

ORDINANCE NO. _____

1 AN ORDINANCE AMENDING ORDINANCE NO. 20090312-035 FOR THE
2 NORTH BURNET/GATEWAY ZONING DISTRICT TO MODIFY THE
3 REGULATING PLAN, REZONING AND CHANGING THE ZONING MAP FROM
4 NORTH BURNET/GATEWAY-NEIGHBORHOOD PLAN (NBG-NP) COMBINING
5 DISTRICT (COMMERCIAL MIXED USE SUBDISTRICT) TO NORTH
6 BURNET/GATEWAY-NEIGHBORHOOD PLAN (NBG-NP) COMBINING
7 DISTRICT (COMMERCIAL MIXED USE-GATEWAY ZONE SUBDISTRICT)
8 FOR THE PROPERTY LOCATED AT 10401 ½, 10431, 10435, 10505, AND 10509
9 BURNET ROAD.

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

12
13 **PART 1.** The North Burnet/Gateway zoning district is comprised of approximately 1,443
14 acres of land, locally known as the area generally bounded by Metric Boulevard on the
15 east, U.S. Highway 183 on the south and west, and Braker Lane, North Mopac
16 Expressway, and Walnut Creek on the north and northwest, in the City of Austin, Travis
17 County, Texas.

18
19 **PART 2.** The North Burnet/Gateway zoning district was approved on March 12, 2009,
20 under Ordinance No. 20090312-035 and amended under Ordinance Nos. 20111208-098,
21 20120322-088, 20130425-104, 20140828-159, 20180628-088, 20190207-057, and
22 20201210-073.

23
24 **PART 3.** The zoning map established by Section 25-2-191 of the City Code is amended to
25 change the base district from north burnet/gateway-neighborhood plan (NBG-NP)
26 combining district (commercial mixed use subdistrict) to north burnet/gateway-
27 neighborhood plan (NBG-NP) combining district (commercial mixed use-gateway zone
28 subdistrict) on the property described in Zoning Case No. C14-2021-0101, on file at the
29 Housing and Planning Department, as follows:

30
31 Lots 1 and 2, HURRICANE STEEL INDUSTRIAL SUBDIVISION, a subdivision
32 in the City of Austin, Travis County, Texas, according to the map or plat thereof
33 recorded in Volume 71, Page 63, Plat Records of Travis County, Texas, and

34
35 Lot 4, HODGES INDUSTRIAL SUBDIVISION, a subdivision in the City of
36 Austin, Travis County, Texas, according to the map or plat thereof recorded in
37 Volume 31, Page 39, Plat Records of Travis County, Texas, and

1 Lot B, HODGES INDUSTRIAL SUBDIVISION SECTION THREE, a
2 subdivision in the City of Austin, Travis County, Texas, according to the map or
3 plat thereof recorded in Volume 79, Page 367, Plat Records of Travis County,
4 Texas, and

5
6 Lot A, HODGES INDUSTRIAL SUBDIVISION SECTION TWO, a subdivision
7 in the City of Austin, Travis County, Texas, according to the map or plat thereof
8 recorded in Volume 79, Page 366, Plat Records of Travis County, Texas, and
9

10 A 0.8756 acre (38,142 square feet) of land, out of T.J. Chambers Survey, Abstract
11 No. 7, Travis County, Texas, said 0.8756 acre of land being more particularly
12 described by metes and bounds in **Exhibit “A”** incorporated into this ordinance
13 (cumulatively referred to as the “Property”),
14

15 locally known as 10401 ½, 10431, 10435, 10505, and 10509 Burnet Road, in the City of
16 Austin, Travis County, Texas, and generally identified in the map attached as **Exhibit “B”**.
17

18 **PART 4.** The Regulating Plan for the North Burnet/Gateway Zoning District (the
19 “Regulating Plan”) identified and defined subdistricts within the plan area and established
20 boundaries for each subdistrict. Currently, the Property is within the commercial mixed-use
21 (CMU) subdistrict as shown on **Exhibit “C”**. Figure 1-2 of the Regulating Plan depicting
22 the boundaries of the commercial mixed use-gateway zone (CMU-Gateway Zone)
23 subdistrict is amended to include the entire Property as shown on **Exhibit “D”**.
24

25 **PART 5.** Figure 4-3 of the Regulating Plan is amended to make the Property eligible for
26 maximum floor-to-area ratio (FAR) allowed with a development bonus, with a maximum
27 FAR of 8:1, as shown in **Exhibit “E”**.
28

29 **PART 6.** Figure 4-5 Regulating Plan is amended to make the Property eligible for
30 maximum height allowed with a development bonus, with a maximum height of 308 feet, as
31 shown on **Exhibit “F”**.
32

33
34 **PART 7.** Figure 1-2, Figure 4-3, and Figure 4-5 attached as Exhibits “D” through “F”, are
35 incorporated into the Regulating Plan, and the revised figures shall be substituted where
36 appropriate in the Regulating Plan documents.
37

38 **PART 8.** Except as set forth in Parts 4 through 7 of this Ordinance, the Property is subject
39 to the terms and conditions of Ordinance No. 20090312-035, as amended.
40

PART 9. This ordinance takes effect on _____, 2021.

PASSED AND APPROVED

_____, 2021 § _____
 § _____
 § _____
Steve Adler
Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan Jannette S. Goodall
City Attorney City Clerk

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.8756 ACRE (38,142 SQUARE FEET) OUT OF T.J. CHAMBERS SURVEY, ABSTRACT NO. 7, TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 0.8757 ACRE (DESCRIBED AS PARCEL TWO) PORTION OF LOT 1 OF HODGES INDUSTRIAL SUBDIVISION, RECORDED IN VOLUME 31, PAGE 39 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.T.), CONVEYED TO 27 REAL ESTATE VENTURES, L.P., IN DOCUMENT NO. 2020256373 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), SAID 0.8756 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:



TBPLS Firm #10174300
PO Box 90876
Austin, TX 78709
512.537.2384
www.4wardls.com

BEGINNING, at a PK nail found in the east right-of-way line of Burnet Road (aka Farm to Market 1325, 120' right-of-way), and being the northwest corner of Lot A of Hodges Industrial Subdivision Section Two, recorded in Volume 79, Page 366 (P.R.T.C.T.), and being the southwest corner of said 0.8757 acre 27 Real Estate Ventures tract, for the southwest corner and **POINT OF BEGINNING** hereof;

THENCE, with the east right-of-way line of said Burnet Road and the west lines of said 0.8757 acre 27 Real Estate Ventures tract and Lot 1 of said Hodges Industrial Subdivision, **N15°03'43"E**, a distance of **214.04** feet to a 1/2-inch iron pipe found for the northwest corner hereof, said point being at the intersection of the east right-of-way line of said Burnet Road with the southwest line of an abandoned tract owned by the Texas & New Orleans Railroad (described as a 50'-wide railroad spur right-of-way in Volume 688, Page 512 of the Deed Records of Travis County, Texas (D.R.T.C.T.)) and being the northwest corner of said 0.8757 acre 27 Real Estate Ventures tract and Lot 1 of said Hodges Industrial Subdivision;

THENCE, leaving the east right-of-way line of said Burnet Road, with the southwest line of said Texas & New Orleans tract and the east lines of said 0.8757 acre 27 Real Estate Ventures tract and Lot 1 of said Hodges Industrial Subdivision, the following two (2) courses and distances:

- 1) Along the arc of a curve to the right, having an arc length of **336.87** feet, having a radius of **548.57** feet, and a chord that bears **S39°50'54"E**, a distance of **331.60** feet to a 1/2-inch iron rod found for a point of tangency hereof, and
- 2) **S22°18'01"E**, a distance of **29.63** feet to a 1/2-inch iron rod found for the southeast corner hereof, said point being at the common east corner of Lot A of said Hodges Industrial Subdivision Section Two and said 0.8757 acre 27 Real Estate Ventures tract, from which a 1/2-inch iron rod found in the southwest line of said Texas & New Orleans tract, and being at the common east corner of Lot B of Hodges Industrial Subdivision Section Three, recorded in Volume 79, Page 367 (P.R.T.C.T.), and Lot A of said Hodges Industrial Subdivision Section Two bears, **S22°18'01"E**, a distance of **129.01** feet;

THENCE, leaving the southwest line of said Texas & New Orleans tract and the east line of Lot 1 of said Hodges Industrial Subdivision, with the common line of Lot A of said Hodges Industrial Subdivision Section Two and said 0.8757 acre 27 Real Estate Ventures tract, **N74°54'44"W**, a distance of **289.31** feet to the **POINT OF BEGINNING**, and containing 0.8756 acre (38,142 square feet) of land, more or less.

NOTE:

All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203), all distances were adjusted to surface using a combined scale factor of 1.000099502563. See attached map (reference drawing: 01208 zoning.dwg).

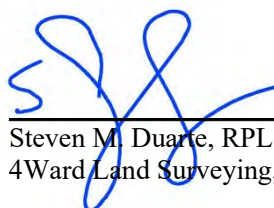
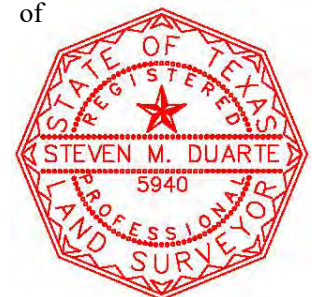

9/7/21
Steven M. Duarte, RPLS #5940
4Ward Land Surveying, LLC

Exhibit A



BURNET ROAD (AKA FM 1325) (120' R.O.W.)

{N16°59'04"E 214.00'}
{N16°59'00"E 214.06'}
N15°03'43"E 214.04'

(25' B.L.)

P.O.B.

GRID N: 10114941.91
GRID E: 3119750.14

CALLED 0.8757 ACRE
(DESCRIBED AS
PARCEL TWO)
27 REAL ESTATE
VENTURES, LP
DOC. NO. 2020256373
O.P.R.T.C.T.
(PORTION OF LOT 1
HODGES INDUSTRIAL
SUBDIVISION
VOL. 31, PG. 39,
P.R.T.C.T.)

LOT A
HODGES
INDUSTRIAL
SUBDIVISION
SECTION TWO
VOL. 79, PG. 366
P.R.T.C.T.

OWNER:
27 REAL
ESTATE
VENTURES LP
DOC. NO.
2020256373
O.P.R.T.C.T.

(N72°58'00"W 289.24')
{N72°57'25"W 289.13'}
N74°54'44"W 289.31'

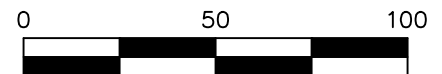
0.8756 ACRE(S)
38,142 SQUARE FEET

L=336.87' D=35°11'03"
S39°50'54"E 331.60'
{L=336.86' D=35°11'00"}
{S37°55'12"E 331.59'}

L1
{L1}

S22°18'01"E 129.01'
(S20°20'E 128.92')
TEXAS & NEW ORLEANS
RAILROAD (ABANDONED)
VOL. 688, PG. 512, D.R.T.C.T.

T. J. CHAMBERS'
SURVEY
ABSTRACT NO. 7



GRAPHIC SCALE: 1" = 50'

**0.8756 ACRE
ZONING EXHIBIT
City of Austin,
Travis County, Texas**



PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TBPELS FIRM #10174300

Date:	9/7/2021
Project:	01208
Scale:	1" = 50'
Reviewer:	SMD
Tech:	CC
Field Crew:	SV/-
Survey Date:	APR. 2021
Sheet:	1 OF 2

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S22°18'01"E	29.63'

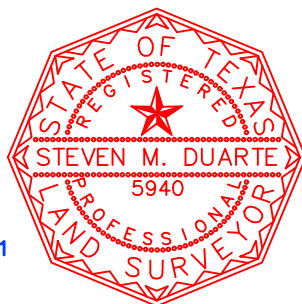
RECORD LINE TABLE		
LINE #	DIRECTION	LENGTH
{L1}	S20°01'09"E	29.62'

[A]
 LOT B
 HODGES INDUSTRIAL
 SUBDIVISION
 SECTION THREE
 VOL. 79, PG. 367
 P.R.T.C.T.
 OWNER: 27 REAL ESTATE
 VENTURES L.P.
 DOC. NO. 2020256373
 O.P.R.T.C.T.

LEGEND

	PROPOSED BOUNDARY LINE
	EXISTING PROPERTY LINES
	EXISTING EASEMENTS
	1/2" IRON ROD FOUND (UNLESS NOTED)
	1/2" IRON PIPE FOUND (UNLESS NOTED)
	CALCULATED POINT
	PK NAIL FOUND
B.L.	BUILDING LINE
P.O.B.	POINT OF BEGINNING
P.U.E.	PUBLIC UTILITY EASEMENT
VOL./PG.	VOLUME, PAGE
DOC. NO.	DOCUMENT NUMBER
R.O.W.	RIGHT-OF-WAY
P.R.T.C.T.	PLAT RECORDS, TRAVIS COUNTY, TEXAS
D.R.T.C.T.	DEED RECORDS, TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
(.....)	RECORD INFORMATION PER PLAT VOL. 79, PG. 366
<.....>	RECORD INFORMATION PER PLAT VOL. 79, PG. 367
{.....}	RECORD INFORMATION PER DEED DOC. NO. 2020256373

9/7/2021



NOTES:

1) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000099502563.

2) SEE ATTACHED METES AND BOUNDS DESCRIPTION.

0.8756 ACRE
ZONING EXHIBIT
City of Austin,
Travis County, Texas



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Sheet:	2 OF 2

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

Revised 08-08-19

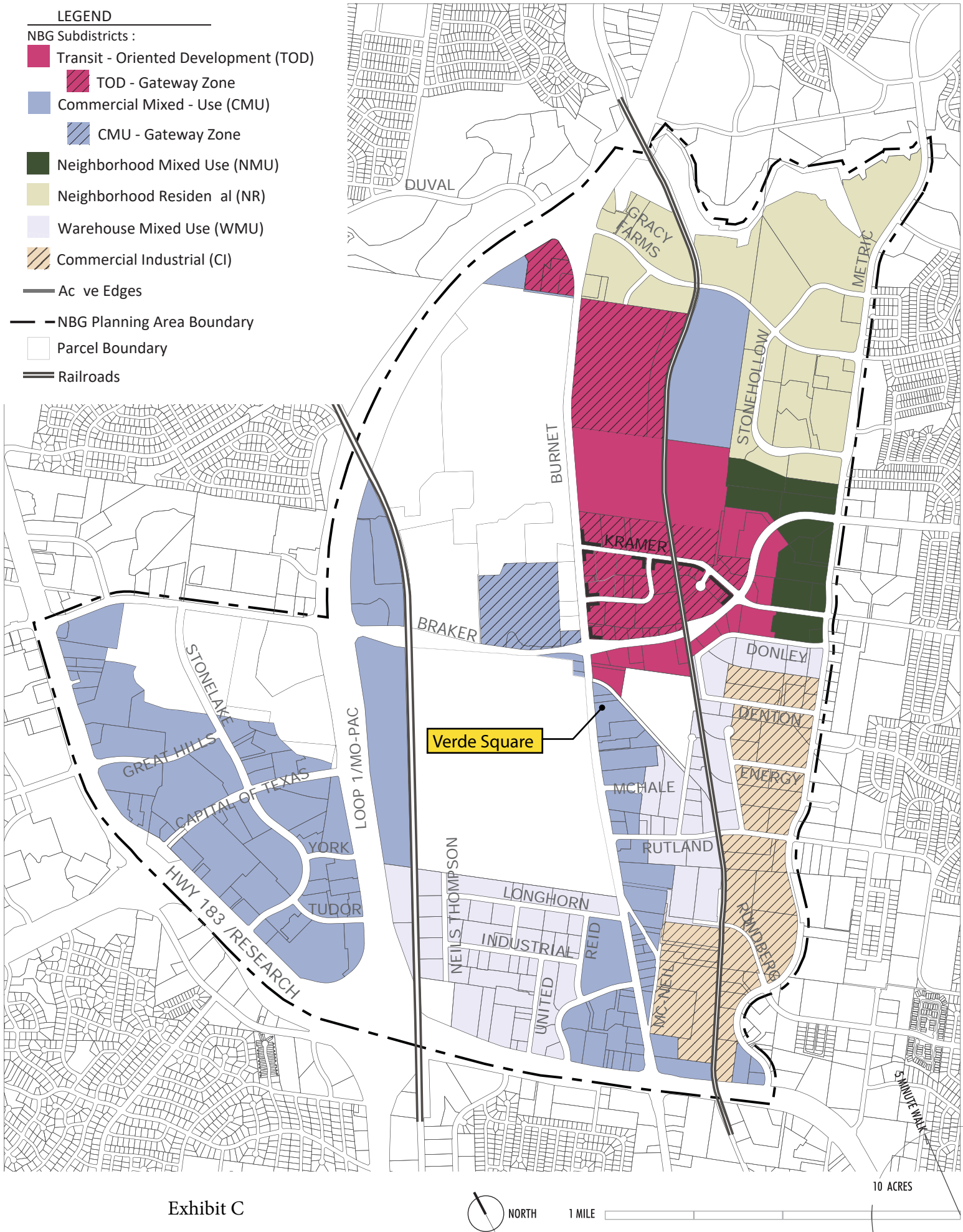


Figure 1 - 2 : North Burnet / Gateway (NBG) Zoning District Subdistrict Map

Revised 08-08-19

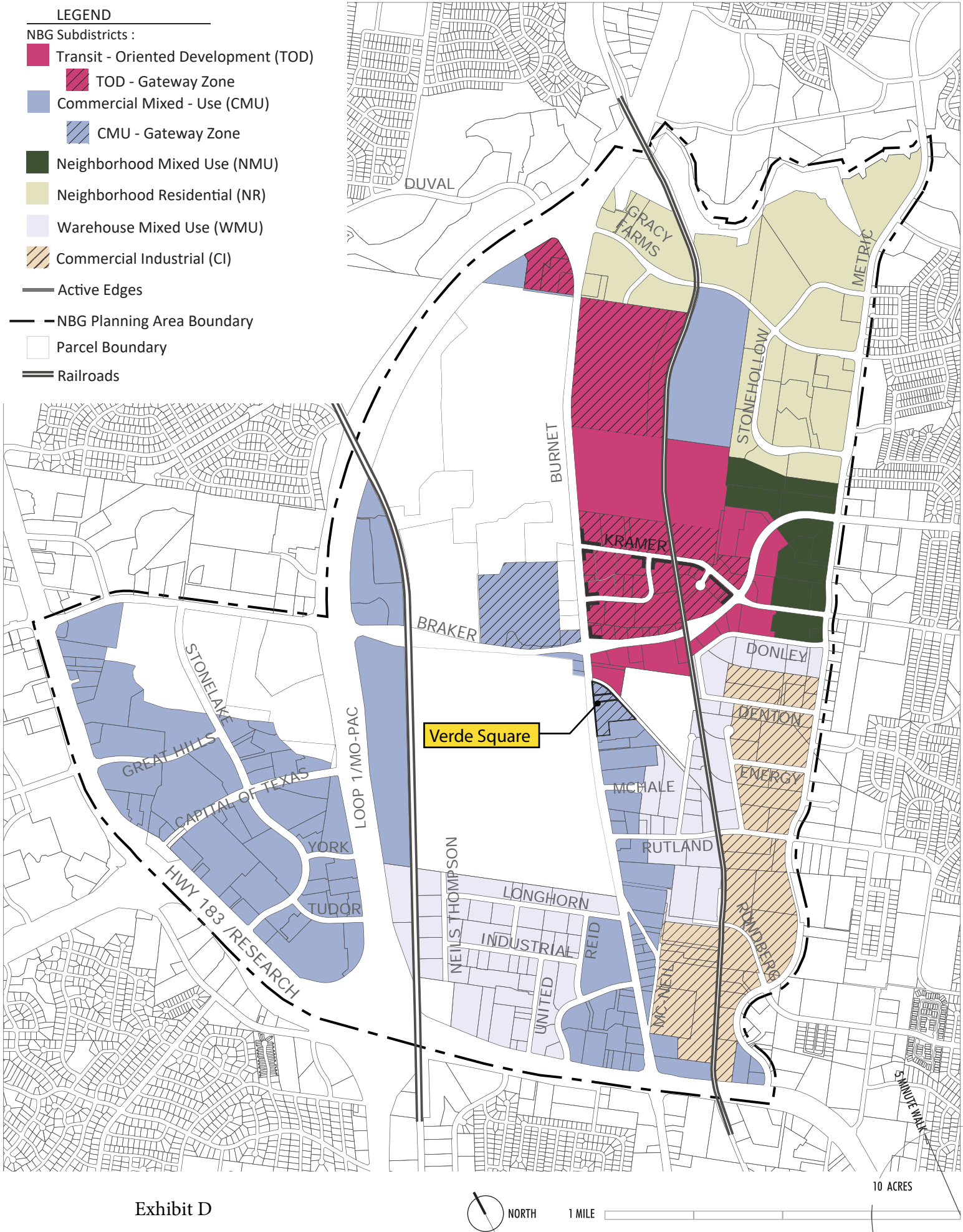


Figure 4-3 : Maximum Floor - to - Area- Ratio (FAR) with Development Bonus

Revised 08-08-19

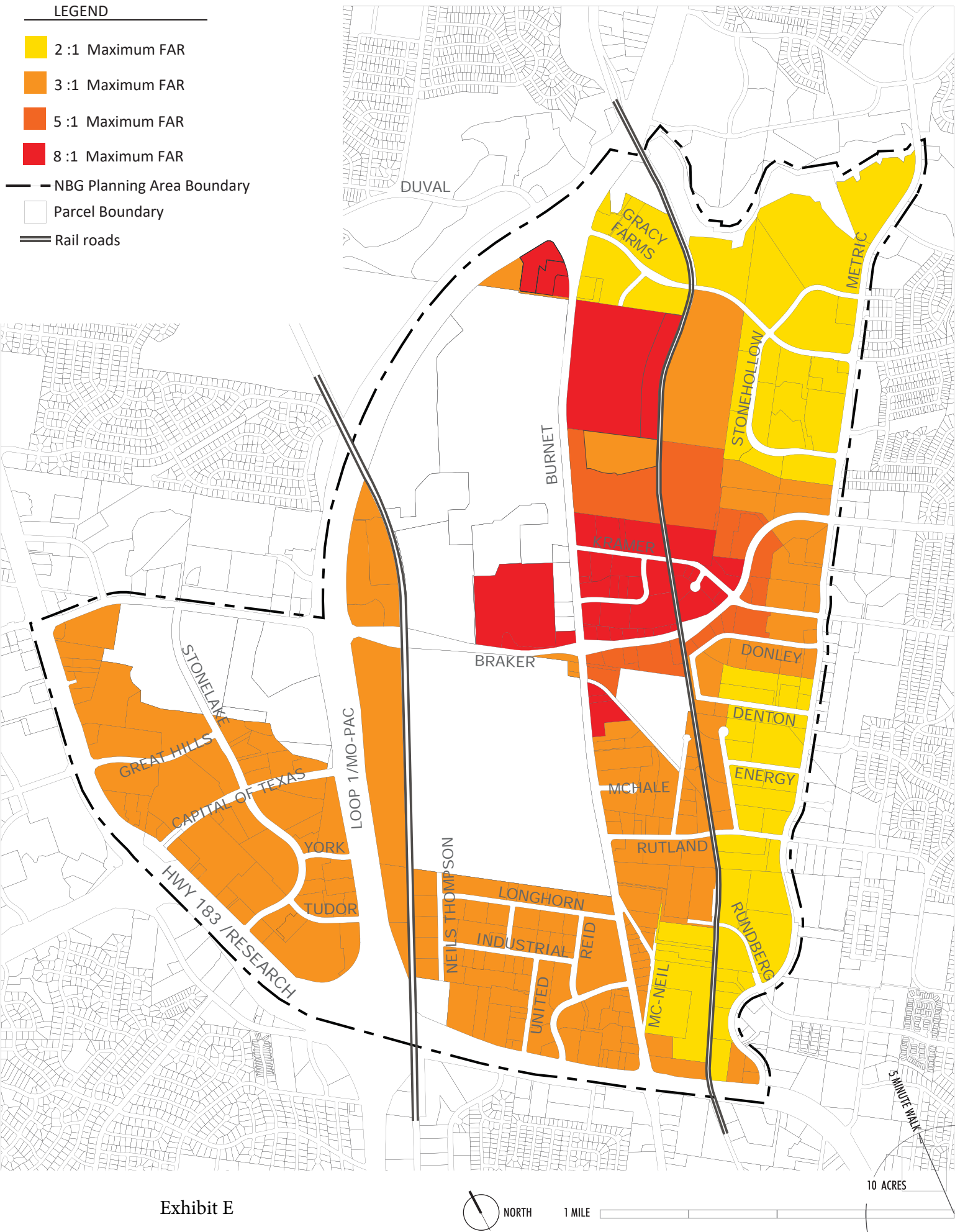


Figure 4-5: Maximum Height with Development Bonus

Revised 08-08-19

