-NP) combining district to transit oriented development-central urban redevelopment-neighborhood plan (TOD-CURE-NP) combining district on the property described in Zoning Case No. C14-2016-0049, on file at the Planning and Zoning Department, as follows:

> Description of 3.349 acres (145,880 square feet) of land, more or less, out of Lots 45 through 58, Central Row, a subdivision of record in Book V, Page 661, Plat Records, Travis County, Texas, out of Outlot 3, Division "O", of the government outlots adjoining the Original City of Austin, Travis County, according to the map or plat of said government outlots dated January 1840, on file in the General Land Office, same being out of that tract of land described in Parcels 5 and 6 in a deed to Capital Metropolitan Transportation Authority, of record in Volume 10703, Page 972, Real Property Records, Travis County, Texas, and out of Attoyac Street in Austin, Travis County, Texas; said 3.349 acres being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 1211 and 1301 East 5th Street in the City of Austin, Travis County, Texas, generally identified in the map attached as Exhibit "B".

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

A. The maximum height of a building or structure located within 284.96 feet from the eastern boundary at Waller Street to the western boundary at Attayac Street, shall be limited to 68 feet and no more than 5 stories from ground level.

PART 3. The Property is subject to Ordinance No. 20081211-082 that established zoning for the East Cesar Chavez Neighborhood Plan.

PART 4. Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the transit oriented development (TOD) district and other applicable requirements of the City Code.

PART 5. This ordinance takes effect on _____, 2017.

PASSED AND APPROVED

§
§
_____, 2017 §

Steve Adler
Mayor

APPROVED: _____ **ATTEST:** _____

Anne L. Morgan
City Attorney

Jannette S. Goodall
City Clerk

DRAFT

C14-2016-0049

EXHIBIT "__"

3.349 AC.

FIELD NOTES FOR 3.349 ACRES OF LAND

DESCRIPTION OF 3.349 ACRES (145,880 SQUARE FEET) OF LAND, MORE OR LESS, OUT OF LOTS 45 THROUGH 58, CENTRAL ROW, A SUBDIVISION OF RECORD IN BOOK V, PAGE 661, PLAT RECORDS, TRAVIS COUNTY, TEXAS, OUT OF OUTLOT 3, DIVISION "O", OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, ACCORDING TO THE MAP OR PLAT OF SAID GOVERNMENT OUTLOTS DATED JANUARY 1840, ON FILE IN THE GENERAL LAND OFFICE, SAME BEING OUT OF THAT TRACT OF LAND DESCRIBED AS PARCELS 5 AND 6 IN A DEED TO CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY, OF RECORD IN VOLUME 10703, PAGE 972, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS, AND OUT OF ATTOYAC STREET IN AUSTIN, TRAVIS COUNTY, TEXAS; SAID 3.349 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found at the southwest corner of this tract, said Lot 45 and said Capital Metropolitan Transportation Authority (CapMetro) Parcel 5 tract, same being in the east line of Waller Street and the north line of Fourth Street, said point of beginning having a State Plane Coordinate, Texas Central Zone, NAD83 (96CORS) grid value of N=10,068,865.32, E=3,118,010.10, from which a 1/2" iron rod found at the southeast corner of Lot 44 in said Central ROW subdivision and the southwest corner of CapMetro Parcel 4 tract in said CapMetro deed recorded in said Volume 10703, Page 972, bears N69°38'09"W 60.00 feet;

THENCE, with the west line of this tract, said Lot 45, and said CapMetro Parcel 5 tract and the east line of Waller Street, **N20°45'53"E 282.52 feet** to a 1/2" iron rod found at the northwest corner of this tract and said CapMetro Parcel 5 tract, same being in the south line of Fifth Street, from which a mag nail found at the northeast corner of said CapMetro Parcel 4 tract bears N69°42'29"W 60.00 feet;

THENCE, with the north line of this tract and said CapMetro Parcel 5 tract, and the north line of said CapMetro Parcel 6 tract and the south line of Fifth Street, **S69°42'29"E**, passing at 284.96 feet a 1/2" iron rod found with cap at the northeast corner of said CapMetro Parcel 5 tract, continuing an additional 60.00 feet, passing a calculated point at the northwest corner of said CapMetro Parcel 6 tract, continuing an additional 285.08 feet, for a total distance of **630.04 feet** to a 1/2" iron rod found with cap at the northeast corner of this tract and said CapMetro Parcel 6 tract, same being in the west line of Navasota Street;

THENCE, with the east line of this tract, an east line of said CapMetro Parcel 6 tract, and the west line of Navasota Street, **S20°45'50"W 145.51 feet** to a calculated point at an exterior ell corner of said CapMetro Parcel 6 tract, and the northeast corner of Lot 6, Block 5 of R.H. Peck Subdivision, a subdivision of record in Book 5, Page 551, Plat Records, Travis County, Texas, said Lot 6 and Lot 5 in said R.H. Peck Subdivision described in a deed to The Julie Sawyer Family Limited Partnership II, of record in Document No. 2015034568, Official Public Records, Travis County, Texas;

EXHIBIT A

THENCE, with the south line of this tract, the following seven (7) courses, numbered 1 through 7:

1. with a south line of said CapMetro Parcel 6 tract and the north line of said Lots 6 and 5 and said Sawyer tract and Lots 4 and 3 in said R.H. Peck Subdivision, said Lots 4 and 3 described in a deed to James C. Daywood, Trustee, of record in Document No. 2003292407, Official Public Records, Travis County, Texas, **N69°17'43"W**, passing at 0.31 feet a 1/2" iron rod found, continuing 191.07 feet for a total distance of **191.38 feet** to a 3/8" iron rod found at an interior ell corner of said CapMetro Parcel 6 tract and the northwest corner of said Lot 3;

2. with an east line of said CapMetro Parcel 6 tract and the east line of said Lot 58 and the west line of said Lot 3 and said Daywood tract, **S20°25'52"W 139.22 feet** to a 3/8 inch iron rod found at an exterior ell corner of said CapMetro Parcel 6 tract, the southeast corner of said Lot 58, and the southwest corner of said Lot 3 and said Daywood tract, same being in the north line of Fourth Street;

3. with a south line of said CapMetro Parcel 6 tract, the south line of said Lots 58 through 56, and the north line of Fourth Street, **N69°35'57"W 94.50 feet** to a 1/2" iron rod found with a plastic cap at the southwest corner of said Lot 56 and said CapMetro Parcel 6 tract, same being in the east line of Attoyac tract;

4. with the west line of said Lot 56 and said CapMetro Parcel 6 tract and the east line of Attoyac Street, **N20°45'53"E 100.00 feet** to a 1/2" iron rod found with a plastic cap at the northwest corner of said Lot 56;

5. with a north line of said Attoyac Street, **N69°35'57"W 60.00 feet** to a 1/2" iron rod found with a plastic cap at the northeast corner of said Lot 55, same being in the east line of said CapMetro Parcel 5 tract and the west line of Attoyac Street;

6. with the east line of said Lot 55 and said CapMetro Parcel 5 tract and the west line of Attoyac Street, **S20°45'53"W 100.00 feet** to a 1/2" iron rod found at the southeast corner of said Lot 55 and said CapMetro Parcel 5 tract, same being in the north line of Fourth Street;

7. with the south line of said Lots 55 through 45 and said CapMetro Parcel 5 tract and the north line of Fourth Street, **N69°35'57"W 284.96 feet** to the POINT OF BEGINNING and containing 3.349 acres, more or less, within these metes and bounds.

Bearing Basis Note

The bearings described herein are based on the Texas State Plane Coordinate System, Central Zone, NAD83 (96CORS) Datum.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Dr., Ste. 6
Austin, TX 78731 (512) 451-8591
TBPLS Firm# 10095500



12/10/15

Chris Conrad, Reg. Professional Land Surveyor No. 5623 Date

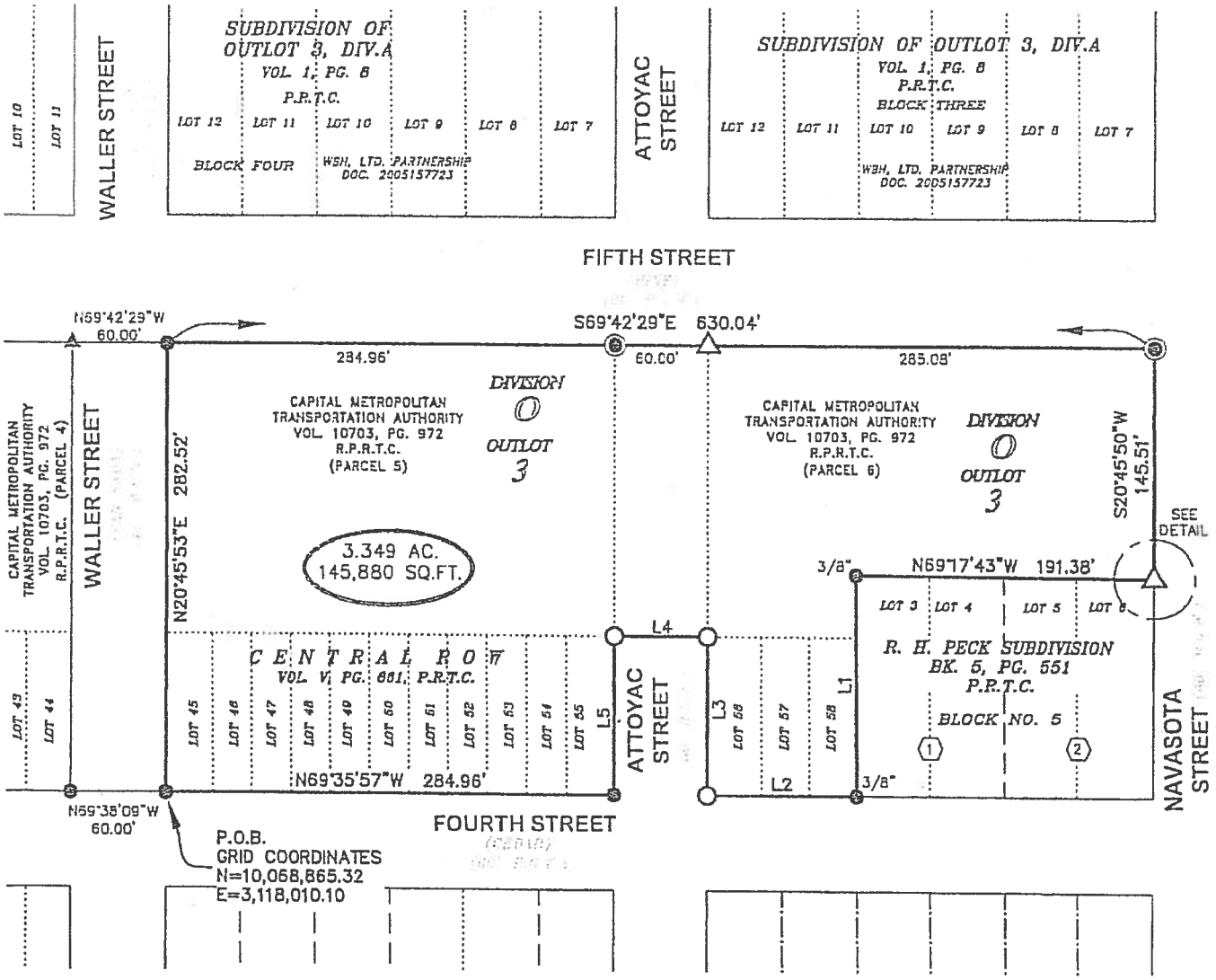
Note: This copy of this description is not valid unless an original signature through an original seal appears on its face. There is a plat to accompany this description

Descriptions 2014/Plaza Saltillo/Tract B
Issued 12/10/15

AUSTIN GRID J-22

CMTA

SKETCH TO ACCOMPANY DESCRIPTION OF 3.349 AC. OR 145,880 SQ. FT. OF LAND OUT OF LOTS 45–58, CENTRAL ROW, AND OUT OF OUTLOT 3, DIVISION "O" OF THE GOVERNMENT OUTLOTS, AUSTIN, TRAVIS COUNTY, TEXAS.



OWNERSHIP CHART			
PROPERTY ID	OWNER	RECORD INFORMATION	EXECUTED DATE
(1)	JAMES C. DAYWOOD, TRUSTEE	DOC. 2003292407, O.P.R.T.C.	DECEMBER 31, 2003
(2)	THE JULIE J. SAWYER FAMILY LIMITED PARTNERSHIP II	DOC. 2015034568, O.P.R.T.C.	MARCH 5, 2015

SCALE 1" = 100'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S20°25'52"W	139.22
L2	N69°35'57"W	94.50
L3	N20°45'53"E	100.00
L4	N69°35'57"W	60.00
L5	S20°45'53"W	100.00

SURVEYED BY:
McGRAY & McGRAY
LAND SURVEYORS, INC.
TBPLS FIRM# 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451–8591

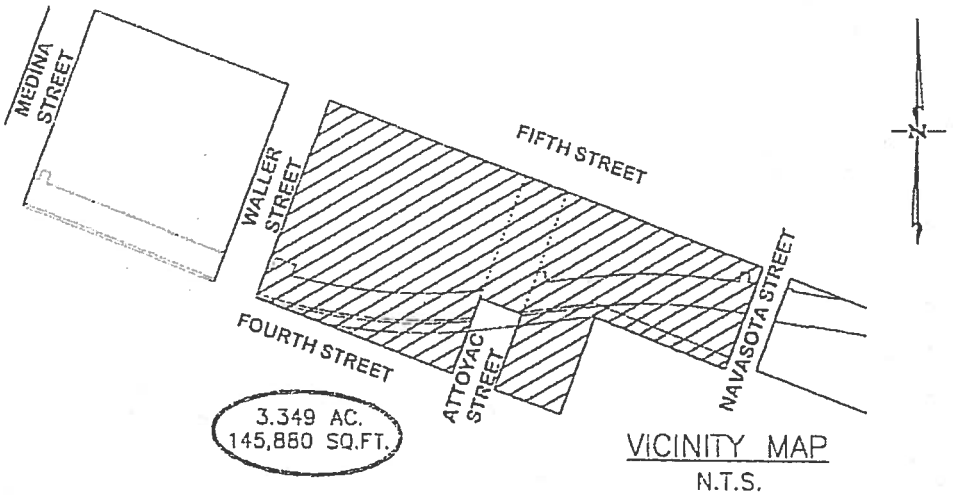
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AUSTIN GRID#: J–22

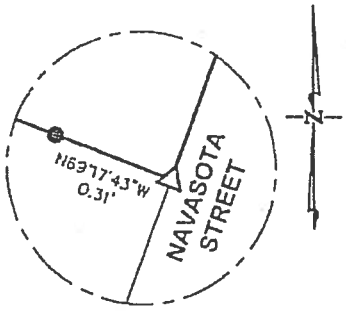
JOB NO.: 15–040

CMTA

SKETCH TO ACCOMPANY DESCRIPTION OF 3.349 AC. OR 145,880 SQ. FT. OF LAND OUT OF LOTS 45–58, CENTRAL ROW, AND OUT OF OUTLOT 3, DIVISION "O" OF THE GOVERNMENT OUTLOTS, AUSTIN, TRAVIS COUNTY, TEXAS.



VICINITY MAP
N.T.S.



DETAIL:
N.T.S.

NOTES:
1. THE COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83 (96 CORS) DATUM.
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN OWNERSHIP AND EASEMENT REPORT.
3. REFERENCE TO THE OUTLOT OF DIVISION "O" SHOWN HEREON ARE FROM THE "TOPOGRAPHICAL MAP OF THE GOVERNMENT TRACT ADJOINING THE CITY OF AUSITN", DATED JANUARY, 1840, ON FILE WITH THE GENERAL LAND OFFICE OF THE STATE OF TEXAS.

LEGEND

◉	1/2" IRON ROD FOUND WITH CAP
O	1/2" IRON ROD SET WITH CAP "MCGRAY MCGRAY"
▲	MAG NAIL FOUND
●	1/2" IRON ROD FOUND (EXCEPT AS NOTED)
△	CALCULATED POINT
(XXX)	RECORD INFORMATION
N.T.S.	NOT TO SCALE
P.O.B.	POINT OF BEGINNING
P.R.T.C.	PLAT RECORDS TRAVIS COUNTY
R.P.R.T.C.	REAL PROPERTY RECORDS TRAVIS COUNTY
O.P.R.T.C.	OFFICIAL PUBLIC RECORDS TRAVIS COUNTY



12/10/15

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE

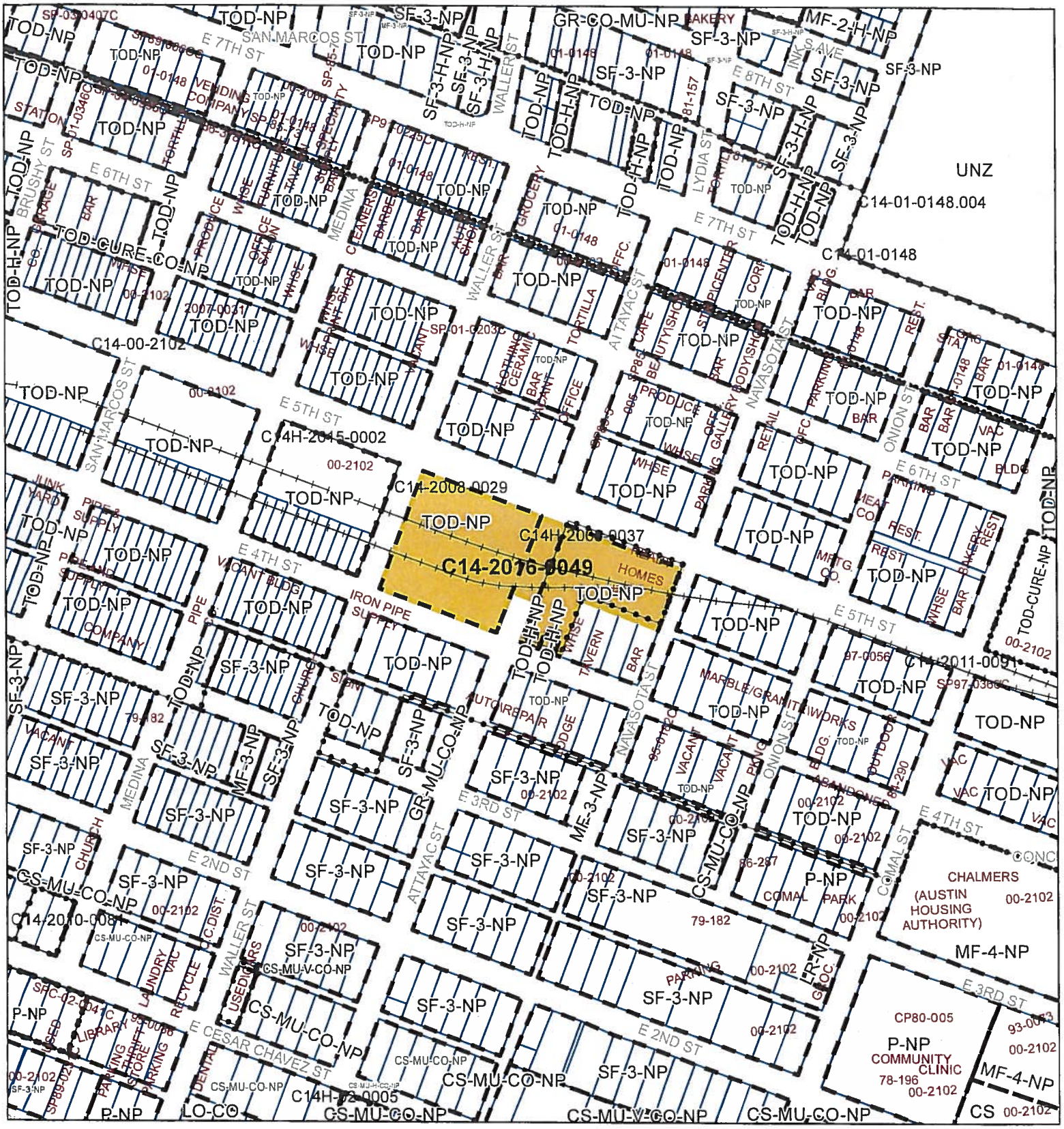
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M:\CMTA–IH35–COMAL\DWG\Parcels\Plaza Saltillo\Tract B

PAGE 5 OF 5
SURVEYED BY: ISSUED: 12/10/15

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3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451–8591

AUSTIN GRID#: J–22 JOB NO.: 15–040



ZONING

Case#: C14-2016-0049

EXHIBIT B

N

- Subject Tract
- Pending Case
- Zoning Boundary
- Railroads

Feet

0 200

1 " = 300 '

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 the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Created: 4/27/2016