

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-8
AGENDA DATE: Thu 02/02/2006
PAGE: 1 of 1**

SUBJECT: C14-05-0093 - The Crescent - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the 900 Block of West Cesar Chavez Street (Town Lake and Shoal Creek Watersheds) from unzoned to downtown-mixed use (DMU) district zoning. Zoning and Platting Commission Recommendation: To grant downtown mixed use (DMU) district zoning. Applicant: City of Austin (Real Estate Division). Agent: Neighborhood Planning and Zoning Department. City Staff: Jorge E. Rousselin, 974-2975.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING REVIEW SHEET**CASE:** C14-05-0093**Z.A.P. DATE:** October 4, 2005
November 1, 2005
December 6, 2005**ADDRESS:** 900 block of West Cesar Chavez Street**OWNER:** City of Austin**AGENT:** Neighborhood Planning &
Zoning Department**ZONING FROM:** Unzoned (UNZ)**TO:** DMU (Downtown Mixed Use) district**AREA:** 0.831 Acres (36,198.36 square feet)**SUMMARY ZAP RECOMMENDATION:**

December 6, 2005:

APPROVED STAFF'S RECOMMENDATION FOR DMU DISTRICT ZONING; BY
CONSENT.[M.H; J.D 2ND] (7-0) J.P, K.J – ABSENT**ISSUES:**

At the November 1, 2005 ZAP meeting, the Commission postponed the subject case to address the issue of zoning boundaries and the existing right-of-way at Bowie Street. The City of Austin is in the process of revising field notes.

SUMMARY STAFF RECOMMENDATION:

Staff recommends DMU (Downtown Mixed Use) based on the following considerations:

- 1.) The recommended zoning will promote compatibility with adjacent and nearby uses;
- 2.) The recommended zoning will allow for development to occur similar to other existing development in the area;
- 3.) The recommended zoning will allow for reasonable use of the property; and
- 4.) The recommended zoning will promote a balance of intensities and densities while encouraging a mixture of land uses to be developed at this site.

DEPARTMENT COMMENTS:

The subject area is a 0.831 acres (36,198.36 square feet) of undeveloped and un-zoned land and former railroad ROW purchased from Union Pacific Railroad in 2003 accessed from West Cesar Chavez Street. This property lies within the Capitol View Corridor and the North Shore Central sub-district of the Waterfront Overlay. Any proposed structures will be subject to development standards and/or design standards under the North Shore sub-district. Furthermore, at least 50 percent of the net usable floor area of a structure adjacent to Town Lake must be used for pedestrian-oriented uses.

The property lies within the Seaholm District Master Plan Boundaries (SDMP). The Seaholm District Master Plan recommends a revitalization of this section of downtown with a mixture of retail, office and high density residential. The SDMP illustrative plan suggests a residential, mixed-use development for the property (see Exhibit A).

Furthermore, a portion of this site lies within the Capitol View Corridor (CVC). Any proposed development within the CVC will be subject to the provisions of 25-2-642.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	N/A	Undeveloped land / RR right-of-way
<i>North</i>	DMU / DMU-CO	Lounge / Studio / Apartments - Condominiums
<i>South</i>	P	North Town Lake Shore
<i>East</i>	P	City of Austin Power Plant
<i>West</i>	DMU	Undeveloped land

AREA STUDY: Seaholm Master Plan

TIA: Waived; City initiated zoning

WATERSHED: Shoal Creek; Town Lake

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: Yes

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

57--Old Austin Neighborhood
 402--Downtown Austin Neighborhood Assn. (DANA)
 511--Austin Neighborhoods Council
 623--City of Austin Downtown Commission
 742--Austin Independent School Districts
 744--Sentral Plus East Austin Koalition (SPEAK)
 998--West End Austin Alliance

SCHOOLS:

Austin Independent School District

- Mathews Elementary School
- O. Henry Middle School
- Austin High School

RELATED CASES: N/A

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0005	DMU to DMU-CURE	Pending	Pending
C14-02-0112	Old West Austin Neighborhood Plan Combining District	08/14/02: PC APPROVED: (6-0, DS-RECUSED) SF-2-NP, SF-2-H-NP, SF-3-NP, SF-3-H-NP, SF-4A-NP, SF-6-NP, MF-2-NP, MF-3-NP, MF-3-H-NP, MF-4-NP, MF-4-H-NP, NO-NP, NO-CO-NP, NO-MU-H-CO-NP, P-NP, P-H-NP, LO-NP, LO-CO-NP, LO-H-NP, LO-MU-NP, GO-NP, GO-CO-NP, LR-NP, GR-NP, GR-MU-CO-NP, CS-MU-CO-NP, CS-H-MU-CO-NP, CS-1-MU-CO-NP, LI-CO-NP, PUD-NP.	09/26/02: APVD SF-2-NP, SF-2-H-NP, SF-3-NP, SF-3-H-NP, SF-4A-NP, SF-6-NP, MF-2-NP, MF-3-NP, MF-3-H-NP, MF-4-NP, MF-4-H-NP, NO-NP, NO-CO-NP, NO-MU-H-CO-NP, P-NP, P-H-NP, LO-NP, LO-CO-NP, LO-H-NP, LO-MU-NP, GO-NP, GO-CO-NP, LR-NP, GR-NP, GR-MU-CO-NP, CS-MU-CO-NP, CS-H-MU-CO-NP, CS-1-MU-CO-NP, LI-CO-NP, PUD NP AND DIRECTED STAFF TO INITIATE REZONING OF 1706 & 1708 W 6TH FROM SF-2-NP TO NO-MU-CO-NP
C14-05-0025	SF-2-NP TO NO-MU-CO-NP	05/24/05: PC : APPROVE STAFF RECOMMENDATION, INCLUDING ALL CONDITIONS, BUT REQUIRE INGRESS AND EGRESS ONLY FROM THE ALLEY AND DIRECT STAFF TO PREPARE A PLAN TO ALLOW ON-STREET PARKING ON WEST 6 TH STREET TO ADDRESS THE PARKING CONCERNS FOR SITE. VOTE: (JR-1 st , MM-2 nd ; CM-OPPOSED, CG- ABSENT)	Pending
C14-03-0168	DMU-CURE to DMU-CURE (ground floor rezoned for office and pedestrian oriented uses)	01/06/04 : ZAP – Pulled, sent to City Council without recommendation.	01/29/04: APVD STAFF REC OF DMU-CO-CURE (NO COCKTAIL LOUNGE), (5-0); 1ST RDG; 02/12/04: APVD DMU-CO-CURE (7-0); 2ND/3RD RDGS
C14-00-2132	DMU to CBD	08/22/00: PC - APVD STAFF REC W/COND OWNER RECONNECT HIKE/BIKE TRAIL (8-0); SA-ABSENT)	09/28/00: APVD CBD-CO W/CONDS (7-0) ALL 3 RDGS

			Conditional Overlay: - Vehicle trip limitation to 2,000
C14-00-2127	DMU to CBD	08/22/00: PC - APVD STAFF REC W/COND OWNER RECONNECT HIKE/BIKE TRAIL (8-0); SA-ABSENT)	09/28/00: APVD CBD-CO W/CONDS (7-0) ALL 3 RDGS Conditional Overlay: - Height limitation of 170 feet; - FAR of 5:1.
C14-99-0002	P to DMU-CO	02/09/99: PC - APVD STAFF REC OF DMU-CO BY CONSENT (9-0).	04/15/99: APVD DMU-CO W/CONDITIONS (7-0) 2ND/3RD RDGS Conditional Overlay: - Vehicle trip limitation to 2,000

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
Lamar Boulevard	200'	Varies	Arterial
Sandra Muraida	80'	Varies	Collector
Cesar Chavez	Varies	Varies	Arterial

CITY COUNCIL DATE: December 15, 2005; January 12, 2006; February 2, 2006

ACTION:

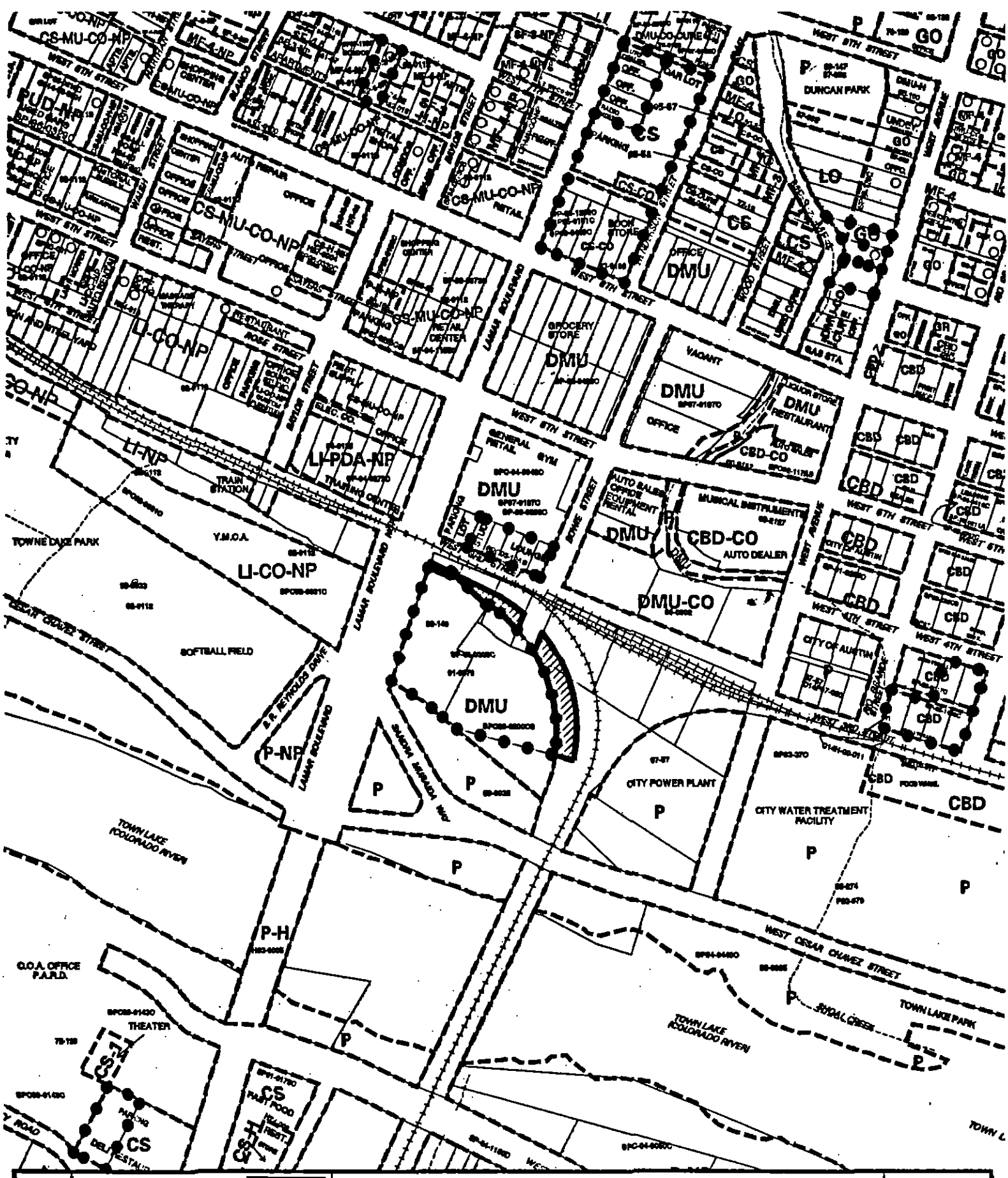
ORDINANCE READINGS: 1st 2nd 3rd


ORDINANCE NUMBER:

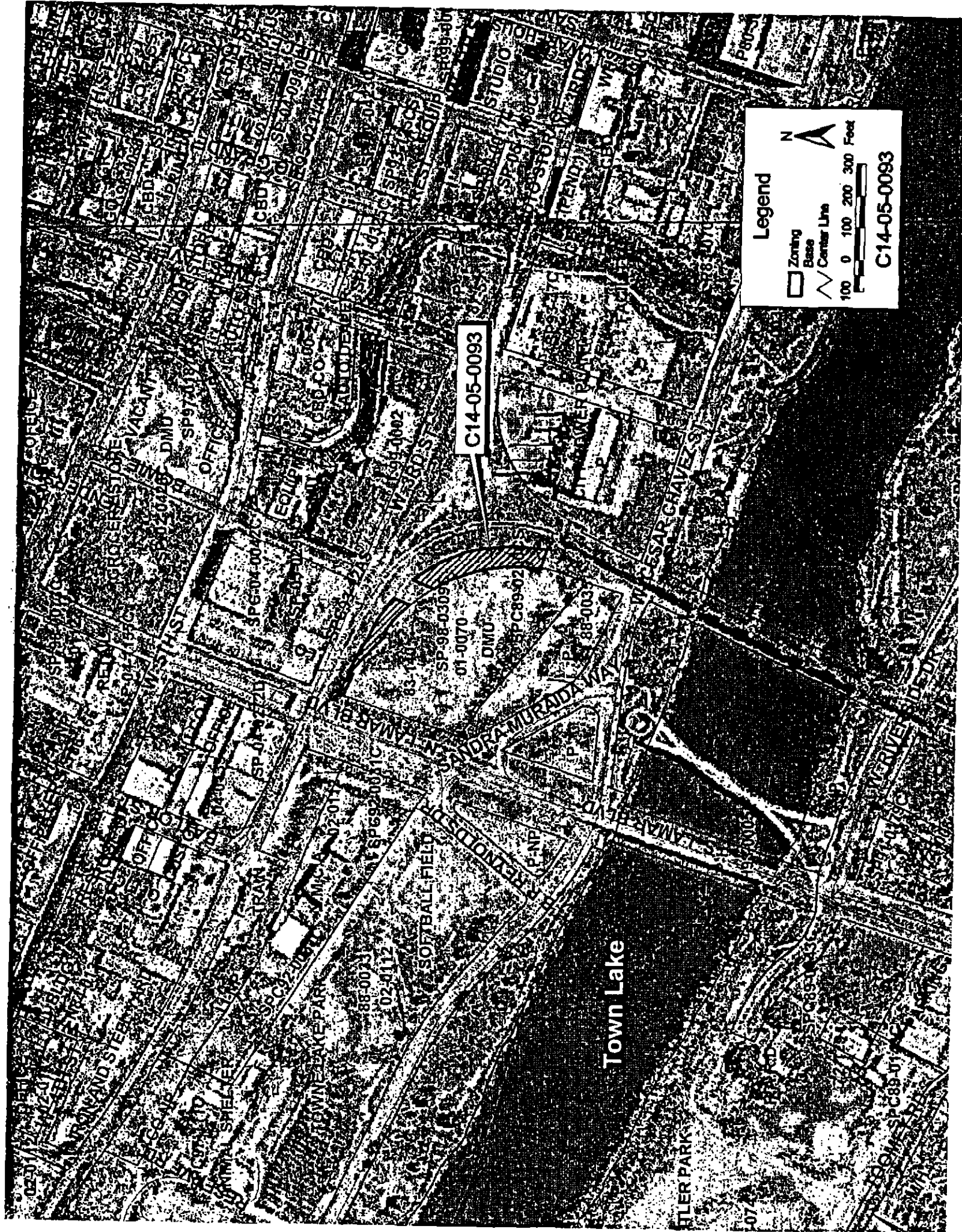
CASE MANAGER: Jorge E. Rousselin, NPZD

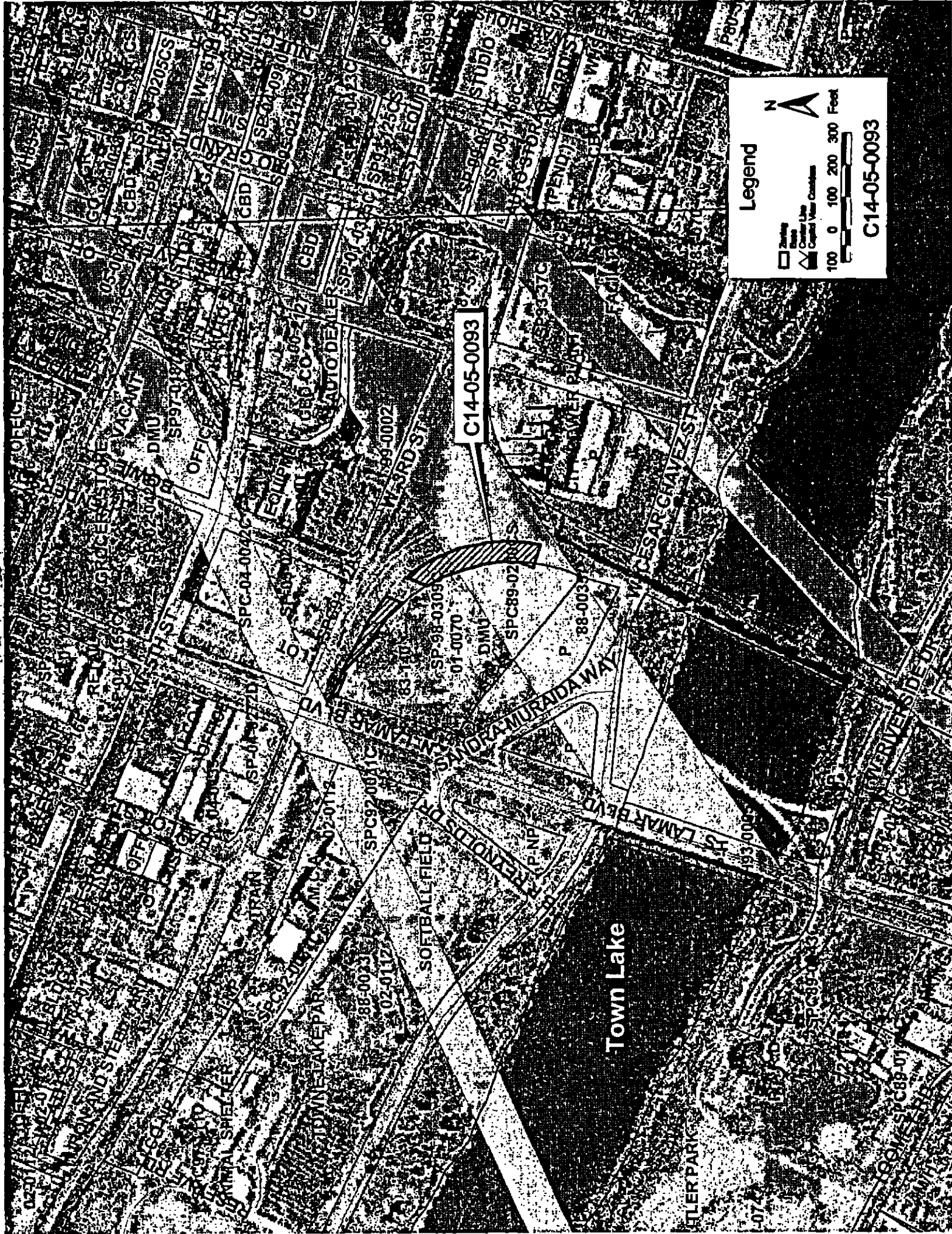
PHONE: 974-2975

E-MAIL: jorge.rousselin@ci.austin.tx.us



 <p> SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: J. ROUSSELIN </p>	<p align="center">ZONING</p> <p> CASE #: C14-05-0093 ADDRESS: 900 BLOCK OF W CESAR CHAVEZ ST SUBJECT AREA (acres): </p>	<p align="center"> CITY GRID REFERENCE NUMBER H22 </p>
<p> 1" = 400' APC-05-0034C INTLS: SM P-NP </p>		





STAFF RECOMMENDATION

Staff recommends DMU (Downtown Mixed Use) based on the following considerations:

- 1.) The recommended zoning will promote compatibility with adjacent and nearby uses;
- 2.) The recommended zoning will allow for development to occur similar to other existing development in the area;
- 3.) The recommended zoning will allow for reasonable use of the property; and
- 4.) The recommended zoning will promote a balance of intensities and densities while encouraging a mixture of land uses to be developed at this site.

BASIS FOR RECOMMENDATION

1. Zoning changes should promote compatibility with adjacent and nearby uses.

The recommended zoning will be compatible with existing DMU zoning surrounding the property.

2. Zoning changes should promote a balance of intensities and densities.

The recommended zoning will promote a balance of intensities and densities while encouraging a mixture of land uses to be developed at this site.

EXISTING CONDITIONS

Site Characteristics

The subject area is a 0.831 acres (36,198.36 square feet) of undeveloped and un-zoned land and former railroad ROW purchased from Union Pacific Railroad in 2003 accessed from West Cesar Chavez Street. This property lies within the Capitol View Corridor and the North Shore Central sub-districts of the Waterfront Overlay. Any proposed structures will be subject to development standards and/or design standards under the North Shore sub-district. Furthermore, at least 50 percent of the net usable floor area of a structure adjacent to Town Lake must be used for pedestrian-oriented uses.

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Town Lake and Shoal Creek Watersheds of the Colorado River Basin, which are classified as Urban Watersheds by Chapter 25-8 of the City's Land Development Code. Impervious cover is not limited in this watershed class. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm.
2. According to flood plain maps, there is flood plain within the project area.

3. At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

Transportation

1. The trip generation and TIA waiver information found below applies to the entire site.
2. The trip generation under the requested zoning is estimated to be 5,783 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics). The applicant proposes the following uses: Multi Family (340 dwelling units), Shopping Center (21,000sf), Children's Museum (75,000sf) and Residential Condominiums (100 dwelling units).
3. The Land Development Code requires a traffic impact analysis (TIA) to be submitted for developments which are projected to generate greater than 2,000 vehicle trips per day(vpd). A waiver is granted for the following reasons:
 1. The applicant has agreed to post fiscal for the following improvements:
 - a. Reconstruction of Sandra Muraida Way with pavement dimensions, right-of-way widths, and traffic circle as shown in the attached figure.
 - b. Construction of a signalized intersection on Cesar Chavez just east of the Missouri Pacific Railroad. Cesar Chavez is proposed to be striped to provide a five lane cross section with the eastbound left turns being the only signalized movement at the intersection with no southbound left turns permitted.
 - c. Construction of an east-west street to connect the proposed traffic circle and the Seaholm property, which is located just east of the subject site.

The fiscal for these improvements is required to be posted prior to approval of the first site plan on any portion of the property. It should be noted that the pro rata share of these improvements will be determined at the time of site plan. 100 percent of these improvements may be required to be posted at that time if it is determined that the improvements are solely driven by this development.

2. The improvements listed above have been approved by the COA Public Works Department in a concurrence letter dated December 21, 2004 and signed by Gordon Derr. These improvements are subject to change based on future negotiations between the developer of this property, the City of Austin and the

Seaholm property. The improvements approved by the Department of Public Works or any future proposed improvements for the site should provide similar access and capacity characteristics. Any changes to the agreed improvements will require approval from the City of Austin Department of Public Works and Watershed Protection and Development Review Department.

4. There are existing sidewalks along Lamar Boulevard
5. Capital Metro bus service is available along Lamar Boulevard, Cesar Chavez and Sandra Muraida.

Water and Wastewater

1. The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility relocation, and adjustments to serve the site, each lot, and land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated city.

Site Plan

1. This property is within the Lamar Bridge Capitol View Corridor. Capitol View Corridor Height restrictions will be enforced. For more information about a determination, contact the Development Assistance Center at 974-6370.
2. This project is within the North Shore Central Waterfront Overlay subdistrict. In the North Shore Central, South Shore Central, Auditorium Shores, Butler Shores, and City Hall Waterfront Overlay subdistricts, at least 50 percent of the net usable floor area of a structure adjacent to Town Lake must be used for pedestrian-oriented uses. [Section 25-2-691, 692]. Additional design regulations will be enforced at the time a site plan is submitted for the North Shores Central (25-2-738).
3. West Cesar Chavez is a scenic roadway.

Compatibility Standards

This site is not subject to compatibility standards.

December 21, 2004

Mr. Gordon Darr, P.E.
Department of Public Works
City of Austin
P.O. Box 1088
Austin, TX 78767

Re: Museum Park Plaza Exterior Transportation Infrastructure

Dear Gordon:

As we discussed, the attached site exhibit shows the proposed transportation infrastructure improvements planned as part of the Museum Park Plaza development. While we realize that development plans for Seaholm may influence the ultimate design of these facilities, the purpose of this letter is to obtain your approval of the attached concept plan for the Museum Park Plaza project, so that the developers may move forward with assurance that the project is viable independent of the Seaholm development timeframe. Based on the City's Master Plan and a series of discussions with you and City staff, the attached plan has been developed and includes the following:

1. Reconstruction of Sandra Muraida Way with pavement dimensions and right-of-way widths as shown in the attached figure. The design will include a traffic circle to be constructed in accordance with the attached concept drawing.
2. Construction of a signalized intersection on Cesar Chavez, east of the Missouri Pacific Railroad. Cesar Chavez will be striped with a five-lane section as shown, and eastbound left turns will be the only signalized movement at the intersection. Southbound left turns will not be permitted at the driveway, as currently contemplated. The traffic signal would not be installed until traffic signal warrants are met.
3. An east-west street connecting the traffic circle and Seaholm driveway. This street will be constructed with the pavement width and right-of-way as shown in the attached exhibit.
4. A loading dock to service the site from Lamar is being discussed, but has not yet been agreed upon at this time. With this request, we are asking that you approve all elements of the transportation infrastructure with the exception of the loading dock. We will continue to work with you and City staff to develop a loading dock design that satisfies your concerns.

Please acknowledge your agreement with the design concepts presented in the attached exhibit by signing in the space provided below.

Sincerely,



Heidi Ross, P.E., PTOE
Principal

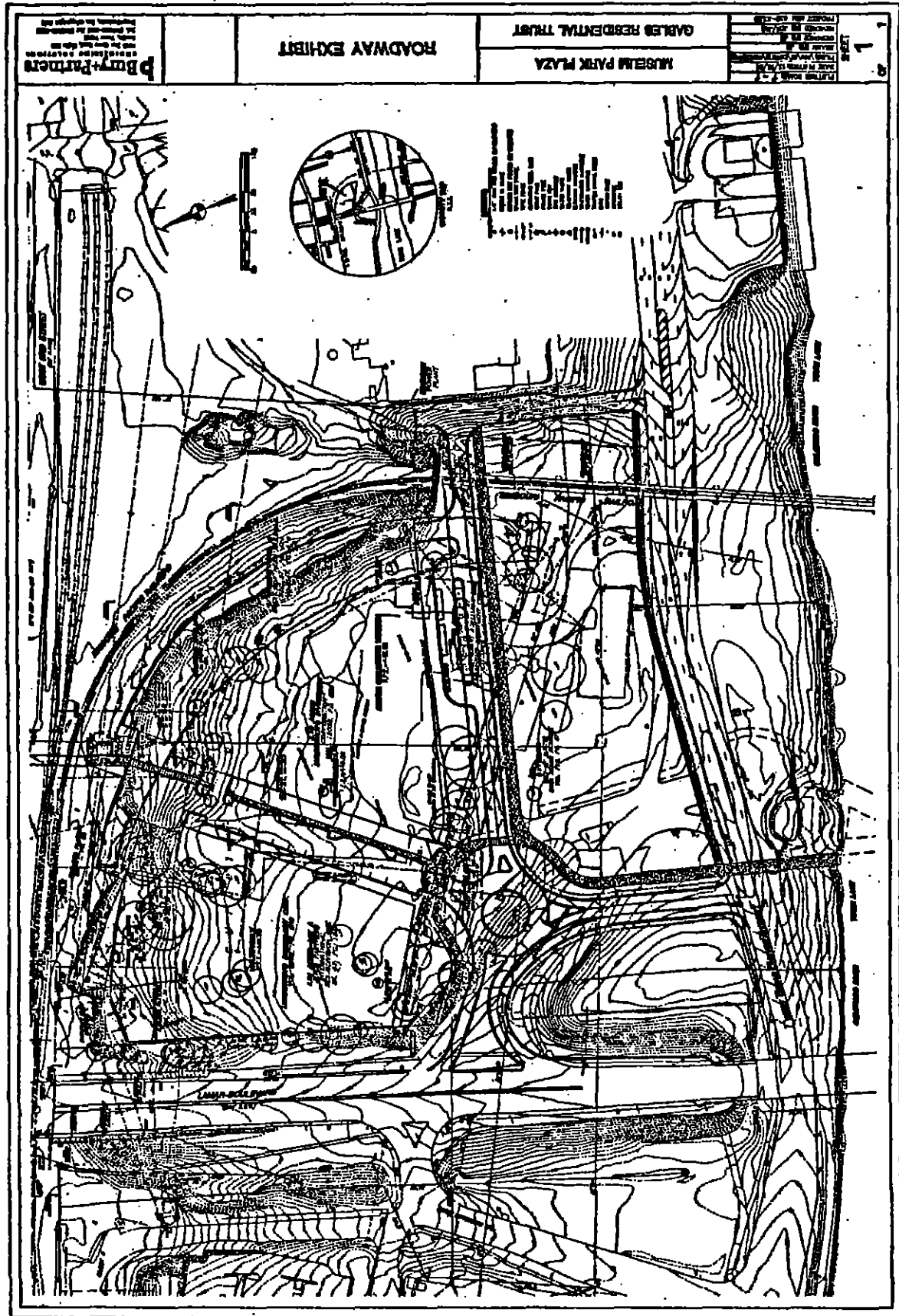
cc: Austan Librach, City of Austin
Alan Hughes, City of Austin
Alexa Knight, Gables Residential



Signed: Gordon Derr
on behalf of the City of Austin Department of Public Works

12/21/04

Date



pbury+Partners
ARCHITECTS
1000 10th Avenue
New York, NY 10018
Tel: 212 692 1000
Fax: 212 692 1001

ROADWAY EXHIBIT

MUSEUM PARK PLAZA
GARLES RESIDENTIAL TRUST

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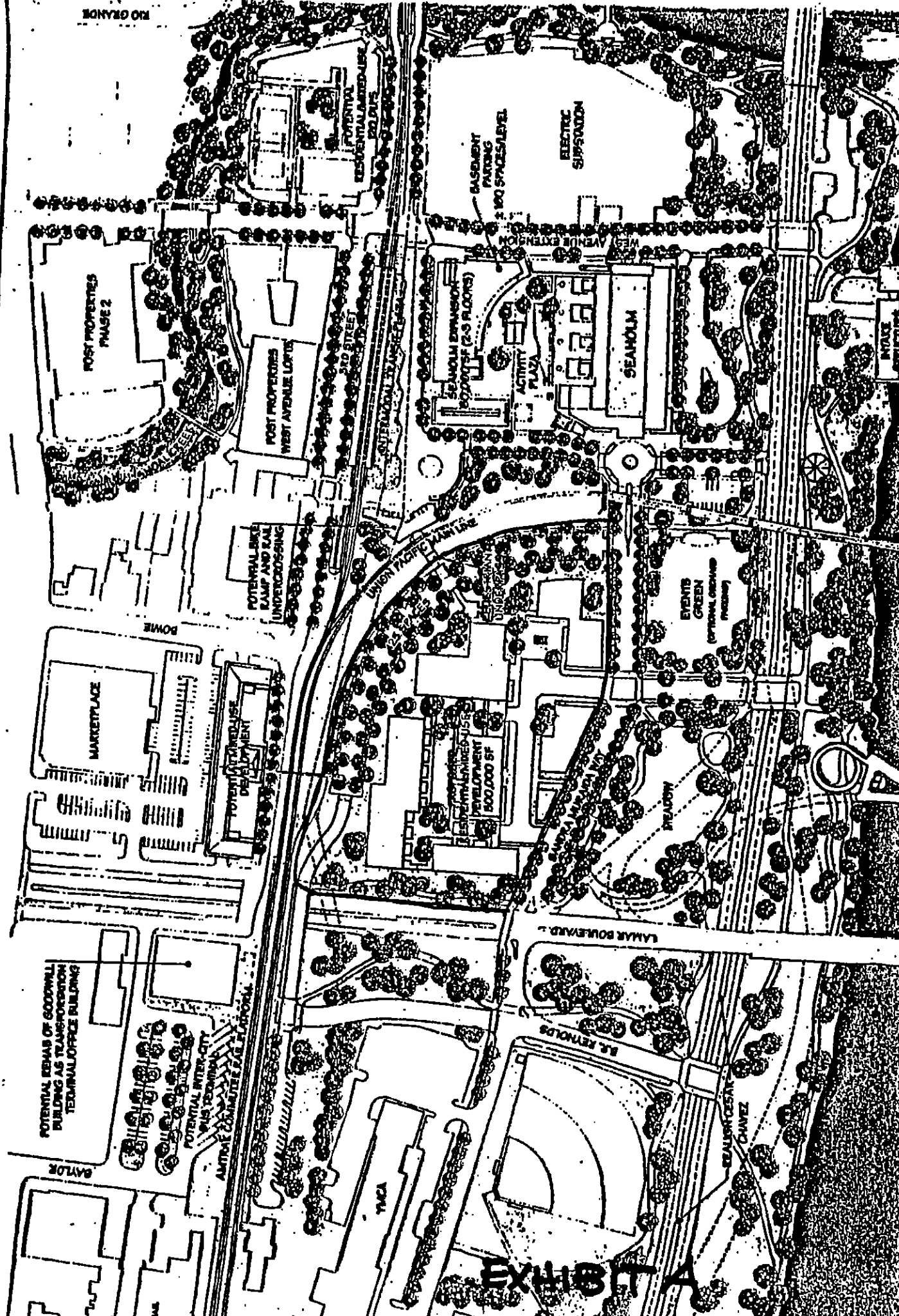


EXHIBIT A

ORDINANCE NO. _____

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 (DMU) DISTRICT.

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

PART 1. The zoning map established by Section 25-2A191 of the City Code is amended to change the base district from unzoned (UNZ) district to downtown mixed use (DMU) 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 Outlet 1, 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,

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. This ordinance takes effect on _____, 2005.

PASSED AND APPROVED

§
§
§

_____, 2005

Will Wynn
Mayor

APPROVED;

ATTEST:

David Allan Smith
City Attorney

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

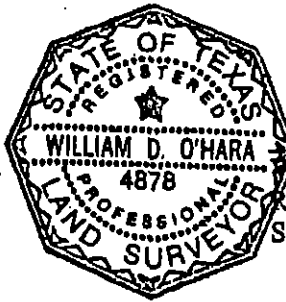
COUNTY OF TRAVIS

§

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.

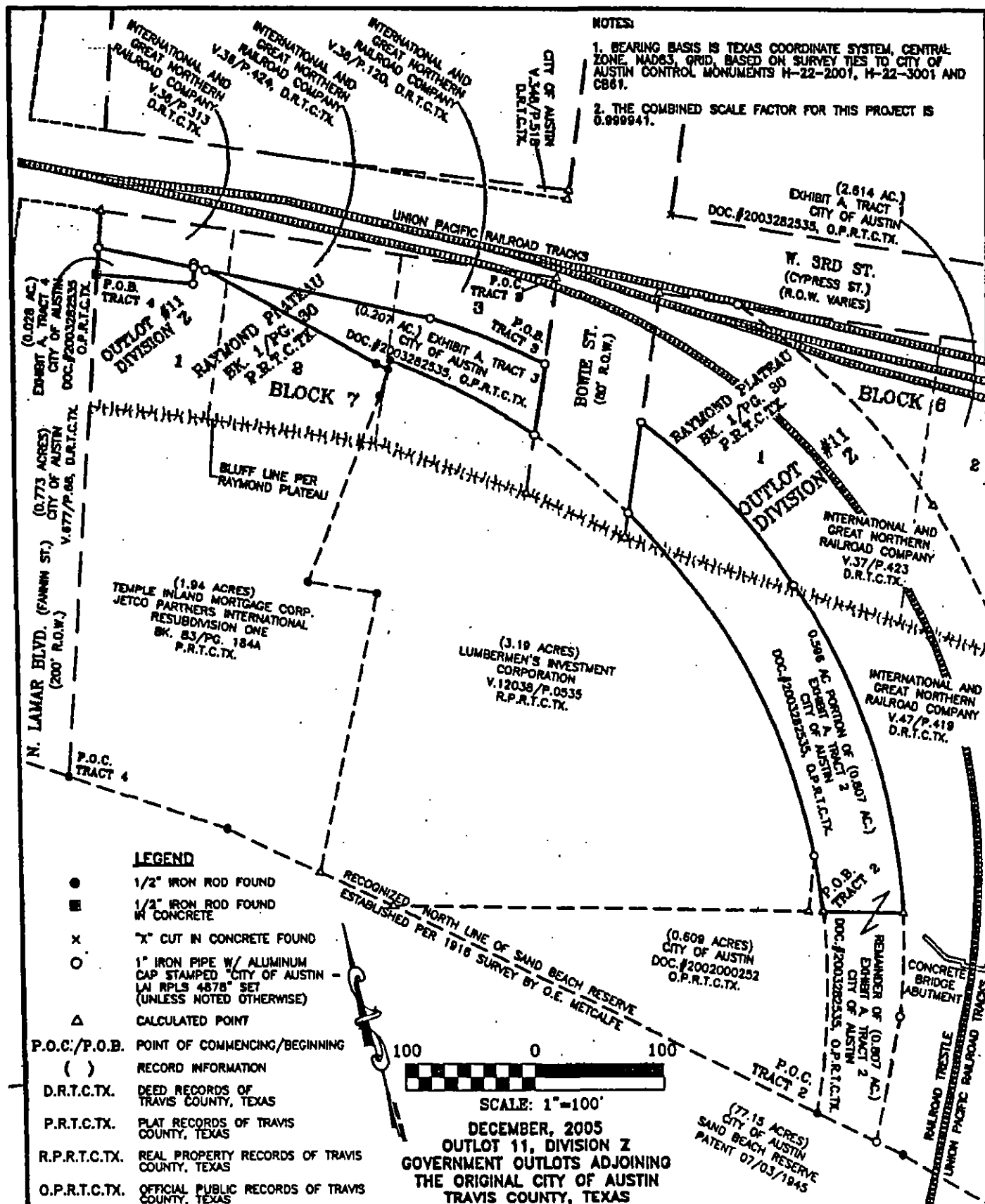
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 2 of December 2005 A.D.

Loomis Austin, Inc.
Austin, Texas 78746



William D. O'Hara

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



LOOMIS
AUSTIN

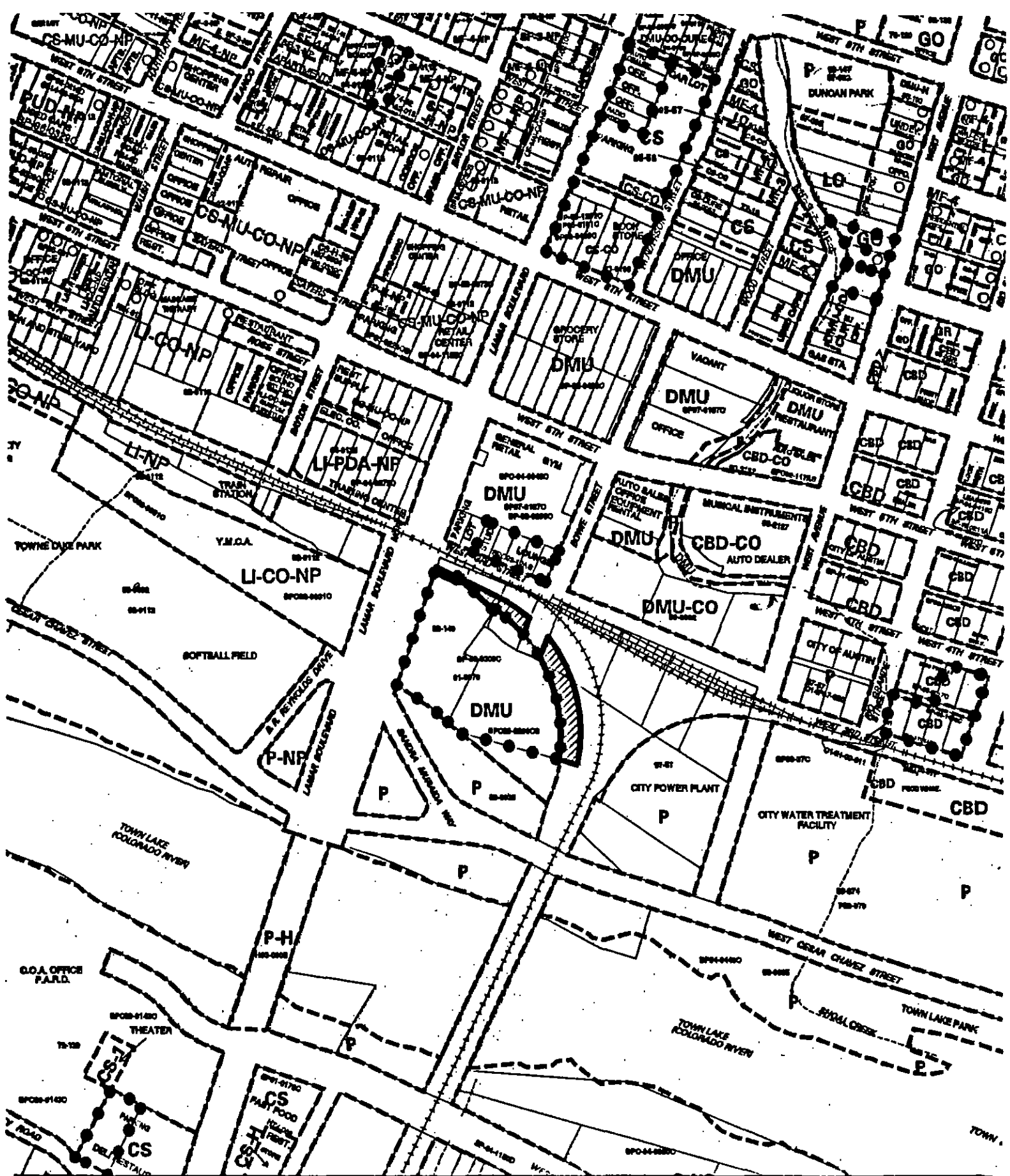
ENGINEERING, LAND SURVEYING
& ENVIRONMENTAL CONSULTING

3103 Bee Caves Road, Suite 225; Austin Texas 78748
 Phone: (512) 327-1180; Fax: (512) 327-4082; www.loomisaustin.com

EXHIBIT TO ACCOMPANY
FIELD NOTES (FN0829)

PAGE 6 OF 6

FILE: H:\Survey\City-Austin\UPRR-SandBeach\Zoning-Parcels\UPRR-ZONING-PARCELS-FN0829.dwg
 DATE: Dec 02, 2005-9:45am



 1" = 400'	SUBJECT TRACT	CASE #: C14-05-0093 ADDRESS: 800 BLOCK OF W CESAR CHAVEZ ST SUBJECT AREA (acres):	DATE: 05-11 INTLS: SM	CITY GRID REFERENCE NUMBER H22
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR: J. ROUSSELIN			