

**ORDINANCE NO. 20171005-043**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1212 RIO GRANDE STREET FROM UNZONED (UNZ) DISTRICT TO DOWNTOWN MIXED USE-CONDITIONAL OVERLAY (DMU-CO) COMBINING DISTRICT FOR TRACT 1 AND UNZONED-HISTORIC LANDMARK (UNZ-H) COMBINING DISTRICT TO DOWNTOWN MIXED USE-HISTORIC LANDMARK-CONDITIONAL OVERLAY(DMU-H-CO) COMBINING DISTRICT FOR TRACT 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 unzoned (UNZ) district to downtown mixed use-conditional overlay (DMU-CO) combining district for Tract 1 and unzoned-historic landmark (UNZ-H) combining district to downtown mixed use-historic landmark-conditional overlay (DMU-H-CO) combining district for Tract 2 on the property described in Zoning Case No. C14-2017-0076, on file at the Planning and Zoning Department, as follows:

**Tract 1:**

Being 1.451 acres of land, more or less, being a portion of Lots 1 through 4, Block 153, all of West 13<sup>th</sup> Street vacated by ordinance recorded in Volume K, Page 430 of the ordinance records of the City of Austin and in Volume 602, Page 105 of the Deed Records of Travis County, Texas, and a portion of the Academy Tract in the Original City of Austin in Travis County, Texas, according to a map or plat on file in the General Land Office of the State of Texas, same being a portion of the 3.247 acre tract conveyed to Austin Community College as Tract 1 by special warranty deed, executed on March 29, 2004, and filed for record on March 31, 2004, recorded in Document 2004059329 of the Official Public Records of Travis County, Texas, said 1.451 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance, and;

**Tract 2:**

Being 1.796 acres of land, more or less, out of and a part of the Academy Tract in the Original City of Austin in Travis County, Texas, according to a map or plat on file in the General Land Office of the State of Texas, same being a portion of the 3.247 acre tract conveyed to Austin Community College as Tract 1 by special warranty deed, executed on March 29, 2004, and filed for record on March 31, 2004, recorded in Document 2004059329 of the Official Public Records of Travis County, Texas, said 1.796 acres 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 1212 Rio Grande 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. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
- B. The maximum height of a building or structure on the Property shall be limited to 60 feet.
- C. The following uses are prohibited uses for Tract 1:

Automotive repair services	Automotive sales
Automotive washing (of any type)	Bail bond services
Cocktail lounge	Exterminating services
Liquor sales	Outdoor entertainment
Residential treatment	Service station
Pawn shop services	

- D. The following uses are prohibited uses for Tract 2:

Automotive repair services	Automotive sales
Automotive washing (of any type)	Bail bond services
Cocktail lounge	Exterminating services
Liquor sales	Outdoor entertainment
Residential treatment	Service station

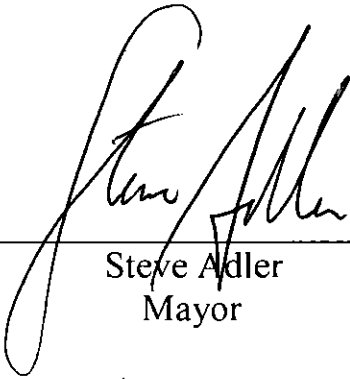
**PART 3.** Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the downtown mixed use (DMU) district and other applicable requirements of the City Code.

**PART 4.** This ordinance takes effect on October 16, 2017.

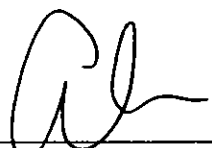
**PASSED AND APPROVED**

October 5, 2017

§  
§  
§

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

**APPROVED:**

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

**ATTEST:**

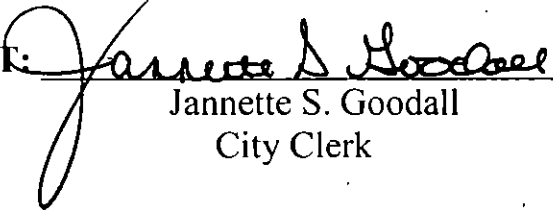
  
\_\_\_\_\_  
Jannette S. Goodall  
City Clerk

Exhibit " "

## Field Notes for 1.451 Acres

BEING 1.451 ACRES OF LAND, MORE OR LESS, BEING A PORTION OF LOTS 1 THROUGH 4, BLOCK 153, ALL OF WEST 13<sup>TH</sup> STREET VACATED BY ORDINANCE RECORDED IN VOLUME K, PAGE 430 OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN AND IN VOLUME 602, PAGE 105 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS AND A PORTION OF THE ACADEMY TRACT IN THE ORIGINAL CITY OF AUSTIN IN TRAVIS COUNTY, TEXAS, ACCORDING TO A MAP OR PLAT ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAME BEING A PORTION OF THE 3.247 ACRE TRACT CONVEYED TO AUSTIN COMMUNITY COLLEGE AS TRACT 1 BY SPECIAL WARRANTY DEED, EXECUTED ON MARCH 29, 2004 AND FILED FOR RECORD ON MARCH 31, 2004, RECORDED IN DOCUMENT 2004059329 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 1.451 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

BEGINNING at a PK nail found at the intersection of the southwesterly right-of-way line of West 13<sup>th</sup> 1/2 Street (60' R.O.W.) and the southeasterly right-of-way line of West Avenue (80' R.O.W.) at the most northerly corner of the remainder of said Lot 1, Block 153, Original City of Austin, same being the most northerly corner of said Austin Community College tract, for the Point of Beginning and the most northerly corner of the herein described tract of land;

1) THENCE, South 73°05'51" East, a distance of 275.89 feet, with the southwesterly right-of-way line of West 13<sup>th</sup> 1/2 Street, the northeasterly line of the remainder of said Lots 1 through 4, Block 153, Original City of Austin, same being the northeasterly line of said Austin Community College tract, to a calculated point at the intersection of the southwesterly right-of-way line of West 13<sup>th</sup> 1/2 Street and the northwesterly right-of-way line of Rio Grande Street (80' R.O.W.) at the most easterly corner of the remainder of said Lot 4, Block 153, Original City of Austin, same being the most easterly corner of said Austin Community College tract, for the most easterly corner of the herein described tract of land;

2) THENCE, South 16°35'22" West, a distance of 228.25 feet, with the northwesterly right-of-way line of Rio Grande Street, the southeasterly line of said Lot 4, Block 153, Original City of Austin, the southeasterly line of said vacated portion of West 13<sup>th</sup> Street and the southeasterly line of said Academy tract, to a calculated point for the most southerly corner of the herein described tract of land, from which an "X" cut in concrete found at the intersection of the northwesterly right-of-way line of Rio Grande Street and the northeasterly right-of-way line of West 12<sup>th</sup> Street (R.O.W. varies) at the most southerly corner of said Academy tract, same being the most southerly corner of said Austin Community College tract bears South 16°35'22" West, a distance of 283.98 feet;

3) THENCE, North 73°26'20" West, a distance of 78.72 feet, leaving the northwesterly right-of-way line of Rio Grande Street and the southeasterly line of said Academy tract, same being the southeasterly line of said Austin Community College tract and crossing said Academy tract, same being said Austin Community College tract, to a calculated point for a corner;

4) THENCE, South 16°33'40" West, a distance of 1.34 feet, to a calculated point for a corner;

## EXHIBIT A


5) THENCE, North 73°26'20" West, a distance of 12.97 feet, to a calculated point for a corner;

6) THENCE, North 16°33'40" East, a distance of 1.34 feet, to a calculated point for a corner;

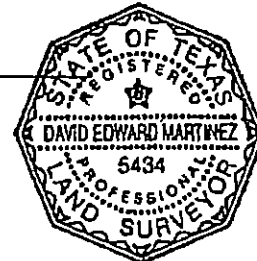
7) THENCE, North 73°26'20" West, a distance of 184.19 feet, to a calculated point in the southeasterly right-of-way line of West Avenue and in the northwesterly line of said Academy tract, same being the northwesterly line of said Austin Community College tract, for the most westerly corner of the herein described tract of land, from which an iron rod with SAM cap found at the intersection of the southeasterly right-of-way line of West Avenue and the northeasterly right-of-way line of West 12<sup>th</sup> Street at the most westerly corner of said Academy tract, same being the most westerly corner of said Austin Community College tract, bears South 16°35'22" West, a distance of 283.16 feet;

8) THENCE, North 16°35'22" East, a distance of 229.89 feet, with the southeasterly right-of-way line of West Avenue and the northwesterly line of said Academy tract, the northwesterly line of said vacated portion of West 13<sup>th</sup> Street and the northwesterly line of said Lot 1, Block 153, Original City of Austin, same being the northwesterly line of said Austin Community College tract, to the Point of Beginning and containing an area of 1.451 acres of land, more or less.

I hereby declare that this survey was made on the ground, under my supervision, and that it substantially complies with the current Texas Society of Professional Surveyors standards.

  
David Edward Martinez  
Registered Professional Land Surveyor 5434

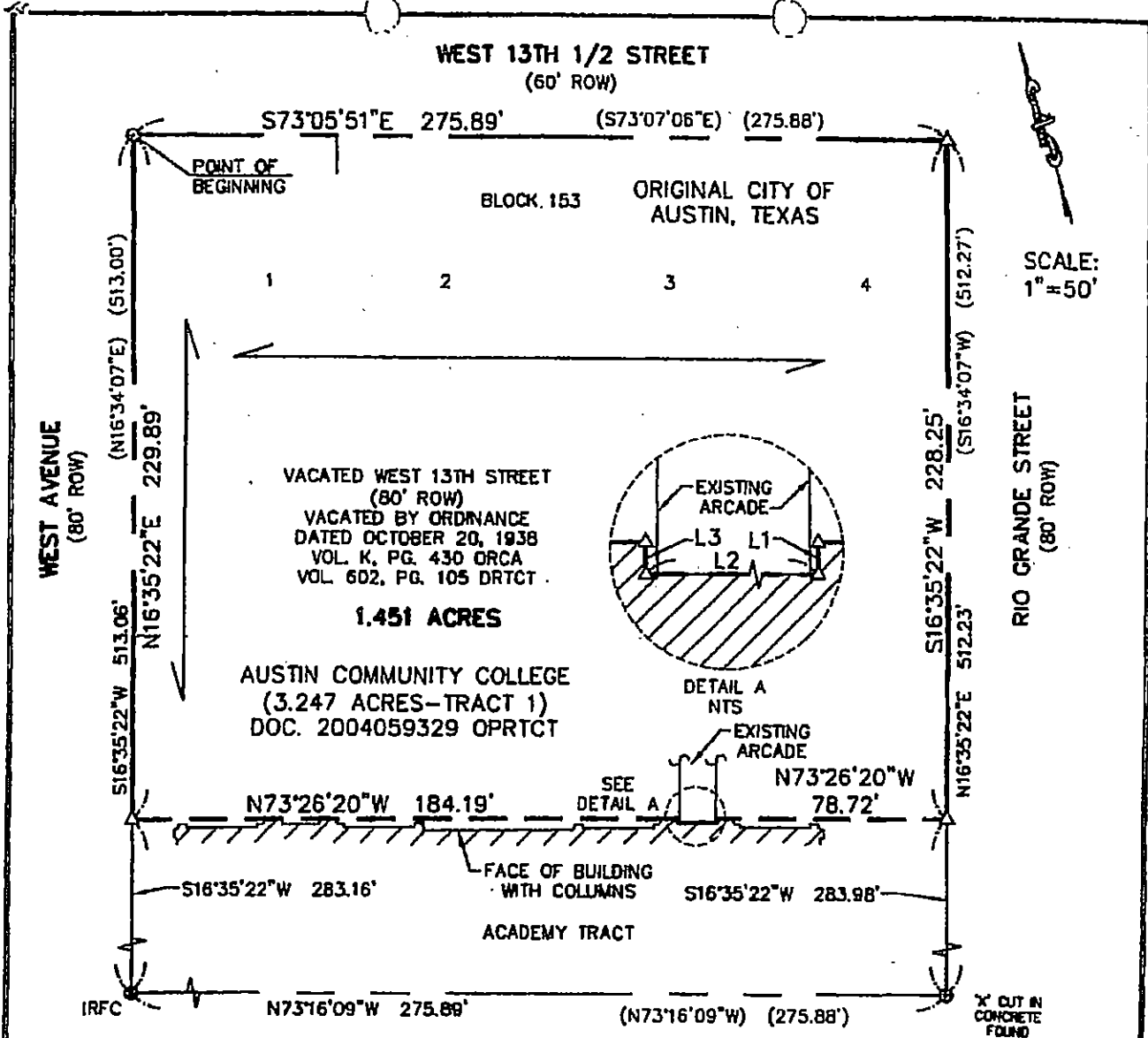
05/22/12  
Date



305 East Huntland Drive  
Suite 200  
Austin, Texas 78752  
(512) 453-0767

Bearing Basis: South line (North 73°16'09" West, 275.88') of 3.247 acres (Tract 1) conveyed to Austin Community College in Document 2004059329 of the Official Public Records of Travis County, Texas.

TCAD No.: 0210001001  
CITY GRID No.: J23

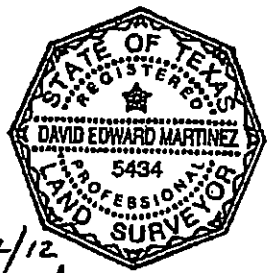


SCALE:  
1"=50'

**LEGEND:**

- ⊙ PK NAIL FOUND (UNLESS OTHERWISE SPECIFIED)
- ⊙ IRFC IRON ROD WITH SAM CAP FOUND
- Δ CALCULATED POINT
- ( ) INDICATES RECORD DATA
- DRTCT DEED RECORDS OF TRAVIS COUNTY, TEXAS
- OPRTCT OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- ORCA ORDINANCE RECORDS OF THE CITY OF AUSTIN, TEXAS

**WEST 12TH STREET**  
(ROW VARIES)



05/22/12

*David E. Martinez*

**BEARING BASIS:**  
SOUTH LINE (N73°16'09"W, 275.88') OF 3.247 ACRES  
(TRACT 1) CONVEYED IN DOC. 2004059329 OF THE  
OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

LINE TABLE		
LINE	BEARING	LENGTH
L1	S16°33'40"W	1.34'
L2	N73°26'20"W	12.97'
L3	N16°33'40"E	1.34'



305 East Hensland Drive  
Suite 200  
Austin, Texas 78752  
P: 512.453.0787  
F: 512.453.1734

**SKETCH TO ACCOMPANY  
FIELD NOTES**

TRAVIS COUNTY, TEXAS

DATE: 22 MAY 12  
JOB NO: 225101  
SHEET: 1 OF 1

**3**  
1 OF 3

Field Notes for 1.796 Acres

BEING 1.796 ACRES OF LAND, MORE OR LESS, OUT OF AND A PART OF THE ACADEMY TRACT IN THE ORIGINAL CITY OF AUSTIN IN TRAVIS COUNTY, TEXAS, ACCORDING TO A MAP OR PLAT ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAME BEING A PORTION OF THE 3.247 ACRE TRACT CONVEYED TO AUSTIN COMMUNITY COLLEGE AS TRACT 1 BY SPECIAL WARRANTY DEED, EXECUTED ON MARCH 29, 2004 AND FILED FOR RECORD ON MARCH 31, 2004, RECORDED IN DOCUMENT 2004059329 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 1.796 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

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1) THENCE, North 16°35'22" East, a distance of 283.16 feet, with the southeasterly right-of-way line of West Avenue and the northwesterly line of said Academy tract, same being the northwesterly line of said Austin Community College tract, to a calculated point for the most northerly corner of the herein described tract of land, from which a PK nail found at the intersection of the southwesterly right-of-way line of West 13<sup>th</sup> 1/2 Street (60' R.O.W.) and the southeasterly right-of-way line of West Avenue at the most northerly corner of the remainder of Lot 1, Block 153 of said Original City of Austin, same being the most northerly corner of said Austin Community College tract, bears North 16°35'22" East, a distance of 229.89 feet;

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3) THENCE, South 16°33'40" West, a distance of 1.34 feet, to a calculated point for a corner;

4) THENCE, South 73°26'20" East, a distance of 12.97 feet, to a calculated point for a corner;

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line of Rio Grande Street and the southwesterly right-of-way line of West 13<sup>th</sup> 1/2 Street, at the most easterly corner of the remainder of Lot 4, Block 153 of said Original City of Austin, same being the most easterly corner of said Austin Community College tract, and North 73°05'51" West, a distance of 275.89 feet;

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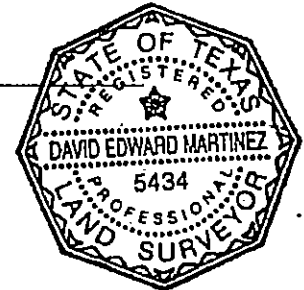
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David Edward Martinez  
Registered Professional Land Surveyor 5434

05/22/12  
Date



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Bearing Basis: South line (North 73°16'09" West, 275.88') of 3.247 acres (Tract 1) conveyed to Austin Community College in Document 2004059329 of the Official Public Records of Travis County, Texas.

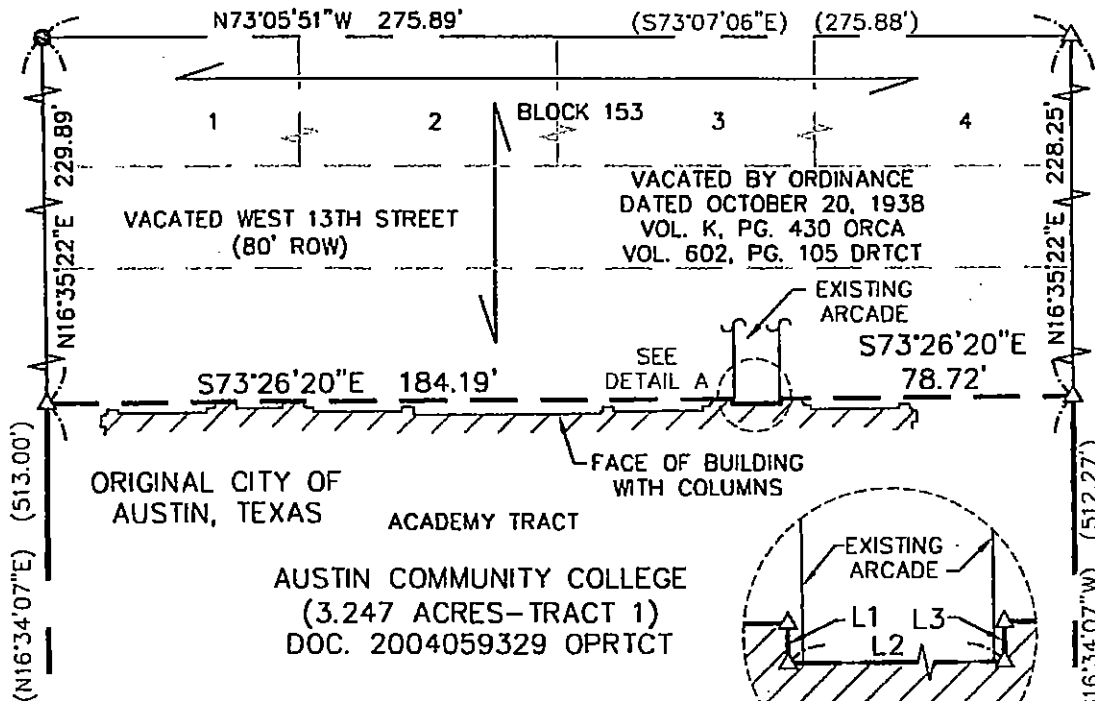
TCAD No.: 0210001001  
CITY GRID No.: J23



ACCLIM

WEST 13TH 1/2 STREET  
(60' ROW)

SCALE:  
1"=50'



WEST AVENUE  
(80' ROW)

LINE TABLE		
LINE	BEARING	LENGTH
L1	S16°33'40"W	1.34'
L2	S73°26'20"E	12.97'
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1.796 ACRES

LEGEND:

- ⊙ PK NAIL FOUND (UNLESS OTHERWISE SPECIFIED)
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- ( ) INDICATES RECORD DATA
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- ORCA ORDINANCE RECORDS OF THE CITY OF AUSTIN, TEXAS



*David E. Martinez*  
05/22/12

POINT OF  
BEGINNING

IRFC

'X' CUT IN  
CONCRETE  
FOUND

BEARING BASIS:  
SOUTH LINE (N73°16'09"W, 275.88') OF 3.247 ACRES  
(TRACT 1) CONVEYED IN DOC. 2004059329 OF THE  
OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

WEST 12TH STREET  
(ROW VARIES)

**mwm**  
Design Group

305 East Huntland Drive  
Suite 200  
Austin, Texas 78752  
p: 512.453.0767  
f: 512.453.1734

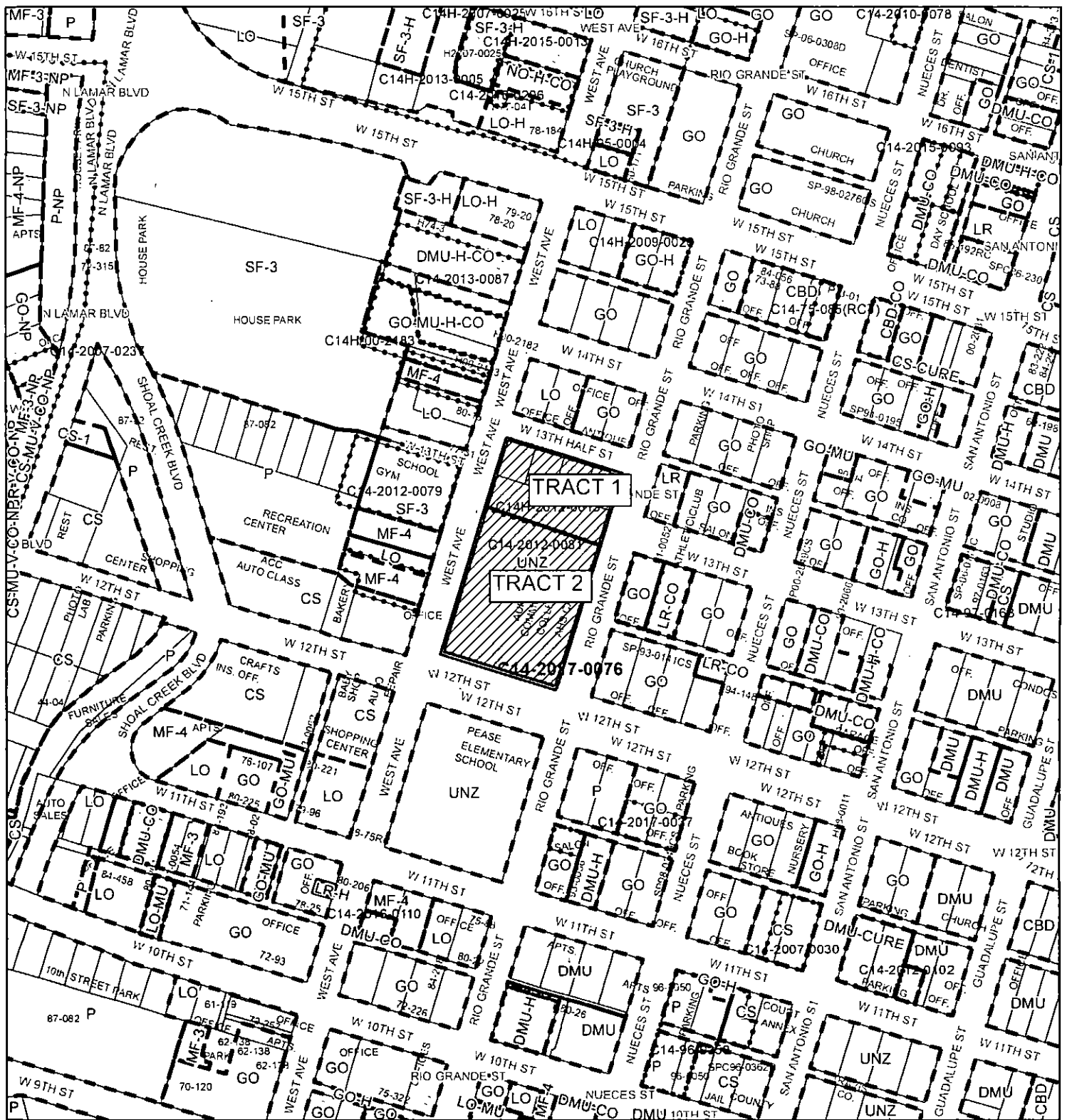
SKETCH TO ACCOMPANY  
FIELD NOTES

20 TRAVIS COUNTY, TEXAS

DATE: 22 MAY 12  
JOB NO: 22511H  
FILE: 1700 AC

3

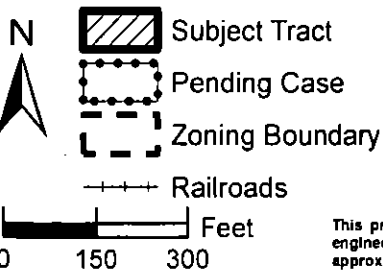
3 OF 3



## ZONING

Case#: C14-2017-0076

EXHIBIT C



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 7/6/2017