

ORDINANCE NO. 20210408-011

AN ORDINANCE GRANTING ADDITIONAL FLOOR-TO-AREA RATIO UNDER THE DOWNTOWN DENSITY BONUS PROGRAM FOR A PROJECT LOCATED AT 61 AND 69 RAINEY 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 the “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.

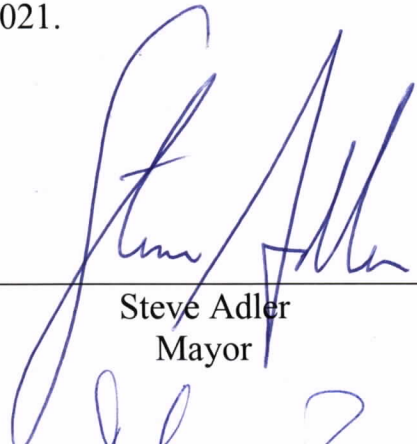
If this site plan expires without the Project being built or if the Applicant does not build the Project in accordance with the site plan, then this ordinance expires and is of no effect.

PART 5. This ordinance takes effect on April 19, 2021.


PASSED AND APPROVED

April 8, 2021

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Steve Adler
Mayor

APPROVED: 
Anne L. Morgan
City Attorney

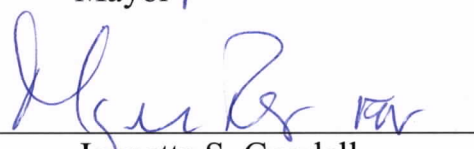
ATTEST: 
Jannette S. Goodall
City Clerk

Exhibit A

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 Mag 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 (\pm 23,579 square feet) of land.

TREE TABLE LEGEND:
 NP = Not protected
 HT = Heritage Tree
 P = Protected Tree
 DBH = Diameter Breast Height

[illegible]

§11 or other similar utility location requests (DIG-TESS) may be ignored or result in an incomplete response, in which case utilities may not have been marked, or not completely marked, at the time the fieldwork was performed for this survey. Therefore, other utilities may exist which are not shown on this survey. With regard to Table A, item 11 ("if addressed), source information from plans and markings have been combined with observed evidence of utilities pursuant to Section 5.E.iv to develop a view of the underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. Where additional or more detailed information is required, excavation and/or a private utility location request may be necessary.

This property lies within ZONE X (SHADED) of the Flood Insurance Rate Map for Travis County, Texas and Incorporated Areas, map no. 48453CD4651, dated January 6, 2016, via scaled map location and graphic plotting and/or via the National Flood Hazard Layer (NFHL) Web Map Service (WMS) <http://hazards.fema.gov>

Monuments are found if not marked MNS or CRS.

- CRS ○ 1/2" rebar stamped "JPLI Land Surveying" set
- MNS ○ Mag nail & washer stamped "JPLI Land Surveying" set
- TBM ○ Site benchmark (use vicinity map for general location)
 - Vertex or common point (not a monument)
 - Coordinate values, if shown, are US SpP/TxCs, 83, CZ
 - Elevations, if shown, are NAVD88
 - Bearings are based on grid north (TxCs, 83, CZ)

TYPE I ○ TxDOT Right of Way tapered concrete monument.

TYPE II ○ TxDOT Right of Way bronze cap on concrete

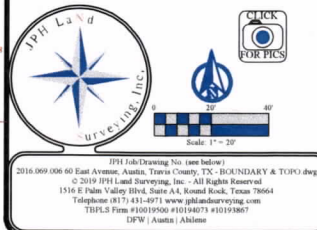
TYPE III ○ TxDOT Right of Way aluminum cap.

US/SYF1	United States Survey Foot
TXCS, RUCZ	Texas Coordinate System of 1983, Central Zone
NAVDS88	National American Vertical Datum of 1988
P.R.T.C.T	Plat Records of Travis County, Texas
O.P.R.T.C.T	Official Public Records of Travis County, Texas
D.R.T.C.T	Deed Records of Travis County, Texas
VOL-PG/INST#	Volume/Page/Instrument Number
POB/POC	Point of Beginning/Point of Commencing
ESMT/BL	Easement/Building Line
PVC	Polyvinyl Chloride Pipe
RCP	Reinforced Concrete Pipe
S F	Square Feet
BLDG	Building

TAG#	DBH/SPECIES/STATUS
2098	15" HACKBERRY NP
2099	13" HACKBERRY NP
2100	14" HACKBERRY NP
50190	21" ASH P
50222	22" COTTON WOOD P
50243	20" COTTON WOOD P
50320	18" PECAN NP
50327	12" PECAN NP
50346	20" HACKBERRY P
50456	9" CEDARELM NP
50457	7" CEDARELM NP
50589	13" HACKBERRY NP
50594	9" CHINABERRY NP
50614	29" PECAN HT

[illegible]

Utility locations are per observed and sources listed below:
DIG-TESS - ticket number(s) 562388053, 590187385 and 590187328



FELDTNOTES to that certain tract being comprised of land described in a General Warranty Deed Correction Affidavit to 61 Ranney Street, LLC (hereinafter referred to as 61 Ranney tract), as recorded in Document No. 2011169796, of the Official Public Records of Travis County, Texas (O.P.R.C.T.), a tract of land described in a General Warranty Deed with Vendor's Lien to 61 Ranney Street, LLC (hereinafter referred to as 61 Ranney tract), as recorded in Document No. 201104909, said O.P.R.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. 201810311, said O.P.R.C.T., being further described in a Warranty Deed to Robert E. Knight, as recorded in Document 13279, Page 21, of the Public Records of Travis County, Texas (O.P.R.C.T.), subject also being portions of Lot 1 and Lot 18 Block 1, a portion of (original) River Street (River Street being listed as having been subdivided by a City of Austin Ordinance recorded in Volume No. 20100114909, a portion of an unperfected bill of sale, and a portion of a deed recorded in Volume No. 20100114909, a portion of an unperfected bill of sale (20 foot wide), and a portion of a share(s) 10 foot measure, all according to DISKOLLS and KANEY'S SUBDIVISION OF PART OF OUTLOTS 74 TO 71, DIVISION E, AUSTIN TEXAS, a map of which is recorded in Volume 1, Page 22, of the Public Records of Travis County, Texas (O.P.R.C.T.), the subject tract being more particularly described as follows (Beltlines 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. 201001314909) 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. 223;

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;

SOUTH 73° across 49 minutes 29 seconds EAST, continuing through the interior of said slide, at a distance of 10.00 feet, from a 1/2 inch rebar found at the north corner of said Knight track on the southeast line of said lot, pass a 1/2 inch capped rebar stamped "BURKE & ARSOFF" found for the north corner of a tract described in a General Warranty Deed to KIMT Property, LLC, as recorded in Document No. 2013021842, and of P.O.R.T.C., bears NORTH 16 degrees 10 minutes 31 seconds EAST a distance of 50.00 feet, and continue along the northeast line of said Knight track a total distance of 129.01 feet to a 1/2 inch capped rebar stamped "FPI Land Surveying" set at the east corner of said Knight track on the northwest right of way of East Avenue (R/OV varies, 135 by deed and Vol. 1, Pg. 22 and Texas Department of Transportation (TxDOT) ROW map - Project No. E-15-312234);

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 "WARD 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;

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 Mag nail with a metal washer stamped "JPL Land Surveying" set at the South corner of said 61 Ranney tract, and continue along the southwest line of said 61 Ranney tract, a total distance of 266.82 feet to the **POINT OF BEGINNING** enclosing 0.541 of one acre (c. 23,579 square feet) of land.



BOUNDARY & TOPOGRAPHIC SURVEY
0.541 ACRES
BEING PORTIONS OF
LOTS 1 & 18, BLOCK 1, (ORIGINAL) RED RIVER STREET,
AN APPARENT ALLEY (20' WIDE) & A SHOWN 10' RESERVE
DRISCOLL'S AND RAINEY'S SUBDIVISION
OF PART OF OUTLOTS 72 & 73
CITY OF AUSTIN
TRAVIS COUNTY, TEXAS

ADDRESSES: 60 East Avenue, 61 Rainey Street, and 69 Rainey Street (Per Appraisal District)