ORDINANCE NO. <u>20181004-048</u>

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1700 WEST AVENUE FROM FAMILY RESIDENCE (SF-3) DISTRICT TO LIMITED OFFICE-MIXED USE-CONDITIONAL OVERLAY (LO-MU-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 family residence (SF-3) district to limited office-mixed use-conditional overlay (LO-MU-CO) combining district on the property described in Zoning Case No. C14-2018-0072, on file at the Planning and Zoning Department, as follows:

A 0.24 acre tract of land, being a portion of Outlot 17, Division E, of the City of Austin, Travis County, Texas, the tract of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 1700 West Avenue 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. Development of the Property shall comply with the following regulations:
 - 1. The maximum building coverage shall be limited to 35%.
 - 2. The maximum impervious cover shall be limited to 60%.
- B. The following uses are not permitted uses of the Property:

Art workshop

Art gallery

Bed and breakfast (Group 1)

Bed and breakfast (Group 2)

Club or lodge

College and University facilities

Communication service

Community events

Communications services

facilities

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Community garden

Community recreation (private)

Community recreation (public)

Congregate living Counseling services Group residential

Medical offices – not exceeding 5,000 sq. ft. gross floor area

Multifamily residential

Personal services

Private secondary educational

facilities

Public secondary educational

facilities

Safety services

Software development

Urban farm

Convalescent services

Cultural services

Medical offices - exceeding 5,000 sq.

ft. gross floor area

Hospital services (limited)

Off-site accessory parking

Private primary educational facilities

Public primary educational facilities

Residential treatment

Short-term rental Special use historic

PART 3. Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the limited office (LO) base district, the mixed use (MU) combining district and other applicable requirements of the City Code.

PART 4. This ordinance takes effect on October 15, 2018.

PASSED AND APPROVED

October 4

2018

§ §

Steve Adler

Mayor

APPROVED:

Anne L. Morgan City Attorney ATTEST:

Jannette S. Goodall

City Clerk

Description of a 0.24 acre tract of land, being a portion of Outlot 17, Division E, of the City of Austin, Travis County, Texas, being all of that called 0.24 acre tract of land conveyed to Clayton L. Morgan by Special Warranty Deed, as recorded in Document No. 2015041780 of the Official Public Records of Travis County, Texas (O.P.R.T.C.Tx.), said 0.24 acre tract of land being shown on the accompanying survey, and more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found at the intersection of the North right-of-way line of West 17th Street and the West right-of-way line of West Avenue, for the Southeast corner of said Shelley tract and the Southeast corner hereof;

THENCE with said North right-of-way line of West 17th Street, the South line of said Shelley tract, and the South line hereof North 70°38′03″ West (Record North 70°38′03″ West) a distance of 119.79 feet (Record 119.71 feet) to an "X" found cut in a rock wall for the Southeast corner of that tract of land conveyed to Rose Stastny Neas by Special Warranty Deed recorded in in Document No. 2008125853 O.P.R.T.C.Tx., the Southwest corner of said Shelley tract, and the Southwest corner hereof;

THENCE with the East line of said Neas tract, the West line of said Shelley tract, and the West line hereof, North 19°04'31" East (Record North 19°00'40" East) a distance of 86.81 feet (Record 86.75 feet) to an "X" found cut in a rock wall on the south line of 1704 West Avenue Condominiums, a condominium regime tract recorded in Document No. 2002109198 O.P.R.T.C.Tx. for the Northeast corner of said Neas tract, the Northwest corner of said Shelley tract, and the Northwest corner hereof;

THENCE with the south line of said 1704 West Avenue Condominiums, the North line of said Shelley tract, and the North line hereof South 70°45′13″ East (Record South 70°45′11″ East) a distance of 120.06 feet (Record 120.00 feet) to a ½″ iron rod set with plastic cap marked "Exacta" found on said West right-of-way line of West Avenue, for the Southeast corner of said 1704 West Avenue Condominiums, the Northeast corner of said Shelley tract, and the Northeast corner hereof;

THENCE with said West right-of-way line of West Avenue, the East line of said Shelley tract, and the East line hereof South 19°15′02″ West (Record South 19°12′02″ West) a distance of 87.06 feet (Record 87.00 feet) to the **POINT OF BEGINNING** hereof; and containing 0.24 acres (10,425.27 sq. ft.) of land, more or less.



REPARED BY: CACTA TEXAS SURVEYORS, INC 2132 F 9th St. Suite 310 Cleveland OH 44115 LB# 10193933 | exacts365.com | p. 865 735 1916 | f. 865 744 2882 SURVEY NUMBER: 1803 1405 PROPERTY ADDRESS: 41700 WEST AVENUE, AUSTIN, TEXAS 78701 (REV.2 S/24/2018) (REV.1 4/5/2018) **EXHIBIT C** REV: TOPO AUD TREES ADDED 4/3/ 8 (DUM) 18031605 BOUNDARY SURVEY 1704 WEST AVENUE CONDEMNIUMS
DOC NO 2002/03/198 TRAVIS COUNTY OFRICT. 70°45'| 3° E | 20.06' (M) TREE TABLE T1 - 291 OAK 12 - 30 PECAN 13 - 21.31 ELM 14 - 17.51 EUM CLAYTON L. MORGÁN (CALLED 0.24 ACRES) CARLED 0.24 ACAGO DOC, NO. 2015041780 O.F.R.T.C.TX HOUSE UNDER RENOVATION & PARTIALLY DEMONSHIED $\alpha^{\prime\prime}_{\Lambda}$ 691,9 50_{1,0} + BR IPER DEED 1/6 589.8J THE HOTES.

LI SUBSCITTO APPLICAD DI RESTRICTIVE TERMS, DONDITIONS.

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FOR COMPRISED FOR COMPRISE 6456 I HERSEN CERTIFY THAT, THIS PLAT REPRESENTS THE RESULTS OF A SURVIY MADE ON THE GROWN ON THE STITLDAY OF APPL. SOLEVIY SHOWN OF A PRIL. THE STITLS AND PROVISS OF WAY SHOWN ON THE PLAT AND SET FORST WITHIN THE TITLE COMM TAPPIT SOURD BY ALMANT HATIOHAL THUE RESURBANCE COMPANY, OF HIS. 2019 SOOTS I. SPECTIVE MAY 10, 2013, ARE SHOWN OF NOTED RESEON THERE ARE HOW VISING FRICKOOCH MENTS ON CATELAPTING OF HUMBONDERING SOCIETY AS SHOWN HEREON, THE PROPERTY HAS ACCESS TO A DEDICATED RIGHT-OF-WAY PER PLAT. GRAPHIC SCALE (In Feet) 1 inch = 30' ft.Use of This Survey for Purposes other than Intended, Without Written Verification, will be at the User's Sole Risk and Without Liability to the Surveyor Nuthing hereun shall be Construed to Give ANY Rights or Benefit to Anyone Other than those Certified. FLOOD INFORMATION: POINTS OF INTEREST BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN THE CITY OF AUSTIN, COMMUNITY NUMBER 480624, DATED 01/06/16 NONE VISIBLE CLIENT NUMBER: DATE: 04/05/18 BUYER: 1700 WEST AVENUE, LLC www.surveystars.com MACTA TEXAS SURVEYORS, INC CERTIFIED TO: 1700 WEST AVENUE, LLC; HERITAGE TITLE COMPANY 2132 E9th St, Cleveland OH 44115 LB# 10193993 | P: 866 735.1916 | F: 773.305.4011 Please Remit Payment To: 2132 E9th St | Suite 310, Cleveland, OH 44145

This is page 1 of 2 and is not valid without all pages. LEGAL DESCRIPTION: SEE EXHIBIT A

JOB SPECIFIC SURVEYOR NOTES:

THE BEARING REFERENCE OF NORTH 70 DEGREES 38 MINUTES 03 SECONDS WEST IS BASED ON THE NORTHERLY RIGHT-OF-WAY LINE OF WEST 17TH STREET, AS METIONED WITHIN THAT SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2015041780 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

GENERAL SURVEYOR NOTES:

Firm Branch #10193993 is physically located at 2132 E 9th St. Suite 310, Cleveland, OH 44115

- The Legal description used to perform this survey was supplied by others. This survey does not determine or imply ownership.
 Due to varying construction standards, house dimensions are approximate.

- 4. This survey is exclusively for the use of the parties to whom it is certified. It is not transferable to additional institutions or subsequent owners.
- 5 This procerty subject to any and all recorded and unrecorded easements. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants or ownership title evidence.
- 6 If there is a septicitant, well or drain field on this survey, the location of such items was shown to us by others and are not verified.
 7 Any additions or deletions of this 2 page survey occument are strictly prohibited. Use of this survey beyond the purpose of the transfer of title without written authorization of the signing surveyor is prohibited.
- 8. Any FEMA flood zone data contained on this survey is for informational purposes only. Research to obtain such data was performed at www.fome.gov
- Dimensions are in feet and decimals thereof.
- 10. All pins marked as set are: 5/8" or 1/2" diameter, 18" fron repar, with "EXACTA" cap
- 11. This survey only shows improvements found above ground. Underground footings, utilities and encroachments are not located on this survey map.
- 12. The information contained on this survey has been performed exclusively, and is the sore responsibility, of Exacta Surveyors. Additional lugos or references to third party firms are for informational purposes only.
- 13: Points of Interest (POI's) are selected above- ground improvements which may be in pontact with poundary, building setbacks or easement lines, as defined by the parameters of this survey. There may be additional POI's which are not shown, not called out as POI's, or which are otherwise unknown to the surveyor. These POI's may not represent all terms of interest to the viewer.

N.T.S. NOTTO SCALE

- 14. Utilities shown on the subject property may or may not indicate the existence of recorded or unrecorded utility easements.

 15. House measurements should not be used for new construction or planning. Measurements should be verified prior to such activity.

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ELECTRONIC SIGNATURE:

In order to "Electronically Sign" all of the PDFs sent by STARS, you must use a hash calculator. A

free online hash calculator is available at http://www.iilaformar.inlo/cos/md/acm.ntm To Electronically Sign any survey PDF: 1. Save the PDF anto your computer. 2. Use the coline tool at http://www.fi.efe/mat.ir.fe/too/md5e/en.hon.to.browse-for the saved PDF on your computer. 3. Select the Hash Method as SHA. 4. Click Submit.

Your PDF is electronically signed if all of the characters in the SHA-1 code submitted by STARS. matches the code which is produced by the hash calculator. If they match exactly, your PDF is electronically signed. If the codes coincit match exactly, your PDF is not authentic.

PRINTING INSTRUCTIONS:

 While viewing the survey in Adobe Reader, select the "Print" button under the "File" tab

- 2. Select a printer with legal sized paper
- 3 Under "Print Range", click select the "All" toggle.

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- 4. Under the "Page Handling" section, select the number of copies that you would like to print
- Under the "Page Scaling" selection drop down menu, select "None."
- 6. Uncheck the "Auto Rotate and Center" checkbox
- 7. Check the "Choose Paper size by PDF" checkbox
- 8. Click OK, to print

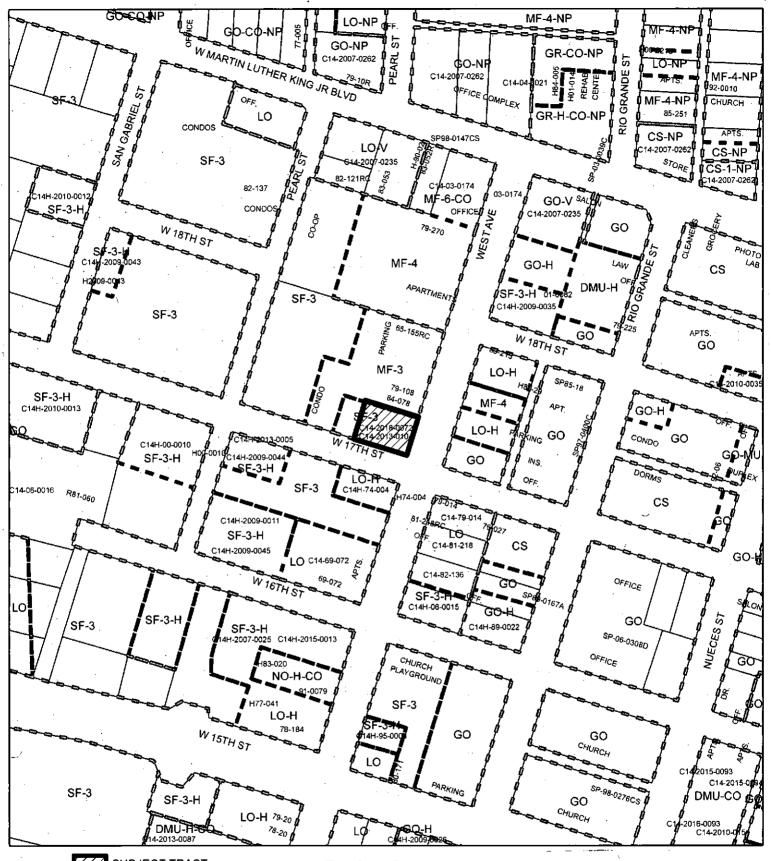
TO PRINT IN BLACK + WHITE:

- 1. In the main print screen, choose "Properties".
- 2. Choose "Quality" from the option:
- 3. Change from "Auto Color" or "Full-Color" to "Gray Scale"

OFFER VALID ONLY FOR: 1700 WEST AVENUE, LLC



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SUBJECT TRACT
PENDING CASE
ZONING BOUNDARY

Zoning Case

C14-2018-0072

Exhibit B

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 CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

