

ORDINANCE NO. _____

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**
2 **PROPERTY LOCATED AT 6305 BERKMAN DRIVE IN THE UNIVERSITY**
3 **HILLS/WINDSOR PARK NEIGHBORHOOD PLAN AREA FROM TOWNHOUSE**
4 **AND CONDOMINIUM-NEIGHBORHOOD PLAN (SF-6-NP) COMBINING**
5 **DISTRICT TO MULTIFAMILY RESIDENCE HIGH DENSITY-CONDITIONAL**
6 **OVERLAY-NEIGHBORHOOD PLAN (MF-5-CO-NP) COMBINING DISTRICT.**

7
8 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**
9

10 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
11 change the base district from townhouse and condominium-neighborhood plan (SF-6-NP)
12 combining district to multifamily residence high density-conditional overlay-neighborhood
13 plan (MF-5-CO-NP) combining district on the property described in Zoning Case No. C14-
14 2022-0104, on file at the Housing and Planning Department, as follows:

15
16 Being a 0.876 (38,137 square feet) acre tract of land out of the DINSMORE
17 SIMPSON SURVEY, ABSTRACT NO. 694, situated in Travis County, Texas,
18 and as described in that document recorded in Volume 10779, Page 178, Real
19 Property Records of Travis County, Texas and being described in that document
20 recorded in Volume 794, Page 525, Real Property Records of Travis County,
21 Texas, said 0.876 acre tract of land being more particularly described by metes and
22 bounds in **Exhibit “A”** incorporated into this ordinance (the Property”),

23
24 locally known as 6305 Berkman Drive in the City of Austin, Travis County, Texas, and
25 generally identified in the map attached as **Exhibit “B”**.
26

27 **PART 2.** The Property within the boundaries of the conditional overlay combining district
28 established by this ordinance is subject to the following conditions:
29

30 The maximum height of a building or structure on the Property shall not exceed 45
31 feet.
32

33 **PART 3.** Except as specifically restricted under this ordinance, the Property may be
34 developed and used in accordance with the regulations established for the multifamily
35 residence high density (MF-5) base district and other applicable requirements of the City
36 Code.
37

PART 4. Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 20070809-057 that established zoning for the Windsor Park Neighborhood Plan.

PART 5. This ordinance takes effect on _____, 2023.

PASSED AND APPROVED

_____, 2023 § _____

Kirk Watson
Mayor

APPROVED: _____ **ATTEST:** _____

Anne L. Morgan
City Attorney

Myrna Rios
City Clerk

EXHIBIT A
METES AND BOUNDS DESCRIPTION

BEING A 0.876 (38,137 S.F.) ACRE TRACT OF LAND OUT OF THE DINSMORE SIMPSON SURVEY, ABSTRACT NO. 694, SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING CONVEYED TO ALBERT AND MAXENA LEWIS LIVING TRUST, RECORDED IN VOLUME 10779, PAGE 178 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (R.P.R.T.C.) AND AS DESCRIBED IN VOLUME 794, PAGE 525, R.P.R.T.C.; SAID 0.876 ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARING BASIS OF THIS SURVEY DESCRIBED HEREIN IS REFERENCED TO THE NAD83 CONTROL DATUM, TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE AND NAVD88 VERTICAL CONTROL DATUM; DISTANCES ARE EXPRESSED IN U.S. SURVEY FEET; PARENTHETICAL BEARINGS AND DISTANCES REPRESENT RECORD INFORMATION WHERE IT DIFFERS FROM MEASURED):

BEGINNING at a 1/2 inch iron rod found at the Northwest corner of Lot 1 of "The Johnson & Hoffman Subdivision", a subdivision recorded in Volume 13, Page 9 of the Plat Records of Travis County, Texas (P.R.T.C.), being in the East right-of-way line of Berkman Drive, and being a point in the South line and **POINT OF BEGINNING** of this tract;

THENCE, N62°35'04"W (S60°23'00"E), a distance of 10.87 feet to a calculated point for the Southwest corner of this tract;

THENCE, N27°06'54"E (S29°29'00"W), along the approximate edge of asphalt of said Berkman Drive, a distance of 105.26 feet to a calculated point for the Northwest corner of this tract, being the Southwest corner of a called 0.873 acre tract conveyed to Leonel Reynoso Hernandez and Alma D. Reynoso as recorded in Volume 12450, Page 1266, R.P.R.T.C.;

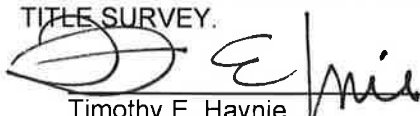
THENCE, S62°37'04"E (N60°25'00"W), with the South line of said called 0.873 acre tract and the North line of this tract, passing at a distance of 12.22 feet a calculated point, from which a 1/2 inch iron rod found bears perpendicularly, N27°E, a distance of 0.47 feet, and continuing for a total distance of 361.98 (413.47') feet to calculated point in the West right-of-way line of Hickman Avenue for the Northeast corner of this tract;

THENCE, S27°06'56"W (N28°25'E), with the West right-of-way line of said Hickman Avenue, being the East line of this tract, a distance of 105.46 (105.42') feet to a 1/2 inch iron rod found for the Southeast corner of this tract, and being the Northeast corner of Lot 2 of said "The Johnson & Hoffman Subdivision";

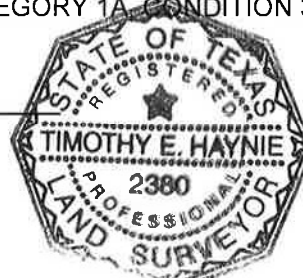
THENCE, N62°35'04"W (S60°23'00"E), leaving the West right-of-way line of said Hickman Avenue, with the North lines of Lot 1 and Lot 2 of said "The Johnson & Hoffman Subdivision", being the South line of this tract, passing at a distance of 144.25 (143.58') feet a 1/2 inch iron rod found at the common North corner of said Lot 1 and Lot 2, and continuing for a total distance of 351.11 (413.47') feet to the **POINT OF BEGINNING**, and containing a computed area of 0.876 (38,137 S.F.) acre, of land.

THIS DESCRIPTION IS ACCOMPANIED BY A SURVEY SKETCH MADE BY HAYNIE CONSULTING, INC.

I, TIMOTHY E. HAYNIE, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT ALL CORNERS ARE MARKED AS DESCRIBED. THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS MANUAL OF PRACTICE REQUIREMENTS FOR A CATEGORY 1A, CONDITION 3, LAND TITLE SURVEY.


Timothy E. Haynie,
Registered Professional Land Surveyor No. 2380

10-04-21
Date



PLotted By: [illegible] Plot Date: Oct 04, 2021 11:07 am
Drawing: 2, 6111 Rev. Benth - Day
Title: Survey/Parcel Folder/View/019-21-01, 6305 Berkman Dr. Title.dwg

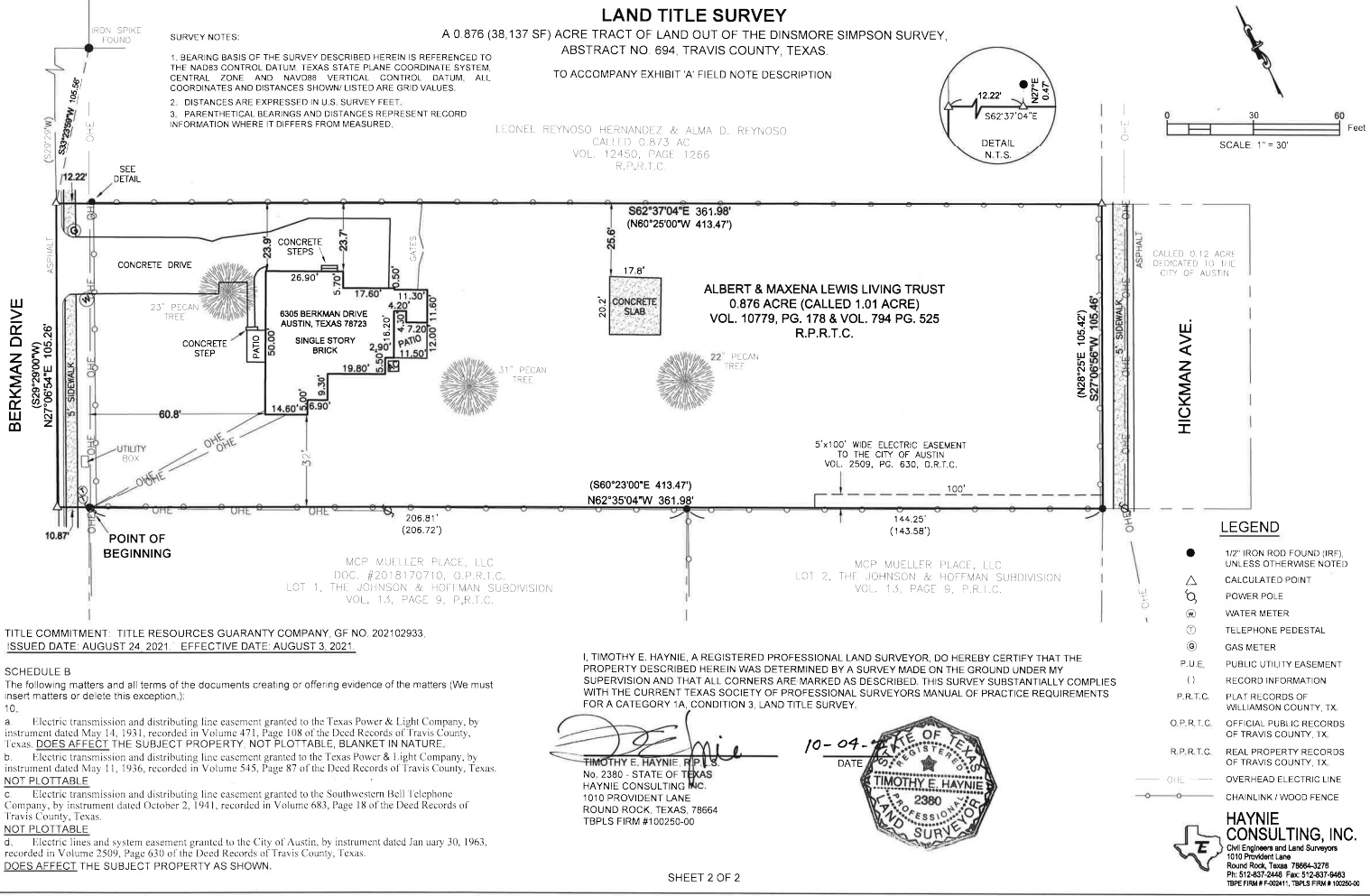





EXHIBIT "B"

ZONING CASE#: C14-2022-0104



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

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



Created: 7/27/2022

$$1'' = 400'$$