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
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 section 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. Daubs, recorded in Volume 5919, Page 2085, Deed Records, Travis County, Texas, for the northeast corner of this tract, from said point, a hilly road 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 Daubs tract and the east line of this tract, S 19° 15' 04" W, 184.73', by a ¾" iron pin set with plastic cap stamped "CARPENTRY REDIS RPLS 4772", at an interior corner in said Daubs tract, for the southeast corner of this tract.

THENCE, with the north line of said Daubs tract and the south line of this tract, N 70° 11' 29" W, 130.96', to a ¾" iron pin found at the most westerly northwest corner of said Daubs tract, at the southeast corner of a tract described as 0.56 acre in a deed to Gilbert Cuadra, et al., recorded in Volume 5372, 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 ¾" iron pin found at the northeast corner of said Cuadra tract and the southeast corner of a tract described in a deed to Euginor Family, Ltd., recorded in Volume 12337, Page 2506, Real Property Records, Travis County, Texas, in all, 184.17', to a ¾" iron pin set with plastic cap stamped "CARPENTRY REDIS RPLS 4772", in the south line of West 12th Street, at the northeast corner of said Euginor 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:
Arpenter Professional Surveying
8906 Wall Street, Suite 302
Austin, Texas 78754
(512) 832-1232
© 2006 All Rights Reserved

[Signature]
Robert M. Bartcomb
R.P.L.S. No 4772
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. This product has been produced by the City of Austin for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.
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. This product has been produced by the City of Austin for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.
Properties within DDBP

Map correction and addition to DDBP eligibility