

ORDINANCE NO. 20110428-063

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5011 BURNET ROAD IN THE BRENTWOOD NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO GENERAL OFFICE-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GO-MU-CO-NP) 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 family residence-neighborhood plan (SF-3-NP) combining district to general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2010-0025, on file at the Planning and Development Review Department, as follows:

A 0.559 acre tract of land, more or less, out of the George W. Spear League, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 5011 Burnet Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. Except as specifically provided in Part 3 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the general office (GO) base district, the mixed use combining district, and other applicable requirements of the City Code.

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

- A. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

B. Vehicular access from the Property to Woodrow Avenue is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

C. The following uses are prohibited uses of the Property:

Business or trade school
Communication services
Off-site accessory parking
Personal services
Restaurant (limited)
Club or lodge
Cultural services
Hospital services (general)

Business support services
Medical offices (not exceeding 5000
sq.ft. of gross floor area)
Printing & publishing
Special use historic
Convalescent services
Guidance services


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

PART 5. This ordinance takes effect on May 9, 2011.

PASSED AND APPROVED

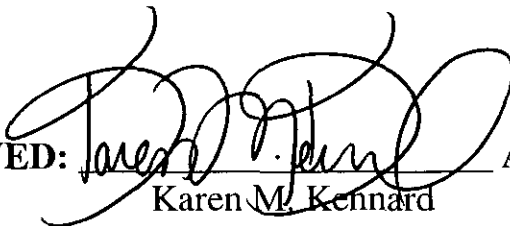
_____, April 28, 2011

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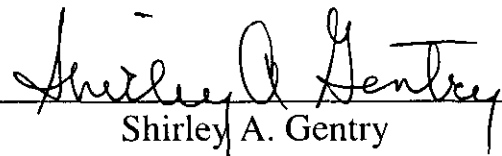
Lee Leffingwell
Mayor

APPROVED:



Karen M. Kennard
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

0.559 ACRE
WOODROW AVENUE
EYE PHYSICIANS OF AUSTIN

EXHIBIT A

FN. NO. 11-080 (KWA)
MARCH 15, 2011
BPI JOB NO. 1859-02

DESCRIPTION

OF A 0.559 ACRE TRACT OF LAND OUT OF THE GEORGE W. SPEAR LEAGUE, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING OUT OF BLOCK 27, WALLING PLACE, A SUBDIVISION OF RECORD IN VOLUME 3, PAGE 14A OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAME BEING A PORTION OF THAT CERTAIN 1.31 ACRE TRACT OF LAND AND THAT CERTAIN 0.28 ACRE OF LAND BOTH HAVING BEEN CONVEYED TO EP AUSTIN PROPERTIES, L.P., BY DEED OF RECORD IN DOCUMENT NO. 2006232188, ALSO BEING A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO ROBERT ROCK, BY DEED OF RECORD IN DOCUMENT NO. 2006161157, AND ALSO BEING A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO GEORGE C. THORNE, JR., BY DEED OF RECORD IN DOCUMENT NO. 2005240243, ALL OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.559 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a 1/2 inch iron rod found at the southeasterly corner of Lot 1, A.F. Smith Addition, a subdivision of record in Volume 3, Page 137 of said Plat Records, being a point in the westerly right-of-way line of Woodrow Avenue (R.O.W. varies), for the northeasterly corner of said 0.28 acre tract and said Block 27;

THENCE, N62°29'38"W, leaving said westerly right-of-way line of Woodrow Avenue, along the southerly line of said A.F. Smith Addition, being the northerly line of said 0.28 acre tract and said Block 27, a distance of 83.91 feet to the **POINT OF BEGINNING** and northeasterly corner hereof;

THENCE, S28°08'07"W, leaving the southerly line of said A.F. Smith Addition, over and across said Block 27, for the easterly line hereof, a distance of 223.71 feet to a point in the northerly line of that certain 1.582 acre tract conveyed to Assistance League of Austin Texas, Inc., by Deed of record in Document No. 2004053960 of said Official Public Records, being the southerly line of said George C. Thorne Jr. tract, for the southwesterly corner hereof, from which a 1/2 inch iron rod found in the westerly right-of-way line of Woodrow Avenue, being the northeasterly corner of said 1.582 acre tract of land and said George C. Thorne, Jr. tract of land bears, S62°27'24"E, a distance of 86.63 feet;

THENCE, N62°27'24"W, along the northerly line of said 1.582 acre tract, being the southerly line of said George C. Thorne tract of land, for the southerly line hereof, a distance of 108.20 feet to a 1 inch iron pipe found at the northeasterly corner of that certain tract of land conveyed to Helen Jean Youngblood, by Deed of record in Document No. 2003097481 of said Official Public Records, being the southeasterly corner of that certain tract of land conveyed to Harry Evans by Deed of record in Volume 5536, Page 89 of the Deed Records of Travis County, Texas, for the southwesterly corner of said George C. Thorne Jr. tract and hereof;

FN 11-080(KWA)
MARCH 15, 2011
PAGE 2 OF 2

THENCE, N27°49'41"E, leaving the northwesterly corner of said 1.582 acre tract of land, in part along the easterly line of said Harry Evans tract, in part over and across said 1.31 acre tract of land and in part along the easterly line of said 1.31 acre tract of land and in part along the westerly line of said George C. Thorne Jr. tract and said Robert Rock tract and said 0.28 acre tract of land, for the westerly line hereof, a distance of 223.63 feet to a calculated point in the southerly line of Lot 4 of said A.F. Smith Addition, being the northerly line of said Block 27 and the northwesterly corner of said 0.28 acre tract of land, for the northwesterly corner hereof;

THENCE, S62°29'38"E, along the southerly line of said A.F. Smith Addition, being the northerly line of said 0.28 acre tract of land and the northerly line of said Block 27, for the northerly line hereof, a distance of 109.40 feet to the **POINT OF BEGINNING**, containing an area of 0.559 acre (24,334 square feet) of land, more or less, within these metes and bounds.

BEARING BASIS: THE BASIS OF BEARING IS THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(93), REFERENCED TO THE CITY OF AUSTIN CONTROL MONUMENTS CB01, CB02, CB55 and CB57.

I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS DESCRIPTION.

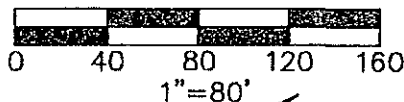
BURY & PARTNERS, INC.
ENGINEERS-SURVEYORS
221 WEST SIXTH STREET, SUITE 600
AUSTIN, TEXAS 78701

Mark J. Jezisek 3/15/2011
MARK J. JEZISEK, R.P.L.S.
NO. 5267
STATE OF TEXAS



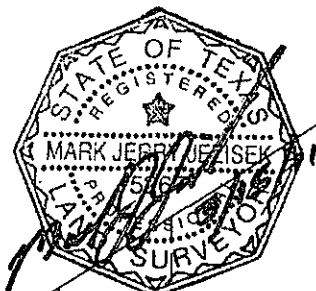
LEGEND

- 1/2" IRON ROD FOUND
- ⊙ 1" IRON PIPE FOUND
- ⊗ CUT "X" IN CONCRETE FOUND
- CALCULATED POINT
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- (XXX) RECORD DEED INFORMATION



LINE TABLE

LINE	BEARING	LENGTH
L1	S28°08'07"W	223.71



HELEN JEAN YOUNGBLOOD
DOCUMENT NO. 2003097481

BLOCK 28.
WALLING PLACE
VOLUME 3, PAGE 14A

1.582 ACRES
ASSISTANCE LEAGUE OF
AUSTIN TEXAS, INC.
DOCUMENT NO. 2004053960

BURNET ROAD
(60' R.O.W.)

N62°27'24"W 190.53'
(N60°00'00"W 190.38')
HARRY EVANS
VOLUME 5536, PAGE 89
DEED LINE

1.31 ACRES
EP AUSTIN PROPERTIES, L.P.
DOCUMENT NO. 2006232188

BLOCK 27
WALLING PLACE
VOLUME 3, PAGE 14A

N27°49'41"E 223.63'

DEED LINE

DEED LINE

(N60°17'46"W 194.71')
N62°27'24"W
108.20'

GEORGE C. THORNE, JR.
DOCUMENT NO. 2005240243
DEED LINE

1.31 ACRES
EP AUSTIN PROPERTIES, L.P.
DOCUMENT NO. 2006232188
DEED LINE

ROBERT ROCK
DOCUMENT NO. 2006161157
DEED LINE

0.28 ACRE
EP AUSTIN PROPERTIES, L.P.
DOCUMENT NO. 2006232188
DEED LINE

S62°29'38"E
109.40'

LOT 4

LOT 3

LOT 2

P.O.B.

LOT 1

P.O.C.

(S27°31'35"W 126.16')
S27°32'01"W 126.16'

560 SQUARE FEET
CITY OF AUSTIN
VOL. 3448, PG. 513

WOODROW AVENUE
(R.O.W. VARIES)

S62°33'39"E
50.18'

BEARING BASIS:

THE BEARING BASIS OF THE SURVEY SHOWN HEREON, IS THE TEXAS COORDINATE SYSTEM, NAD 83, CENTRAL ZONE REFERENCED TO CITY OF AUSTIN MONUMENTS CB01, CB03, CB55 AND CB57.

N27°26'21"E
3.49'

LOT 9

LOT 8

LOT 7

LOT 6

LOT 5

LOT 4

LOT 3

LOT 2

P.O.B.

LOT 1

P.O.C.

S62°33'39"E
50.18'

A.F. SMITH ADDITION
A SUBDIVISION OF BLOCKS 10, 25, 26 AND 27
WALLING PLACE
VOLUME 3, PAGE 137

Bury+Partners

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SKETCH TO ACCOMPANY DESCRIPTION

OF A 0.559 ACRE TRACT OF LAND OUT OF THE GEORGE W. SPEAR LEAGUE SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF BLOCK 27, WALLING PLACE, A SUBDIVISION OF RECORD IN VOLUME 3, PAGE 14A OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

**EYE PHYSICIANS
OF AUSTIN**

DATE: 03/15/11

FILE: H:\1859\02\185902EX4.DWG

FN No.: 11-080(KWA)

DRAWN BY: KWA

PROJ. No: 1859-02

