

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1127, 1129 (PORTION OF), AND 1129 ½ (PORTION OF) TILLERY STREET; AND 1118, 1202, AND 1204 HENNINGER STREET IN THE GOVALLE/JOHNSTON TERRACE COMBINED NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO LIMITED OFFICE-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LO-MU-CO-NP) 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-neighborhood plan (SF-3-NP) combining district to limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2021-0172.SH, on file at the Housing and Planning Department, as follows:

2.635 acres of land out of the George J. Neal Survey No. 1, Abstract Number 586, situated in the City of Austin, Travis County, Texas, being a portion of that certain 2.10 acre tract described in a Deed to Austin Housing Finance Corporation, recorded in Volume 13035, Page 1441, Real Property Records of Travis County, Texas; and being a portion of that certain 0.19 acre tract described in a Deed to Austin Housing Finance Corporation, recorded in Document No. 2004236337, Official Public Records of Travis County, Texas; and being all of that certain 1.622 acre tract described in a Deed to Austin Housing Finance Corporation, recorded in Document No. 2001094068, Official Public Records of Travis County, Texas; and being all of that certain 0.175 acre tract described in a Deed to Austin Housing Finance Corporation, recorded in Document No. 2001094070, Official Public Records of Travis County, Texas; and being all of that certain 52.6' x 150' tract described in a Deed to Austin Housing Finance Corporation, recorded in Document No. 2004190744, Official Public Records of Travis County, Texas; and being all of that certain 50' x 150' tract described in a Deed to Austin Housing Finance Corporation, recorded in Document No. 2004190745, Official Public Records of Travis County, Texas said 2.635 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 1127, 1129 (portion of), 1129 ½ (portion of) Tillery Street; and 1118, 1202, and 1204 Henninger 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:

Bed and breakfast (Group 1)	Bed and Breakfast (Group 2)
Club or lodge	College and university facilities
Communication service facilities	Communications services
Community events	Community recreation (public)
Congregate living	Convalescent services
Counseling services	Day care services (commercial)
Day care services (general)	Day care services (limited)
Hospital services (limited)	Medical offices - exceeding 5,000 square feet gross floor area
Medical offices-not exceeding 5,000 square feet gross floor area	Personal services
Private primary educational facilities	Private secondary educational facilities
Professional office	Public primary educational facilities
Public secondary educational facilities	Safety services
Software development	Special use-historic
Urban farm	

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

PART 4. Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 030327-11a that established zoning for the Govalle Neighborhood Plan.

PART 5. This ordinance takes effect on _____, 2022.

PASSED AND APPROVED

_____, 2022 § _____
 § _____
 § _____

Steve Adler
Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan Myrna Rios
City Attorney City Clerk

**FIELD NOTE DESCRIPTION
2.635 ACRES
GEORGE J. NEAL SURVEY NO. 1, A-586
CITY OF AUSTIN
TRAVIS COUNTY, TEXAS**

FIELD NOTE DESCRIPTION OF 2.635 ACRES OF LAND OUT OF THE GEORGE J. NEAL SURVEY NO. 1, ABSTRACT NUMBER 586, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 2.810 ACRE TRACT DESCRIBED IN A DEED TO AUSTIN HOUSING FINANCE CORPORATION RECORDED IN VOLUME 13035, PAGE 1441 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, A PORTION OF THAT CERTAIN 0.19 ACRE TRACT DESCRIBED IN A DEED TO AUSTIN HOUSING FINANCE CORPORATION RECORDED IN DOCUMENT NUMBER 2004236337 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN 1.622 ACRE TRACT DESCRIBED IN A DEED TO AUSTIN HOUSING FINANCE CORPORATION RECORDED IN DOCUMENT NUMBER 2001094068 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN 0.175 ACRE TRACT DESCRIBED IN A DEED TO AUSTIN HOUSING FINANCE CORPORATION RECORDED IN DOCUMENT NUMBER 2001094070 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, ALL OF THAT CERTAIN TRACT DESCRIBED AS 52.6' x 150' IN A DEED TO AUSTIN HOUSING FINANCE CORPORATION RECORDED IN DOCUMENT NUMBER 2004190744 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND ALL OF THAT CERTAIN TRACT DESCRIBED AS 50' x 150' IN A DEED TO AUSTIN HOUSING FINANCE CORPORATION RECORDED IN DOCUMENT NUMBER 2004190745 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. THE SAID 2.635 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

NOTE: All steel pins set cited herein are ½ inch diameter with cap marked Lenz & Assoc. Bearings and coordinates cited herein are based on the Texas Coordinate System of 1983 (NAD83), Central Zone, grid. A map of survey was prepared to accompany this description.

COMMENCING at a steel pin set on the east right-of-way line of Tillery Street at the northwest corner of the said 2.810 acre Austin Finance Corporation tract (**N 10071476.60, E 3127625.28**), the same being the southwest corner of that certain 0.34 acre tract described in a deed to John Henry Limon and wife, Diane Limon recorded in Document Number 2004076451 of the Official Public Records of Travis County, Texas, from which a ½ inch diameter steel pin found with cap marked HALFF bears N 20°47'05" E, 0.97 feet and an iron pipe found at the intersection with the south right-of-way line of Goodwin Avenue at the northwest corner of the said 0.34 acre Limon tract bears N 20°47'05" E, 100.14 feet;

THENCE, S 20°47'05" W, a distance of 167.64 feet along the east right-of-way line of Tillery Street, the same being the west line of the said 2.810 acre and 0.19 acre Austin Housing Finance Corporation tracts, to a steel pin set on the west line of the said 0.19 acre tract for the **PLACE OF BEGINNING** of the herein described tract;

THENCE, S 69°46'32" E, a distance of 653.00 feet, crossing the said 0.19 acre and then 2.810 acre Austin Housing Finance Corporation tracts, to a steel pin set on the east line of the said 2.810 acre tract, the same being the west line of Lot 14, Charles Street, a subdivision of record in Book 32, Page 28 of the Plat Records of Travis County, Texas, from which an iron pipe found at the northeast corner of the said 2.810 acre tract bears N 20°29'40" E, 166.12 feet;

THENCE, S 20°29'40" W, at 32.31 feet passing a computed point for the southeast corner of the said 2.810 acre tract, the same being northeast corner of the said 52.6' x 150' Austin Housing Finance Corporation tract, an iron pipe found being 0.29 feet west of line, then at 79.66 feet passing an iron pipe found at the southwest corner of the said Lot 14, the same being the northwest corner of Govalle Arbors 2 Condominiums, of record in Document Number 2017150036 of the Official Public Records of Travis County, Texas, then passing the southeast corner of the said 52.6' x 150' Austin Housing Finance Corporation tract, the same being the northeast corner of the said 50' x 150' Austin Housing Finance Corporation tract and continuing for a **total distance of 135.52 feet** to a computed point at the southeast corner of the said 50' x 150' tract, the same being the northeast corner of that certain tract described in a deed to 1200 Henninger LLC recorded in Document Number 2018153708 of the Official Public Records of Travis County, Texas and being on the west line of the said Govalle Arbors 2 Condominiums tract, a ½ inch diameter steel pin found with cap being 0.19' east of line;

THENCE, N 69°31'41" W, a distance of 150.59 feet to a ½ inch steel pin found with cap marked TLS on the east line of the said 0.175 acre Austin Housing Finance Corporation tract at the southwest corner of the said 50' x 150' Austin Housing Finance Corporation tract, the same being the northwest corner of the said 1200 Henninger LLC tract;

THENCE, S 20°17'35" W, a distance of 50.14 feet to a ½ inch diameter steel pin found at the southwest corner of the said 1200 Henninger LLC tract, the same being the southeast corner of the said 0.175 acre Austin Housing Finance Corporation tract;

THENCE, S 69°47'57" E, a distance of 150.42 feet along the south line of the said 1200 Henninger LLC tract, being a common line with the said 1.622 acre Austin Housing Finance Corporation tract, to a computed point on the west line of the said Govalle Arbors 2 Condominiums at the southeast corner of the said 1200 Henninger LLC tract, the same being an exterior corner of the said 1.622 acre tract, a ½ inch diameter steel pin found being 0.39 feet east of line;

THENCE, S 20°29'40" W, a distance of 16.32 feet, passing the southwest corner of the said Govalle Arbors 2 Condominiums, the same being the northwest corner of that certain tract described in a deed to James D. Caswell recorded in Volume 13107, Page 1492 of the Real Property Records of Travis County, Texas, to an iron pipe found on the west line of the said Caswell tract at the southeast corner of the said 1.622 acre Austin Housing Finance Corporation tract, the same being the northeast corner of Henninger Street;

THENCE, N 69°42'18" W, along the south line of the said 1.622 acre Austin Housing Finance Corporation tract, passing the northwest corner of the said Henninger Street, the same being the northeast corner of that certain tract described in a deed to Gilbert Gonzalez and Dianna Gonzalez recorded in Document Number 2007016502 of the Official Public Records of Travis County, Texas, at 174.13 feet passing an iron pipe found at the northwest corner of the said Gonzalez tract, the same being the northeast corner of Tillery Street Subdivision, a subdivision of record in Document Number 202000032 of the Official Public Records of Travis County, Texas and continuing for a **total distance of 504.01 feet** to a ½ inch diameter steel pin found on the north line of the said Lot 4 at an exterior corner of the said 1.622 acre tract, the same being the southeast corner of that certain tract described in a deed to Maria Teresa Cenicerros recorded in Volume 12417, Page 831 of the Real Property Records of Travis County, Texas;

THENCE, N 20°48'18" E, a distance of 59.85 feet to a ½ inch diameter steel pin found at the northeast corner of the said Cenicerros tract for an interior corner of the said 1.622 acre Austin Housing Finance Corporation tract;

THENCE, N 69°40'04" W, a distance of 150.03 feet to a ½ inch diameter steel pin found on the east right-of-way line of Tillery Street at the northwest corner of the said Cenicerros tract for the southwest corner of the said 1.622 acre Austin Housing Finance Corporation tract, from which an iron pipe found at the southwest corner of the said Cenicerros tract bears S 20°47'05" W 59.95 feet;

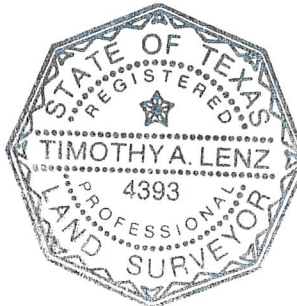
THENCE, N 20°47'05" E, a distance of 140.52 feet along the east right-of-way line of Tillery Street, passing the northwest corner of the said 1.622 acre Austin Housing Finance Corporation tract, the same being the southwest corner of the said 0.19 acre Austin Housing Finance Corporation tract and continuing to the **PLACE OF BEGINNING**, containing 2.635 acres of land, more or less.

This description was prepared from a survey performed on the ground dated January 12, 2021

Description prepared April 12, 2022

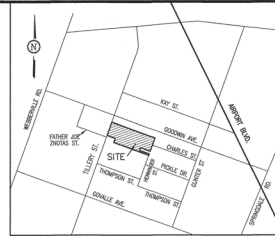
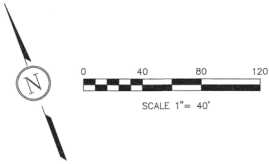


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2021-0019B (2.635 ac).doc

ALTA/NSPS LAND TITLE SURVEY



LOCATION MAP
NOT TO SCALE

- LEGEND**
- 1/2" STEEL PIN FOUND (UNLESS NOTED)
 - 1/2" STEEL PIN FOUND W/CAP
 - 1/2" STEEL PIN FOUND W/ CAP MARKED "HALF"
 - 1/2" STEEL PIN FOUND W/ CAP MARKED "T.S."
 - 1/2" STEEL PIN FOUND W/ CAP MARKED "LANDSCAPE"
 - 1/2" STEEL PIN NOT FOUND W/CAP MARKED "LENZ & ASSOC."
 - PINE FOUND
 - △ COMPUTED POINT
 - SPINDLE FOUND
 - SPINDLE SET
 - FENCE CORNER POST
 - PUBLIC UTILITY EASEMENT
 - DRAINAGE EASEMENT
 - WATERWATER EASEMENT
 - W.L.E. WATERLINE EASEMENT
 - S.D.E. SIGHT DISTANCE EASEMENT
 - B.L. BUILDING LINE
 - RECORD CALL
 - R.O.W. RIGHT-OF-WAY
 - S.D.E. SIGHT DISTANCE EASEMENT
 - D.R.T.C.T. DEED RECORDS TRAVIS CO. TEXAS
 - D.R.T.C.T. REAL PROPERTY RECORDS TRAVIS CO. TEXAS
 - D.R.T.C.T. OFFICIAL PUBLIC RECORDS TRAVIS CO. TEXAS
 - D.R.T.C.T. PLAT RECORDS TRAVIS CO. TEXAS

SURVEYOR COMMENTS ON TITLE EXCEPTIONS SCHEDULE B, ITEMS 10.1 THRU 10.4 OF COMMITMENT FOR TITLE INSURANCE ISSUED BY INDEPENDENCE TITLE COMPANY, COMMITMENT NO. 202277-CON, EFFECTIVE DATE JANUARY 14, 2021.

10.1 SANITARY SEWER AND/OR WATER LINE EASEMENT TO HENRY HALL RECORDED IN VOL. 2522, PAGE 61, DEED RECORDS OF TRAVIS COUNTY, TEXAS.

LOCATION IDENTIFIED IS BASED ON A SURVEY PREPARED BY HALFY ASSOCIATES, INC., AUSTIN, TEXAS, DATED DECEMBER 14, 2018. AT THE DATE OF THIS MAP, THE INFORMATION REQUIRED TO IDENTIFY THIS LOCATION WAS NOT AVAILABLE FROM COUNTY CLERK RECORDS.

10.2 HORSES, EGGS AND PUBLIC UTILITY EASEMENT TO THE PUBLIC RECORDED IN VOL. 2939, PAGE 1388, DEED RECORDS OF TRAVIS COUNTY, TEXAS.

LOCATION IS PLOTTED.

10.3 NO SURVEYOR COMMENT

10.4 NO SURVEYOR COMMENT

SURVEYOR'S NOTES:

- 1) BEARINGS, DISTANCES AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83) CENTRAL ZONE, GRID COMBINED SURFACE TO GRID SCALE FACTOR 0.99994499, GRID TO SURFACE SCALE FACTOR 1.00005501.
- 2) THERE ARE IMPROVEMENTS ON PROPERTIES ADJOINING THE NORTH LINE OF THE TRACT DESCRIBED HEREON, LOCATED WITHIN 5 FEET OF THE TRACT LINE, WHICH WERE NOT LOCATED DUE TO LACK OF ACCESSIBILITY.
- 3) ELEVATION CONTOURS ARE BASED ON A SURVEY PREPARED BY HALFY ASSOCIATES, INC., AUSTIN, TEXAS, DATED DECEMBER 21, 2018. ELEVATION DATUM GEOID 128.
- 4) ACCORDING TO INFORMATION PROVIDED BY CITY OF AUSTIN, NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT, THE ADDRESS OF THIS PROPERTY IS 1127 TILLEY STREET, AUSTIN, TEXAS 78702.
- 5) THERE ARE NO BUILDINGS LOCATED ON THIS TRACT.
- 6) ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM, FEDERAL INSURANCE RATE MAP (FIRM), NUMBER 444030404W, DATED JANUARY 22, 2020, NO PORTION OF THIS TRACT IS LOCATED WITHIN THE 100 YEAR FLOOD PLAIN.

TO: AUSTIN HOUSING FINANCE CORPORATION, LIVE MAKE HOUSING PARTNERS, LP AND INDEPENDENCE TITLE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 7(a), 7(b), 8, 9, 13, 14, 16, & 20 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JANUARY 12, 2021.

DATE OF PLAT OR MAP: FEBRUARY 4, 2021

TIMOTHY A. LENZ
STATE OF TEXAS R.P.L.S. NO. 4393



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S20°17'35"W	50.14'
(L1)	(N22°29'13"E)	1.50'
L2	S20°29'40"W	16.32'
(L2)	(S23°05'47"W)	(16.40')
L3	N20°48'18"E	58.89'
(L3)	(N23°41'43"E)	(58.93')
L4	N79°47'53"W	62.82'

LEGAL DESCRIPTION

5.135 ACRES OF LAND OUT OF THE GEORGE J. NEAL SURVEY NO. 1, ABSTRACT NO. 586 SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS CONVEYED BY DEED(S) RECORDED IN VOLUME 13035, PAGE 1441 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND DOCUMENT NUMBERS 2001094068, 2001094070, 2004190744, 2004190745, AND 2004236337 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

LENZ & ASSOCIATES, INC.

COMPLETE PROFESSIONAL LAND SURVEYING SERVICES

4150 FREDRICH LANE, SUITE A1
AUSTIN, TEXAS 78744
SURVEY #: 2021-0019 F.B. 1167/23



Created: 11/18/2021