ORDINANCE NO. ____________

AN ORDINANCE GRANTING ADDITIONAL FLOOR-TO-AREA RATIO UNDER THE DOWNTOWN DENSITY BONUS PROGRAM FOR A PROJECT LOCATED AT 61 AND 69 RAINNEY STREET AND 60 EAST AVENUE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Findings.

A. 61 Rainey Street LLC, a Texas limited liability company, 69 Rainey Street LLC, a Texas limited liability company, and River Street Partners, LLC, a Texas limited liability company (collectively “Applicant”), has applied to the City Council for additional floor-to-area ratio under Section 25-2-586(B)(6) of the Downtown Density Bonus Program for the development of Site Plan No. SP-2019-0465C (the “Project”), located at 61 and 69 Rainey Street and 60 East Avenue, as further described in the legal description attached as Exhibit “A”.

B. The Applicant has offered affordable housing community benefits under Section 25-2-586(E)(1) of the Downtown Density Bonus Program in order to earn the additional floor-to-area ratio, and the City Council approves the use of the affordable housing community benefits for the additional floor-to-area ratio.

C. The Applicant has complied with all requirements of Section 25-2-586(B)(6) of the Downtown Density Bonus Program and the additional floor-to-area ratio should be granted because doing so will substantially further the goals of the Downtown Austin Plan and the Imagine Austin Comprehensive Plan.

PART 2. Under the authority of Section 25-2-586(B)(6) of the Downtown Density Bonus Program, the City Council grants an additional floor-to-area ratio of 7:1 to the Project.

PART 3. The granting of the additional floor-to-area ratio allows the Project to increase its floor-to-area ratio from 15:1 to a maximum of 22:1.

PART 4. The City Council grants this additional floor-to-area ratio on the express condition that the Project be constructed in accordance with Site Plan No. SP-2019-0465C that is on file at the office of the director of the Development Services Department.
If this site plan expires without the Project being built or if the Applicant does not build the Project in accordance with the site plan, then this ordinance expires and is of no effect.

PART 5. This ordinance takes effect on ________________, 2021.

PASSED AND APPROVED

__________________________________________  ______________________________
$ §  $ §  $ §  
______________________________, 2021  

Steve Adler
Mayor

APPROVED: ______________________  ATTEST: ______________________
Anne L. Morgan        Jannette S. Goodall
City Attorney         City Clerk
FIELDNOTES to that certain tract being comprised of land described in a General Warranty Deed Correction Affidavit to 61 Rainey Street, LLC (hereinafter referred to as 61 Rainey tract), as recorded in Document No. 2011169769, of the Official Public Records of Travis County, Texas (O.P.R.T.C.T.), a tract of land described in a General Warranty Deed with Vendor’s Lien to 69 Rainey Street, LLC (hereinafter referred to as 69 Rainey tract), as recorded in Document No. 2010134909, said O.P.R.T.C.T., and a tract of land described in a Correction Contribution Deed to Knight Family Partnership, Ltd. (hereinafter referred to as Knight tract), as recorded in Document No. 2018130131, said O.P.R.T.C.T., being further described in a Warranty Deed to Robert E. Knight, as recorded in Volume 13279, Page 3121, of the Deed Records of Travis County, Texas (D.R.T.C.T.); subject tract also being portions of Lot 1 and Lot 18, Block 1, a portion of (original) River Street (River Street being cited as having been relocated by City Council Ordinance recorded in Volume 86, Page 52, said D.R.T.C.T. (document illegible), referenced by said Document No. 2011169769 and said Document No. 20100134909), a portion of an apparent alley (20 feet wide), and a portion of a shown 10 foot reserve, all according to DRISCOLL’S AND RAINEY’S SUBDIVISION OF PART OF OUTLOTS 72 & 73, DIVISION E, AUSTIN TEXAS, a map of which is recorded in Volume 1, Page 22, of the Plat Records of Travis County, Texas (P.R.T.C.T.); the subject tract being more particularly described as follows (Bearings are based on Grid North per the Texas Coordinate System of 1983, Central Zone.):

**BEGINNING** at a 1/2 inch iron pipe found at the west corner of said 61 Rainey tract, being at the intersection of the apparent northeast right of way (ROW) of River Street (evidenced by found monumentation, said Document No. 2011169769 and said Document No. 20100134909) and the southeast right of way of Rainey Street (60 foot wide ROW, evidenced by RAINEY RIVER ADDITION, a map of which is recorded in Vol. 68, Pg. 72, said P.R.T.C.T. and said Vol. 01, Pg. 22);
THENCE NORTH 16 degrees 10 minutes 31 seconds EAST, along the northwest line of said 61 Rainey tract, at a distance of 49.85 feet pass a 1/2 inch rebar found at a common corner of said 61 Rainey tract and said 69 Rainey tract, and continue along the northwest line of said 69 Rainey tract a total distance of 85.04 feet to a point (no monumentation found or set), at the north corner of said 69 Rainey tract;

THENCE SOUTH 73 degrees 49 minutes 22 seconds EAST, along the northeast line of said 69 Rainey tract, at distance of 128.26 feet, pass a 5/8 inch rebar found at the east corner of said 69 Rainey tract on the northwest line of said alley, from which a 1/2 inch rebar found at a common corner of said 61 Rainey tract and said 69 Rainey tract, bears SOUTH 16 degrees 10 minutes 31 seconds WEST a distance of 35.25 feet, and continue through the interior of said alley a total distance of 138.26 feet to a point;

THENCE NORTH 16 degrees 10 minutes 31 seconds EAST, continuing through the interior of said alley, a distance of 5.97 feet to a point;

THENCE SOUTH 73 degrees 49 minutes 29 seconds EAST, continuing through the interior of said alley, at a distance of 10.00 feet, pass a 1/2 rebar found at the north corner of said Knight tract on the southeast line of said alley, from which a 1/2 inch capped rebar stamped “BURRIS & ASSOC” found for the north corner of a tract described in a General Warranty Deed to KMDT Property, LLC, as recorded in Document No. 2013021482, said O.P.R.T.C.T., bears NORTH 16 degrees 10 minutes 31 seconds EAST a distance of 50.00 feet, and continue along the northeast line of said Knight tract a total distance of 129.01 feet to a 1/2 inch capped rebar stamped “JPH Land Surveying” set at the east corner of said Knight tract on the northwest right of way of East Avenue (ROW varies, evidenced by said Vol. 1, Pg. 22 and Texas Department of Transportation (TxDOT) ROW map - Project No. I 35-3(12)234);
THENCE SOUTH 16 degrees 27 minutes 09 seconds WEST, along the southeast line of said Knight tract, a distance of 91.77 feet to a 1/2 inch capped rebar stamped “4WARD SURVEYING” found at the south corner of said Knight tract, at the intersection of said northwest line of East Avenue and said apparent northeast line of River Street;

THENCE NORTH 73 degrees 39 minutes 44 seconds WEST, along the southwest line of said Knight tract, at a distance of 118.56 feet pass a 1/2 inch rebar found at the west corner of said Knight tract, and continue a distance of 138.56 feet to a Magnet nail with a metal washer stamped "JPH Land Surveying" set at the South corner of said 61 Rainey tract, and continue along the southwest line of said 61 Rainey tract, a total distance of 266.82 feet to the POINT OF BEGINNING enclosing 0.541 of one acre (± 23,579 square feet) of land.