

**ORDINANCE NO. 20191031-044**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT MILKY WAY DRIVE FROM DEVELOPMENT RESERVE (DR) DISTRICT TO TOWNHOUSE AND CONDOMINIUM RESIDENCE-CONDITIONAL OVERLAY (SF-6-CO) 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 development reserve (DR) district to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district on the property described in Zoning Case No. C14-2018-0124, on file at the Planning and Zoning Department, as follows:

32.429 acres of land (approximately 1,412,611 sq. ft.) in the R.L. Preece Survey No. 2, Abstract No. 2269, Travis County, Texas, said 32.429 acres of land being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (the “Property”),

locally known as Milky Way Drive in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit “B”**.

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

- A. A subdivision or development on the Property shall have two access streets or access points to an external street, unless the Development Services Department director determines that the development includes not more than 30 residential units, or the director determines that:
1. an additional emergency access point to an external street is provided; and
  2. the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that will not exceed 1,200 trips per day on Milky Way Drive as measured by the tube count taken at the time of site plan or the number in the ITE Trip General Manual, whichever is greater.

B. Access streets on the Property shall:

1. have a minimum width of 20 feet and a clear height of 13 feet 6 inches;
2. be designed to accommodate the loads and turning radii for fire apparatus;
3. have a gradient negotiable by the fire apparatus as required by the adopted fire code; and
4. include a surface material acceptable to the Fire Marshal that would allow for the passage of emergency service vehicles and fire apparatus.

C. Access streets and other public or private streets within the Property shall be reviewed and approved by the Fire Marshal for the appropriate travel lane width of both the arrival of emergency vehicles and the evacuation of residential vehicles.

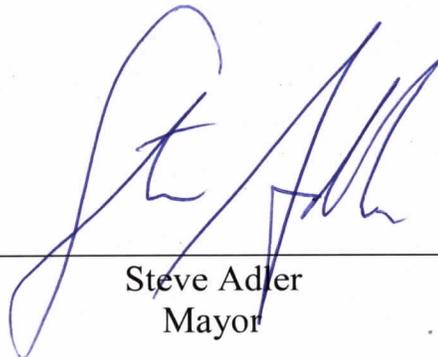
**PART 3.** Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the townhouse and condominium residence (SF-6) base district and other applicable requirements of the City Code.

**PART 4.** This ordinance takes effect on November 11, 2019.

**PASSED AND APPROVED**

\_\_\_\_\_ October 31 \_\_\_\_\_, 2019

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§  
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Steve Adler  
Mayor

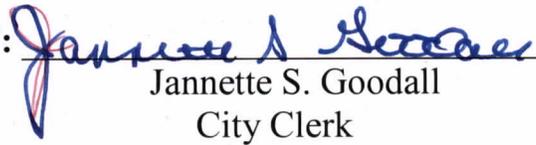
**APPROVED:**



\_\_\_\_\_

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

32.429 ACRES  
R.L. PREECE SURVEY NO. 2  
TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 32.429 ACRES (APPROXIMATELY 1,412,611 SQ. FT.) IN THE R.L. PREECE SURVEY NO. 2, ABSTRACT NO. 2269, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 79.9 ACRE TRACT CONVEYED TO BERTA BRADLEY BY EXECUTOR'S DEED DATED DECEMBER 31, 1990 AND RECORDED IN VOLUME 11345, PAGE 325, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS (RPRTCT); FURTHER BEING A PORTION OF THAT 40 ACRE TRACT DESCRIBED IN A DEED OF RECORD IN VOLUME 5094, PAGE 2176, DEED RECORDS, TRAVIS COUNTY, TEXAS (DRTCT), AND A PORTION OF A 119.32 ACRE TRACT DESCRIBED IN A DEED TO LANDRUM HICKMAN OF RECORD IN VOLUME 1869, PAGE 319, DRTCT; SAID 32.429 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** for reference at a cotton spindle found for the south corner of said 119.32 acre tract, being the called south corner of said 40 acre tract, same being the south corner of said 79.9 acre tract, also being in the west line of a 467.5 acre tract described in a deed to City of Austin Nature Conservancy, recorded in Volume 11848, Page 1718, RPRTCT, and also being an angle point in the east line of a 91.585 acre tract, described in a deed to RP Preserve, Ltd. in Document No. 1999062334, of the Official Public Records of Travis County, Texas, from which a Mag nail in rock found bears North 25°57'17" East, a distance of 2.60 feet;

**THENCE** with the common line of said 119.32 acre tract, the 40 acre tract, the 79.9 acre tract, and the 91.585 acre tract, the following two (2) courses and distances:

1. North 04°58'46" West, at a distance of 1337.94 feet passing 0.13 feet right of a 1/2" rebar found for the called southeast corner of Lot 13, Block B, The Preserve at River Place Section 2, a subdivision of record in Document No. 200000178, OPRTCT, and continuing with the common line of the 119.32 acre tract, the 40 acre tract, the 79.9 acre tract and said Lot 13, for a total distance of 1662.93 feet to a calculated southerly west corner and **POINT OF BEGINNING** herein; and
2. North 04 58' 46" West, at a distance of 211.54 feet passing 0.11 feet left of a 1/2" rebar with "TJ Dodd 1882" cap found for the called northeast corner of Lot 13, same being the southeast corner of Milky Way Drive (50' right-of-way width), and continuing with the common line of the 119.32 acre tract, the 40 acre tract, the 79.9 acre tract and the east terminus of Milky Way Drive, at a distance of 268.35 feet passing 0.11 feet left of a 1/2" rebar found for the called northeast corner of Milky Way Drive, same being the southeast corner of Lot 12, Block B, The Preserve at River Place Section 2, and continuing with the common line of the 119.32 acre

tract, the 40 acre tract, the 79.9 acre tract and said Lot 12, for a total distance of 480.00 feet to a calculated point, from which a concrete monument found for an angle point in the common west line of the 119.32 acre tract, the 79.9 acre tract, and the 40 acre tract, for a corner of Lot 3, Block A, Austin Christian Fellowship Phase Two Subdivision, a subdivision of record in Document No. 200700102, OPRTCT, same being in the south line of a 3.75 acre tract described in a deed to Eugene Marcus Banes, III and Emily Puckett Barnes, recorded in Volume 3909, Page 1174, DRTCT, bears North 04°58'46" West, a distance of 526.94 feet;

**THENCE** crossing the 119.32 acre tract, the 40 acre tract, and the 79.9 acre tract, the following four (4) courses and distances:

1. North 85°01'14" East, a distance of 50.00 feet to a calculated point;
2. North 04°58'46" West, a distance of 497.80 feet to a calculated point;
3. North 55°29'35" East, a distance of 15.70 feet to a calculated point; and
4. North 20°03'33" West, a distance of 181.74 feet to a calculated point in north line of the 40 acre tract, same being the south line of a 40 acre tract described in Volume 2475, Page 123, DRTCT; and from which point the calculated northwest corner of said 40 acre tract described in Volume 5094, Page 2176, DRTCT, for the southwest corner of said 40 acre tract described in Volume 2475, Page 123, DRTCT, bears North 61° 46' 22" West, 75.14 feet;

**THENCE** South 61°46'22" East, continuing across the 79.9 acre tract and the 119.32 acre tract, with the north line of the 40 acre tract described in Volume 5094, Page 2176, DRTCT, being the south line of the 40 acre tract described in Volume 2475, Page 123, DRTCT, passing a concrete monument found at a distance of 1522.07 feet and continuing, for a total distance of 1522.80 feet to a calculated point in the east line of the 79.9 acre tract, being the east line of the 119.32 acre tract, for the northeast corner of the 40 acre tract described in Volume 5094, Page 2176, DRTCT, same being the southeast corner of the 40 acre tract described in Volume 2475, Page 123, DRTCT, also being in the west line of said 467.5 acre tract, from which a 1/2" rebar with "Chaparral" cap set for the northeast corner of the 79.9 acre tract, being the northeast corner of the 40 acre tract described in Volume 2475, Page 123, DRTCT, same being a corner of said Lot 3, also being an angle point in the west line of the 467.5 acre tract, bears North 27° 59' 03" East, 923.50 feet;

**THENCE** South 27°59'03" West, with the common line of the 79.9 acre tract, the 119.32 acre tract, the 40 acre tract described in Volume 5094, Page 2176, DRTCT, and the west line of the 467.5 acre tract, at a distance of 1087.06 feet passing 0.40 feet right of a 1/2" iron pipe found, and continuing for a total distance of 1888.43 feet to the calculated south corner herein; and from which point, said cotton spindle found for the south corner of said bears South 27° 59' 03" West, at a distance of 340.55 feet passing 1.32 feet left of a 1/2" iron pipe found and continuing for a total distance of 483.37 feet;

**THENCE** leaving the west line of said 467.5 acre tract and again crossing said 79.9 acre tract, the 119.32 acre tract, and the 40 acre tract described in Volume 5094, Page 2176, DRTCT, the following two (2) courses and distances:

1. North 04°58'46" West, a distance of 1257.38 feet to a calculated point; and
2. South 85°01'14" West, a distance of 263.00 feet to the **POINT OF BEGINNING** and containing 32.429 acres of land.

Surveyed on the ground on April 28, 2015. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone (4203), US Survey Feet, based on GPS solutions from The National Geodetic Survey (NGS) on-line positioning user service (OPUS) for Chaparral control point "P765". Attachments: Survey Drawing No. 759-011-ZO3.

*Bryan D. Newsome*

07 August  
2019

Bryan D. Newsome  
Registered Professional Land Surveyor  
State of Texas No. 5657  
TBPLS Firm No. 10124500

Date



SKETCH TO ACCOMPANY A DESCRIPTION OF 34.508 ACRES  
 (APPROXIMATELY 1,503,176 SQ. FT.) IN THE R.L. PREECE SURVEY NO. 2, ABSTRACT NO. 2269, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 79.9 ACRE TRACT CONVEYED TO BERTA BRADLEY BY EXECUTOR'S DEED DATED DECEMBER 31, 1990 AND RECORDED IN VOLUME 11345, PAGE 325, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS (RPRTCT); FURTHER BEING A PORTION OF THAT 40 ACRE TRACT DESCRIBED IN A DEED OF RECORD IN VOLUME 5094, PAGE 2176, DEED RECORDS, TRAVIS COUNTY, TEXAS (DRTCT), AND A PORTION OF A 119.32 ACRE TRACT DESCRIBED IN A DEED TO LANDRUM HICKMAN OF RECORD IN VOLUME 1869, PAGE 319, DRTCT.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N04°58'46"W	1662.93'
L2	N04°58'46"W	480.00'
L3	N04°58'46"W	526.94'
L4	N85°01'14"E	50.00'
L5	N04°58'46"W	464.64'
L6	N55°29'35"E	15.70'
L7	N20°03'33"W	181.74'
L8	N61°46'22"W	75.14'
L9	S61°46'22"E	1522.80'
L10	S27°59'03"W	1888.43'
L11	N04°58'46"W	1257.38'
L12	S85°01'14"W	263.00'

LEGEND	
● <sup>CH</sup>	1/2" REBAR WITH "CHAPARRAL" CAP FOUND
●	1/2" REBAR FOUND (OR AS NOTED)
■	CONCRETE MONUMENT FOUND
▲	60D NAIL FOUND (OR AS NOTED)
⊙	1/2" IRON PIPE FOUND
*	COTTON SPINDLE FOUND
△	CALCULATED POINT
( )	RECORD INFORMATION

*Bryan Newsome*  
 07 August  
 2019



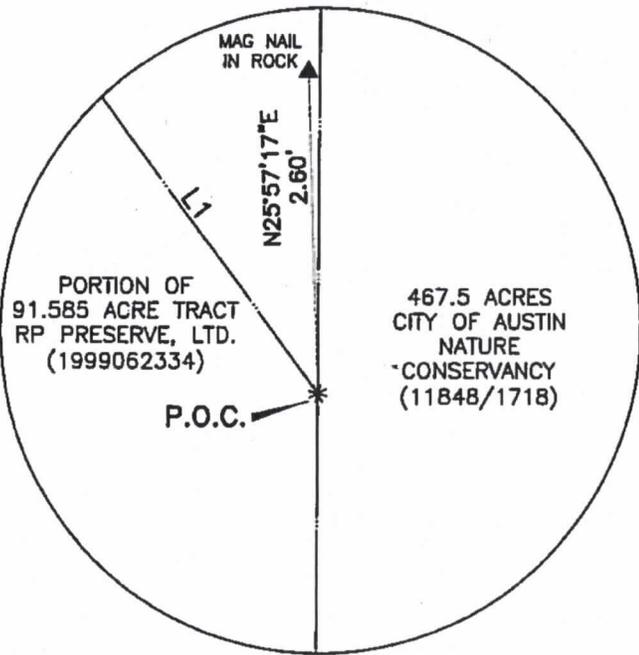
DATE OF SURVEY: 4/28/15  
 PLOT DATE: 8/07/19  
 DRAWING NO.: 759-011-Z03  
 PROJECT NO.: 759-011  
 T.B.P.L.S. FIRM NO. 10124500  
 DRAWN BY: BDN  
 SHEET 1 OF 5

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)

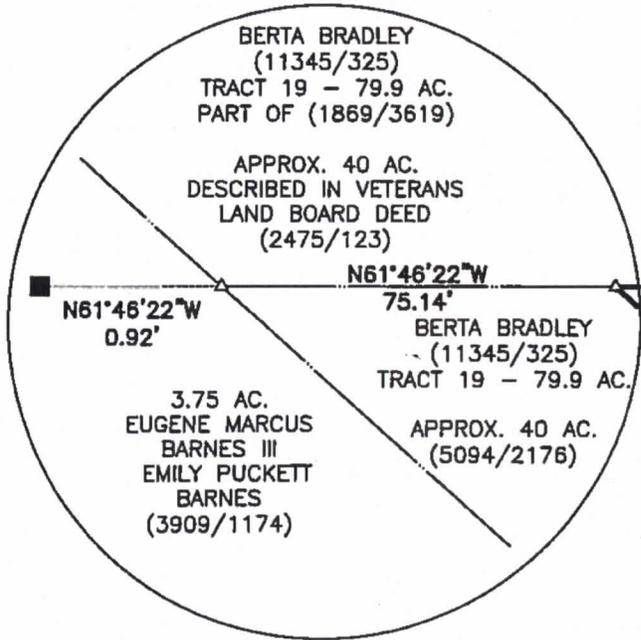
ATTACHMENTS: METES AND BOUNDS DESCRIPTION 759-011-Z03

**Chaparral**

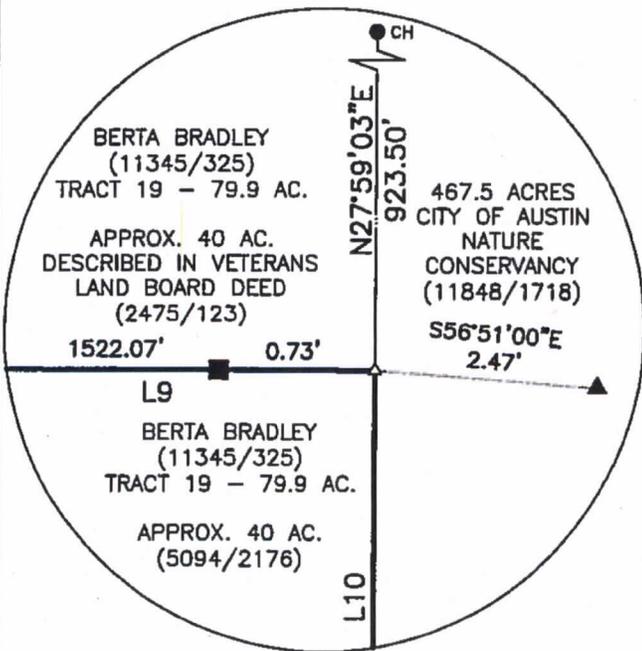
DETAIL "A"  
NOT TO SCALE



DETAIL "B"  
NOT TO SCALE



DETAIL "C"  
NOT TO SCALE



PAGE 5  
PAGE 3

BERTA BRADLEY  
(11345/325)  
TRACT 19 - 79.9 AC.

APPROX. 40 AC.  
(5094/2176)

PORTION OF 119.32 AC.  
LANDRUM HICKMAN  
(1869/319)

**34.508 ACRES**  
APPROX. 1,503,176 SQ. FT.

467.5 ACRES  
CITY OF AUSTIN  
NATURE  
CONSERVANCY  
(11848/1718)

LOT 13  
BLOCK B  
THE PRESERVE  
AT RIVER PLACE  
SECTION 2  
(200000178)



1" = 200'

PORTION OF  
91.585 ACRE TRACT  
RP PRESERVE, LTD.  
(1999062334)

SOUTH CORNER OF 119.32 AC.  
LANDRUM HICKMAN  
(1869/319)  
CALLED SOUTH CORNER OF 40 AC.  
(5094/2176)

P.O.C.

SEE  
DETAIL  
"A"

211.54'  
(536.47')

L12  
P.O.B.

L11

0.13'

L1

L11

1337.94'

L10

0.40'  
S27°59'03"W 237'  
(S29°25'W 2245.70')

917.16'

1.32'

340.55'

142.82'

R.L. PREECE  
SURVEY NO. 2

BERTA BRADLEY  
(11345/325)  
TRACT 19 - 79.9 AC.

APPROX. 40 AC.  
DESCRIBED IN VETERANS  
LAND BOARD DEED  
(2475/123)



1" = 200'

PORTION OF 119.32 AC.  
LANDRUM HICKMAN  
(1869/319)

PAGE 4  
PAGE 5

LOT 3  
BLOCK A  
AUSTIN CHRISTIAN  
FELLOWSHIP  
PHASE TWO SUBDIVISION  
(200700102)

SEE  
DETAIL  
"B"

3.75 AC.  
EUGENE MARCUS  
BARNES, III  
EMILY PUCKETT  
BARNES (3909/1174)

BOUNDARY LINE AND  
ACCESS AGREEMENT  
(13189/248)

LOT 3  
BLOCK A  
AUSTIN CHRISTIAN  
FELLOWSHIP PHASE  
TWO SUBDIVISION  
(200700102)

BERTA BRADLEY  
(11345/325)  
TRACT 19 - 79.9 AC.  
APPROX. 40 AC.  
(5094/2176)

PORTION OF 119.32 AC.  
LANDRUM HICKMAN  
(1869/319)

**34.508 ACRES**  
APPROX. 1,503,176 SQ. FT.

LOT 10    LOT 11    LOT 12  
BLOCK B  
THE PRESERVE AT RIVER  
PLACE, SECTION 2  
(200000178)

MILKY WAY DRIVE  
(50' R.O.W. WIDTH)



1" = 200'

BERTA BRADLEY  
(11345/325)  
TRACT 19 - 79.9 AC.

APPROX. 40 AC.  
DESCRIBED IN VETERANS  
LAND BOARD DEED  
(2475/123)

PORTION OF 119.32 AC.  
LANDRUM HICKMAN  
(1869/319)

SEE DETAIL "C"



PAGE 4  
PAGE 5

L9

BERTA BRADLEY  
(11345/325)  
TRACT 19 - 79.9 AC.

APPROX. 40 AC.  
(5094/2176)

PORTION OF 119.32 AC.  
LANDRUM HICKMAN  
(1869/319)

34.508 ACRES  
APPROX. 1,503,176 SQ. FT.

467.5 ACRES  
CITY OF AUSTIN  
NATURE  
CONSERVANCY  
(11848/1718)

1087.06'

L10

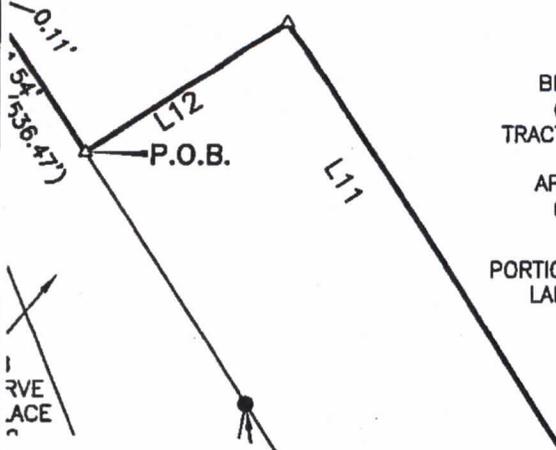
S27°59'03"W 2371.79'  
(S29°25'W 2245.70')

PAGE 5  
PAGE 3

BERTA BRADLEY  
(11345/325)  
TRACT 19 - 79.9 AC.

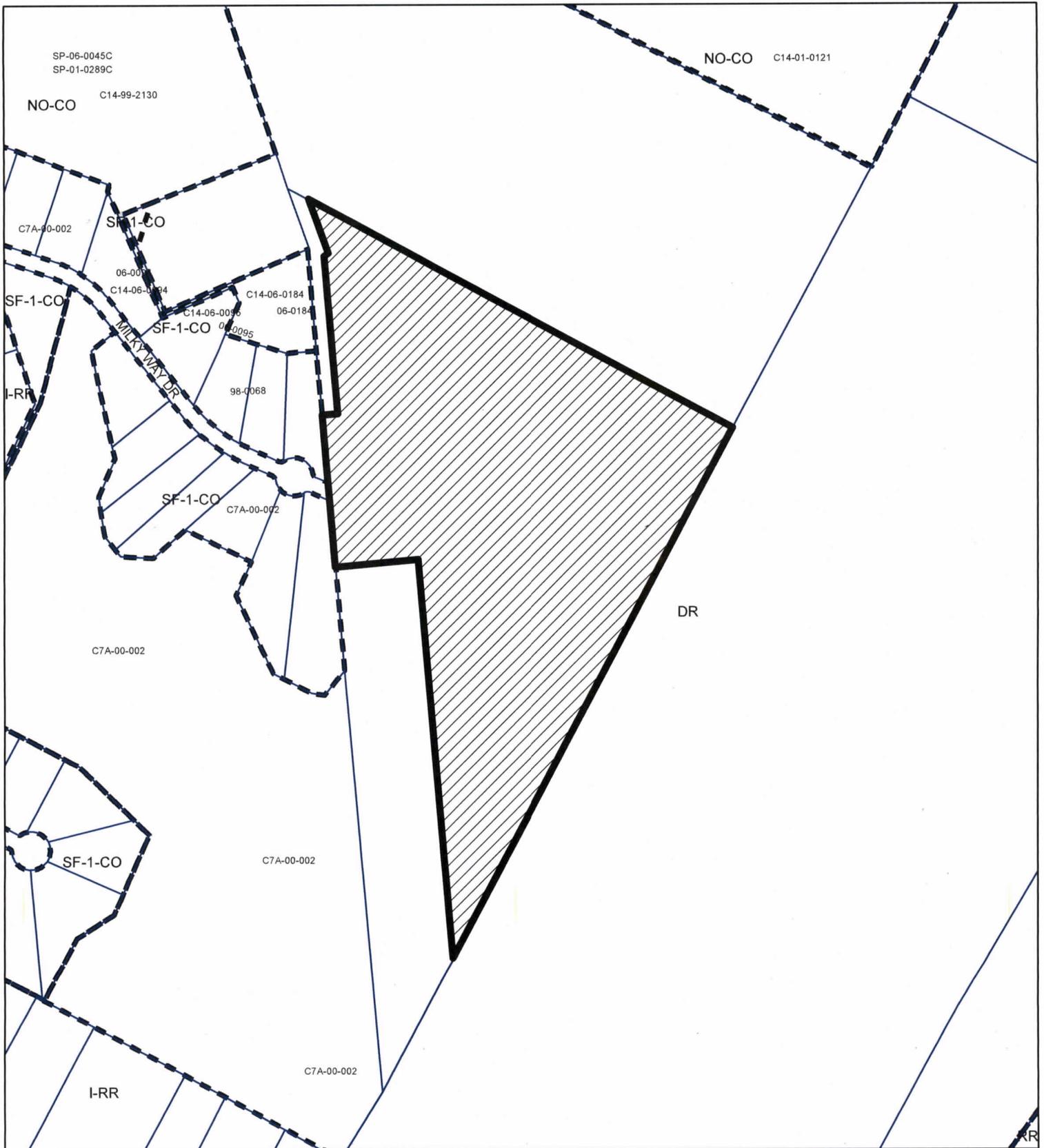
APPROX. 40 AC.  
(5094/2176)

PORTION OF 119.32 AC.  
LANDRUM HICKMAN  
(1869/319)



N  
S  
RVE  
ACE





**ZONING**

ZONING CASE#: C14-2018-0124

**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.



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