

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1700 GUADALUPE STREET, 406 WEST 17th STREET AND 405 WEST 18th STREET FROM DOWNTOWN MIXED USE (DMU) DISTRICT TO PUBLIC (P) 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 downtown mixed use (DMU) district to public (P) district on the property described in Zoning Case No. C14-2019-0127, on file at the Planning and Zoning Department, as follows:

Tract 1: A 8,587 square feet out of a called (8,630 square feet) described in a Deed to Travis County, a political subdivision of the State of Texas, recorded in Document No. 2019050167, Official Public Records of Travis County, Texas, said 8,587 square feet being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance, and

Tract 2: A 3,425 square feet out of a called (3,443 square feet) described in a Deed to Travis County, a political subdivision of the State of Texas, recorded in Document No. 2019050167, Official Public Records of Travis County, Texas, said 3,425 square feet being more particularly described by metes and bounds in **Exhibit "B"** incorporated into this ordinance, and

Tract 5: A 5,914 square feet out of a called (0.13 acre) tract, described in a Deed to Travis County, a political subdivision of the State of Texas, recorded in Document No. 2019050167, Official Public Records of Travis County, Texas, said 5,914 square feet being more particularly described by metes and bounds in **Exhibit "C"** incorporated into this ordinance, and

Tract 6: A 17,865 square feet located in Travis County, Texas, being Lot A of the Mitzi Davis Subdivision as recorded in Volume 46, Page 56, Plat records of Travis County, Texas, said 17,865 square feet being more particularly described by metes and bounds in **Exhibit "D"** incorporated into this ordinance, and

1 **Vacated Alley Tract:** A 2,789 square feet located in Travis County, Texas, being a
2 portion of Ordinance No. 20190411-010, an ordinance vacating approximately 4,857
3 square feet of alley to Travis County, Texas, and approximately 689 square feet of
4 alley to R. Stephen McNally, being that 20-foot wide alley, located between West 17th
5 Street and West 18th Street, traversing from San Antonio Street to Guadalupe Street as
6 recorded in Document No. 2019075173, and being more particularly described by
7 metes and bounds in **Exhibit “E”** incorporated into this ordinance (collectively
8 referred to as the “Property”),
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10 locally known as 1700 Guadalupe Street, 406 West 17th Street and 405 West 18th Street in
11 the City of Austin, Travis County, Texas, generally identified in the map attached as
12 **Exhibit “F”**.
13

14 **PART 2.** This ordinance takes effect on _____, 2019.
15

16 **PASSED AND APPROVED**

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18 §
19 §
20 _____, 2019 § _____
21 Steve Adler
22 Mayor
23

24
25 **APPROVED:** _____ **ATTEST:** _____
26 Anne L. Morgan Jannette S. Goodall
27 City Attorney City Clerk
28

EXHIBIT "A"

Travis County Court
Zoning Description Tract 1

Page 1 of 2
September 24, 2019

**ZONING DESCRIPTION
TRACT 1**

DESCRIPTION OF TRACT 1, A 8,587 SQUARE FEET OUT OF A CALLED (8,630 SQUARE FEET), DESCRIBED IN A DEED TO TRAVIS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF TEXAS, RECORDED IN DOCUMENT NO. 2019050167, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.TX.), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a mag nail found on the west right-of way line of Guadalupe Street, a 80 foot right-of-way, per the Government Outlot Map of the City of Austin, on file at the General Land Office of the State of Texas, for the southeast corner of said Tract 1, and the northeast corner of Tract 5 a called (0.13 acre) tract, described in said deed to Travis County, for the **POINT OF BEGINNING** of the tract described herein;

- 1) **THENCE** North 73°14'54" West, with the south line of said Tract 1, and the north line of said Tract 5, a distance of 99.70 feet to a calculated point at the southwest corner of said Tract 1, and the southeast corner of Tract 2 a called (3,443 square feet), described in said deed to Travis County, for the southwest corner of the tract described herein;
- 2) **THENCE** North 16°33'16" East, with the west line of said Tract 1, and the east line of said Tract 2, a distance of 86.25 feet to a calculated point for the northwest corner of said Tract 1, and the northeast corner of said Tract 2, in the south right-of-way line of West 18th Street, a 60 foot right-of-way, per said Government Outlot Map of the City of Austin, for the northwest corner of the tract described herein from which a chiseled "X" found, in the south right-of-way line of said West 18th Street, bears North 73°06'14" West a distance of 39.71 feet at the northwest corner of said Tract 2, and the northeast corner of Tract 3 a called (0.410 acre) tract, described in said deed to Travis County;
- 3) **THENCE** South 73°06'14" East, with the south right-of-way line of said West 18th Street, and the north line of said Tract 1, a distance of 99.70 feet to calculated point at the northeast corner of said Tract 1, at the intersection of the south right-of-way line of said West 18th Street, and the west right-of-way of said Guadalupe Street, for the northeast corner of the tract described herein;

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Exhibit A

EXHIBIT "A"

Travis County Court
Zoning Description Tract 1

Page 2 of 2
September 24, 2019

- 4) **THENCE** South 16°33'13" West, with the east line of said Tract 1, and the west right-of-way line of said Guadalupe Street, a distance of 86.00 feet to the **POINT OF BEGINNING**, and containing (8,587 Square Feet) of land, more or less.

Bearing Basis:

All bearings shown are based on the Texas Coordinate System, Central Zone, NAD 83/2011. All distances shown are surface and may be converted to grid by dividing by a Surface Adjustment Factor of 1.00011. Units: U.S. Survey Feet.

THE STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That I, Neil Hines, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on the date shown below.



SURVEYING AND MAPPING, LLC
4801 Southwest Pkwy
Building Two, Suite 100
Austin, Texas 78735
TX. Firm No. 10064300

TCAD PARCEL ID: 02 1002 1712
AUSTIN GRID: J23

Neil Hines 24 September 2019
Neil Hines Date
Registered Professional Land Surveyor
No. 5642 – State of Texas

**ZONING DESCRIPTION
TRACT 2**

DESCRIPTION OF TRACT 2, A 3,425 SQUARE FEET OUT OF A CALLED (3,443 SQUARE FEET), DESCRIBED IN A DEED TO TRAVIS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF TEXAS, RECORDED IN DOCUMENT NO. 2019050167, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.TX.), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a chiseled "X" found on the south right-of-way line of West 18th Street, a 60 foot right-of-way, per the Government Outlot Map of the City of Austin, on file at the General Land Office of the State of Texas, for the northwest corner of said Tract 2, and the northeast corner of Tract 3 a called (0.410 acre) tract, described in said deed to Travis County, for the **POINT OF BEGINNING** of the tract described herein;

- 1) **THENCE** South 73°06'14" East, with the north line of said Tract 2, and the south right-of-way line of said West 18th Street, a distance of 39.71 feet to a calculated point at the northeast corner of said Tract 2, and the northwest corner of Tract 1 a called (8,630 square feet), described in said deed to Travis County, for the northeast corner of the tract described herein;
- 2) **THENCE** South 16°33'16" West, with the east line of said Tract 2, and the west line of said Tract 1, a distance of 86.25 feet to a calculated point for the southeast corner of said Tract 2, and the southwest corner of said Tract 1, in the north line of Tract 5 a called (0.13 acre) tract, described in said deed to Travis County, for the southeast corner of the tract described herein from which a mag nail found, in the west right-of-way line of Guadalupe Street, a 80 foot right-of-way, per said Government Outlot Map of the City of Austin, at the southeast corner of said Tract 1, and the northeast corner of said Tract 5 bears South 73°14'54" East a distance of 99.70 feet;
- 3) **THENCE** North 73°14'54" West, with the south line of said Tract 2, and the north line of said Tract 5, a distance of 39.66 feet to calculated point at the southwest corner of said Tract 2, at the northwest corner of said Tract 5, in the line of said Tract 3, for the southwest corner of the tract described herein;

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Exhibit B

- 4) **THENCE** North 16°31'18" East, with the west line of said Tract 2, and the east line of said Tract 3, a distance of 86.35 feet to the **POINT OF BEGINNING**, and containing (3,425 Square Feet) of land, more or less.

Bearing Basis:

All bearings shown are based on the Texas Coordinate System, Central Zone, NAD 83/2011. All distances shown are surface and may be converted to grid by dividing by a Surface Adjustment Factor of 1.00011. Units: U.S. Survey Feet.

THE STATE OF TEXAS

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COUNTY OF TRAVIS

That I, Neil Hines, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on the date shown below.



SURVEYING AND MAPPING, LLC
4801 Southwest Pkwy
Building Two, Suite 100
Austin, Texas 78735
TX. Firm No. 10064300

TCAD PARCEL ID: 02 1002 1712
AUSTIN GRID: J23

Neil Hines 24 September 2019
Neil Hines Date
Registered Professional Land Surveyor
No. 5642 – State of Texas

**ZONING DESCRIPTION
TRACT 5**

DESCRIPTION OF TRACT 5, A 5,914 SQUARE FEET OUT OF A CALLED (0.13 ACRE) TRACT, DESCRIBED IN A DEED TO TRAVIS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF TEXAS, RECORDED IN DOCUMENT NO. 2019050167, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.TX.), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a mag nail found on the west right-of way line of Guadalupe Street, a 80 foot right-of-way, per the Government Outlot Map of the City of Austin, on file at the General Land Office of the State of Texas, for the northeast corner of said Tract 5, and the southeast corner of Tract 1 a called (8,630 acre) tract, described in said deed to Travis County, for the **POINT OF BEGINNING** of the tract described herein;

- 1) **THENCE** South 16°33'13" West, with the west right-of-way line of said Guadalupe Street, and the east line of said Tract 5, a distance of 42.44 feet to a 1/2-Inch iron rod found at the southeast corner of said Tract 5, and the northeast corner of a called 20 foot wide Alley Vacated to Travis County, Texas, recorded in Document No. 2019075173, O.P.R.T.C.TX., for the southeast corner of the tract described herein;
- 2) **THENCE** North 73°14'54" West, with the south line of said Tract 5, and the north line of said 20 foot wide Alley Vacated, a distance of 139.34 feet to a calculated point for the southwest corner of said Tract 5, and the southeast corner of Tract 3 a called (0.410 acre) tract, described in said deed to Travis County, for the southwest corner of the tract described herein;
- 3) **THENCE** North 16°31'18" East, with the west line of said Tract 5, and the east line of said Tract 3, a distance of 42.44 feet to calculated point at the northwest corner of said Tract 5, and the southwest corner of Tract 2 a called (3,433 Square Feet) tract, described in said deed to Travis County, for the northwest corner of the tract described herein;

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Exhibit C

- 4) THENCE South 73°14'54" East, with the north line of said Tract 5, and the south line of said Tract 2 and said Tract 1, a distance of 139.36 feet to the POINT OF BEGINNING, and containing (5,914 Square Feet) of land, more or less.

Bearing Basis:

All bearings shown are based on the Texas Coordinate System, Central Zone, NAD 83/2011. All distances shown are surface and may be converted to grid by dividing by a Surface Adjustment Factor of 1.00011. Units: U.S. Survey Feet.

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WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on the date shown below.



SURVEYING AND MAPPING, LLC
4801 Southwest Pkwy
Building Two, Suite 100
Austin, Texas 78735
TX. Firm No. 10064300

TCAD PARCEL ID: 02 1002 1705
AUSTIN GRID: J23

Neil Hines 24 September 2019
Neil Hines Date
Registered Professional Land Surveyor
No. 5642 – State of Texas

**ZONING DESCRIPTION
TRACT 6**

DESCRIPTION OF TRACT 6, A 17,865 SQUARE FEET LOCATED IN TRAVIS COUNTY, TEXAS, BEING DESCRIBED AS LOT A OF THE MITZI DAVIS SUBDIVISION AS RECORDED IN VOLUME 46, PAGE 56, PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.TX.) AND BEING TRACT 6 IN THE DEED TO TRAVIS COUNTY A POLITICAL SUBDIVISION OF THE STATE OF TEXAS RECORDED IN DOCUMENT NO. 2019050167, OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS (O.P.R.T.C.TX.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a spindle found for the northeast corner of said Lot A, Tract 6 and the southeast corner of Ordinance No. 20190411-010 an Ordinance vacating approximately 4,857 square feet of alley to Travis County, Texas and approximately 689 square feet of alley to Stephen McNally, being that 20-foot wide alley, located between West 17th Street and West 18th Street, traversing from San Antonio Street to Guadalupe Street as recorded in Document No. 2019075173 (O.P.R.T.C.TX.), for the northeast corner of the tract herein described, also being in the west right-of-way line of Guadalupe Street a 80' wide right-of-way per the Government Outlot Map of the City of Austin, on file at the General Land Office of the State of Texas;

- 1) **THENCE** South 16°33'13" West, with the east line of said Lot A, Tract 6, and the west right-of-way line of said Guadalupe Street a distance of 128.98 feet to a 1/2-inch iron pipe found for the southeast corner of Lot A, Tract 6, and at the intersection of Guadalupe Street and West 17th Street a 60' wide right-of-way per the said Government Outlot Map of the City of Austin;
- 2) **THENCE** North 73°06'14" West, with south line of said Lot A, Tract A, and the north right-of-way line of said West 17th Street right-of-way a distance of 138.05 feet to a calculated point for the southwest corner of said Lot A, Tract 6, and the southeast corner of a 69 feet by 128 feet tract, described in deed to Stephen McNally in Document No. 1003100486, (O.P.R.T.C.TX.) and Document No. 2019075174, (O.P.R.T.C.TX.), from which a 1/2-inch iron rod with plastic cap found at the intersection of the north right-of-way line of said West 17th Street and the east right-of-way line of San Antonio Street a 60' wide right-of-way per the said the Government Outlot Map of the City of Austin, bears North 73°06'14" West a distance of 139.19 feet ;
- 3) **THENCE** North 15°58'10" East, with west line of said Lot A, Tract 6, and east line of said Stephen McNally Tract a distance of 128.64 feet to a calculated point for the northwest corner of said Lot A and Tract 6, in the south line of said Vacated 4,857 square feet Alley;

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Exhibit D

- 4) THENCE South 73°14'54" East, with the north line of said Lot A, Tract 6, and with the south line of said Vacated 4,857 square feet Alley, a distance of 139.36 feet to the POINT OF BEGINNING, and containing (17,865 square feet) of land, more or less.

Bearing Basis:

All bearings shown are based on the Texas Coordinate System, Central Zone, NAD 83/2011. All distances shown are surface and may be converted to grid by dividing by a Surface Adjustment Factor of 1.00011. Units: U.S. Survey Feet.

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COUNTY OF TRAVIS

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WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on the date shown below.



SURVEYING AND MAPPING, LLC
4801 Southwest Pkwy
Building Two, Suite 100
Austin, Texas 78735
TX. Firm No. 10064300

TCAD PARCEL ID: 02 1002 1714
AUSTIN GRID: J23

Neil Hines 24 September 2019
Neil Hines Date
Registered Professional Land Surveyor
No. 5642 – State of Texas

**ZONING DESCRIPTION
VACATED 20' WIDE ALLEY**

DESCRIPTION OF A 2,789 SQUARE FEET TRACT LOCATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF ORDINANCE NO. 20190411-010 AN ORDINANCE VACATING APPROXIMATELY 4,857 SQUARE FEET OF ALLEY TO TRAVIS COUNTY, TEXAS AND APPROXIMATELY 689 SQUARE FEET OF ALLEY TO R. STEPHEN McNALLY, BEING THAT 20-FOOT WIDE ALLEY, LOCATED BETWEEN WEST 17TH STREET AND WEST 18TH STREET, TRAVERSING FROM SAN ANTONIO STREET TO GUADALUPE STREET AS RECORDED IN DOCUMENT NO. 2019075173 AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a spindle found for the southeast corner of said Vacated 4,857 square feet Alley and the northeast corner of Lot A, of the MITZI DAVIS SUBDIVISION, as recorded in Volume 46, Page 56, of the Plat Records of Travis County, Texas (P.R.T.C.TX.) and being Tract 6 in the deed to Travis County a Political Subdivision of the State of Texas recorded in Document No. 2019050167 of the Official Public Records of Travis County, Texas (O.P.R.T.C.TX.) for the southeast corner of the tract herein described also being in the west right-of-way line of Guadalupe Street a 80' wide right-of way per the Government Outlot Map of the City of Austin, on file at the General Land Office of the State of Texas,;

- 1) **THENCE** North 73°14'54" West, with the south line of said Vacated 4,857 square feet Alley and the north line of said Tract 6 and Lot A, a distance of 139.36 feet to a calculated point for the southwest corner of said 4,857 square feet Alley Vacation, and the northwest corner of said Tract 6 and Lot A, in the east line of a 69 feet by 128 feet tract described in a deed to Stephen McNally in Document No.1003100486 and in Document No. 2019075174;
- 2) **THENCE** North 15°58'10" East, over and across said Vacated 4,857 square feet Alley and with the east line of said Stephen McNally Tract passing at a distance of 10.00 feet the northeast corner of the said Stephen McNally tract and continuing for a total distance of 20.00 feet to a calculated point for the northwest corner of the tract herein described and in the north line of the said Vacated 4,857 square feet Alley, and in the south line of Tract 3 a called (0.410 acre) in said deed to Travis County;
- 3) **THENCE** South 73°14'54" East, with north line of said Vacated 4,857 square feet Alley and the south line of said Tract 3 passing at a distance of 0.22 feet a calculated point for the southeast corner of said Tract 3 and the southwest corner of Tract 5 a called (0.13 acre) to Travis County, described in said Document No. 2019050166 O.P.R.T.C.TX. and continuing for a total distance of 139.56 feet to a 1/2-inch iron rod found for the northeast corner of said Vacated 4,857 square feet Alley and southeast corner of said Tract 5 and in the west right-of-way line of said Guadalupe Street;

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EXHIBIT E

Travis County Court
Zoning Description Vacated Alley

Page 2 of 2
September 24, 2019

- 4) THENCE South 16°33'13" West, with the east line of said 4,857 square feet Alley Vacation and said west right-of-way line of Guadalupe Street, a distance of 20.00 feet to the POINT OF BEGINNING, and containing (2,789 square feet) of land, more or less.

Bearing Basis:

All bearings shown are based on the Texas Coordinate System, Central Zone, NAD 83/2011. All distances shown are surface and may be converted to grid by dividing by a Surface Adjustment Factor of 1.00011. Units: U.S. Survey Feet.

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COUNTY OF TRAVIS

That I, Neil Hines, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on the date shown below.



SURVEYING AND MAPPING, LLC
4801 Southwest Pkwy
Building Two, Suite 100
Austin, Texas 78735
TX. Firm No. 10064300

Neil Hines 24 September 2019
Neil Hines Date
Registered Professional Land Surveyor
No. 5642 – State of Texas

TCAD PARCEL ID: NOT APPLICABLE
AUSTIN GRID: J23

