

ORDINANCE NO. 20060202-Z008

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT THE 900 BLOCK OF WEST CESAR CHAVEZ STREET FROM UNZONED (UNZ) DISTRICT TO DOWNTOWN MIXED USE-CONDITIONAL OVERLAY (DMU-CO) 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 unzoned (UNZ) district to downtown mixed use-conditional overlay (DMU-CO) combining district on the property described in Zoning Case No. C14-05-0093, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.831 acre tract of land, more or less, out of Outlot 11, Division Z, Original City of Austin, comprised of three parcels of land identified as Tract 2 (a portion), Tract 3, and Tract 4, the tracts of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as the property located in the 900 Block of 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 Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

The maximum height of a building or structure is 60 feet.


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

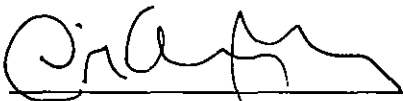
February 2, 2006

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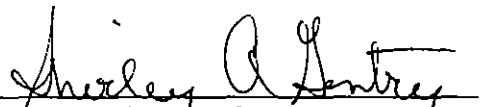
Will Wynne
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

FIELD NOTES DESCRIPTION – (PORTION OF) TRACT 2

DESCRIPTION OF 0.596 ACRES (25,946 SQUARE FEET) OF LAND IN OUTLOT 11, DIVISION Z, OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS SHOWN ON THE MAP OF GOVERNMENT OUTLOTS ON FILE IN THE TEXAS GENERAL LAND OFFICE; BEING A PORTION OF LOT 1, BLOCK 6, RAYMOND PLATEAU, A SUBDIVISION OF SAID OUTLOT 11 ACCORDING TO THE PLAT OF RECORD IN PLAT BOOK 1, PAGE 30, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THE 0.807 ACRE TRACT DESIGNATED AS TRACT 2 IN EXHIBIT A, DESCRIBED IN THE DEED DATED NOVEMBER 24, 2003, FROM UNION PACIFIC RAILROAD COMPANY TO THE CITY OF AUSTIN, OF RECORD IN DOCUMENT NO. 2003282535, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.596 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING EXHIBIT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING at a ½-inch iron rod found for the southeast corner of a called 3.19 acre tract of land described in a deed from Missouri Pacific Railroad Company to Lumberman's Investment Corporation dated October 1, 1993, of record in Volume 12038, Page 535, Real Property Records of Travis County, Texas; same being the southeast corner of a called 0.609 acre tract described in a deed from said Lumberman's Investment Corporation dated December 31, 2001, to the city of Austin, of record in Document No. 2002000252, Official Public Records of Travis County, Texas; said found iron rod being in the south line of said Outlot 11, same being the south line of said railroad company tract of land; and being the north line of the Sand Beach Reserve as located by O.E. Metcalfe in 1916, known as the "Metcalfe line" and long recognized as the north line of said Sand Beach Reserve, as shown on Metcalfe Plan No. 1626; said Sand Beach Reserve granted to the city of Austin from the State of Texas by patent issued July 3, 1945; said iron rod found having coordinates of N10,070,147.13-ft and E3,110,820.25-ft;

THENCE with the east line of said 0.609 acre tract, same being the west line of said 0.807 acre tract, being the arc of a curve to the left having a radius of 520.09 feet, an arc distance of 154.43 feet, and a chord bearing N 16° 35' 37" E a distance of 153.86 feet to a calculated point for the southwest corner and **POINT OF BEGINNING** of the tract described herein;

THENCE continuing with the east line of said 0.609 acre tract, same being the west line of said 0.807 acre tract, being the arc of said curve to the left having a radius of 520.09 feet, at an arc distance of 45.71 feet pass a ½-inch diameter iron rod counter sunk below a 1-inch outside diameter iron pipe with 2-inch aluminum cap stamped "CITY OF AUSTIN LAI RPLS 4878" previously set for the northeast corner of said 0.609 acre tract, continuing along said curve for a total arc distance of 351.41 feet and a total chord bearing N 11° 16' 10" W, a distance of 344.77 feet to a ½-inch diameter iron rod counter sunk below a 1-inch outside diameter iron pipe with 2-inch aluminum cap stamped "CITY OF AUSTIN LAI RPLS 4878" set in the east right-of-way line of Bowie Street, a 80-ft wide right-of-way, for the northwest corner of the tract described herein;

THENCE N 22° 41' 51" E, with the east right-of-way line of said Bowie Street, same being the northwest line of said 0.807 acre tract, a distance of 70.70 feet to a ½-inch diameter iron rod counter sunk below a 1-inch outside diameter iron pipe with 2-inch aluminum cap stamped "CITY OF AUSTIN LAI RPLS 4878" previously set for the north corner of the tract described herein, from which the calculated point of the intersection of the south right-of-way line of West 3rd Street with the east line of said Bowie Street bears N 22° 41' 51" E a distance of 101.49 feet;

THENCE with the northeast line of said 0.807 acre tract, same being the west line of a remaining portion of said Union Pacific Railroad Company tract, being the arc of a curve to the right, having a radius of 503.07 feet, at an arc distance of 172.05 feet pass a ½-inch diameter iron rod counter sunk below a 1-inch outside diameter iron pipe with 2-inch aluminum cap stamped "CITY OF AUSTIN LAI RPLS 4878" set 75-ft southwest of and radial to the center of a main railroad track, continuing along said curve to the right having a radius of 503.07 feet, a total arc distance of 445.80 feet and a total chord bearing S 13° 26' 57" E, a distance of 431.36 feet to a calculated point for the southeast corner of the tract described herein, from which a ½-inch diameter iron rod counter sunk below a 1-inch outside diameter iron pipe with 2-inch aluminum cap stamped "CITY OF AUSTIN LAI RPLS 4878" previously set 50-ft west of and perpendicular to the center of said main railroad track for a point of tangency in the east line of said 0.807 acre tract bears along said curve having a radius of 503.07 feet an arc distance of 79.88 feet and a chord bearing S 16° 29' 11" W a distance of 79.79 feet;

THENCE N 74° 57' 33" W, crossing said 0.807 acre tract, a distance of 62.37 feet to the **POINT OF BEGINNING** and containing 0.596 acre of land, more or less.

FIELD NOTES DESCRIPTION -- TRACT 3

DESCRIPTION OF 0.207 ACRES (9,007 SQUARE FEET) OF LAND IN OUTLOT 11, DIVISION Z, OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS SHOWN ON THE MAP OF GOVERNMENT OUTLOTS ON FILE IN THE TEXAS GENERAL LAND OFFICE; BEING A PORTION OF LOTS 1, 2, AND 3, BLOCK 7, RAYMOND PLATEAU, A SUBDIVISION OF SAID OUTLOT 11 ACCORDING TO THE PLAT OF RECORD IN PLAT BOOK 1, PAGE 30, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN CALLED 0.207 ACRE TRACT DESIGNATED AS TRACT 3 IN EXHIBIT A, DESCRIBED IN THE DEED DATED NOVEMBER 24, 2003, FROM UNION PACIFIC RAILROAD COMPANY TO THE CITY OF AUSTIN, OF RECORD IN DOCUMENT NO. 2003282535, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.207 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING EXHIBIT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING at a calculated point for the intersection of the south right-of-way line of West 3rd Street with the west right-of-way line of Bowie Street, same being the northeast corner of said Lot 3, Block 7, and being just north of the main railroad track line and just south of a spur track;

THENCE S 22° 41' 51" W, with the west line of said Bowie Street and crossing said main line, a distance of 66.51 feet to a ½-inch diameter iron rod counter sunk below a 1-inch outside diameter iron pipe with 2-inch aluminum cap stamped "CITY OF AUSTIN LAI RPLS 4878" previously set for the northeast corner of said 0.207 acre tract and being the northeast corner and **POINT OF BEGINNING** of the tract described herein; coordinates for said set corner monument are N10,070,760.83-ft and E3,110,763.71-ft;

THENCE S 22° 41' 51" W, continuing with the west line of said Bowie Street, same being the east line of said 0.207 acre tract, a distance of 56.44 feet to a ½-inch diameter iron rod counter sunk below a 1-inch outside diameter iron pipe with 2-inch aluminum cap stamped "CITY OF AUSTIN LAI RPLS 4878" previously set in the curving north line of a 3.19 acre tract described in the deed from Missouri Pacific Railroad Company to Lumberman's Investment Corporation dated October 1, 1993, of record in Volume 12038, Page 535, Real Property Records of Travis County, Texas, for the southeast corner of said 0.207 acre tract and of the tract described herein;

THENCE with the north line of said 3.19 acre tract, same being the south line of said 0.207 acre tract, being a curve to the left having a radius of 520.09 feet, an arc distance of 124.96 feet and a chord bearing N 47° 51' 38" W a distance of 124.66 feet to a ½-inch iron rod found for the northwest corner of said 3.19 acre tract, and being a reentrant corner of said 0.207 acre tract and of the tract described herein;

THENCE S 31° 12' 44" W, with the west line of said 3.19 acre tract, a distance of 6.85 feet to a ½-inch iron rod found for the northeast corner of a 1.94 acre tract known as Jetco Partners International Resubdivision One, a subdivision according to the plat of record in Plat Book/Volume 83, Page 184-A, Plat Records of Travis County, Texas, said 1.94 acre tract conveyed to Temple Inland Mortgage Corporation by deed dated August 1, 1992, of record in Volume 11752, Page 92, Real Property Records of Travis County, Texas, same being an angle point in the south line of said 0.207 acre tract and in the south line of the tract described herein;

THENCE, with the south line of said 0.207 acre tract, same being the north line of said 1.94 acre tract, the following two (2) courses and distances:

1. N 50° 42' 26" W a distance of 10.21 feet to a ½-inch iron rod found for an angle point, and
2. N 46° 53' 22" W a distance of 148.07 feet to a ½-inch diameter iron rod counter sunk below a 1-inch outside diameter iron pipe with 2-inch aluminum cap stamped "CITY OF AUSTIN LAI RPLS 4878" previously set for the west corner of the tract described herein, from which a ½-inch iron rod found for an angle point in the north line of said 1.94 acre tract bears N 46° 53' 22" W a distance of 10.18 feet;

THENCE S 63° 34' 39" E, with the north line of said 0.207 acre tract, a distance of 175.87 feet to a ½-inch diameter iron rod counter sunk below a 1-inch outside diameter iron pipe with 2-inch aluminum cap stamped "CITY OF AUSTIN LAI RPLS 4878" previously set 50-ft south of and perpendicular to the centerline of said main railroad track line, for a point of curvature in the north line of said 0.207 acre tract and of the tract described herein;

THENCE continuing with the north line of said 0.207 acre tract, being the arc of a curve to the right having a radius of 503.07 feet, an arc distance of 94.23 feet and a chord bearing S 54° 08' 58" E a distance of 94.10 feet to the **POINT OF BEGINNING** and containing 0.207 acres (9,007 square feet) of land, more or less.

FIELD NOTES DESCRIPTION - TRACT 4

DESCRIPTION OF 0.028 ACRES (1,209 SQUARE FEET) OF LAND IN OUTLOT 11, DIVISION Z, OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS SHOWN ON THE MAP OF GOVERNMENT OUTLOTS ON FILE IN THE TEXAS GENERAL LAND OFFICE; BEING A PORTION OF LOT 1, BLOCK 7, RAYMOND PLATEAU, A SUBDIVISION OF SAID OUTLOT 11 ACCORDING TO THE PLAT OF RECORD IN PLAT BOOK 1, PAGE 30, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN CALLED 0.028 ACRE TRACT DESIGNATED AS TRACT 4 IN EXHIBIT A, DESCRIBED IN THE DEED DATED NOVEMBER 24, 2003, FROM UNION PACIFIC RAILROAD COMPANY TO THE CITY OF AUSTIN, OF RECORD IN DOCUMENT NO. 2003282535, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.028 ACRE TRACT, AS SHOWN ON

THE ACCOMPANYING EXHIBIT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING at a ½-inch iron rod found in the east right-of-way line of North Lamar Blvd. at its intersection with the north line of the Sand Beach Reserve as located by O.E. Metcalfe in 1916, known as the "Metcalfe line" and long recognized as the north line of said Sand Beach Reserve, as shown on Metcalfe Plan No. 1626; said Sand Beach Reserve granted to the city of Austin from the State of Texas by patent issued July 3, 1945; being the southwest corner of a 1.94 acre tract known as Jetco Partners International Resubdivision One, a subdivision according to the plat of record in Plat Book/Volume 83, Page 184-A, Plat Records of Travis County, Texas; said 1.94 acre tract conveyed to Temple Inland Mortgage Corporation by deed dated August 1, 1992, of record in Volume 11752, Page 92, Real Property Records of Travis County, Texas;

THENCE N 18° 18' 50" E, leaving the north line of said Sand Beach Reserve with the east line of said North Lamar Blvd., same being the west line of said 1.94 acre tract, a distance of 390.49 feet to a ½-inch iron rod in concrete found for the most western northwest corner of said 1.94 acre tract, being the southwest corner of said 0.028 acre tract and being the southwest corner and **POINT OF BEGINNING** of the tract described herein; coordinates for said concrete monument are N10,070,911.87-ft and E3,110,449.07-ft;

THENCE N 18° 18' 50" E, continuing with the east line of said North Lamar Blvd., same being the west line of said 0.028 acre tract, a distance of 20.36 feet to a ½-inch diameter iron rod counter sunk below a 1-inch outside diameter iron pipe with 2-inch aluminum cap stamped "CITY OF AUSTIN LAI RPLS 4878" previously set for the northwest corner of said 0.028 acre tract and of the tract described herein, from which a calculated point for the intersection of the said east line of North Lamar Blvd. with the south line of West 3rd Street bears N 18° 18' 50" E a distance of 27.44 feet;

THENCE S 63° 34' 39" E, with the north line of said 0.028 acre tract, being 50-ft south of and parallel to the existing main railroad track line, a distance of 73.87 feet to a ½-inch diameter iron rod counter sunk below a 1-inch outside diameter iron pipe with 2-inch aluminum cap stamped "CITY OF AUSTIN LAI RPLS 4878" previously set for the northeast corner of said 0.028 acre tract and of the tract described herein, from which a ½-inch iron rod with plastic cap stamped "LAI" previously set for an angle point in the north line of said 1.94 acre tract bears N 17° 29' 06" E a distance of 2.96 feet;

THENCE S 17° 29' 06" W, with the east line of said 0.028 acre tract, same being the north line of said 1.94 acre tract, a distance of 12.69 feet to a ½-inch diameter iron rod counter sunk below a 1-inch outside diameter iron pipe with 2-inch aluminum cap stamped "CITY OF AUSTIN LAI RPLS 4878" previously set for the southeast corner of said 0.028 acre tract and of the tract described herein, same being a reentrant corner of said 1.94 acre tract;

THENCE N 69° 32' 16" W, with the south line of said 0.028 acre tract, same being the north line of said 1.94 acre tract, a distance of 73.37 feet to the **POINT OF BEGINNING** and containing 0.028 acres (1,209 square feet) of land, more or less.

BEARING BASIS: Texas Coordinate System, Central Zone, NAD83, Grid, based on City of Austin control monuments H-22-3001 and H-22-2001.

0.831-acre
Outlot 11, Division Z
City of Austin, Travis County, Texas

LAI Job No. 030407
FN0629(wdo)
Page 5 of 6

Coordinates cited herein are Texas Coordinate System, Central Zone, NAD 83, grid coordinates. Distances are surface. To convert the surface distance to grid multiply by the combined scale factor of 0.999941.

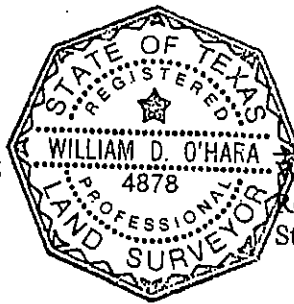
LAI WORD FILE: FN0629(wdo)


THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS §

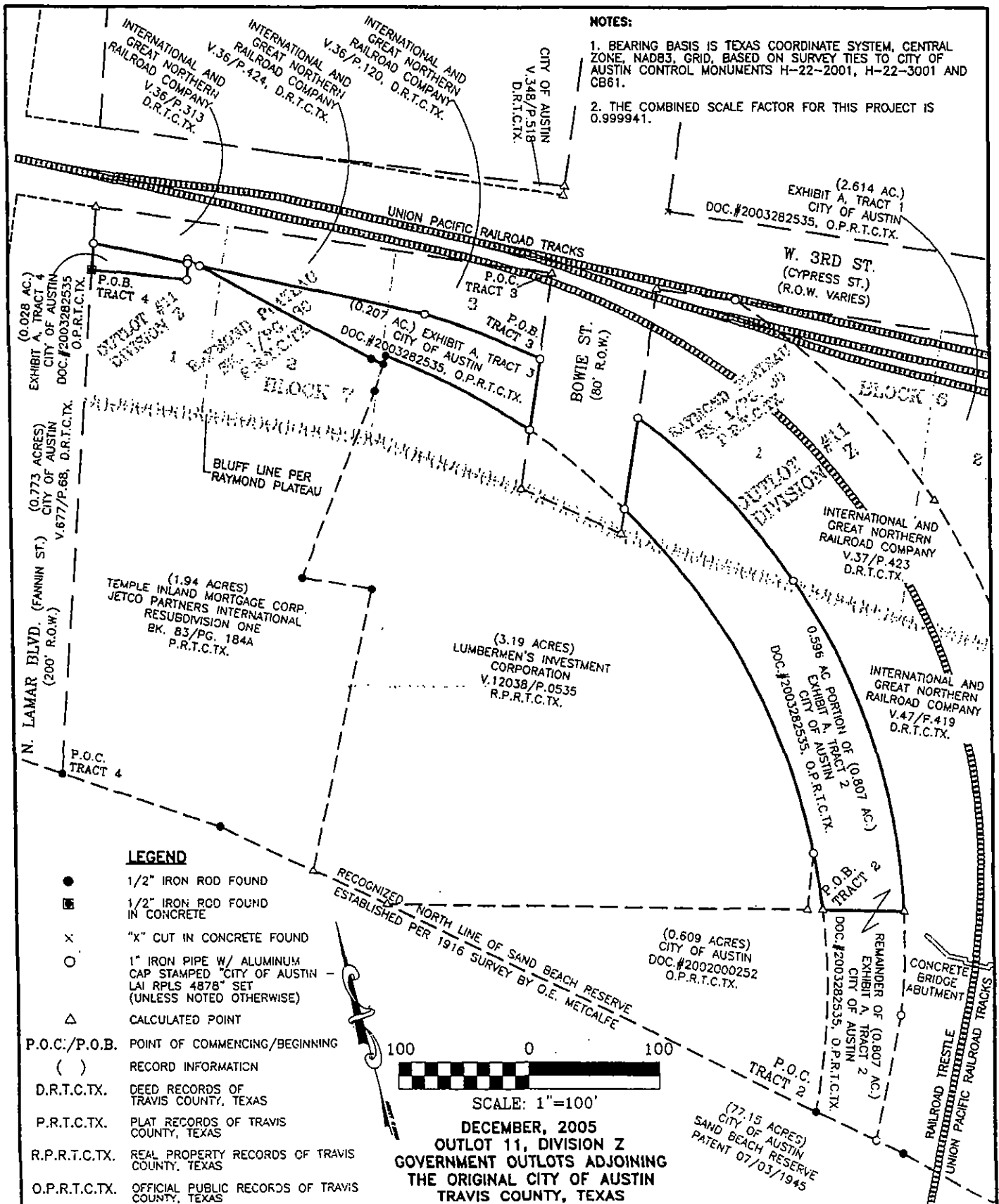
That I, William D. O'Hara, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying sketch are true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during the months of October 1999, and May 2003, under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 2 of December 2005 A.D.

Loomis Austin, Inc.
Austin, Texas 78746




William D. O'Hara
Registered Professional Land Surveyor No. 4878
State of Texas



**LOOMIS
AUSTIN**

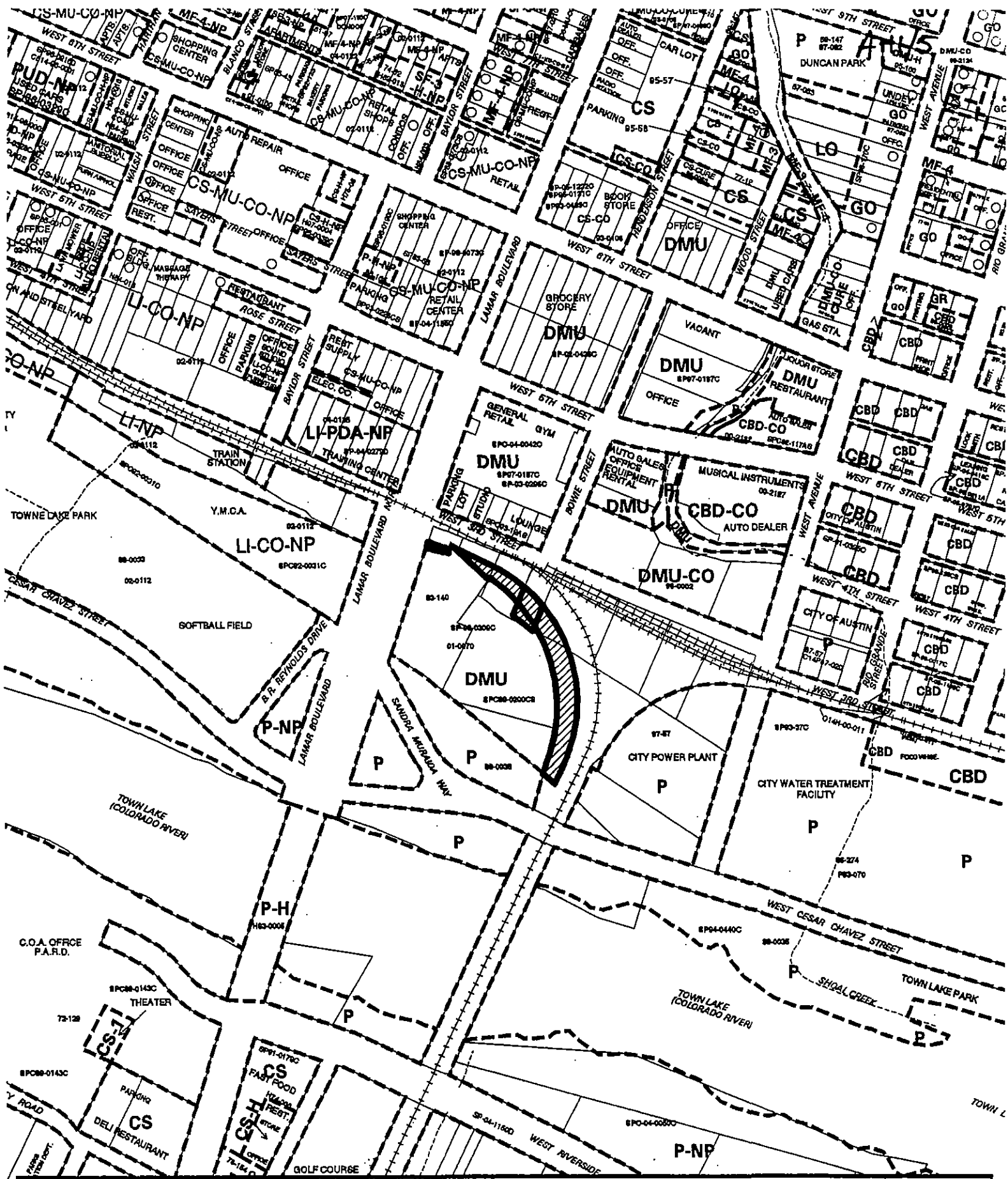
**ENGINEERING, LAND SURVEYING
& ENVIRONMENTAL CONSULTING**




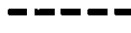
3103 Bee Caves Road, Suite 225; Austin Texas 78746
Phone: (512) 327-1180; Fax: (512) 327-4062; www.loomisaustin.com

**EXHIBIT TO ACCOMPANY
FIELD NOTES (FN0629)**

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FILE: H:\Survey\City-Austin\UPRR-SandBeach\Zoning-Parcels\UPRR-ZONING-PARCELS-FN0629.dwg
DATE: Dec 02, 2005-9:45am



 1" = 400'	SUBJECT TRACT		ZONING EXHIBIT B CASE #: C14-05-0093 ADDRESS: 900 BLOCK OF W CESAR CHAVEZ ST SUBJECT AREA (acres): 2.220	DATE: 05-10 INTLS: SM	CITY GRID REFERENCE NUMBER H22
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: J. ROUSSELIN				