

ORDINANCE NO. 20190207-057

AN ORDINANCE AMENDING ORDINANCE NO. 20090312-035 FOR THE NORTH BURNET/GATEWAY ZONING DISTRICT TO MODIFY THE REGULATING PLAN, REZONING AND CHANGING THE ZONING MAP FROM NORTH BURNET/GATEWAY-NEIGHBORHOOD PLAN (NBG-NP) COMBINING DISTRICT (COMMERCIAL INDUSTRIAL USE SUBDISTRICT) TO NORTH BURNET/GATEWAY-NEIGHBORHOOD PLAN (NBG-NP) COMBINING DISTRICT (COMMERICAL MIXED USE SUBDISTRICT) FOR THE PROPERTY LOCATED AT 8965 RESEARCH BOULEVARD NORTHBOUND, 9000 METRIC BOULEVARD AND 9100 METRIC BOULEVARD.

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

PART 1. The North Burnet/Gateway zoning district is comprised of approximately 1,443 acres of land, locally known as the area generally bounded by Metric Boulevard on the east, U.S. Highway 183 on the south and west, and Braker Lane, North Mopac Expressway, and Walnut Creek on the north and northwest, in the City of Austin, Travis County, Texas.

PART 2. The North Burnet/Gateway zoning district was approved on March 12, 2009, under Ordinance No. 20090312-035 and amended under Ordinance Nos. 20111208-098, 20120322-088, 20130425-104, 20140828-159 and 20180628-088.

PART 3. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from North Burnet/Gateway-neighborhood plan (NBG-NP) combining district (commercial industrial use subdistrict) to North Burnet/Gateway-neighborhood plan (NBG-NP) combining district (commercial mixed use subdistrict) on the property described in Zoning Case No. C14-2018-0001, on file at the Planning and Zoning Department, as follows:

Lots 1 and 2, Block A, Bilton Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 91, Page 281, of the Official Public Records of Travis County, Texas, and

Lot 1, Biltmore Plaza Amended Plat of Lots 1 and 2, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 91, Page 281, of the Official Public Records of Travis County, Texas, SAVE AND EXCEPT:

A 0.024 acre of land (approximately 1,050 square feet), being a portion of Lot 1, Amended Plat of Lots 1 and 2, Biltmore Plaza Subdivision, a subdivision in Travis County, Texas, the tract of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (cumulatively referred to as the "Property"),

locally known as 8965 Research Boulevard Northbound, 9000 Metric Boulevard and 9100 Metric Boulevard, in the City of Austin, Travis County, Texas, and generally identified in the map attached as **Exhibit "B"**.

PART 4. The Regulating Plan for the North Burnet/Gateway Zoning District (the "Regulating Plan") identified and defined subdistricts within the plan area and established boundaries for each subdistrict. Currently, the Property is within the commercial industrial (CI) subdistrict as shown on **Exhibit "C"**. The boundaries of the commercial mixed use (CMU) subdistrict shall be expanded to include the entire Property as shown on **Exhibit "D"**.

PART 5. The North Burnet/Gateway Zoning District Subdistrict Map (the "Map") and other applicable references affecting the Property that are provided in the Regulating Plan are revised to show the changes in the boundaries of the subdistricts for the Property. A revised Map shall be substituted where appropriate in the Regulating Plan documents.

PART 6. Except as set forth in Parts 4 and 5 of this ordinance, the Property is subject to the terms and conditions of Ordinance No. 20090312-035, as amended.

PART 7. This ordinance takes effect on February 18, 2019.

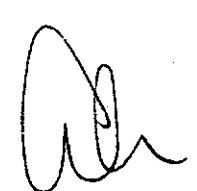
PASSED AND APPROVED

February 7, 2019

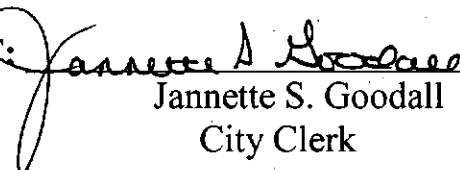
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Steve Adler
Mayor

APPROVED:


Anne L. Morgan
City Attorney

ATTEST:


Jannette S. Goodall
City Clerk



**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

**0.024 ACRES
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 0.024 ACRES (APPROXIMATELY 1,050 SQ. FT.), BEING A PORTION OF LOT 1, AMENDED PLAT OF LOTS 1 AND 2, BILTMORE PLAZA SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 90, PAGES 241 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.024 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2" rebar found in the west right-of-way line of Metric Boulevard (100' right-of-way width) as shown on Volume 86, Page 41A, Volume 90, Page 241 and Volume 91, Page 281, all of the Plat Records of Travis County, Texas, being the northeast corner of said Lot 1 and also being the southeast corner of a 0.013 acre tract described in Volume 11299, Page 464 of the Real Property Records of Travis County, Texas, from which a 1/2" rebar with "Chaparral" cap found for the northwest corner of Lot 1, being the southwest corner of said 0.013 acre tract and also being in the southeast line of a 4.96 acre tract described in Volume 1059, Page 357 of the Deed Records of Travis County, Texas, bears South 69°07'55" West, a distance of 35.80 feet;

THENCE South 26°47'19" West, crossing Lot 1, a distance of 78.88 feet to a calculated point for the **POINT OF BEGINNING**;

THENCE continuing across the Lot 1, the following four (4) courses and distances:

1. South 62°14'10" East, a distance of 30.00 feet to a calculated point;
2. South 27°45'50" West, a distance of 35.00 feet to a calculated point, from which a 1/2" rebar with "Holt Carson" cap found in the southwest right-of-way line of Metric Boulevard, being the easternmost corner of Lot 1 and also being the northernmost corner of Lot 2, Block A, Bilton Subdivision, a subdivision of record in Volume 91, Page 281 of the Plat Records of Travis County, Texas, bears South 43°54'44" East, a distance of 193.30 feet;
3. North 62°14'10" West, a distance of 30.00 feet to a calculated point;
4. North 27°45'50" East, a distance of 35.00 feet to the **POINT OF BEGINNING**, containing 0.024 acres of land, more or less.

Exhibit A

Page 2

Surveyed on the ground January 30, 2018.

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS Solutions from The National Geodetic Survey (NGS) On-Line Positioning User Service (OPUS).

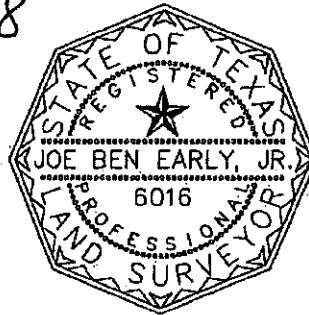
Attachments: Survey Drawing No. 1358-002-CELL1



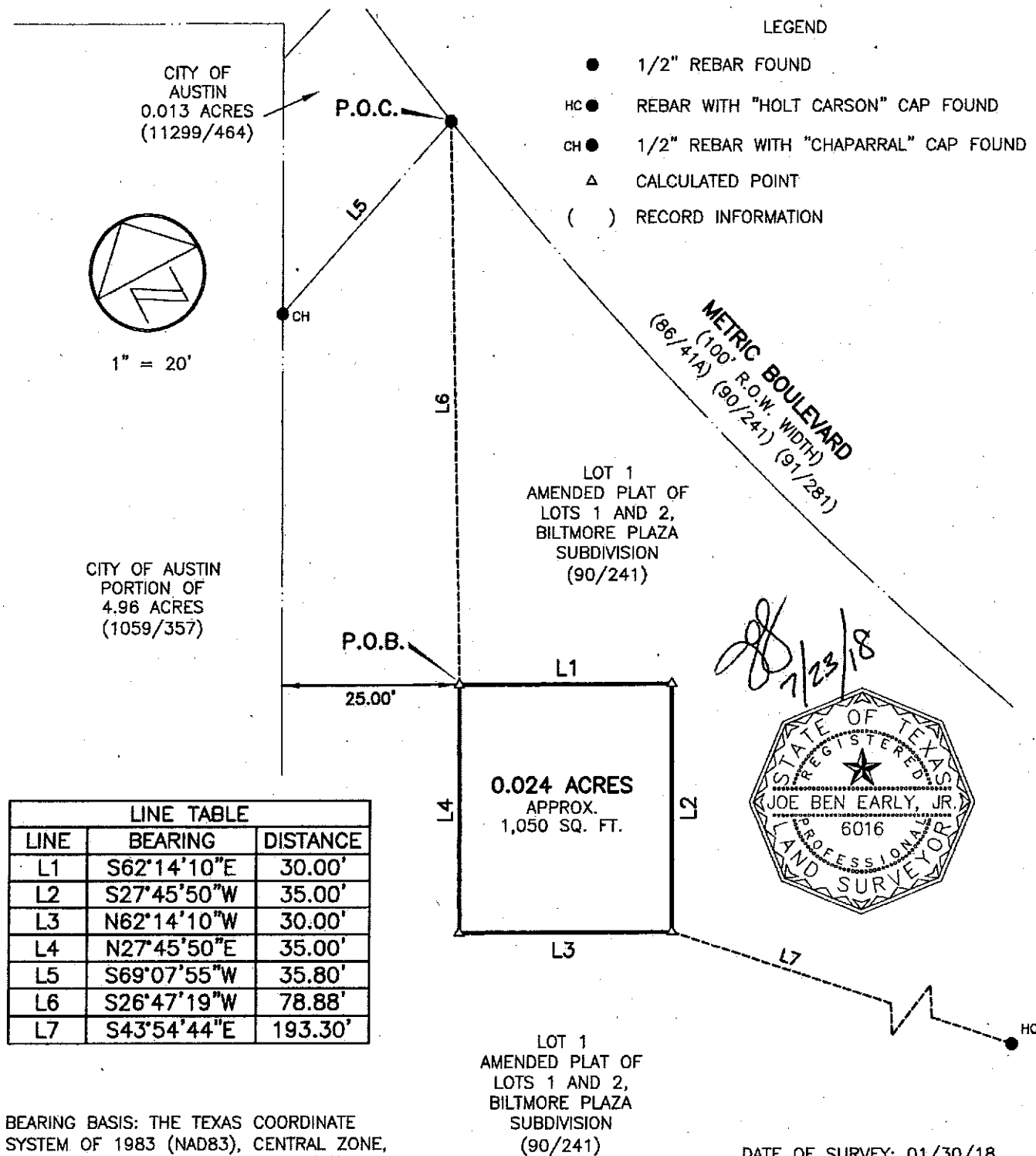
Joe Ben Early, Jr.
Registered Professional Land Surveyor
State of Texas No. 6016
T.B.P.L.S. Firm No. 10124500

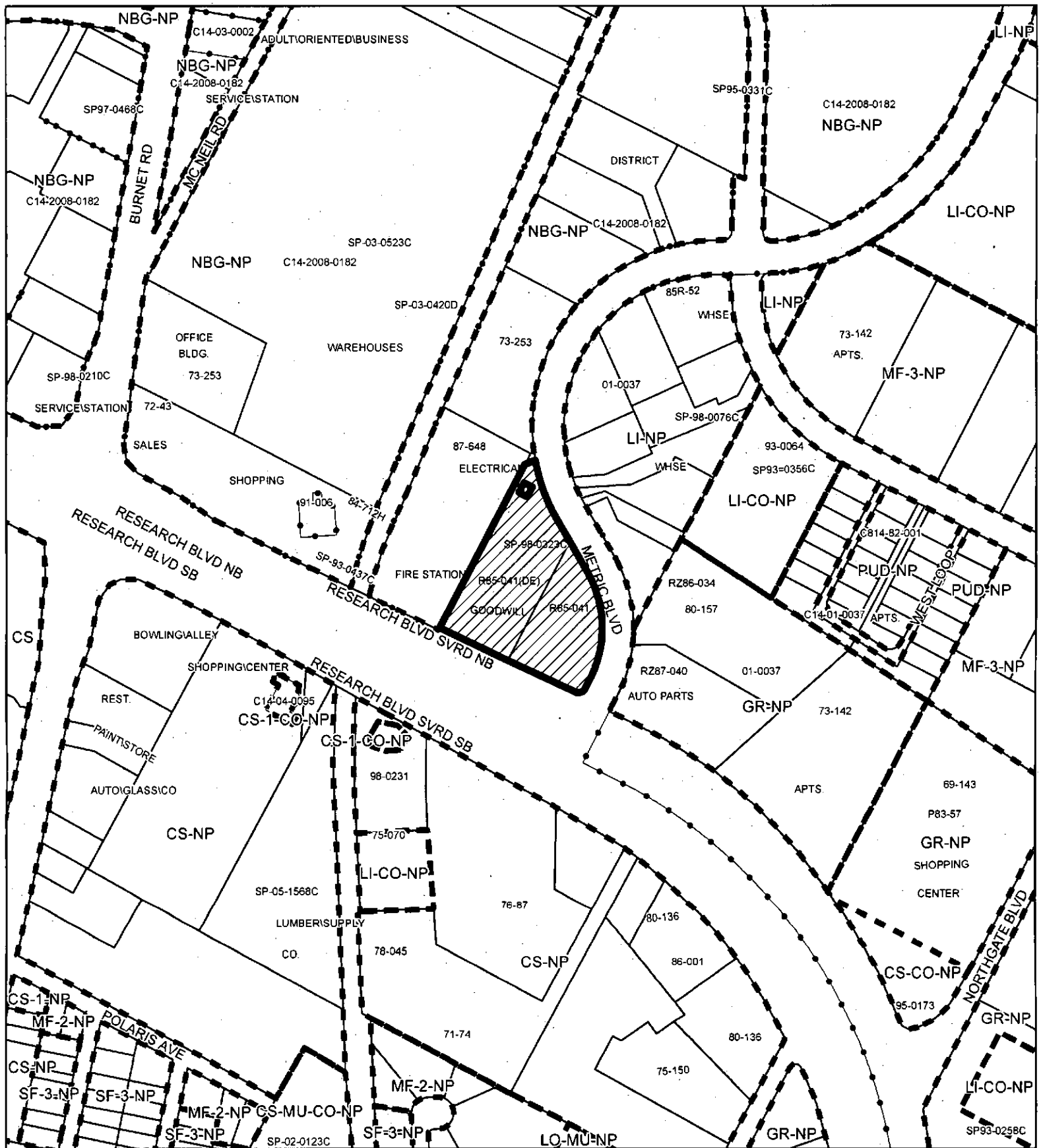
7/23/18

Date



SKETCH TO ACCOMPANY A DESCRIPTION OF 0.024 ACRES (APPROXIMATELY 1,050 SQ. FT.), BEING A PORTION OF LOT 1, AMENDED PLAT OF LOTS 1 AND 2, BILTMORE PLAZA SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 90, PAGES 241 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.








ZONING CASE: C14-2018-0001

Exhibit B



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

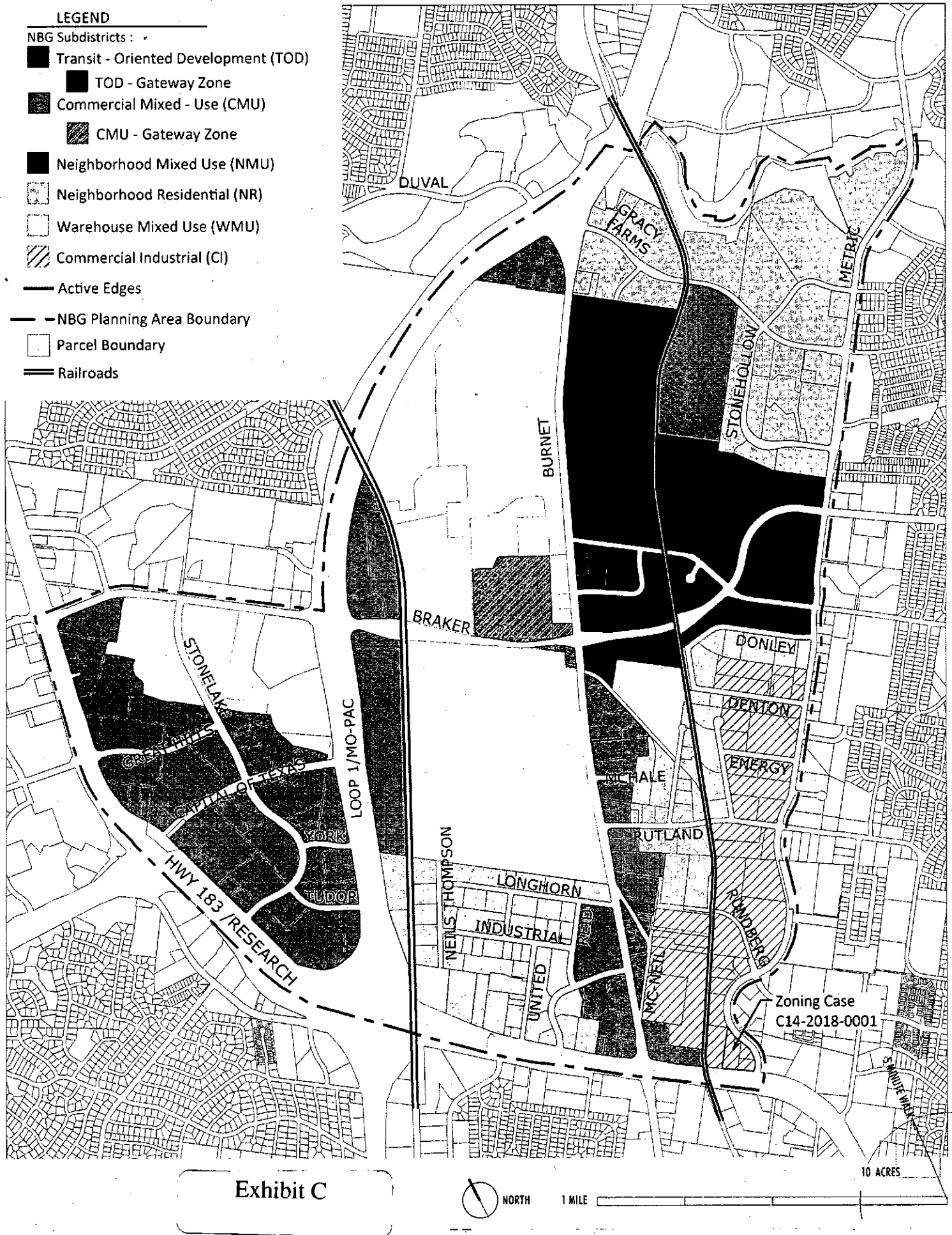
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Figure 1 - 2 : North Burnet / Gateway (NBG) Zoning District Subdistrict Map

Revised 06-28-2018



***For Zoning Case c14-2018-0001**

