

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

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE  
2 PROPERTY LOCATED AT 2117-2129 AND 2209-2225 MAXWELL LANE IN THE  
3 MONTOPOLIS NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-  
4 NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO TOWNHOUSE  
5 AND CONDOMINIUM RESIDENCE-CONDITIONAL OVERLAY-  
6 NEIGHBORHOOD PLAN (SF-6-CO-NP) COMBINING DISTRICT.

7  
8 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:  
9

10 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to  
11 change the base district from family residence-neighborhood plan (SF-3-NP) combining  
12 district to townhouse and condominium residence-conditional overlay-neighborhood plan  
13 (SF-6-CO-NP) combining district on the property described in Zoning Case No. C14-2011-  
14 0158, on file at the Planning and Development Review Department, as follows:  
15

16 A 8.629 acre tract of land, more or less, being all of Lot 3-A of the First  
17 Resubdivision out of the A.H. Neighbors Addition, the tract of land being more  
18 particularly described by metes and bounds in Exhibit "A" incorporated into this  
19 ordinance (the "Property"),  
20

21 locally known as 2117 – 2129 and 2209-2225 Maxwell Lane in the City of Austin, Travis  
22 County, Texas, and generally identified in the map attached as Exhibit "B".  
23

24 **PART 2.** The Property within the boundaries of the conditional overlay combining district  
25 established by this ordinance is subject to the following conditions:  
26

- 27 A. A site plan or building permit for the Property may not be approved, released,  
28 or issued, if the completed development or uses of the Property, considered  
29 cumulatively with all existing or previously authorized development and uses,  
30 generate traffic that exceeds 680 trips per day.  
31
- 32 B. Vehicular access from the Property to Maxwell Lane is prohibited. All  
33 vehicular access to the Property shall be from other adjacent public streets or  
34 through other adjacent property.  
35

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

**PART 3.** The Property is subject to Ordinance No. 010927-28 that established the Montopolis neighborhood plan combining district.

**PART 4.** 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

FIELD NOTES OF  
LOT 3-A, FIRST RESUBDIVISION  
OF A.H. NEIGHBORS ADDITION,  
TRAVIS COUNTY, TEXAS

METES AND BOUNDS DESCRIPTION

ALL OF THAT 8.629 ACRES OF LAND, MORE OR LESS, BEING ALL OF LOT 3-A OF THE FIRST RESUBDIVISION OF A.H. NEIGHBORS ADDITION, A SUBDIVISION RECORDED IN BOOK 47, PAGE 70 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO MARBELLA DEVELOPMENT, L.P. RECORDED IN DOCUMENT NO. 2005035611 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID TRACT OF LAND HAVING BEEN SURVEYED ON THE GROUND UNDER MY SUPERVISION AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found with a cap stamped "SNS" in the southeasterly Right of Way line of Maxwell Lane at the northwest corner of the 0.3138 Acre of land conveyed to Juan C. Reyes recorded in Volume 13204, Page 1211 of the Real Property Records of Travis County, Texas, for the westerly southwest corner of Lot 3-A;

THENCE, along the southeasterly Right of Way line of Maxwell Lane and the westerly line of Lot 3-A, N 36°31'00" E, a distance of 297.64 feet to a 1/2" iron rod found at the southwest corner of the 0.284 Acre of land conveyed to Rosa R. Garcia recorded in Document No. 2001050513 of the Official Public Records of Travis County, Texas, for a corner;

THENCE, leaving the southeasterly Right of Way line of Maxwell Lane and along the Garcia tract the following Three (3) courses:

1. along the southerly line of the Garcia tract S 61°39'44" E, a distance of 122.39 feet to a 1/2" iron rod found at the southeast corner of the Garcia tract for a corner;
2. along the easterly line of the Garcia tract N 35°42'29" E, a distance of 102.00 feet to a 1/2" iron rod found with a cap stamped "SNS" at the northeast corner of the Garcia tract for a corner;
3. along the northerly line of the Garcia tract N 61°32'41" W, a distance of 122.40 feet to a railroad spike found in the southeasterly Right of Way line of Maxwell Lane at the northwest corner of the Garcia tract for a corner;

THENCE, along the southeasterly Right of Way line of Maxwell Lane and the westerly line of Lot 3-A, N 36°31'00" E, a distance of 199.13 feet to a 1/2" iron pipe found at the southwest corner of the 0.41 Acre of land conveyed to Marbella Corp., a Texas Corporation, recorded in Document No. 2004036810 of the Official Public Records of Travis County, Texas, for a corner;

THENCE, leaving the southeasterly Right of Way line of Maxwell Lane and along the southerly line of the 0.41 Acre tract, S 62°13'18" E, a distance of 122.75 feet to a 1/2" iron rod found at the southeast corner of the 0.41 Acre tract for a corner;

THENCE, along the easterly line of the 0.41 Acre tract and the easterly line of the Lopez & Sons Subdivision, Section One, a subdivision recorded in Book 72, Page 85 of the Plat Records of Travis County, Texas, N 36°28'38" E, a distance of 244.27 feet to a 1/2" iron rod found with a cap stamped "SNS" at the southwest corner of Lot 2-A of the First Resubdivision of A.H. Neighbors Addition for the northerly northwest corner of Lot 3-A;

THENCE, along the northerly line of Lot 3-A the following Two (2) courses:

1. along the southerly line of Lot 2-A, S 60°33'26" E, a distance of 170.12 feet to a 1/2" iron rod found with a cap stamped "SNS" at the southeast corner of Lot 2-A and the southwest corner of Lot 1-A;
2. along the southerly line of Lot 1-A, S 60°33'23" E, a distance of 158.99 feet to a 1/2" iron rod found with a cap stamped "SNS" in the westerly line of the 5.00 Acres of land conveyed to Bradsher Family Trust recorded in Volume 11588, Page 382 of the Real Property Records of Travis County, Texas, at the southeast corner of Lot 1-A for the northeast corner of Lot 3-A;

THENCE, along the westerly line of the Bradsher Family Trust tract and the easterly line of Lot 3-A, S 36°21'59" W, a distance of 968.67 feet to a 1/2" iron rod set with a cap stamped "SNS" in the northerly line of the 13.09 Acres of land conveyed to KWH Properties recorded in Volume 8663, Page 418 of the Real Property Records of Travis County, Texas at the southwest corner of the Bradsher Family Trust tract for the southeast corner of Lot 3-A;

THENCE, along the northerly line of the 13.09 Acres and along the southerly line of Lot 3-A, N 59°02'34" W, a distance of 329.30 feet to a 1/2" iron rod found at the southeast corner of the 0.3138 Acre tract and the northeast corner of the A.H. Neighbors Addition, Section Three, a subdivision recorded in Book 66, Page 70 of the Plat Records of Travis County, Texas, for the southerly southwest corner of Lot 3-A;

THENCE, along the easterly line of the 0.3138 Acre tract, N 35°59'38" E, a distance of 115.70 feet to a 1/2" iron rod found at the northeast corner of the 0.3138 Acre tract for a corner;

THENCE, along the northerly line of the 0.3138 Acre tract, N 61°49'00" W, a distance of 121.29 feet to the Point of Beginning and containing 8.629 Acres of land, more or less.

*Leslie Vasterling*

Leslie Vasterling,  
Registered Professional Land Surveyor No. 1413  
State of Texas



A. H. NEIGHBORS ADDN.  
SEC. THREE  
BK. 66, PG. 70

N 36°31'00" E  
IRFS

297.64'  
297.80'

(50' ROW)

RRSF N 36°31'00" E 199.20'  
IPF

199.13'

P.O.B.

JUAN C. REYES  
VOL. 13204, PG. 1211  
0.3738 ACRE

L7

ROSAR. GARCIA  
DOC. NO. 2001050513  
0.284 ACRE

L5

L3

L4

MARBELLA CORP.  
DOC. NO. 2004036810  
0.41 ACRE

N 36°28'38" E  
N 36°31'00" E

244.27'  
239.50'

LOPEZ & SONS SUBDIVISION  
SEC. ONE  
BK. 72, PG. 85

MAXWELL LANE

329.30'  
329.25'

N 59°02'34" W

N 58°51'00" W

S 36°27'00" W  
S 36°21'59" W

KWH PROPERTIES  
VOL. 8663, PG. 418  
13.09 ACRES

BRADSHAW FAMILY TRUST  
TRACT SEVEN-5.00 ACRES  
VOL. 11588, PG. 382

LOT 3-A  
(8.629 ACRES)

MARBELLA DEVELOPMENT, L.P.  
DOC. NO. 2005035611

965.76' (RECORD TYP.)  
968.67' (ACTUAL TYP.)

LOT 3-A, FIRST RESUBDIVISION OF A. H. NEIGHBORS ADDITION,  
BOOK 47, PAGE 70, PLAT RECORDS, TRAVIS COUNTY  
2209 MAXWELL LANE, AUSTIN, TEXAS 78741

SURVEY NO. 11291

SCALE: 1" = 100'

**SNS Engineering Inc.**  
Consulting Engineers \* Land Planners \* Surveyors

*Leslie Dastling*

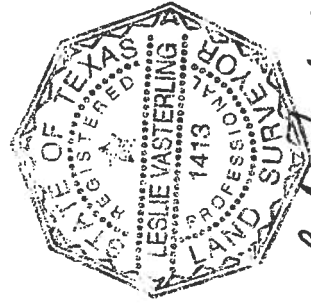
Date: 08-05-2011

9801 Anderson Mill Road, Suite 209  
Austin, Texas 78750

526/02

(512)335-3944  
FAX (512)250-8885

LINE NO.	BEARING & DISTANCE	
	ACTUAL	RECORD
L1	S 61°39'44" E 122.39'	S 61°49'00" E 122.40'
L2	N 35°42'29" E 102.00'	N 36°31'00" E 102.00'
L3	N 61°32'41" W 122.40'	N 61°49'00" W 122.40'
L4	S 62°13'18" E 122.75'	S 62°09'00" E 122.45'
L5	S 60°33'26" E 170.12'	S 60°36'00" E 170.12'
L6	S 60°33'23" E 158.99'	S 60°36'00" E 158.99'
L7	N 35°59'38" E 115.70'	N 36°31'00" E 116.48'
L8	N 61°49'00" W 121.29'	N 61°49'00" W 122.40'



*Leslie Vasterling*

Date: 08-05-2011

**LEGEND**

- IRF • 1/2" IRON ROD FOUND
- IPF • 1/2" IRON PIPE FOUND
- IRS • 1/2" IRON ROD FOUND W/CAP STAMPED "SNS"
- RRS • RAILROAD SPIKE FOUND

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