Item No. 72 (Bolm East) April 4, 2024 Council Meeting

MOTION SHEET

- 1. Insert attached "Exhibit C" to the ordinance.
- 2. In Part 4:
 - a. Amend Subsection (A) to remove "marina"; "performance venue"; and "outdoor entertainment".
 - b. Amend Subsection (C) to remove "outdoor entertainment".
 - c. Amend Subsection (E) to add a new Subdivision (10) that reads:

 (E)(10) Ornamental towers, cupolas, domes, and spires are not subject to Section 25-2-531 (*Height Limit Exceptions*).
 - d. Amend Subsection (H) to add the underlined language:
 - (H) No buildings shall be constructed within the area depicted on **Exhibit** "C". Improvements permitted within the no building area may include hike and bike trails with associated educational kiosks, stormwater infrastructure, picnic areas, kayak launches, fishing spots, observation decks, fencing, and other improvements that may be otherwise required by the City of Austin or specifically authorized by this ordinance. A man-made beach is not permitted within the no building area. A hike and bike trail included in the area depicted on Exhibit "C" can be located on the first bluff from the Colorado River but may not be closer than the 420-foot contour.
 - e. Amend Subsection (I) to read:

Outdoor entertainment and <u>non-enclosed</u> performance venue are only permitted as an accessory use to the following principal uses:

Camp Club or lodge Cocktail Lounge Hotel-motel

Outdoor sports and recreation [entertainment] Restaurant (general)

Restaurant (limited)

Item No. 72 (Bolm East) Motion Sheet April 4, 2024 Council Meeting

- f. Amend Subsection (J)(2) to read:
 - (J)(2) Outdoor lights shall be shielded so that neither light fixtures [-,] light source, nor the lens shall be visible from a distance less than the mounting height of the fixture;
- g. Add new Subsections (L) and (M) to read:
 - (L) A marina is a permitted use and subject to these requirements.
 - (1) A marina may not allow watercraft propelled by an internal combustion engine or electric motor to use a dock, slip, or other appurtenance associated with the marina.
 - (2) A marina shall comply Chapter 25-2, Subchapter C, Article 13 (Docks, Bulkheads, and Shoreline Access).
 - (M) A performance venue is a permitted use within an enclosed structure.

EXHIBIT "C"

EXHIBIT "

(Ordinary High Water Mark Setback) James Burleson Survey No. 19, Abstract No. 4

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 12.4545 ACRES (542,520 SQUARE FEET) OF LAND, MORE OR LESS, BEING OUT OF THE JAMES BURLESON SURVEY NO. 19, ABSTRACT NO. 4, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 39.34 ACRE TRACT CONVEYED TO APAC-TEXAS, INC. IN DOCUMENT NO. 2009205761 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), SAID 12.4545 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:



PO Box 90876 Austin, TX 78709 512.554.3371 jward@4wardls.com www.4wardls.com

BEGINNING, at an iron rod with "RPLS 5784" cap found in a west bank of the Colorado River, and being the southerly most corner of said APAC – 39.34 acre tract, for the southwest corner and **POINT OF BEGINNING** hereof;

THENCE, leaving the west bank of said Colorado River, with the south line of said APAC – 39.34 acre tract, N63°36'42"W, a distance of 327.79 feet to a bolt found for an angle point hereof, said point being the easterly most corner of a called 31.37 acre tract conveyed to the City of Austin in Volume 511, Page 365 of the Deed Records of Travis County, Texas (D.R.T.C.T.), and being an angle point in the south line of said APAC – 39.34 acre tract;

THENCE, continuing with the south line of said APAC – 39.34 acre tract, and with the north line of said City of Austin – 31.37 acre tract, N63°30'56"W, a distance of 58.69 feet to a calculated point for the northwest corner hereof, from which a 1/2-inch iron rod found for the southerly most corner of a called 0.055 acre tract (described as "Tract 3") conveyed to One Gas, Inc. in Document No. 2014016896 (O.P.R.T.C.T.), and being an ell-corner in the south line of said APAC – 39.34 acre tract bears, N63°30'56"W, a distance of 17.87 feet;

THENCE, leaving the north line of said City of Austin 31.37 acre tract and the south line of said APAC – 31.37 acre tract, over and across said APAC – 31.37 acre tract, the following seventy-six (76) courses and distances:

- 1) N56°23'05"E, a distance of 7.77 feet to a calculated point for an angle point hereof,
- 2) N57°37'04"E, a distance of 17.19 feet to a calculated point for an angle point hereof,
- 3) N35°55'44"E, a distance of 21.93 feet to a calculated point for an angle point hereof,
- 4) N39°22'27"E, a distance of 26.18 feet to a calculated point for an angle point hereof,
- 5) N43°07'36"E, a distance of 19.42 feet to a calculated point for an angle point hereof,
- 6) S00°01'27"E, a distance of 21.20 feet to a calculated point for an angle point hereof,
- 7) N89°58'36"W, a distance of 5.01 feet to a calculated point for an angle point hereof,
- 8) S00°00'39"E, a distance of 5.00 feet to a calculated point for an angle point hereof,
- 9) N90°00'00"W, a distance of 5.00 feet to a calculated point for an angle point hereof,
- 10) S00°04'44"W, a distance of 5.00 feet to a calculated point for an angle point hereof,
- 11) S89°59'28"W, a distance of 4.99 feet to a calculated point for an angle point hereof,
- 12) S00°04'18"E, a distance of 5.00 feet to a calculated point for an angle point hereof,
- 13) N89°59'05"W, a distance of 10.00 feet to a calculated point for an angle point hereof,
- 14) S00°17'17"W, a distance of 2.21 feet to a calculated point for an angle point hereof,
- 15) S00°00'00"E, a distance of 2.79 feet to a calculated point for an angle point hereof,
- 16) **S89°59'18"E**, a distance of **9.99** feet to a calculated point for an angle point hereof,
- 17) S00°04'44"E, a distance of 5.00 feet to a calculated point for an angle point hereof,

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18) N89°59'02"E, a distance of 5.00 feet to a calculated point for an angle point hereof,
19) S00°00'00"E, a distance of 5.00 feet to a calculated point for an angle point hereof,
20) N90°00'00"E, a distance of 5.00 feet to a calculated point for an angle point hereof,
21) S00°00'00"W, a distance of 5.00 feet to a calculated point for an angle point hereof,
22) S89°54'51"E, a distance of 5.00 feet to a calculated point for an angle point hereof,
23) S00°07'06"E, a distance of 4.99 feet to a calculated point for an angle point hereof,
24) S90°00'00"E, a distance of 9.99 feet to a calculated point for an angle point hereof,
25) S00°00'00"E, a distance of 1.73 feet to a calculated point for an angle point hereof,
26) S00°22'39"E, a distance of 3.27 feet to a calculated point for an angle point hereof,
27) N90°00'00"E, a distance of 72.11 feet to a calculated point for an angle point hereof,
28) N89°59'44"E, a distance of 7.87 feet to a calculated point for an angle point hereof,
29) N00°04'11"W, a distance of 5.00 feet to a calculated point for an angle point hereof,
30) S89°59'05"E, a distance of 10.00 feet to a calculated point for an angle point hereof,
31) N00°14'29"E, a distance of 1.85 feet to a calculated point for an angle point hereof,
32) N00°13'40"E, a distance of 3.15 feet to a calculated point for an angle point hereof,
33) S89°58'23"E, a distance of 4.99 feet to a calculated point for an angle point hereof,
34) N00°04'18"W, a distance of 5.00 feet to a calculated point for an angle point hereof,
35) N89°57'58"E, a distance of 5.00 feet to a calculated point for an angle point hereof,
36) N00°01'50"E, a distance of 5.00 feet to a calculated point for an angle point hereof,
37) N89°58'23"E, a distance of 4.99 feet to a calculated point for an angle point hereof,
38) N00°33'18"E, a distance of 0.95 feet to a calculated point for an angle point hereof,
39) N00°00'00"W, a distance of 4.05 feet to a calculated point for an angle point hereof,
40) $89°58'36"E, a distance of 5.00 feet to a calculated point for an angle point hereof,
41) N00°03'14"W, a distance of 5.00 feet to a calculated point for an angle point hereof,
42) N89°55'42"E, a distance of 5.01 feet to a calculated point for an angle point hereof,
43) N00°00'00"W, a distance of 24.45 feet to a calculated point for an angle point hereof,
44) N00°00'00"E, a distance of 0.55 feet to a calculated point for an angle point hereof,
45) N89°58'10"W, a distance of 4.99 feet to a calculated point for an angle point hereof,
46) N00°00'16"W, a distance of 107.07 feet to a calculated point for an angle point hereof,
47) N00°00'16"W, a distance of 13.96 feet to a calculated point for an angle point hereof,
48) N64°59'38"E, a distance of 29.10 feet to a calculated point for an angle point hereof,
49) N42°27'07"E, a distance of 17.87 feet to a calculated point for an angle point hereof.
50) N28°31'34"E, a distance of 1.64 feet to a calculated point for an angle point hereof,
51) N07°49'44"E, a distance of 28.14 feet to a calculated point for an angle point hereof,
52) N42°27'03"E, a distance of 361.37 feet to a calculated point for an angle point hereof,
53) S87°23'02"E, a distance of 82.46 feet to a calculated point for an angle point hereof,
54) N45°52'51"E, a distance of 26.38 feet to a calculated point for an angle point hereof,
55) N58°30'52"E, a distance of 11.97 feet to a calculated point for an angle point hereof,
56) N51°54'10"E, a distance of 30.45 feet to a calculated point for an angle point hereof,
57) N47°27'11"E, a distance of 23.75 feet to a calculated point for an angle point hereof,
58) N40°11'37"E, a distance of 22.67 feet to a calculated point for an angle point hereof,
59) N45°15'00"E, a distance of 42.07 feet to a calculated point for an angle point hereof,
60) N39°44'19"E, a distance of 20.38 feet to a calculated point for an angle point hereof,
61) N44°17'54"E, a distance of 20.90 feet to a calculated point for an angle point hereof,
62) N40°04'33"E, a distance of 19.06 feet to a calculated point for an angle point hereof,
63) N33°48'28"E, a distance of 43.09 feet to a calculated point for an angle point hereof,
64) N27°33'24"E, a distance of 2.18 feet to a calculated point for an angle point hereof,
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- 65) N41°28'57"E, a distance of 1.78 feet to a calculated point for an angle point hereof,
- 66) N33°48'28"E, a distance of 2.71 feet to a calculated point for an angle point hereof,
- 67) N48°23'02"E, a distance of 3.01 feet to a calculated point for an angle point hereof,
- 68) N41°28'57"E, a distance of 27.88 feet to a calculated point for an angle point hereof,
- 69) N16°27'38"E, a distance of 6.52 feet to a calculated point for an angle point hereof,
- 70) N36°38'51"E, a distance of 32.13 feet to a calculated point for an angle point hereof,
- 71) N20°53'40"E, a distance of 0.50 feet to a calculated point for an angle point hereof,
- 72) N18°42'19"E, a distance of 54.22 feet to a calculated point for an angle point hereof,
- 73) N21°24'28"E, a distance of 24.61 feet to a calculated point for an angle point hereof,
- 74) N17°38'23"E, a distance of 47.33 feet to a calculated point for an angle point hereof,
- 75) N23°34'23"E, a distance of 140.76 feet to a calculated point for an angle point hereof, and
- 76) N44°34'19"E, a distance of 81.55 feet to a calculated point for the northeast corner hereof, said point being in the northeast line of said APAC 39.34 acre tract, and being in the southwest line of a called 1.000 acre tract described in deed recorded in Document No. 2013117686 (O.P.R.T.C.T.), said 1.000 acre tract being a portion of a called 75.39 acre tract conveyed to Capitol Aggregates, Inc. in Volume 3780, Page 440 (D.R.T.C.T.);

THENCE, with the northeast line of said APAC – 39.34 acre tract and the southwest line of said Capitol Aggregates – 1.00 acre tract, in part with the common line of said APAC – 39.34 acre tract and a called 67.1 acre tract conveyed to the City of Austin in Document No. 2013117685 (O.P.R.T.C.T.), S61°31'58"E, passing at a distance of 146.61 feet a calculated point for the southerly most corner of said Capitol Aggregates – 1.000 acre tract, and being an ell-corner in the southwest line of said City of Austin – 67.1 acre tract, and continuing for a total distance of 426.60 feet to an iron rod with "CP&Y" cap found for the northeast corner hereof, said point being the northeast corner of said APAC – 39.34 acre tract, being the southeast corner of said City of Austin – 67.1 acre tract, and being in a west bank of said Colorado River;

THENCE, with the east line of said APAC – 39.34 acre tract and a meandering west bank of said Colorado River, the following eight (8) courses and distances:

- 1) S53°23'12"W, a distance of 164.73 feet to a calculated point for an angle point hereof,
- 2) S19°21'12"W, a distance of 98.66 feet to a calculated point for an angle point hereof,
- 3) S23°24'57"W, a distance of 188.68 feet to a calculated point for an angle point hereof,
- 4) S36°00'57"W, a distance of 153.51 feet to a calculated point for an angle point hereof,
- 5) S47°09'27"W, a distance of 161.91 feet to a calculated point for an angle point hereof,
- 6) S49°43'12"W, a distance of 250.51 feet to a calculated point for an angle point hereof,
- 7) S49°38'12"W, a distance of 199.42 feet to a calculated point for an angle point hereof, and
- 8) S53°06'57"W, a distance of 211.06 feet to the POINT OF BEGINNING and containing 12.4545 Acres (542,520 Square Feet) of land, more or less.

Notes:

All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203); all distances were adjusted to surface using a combined scale factor of 1.000054354601. See attached sketch (reference drawing: 01516 OHWM East Exhibit.dwg.)

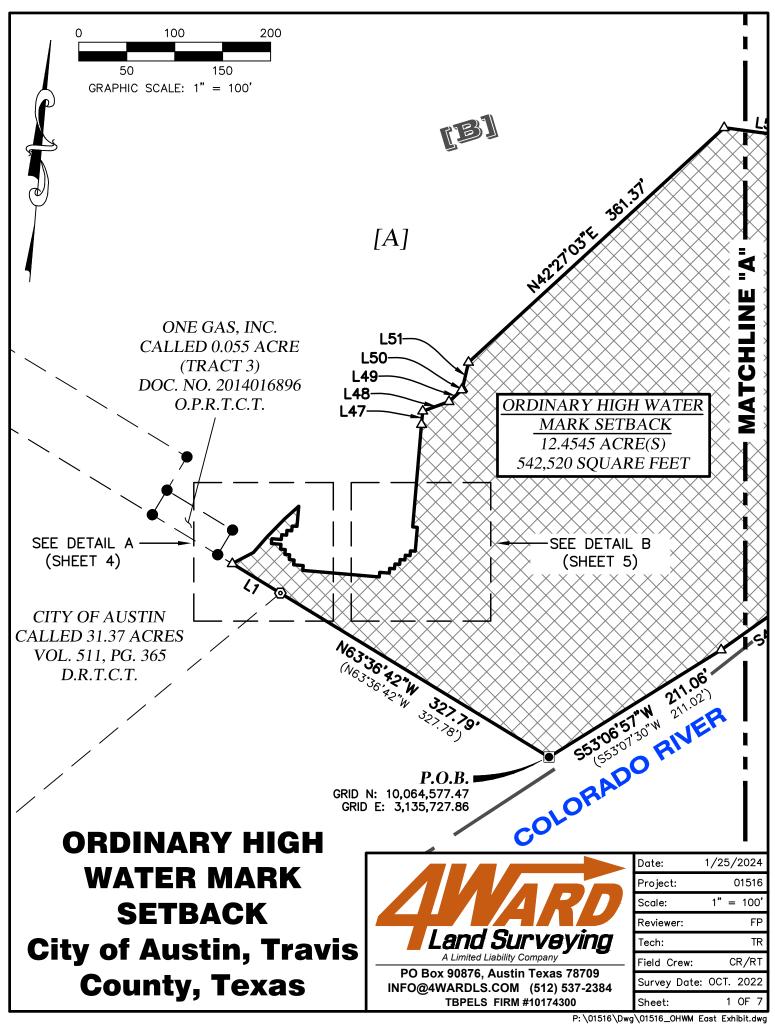
1/25/24

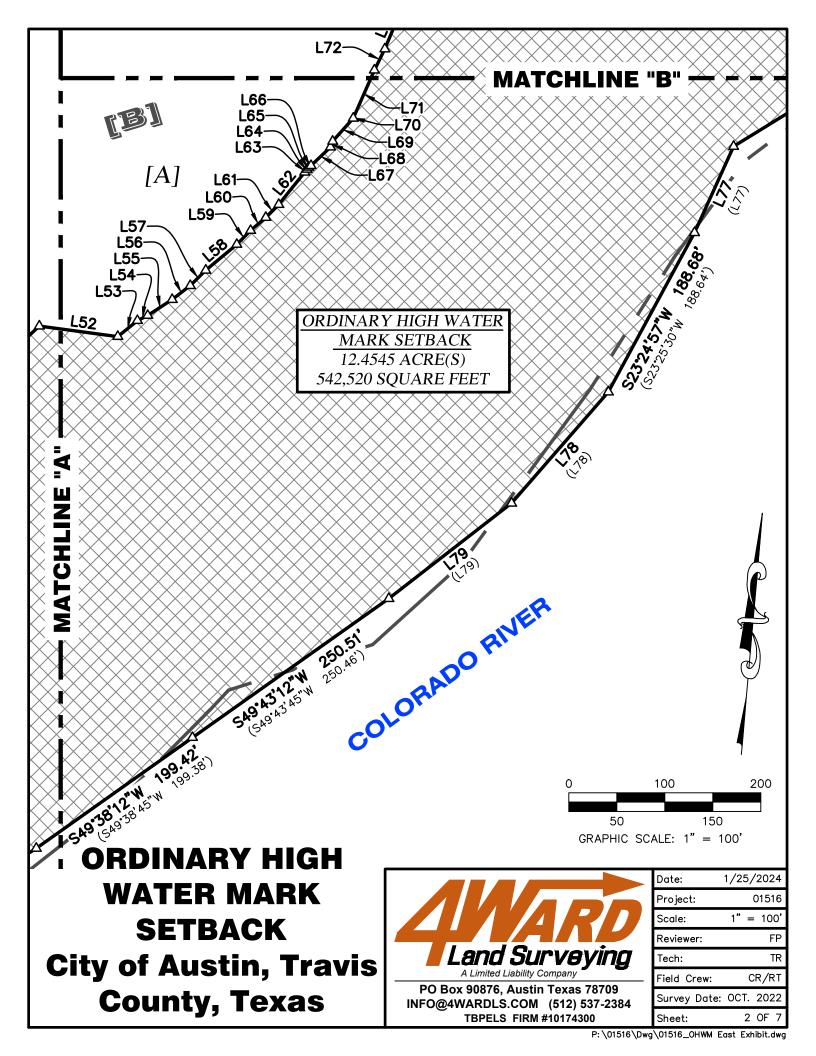
Jason Ward, RPLS #5811 4Ward Land Surveying, LLC JASON WARD

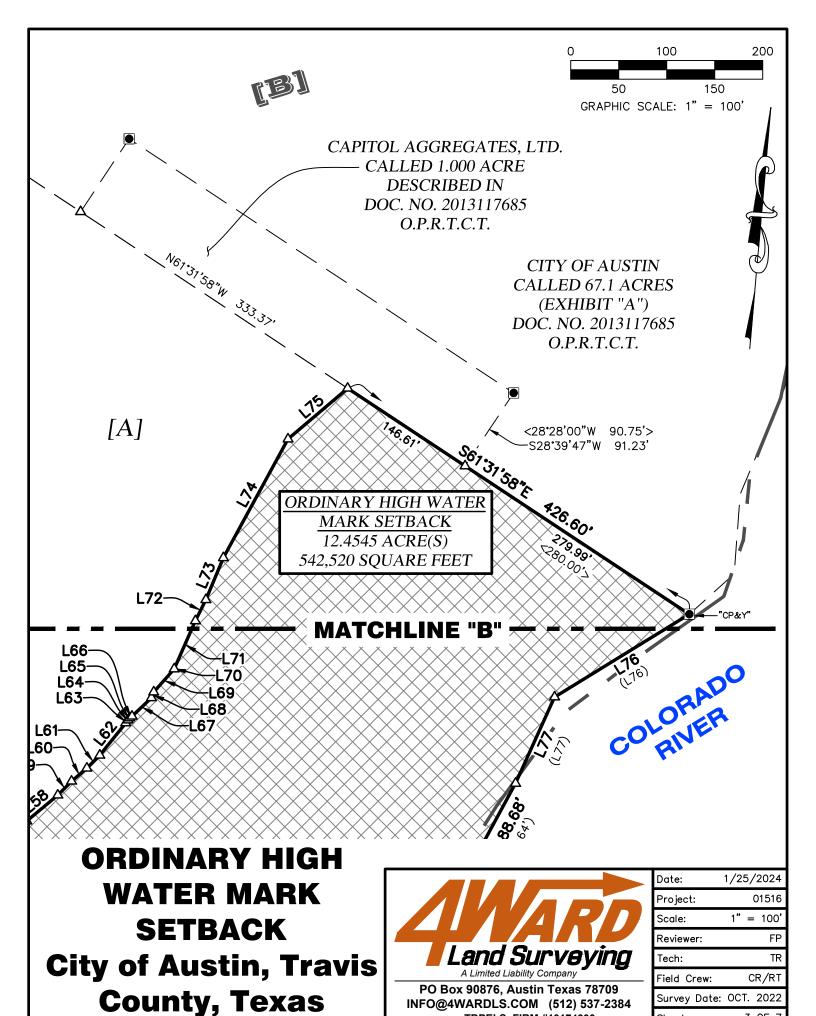
SURVESSION

SURVES

References: TCAD #789580 COA Grid #M-20 & M-21



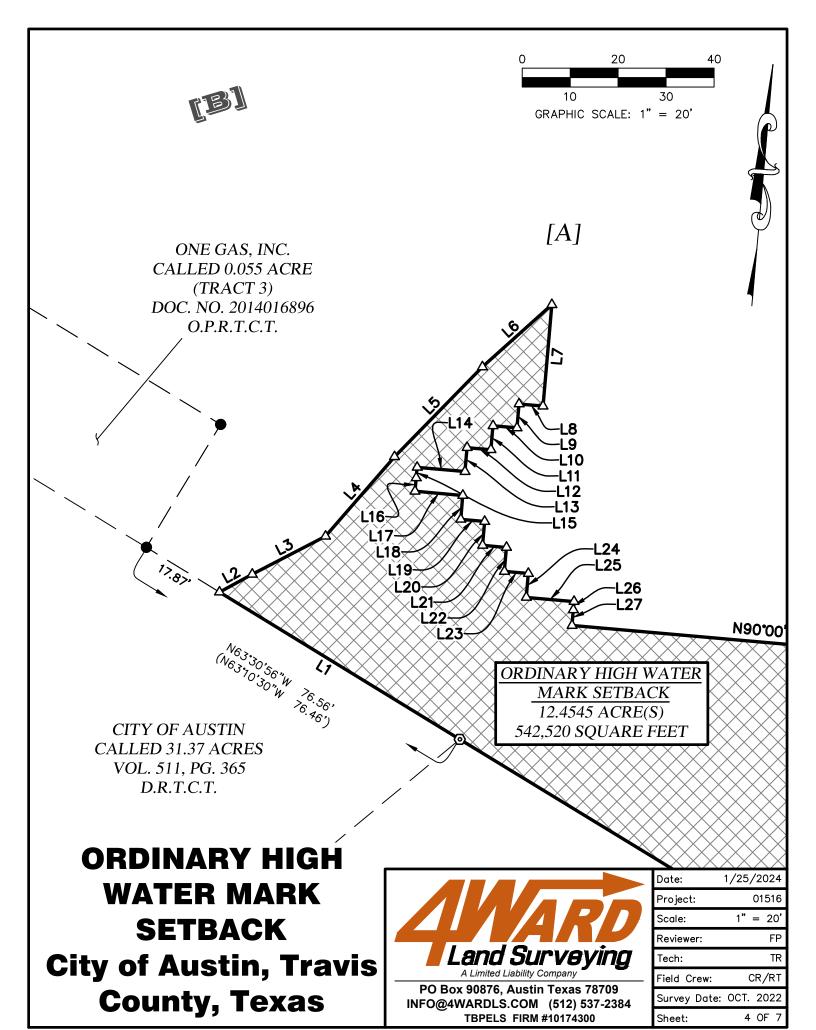


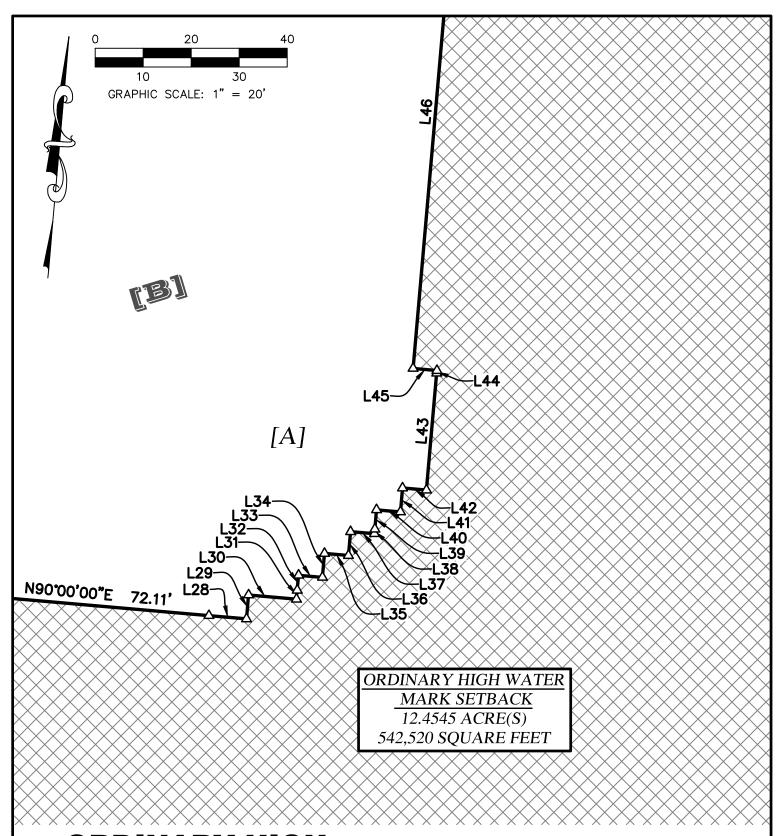


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Sheet:

TBPELS FIRM #10174300





ORDINARY HIGH
WATER MARK
SETBACK
City of Austin, Travis
County, Texas



PO Box 90876, Austin Texas 78709 INFO@4WARDLS.COM (512) 537-2384 TBPELS FIRM #10174300

Date:	1/25/2024
Project:	01516
Scale:	1" = 20'
Reviewer:	FP
Tech:	TR
Field Crew:	CR/RT
Survey Date:	OCT. 2022
Sheet:	5 OF 7

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N63°30'56"W	58.69'
L2	N56°23'05"E	7.77'
L3	N57'37'04"E	17.19'
L4	N35°55'44"E	21.93'
L5	N39°22'27"E	26.18'
L6	N43°07'36"E	19.42'
L7	S00°01'27"E	21.20'
L8	N89*58'36"W	5.01'
L9	S00°00'39"E	5.00'
L10	N90°00'00"W	5.00'
L11	S00°04'44"W	5.00'
L12	S89*59'28"W	4.99'
L13	S00°04'18"E	5.00'
L14	N89*59'05"W	10.00'
L15	S0017'17"W	2.21'
L16	S00°00'00"E	2.79'
L17	S89°59'18"E	9.99'
L18	S00°04'44"E	5.00'
L19	N89°59'02"E	5.00'
L20	S00°00'00"E	5.00'
L21	N90°00'00"E	5.00'
L22	S00°00'00"E	5.00'
L23	S89°54'51"E	5.00'
L24	S00°07'06"E	4.99'
L25	S90°00'00"E	9.99'
L26	S00°00'00"E	1.73'
L27	S00°22'39"E	3.27'
L28	N89*59'44"E	7.87'
L29	N00°04'11"W	5.00'
L30	S89°59'05"E	10.00'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L31	N0014'29"E	1.85'
L32	N0013'40"E	3.15'
L33	S89°58'23"E	4.99'
L34	N00°04'18"W	5.00'
L35	N89*57'58"E	5.00'
L36	N00°01'50"E	5.00'
L37	N89*58'23"E	4.99'
L38	N00'33'18"E	0.95'
L39	N00°00'00"W	4.05'
L40	S89*58'36"E	5.00'
L41	N00°03'14"W	5.00'
L42	N89*55'42"E	5.01'
L43	N00°00'00"E	24.45'
L44	N00°00'00"E	0.55'
L45	N89°58'10"W	4.99'
L46	N00°00'16"W	107.07
L47	N00°00'16"W	13.96'
L48	N64*59'38"E	29.10'
L49	N42°27'07"E	17.87'
L50	N28'31'34"E	1.64'
L51	N07*49'44"E	28.14'
L52	S87°23'02"E	82.46'
L53	N45°52'51"E	26.38'
L54	N58'30'52"E	11.97'
L55	N51°54'10"E	30.45'
L56	N47°27'11"E	23.75'
L57	N40°11'37"E	22.67'
L58	N45°15'00"E	42.07'
L59	N39*44'19"E	20.38

LINE TABLE		
LINE #	DIRECTION	LENGTH
L61	N40°04'33"E	19.06'
L62	N33°48'28"E	43.09'
L63	N27°33'24"E	2.18'
L64	N41°28'57"E	1.78'
L65	N33°48'28"E	2.71'
L66	N48°23'02"E	3.01'
L67	N41°28'57"E	27.88'
L68	N16°27'38"E	6.52'
L69	N36°38'51"E	32.13'
L70	N20°53'40"E	0.50'
L71	N18*42'19"E	54.22'
L72	N21°24'28"E	24.61'
L73	N17°38'23"E	47.33'
L74	N23°34'23"E	140.76
L75	N44°34'19"E	81.55'
L76	S53°23'12"W	164.73'
L77	S19°21'12"W	98.66'
L78	S36°00'57"W	153.51'
L79	S47°09'27"W	161.91'

RECORD LINE TABLE		
LINE #	DIRECTION	LENGTH
(L76)	S53°23'45"W	164.70'
(L77)	S19°21'45"W	98.64'
(L78)	S36°01'30"W	153.48'
(L79)	S47"10'00"W	161.88'

ORDINARY HIGH WATER MARK SETBACK City of Austin, Travis County, Texas



PO Box 90876, Austin Texas 78709 INFO@4WARDLS.COM (512) 537-2384 TBPELS FIRM #10174300

Date:	1/25/2024
Project:	01516
Scale:	1" = 100'
Reviewer:	FP
Tech:	TR
Field Crew:	CR/RT
Survey Date:	OCT. 2022
Sheet:	6 OF 7

[A]
APAC-TEXAS, INC.
CALLED 39.34 ACRES
DOC. NO. 2009205761
O.P.R.T.C.T.

[B] James Burleson Survey No. 19 Abstract No. 4

LEGEND

SETBACK LINE EXISTING PROPERTY LINES Δ CALCULATED POINT 0 BOLT FOUND AS NOTED 1/2" IRON ROD FOUND (UNLESS NOTED) IRON ROD WITH "RPLS 5784" CAP FOUND (UNLESS NOTED) P.O.B. POINT OF BEGINNING VOL./PG. VOLUME, PAGE DOC. NO. DOCUMENT NUMBER R.O.W. RIGHT-OF-WAY O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS D.R.T.C.T. DEED RECORDS, TRAVIS COUNTY, TEXAS

RECORD INFORMATION PER

DEED DOC. NO. 2009205757 RECORD INFORMATION PER

DEED DOC. NO. 2013117685

COA GRID #M-20 & M-21 TCAD PARCEL #789580

(.....)

<.....>

NOTES:

1) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A SCALE FACTOR OF 1.000054354601.

2) SEE ATTACHED METES AND BOUNDS DESCRIPTION.



1/25/2024

ORDINARY HIGH
WATER MARK
SETBACK
City of Austin, Travis
County, Texas



PO Box 90876, Austin Texas 78709 INFO@4WARDLS.COM (512) 537-2384 TBPELS FIRM #10174300

Date:	1/25/2024
Project:	01516
Scale:	N/A
Reviewer:	FP
Tech:	TR
Field Crew:	CR/RT
Survey Date:	OCT. 2022
Sheet:	7 OF 7