

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 040826-59, REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2902 MEDICAL ARTS STREET AND 2901 HAMPTON ROAD IN THE CENTRAL AUSTIN COMBINED NEIGHBORHOOD PLAN AREA FROM NEIGHBORHOOD COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LR-MU-CO-NP) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-CO-NP) COMBINING DISTRICT.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2018-0062, on file at the Planning and Zoning Department, as follows:

Being 0.989 of one acre of land, being portions of Lots 1, 2, 3, 13, 14, and 15, Weise Resubdivision of Outlots 5, Division C of the Government Outlots adjoining the Original City of Austin, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 459, Page 75 of the Deed Records of Travis County, Texas, and that 2,375 square feet of Park Place as vacated in Volume 4077, Page 838 of the Deed Records of Travis County, Texas, and being that same tract of land conveyed to University Cooperative Society by instrument of record in Volume 11987, Page 1298 of the Real Property Records of Travis County, Texas, said 0.989 acre of land being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (the “Property”),

locally known as 2902 Medical Arts Street and 2901 Hampton Road in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit “B”**.

PART 2. The Hancock Neighborhood Plan was approved on August 26, 2004, under Ordinance No. 040826-59 (hereafter the “Original Ordinance”) and amended under Ordinance No. 041021-47.

PART 3. The address for Tract 507 described in the chart of the Original Ordinance is amended as shown in this Part.

TRACT	ADDRESS	FROM	TO
507	2900, 2902 MEDICAL ARTS ST and 2901 Hampton Road	LR-MU-CO-NP	GR-MU-CO-NP

PART 4. Part 7 of the Original Ordinance, which established the conditional overlay, is amended to change Paragraphs 15 and 16 and to add new Paragraphs 43 and 44 to read as follows:

15. Financial services use is a conditional use of Tracts 501, [507], 507A and 546.

16. The following uses are prohibited uses of Tracts 501, [507], 507A, 546, 550 and 557:

Residential treatment	Service station
Medical offices (exceeding 5000 sq.ft. gross floor area)	

43. The following uses are prohibited uses of Tract 507.

<u>Alternative financial services</u>	<u>Automotive repair services</u>
<u>Automotive sales</u>	<u>Bail bond services</u>
<u>Drop-off recycling collection facility</u>	<u>Exterminating services</u>
<u>Pawn shop services</u>	<u>Residential treatment</u>
<u>Service station</u>	

44. The following conditions apply to Tract 507:

The maximum height of a building or structure is 40 feet from ground level or 3 stories.

PART 5. Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district, mixed use (MU) combining district, and other applicable requirements of the City Code.

PART 6. The Property is subject to Ordinance No. 040826-59 that established zoning for the Hancock Neighborhood Plan.

1 **PART 7.** Except as otherwise provided in this ordinance, the terms and conditions of
2 Ordinance No. 040826-59, as amended, remain in effect.
3

4 **PART 8.** This ordinance takes effect on _____, 2019.
5

6 **PASSED AND APPROVED**
7

8 §
9 §
10 _____, 2019 § _____
11 Steve Adler
12 Mayor
13

14
15 **APPROVED:** _____ **ATTEST:** _____
16 Anne L. Morgan Jannette S. Goodall
17 City Attorney City Clerk
18

EXHIBIT "A"
LEGAL DESCRIPTION



Baseline Inc.
Land Surveyors, Inc.
2333 Cross Park Drive
Austin, Texas 78754
Office 512.374.9722
Fax 512.473.9743

Page 1 of 2

METES AND BOUNDS DESCRIPTION

BEING 0.989 OF ONE ACRE OF LAND, BEING PORTIONS OF LOTS 1, 2, 3, 13, 14 AND 15, WEISE RESUBDIVISION OF OUTLOTS 5, DIVISION C OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 459, PAGE 75 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS AND THAT 2,375 SQUARE FEET OF PARK PLACE AS VACATED IN VOLUME 4077, PAGE 838 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS AND BEING THAT SAME TRACT OF LAND CONVEYED TO UNIVERSITY COOPERATIVE SOCIETY BY INSTRUMENT OF RECORD IN VOLUME 11087, PAGE 1298 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS:

COMMENCING at a 1/2" rebar found for the northwest corner of Lot 13, Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, a subdivision of record in Volume 459, Page 75 of the Deed Records of Travis County, Texas, the southwest corner of Lot 12, of said Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, as conveyed to the Steve C. Moore Insurance Trust by instrument of record in Doc. No. 2008133233 of the Official Public Records of Travis County, Texas, and being in the east right-of-way line of Hampton Road (R.O.W. varies), from which an iron pipe found for the northwest corner of Lot 8, Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, and being the point of intersection of the east right-of-way line of said Hampton Road and the south right-of-way line of East 30th Street (R.O.W. varies), bear North 27°05'32" East (record - North 30°00' East) a distance of 265.16 feet [Point of Commencing Coordinates: Northing=10,078,597.08; Easting= 5,118,382.21];

THENCE South 62°51'29" East (record - South 60°00' East), along the north line of said Lot 13, Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C and the south line of said Lot 12, Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, a distance of 5.00 feet (record - 5.00 feet) to a 1/2" rebar set with plastic cap, stamped "Baseline Inc." for the northwest corner of said 0.989 of one acre tract, and being the POINT OF BEGINNING (Point of Beginning Coordinates: Northing=10,078,594.80; Easting= 5,118,386.66);

THENCE along the north line of the 0.989 of one acre tract and the south and east lines of Lot 12, Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, the following two (2) courses:

1. South 62°51'29" East a distance of 109.94 feet (record - South 60°00' East a distance of 109.85 feet) to a 1/2" rebar set with plastic cap, stamped "Baseline Inc." for the southeast corner of Lot 12, Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C;
2. North 27°21'56" East a distance of 32.80 feet (record - North 30°13' East a distance of 32.80 feet) to a 1/2" rebar set with plastic cap, stamped "Baseline Inc." for the southwest corner of Lot 4, Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, as conveyed to RJ 2906 Properties, LLC by instrument of record in Doc. No. 2010009634 of the Official Public Records of Travis County, Texas;

Exhibit "A"
Land
Page 1

REAL ESTATE CONTRACT
13505027v.5

2902 Medical Arts Street, Austin, Texas

THENCE South $62^{\circ}53'04''$ East (record - South $60^{\circ}02'$ East), along the north line of the 0.989 of one acre tract and the south line of said Lot 4, Weise Trussubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, a distance of 110.00 feet (record - 110.00 feet) to an iron bolt found for the northeast corner of the 0.989 of one acre tract, the southeast corner of Lot 4, Weise Trussubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, and being in the west right-of-way line of Medical Arts Street (R.O.W. varies);

THENCE along the east line of the 0.989 of one acre tract and the west right-of-way line of said Medical Arts Street the following three (3) courses:

1. South $28^{\circ}34'17''$ West a distance of 132.91 feet (record - South $31^{\circ}26'$ West a distance of 132.91 feet) to a $1/2''$ rebar set with plastic cap, stamped "Baseline, Inc.;"
2. South $34^{\circ}38'17''$ West a distance of 75.61 feet (record - South $37^{\circ}30'$ West a distance of 75.61 feet) to a $1/2''$ rebar set with plastic cap, stamped "Baseline, Inc." for a point of curvature;
3. Along a tangential curve to the right having a radius of 42.00 feet (record - 42.00 feet), an arc length of 21.85 feet, a delta angle of $29^{\circ}48'04''$, and a chord which bears South $49^{\circ}21'17''$ West a distance of 21.60 feet (record - South $52^{\circ}15'$ West a distance of 21.60 feet) to a $1/2''$ rebar set with plastic cap, stamped "Baseline, Inc." for the southeast corner of the 0.989 of one acre tract and being the point of intersection of the west right-of-way line of Medical Arts Street and the north right-of-way line of East Dean Keeton Street (R.O.W. varies);

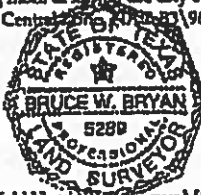
THENCE along the south line of the 0.989 of one acre tract and the north right-of-way line of said East Dean Keeton Street the following two (2) courses:

1. North $62^{\circ}50'43''$ West a distance of 76.17 feet (record - North $59^{\circ}59'$ West a distance of 76.17 feet) to a $1/2''$ rebar set with plastic cap, stamped "Baseline, Inc." for a point of curvature;
2. Along a non-tangential curve to the left having a radius of 632.96 feet (record - 632.96 feet), an arc length of 126.77 feet, a delta angle of $11^{\circ}28'31''$, and having a chord which bears North $48^{\circ}09'17''$ West a distance of 126.56 feet (record - North $45^{\circ}20'$ West a distance of 126.57 feet) to a $1/2''$ rebar set with plastic cap which reads "Baseline, Inc." for the southwest corner of the 0.989 of one acre tract, and being the point of intersection of the north right-of-way line of East Dean Keeton Street and the east right-of-way line of Hampton Road;

THENCE North $27^{\circ}05'32''$ East (record - North $30^{\circ}00'$ East) along the west line of the 0.989 of one acre tract and the east right-of-way line of Hampton Road, a distance of 162.84 feet (record - 162.84 feet) to the POINT OF BEGINNING.

This parcel contains 0.989 of one acre of land, more or less in the City of Austin, Travis County, Texas. Bearing Basis: Texas State Plane Coordinates, Central Zone, NAD 83, 1983 CORRS.

Bruce W. Bryan 06/10/2015
 Bruce W. Bryan Date
 Registered Professional Land Surveyor
 State of Texas No. 5289



File: S:\Projects\Weise Subdivision\Docs\Field Notes\Title Survey M&B.doc
 Drawing: S:\Projects\Weise Subdivision\Draw\Title Survey.dwg

EAST 30TH STREET

(R.O.W. VARIES)

N/W CORNER OF LOT 8, WISE RESUBDIVISION OF LOTS 1, 2, 3, AND 4, WISE SUBDIVISION OF OUTLOT 5, DIVISION C

STEVE C. MOORE
INSURANCE TRUST
LOT 8, 9, 10, 11
WISE RESUBDIVISION
VOL. 438, PG. 75
D.P.R.T.C.T.

POINT OF BEGINNING
N:10,078.584.00
E:3,116.388.66
(S 60°00' E 109.85')
582°51'29" E 109.94'

POINT OF COMMENCING
N:10,078.587.08
E:3,116.382.21

LOT 2008 PROPERTIES, LTD.
DOC. NO. 251000834
D.P.R.T.C.T.

LOT 4
WISE RESUBDIVISION
OF LOTS 1, 2, 3, AND 4
WISE SUBDIVISION OF OUTLOT 5, DIVISION C
VOL. 438, PG. 75
D.P.R.T.C.T.

(S 60°02' E 110.00')
582°53'04" E 110.00'

LOT 3
WISE RESUBDIVISION
OF LOTS 1, 2, 3, AND 4
WISE SUBDIVISION OF OUTLOT 5, DIVISION C
VOL. 438, PG. 75
D.P.R.T.C.T.

LOT 13
WISE RESUBDIVISION
OF LOTS 1, 2, 3, AND 4
WISE SUBDIVISION OF OUTLOT 5, DIVISION C
VOL. 438, PG. 75
D.P.R.T.C.T.

0.989 AC.

LOT 2
WISE RESUBDIVISION
OF LOTS 1, 2, 3, AND 4
WISE SUBDIVISION OF OUTLOT 5, DIVISION C
VOL. 438, PG. 75
D.P.R.T.C.T.

HAMPTON ROAD
(R.O.W. VARIES)

MEDICAL ARTS STREET
(R.O.W. VARIES)

EAST DEAN KEETON STREET
(R.O.W. VARIES)

LEGEND

- 1/2" REBAR FOUND
- IRON BOLT FOUND
- IRON PIPE FOUND
- 1/2" REBAR SET WITH PLASTIC CAP WHICH READS "BASELINE INC"
- IRRIGATION CONTROL VALVE
- WATER METER
- FIRE HYDRANT
- UTILITY POLE
- DOWN GUY
- LIGHT POLE
- OVERHEAD ELECTRIC LINE - SINGLE PHASE
- OVERHEAD ELECTRIC LINE - 3 PHASE
- ELECTRIC UTILITY MANHOLE
- ELECTRIC JUNCTION BOX
- ROADWAY SIGN
- STORM SEWER MANHOLE
- TELEPHONE JUNCTION BOX
- HANDICAP PARKING
- WASTE WATER CLEANOUT
- WOOD FENCE
- CONC. PARKING METER
- RIGHT OF WAY
- RECORD INFO. FOR VOL. 11987, PG. 1298-R.P.R.W.C.T.
- DEED RECORDS OF TRAVIS COUNTY, TEXAS
- OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T.
- R.P.R.T.C.T.

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	43.00'	31.65'	29°40'34"	S49°21'17" W	31.60'
C2	43.00'	31.65'	29°40'34"	S49°21'17" W	31.60'
C3	43.00'	128.77'	117°08'31"	N49°08'17" W	128.54'
C4	43.00'	128.77'	117°08'31"	N49°08'17" W	128.57'

GENERAL NOTES:

- 1.) BEARING BASED, TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (4303), NAD 83/98 CORN.
- 2.) NO PORTION OF THIS TRACT IS WITHIN A FLOOD HAZARD AREA ACCORDING TO FLOOD INSURANCE RATE MAP NUMBER 484830004H WITH AN EFFECTIVE DATE OF SEPTEMBER 28, 2006, ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- 3.) THIS SURVEY REFLECTS EASEMENTS AND MATTERS OF RECORD SHOWN IN COMMENT FOR TITLE 67, HQ. 201001557, DATED MAY 28, 2015 ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY. NO ADDITIONAL TITLE RESEARCH WAS PERFORMED BY BASELINE LAND SURVEYORS, INC. FOR THE PURPOSE OF THIS SURVEY.
- 4.) THIS TRACT IS SUBJECT TO THE FOLLOWING ITEMS AS NOTED IN SCHEDULE II OF COMMENT FOR TITLE 67, HQ. 201001557, DATED MAY 28, 2015 ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY AND LISTED HEREIN BY ITEM NUMBER:
 - 1(a) EASEMENTS RESERVED BY THE CITY OF AUSTIN WITHIN THE 2,572 SQUARE FOOT PORTION OF THE WACATED PARK PLACE, IN INSTRUMENT OF RECORD IN VOLUME 4077, PAGE 836 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. (SHOWN HEREIN)
 - 1(b) UNDERGROUND SANITARY SEWER TUNNEL EASEMENT CONVEYED TO BY DEED OF RECORD IN VOLUME 4385, PAGE 1380 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. (SHOWN HEREIN)

SURVEYOR'S CERTIFICATION

TO: (i) UNIVERSITY COOPERATIVE SOCIETY, A TEXAS CORPORATION, (ii) THE UNIVERSITY OF TEXAS LAW SCHOOL FOUNDATION, (iii) OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, AND (iv) HERITAGE TITLE COMPANY OF AUSTIN, INC.

THE UNDERSIGNED REGISTERED PROFESSIONAL LAND SURVEYOR HEREBY CERTIFIES THAT (a) A SURVEY OF THE PROPERTY SHOWN HEREON WAS ACTUALLY MADE UPON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND WAS COMPLETED ON THE DATE SHOWN (b) TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THERE ARE NO APPARENT OVERLAPPING OR IMPROVEMENTS, DISCREPANCIES, DEED LINE CONFLICTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND (c) THIS SURVEY WAS MADE SUBSTANTIALLY IN ACCORDANCE WITH THE STANDARDS AND CONDITIONS SET FORTH FOR A CATEGORY 1A CONDITION II, LAND TITLE SURVEY, BASED ON THE MANUAL OF PRACTICE FOR LAND SURVEYING IN TEXAS, REVISED 8TH EDITION, DATED 08/04/1988, PREPARED BY THE SOCIETY OF PROFESSIONAL SURVEYORS.

EXECUTED THIS 16TH DAY OF JUNE, 2015.

Renée W. Bryan
RENEE W. BRYAN
STATE OF TEXAS REGISTRATION NUMBER 5280

01 of 01

FILE: S:\Projects\Baseline Surveying\Title Survey\dwg
Scale: (As Shown) 1"=50'
Date: 06/16/2015
Drawn By: JBL
Checked By: RLW
Reviewed By:
Reviewed By:
Reviewed By:

LAND TITLE SURVEY OF 0.989 OF ONE ACRE OF LAND OUT OF OUTLOT 5, DIVISION C, IN THE CITY OF AUSTIN, AND BEING THE SAME TRACT OF LAND CONVEYED AS 0.989 OF ONE ACRE TO UNIVERSITY COOPERATIVE SOCIETY BY INSTRUMENT OF RECORD IN VOLUME 11987, PAGE 1298 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

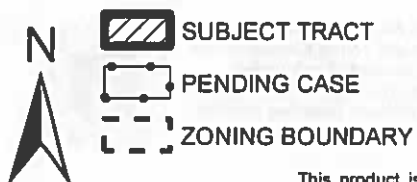
BASELINE LAND SURVEYORS, INC.
PROFESSIONAL LAND SURVEYING SERVICES
8333 CROSS PARK DRIVE
AUSTIN TEXAS 78764
OFFICE: 512.374.9722 FAX: 512.873.9743
FIRM REGISTRATION CERTIFICATE #10018100
scott-baseline@austin.tx.us



Zoning

Exhibit B

Zoning Case: C14-2018-0062



1" = 200'

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 CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

