

**ORDINANCE NO. 20130214-061**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1814 LIGHTSEY ROAD AND 2905 DEL CURTO ROAD FROM FAMILY RESIDENCE (SF-3) DISTRICT TO TOWNHOUSE & CONDOMINIUM RESIDENCE-CONDITIONAL OVERLAY (SF-6-CO) 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 (SF-3) district to townhouse & condominium residence-conditional overlay (SF-6-CO) combining district on the property described in Zoning Case No. C14-2012-0032, on file at the Planning and Development Review Department, as follows:

Tract One: A 1.33 acre tract of land, more or less, out of the Block 9, Theodore Low Heights Subdivision, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance;

Tract Two: A 1.81 acre tract of land, more or less, out of Block 9, Theodore Low Heights Subdivision, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance; and,

Tract Three: A 1.53 acre tract of land, more or less, out of Block 9, Theodore Low Heights Subdivision, the tract of land being more particularly described by metes and bounds in Exhibit "C" incorporated into this ordinance (all tracts collectively referred to as the "Property");

locally known as 1814 Lightsey Road and 2905 Del Curto Road in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "D".

**PART 2.** 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 232 trips per day.

- B. Vehicular access from the Property to Lightsey Road is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
- C. Driveway construction for access to Del Curto Road may not exceed one driveway cut.
- D. Development of the Property may not exceed 36 dwelling units.
- E. Development of the Property may not exceed an impervious coverage of 47.4 percent.
- F. The following uses are prohibited uses of the Property:

Duplex residential  
Single-family attached residential

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

**PART 3.** This ordinance takes effect on February 25, 2013.

**PASSED AND APPROVED**

February 14, 2013 §  
Lee Leffingwell  
Mayor

APPROVED: Karen M. Kennard  
City Attorney  
ATTEST: Jannette S. Goodall  
City Clerk

## **HOLT CARSON, INC.**

1904 FORTVIEW ROAD  
AUSTIN, TX 78704  
TELEPHONE: (512) 442-0990  
FACSIMILE: (512) 442-1084

October 29, 2007

**FIELD NOTE DESCRIPTION OF 1.331 ACRES OF LAND OUT OF BLOCK 9, THEODORE LOW HEIGHTS, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 445 PAGE 582 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN TRACT CONVEYED TO ORA CLAIRE RUSSELL BY DEED RECORDED IN VOLUME 654 PAGE 621 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN TRACT CONVEYED TO VEDA RUSSELL BY DEED RECORDED IN DOCUMENT NO. 2000026029 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

BEGINNING FOR REFERENCE at a ½ inch iron rod set with plastic cap marked "Holt Carson, Inc." in the north right-of-way line of Lightsey Road at the south common corner of Blocks 9 and 11, Theodore Low Heights, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 445 Page 582 of the Deed Records of Travis County, Texas, and being the southeast corner of that certain tract conveyed to Ora Claire Russell by deed recorded in Volume 654 Page 621 of the Deed Records of Travis County, Texas, and being at the southwest corner of that certain tract conveyed to Jane Sumner by deed recorded in Volume 783 Page 218 of the Deed Records of Travis County, Texas, and being the southeast corner of that portion of said Block 9 which was conveyed to Veda Russell and Mary Claire Russell Masterson by deed recorded in Document No. 2000034818 of the Official Public Records of Travis County, Texas, and from which a ½ inch iron pipe found at the southeast corner of that certain tract conveyed to Krista Kaye Umscheid by deed recorded in Document No. 2005101365 of the Travis County Official Public Records bears S 60 deg. 00' 00" E 160.23 ft., and also from which a ½ inch iron rod found bears S 60 deg. 00' 00" E 2.17 ft.;

THENCE with the north right-of-way line of Lightsey Road, N 60 deg. 00' 00" W 248.80 ft. to a ½ inch iron rod set with plastic cap marked "Holt Carson, Inc." at the southwest corner of said Russell and Masterson tract, and being at the most southerly east corner of that certain tract conveyed to the City of Austin by George L. Humphries et Ux. by deed recorded in Volume 1292 Page 94 of the Deed Records of Travis County, Texas;

THENCE crossing said Block 9 with the west line of said Russell and Masterson tract, N 30 deg. 35' 49" E 5.00 ft. to a ½ inch iron rod set with plastic cap marked "Holt Carson, Inc." at the southeast corner of that certain tract conveyed to Veda Russell by deed recorded in Document No. 2000026029 of the Official Public Records of Travis County, Texas, and being the most northerly east corner of said City of Austin tract, and being the southeast corner and PLACE OF BEGINNING of the herein described tract of land;

THENCE with the current north right-of-way line of Lightsey Road, being the north line of said City of Austin tract, N 60 deg. 00' 00" W 92.04 ft. to a 60 D nail set in an asphalt drive at a point of curvature;

THENCE continuing with the northerly and easterly lines of said City of Austin tract, the following two courses:

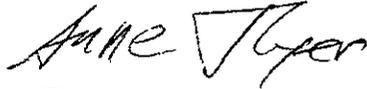
1) 164.00 ft. along the arc of a curve to the right, having a radius of 104.00 ft. and chord bearing N 14 deg. 45' 00" W 147.53 ft., to a ½ inch iron rod set with plastic cap marked "Holt Carson, Inc. at a point of tangency in the east right-of-way line of Del Curto Road;

2) with the east right-of-way line of Del Curto Road, N 30 deg. 35' 49" E 201.75 ft. to a ½ inch iron rod set in the south line of that certain tract conveyed to the Ferguson Family Limited Partnership by deed recorded in Document No. 2003197598 of the Official Public Records of Travis County, Texas, and being at the most easterly north corner of said City of Austin tract, and being the northwest corner of said Veda Russell tract and being at the northwest corner of this tract, and from which a ½ inch iron pipe found at the northwest corner of said Block 9 bears N 60 deg. 00' 00" W 5.00 ft. and N 30 deg. 35' 49" E 145.00 ft.;

THENCE leaving the east right-of-way line of Del Curto Road and continuing across the interior of said Block 9 with the north line of said Ora Claire Russell tract, S 60 deg. 00' 00" E 197.00 ft. to a ½ inch iron rod set with plastic cap marked "Holt Carson, Inc" at the northeast corner of said Veda Russell tract, and being the northwest corner of said Russell and Masterson tract, and being the northeast corner of this tract;

THENCE with the common line of said Veda Russell tract and said Russell and Masterson tract, S 30 deg. 35' 49" W 306.53 ft. to the Place of Beginning, containing 1.331 Acres of land.

Prepared October 29, 2007 from survey performed August 8, 2007  
BY:



Anne Thayer  
Registered Professional Land Surveyor No. 5850

see survey plat B807028  
807028a





# HOLT CARSON, INC.

1904 FORTVIEW ROAD  
AUSTIN, TX 78704  
TELEPHONE: (512) 442-0990  
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October 29, 2007

**FIELD NOTE DESCRIPTION OF 1.818 ACRES OF LAND OUT OF BLOCK 9, THEODORE LOW HEIGHTS, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 445 PAGE 582 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN TRACT CONVEYED TO ORA CLAIRE RUSSELL BY DEED RECORDED IN VOLUME 654 PAGE 621 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN TRACT CONVEYED TO VEDA RUSSELL AND MARY CLAIRE RUSSELL MASTERSON BY DEED RECORDED IN DOCUMENT NO. 2000034818 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

BEGINNING at a ½ inch iron rod set with plastic cap marked "Holt Carson, Inc." in the north right-of-way line of Lightsey Road at the south common corner of Blocks 9 and 11, Theodore Low Heights, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 445 Page 582 of the Deed Records of Travis County, Texas, and being the southeast corner of that certain tract conveyed to Ora Claire Russell by deed recorded in Volume 654 Page 621 of the Deed Records of Travis County, Texas, and being at the southwest corner of that certain tract conveyed to Jane Sumner by deed recorded in Volume 783 Page 218 of the Deed Records of Travis County, Texas, and being the southeast corner of that certain portion of said Block 9 which was conveyed to Veda Russell and Mary Claire Russell Masterson by deed recorded in Document No. 2000034818 of the Official Public Records of Travis County, Texas, and being at the south point of that certain line described in that boundary line agreement recorded in Document No. 2010185327 of the Official Public Records of Travis County, Texas, and being the southeast corner and PLACE OF BEGINNING of the herein described tract of land, and from which a ½ inch iron pipe found at the southeast corner of that certain tract conveyed to Krista Kaye Umscheid by deed recorded in Document No. 2005101365 of the Travis County Official Public Records bears S 60 deg. 00' 00" E 160.23 ft., and also from which a ½ inch iron rod found bears S 60 deg. 00' 00" E 2.17 ft.;

THENCE with the north right-of-way line of Lightsey Road, N 60 deg. 00' 00" W 248.80 ft. to a ½ inch iron rod set with plastic cap marked "Holt Carson, Inc." at the southwest corner of said Russell and Masterson tract, and being at the most southerly east corner of that certain tract conveyed to the City of Austin by George L. Humphries et Ux. by deed recorded in Volume 1292 Page 94 of the Deed Records of Travis County, Texas, and being at the southwest corner of this tract;

THENCE leaving the north right-of-way line of Lightsey Road and crossing said Block 9 with the west line of said Russell and Masterson tract, N 30 deg. 35' 49" E at 5.00 ft. passing a ½ inch iron rod set with plastic cap marked "Holt Carson, Inc." at the southeast corner of that certain tract conveyed to Veda Russell by deed recorded in Document No. 2000026029 of the Official Public Records of Travis County, Texas, and continuing on the same course 306.53 ft. more, for a total distance on this course of 311.53 ft., to a ½ inch iron rod set with plastic cap marked "Holt Carson, Inc." in the south line of that certain tract conveyed to the Ferguson Family Limited Partnership by deed recorded in Document No. 2003197598 of the Official Public Records of Travis County, Texas, and being in the north line of said Ora Claire Russell tract, and being at the northeast corner of said Veda Russell tract, and being the northwest corner of said Russell and Masterson tract, and being the northwest corner of this tract;

page 2 of 2  
1.818 Acres

THENCE with the north line of said Ora Clare Russell tract, S 60 deg. 00' 00" E 259.70 ft. to a ½ inch iron rod set with plastic cap marked "Holt Carson, Inc." at the north point of said agreed boundary line, being the northeast corner of said Russell and Masterson tract, and being the northeast corner of this tract; and from which a ½ inch iron pipe found at the southwest corner of Cinnamon Ridge, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 80 Page 55 of the Plat Records of Travis County, Texas, bears N 32 deg. 35' 58" E 227.84 ft.;

THENCE with said agreed boundary line, S 32 deg. 35' 58" W 311.83 ft. to the Place of Beginning, containing 1.818 Acres of land.

Prepared October 29, 2007 from survey performed August 8, 2007  
revised April 14, 2011 to reflect boundary line agreement

BY:



Anne Thayer  
Registered Professional Land Surveyor No. 5850

see survey plat B807028  
807028a





**HOLT CARSON, INC.**

**1904 FORTVIEW ROAD**

**AUSTIN, TEXAS 78704**

**TELEPHONE: (512) 442-0990**

**FACSIMILE: (512) 442-1084**

November 21, 2009

FIELD NOTE DESCRIPTION OF 1.535 ACRES OF LAND OUT OF BLOCK 9, THEODORE LOW HEIGHTS, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 445 PAGE 582 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN TRACT CONVEYED TO THE FERGUSON FAMILY LIMITED PARTNERSHIP BY DEED RECORDED IN DOCUMENT NO. 2003197598 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron pipe found in the east right-of-way line of Del Curto Road at the west common corner of Blocks 7 and 9, Theodore Low Heights, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 445 Page 582 of the Deed Records of Travis County, Texas, and being at the northwest corner of that certain tract conveyed to the Ferguson Family Limited Partnership by deed recorded in Document No. 2003197598 of the Official Public Records of Travis County, Texas, and being at the southwest corner of that certain tract conveyed to Joseph D. Castle and Florence Castle by deed recorded in Volume 680 Page 474 of the Deed Records of Travis County, Texas, and being the northwest corner and PLACE OF BEGINNING of the herein described tract of land;

THENCE with the common line of said Blocks 7 and 9, S 59 deg. 46' 12" E 466.69 ft. to a ½ inch iron rod set with plastic cap marked "Holt Carson, Inc." in the west line of Block 11 of said Theodore Low Heights at the southeast corner of said Castle tract, and being at the northeast corner of said Ferguson Family Limited Partnership tract, and from which a ½ inch iron pipe found at the northwest corner of said Block 11 bears N 32 deg. 35' 58" E 84.50 ft.;

THENCE with the common line of said Blocks 9 and 11, S 32 deg. 35' 58" W 143.27 ft. to a ½ inch iron rod found with plastic cap marked "Holt Carson, Inc." at the southeast corner of said Ferguson Family Limited Partnership tract, and being the southeast corner of this tract, and from which a ½ inch iron rod found with plastic cap marked "Holt Carson, Inc." in the north right-of-way line of Lightsey Road at the south common corner of said Blocks 9 and 11 bears S 32 deg. 35' 58" W 311.83 ft.;

page 2 of 2  
1.535 Acres

THENCE with the south line of said Ferguson Family Limited Partnership tract, N 60 deg. 00' 00" W at 456.69 ft. passing a ½ inch iron rod found with plastic cap marked "Holt Carson, Inc." at the northwest corner of that tract conveyed to Ora Claire Russell and Veda Russell by deed recorded in Document No. 2000026029 of the Travis County Official Public Records, and continuing on the same course 5.00 ft. more, for a total distance on this course of 461.69 ft., to a ½ inch iron rod set with plastic cap marked "Holt Carson, Inc." in the east right-of-way line of Del Curto Road at the southwest corner of said Ferguson Family Limited Partnership tract, and being the southwest corner of this tract;

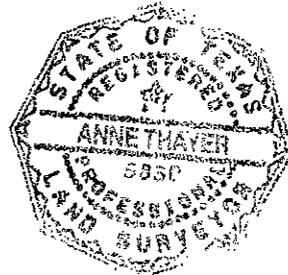
THENCE with the east right-of-way line of Del Curto Road, N 30 deg. 35' 49" E 145.00 ft. to the Place of Beginning, containing 1.535 Acres of land.

SURVEYED: November 21, 2009

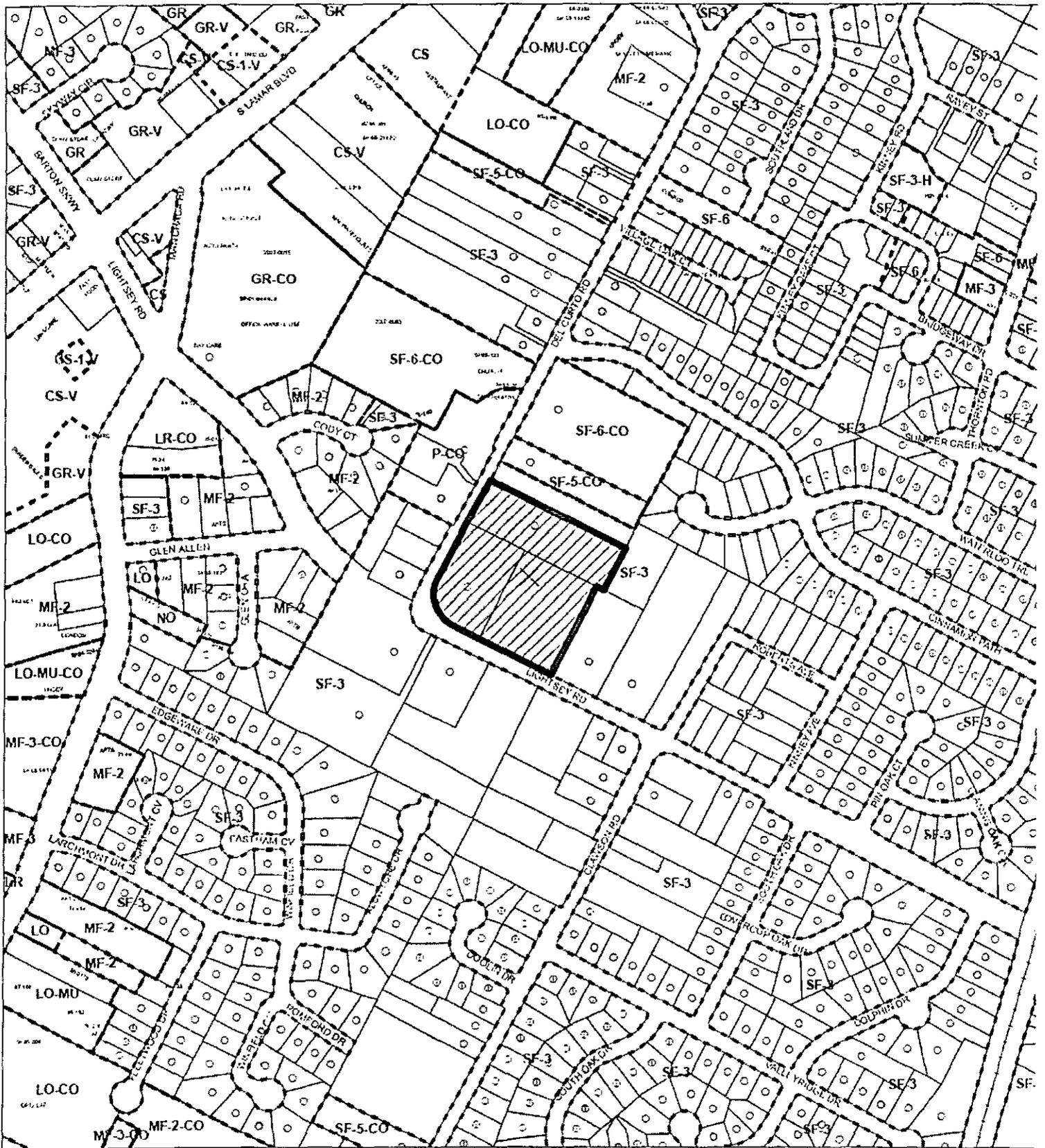
BY:



Anne Thayer  
Registered Professional Land Surveyor No. 5850



B849036



**ZONING CASE**  
C14-2012-0032

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



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