

**ORDINANCE NO. 20160211-024**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1615 AND 1617 SOUTH 2<sup>ND</sup> STREET IN THE BOULDIN CREEK NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO URBAN FAMILY RESIDENCE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (SF-5-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-neighborhood plan (SF-3-NP) combining district to urban family residence-conditional overlay-neighborhood plan (SF-5-CO-NP) combining district on the property described in Zoning Case No. C14-2015-0145, on file at the Planning and Zoning Department, as follows:

A 0.600-acre (26,130 square foot) tract of land located in the Isaac Decker League, Abstract No. 8, Travis County, Texas, in the city of Austin, Texas, being all of a called 0.603-acre tract of land conveyed to Condo Paradiso, LLC by special warranty deed with vendor's lien dated November 24, 2015 recorded in Document No. 2015194070 of the Official Public Records of Travis County, Texas; said 0.600-acre of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 1615 and 1617 South 2<sup>nd</sup> Street in the City of Austin, Travis County, Texas, 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. Development of the Property may not exceed 8 residential units.
- B. The maximum height of a building or structure on the Property shall not exceed 2 stories or 35 feet.
- C. The maximum height of an exterior wall of a building or structure on the Property shall not exceed 20 feet from finished floor.

- D. The maximum footprint square footage for a residential unit on the Property shall not exceed 799 square feet. Additionally, no less than 2 residential units on the Property shall have a maximum square footage of 15 percent less than the average square footage of the remaining residential units on the Property.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the urban family residence (SF-5) district and other applicable requirements of the City Code.

**PART 3.** The Property is subject to Ordinance No. 20020523-33 that established zoning for the Bouldin Creek Neighborhood Plan.

**PART 4.** This ordinance takes effect on February 22, 2016.


**PASSED AND APPROVED**

February 11, 2016

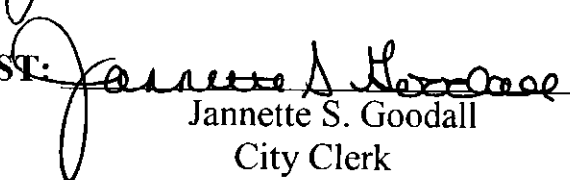
§  
§  
§

  
Steve Adler  
Mayor

**APPROVED:**

  
Anne L. Morgan  
City Attorney

**ATTEST:**

  
Jannette S. Goodall  
City Clerk



STATE OF TEXAS  
COUNTY OF TRAVIS

CONDO PARADISO, LLC  
1615 & 1617 SOUTH 2<sup>ND</sup> ST.  
AUSTIN, TEXAS

EXHIBIT " \_\_\_\_\_ "

**FIELD NOTES**

LEGAL DESCRIPTION OF A 0.600-ACRE (26,130 SQUARE FOOT) TRACT OF LAND LOCATED IN THE ISAAC DECKER LEAGUE, ABSTRACT NO. 8, TRAVIS COUNTY, TEXAS, IN THE CITY OF AUSTIN, TEXAS, BEING ALL OF A CALLED 0.603-ACRE TRACT OF LAND CONVEYED TO CONDO PARADISO, LLC BY SPECIAL WARRANTY DEED WITH VENDOR'S LIEN DATED NOVEMBER 24, 2015 AND RECORDED IN DOCUMENT NO. 2015194070 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.600-ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ACCOMPANYING SKETCH:

**BEGINNING** on a 5/8-inch diameter iron rod found in the easterly right-of-way line of South 2<sup>nd</sup> Street (60-foot right-of-way width), being the northwest corner of the above-described 0.603-acre tract, same being the southwest corner of a called 50-foot by 150-foot portion of Block 1-C of the James E. Bouldin Estates, having been conveyed to Eric S. Hartzell in Document No. 2010056640 of the Official Public Records of Travis County, Texas, for the northwest corner of the herein-described tract;

**THENCE** departing said right-of-way line, with the northerly boundary line of said 0.603-acre tract, same being the southerly boundary line of said tract conveyed to Eric S. Hartzell and the southerly boundary line of Lot A of the Deleon Resubdivision as recorded in Volume 94, Page 281-282 of the Plat Records of Travis County, Texas, **South 69°49'00" East** for a distance of **231.81 feet** to a 1/2-inch inside diameter iron pipe found on the northeast corner of said 0.603-acre tract, same being the northwest corner of a called 0.153-acre portion of Lot 1, Block C of the James E. Bouldin Addition, a subdivision recorded in Volume 1, page 71 of said Plat Records, having been conveyed to Felsenhaus Trust by Document No. 2015181993 of said Official Public Records, for the northeast corner of this tract;

**THENCE** departing said southerly boundary line of Lot A, Deleon Resubdivision, with the easterly boundary line of said 0.603-acre tract, same being the westerly boundary line of said 0.153-acre tract and the westerly boundary line of a called 0.172-acre portion of Lot 1, Division C of the Partition of the James E. Bouldin Estate, recorded in Volume U, Page 78 of the District



Court Minutes of Travis County, Texas, having been conveyed to 1632 South 1<sup>st</sup> Street, LLC by Document No. 201117716 of said Official Public Records, **South 17°38'24" West** for a distance of **101.99 feet** to a ½-inch diameter iron rod found on a southeast corner of said 0.603-acre tract, same being the southwest corner of said 0.172-acre tract, being also in the northerly boundary line of a called 60-foot by 156-foot portion of Lot One (1), Block Four (4), of D.W. Bouldin's Addition, a subdivision recorded in Volume 1, Page 78 of said Plat Records, described in a Release of Lien recorded in Document No. 2008036639 of said Official Public Records, for a southeast corner of this tract;

**THENCE** with the southerly boundary line of said 0.603-acre tract, same being said northerly boundary line of the 60-foot by 156-foot tract and the northerly boundary line of a called 0.0206-acre tract of land of unknown ownership, being out of said Lot 1, Block C of the James E. Bouldin Addition, **North 71°56'36" West** for a distance of **29.88 feet** to a ½-inch diameter iron rod found on a re-entrant corner of said 0.603-acre tract, same being the northwest corner of said 0.0206-acre tract, for a re-entrant corner of this tract;

**THENCE** continuing with said southerly boundary line of the 0.603-acre tract, same being the westerly boundary line of said 0.0206-acre tract, **South 20°17'08" West** a distance of **12.53 feet** to a ½-inch diameter iron rod found on a southeasterly corner of said 0.603-acre tract, same being the northeast corner of a called 0.207-acre tract of land being a portion of said Lot 1, Division C of the Partition of the James E. Bouldin Estate, recorded in Volume U, Page 78 of said District Court Minutes of Travis County, Texas, having been conveyed to Kevin T. Howell and Christine E. Howell in Document No. 2008054369 of said Official Public Records, for a southeast corner of this tract;

**THENCE** departing said westerly boundary line of the 0.0206-acre tract, continuing with said southerly boundary line of the 0.603-acre tract, same being the northerly boundary line of said 0.207-acre tract, **North 69°10'09" West** for a distance of **200.95 feet** to a ½-inch inside diameter iron pipe found in the aforementioned easterly right-of-way line of South 2<sup>nd</sup> Street, on the southwest corner of said 0.603-acre tract, same being the northwest corner of said 0.207-acre tract, for the southwest corner of this tract;

**THENCE** with said easterly right-of-way line of South 2<sup>nd</sup> Street, same being the westerly boundary line of said 0.603-acre tract, **North 17°23'39" East** for a distance of **113.40 feet** to the **POINT OF BEGINNING** and containing 0.600-acre (26,130 square feet) of land.



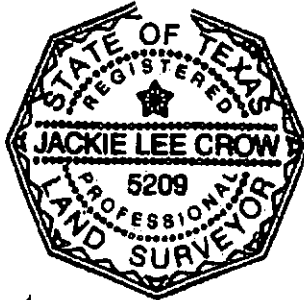
### BEARING BASIS NOTE

The bearings described herein are based on the record bearing of South 69°49' East as shown on the northerly boundary line of said 0.603-acre tract described in Document No. 2004153951 of the Official Public Records of Travis County, Texas

### CERTIFICATION:

I do hereby certify that this legal description is true and correct to the best of my knowledge and belief, and was prepared from an actual on the ground survey of found property corners and right-of-way monuments under my supervision, and that the markers described herein actually exist, as described, at the time of my survey.

As Prepared by  
Landmark Surveying, LP  
Firm Registration No. 100727-00



*Jackie Lee Crow*

*1/28/2016*

Date

Jackie Lee Crow  
Registered Professional Land Surveyor No. 5209  
State of Texas  
E-mail: [jack@landmarksurveying.com](mailto:jack@landmarksurveying.com)

### REFERENCES

TCAD PARCEL GEO ID NO. 0401021303 & 0401021304

2205 East 5<sup>th</sup> Street  
AUSTIN, TEXAS 78702 (512) 328-7411 (512) 328-7413  
W.B.E./H.U.B./D.B.E./S.B.E.  
Firm Registration No. 100727-00

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

0.600 (0.603) ACRE OF LAND, OUT OF  
THE ISAAC DECKER LEAGUE, ABSTRACT NO. 8  
TRAVIS COUNTY, TEXAS  
DOCUMENT # 2015194070 (O.P.R.T.C.T.)

## BEARING BASIS NOTE:

BEARING OF S69°49'E SHOWN FOR  
NORTHERLY BOUNDARY LINE IN  
DOCUMENT NO. 2004153951 OFFICIAL  
PUBLIC RECORDS OF TRAVIS COUNTY,  
TEXAS.

SCALE 1"=40'

## LEGEND

- 1/2" ● 1/2" IRON ROD FOUND WITH NO CAP  
(UNLESS OTHERWISE NOTED)
- ⊙ 1/2" IRON PIPE FOUND (INSIDE DIAMETER)
- ( ) RECORD INFORMATION: SUBJECT TRACT  
DOCUMENT # 2015194070 (O.P.R.T.C.T.)
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS  
OF TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS  
OF TRAVIS COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS  
OF TRAVIS COUNTY, TEXAS
- D.R.T.C.T. DEED RECORDS  
OF TRAVIS COUNTY, TEXAS
- TCAD TRAVIS CENTRAL APPRAISAL  
DISTRICT
- R.O.W. RIGHT-OF-WAY
- D.C.M.T.C.T. DISTRICT COURT MINUTES  
OF TRAVIS COUNTY, TEXAS.

## LINE TABLE

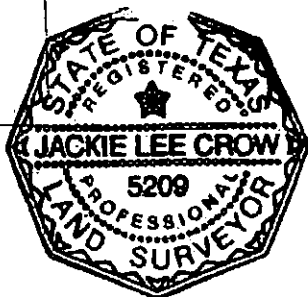
LINE	BEARING	DISTANCE
L1	N71°56'36"W (N71°42'00"W)	29.88' 29.83'
L2	S20°17'08"W (S20°38'00"W)	12.53' 12.83'

AS SURVEYED BY:  
LANDMARK SURVEYING, LP  
FIRM REGISTRATION NO. 100727-00

JACKIE LEE CROW  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5209  
STATE OF TEXAS  
SURVEYED: JANUARY 21, 2016

THIS SKETCH IS VALID ONLY IF IT BEARS THE ORIGINAL  
SIGNATURE OF THE ABOVE SURVEYOR.

Client: CONDO PARADISO, LLC  
Date: JANUARY 28, 2016  
Office: MOUMENE BOUADI  
Crew: J. LEE, K. DUNN  
F.B.: 1462/65 & 69-72: 1469/37  
Path: t:\mike speciale also chroma and 606\1615 & 1617 s. 2nd street\metes and bounds\0.599 ac. bould. boundary.dwg  
Job No.: 1243-01-01



5/8"

POINT OF  
BEGINNING

BEARING BASIS (See Note)  
S69°49'00"E 231.81' (231.81')

0.600 (0.603) OF AN ACRE (26,130 SQ. FT.)  
OF LAND, OUT OF THE ISAAC DECKER  
LEAGUE, ABSTRACT NO. 8  
TRAVIS COUNTY, TEXAS

CONDO PARADISO LLC, A TEXAS  
LIMITED LIABILITY COMPANY  
DOCUMENT # 2015194070  
(O.P.R.T.C.T.)

APPROXIMATE  
ORIGINAL TRACT LINE

N69°10'09"W 200.95'  
(N68°56'00"W 200.94')

(0.207) ACRES TRACT OF LAND,  
MORE OR LESS,  
OUT OF LOT 1 BLOCK C  
OF THE JAMES E. BOULDIN ESTATES,  
VOLUME U, PAGE 78  
(D.C.M.T.C.)

KEVIN T. HOWELL & CHRISTINE E. HOWELL  
DOCUMENT # 2008054369 (O.P.R.T.C.T.)

AREA OF UNCERTAIN TITLE  
0.0206 ACRES OF LOT 1, BLOCK C  
OF THE JAMES E. BOULDIN ADDITION,  
VOLUME 1, PAGE 71 (P.R.T.C.T.)  
(UNAVAILABLE DEED)

LOT A,  
DELEON RESUBDIVISION  
VOLUME 94, PAGE 281-282  
(P.R.T.C.T.)  
DELEON & ASSOCIATES  
VOLUME 11836, PAGE 324  
(R.P.R.T.C.T.)

(0.153) ACRE, A PORTION  
OF LOT 1, BLOCK C  
OF THE JAMES E.  
BOULDIN ADDITION,  
VOLUME 1, PAGE 71  
(P.R.T.C.T.)  
FELSENHAUS TRUST  
DOC. #2015181993  
(O.P.R.T.C.T.)

(0.172) ACRE, A PORTION  
OF LOT 1 IN DIVISION C  
OF THE JAMES E.  
BOULDIN ESTATE,  
VOLUME U, PAGE 78  
(D.C.M.T.C.)

1632 SOUTH 1ST ST., LLC  
DOC. # 201117716  
(O.P.R.T.C.T.)

(50'X156')  
OF LOT 1, BLOCK 4  
OF THE D.W. BOULDIN ADDITION,  
BOOK 1, PAGE 78  
(P.R.T.C.T.)  
RELEASE OF LIEN BY  
DONALD E. LEWIS  
DOC. # 2008036639  
(O.P.R.T.C.T.)

**Landmark**  
SURVEYING, LP  
FIRM REGISTRATION NO. 100727-00  
2205 East 5th STREET  
AUSTIN, TEXAS 78702  
PH: (512)326-7411 FAX: (512)326-7415



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

## ZONING

ZONING CASE#: C14-2015-0145

Exhibit B

1" = 100'

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.

