

**ORDINANCE NO. 20160616-061**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 701 RIO GRANDE STREET AND 602 WEST 7<sup>TH</sup> STREET FROM GENERAL OFFICE (GO) DISTRICT TO DOWNTOWN MIXED USE-CONDITIONAL OVERLAY (DMU-CO) COMBINING DISTRICT FOR TRACTS 1 AND 2.**

**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-conditional overlay (DMU-CO) combining district for Tracts 1 and 2 on the property described in Zoning Case No. C14-2016-0034, on file at the Planning and Zoning Department, as follows:

**Tract 1:**

All of that certain tract or parcel of land being Lots 1, 2 and the west 16 feet of Lot 3, Block 7 in the Original City of Austin, Travis County, Texas, according to the map or plat on file in the General Land Office of the State of Texas, the herein described tract being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

**Tract 2:**

A 0.16 of an acre tract of land out of Lot 3, Block 78, of the Original City of Austin on file in the General Land Office of the State of Texas, same being the portion of Lot 3, Block 78, as conveyed to Sam Houston Clinton and wife, Hazel L. Clinton, as recorded in Volume 6586, Page 1117 of the Deed Records of Travis County, Texas, said 0.16 of an acre of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (cumulatively referred to as the "Property"),

locally known as 701 Rio Grande Street and 602 West 7<sup>th</sup> Street in the City of Austin, Travis County, Texas, generally identified in the map attached as Exhibit "C".

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

B. The following uses are not permitted uses for the Property:

Cocktail lounge  
Pawn shop services  
Outdoor entertainment

Bail bond services  
Liquor sales

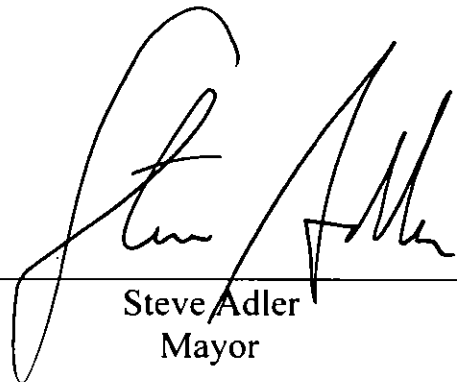
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the downtown mixed use (DMU) district and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on June 27, 2016.

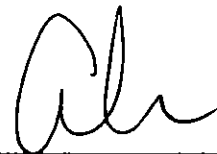
**PASSED AND APPROVED**

\_\_\_\_\_, June 16, 2016

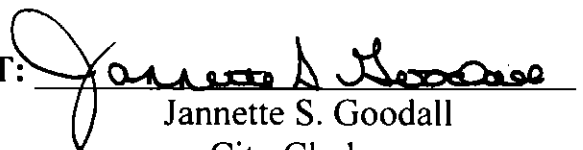
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§  
§

  
\_\_\_\_\_  
Steve Adler  
Mayor

**APPROVED:**

  
\_\_\_\_\_  
Anne L. Morgan  
City Attorney

**ATTEST:**

  
\_\_\_\_\_  
Jannette S. Goodall  
City Clerk

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND BEING LOTS 1, 2 AND THE WEST 16 FEET OF LOT 3, BLOCK 7 IN THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron pipe found at the Southwest corner of the said Lot 1, Block 78, being at the intersection of the North r.o.w. line of West 7<sup>th</sup> Street, an 80 foot public right-of-way and the East r.o.w. line of Rio Grande Street, an 80 foot public right-of-way, for the southwest corner and PLACE OF BEGINNING hereof;

THENCE along the West line of the said Lot 1, Block 78, being the East r.o.w. line of Rio Grande Street, W 15°13' E for a distance of 128.00 feet to an "x" set on a concrete curb, being at the Northwest corner of the said Lot 1, Block 78, being in the South line of a 20 foot public alley, for the Northwest corner hereof;

THENCE along the North line of the said Lots 1, 2 and 3, Block 78, being the South line of the said alley, S 70°37' E for a distance of 154.00 feet to an iron pin set in the North line of the said Lot 3, Block 78, for the Northeast corner hereof;

THENCE along the East line of the herein described tract, S 19°13' W for a distance of 128.00 feet to a bilti nail set on a concrete wall in the South line of the said Lot 3, Block 78, being in the North r.o.w. line of West 7<sup>th</sup> Street, for the Southeast corner hereof;

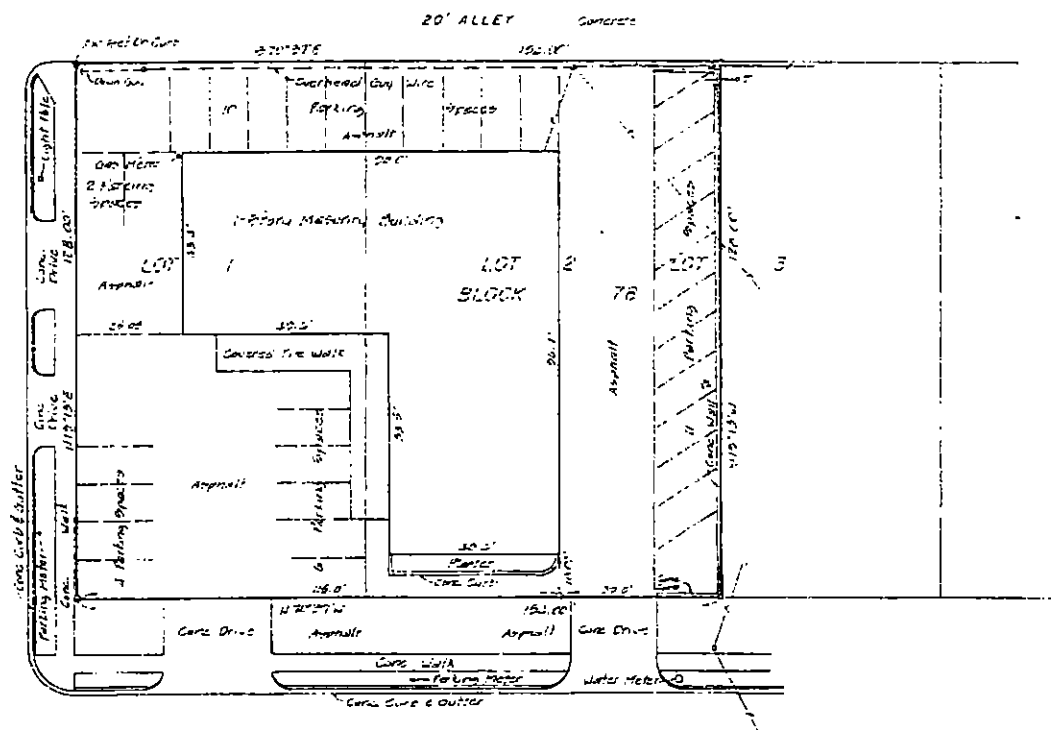
THENCE along the South lines of the said Lots 1, 2 and 3, Block 78, being the North line of West 7<sup>th</sup> Street, W 70°37' W for a distance of 154.00 feet to the PLACE OF BEGINNING hereof.

SURVEY PLAT OF LOTS 1, 2, AND THE WEST 16 FEET OF LOT 3,  
BLOCK 78 OF THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY,  
TEXAS, ACCORDING TO THE MAP OR PLAT ON FILE IN THE  
GENERAL LAND OFFICE OF THE STATE OF TEXAS.

SCALE 1" = 20'

# 701 RIO GRANDE

RIO GRANDE STREET (NOTED) Asphalt Paved



## LEGEND

- Iron Pipe Found
- Iron Pin Set
- Utility Pole
- Overhead Power Line
- - - Overhead Telephone Line
- With Nail Set On Concrete

To: Alfred Stanley and Kathleen Guido,  
Jody M. Backus and  
Lawyers Title Insurance Corporation

The undersigned does hereby certify that this survey was this day made on the ground of the property legally described herein and is correct and that there are no visible discrepancies, deed line conflicts, encroachments, overlapping of improvements, visible utility encroachments or roadways, except as shown herein and that said property has frontage on a public roadway, except as shown herein.

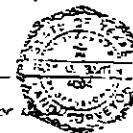
To the Lien Holders and/or the owners of the premises surveyed:

The property described herein is not within the boundaries of the 100 Year Flood Plain as identified by the National Flood Insurance Program Flood Insurance Rate Map for Travis County, Texas, and Incorporated Areas, dated June 16, 1993. Panel No. 48453C 01532

SURVEYED BY  
ROY D. SMITH SURVEYORS, P.C.

*Roy D. Smith*  
ROY D. SMITH

Registered Professional Surveyor  
1218 West 5th Street  
Austin, Texas 78703  
Ph (512) 478-2522  
September 7, 1995  
Survey Updated: December 11, 1995



BEING A 0.16 OF AN ACRE TRACT OF LAND OUT OF LOT 3, BLOCK 78, OF THE ORIGINAL CITY OF AUSTIN ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAME BEING THE PORTION OF LOT 3, BLOCK 78, AS CONVEYED TO SAM HOUSTON CLINTON AND WIFE, HAZEL L. CLINTON, AS RECORDED IN VOLUME 6586, PAGE 1117 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.16 OF AN ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING at a 1/2" rebar found, said point being in the North r-o-w line of West 7th Street, same being the southerly common corner of Lots 3 and 4 of the aforementioned Block 78, same being the southeast corner of the aforementioned Clinton tract and the southeast corner hereof;

THENCE, N 70° 49' 11" W, along the aforementioned North r-o-w line, same being the South line of the aforementioned Lot 3, for a distance of 52.45 feet, to a punch hole found, said point being the southeast corner of a tract of land as conveyed to Alfred T. Stanley and Kathleen A. Guido (hereinafter the "Guido tract") in Volume 12848, Page 1458 of the Real Property Records of Travis County, Texas, same being the southwest corner of the aforementioned Clinton tract, and the southwest corner hereof;

THENCE, N 19° 13' 00" E (Bearing Basis for this survey), through the interior of the aforementioned Lot 3, same being the common line between the aforementioned Guido and Clinton tracts, for a distance of 128.06 feet, to a 1/2" rebar found, said point being in the South line of a called 20' alleyway, same being in the North line of the said Lot 3, same being the northerly common corner of the said Guido and Clinton tracts, for the northwest corner hereof;

THENCE, S 70° 43' 10" E, along the South line of the aforementioned alleyway, same being the North line of the aforementioned Lot 3, for a distance of 52.87 feet, to a spindle found, said point being the northerly common corner of the aforementioned Lots 3 and 4, for the northeast corner hereof;

THENCE, S 19° 24' 03" W, along the common line between the aforementioned Lots 3 and 4, same being the East line of the aforementioned Clinton tract, for a distance of 127.97 feet, to the PLACE OF BEGINNING hereof, containing 0.16 of an acre of land.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ACCOMPANYING SURVEY PLAT ONLY.



MICHAEL LANCASTER R.P.L.S. NO. 5529  
DEWEY H. BURRIS & ASSOC., INC.  
1404 W. NORTH LOOP BLVD.  
AUSTIN, TEXAS 78756  
(512) 458 - 6969  
R0710806

8/2/06  
DATE





