Revised
Item # 25

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4905, 5001 AND 5003 PECAN SPRINGS ROAD IN THE EAST MLK COMBINED NEIGHBORHOOD PLAN FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO MULTIFAMILY RESIDENCE LOW DENSITY-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (MF-2-CO-NP) COMBINING DISTRICT FOR TRACT 1 AND FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO TOWNHOUSE AND CONDOMINIUM RESIDENCE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (SF-6-CO-NP) COMBINING DISTRICT FOR TRACT 2.

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-neighborhood plan (SF-3-NP) combining district to multifamily residence low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district for Tract 1 and from family residence-neighborhood plan (SF-3-NP) combining district to townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district for Tract 2 on the property described in Zoning Case No. C14-2015-0001, on file at the Planning and Zoning Department, as follows:

Tract 1:

A 1.37 acre of land prepared by Delta Survey Group, Inc, in April 2015, located in the Henry Warnell Survey No. 20, in Travis County, Texas, said 1.37 acre tract, being a portion of that called 5.002 acre tract conveyed to Luke and Peni Ellis, and described in document number 2013111777, and also being a portion of that called 2.00 acre tract conveyed to Christopher R. Chollet and Carianne Schulte as described in document number 2011114352, both of the Official Public Records Travis County, Texas, said 1.37 acre tract being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

Tract 2:

A 6.36 acre of land prepared by Delta Survey Group, Inc, in April 2015, located in the Henry Warnell Survey No. 20, in Travis County, Texas, said 6.36 acre tract, being a portion of that called 5.002 acre tract conveyed to Luke and Peni Ellis, and described in document number 2013111777, and also being a portion of that called 2.00 acre

tract conveyed to Christopher R. Chollet and Carianne Schulte as described in document number 2011114352, and also being all of that called 0.702 acre tract conveyed to Stephen D. Reynolds, described in document number 2000134424, all of the Official Public Records, Travis County, said 6.36 acre tract being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (cumulatively referred to as the "Property"),

locally known as 4905, 5001 and 5003 Pecan Springs Road in the City of Austin, Travis County, Texas, generally identified in the map attached as Exhibit "C".

PART 2. The Property is subject to Ordinance No. 021107-Z-12c that established the East MLK Combined neighborhood plan.

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 Tract 2 may not exceed 38 units.

B. A 30-foot wide minimum building setback for Tract 2 shall be established parallel to and measured from the western and southern property lines.

C. A 25-foot wide minimum building setback for Tract 2 shall be established parallel to and measured from the northern property line.

D. The most southeasterly home on Tract 2 shall not be constructed farther east than the 546 topographical elevation line as surveyed by a licensed surveyor.

E. The maximum height of a building or structure fronting Pecan Springs Road on Tract 2 may not exceed 2 stories or 35 feet.

F. The maximum height of a 1-story building or structure for Tract 2 may not exceed 20 feet.

G. A vegetative buffer shall be provided for Tract 2 along the southern property line within the 30-foot setback and along the southern fence line. The vegetative buffer shall consist of at least one line of shade trees planted every 30 feet on center.

H. A vegetative screen shall be provided for Tract 2 to screen parking areas and vehicle headlights.

I. Vehicular access to Tract 2 is prohibited except at the northernmost corner of Tract 2 at Pecan Springs Road.

J. Vehicular access between Tracts 1 and 2 is prohibited.

K. The following uses are not permitted uses of the Property:

Short-term rental (Type 2) Short-term rental (Type 3)

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the multifamily residence (MF-2) district and the townhouse and condominium residence (SF-6) district and other applicable requirements of the City Code.

PART 4. This ordinance takes effect on _____, 2015.

PASSED AND APPROVED

§
§
_____, 2015 § _____
Steve Adler
Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan
Interim City Attorney

Jannette S. Goodall
City Clerk

TRACT 1

1.37 ACRE
HENRY WARNELL SURVEY
TRAVIS COUNTY, TEXAS

DESCRIPTION OF A 1.37 ACRE TRACT FOR ZONING PURPOSES, PREPARED BY DELTA SURVEY GROUP, INC. IN APRIL 2015, LOCATED IN THE HENRY WARNELL SURVEY NO. 20, IN TRAVIS COUNTY, TEXAS, SAID 1.37 ACRE TRACT, BEING A PORTION OF THAT CALLED 5.002 ACRE TRACT CONVEYED TO LUKE AND PENI ELLIS, AND DESCRIBED IN DOCUMENT NUMBER 2013111777, AND ALSO BEING A PORTION OF THAT CALLED 2.00 ACRE TRACT CONVEYED TO CHRISTOPHER R. CHOLLET AND CARIANNE SCHULTE AS DESCIBED IN DOCUMENT NUMBER 2011114352, BOTH OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS. SAID 1.37 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1 inch iron pipe found in the west line of Lot 2 Austin (Springdale) DTP IV, LLC Addition a subdivision of record in Document Number 201100119, Official Public Records, Travis County, Texas, same being the northeast corner of said 2.00 acre tract, and also being the southeast corner of a called 2.06 acre tract conveyed to Glenn K. Weichert in Document Number 2014049286, Official Public Records, Travis County, Texas;

THENCE with the west line of said Lot 2, same being the east line of said 2.00 acre tract, S31°42'05"W a distance of 114.79 feet to a ½ inch iron rod found for the southeast corner of said 2.00 acre tract, same being the northeast corner of said 5.002 acre tract, same being the southwest corner of said Lot 2, and also being the northwest corner of Lot 1 Texas Properties IV a subdivision of record in Book 86, Page 74C, Plat Records, Travis County, Texas;

THENCE with the east line of said 5.002 acre tract, same being the west line of said Lot 1 the following two (2) courses and distances:

1. S31°37'14"W a distance of 78.66 feet to a 1 inch iron rod found, and
2. S31°57'09"W a distance of 206.84 feet to a ½ inch iron rod found for the southeast corner of said 5.002 acre tract, same being the northeast corner of said 5.1 acre tract;

THENCE leaving the west line of said Lot 1 and crossing said 5.002 acre tract and said 2.00 acre tract, N07°16'41"W a distance of 471.79 feet to a ½ inch iron rod with "B&G" cap found in the north line of said 2.00 acre tract, same being the southeast corner of a called 1.21 acre tract conveyed to Mila A. Jackson, described in Document Number 2001059987, Official Public Records, Travis County, Texas, and also being a southwest corner of said 2.06 acre tract;

1.37 ACRE
HENRY WARNELL SURVEY
TRAVIS COUNTY, TEXAS

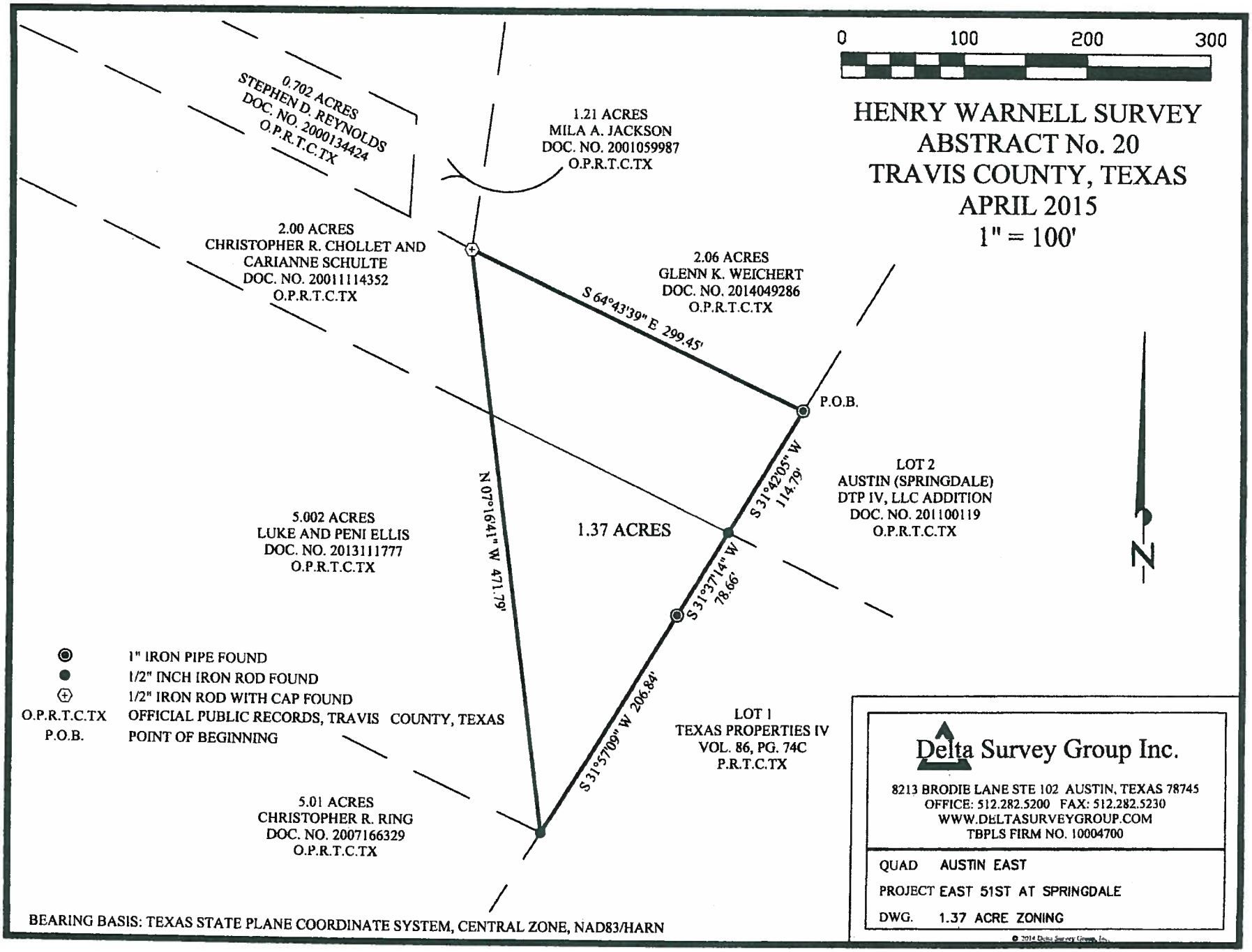
THENCE with the south line of said 2.06 acre tract, same being the north line of said 2.00 acre tract S64°43'39"W a distance of 299.45 feet to the **POINT OF BEGINNING** and containing 1.37 acres of land, more or less.

BEARING BASIS:
TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83/HARN

Date: 04-10-15

John C. Nielsen
Registered Professional Land Surveyor
No. 5541-State of Texas

Delta Survey Group, Inc.
8213 Brodie Lane, Suite 102
Austin, Texas 78745
TBPLS FIRM NO. 10004700


0 100 200 300
HENRY WARNELL SURVEY
ABSTRACT No. 20
TRAVIS COUNTY, TEXAS
APRIL 2015
1" = 100'
0.702 ACRES
STEPHEN D. REYNOLDS
DOC. NO. 2000134424
O.P.R.T.C.TX
1.21 ACRES
MILA A. JACKSON
DOC. NO. 2001059987
O.P.R.T.C.TX
2.00 ACRES
CHRISTOPHER R. CHOLLET AND
CARIANNE SCHULTE
DOC. NO. 20011114352
O.P.R.T.C.TX
2.06 ACRES
GLENN K. WEICHERT
DOC. NO. 2014049286
O.P.R.T.C.TX
S 64°43'39" E 299.45'
P.O.B.
S 31°42'05" W
114.79'
LOT 2
AUSTIN (SPRINGDALE)
DTP IV, LLC ADDITION
DOC. NO. 201100119
O.P.R.T.C.TX
5.002 ACRES
LUKE AND PENI ELLIS
DOC. NO. 2013111777
O.P.R.T.C.TX
1.37 ACRES
N 07°16'41" W 471.79'
S 31°37'14" W
78.66'
S 31°57'09" W 206.84'
LOT 1
TEXAS PROPERTIES IV
VOL. 86, PG. 74C
P.R.T.C.TX
5.01 ACRES
CHRISTOPHER R. RING
DOC. NO. 2007166329
O.P.R.T.C.TX
N
1" IRON PIPE FOUND
1/2" INCH IRON ROD FOUND
1/2" IRON ROD WITH CAP FOUND
O.P.R.T.C.TX OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
P.O.B. POINT OF BEGINNING
BEARING BASIS: TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83/HARN
Delta Survey Group Inc.
8213 BRODIE LANE STE 102 AUSTIN, TEXAS 78745
OFFICE: 512.282.5200 FAX: 512.282.5230
WWW.DELTASURVEYGROUP.COM
TBPLS FIRM NO. 10004700
QUAD AUSTIN EAST
PROJECT EAST 51ST AT SPRINGDALE
DWG. 1.37 ACRE ZONING

6.36 ACRE
HENRY WARNELL SURVEY
TRAVIS COUNTY, TEXAS

DESCRIPTION OF A 6.36 ACRE TRACT FOR ZONING PURPOSES, PREPARED BY DELTA SURVEY GROUP, INC. IN APRIL 2015, LOCATED IN THE HENRY WARNELL SURVEY NO. 20, IN TRAVIS COUNTY, TEXAS, SAID 6.36 ACRE TRACT, BEING A PORTION OF THAT CALLED 5.002 ACRE TRACT CONVEYED TO LUKE AND PENI ELLIS, AND DESCRIBED IN DOCUMENT NUMBER 2013111777, AND ALSO BEING A PORTION OF THAT CALLED 2.00 ACRE TRACT CONVEYED TO CHRISTOPHER R. CHOLLET AND CARIANNE SCHULTE AS DESCIBED IN DOCUMENT NUMBER 2011114352, AND ALSO BEING ALL OF THAT CALLED 0.702 ACRE TRACT CONVEYED TO STEPHEN D. REYNOLDS, DESCRIBED IN DOCUMENT NUMBER 2000134424, ALL OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS. SAID 6.36 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1 inch iron pipe found in in the east right-of-way (ROW) line of Pecan Springs Road (ROW varies) same being the northwest corner of said 0.702 acre tract, and also being the southwest corner of a called 1.21 acre tract conveyed to Mila A. Jackson, described in Document Number 2001059987, Official Public Records, Travis County, Texas;

THENCE with the north and east lines of said 0.702 acre tract, same being south and east lines of said 1.21 acre tract the following two (2) courses and distances:

1. S64°25'38"E a distance of 393.25 feet to a ½" iron pipe found, and
2. S03°19'29"W a distance of 81.39 feet to a 1" iron pipe found in the north line of said 2.00 acre tract, same being the southeast corner of said 0.702 acre tract, and also being a south corner of said 1.21 acre tract;

THENCE with the north line of said 2.00 acre tract, same being a south line of said 1.21 acre tract, S63°23'30"E a distance of 56.59 feet to a ½ inch iron rod with "B&G" cap found for the southeast corner of said 1.21 acre tract, same being the southwest corner of a called 2.06 acre tract conveyed to Glenn K. Weichert, described in Document Number 2014049286, Official Public Records, Travis County, Texas;

THENCE leaving said common point, crossing said 2.00 acre tract and said 5.002 acre tract, S07°16'41"E a distance of 471.79 feet to a ½ inch iron rod found in the west line of Lot 1 Texas Properties IV a subdivision of record in Volume 86, Page 74C, Plat Records, Travis County, Texas, same being the southeast corner of said 5.002 acre tract, and also being the northeast corner of a called 5.01 acre tract conveyed to Christopher R. Ring, described in Document Number 2007166329, Official Public Records, Travis County, Texas;

THENCE with the south line of said 5.002 acre tract, same being the north line of said 5.01 acre tract, N64°24'17"W a distance of 755.35 feet to a 1" iron pipe found in the east ROW line of said Pecan Springs Road, same being the southwest corner of said 5.02 acre tract, and also being the northwest corner of said 5.01 acre tract;

6.36 ACRE
HENRY WARNELL SURVEY
TRAVIS COUNTY, TEXAS

THENCE with the east ROW line of said Pecan Springs Road, same being west lines of said 5.002 acre tract, said 2.00 acre tract and said 0.702 acre tract the following three (3) courses and distances:

1. N27°47'08"E a distance of 285.70 feet to a 1" iron pipe found,
2. N27°59'27"E a distance of 112.32 feet to a 1" iron pipe found, and
3. N27°52'41"E a distance of 74.74 feet to the **POINT OF BEGINNING** and containing 6.36 acres of land, more or less.

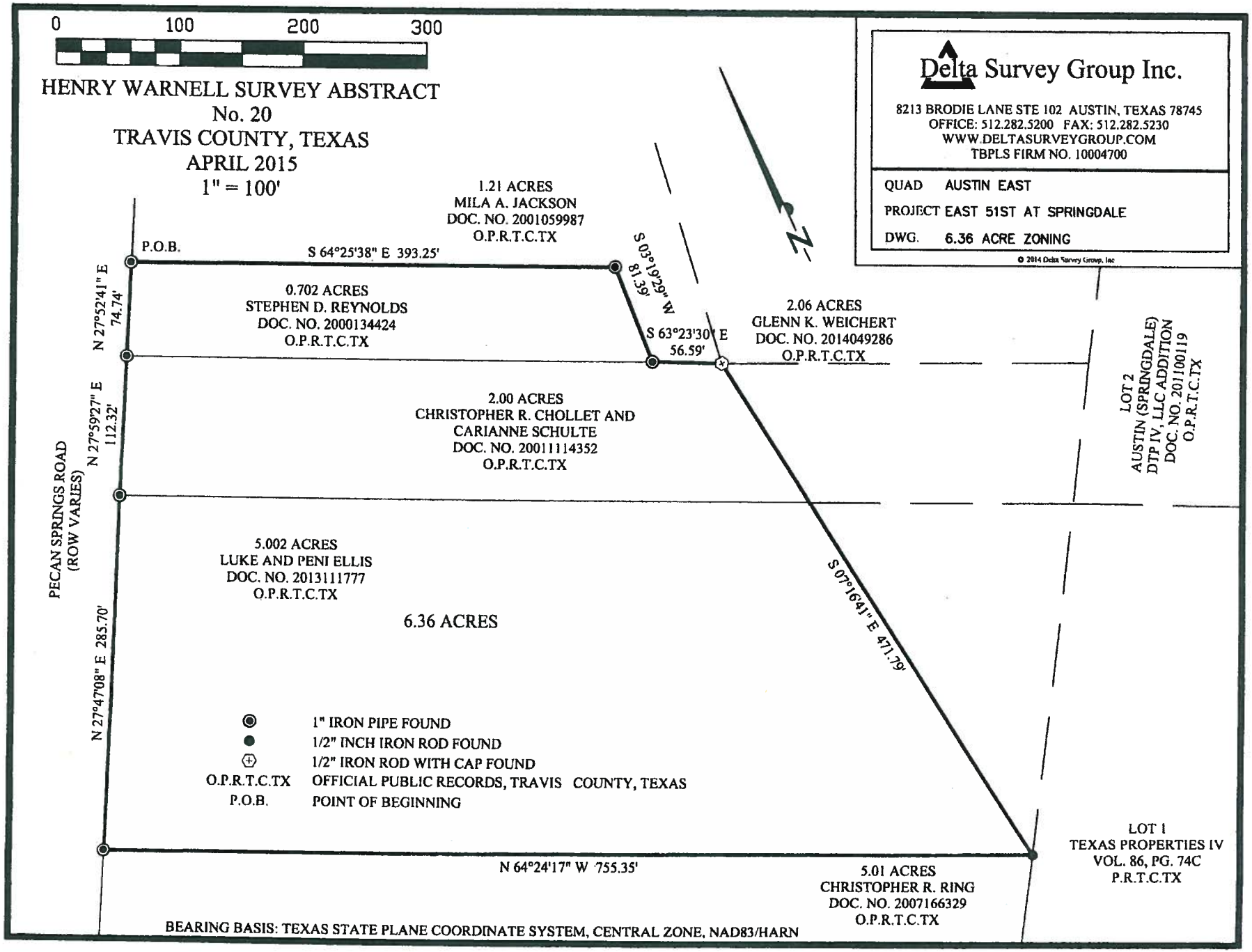
BEARING BASIS:
TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83/HARN

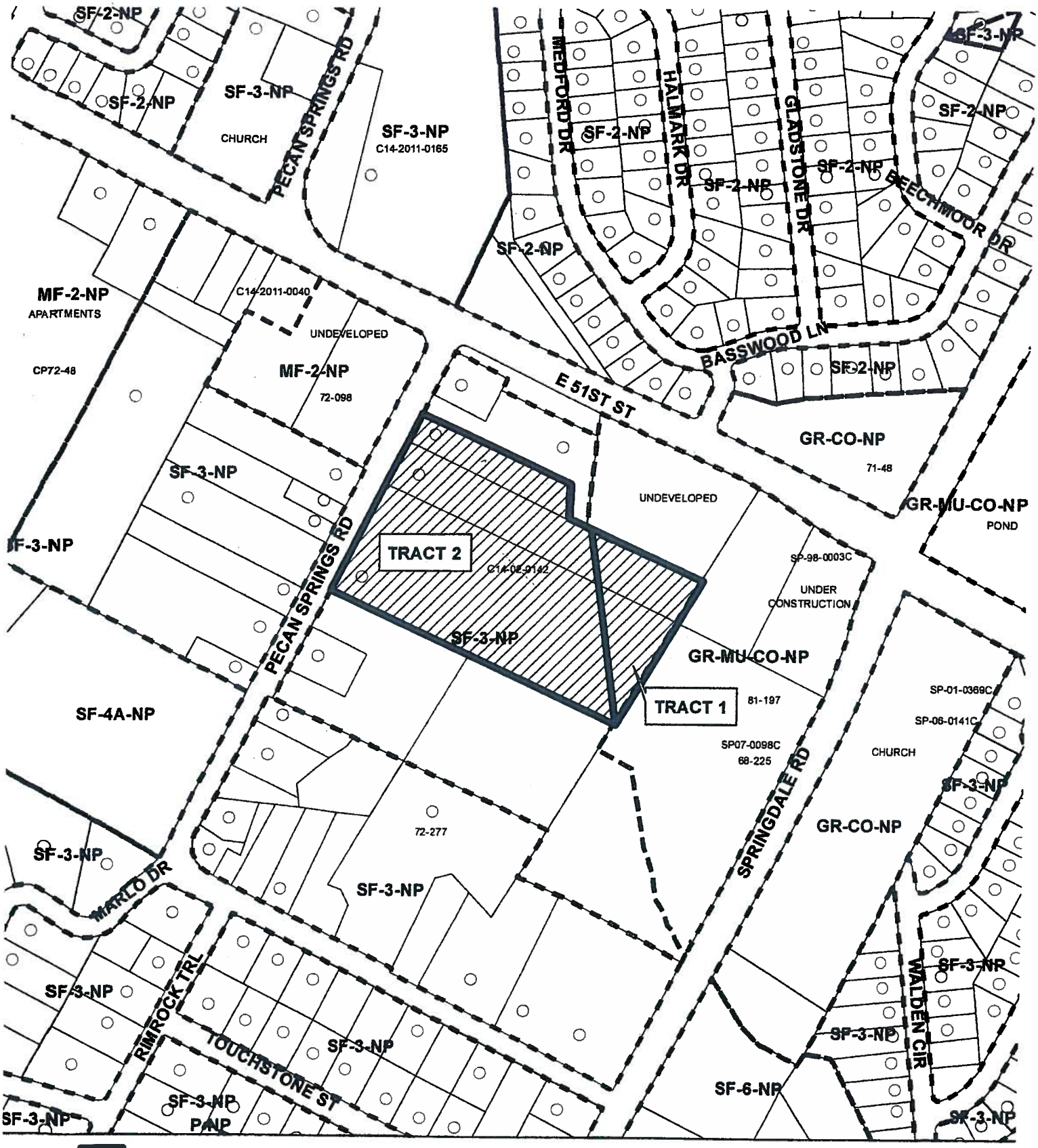
Date: 04-10-15



John C. Nielsen
Registered Professional Land Surveyor
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Delta Survey Group, Inc.
8213 Brodie Lane, Suite 102
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0
100
200
300
HENRY WARNELL SURVEY ABSTRACT
No. 20
TRAVIS COUNTY, TEXAS
APRIL 2015
1" = 100'
Delta Survey Group Inc.
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QUAD AUSTIN EAST
PROJECT EAST 51ST AT SPRINGDALE
DWG. 6.36 ACRE ZONING
© 2014 Delta Survey Group, Inc
1.21 ACRES
MILA A. JACKSON
DOC. NO. 2001059987
O.P.R.T.C.TX
P.O.B.
S 64°25'38" E 393.25'
S 03°19'29" W
81.39'
S 63°23'30" E
56.59'
N 27°52'41" E
74.74'
0.702 ACRES
STEPHEN D. REYNOLDS
DOC. NO. 2000134424
O.P.R.T.C.TX
2.06 ACRES
GLENN K. WEICHERT
DOC. NO. 2014049286
O.P.R.T.C.TX
LOT 2
AUSTIN (SPRINGDALE)
DTP IV, LLC ADDITION
DOC. NO. 201100119
O.P.R.T.C.TX
N 27°59'27" E
112.32'
2.00 ACRES
CHRISTOPHER R. CHOLLET AND
CARIANNE SCHULTE
DOC. NO. 20011114352
O.P.R.T.C.TX
PECAN SPRINGS ROAD
(ROW VARIES)
5.002 ACRES
LUKE AND PENI ELLIS
DOC. NO. 2013111777
O.P.R.T.C.TX
6.36 ACRES
S 07°16'41" E 471.79'
N 27°47'08" E 285.70'
1" IRON PIPE FOUND
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LOT 1
TEXAS PROPERTIES IV
VOL. 86, PG. 74C
P.R.T.C.TX
N 64°24'17" W 755.35'
5.01 ACRES
CHRISTOPHER R. RING
DOC. NO. 2007166329
O.P.R.T.C.TX
BEARING BASIS: TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83/HARN



N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

ZONING

CASE#: C14-2015-0001

1 " = 300 '

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.

CITY OF AUSTIN
FOUNDED 1839

Exhibit C