

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3908 AVENUE B IN THE HYDE PARK NEIGHBORHOOD PLAN AREA FROM UNZONED (UNZ) DISTRICT TO COMMUNITY COMMERCIAL-HISTORIC AREA-NEIGHBORHOOD CONSERVATION-NEIGHBORHOOD PLAN (GR-HD-NCCD-NP) COMBINING DISTRICT AND AMENDING ORDINANCE NO. 20020131-20 TO MODIFY THE BOUNDARIES OF THE HYDE PARK NEIGHBORHOOD CONSERVATION (NCCD) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Ordinance No. 20020131-20 is amended to include the property identified in this Part in the area commonly known as Hyde Park neighborhood conservation (NCCD) combining district. The zoning map established by Section 25-2-191 of the City Code is amended to zone the property from unzoned (UNZ) district to community commercial-historic area-neighborhood conservation-neighborhood plan (GR-HD-NCCD-NP) combining district on the property described in Zoning Case No. C14-01-0046.02, on file at the Planning and Zoning Department, as follows:

4.361 acres of land designated as a portion of Austin Rapid Transit Co. Park by Hyde Park Addition No. 2, a subdivision of record in Volume 1, Page 75, of the Plat Records of Travis County, Texas, and being comprised of Two Tracts: Tract 1 being a parcel of land 262 feet by 425 feet conveyed to the Board of Trustees of the Public Fee Schools of the City of Austin by instrument of record in Volume 246, Page 154, of the Deed Records of Travis County, Texas; and Tract 2 being a parcel of land 185 feet by 425 feet conveyed to the Board of Trustees of the Public Free Schools of the City of Austin by instrument of record in Volume 586, Page 96, of the Deed Records of Travis County, Texas, and being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (the “Property”),

locally known as 3908 Avenue B in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit “B”**.

PART 2. The Hyde Park NCCD-NP was approved on January 31, 2002 under Ordinance No. 20020131-20 and amended under Ordinance No. 20120112-086.

1 **PART 3.** Ordinance No. 20020131-20 is amended to add a new part to be known as Part
2 15. Except as otherwise specifically provided in Part 15, the property at 3908 Avenue B is
3 subject to the applicable terms and provisions of Ordinance No. 20020131-20. If Part 15
4 and Ordinance No. 20020131-20 conflict, Part 15 applies.

5
6 **PART 15.** The following applies to the property at 3908 Avenue B:

7
8 A. A site plan or building permit for the Property may not be approved, released,
9 or issued, if the completed development or uses of the Property, considered
10 cumulatively with all existing or previously authorized development and uses,
11 generate traffic that exceeds 2,000 trips per day.

12
13 B. The permitted and conditional uses allowed in the Hyde Park NCCD under
14 Part 6 (1) of Ordinance No. 20020131-20 apply to the Property. In addition,
15 the following uses are permitted uses on the Property:
16

Art galleries	Condominium residential
Financial services	Food sales (5,000 square foot limit)
General retail sales-convenience (5,000 square foot limit)	Indoor entertainment (5,000 square foot limit)
Multifamily residential	Restaurant (limited)
Restaurant (general)	Software development
Theater (5,000 square foot limit)	

17 C. Drive-thru services is a prohibited use on the Property.

18
19 D. Residential uses are the only permitted use above the first floor of any new
20 building or structure on the Property.

21
22 E. A 70-foot wide building setback shall be established and maintained along the
23 eastern property line where the Property abuts the front of the existing school
24 building.

25
26 F. Restaurant (general) and Restaurant (limited) uses on the Property are limited
27 to a combined maximum of 5,000 square feet overall.

28
29 G. The following site development standards apply to the Property:
30



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 4.361 ACRES OF LAND DESIGNATED AS A PORTION OF AUSTIN RAPID TRANSIT CO. PARK BY HYDE PARK ADDITION NO. 2, A SUBDIVISION OF RECORD IN VOLUME 1, PAGE 75, OF THE PLAT RECORDS OF TRAVIS COUNTY TEXAS, AND BEING COMPRISED OF TWO TRACTS: TRACT 1 BEING A PARCEL OF LAND 262 FEET BY 425 FEET CONVEYED TO THE BOARD OF TRUSTEES OF THE PUBLIC FREE SCHOOLS OF THE CITY OF AUSTIN BY INSTRUMENT OF RECORD IN VOLUME 246, PAGE 154, OF THE DEED RECORDS OF TRAVIS COUNTY TEXAS; AND TRACT TWO BEING A PARCEL OF LAND 185 FEET BY 425 FEET CONVEYED TO THE BOARD OF TRUSTEES OF THE PUBLIC FREE SCHOOLS OF THE CITY OF AUSTIN BY INSTRUMENT OF RECORD IN VOLUME 586, PAGE 96, OF THE DEED RECORDS OF TRAVIS COUNTY TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in a concrete sidewalk for the southeast corner of said "Tract 1" and being the point of intersection of the north right-of-way line of West 39th Street (60' R.O.W.) and the west right-of-way line of Avenue B (80' R.O.W.), from which an iron pipe found in asphalt for the northwest corner of a tract of land conveyed to Artesia 305 W. 39th, LLC by instrument of record in Doc. No. 2014112130 of the Official Public Records of Travis County, Texas, and being the point of intersection of the south right-of-way line of said West 39th Street and the east right-of-way line of said Avenue B bears South 19°44'29" East a distance of 88.79 feet;

THENCE North 62°21'59" West (record – "Westerly"), along the south line of "Tract 1" and said "Tract 2", and the north right-of-way line of West 39th Street, a distance of 447.00 feet (record – 447 feet) to a calculated point for the southwest corner of "Tract 2" and the southeast corner of a 12 foot wide alley dedicated by instrument of record in Volume 242, Page 116 of the Deed Records of Travis County, Texas, from which an "X" cut in concrete for the southwest corner of said 12 foot wide alley, the southeast corner of a 125 foot by 212.50 foot parcel of land out of said Austin Rapid Transit Co. Park dedicated by said Hyde Park Addition No. 2, conveyed to Chalet Properties Austin, LLC by instrument of record in Doc. No. 2008166351 of the Official Public Records of Travis County, Texas, and being in the north right-of-way line of West 39th Street, bears North 62°17'22" West (record – "Westerly") a distance of 11.97 feet (record – 12 feet), and from said "X" cut in concrete a 1/2" rebar found for the northeast corner of said 125 foot by 212.50 foot parcel conveyed to Chalet Properties Austin, LLC, the southeast corner of a 125 foot by 212.50 foot parcel of land out of Austin Rapid Transit Co. Park dedicated by Hyde Park Addition No. 2, conveyed to Sigmor Number 80, Inc. by instrument of record in Doc. No. 2010020896 of the Official Public Records of Travis County, Texas, and being in the west line of the 12 foot wide alley, bears North 27°38'01" East a distance of 212.55 feet (record - North 28°32'54" East a distance of 212.50 feet);

THENCE North 27°38'01" East (record – "Northerly"), along the west line "Tract 2" and the east line of the 12 foot wide alley, a distance of 425.00' (record – 425 feet) to a 1/2" rebar

Exhibit A

found for the northwest corner of "Tract 2", the northeast corner of the 12 foot wide alley, and being in the south right-of-way line of West 40th Street (80' R.O.W.), from which a 1/2" iron pipe found for the northwest corner of the 12 foot wide alley, the northeast corner of said 125 foot by 212.50 foot parcel conveyed to Sigmor Number 80, Inc., and being in the south right-of-way line of said West 40th Street, bears North 61°31'09" West (record - "Westerly") a distance of 11.97 feet (record - 12 feet), and from said 1/2" iron pipe found said 1/2" rebar found for the southeast corner of the 125 foot by 212.50 foot parcel conveyed to Sigmor Number 80, Inc., the northeast corner of the 125 foot by 212.50 foot parcel conveyed to Chalet Properties Austin, LLC, and being in the west line of the 12 foot wide alley, bears South 27°38'01" West a distance of 212.61 feet (record - South 28°32'54" West a distance of 212.50 feet);

THENCE South 62°21'59" East (record - "Easterly"), along the north line of "Tract 2" and "Tract 1", and the south right-of-way line of West 40th Street, a distance of 447.00 feet (record - 447 feet) to a 1/2" rebar set with plastic cap which reads "Baseline Inc" for the northeast corner of "Tract 1" and being the point of intersection of the south right-of-way line of West 40th Street and the west right-of-way line of Avenue B, from which a 1/2" rebar found for the southeast corner of a tract of land conveyed to Hong Tao Lee and Jenny C. Lee by instrument of record in Volume 10796, Page 334 of the Real Property Records of Travis County, Texas, and being the point of intersection of the north right-of-way line of West 40th Street and the west right-of-way line of Avenue B, bears North 27°30'13" East a distance of 80.27 feet (record - 80 feet), and also from which a 1/2" rebar found for the southwest corner of a tract of land conveyed to Leopold P. Wolf by an unrecorded will, and being the point of intersection of the north right-of-way line of West 40th Street and the east right-of-way line of Avenue B, bears North 72°31'58" East a distance of 112.60 feet;

THENCE South 27°38'01" West (record - "Southerly"), along the east line "Tract 1" and the west right-of-way line of Avenue B, a distance of 425.00 feet (record - 425 feet) to the POINT OF BEGINNING.

This parcel contains 4.361 acres of land, more or less, designated as a portion of Austin Rapid Transit Co. Park by Hyde Park Addition No. 2, a subdivision of record in Volume 1, Page 75, of the Plat Records of Travis County, Texas.

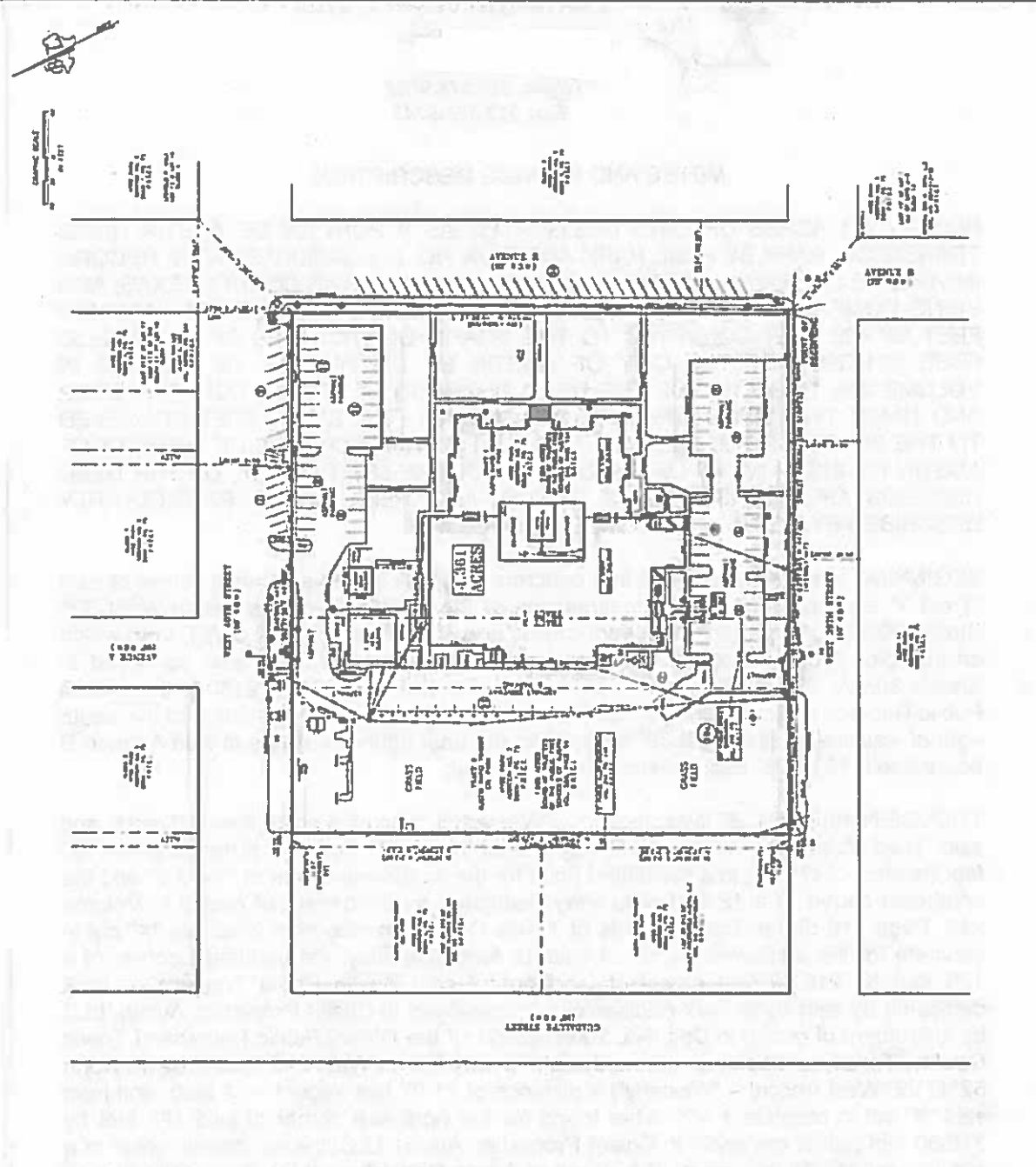
Bearing Basis: Texas State Plane Coordinates, Central Zone, NAD 83\96CORS.

 6/8/16
J. Scott Laswell Date
Registered Professional Land Surveyor
State of Texas No. 5583



File: S:\Projects\AISD Baker Center\Docs\Field Notes\Title Survey M&B.doc
Drawing: S:\Projects\AISD Baker Center\Dwg\Title Survey.dwg

BASELINE LAND SURVEYORS, INC. PROFESSIONAL LAND SURVEYING SERVICES 8333 CROSS PARK DRIVE AUSTIN, TEXAS 78754 TEL: 512 374 9722 FAX 512 873 9743 E-MAIL: bds@baselineinc.com		THIS IS A PRELIMINARY SURVEY. THE BOUNDARIES SHOWN ARE BASED ON THE INFORMATION PROVIDED BY THE CLIENT. THE SURVEYOR HAS NOT CONDUCTED A FIELD VERIFICATION OF THE BOUNDARIES SHOWN. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE SURVEYOR'S LIABILITY IS LIMITED TO THE AMOUNT OF THE FEE CHARGED FOR THIS SURVEY.
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GENERAL NOTES:

1. THE SURVEY WAS CONDUCTED ON 08/25/2010.
2. THE SURVEY WAS CONDUCTED BY BASELINE LAND SURVEYORS, INC.
3. THE SURVEY WAS CONDUCTED FOR THE PURPOSE OF DETERMINING THE BOUNDARIES OF THE PROPERTY SHOWN.
4. THE SURVEY WAS CONDUCTED USING THE FOLLOWING EQUIPMENT: TOTAL STATION, GPS, AND A LEVEL.
5. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT.
6. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE TEXAS SURVEYING BOARD RULES AND REGULATIONS.
7. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE TEXAS SURVEYING BOARD ETHICS.
8. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE TEXAS SURVEYING BOARD STANDARDS.
9. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE TEXAS SURVEYING BOARD BEST PRACTICES.
10. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE TEXAS SURVEYING BOARD PROFESSIONAL CONDUCT.

SURVEYOR'S CERTIFICATION:

I, the undersigned, being a duly licensed Professional Land Surveyor in the State of Texas, do hereby certify that the foregoing is a true and correct copy of the original survey plat as the same appears in my files.

Signature: _____

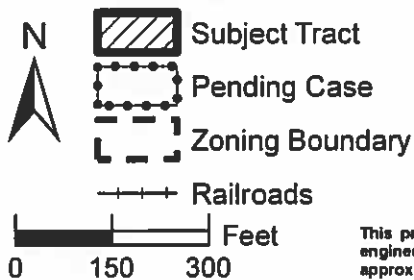
 Professional Land Surveyor, State of Texas



ZONING

CASE#: C14-01-0046.02

Exhibit B



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.



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