

**ORDINANCE NO. 20140807-141**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 710 EAST 41<sup>ST</sup> STREET IN THE HANCOCK NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (SF-3-CO-NP) COMBINING DISTRICT TO TOWNHOUSE & CONDOMINIUM RESIDENCE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (SF-6-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-conditional overlay-neighborhood plan (SF-3-CO-NP) combining district to townhouse & condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district on the property described in Zoning Case No. C14-2014-0063, on file at the Planning and Development Review Department, as follows:

3.32 acre tract of land, more or less, being a portion of Outlot 14, Division "C" the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 710 East 41<sup>st</sup> Street in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

**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 townhouse & condominium (SF-6) base 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. Development of the Property shall not exceed 9 residential units.
- B. Development of the Property shall not exceed an average of 2.706 residential units per acre.

- C. The maximum height, as defined by City Code, of a building or structure on the Property shall not exceed 30 feet.
- D. Development of a building or structure on the Property shall not exceed two stories.

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

**PART 4.** The Property is subject to Ordinance No. 20040826-059 that established the Hancock neighborhood plan combining district.

**PART 5.** This ordinance takes effect on August 18, 2014.

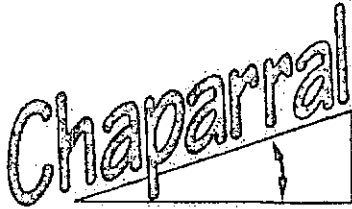
**PASSED AND APPROVED**

\_\_\_\_\_, August 7, 2014

§  
§  
§ \_\_\_\_\_ Lee Leffingwell  
Mayor

**APPROVED:** \_\_\_\_\_  
Karen M. Kennard  
City Attorney

**ATTEST:** \_\_\_\_\_  
Jannette S. Goodall  
City Clerk



**Professional Land Surveying, Inc.  
Surveying and Mapping**

Office: 512-443-1724  
Fax: 512-389-0943

3500 McCall Lane  
Austin, Texas 78744

**3.325 ACRES  
ZONING DESCRIPTION  
CITY OF AUSTIN, TEXAS**

A DESCRIPTION OF 3.325 ACRES (APPROXIMATELY 144,831 SQ. FT.), BEING A PORTION OF OUTLOT 14, DIVISION "C" OF THE GOVERNMENT TRACT ADJOINING THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, AND BEING A PORTION OF A 9.862 ACRE TRACT CONVEYED TO PERRY ESTATE, LLC IN A SPECIAL WARRANTY DEED WITH VENDOR'S LIEN DATED MARCH 4, 2011 AND RECORDED IN DOCUMENT NO. 2011032668 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 3.325 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" rebar with "Chaparral" cap set for an angle point in the north right-of-way line of East 41st Street (60' right-of-way width), same being the south line of said Outlot 14, also being the south line of said 9.862 acre tract, from which a found 1/2" hole drilled in the concrete cap of a rock post, for the southeast corner of said 9.862 acre tract, same being the intersection of the north right-of-way line of East 41<sup>st</sup> Street and the west right-of-way line of East Red River Street (80' right-of-way width), bears South 62°30'20" East, a distance of 561.46 feet;

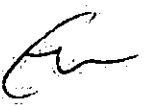
**THENCE** North 62°19'14" West, with the north right-of-way line of East 41st Street, same being the south line of said Outlot 14, also being the south line of said 9.862 acre tract, a distance of 445.56 feet to a calculated point, from which a 1/2" rebar found for the southwest corner of said 9.862 acre tract, same being the southeast corner of a tract described in a deed recorded in Volume 12627, Page 1577 of the Real Property Records of Travis County, Texas, and conveyed to Karen Killeen in a deed recorded in Document No. 2002043761 of the Official Public Records of Travis County, Texas, bears North 62°19'14" West, a distance of 25.12 feet;

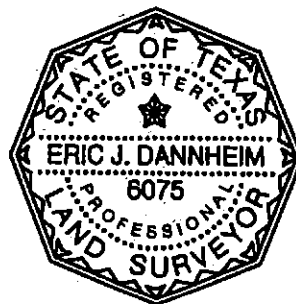
**THENCE** over and across Outlot 14 and said 9.862 acre tract, the following twenty-one (21) courses and distances:

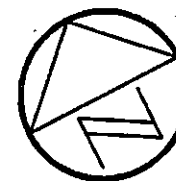
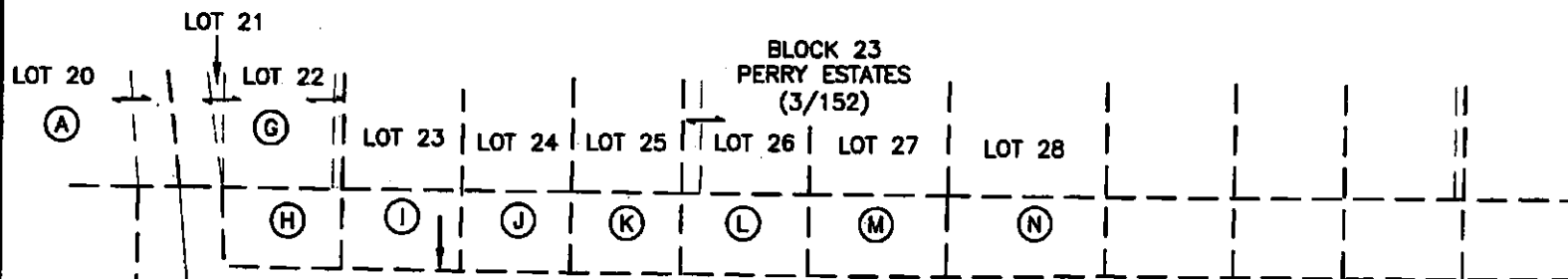
1. North 33°12'36" East, a distance of 221.04 feet to a calculated point;
2. North 27°31'39" East, a distance of 179.20 feet to a calculated point;
3. South 62°20'29" East, a distance of 210.70 feet to a calculated point;
4. South 62°28'12" East, a distance of 5.82 feet to a calculated point;

5. South 27°32'30" East, a distance of 33.03 feet to a calculated point;
6. South 31°09'31" East, a distance of 35.33 feet to a calculated point;
7. South 17°40'08" East, a distance of 18.29 feet to a calculated point;
8. South 03°52'39" East, a distance of 28.67 feet to a calculated point;
9. South 21°32'20" East, a distance of 17.73 feet to a calculated point;
10. South 04°34'46" West, a distance of 15.28 feet to a calculated point;
11. South 23°31'14" East, a distance of 17.18 feet to a calculated point;
12. South 28°25'03" West, a distance of 35.29 feet to a calculated point;
13. South 04°27'21" West, a distance of 14.82 feet to a calculated point;
14. South 31°06'04" East, a distance of 28.66 feet to a calculated point;
15. South 02°45'08" West, a distance of 53.61 feet to a calculated point;
16. South 14°14'45" West, a distance of 57.42 feet to a calculated point;
17. South 24°52'40" West, a distance of 27.54 feet to a calculated point;
18. South 04°52'47" West, a distance of 20.12 feet to a calculated point;
19. South 14°57'13" West, a distance of 17.49 feet to a calculated point;
20. South 27°23'33" West, a distance of 42.52 feet to a calculated point;
21. South 09°13'25" East, a distance of 18.31 feet to the **POINT OF BEGINNING**, containing 3.325 acres of land, more or less.

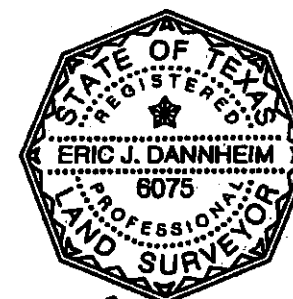
Surveyed on the ground March 3, 2011. Bearing Basis: The Texas Coordinate System of 1983, Central Zone, based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User Service (OPUS). Attachments: Drawing 793-001-Z13.

 2/25/2014  
Eric J. Dannheim  
Registered Professional Land Surveyor  
State of Texas No. 6075  
TBPLS Firm No. 20124500

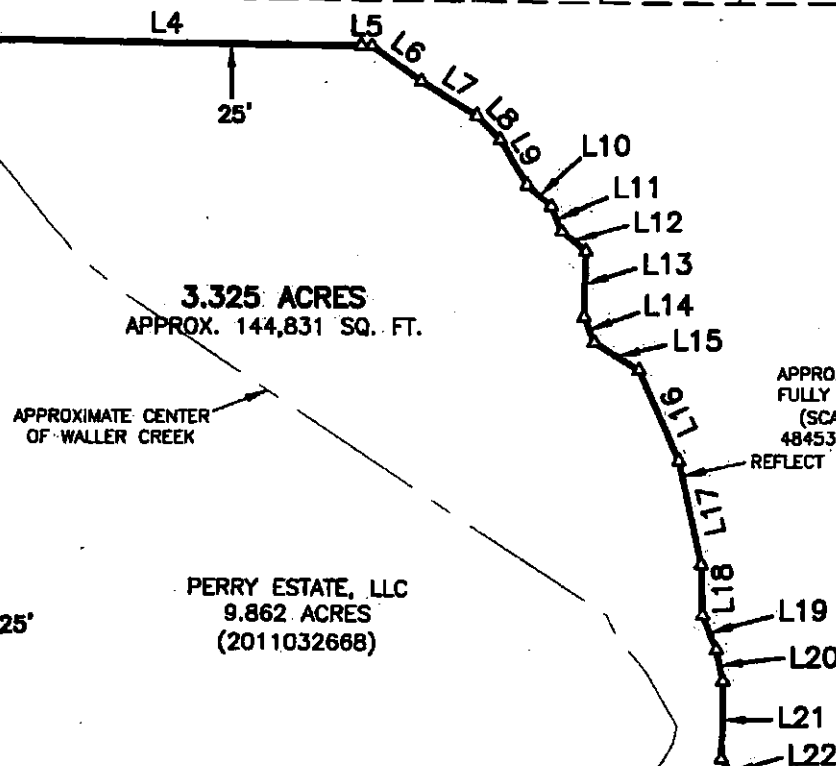




1" = 100'



*EW*  
2/25/2014



PERRY ESTATE, LLC  
9.862 ACRES  
(2011032668)

EAST RED RIVER STREET  
(80' R.O.W. WIDTH)

L1  
(N59°53'W 470.19')

S82°30'20"E 561.46'  
(S60°03'E 561.46')

P.O.B.

EAST 41ST STREET  
(60' R.O.W. WIDTH)

DATE OF SURVEY: 03/03/11  
PLOT DATE: 02/25/14  
DRAWING NO.: 793-001-Z13  
PROJECT NO.: 793-001  
DRAWN BY: CWW & EJD  
T.B.P.L.S. FIRM NO. 10124500  
SHEET 2 OF 3

*Chaparral*

(A)

THE EAST 7.5 FEET OF LOT 18 AND ALL OF  
LOTS 19 AND 20, TOGETHER WITH ADJACENT  
WEST HALF OF WALLER CREEK

HENDERSON LIVING TRUST DATED MAY 3, 2008  
(2008132042)

(B)

HENDERSON LIVING TRUST DATED MAY 3, 2008  
29,456 SQUARE FEET  
(DOC. NO. 2008132040)  
(DESCRIBED IN 3388/29)

(C)

HENDERSON LIVING TRUST DATED MAY 3, 2008  
(2008132043)  
(DESCRIBED IN 13276/128)

(D)

THOMAS VANCE McMAHAN, JR.  
0.221 ACRES  
(13060/2156)  
(DESCRIBED 12882/2736)

(E)

CARLOS M. CARVALHO  
0.214 ACRES  
(2010061363)

(F)

KAREN KILLEEN  
(2002043761)  
(DESCRIBED IN 12627/1577)

(G)

LOTS 21 AND 22 AND THE  
WEST 5 FEET OF LOT 23,  
TOGETHER WITH THE  
EAST 1/2 OF WALLER CREEK

BRUCE H. FAIRCHILD  
AND WIFE, CATHY M. FAIRCHILD  
(7234/42)

(H)

BRUCE H. FAIRCHILD  
AND WIFE, CATHY M. FAIRCHILD  
TRACT TWO  
(7234/42)  
(914/257)

(I)

GEORGE A. ELDER, JR. AND  
ELIZABETH R. SANSOM ELDER  
SECOND TRACT  
(11306/333)  
(DESCRIBED IN 2566/210)

(J)

LAVERNE HENDERSON  
SECOND TRACT  
(11101/965)  
(915/416)

(K)

RUSSELL E. SCHULZ  
(13181/1946)  
(1109/86)

(L)

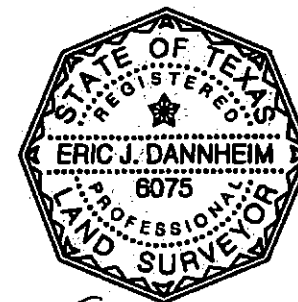
LEA C. NOELKE AND SPOUSE,  
HOLLY C. NOELKE  
TRACT 2  
(2007102194)  
(DESCRIBED IN 10760/610)

(M)

PATTYE HENDERSON  
14,446 SQUARE FEET  
(10035/165)  
(913/33)

(N)

HAL F. MORRIS AND  
WIFE, LORIE FRIEND  
TRACT II  
(12239/1633)  
(DESCRIBED IN 8334/173)  
(915/249)



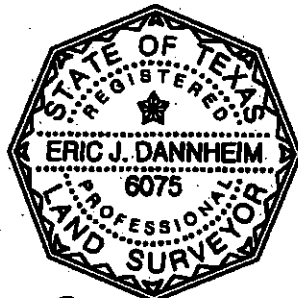
DATE OF SURVEY: 03/03/11  
PLOT DATE: 02/25/14  
DRAWING NO.: 793-001-213  
PROJECT NO.: 793-001  
DRAWN BY: CWW & EJD  
T.B.P.L.S. FIRM NO. 10124500  
SHEET 3 OF 3

Chaparral

SKETCH TO ACCOMPANY A DESCRIPTION OF 3.325 ACRES (APPROXIMATELY 144,831 SQ. FT.), BEING A PORTION OF OUTLOT 14, DIVISION "C" OF THE GOVERNMENT TRACT ADJOINING THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, AND BEING A PORTION OF A 9.862 ACRE TRACT CONVEYED TO PERRY ESTATE, LLC IN A SPECIAL WARRANTY DEED WITH VENDOR'S LIEN DATED MARCH 4, 2011 AND RECORDED IN DOCUMENT NO. 2011032668 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS).

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 793-001-Z13



*EW*  
2/25/2014

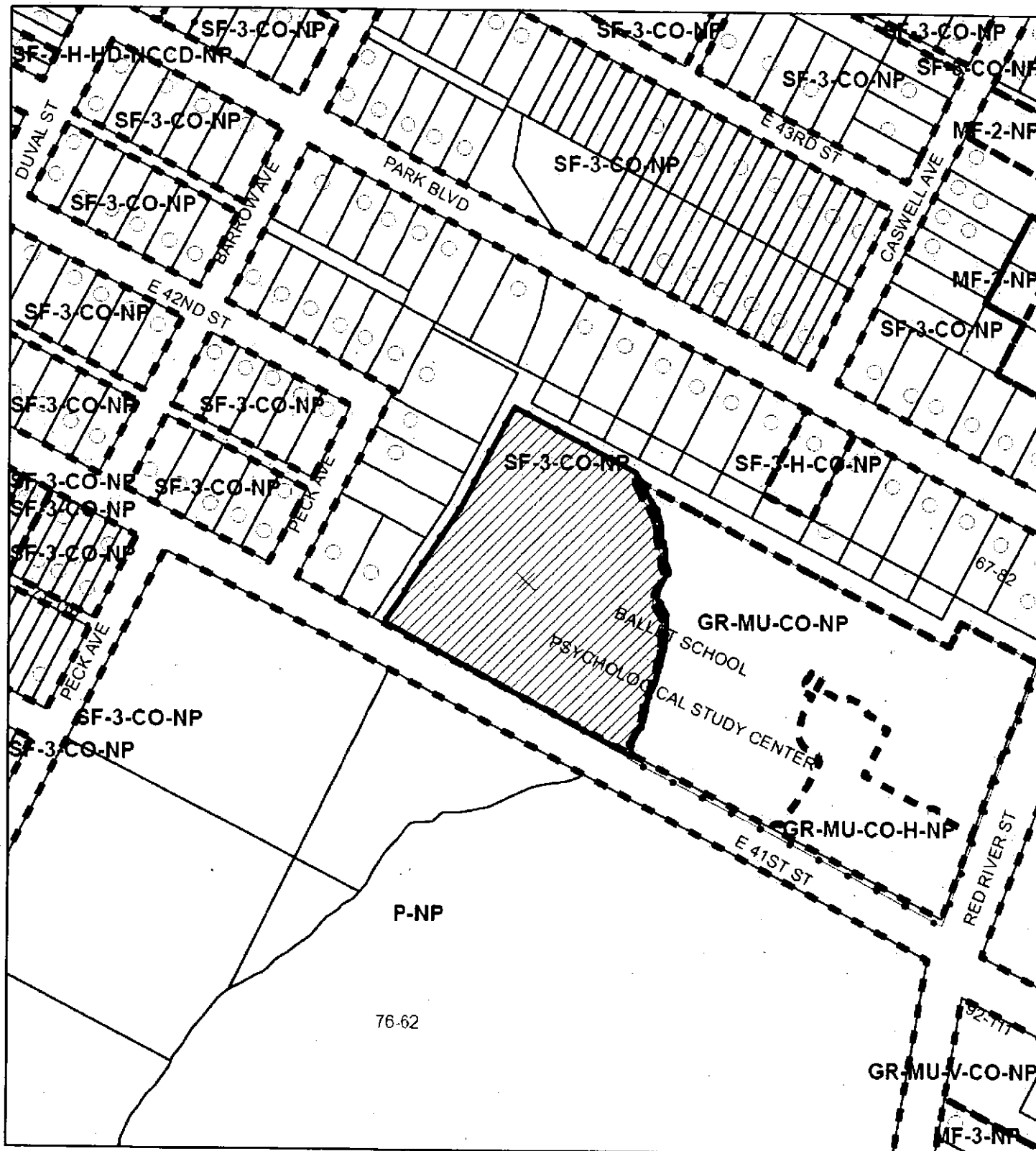
LEGEND

- 1/2" REBAR FOUND (OR AS NOTED)
- 1/2" REBAR WITH "CHAPARRAL" CAP SET
- △ CALCULATED POINT
- ☒ FOUND 1/2" HOLE DRILLED IN THE CONCRETE CAP OF A ROCK POST
- ⊗ PROPERTY OWNER INFORMATION, SEE SHEET 3 OF 3

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N62°19'14"W	445.56'
L2	N33°12'36"E	221.04'
L3	N27°31'39"E	179.20'
L4	S62°20'29"E	210.70'
L5	S62°28'12"E	5.82'
L6	S27°32'30"E	33.03'
L7	S31°09'31"E	35.33'
L8	S17°40'08"E	18.29'
L9	S03°52'39"E	28.67'
L10	S21°32'20"E	17.73'
L11	S04°34'46"W	15.28'
L12	S23°31'14"E	17.18'
L13	S28°25'03"W	35.29'
L14	S04°27'21"W	14.82'
L15	S31°06'04"E	28.66'
L16	S02°45'08"W	53.61'
L17	S14°14'45"W	57.42'
L18	S24°52'40"W	27.54'
L19	S04°52'47"W	20.12'
L20	S14°57'13"W	17.49'
L21	S27°23'33"W	42.52'
L22	S09°13'25"E	18.31'
L23	N62°19'14"W	25.12'

DATE OF SURVEY: 03/03/11  
 PLOT DATE: 02/25/14  
 DRAWING NO.: 793-001-Z13  
 PROJECT NO.: 793-001  
 DRAWN BY: CWW & EJD  
 T.B.P.L.S. FIRM NO. 10124500  
 SHEET 1 OF 3

*Chaparral*



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 200'

## ZONING CASE

C14-2014-0063

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



**Zoning Map**

Exhibit B