

ORDINANCE NO. 20100624-121

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2807 DEL CURTO ROAD FROM FAMILY RESIDENCE (SF-3) DISTRICT TO TOWNHOUSE AND 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 and condominium residence-conditional overlay (SF-6-CO) combining district on the property described in Zoning Case No. C14-2009-0159, on file at the Planning and Development Review Department, as follows:

A 2.78 acre tract of land, more or less, out of Block 7 of Theodor Low Heights Subdivision in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 2807 Del Curto Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

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 2,000 trips per day.
- B. The Property shall comply with the following family residence (SF-3) development standards:
 - 1. The minimum lot size is 5,750 square feet.
 - 2. The maximum height is 35 feet.
 - 3. The maximum building coverage is 40 percent.
 - 4. The maximum impervious cover is 45 percent.
 - 5. The maximum density is 7.2 residential units per acre.
 - 6. The maximum density is 20 residential units.

Except as specifically restricted under this ordinance, the Property may be 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. This ordinance takes effect on July 5, 2010.

PASSED AND APPROVED

_____, June 24, 2010 §
 §
 §
 M. Metz
 Lee Leffingwell
 Mayor

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

**FIELD NOTES
TO ACCOMPANY BOUNDARY**

ALL THAT CERTAIN 2.78 ACRE (121,143 SQ.FT.) TRACT SITUATED IN TRAVIS COUNTY, TEXAS OUT OF A PORTION OF BLOCK NO. 7 OF THEODOR LOW HEIGHTS, A SUBDIVISION RECORDED IN VOLUME 455, PAGE 582, DEED RECORDS OF TRAVIS COUNTY, TEXAS AND BEING THAT TRACT DESCRIBED IN A WARRANTY DEED, EXECUTED JANUARY 4, 2001 AND CONVEYED TO ACE AND POLLY BARTLETT FAMILY LIVING TRUST; PAULINE D. BARTLETT AND ACE MILES BARTLETT, TRUSTEES, AND RECORDED AS DOCUMENT NO. 2001002145, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN A DEED, EXECUTED APRIL 25, 1949 AND CONVEYED TO A.M. BARTLETT AND WIFE PAULINE D. BARLETT, AND RECORDED IN VOLUME 946, PAGE 522, DEED RECORDS TRAVIS COUNTY, TEXAS, AND BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Commencing from a ½" iron rod found in the east line of Del Curto Road (R.O.W. Varies) for the occupied northwest corner of that tract conveyed to Austin Infill Builders, LP and recorded as Document No. 2007110331 of said official records, from which point a ½" iron rod found for the occupied southwest corner of said Austin Infill Builders tract bears S 30°06'05" W 92.60 feet;

THENCE: S 60°04'01" E 15.19 feet, with the occupied north line of said Austin Infill Builders tract, to a ½" iron rod inscribed "ATS Engineers" set for the southwest corner of said Bartlett Family Living Trust tract and **Point of Beginning** of the herein described tract;

THENCE: N 30°14'37" E 266.55 feet, continuing with the east line of said Del Curto Road and the west line of said Bartlett Family Living Trust tract to a ½" iron rod inscribed "ATS Engineers" set in the south line of Lot 1, Block D of Cinnamon Ridge, a subdivision recorded in Volume 80, Page 156, Plat Records of Travis County, Texas, for the northwest corner of said Bartlett Family Living Trust tract and the herein described tract;

THENCE: S 60°02'00" E 454.99 feet, with the south line of said Lot 1 and Lot 2, Block D of said Cinnamon Ridge, to a ½" iron rod inscribed "ATS Engineers" set in the west line of Lot 3, Block D of said Cinnamon Ridge, for the southeast corner of said Lot 2, the northeast corner of said Bartlett Family Living Trust tract and the herein described tract;

THENCE: S 30°21'24" W 266.28 feet, with the west line of said Lot 3 and Lots 12 and 13, Block D of said Cinnamon Ridge, to a ½" iron rod found for the northeast corner of said Smith tract and the southeast corner of said Bartlett Family Living Trust tract and the herein described tract, from which point a ½" iron rod found for the southeast corner of said Austin Infill Builders tract bears S 29°51'36" W 92.60 feet;

EXHIBIT A

THENCE: N 60°04'01" W 454.46 feet, with the north line of said Austin Infill Builders tract and the south line of said Bartlett Family Living Trust tract to the **Point of Beginning** and containing 2.78 Acres (121,143 sq.ft.) more or less.

Bearings cited hereon are based on a calculated inverse between a 5/8" iron pipe found for the most southerly southwest corner of Lot 14, Block D, and a 1/2" iron pip found for the most westerly southwest corner of Lot 1, Block D, Cinnamon Ridge, a subdivision in Travis County, Texas and recorded in Volume 80, Page 156, Plat Records, Travis County, Texas, having a calculated inverse of N 16°47'46" W 629.75 feet and a monumented distance of 630.10 feet.



Paul Utterback
Registered Professional Land Surveyor No. 5738
November 20, 2009

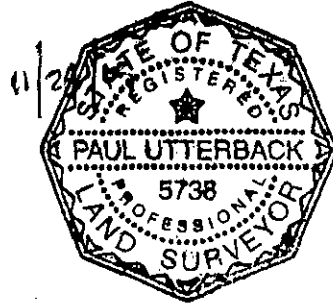


EXHIBIT "A"

ATS Job # 09102904s

Reference: Bartlett Address: 2807 Del Curto, Austin, TX

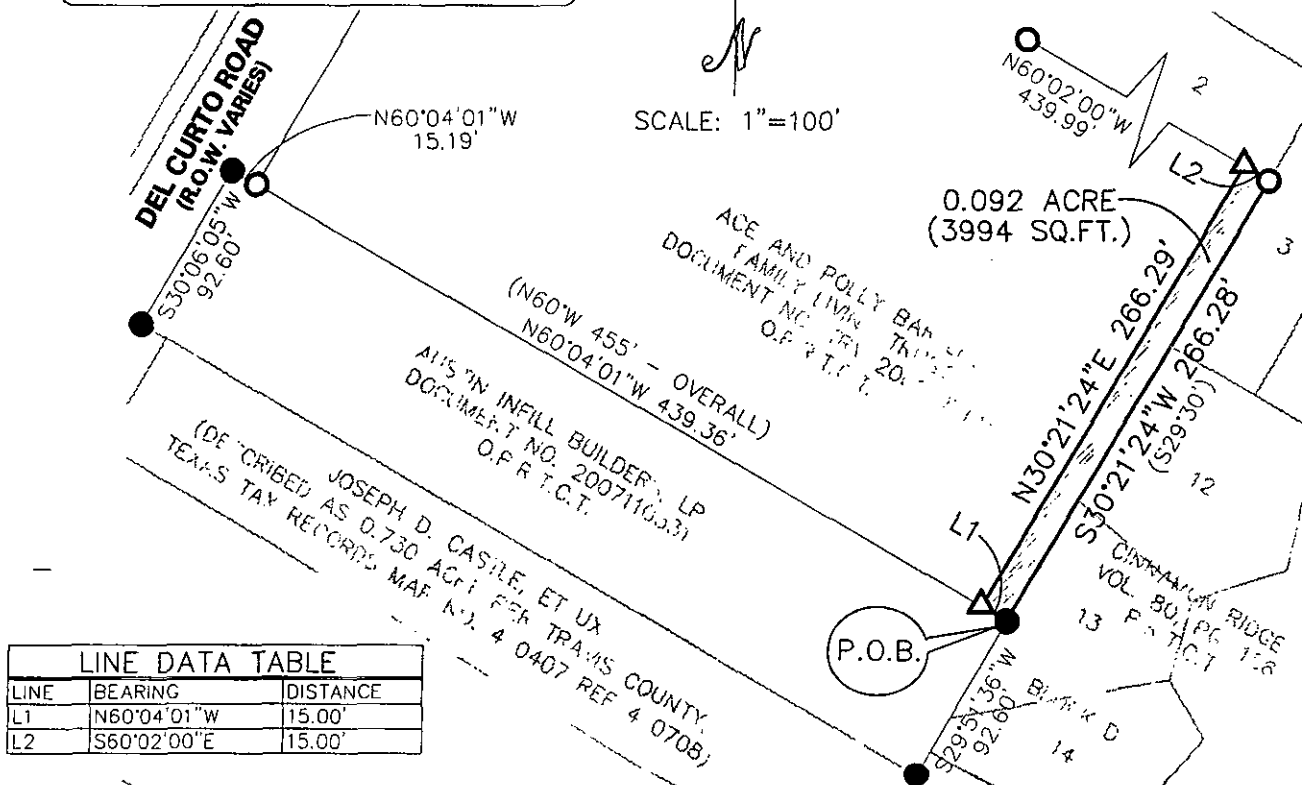
0.092 Acre (3994 sq.ft.) situated in Travis County, Texas out of a portion of Block No. 7 of Theodor Low Heights, a subdivision recorded in Volume 455, Page 582, Deed Records of Travis County, Texas and being a portion of that tract described in a Warranty Deed, executed January 4, 2001 and conveyed to Ace and Polly Bartlett Family Living Trust; Pauline D. Bartlett and Ace Miles Bartlett, Trustees, and recorded as Document No. 2001002145, Official Public Records of Travis County, Texas.

LEGEND	
●	1/2" (IRF) IRON ROD FOUND (unless noted)
○	1/2" (IRS) IRON ROD SET "ATS ENGINEERS"
△	CALCULATED POINT
()	RECORD INFORMATION
P.R.T.C.T.	PLAT RECORDS TRAVIS COUNTY TEXAS
D.R.T.C.T.	DEED RECORDS TRAVIS COUNTY TEXAS

Surveyor's Note:

Bearings cited hereon are based on a calculated inverse between a 5/8" iron pipe found for the most southerly southwest corner of Lot 14, Block D, and a 1/2" iron pip found for the most westerly southwest corner of Lot 1, Block D, Cinnamon Ridge, a subdivision in Travis County, Texas and recorded in Volume 80, Page 156, Plat Records, Travis County, Texas, having a calculated inverse of N 16°47'46" W 629.75 feet and a monumented distance of 630.10 feet.

SCALE: 1"=100'



Notes:

1) This map and the survey on which it is based have been prepared without the benefit of a title report and are not intended to reflect all easements, encumbrances or other circumstances affecting the title to the property shown hereon.

I, Paul Utterback, HEREBY CERTIFY that a survey was made on the ground of the property shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-way, except as shown; that said property has access to and from a public roadway, and that this plat is an accurate representation of the property to the best of my knowledge.

Paul Utterback

Paul Utterback, RPLS No. 5738

Client: Bartlett

Date of Field Work: 11/17/2009

Field: MPutman

Tech: CHenderson

Date Drawn: 11/20/2009

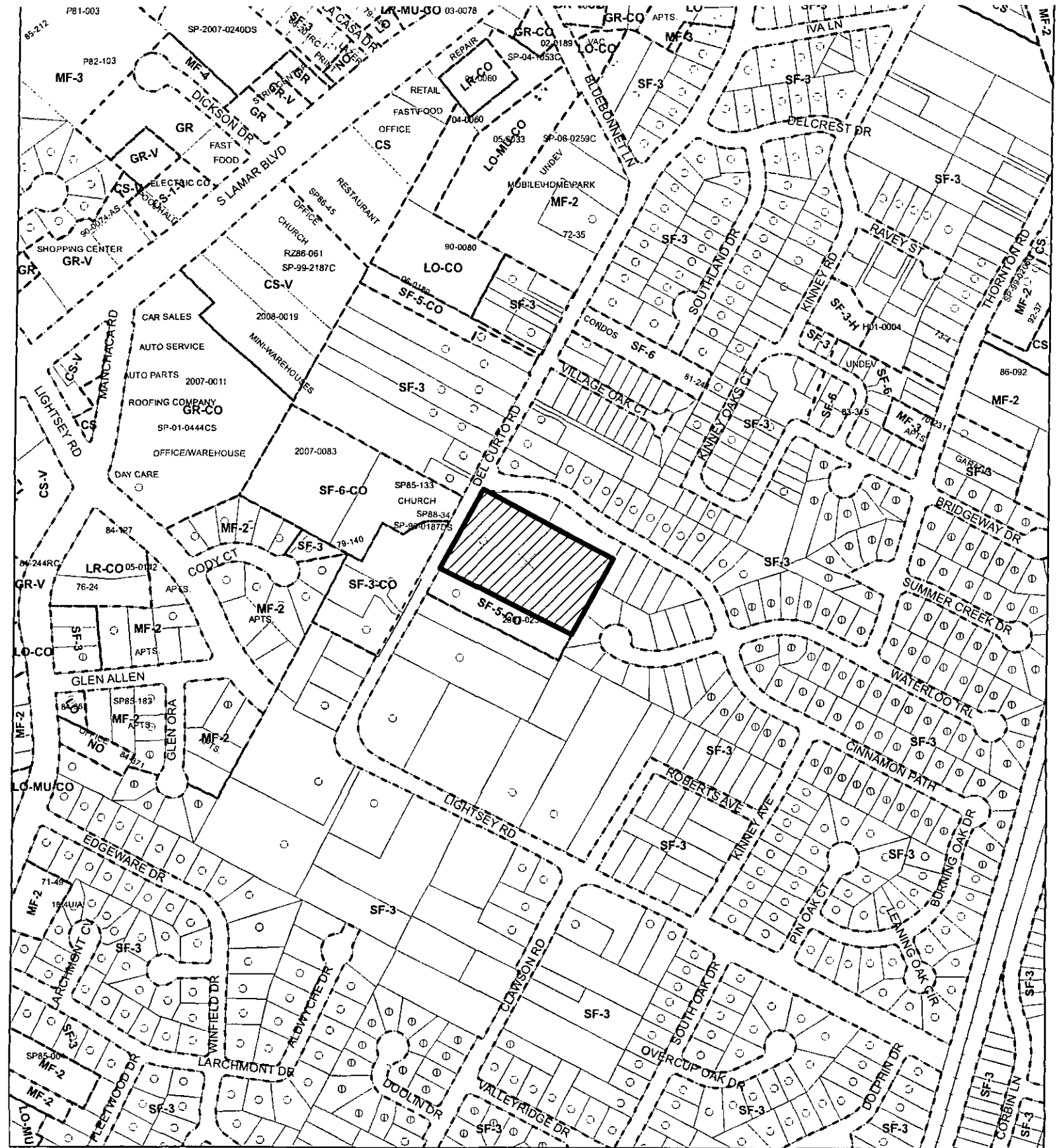
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4611 BEE CAVES ROAD, STE 200
AUSTIN, TEXAS 78746

**Engineers
Inspectors
& Surveyors**

(512) 328-6995
FAX: (512) 328-6996



SUBJECT TRACT



ZONING BOUNDARY

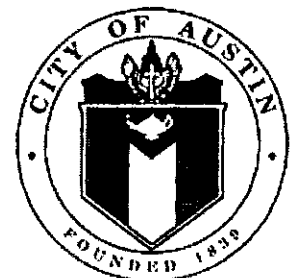


PENDING CASE

OPERATOR: S. MEEKS

ZONING EXHIBIT B

ZONING CASE#: C14-2009-0159
ADDRESS: 2807 DEL CURTO RD
SUBJECT AREA: 2.78 ACRES
GRID: G20
MANAGER: S. RYE



1" = 400'

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.