

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1143 3/4, 1145, AND 1145 1/2 GUNTER STREET, 3605 ABBATE CIRCLE, AND 1144 WAYNEROY DRIVE IN THE EAST MLK COMBINED NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO TOWNHOUSE AND CONDOMINIUM RESIDENCE-NEIGHBORHOOD PLAN (SF-6-NP) COMBINING DISTRICT ON TRACT 1 AND FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO MULTIFAMILY RESIDENCE MEDIUM DENSITY-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (MF-3-CO-NP) COMBINING DISTRICT ON TRACT 2 AND TRACT 3.

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 family residence-neighborhood plan (SF-3-NP) combining district to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district on Tract 1 and from family residence-neighborhood plan (SF-3-NP) combining district to multifamily residence medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district on Tract 2 and Tract 3 on the property described in Zoning Case No. C14-2024-0109, on file at the Planning Department, as follows:

Tract 1:

LOT 3, V.E. SMITH SUBDIVISION SECTION 1, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 39, Page 23, of the Plat Records of Travis County, Texas,

Tract 2:

A 0.5944 acre tract of land in the George J. Neill Survey, Abstract No. 586, in Travis County, Texas, being all of a called 0.594 acre tract of land conveyed by deed recorded in Document No. 2021144851 of the Official Public Records of Travis County, Texas, said 0.5944 acre tract of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance, and

Tract 3:

2.00 acres of land out of Outlot 60, Division A, of the Government Outlots to the City of Austin, according to the map or plat of record at the General Land Office of

COA Law Department

EXHIBIT "A"

EXHIBIT “_____”

Zoning Exhibit
George J. Neill Survey, Abstract No. 586

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.5944 ACRES (25,892 SQUARE FEET) OUT OF THE GEORGE J. NEILL SURVEY, ABSTRACT NO. 586, IN TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 0.594 ACRE TRACT CONVEYED TO REAL HOLDINGS, LLC IN DOCUMENT NO. 2021144851 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), SAID 0.5944 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 a 1/2-inch iron rod found in the north line of a called 2.00 acres tract conveyed to RCG Gunter LLC in Document No. 2022091313 (O.P.R.T.C.T.), being the common south corner of Lot 2, V.E. Smith Subdivision Section 1, a subdivision recorded in Volume 39, Page 23 of the Plat Records of Travis County, Texas, (P.R.T.C.T.) and said Real Holdings tract, and being the west end of an apparent overlap between deed lines, and being the southwest corner and **POINT OF BEGINNING** hereof, from which a 1/2-inch iron rod found for the common south corner of said Lot 2 and a called 0.267 acre tract conveyed to Miranda Luisa Waldron Curry and Frank Bernard Curry in Document No. 2020028573 (O.P.R.T.C.T.) bears, N69°21'30"W, a distance of 50.00 feet;

THENCE, leaving the north line of said RCG Gunter tract, with the common line of said Lot 2, V.E. Smith Subdivision and said Real Holdings tract, **N20°11'55"E**, a distance of **89.07** feet to a 1/2-inch iron rod found for the northwest corner hereof, being the northwest corner of said Real Holdings tract and the southwest corner of Lot 3 of said V.E. Smith Subdivision Section 1, from which an iron rod with "Surveyworks" cap found in the south right-of-way line of Abbate Circle (50' right-of-way), being the common north corner of said Lot 2, , V.E. Smith Subdivision and said Lot 3 bears, N20°52'48"E, a distance of 69.35 feet;

THENCE, leaving the east line of said Lot 2, , V.E. Smith Subdivision, with the north line of said Real Holdings tract, in part with the south line of said Lot 3, in part with the south line of an apparent gap between deed lines the following two (2) courses and distances:

- 1) **S69°36'21"E**, passing at a distance of 88.40 feet a 1/2-inch iron rod found, being the southeast corner of said Lot 3, and being the west end of an apparent gap between deed lines, (from which a 1/2-inch iron pipe found for the southwest corner of Wayneroy Drive (50' right-of-way) bears, N18°33'16"E, a distance of 2.08 feet), in all a distance of **139.06** feet to a 1/2-inch iron rod with "Surveyworks" cap found,
- 2) **S68°31'17"E**, a distance of **145.00** feet to a calculated point for the northeast corner hereof, being in the west line of Lot 2, Springdale Gardens Subdivision, a subdivision recorded in Document No. 200100274 (O.P.R.T.C.T.), being the northeast corner of said Real Holdings tract, and being the east end of an apparent gap between deed lines, from which a 1/2-inch iron rod found bears S68°31'17"E, a distance of 0.65 feet, also from which a 1/2-inch iron pipe found in the west line of said Lot 2, Springdale Gardens, being the common south corner of Lot 6 and Lot 7 of Abbate Subdivision bears, N20°27'35"E, a distance of 4.50 feet;


THENCE, leaving the south line of said apparent gap between deed lines, with the common line of said Lot 2, Springdale Gardens and said Real Holdings tract, in part with the east line of said apparent overlap of deed lines, **S20°27'35"W**, passing at a distance of 87.48 feet a 1/2-inch iron pipe found for the northeast

corner of said RGC Gunter tract, and being the northeast corner of said overlap in deed lines, in all a distance of **92.04** feet to a calculated point for the southeast corner hereof, being the southeast corner of said Real Holding tract, and being in the west line of said Lot 2, Springdale Gardens, from which a 1/2-inch iron rod found for the common west corner of said Lot 2, Springdale Gardens, and Lot 1 of said Springdale Gardens bears, S20°27'35"W, a distance of 69.83 feet, also from which a 1/2-inch iron rod found bears, S68°27'06"E, a distance of 0.77';

THENCE, leaving the west line of said Lot 2, Springdale Gardens, with the south line of said Real Holdings tract, being the south line of said apparent overlap between deed lines, **N68°27'06"W**, a distance of **283.68** feet to the **POINT OF BEGINNING** and containing 0.5944 acres (25,892 Square Feet) 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 1.000060536248. See attached sketch (reference drawing: 01897.dwg.)

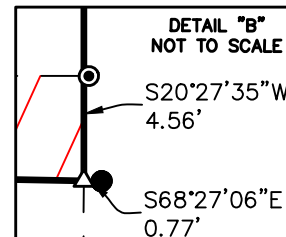
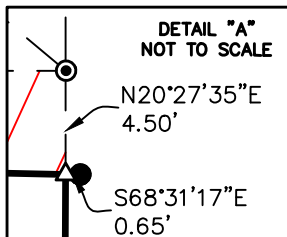

6/26/2024
Paul N. Guerrero, RPLS #5992
4Ward Land Surveying, LLC



0 25 50 75 100

GRAPHIC SCALE: 1" = 50'

SURVEY CONTROL POINT
GRID N: 10,072,737.39
GRID E: 3,129,553.79
ELEV.= 471.93'



**0.5944 ACRE
ZONING EXHIBIT
City of Austin,
Travis County, Texas**



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

Date:	6/26/2024
Project:	01897
Scale:	1" = 50'
Reviewer:	PRB
Tech:	EV
Field Crew:	SV
Survey Date:	JUN. 2024
Sheet:	1 OF 2

LEGEND

	PROPOSED PROPERTY LINE
	EXISTING PROPERTY LINES
	CHAIN LINK FENCE
	CALCULATED POINT
	1/2" IRON ROD FOUND (UNLESS NOTED)
	1/2" IRON PIPE FOUND (UNLESS NOTED)
	IRON ROD WITH CAP STAMPER "SURVEYWORKS"
	SURVEY CONTROL POINT
P.O.B.	POINT OF BEGINNING
VOL./PG.	VOLUME, PAGE
DOC. NO.	DOCUMENT NUMBER
R.O.W.	RIGHT-OF-WAY
P.R.T.C.T.	PLAT RECORDS, TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
(.....)	RECORD INFORMATION PER DOC. NO. 2021144851
[.....]	RECORD INFORMATION PER VOL. 27, PG. 35 P.R.T.C.T.

BEARING BASIS:

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 COMBINED SCALE FACTOR OF 1.000060536248.

GENERAL NOTES:

1. PROPERTY ADDRESS: 1144 WAYNEROY DRIVE, AUSTIN TEXAS, 78721
2. SEE ATTACHED METES AND BOUNDS DESCRIPTION.
3. PARCEL ID: 0207170306
4. PROPERTY ID: 196148
5. COA MAP GRID ML-22
6. APPARENT GAP BETWEEN DOCUMENT NO. 2021144851 (ORIGINALLY DEEDED IN VOLUME 6806, PAGE 598.
7. APPARENT OVERLAP BETWEEN DOCUMENT NO. 2021144851 AND 2022091133.

[A]
V.E. SMITH SUBDIVISION
SECTION 1
VOL. 39, PG. 23
P.R.T.C.T.

[B]
ABBATE SUBDIVISION
VOL. 27, PG. 35
P.R.T.C.T.

[C]
SPRINGDALE GARDENS
SUBDIVISION
AMENDED PLAT
DOC. NO. 200100274
O.P.R.T.C.T.

[D]
MIRANDA LUISA
WALDRAN CURRY AND
FRANK BERNARD CURRY
CALLED 0.267 ACRES
DOC. NO. 2020028573
O.P.R.T.C.T.

SURVEYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WAS ACTUALLY MADE UPON THE GROUND UNDER MY DIRECTION AND SUPERVISION ON THE DATE SHOWN.


PAUL N. GUERRERO, R.P.L.S.
TEXAS REGISTRATION NO. 5992
PGUERRERO@4WARDLS.COM

6/26/2024

DATE



**0.5944 ACRE
ZONING EXHIBIT
City of Austin,
Travis County, Texas**



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

Date:	6/26/2024
Project:	01897
Scale:	1" = 50'
Reviewer:	PRB
Tech:	EV
Field Crew:	SV
Survey Date:	JUN. 2024
Sheet:	2 OF 2

EXHIBIT "B"

HOLT CARSON, INC. PROFESSIONAL LAND SURVEYORS

1904 FORTVIEW ROAD
AUSTIN, TEXAS 78704
TELEPHONE: (512) 442-0990
www.hciaustin.com
FIRM No. 10050700

FIELD NOTE DESCRIPTION OF 2.00 ACRES OF LAND OUT OF OUTLOT 60, DIVISION A OF THE GOVERNMENT OUTLOTS TO THE CITY OF AUSTIN, ACCORDING TO THE MAP OR PLAT ON FILE AT THE GENERAL LAND OFFICE OF THE STATE OF TEXAS AND BEING ALL OF THAT CERTAIN TRACT OF LAND INCORRECTLY DESCRIBED AS (1.235 ACRES) OF LAND AND AS CONVEYED TO M.S.M.F.A.M. DOMINGUEZ LIVING TRUST, UTD BY QUIT CLAIM DEED RECORDED IN DOCUMENT No. 2007001910 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THAT CERTAIN (4 ACRE) TRACT OF LAND AS CONVEYED TO V.E. SMITH AND WIFE, VIOLA SMITH BY DEED RECORDED IN VOLUME 543 PAGE 168 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a capped iron rod found in the East right-of-way line of Gunter Street for the Southwest corner of that certain (4 acre) tract of land as conveyed to V.E. Smith and wife, Viola Smith by deed recorded in Volume 543 Page 168 of the Deed Records of Travis County, Texas, and for the Southwest corner of that certain tract of land incorrectly described as (1.235 acres) of land and as conveyed to M.S.M.F.A.M. Dominguez Living Trust, UTD by Quit Claim Deed recorded in Document No. 2007001910 of the Official Public Records of Travis County, Texas, and for the Northwest corner of that certain (1.00 acre) tract of land as conveyed to Pedro Leon Losa by Tax Resale Deed recorded in Document No. 2001104059 of the Official Public Records of Travis County, Texas, and previously described in Warranty Deed to Peggy Vasquez as recorded in Volume 8997 Page 334 of the Real Property Records of Travis County, Texas, and being the Southwest corner and **PLACE OF BEGINNING** of the herein described tract of land, and from which a ½" iron rod found in the East right-of-way line of Gunter Street for the Southwest corner of said Losa (1.00 acre) tract, bears S 20 deg. 36' 39" W 91.29 ft.;

THENCE with the East right-of-way line of Gunter Street and with the West line of said Smith (4 acre) tract, N 20 deg. 36' 39" E 183.57 ft. to a capped iron rod found for the Southwest corner of that certain (1 acre) tract of land as conveyed to M.R. Hawk by deed recorded in Volume 586 Page 282 of the Deed Records of Travis County, Texas, and for the Southwest corner of that certain (0.267 acre) tract of land as conveyed to Miranda Luisa Waldron Curry and Frank Bernard Curry by Warranty Deed recorded in Document No. 2020028573 of the Official Public Records of Travis County, Texas, and for the Northwest corner of said Dominguez (1.235 acre) tract, same being the Northwest corner of this tract of land, and from which a ½" iron rod found in the East right-of-way line of Gunter Street and in the West line of said Hawk (1 acre) tract and in the West line of said Smith (4 acre) tract bears N 20 deg. 36' 39" E 81.31 ft.;

Page 2 of
2.00 ACRES

THENCE leaving the East right-of-way line of Gunter Street and entering the interior of said Smith (4 acre) tract with the North line of said Dominguez (1.235 acre) tract, the following two (2) courses;

- 1) S 69 deg. 21' 06" E 142.53 ft. to a ½" iron rod found for the Southeast corner of said Curry (0.267 acre) tract and for the Southwest corner of Lot 2, V.E. Smith Subdivision Section 1, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 39 Page 23 of the Plat Records of Travis County, Texas;
- 2) S 69 deg. 24' 29" E 49.90 ft. to a ½" iron rod found for the Southeast corner of said Lot 2, V.E. Smith Subdivision Section 1, and for the Southwest corner of that certain (0.595 acre) tract of land as described in Substitute Trustee's Deed to Larry Wayne Smith, Trustee as recorded in Volume 11431 Page 700 of the Real Property Records of Travis County, Texas, and for the Southwest corner of that certain (0.594 acre) tract of land as conveyed to REAL Holdings, LLC by General Warranty Deed recorded in Document No. 2021144851 of the Official Public Records of Travis County, Texas,;

THENCE continuing through the interior of said Smith (4 acre) tract of land with the North line of said Dominguez (1.235 acre) tract which deviates from the South line of said REAL Holdings (0.594 acre) tract, S 69 deg. 21' 59" E 283.96 ft. to a ½" iron pipe found in the East line of said Smith (4 acre) tract and in the West line of Lot 2, Springdale Gardens Subdivision Amended Plat, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Document No. 200100274 of the Official Public Records of Travis County, Texas, for the Northeast corner of said Dominguez (1.235 acre) tract and for the Southeast corner of said Hawk (1 acre) tract and being the Northeast corner of this tract of land;

THENCE with the East line of said Smith (4 acre) tract, S 20 deg. 43' 44" W at 4.72 ft. passing a ½" iron rod found, called to be the Southeast corner of said REAL Holdings (0.594 acre) tract, and continuing with the same bearing for a total distance of 182.35 ft. to a 3" metal pipe fence corner post for the Southeast corner of said Smith (4 acre) tract and for the Northeast corner of the aforementioned Losa (1.00 acre) tract, and being the Southeast corner of this tract of land;

THENCE with the common line of said Smith (4 acre) tract and said Losa (1.00 acre) tract, N 69 deg. 30' 46" W 476.02 ft. to the **PLACE OF BEGINNING**, containing 2.00 acres of land.

SURVEYED: December 8, 2021

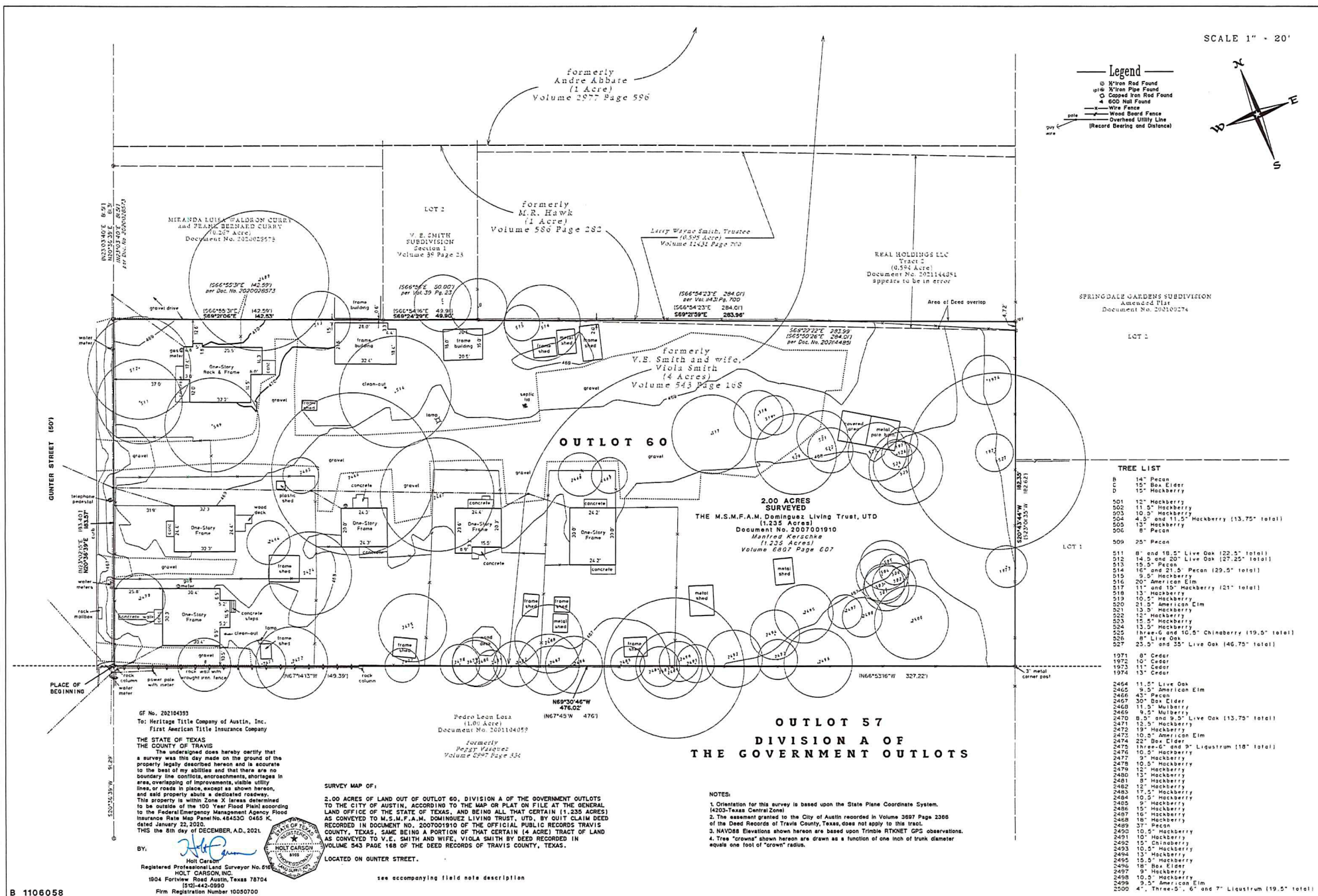


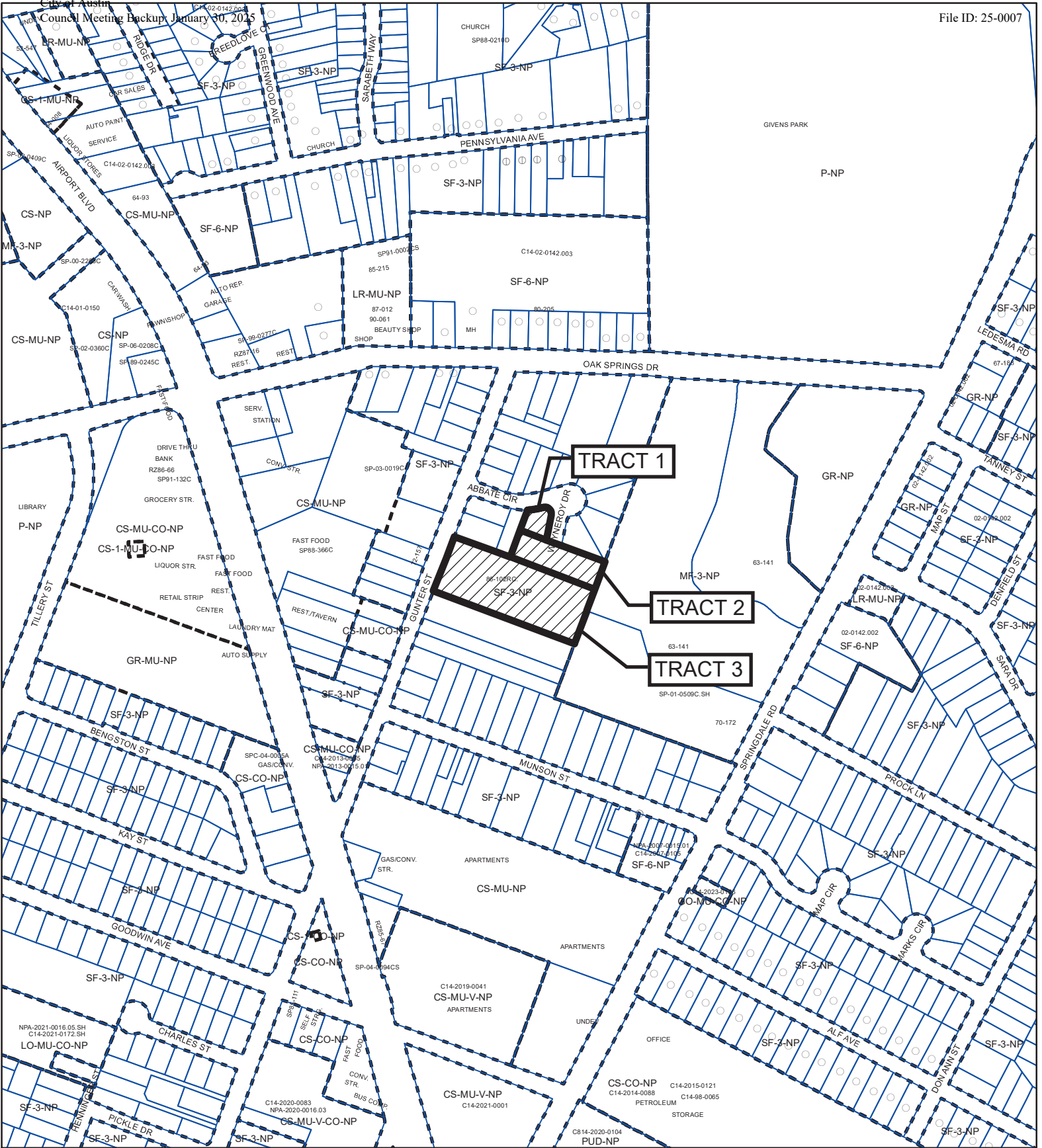
Holt Carson




Registered Professional Land Surveyor No. 5166

see accompanying map: B 1106058







-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2024-0109

EXHIBIT "C"



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: 7/17/2024

1" = 400'