

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5401 BURNET ROAD, 5401, 5403, AND 5407 CLAY AVENUE, 5402, 5404, 5406, AND 5408 WILLIAM HOLLAND AVENUE, AND 1705 AND 1721 1/2 HOUSTON STREET IN THE BRENTWOOD/HIGHLAND 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 AND MULTIFAMILY RESIDENCE HIGHEST DENSITY-NEIGHBORHOOD PLAN (MF-6-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 and multifamily residence highest density-neighborhood plan (MF-6-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. C14-2024-0110, on file at the Planning Department, as follows:

LOTS 1, 2, 3, AND 4, BLOCK 5, BROADACRES, a subdivision in Travis County, Texas, according to the map or plat of record in Volume 3, Page 135, of the Plat Records of Travis County, Texas; and

LOT 6, BLOCK 5, BROADACRES, a subdivision in Travis County, Texas, according to the map or plat thereof as recorded in Volume 3, Page 135, of the Plat Records of Travis County, Texas, SAVE AND EXCEPT that portion conveyed to the City of Austin by deed recorded in Volume 4742, Page 1893, of the Official Public Records of Travis County, Texas; and

LOT 7, BLOCK 5, BROADACRES, a subdivision in Travis County, Texas, according to the map or plat thereof as recorded in Volume 3, Page 135, of the Plat Records of Travis County, Texas, SAVE AND EXCEPT the East 5 feet of Lot 7, as conveyed to the City of Austin by deed recorded in Volume 3713, Page 1252, of the Official Public Records of Travis County, Texas; and

36 LOT 8, BLOCK 5, BROADACRES, a subdivision in Travis County, Texas,
37 according to the map or plat thereof as recorded in Volume 3, Page 135, of the Plat
38 Records of Travis County, Texas, SAVE AND EXCEPT the East 5 feet of Lot 8,
39 as conveyed to the City of Austin by deed recorded in Volume 12338, Page 470, of
40 the Official Public Records of Travis County, Texas; and

41 LOT 9, BLOCK 5, BROADACRES, a subdivision in Travis County, Texas,
42 according to the map or plat thereof as recorded in Volume 3, Page 135, of the Plat
43 Records of Travis County, Texas, SAVE AND EXCEPT the East 5 feet of Lot 9,
44 as conveyed to the City of Austin by deed recorded in Volume 3563, Page 1186, of
45 the Official Public Records of Travis County, Texas; and

46 5,273 square feet of land, being a portion of right of way adjacent to LOTS 1-4,
47 BLOCK 5, BROADACRES, a subdivision in Travis County, Texas, according to
48 the map or plat of record in Volume 3, Page 135, of the Plat Records of Travis
49 County, Texas; said 5,273 square feet of land being more particularly described by
50 metes and bounds in **Exhibit "A"** incorporated into this ordinance; and

51 4,616 square feet of land, being a portion of right of way adjacent to BLOCK 3,
52 BROADACRES, a subdivision in Travis County, Texas, according to the map or
53 plat of record in Volume 3, Page 135, of the Plat Records of Travis County, Texas;
54 said 4,616 square feet of land being more particularly described by metes and
55 bounds in **Exhibit "B"** incorporated into this ordinance; and

56 241 square feet of land, being that certain 241 square foot tract of land conveyed to
57 the City of Austin by deed recorded in Volume 7122, Page 1011, of the Real
58 Property Records of Travis County, Texas; said 241 square feet of land being more
59 particularly described by metes and bounds in **Exhibit "C"** incorporated into this
60 ordinance; and

61 A 0.329 acre tract of land out of BLOCK 3, BROADACRES, a subdivision in the
62 Travis County, Texas, according to the map or plat of record in Volume 3, Page
63 135, of the Plat Records of Travis County, Texas, being the same tract conveyed
64 by deed recorded in Volume 11120, Page 813, of the Real Property Records of
65 Travis County, Texas, said 0.329 acre tract of land being more particularly
66 described by metes and bounds in **Exhibit "D"** incorporated into this ordinance;

67 (collectively, the "Property"),

68 locally known as 5401 Burnet Road, 5401, 5403, and 5407 Clay Avenue, 5402, 5404,
69 5406, and 5408 William Holland Avenue, and 1705 and 1721 1/2 Houston Street in the
70 City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit**
71 **"E"**.



5,273 SQUARE FEET
CLAY AVENUE R.O.W.
CITY OF AUSTIN, TRAVIS COUNTY, TX

FILE NO: 2023.026
PROJECT: 617.005003(EX2)
DATE: 02/09/2023

DESCRIPTION

5,273 SQUARE FEET SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN CLAY AVENUE (40' R.O.W.) RIGHT-OF-WAY ADJACENT TO LOTS 1-4, BLOCK 5, BROADACRES SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 3, PAGE 135, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 5,273 SQUARE FOOT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found at the intersection of the south right-of-way line of Houston Street (50' r.o.w.) and the east right-of-way line of said Clay Avenue, being the northwest corner of said Lot 1, for the northeasterly corner hereof;

THENCE, S27°33'15"W, along said east right-of-way line of Clay Avenue, being the west lines of said Lots 1-4, a distance of 280.11 feet to a cut "X" set in concrete at the intersection of the east right-of-way line of Burnet Road (r.o.w. varies) and said east right-of-way line of Clay Avenue, being the west common corner of said Lot 4 and Lot 5, of said Block 5, for the most southerly corner hereof;

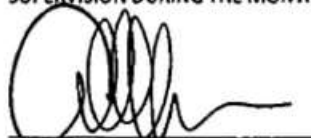
THENCE, N03°49'39"W, along said east right-of-way line of Burnet Road, a distance of 38.39 feet to a mag nail set on the calculated centerline of said Clay Avenue right-of-way, for the most westerly corner hereof;

THENCE, N27°33'05"E, over and across said Clay Avenue right-of-way, along said calculated centerline, a distance of 247.29 feet to a mag nail set in said south right-of-way line of Houston Street, for the northwesterly corner hereof, from which a cut "x" set at the intersection of the west right-of-way line of Clay Avenue and said south right-of-way line of Houston Street, being the northeast corner of Block 3 of said Broadacres Subdivision, bears N62°35'33"W, a distance of 20.00 feet;

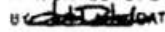
THENCE, S62°35'33"E, along said south right-of-way of Houston Street, a distance of 20.00 feet to the **POINT OF BEGINNING**, and containing 5,273 square feet (0.121 acre) of land, more or less.

BEARING BASIS: TEXAS COORDINATE SYSTEM, NAD 83 (2011), CENTRAL ZONE, UTILIZING THE ALLTERRA CENTRAL VIRTUAL REFERENCE NETWORK.

I HEREBY CERTIFY THAT THE ABOVE DESCRIPTION WAS PREPARED BASED UPON A FIELD SURVEY PERFORMED UNDER MY SUPERVISION DURING THE MONTH OF DECEMBER, 2022, AND IS TRUE AND CORRECT TO THE BEST OF MY ABILITIES.


ABRAM C. DASHNER
TEXAS RPLS 5901
MANHARD CONSULTING
TBPLS FIRM NO. 10194754



FILE NOTES REVIEWED
BY  DATE 02/28/24
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

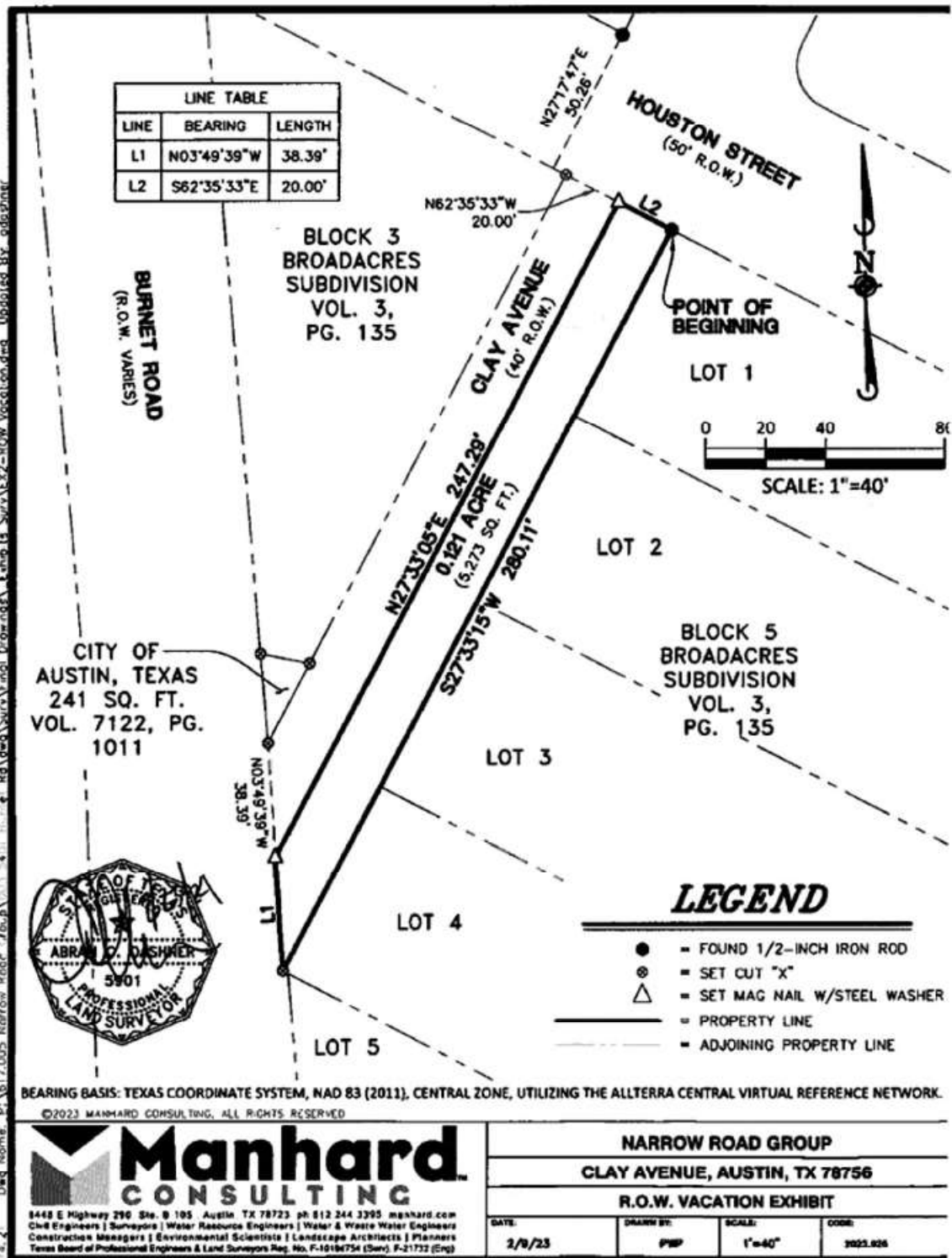


EXHIBIT "B"

EXHIBIT "A"



4,616 SQUARE FEET
CLAY AVENUE R.O.W.
CITY OF AUSTIN, TRAVIS COUNTY, TX

FILE NO: 2024.015
PROJECT: 617.005003(EX3)
DATE: 02/05/2024

DESCRIPTION

4,616 SQUARE FEET SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN CLAY AVENUE (40' R.O.W.) RIGHT-OF-WAY ADJACENT TO BLOCK 3, BROADACRES SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 3, PAGE 135, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 4,616 SQUARE FOOT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a cut "x" set at the intersection of the south right-of-way line of Houston Street (50' r.o.w.) and the west right-of-way line of said Clay Avenue, being the northeast corner of said Block 3, for the northwesterly corner hereof;

THENCE, S62°35'33"E, along said south right-of-way of Houston Street, a distance of 20.00 feet to a mag nail with washer set on the calculated centerline of said Clay Avenue right-of-way, for the northeasterly corner hereof, from which a 1/2-inch iron rod found at the intersection of the east right-of-way line of said Clay Avenue and said south right-of-way line of Houston Street, being the northwest corner of Lot 1, Block 5, of said Broadacres Subdivision, bears S62°35'33"E, a distance of 20.00 feet;

THENCE, S27°33'05"W, over and across said Clay Street right-of-way, along said calculated centerline, a distance of 247.29 feet to a mag nail with washer set in the east-right-of-way line of Burnet Road (r.o.w. varies), for the most southerly corner hereof;

THENCE, N03°49'39"W, along said east right-of-way of Burnet Road, a distance of 38.39 feet to a cut "X" set in concrete at the intersection of said east right-of-way line and said west right-of-way line of Clay Avenue, being the south corner of that certain 241 square foot tract of land conveyed to City of Austin, Texas, by Deed of record in Volume 7122, Page 1011, of the Deed Records of Travis County, Texas, for the most westerly corner hereof;

THENCE, N27°32'55"E, along said west right-of-way line of Clay Avenue, being the east line of said Block 3, in part along the east line of said 241 square foot tract, a distance of 214.46 feet to the **POINT OF BEGINNING**, and containing 4,616 square feet (0.106 acre) of land, more or less.

BEARING BASIS: TEXAS COORDINATE SYSTEM, NAD 83 (2011), CENTRAL ZONE, UTILIZING THE ALLTERRA CENTRAL VIRTUAL REFERENCE NETWORK.

I HEREBY CERTIFY THAT THE ABOVE DESCRIPTION WAS PREPARED BASED UPON A FIELD SURVEY PERFORMED UNDER MY SUPERVISION DURING THE MONTH OF DECEMBER, 2022, AND IS TRUE AND CORRECT TO THE BEST OF MY ABILITIES.

ABRAM C. DASHNER
TEXAS RPLS 5901
MANHARD CONSULTING
TBPLS FIRM NO. 10194754



FILE NOTES REVIEWED
DATE 02/05/24
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

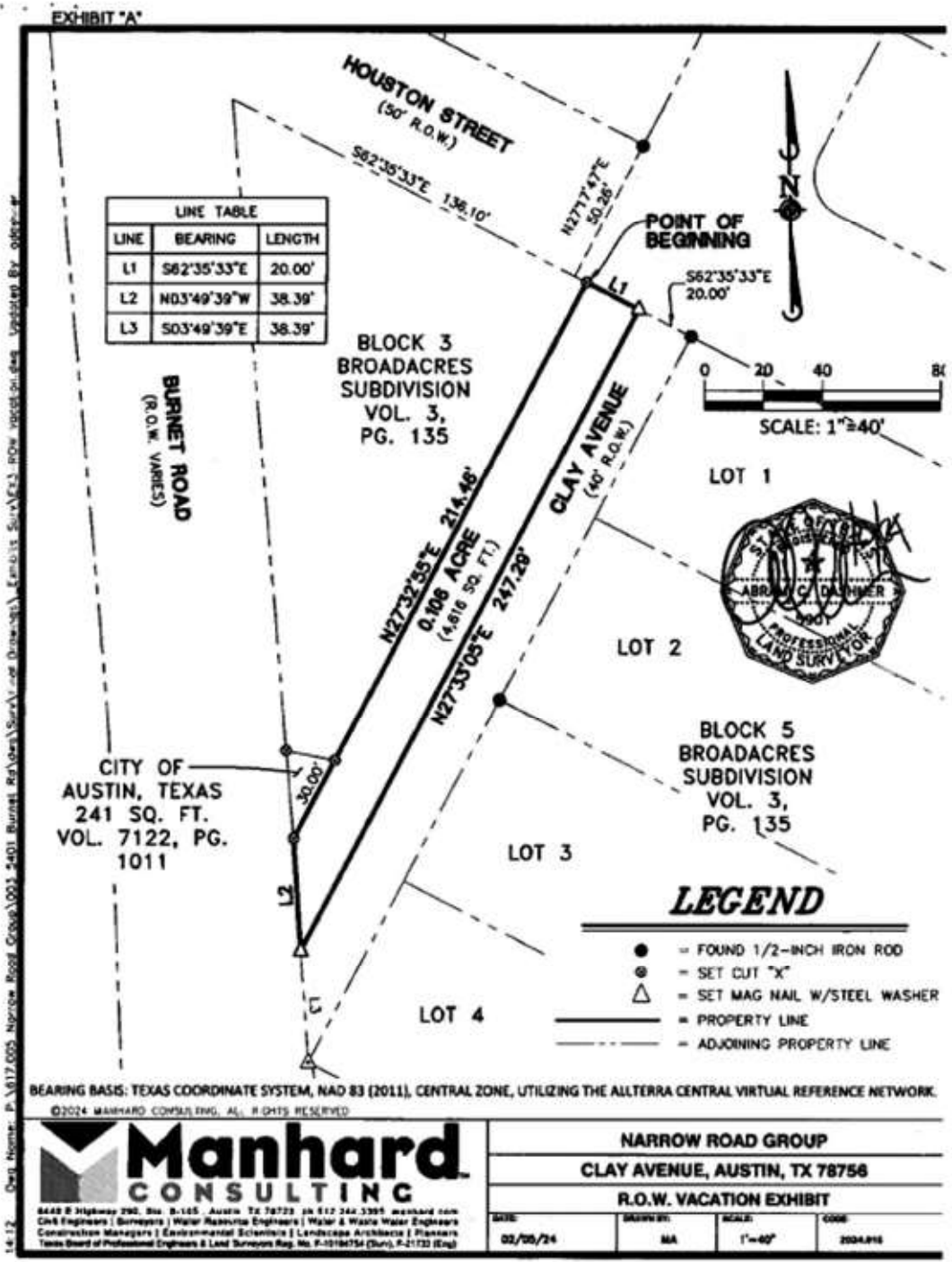


EXHIBIT "C"



241 SQUARE FEET
CLAY AVENUE R.O.W.
CITY OF AUSTIN, TRAVIS COUNTY, TX

FILE NO: 2023.155
PROJECT: 617.096001(EX1)
DATE: 09/18/2023

DESCRIPTION

241 SQUARE FEET SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING THAT CERTAIN 241 SQUARE FOOT TRACT OF LAND CONVEYED TO CITY OF AUSTIN, TEXAS, BY DEED OF RECORD IN VOLUME 7122, PAGE 1011, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 241 SQUARE FOOT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a cut "x" set in the east right-of-way line of Burnet Road (r.o.w. varies), being a point in the west line of Block 3, Broadacres Subdivision, recorded in Volume 3, Page 135, of the Plat Records of Travis County, Texas, being the southwest corner of that certain tract conveyed to John E. Meddaugh and Andrew M. Cotton, by Deed of record in Volume 11120, Pg. 813, of said Real Property Records, for the northwesterly corner of said 241 square foot tract and hereof, from which a 1/2-inch iron rod with "Manhard Consulting" cap set at the intersection of said east right-of-way line of Burnet Road and the south right-of-way line of Houston Street (50' r.o.w.), being the northwest corner of said Block 3, bears N04°53'32"W, a distance of 223.71 feet;

THENCE, S78°40'48"E, leaving said east right-of-way line of Burnet Road, over and across said Block 3, along the north line of said 241 square foot tract, being the south line of said Volume 11120, Page 813 tract, a distance of 16.76 feet to a cut "x" set in the east line of said Block 3, being the west right-of-way line of Clay Avenue (40' r.o.w.), for the northeasterly corner of said 241 square foot tract and hereof, from which a cut "x" set at the intersection of said west right-of-way line of Clay Avenue and said south right-of-way line of Houston Street, being the northeasterly corner of said Block 3, bears N27°32'55"E, a distance of 184.45 feet;

THENCE, S27°32'55"W, along said west right-of-way line of Clay Avenue, being the east line of said Block 3, also being the east line of said 241 square foot tract, a distance of 30.00 feet to a calculated point at the intersection of said west right-of-way line of Clay Avenue and said east right-of-way line of Burnet Road, being the most southerly corner of said Block 3, for the most southerly corner of said 241 square foot tract and hereof;



THENCE, N04°53'32"W, along said east right-of-way line of Burnet Road, being the west line of said Block 3, also being the west line of said 241 square foot tract, a distance of 30.00 feet to the POINT OF BEGINNING, and containing 241 square feet (0.006 acre) of land, more or less.


BEARING BASIS: TEXAS COORDINATE SYSTEM, NAD 83 (2011), CENTRAL ZONE, UTILIZING THE ALLTERRA CENTRAL VIRTUAL REFERENCE NETWORK.

I HEREBY CERTIFY THAT THE ABOVE DESCRIPTION WAS PREPARED BASED UPON A FIELD SURVEY PERFORMED UNDER MY SUPERVISION DURING THE MONTH OF DECEMBER, 2022, AND IS TRUE AND CORRECT TO THE BEST OF MY ABILITIES.



ABRAM C. DASHNER
TEXAS RPLS 5901
MANHARD CONSULTING
TBPLS FIRM NO. 10194754



F.E. NOTES REVIEWED
BY  DATE 02/22/24
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

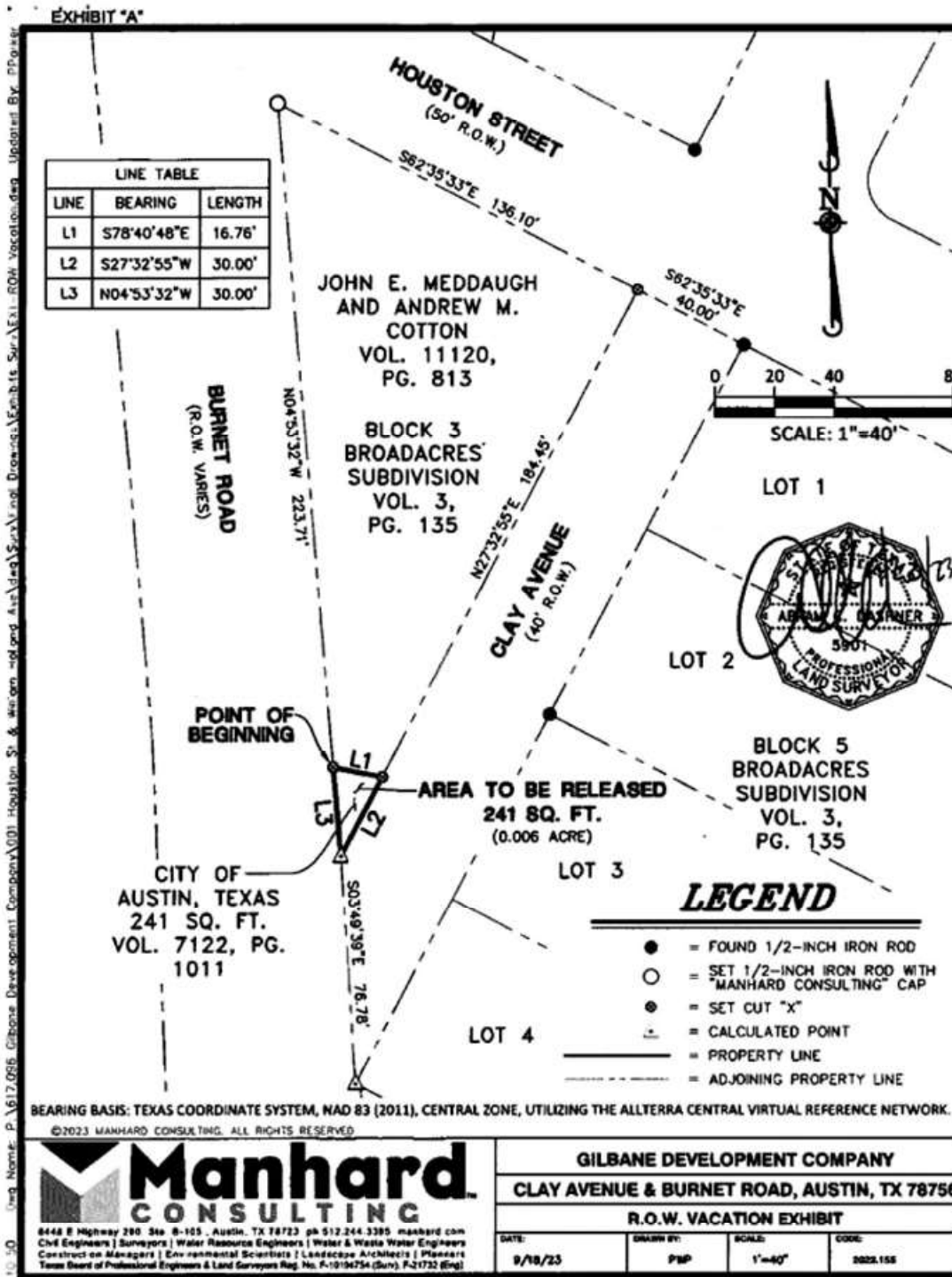


EXHIBIT "D"



0.329 ACRE
BLOCK 3, BROADACRES
AUSTIN, TRAVIS COUNTY, TEXAS

FILE NO. 2023.003
PROJECT: 617.005003
DATE: 01/13/2023

DESCRIPTION

0.329 ACRE OUT OF BLOCK 3, BROADACRES SUBDIVISION, A SUBDIVISION OF RECORD IN PLAT BOOK 3, PAGE 135, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, BEING THAT CERTAIN TRACT CONVEYED TO JOHN E. MEDDAUGH AND ANDREW M. COTTON, BY DEED OF RECORD IN VOLUME 11120, PAGE 813, OF THE REAL PROEPRTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.329 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, for reference, at a 1/2-inch iron rod found at the intersection of the south right-of-way line of Houston Street (50' r.o.w.) and the east right-of-way line of Clay Avenue (40' r.o.w.), being the northwest corner of Lot 1, Block 5, of said Broadacres;

THENCE, N62°35'33"W, over and across said Clay Avenue right-of-way, a distance of 40.00 feet to a cut "X" in concrete set at the intersection of the west right-of-way line of said Clay Avenue and said south right-of-way line of Houston Street, being the northeast corner of said Block 3, for the **POINT OF BEGINNING** and northeasterly corner hereof;

THENCE, S27°32'55"W, along said west right-of-way line of Clay Avenue, being the east line of said Block 3, a distance of 184.45 feet to a cut "X" in concrete set at the northeast corner of that certain 241 square foot tract conveyed to City of Austin, Texas, by Deed of record in Volume 7122, Page 1011, of the Deed Records of Travis County, Texas, for the southeasterly corner hereof;

THENCE, N78°40'48"W, leaving said west right-of-way line, over and across said Block 3, along the north line of said 241 square foot tract, a distance of 16.76 feet to a cut "X" in concrete set in east right-of-way line of Burnet Road (r.o.w. varies) being the west line of said Block 3, also being the northwest corner of said 241 square foot tract, for the southwesterly corner hereof;

THENCE, N04°53'32"W, along said east right-of-way line, being the west line of said Block 3, a distance of 223.71 feet to a 1/2-inch iron rod with "Manhard Consulting" cap set at the intersection of said east right-of-way line of Burnet Road and said south right-of-way line of Houston Street, for the northwesterly corner of said Block 3 and hereof, from which a cut "X" found at the intersection of said east right-of-way line of Burnet Road and the north right-of-way line of said Houston Street bears N05°28'19"W, a distance of 60.06 feet;



THENCE, S62°35'33"E, along said south right-of-way line of Houston Street, being the north line of said Block 3, a distance of 136.10 feet to the POINT OF BEGINNING, and containing 0.329 acre (14,352 square feet) of land, more or less.

BEARING BASIS: TEXAS COORDINATE SYSTEM, CENTRAL ZONE (NAD 83), UTILIZING THE TRIMBLE VRS NOW NETWORK.

I HEREBY CERTIFY THAT THE ABOVE DESCRIPTION WAS PREPARED BASED UPON A FIELD SURVEY PERFORMED UNDER MY SUPERVISION DURING THE MONTH OF JANUARY, 2022, AND IS TRUE AND CORRECT TO THE BEST OF MY ABILITIES.

A handwritten signature in blue ink, appearing to read 'A. Dashner', written over a horizontal line.

ABRAM C. DASHNER
TEXAS RPLS 5901
MANHARD CONSULTING
TBPLS FIRM NO. 10194754



