

ORDINANCE NO. 20180614-095

AN ORDINANCE CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3908 AVENUE B IN THE HYDE PARK NEIGHBORHOOD PLAN AREA FROM UNZONED (UNZ) DISTRICT TO COMMUNITY COMMERCIAL-HISTORIC AREA-NEIGHBORHOOD CONSERVATION-NEIGHBORHOOD PLAN (GR-HD-NCCD-NP) COMBINING DISTRICT AND AMENDING ORDINANCE NO. 20020131-20 TO MODIFY THE BOUNDARIES OF THE HYDE PARK NEIGHBORHOOD CONSERVATION (NCCD) COMBINING DISTRICT.

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

PART 1. Ordinance No. 20020131-20 is amended to include the property identified in this Part in the area commonly known as Hyde Park neighborhood conservation (NCCD) combining district. The zoning map established by Section 25-2-191 of the City Code is amended to zone the property from unzoned (UNZ) district to community commercial-historic area-neighborhood conservation-neighborhood plan (GR-HD-NCCD-NP) combining district on the property described in Zoning Case No. C14-01-0046.02, on file at the Planning and Zoning Department, as follows:

4.361 acres of land designated as a portion of Austin Rapid Transit Co. Park by Hyde Park Addition No. 2, a subdivision of record in Volume 1, Page 75, of the Plat Records of Travis County, Texas, and being comprised of Two Tracts: Tract 1 being a parcel of land 262 feet by 425 feet conveyed to the Board of Trustees of the Public Free Schools of the City of Austin by instrument of record in Volume 246, Page 154, of the Deed Records of Travis County, Texas; and Tract 2 being a parcel of land 185 feet by 425 feet conveyed to the Board of Trustees of the Public Free Schools of the City of Austin by instrument of record in Volume 586, Page 96, of the Deed Records of Travis County, Texas, and being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 3908 Avenue B in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit "B"**.

PART 2. The Hyde Park NCCD-NP was approved on January 31, 2002, under Ordinance No. 20020131-20 and amended under Ordinance No. 20120112-086.

PART 3. Ordinance No. 20020131-20 is amended to add a new part to be known as Part 15. Except as otherwise specifically provided in Part 15, the property at 3908 Avenue B is

subject to the applicable terms and provisions of Ordinance No. 20020131-20. If Part 15 and Ordinance No. 20020131-20 conflict, Part 15 applies.

PART 15. The following applies to the property at 3908 Avenue B:

- A. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
- B. The permitted and conditional uses allowed in the Hyde Park NCCD under Part 6 (1) of Ordinance No. 20020131-20 apply to the Property. In addition, the following uses are permitted uses on the Property:

Art galleries	Condominium residential
Financial services	Food sales (5,000 square foot limit)
General retail sales-convenience (5,000 square foot limit)	Indoor entertainment (5,000 square foot limit)
Multifamily residential	Restaurant (limited)
Restaurant (general)	Software development
Theater (5,000 square foot limit)	
- C. Drive-thru services is a prohibited use on the Property.
- D. Residential uses are the only permitted use above the first floor of any new building or structure on the Property.
- E. A 70-foot wide building setback shall be established and maintained along the eastern property line where the Property abuts the front of the existing school building.
- F. Restaurant (general) and Restaurant (limited) uses on the Property are limited to a combined maximum of 5,000 square feet overall.
- G. The following site development standards apply to the Property:
 - 1. The maximum height of a building or structure on the Property is 50 feet on the western 100 feet of the Property as measured from the western property line, and 30 feet for the remainder of the Property.

2. The maximum floor-to-area ratio (FAR) is 1.50:1.

PART 4. The Property is subject to Ordinance No. 20000413-063 that established zoning for the Hyde Park Neighborhood Plan.

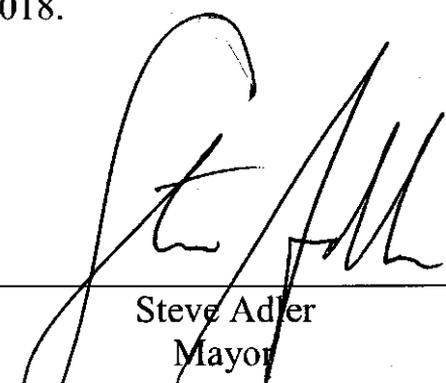
PART 5. Except as otherwise provided in this ordinance, the terms and conditions of Ordinance No. 20020131-20, as amended, remain in effect.

PART 6. This ordinance takes effect on June 25, 2018.

PASSED AND APPROVED

June 14, 2018

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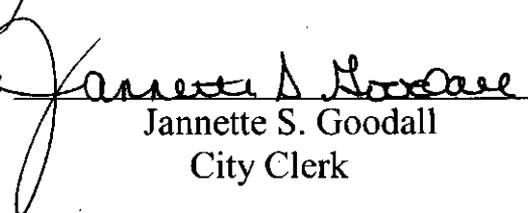
Steve Adler
Mayor

APPROVED:



Anne L. Morgan
City Attorney

ATTEST:



Jannette S. Goodall
City Clerk



Land Surveyors, Inc.

8333 Cross Park Drive

Austin, Texas 78754

Office: 512.374.9722

Fax: 512.873-9743

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METES AND BOUNDS DESCRIPTION

BEING 4.361 ACRES OF LAND DESIGNATED AS A PORTION OF AUSTIN RAPID TRANSIT CO. PARK BY HYDE PARK ADDITION NO. 2, A SUBDIVISION OF RECORD IN VOLUME 1, PAGE 75, OF THE PLAT RECORDS OF TRAVIS COUNTY TEXAS, AND BEING COMPRISED OF TWO TRACTS: TRACT 1 BEING A PARCEL OF LAND 262 FEET BY 425 FEET CONVEYED TO THE BOARD OF TRUSTEES OF THE PUBLIC FREE SCHOOLS OF THE CITY OF AUSTIN BY INSTRUMENT OF RECORD IN VOLUME 246, PAGE 154, OF THE DEED RECORDS OF TRAVIS COUNTY TEXAS; AND TRACT TWO BEING A PARCEL OF LAND 185 FEET BY 425 FEET CONVEYED TO THE BOARD OF TRUSTEES OF THE PUBLIC FREE SCHOOLS OF THE CITY OF AUSTIN BY INSTRUMENT OF RECORD IN VOLUME 586, PAGE 96, OF THE DEED RECORDS OF TRAVIS COUNTY TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in a concrete sidewalk for the southeast corner of said "Tract 1" and being the point of intersection of the north right-of-way line of West 39th Street (60' R.O.W.) and the west right-of-way line of Avenue B (80' R.O.W.), from which an iron pipe found in asphalt for the northwest corner of a tract of land conveyed to Artesia 305 W. 39th, LLC by instrument of record in Doc. No. 2014112130 of the Official Public Records of Travis County, Texas, and being the point of intersection of the south right-of-way line of said West 39th Street and the east right-of-way line of said Avenue B bears South 19°44'29" East a distance of 88.79 feet;

THENCE North 62°21'59" West (record – "Westerly"), along the south line of "Tract 1" and said "Tract 2", and the north right-of-way line of West 39th Street, a distance of 447.00 feet (record – 447 feet) to a calculated point for the southwest corner of "Tract 2" and the southeast corner of a 12 foot wide alley dedicated by instrument of record in Volume 242, Page 116 of the Deed Records of Travis County, Texas, from which an "X" cut in concrete for the southwest corner of said 12 foot wide alley, the southeast corner of a 125 foot by 212.50 foot parcel of land out of said Austin Rapid Transit Co. Park dedicated by said Hyde Park Addition No. 2, conveyed to Chalet Properties Austin, LLC by instrument of record in Doc. No. 2008166351 of the Official Public Records of Travis County, Texas, and being in the north right-of-way line of West 39th Street, bears North 62°17'22" West (record – "Westerly") a distance of 11.97 feet (record – 12 feet), and from said "X" cut in concrete a 1/2" rebar found for the northeast corner of said 125 foot by 212.50 foot parcel conveyed to Chalet Properties Austin, LLC, the southeast corner of a 125 foot by 212.50 foot parcel of land out of Austin Rapid Transit Co. Park dedicated by Hyde Park Addition No. 2, conveyed to Sigmor Number 80, Inc. by instrument of record in Doc. No. 2010020896 of the Official Public Records of Travis County, Texas, and being in the west line of the 12 foot wide alley, bears North 27°38'01" East a distance of 212.55 feet (record - North 28°32'54" East a distance of 212.50 feet);

THENCE North 27°38'01" East (record – "Northerly"), along the west line "Tract 2" and the east line of the 12 foot wide alley, a distance of 425.00' (record – 425 feet) to a 1/2" rebar

Exhibit A

found for the northwest corner of "Tract 2", the northeast corner of the 12 foot wide alley, and being in the south right-of-way line of West 40th Street (80' R.O.W.), from which a 1/2" iron pipe found for the northwest corner of the 12 foot wide alley, the northeast corner of said 125 foot by 212.50 foot parcel conveyed to Sigmor Number 80, Inc., and being in the south right-of-way line of said West 40th Street, bears North 61°31'09" West (record - "Westerly") a distance of 11.97 feet (record - 12 feet), and from said 1/2" iron pipe found said 1/2" rebar found for the southeast corner of the 125 foot by 212.50 foot parcel conveyed to Sigmor Number 80, Inc., the northeast corner of the 125 foot by 212.50 foot parcel conveyed to Chalet Properties Austin, LLC, and being in the west line of the 12 foot wide alley, bears South 27°38'01" West a distance of 212.61 feet (record - South 28°32'54" West a distance of 212.50 feet);

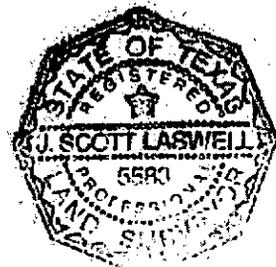
THENCE South 62°21'59" East (record - "Easterly"), along the north line of "Tract 2" and "Tract 1", and the south right-of-way line of West 40th Street, a distance of 447.00 feet (record - 447 feet) to a 1/2" rebar set with plastic cap which reads "Baseline Inc" for the northeast corner of "Tract 1" and being the point of intersection of the south right-of-way line of West 40th Street and the west right-of-way line of Avenue B, from which a 1/2" rebar found for the southeast corner of a tract of land conveyed to Hong Tao Lee and Jenny C. Lee by instrument of record in Volume 10796, Page 334 of the Real Property Records of Travis County, Texas, and being the point of intersection of the north right-of-way line of West 40th Street and the west right-of-way line of Avenue B, bears North 27°30'13" East a distance of 80.27 feet (record - 80 feet), and also from which a 1/2" rebar found for the southwest corner of a tract of land conveyed to Leopold P. Wolf by an unrecorded will, and being the point of intersection of the north right-of-way line of West 40th Street and the east right-of-way line of Avenue B, bears North 72°31'58" East a distance of 112.60 feet;

THENCE South 27°38'01" West (record - "Southerly"), along the east line "Tract 1" and the west right-of-way line of Avenue B, a distance of 425.00 feet (record - 425 feet) to the POINT OF BEGINNING.

This parcel contains 4.361 acres of land, more or less, designated as a portion of Austin Rapid Transit Co. Park by Hyde Park Addition No. 2, a subdivision of record in Volume 1, Page 75, of the Plat Records of Travis County, Texas.

Bearing Basis: Texas State Plane Coordinates, Central Zone, NAD 83\96CORS.


J. Scott Laswell Date
Registered Professional Land Surveyor
State of Texas No. 5583



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