# ORDINANCE NO.

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3507 BURLESON ROAD IN THE EAST RIVERSIDE/OLTORF COMBINED NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-V-CO-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-DENSITY BONUS 90-NEIGHBORHOOD PLAN (CS-MU-V-CO-DB90-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 general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district to general commercial services-mixed use-vertical mixed use building-conditional overlay-density bonus 90-neighborhood plan (CS-MU-V-CO-DB90-NP) combining district on the property described in Zoning Case No. C14-2024-0133, on file at the Planning Department, as follows:

## Tract 1

3.611 acres of land out of the Santiago Del Valle Grant, in the City of Austin, Travis County, Texas, being that same 3.610 acre tract of land conveyed by deed recorded in Document No. 2012162259, of the Official Public Records of Travis County, Texas, and

### Tract 2

7.304 acres of land out of the Santiago Del Valle Grant, in the City of Austin, Travis County, Texas, being that same 7.265 acre tract of land conveyed by deed recorded in Document No. 2005210732, of the Official Public Records of Travis County, Texas,

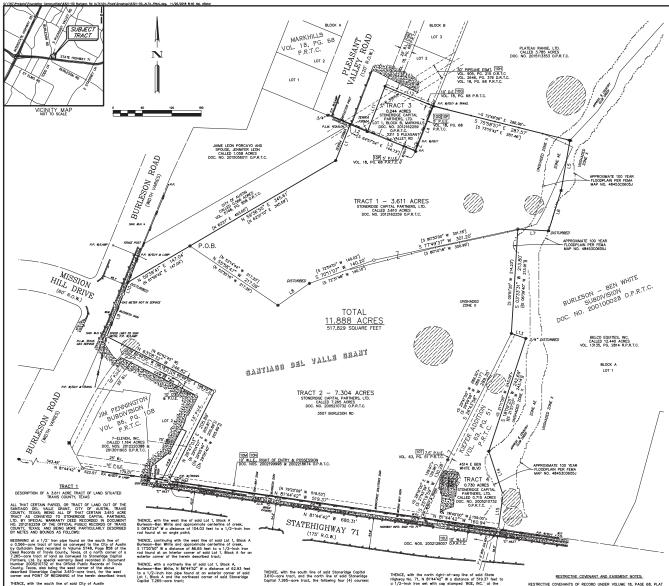
said Tract 1 and Tract 2, being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (collectively the "Property"),

locally known as 3507 Burleson Road in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit "B"**.

- **PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:
  - (A) A building may not be constructed on Tract 2 within an area 150 feet west from the centerline of the creek described as a tributary of County Club Creek.
  - (B) A 150-foot wide vegetative buffer shall be provided and maintained along the north property line adjacent to the adjoining greenbelt parkland as shown in Exhibit "C". Improvements permitted within the buffer zone are limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
- **PART 3.** The Property may be developed in compliance and used in accordance with the regulations established for density bonus 90 (DB90) combining district and other applicable requirements of the City Code.
- **PART 4.** Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district, the mixed use combining district, and other applicable requirements of the City Code.
- **PART 5.** Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 20061116-056 that established zoning for the Parker Lane Neighborhood Plan.

<b>PART 6.</b> This ordinance takes effect on	, 2024.
PASSED AND APPROVED  \$ \$ \$ \$ \$ , 2024	
	Kirk Watson Mayor

### **EXHIBIT "A"**



THENCE, with on easterly line of sold City of Austin 0.566—core troot, N 21754\*33\* E o distance of 79.39 feet to 1/2—inch lon rod found with cop stomped "TERRA FIRMA" on the southerly end-terming right-of-way of Pleasant Visilay Road, at the northeast corner of sold City of Austin 0.565—core tract, for a northerly exterior corner of the herein described tract;

THENCE, with the southerly end-terminus right-of-way line of said Pleasant Valley Rood, S 6721/21 E a distance of 38.13 feet to a 1/2-hair line ror and found with cap stamped "TERSA FRMA" at the west come of Lot 1, Block B, Markhills, a subdivision as recorded in Yourne 18, Page 88 or the Flat Records of Travis County, Texas for an angle

oescreed tract:

\*\*PINCE, with the southeast line of sold Lot 1, Block 8, Markhills, N. 2134720° E a distance of 99.34 feet to a 1/2-mich from found at the seat corner of saled Lot 1, 1/2-mich from found at the seat corner of saled Lot 1, 1/2-mich from found at 1, 1/2-mich from found to 1, 1/2-mich from

most notherly corner of the herein described tract; TRINCX, with the south line of sold followings Copital 3.401—over tract, and over him of read Stoneridge Copital 3.401—over tract, the copital 3.401 over tract, the Official Public Received of Tract County, Texas at the copital 3.401 over tract, for the northeast corner of the Merch described tooks of the copital 3.401 over tract, for the northeast corner of the Merch described tooks.

#### GENERAL NOTES:

- BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NADB3. ALL DISTANCES SHOWN HEREON ARE IN SUFFACE AND CAN BE CONNERTED TO GRUID BY DIVIDING BY A COMBINED SCALE FACTOR OF 1.0000512725.
- THE PROPERTY USE IN INSHABILITY OF "OPENSATION OF THE PROPERTY USE IN USEASAND TOOK "O' (PERSA DETERMINED TO BE ONTSICE THE O'CE ANNALA CHANGE OF THE O'CE ANNALA CHANGE O'CE ANNALA

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- THE SQUARE FOOTAGE VALUE SHOWN HEREON IS A MATHEMATICAL VALUE CALCULATED FROM THE BOUNDARY DATA SHOWN HEREON. THIS VALUE IN NO WAY PEPPRESSITS THE PRECISION OF CLOSURE OF THIS SURVEY OR THE ACCURACY OF CORNER MONUMENTS FOUND OR PLACED.
- ANY WSIBLE IMPROVEMENTS TO THE PROPERTY ARE AS SHOWN ON THIS SURVEY.
- THERE IS AN ABUNDANCE OF HOUSEHOLD GARBAGE SCATTERED THROUGHOUT THE PROPERTY.
- NO EVIDENCE OF CURRENT EARTH MOVING WORK WAS OBSERVED BY THE SURVEYOR.
- 8. THERE ARE NO STANDING BUILDINGS ON THE PROPERTY.

  9. THERE ARE NO IDENTIFIABLE PARKING SPACES ON THE PROPERTY.
- THERE IS AN ACTIVE HOMELESS COMMUNITY LIVING ON THE PROPERTY.

THENCE, with the north line of said Stoneridge Capital 7.265-acre tract and the south line of said Stoneridge Capital 3.610-acre tract, the following four (4) course:

- S 77'49'37" W a distance of 301.20 feet to 1/2-inch iron set with cap stamped "BGE, INC." at an angle point;
- S 70"1"07" W a distance of 140.20 feet to a 1/2-inch iron pipe found at an angle point;
- S 5510'00" W a distance of 78.51 feet to a 1/2-inch Iron pipe found at the most southerly corner of sold Stanerlage Capital 3.610-acre tract, for the south corner of the herein described tract; and
- N 55'58'47" W a distance of 217.09 feet to the POINT OF BEGINNING and containing 3.811 acres (157,274 square feet) of land, more or less.

TRACT\_2

DESCRIPTION OF A 7.304 ACRE TRACT OF LAND SITUATED TRAVIS COUNTY, TEXAS

ALL THAT CERTAIN PARCEL OR TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRAIT, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING ALL OF HAIT CERTAIN 7.266 ACRE LTD. BY SPECIAL WARRANTY DEED RECORRED IN DOCUMENT DO. 2005/21073 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. AND BEING MORE PARTICULARLY DESCRIBED BY METS AND BOUNDAYS AS FOLLOWS.

THE PROPERTY OF THE PROPERTY O

FOUND 1" BOLT SET 1/2" IRON ROD W/ "BGE INC" CAP CALCULATED POINT FOUND TXDOT TYPE II MONUMENT

- S 55'8'47" E a distance of 217.09 feet to a 1/2-inch iron pipe found at the most southerly corner of said Stoneridge Capital 3.610-acre tract, for an angle point;
- N 55"10"00" E a distance of 78.51 feet to a 1/2-inch iron pipe found at an angle point;
- N 70"1"07" E a distance of 140.20 feet to a 1/2-inch iron set with cap stamped "BGE, INC." at an angle point; and

BRUNC, with the seaterly line of adul to 1, 18 ock. A S 03333" if a distance of 21.80 feet to a 1/2—hot pie found the common northwest corner of add recorded in Volume 63, Page 61 of the Palt Records of Travis County, score, and on the pie found of the palt Records of 3/4—hot from pie found of the northwest corner of add keller addition been, 3 0796275 E a distance of 31.25 in the palt of 31.25 in the piece of 31.

THENCE, with the westerly line of said Kiefer, S  $26^{\circ}43^{\circ}58^{\circ}$  W a distance of 289.35 feet to a 1/2-inch iron pipe found at an angle point;

LINE TABLE NUMBER BEARING DISTANCE
L1 N 21'54'33" E 79.39'
L2 S 67'21'21" E 36.13'

S 67'21'21' E 38.13' S 67'42'43" E 106.71' N 21'34'20' E 99.34' S 09'53'24' W 104.03' S 17'20'50' W 86.65' N 86'44'52' W 62.93' S 55'10'00' W 78.51'

N 21'04'39" E 92.91' N 21'30'24" E 26.12'

L10 N 21'30'24' E 26.12'
L11 N 21'23'44' E 99.60'
L12 S 67'34'39' E 107.02'
L13 S 70'50'25' E 31.25'
L14 S 17'58'00' E 93.78'
L15 S 07'46'25' W 69.85'

RECORD LINE TABLE

| NUMBER | BEARING | DISTANCE | [L1] | [N 24'40'10" E] | [79.25']

THENCE, with the north right-of-way line of sold State Highway No. 71, N 614442" in a distance of 519.37 feet to a 1/2—inch iron set with cop stronger 615E, No. 76. of the southeast corner of Lot 2 of the Jim Pennington Subdivision a audiovision on recorded in Volume 68, Page 161 of the Piet Record of Transi County, Texas, for the most southerly southwest corner of the herein described tract;

THENCE, leaving the north right-of-way line of said State Highway No. 71 with the east line of said Lot 2 of said Jim Pennington Subdividion, Ne 247-075 E o distance of 205.99 feet to a 1/2-inch Iron set with cap stamped 105.10. (Inc. of the northeast corner of said Lot 2 of Stat Jim Tenders Control of the New York Control of the herbit described thost; THENCE, with the north line of sed Lot 2 of sold Jim Pennington, N 63706'32" W a distance of 246.82 feet to a 1/2-whol iron set with cap stamped '86E, NC. on the cast right-or-lawy line of Burleson Road (right-or-lawy width video), for the most vesterly southwest corner of the herein described troat.

THENCE, with the east right-of-way line of said Burleson Road, N 21'04'39" E a distance of 92.91 feet to a 1/2-inch iron set with cap stamped "BGE, INC." for angle point; THENCE, continuing with the east right-of-way line of said Burleson, N 21'30'24" E a distance of 26.12 feet to a 1/2-Inch Iron pipe found at the southwest corner of the above described City of Austin 0.566-acre, for corner;

above assumes any or resonance.

NEENCE, with the easterly line of sold City of Austin
0.566—acre, N. 59°39'41' E, a distance of 147.04 feet to the
POINT OF BEDINNING and containing 7.304 acres (318,144
square feet) of land, more or less.

#### TRACT 3

Lot 1, Block B, MARKHILLS, a subdivision in Travis County, Texas, according to the map or plot thereof recorded in Volume 18, Page 68, Plot Records of Travis County, Texas. TRACT 4

KIEFER ADDITION, a subdivision in Travis County, according to the map or plat thereof recorded in e 63, Page 51, Plat Records of Travis County, Texas.

AREAS OF ACTIVE TRANSIENT CAMPS

To Foundation Communities, Inc., Stoneridge Capital Partners, Ltd., Fidelity National Title Insurance Company and Austin Title Company. This is to certify that this map or just and the survey on which it is based were made in accordance with the 2016 Minhum Standard Detail Requirement for ALTA/SED LASTING.

1. The survey of the surv



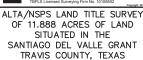
Date of Plat or Map: November 20, 2018

JONATHAN O. NOBLES PRIS NO. 5777 BGE, INC. 7000 NORTH MOPAC, SUITE 330 AUSTIN, IEXAS 78731 TELEPHONE: (512) 879–0400

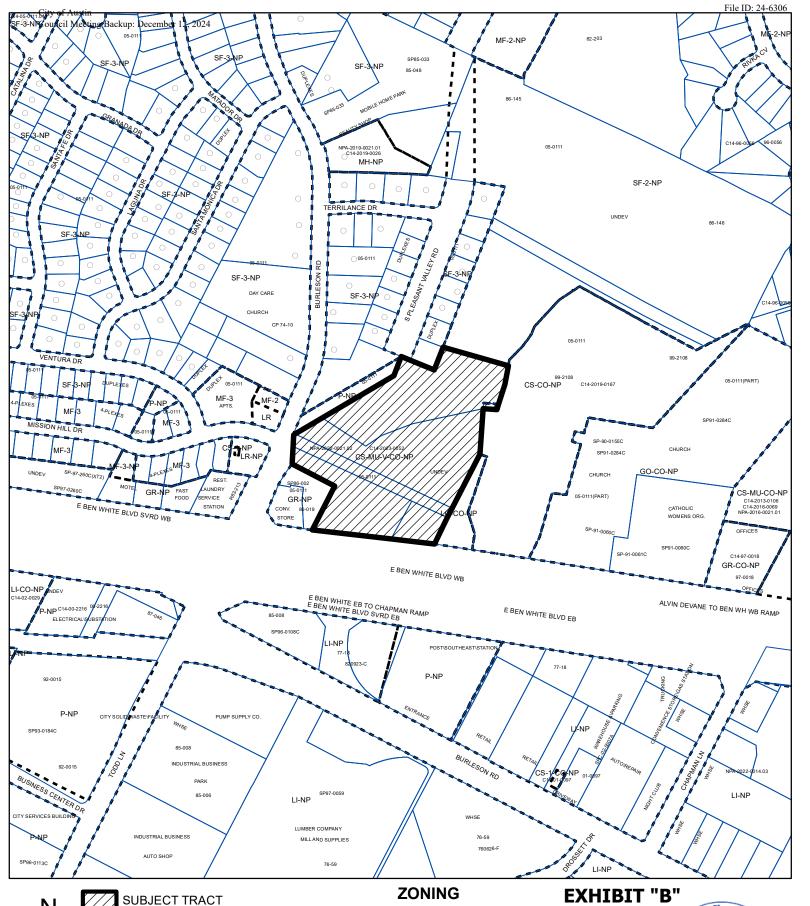
COVENANTS OF RECORD UNDER VOLUME 18, PAGE 68, PLAT TRAVIS COUNTY, TEXAS AND VOLUME 2646, PAGE 376, DEED TRAVIS COUNTY, TEXAS DO AFFECT THE SUBJECT TRACE 3, TITVE COVENANTS OF RECORD UNDER VOLUME 63, PAGE 51, DIS OF TRAVIS COUNTY. TEXAS DO AFFECT THE SUBJECT TRACE

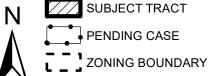
- PIPELINE EASEMENT GRANTED TO UNITED GAS PIPE LINE COMPANY, RECORDED IN VOLUME 961, PAGE 121, DEED RECORDS OF TRAVIS COUNTY, TEXAS MAY AFFECT THE SUBJECT TRACTS BUT CANNOT BE BE DETERMINED FROM INFORMATION CURRENTLY AVAILABLE. ELECTRIC AND TELEPHONE LINES AND SYSTEMS EASEMENT GRANTEL TO THE CITY OF AUSTIN, RECORDED IN VOLUME 2449, PAGE 188, DEED RECORDS OF TRAVIS COUNTY, TEXAS DOES AFFECT THE SUBJECT TRACT 2 AND IS BLANKET IN NATURE.
- ELECTRIC AND TELEPHONE LINES AND SYSTEMS EASEMENT GRANTEI TO THE CITY OF AUSTIN, RECORDED IN VOLUME 5688, PAGE 1762, DEED RECORDS OF TRANS COUNTY, TEXAS DOES AFFECT THE SUBJECT TRACT 2 BUT CANNOT BE PLOTTED BASED ON INFORMATIC CURRENILTY AVAILABLE.
- RIGHT OF ENTRY AND POSSESSION GRANTED TO THE CITY OF AUSTIN RECORDED IN DOCUMENT NUMBER 2002199998, OFFICIAL PUBLIC RECORDS OF TRANS COUNTY, TEXAS DOES AFFECT THE SUBJECT TRACT 2 AS SHOWN HEREON
- WATER LINE EASEMENT GRANTED TO THE CITY OF AUSTIN, RECORDS IN DOCUMENT NUMBER 2002218674, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS DOES AFFECT THE SUBJECT TRACT 2 AS SHOWN HEREON.
- 5' PUBLIC UTILITY EASEMENT ALONG THE REAR LOT LINE, AS SHOWN ON VOLUME 18, PAGE 68, PLAT RECORDS OF TRAVIS COUNTY, TEXAS DOES AFFECT THE SUBJECT TRACT 3 AS SHOWN HEREON.
- 5' PUBLIC UTILITY EASEMENT ALONG THE SOUTH AND EAST PROPERTY LINES, AS SHOWN ON VOLUME 18, PAGE 68, PLAT RECORDS OF TRAVIS COUNTY, TEXAS DOES AFFECT THE SUBJECT TRACT 3 AS SHOWN HERFON
- 10Q. 5' DRAINAGE EASEMENT ALONG THE NORTH PROPERTY LINE, AS SHOWN ON VOLUME 18, PAGE 68, PLAT RECORDS OF TRAVIS COUNT TEXAS DOES AFFECT THE SUBJECT TRACT 3 AS SHOWN HEREON.
- 10R. 25' BUILDING SETBACK LINE, AS SHOWN ON VOLUME 18, PAGE 68, PLAT RECORDS OF TRAMS COUNTY, TEXAS DOES AFFECT THE SUBJECT TRACT 3 AS SHOWN HEREON.
- 10T. 7.5' PUBLIC UTILITY EASEMENT ALONG THE WEST PROPERTY UNE, AS SHOWN ON VOLUME 63, PAGE 51, PLAT RECORDS OF TRAVIS COUNTY, TEXAS DOES AFFECT THE SUBJECT TRACT 4 AS SHOWN HEREON.
- WATER LINE EASEMENT GRANTED TO THE CITY OF AUSTIN, RECORDED IN DOCUMENT NUMBER 2002128007, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS DOES AFFECT THE SUBJECT TRACT 4 AS SUCHAMA LIFECTAL





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1 " = 400 '

ZONING CASE#: C14-2024-0133

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



Created: 9/10/2024

