

ORDINANCE NO. 20190328-063

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
Bed and breakfast (group II)
Business support services
Communications services
Congregate living
Counseling services
Guidance services

Art workshop
Business or trade school
College and university facilities
Condominium residential
Convalescent services
Cultural services
Hospital services (general)

Hospital services (limited)

Medical offices – exceeding 5,000

Medical offices – not exceeding
5,000 sq. ft. gross floor area
Printing and publishing
Private secondary educational
facilities
Public primary educational facilities

Residential treatment
Safety services
Townhouse residential

sq. ft. gross floor area
Personal services

Private primary educational facilities

Public secondary educational
facilities
Restaurant (limited)
Software development

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

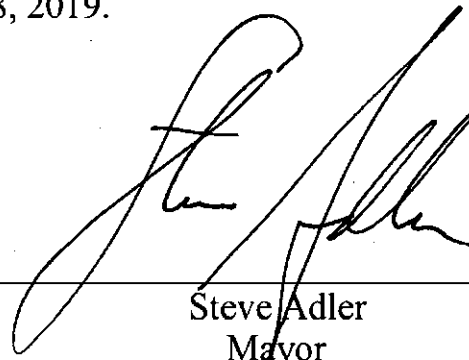
PART 3. Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general office (GO) base district, mixed use (MU) combining district and other applicable requirements of the City Code.

PART 4. This ordinance takes effect on April 8, 2019.

PASSED AND APPROVED

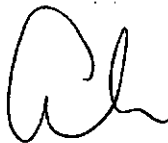
March 28, 2019

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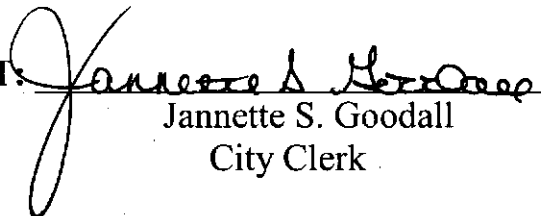
Steve Adler
Mayor

APPROVED:



Anne L. Morgan
City Attorney

ATTEST:



Jannette S. Goodall
City Clerk

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:

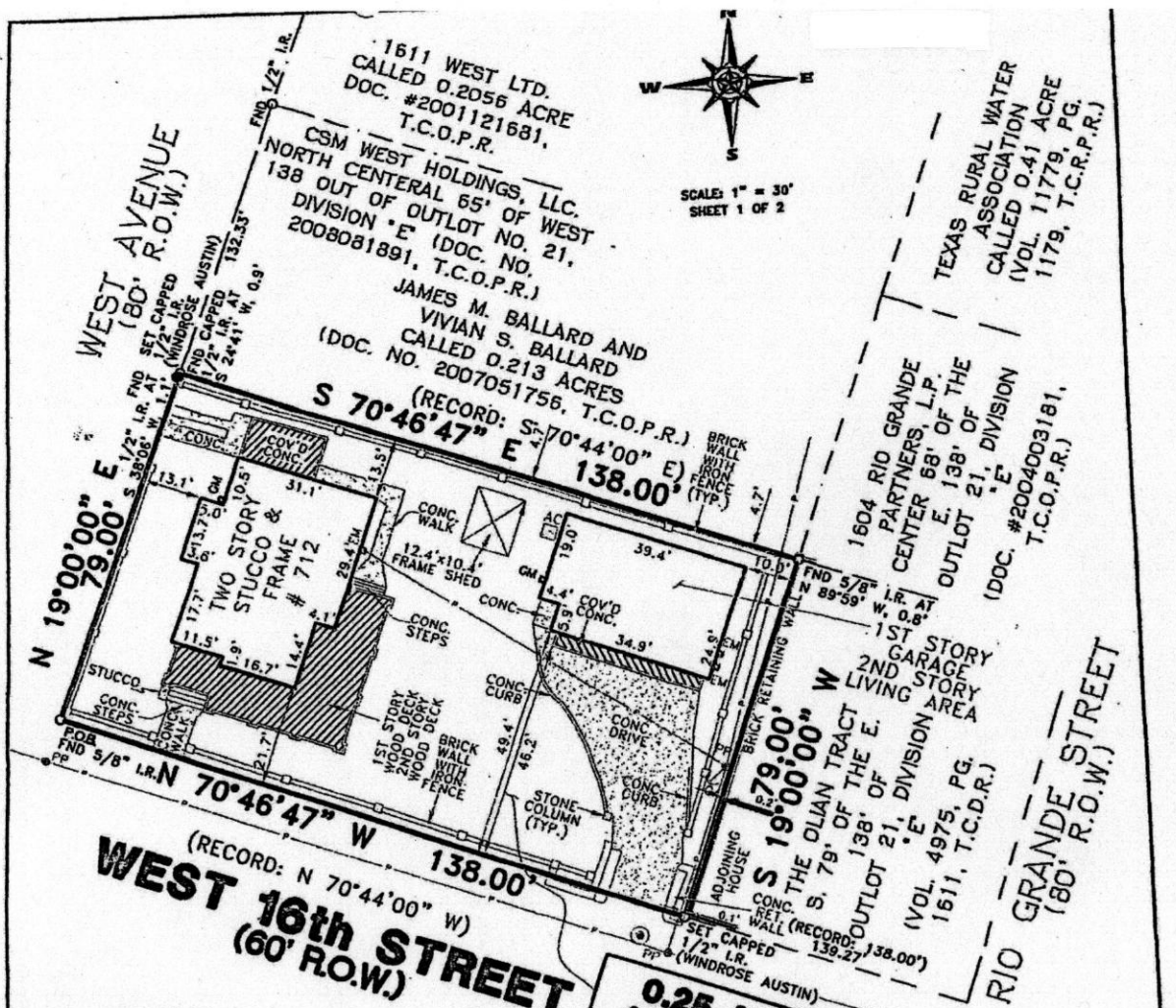
BEGINNING AT A 5/8" IRON ROD FOUND AT THE SOUTHWEST CORNER OF SAID OUTLOT NO. 21, ALSO BEING THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF WEST 16TH STREET, (60' R.O.W.), WITH THE EAST RIGHT OF WAY LINE OF WEST AVENUE, (80' R.O.W.), FOR THE SOUTHWEST CORNER AND PLACE OF BEGINNING HEREOF, SAID CORNER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

THENCE 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 1/2" 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 1/2" 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 1/2" IRON ROD SET, CAPPED "WINDROSE AUSTIN" A FOUND 1/2" IRON ROD BEARS, SOUTH 38°06' WEST, A DISTANCE 1.1'; AND FROM SAID SET 1/2" IRON ROD A FOUND 1/2" IRON ROD WITH CAP, BEARS SOUTH 24°41' WEST, A DISTANCE OF 0.9';

THENCE 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 #2004003181, T.C.O.P.R., FROM WHICH A 5/8" IRON ROD FOUND BEARS, SOUTH 89°59' WEST, A DISTANCE OF 0.8 FEET;

THENCE 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 1/2" 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;

THENCE 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 (10,902 SQ. FT.) OF LAND.



LEGEND

- EM - ELECTRIC METER
- GM - GAS METER
- MANHOLE
- OVERHEAD POWER LINE
- PP - POWER POLE
- WM - WATER METER
- P.O.B. - PLACE OF BEGINNING

NOTES:

1) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT AND WOULD BE SUBJECT TO ANY AND ALL COVENANTS, CONDITIONS OR RESTRICTIONS THAT A CURRENT TITLE COMMITMENT MAY DISCLOSE.

ALL BEARINGS ARE BASED ON VOL. 11669, PG. 1415, T.C.R.P.R.
ALL EASEMENTS AND BUILDING LINES ARE BASED ON RECORDED PLAT UNLESS OTHERWISE NOTED. SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY.
FLOOD ZONE DETERMINED BY GRAPHIC PLOTTING ONLY. WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.
THIS SURVEY HAS BEEN COMPILED IN ACCORDANCE WITH INFORMATION CONTAINED IN THE TITLE COMMITMENT REFERENCED IN CF NO. -

LOT S. 79' OF THE W. 138' (0.25 ACRES-10,902 SQ. FT.)	BLOCK -	SECTION -	SUBDIVISION OUTLOT 21, DIVISION "E"	THIS TRACT IS LOCATED WITHIN FLOOD ZONE "X" (UNSHADED) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 480624 0465 H, REVISED SEPTEMBER 26, 2008.
RECORDATION DOC. NO. 2006169944, T.C.O.P.R.	COUNTY TRAVIS	STATE TEXAS	SURVEY -	
LENDER CO. -			TITLE CO. HERITAGE TITLE COMPANY OF AUSTIN, INC.	
PURCHASER NORTH AMERICA MOUNTAIN PROPERTIES, LTD. ADDRESS 712 WEST 16th STREET, AUSTIN, TEXAS 78701				JOB NO. 18522



Windrose Land Services Austin

FIELD WORK	11/11/08	MDL
DRAFTED BY	11/12/08	JP
CHECKED BY	11/12/08	RW
MAPSCO NO.	585 J	

REVISION		



I do hereby certify that this survey was this day made on the ground and that this plat correctly represents the property legally described herein (or on attached sheet). That the facts found at the time of this survey show the improvements and that there are no encroachments opponent on the ground, except as shown.

B

11/12/08

Windrose Land Services Austin

4120 Commercial Center Dr.
Suite 300

Austin, Texas 78744

TEL (512) 326-2100 FAX (512) 326-2770

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$$1'' = 200'$$