ORDINANCE NO. ____________

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY GENERALLY KNOWN AS THE HERBLIN-SHOE HOUSE LOCATED AT 712 WEST 16TH STREET FROM FAMILY RESIDENCE-HISTORIC LANDMARK (SF-3-H) COMBINING DISTRICT TO GENERAL OFFICE-MIXED USE-HISTORIC LANDMARK-CONDITIONAL OVERLAY (GO-MU-H-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-historic landmark (SF-3-H) combining district to general office-mixed use-historic landmark-conditional overlay (GO-MU-H-CO) combining district on the property described in Zoning Case No. C14-2018-0120, on file at the Planning and Zoning Department, as follows:

Being a tract or parcel of land containing 0.25 acre (10,902 sq. ft) and being 79 feet x 138 feet out of the southwest part of Outlot No. 21, Division “E” of the City of Austin, said 0.25 acre of land being more particularly described by metes and bounds in Exhibit “A” incorporated into this ordinance (the “Property”), generally known as the Herblin-Shoe House, locally known as 712 West 16th 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 prohibited uses on the Property:

   Art gallery          Art workshop
   Bed and breakfast (group II)  Business or trade school
   Business support services  College and university facilities
   Communications services  Condominium residential
   Congregate living       Convalescent services
   Counseling services     Cultural services
   Guidance services       Hospital services (general)
Hospital services (limited)        Medical offices – exceeding 5,000 sq. ft. gross floor area
Medical offices – not exceeding 5,000 sq. ft. gross floor area  Personal services
Printing and publishing          Private primary educational facilities
Private secondary educational facilities
Public primary educational facilities
Residential treatment
Safety services
Townhouse residential

B. The maximum height of a building or structure on the Property shall not exceed 40 feet or 3 stories.

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

PART 4. This ordinance takes effect on __________________, 2019.

PASSED AND APPROVED

§                                §

_______________________________, 2019

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__________________________________________
Steve Adler
Mayor

APPROVED: __________________________ ATTEST: ________________________

Anne L. Morgan                  Jannette S. Goodall
City Attorney                   City Clerk

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EXHIBIT A

BEING A TRACT OR PARCEL OF LAND CONTAINING 0.25 ACRE, (10902 SQ. FT.) AND BEING 79 FEET X 138 FEET OUT OF THE SOUTHWEST PART OF OUTLOT NO. 21, DIVISION "E" OF THE CITY OF AUSTIN, AND BEING THE SAME TRACT OF LAND CONVEYED TO NORTH AMERICA MOUNTAIN PROPERTIES, LTD. IN DOCUMENT NO. 2006169944, T.C.O.P.R., SAID 0.25 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD FOUND AT THE SOUTHWEST CORNER OF SAID OUTLOT NO. 21, ALSO BEING THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF WEST 16TH STREET, (60' R.O.W.), WITH THE EAST RIGHT OF WAY LINE OF WEST AVENUE, (80' R.O.W.), FOR THE SOUTHWEST CORNER AND PLACE OF BEGINNING HEREOF, SAID CORNER IS ALSO THE SOUTHWEST CORNER OF SAID SHOE TRACT;

TENENCE WITH THE EAST RIGHT OF WAY LINE OF WEST AVENUE, AND THE WEST LINE OF THE HEREIN DESCRIBED TRACT, NORTH 19°00'00" EAST, A DISTANCE OF 79.00 FEET TO A ½" IRON ROD SET, CAPPED "WINDROSE AUSTIN", FOR THE NORTHWEST CORNER HEREOF, SAID POINT IS ALSO THE SOUTHWEST CORNER OF A TRACT CONVEYED TO JAMES M. BALLARD AND VIVIAN S. BALLARD, IN DOCUMENT #2007051756, T.C.O.P.R., FROM WHICH A ½" IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID BALLARD TRACT BEARS, NORTH 19°00'00" EAST, A DISTANCE OF 132.33 FEET; FROM SAID ½" IRON ROD SET, CAPPED "WINDROSE AUSTIN" A FOUND ½" IRON ROD BEARS, SOUTH 38°06' WEST, A DISTANCE 1.1', AND FROM SAID SET ½" IRON ROD A FOUND ½" IRON ROD WITH CAP BEARS SOUTH 24°41' WEST, A DISTANCE OF 0.9';

TENENCE WITH THE SOUTH LINE OF SAID BALLARD TRACT, AND THE NORTH LINE OF THE HEREIN DESCRIBED TRACT, SOUTH 70°46'47" EAST, (RECORD: S 70°44'00" E), A DISTANCE OF 138.00 FEET TO A CALCULATED CORNER IN A BRICK WALL, FOR THE NORTHEAST CORNER HEREOF, SAID POINT IS ALSO THE NORTHWEST CORNER OF THE OLIAN TRACT DESCRIBED IN VOLUME 4975, PAGE 1611, T.C.D.R., AND THE SOUTHWEST CORNER OF A TRACT CONVEYED TO 1604 RIO GRANDE PARTNERS, IN DOCUMENT #2004082181, T.C.O.P.R., FROM WHICH A 5/8" IRON ROD FOUND BEARS, SOUTH 89°59' WEST, A DISTANCE OF 0.8 FEET;

TENENCE WITH THE WEST LINE OF THE OLIAN TRACT, AND THE EAST LINE OF THE HEREIN DESCRIBED TRACT, SOUTH 19°00'00" WEST, A DISTANCE OF 79.00 FEET TO A ¼" IRON ROD SET, CAPPED "WINDROSE AUSTIN", FOR THE SOUTHEAST CORNER HEREOF, SAID POINT IS ALSO ON THE NORTH RIGHT OF WAY LINE OF WEST 16TH STREET, THE SOUTHWEST CORNER OF SAID OLIAN TRACT, AND THE SOUTHEAST CORNER OF SAID SHOE TRACT;

TENENCE WITH THE NORTH RIGHT OF WAY LINE OF WEST 16TH STREET, AND THE SOUTH LINE OF THE HEREIN DESCRIBED TRACT, NORTH 70°46'47" WEST, (RECORD: N 70°44'00" W), A DISTANCE OF 138.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.25 ACRE (10902 SQ. FT.) OF LAND.

Notice of Trustee's Sale
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