

**ORDINANCE NO. 20121018-086**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1700 ½ FRONTIER VALLEY DRIVE IN THE MONTOPOLIS NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-NEIGHBORHOOD PLAN (CS-NP) COMBINING DISTRICT TO MULTI FAMILY RESIDENCE MEDIUM DENSITY-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (MF-3-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 general commercial services-neighborhood plan (CS-NP) combining district to multi family residence medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district on the property described in Zoning Case No. C14-2012-0067, on file at the Planning and Development Review Department, as follows:

A 9.542 acre tract of land, more or less, out of the Santiago Del Valle Grant the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 1700 ½ Frontier Valley Drive in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**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 multi-family residence-medium density (MF-3-CO-NP) 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 condition:

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.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the multi family residence medium density (MF-3) base district and other applicable requirements of the City Code.

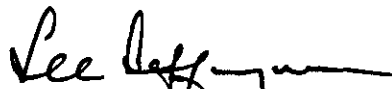
**PART 4.** The Property is subject to Ordinance No. 010927-28 that established the Montopolis neighborhood plan combining district.

**PART 5.** This ordinance takes effect on October 29, 2012.

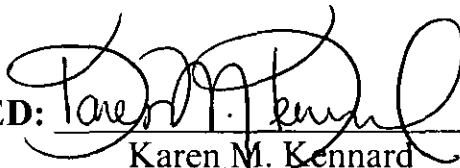
**PASSED AND APPROVED**

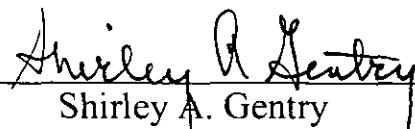
October 18, 2012

§  
§  
§



Lee Leffingwell  
Mayor

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

**ATTEST:**   
Shirley A. Gentry  
City Clerk

Field Notes

BEING 9.542 ACRES OF LAND, MORE OR LESS, OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT, IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THE 22.23 ACRE TRACT CONVEYED TO EQUITY SECURED CAPITAL, LP BY SUBSTITUTE TRUSTEE'S DEED, EXECUTED ON MAY 6, 2010 AND FILED FOR RECORD ON JUNE 4, 2010, RECORDED IN DOCUMENT 2010079698 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 9.542 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

BEGINNING at a calculated point in the northwesterly right-of-way line of Frontier Valley Drive (R.O.W. varies), and in the southeasterly line of said 22.23 acre Equity Secured Capital, LP tract, for the Point of Beginning and the most easterly corner of the herein described tract of land, from which a calculated point at the most easterly corner of said 22.23 acre Equity Secured Capital, LP tract and in the southwesterly line of the tract conveyed to FVMHP, LP by deed recorded in Document 2009191342 of the Official Public Records of Travis County, Texas bears North 45°32'54" East, a distance of 600.00 feet and from the most easterly corner of said 22.23 acre Equity Secured Capital, LP tract a 1/2 inch iron rod found bears North 45°32'54" East, a distance of 0.11 feet;

1) THENCE, South 45°32'54" West, a distance of 749.40 feet, with the northwesterly right-of-way line of Frontier Valley Drive and the southeasterly line of said 22.23 acre Equity Secured Capital, LP tract, to 5/8 inch iron rod with MWM cap set for the most southerly corner of the herein described tract of land, from which a 1/2 inch iron rod found at the intersection of the northwesterly right-of-way line of Frontier Valley and the northeasterly right-of-way line of East Riverside Drive (R.O.W. varies), same being a southeasterly corner of said 22.23 acre Equity Secured Capital, LP tract bears South 45°32'54" West, a distance of 293.03 feet;

2) THENCE, North 44°33'13" West, a distance of 553.30 feet, leaving the northwesterly right-of-way line of Frontier Valley Drive and the southeasterly line of said 22.23 acre Equity Secured Capital, LP tract and crossing said 22.23 acre Equity Secured Capital, LP tract, to a 5/8 inch iron rod with MWM cap set in the northwesterly line of said 22.23 acre Equity Secured Capital, LP tract and the southeasterly line of the 17.09 acre tract conveyed as Tract VI, to Vargas Properties I, Ltd., by deed recorded in Volume 12842, Page 557 of the Real Property Records of Travis County, Texas, for the most westerly corner of the herein described tract of land, from which an iron rod found in the northeasterly right-of-way line of East Riverside Drive and at the most westerly corner of said 22.23 acre Equity Secured Capital, LP tract and the most southerly corner of the 1.01 acre tract conveyed as tract VII to Vargas Properties I, Ltd., by deed recorded in Volume 12842, Page 557 of the Real Property Records of Travis County, Texas, bears South 45°22'45" West, a distance of 480.00 feet;

3) THENCE, North 45°22'45" East, a distance of 750.00 feet, with the northwesterly line of said 22.23 acre Equity Secured Capital, LP tract and the southeasterly line of said 17.09 acre Vargas Properties I, Ltd. tract to a calculated point for the most northerly corner of the herein described tract of

land, from which a 3/4 inch iron pipe found in the southwesterly right-of-way line of Lawrence Street (30' R.O.W.), same being an angle point in the northwesterly line of said 22.23 acre Equity Secured Capital, LP tract, and the most easterly corner of said 17.09 acre Vargas Properties I, Ltd tract, bears North 45°22'45" East, a distance of 35.57 feet;

4) THENCE, South 44°29'30" East, a distance of 555.52 feet, leaving the northwesterly line of said 22.23 acre Equity Secured Capital, LP tract and the southeasterly line of said 17.09 acre Vargas Properties I, Ltd tract and crossing said 22.23 acre Equity Secured Capital, LP tract, to the Point of Beginning and containing an area of 9.542 acres of land, more or less.

I hereby declare that this survey was made on the ground, under my supervision, and that it substantially complies with the current Texas Society of Professional Surveyors standards.

David E. Martinez  
David Edward Martinez  
Registered Professional Land Surveyor 5434

01/13/11  
Date



305 East Huntland Drive  
Suite 200  
Austin, Texas 78752  
(512) 453-0767

Bearing Basis: Northwestern line (North 45°22'45" East, 1265.71') of 22.23 acres conveyed Equity Secured Capital, LP in Document 2010079698 of the Official Public Records of Travis County, Texas

TCAD No.: 0309160106  
CITY GRID No.: L18

LINE TABLE		
LINE	BEARING	LENGTH
L1	N45°22'45"E	35.57'

SCALE:  
1"=200'

SANTIAGO DEL VALLE GRANT

CHERNOSKY No. 17  
BK. 5, PG. 150 PRCTCT

SANTOS STREET  
(50' ROW)

BLOCK	10	11	12	13	14	15

VARGAS PROPERTIES I, LTD.,  
A TEXAS LIMITED PARTNERSHIP  
TRACT VI (17.09 ACRES)  
VOL. 12842, PG. 557 RPRTCT

EQUITY SECURED CAPITAL, LP  
(22.23 AC.)  
DOC. 2010079698  
OPRTCT

POINT OF BEGINNING

9.542 ACRES



*David E. Martinez*  
09/18/12

LEGEND

- 5/8" IRON ROD W/MWM CAP SET
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- ⊙ 3/4" IRON PIPE FOUND
- △ CALCULATED POINT
- RPRTCT REAL PROPERTY RECORDS OF TRAVIS CO, TX
- OPRTCT OFFICIAL PUBLIC RECORDS OF TRAVIS CO, TX

TRACT VII  
(1.01 ACRES)  
(N61°40'00"W) (508.73')  
(S45°23'00"W) (98.89')  
(N61°40'00"W) (391.54')

EAST RIVERSIDE DRIVE  
(ROW VARIES)

SEE INSET B  
BEARING BASIS: NORTHWESTERLY LINE (N45°22'45"E, 2165.71') OF 22.23 ACRES CONVEYED IN DOCUMENT 2010079698 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS



305 East Huntland Drive  
Suite 200  
Austin, Texas 78752  
p. 512-453-0767  
f. 512-453-1734

SKETCH TO ACCOMPANY  
FIELD NOTES

TRAVIS COUNTY, TEXAS

DATE 18 SEP 2012  
JOB NO 47702  
FILE 9-512 AC

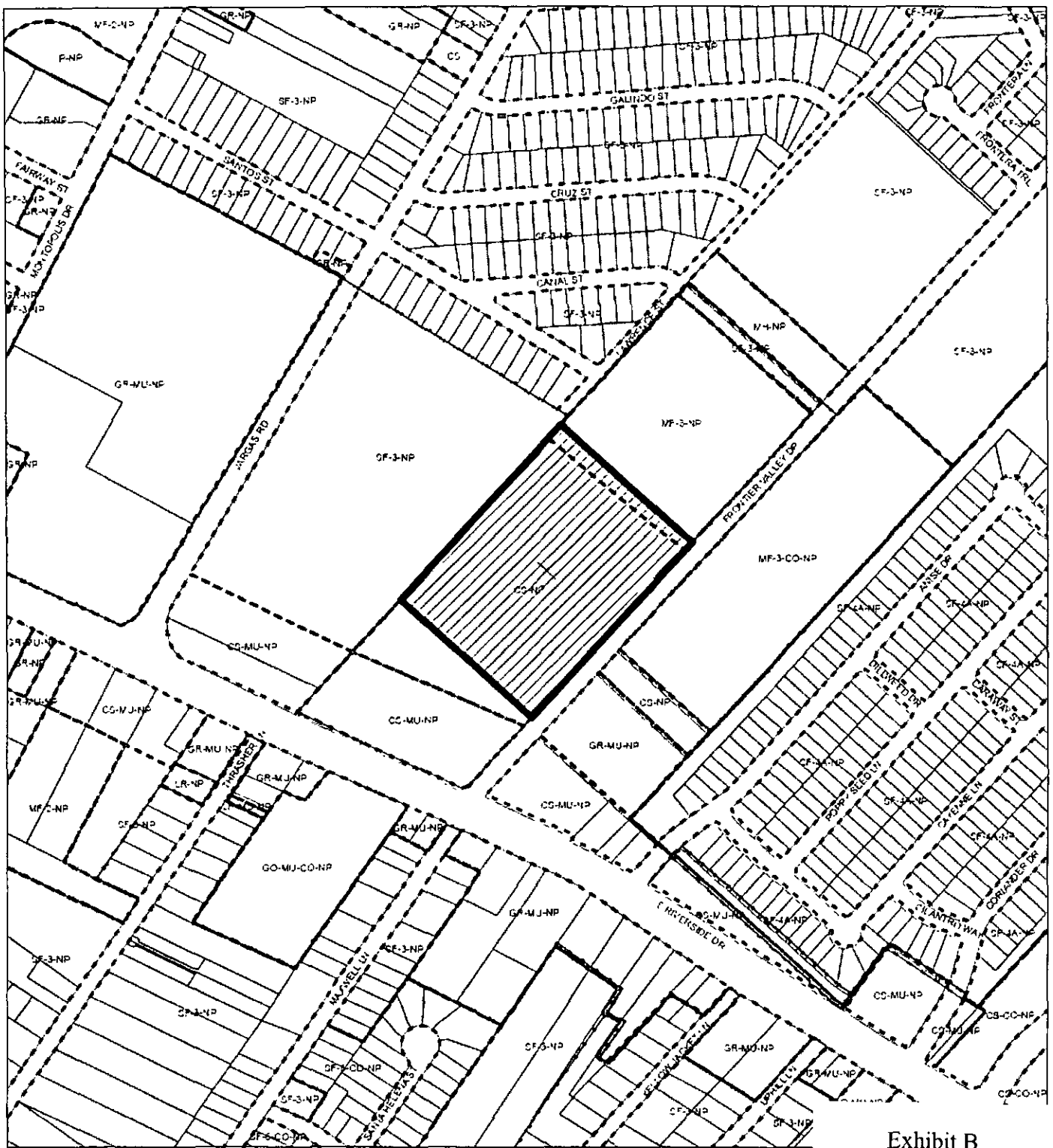





Exhibit B



1" = 400'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

### ZONING

ZONING CASE#: C14-2012-0067

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.

