

ORDINANCE NO. 20160414-021

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1205 NUECES STREET FROM GENERAL OFFICE (GO) 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 general office (GO) district to downtown mixed use (DMU-CO) combining district on the property described in Zoning Case No. C14-2015-0133B, on file at the Planning and Zoning Department, as follows:

6,407 sq. ft. tract of land, more or less, out of and a part of Lots 1 and 2, Block 151, of the Original City of Austin, according to the plat on file with the General Land Office for the State of Texas, and being the same property conveyed by NCNB Texas National Bank to the Texas Association of Counties Workers' Compensation Self Insurance Fund in that deed of record in Volume 11307, Page 693, of the Real Property Records of Travis County, Texas said 6,407 square feet being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 1205 Nueces Street in the City of Austin, Travis County, Texas, 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:

A. The following uses are not permitted uses on the Property:

Cocktail lounge
Liquor sales
Bail bond services

Pawn shop services
Outdoor entertainment

B. The maximum height of a building or structure for the Property may not exceed 60 feet.

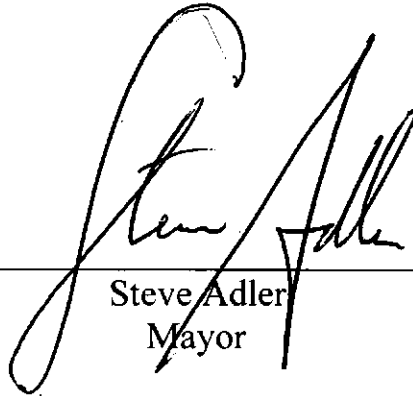
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the downtown mixed use (DMU) district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on April 25, 2016.

PASSED AND APPROVED

_____, April 14, 2016

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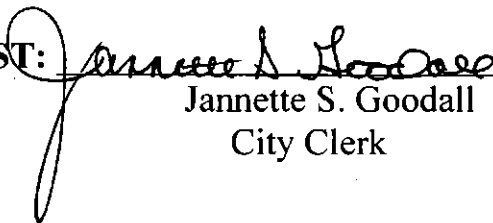
Steve Adler
Mayor

APPROVED:



Anne L. Morgan
City Attorney

ATTEST:



Jannette S. Goodall
City Clerk

CRICHTON AND ASSOCIATES
6448 HIGHWAY 290 EAST SUITE B-105
AUSTIN, TEXAS 78723
512-244-3395

FIELD NOTES

FIELD NOTES FOR A 6,407 SQ. FT. TRACT OF LAND, MORE OR LESS, OUT OF AND A PART OF LOTS 1 AND 2, BLOCK 151, OF THE ORIGINAL CITY OF AUSTIN, ACCORDING TO THE PLAT ON FILE WITH THE GENERAL LAND OFFICE FOR THE STATE OF TEXAS, AND BEING THE SAME PROPERTY CONVEYED BY NCNB TEXAS NATIONAL BANK TO THE TEXAS ASSOCIATION OF COUNTIES WORKERS' COMPENSATION SELF INSURANCE FUND IN THAT DEED OF RECORD IN VOLUME 11307, PAGE 693, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS SAID 6,407 SQUARE FEET BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a chiseled "X" found at the intersection of the East R.O.W. line of Nueces Street and the South line of a 20 foot alley way at the Northwest corner of said Lot 1, same being the Northwest corner of this tract, for the **POINT OF BEGINNING**

THENCE S73°30'31"E with the South line of said 20.00 foot alley way and the North line of said Lot 1 and Lot 2 a distance of 127.78 feet to a cotton gin spindle found on the North line of said Lot 2, at the Northwest corner of a 567 square foot tract described as Tract 2 by deed conveyed to Texas Retailers association in Volume 7872, Page 518 of the Deed Records of Travis County, Texas, for the Northeast corner of this tract.

THENCE S16°24'07"W with the West line of said 567 square foot Tract 2 and the East line of this tract a distance of 50.33 feet to a cotton gin spindle found on the North line of Lot 4 of W.A. Harper Resubdivision of part of the South half of Block 151, Original City of Austin, a subdivision recorded in Volume 3, Page 8 of the Plat Records of Travis County, Texas, at the Southwest corner of said 567 square foot Tract 2, for the Southeast corner of this tract.

THENCE N73°18'17"W with the North line of said W.A. Harper Subdivision a distance of 127.96 feet to a hex bolt found on the East R.O.W. line of Nueces Street, at the Northwest corner of Lot 6 of said W.A. Harper Subdivision, for the Southwest corner of this tract.

THENCE N16°36'02"E with the East R.O.W. line of Nueces Street and the West line of this tract a distance of 49.87 feet to the **POINT OF BEGINNING** and containing 6,407 square feet more or less.

BEARING BASIS IS TEXAS STATE PLANE COORDINATES (NAD83), TEXAS CENTRAL ZONE (4203)

I hereby certify that the foregoing field notes were prepared from a survey on the ground, under my supervision and are true and correct to the best of my knowledge and belief.

Witness my hand and seal October 9, 2015

Herman Crichton, R.P.L.S. 4046
JOB NO. 15_198_tract1

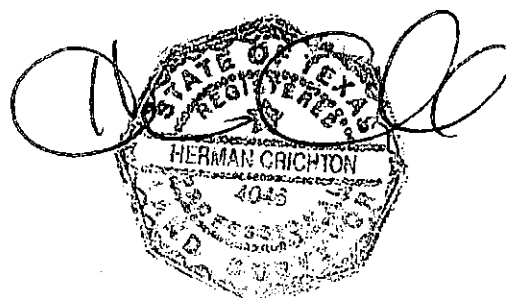


Exhibit A

TRACT 1: 6,407 SQUARE FEET OF LAND, MORE OR LESS, OUT OF AND A PART OF LOTS 1 AND 2, BLOCK 151, OF THE ORIGINAL CITY OF AUSTIN, ACCORDING TO THE PLAT ON FILE WITH THE GENERAL LAND OFFICE FOR THE STATE OF TEXAS, AND BEING THE SAME PROPERTY CONVEYED BY NCNB TEXAS NATIONAL BANK TO THE TEXAS ASSOCIATION OF COUNTIES WORKERS' COMPENSATION SELF INSURANCE FUND IN THAT DEED OF RECORD IN VOLUME 11307, PAGE 693, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

TRACT 2: 567 SQ. FT. TRACT OF LAND, MORE OR LESS, BEING OUT OF AND A PART OF LOT 2, BLOCK 151, ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, A SUBDIVISION OF RECORD IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS; BEING THE SAME TRACT OF LAND DESCRIBED AS TRACT 2 BY DEED CONVEYED TO TEXAS RETAILERS ASSOCIATION IN VOLUME 7872, PAGE 518 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS

TRACT 3, 11,043 SQUARE FEET OF LAND, MORE OR LESS, OUT OF AND A PART OF LOTS 3 AND 4, BLOCK 151, OF THE ORIGINAL CITY OF AUSTIN, IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF THE ORIGINAL CITY FILED IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, AND BEING THE SAME PROPERTY CONVEYED BY RICHARD, HARDIN, TRUSTEE, TO JAY JOHNSON, DOYNE BAILEY, MARGARET BARRETT, BOBBY BLAKE, JANET BROWN, RAY CORNETT, JAMES CRADDOCK, ELSA DEMERSON, CONNIE NICHOLSON, HOMER ROBBERSON AND MITCH SHAMBERGER, TRUSTEES OF THE TEXAS ASSOCIATION OF COUNTIES WORKERS' COMPENSATION SELF INSURANCE FUND IN THAT DEED OF RECORD, IN VOLUME 10600, PAGE 908, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

TRACT 1
STEWART TITLE GUARANTY COMPANY
GF. NO. 709200, ISSUED: DECEMBER 31, 2007
SCHEDULE "B" ITEMS:

66) SUBJECT TO: TERMS, CONDITIONS AND PROVISIONS OF THAT CERTAIN ASSIGNMENT AND ASSUMPTION OF LEASES, EXECUTED BY NOMB TEXAS NATIONAL BANK AND THE TEXAS ASSOCIATION OF COUNTIES WORKERS' COMPENSATION SELF INSURANCE FUND, RECORDED IN VOLUME 11307, PAGE 697, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS. (NOTED HEREON)

TRACT 2
PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT

TRACT 3
STEWART TITLE GUARANTY COMPANY
GF. NO. 709199, ISSUED: DECEMBER 31, 2007
SCHEDULE "B" ITEMS:

1) SUBJECT TO: RESTRICTIVE COVENANTS RECORDED IN VOLUME B521, PAGE 889, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. (NOTED HEREON)

6b) SEWER EASEMENT ACROSS THE SUBJECT PROPERTY, DESCRIBED IN VOLUME 268, PAGE 164, VOLUME 330, PAGE 510, VOLUME 848, PAGE 477, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

6c) SEWER EASEMENT RESERVED BY J. STANLEY WRIGHT AND RELLA WRIGHT, AS
RECORDED IN VOLUME 5754, PAGE 2377, OF THE DEED RECORDS OF TRAVIS
COUNTY, TEXAS.

6d) SUBJECT TO: TERMS, CONDITIONS AND PROVISIONS OF THAT CERTAIN AGREEMENT CONCERNING A SIDEWALK, RECORDED IN VOLUME 589, PAGE 119, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. (NOTED HEREON)

6e) SUBJECT TO: TERMS, CONDITIONS AND PROVISIONS OF THAT CERTAIN RIGHT OF WAY ENCROACHMENT LICENSE AGREEMENT NO. 7611-0107, RECORDED UNDER DOCUMENT NUMBER 2003182550, IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. (NOTED HEREON)

REF:
G.F. NUMBER:
DATED:

The undersigned, being a registered surveyor of the State of Texas,
certifies to

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a) and (b), 7(a), 8, 9, 10, 11(a) and (b), 13, 16 and 20 of Table A hereof. THE FIELD WORK WAS COMPLETED ON OCTOBER 1, 2015.

DATE OF PLAT OR MAP OCTOBER 9, 2015



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(IN FEET)
1 inch = 20 ft.

SITE MAP

SAN ANTONIO STREET

W.A. HARPER RESUB. OF PART OF THE SOUTH 1/2 OF
BLOCK 151 ORIGINAL CITY OF AUSTIN PG. 3 PG. 81

GENERAL NOTES:

- 1) BEARING BASIS = TEXAS STATE PLANE COORDINATES (NAD 83), TEXAS CENTRAL ZONE (4203)
- 2) THIS TRACT LIES IN ZONE X, AREAS OUTSIDE THE 500-YEAR FLOOD PLAIN, AS SHOWN ON COMMUNITY PLAN NUMBER 48453C 0465 H. OF THE FLOOD INSURANCE RATE MAP PREPARED FOR THE CITY OF AUSTIN BY THE FEDERAL INSURANCE ADMINISTRATION DEPARTMENT, H.U.D. ON SEPTEMBER 26, 2008.
- 3) TRACT 1 HAS 9 REGULAR PARKING SPACES AND 0 (ZERO) HANDICAP PARKING SPACES. FOR A TOTAL OF 9 MARKED PARKING SPACES ON THIS TRACT.
- 4) TRACT 3 HAS 46 REGULAR PARKING SPACES AND 2 HANDICAP PARKING SPACES FOR A TOTAL OF 48 MARKED PARKING SPACES ON THIS TRACT.
- 4) THE UNDERGROUND UTILITIES SHOWN HEREON ARE SCALED PER CITY OF AUSTIN RECORD UTILITY MAPS.
- 5) TRACT 1, TRACT 2 AND TRACT 3 ARE ZONED "GO" (GENERAL OFFICE) BY THE CITY OF AUSTIN. THE SITE DEVELOPMENT STANDARDS ARE AS FOLLOWS:

LOT	MASSING
MINIMUM LOT SIZE	5,750 SQ. FT.
MINIMUM LOT WIDTH	50 FT
MINIMUM BUILDING COVERAGE	60%
MINIMUM IMPERVIOUS COVER	80%
MINIMUM FLOOR AREA RATIO	1:1
	MAXIMUM HEIGHT
	MINIMUM SETBACKS
	FRONT YARD
	STREET SIDE YARD
	INTERIOR SIDE YARD
	REAR YARD

- B) THERE IS NO OBSERVED EVIDENCE OF:
- A) CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
- B) RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- C) SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

LEGEND

- [illegible]

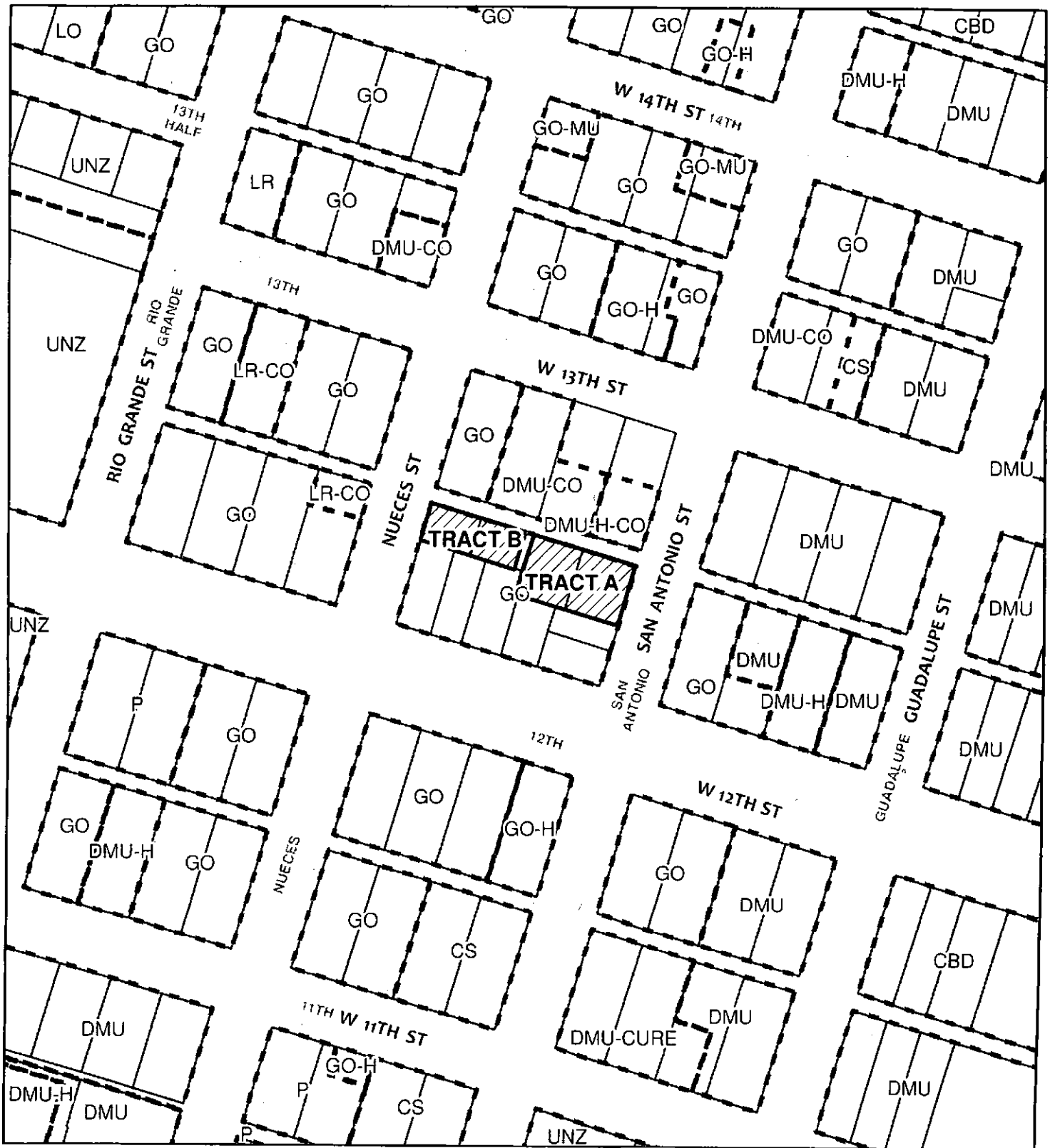
CRICHTON
AND ASSOCIATES INC
LAND SURVEYORS

TBLS Firm # TB1727-00
6448 East Highway 290
Suite B105
Austin, Texas 78723
(512) 244-3305
Orders@CrutchonandAssociates.com

1205 Nueces Street & 1204 San Antonio Street
Austin, Texas 78701

DATE: October 8, 2015	JOB NO. 15-198
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SCALE: 1" = 20'	DWG. NO. 15.198
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Zoning Boundary
Subject Property

ZONING

ZONING CASE#: C14-2015-0133 (A & B)
ZONING CHANGE: GO to DMU
LOCATION: 1204 San Antonio Street (A),
1205 Nueces Street (B)



1" = 400'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.