

**ORDINANCE NO. 20130926-133**

**AN ORDINANCE AMENDING ORDINANCE NO. 20070215-043 FOR THE PROJECT KNOWN AS FAIRFIELD/HYATT PLANNED UNIT DEVELOPMENT PROJECT LOCATED AT 208 BARTON SPRINGS ROAD IN THE BOULDIN CREEK NEIGHBORHOOD PLAN AREA FROM PLANNED UNIT DEVELOPMENT-NEIGHBORHOOD PLAN (PUD-NP) COMBINING DISTRICT TO PLANNED UNIT DEVELOPMENT-NEIGHBORHOOD PLAN (PUD-NP) COMBINING DISTRICT.**

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

**PART 1.** Fairfield/Hyatt Planned Unit Development (the “Hyatt PUD”) is comprised of approximately 9.56 acres of land located generally at 208 Barton Springs Road and more particularly described by metes and bounds in Exhibit “A” incorporated into this Ordinance.

**PART 2.** Hyatt PUD was approved on February 15, 2007, under Ordinance No.20070215-043 (the “Original Ordinance”).

**PART 3.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from planned unit development-neighborhood plan (PUD-NP) combining district to planned unit development-neighborhood plan (PUD-NP) combining district on the property described in Zoning Case No. C814-06-0106.01, on file at the Planning and Development Review Department and locally known as 208 Barton Springs Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit “B”.

**PART 4.** This ordinance amends the permitted uses on the West Parcel and South Parcel, identified on the attached Exhibit “C”, to allow for commercial off-street parking as a permitted use. The additional permitted uses are incorporated to the revised Permitted Uses Table, attached as Exhibit “D”, and replaces the permitted Uses Table in Ordinance No. 20070215-043. Except as otherwise specifically provided in Ordinance No. 20070215-043, as amended, all other rules, regulations and ordinances of the City, including Ordinance No. 020523-33, in effect on the effective date of the Original Ordinance apply to the PUD.

**PART 5.** The Property is subject to Ordinance No. 020523-33 that established the Bouldin Creek neighborhood plan combining district.

**PART 6.** This ordinance takes effect on October 7, 2013.

**PASSED AND APPROVED**

September 26

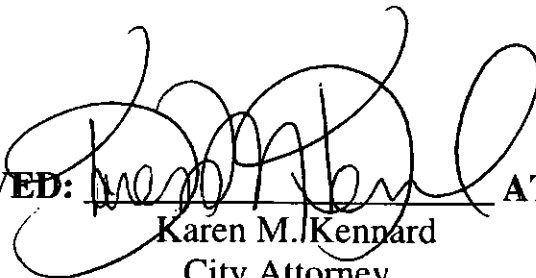
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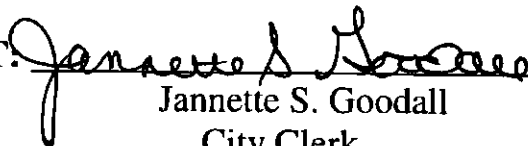
Lee Leffingwell  
Mayor

**APPROVED:**



Karen M. Kennard  
City Attorney

**ATTEST:**



Jannette S. Goodall  
City Clerk

9.567 Acres  
Fairfield Town Lake/Zilker LP.  
Travis County, Texas

FN 4121(EMD)  
March 03, 2006  
SAM, Inc. Job No. 25184-01

**9.567 ACRES**

DESCRIPTION OF A 9.567 (416,730 SQ. FT.) ACRE TRACT OF LAND, BEING ALL OF THAT CALLED TRACT 1 AND TRACT 2, AS DESCRIBED IN THE DEED TO FAIRFIELD TOWN LAKE/ZILKER LP., AS RECORDED IN DOCUMENT NO. 2005191745, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 9.567 (416,730 SQ. FT.) TRACT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a ½-inch iron rod found in the north right-of-way line of Barton Springs Road (100' Right-of-Way), same being the southwest corner of a called 0.575 acre tract of land, described in deed to Bathhaus Ltd. as recorded in Document No. 2001174688 of the Official Public Records of Travis County, Texas, for the most southerly southeast corner of said Tract 1, and the tract described herein;

**THENCE**, with the north right-of-way line of Barton Springs Road, S 76°21'17" W, a distance of 266.27 feet to an "X" cut in the concrete at the most southerly southwest corner of said Tract 1, and the southeast corner of that called Lot 5B of the Resubdivision of T.L. Subdivision No. 1 as per plat duly recorded in Document No. 200200297, of the Official Plat Records of Travis County, Texas, same being the southeast corner of a 30' Access Easement recorded in Volume 68, Page 52 of the Plat Records of Travis County, Texas;

**THENCE** with the common line of said Tract 1, and said Lot 5B and the east line of said 30' Access Easement, N 12°44'42" E, a distance of 11.11 feet to a cotton spindle found;

**THENCE** continuing with said common line, N 13°40'38" W, a distance of 244.01 feet to a cotton spindle found;

**THENCE** continuing with said common line, N 26°12'00" E, a distance of 228.38 feet to a cotton spindle found;

**THENCE**, with the common line of said Tract 1 and a called Lot 5A, of said Resubdivision, the following four (4) courses and distances:

1. N 63°46'01" W, a distance of 327.55 feet to a ½-inch iron rod found;
2. S 62°04'24" W, a distance of 22.51 feet to a concrete nail found at a point of non-tangent curve from which a pk nail with washer stamped "UDG" bears N 12°05'20" E, a distance of 1.44 feet;
3. with a non-tangent curve to the right a distance of 28.01 feet, through a central angle of 53°29'14" having a radius of 30.00 feet, and whose chord bears N 89°43'07" W, a distance of 27.00 feet to a concrete nail found from which a pk nail with washer stamped "UDG" bears N 22°19'24" E, a distance of 1.35 feet, and
4. N 63°48'50" W, a distance of 45.28 feet to a ½-inch iron rod found for the southwest corner of said Tract 1 and the northwest corner of said Lot 5A same being in the east right-of-way line of the frontage road of South First Street (variable width);

**THENCE**, with the common line of the frontage road of South First Street and said Tract 1, N 30°54'58" E, a distance of 150.66 feet to a ½-inch iron rod found for the common west corner of said Tract 1 and said Tract 2;

**THENCE** leaving said common corner, with said east right-of-way line, same being the west line of said Tract 2, the following five (5) courses and distances:

1. N 30°55'24" E a distance of 90.79 feet to a ½-inch iron rod found,
2. N 18°03'56" E, a distance of 44.36 feet to a 1-inch iron pipe found at a point of non-tangent curve,

9.567 Acres  
Fairfield Town Lake/Zilker LP.  
Travis County, Texas

FN 4121(EMD)  
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3. with a non-tangent curve to the left a distance of 32.39 feet, through a central angle of 03°55'54" having a radius of 471.96 feet, and whose chord bears N 17°57'38" E, a distance of 32.38 feet to a 1-inch iron pipe found,
4. with a non-tangent curve to the left a distance of 23.25 feet, through a central angle of 07°36'20" having a radius of 175.17 feet, and whose chord bears N 10°52'46" E, a distance of 23.24 feet to a ¼-inch iron rod with a "SAM, Inc." plastic cap set, and
5. N 30°54'48" E, a distance of 91.48 feet to a ¼-inch iron rod found, for the northwest corner of said Tract 2 and the tract described herein;

THENCE with the north line of said Tract 1 and said Tract 2, S 63° 49' 09" E, a distance of 739.28 feet to a point, submerged in Town Lake for the northeast corner of said Tract 1 and the northwest corner of said 0.575 acre tract, same being the northeast corner of the tract described herein;

THENCE leaving the south line of Town Lake and with the common line of said Tract 1 and said 0.575 acre tract, the following three (3) courses and distances:

1. S 18°59'21" W, passing at a distance of 17.65 feet a ¼" iron rod found and continuing a total distance of 254.16 feet to a ¼-inch iron rod found,
2. S 70°56'01" W, a distance of 58.30 feet to a punch hole in concrete for the most westerly northwest corner of said 0.575 acre tract same being an inside ell corner, and

S 19°00'21" W, a distance of 400.15 feet to the POINT OF BEGINNING, and containing 9.567 (416,730 sq. ft.) acres of land, more or less.

**Bearing Basis:**

Cotton Spindles at an inside ell corner of said 9.567 acre tract and being the common line with said Lot 5A and Lot 5B. Called bearing and distance between these Cotton Spindles is N 26°12' E - 228.39 feet. Held called bearing of N 26°12'00" E and found actual distance to be 228.38 feet.

STATE OF TEXAS

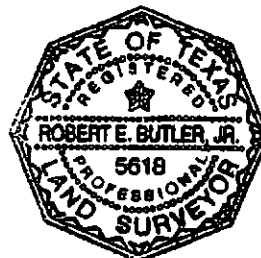
KNOW ALL MEN BY THESE PRESENTS:


COUNTY OF TRAVIS

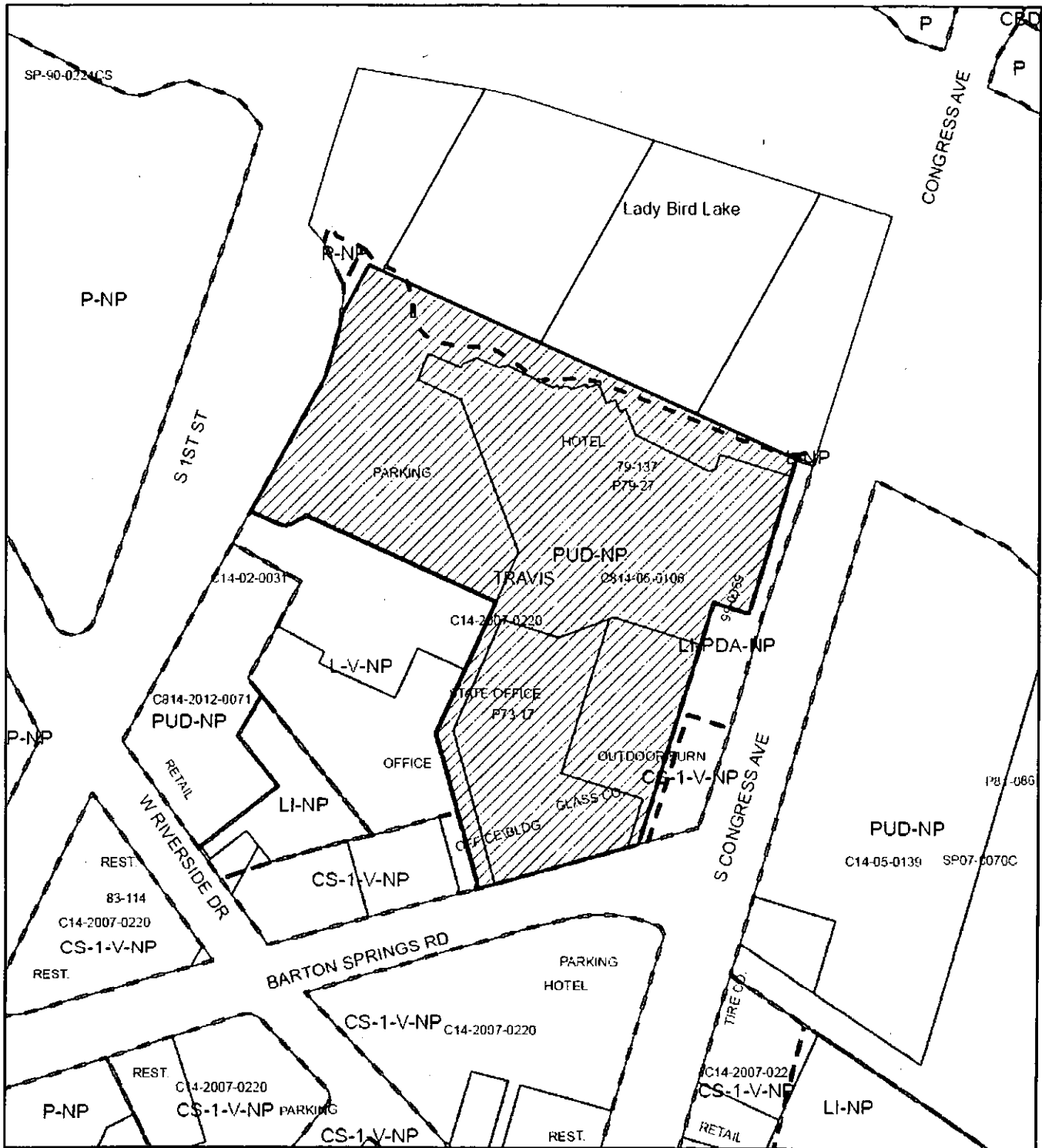
That I, Robert E. Butler, Jr., a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during July, 2005 under my direction and supervision.




WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 3<sup>rd</sup> day of March, 2006 A.D.

SURVEYING AND MAPPING, Inc.  
5508 West Highway 290, Building B  
Austin, Texas 78735



  
Robert E. Butler, Jr.  
Registered Professional Land Surveyor  
No. 5618 - State of Texas



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 200'

**PLANNED UNIT DEVELOPMENT**  
**ZONING CASE#: C814-06-0106.01**

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





## PERMITTED USES TABLE

Hotel Parcel.

- A. All uses in effect on the date of this ordinance specified as permitted uses, conditional uses, or pedestrian-oriented uses in the lake commercial (L) district, the waterfront overlay (WO) district, and South Shore Central waterfront overlay (WO) subdistrict, as provided in Section 25-2-491 (*Permitted, Conditional, and Prohibited Uses*), Section 25-2-691 (*Waterfront Overlay (WO) District Uses*), and Section 25-2-692(F) (*Waterfront Overlay (WO) Subdistrict Uses*), of the City Code are permitted uses in the Hotel Parcel, except as set forth in Subsection A. 2 and Subsections B and C.

1. The following uses are additional permitted uses:

**Hotel-motel**

Hotel-motel accessory uses (meeting room rental, food sales, beverage sales including the sale of alcoholic beverages for on-premise consumption only; cocktail lounge not to exceed 20,000 square feet gross floor area, fitness center, business center, bike rentals, guest laundry, concierge services, secretarial services, swimming pool, and spa) or other uses as determined by the City of Austin.

2. The following uses are prohibited uses:

Automotive rentals (not including taxicab parking and dispatching)	Automotive repair services
Automotive sales	Automotive washing (of any type)
Local utility services	Service station
Telecommunication tower	Outdoor entertainment
Adult oriented businesses	Communication service facilities
	Group residential

- B. All uses specified as conditional uses in the commercial-liquor sales (CS-1) district which are not specified as permitted uses in Subsection A, are conditional uses, except the following uses set forth below are prohibited uses:

Automotive rentals (not including taxicab parking and dispatching)	Automotive repair services
Automotive sales	Automotive washing (of any type)
Local utility services	Service station
Telecommunication tower	Outdoor entertainment
	Communication service facilities
	Group residential

Adult oriented businesses

- C. The following uses are additional pedestrian-oriented uses for purposes of Section 25-2-691 (C) (*Waterfront Overlay (WO) District Uses*) and Section 25-2-692 (F) (*Waterfront Overlay (WO) Subdistrict Uses*) of the City Code:

A privately owned health club, gymnasium, spa, health or physical fitness studio or similar personal improvement services that has memberships available to the guests of the hotel and to the general public (not to exceed a total of 12,000 square feet of gross floor area)

Residential sales and leasing office (not to exceed a total of 2,000 square feet of gross floor area)

II. West Parcel.

- A. All uses specified as permitted uses or as pedestrian-oriented uses in the lake commercial (L) district, the waterfront overlay (WO) district, and South Shore Central waterfront overlay (WO) subdistrict, as provided in Section 25-2-491 (*Permitted, Conditional, and Prohibited Uses*), Section 25-2-691 (*Waterfront Overlay (WO) District Uses*), and Section 25-2-692(F) (*Waterfront Overlay (WO) Subdistrict Uses*), of the City Code, and any other uses that are permitted in said districts or subdistrict by subsequent amendments applicable to said districts or subdistrict are permitted uses in the West Parcel, except as set forth in Subsection A. 2 and Subsections B and C.

1. In addition, a residential use that is permitted in a multifamily base district and commercial off street parking ~~are~~ is also a permitted uses.
2. The following uses are prohibited uses:

Automotive rentals (not including taxicab parking and dispatching)	Automotive repair services
Automotive sales	Automotive washing (of any type)
Local utility services	Service station
Telecommunication tower	Outdoor entertainment
Adult oriented businesses	Communication service facilities
	Group residential

- B. All uses specified as conditional uses in the lake commercial (L) district are conditional uses, except the following uses are prohibited uses: .

Automotive rentals (not including taxicab parking and dispatching)	Automotive repair services
Automotive sales	Automotive washing (of any type)
	Service station
	Outdoor entertainment



Local utility services                      Communication service facilities  
 Telecommunication tower Group residential Adult  
 oriented businesses

- C. The following uses are additional pedestrian-oriented uses for purposes of Section 25-2-691 (C) (*Waterfront Overlay (WO) District Uses*) and Section 25-2-692 (F) (*Waterfront Overlay (WO) Subdistrict Uses*) of the City Code:

A privately owned health club, gymnasium, spa, health or physical fitness studio or similar personal improvement services that has memberships available to the guests of the hotel and to the general public (not to exceed a total of 12,000 square feet of gross floor area)

Residential sales and leasing office (not to exceed a total of 2,000 square feet of gross floor area)

### III. South Parcel.

- A. All uses specified as permitted uses or as pedestrian-oriented uses in the lake commercial (L) district, the waterfront overlay (WO) district, and South Shore Central waterfront overlay (WO) subdistrict, as provided in Section 25-2-491 (*Permitted, Conditional, and Prohibited Uses*), Section 25-2-691 (*Waterfront Overlay (WO) District Uses*), and Section 25-2-692(F) (*Waterfront Overlay (WO) Subdistrict Uses*), of the City Code, and any other uses that are permitted in said districts or subdistrict by subsequent amendments applicable to said districts or subdistrict are permitted uses in the West Parcel, except as set forth in Subsection A. 3 and Subsections B and C.

1. In addition, a residential use that is permitted in a multifamily base district and commercial off street parking are is also a permitted uses.
2. In addition, only the following hotel accessory uses are permitted: meeting room rental, food sales, beverage sales including the sale of alcoholic beverages for on-premises consumption only, fitness center, business center, bike rentals, guest laundry, secretarial services, pool, spa and indoor entertainment, provided that parking on all accessory uses shall be determined as though each use is a principal use as opposed to an accessory use.

3. The following uses are prohibited uses:

Automotive rentals (not including taxicab parking and dispatching)	Automotive repair services
Automotive sales Local utility services	Automotive washing (of any type)
	Service station
	Outdoor entertainment
	Communication service facilities

Telecommunication tower      Group residential  
Adult oriented businesses

- B. All uses specified as conditional uses in the lake commercial (L) district are conditional uses, except the following uses are prohibited uses:

Automotive rentals (not including taxicab parking and dispatching)	Automotive repair services
Automotive sales	Automotive washing (of any type)
Local utility services	Service station
Telecommunication tower	Outdoor entertainment
Adult oriented businesses	Communication service facilities
	Group residential

- C. The following uses are additional pedestrian-oriented uses for purposes of Section 25-2-691 (C) (*Waterfront Overlay (WO) District Uses*) and Section 25-2-692 (F) (*Waterfront Overlay (WO) Subdistrict Uses*) of the City Code:

A privately owned health club, gymnasium, spa, health or physical fitness studio or similar personal improvement services that has memberships available to the guests of the hotel and to the general public (not to exceed a total of 12,000 square feet of gross floor area)

Residential sales and leasing office (not to exceed a total of 2,000 square feet of gross floor area)