NEW BUSINESS: CODE AMENDMENT INITIATION REVIEW SHEET

Amendment:
Downtown Density Bonus. Consider initiation of an amendment to Title 25 of the City Code related to 25-2-586 (B) Downtown Density Bonus Map and Table to correct a mapping discrepancy.

Description:
Clarify Downtown Density Bonus boundary mapping discrepancy along 12th Street west of West Ave.

Proposed Language: N/A

Background:
The Downtown Austin Plan (DAP) was adopted with amendments by the Austin City Council in December 2011 by Ordinance No. 201111208-093. The DAP established fundamental principles relating to a Downtown Density Bonus Program (DDBP) to address and provide:

1. Maintaining existing height and density limits as a baseline with some adjustments based on the surrounding context;
2. Establish a Density Bonus Program for downtown;
3. Employ additional density incentives to achieve specific community objectives; and
4. Establish specific scale-compatibility standards that are tailored to the downtown context.

Per 25-2-586 (B), floor area ratio (FAR) and height maps were created to describe where the DDBP applies while assigning maximum floor-to-area (FAR) and heights across multiple portions of downtown. (See Attachment "A").

A possible mapping discrepancy was brought to Staff's attention with the intent to understand how the boundary affecting the property at 827 W. 12th Street was derived.

Staff researched the following:

a. **Existing lot configuration per filed notes** (See Attachment "B")
   The existing plat depicts one lot with multiple buildings on the site dating to 2006 and prior to the DAP and the DDBP;
b. **Existing lot attributes**
   - Existing lot is approximately 24,393 ft²;
   - Approximately 14,866 ft² of the existing lot is currently included in the DDBP boundary (approximately 61% of the lot); and
   - The current DDBP boundary apparently bisects two structures on the site and does not adhere to existing lot lines. (See Attachment "C").
c. **Existing zoning**
   The existing zoning on the site is Commercial Services (CS) and corresponds to lot lies (See Attachment "D"); and

d. **Building permit data**
Building permit data depicts small alterations, rehabs, and interior work to existing structures dating to 1985 without evidence of major construction on the site.

Staff Recommendation:
Staff recommends initiation of this code amendment and adjustment to the DDBP boundary to include the remaining approximately 10,027 ft² of the property and encompass the entire lot at 827 W. 12th St. as there is evidence of a potential map error. This map correction will achieve consistency in following lot lines and based on the findings of the above research that predated the DAP and DDBP. (See Attachment "E").

Board and Commission Actions:

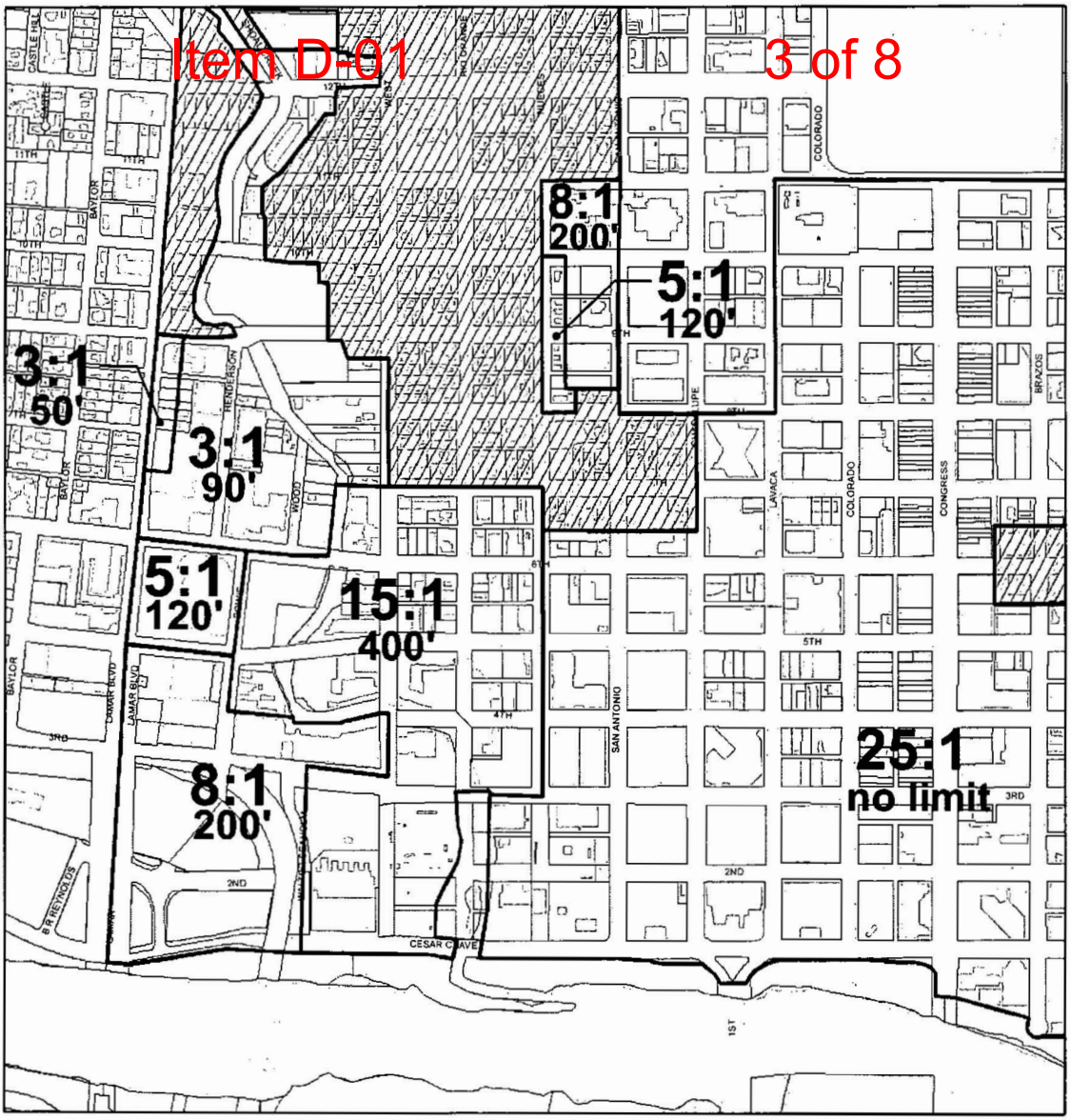
Council Action:

Ordinance Number: NA

City Staff: Jorge E. Rousselin

Phone: (512) 974-2975

Email: jorge.rousselin@austintexas.gov



Downtown Density Bonus Program - Eligibility, Floor Area Ratio (FAR) and Height Map

Figure 2: Page 6

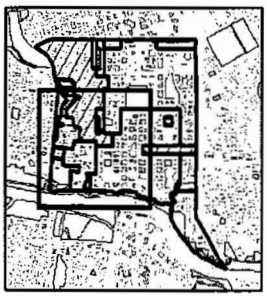
Attachment A

- Maximum Floor Area Ratio (FAR) Maximum Height (Feet)
- Areas Ineligible for Density Bonus Program (Height and density may not exceed underlying zoning)
- Public Parks/ Open Space (ineligible)
- TCAD Parcels

NOTE: Properties in the Rainey Street Subdistrict of the Waterfront overlay must obtain a floor-to-area ratio (FAR) of up to 8:1by meeting the requirements of Section 25-2-739 of the City Code. FAR exceeding 8:1 may be obtained through the Downtown Density Bonus Program, as described in Section 25-2-586 of the City Code.

NOTE: Maximum heights shown do not reflect restrictions imposed by Capital View Corridors (CVC) or special districts.

0 0.05 0.1 0.2 Miles



PLANNING AND DEVELOPMENT REVIEW DEPARTMENT

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. It has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1/27/2014

Escrow File No.: 0808014-HMG

EXHIBIT "A"

Being 0.555 of an acre of land more or less, out of and a part of, OUTLOT NO. FIVE (5) IN DIVISION "E",
in Travis County, Texas. Said tract being more particularly described in field note Exhibit "A".

Being 0.555 acre out of Outlot 5, Division "E", in the City of Austin, Travis County, Texas, according to the map or plat of record in the General Land Office of the State of Texas, as shown on accompanying survey plat and being more particularly described as follows (Bearings for this survey obtained from Document No. 2004028529, Official Public Records, Travis County, Texas):

BEGINNING at an "x" cut in concrete found in the south line of West 12th Street (80' R.O.W.), at the most northerly northwest corner of a tract described in a deed to C. M. Dachis, recorded in Volume 5919, Page 2085, Deed Records, Travis County, Texas, for the northeast corner of this tract, from said point, a hilty nail found bears, S 70°26'00" E, 61.12'; and an "x" cut in concrete found bears, N 70°26'00" W, said course constitutes directional control for this survey, 201.25'.

THENCE, with the west line of said Dachis tract and the east line of this tract, S 19°15'04" W, 184.73', to a ½" iron pin set with plastic cap stamped "ARPENTEUR RPLS 4772", at an interior ell corner in said Dachis tract, for the southeast corner of this tract.

THENCE, with the north line of said Dachis tract and the south line of this tract, N 70°11'21" W, 130.96', to a ½" iron pin found at the most westerly northwest corner of said Dachis tract, at the southeast corner of a tract described as 0.66 acre in a deed to Gilbert Cuadra, et ux, recorded in Volume 6372, Page 519, Deed Records, Travis County, Texas, currently owned by Cuadra Financial Group, Inc., for the southwest corner of this tract.

THENCE, with the east line of said Cuadra tract and the west line of this tract, N 19°15'04" E, passing at 84.70', a 5/8" iron pin found at the northeast corner of said Cuadra tract and the southeast corner of a tract described in a deed to Elmiger Family, Ltd., recorded in Volume 12837, Page 2306, Real Property Records, Travis County, Texas, in all, 184.17', to a ½" iron pin set with plastic cap stamped "ARPENTEUR RPLS 4772", in the south line of West 12th Street, at the northeast corner of said Elmiger tract, for the northwest corner of this tract.

THENCE, with the south line of West 12th Street and the north line of this tract, S 70°26'00" E, 130.95', to the **PLACE OF BEGINNING** and containing 0.555 acre of land, more or less.

Prepared from a survey made on the ground March 7, 2006, by:
Arpenteurs Professional Surveying
8906 Wall Street, Suite 302
Austin, Texas 78754
(512) 832-1232
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STATE OF TEXAS REGISTERED ROBERT M. BARCOMB 4772 PROFESSIONAL LAND SURVEYOR

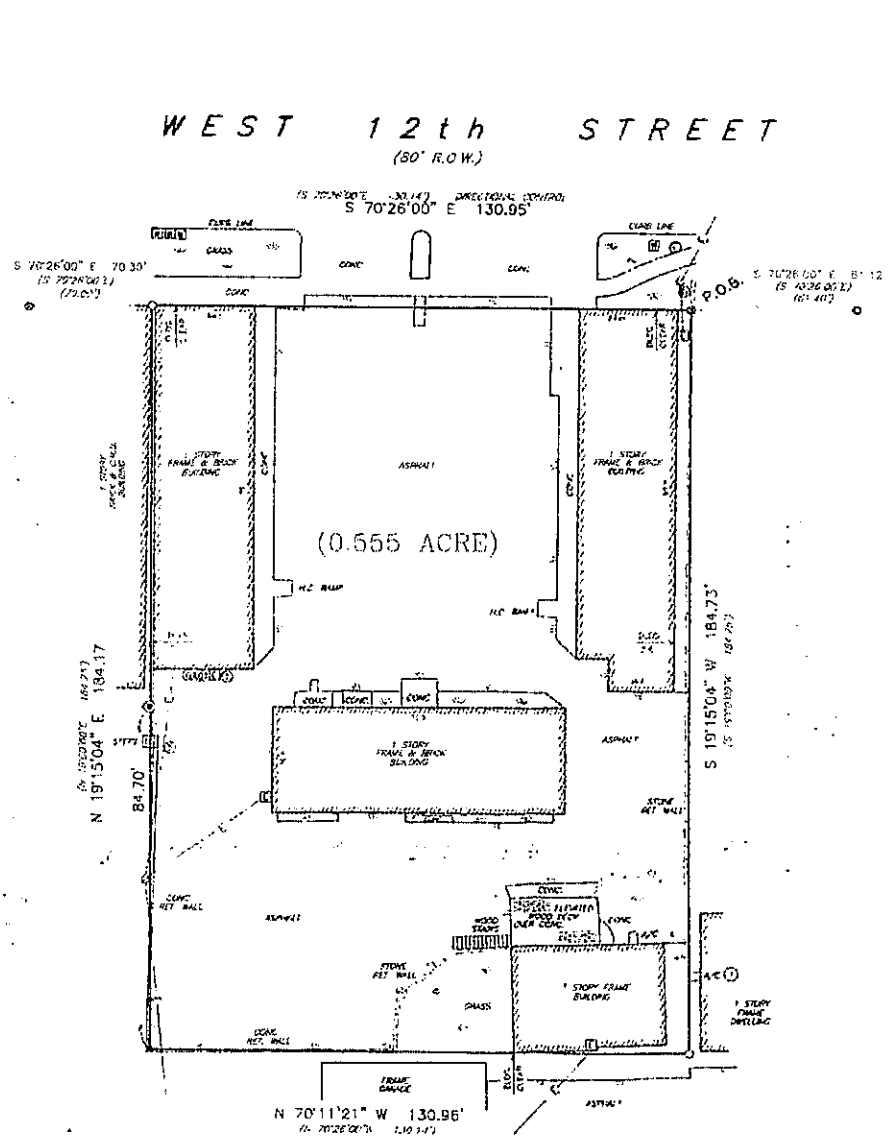
Robert M. Barcomb
R.P.L.S. No 4772

SURVEY PLAT

LEGAL DESCRIPTION: 0.555 ACRE OUT OF OUTLOT B, DIVISION "E", IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT OF RECORD IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS

ALSO LOCALLY KNOWN AS 823 & 825 WEST 12th STREET, AUSTIN, TEXAS

AND BEING ADDITIONALLY DESCRIBED IN ACCOMPANYING FIELD NOTES



SCALE 1" = 20'

BEARING BASIS
DOCUMENT NO. 2004028529
O.P.R.T.C.Tx.

LEGEND

- 1/2" IRON PIN FOUND
- 5/8" IRON PIN FOUND
- NAIL FOUND
- 1/2" IRON PIN SET STAMPED "CARPENTEUR RPLS 4772"
- "X" CUT IN CONCRETE FOUND
- POWER POLE
- TELEPHONE BOX
- GAS METER
- ELECTRICAL MANHOLE
- SANITARY SEWER MANHOLE
- WATER METER
- ELECTRIC METER
- RECORD INFORMATION
- —E— AERIAL UTILITY LINE

SYMBOLS SET OUT IN THE "LEGEND" ARE NOT TO SCALE AND ARE SHOWN IN THE APPROXIMATE LOCATION TO INDICATE THEIR PRESENCE.

FENCE LINES SHOWN REPRESENT THE AVERAGE CENTERLINE OF THE POSTS

ZONING AND BUILDING CODE ISSUES NOT ADDRESSED.

SUBJECT TO ANY AND ALL ENFORCEABLE ORDINANCES, REGULATIONS, RESTRICTIVE CONDITIONS & COVENANTS

SURVEYOR'S NOTES

(1) ADJACENT'S A/C PAD PROTRUDES OVER PROPERTY LINE 0.1'

MARCH 7, 2006

EXCLUSIVELY TO DAN A. WESTBROOK & CHRISTINA WESTBROOK AND THE LIEN HOLDERS AND TO LAWYERS TITLE INSURANCE CORPORATION PER FILE NO. 2421004506 EFFECTIVE DATE AUG. 16, 2006

THE UNDERSIGNED HEREBY STATES THAT THIS PLAT REPRESENTS A SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, THAT THERE ARE NO APPARENT SIGNIFICANT DISCREPANCIES, OR OVERLAPPING OF IMPROVEMENTS, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY ADJOINS A DEDICATED ROW. THIS PLAT SUBSTANTIALLY SHOWS THE LOCATIONS OF EASEMENTS, RESTRICTIONS, AND BUILDING SET BACKS OF RECORD LISTED IN TITLE COMMITMENT SCHEDULE B, FILE NO. 2421004506, EFFECTIVE AUG. 16, 2005, ISSUED DATE AUG. 26, 2005. SURVEYOR HAS RELIED UPON SAID COMMITMENT FOR THE NATURE AND LOCATION OF ENCUMBRANCES

VALID ONLY FOR ORIGINAL BLUELINE PRINT WITH RED INK SIGNATURE AND SEAL

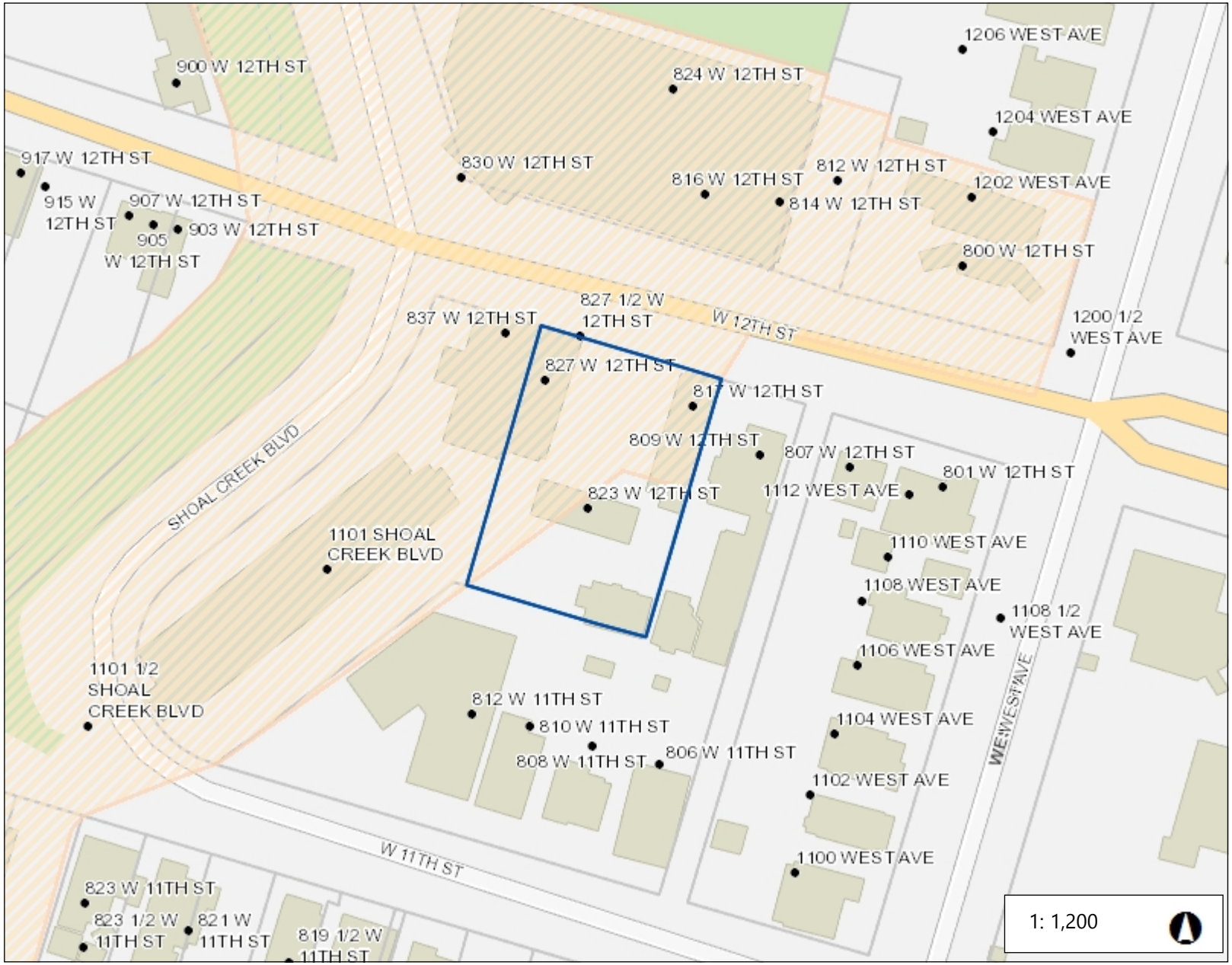
ROBERT N. BARCOMB, RPLS NO. 4772

CARPENTEURS PROFESSIONAL SURVEYING
8906 WALL STREET, SUITE 302
AUSTIN, TEXAS 78754
(512) 832-1232

2006 © ALL RIGHTS RESERVED

CAD BY: RD

Property Profile



Legend

- Addresses
- Street Labels
- Jurisdiction
  - FULL PURPOSE
  - LIMITED PURPOSE
  - EXTRATERRITORIAL JURISDICTI
  - 2 MILE ETJ AGRICULTURAL AGR
  - OTHER CITY LIMITS
  - OTHER CITIES ETJ
- Downtown Density Bonus

Attachment C

0.0 0 0.02 0.0 Miles

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

Date Printed:

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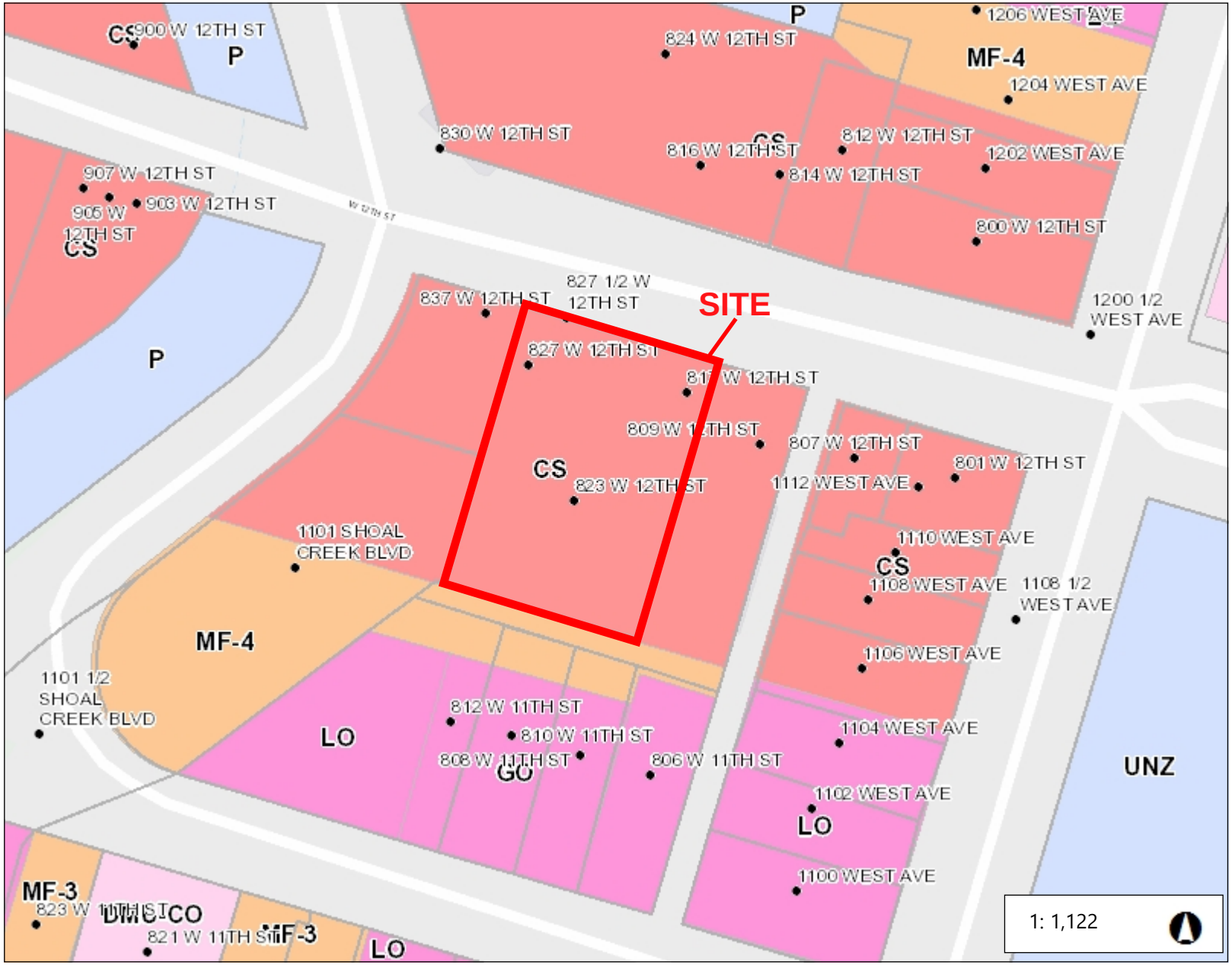
Notes

Property Profile



Legend

- Addresses

Jurisdiction

- FULL PURPOSE
- LIMITED PURPOSE
- EXTRATERRITORIAL JURISDICTI
- 2 MILE ETJ AGRICULTURAL AGR
- OTHER CITY LIMITS
- OTHER CITIES ETJ

TCAD Parcels

Zoning

- Single Family (SF)
- Multi-family (MF)
- LA, RR
- Mobile Home (MH)
- Commercial (CH, CS, GR, LR, L)
- Office (GO, LO, NO)
- Industrial (IP, LI, MI, PDA, RD, W/L
- CBD, DMU
- TND, TOD, NBG, ERC
- PUD
- AG, DR
- AV, P, UNZ
- County/Missing Value

Attachment D

0.0 0 0.02 0.0 Miles

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

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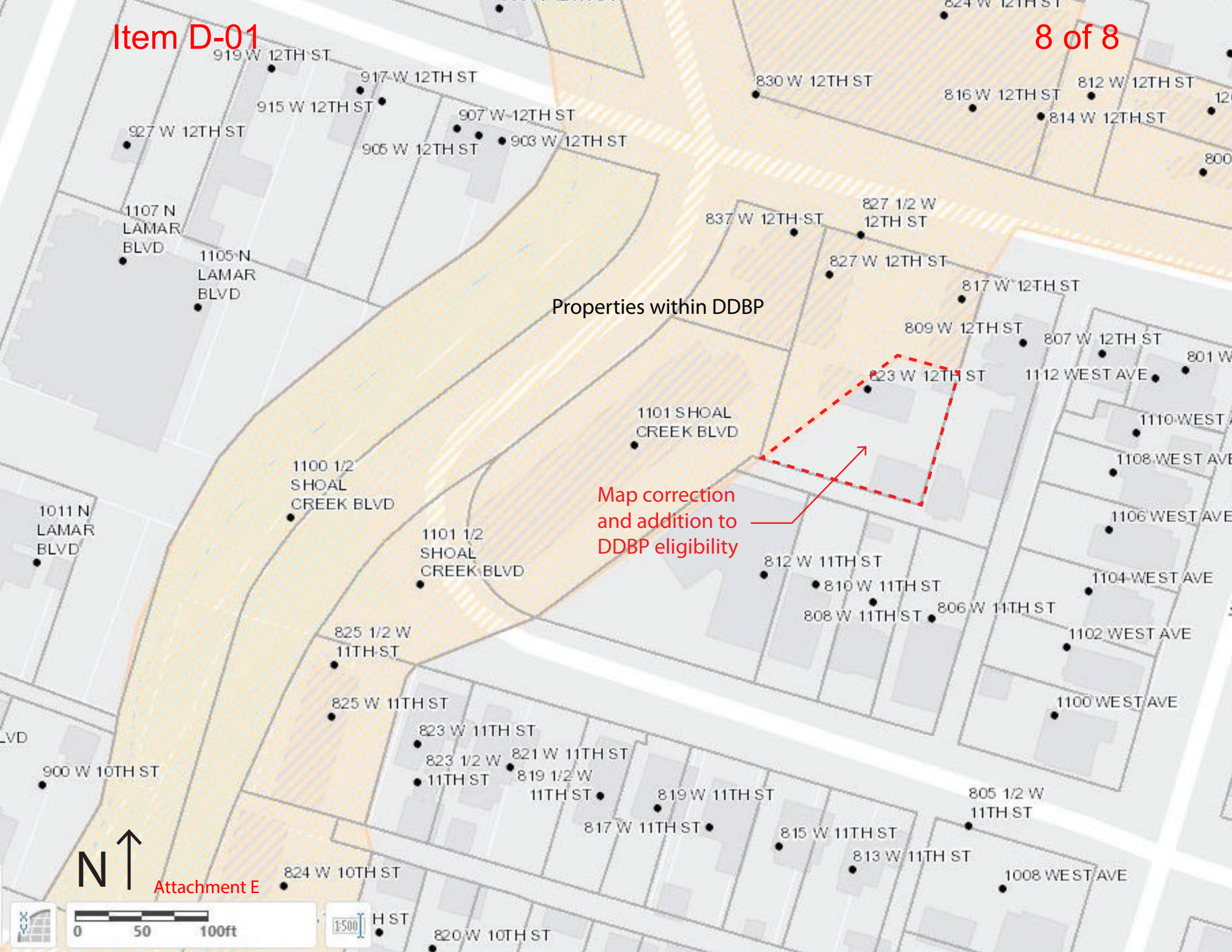
919 W 12TH ST
917 W 12TH ST
915 W 12TH ST
907 W 12TH ST
903 W 12TH ST
905 W 12TH ST
927 W 12TH ST
830 W 12TH ST
816 W 12TH ST
812 W 12TH ST
814 W 12TH ST
1107 N LAMAR BLVD
1105 N LAMAR BLVD
837 W 12TH ST
827 1/2 W 12TH ST
827 W 12TH ST
817 W 12TH ST
Properties within DDBP
809 W 12TH ST
807 W 12TH ST
1112 WEST AVE
823 W 12TH ST
1101 SHOAL CREEK BLVD
1110 WEST
1108 WEST AVE
1100 1/2 SHOAL CREEK BLVD
Map correction and addition to DDBP eligibility
1011 N LAMAR BLVD
1101 1/2 SHOAL CREEK BLVD
1106 WEST AVE
812 W 11TH ST
810 W 11TH ST
1104 WEST AVE
808 W 11TH ST
806 W 11TH ST
1102 WEST AVE
825 1/2 W 11TH ST
825 W 11TH ST
1100 WEST AVE
823 W 11TH ST
823 1/2 W 11TH ST
821 W 11TH ST
819 1/2 W 11TH ST
900 W 10TH ST
819 W 11TH ST
805 1/2 W 11TH ST
817 W 11TH ST
815 W 11TH ST
813 W 11TH ST
1008 WEST AVE
824 W 10TH ST
820 W 10TH ST
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