

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2000 JUSTIN LANE AND 2009 CULLEN AVENUE IN THE CRESTVIEW NEIGHBORHOOD PLAN AREA FROM MULTIFAMILY RESIDENCE MEDIUM DENSITY-NEIGHBORHOOD PLAN (MF-3-NP) COMBINING DISTRICT, FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT AND LIMITED OFFICE-NEIGHBORHOOD PLAN (LO-NP) COMBINING DISTRICT TO GENERAL OFFICE-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GO-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 on the property (the "Property"), described in Zoning Case No. C14-2014-0036, on file at the Planning and Zoning Department, as follows:

TRACT 1:

from family residence-neighborhood plan (SF-3-NP) combining district, multifamily residence medium density-neighborhood plan (MF-3-NP) combining district and limited office-neighborhood plan (LO-NP) combining district to general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district

2.006 acre tract of land, more or less, out of and a part of the George W. Spear Survey No. 7, Abstract No. 697 the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and,

Lot 2, C.E. Brown Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 18, Page 17 of the Plat Records of Travis County, Texas, SAVE AND EXCEPT the north 5 feet of Lot 2, C.E. Brown Subdivision,

TRACT 2:

from limited office-neighborhood plan (LO-NP) combining district and family residence-neighborhood plan (SF-3-NP) combining district to general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district

1 0.554 acre tract of land, more or less, being a portion of a 2.006 acre tract being
2 more particularly described by metes and bounds in Exhibit "B" incorporated into
3 this ordinance
4

5 locally known as 2000 Justin Lane and 2009 Cullen Avenue in the City of Austin, Travis
6 County, Texas, and generally identified in the map attached as Exhibit "C".
7

8 **PART 2.** Except as specifically provided in Part 3 and Part 4 of this ordinance, the
9 Property may be developed and used in accordance with the regulations established for the
10 general office (GO) base district and other applicable requirements of the City Code.
11

12 **PART 3.** The Property within the boundaries of the conditional overlay combining district
13 established by this ordinance is subject to the following condition:
14

- 15 A. A site plan or building permit for the Property may not be approved, released,
16 or issued, if the completed development or uses of the Property, considered
17 cumulatively with all existing or previously authorized development and uses,
18 generate traffic that exceeds 1,110 trips per day.
19
- 20 B. Development of the Property shall comply with the following regulations.
21
- 22 1. The minimum front yard setback is 25 feet.
 - 23 2. The maximum floor to area ratio shall not exceed a ratio of 0.7:1.
 - 24 3. The maximum height, as defined by City Code, of a building or structure
25 on Tract 1 is 30 feet.
 - 26 4. The maximum height on Tract 1 is limited to two stories for habitable
27 buildings.
 - 28 5. The maximum height, as defined by City Code, of a building or structure
29 on Tract 2 is limited to 40 feet or three stories for a maximum 10,000
30 square foot area.
31

1
2 C. The following are conditional uses of the Property:
3

College and university facilities
Group home (class II)
Off-site accessory parking
Private secondary educational facilities

Congregate living
Hospital services (limited)
Personal services

4
5 D. The following uses are not permitted uses of the Property:
6

Business or trade school
Guidance services
Medical offices-exceeding 5000 sq. ft gross floor area
Printing and publishing

Business support services
Hospital services (general)
Medical offices-not exceeding 5000 sq. ft gross floor area
Restaurant (limited)

7
8 Except as specifically restricted under this ordinance, the Property may be developed and
9 used in accordance with the regulations established for the general office (GO) base
10 district, the mixed use combining district, and other applicable requirements of the City
11 Code.
12

13 **PART 4.** The Property is subject to Ordinance No. 040401-32B that established the
14 Crestview neighborhood plan combining district.
15

16 **PART 5.** This ordinance takes effect on _____, 2015.
17

18
19 **PASSED AND APPROVED**
20

21 §
22 §
23 §

_____, 2015

Steve Adler
Mayor

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

State of Texas
County of Travis

2.006 Acre Tract

EXHIBIT " _____ "

LEGAL DESCRIPTION TRACT 1

LEGAL DESCRIPTION OF A 2.006-ACRE (87,398 SQUARE FEET) TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE GEORGE W. SPEAR SURVEY NO. 7, ABSTRACT NO. 697, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS BEING A PORTION OF BLOCK 17, CRESTVIEW ADDITION, AS RECORDED IN BOOK 4, PAGE 335, PLAT RECORDS, AND BEING ALL OF TRACT 1, AS DESCRIBED IN WARRANTY DEED WITH VENDOR'S LIEN TO GLAD TIDINGS ASSEMBLY OF GOD, INC. IN VOLUME 11588, PAGE 823 REAL PROPERTY RECORDS, SAID TRACT 1 ACTUALLY BEING COMPRISED OF TWO TRACTS, A CALLED 1.655 ACRES TRACT DESCRIBED IN VOLUME 5577, PAGE 1034, DEED RECORDS, AND AN 81 FOOT BY 200 FOOT TRACT DESCRIBED IN VOLUME 4523 PAGE 1096, DEED RECORDS, LESS AND EXCEPT A 5 FOOT RIGHT-OF-WAY ACQUISITION STRIP CONVEYED TO THE CITY OF AUSTIN, RECORDED IN VOLUME 2619, PAGE 560, DEED RECORDS, ALL OF TRAVIS COUNTY, TEXAS; SAID 2.006-ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod set with cap in the north right-of-way line of Justin Lane, (right-of-way varies) at the southwest corner of said called 1.655 acre tract, and for the southwest corner and **POINT OF BEGINNING** of this tract;

THENCE, N 29°18'00"E, passing at a distance of 15.00 feet, a ½" iron rod found at a jog in said north R.O.W. line, for the southeast corner of Lot A, of the Amended Plat of Lots 1 and 2, Campbell and Francis Subdivision and Lot A, First Resubdivision of Resurrection Addition, as recorded in Book 89, page 70, Plat Records, Travis County, Texas, and then continuing with the common line between said Lot A and said called 1.655 acre tract, for a total distance of **240.41 feet** to a ½" iron rod found for the northeast corner of said Lot A; said ½" iron rod also being the southeast corner of Lot 2, C.E. Brown Subdivision, as recorded in Book 18, page 16, Plat Records, Travis County, Texas;

THENCE, with the common line of said 1.655 acre tract and said Lot 2, C.E. Brown Subdivision, N29°16'37"E, passing at a distance of 209.75 the northeast corner of the remainder of said Lot 2, and continuing for a total distance of **214.75 feet** to a ½" iron rod set in the south R.O.W. line of Cullen Lane (R.O.W. varies), same being the southwest corner of that certain City of Austin right of way acquisition parcel as described in Volume 2619, page 560, Deed Records, Travis County, Texas, from which a ½" iron rod found at the northwest corner of said 1.655 acre tract bears N 29°16'37"E a distance of 5.00 feet;

THENCE, with said north R.O.W. line of Cullen Avenue, and with the remainder of said 1.655 acre tract, S59°58'29"E, passing at a distance of 110.91 feet a calculated point, from which a ½"

FLUGEL LAND SURVEYING

iron rod found at the northwest corner of said 81 by 200 foot tract bears N 29°19'00"E a distance of 5.00 feet, and continuing for a total distance of **191.95 feet** to a ½" iron rod set at the intersection of said north R.O.W. line of Cullen Avenue and the west R.O.W. line of Hardy Drive (50 foot R.O.W.) for the northeast corner of this tract, from which a ¾ inch iron pipe found at the northeast corner of said 81 foot by 200 foot tract bears N29°19'00"E a distance of 5.00 feet;

THENCE, with said west right-of-way line of Hardy Drive, and with the east line of this tract, for the following two courses:

- 1) **S29°19'00"W** a distance of **195.00 feet** to a ½" iron rod set with cap for the southeast corner of said 81 foot by 200 foot tract, same being an outside ell easterly corner of said 1.655 acre tract,
- 2) **S29°19'00"W** a distance of **261.18 feet** to a ½" iron rod set at the intersection of the west R.O.W line of Hardy Drive and the north R.O.W. line of said Justin Lane for the southeast corner of this tract;

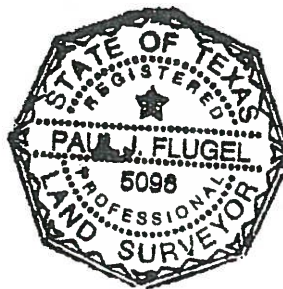
THENCE, with said north right-of-way line of Justin Lane and with the south line of said 1.655 acre tract and this tract, **N59°40'00"W** a distance of **191.74 feet** to the **POINT OF BEGINNING** and containing 2.006-acres (87,398 square feet) of land, more or less.

BEARING BASIS NOTE

The bearings described herein are based on the southerly west line of said 1.655 acre tract as described in Volume 11588, page 827, Real Property Records, Travis County, Texas; being N29°18'00"E.

I do hereby certify that this description is true and correct to the best of my knowledge and belief, and was prepared from an actual on the ground survey of found property corners, under my supervision, and that the markers described herein actually exist, as described, at the time of my survey.

As Prepared by
Flugel Land Surveying,
Firm Registration No. 10193837



Paul J. Flugel

Paul J. Flugel
Registered Professional Land Surveyor No. 5096

6-28-13

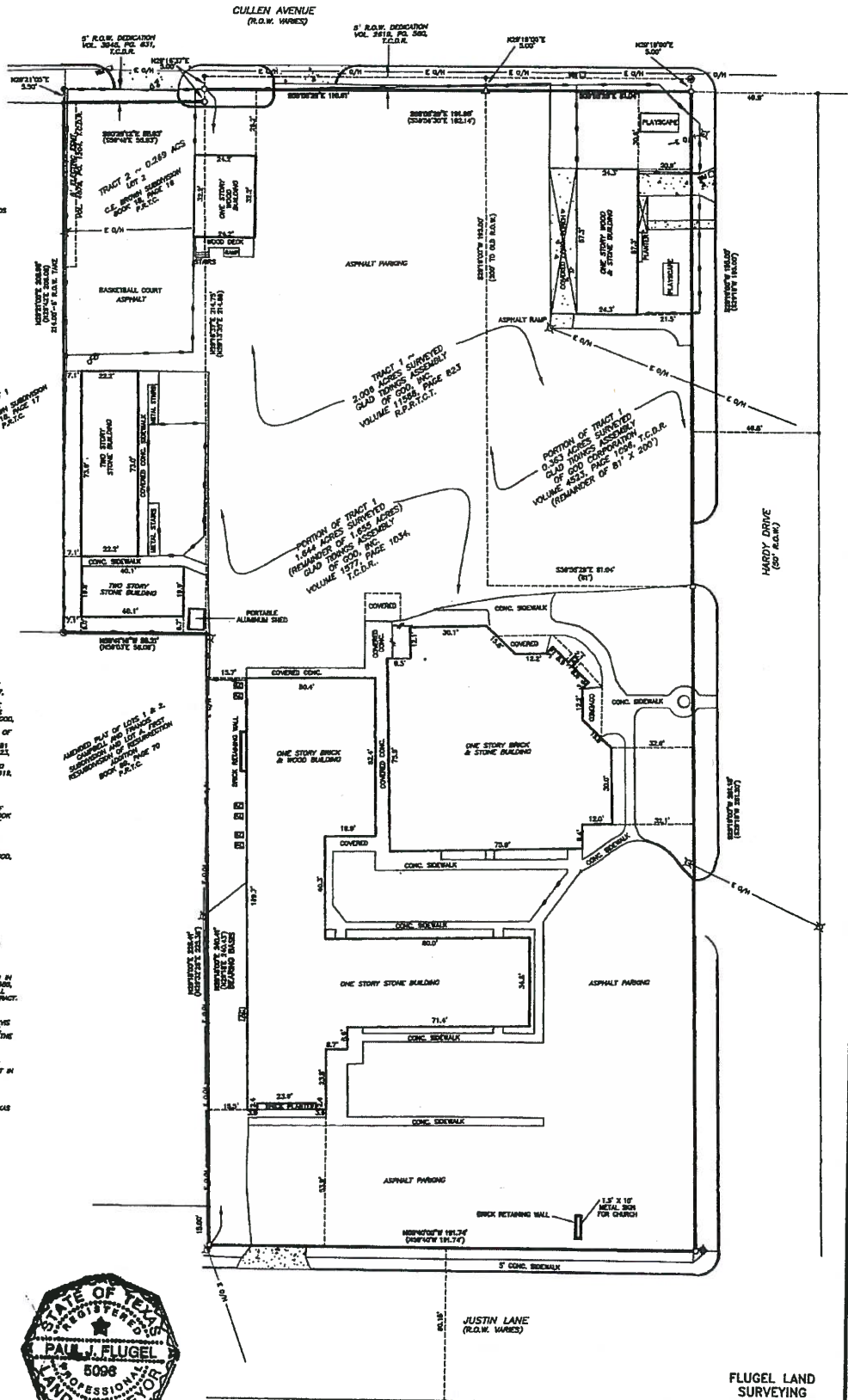
Date of Field Survey
6-10-2013

LEGEND

- IRON ROD FOUND (SIZE NOTED)
- IRON PIPE FOUND (SIZE NOTED)
- 1/2" IRON ROD SET WITH CAP
- △ SURVEY CONTROL POINT / BM
- △ CALCULATED POINT
- CONCRETE
- CLEAN CUT
- WATER MARK
- WATER METER
- WOOD FENCE
- ASPHALT
- CHARLIE FENCE
- POWER POLE
- DAY ANCHOR
- OVERHEAD ELECTRIC
- CEMENT
- PNE HYDRANT
- R.O.W. RIGHT-OF-WAY
- B.L. BUILDING LINE
- P.U. PUBLIC UTILITY EASEMENT
- T.C.P.R. TRAVIS COUNTY PLAT RECORDS
- T.C.D.R. TRAVIS COUNTY DEED RECORDS
- T.C.P.R. TRAVIS COUNTY REAL PROPERTY RECORDS

SURVEY OF A 2.278 ACRE TRACT OF LAND,
CONVEYED TO GLAD TOWNS ASSEMBLY OF GOD, INC. IN
VOLUME 11886, PAGE 623 REAL PROPERTY RECORDS,
TRAVIS COUNTY, TEXAS LOCATED AT 2000 JUSTIN LANE,
AND 2008 CULLEN AVENUE, AUSTIN, TEXAS

SCALE
1"=20'



LEGAL DESCRIPTION:

TRACT 2:
2.000 ACRES OF LAND, MORE OR LESS, OUT OF THE
SECTION 16, SPUR SURVEY NO. 7, ABSTRACT NO. 897,
IN TRAVIS COUNTY, BEING A PORTION OF BLOCK 17,
CRENSHAW ADDITION, AS RECORDED IN BOOK 4, PAGE
135, PLAT RECORDS, AND BEING ALL OF TRACT 1, AS
DESCRIBED IN DEED TO GLAD TOWNS ASSEMBLY OF GOD,
INC. IN VOLUME 11886, PAGE 623, DEED RECORDS,
TRAVIS COUNTY, TEXAS. TRACT 2 ACTUALLY BEING COMPRISED OF
TWO TRACTS, A CALLED LESS PROPERTY
RECORDED IN VOLUME 1577, PAGE 1034, DEED RECORDS, AND AN 81
FOOT BY 200-FOOT TRACT RECORDED IN VOLUME 1433,
PAGE 1046, DEED RECORDS, LESS AND EXCEPT A
2-FOOT RIGHT-OF-WAY ACQUISITION PARCEL, CONVEYED
TO THE CITY OF AUSTIN, AS RECORDED IN VOLUME 2918,
PAGE 584, DEED RECORDS, ALL OF TRAVIS COUNTY,
TEXAS.

TRACT 1:
0.634 ACRES OF LAND, MORE OR LESS, BEING ALL OF
LOT 2, C.E. BROWN SUBDIVISION, AS RECORDED IN BOOK
18, PAGE 18, PLAT RECORDS, LESS AND EXCEPT THAT
CERTAIN 5-FOOT RIGHT-OF-WAY ACQUISITION PARCEL,
CONVEYED TO THE CITY OF AUSTIN, AS RECORDED IN
VOLUME 2918, PAGE 584, DEED RECORDS, AND
REMAINDER OF LOT 2, BEING ALL OF TRACT 1, AS
DESCRIBED IN DEED TO GLAD TOWNS ASSEMBLY OF GOD,
INC. IN VOLUME 11886, PAGE 623, DEED RECORDS,
TRAVIS COUNTY, TEXAS.

TITLE COMMITMENT NOTE

THIS SURVEY CONTAINS THE INFORMATION SHOWN IN
SCHEDULE B OF CHICAGO TITLE INSURANCE COMPANY
TITLE REPORT DFP 1111716, EFFECTIVE DATE JUNE 11,
2013, WITH THE FOLLOWING CLARIFICATIONS:

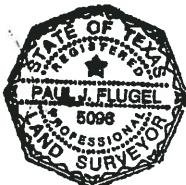
1. RESTRICTIVE COVENANTS AND EASEMENTS RECORDED IN
BOOK 4, PAGE 335, PLAT RECORDS, AND VOLUME 11886,
PAGE 623, DEED RECORDS, AND VOLUME 11886,
PAGE 623, DEED RECORDS, DO NOT AFFECT THE SUBJECT TRACT.
10. A 10-FOOT PUBLIC UTILITY EASEMENT
RECORDED IN BOOK 4, PAGE 335, PLAT RECORDS, TRAVIS
COUNTY, TEXAS, DOES NOT AFFECT THE SUBJECT TRACT,
AS THE SUBJECT TRACT ENCOMPASSES A PORTION OF THE
ORIGINAL BLOCK 17, NOT INDIVIDUAL LOTS, WHICH THE
DEDICATED EASEMENT PORTIONED TO.
10. NOTICE OF POSSIBLE FUTURE ACQUISITION OF THE
SUBJECT PROPERTY FOR PUBLIC PURPOSES AS SET OUT IN
VOLUME 4578, PAGE 1781, DEED RECORDS, TRAVIS
COUNTY, TEXAS, DOES NOT AFFECT THE SUBJECT TRACT.
10. EJECTING LINE EASEMENT RECORDED IN VOLUME
4578, PAGE 1784, DEED RECORDS, TRAVIS COUNTY, TEXAS
DOES NOT AFFECT THE SUBJECT TRACT.

NOTES:

1. ANY EASEMENTS AND BUILDING LINES AS FOR TITLE
COMMITMENT DFP 1111716, AS REFERENCED ABOVE, NO
ADDITIONAL RESEARCH DONE BY FLUGEL LAND
SURVEYING FOR ANY EASEMENTS, RESTRICTIONS, OR
CONDITIONS OF RECORD WHICH MAY AFFECT THE
PROPERTY.

TO: COLUMBIA WEST AND/OR ASSOCIATE, CHICAGO TITLE
INSURANCE COMPANY AND INDEPENDENCE TITLE COMPANY

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS
SURVEY WAS MADE ON THE BASIS OF THE PROPERTY
SHOWING HEREON UNDER MY DIRECTION AND IS TRUE AND
CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF,
SUBSTANTIALLY COMPLYING WITH THE CURRENT TEXAS
SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND
SPECIFICATIONS FOR A CATEGORY 1A, CONDITION 3 LAND
TITLE SURVEY.



AS SURVEYED BY
Paul J. Flugel 7-13-2013
PAUL J. FLUGEL DATE OF FIELD SURVEY:
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5098 6-10-2013
PWA NO. 10103527

FLUGEL LAND
SURVEYING
14910 DORIA DRIVE
AUSTIN, TX 78728
(512) 633-3996

CLIENT: WGA ENGINEERING
FIELD BOOK: 3, PAGE 51-64
DRAWING: HPL-1
PROJECT: HOLPWA # 628-2013
DATE: 6-17-13
FILE: WGA0000000.TXD

FLUGEL LAND SURVEYING
PROFESSIONAL LAND SURVEYORS
14910 Doria Drive
Austin, Texas 78728
Firm No. 10193837
Telephone: (512) 633-3996

C14-2014-0036
TRACT 2

EXHIBIT " _ "

LEGAL DESCRIPTION FOR A 0.554 ACRE TRACT

LEGAL DESCRIPTION OF A 0.554 ACRE (24,117 SQUARE FEET) TRACT OR PARCEL OF LAND, BEING A PORTION OF A 2.006 ACRE TRACT CONVEYED TO KOREAN UNITED PRESBYTERIAN CHURCH IN VOLUME 11588, PAGE 823, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.553 ACRE TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found for the **POINT OF REFERENCE** on the northwest line of said 2.006 acre tract, being the southeast corner of Lot A, of an Amended Plat of Lots 1 and 2 Campbell Francis Subdivision, and Lot A, First Resubdivision of Resurrection Addition, recorded in Book 59, Page 70, Plat Records, Travis County, Texas; Thence, S 29°18'00" W, along the northwest line of said 2.006 acre tract, for a distance of 2.07' to a ½" iron rod set stamped "P Flugel 5096" for the northwest corner of 0.057 acre tract dedicated to the City of Austin (C.O.A.) for street right-of-way (R.O.W.) in Doc.# _____ for the **POINT OF BEGINNING** and the southwest corner of the herein described tract, from which bears S 29°18'00" W a distance of 12.93' to a ½" iron rod set stamped "P Flugel 5096" on the old north R.O.W. line of Justin Lane (R.O.W. varies) for the southwest corner of said 2.006 acre tract;

THENCE, N 29°18'00" E along the west line of said 2.006 acre tract a distance of 227.48' to a 1/2" iron rod found at an angle point in the west line of said 2.006 acre tract for the southeast corner of Lot 2, C. E. Brown Subdivision, recorded in Book 18, Page 17, Plat Records, Travis County, Texas, and the northeast corner of said amended plat, from which bears N 59°41'16" W for a distance of 56.21' to a 3/8" iron pipe found for the southwest corner of said Lot 2 and the southeast corner of Lot 1, C. E. Brown Subdivision;

THENCE, N 29°16'37" E along the east line of said Lot 2 and the west line of said 2.006 acre tract a distance of 37.56' to a calculated point for the northwest corner of the herein described tract, from which bears N 29°16'37" E a distance of 177.19' to a ½" iron rod set with cap stamped "P Flugel 5096" on the south R.O.W. line of Cullen Avenue, and the north line of said 2.006 acre tract, being the southwest corner of a 5.00' C.O.A. R.O.W. dedication tract recorded in Volume 2619, Page 560, Deed Records, Travis County, Texas, and the northeast corner of said Lot 2;

THENCE, through and across said 2.006 acre tract the following two courses:

1. **S 59°41'16" E** a distance of **91.01'** to a calculated point;
2. **S 29°17'60" W** a distance of **265.07'** to a calculated point on the north line of said 0.057 acre C.O.A. R.O.W. tract, from which bears S 59°40'00" E a distance of 100.74' to a ½" iron rod set



stamped "P Flugel 5096" on the northwest R.O.W. line of Hardy Lane (50' R.O.W.) for the northeast corner of said 0.057 acre C.O.A. R.O.W. tract;

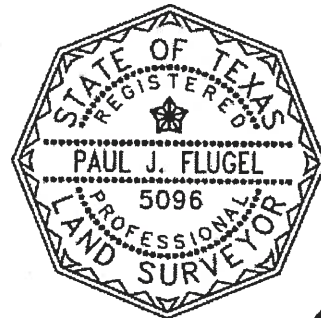
THENCE, N 59°40'00" W along the north line of said 0.057 acre tract a distance of **91.00'** to the **POINT OF BEGINNING** and containing **0.554 acres (24,117 square feet)** of land, more or less.

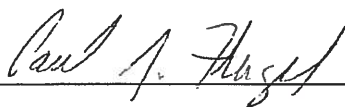
BASIS OF BEARINGS:

Bearings are based on the record plat, being the south R.O.W. line of Cullen Avenue (N 59°40' W), as monumented on the ground by a ½" iron rod and a ½" iron pipe 191.95' apart, as shown on the attached sketch.

I do hereby certify that this description is true and correct to the best of my knowledge and belief, and was prepared from an actual on the ground survey under my supervision, and that the markers described herein actually exist, as described, at the time of my survey.

As Prepared by
Flugel Land Surveying
Firm Registration No. 10193837





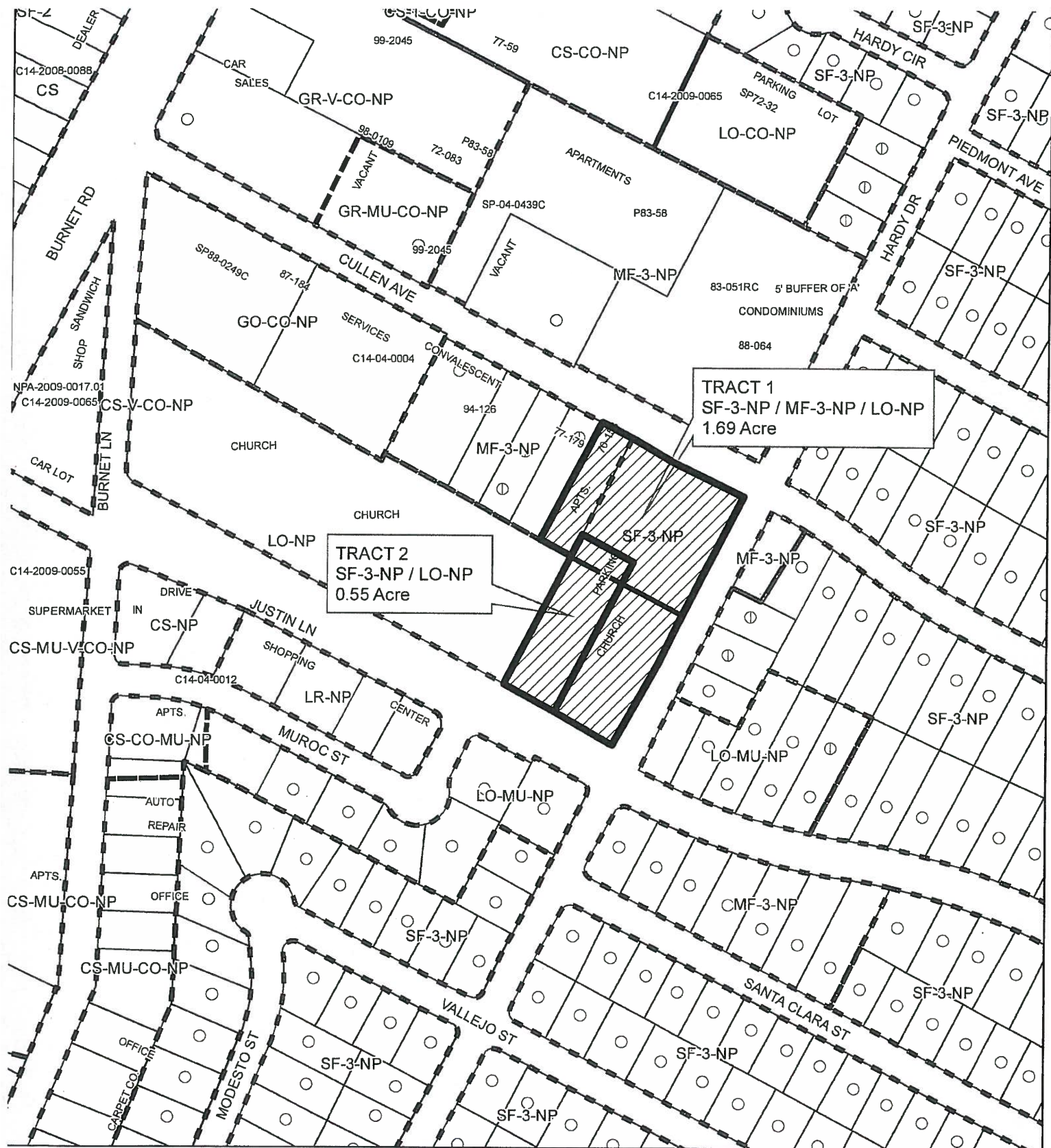
Paul J. Flugel
Registered Professional Land Surveyor No. 5096




Date of Survey: 6/10/2013

Updated: 1/5/15

Date of Field Notes:

1/6/2015



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2014-0036

1" = 200'

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 by the City of Austin regarding specific accuracy or completeness.



Exhibit C