ORDINANCE NO. ______________

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
PROPERTY LOCATED AT 710 EAST 41ST 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 41st 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 ____________________________, 2014.

PASSED AND APPROVED

§ § §

________________________, 2014

Lee Leffingwell
Mayor

APPROVED: __________________________ ATTEST: __________________________

Karen M. Kennard
City Attorney

Jannette S. Goodall
City Clerk
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 41st 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.


[Signature]
2/25/2014
Eric J. Dannheim
Registered Professional Land Surveyor
State of Texas No. 6075
TBPLS Firm No. 20124500
3.325 ACRES
APPROX. 144,831 SQ. FT.

APPROXIMATE EAST MARGIN OF
FULLY DEVELOPED FLOODPLAIN
(SCALED FROM FEMA MAP
48453C0465H AS REVISED TO
REFLECT LOMR EFFECTIVE 3/03/10)

PERRY ESTATE, LLC
9.862 ACRES
(2011032666)

PERRY ESTATE, LLC
9.862 ACRES
(2011032666)

DATE OF SURVEY: 03/03/11
PLOT DATE: 02/25/14
DRAWING NO.: 793–001–Z13
PROJECT NO.: 793–001
DRAWN BY: CW & EI D
T.B.P.L.S. FIRM NO. 10124500
SHEET 2 OF 3
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)

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

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

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

CARLOS M. CARVALHO
0.214 ACRES
(2010061363)

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

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)

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

GEORGE A. ELDER, JR. AND
ELIZABETH R. SANDSON ELDER
SECOND TRACT
(11306/333)
(DESCRIBED IN 2556/210)

LAVERN HENDERSON
SECOND TRACT
(11101/985)
(815/416)

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

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

PATTYE HENDERSON
14,448 SQUARE FEET
(10035/165)
(913/33)

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-Z13
PROJECT NO.: 793-001
DRAWN BY: CWW & EJD
T.B.P.L.S. FIRM NO. 10124500
SHEET 3 OF 3
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

---

**LINE TABLE**

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

---

**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

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

Chaparral