

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE  
2 PROPERTY LOCATED AT 3707 MANCHACA ROAD FROM LIMITED OFFICE  
3 (LO) DISTRICT AND MULTIFAMILY RESIDENCE LOW DENSITY (MF-2)  
4 DISTRICT TO LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO)  
5 COMBINING DISTRICT, MULTIFAMILY RESIDENCE LOW DENSITY-  
6 CONDITIONAL OVERLAY (MF-2-CO) COMBINING DISTRICT AND  
7 MULTIFAMILY RESIDENCE MEDIUM DENSITY-CONDITIONAL OVERLAY  
8 (MF-3-CO) COMBINING DISTRICT.

9  
10 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

11  
12 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to  
13 change the base district from limited office (LO) district and multifamily residence low  
14 density (MF-2) district to limited office-conditional overlay (LO-CO) combining district,  
15 multifamily residence low density-conditional overlay (MF-2-CO) combining district and  
16 multifamily residence medium density-conditional overlay (MF-3-CO) combining district  
17 on the "Property" described in Zoning Case No. C-14-2011-0093, on file at the Planning  
18 and Development Review Department, as follows:

19  
20 Tract 1: From limited office (LO) district to limited office-conditional overlay  
21 (LO-CO) combining district.

22  
23 Lot A, Block D, Cortez Heights Subdivision, a subdivision in the City of Austin,  
24 Travis County, Texas, according to the map or plat of record in Plat Book 64, Page  
25 13, of the Plat Records of Travis County, Texas (the "Property"); save and except  
26 tracts 2 and 3.

27  
28 Tract 2: From multifamily residence low density (MF-2) district to multifamily  
29 residence low density-conditional overlay (MF-2-CO) combining district.

30  
31 A 2.23 acre tract of land, being a portion of Lot A, Block D, Cortez Heights  
32 Subdivision, more particularly described by metes and bounds in Exhibit "A".

33  
34 Tract 3: From multifamily residence low density (MF-2) district to multifamily  
35 residence medium density-conditional overlay (MF-3-CO) combining district.  
36

1 A 2.60 acre tract of land, being a portion of Lot A, Block D, Cortez Heights  
2 Subdivision, more particularly described by metes and bounds in Exhibit "B".

3  
4 locally known as 3707 Manchaca Road, in the City of Austin, Travis County, Texas, and  
5 generally identified in the map attached as Exhibit "C".  
6

7 **PART 2.** The Property within the boundaries of the conditional overlay combining district  
8 established by this ordinance is subject to the following conditions:  
9

- 10 A. The maximum number of residential units on the Property is 208 units or 22.58  
11 units per acre.
- 12
- 13 B. A building or structure for the existing 184 units on the Property shall not  
14 exceed 30 feet from ground level or two stories.
- 15
- 16 C. A building or structure for the proposed development on tract 3 of the Property  
17 shall not exceed 36 feet from ground level, or three stories and may not exceed  
18 24 units.
- 19
- 20 D. The maximum height for any existing building or for any future building or  
21 structure on the Property, other than C, above, shall not exceed 30 feet or two  
22 stories, on the 9.21 acre tract of land, identified on Exhibit "C".
- 23
- 24 E. A 30 foot wide vegetative buffer on the Property beginning at the southeast  
25 corner of Tract 3 and continuing westward for 240 feet in length shall be  
26 provided and maintained. Improvements permitted within the buffer zone are  
27 limited to drainage, underground utility improvements or those improvements  
28 that may be otherwise required by the City of Austin or specifically authorized  
29 in this ordinance.
- 30
- 31 F. The following uses are prohibited uses on Tract 1:
- 32
- |                                     |                             |
|-------------------------------------|-----------------------------|
| Bed & breakfast (group 1)           | Bed & breakfast (group 2)   |
| Administrative and business offices | Art gallery                 |
| Art workshop                        | Communication services      |
| Professional office                 | Software development        |
| Communication service facilities    | Convalescent services       |
| Counseling services                 | Cultural services           |
| Day care services (commercial)      | Day care services (general) |
| Day care services (limited)         | Family home                 |

Group home, Class 1 (general)  
Private primary educational facilities  
Public secondary educational facilities  
Medical offices (exceeding 5000 sq  
gross floor area)

Group home, Class 1 (limited)  
Public primary educational facilities  
Safety services  
Medical offices (not exceeding 5000  
sq gross floor area)

Except as otherwise 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 3.** This ordinance takes effect on \_\_\_\_\_, 2012.

**PASSED AND APPROVED**

\_\_\_\_\_, 2012      § \_\_\_\_\_  
   § \_\_\_\_\_  
   § \_\_\_\_\_  
   Lee Leffingwell  
   Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
                         Karen M. Kennard                           Shirley A. Gentry  
                         City Attorney     City Clerk

# HOLT CARSON, INC.

## PROFESSIONAL LAND SURVEYORS

1904 FORTVIEW ROAD

AUSTIN, TEXAS 78704

TELEPHONE: (512) 442-0990

FACSIMILE: (512) 442-1084

www.hciaustin.com

**FIELD NOTE DESCRIPTION OF 2.23 ACRES OF LAND, BEING A PORTION OF LOT A, CORTEZ HEIGHTS, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 63 PAGE 14 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

BEGINNING FOR REFERENCE at a ½" iron rod found for the Southeast corner of Lot A, Cortez Heights, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 63 Page 14 of the Plat Records of Travis County, Texas, and for the Northeast corner of Lot 1 and the Northwest corner of Lot 2, Mecey Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 73 Page 76 of the Plat Records of Travis County, Texas;

THENCE with the East line of said Lot A, the following two (2) courses;

- 1) N 31 deg. 20' 00" E 142.32 ft.;
- 2) N 30 deg. 23' 46" E 81.58 ft. to a point for the Southeast corner and **PLACE OF BEGINNING** of the herein described tract of land;

THENCE crossing the interior of said Lot A with the South line of this tract, the following eight (8) courses;

- 1) N 60 deg. 31' 00" W 67.82 ft.;
- 2) N 29 deg. 29' 00" E 38.00 ft.;
- 3) N 60 deg. 31' 00" W 150.00 ft.;
- 4) S 79 deg. 53' 25" W 203.27 ft.;
- 5) N 59 deg. 54' 47" W 96.23 ft.;
- 6) N 30 deg. 05' 13" E 133.00 ft.;
- 7) N 60 deg. 36' 56" W 80.00 ft.;
- 8) N 29 deg. 33' 00" E 26.11 ft. to a point of intersection with the curving right-of-way line of Fleetwood Road;

THENCE with the Easterly right-of-way line of Fleetwood Road, the following two (2) courses;

- 1) along a curve to the left with a radius of 50.00 ft. for an arc length of 117.80 ft. and which chord bears N 51 deg. 33' 49" E 92.84 ft. to a ½" iron rod found for a point of reverse curvature;

Page 2 of 2  
2.23 ACRES

- 2) along a curve to the right with a radius of 35.37 ft. for an arc length of 27.78 ft. and which chord bears N 07 deg. 34' 29" E 26.19 ft. to a point for an angle point in the North line of said Lot A and being the Northwest corner of this tract;

THENCE with the North line of said Lot A, the following five (5) courses;

- 1) S 60 deg. 27' 00" E 110.00 ft. to a capped iron rod found (marked "All Points");
- 2) S 59 deg. 53' 18" E 119.43 ft. to a ½" iron rod found;
- 3) S 60 deg. 07' 54" E 115.99 ft.;
- 4) S 59 deg. 54' 13" E 114.43 ft. to a ½" iron rod found;
- 5) S 61 deg. 00' 06" E 65.68 ft. to a ½" iron rod found for the Northeast corner of said Lot A and being the Northeast corner of this tract;

THENCE with the East line of said Lot A, the following three (3) courses:

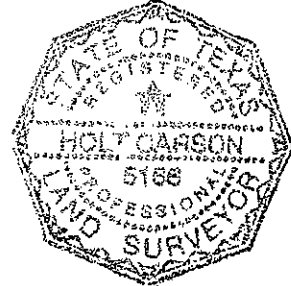
- 1) S 23 deg. 37' 00" W 3.37 ft.;
- 2) S 29 deg. 55' 53" W 125.94 ft. to a ½" iron rod found;
- 3) S 30 deg. 23' 46" W 46.59 ft. to the **PLACE OF BEGINNING**, containing 2.23 Acres of land.

**PREPARED FROM PARTIAL SURVEY AND RECORD INFORMATION ON:**

January 4, 2012

  
Holt Carson

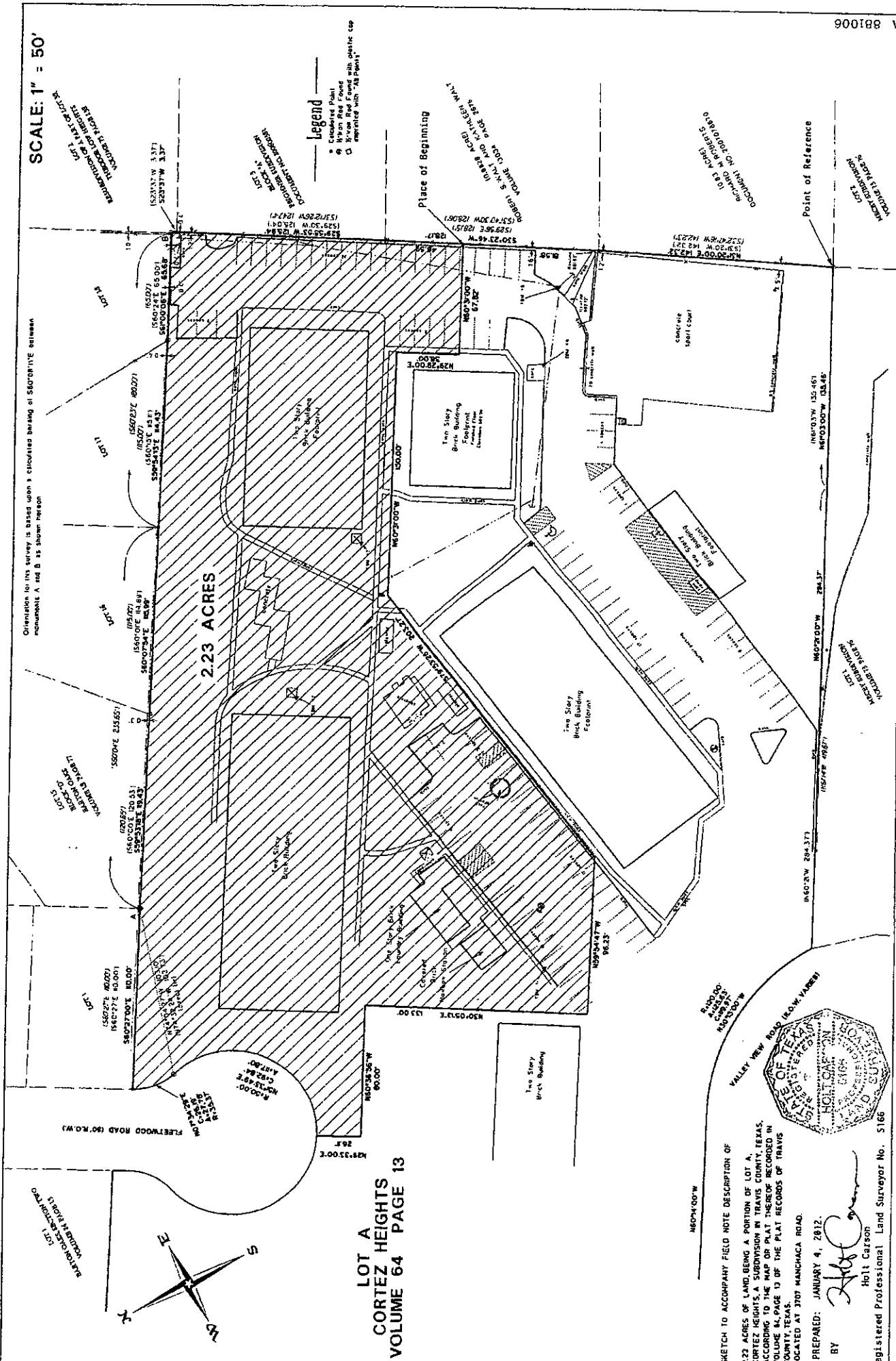
Registered Professional Land Surveyor No. 5166



see accompanying sketch: A 881006

SCALE: 1" = 50'

Orientation for this survey is based upon a circumscribed bearing of S80°00'00" E between monument A and B as shown hereon

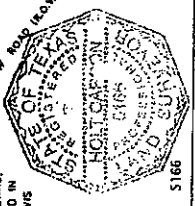


LOT A  
CORTEZ HEIGHTS  
VOLUME 64 PAGE 13

SKETCH TO ACCOMPANY FIELD NOTE DESCRIPTION OF  
2.23 ACRES OF LAND BEING A PORTION OF LOT A,  
CORTEZ HEIGHTS, A SUBDIVISION IN TARRANT COUNTY, TEXAS,  
ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN  
VOLUME 64, PAGE 13 OF THE PLAT RECORDS OF TARRANT  
COUNTY, TEXAS.  
LOCATED AT 3707 MANCHACA ROAD.

PREPARED: JANUARY 4, 2012.

BY  
Holt Carlson  
Registered Professional Land Surveyor No. 5166



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### *REZONING*

**FIELD NOTE DESCRIPTION OF 2.60 ACRES OF LAND, BEING A PORTION OF LOT A, CORTEZ HEIGHTS, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 63 PAGE 14 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a ½" iron rod found for the Southeast corner of Lot A, Cortez Heights, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 63 Page 14 of the Plat Records of Travis County, Texas, and for the Northeast corner of Lot 1 and the Northwest corner of Lot 2, Mecey Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 73 Page 76 of the Plat Records of Travis County, Texas, and being the Southeast corner and **PLACE OF BEGINNING** of the herein described tract of land to be rezoned;

THENCE with the South line of said Lot A, the following two (2) courses;

- 1) N 61 deg. 03' 00" W 135.46 ft.;
- 2) N 60 deg. 21' 00" W 284.37 ft. to a point in the curving North right-of-way line of Valley View Road for an angle corner in the South line of said Lot A and for the Northwest corner of said Lot 1, Mecey Subdivision, and being an angle corner of this tract;

THENCE with the North right-of-way line of Valley View Road, the following two (2) courses;

- 1) along a curve to the left with a radius of 120.00 ft. for an arc length of 125.63 ft. and which chord bears N 30 deg. 15' 00" W 119.97 ft. to a point of tangency;
- 2) N 60 deg. 14' 00" W 20.19 ft. to a point for the Southwest corner of this tract;

THENCE leaving the North right-of-way line of Valley View Road and entering the interior of said Lot A with the West line of this tract, N 29 deg. 33' 00" E 206.00 ft. to a point for a Northwesterly corner of this tract;

end of Page 1

THENCE continuing across the interior of said Lot A with the North line of this tract, the following seven (7) courses;

- 1) S 60 deg. 36' 56" E 80.00 ft.;
- 2) S 30 deg. 05' 13" W 133.00 ft.;
- 3) S 59 deg. 54' 47" E 96.23 ft.;
- 4) N 79 deg. 53' 25" E 203.27 ft.;
- 5) S 60 deg. 31' 00" E 150.00 ft.;
- 6) S 29 deg. 29' 00" W 38.00 ft.;
- 7) S 60 deg. 31' 00" E 67.82 ft. to a point in the East line of said Lot A for the Northeast corner of this tract, and from which a ½" iron rod found for an angle corner in the East line of said Lot A bears N 30 deg. 23' 46" E 46.59 ft.;

THENCE with the East line of said Lot A, the following two (2) courses;

- 1) S 30 deg. 23' 46" W 81.58 ft.;
- 2) S 31 deg. 20' 00" W 142.32 ft. to the **PLACE OF BEGINNING**, containing 2.60 Acres of land.

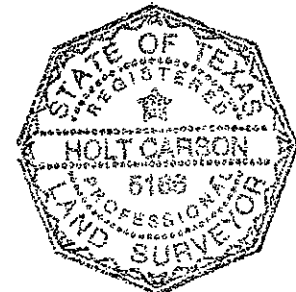
**PREPARED FROM PARTIAL SURVEY AND RECORD INFORMATION ON:**

January 4, 2012



Holt Carson

Registered Professional Land Surveyor No. 5166



see accompanying sketch: A 881006



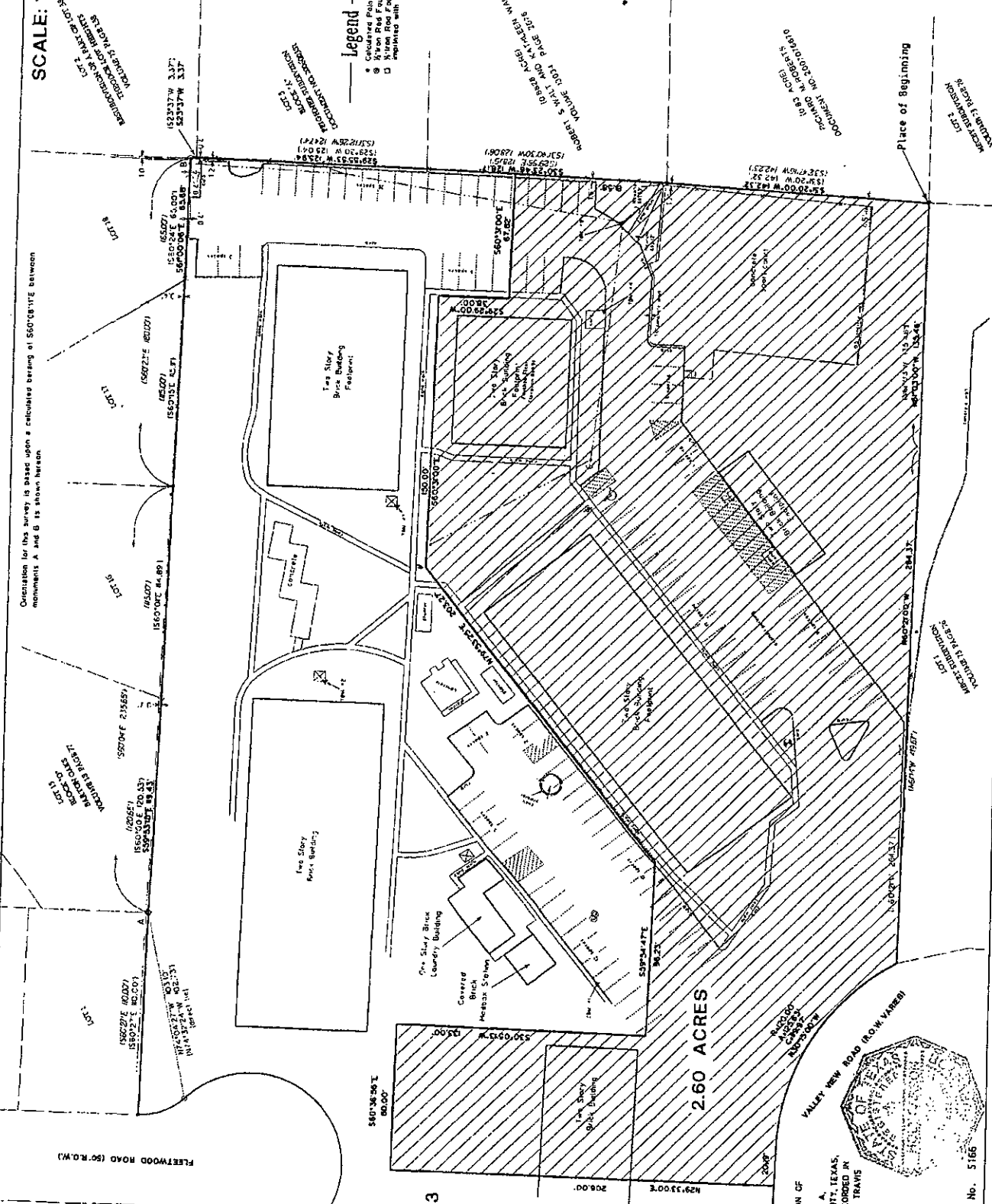
SCALE: 1" = 50'

Orientation for this survey is based upon a calculated bearing of S60°05'11"E between monuments A and B as shown herein.

Legend

- Calculated Point
- Iron Red Found
- Marked with 3/4" Plastic Cap
- Marked with 3/4" Plastic Cap

Place of Beginning



LOT A  
CORTEZ HEIGHTS  
VOLUME 64 PAGE 13

2.60 ACRES

SKETCH TO ACCOMPANY FIELD NOTE DESCRIPTION OF

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LOCATED AT 3707 MANCHACA ROAD.

PREPARED: JANUARY 4, 2012.

BY *[Signature]*

Holt Carson

Registered Professional Land Surveyor No. 5166



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