

ORDINANCE NO. 20100527-071

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 835 WEST 6TH 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 File C14-2009-0151, on file at the Planning and Development Review Department, as follows:

A 2.6 acre tract of land, more or less, being a portion of Lots 1-3 Block 5, Subdivision of Raymond Plateau, Outlot 11, Division Z, City of Austin, and a 4,940 square feet tract of land being a partial vacation of the Bowie Street right-of-way, the tracts of land being more particularly described by metes and bounds in Exhibits "A" and "B" incorporated into this ordinance, (the "Property")

locally known as 835 West 6th Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

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

- A. The Property is subject to the Capitol View Corridor Overlay district as set forth in the Code.
- B. No portion of a building constructed on the Property outside the Capitol View Corridor Overlay district may exceed a height of 350 feet from grade.
- C. Parking.
 - 1) The façade of a parking structure on the Property must be screened such that vehicles parked within such structure are screened from view from adjacent streets.

2) If building development on the Property exceeds 482,687 square feet of gross leasable area, the following applies:

- a. No more than 30 at-grade parking spaces may be provided as short term parking, excluding parking spaces located within a porte-cochere area.
- b. A minimum of 2 levels of underground parking shall be provided.

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 June 7, 2010.

PASSED AND APPROVED


_____, May 27, 2010

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Lee Leffingwell
Mayor

APPROVED: _____


Karen M. Kennard
Acting City Attorney

ATTEST: _____


Shirley A. Gentry
City Clerk

TRACT 2
FIELD NOTES FOR
2.600 ACRES

DESCRIBING 2.600 ACRES OF LAND SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS CONSISTING OF THAT CERTAIN 2.05 ACRE TRACT CONVEYED TO LAMAR-SIXTH-AUSTIN I, LIMITED PARTNERSHIP BY DEED OF RECORD IN DOCUMENT #2000117493, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS ("OPRTCT"), AND THAT CERTAIN 0.55 ACRE TRACT CONVEYED TO LAMAR-SIXTH-AUSTIN I, LIMITED PARTNERSHIP BY DEED OF RECORD IN DOCUMENT #2000119070, OPRTCT; SAID 2.600 ACRES BEING A PORTION OF LOTS 1-3, BLOCK 5, SUBDIVISION OF THE RAYMOND PLATEAU, OUTLOT 11, DIVISION 2 OF THE CITY OF AUSTIN, TEXAS, RECORDED IN VOLUME V PG. 401, DEED RECORDS OF TRAVIS COUNTY, TEXAS ("DRTCT") AND BOOK 1 PAGE 30, PLAT RECORDS OF TRAVIS COUNTY, TEXAS ("PRTCT"); SAME BEING LOTS 1-6, 9 AND A PORTION OF LOT 7, RESUBDIVISION OF ORIGINAL LOTS ONE AND TWO IN BLOCK NO. 5 OUTLOT 11, DIVISION 2 OF THE CITY OF AUSTIN, TEXAS, RECORDED IN BOOK 1 PAGE 19, PRTCT; SAID RESUBDIVISION LEAVING A REMNANT OF THE ORIGINAL LOT 2; SAID 2.600 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a 1" square bolt head found at the northeast corner of said 2.05 acre tract in the south r.o.w. line of West 6th Street (80' r.o.w.); said point being the northwest corner of that certain 1703 s.f. tract conveyed to the City of Austin by deed of record in Volume 7439 Page 408, DRTCT; and from said beginning point run the following nine (9) courses and distances:

THENCE along the common line of the said 2.05 acre tract and the said 1703 s.f. tract, by courses 1-3 as follows:

- 1) S26°57'22"W 52.30 feet to a 1/2" iron rod found at an angle point;
- 2) S35°56'58"W 76.23 feet to a round bolt head found at an angle point;
- 3) S45°39'37"W 62.46 feet to a 1/2" iron rod found at the most easterly southeast corner of said 2.05 acre tract and being in the north line of said 0.55 acre tract;

THENCE along the north line of said 0.55 acre tract and the south line of said 1703 s.f. tract by course 4 as follows:

- 4) S64°45'52"E 16.33 feet to a lead plug and tack found in concrete sidewalk at the northeast corner of said 0.55 acre tract and the southeast corner of said 1703 s.f. tract;

THENCE along the east line of said 0.55 acre tract by course 5 as follows:

EXHIBIT "A"

5) S59°35'08"W 230.99 feet to a lead plug and tack found in concrete sidewalk in the north r.o.w. line of West 5th Street (80' r.o.w.) at the southeast corner of said 0.55 acre tract;

THENCE along the south lines of said 0.55 acre and 2.05 acre tracts and the north r.o.w. line of West 5th Street by courses 6 and 7 as follows:

6) N77°26'35"W at 60.22 feet pass a 1/2" iron rod found with Wallace Group cap and continuing in all 81.93 feet to a 1/2" iron rod set with Wallace Group cap at a point of curvature;

7) Along a curve to the right whose radius is 899.60 feet with an arc length of 110.49 feet and whose chord bears N73°57'58"W 110.42 feet to a 1/2" iron rod found with Accusurve cap at the intersection of the north r.o.w. line of West 5th Street with the east r.o.w. line of Bowie Street (80' r.o.w.);

THENCE along the west line of said 2.05 acre tract and the east r.o.w. line of Bowie Street by course 8 as follows:

8) N25°02'25"E 410.76 feet to a headless PK nail found in concrete at the northwest corner of said 2.05 acre tract, same being the intersection of the east r.o.w. line of Bowie Street and the south r.o.w. line of West 6th Street;

THENCE along the north line of said 2.05 acre tract and the south r.o.w. line of West 6th Street by course 9 as follows:

9) S64°58'55"E 341.88 feet to the POINT OF BEGINNING of the herein described tract, encompassing within the metes recited 2.600 acres of land, more or less, as computed by The Wallace Group, Inc. in July, 2002.

Bearing Basis: Found monuments along east r.o.w. of Lamar Blvd. between West 5th and 6th Streets as shown on July 1998 Accusurve survey (N24°57'00"E) which was based on monumented centerline of Lamar Blvd.

EXHIBIT "A"

Exhibit "B"

Page 1 of 1

Partial Vacation
4,940 Sq. Ft.

City of Austin
Bowie Street Right of Way
W. 5th Street to W. 6th Street

PARTIAL VACATION DESCRIPTION - TRACT 2

BEING A TWELVE AND ONE ONE-HUNDREDTH (12.01) FOOT WIDE STRIP OF LAND CONTAINING 4,940 SQUARE FEET SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING A PORTION THE BOWIE STREET RIGHT OF WAY, HAVING BEEN DEDICATED BY THE PLAT OF RAYMOND PLATEAU SUBDIVISION, OF RECORD IN VOLUME 1, PAGE 30 OF THE PLAT RECORDS OF SAID TRAVIS COUNTY, SAID STRIP OF RIGHT OF WAY TO BE VACATED BEING THE EASTERLY TWELVE AND ONE ONE-HUNDREDTH (12.01) FEET OF SAID BOWIE STREET, LOCATED BETWEEN THE NORTH LINE OF WEST 5TH STREET AND THE SOUTH LINE OF WEST 6TH STREET, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a concrete nail found at the intersection of the south line of West 6th Street with the east line of said Bowie Street, at the northwest corner of Block 5 of said Raymond Plateau Subdivision, for the northeast corner of the tract herein described;

THENCE, along the east line of said Bowie Street and the west line of said Block 5, South 25° 01' 52" West, a distance of 410.76 feet to a 1/2" iron pipe found at the southwest corner of said Block 5, on the curving north line of West 5th Street, for the southeast corner of the tract herein described;

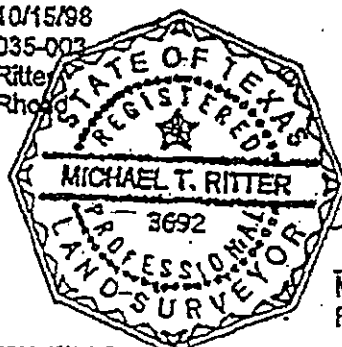
THENCE, along the north line of said West 5th Street, and along a curve to the right, having a central angle of 00° 46' 04", a radius of 899.60 feet, and a long chord bearing North 70° 01' 41" West, a distance of 12.05 feet, for an arc distance of 12.05 feet to the southwest corner of the tract herein described;

THENCE, departing the north line of said West 5th Street, and through the interior of said Bowie Street right of way, North 25° 01' 52" East, a distance of 411.84 feet to the south line of said West 6th Street, for the northwest corner of the tract herein described;

THENCE, along the south line of said West 6th Street, South 64° 59' 28" East, a distance of 12.01 feet to the POINT OF BEGINNING, containing 4,940 square feet of land, more or less.

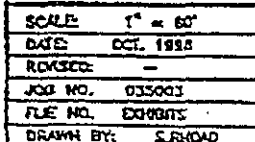
The above description accurately represents a survey made on the ground by under my supervision during the month of July, 1998. Bearings herein are based on the City of Austin monument line on Lamar Boulevard between 5th and 6th Streets, held as North 24° 57' 00" East.

Date: 10/15/98
Job No: 035-003
Description: Ritter
Tech: Rhoads

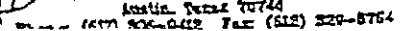


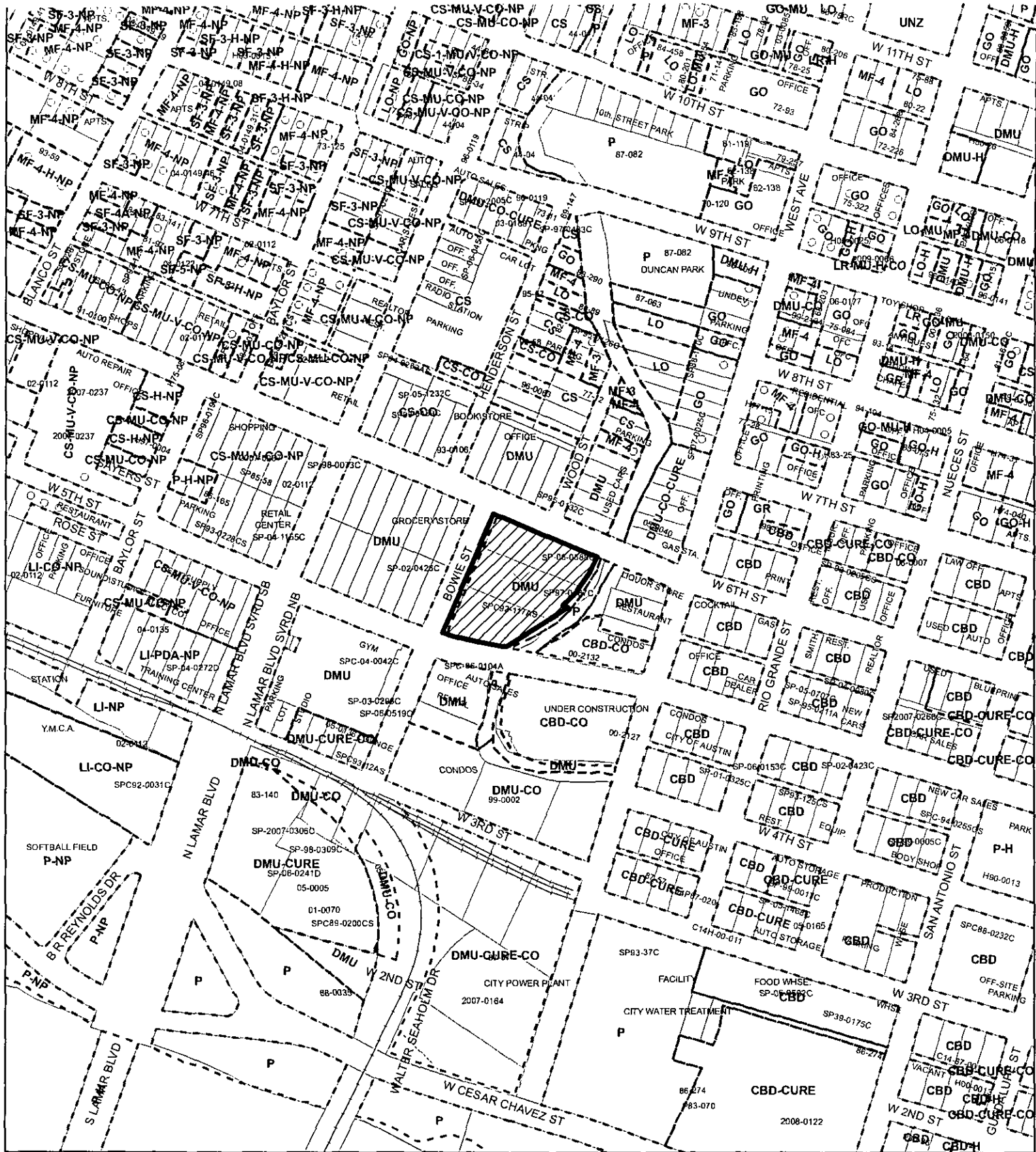
Michael T. Ritter 10/15/98
Michael T. Ritter
Registered Professional Land Surveyor No. 3692




S:\PROJECTS\035\003\DOCS\BOWIE VACATION TRACT 2.DOC



CITY OF AUSTIN, TRAVIS COUNTY, TEXAS



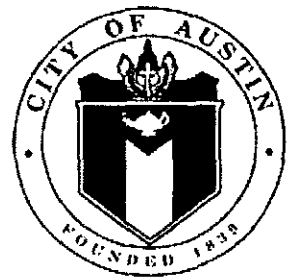


-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

OPERATOR: S. MEEKS

ZONING EXHIBIT C

ZONING CASE#: C14-2009-0151
 ADDRESS: 835 W 6TH ST
 SUBJECT AREA: 2.713 ACRES
 GRID: H22
 MANAGER: S. RYE



1" = 400'

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.