

ORDINANCE NO. 20060202-Z007

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 910 WEST CESAR CHAVEZ STREET FROM DOWNTOWN MIXED USE (DMU) DISTRICT TO DOWNTOWN MIXED USE-CENTRAL URBAN REDEVELOPMENT (DMU-CURE) 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 downtown mixed use (DMU) district to downtown mixed use-central urban redevelopment (DMU-CURE) combining district on the property described in Zoning Case No. C14-05-0005, on file at the Neighborhood Planning and Zoning Department, as follows:

Lot A, Jetco Partners International Resubdivision One Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 83, Page 184A, of the Plat Records of Travis County, Texas; and

A 2.582 acre tract of land, more or less, out of Outlot 11, Division Z, Original City of Austin, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 910 West Cesar Chavez Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

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

1. Except as provided in Section 2 of this Part, the maximum height of a building or structure is 120 feet.
2. A building or structure constructed on the Property may not exceed a height of 195 feet in an area bounded:
 - a. on the east by the Capitol View Corridor, and

- b. on the west by the eastern edge of a through-way easement on the Property. The eastern edge of the easement may not be located more than 150 feet west of the western edge of the Capitol View Corridor.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the downtown mixed use (DMU) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on February 13, 2006.

PASSED AND APPROVED

February 2, 2006

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Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk

2.582 ACRE
LUMBERMEN'S INVESTMENT CORPORATION

EXHIBIT A

FN 04-378 (MM)
OCTOBER 4, 2004
BPE JOB NO. 659-23.92

DESCRIPTION

OF 2.582 ACRES OF LAND SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, OUT OF OUTLOT 11, DIVISION 2 OF THE ORIGINAL CITY OF AUSTIN, BEING A PORTION OF THAT CERTAIN 3.19 ACRE TRACT CONVEYED TO LUMBERMEN'S INVESTMENT CORPORATION BY DEED OF RECORD IN VOLUME 12038, PAGE 535 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 2.582 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found at the southeasterly corner of that certain 1.94 acre tract being Lot A, Jetco Partners International Resubdivision One, a subdivision of record in Book 83, Page 184A of the Plat Records of Travis County, Texas, same being the southwesterly corner of said 3.19 acre tract, also being in the agreed upon Boundary line between Lumbermen's Investment Corporation and the City of Austin of record in Document No. 2001013549 of the Official Public Records of Travis County, Texas for the southwesterly corner hereof;

THENCE, leaving said Boundary Line Agreement of record, along the common line of said 3.19 acre tract and said Lot A, Jetco Partners International Resubdivision One, the following four (4) courses and distances:

- 1) N26°28'47"E, a distance of 222.40 feet to a 1/2 inch iron rod found;
- 2) N65°11'45"W, a distance of 53.96 feet to a 1/2 inch iron rod found;
- 3) N36°00'59"E, a distance of 153.54 feet to a 1/2 inch iron rod found;
- 4) N31°18'32"E, a distance of 22.34 feet to a 1/2 inch iron rod found, being the northeasterly corner of said Lot A, Jetco Partners International Resubdivision One, same being in the westerly line of Missouri Pacific Railroad Right-of Way;

THENCE, N31°37'22"E, a distance of 6.92 feet to a 1/2 inch iron rod found at the northwesterly corner of said 3.19 acre tract, being in the westerly line of the Missouri Pacific Railroad Right-of-Way (R.O.W. Varies) and the northwesterly corner hereof, being the point of curvature of a non-tangent curve to the right;

THENCE, along said non-tangent curve to the right, along a portion of the northerly line of said 3.19 acre tract, being a portion of the westerly line of the Missouri Pacific Railroad Right-of-Way, having a radius of 520.00 feet, a central angle of $57^{\circ}48'02''$, an arc length of 524.58 feet and a chord which bears $S25^{\circ}50'12''E$, a distance of 502.62 feet to a PK nail set in concrete for the northeasterly corner hereof;


THENCE, leaving the westerly line of Missouri Pacific Railroad right-of-way, over and across said 3.19 acre tract the following two (2) courses and distances;

- 1) $S20^{\circ}22'13''W$, a distance of 45.27 feet to a cotton spindle set for the southeasterly corner hereof;
- 2) $N74^{\circ}57'47''W$, a distance of 321.98 feet to a calculated point in the southerly line of said 3.19 acre tract, same being the aforementioned Boundary Line Agreement of record;

THENCE, $N49^{\circ}56'23''W$, along said Boundary Line Agreement of record, being the southerly line hereof, a distance of 62.77 feet to the POINT OF BEGINNING, containing an area of 2.582 acres (112,470 sq. ft.) of land, more or less, within these metes and bounds.

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A LAND TITLE SURVEY WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PARTNERS, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVES ROAD, SUITE 200
AUSTIN, TEXAS 78746


JOHN T. BILNOSKI
NO. 4998
STATE OF TEXAS

10/4/04
DATE



