

Late Backup

# 59

Feb. 16, 2017

ORDINANCE NO. \_\_\_\_\_

Initiated by Law

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 413 NAVASOTA 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-NEIGHBORHOOD 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. C14-2016-0051, on file at the Planning and Zoning Department, as follows:

Description of 0.873 of one acre (38,036 square feet) of land, more or less, being all of Lots 7 through 12, Block No. 1, R.H. Peck Subdivision, a subdivision of record in Book 5, Page 551, Plat Records, Travis County, Texas, same being out that tract of land described in Parcel 7 in a deed to Capital Metropolitan Transportation Authority, of record in Volume 10703, Page 972, Real Property Records, Travis County, Texas; said 0.873 of one acre being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 413 Navasota Street in the City of Austin, Travis County, Texas, generally identified in the map attached as Exhibit "B".

**PART 2. Density and height bonus**

A. The Property is participating in the density and height bonus program established in the Plaza Saltillo Transit Oriented Development Regulating Plan, (Ordinance Nos. 20081211-082 and 20130425-106, the "Plan"), section 4.3.3 (Density and Height Bonus). As detailed in this ordinance, development of the Property is granted the site development and building height waivers in section 4.3.3 B of the Plan; shall provide affordable housing under section 4.3.3 C of

1 the Plan; and shall provide fee-in-lieu of affordable housing under section 4.3.3  
2 D of the Plan.

3  
4 B. One Hundred affordable units will be constructed as part of the development of  
5 the Property subject to this ordinance.

6  
7 C. The Property Owner shall pay a fee-in-lieu of providing on-site affordable  
8 housing units for the additional square footage above the 2:1 floor-to-area ratio  
9 (the "Bonus Square Footage"). The amount of the fee-in-lieu shall be calculated  
10 by Neighborhood Housing and Community Department ("NHCD") based upon  
11 the Bonus Square Footage of the Project. A building permit may not be issued  
12 until:

13  
14 1. The Bonus Square Footage is calculated, certified, and submitted to  
15 NHCD, Attention: Real Estate and Development Division, and

16  
17 2. The fee is paid to NHCD.

18  
19 D. In this section, MFI means the median family income for the Austin-Round  
20 Rock metropolitan statistical area, as determined annually by the United States  
21 Department of Housing and Urban Development. The affordable housing units  
22 on the Property shall be set aside for occupancy by households with incomes at  
23 or below 30%, 50%, and 60%, resulting in an average of at or below 50% MFI  
24 for all affordable units.

25  
26 **[PART 3. Affordable Housing**

27  
28 A. ~~The affordable housing project on the Property will be developed with MFI~~  
29 ~~levels of 30%, 50%, and 60%, resulting in an average of no more than 50%~~  
30 ~~MFI for all affordable units.]~~  
31

32 **PART 3.** The site development regulations for the Property within the boundaries of the  
33 CURE combining district established by this ordinance are modified as follows:

34  
35 B. The maximum height of a building or structure on the Property shall be limited  
36 to 68 feet and no more than 5 stories.  
37

1 **PART 4.** The Property is subject to Ordinance No. 20081211-082 that established zoning  
2 for the East Cesar Chavez Neighborhood Plan.

3  
4 **PART 5.** Except as specifically restricted under this ordinance, the Property may be  
5 developed and used in accordance with the regulations established for the transit oriented  
6 development (TOD) district, the central urban redevelopment (CURE) combining district  
7 and other applicable requirements of the City Code.

8  
9 **PART 6.** This ordinance takes effect on \_\_\_\_\_, 2017.

10  
11  
12 **PASSED AND APPROVED**

13  
14 §  
15 §  
16 \_\_\_\_\_, 2017 § \_\_\_\_\_  
17 Steve Adler  
18 Mayor

19  
20  
21 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
22 Anne L. Morgan Jannette S. Goodall  
23 City Attorney City Clerk

## FIELD NOTES FOR 0.873 ACRES OF LAND

DESCRIPTION OF 0.873 OF ONE ACRE (38,036 SQUARE FEET) OF LAND, MORE OR LESS, BEING ALL OF LOTS 7 THROUGH 12, BLOCK NO. 1, R.H. PECK SUBDIVISION, A SUBDIVISION OF RECORD IN BOOK 5, PAGE 551, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAME BEING OUT OF THAT TRACT OF LAND DESCRIBED AS PARCEL 7 IN A DEED TO CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY, OF RECORD IN VOLUME 10703, PAGE 972, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.873 OF ONE ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found cap at the northeast corner of this tract, said Lot 7, and said Capital Metropolitan Transportation Authority (CapMetro) Parcel 7 tract, same being in the west line of Onion Street and the south line of Fifth Street, said point of beginning having a State Plane Coordinate, Texas Central Zone, NAD83 (96CORS) grid value of N=10,068,797.34, E=3,119,008.54;

THENCE, with the east line of this tract, said Lot 7, and said CapMetro Parcel 7 tract and the west line of Onion Street, **S20°45'27"W 132.35 feet** to a mag nail found at the southeast corner of this tract, said Lot 7, and said CapMetro Parcel 7 tract, same being in the north line of a 20 foot alley;

THENCE, with the south line of this tract, said Lots 7 through 12, and said CapMetro Parcel 7 tract and the north line of said 20 foot alley, **N69°39'23"W 287.69 feet** to a 1/2" iron rod found with cap at the southwest corner of this tract, said Lot 12, and said CapMetro Parcel 7 tract, same being in the east line of Navasota Street;

THENCE, with the west line of this tract, said Lot 12, and said CapMetro Parcel 7 tract and the east line of Navasota Street, **N20°45'50"E**, passing at 2.47 feet a 1/2" iron rod found, continuing 129.62 for a total of **132.09 feet** to a mag nail found at the northwest corner of this tract, said Lot 12, and said CapMetro Parcel 7 tract, same being in the south line of Fifth Street, from which a 1/2" iron rod found at the northeast corner of CapMetro Parcel 7 tract in said CapMetro deed recorded in said Volume 10703, Page 972, bears **N69°42'29"W 40.00 feet**;

0.873 AC.

THENCE, with the north line of this tract, said Lots 12 through 7, and said CapMetro Parcel 7 tract and the south line of Fifth Street, **S69°42'29"E 287.68 feet** to the POINT OF BEGINNING and containing 0.873 of one acre, 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.

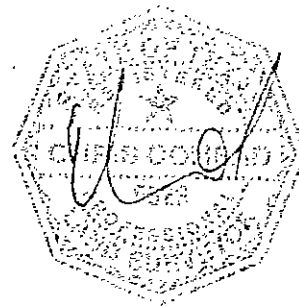
SURVEYED BY:

**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

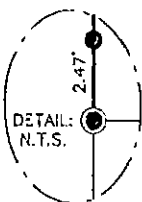
Descriptions 2014/Plaza Saltillo/Tract C

Issued 12/10/15

AUSTIN GRID J-22

SKETCH TO ACCOMPANY DESCRIPTION OF 0.873 AC. OR 38,036 SQ. FT.  
OF LAND OUT OF LOTS 7-12, BLOCK NO. 1, R.H. PECK SUBDIVISION,  
AUSTIN, TRAVIS COUNTY, TEXAS.

SCALE 1" = 50'



FIFTH STREET  
(FINE STREET)  
(00' R.O.W.)

P.O.B.  
GRID COORDINATES  
N=10,068,797.34  
E=3,119,008.54

(S67°19'45"E 287.92')  
S69°42'29"E 287.68'

BLOCK NO. 1  
R. H. PECK SUBDIVISION  
BK. 5, PG. 551  
P.R.T.C.

CAPITAL METROPOLITAN  
TRANSPORTATION AUTHORITY  
VOL. 10703, PG. 972  
R.P.R.T.C.  
(PARCEL 7)

0.873 AC.  
38,036 SQ.FT.

N69°42'29"W 40.00'

CAPITAL METROPOLITAN  
TRANSPORTATION AUTHORITY  
VOL. 10703, PG. 972  
R.P.R.T.C. (PARCEL 6)

(N23°08'50"E 132.09')  
N20°45'50"E 132.09'

SEE  
DETAIL

NAVASOTA  
STREET  
(40' R.O.W.)

LOT 12

LOT 11

LOT 10

LOT 9

LOT 8

LOT 7

N69°39'23"W 287.69'  
(N67°16'40"W 287.94')

ALLEY (20')

S20°45'27"W 132.35'  
(S23°08'10"W 132.35')

UNION STREET  
(40' R.O.W.)

ROBERT C. BEALL AND WIFE, BETH A. BEALL  
DOC. 1999026488

LOT 1

LOT 2

LOT 3

LOT 4

LOT 5

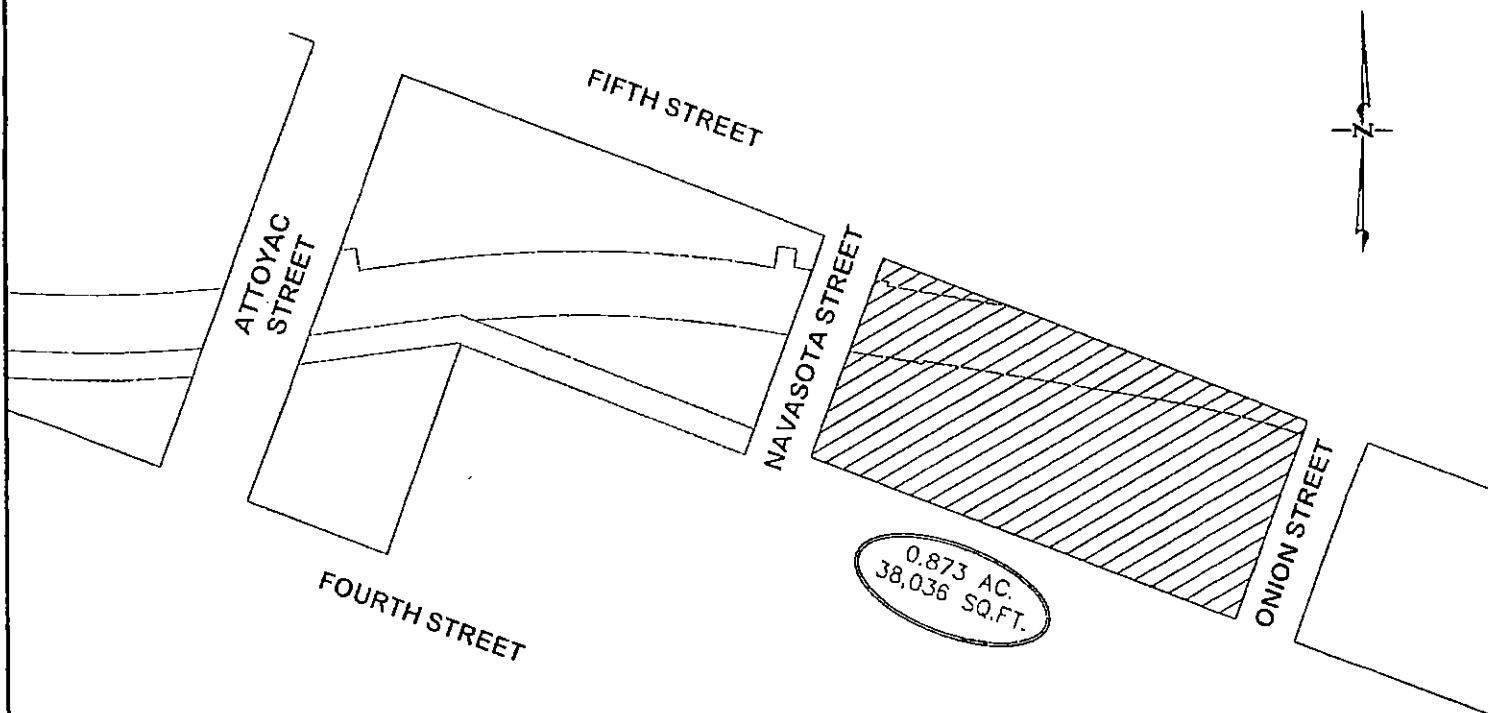
LOT 6

PAGE 3 OF 4  
SURVEYED BY:

McGRAY & McGRAY  
LAND SURVEYORS, INC.

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

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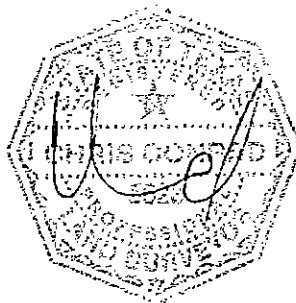
VICINITY MAP  
NOT TO SCALE

## 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 AUSTIN", DATED JANUARY, 1840, ON FILE WITH THE GENERAL LAND OFFICE OF THE STATE OF TEXAS.

## LEGEND

- 1/2" IRON ROD FOUND WITH CAP
- 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



*Chris Conrad*

12/10/15

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

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PAGE 4 OF 4  
SURVEYED BY: ISSUED: 12/10/15

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