

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 non-enclosed performance venue are only permitted as an accessory use to the following principal uses:

Camp	Club or lodge
Cocktail Lounge	Hotel-motel
Outdoor <u>sports and recreation</u> [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:

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) **S89°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,

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.);

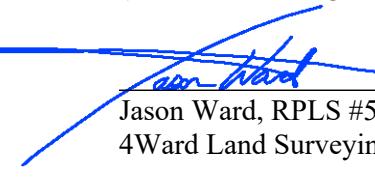
THENCE, with the northeast line of said APAC – 39.34 acre tract and the southwest line of said Capitol Aggregates – 1.00 acre tract, in part with the common line of said APAC – 39.34 acre tract and a called 67.1 acre tract conveyed to the City of Austin in Document No. 2013117685 (O.P.R.T.C.T.), **S61°31'58"E**, 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.)

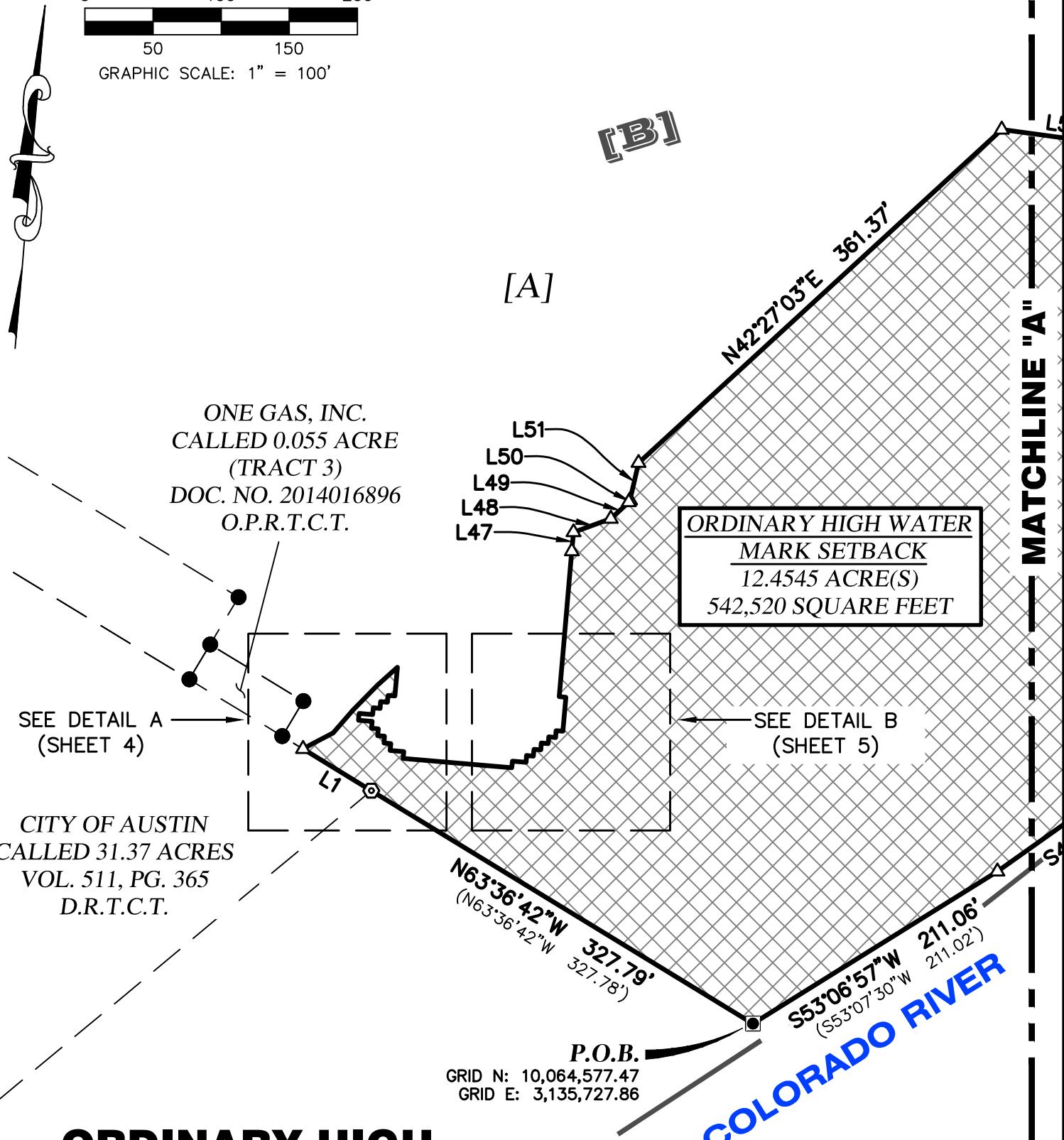

 Jason Ward, RPLS #5811
 4Ward Land Surveying, LLC

1/25/24



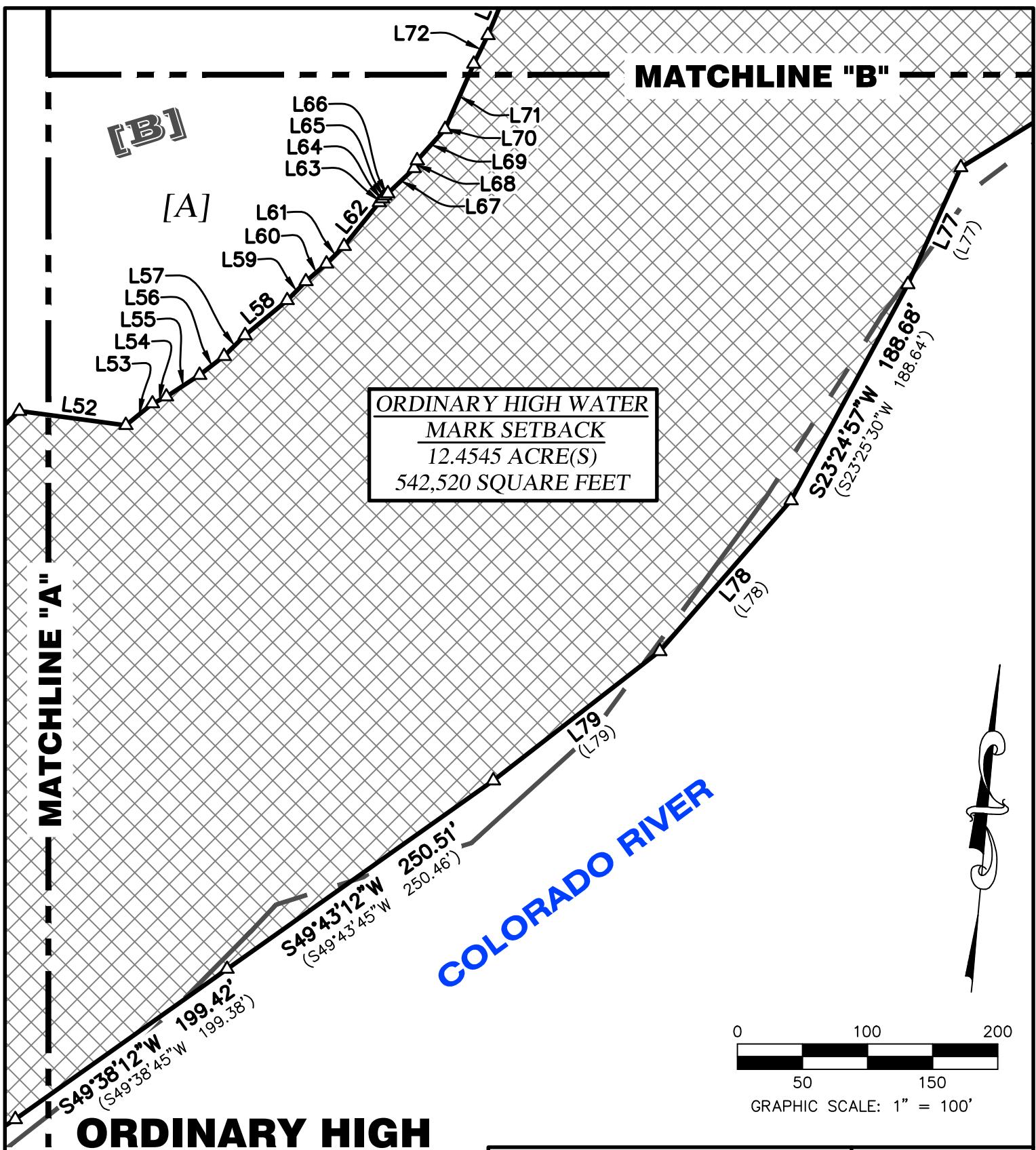
References:
 TCAD #789580
 COA Grid #M-20 & M-21

0 100 200
50 150
GRAPHIC SCALE: 1" = 100'



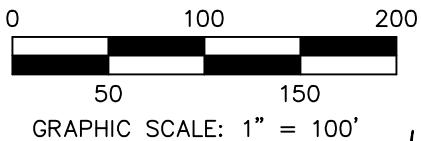
**ORDINARY HIGH
WATER MARK
SETBACK**
**City of Austin, Travis
County, Texas**

4WARD	Date: 1/25/2024
<i>Land Surveying</i>	Project: 01516
<small>A Limited Liability Company</small>	Scale: 1" = 100'
4WARD	Reviewer: FP
<i>Land Surveying</i>	Tech: TR
<small>A Limited Liability Company</small>	Field Crew: CR/RT
PO Box 90876, Austin Texas 78709	
INFO@4WARDLS.COM (512) 537-2384	
TBPELS FIRM #10174300	
Survey Date: OCT. 2022	
Sheet: 1 OF 7	



**ORDINARY HIGH
WATER MARK
SETBACK**
**CITY OF AUSTIN, TRAVIS
COUNTY, TEXAS**



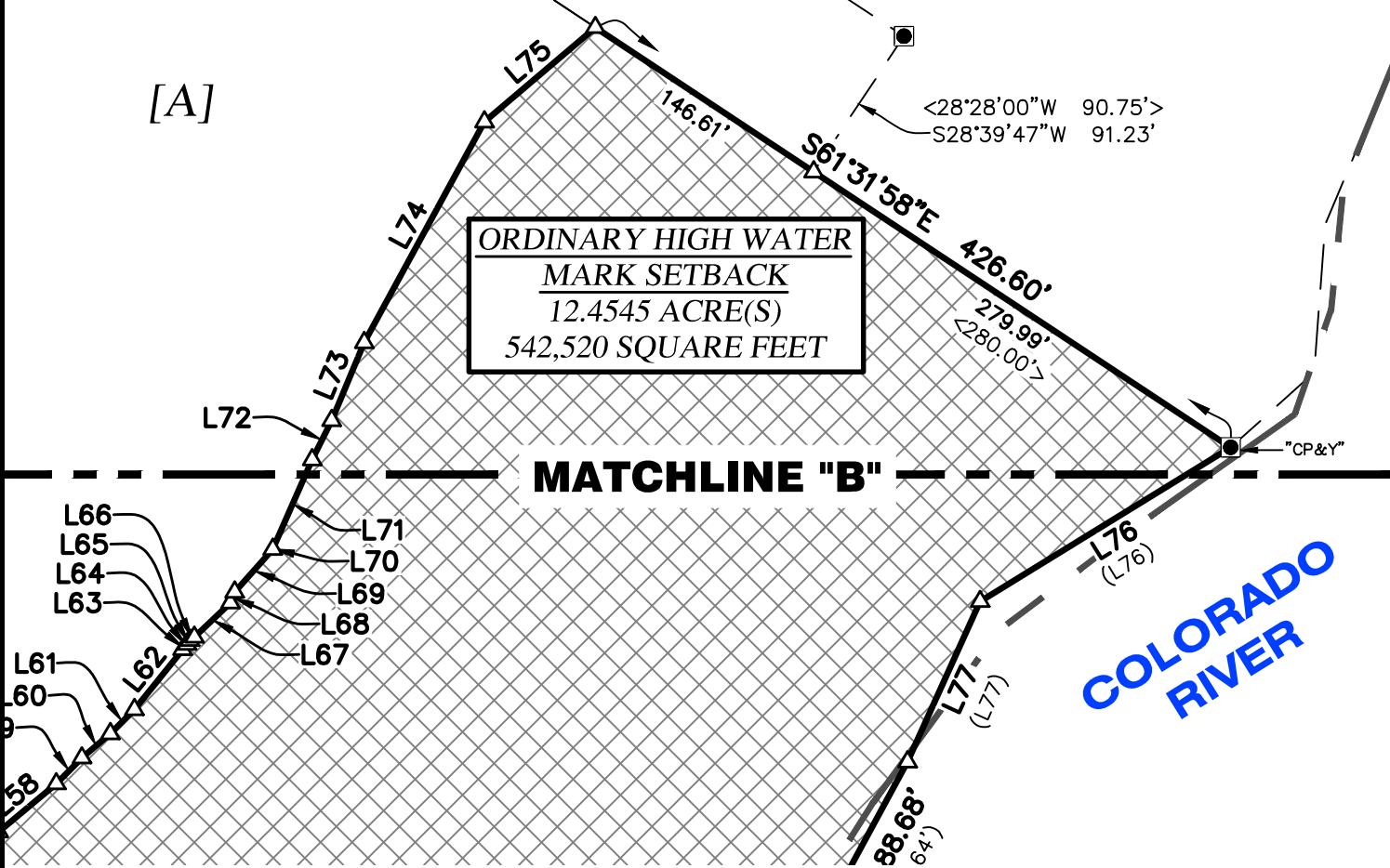


[B]

CAPITOL AGGREGATES, LTD.
CALLED 1.000 ACRE
DESCRIBED IN
DOC. NO. 2013117685
O.P.R.T.C.T.

CITY OF AUSTIN
CALLED 67.1 ACRES
(EXHIBIT "A")
DOC. NO. 2013117685
O.P.R.T.C.T.

[A]



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



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TBPELS FIRM #10174300

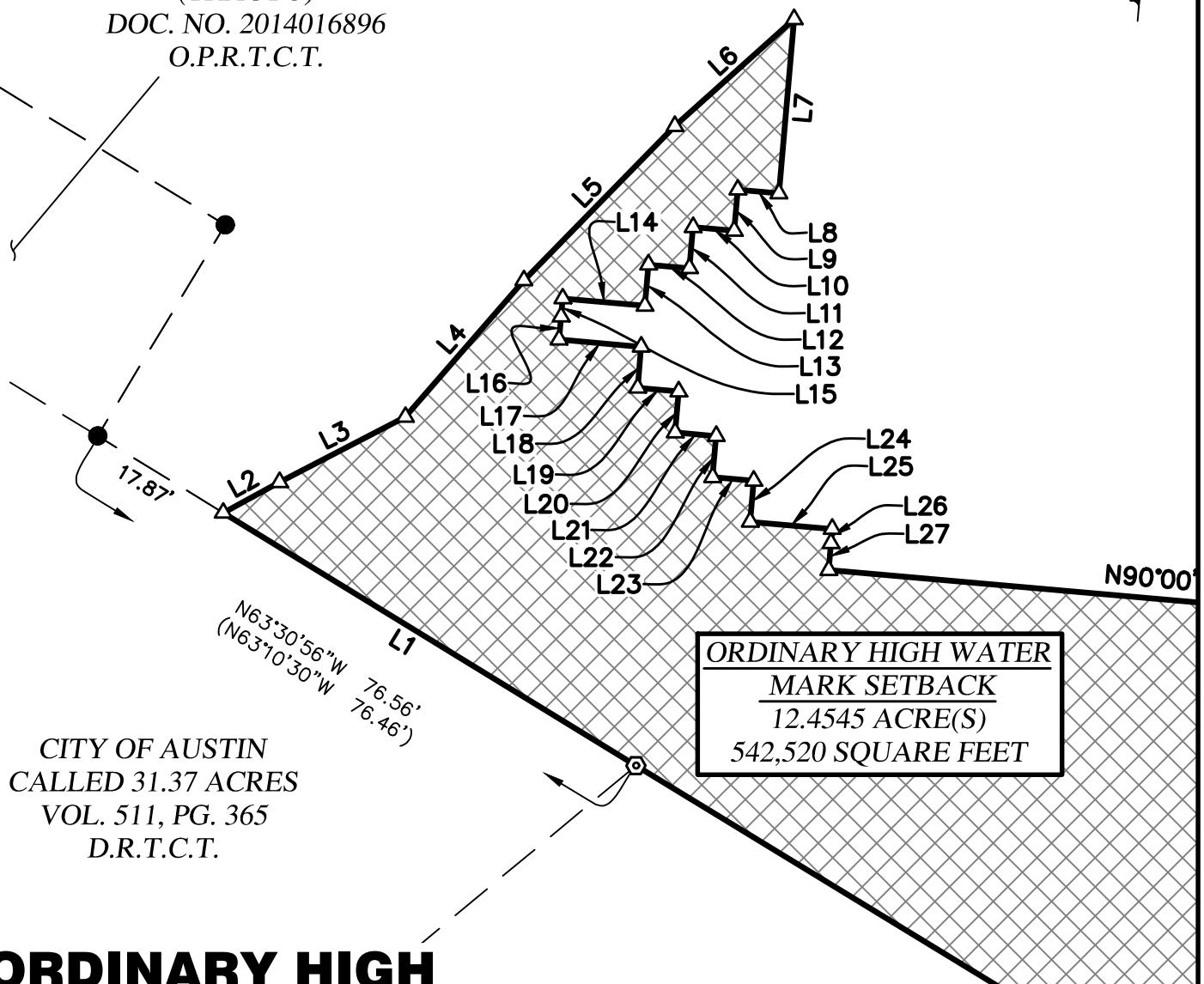
Date:	1/25/2024
Project:	01516
Scale:	1" = 100'
Reviewer:	FP
Tech:	TR
Field Crew:	CR/RT
Survey Date:	OCT. 2022
Sheet:	3 OF 7

[B]

0 20 40
10 30
GRAPHIC SCALE: 1" = 20'

ONE GAS, INC.
CALLED 0.055 ACRE
(TRACT 3)
DOC. NO. 2014016896
O.P.R.T.C.T.

[A]



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

4WARD
Land Surveying
A Limited Liability Company

Date: 1/25/2024
Project: 01516
Scale: 1" = 20'
Reviewer: FP
Tech: TR
Field Crew: CR/RT
Survey Date: OCT. 2022
Sheet: 4 OF 7

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

P: 01516\Dwg\01516_OHWM_East_Exhibit.dwg



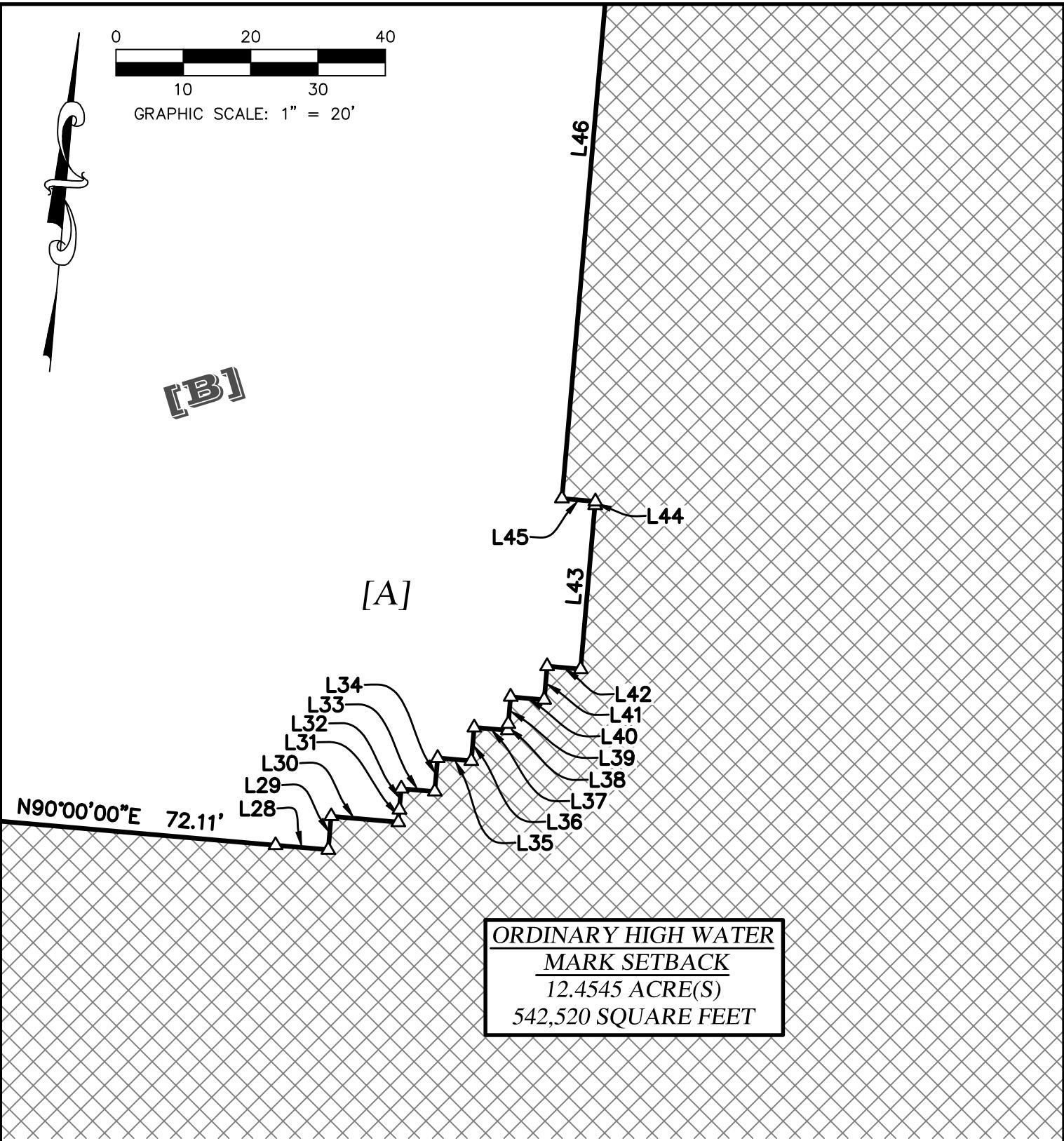
GRAPHIC SCALE: 1" = 20'

[B]

[A]

N90°00'00"E

72.11'



ORDINARY HIGH WATER
MARK SETBACK
12.4545 ACRE(S)
542,520 SQUARE FEET

**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	S00°17'17"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	N00°14'29"E	1.85'
L32	N00°13'40"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'
L60	N44°17'54"E	20.90'

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
△	CALCULATED POINT
◎	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.



**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