ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0120 (5003 Burnet, LLC) DISTRICT: 7

ADDRESS: 5003 Burnet Road

ZONING FROM: CS-MU-V-CO-NP TO: CS-1-MU-V-CO-NP

SITE AREA: 0.267 acres

PROPERTY OWNER: 5003 Burnet, LLC (Najib Wehbe)

AGENT: Hector Consulting (Hector Avila)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

STAFF RECOMMEDATION:
Staff recommends CS-1-MU-V-CO-NP, Commercial-Liquor Sales-Mixed Use-Vertical Mixed Use Building-Conditional Overlay, Neighborhood Plan Combining District.

The conditional overlay will maintain the conditions from the Brentwood Neighborhood Plan rezoning ordinance (Ordinance No. 040513-33A) for Tract 50b to prohibit the following uses: Agricultural sales and services, Campground, Commercial blood plasma center, Drop-off recycling collection facility, Equipment repair services, Equipment sales, Kennels, Outdoor entertainment, Outdoor sports and recreation and Vehicle Storage. In addition, Construction sales and services use is a conditional use.

The staff also recommends prohibiting the Cocktail lounge use on the property.

PLANNING COMMISSION ACTION / RECOMMENDATION:
October 11, 2022: Postponed to November 15, 2022 at the applicant's request by consent (11-0, C. Llanes-Pulido-absent); A. Azhar-1st, C. Hempel-2nd.

November 15, 2022

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question contains a vacant 3,000 sq. ft. structure on a platted lot, with a billboard sign, that fronts onto Burnet Road. The lot to the north is developed with commercial uses (Eye Physicians of Austin, Korman Jewelry, Citizen Eatery). The tract to the south contains is a vacant restaurant use (formerly Sonic Drive In). To the east, there is a parking area and single-family residences. The lots to the west, across Burnet Road are developed with a monument retail sales use, an office use (David Manning Architecture), a restaurant use (500 Burnet Food) and a retail sales use (Wilson Jewelers). In this rezoning request, the applicant is asking for CS-1-MU-V-CO-NP zoning to redevelop the existing structure with a liquor store use.

The staff recommends CS-1-MU-V-CO-NP, Commercial-Liquor Sales-Mixed Use-Vertical Mixed Use Building-Conditional Overlay, Neighborhood Plan Combining District, zoning. The site meets intent of the CS-1 base district as it is takes access to Burnet Road, a Level 3 arterial roadway. The proposed zoning is compatible with surrounding zoning patterns as there is CS-MU-V-CO-NP and GR-MU-V-CO-NP zoning to the north and south, GO-MU-CO-NP zoning to the east and CS-V zoning, across Burnet Road to the west. The property is surrounded by commercial and office uses and is located within the Burnet Road Activity Corridor as identified on the Growth Concept Map in the Imagine Austin Comprehensive Plan. The requested zoning is consistent with the Brentwood/Highland Combined Neighborhood Plan as the Future Land Use Map designates this tract for Mixed Use land use.

The applicant agrees with the staff's recommendation.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

   Commercial-Liquor Sales district is intended predominately for commercial and industrial activities of a service nature which typically have operating characteristics or traffic service requirements generally incompatible with residential environments, and specifically includes liquor sales as a permitted use.

   Mixed Use combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development.

   Vertical Mixed Use Building (V) combining district may be applied in combination with any commercial base zoning district and allows for a combination of office, retail, commercial and residential uses within a vertical mixed use building.

Conditional Overlay combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

Neighborhood Plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed zoning is compatible with surrounding zoning patterns as there is CS-MU-V-CO-NP and GR-MU-V-CO-NP zoning to the north and south, GO-MU-CO-NP zoning to the east and CS-V zoning, across Burnet Road to the west.

The property in question takes access to Burnet Road, a Level 3 arterial roadway and is located along the Burnet Road Enhanced Metro Rapid Route according to the System Plan that was adopted by Capital Metro and the Austin City Council in 2020.

3. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

The site under consideration is within the Burnet Road Activity Corridor, as identified on the Growth Concept Map in the Imagine Austin Comprehensive Plan.

The requested zoning is consistent with the Brentwood/Highland Combined Neighborhood Plan as the Future Land Use Map designates this tract for Mixed Use land use.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	CS-MU-V-CO-NP	Vacant Structure, Billboard
North	CS-MU-V-CO-NP	Office/Commercial/Restaurant (Eye Physicians of Austin, Korman Jewelry, Citizen Eatery)
South	CS-MU-V-CO-NP, GR-MU-V-CO-NP	Vacant Restaurant (formerly Sonic Drive In)
East	CS-MU-V-CO-NP, GO-MU-CO-NP	Parking Area, Single-Family Residences
West	CS-V	Monument Sales, Office (David Manning Architecture), Restaurant (500 Burnet Food), Retail Sales (Wilson Jewelers)

NEIGHBORHOOD PLANNING AREA:

Brentwood/Highland Combined Neighborhood Plan

TIA: Deferred to the time of Site Plan

WATERSHED: Shoal Creek

SCHOOLS: Austin I.S.D.
Brykerwoods Elementary School
O'Henry Middle School
Austin High School

NEIGHBORHOOD ORGANIZATIONS:

Allendale Neighborhood Association
Austin Independent School District
Austin Lost and Found Pets
Austin Neighborhoods Council
Brentwood Neighborhood Association
Brentwood Neighborhood Plan Contact Team
Bull Creek Road Coalition
Central Austin Community Development Corporation
Homeless Neighborhood Association
Lower District 7 Green
Neighborhood Empowerment Foundation
North Austin Neighborhood Alliance
NW Austin Neighbors
Preservation Austin
Rosedale Neighborhood Association
SELTEXAS
Shoal Creek Conservancy
Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2010-0025 (EP Austin: 5011 Burnet Road)	SF-3-NP to GO-MU-NP	4/12/11: The motion to approve staff's recommendation for GO-MU-CO-NP district zoning, with a CO to limit the uses to Medical Office (over 5,000 sq. ft.) in the General Office (GO) zoning district and all other Neighborhood Office (NO) uses, prohibit access to Woodrow Avenue and limit vehicle trips to 2,000 per day, was approved on the consent agenda (Vote: 9-0); Saundra Kirk-1st, Dave Anderson-2nd.	4/28/11: Approved Ordinance No. 20110428-063 for GO-MU-CO-NP zoning on consent on Council Member Cole's motion, Council Member Riley's second on a 6-0 vote, Council Member Spelman was off the dais; on all 3 readings.

RELATED CASES:

C14-04-0012.001 – Brentwood Neighborhood Plan Rezonings

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Cap Metro (within 1/4 mile)
Burnet Road	Level 3	80 feet	~66 feet	40 feet	9 feet	One-way	Yes
W 51st Street	Level 1	58 feet	~48 feet	30 feet	None	None	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

Project Name and Proposed Use: 5003 Burnet Rd. C14-2022-0120. CS-MU-CO-V-NP to CS-1-MU-V-CO-NP. Liquor Store in 3,000 sq ft building. FLUM: Mixed Use. Sept 7, 2022

Yes	Imagine Austin Decision Guidelines
	Complete Community Measures
Y	**Imagine Austin Growth Concept Map:** Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. **Name(s) of Activity Center/Activity Corridor/Job Center: Burnet Road Activity Corridor**
Y	**Mobility and Public Transit**: Located within 0.25 miles of public transit stop and/or light rail station.
Y	**Mobility and Bike/Ped Access:** Adjoins a public sidewalk, shared path, and/or bike lane.
Y	**Connectivity, Good and Services, Employment**: Provides or is located within 0.50 miles to goods and services, and/or employment center.
	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
Y	**Connectivity and Education**: Located within 0.50 miles from a public school or university.
Y	**Connectivity and Healthy Living**: Provides or is located within 0.50 miles from a recreation area, park or walking trail.
	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	Mixed use: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
6	**Total Number of "Yes's"**

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 sq. ft. cumulative is exceeded, and on site control for the two-year storm.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Fire

No comments.

Parks and Recreation

City Council has passed parkland dedication requirements for commercial uses at the time of site plan and subdivision, which may become applicable to this project in the future. Fees may be required if the liquor sales use triggers a site plan application.

Site Plan

FYI: A person may not sell or engage in the business of selling an alcoholic beverage at a place of business located within 300 feet of a church, public school, or public hospital except as provided by the Texas Alcoholic Beverage Code (4-9-4).

FYI: A permit or license holder under Chapters 25 (*Wine and Beer Retailer's Permit*), 28 (*Mixed Beverage Permit*), 32 (*Private Club Registration Permit*), 69 (*Retail Dealer's On-Premise License*), or 74 (*Brewpub License*) of the Texas Alcoholic Beverage Code who does not hold a food and beverage certificate may not sell or engage in the business of selling an

alcoholic beverage at a place of business located within 300 feet of a day-care center or child-care facility except as provided by the Texas Alcoholic Beverage Code (4-9-4).

This site is located in the Brentwood Neighborhood Plan. Please see the City's Neighborhood Plans and Resources webpage for a copy of the recommended design guidelines.

Transportation

The Austin Strategic Mobility Plan (ASMP) calls for 80 feet of right-of-way for Burnet Road. It is recommended that 40 feet of right-of-way from the centerline should be dedicated according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Cap Metro (within 1/4 mile)
Burnet Road	Level 3	80 feet	~66 feet	40 feet	9 feet	One-way	Yes
W 51st Street	Level 1	58 feet	~48 feet	30 feet	None	None	Yes

A transportation assessment/traffic Impact analysis shall be required at the time of site plan if triggered, when land uses and intensities will be known per LDC 25-6-113 and TCM 10.2.1.

Water Utility

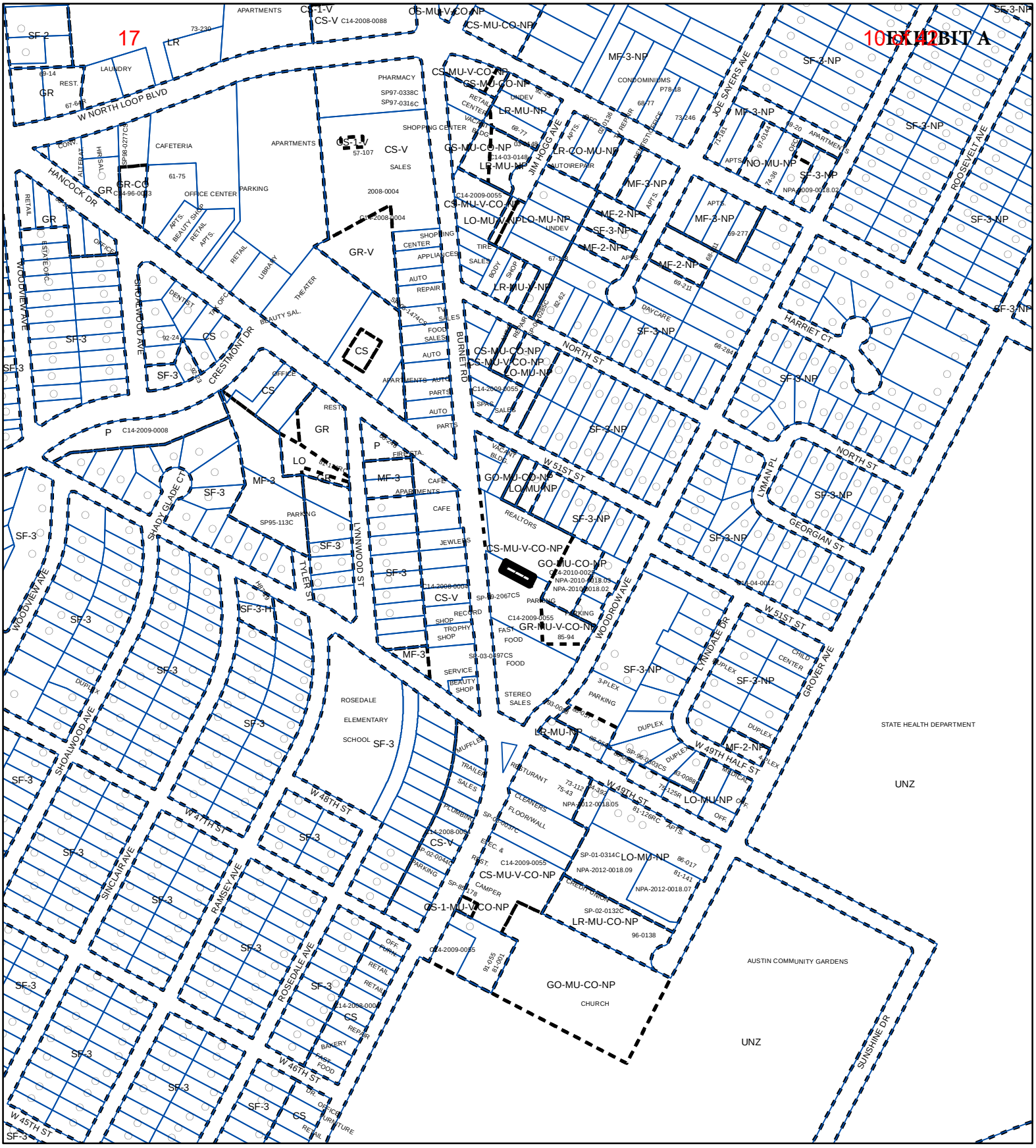
The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

A: Zoning Map
B. Aerial Map
C. Brentwood Neighborhood Plan Rezonings - Ordinance No. 040513-33A
D. Neighborhood Plan Amendment Determination Memo
E. Correspondence from Interested Parties



N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1 " = 400 '

ZONING

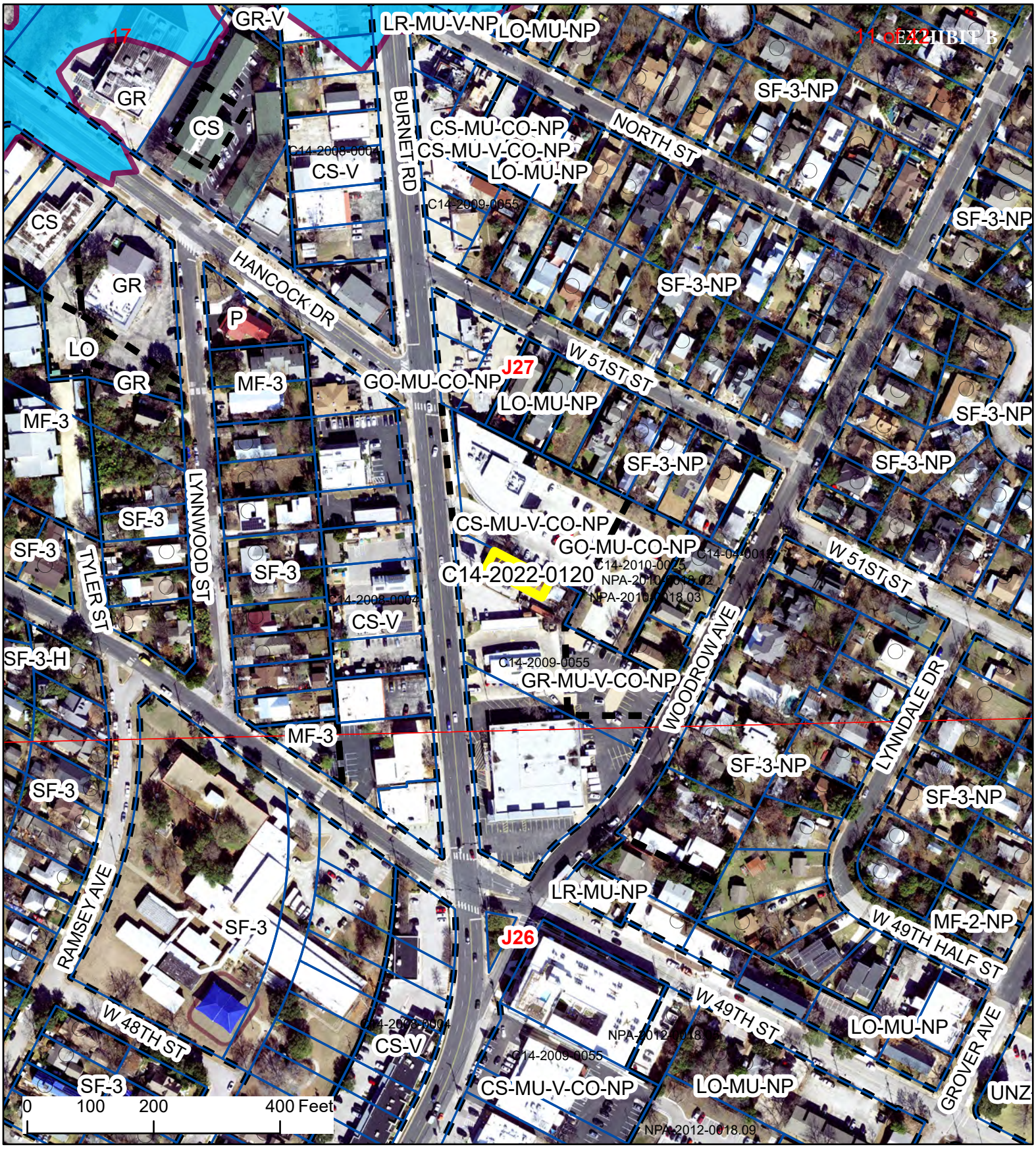
ZONING CASE#: C14-2022-0120

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

CITY OF AUSTIN FOUNDED 1839

Created: 9/8/2022



5003 Burnet LLC | Liquor Store

N

- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE
- CREEK BUFFER

ZONING CASE#:	C14-2022-0120
LOCATION:	5003 Burnet Rd
SUBJECT AREA:	0.267 Acres
GRID:	J27
MANAGER:	Sherri Sirwaitis

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Created: 10/4/2022

ORDINANCE NO. 040513-33A

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 1,015 ACRES OF LAND GENERALLY KNOWN AS THE BRENTWOOD NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON 137 TRACTS OF LAND.

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 add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 137 tracts of land within the property described in Zoning Case No.C14-04-0012.001, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 1,015 acres of land in the City of Austin, Travis County, Texas, more particularly described and identified in the attached Exhibit "A" incorporated into this ordinance, (the "Property"), and includes, as follows,

Romeria-Gateway Subdistrict area includes the lots adjacent to Romeria Street between Lamar Boulevard and the Grover Drainage Channel, as shown on Exhibit "B",

generally known as the Brentwood neighborhood plan combining district, locally known as the area bounded by Justin Lane on the north, 45th Street on the south, Lamar Boulevard on the east and Burnet Road on the west, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

Except as provided in this ordinance, the existing base zoning districts and conditions remain in effect.

PART 2. The base zoning districts for the 137 tracts of land are changed from family residence (SF-3) district, multifamily residence low density (MF-2) district, multifamily residence medium density (MF-3) district, neighborhood office (NO) district, limited office (LO) district, limited office-conditional overlay (LO-CO) combining district, general office (GO) district, general office-conditional overlay (GO-CO) combining district, neighborhood commercial (LR) district, neighborhood commercial-conditional overlay (LR-CO) combining district, community commercial (GR) district, community

commercial-conditional overlay (GR-CO) combining district, general commercial services (CS) district, general commercial services-conditional overlay (CS-CO) combining district, commercial-liquor sales (CS-1) district, commercial-liquor sales-conditional overlay (CS-1-CO) combining district, and limited industrial services-conditional overlay (LI-CO) combining district to family residence-neighborhood plan (SF-3-NP) combining district, townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district, multifamily residence low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district, multifamily residence medium density-neighborhood plan (MF-3-NP) combining district, multifamily residence moderate high density-neighborhood plan (MF-4-NP) combining district, neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district, limited office-mixed use-neighborhood plan (LO-MU-NP) combining district, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district, neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district, community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district, community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district, and public-neighborhood plan (P-NP) combining district, as more particularly described and identified in the chart below:

TRACT	ADDRESS	FROM	TO
1	6425, 6507, 6515, 6539, 6549, 6555, 6601,6701, 6724 & 6825 BURNET LN	CS	CS-MU-CO-NP
1	6706, 6717 & 6801 BURNET LN	CS-1	CS-MU-CO-NP
2	6507 BURNET RD	CS-1	CS-1-MU-CO-NP
3	6507 BURNET LN	CS-CO	CS-MU-CO-NP
3	6511, 6513, 6519, 6521, 6601, 6603, 6611, 6707, 6709, 6711, 6719, 6721, 6733, 6735 & 6801 BURNET LN & 2205 MUROC ST	CS	CS-MU-CO-NP
3	6519, 6521 & 6603 BURNET LN	SF-3	CS-MU-CO-NP
4	2001 JUSTIN LN	LO	LO-MU-NP
4	2005 JUSTIN LN, 2103, 2105, 2107, 2109 & 2201 MUROC ST	LR	LO-MU-NP
4	2201 MUROC ST	CS	LO-MU-NP
5	6804 & 6808 HARDY DR	LO	SF-3-NP

TRACT	ADDRESS	FROM	TO
6	2108 PAYNE AVE	SF-3	LO-MU-NP
7	6431 BURNET LN & 2107 PAYNE AVE	CS	LO-MU-NP
8	6415 & 6421 BURNET LN, 6205, 6225, 6311, 6313 & 6317 BURNET RD	CS	CS-MU-CO-NP
9	6001 BURNET RD	CS	CS-MU-CO-NP
10a	5801, 5819 & 5829 BURNET RD	CS	CS-MU-CO-NP
10b	5607, 5615 & 0 BURNET RD (IMPS ONLY ON LOT 1-4 BLK 1 BROADACRES, AKA 5701-5715 BURNET RD)	CS	CS-MU-CO-NP
10b	0 BURNET RD (IMPS ONLY ON LOT 1-4 BLK 1 BROADACRES; footprint)	LI-CO	CS-MU-CO-NP
10c	5501, 5525, 5531 & 5605 BURNET RD	CS	CS-MU-CO-NP
10c	5501 & 5525 BURNET RD	CS-1	CS-MU-CO-NP
10d	0 BURNET RD (IMPS ONLY ON LOT 1-4 BLK 1 BROADACRES, AKA 1511 BURNET RD, footprint)	CS-1-CO	CS-1-MU-CO-NP
11	5605 BURNET RD	SF-3	LR-MU-CO-NP
12	5615 ADAMS AVE	LO	LR-MU-CO-NP
13	5609 & 5611 ADAMS AVE	CS	CS-MU-CO-NP
13	5613 ADAMS AVE	CS	CS-MU-CO-NP
15a	5425, 5435 & 5437 BURNET RD & 5500 CLAY AVE	CS	CS-MU-CO-NP
15c	5508 CLAY AVE	CS	CS-MU-CO-NP
16	5611 CLAY AVE	LO	SF-3-NP
17	1706 HOUSTON ST	LO	LO-MU-NP
18	1700 HOUSTON ST & 5504 JEFF DAVIS AVE	NO	SF-3-NP
18	1700 HOUSTON ST	MF-3	SF-3-NP
19	5502 & 5504 JIM HOGG AVE	MF-2	SF-3-NP
20	5508 JIM HOGG AVE	MF-2	SF-3-NP
21	5600 & 5602 JIM HOGG AVE	MF-2	MF-2-CO-NP
22	5513 JIM HOGG AVE	MF-2	SF-3-NP
23	5509 JIM HOGG AVE	MF-2	SF-3-NP
24	5624 & 5626 WOODROW AVE	SF-3	MF-3-NP
25	5807 WOODROW AVE	MF-3	SF-3-NP
26	5705 WOODROW AVE	CS	SF-3-NP
26	5705 & 5707 WOODROW AVE	MF-3	SF-3-NP
27	5612 ROOSEVELT AVE	LR	MF-3-NP
28	5513 WOODROW AVE	MF-3	SF-3-NP
29	5506 GROVER AVE	CS	MF-4-NP
30	5401 BURNET RD	CS	CS-MU-CO-NP
31a	5303, 5335 & 5343 BURNET RD	CS	CS-MU-CO-NP
31a	5335 BURNET RD	CS-1-CO	CS-MU-CO-NP
31a	5335 & 5353 BURNET RD	CS-1	CS-MU-CO-NP
31a	5343 BURNET RD	MF-3	CS-MU-CO-NP
31b	5401, 5403 & 5407 CLAY AVE	CS	CS-MU-CO-NP
31b	5401 CLAY AVE	SF-3	CS-MU-CO-NP
32	5400 JEFF DAVIS AVE	MF-3	GR-MU-CO-NP
32	5400 JEFF DAVIS AVE	CS-1	GR-MU-CO-NP

TRACT	ADDRESS	FROM	TO
33	1610 NORTH LOOP BLVD W	MF-3	CS-MU-CO-NP
33	1610 NORTH LOOP BLVD W	CS	CS-MU-CO-NP
34	1510 NORTH LOOP BLVD W	LR	MF-3-NP
35	1402 NORTH LOOP BLVD W	NO	NO-MU-NP
35	1404 NORTH LOOP BLVD W	LO	NO-MU-NP
36	1407 NORTH LOOP BLVD W	LO	MF-3-NP
37	1505 NORTH LOOP BLVD W	LO	LO-MU-NP
38	1507 & 1511 NORTH LOOP BLVD W	LR	LR-MU-CO-NP
39	1509 NORTH LOOP BLVD W	LR-CO	LR-MU-CO-NP
40	5211 JIM HOGG AVE	CS	LO-MU-NP
40	5211 JIM HOGG AVE & 1508 NORTH ST	LR	LO-MU-NP
40	5213 & 5215 JIM HOGG AVE	SF-3	LO-MU-NP
41a	5220 JIM HOGG AVE (abutting front property line); & 5222 JIM HOGG AVE	MF-3	LR-MU-NP
41a	5222 JIM HOGG AVE	CS	LR-MU-NP
41a	5222 JIM HOGG AVE	LR	LR-MU-NP
41b	5220 JIM HOGG AVE (abutting rear property line)	CS	CS-MU-CO-NP
42	0 (LOT 9 BLK 8 BROADACRES PLUS 1/2 OF ADJ VAC STREET), 5207, 5209, 5239, 5249 & 5255 BURNET RD, 1605 NORTH LOOP BLVD W & 1512 NORTH ST	CS	CS-MU-CO-NP
43	1510 NORTH ST	LR	LR-MU-NP
44	5101, 5111 & 5119 BURNET RD & 1509 NORTH ST	CS	CS-MU-CO-NP
45	1420 51 ST W, 1507 NORTH ST	LO	LO-MU-NP
45	1507 NORTH ST	GO	LO-MU-NP
46	1418 51 ST W	CS	SF-3-NP
47a	0 51 ST W (ABUTS ROW OF 51 ST W; IMPS ONLY ON LOT 9 LESS N5FT BLK 26 SMITH A F ADDN)	CS	GO-MU-CO-NP
47b	1415 51 ST W	LO	LO-MU-NP
47b	1415 51 ST W	GO	LO-MU-NP
48	5005 & 5011 BURNET RD, 5002 & 5004 WOODROW AVE	MF-3	SF-3-NP
49	4901 BURNET RD	GR	GR-MU-CO-NP
50a	5025 BURNET RD	CS	CS-MU-CO-NP
50b	5003, 5005 & 5011 BURNET RD	CS	CS-MU-CO-NP
50c	4901 & 4911 BURNET RD	CS	CS-MU-CO-NP
51	5006 GROVER AVE	LO	SF-3-NP
52	1201 49 1/2 ST W, 1200, 1304 & 1306 49 ST W & 4903 WOODROW AVE	LO	LO-MU-NP
52	1210 49 ST W	SF-3	LO-MU-NP
53	1201 & 1203 49 ST W	SF-3	LO-MU-NP
54	0 (LOT A BLACKSTOCK AND HAYES ADDN) & 4804 GROVER AVE	LO	LO-MU-NP
55	4800 GROVER AVE	LR-CO	LR-MU-CO-NP

TRACT	ADDRESS	FROM	TO
56a	4701, 4705, 4707, 4729, 4801 & 4805 BURNET RD	CS	CS-MU-CO-NP
56a	4705 BURNET RD (abutting Burnet Rd except 2800 sq.ft. building footprint)	LO	CS-MU-CO-NP
56b	4811 BURNET RD	CS	CS-MU-CO-NP
56b	4811 BURNET RD	SF-3	CS-MU-CO-NP
56c	4705 BURNET RD (approx. southern 2800 sq. ft. bldg footprint with 50' of lot abutting Burnet Rd)	CS-1	CS-1-MU-CO-NP
57	4701 BURNET RD	CS-CO	CS-MU-CO-NP
58	4700 GROVER AVE	LO	GO-MU-CO-NP
59a	801, 803 & 807 CAPITOL CT & 4926 LAMAR BLVD N	CS	CS-MU-CO-NP
59b	809 CAPITOL CT	CS	CS-MU-CO-NP
60	5000 LAMAR BLVD N	CS	CS-MU-CO-NP
61	5106, 5112, 5214, 5224 & 5240 LAMAR BLVD N, 813 & 815 NORTH LOOP BLVD W	CS	CS-MU-CO-NP
62	902 NORTH LOOP BLVD W	CS	SF-3-NP
63	900 NORTH LOOP BLVD W	CS	LO-MU-NP
64a	5300 & 5304 LAMAR BLVD N, 814 NORTH LOOP BLVD W	CS	CS-MU-CO-NP
64b	0 (S20FT OF LOT 2A SEC 2 OF RESUB OF A PART OF LT 1 SKYLAND SUBD) & 833 HOUSTON ST, 5400 LAMAR BLVD N & 816 NORTH LOOP BLVD W	CS	CS-MU-CO-NP
64c	819 & 831 HOUSTON ST, 0 (LOT 5 RESUB OF LT 1A SEC 2 OF A RESUB OF PT OF LT 1 SKYLAND SUBD) , 5412 & 5414 LAMAR BLVD N	CS	CS-MU-CO-NP
65	0 (LOT 1 HOUSTON STREET SUBD), 0 (LOT 3 HOUSTON STREET SUBD), 900 & 902 HOUSTON ST	SF-3	SF-6-NP
66	5527 SUNSHINE DR	LO	LO-MU-NP
67	5601 SUNSHINE DR	GR	GR-MU-NP
68a	820 HOUSTON ST, 5516, 5520 & 5528 LAMAR BLVD N	CS	CS-MU-CO-NP
68a	5516, 5520 & 5528 LAMAR BLVD N	CS-1	CS-MU-CO-NP
68b	826 HOUSTON ST & 5538 LAMAR BLVD N	CS	CS-MU-CO-NP
68b	5538, 5602, 5604, 5610 & 5624 LAMAR BLVD N & 805 STARK ST	CS-1	CS-MU-CO-NP
68c	5538 LAMAR BLVD N (footprint)	CS-1	CS1-MU-CO-NP
68c	5538 LAMAR BLVD N (footprint)	CS	CS1-MU-CO-NP
69	809 STARK ST	LO-CO	LO-MU-CO-NP
70	807 STARK ST	LO	LO-MU-NP
71	5630 LAMAR BLVD N	CS-1	CS-MU-CO-NP
72	5700 LAMAR BLVD N	CS-1	P-NP
73a	5900 & 5916 LAMAR BLVD N, 900 OLD KOENIG LN	CS	CS-MU-CO-NP

TRACT	ADDRESS	FROM	TO
73a	5900 & 5916 LAMAR BLVD N, 900 OLD KOENIG LN	CS-1	CS-MU-CO-NP
73b	0 (LOT 3 COOK-WALDEN ADDN), 5922, 6000, 6010 & 6100 LAMAR BLVD N	CS-1	CS-MU-CO-NP
73b	5922 LAMAR BLVD N	CS	CS-MU-CO-NP
74	6008 LAMAR BLVD N & 903 ROMERIA DR	CS	MF-3-NP
74	6008 LAMAR BLVD N	CS-1	MF-3-NP
77a	821 BRENTWOOD ST, 6508 & 6518 LAMAR BLVD N	CS-1	CS-MU-CO-NP
77b	0 (APPROX 1.45ACR OF LOT 2-3 RESERVOIR HEIGHTS), 0 (44X91FT OF LOT 3 RESERVOIR HEIGHTS), 6210, 6222, 6310, 6324, 6400, 6406 & 6416 LAMAR BLVD N, 814 & 824 ROMERIA DR, 0 WILD ST (E62.4FT OF LOT 14 BLK A WEST VIEW HEIGHTS)	CS-1	CS-MU-CO-NP
77c	6200 LAMAR BLVD N	CS-1	CS-1-MU-CO-NP
78	6528 & 6534 LAMAR BLVD N	CS-1	CS-1-MU-CO-NP
79a	6610, 6612, 6618, 6702, 6706 & 6712 LAMAR BLVD N	CS-1	CS-MU-CO-NP
79b	6714, 6808 & 6812 LAMAR BLVD N, 0 WILD ST (ABS 697 SUR 7 SPEAR G W ACR .29)	CS-1	CS-MU-CO-NP
79c	6808 LAMAR BLVD N (only building footprint as shown on Exh "D")	CS-1	CS-1-MU-CO-NP
80	0 (E TRI OF LOT 1 BLK 2 CRESTVIEW ADDN SEC 1), 1101 & 1103 JUSTIN LN	SF-3	MF-4-NP
80	0 (E TRI OF LOT 1 BLK 2 CRESTVIEW ADDN SEC 1), 1003, 1101 & 1103 JUSTIN LN	MF-3	MF-4-NP
80	1003 & 1103 JUSTIN LN	LR	MF-4-NP
81	0 (ABS 697 SUR 7 SPEAR G W ACR 8.24) & 6700 ARROYO SECO	SF-3	P-NP
82a	5902 LAIRD DR (abutting Koenig Ln W)	CS	GR-MU-NP
82b	5902 LAIRD DR (abutting Laird Dr)	CS	LR-MU-CO-NP
83	2010 KOENIG LN W	LR	LR-MU-CO-NP
84	1902, 1904, 1906, 1910, 2004 & 2008 KOENIG LN W	LO	LO-MU-NP
84	1908 KOENIG LN W	SF-3	LO-MU-NP
84	2000 & 2002 KOENIG LN W	GO-CO	LO-MU-NP
84	2000 KOENIG LN W	LR	LO-MU-NP
84	2006 KOENIG LN W	LO-CO	LO-MU-NP
85	1900 KOENIG LN W	LO	LR-MU-CO-NP
86	1806 KOENIG LN W	LR	LR-MU-CO-NP
87	1706, 1708, 1800, 1802 & 1804 KOENIG LN W	LR	LO-MU-NP
88	1700, 1702 & 1704 KOENIG LN W	CS	LR-MU-CO-NP
89	1703 PALO DURO RD	MF-3	NO-MU-NP
90	1701 PALO DURO RD	CS	LR-MU-CO-NP
91	1518 KOENIG LN W	SF-3	LR-MU-CO-NP

TRACT	ADDRESS	FROM	TO
92	1500, 1502, 1504, 1506, 1508, 1510, 1512 & 1514 KOENIG LN W	SF-3	LO-MU-NP
92	1514 KOENIG LN W	NO	LO-MU-NP
92	1516 KOENIG LN W	LO	LO-MU-NP
93a	1400 KOENIG LN W	GR-CO	GR-MU-CO-NP
93b	1406 & 1408 KOENIG LN W	LR	LR-MU-CO-NP
93b	1408 KOENIG LN W	SF-3	LR-MU-CO-NP
94	1200, 1206 & 1300 KOENIG LN W	GR	GR-MU-CO-NP
94	1306 KOENIG LN W	CS	GR-MU-CO-NP
94	1308 KOENIG LN W & 5903 WOODROW AVE	LR	GR-MU-CO-NP
95	1100 KOENIG LN W	CS	GR-MU-CO-NP
95	1102 & 1106 KOENIG LN W	GR	GR-MU-CO-NP
95	1108 & 1112 KOENIG LN W	LR	GR-MU-CO-NP
96	5908 AURORA DR	GR	LR-MU-CO-NP
96	5908 AURORA DR	CS	LR-MU-CO-NP
97	1006 KOENIG LN W	SF-3	GR-MU-CO-NP
97	1006 KOENIG LN W	CS	GR-MU-CO-NP
98	908 OLD KOENIG LN	SF-3	GR-MU-CO-NP
98	908 OLD KOENIG LN	CS	GR-MU-CO-NP
99a	5700 GROVER AVE	CS	CS-MU-CO-NP
99b	1303 KOENIG LN W	CS	CS-MU-CO-NP
100	5808 WOODROW AVE	SF-3, LR	LO-MU-NP
101a	1401 KOENIG LN W	LR	GR-MU-CO-NP
101b	1405 KOENIG LN W	LR	LR-MU-CO-NP
102	1501 KOENIG LN W	LO	LR-MU-CO-NP
103	1503, 1505, 1507, 1513, 1515, 1519, 1521, & 1523 KOENIG LN W	LO	LO-MU-NP
103	1509, 1511 & 1517 KOENIG LN W	SF-3	LO-MU-NP
104	1525 KOENIG LN W	LO	LR-MU-CO-NP
105	1615 & 1617 KOENIG LN W	LO	LR-MU-CO-NP
105	1601 KOENIG LN W	SF-3	LR-MU-CO-NP
106	1701 KOENIG LN W	LO	LR-MU-CO-NP
107a	1703, 1705, 1707, 1801, 1803, 1901, 1903, 1905, 1907 & 1909 KOENIG LN W	LO	LO-MU-NP
107a	1911 KOENIG LN W	SF-3	LO-MU-NP
107b	2003 KOENIG LN W	SF-3	LO-MU-CO-NP
107c	2005 KOENIG LN W 2007 KOENIG LN W	SF-3 NO	LO-MU-NP
108	4901 WOODROW AVE	LR	LR-MU-NP
109	1203 & 1209 49 ST W	MF-3	LO-MU-NP
109	1209, 1211, 1213, 1301 & 1307 49 ST W	SF-3	LO-MU-NP
110	5617 ADAMS AVE	LO	NO-MU-NP
111	2011 KOENIG LN W	SF-3	LO-MU-NP
112	1704 HOUSTON ST	NO	NO-MU-NP

PART 3. The following applies to an existing legal lot with single-family residential use or secondary apartment special use within the boundaries of the NP combining district:

1. The minimum lot area is 2,500 square feet.

2. The minimum lot width is 25 feet.

3. For a lot with an area of 4,000 square feet or less, the impervious coverage may not exceed 65 percent.

PART 4. Secondary apartment special use is permitted on lots in residential districts within the boundaries of the NP combining district as set forth in Sections 25-2-1462 through 25-2-1463 of the Code.

PART 5. The following applies to a single-family residential use, a duplex residential use, or a two-family residential use within the boundaries of the NP combining district:

1. Front porch setback applies as set forth in Section 25-2-1602 of the Code.

2. Impervious cover and parking placement restrictions apply as set forth in Section 25-2-1603 of the Code.

3. Garage placement restrictions apply as set forth in Section 25-2-1604 of the Code.

PART 6. Urban home special use is permitted on lots in residential districts within the boundaries of Romeria Gateway Subdistrict as set forth in Sections 25-2-1422 through 25-2-1424 of the Code.

PART 7. Tracts 1 and 2 may be developed as a neighborhood urban center special use as set forth in Sections 25-2-1521 through 25-2-1524 of the Code.

PART 8. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. The following uses are conditional uses of Tracts 1, 10a, 10c, 15a, 2, 30, 31a, 41b, 42, 44, 50a, 50c, 56a, 56c, 57, 59a, 60, 61, 64a, 64c, 68a, 73a, 77a, 78 and 79a:

Agricultural sales and services	Campground
Commercial blood plasma center	Equipment repair services
Equipment sales	Kennels
Vehicle storage	

2. Construction sales and services use is a conditional use of Tracts 8, 9, 31b, 33, 50b, 56b, 59b, 64b, 68b, 71, 73b, 77b, 77c, 79b, and 79c.

3. The following uses are prohibited uses of Tract 10b and 10d:

Agricultural sales and services	Campground
Drop-off recycling collection facility	Equipment repair services
Equipment sales	Outdoor entertainment
Outdoor sports and recreation	Commercial blood plasma center
Kennels	Vehicle storage

4. The following uses are prohibited uses of Tract 8, 9, 31b, 33, 50b, 56b, 59b, 64b, 68b, 71, 73b, 77b, 77c, 79b, and 79c:

Agricultural sales and services	Campground
Commercial blood plasma center	Drop-off recycling collection facility
Equipment repair services	Equipment sales
Kennels	Outdoor entertainment
Outdoor sports and recreation	Vehicle storage

5. The following uses are prohibited uses of Tracts 32 and 49:

Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Commercial off-street parking	Drop-off recycling collection facilities
Exterminating services	Off-site accessory parking
Outdoor entertainment	Outdoor sports and recreation
Pawn shop services	Plant nursery
Service station	

6. The following uses are prohibited uses of Tract 15c:

Agricultural sales and services	Art and craft studio (general)
Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Building maintenance services	Campground
Commercial blood plasma center	Convenience storage
Commercial off-street parking	Drop-off recycling collection facilities
Electronic prototype assembly	Equipment repair services
Equipment sales	Exterminating services
Kennels	Laundry services
Limited warehousing and distribution	Maintenance and services facilities
Monument retail sales	Off-site accessory parking
Outdoor entertainment	Outdoor sports and recreation
Pawn shop services	Plant nursery
Service station	Funeral service
Hotel-motel	Indoor entertainment
Indoor sports and recreation	Restaurant (general)
Restaurant (limited)	Theater
Transitional housing	Transportation terminal
Vehicle storage	Veterinary services

7. A general commercial services (CS) use that is 5,000 square feet or greater is a prohibited use of Tract 15c.

8. A general retail sales (general) use and a general retail sales (convenience) use for an area that exceeds 20,000 square feet of gross floor area is a prohibited use on Tracts 3, 15c, 32, and 49.

9. The following uses are prohibited uses of Tracts 11, 12, 38, 39, 82b, 83, 85, 86, 88, 91, 93b, 96, 101b, 102, 104, 105, and 106:

Service station	Off-site accessory parking

10. The following uses are prohibited uses of Tract 93a:

Automotive rentals	Automotive repair services
Automotive washing (of any type)	Business or trade school
Business support services	Commercial off-street parking
Drop-off recycling collection facilities	Exterminating services

Funeral services
Hotel-motel
Indoor sports and recreation
Outdoor entertainment
Pawn shop services
Research services
Restaurant (limited)
General retail sales (general)
Indoor entertainment
Medical offices (exceeds 5000 s.f.)
Outdoor sports and recreation
Personal improvement services
Restaurant (general)
Theater

11. The following uses are prohibited uses of Tract 99a:

Agricultural sales and services
Building maintenance services
Convenience storage
Laundry services
Plant nursery
Construction sales and services
Electronic prototype assembly
Equipment sales
Vehicle storage
Transitional housing
Art and craft studio (general)
Campground
Kennels
Monument retail sales
Custom manufacturing
Commercial blood plasma center
Equipment repair services
Maintenance and service facilities
Veterinary services
Transportation terminal

12. The following uses are prohibited uses of Tract 99b:

Agricultural sales and services
Building maintenance services
Convenience storage
Laundry services
Construction sales and services
Electronic prototype assembly
Equipment sales
Veterinary services
Transportation terminal
Art and craft studio (general)
Campground
Kennels
Monument retail sales
Commercial blood plasma center
Equipment repair services
Maintenance and service facilities
Transitional housing

13. Drive-in service is prohibited as an accessory use to commercial uses of Tracts 3, 11, 12, 15c, 38, 39, 82b, 83, 85, 86, 88, 90, 91, 93b, 96, 101b, 102, 104, 105, and 106.

14. The following uses are prohibited uses of Tract 101a:

Automotive rentals	Automotive repair services
Automotive washing (of any type)	Automotive sales
Business or trade school	Business support services
Commercial off-street parking	Communication services
Drop-off recycling collection facilities	Exterminating services
Funeral services	General retail sales (general)
Hospital services (general)	Hotel-motel
Indoor entertainment	Indoor sports and recreation
Outdoor entertainment	Outdoor sports and recreation
Pawn shop services	Personal improvement services
Research services	Theater

15. The following uses are conditional uses of Tract 101a:

Medical offices (exceeding 5000 sq. ft.)	Hospital services (limited)
Community recreation (private)	Community recreation (public)
Congregate living	Residential treatment

16. Private secondary educational facilities use is a prohibited use of Tract 107b.

17. The following uses are prohibited uses of Tract 94, 95, 97, 98, 99a, and 99b:

Drop-off recycling collection facility	Outdoor entertainment
Outdoor sports and recreation	Pawn shop services

18. The following uses are prohibited uses of Tract 90:

Custom manufacturing	Financial services
Off-site accessory parking	Pet services
Plant nursery	Service station

19. The following uses are conditional uses of Tract 90:

College and university facilities	Private secondary educational facilities

20. The following uses are conditional uses of Tracts 15c, 99a, and 99b:

Plant nursery	Custom manufacturing

21. The following uses are prohibited uses of Tract 3:

Agricultural sales and services	Automotive rentals
Automotive sales	Automotive washing (of any type)
Campground	Commercial blood plasma center
Commercial off-street parking	Convenience storage
Drop-off recycling collection facility	Equipment repair services
Equipment sales	Exterminating services
Kennels	Laundry services
Maintenance and service facilities	Monument retail sales
Off-site accessory parking	Outdoor entertainment
Outdoor sports and recreation	Pawn shop services
Service station	Vehicle storage

22. The following uses are prohibited uses of Tract 58:

Business or trade school	Business support services
Off-site accessory parking	Personal services
Restaurant (limited)	

23. The following uses are prohibited uses of Tract 47a:

Business or trade school	Business support services
Off-site accessory parking	Restaurant (limited)

24. The following conditions apply to Tracts 94, 95, 97, 98, 99a and 99b:

    A. The maximum height of a building or structure is 40 feet from ground level.

    B. A building or structure may not exceed a height of three stories.

25. The following condition applies to Tract 93a:

    There shall be no more than one driveway approach from Tract 93A to Koenig Lane and another to Woodrow Avenue.

26. The following conditions apply to Tract 90:

    A. The maximum height of a building or structure is 35 feet from ground level.

    B. The minimum interior side yard setback is five feet.

    C. The minimum rear yard setback if five feet.

    D. The maximum building coverage is 50 percent.

    E. The maximum impervious cover is 70 percent.

27. The following conditions apply to Tract 21:

    A. The maximum height of a building or structure is 30 feet from ground level.

    B. The maximum number of dwelling units is 12 units per acre.

28. The following conditions apply to Tract 47a:

    A. The maximum height of a building or structure is 40 feet from ground level.

    B. The minimum front setback is 25 feet.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 9. This ordinance takes effect on May 24, 2004.

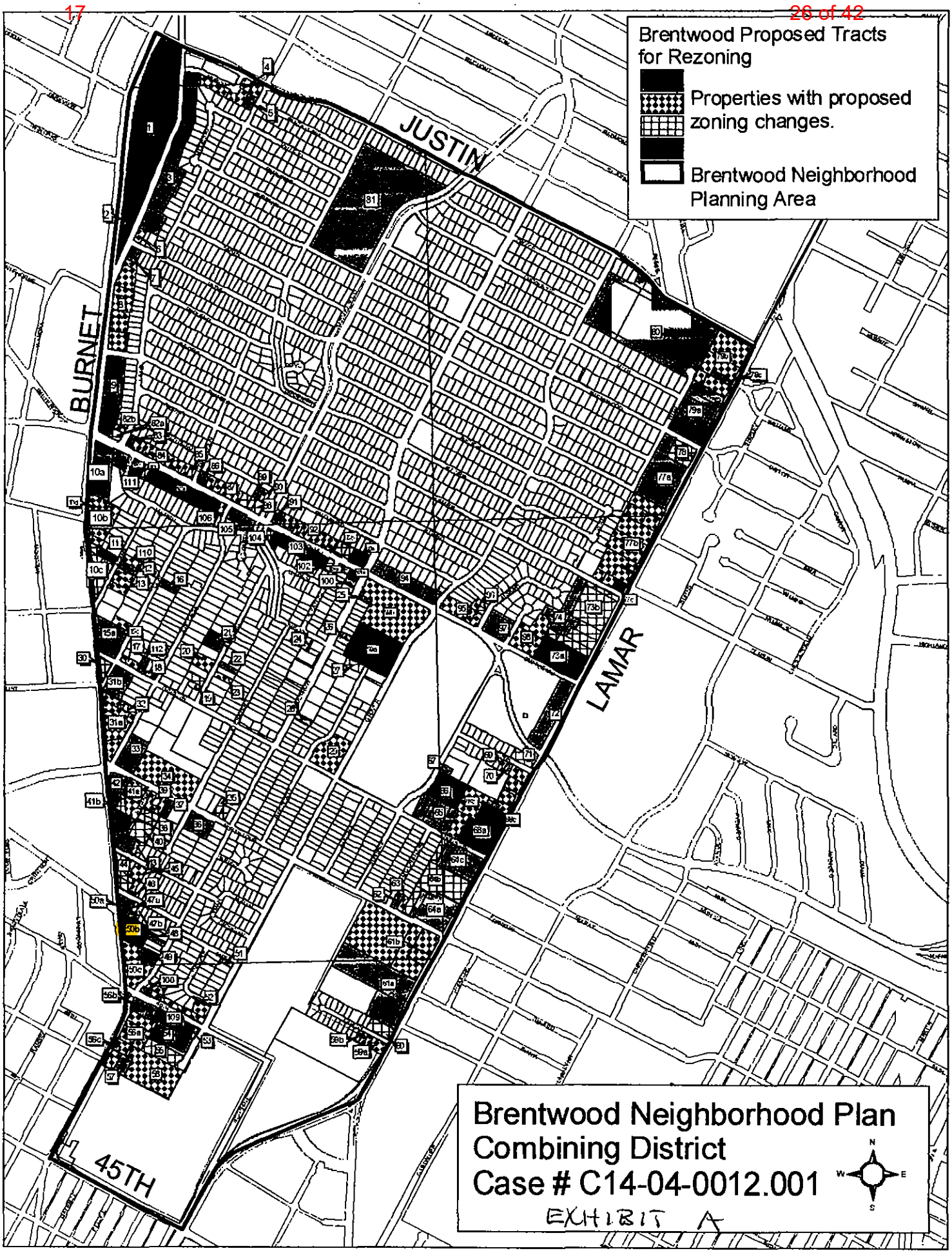
PASSED AND APPROVED

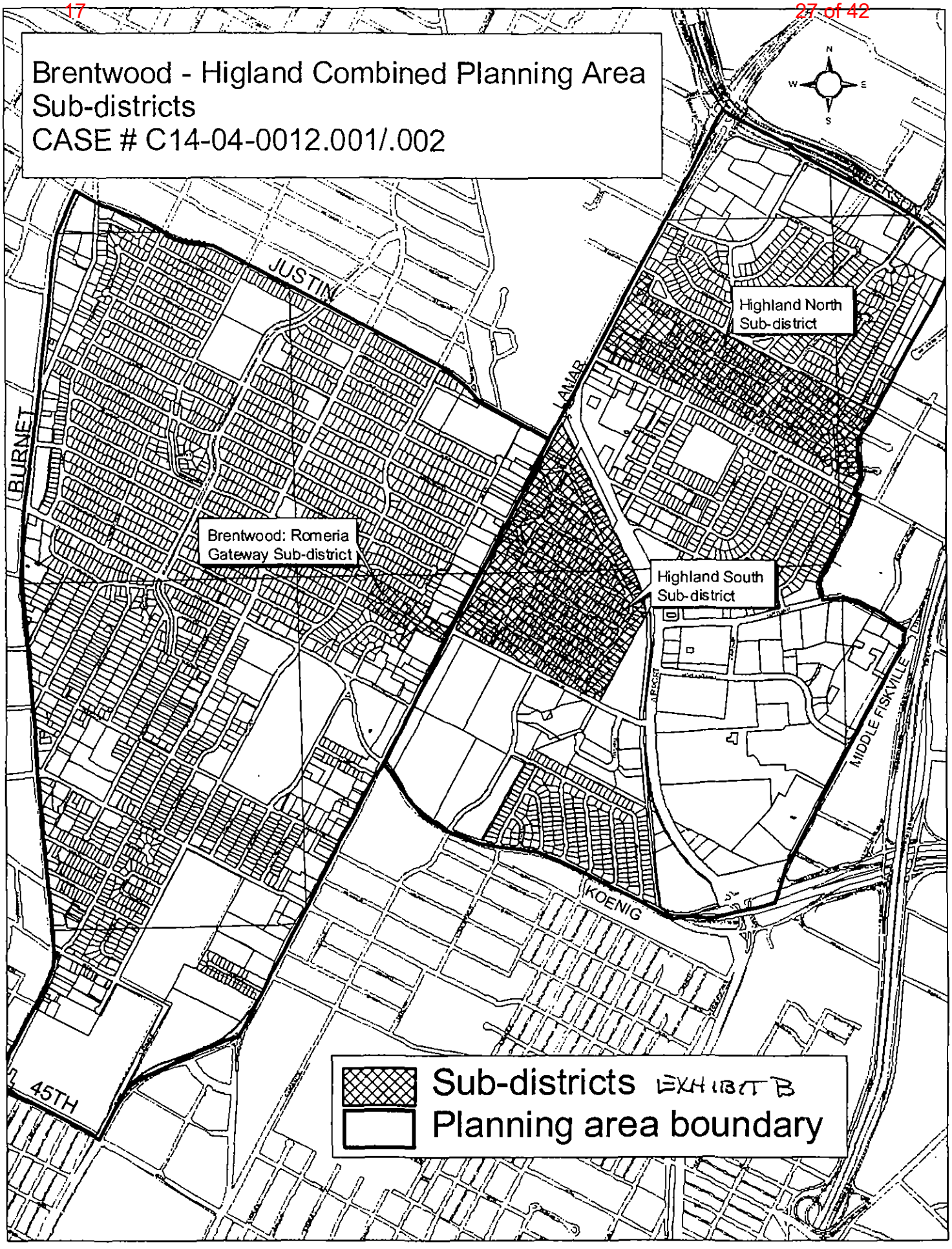
May 13, 2004 §§§

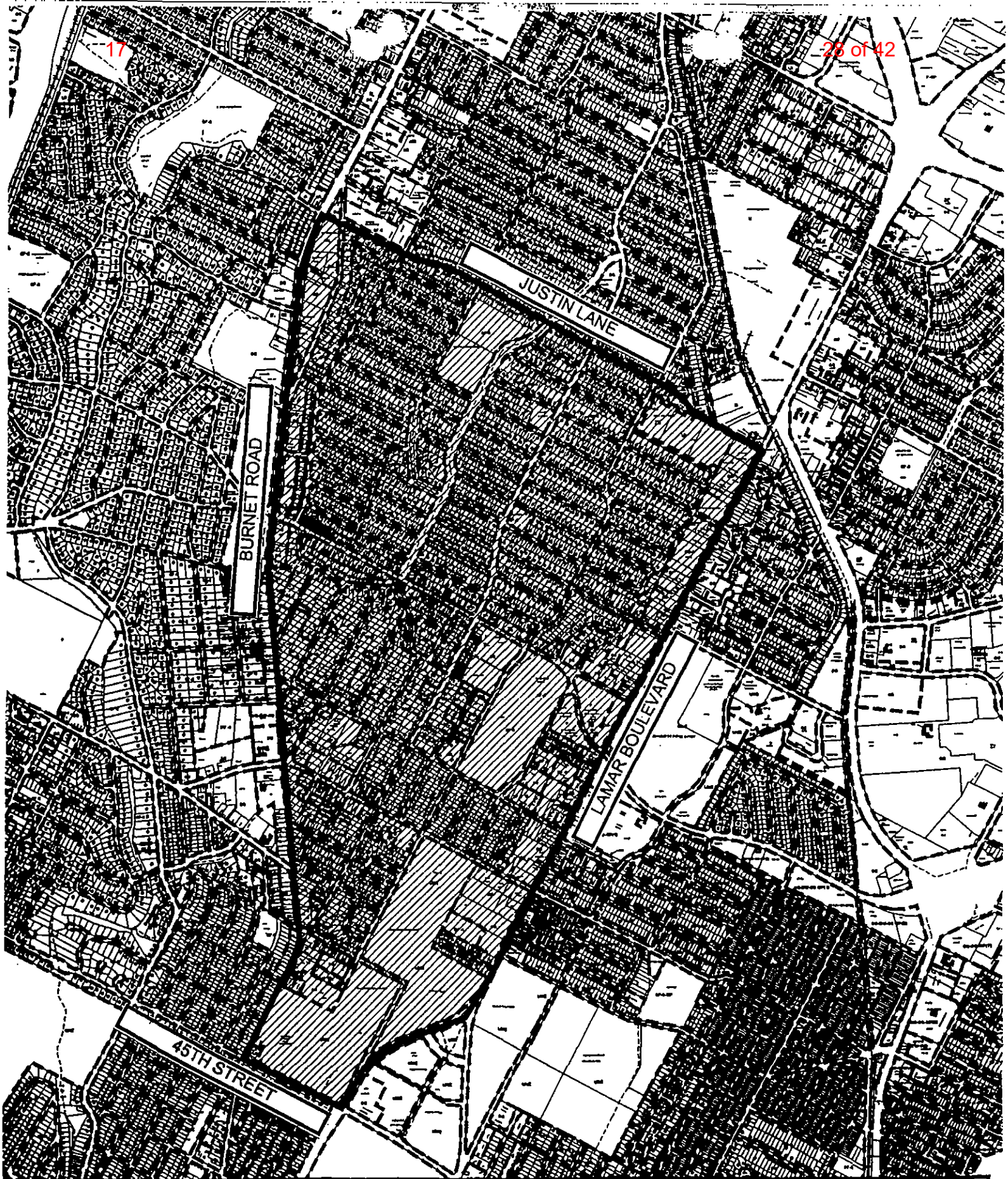
Will Wynn
Mayor

APPROVED: David Allan Smith
City Attorney

ATTEST: Shirley A. Brown
City Clerk


Brentwood Proposed Tracts for Rezoning
Properties with proposed zoning changes.
Brentwood Neighborhood Planning Area
JUSTIN
BURNET
LAMAR
45TH
Brentwood Neighborhood Plan Combining District
Case # C14-04-0012.001
EXHIBIT A
N
W
E
S


Brentwood - Higland Combined Planning Area
Sub-districts
CASE # C14-04-0012.001/.002
N
W
E
S
JUSTIN
LAMAR
BURNET
Highland North
Sub-district
Brentwood: Romeria
Gateway Sub-district
Highland South
Sub-district
MIDDLE FISKVILLE
KOENIG
45TH
Sub-districts
Planning area boundary
EXHIBIT B



N

1" = 1600'

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE MGR: A. BEAUDET

ZONING EXHIBIT C

CASE #: C14-04-0012.001

ADDRESS: BRENTWOOD NEIGHBORHOOD PLAN

DATE: 04-01

SUBJECT AREA (acres): N/A

INTLS: SM

CITY GRID REFERENCE NUMBER

J,K & L 26-2'

9

EXHIBIT D

FIELD NOTES

DESCRIPTION OF A 0.2688 ACRE TRACT LOCATED IN THE GEORGE SPEAR LEAGUE, IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF LOT 2, BLOCK 1, WALGREENS-YOM ADDITION, A SUBDIVISION OF RECORD IN BOOK 102, PAGE 347 OF THE PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAID 0.2688 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a ½-inch iron rod found in the west right-of-way (ROW) line of North Lamar Boulevard (ROW varies), same being the southeast corner of the said Lot 2, also being the northeast corner of Lot 1, St. Joseph Addition, a subdivision of record in Book 40, Page 5, Plat Records Travis County, Texas,, from which a ½ inch iron rod found bears, N29°46'43"E a distance of 200.01 feet, for the **POINT-OF-COMMENCING**;

THENCE with the common line of said Lot 2 and said Lot 1, N59°26'18"W a distance of 37.47 feet to a calculated point, from which a ½ inch iron rod found bears, N59°26'18"W a distance of 210.62 feet;

THENCE leaving said common line and crossing said Lot2, N30°33'42"E a distance of 12.14 feet, for the **POINT-OF-BEGINNING**;

THENCE crossing the said Lot 2, the following thirty-six (36) courses and distances:

1. N60°06'06"W a distance of 184.98 feet to a calculated point,
2. N29°59'28"E a distance of 58.92 feet to a calculated point,
3. S60°20'57"E a distance of 1.88 feet to a calculated point,
4. S20°52'10"W a distance of 0.53 feet to a calculated point,
5. S60°17'45"E a distance of 27.98 feet to a calculated point,
6. N26°49'52"E a distance of 0.44 feet to a calculated point,
7. S58°15'36"E a distance of 1.94 feet to a calculated point,
8. S28°59'54"W a distance of 0.42 feet to a calculated point,
9. S60°16'40"E a distance of 28.10 feet to a calculated point,
10. N32°32'42"E a distance of 0.44 feet to a calculated point,
11. S58°27'52"E a distance of 1.92 feet to a calculated point,
12. S32°33'08"W a distance of 0.48 feet to a calculated point,
13. S62°39'36"E a distance of 0.58 feet to a calculated point,
14. N74°52'37"E a distance of 20.42 feet to a calculated point,
15. N34°20'35"E a distance of 1.00 feet to a calculated point,
16. S60°09'55"E a distance of 26.88 feet to a calculated point,
17. S34°19'02"W a distance of 1.00 feet to a calculated point,
18. S15°23'05"E a distance of 13.43 feet to a calculated point,
19. S61°07'19"E a distance of 0.55 feet to a calculated point,
20. N28°20'15"E a distance of 0.46 feet to a calculated point,

21. S60°00'41"E a distance of 1.97 feet to a calculated point,
22. S29°06'25"W a distance of 0.44 feet to a calculated point,
23. S60°11'17"E a distance of 21.10 feet to a calculated point,
24. N23°07'18"E a distance of 0.36 feet to a calculated point,
25. S60°54'23"E a distance of 1.97 feet to a calculated point,
26. S31°17'21"W a distance of 0.48 feet to a calculated point,
27. S60°08'57"E a distance of 21.00 feet to a calculated point,
28. N30°15'36"E a distance of 0.43 feet to a calculated point,
29. S60°28'16"E a distance of 1.96 feet to a calculated point,
30. S29°18'26"W a distance of 0.45 feet to a calculated point,
31. S60°08'04"E a distance of 11.59 feet to a calculated point,
32. N32°41'09"E a distance of 0.43 feet to a calculated point,
33. S59°15'18"E a distance of 1.95 feet to a calculated point,
34. S30°08'04"W a distance of 8.93 feet to a calculated point,
35. S60°13'51"E a distance of 9.49 feet to a calculated point, and
36. S29°51'10"W a distance of 54.98 feet to the **POINT-OF-BEGINNING**, and containing 0.2688 acres of land, more or less.

BEARING BASIS: Found Hilti Nail and ½-inch iron rod with Terra Firma cap for the west line of Lot 2 Block 1, Walgreens-Yom Addition, a subdivision of record in Book 102, Page 347, Plat Records, Travis County, Texas. Held called bearing of N29°30'50"E.

I, John E Brautigam hereby certify that the foregoing description represents an on-the-ground survey performed under my direction and supervision during September 2003, and is true and correct to the best of my knowledge and belief.

3/1/04
Date

John E Brautigam
Registered Professional Land Surveyor
No. 5057-State of Texas

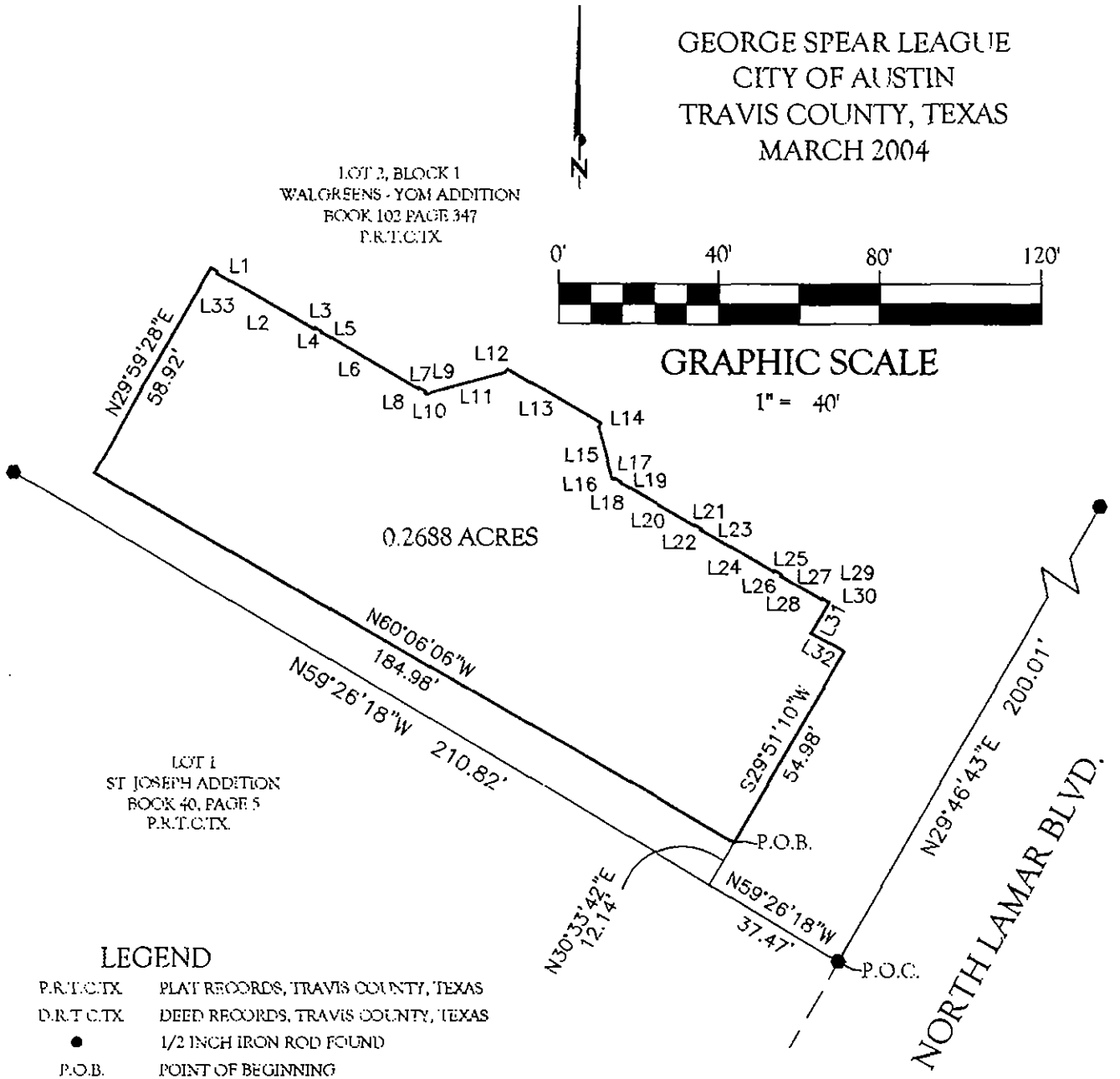
STATE OF TEXAS
REGISTERED
JOHN E BRAUTIGAM
5057
PROFESSIONAL
LAND SURVEYOR

Delta Survey Group, Inc.
8213 Brodie Lane Ste. 102
Austin, Texas 78745
(512) 282-5200

Tax Map No. 2 3109
Mapsco Quad: Page 108, Grid K28

LINE	BEARING	DISTANCE
L1	S20°52'10"W	0.53'
L2	S60°17'45"E	27.98'
L3	N26°49'52"E	0.44'
L4	S58°15'36"E	1.94'
L5	S28°59'54"W	0.42'
L6	S60°16'40"E	28.10'
L7	N32°32'42"E	0.44'
L8	S58°27'52"E	1.92'
L9	S32°33'08"W	0.48'
L10	S62°39'36"E	0.58'
L11	N74°52'37"E	20.42'
L12	N34°20'35"E	1.00'
L13	S60°09'55"E	26.88'
L14	S34°19'02"W	1.00'
L15	S15°23'05"E	13.43'
L16	S61°07'19"E	0.55'
L17	N28°20'15"E	0.46'
L18	S60°00'41"E	1.97'
L19	S29°06'25"W	0.44'
L20	S60°11'17"E	21.10'
L21	N23°07'18"E	0.36'
L22	S60°54'23"E	1.97'
L23	S31°17'21"W	0.48'
L24	S60°08'57"E	21.00'
L25	N30°15'36"E	0.43'
L26	S60°28'16"E	1.96'
L27	S29°18'26"W	0.45'
L28	S60°08'04"E	11.59'
L29	N32°41'09"E	0.43'
L30	S59°15'18"E	1.95'
L31	S30°08'04"W	8.93'
L32	S60°13'51"E	9.49'
L33	S60°20'57"E	1.88'

GEORGE SPEAR LEAGUE
CITY OF AUSTIN
TRAVIS COUNTY, TEXAS
MARCH 2004



LEGEND

P.R.T.C.TX.	PLAT RECORDS, TRAVIS COUNTY, TEXAS
D.R.T.C.TX.	DEED RECORDS, TRAVIS COUNTY, TEXAS
●	1/2 INCH IRON ROD FOUND
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING

SKETCH TO ACCOMPANY FIELD NOTES

Delta Survey Group Inc.
8213 Brodie Lane Ste. 102 Austin, TX. 78745
offices (512) 282-5200 fax (512) 282-5230
WWW.DELTASURVEYGROUP.COM

QUAD Austin East
PROJECT Centercross
DWG. BLDG-B-SKETCH 03-0104

© 2004 Delta Survey Group Inc.

EXHIBIT D

Memorandum

To: **Intake Division**

From: **Maureen Meredith, Senior Planner**
Housing and Planning Dept. (512-974-2695)

Date: **Feb. 9, 2022**

Subject: **5003 Burnet Rd.**

The above property is located within the Brentwood/Highland Combined Neighborhood Plan.

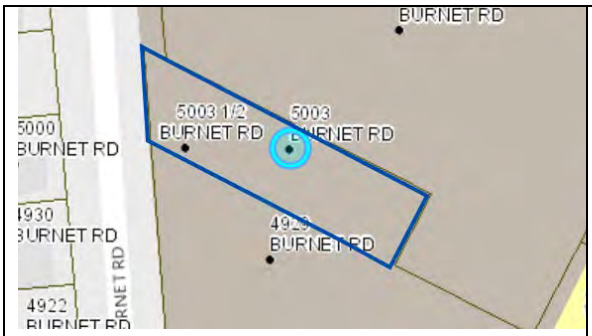
The zoning change request is from **CS-MU-CO-V-NP** to **CS-1-MU-V-CO-NP** for 3,000 sq. ft. of area.

The current land use on the future land use map is: **Mixed Use**.
The proposed land use is: **Mixed use**.

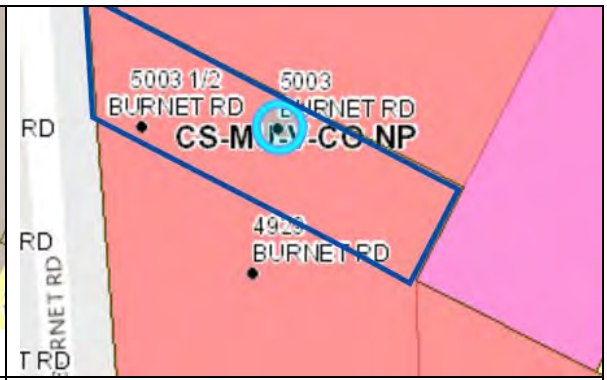
A plan amendment **is NOT** required.

Please call me if you have any questions.

Maureen



FLUM Map



Zoning Map

EXHIBIT E

PUBLIC HEARING INFORMATION

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However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

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Case Number: C14-2022-0120
Contact: Sherri Sirwaitis, 512-974-3057
Public Hearing: October 11, 2022, Planning Commission

SAIDA KAFAROVA
Your Name (please print)

☐ I am in favor
☑ I object

1300 HARRIET CT. AUSTIN TX 78756
Your address(es) affected by this application (optional)

Signature — 10-01-2022 *Date*

Daytime Telephone (Optional):

Comments: THE OLD BURNET ROAD HAD LOST ITS CHARM BY BEING FILLED WITH MODERN BORING BOXES. PLEASE THINK OF HOW TO MAKE AUSTIN BEAUTIFUL AND INTERESTING AND UNIQUE LIKE NYC, BOSTON AND OTHER CULTURAL CITIES. THESE NEW BUSINESSES ARE OUT THERE TO GET RICH — DON'T CARE ABOUT OUR CITY!
THANK YOU.

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department
Sherri Sirwaitis
P. O. Box 1088, Austin, TX 78767
Or email to:
sherri.sirwaitis@austintexas.gov

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Case Number: C14-2022-0120
Contact: Sherri Sirwaitis, 512-974-3057
Public Hearing: October 11, 2022, Planning Commission

Steve Wallace
Your Name (please print)

☑ **I am in favor**
☐ **I object**

4710 Sinclair Ave.
Your address(es) affected by this application (optional)

_____ _____
Signature *Date*

Daytime Telephone (Optional): _____

Comments: _____

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Case Number: C14-2022-0120
Contact: Sherri Sirwaitis, 512-974-3057
Public Hearing: October 11, 2022, Planning Commission

CHAD ORLICH
Your Name (please print)

☑ **I am in favor**
☐ **I object**

1415 NORTH ST AUSTIN 78756
Your address(es) affected by this application (optional)

Signature

10-4-2022
Date

Daytime Telephone (Optional): 512-740-0867

Comments: In Strong favor, this will improve our area. Cant wait for the change My wife and I are in favor

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department
Sherri Sirwaitis
P. O. Box 1088, Austin, TX 78767
Or email to:
sherri.sirwaitis@austintexas.gov

From:	Nathalie Frensley
To:	Azhar, Awais - BC; Llanes, Carmen - BC; Hempel, Claire - BC; Shieh, James - BC; Thompson, Jeffrey - BC; Schneider, Robert - BC; Shaw, Todd - BC; Mushtaler, Jennifer - BC; Howard, Patrick - BC; Praxis, Solveij - BC; Cox, Grayson - BC; Flores, Yvette - BC; Anderson, Greg - BC; Singh, Arati - BC; Sirwaitis, Sherri
Subject:	Item 18, C14-2022-0120 – 5003 Burnet Road, FOR Staff Recommendation to Rezone to CS-1-MU-V-CO-NP
Date:	Monday, October 10, 2022 2:40:25 PM
Attachments:	PC Item 18 - Support staff rec for CS-1-MU-V-CO-NP.pdf

*** External Email - Exercise Caution ***

To: Chair and Commissioner of the City of Austin Planning Commission; Ms. Sherri Sirwaitis

CC: Mr. Andrew Rivera

From: Nathalie Frensley, District 7

Re: Item 18, C14-2022-0120 - 5003 Burnet Road, FOR Staff Recommendation to Rezone to CS-1-MU-V-CO-NP

Dear Chair and Commissioners of the Planning Commission –

Please support Ms. Sherri Sirwaitis' recommendation and the applicant's willingness to rezone the tenant space at 5003 Burnet Road from CS-MU-V-CO-NP to CS-1-MU-V-CO-NP, which will allow for package liquor sales only.

We deeply appreciate Ms. Sirwaitis' and the applicant's sensitivity to early neighborhood concerns that the tenant space at 5003 Burnet could become a bar now or in the future. For those commissioners unfamiliar with that locale, the commercial area is organically developing into a medical and social services district, bounded by family residential with three daycares and three schools, creating a community area in which a bar/lounge would be a very inappropriate use.

Ally Medical Emergency Room is approximately 2/3 of a mile to the north and Eye Physicians of Austin, which is adjacent to 5003 Burnet, anchor this emerging medical district. Eye Physicians of Austin is a major ophthalmological and surgical facility, with many patients. Within .5 miles, the Texas School for the Blind and Visually Disabled is a major state health facility and school and many of its adult clients live close by 5003 Burnet Road. Both Allandale and Brentwood Neighborhood associations had early concerns about a bar and potentially inebriated patrons in an area with one of the highest concentrations of visually disabled pedestrians in Austin.

There is additional context supporting Ms. Sirwaitis' staff recommendation for package liquor sales only. Other Social services/senior citizen support are in proximity to this property, including the Dyslexia-Orton Dyslexia Society (.5 miles), Austin Crisis Center (.5 miles), and an eldercare residential facility (.3 miles). Campaigns for People is only 528' away from 5003 Burnet. Other medical offices and services are also in proximity (.5-.2 miles), including three doctors' offices and ATX Primary Care. A doctor's office and an optometrist are each only 528' away from 5003 Burnet.

There are three daycares within 1500' of 5003 Burnet, and the Truelove Montessori and Huntington-Surrey High School are in close proximity. Please vote to support Ms. Sirwaitis' recommendation to rezone to CS-1-MU-V-CO-NP, which will allow for package liquor sales only.

Sincerely,

Nathalie Frensley

--

Nathalie J. Frensley, Ph.D.
5601 Montview Street, Austin, TX 78756
512 589 9344
nathalie.frensley.civic@gmail.com

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From: KayMc
To: Sirwaitis, Sherri
Subject: case# c-14-2022-0129 Written Comments for Planning Commission
Date: Monday, October 10, 2022 3:58:15 PM
Attachments: image.jpg

*** External Email - Exercise Caution ***

Case Number: C14-2022-0120
Contact: Sherri Sirwaitis
Public Hearing: October 11, 2022, Planning Commission

From: Kay McAllister
1409 North St.
Austin, TX 78756

Comments:
The location is inappropriate for a liquor store, bar, nightclub, etc., as this is a quiet residential area. Next door is a respectable doctor and surgical facility. A block down at Burnet and North Loop is a liquor store in a strip center with plenty of space and parking. The traffic at the proposed zoning change location is already complex b/c of the Eye Physician's facility and proximity to a Mopac feeder road at the two lane Hancock Dr. There is a public library and fire station in the neighborhood which would be negatively impacted by the proposed zoning change.

I am against the proposed zoning change.

Sincerely,
Kay McAllister

Sent with Proton Mail secure email.

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Case Number: C14-2022-0120
Contact: Sherri Sirwaitis, 512-974-3057
Public Hearing: October 11, 2022, Planning Commission

Maura Navarro
Your Name (please print)

☐ I am in favor
☑ I object

5002 Woodrow Ave. Austin, TX 78756
Your address(es) affected by this application (optional)

Maura Navarro 10/10/2022
Signature *Date*

Daytime Telephone (Optional): 210-243-9455

Comments: I object to the proposal rezoning from CS to CS-1. This change would likely make the transition to a full bar at a future date. Such an establishment would not be compatible being adjacent to a residential neighborhood. Additionally, if this rezoning is granted the adjacent neighbors would like to request sound and privacy mitigation. This property is less than 500 feet from my residence and I'm concerned with the precedence this would set backing up to single family homes.

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department
Sherri Sirwaitis
P. O. Box 1088, Austin, TX 78767
Or email to:
sherri.sirwaitis@austintexas.gov

From: Camille Osborne
To: Sirwaitis, Sherri
Subject: 5003 Burnet Road Rezoning (C14-2022-0120)
Date: Wednesday, October 12, 2022 8:19:02 AM

*** External Email - Exercise Caution ***

Dear Sherri,
Thank you for your call a couple of weeks ago. I understand that yesterday's hearing on the property above was moved so I wanted to provide my comments below.

I object to the proposal rezoning from CS to CS1 for case number C14-2022-0120 (5003 Burnet Road). I understand that the plan is to place a liquor store or similar establishment on the property.

There are already at least three liquor stores within 1 mile of this address (Grove Liquor, King Liquor, Twin Liquor). There are several other bars or and convenient stores that focus on beer and wine sales within the immediate area (more than 10 within 1 mile). Providing yet another establishment focused on alcohol sales would not promote public health, safety, morals, or general welfare of our neighborhood and the residents and families in close proximity to the property.

"A number of studies have found that in and near neighborhoods where there is a high density of places that sell alcohol, there is a higher rate of violence. That is, when bars, liquor stores, and other businesses that sell alcohol are close together, more assaults and other violent crimes occur." Here is a link to a study synopsis from the Pacific Institute for Research and Evaluation, a nonprofit funded by NIH, entitled *"How Alcohol Sales Affect Neighborhood Violence."*

This property is less than 500 feet from my residence. There are several residential dwellings in close proximity to the property. Most of these homes house young children, pets and elderly who are already negatively impacted by crime, traffic and vagrants in our neighborhood. There is a high school and middle school within one mile of the property with students constantly walking in the area who could be negatively impacted as well. Our neighborhood has seen an uptick in crime recently (including violent crimes) and I am AGAINST rezoning this property when there is already a high density of high alcohol sales in the area. I believe that rezoning this property is unnecessary and irresponsible.

If this rezoning is granted the adjacent neighbors would like to request sound and privacy mitigation, traffic impact study and mitigation, as well as a public safety substation in the area. Please feel free to reach out if you have additional questions.
Thank you,
Camille Osborne
202.487.4878

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Case Number: C14-2022-0120
Contact: Sherri Sirwaitis, 512-974-3057
Public Hearing: October 11, 2022, Planning Commission

Wendy Bradley
Your Name (please print)

☐ **I am in favor**
☒ **I object**

5105 Woodrow Ave, Austin TX
Your address(es) affected by this application (optional)

W. Bradley — Oct. 5 2022
Signature — *Date*

Daytime Telephone (Optional): _____

Comments: This is not what a quiet, safe neighborhood needs or wants. If approved, this is a shameless way for the city of Austin to collect more taxes at the expense of the safety and character of their neighborhood. This establishment should find a lease that has already been zoned appropriately

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Sherri Sirwaitis
P. O. Box 1088, Austin, TX 78767
Or email to:
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