

**ORDINANCE NO.** \_\_\_\_\_

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 827 WEST 12<sup>TH</sup> STREET FROM GENERAL COMMERCIAL SERVICES (CS) DISTRICT TO DOWNTOWN MIXED USE-CONDITIONAL OVERLAY (DMU-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 general commercial services (CS) district to downtown mixed use-conditional overlay (DMU-CO) combining district on the property described in Zoning Case No. C14-2019-0050, on file at the Planning and Zoning Department, as follows:

Being 0.555 of an acre of land, more or less, out of and a part of Outlot No. 5, in Division "E", in Travis County, Texas, said 0.555 acre of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 827 W. 12<sup>th</sup> 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:

The maximum height of a building or structure on the Property shall not exceed 60 feet.

**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) base district and other applicable requirements of the City Code.

**PART 4.** This ordinance takes effect on \_\_\_\_\_, 2019.

**PASSED AND APPROVED**

	§	
	§	
_____, 2019	§	_____
		Steve Adler
		Mayor

<b>APPROVED:</b> _____	<b>ATTEST:</b> _____
Anne L. Morgan	Jannette S. Goodall
City Attorney	City Clerk

EXHIBIT "A"

Being 0.555 of an acre of land more or less, out of and a part of, OUTLOT NO. FIVE (5) IN DIVISION "E", in Travis County, Texas. Said tract being more particularly described in field note Exhibit "A".

Being 0.555 acre out of Outlot 5, Division "E", in the City of Austin, Travis County, Texas, according to the map or plat of record in the General Land Office of the State of Texas, as shown on accompanying survey plat and being more particularly described as follows (Bearings for this survey obtained from Document No. 2004028529, Official Public Records, Travis County, Texas):

BEGINNING at an "x" cut in concrete found in the south line of West 12<sup>th</sup> Street (80' R.O.W.), at the most northerly northwest corner of a tract described in a deed to C. M. Dachis, recorded in Volume 5919, Page 2085, Deed Records, Travis County, Texas, for the northeast corner of this tract, from said point, a hilly nail found bears, S 70°26'00" E, 61.12'; and an "x" cut in concrete found bears, N 70°26'00" W, said course constitutes directional control for this survey, 201.25'.

THENCE, with the west line of said Dachis tract and the east line of this tract, S 19°15'04" W, 184.73', to a 1/2" iron pin set with plastic cap stamped "ARPENTEUR RPLS 4772", at an interior all corner in said Dachis tract, for the southeast corner of this tract.

THENCE, with the north line of said Dachis tract and the south line of this tract, N 70°11'21" W, 130.96', to a 1/2" iron pin found at the most westerly northwest corner of said Dachis tract, at the southeast corner of a tract described as 0.66 acre in a deed to Gilbert Cuadra, et ux, recorded in Volume 6372, Page 519, Deed Records, Travis County, Texas, currently owned by Cuadra Financial Group, Inc., for the southwest corner of this tract.

THENCE, with the east line of said Cuadra tract and the west line of this tract, N 19°15'04" E, passing at 84.70', a 5/8" iron pin found at the northeast corner of said Cuadra tract and the southeast corner of a tract described in a deed to Elmiger Family, Ltd., recorded in Volume 12837, Page 2306, Real Property Records, Travis County, Texas, in all, 184.17', to a 1/2" iron pin set with plastic cap stamped "ARPENTEUR RPLS 4772", in the south line of West 12<sup>th</sup> Street, at the northeast corner of said Elmiger tract, for the northwest corner of this tract.

THENCE, with the south line of West 12<sup>th</sup> Street and the north line of this tract, S 70°26'00" E, 130.95', to the PLACE OF BEGINNING and containing 0.555 acre of land, more or less.

Prepared from a survey made on the ground March 7, 2006, by:  
Arpentours Professional Surveying  
8906 Wall Street, Suite 302  
Austin, Texas 78754  
(512) 832-1232  
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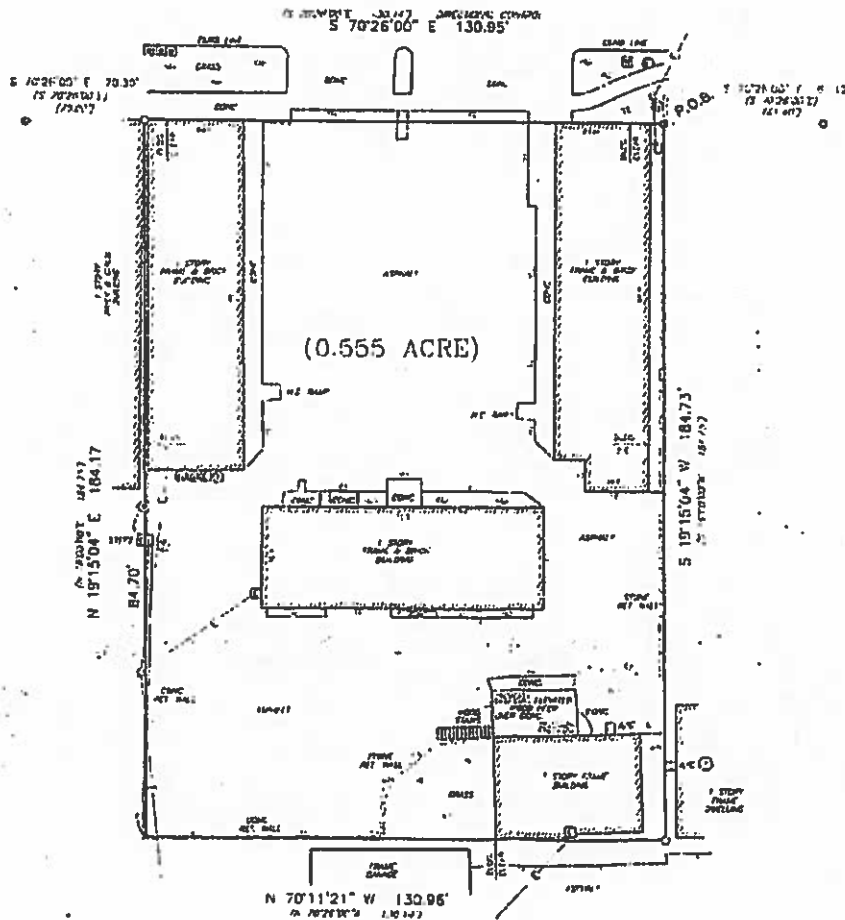


Robert M. Barcomb  
R.P.L.S. No 4772

# SURVEY PLAT

LEGAL DESCRIPTION BEARS ACRE OUT OF BUILDING 3, DIVISION 1, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS  
 ACCORDING TO THE MAP OR PLAT OF RECORD IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS  
 ALSO LOCALLY KNOWN AS 802 & 802 WEST 12TH STREET, AUSTIN, TEXAS  
 AND BEING ADDITIONALLY DESCRIBED IN ACCOMPANYING FIELD NOTES

WEST 12th STREET  
 (80' R.O.W.)



SCALE 1" = 20'  
 BEARING BASIS  
 DOCUMENT NO. 3004078329  
 O.M.R.I.C.T.

- LEGEND
- 1/2" IRON PIN FOUND
  - 3/8" IRON PIN FOUND
  - HILLY NAIL FOUND
  - 1/2" IRON PIN SET STAMPED "ARPEITEUR NPL S 4772"
  - ✕ "X" CUT IN CONCRETE FOUND
  - ⊕ POWER POLE
  - ⊕ TELEPHONE BOX
  - ⊕ GAS METER
  - ⊕ ELECTRICAL HAND-HOLE
  - ⊕ SANITARY SEWER HAND-HOLE
  - ⊕ WATER METER
  - ⊕ ELECTRIC METER
  - RECORD INFORMATION
  - AIRIAL UTILITY LINE

SYMBOLS SET OUT IN THE "LEGEND"  
 ARE NOT TO SCALE AND ARE SHOWN  
 IN THE APPROXIMATE LOCATION TO  
 INDICATE THEIR PRESENCE

FENCE LINES SHOWN REPRESENT THE  
 AVERAGE CENTERLINE OF THE POSTS

ZONING AND BUILDING  
 CODE ISSUES NOT ADDRESSED

SUBJECT TO ANY AND ALL  
 ENFORCEABLE ORDINANCES, REGULATIONS,  
 RESTRICTIVE CONDITIONS & COVENANTS

## SURVEYOR'S NOTES

- ① ADJUSTERS L&C RAO PHOTOGRAPH OVER PROPERTY LINE D.1

MARCH 7, 2006

EXCLUSIVITY TO DAN A. WILSTROCK & CHRISTA WILSTROCK AND TIM LEEH HOLDINGS AND TO LARNER TITLE INSURANCE CORPORATION  
 PER FAX NO. 2421004508 EFFECTIVE DATE AND 16, 2005

THE UNDERSIGNED HEREBY STATES THAT THIS PLAT REPRESENTS A SURVEY MADE BY  
 THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREIN THAT THERE ARE NO  
 APPARENT SIGNIFICANT DISCREPANCIES, OR OVERLAPPING OF IMPROVEMENTS, EXCEPT  
 AS SHOWN HEREON, AND THAT SAID PROPERTY ADJACENT A NEARLY 80' R.O.W. THIS  
 PLAT SUBSTANTIALLY SHOWS THE LOCATIONS OF EASEMENTS, RESTRICTIONS, AND  
 MAPPING SET BACKS OF RECORD LISTED IN TITLE COMMITMENT SCHEDULE B, BUT  
 NO PARTIALS EFFECTIVE AND 16, 2005, ISSUE DATE AND CL. THIS SURVEYOR  
 HAS REVIEWED SAID COMMITMENT FOR THE NATURE AND LOCATION OF IMPROVEMENTS

VOID ONLY FOR ORIGINAL BUILDING PRINT WITH NEW THE SURVEYOR'S SEAL



ROBERT M. BARCOMB, R.P.L.S. NO. 4772

ARPEITEURS  
 PROFESSIONAL SURVEYING

8008 N. 11th STREET, SUITE 302  
 AUSTIN, TEXAS 78754  
 (512) 832-1232

USE © 41 POST PLUMBER

CAD BY AA



$$1'' = 400'$$