

ORDINANCE NO. _____

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**
2 **PROPERTY LOCATED AT 801 AND 807 WEST 12TH STREET AND 1108, 1110,**
3 **AND 1112 WEST AVENUE FROM GENERAL COMMERCIAL SERVICES (CS)**
4 **DISTRICT TO DOWNTOWN MIXED USE-CONDITIONAL OVERLAY (DMU-**
5 **CO) COMBINING DISTRICT.**

6
7 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

8
9 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
10 change the base district from general commercial services (CS) district to downtown mixed
11 use-conditional overlay (DMU-CO) combining district on the property described in Zoning
12 Case No. C14-2022-0141, on file at the Housing and Planning Department, as follows:

13
14 Being 0.4209 acre (18,334 square feet) tract of land out of Outlot No. 5, Division
15 E, Government Outlots, in the City of Austin, Travis County, Texas, as shown on
16 the map of record in the General Land Office of the State of Texas, being all of a
17 called 0.074 acre tract of land described in a deed recorded as Document No.
18 2021196104, Official Public Records of Travis County, Texas, also being all of a
19 called 5,610 square feet (Tract 1) tract of land and all of a called 4,163 square feet
20 (Tract 2) tract as described in a document recorded in Document No. 2002001831,
21 Official Public Records of Travis County, Texas, also being all of a called 41.5' x
22 128' portion of Outlot No. 5, Division E, Government Outlots as described in a
23 deed recorded in Volume 12251, Page 343, Deed Records of Travis County,
24 Texas, said 0.4209 acre of land being more particularly described by metes and
25 bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

26
27 locally known as 801 and 807 West 12th Street and 1108, 1110, and 1112 West Avenue in
28 the City of Austin, Travis County, Texas, and generally identified in the map attached as
29 **Exhibit "B"**.

30
31 **PART 2.** The Property within the boundaries of the conditional overlay combining district
32 established by this ordinance is subject to the following conditions:

33
34 The maximum height of a building or structure on the Property shall not exceed 90
35 feet.

36
37 **PART 3.** Except as specifically restricted under this ordinance, the Property may be
38 developed and used in accordance with the regulations established for the downtown
39 mixed use (DMU) base district, and other applicable requirements of the City Code.

PART 4. This ordinance takes effect on _____, 2023.

PASSED AND APPROVED

§

§

§

_____, 2023 § _____

Kirk Watson
Mayor

APPROVED: _____ **ATTEST:** _____

Anne L. Morgan
City Attorney

Myrna Rios
City Clerk

EXHIBIT "A"

0.4209 ACRE (18,334 SQUARE FEET)
OUTLOT 5, DIVISION E
GOVERNMENT OUTLOTS, CITY OF AUSTIN
TRAVIS COUNTY, TEXAS

METES AND BOUNDS

BEING ALL OF THAT CERTAIN 0.4209 ACRE (18,334 SQUARE FEET) TRACT OF LAND OUT OF OUTLOT NO. 5, DIVISION E, GOVERNMENT OUTLOTS, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS SHOWN ON THE MAP OF RECORD IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, BEING ALL OF A CALLED 0.074 ACRE TRACT OF LAND CONVEYED TO ELLIS REAL ESTATE AND DEVELOPMENT, LLC, BY DEED RECORDED IN DOCUMENT NUMBER 2021196104 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.TX.), ALSO BEING ALL OF A CALLED 5,610 SQUARE FEET (TRACT 1) TRACT OF LAND AND ALL OF A CALLED 4,163 SQUARE FEET (TRACT 2) TRACT OF LAND CONVEYED TO BRIAN JAY LARSON AND ROBERT BRADLEY BURNS, BY DEED RECORDED IN DOCUMENT NUMBER 2002001831, O.P.R.T.C.TX., ALSO BEING ALL OF A CALLED 41.5' X 128' PORTION OF OUTLOT 5, DIVISION E, GOVERNMENT OUTLOTS CONVEYED TO BRIAN JAY LARSON AND ROBERT BRADLEY BURNS BY DEED RECORDED IN VOLUME 12251, PAGE 343 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (R.P.R.T.C.TX.), SAID 0.4209 ACRE (18,334 SQUARE FEET) TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at an 1/2 inch iron pipe found on the south line of West 12th Street (R.O.W. Varies), same being on the east line of a 20-foot wide alley, also being the northwest corner of said 0.074 acre tract of land, for the northwest corner and the **POINT OF BEGINNING** of the herein described tract of land,

THENCE, S73°23'18"E, with the south line of said West 12th Street, with the north line of said 0.074 acre tract and the north line of said 5,610 square feet tract, passing at a distance of 43.40 feet a 1/2 inch iron rod found with cap stamped "WEST" at the common north corner of said 0.074 acre tract and said 5,610 square feet tract, continuing for a total distance of 128.46 feet to a calculated point at the intersection of the south right-of-way line of said West 12th Street and the west right-of-way line of West Avenue (80' R.O.W.), being the northeast corner of said 5,610 square feet tract and of the herein described tract,

THENCE, S16°34'40"W, with the west right-of-way line of said West Avenue, being the east line of said 5,610 square feet tract, said 4,163 square feet tract, and said 41.5' x 128' portion of Outlot 5, Division E, passing at a distance of 66.00 feet the common east corner of said 5,610 square feet tract and said 4,163 square feet tract, from which a 1/2 inch iron rod found with cap stamped "WEST" bears S20°36'06"E a distance of 0.34 feet, passing at a distance of 101.51 feet a MAG nail found for the common east corner of said 4,163 square feet tract and said 41.5' x 128' portion of Outlot 5, Division E, continuing for a total distance of 142.89 feet to a 60D nail found for the southeast corner of said 41.5' x 128' portion of Outlot 5, Division E and of the herein described tract, same being the northeast corner of that called 46-1/2 x 128 feet tract of land conveyed to Rittenhouse Revocable Trust by deed recorded in Document Number 2021204850, O.P.R.T.C.TX. (see description in Volume 11917, Page 83, R.P.R.T.C.TX.),

THENCE, N73°13'38"W, with the south line of said 41.5' x 128' portion of Outlot 5, Division E, same being the north line of said 46-1/2 x 128 feet tract of land, a distance of 128.48 feet to a 1/2 inch iron pipe found on the east line of said 20-foot wide alley for the southwest corner of said 41.5' x 128' portion of Outlot 5, Division E and of the herein described tract, same being the northwest corner of said 46-1/2 x 128 feet tract of land,

0.4209 ACRE (18,334 SQUARE FEET)
OUTLOT 5, DIVISION E
GOVERNMENT OUTLOTS, CITY OF AUSTIN
TRAVIS COUNTY, TEXAS

THENCE, N16°35'06"E, with the east line of said 20-foot wide alley, with the west line of said 41.5' x 128' portion of Outlot 5, Division E, with the west line of said 4,163 square feet tract, and with the west line of said 0.074 acre tract, a distance of 142.53 feet to the **POINT OF BEGINNING**, and containing 0.4209 acre (18,334 Square Feet) of land, as shown on the attached Sketch.

John D Kipp

02/15/2023

Surveyed by: _____

John David Kipp, R.P.L.S. NO. 5844
Carlson, Brigrance and Doering, Inc.
REG. # 10024900
5501 West William Cannon
Austin, TX 78749
Ph: 512-280-5160
jkipp@cbdeng.com



BEARING BASIS: TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE (4203)

SKETCH TO ACCOMPANY FIELD NOTES

SCALE: 1" = 50'



OUTLOT 5, DIVISION E
GOVERNMENT OUTLOTS
IN THE CITY OF AUSTIN

LEGEND

- 1/2" IRON ROD FOUND
- ⊙ 1/2" IRON PIPE FOUND
- ▲ 60D NAIL FOUND
- △ CALCULATED POINT

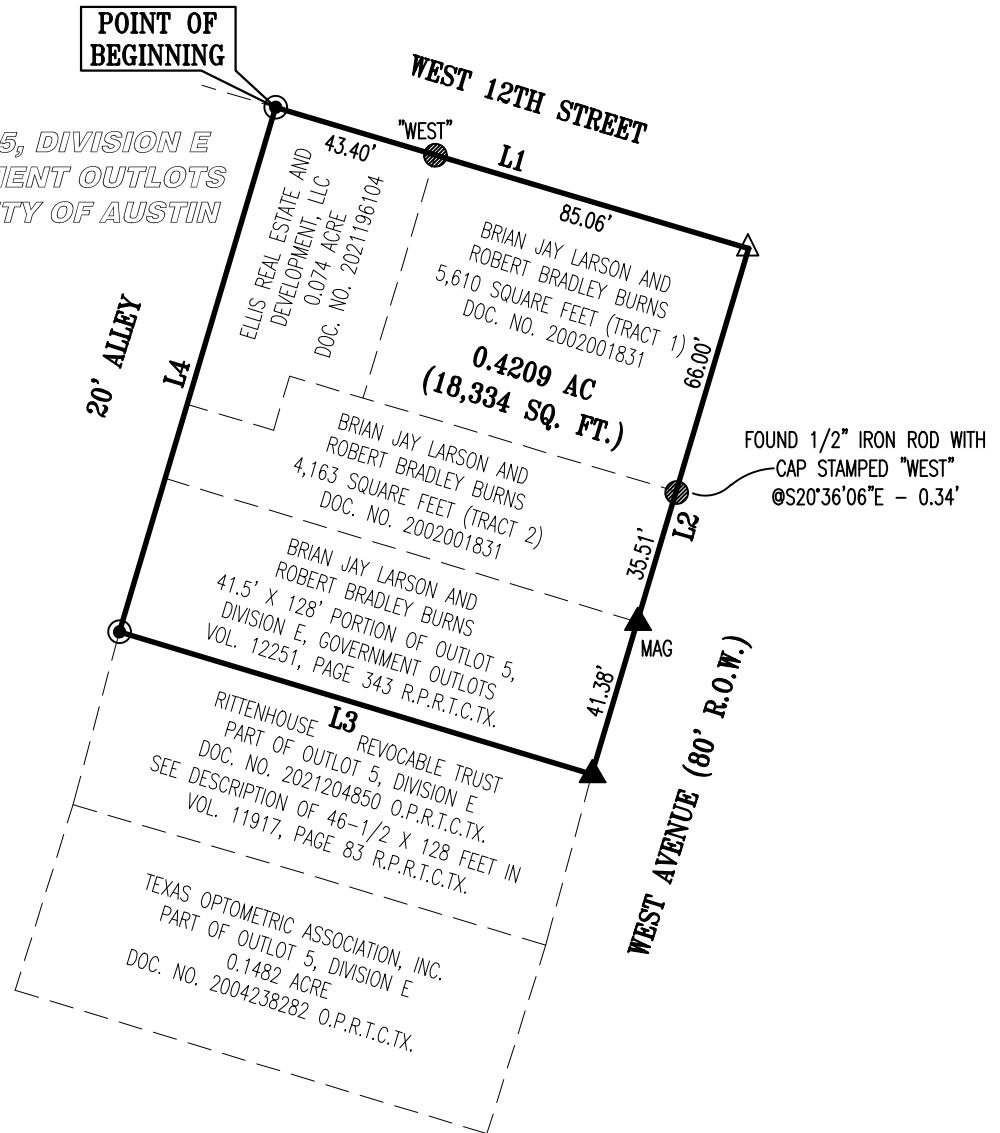
O.P.R.T.C.TX. OFFICIAL PUBLIC RECORDS
OF TRAVIS COUNTY, TEXAS

R.P.R.T.C.TX. REAL PROPERTY RECORDS
OF TRAVIS COUNTY, TEXAS

02/15/2023



John D Kipp



Line Table

| Line # | Length | Direction |
|--------|--------|-------------|
| L1 | 128.46 | S73°23'18"E |
| L2 | 142.89 | S16°34'40"W |
| L3 | 128.48 | N73°13'38"W |
| L4 | 142.53 | N16°35'06"E |

BEARING BASIS: TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE (4203)

Carlson, Brigrance & Doering, Inc.

FIRM ID #F3791 REG. # 10024900

Civil Engineering

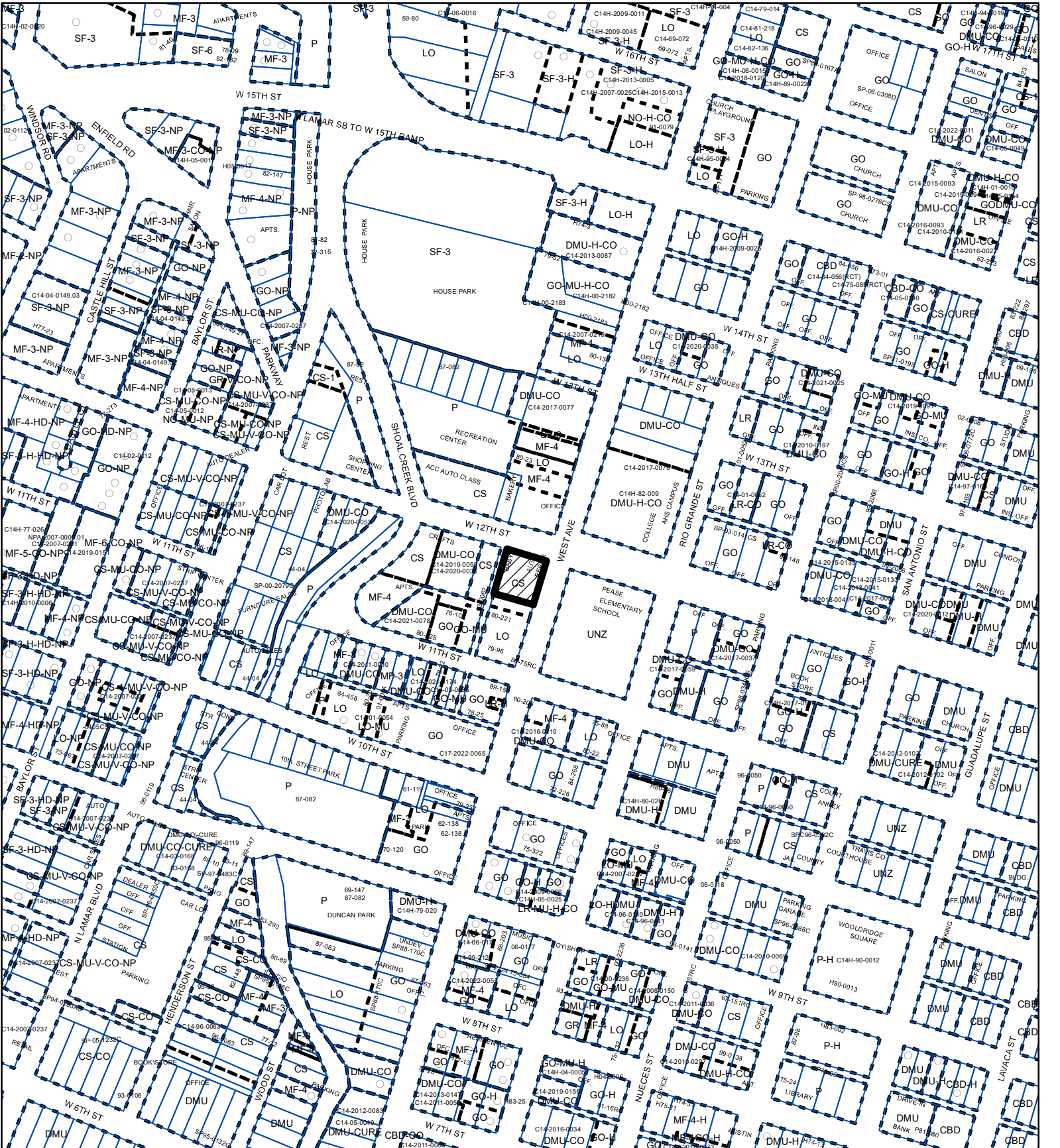
5501 West William Cannon

Phone No. (512) 280-5160

Surveying

Austin, Texas 78749

Fax No. (512) 280-5165



ZONING

EXHIBIT "B"

ZONING CASE#: C14-2022-0141



- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

1" = 400'

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 the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or

Created: 9/28/2022