

#55

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE  
2 PROPERTY LOCATED AT 5425 BURNET ROAD IN THE BRENTWOOD  
3 NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-  
4 MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-  
5 NEIGHBORHOOD PLAN (CS-MU-V-CO-NP) COMBINING DISTRICT TO  
6 COMMERCIAL LIQUOR SALES-MIXED USE-VERTICAL MIXED USE  
7 BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-1-MU-V-  
8 CO-NP) COMBINING DISTRICT.

9  
10 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

11  
12 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to  
13 change the base district from general commercial services-mixed use-vertical mixed use  
14 building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district to  
15 commercial liquor sales-mixed use-vertical mixed use building-conditional overlay-  
16 neighborhood plan (CS-1-MU-V-CO-NP) combining district on the property described in  
17 Zoning Case No. C14-2012-0097, on file at the Planning and Development Review  
18 Department, as follows:

19  
20 5,440 square feet of land, more or less, out of the a portion of Lot 32 and Lot 33,  
21 Block 2, Broadacres Subdivision the tract of land being more particularly  
22 described by metes and bounds in Exhibit "A" incorporated into this ordinance (the  
23 "Property").

24  
25 locally known as 5425 Burnet Road in the City of Austin, Travis County, Texas, and  
26 generally identified in the map attached as Exhibit "B".

27  
28 **PART 2.** Except as specifically provided in Part 3 and Part 4 of this ordinance, the  
29 Property may be developed and used in accordance with the regulations established for the  
30 commercial liquor sales (CS-1) base district and other applicable requirements of the City  
31 Code.  
32  
33

1 **PART 3.** The Property within the boundaries of the conditional overlay combining district  
2 established by this ordinance is subject to the following condition:  
3

4 The following uses are conditional uses of the Property:  
5

Agricultural sales and services  
Equipment sales  
Campground  
Kennels

Commercial blood plasma center  
Vehicle storage  
Equipment repair services

6  
7 Except as specifically restricted under this ordinance, the Property may be developed and  
8 used in accordance with the regulations established for the commercial liquor sales (CS-1)  
9 base district, the mixed use combining district and other applicable requirements of the  
10 City Code.  
11

12 **PART 4.** The Property is subject to Ordinance No. 040513-33A that established the  
13 Brentwood neighborhood plan combining district.  
14

15 **PART 5.** This ordinance takes effect on \_\_\_\_\_, 2013.  
16

17 **PASSED AND APPROVED**

18 §  
19 §  
20 §  
21 §  
22 \_\_\_\_\_, 2013

23 Lee Leffingwell  
24 Mayor  
25

26 **APPROVED:** \_\_\_\_\_

27 Karen M. Kennard  
28 City Attorney

**ATTEST:** \_\_\_\_\_

Jannette S. Goodall  
City Clerk

**HOLT CARSON, INC.**  
**PROFESSIONAL LAND SURVEYORS**

1904 FORTVIEW ROAD  
AUSTIN, TEXAS 78704  
TELEPHONE: (512) 442-0990  
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**AREA TO BE REZONED**

FIELD NOTE DESCRIPTION OF 5,440 SQUARE FEET OF LAND, BEING AN AREA OF REZONING OVER A PORTION OF LOT 32 AND LOT 33, BLOCK 2, BROADACRES, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3 PAGE 135 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND HAVING BEEN CONVEYED TO JIMMY NASSOUR BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT No. 1999130955 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a 1/2" iron rod found at the point of intersection of the East right-of-way line of Burnet Road and the North right-of-way line of Houston Street for the Southwest corner of Lot 33, Block 2, Broadacres, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 3 Page 135 of the Plat Records of Travis County, Texas, and from which a 1/2" iron rod found in the East right-of-way line of Burnet Road for the Northwest corner of Lot 32 and the Southwest corner of Lot 31, of said Block 2, Broadacres, bears N 02 deg. 21' 10" W 178.38 ft., and also from which a 1/2" iron rod in the South line of said Lot 33 at the point of intersection of the North right-of-way line of Houston Street and the West right-of-way line of Clay Avenue for the Southwest corner of that certain tract of land as conveyed to the City of Austin by deed recorded in Volume 1644 Page 257 of the Deed Records of Travis County, Texas, bears S 60 deg. 03' 18" E 164.09 ft.;

THENCE with the East right-of-way line of Burnet Road and with the West line of said Lot 33, N 02 deg. 21' 10" W 13.58 ft. to a point for the Southwest corner and **PLACE OF BEGINNING** of the herein described area to be re-zoned;

THENCE continuing with the East right-of-way line of Burnet Road and with the West line of said Lot 33, N 02 deg. 21' 10" W 62.90 ft. to a point for the Northwest corner of this area to be re-zoned;

THENCE leaving the East right-of-way line of Burnet Road and entering the interior of said Lot 33 and entering the interior of said Lot 32 with the North line of this area to be re-zoned, the following three courses;

- 1) N 87 deg. 49' 10" E 68.52 ft.;
- 2) S 02 deg. 10' 50" E 10.00 ft.;
- 3) N 87 deg. 49' 10" E 21.50 ft. to a point for the Northeast corner of this area to be re-zoned;

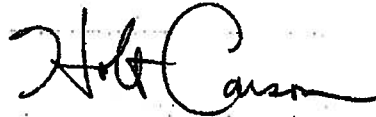
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RE-ZONING AREA – 5,440 Square Feet

THENCE continuing across the interior of said Lot 32 and re-entering the interior of said Lot 33 with the East line of this area to be re-zoned, S 02 deg. 10' 50" E 52.90 ft. to a point for the Southeast corner of this area to be re-zoned;

THENCE continuing across the interior of said Lot 33 with the South line of this area to be re-zoned, S 87 deg. 49' 10" W 89.83 ft. to the **PLACE OF BEGINNING**, containing 5,440 square feet of land.

**PREPARED:** February 25, 2013



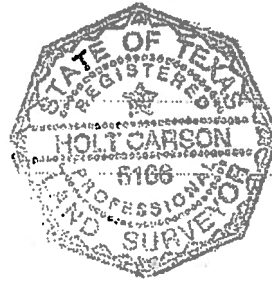
Holt Carson

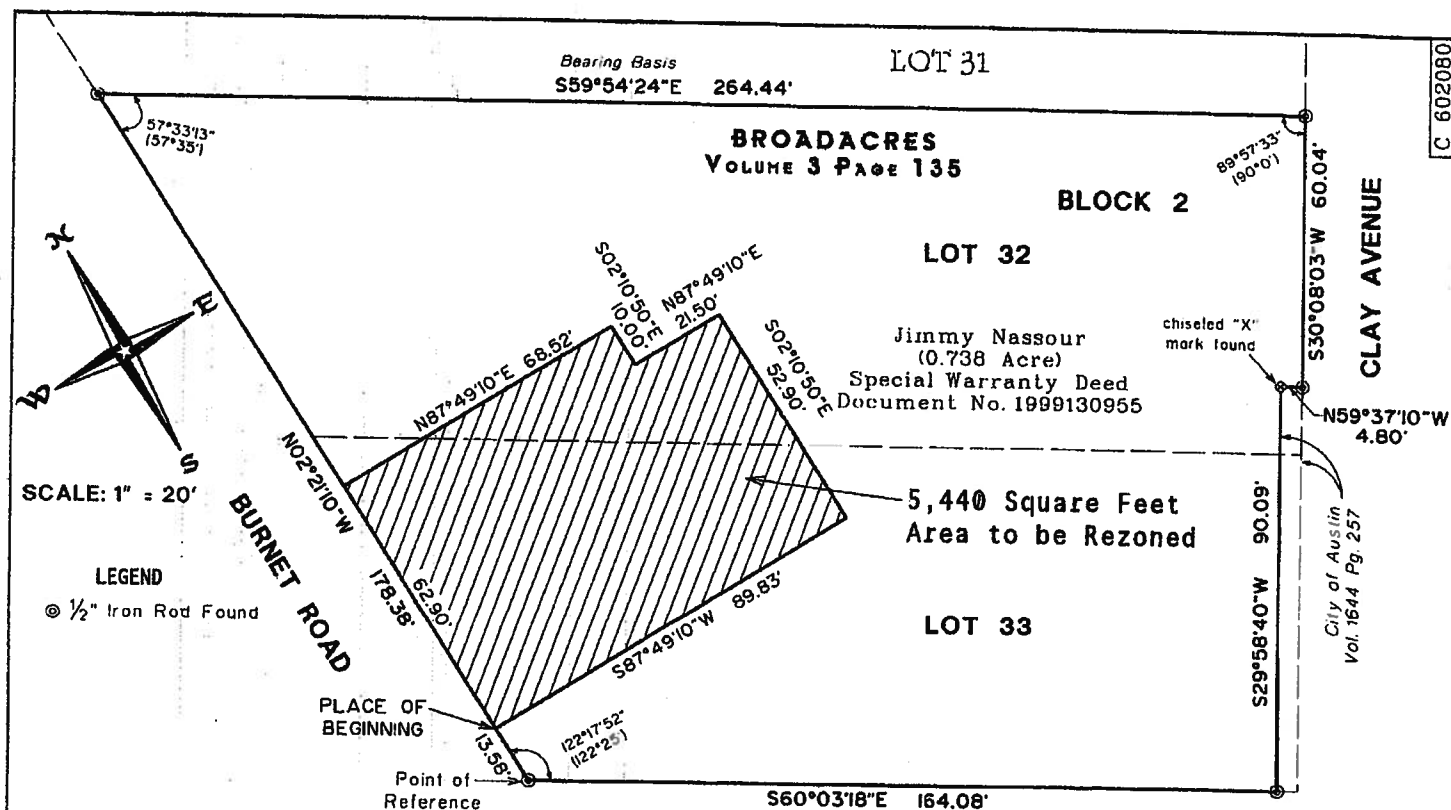
Registered Professional Land Surveyor No. 5166

see accompanying sketch: C 602080

**REFERENCES:**

TCAD Parcel Nos. 02 2903 03 28 and 02 2903 03 39  
City of Austin Grid: J27





**SKETCH TO ACCOMPANY FIELD NOTE DESCRIPTION OF**

5,440 SQUARE FEET OF LAND, BEING AN AREA OF REZONING OVER A PORTION OF LOT 32 AND LOT 33, BLOCK 2, BROADACRES, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3 PAGE 135 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND HAVING BEEN CONVEYED TO JIMMY NASSOUR BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT No. 1999130955 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

**HOUSTON STREET**

PREPARED: February 25, 2013

BY:

*Holt Carson*

Holt Carson

Registered Professional Land Surveyor No. 5166  
HOLT CARSON, INC.

1904 Fortview Road Austin, Texas 78704



C 602080

