

ZONING CHANGE REVIEW SHEET

CASES: C14-2024-0120 – 1500 Faro Drive
C14-72-204(RCA6) – 1500 Faro Drive-RCA

DISTRICT: 3

ZONING FROM: East Riverside Corridor (ERC-Urban Residential Subdistrict)

ZONING TO: East Riverside Corridor (ERC-Corridor Mixed Use Subdistrict), and to amend Figure 1-6 (*East Riverside Corridor Hub Map*) to include the entire lot in the Hub boundary and to Figure 1-8 (*East Riverside Corridor Development Bonus Height Map*), to increase the maximum building height up to 160 feet through participation in a density bonus program

RESTRICTIVE COVENANT REQUEST: To amend a Restrictive Covenant

ADDRESS: 1500 Faro Drive

SITE AREA: 18.583 acres

OWNER / APPLICANT: Fairfield Paradise Oaks LP (Cliff McDaniel)

AGENT: Drenner Group, PC (Amanda Swor)

CASE MANAGER: Nancy Estrada (512-974-7617, nancy.estrada@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant East Riverside Corridor – Corridor Mixed Use Subdistrict (ERC-CMU) district zoning, and to amend Figure 1-6 (*East Riverside Corridor Hub Map*) to include the entire lot in the Hub boundary, and to Figure 1-8 (*East Riverside Corridor Development Bonus Height Map*), to increase the maximum building height up to 160 feet through participation in a density bonus program.

Staff recommends amending restrictive covenant C14-72-204, to remove the subject property from the restrictive covenant, which limits the number of dwelling units or the number of units per acre.

For a summary of the basis of Staff's recommendation, please see case manager comments on pages 2 - 4.

PLANNING COMMISSION ACTION / RECOMMENDATION:

November 12, 2024: APPROVED East Riverside Corridor – Corridor Mixed Use Subdistrict (ERC-CMU) district zoning, and to amend Figure 1-6 (*East Riverside Corridor Hub Map*) to include the entire lot in the Hub boundary, and to Figure 1-8 (*East Riverside Corridor Development Bonus Height Map*), to increase the maximum

building height up to 160 feet through participation in a density bonus program AS STAFF RECOMMENDED, BY CONSENT.

APPROVED amending restrictive covenant C14-72-204, to remove the subject property from the restrictive covenant **AS STAFF RECOMMENDED, BY CONSENT.**

[A. AZHAR; D. SKIDMORE – 2nd] (12-0) G. COX – ABSENT

CITY COUNCIL ACTION:

January 30, 2025:

December 12, 2024: APPROVED East Riverside Corridor – Corridor Mixed Use Subdistrict (ERC-CMU) district zoning, and to amend Figure 1-6 (*East Riverside Corridor Hub Map*) to include the entire lot in the Hub boundary, and to Figure 1-8 (*East Riverside Corridor Development Bonus Height Map*), to increase the maximum building height up to 160 feet through participation in a density bonus program **AS PLANNING COMMISSION RECOMMENDED, BY CONSENT.**

Restrictive Covenant Amendment: APPROVED A POSTPONEMENT REQUEST BY THE APPLICANT TO JANUARY 30, 2025.

VOTE: 10-0. Council Member Kelly was off the dais.

ORDINANCE NUMBER:

ISSUES: None at this time.

CASE MANAGER COMMENTS:

The subject rezoning area is approximately 18.5 acres located at the intersection of Faro Drive and Crossing Place just north of East Riverside Drive. The property is currently developed with low-rise buildings of existing multifamily residences that include 248 units. This site is in the East Riverside Corridor (ERC) Regulating Plan within the Urban Residential (UR) subdistrict and is not located within the hub boundary.

Multifamily residences are located to the north and west along Faro Drive and Crossing Place (ERC-CMU; MF-2; MF-3-NP). Single family residences are to the east across Faro Drive as well as condominiums along River Crossing Circle (MF-2-NP; PUD-NP). To the south across East Riverside Drive are single family residences and multifamily (ERC-UR & NMU; SF-3-NP). **Please refer to Exhibits A, B (Zoning Maps) and C (Aerial Exhibit).**

The existing 248 multifamily units on the property are currently reserved as affordable for lease and occupancy by households earning up to 60% or less than the Austin-Round Rock Metropolitan Statistical Area MFI. The applicant is intending that a minimum of 248 units are to be replaced in the proposed development as affordable at the same 60% MFI level with the same number of bedrooms that exist today. The affordable unit replacement will be the

first phase of the redevelopment with all affordable units being replaced before any other new development takes place. Any tenants that are within the area to be developed with the first phase will be offered either a different unit in the existing complex or the ability to relocate to a nearby apartment complex, owned by the applicant's client, to a unit of their choice with the same number of bedrooms. The rental amount will remain the same and moving expenses will be paid. Once the first phase is complete, all other tenants will be able to move into the new units at the current 60% MFI.

If required, the developer will comply with the Tenant Notification and Relocation Assistance requirements in the City of Austin Land Development Code. [LDC 25-1-712]. Access is proposed from both Faro Drive, which is an urban roadway, and Crossing Place, a level 3 roadway. Access is also proposed from East Riverside Drive which is designated as a core transit corridor. There are Capital Metro bus routes along Crossing Place and East Riverside Drive and seven bus stops that are located within one quarter of a mile west of the property.

The (UR) subdistrict allows for buildings up to 40 feet in height; however, since the property is not within the hub boundary, it is ineligible for a development bonus.

The Applicant is requesting to rezone the property to the Corridor Mixed Use (ERC-CMU) subdistrict, to amend Figure 1-6 (*East Riverside Corridor Hub Map*) to include the entire property in the Hub boundary, and to Figure 1-8 (*East Riverside Corridor Development Bonus Height Map*), to increase the maximum building height up to 160 feet through participation in a density bonus program. ***Please refer to the attached Figures.*** The requested amendment would allow the property to be redeveloped with approximately 775 multifamily residences at a maximum building height up to 160 feet. The additional height and density would be in exchange for the provision of community benefits.

In addition to the rezoning case, there is a Restrictive Covenant amendment that is also being proposed. The Restrictive Covenant, C14-72-204, originally dating from 1975, is applicable to 497 acres, which includes the subject property. The restrictive covenant limits the total number of dwelling units or the number of units per acre. The Applicant is requesting that the property be released from the restrictive covenant. The original Restrictive Covenant has been amended five times since 1997 to release certain properties from the document's provisions. ***Please see Exhibit D (Restrictive Covenant to be amended).***

Staff is recommending the Corridor Mixed Use subdistrict (ERC-CMU), to include the entire lot in the hub boundary, and to increase the maximum building height up to 160 feet through participation in a density bonus program. Staff also supports the requested Restrictive Covenant amendment.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

The East Riverside Corridor (ERC) Regulating Plan created land use districts to help guide development in accordance with proposed transit improvements. The proposed transit improvements, now known as Project Connect’s Blue Line Project, maintain the same general alignment and transit center alignment as shown in the ERC Regulating Plan. This light rail transit line will offer service from southeast to northeast Austin with one of the transfer stations being at the intersection of East Riverside Drive and South Pleasant Valley Road. The Austin Light Rail Phase I also proposes a station at Faro Drive. The subject property is approximately 0.5 miles from the intersection of East Riverside Drive and South Pleasant Valley Road and 0.25 miles from the proposed Faro Drive station. The future Rapid800 Pleasant Valley CapMetro line is also a part of the Project Connect plan.

This site is located just north of East Riverside Drive which is identified as a Core Transit Corridor within the ERC. The current CapMetro bus system shows approximately seven existing CapMetro bus stops and one bus route on Crossing Place which are less than one quarter of a mile from the property. There are also other regular bus routes along East Riverside Drive.

The Corridor Mixed Use (CMU) subdistrict is the highest intensity district as it relates to density and height. Rezoning this lot to the (CMU) subdistrict and allowing inclusion within the Hub boundary would promote higher density and supports transit development. Based on the information above, Staff believes the proposed rezoning change is supported by the East Riverside Corridor Regulating Plan.

2. *Zoning should promote clearly identified community goals, such as creating employment opportunities or providing for affordable housing.*

The applicant is intending for a minimum of 248 units to be replaced in the proposed development as affordable at the same 60% MFI level with the same number of bedrooms that exist today. The future development will help meet the City of Austin’s affordable housing needs and increase the number of housing choices for the City and the neighborhood.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	ERC (UR subdistrict)	Multifamily (248 units)
<i>North</i>	MF-2; MF-3-NP; ERC (CMU subdistrict);	Multifamily
<i>South</i>	ERC (UR & NMU subdistricts); SF-3-NP	Single Family residences; Multifamily
<i>East</i>	MF-2-NP; PUD-NP	Single Family residences; Condominiums
<i>West</i>	ERC (CMU subdistrict)	Multifamily

NEIGHBORHOOD PLANNING AREA: East Riverside/Oltorf Combined (Pleasant Valley)

WATERSHED: Country Club East and Country Club West – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes – East Riverside Drive

SCHOOLS: Del Valle Independent School District
 Small portion of property along East Riverside Drive is within Austin Independent School District – Allison Elementary / Martin Middle School / Eastside Memorial High School

COMMUNITY REGISTRY LIST:

Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Crossing Gardenhome Owners Assn. (The), Del Valle Community Coalition, East Riverside Corridor Staff Liaison, Homeless Neighborhood Association, Riverside Farms Road Neighborhood Association, Neighborhood Empowerment Foundation, Southeast Austin Neighborhood Alliance, East Riverside/Oltorf Neighborhood Plan Contact Team	Friends of Austin Neighborhoods, East Austin Conservancy, Pleasant Valley, Preservation Austin, Del Valle ISD, Sierra Club Austin Regional Group, SELTexas, Save Our Springs Alliance Overton Family Committee
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AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2024-0066 – 1500 Crossing Place	ERC-UR to ERC-CMU	To Grant ERC-CMU (08/13/2024)	Approved ERC-CMU as Commission Recommended (10/10/2024)
C14-2022-0172 – 2207 & 2301 Wickersham Lane	ERC-UR to ERC-NMU	To Grant ERC-NMU (08/8/2023)	Approved ERC-NMU as Commission Recommended (9/14/2023)
C14-2022-0090 – 2239 Cromwell Circle	ERC-UR to ERC-NMU	To Grant ERC-NMU (08/8/2023)	Approved ERC-NMU as Commission Recommended (5/30/2024)
C14-2018-0026; C14-2018-0027; C14-2018-0028 – 4700 E. Riverside Dr.; 1515 & 1600	ERC-NMU; ERC-UR to ERC-CMU	To Grant ERC-CMU (06/11/2019)	Approved ERC-CMU as Commission Recommended (10/17/2019)

Wickersham; 4600 Elmont Dr.; 1109 S. Pleasant Valley Rd.			
C14-2018-0026(RCT)	To terminate Restrictive Covenant	Termination of Restrictive Covenant	Termination of Restrictive Covenant
C14-2018-0027(RCA)	To amend Restrictive Covenant	Amendment of Restrictive Covenant	Amendment of Restrictive Covenant
C14-97-0010(RCT) – 1600 Wickersham Lane	To terminate Restrictive Covenant	Termination of Restrictive Covenant	Termination of Restrictive Covenant

RELATED CASES:

C14-2012-0112/0111a/0111b – East Riverside Corridor Regulating Plan was adopted by City Council on May 9, 2013 (Ordinance No. 20130509-039).

C14-72-204(RCA); C14-72-204(RCA2); C14-72-204(RCA3); C14-72-204(RCA4); C14-72-204(RCA5) – Amendments to Restrictive Covenant C14-72-204

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning

The subject property located at 1500 Faro Drive is currently the site of Paradise Oaks Apartments, providing income-restricted affordable units at 30%, 60%, and 80% MFI with one bedrooms starting at \$1354 for 772 SF ranging to four bedrooms starting at \$2086 for 1,336 SF. The property is within the ‘Active’ displacement risk area according to the Project Connect Anti-Displacement Map which states that vulnerable populations are present with active demographic change and an accelerating or appreciating housing market.

Dashboard website:

<https://austin.maps.arcgis.com/apps/MapSeries/index.html?appid=799dbd68b43a4d9d8c0292befe8c9b34>

The ERC Urban Residential district is intended to provide a range of housing types including townhouses, rowhouses, condos, or multifamily residential, education, and civic uses with a maximum base building height of 40 feet. The ERC Corridor Mixed Use subdistrict is primarily intended to provide residential and office over ground-floor commercial retail or office with a maximum base building height of 60 feet.

The site is currently not within the Hub area (Figure 1-6) which allows properties to participate in the development bonus for additional entitlements with the ERC Development Bonus Height Map (Figure 1-8) showing the Property as being ineligible for development bonus. The applicant has requested the subject property be included in the Hub area eligible for the development bonus up to 160 feet in building height, as are adjacent tracts to the west/northwest.

It appears existing zoning capacity has not allowed the subject property and others like it to respond to market forces which desire to fulfill the intent of the East Riverside Corridor plan through the creation of transit-supportive, higher-density mix of uses with the density bonus eligibility necessary to provide Affordable housing. The zoning request appears to be consistent with the intent of the East Riverside Corridor Master Plan in supporting the Pleasant Valley Transit Plaza Development Hub serving as a gateway to downtown as well as urban planning and design best practices primarily by increasing intensity and density of a mix of land uses in the urban core along a well-used transit line.

“Focusing more dense development near primary transit stops enables a greater number of people to walk to transit, reducing the need and expense of a car.” p35 ERC MP

1500 Faro Drive		
	Current	Request
Zoning	ERC Urban Residential (UR) (Figure 1-2)	ERC Corridor Mixed Use (CMU)
Land Use	Multifamily residential 248 units existing	Multifamily residential +/-775 units proposed
Hub boundary	No (Figure 1-6)	Yes
Base Height	40 feet (Figure 1-12)	60 feet
Base FAR	0.75:1 (Figure 1-12)	2:1
Development Bonus	Maximum Building Height: 65 feet (Figure 1-8) Maximum FAR: N/A <i>UR properties are not eligible to participate in the Development Bonus.</i>	Maximum Building Height: 160 feet Maximum FAR: <i>waived with development bonus</i>

Setbacks & Stepbacks	Interior Side Yard: 0' Rear Yard: 0'	Interior Side Yard: 0' Rear Yard: 0' Stepback: The building facade at the third story and above must be stepped back a minimum of 10 feet from the ground level building facade line.
Maximum Impervious Cover	65% or maximum allowed by LDC 25-8	90% or maximum allowed by LDC 25-8
Compatibility Standards	In accordance with 4.2.4 (D)	In accordance with 4.2.4 (D)
Active Edge	N/A (Figure 1-4)	N/A
Adjacent Street Types	Crossing Place is an ERC Urban Roadway existing street (Figure 1-3)	Crossing Place is an ERC Urban Roadway existing street (Figure 1-3)
Future Streets	N/A (Figure 1-3)	N/A (Figure 1-3)

Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Country Club East and Country Club West Watersheds of the Colorado River Basin, which are classified as a Suburban Watersheds by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Fire

No comments on zoning change.

PARD – Planning & Design Review

Parkland dedication will be required for residential units proposed by this development at the time of subdivision or site plan, per City Code § 25-1-601. The site is within the East Riverside Corridor (ERC) Regulating Plan area. Changes are proposed for the zoning subdistrict, the Corridor Hub map and Development Bonus maps.

Assuming the Development Bonus will be requested, please reach out to scott.grantham@austintexas.gov to schedule a meeting regarding site planning. PARD and the Housing Department separately determine eligibility for the Development Bonus, and both departments' requirements must be met.

PARD will determine eligibility based on two separate requirements: the dedication of parkland (referred to in ERC 6.4.2.B.9, and § 25-1-601) and Publicly Accessible Open Space (ERC 6.4.2). Parkland must be dedicated; the requirement cannot be satisfied only through fee in-lieu. The Publicly Accessible Open Space must meet the criteria listed in 6.4.2 and be dedicated as a Public Access Easement.

Should additional fees be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities in the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-609.

Site Plan

Site plans will be required for any new development other than single-family, two-family or duplex residential. This site will be subject to the ERC Regulating Plan.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

This tract is in the Pleasant Valley Neighborhood Plan.

This tract is already developed, and the proposed zoning change is a footprint within the existing development

Austin Transportation Department – Engineering Review

A traffic impact analysis for this site is not required, the traffic generated by the proposal does not exceed the thresholds established in the City of Austin Land Development Code. [LDC 25-6-113]

The Austin Strategic Mobility Plan (ASMP) calls for 152 feet of right-of-way for E. Riverside Dr. It is recommended that 76 feet of right-of-way from the existing centerline should be dedicated for E. Riverside Dr. according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The Austin Strategic Mobility Plan (ASMP) calls for 84 feet of right-of-way for Faro Dr. It is recommended that 42 feet of right-of-way from the existing centerline should be dedicated for Faro Dr. according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

There is a proposed Urban Trail adjacent to this site, along the southern property boundary (Country Club Creek Trail) along E. Riverside Dr. The easement required is a minimum of 20 ft as this allows for a 12 ft trail (minimum trail width per the urban trails plan) and room for maintenance activity. This is the same for Tier I and Tier II trails.

The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
East Riverside Drive	Level 3 – Minor/Major Arterial	152’	120’	80’	Yes	Yes	Yes

Faro Drive	Level 2 - Collector	84'	68'	42'	Yes	Yes	Yes
Crossing Place	Level 3 – Minor/Major Arterial	96'	98'	80'	Yes	Yes	Yes

Austin Water Utility

No comments on zoning change.

The landowner intends to serve the site with existing City of Austin water utilities.

Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

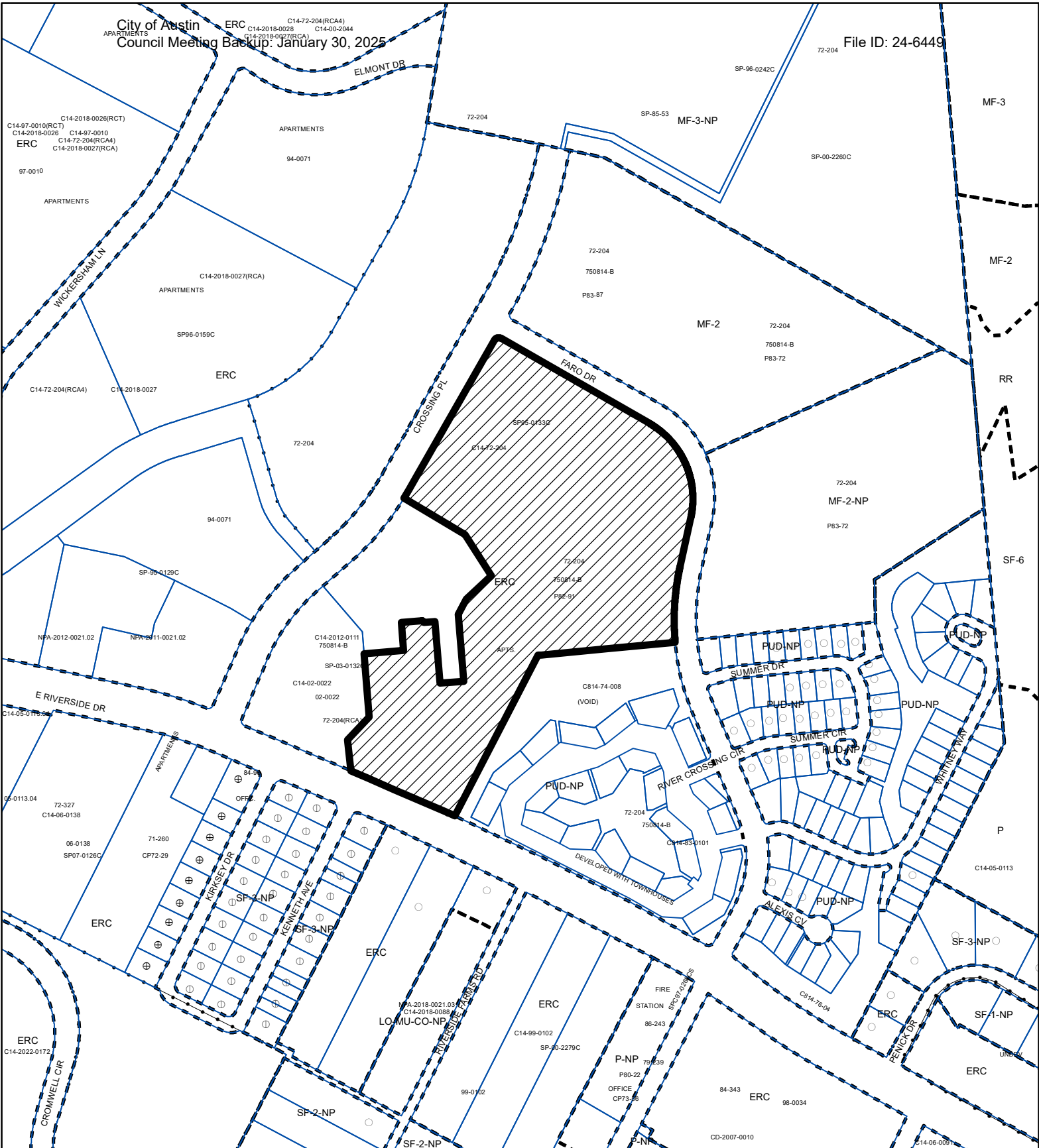
- Exhibit A: Zoning Map – C14-2024-0120
- Exhibit B: Zoning Map – C14-72-204(RCA6)
- Exhibit C: Aerial Map

Applicant’s Summary Letter – Rezoning

- Figure 1-2: East Riverside Corridor Subdistrict Map
- Figure 1-6: East Riverside Corridor Hub Map
- Figure 1-8: East Riverside Corridor Development Bonus Height Map
- Figure 1-9: Corridor Mixed Use (CMU) – Development Standards Summary

Applicant’s Summary Letter – Restrictive Covenant Amendment

Exhibit D: Restrictive Covenant to be AMENDED






ZONING

ZONING CASE#: C14-2024-0120

EXHIBIT A



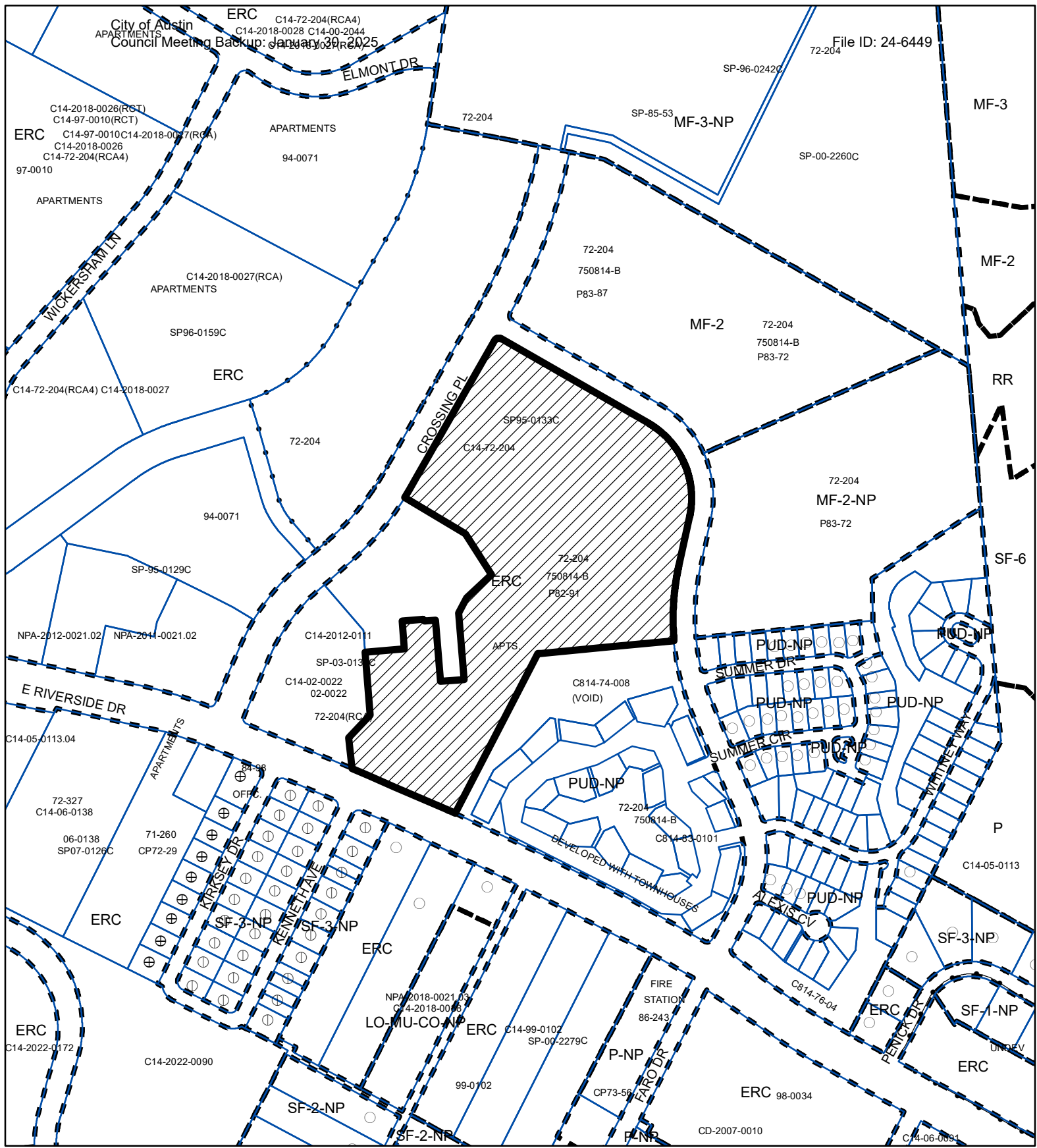
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY




1" = 400'

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This product has been produced by the Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

Restrictive Covenant Amendment

CASE#: C14-72-204(RCA6)

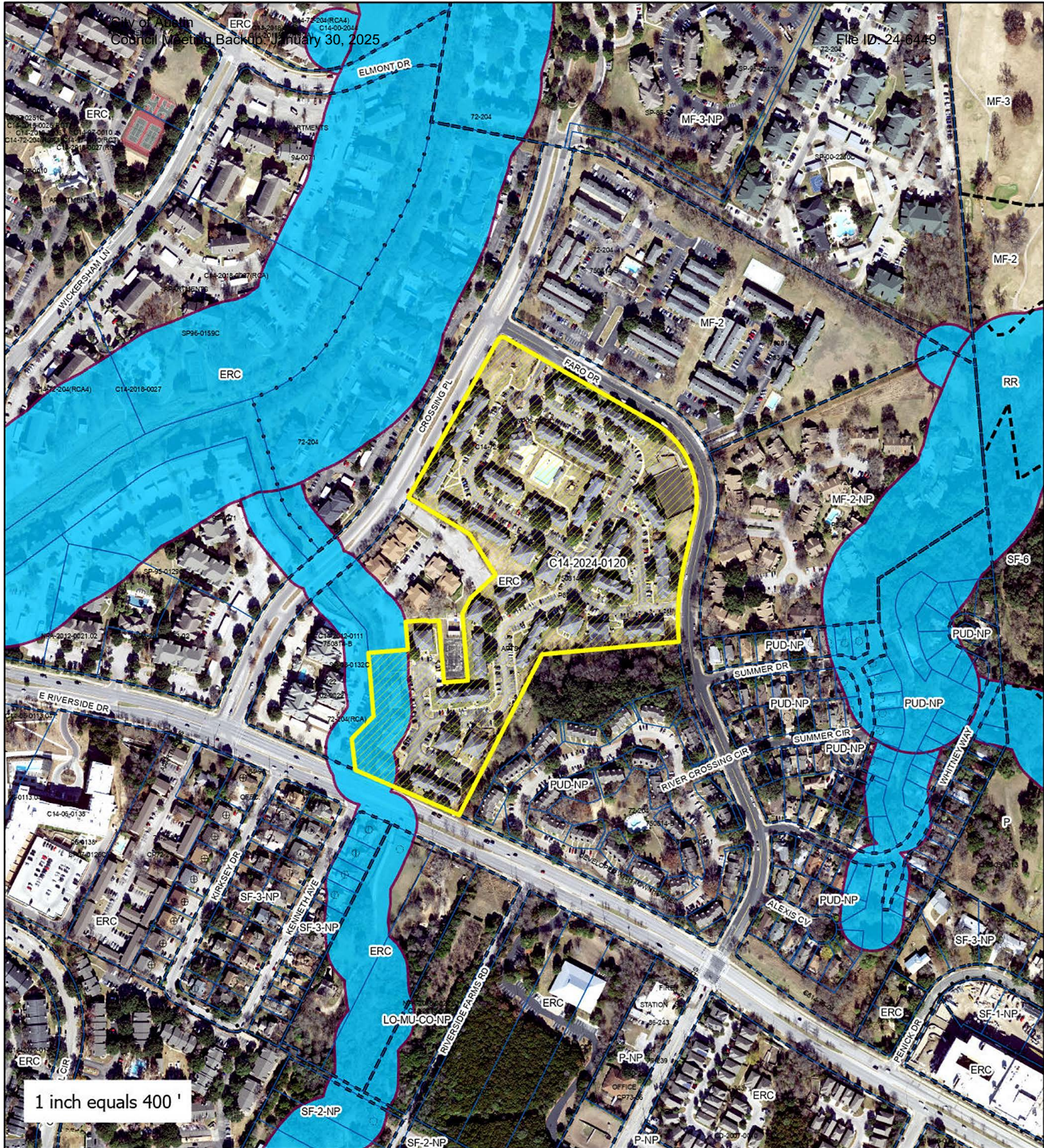
EXHIBIT B

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1" = 400'



1500 Faro Drive EXHIBIT C

-  N
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

ZONING CASE#: C14-2024-0120
 RCA CASE #: C14-72-204(RCA6)
 LOCATION: 1500 Faro Dr.
 SUBJECT AREA: 18.583 Acres
 MANAGER: Nancy Estrada



This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Amanda Swor
dial: (512) 807-2904
aswor@drennergroupp.com

July 26, 2024

Ms. Lauren Middleton-Pratt
Housing and Planning Department
City of Austin
6310 Wilhelmina Delco Dr.
Austin, TX 78752

Via Electronic Delivery

Re: 1500 Faro Drive – Rezoning application for the approximately 18.583-acre piece of property located at 1500 Faro Drive in the City of Austin, Travis County, Texas (the “Property”).

Dear Ms. Middleton-Pratt:

As representatives of the owner of the Property, we respectfully submit the enclosed rezoning application package. The project is titled 1500 Faro Drive and is approximately 18.583 acres of land, located at 1500 Faro Drive. The Property also has frontage on East Riverside Drive and Crossing Place, and is in the full purpose jurisdiction of the City of Austin.

The Property is currently zoned ERC, East Riverside Corridor, district, and is more specifically located in the Urban Residential (“UR”) subdistrict of the East Riverside Corridor (“ERC”) Regulating Plan. The requested rezoning is from the UR subdistrict to the Corridor Mixed Use (“CMU”), Corridor Mixed Use, subdistrict. The Property is currently developed with 248 affordable housing multifamily residential units. The purpose of the rezoning is to allow for the development of a higher density urban-style residential project that will replace the existing affordable housing and bring additional housing. The proposed development will comply with site development and design standards established in the ERC Regulating Plan.

The existing 248 units on the Property are currently reserved as affordable to households earning up to 60% of the Annual Median Family Income (“MFI”). A minimum of 248 units are intended to be replaced in the new project as affordable at the same 60% MFI levels with the same number of bedrooms that exist today. The affordable unit replacement will be the first phase of the redevelopment with all affordable units being replaced before any new development takes place. Given the size of the site, this is possible with little disruption of existing tenants.

This rezoning also proposes to amend four (4) maps within the ERC Regulating Plan. Firstly, Figure 1-2 (East Riverside Corridor Subdistrict Map) is proposed to be amended to designate the Property as within the Corridor Mixed Use Subdistrict. Secondly, Figure 1-6 (East Riverside Corridor Hub Map) is proposed to be amended to include the Property within the Hub Boundary. Thirdly, Figure 1-7 (East Riverside Corridor Height Map) is proposed to be amended to allow for a by-right maximum of 60 feet in height on the Property. Lastly, Figure 1-8 (East Riverside Corridor Development Bonus Height Map) is proposed to be amended to allow for a maximum height of 160 feet with a development bonus on the Property.

The Property is located within the East Riverside/Oltorf Combined Neighborhood Planning Area. The Neighborhood Plan was adopted November 16, 2006. The East Riverside Corridor Regulating Plan designates the Property as Specific Regulating District on the Future Land Use Map. Due to the Property's location within the East Riverside Corridor Plan, a Neighborhood Plan Amendment is not required.

The Property is located approximately 0.22-miles from the proposed Austin Phase I Faro Drive Light Rail Station. The Traffic Impact Analysis ("TIA") is not required per the attached TIA Determination Form dated July 22, 2024 and executed by Mustafa Wali as the traffic generated by the proposed development does not exceed the thresholds established in the Land Development Code.

A public restrictive covenant, per City of Austin case number C14-72-204 and recorded in Volume 5234, Page 2079 of the Travis County Deed Records, exists on the Property which limits the density to 440 units, or 20 units per acre. A Restrictive Covenant Termination application will be submitted with this zoning application to remove the Property from the restrictive covenant in order to allow for the development of the proposed project.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very Truly Yours,



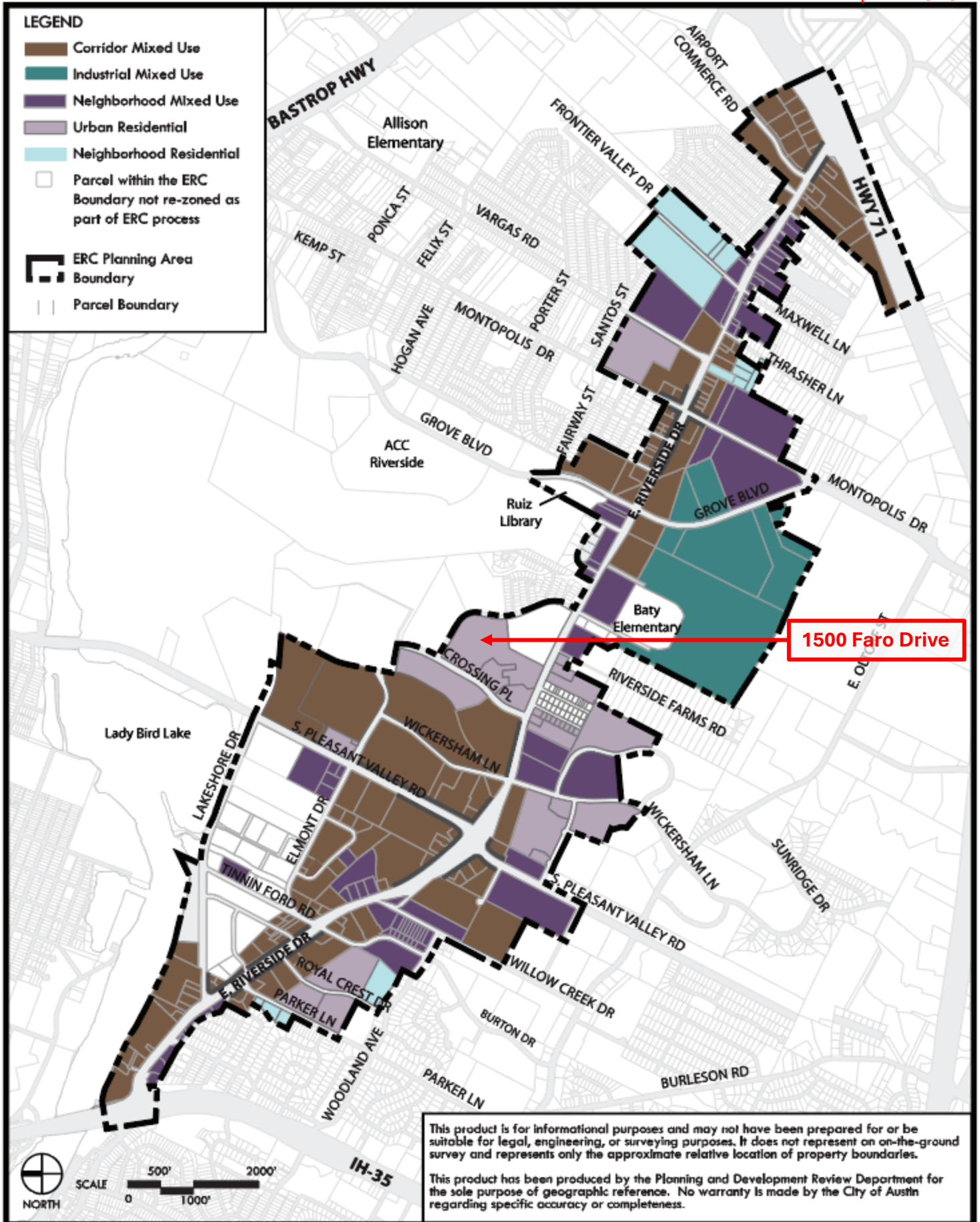
Amanda Swor

cc: Joi Harden, Housing and Planning Department (via electronic delivery)

FIGURE 1-2: East Riverside Corridor Subdistrict Map

Identifies the subdistrict for each property within the ERC boundary.

Updated 4/24/24

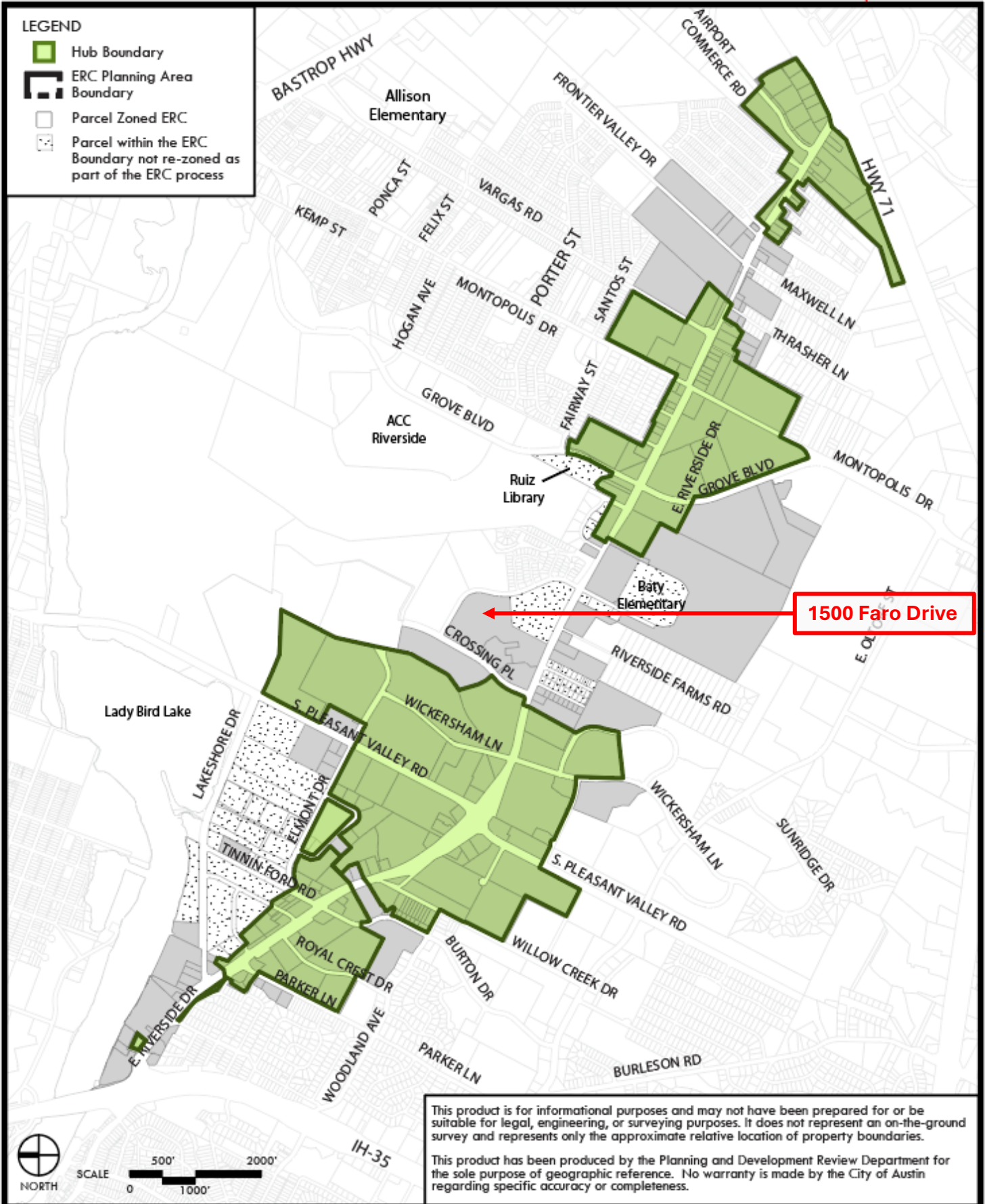


1500 Faro Drive

FIGURE 1-6: East Riverside Corridor Hub Map

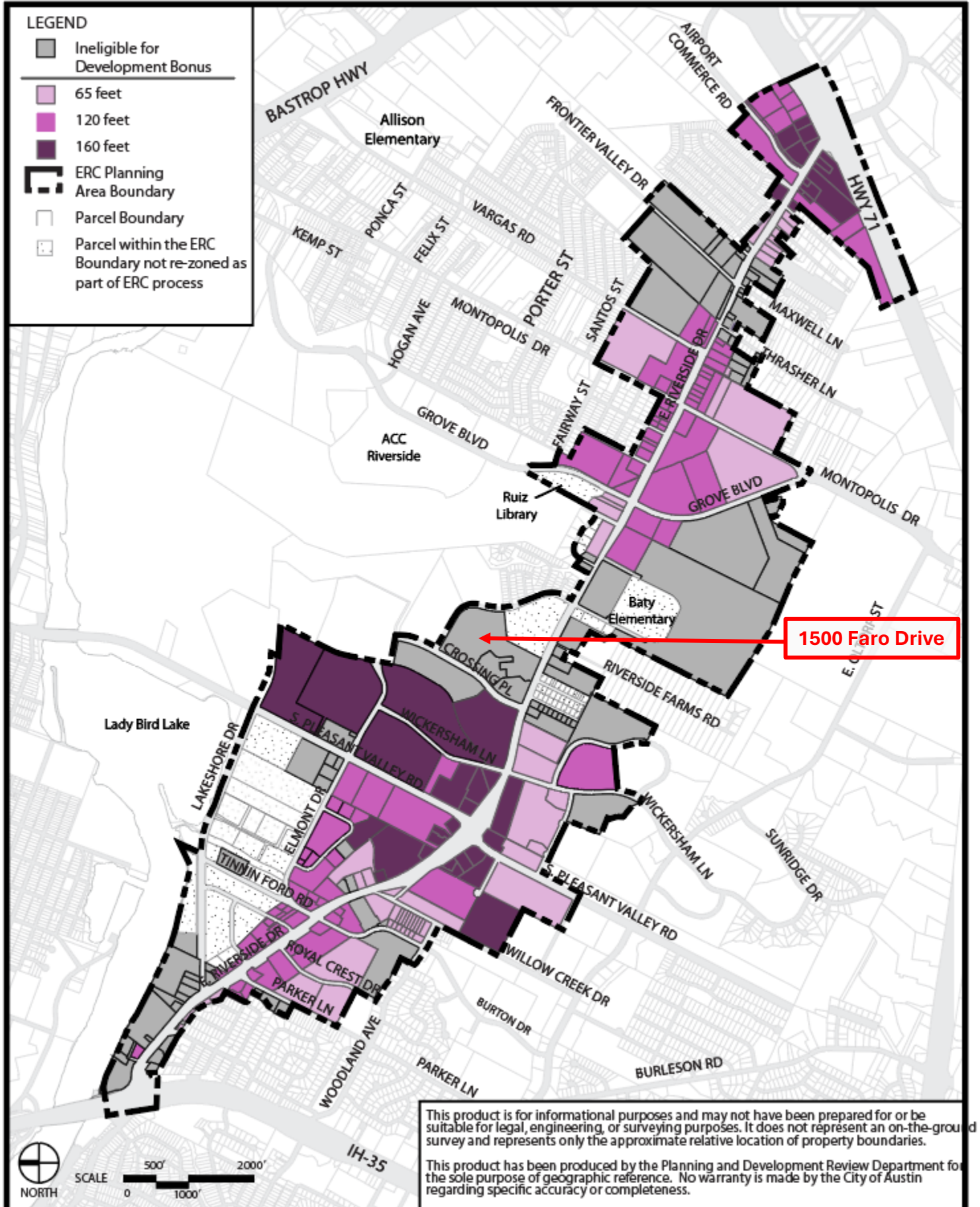
This map shows the Hubs within the ERC boundary. Properties located within a Hub are eligible for additional entitlements as outlined in Article 6.

Updated 2/13/24



This map shows eligible properties and maximum heights allowed with a development bonus.

Updated 4/24/24



		CORRIDOR MIXED USE (CMU) SUBDISTRICT																					
CMU	Lot Size	<p>Floor to Area Ratio (FAR)</p> <p>Maximum Floor-to-Area Ratio (FAR) by Right: 2:1</p> <p>Desired minimum FAR: 60% of maximum FAR by right.</p> <p>Note: Additional building height may be granted in exchange for the provision of public benefits. <i>Maximum FAR waived with a development bonus. Development bonus criteria and standards are detailed in Article 6.</i></p>																					
	<p>Minimum Lot Size: 2,500 sf</p> <p>Minimum Lot Width: 20'</p>																						
IMU	Minimum Setbacks	<p>Building Height</p> <p>Maximum Building Height: 60 feet maximum w/ a minimum of 2 stories.</p> <p>Maximum Building Height with Development Bonus: See Figure 1-8.</p>																					
	<p>Front and Street Side Yard*:</p> <p>No ground-level front yard or side yard setbacks are required. Instead, development must meet the building placement standards in Section 4.3.</p>																						
NMU	<p>Interior Side Yard: 0'</p> <p>Rear Yard: 0'</p>	<p>Compatibility</p> <p>See Section 4.2.4 for compatibility standards.</p>																					
	<p>Upper-Story Building Facade Street-Side Step-backs:</p> <p>The building facade at the fourth story and above must be stepped back a minimum of 10 feet from the ground-level building facade line.</p>																						
UR	<p>* If the street right-of-way is less than 60 feet in width, see Section 4.3.3.C.</p>	<p>ABOVE:</p> <p>Typical minimum stories, height limit, and step back requirements for buildings within the Corridor Mixed Use (CMU) Subdistrict.*</p> <p>*Max. Building Height with a Density Bonus is established on Figure 1-8.</p>																					
	<p>Building Placement</p> <p>Building placement determined by Roadway type and Active Edge Designation.</p> <p>*See Fig. 1-3 for Roadway Type designation and Section 4.3 for design requirements.</p>																						
NR	Maximum Impervious Cover	<p>Corridor Mixed Use (CMU) Land Use Summary*</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="background-color: #cccccc;">Land Use</th> </tr> </thead> <tbody> <tr> <td>Residential, attached</td> <td>Permitted</td> </tr> <tr> <td>Residential, detached</td> <td>Not Permitted</td> </tr> <tr> <td>Smaller-scale Retail (less than 50,000 sq. ft.)</td> <td>Permitted</td> </tr> <tr> <td>General Retail</td> <td>Permitted</td> </tr> <tr> <td>Office</td> <td>Permitted</td> </tr> <tr> <td>Warehousing & Light Manufacturing</td> <td>Not Permitted</td> </tr> <tr> <td>Education / Religion</td> <td>Permitted</td> </tr> <tr> <td>Hospitality (hotels/motels)</td> <td>Permitted</td> </tr> <tr> <td>Civic Uses (public)</td> <td>Permitted</td> </tr> </tbody> </table> <p>*The table above provides a summary only of land uses permitted within the Corridor Mixed Use Subdistrict. See Section 2.3.3. for a complete list of permitted land uses.</p>		Land Use		Residential, attached	Permitted	Residential, detached	Not Permitted	Smaller-scale Retail (less than 50,000 sq. ft.)	Permitted	General Retail	Permitted	Office	Permitted	Warehousing & Light Manufacturing	Not Permitted	Education / Religion	Permitted	Hospitality (hotels/motels)	Permitted	Civic Uses (public)	Permitted
	Land Use																						
Residential, attached	Permitted																						
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Smaller-scale Retail (less than 50,000 sq. ft.)	Permitted																						
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Warehousing & Light Manufacturing	Not Permitted																						
Education / Religion	Permitted																						
Hospitality (hotels/motels)	Permitted																						
Civic Uses (public)	Permitted																						
<p>Impervious Cover: 90% or Maximum Allowed by LDC 25-8.</p>																							

CMU

IMU

NMU

UR

NR

10' Min. Step-back after 3 stories

3 Story Min.

Max. 60' Building Height By Right

3 Stories



ABOVE & BELOW:
Examples of development similar to that allowed in the Corridor Mixed Use Subdistrict.



Land Use	
Residential, attached	Permitted
Residential, detached	Not Permitted
Smaller-scale Retail (less than 50,000 sq. ft.)	Permitted
General Retail	Permitted
Office	Permitted
Warehousing & Light Manufacturing	Not Permitted
Education / Religion	Permitted
Hospitality (hotels/motels)	Permitted
Civic Uses (public)	Permitted

*The table above provides a summary only of land uses permitted within the Corridor Mixed Use Subdistrict. See Section 2.3.3. for a complete list of permitted land uses.



August 14, 2024

Ms. Lauren Middleton-Pratt
Housing and Planning Department
City of Austin
6310 Wilhelmina Delco Dr.
Austin, TX 78752

Via Electronic Delivery

Re: 1500 Faro Drive RCA – Restrictive Covenant Amendment application package for the approximately 18.583-acre property located at 1500 Faro Drive in Austin, Travis County, Texas 78741 (the “Property”).

Dear Ms. Middleton-Pratt:

As representatives of the owners of the Property, we respectfully submit the enclosed Restrictive Covenant Amendment (RCA) application package. The project is titled 1500 Faro Dr - RCA, the Property is approximately 18.583-acre property located at 1500 Faro Drive in Austin, Travis County, Texas 78741. The Property has frontage on East Riverside Drive and Crossing Place and is in the full purpose jurisdiction of the City of Austin. This application accompanies a rezoning application for the Property titled 1500 Faro Drive, Case Number C14-2024-0120.

The Property is a portion of that certain approximately 497 acres of land (the “Parent Tract”) described in Restrictive Covenant for Zoning File No. C14-72-204, dated as of January 31, 1975, and recorded in the Real Property Records of Travis County, Texas, on July 24, 1975, in Volume 5234, Page 2079 (the “Restrictive Covenant”). The terms of the Restrictive Covenant limit the density of the Property to 440 units, or 20 units per acre. The purpose of the RCA request is to release the Property from the Restrictive Covenant, as such restrictions do not promote the goals and priorities of providing housing along current and future transit lines and are no longer compatible with the proposed development of the Property. Previous amendments to the Restrictive Covenant to release portions of the Parent Tract from the Restrictive Covenant (ex: Doc. No. 2015032881 and Doc. No. 2019173724, which released 97 acres), or modify the terms of the Restrictive Covenant as applicable to only such portion of the Parent Tract (ex: Doc. No. 2002137171 and Doc. No. 2008069653), have been approved by the City to require only the agreement of the owner of said portion of the Parent Tract being modified or released. This request amends the Restrictive Covenant to release the Property and is authorized by the current owner of the property to be released from the Restrictive Covenant.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very Truly Yours,

A handwritten signature in blue ink that reads "Amanda Swor".

Amanda Swor

EXHIBIT D
Restrictive Covenant to be AMENDED

C14-72-204

Page 1

Jul 24 75 RCCH R 1011 13.50

135

THE STATE OF TEXAS)
COUNTY OF TRAVIS)

1-16-3158

WHEREAS, Dickson Properties and Roberta Dickson, as owners of approximately 497 acres in the City of Austin, Travis County, Texas, according to field notes prepared by S. A. Garza, Registered Professional Engineer, on August 1, 1972, a copy of which is attached marked Exhibit "A", by agreement with the City of Austin impressed upon said 497 acres certain covenants and restrictions, dated January 3, 1973, wherein the development of said 497 was restricted.

WHEREAS, said covenants and restrictions require that any modification, amended or termination of said agreement be by joint action of both (a) a majority of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin, and, (b) by the owners of the above described property at the time of such modification, amendment, or termination.

WHEREAS, the owners have presented to the City of Austin a revised conceptual plan for the development of the 497 acres dated October 3, 1973, a copy of which is attached hereto and marked Exhibit "C".

WHEREAS, the Capitol National Bank as Trustee and Roberta Dickson, Dickson Properties, Inc., and Mark Eight Associates, a Texas Limited Partnership as beneficiaries were the owners of said 497 acres as of the date of said revised conceptual plan and are presently owners of approximately 402 of said 497 acres and Austin Country Club Estates, a Texas Limited Partnership has purchased 94.984 acres of said 497 acres, said 94.984 are described in the field notes prepared by Jeryl D. Hart, Registered Professional Engineer, on November 2, 1973, a copy of which is attached marked Exhibit "B", and is presently owner of said 94.984 acres as described, and these owners hereinafter shall be referred to as Owners.

DEED RECORDS
Travis County, Texas

5211 2079

1-16-3159

WHEREAS, the City of Austin and the Owners have agreed that the covenants and restrictions dated January 3, 1973 should be terminated and that the above described property should be impressed with certain other covenants and restrictions running with the land and desire to set forth such agreement and such covenants and restrictions in writing.

NOW THEREFORE, the Owners for and in consideration of One and No/100 Dollars (\$1.00) and other good and valuable consideration in hand to the undersigned paid by the City of Austin, the receipt of which is hereby acknowledged, does hereby agree with respect to said property described above, such agreement to be deemed and considered as a covenant running with the land and which shall be binding on them, their successors and assigns, as follows, to wit:

1. The total number of dwelling units for the described 497 acres shall not exceed a total of 4,658.

2. The conceptual plan dated October 3, 1973 which shows the property divided into designated areas referred to as Tracts and numbered as Tracts 1 through 25, a copy of which is attached hereto and marked as Exhibit "C", is the official plan approved by the City of Austin and supercedes and replaces any and all previously adopted plans.

3. Those Tracts 1 through 25 which relate to residential uses on said official plan shall be restricted to the approximate densities and number of dwelling units shown thereon, the total of which shall not exceed 4,658 and subject to the following conditions:

Residential Tract Number	Acres	Density	Dwelling Units
1	12	8 DU/ac	96
2	20.5	5 DU/ac	103
3	12.4	8 DU/ac	99

5234 2080

1-16-3160

4	6.6	12 DU/ac	79
4a	8	20 DU/ac	160
5	22	20 DU/ac	440
10	28.87	20 DU/ac	577
11	9.52	20 DU/ac	190
12	41.44	22 DU/ac	912
13	21.82	22 DU/ac	480
16	4.2	20 DU/ac	50
18	30.2	20 DU/ac	604
21	45.18	10 DU/ac	452
22	20.56	10 DU/ac	200
23	18.52	10 DU/ac	179
24	3.67	10 DU/ac	37

4. The number of acres designated to each tract is approximate and adjustments to the total number of dwelling units for a specific Tract will be made based upon the true number of acres contained within a tract as shown on the preliminary plat and the total dwelling units for a specific tract will be shown on said preliminary plat and will be based upon the number of acres multiplied by the designated density provided for said tract as indicated above. The preliminary plat will indicate the density requirements as indicated above and all final subdivision plans must be in conformance with these density restrictions and must be so designated on the recorded plan(s). Although adjustments because of approximation as to acreage shall be allowed as set forth above the overall density limitation of 4,658 units shall not be exceeded unless otherwise agreed to by the City of Austin and the Owners.

5234 2081

1-16-3161

5. If any person, persons, corporations or entity of any other character shall violate or attempt to violate the foregoing agreement and covenant, it shall be lawful for the City of Austin, a municipal corporation, its successors and assigns, to prosecute proceedings at law, or in equity, against said person, or entity violating or attempting to violate such agreement or covenant and to prevent said person or entity from violating or attempting to violate such agreement or covenant.

6. If any part or provision of this agreement or covenant herein contained shall be declared invalid, by judgment or court order, the same shall in no wise affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full force and effect.

7. The failure at any time to enforce this agreement by the City of Austin, its successors and assigns, whether any violations hereof are known or not, shall not constitute a waiver or estoppel of the right to do so.

8. This agreement may be modified, amended or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin, and, (b) by the owners of the above described property at the time of such modification, amendment, or termination.

9. The purpose of this Covenant is to limit the development of the areas as to density and shall in no way be construed as a dedication of any street or area for specific use.

5234 2032

1-16-3162

EXECUTED this 31st day of January, A. D. 1975.

CAPITOL NATIONAL BANK IN AUSTIN
AS TRUSTEE

(NO SEAL)

By: Richard W. Uote
Richard W. Uote
Trustee
Roberta Dickson
ROBERTA DICKSON

DICKSON PROPERTIES, INC.

(NO SEAL)

By: Roberta Dickson - Pres.

MARK EIGHT ASSOCIATES, A TEXAS
LIMITED PARTNERSHIP

(NO SEAL)

By: MARK EIGHT CORPORATION
A GENERAL PARTNER
By: JOHN A. SBAROUNIS, PRESIDENT

John A. Sbarounis
James F. Searley

AUSTIN COUNTRY CLUB ESTATES, A
TEXAS LIMITED PARTNERSHIP

By: MARK EIGHT ASSOCIATES, GENERAL
PARTNER OF AUSTIN COUNTRY CLUB
ESTATES

By: MARK EIGHT CORPORATION, GENERAL
PARTNER OF MARK EIGHT ASSOCIATES

(NO SEAL)

By: John A. Sbarounis
President
James F. Searley

5234 2033

1-16-3163

THE STATE OF TEXAS)
COUNTY OF TRAVIS)

BEFORE ME, the undersigned authority, on this day personally appeared of DICKSON PROPERTIES, INC. of Austin, Travis County, Texas, known to me to be the person and officer whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purposes and consideration therein expressed, as the act and deed of said corporation and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 21 day of Feb, 1975.

NOTARY SEAL

Lee Gilbert
NOTARY PUBLIC, TRAVIS COUNTY, TEXAS

THE STATE OF TEXAS)
COUNTY OF TRAVIS)

BEFORE ME, the undersigned authority, on this day personally appeared ROBERTA P. DICKSON, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 21 day of Feb, 1975.

NOTARY SEAL

Lee Gilbert
NOTARY PUBLIC, TRAVIS COUNTY, TEXAS

THE STATE OF ILLINOIS)
COUNTY OF WILL)

BEFORE ME, the undersigned authority, on this day personally appeared JOHN A. SBAROUNIS, President of Mark Eight Corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purposes and consideration therein expressed, as the act and deed of said corporation and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 6th day of February, 1975.

NOTARY SEAL

Rosa Elena Murray
NOTARY PUBLIC, WILL COUNTY, ILLINOIS
MY COM. EXPIRES APRIL 9, 1978

5234 2084

THE STATE OF TEXAS

1-16-3164

COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, on this day personally appeared RICHARD W. CHOTE, Trust Officer, The Capital National Bank in Austin, Trustee, known to me to be the person and officer whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purposes and consideration therein expressed, as the act and deed of said corporation and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 25 day of February, 1975.

NOTARY SEAL

W. C. Deane
NOTARY PUBLIC, TRAVIS COUNTY,
TEXAS

5234 2085

EXHIBIT "A"

1-16-3165

FIELD NOTES FOR THE ENTIRE DICKSON PROPERTY, SAID TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the iron stake at the southwest corner of the herein described tract of land, same iron stake also being in the north right-of-way line of Riverside Drive, same iron stake also being in the east right-of-way line of Pleasant Valley Road;

THENCE with the east right-of-way line of Pleasant Valley Road the following two (2) courses:

(1) N 30° 24' E, passing an iron stake at 1417.25 feet, 2287.93 feet to an iron stake;

(2) N 30° 13' E, passing an iron stake at 1583.20 feet, 1788.12 feet to an iron stake;

THENCE N 75° 53' E, 34.39 feet to an iron stake;

THENCE N 71° 55' E, 397.91 feet to an iron stake;

THENCE N 71° 29' E, 324.96 feet to an iron stake;

THENCE N 71° 36' E, 220.33 feet to an iron stake;

THENCE N 67° 47' E, 471.48 feet to an iron stake;

THENCE S 84° 30' E, 418.95 feet to an iron stake;

THENCE N 30° 11' E, 1975.20 feet to an iron stake;

THENCE N 24° 58' E, 214.15 feet to an iron stake in the south bank of the Colorado River for the northwest corner of the herein described tract of land;

THENCE with the south bank of the Colorado River the following twelve (12) courses:

(1) N 88° 53' E, 334.30 feet to an iron stake;

(2) S 88° 58' E, 369.60 feet to an iron stake;

(3) S 82° 06' E, 471.10 feet to an iron stake;

(4) S 77° 18' E, 316.76 feet to an iron stake;

(5) S 88° 32' E, 167.35 feet to an iron stake;

(6) S 81° 24' E, 292.00 feet to an iron stake.

FIELD NOTES

Page 2 of 3

DICKSON PROPERTY

1-16-3166

- (7) S 56° 42' E, 98.77 feet to an iron stake;
- (8) S 30° 15' E, 110.70 feet to an iron stake;
- (9) S 07° 28' E, 197.90 feet to an iron stake;
- (10) S 09° 44' E, 280.12 feet to an iron stake;
- (11) S 18° 10' E, 210.57 feet to an iron stake;
- (12) S 30° 31' E, 185.86 feet to an iron stake at the northeast corner of the herein described tract of land;

- THENCE S 29° 33' W, 466.24 feet to an iron stake;
- THENCE S 29° 47' W, 1104.50 feet to an iron stake;
- THENCE N 69° 13' W, 1219.86 feet to an iron stake;
- THENCE S 36° 18' W, 1305.03 feet to an iron stake;
- THENCE S 41° 14' W, 448.81 feet to an iron stake;
- THENCE S 21° 43' W, 645.80 feet to an iron stake;
- THENCE S 02° 21' E, 281.82 feet to an iron stake;
- THENCE S 02° 16' E, 889.86 feet to an iron stake;
- THENCE S 02° 17' E, 698.12 feet to an iron stake;
- THENCE S 02° 20' E, 790.45 feet to an iron stake;
- THENCE S 29° 53' W, 480.73 feet to a concrete monument;
- THENCE S 30° 06' W, 563.19 feet to a concrete monument in the north right-of-way line of Riverside Drive for the southeast corner of the herein described tract of land;
- THENCE with the north right-of-way line of Riverside Drive the following eleven (11) courses:

- (1) N 57° 47' W, 626.34 feet to an iron stake;
- (2) N 58° 26' W, 194.97 feet to an iron stake;
- (3) N 60° 45' W, 299.92 feet to an iron stake;

ORIGINAL DUM

5234 2087

FIELD NOTES

Page 3 of 3

DICKSON PROPERTY

1-16-3167

(4) N 67° 59' W, 484.18 feet to an iron stake;

(5) N 64° 18' W, 703.33 feet to an iron stake at a point of curvature;

(6) With a curve to the left whose chord bears N 65° 17' W, 43.53 feet and whose arc measures 43.53 feet to an iron stake;

(7) Continuing that same curve to the left an additional arc length of 247.45 feet and an additional chord which bears N 70° 23' W, 247.16 feet to an iron stake at a point of tangency;

(8) N 75° 17' W, 342.35 feet to an iron stake at a point of curvature;

(9) With a curve to the right whose chord bears N 67° 06' W, 396.50 feet and whose arc measures 397.85 feet to an iron stake at a point of tangency;

(10) N 58° 55' W, 518.44 feet to an iron stake at a point of curvature;

(11) With a curve to the right whose chord bears N 54° 39' W, 136.00 feet and whose arc measures 136.11 feet to the original point of beginning containing 496.80 acres of land.

Field Notes prepared in the offices of S. A. Garza Engineers, Inc.,
503 Scarborough Building, Austin, Texas, August 1, 1972.

ORIGINAL DUM



S.A. Garza
S. A. Garza
Registered Professional Engineer

5234 2088

BRYANT-CURINGTON INC.

1-16-3168

consulting engineers
3423 guadalupe street • austin, texas 78705 • 454-9371

FIELD NOTES AROUND THE
OUTBOUNDARY OF THE CROSSING PHASE 1

FIELD NOTES OF A 94.984 ACRE TRACT OUT OF THE SANTIAGO DEL VALLE GRANT, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SAID 94.984 ACRE TRACT BEING ALL OR A PORTION OF THE FOLLOWING: A 56.99 ACRE TRACT OF WHICH ONE-HALF INTEREST WAS CONVEYED TO THE CAPITAL NATIONAL BANK, TRUSTEE IN VOLUME 4588, PAGE 1640 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS; THE REMAINING ONE-HALF INTEREST OF THE 56.99 ACRE TRACT AND A 1/2 INTEREST IN AN ADDITIONAL 439.77 ACRES (496.76 ACRES IN TOTAL) BEING CONVEYED TO CAPITAL NATIONAL BANK, TRUSTEE BY DEED RECORDED IN VOLUME 4588, PAGE 1629; THE REMAINING ONE-HALF INTEREST IN THE 439.77 ACRE TRACT BEING CONVEYED TO CAPITAL NATIONAL BANK, TRUSTEE, BY DEED RECORDED IN VOLUME 4588, PAGE 1679 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 94.984 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at an iron stake found at the most westerly corner of Lot 1, Penick Place, a subdivision in Travis County, Texas as recorded in Book 5, Page 147 of the Plat Records of Travis County, Texas; said point being on the northerly right-of-way line of Riverside Drive;

THENCE along the northerly right-of-way line of Riverside Drive the following five (5) courses:

1. N 57°-36' W., 627.22 feet to an iron stake found;
2. N 58°-03' W., 195.01 feet to an iron stake found;
3. N 60°-25' W., 299.64 feet to an iron stake found;
4. N 62°-39' W., 484.22 feet to an iron stake found;
5. N 63°-57' W., 702.96 feet to an iron stake found;

THENCE through the interior of the said 496.76 acre tract the following twelve (12) courses:

1. N 26°-00' E., 39.29 feet to an iron stake set;
2. S 64°-00' E., 37.96 feet to an iron stake set;
3. An arc distance of 23.56 feet along a curve to the left whose elements are: $I=90^{\circ}-00'$, $Rad.=15.00'$, $Tan.=15.00'$ and whose longchord bears N 71°-00' E., 21.21 feet to the P.T. of said curve;

EXHIBIT "B" Page 1

5234 2089

1-16-3169

4. N 26°-00' E., 205.00 feet to an iron stake set;
5. An arc distance of 314.49 feet along a curve to the right, whose elements are: I=26°-00', Rad.=693.04', Tan.=160.00' and whose longchord bears N 39°-00' E., 311.80 feet to the P.T. of said curve;
6. N 52°-00' E., 120.00 feet to an iron stake set;
7. An arc distance of 277.29 feet along a curve to the left, whose elements are: I=19°-30', Rad.=814.75', Tan.=140.00 feet and whose longchord bears N 42°-15' E., 275.96 feet to the P.T. of said curve;
8. N 32°-30' E., 635.00 feet to an iron stake set;
9. An arc distance of 476.15 feet along a curve to the left, whose elements are: I=17°-45', Rad.=1537.00', Tan.=240.00' and whose longchord bears N 23°-38' E., 474.25 feet to the P.T. of said curve;
10. N 14°-45' E., 40.00 feet to an iron stake set;
11. S 75°-15' E., 212.90 feet to an iron stake set;
12. S 57°-30' E., 1326.81 feet to an iron stake set on the east boundary of the said 496.76 acre tract; said point also being the most northeasterly corner of the said 56.69 acre portion of the 496.76 acre tract;

THENCE along the common boundary between the said 496.76 acre tract and a tract conveyed to Country Club of Austin as recorded in Volume 838, Page 189 of the Deed Records of Travis County, Texas the following three (3) courses:

1. S 01°-55' E., 400.00 feet to an iron stake found;
2. S 01°-57' E., 790.15 feet to an iron stake found;
3. S 30°-16' W., 480.66 feet to an iron stake found at a common corner with the said Penick Place subdivision;

THENCE S 30°-23' W., 563.13 feet along the common boundary between the said 496.76 acre tract and the said Penick Place Subdivision to the POINT OF BEGINNING, containing 94.984 acres as surveyed and computed by Bryant-Curington, Inc., in October, 1973,

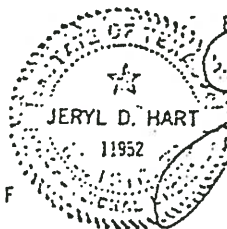
I HEREBY CERTIFY that these notes were prepared from an actual survey made on the ground under my supervision according to law and are true and correct to the best of my knowledge.

WITNESS MY HAND AND SEAL this the 2nd day of November, 1973, A.D.

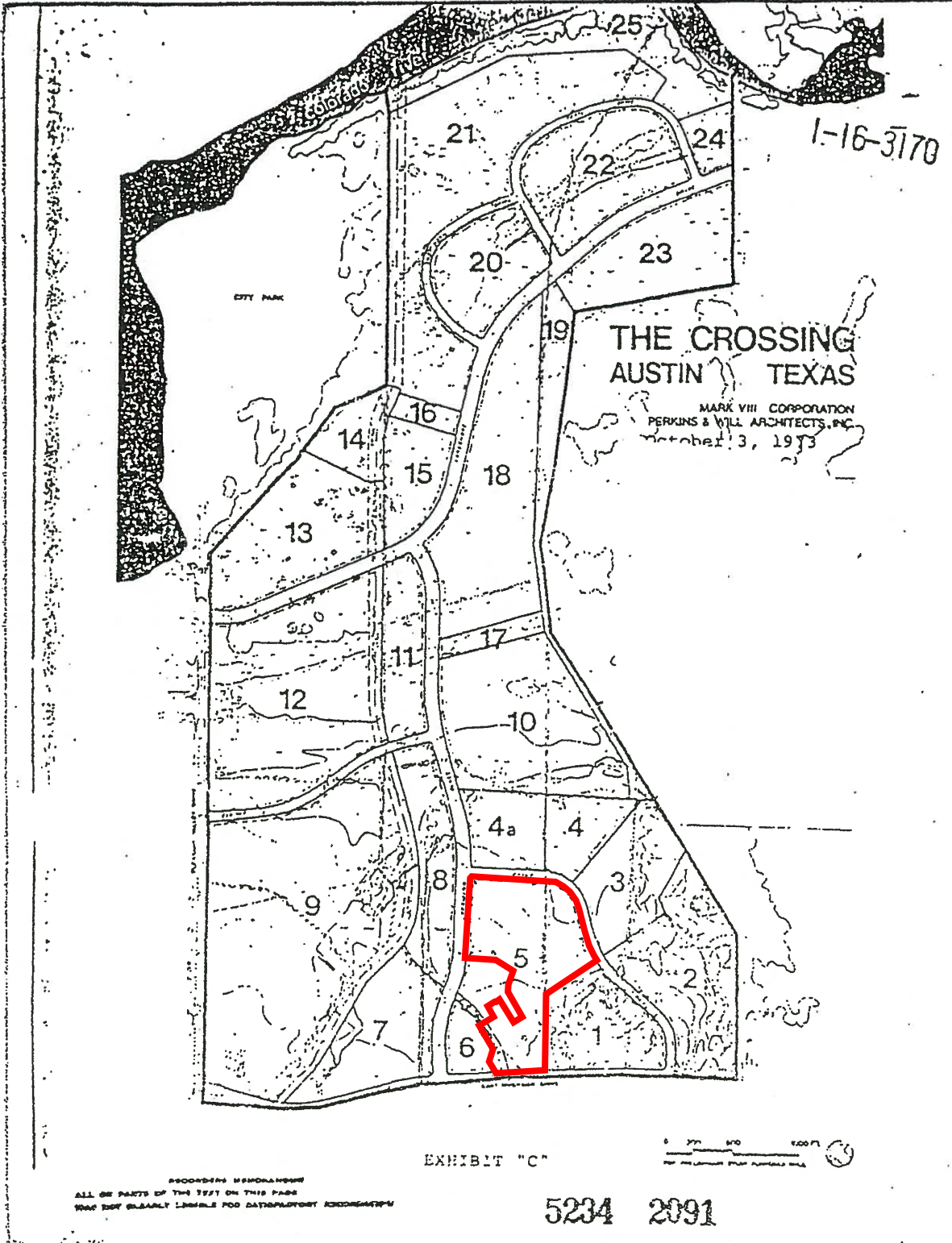
BRYANT-CURINGTON, INC.

Jeryl D. Hart

JERYL D. HART Jeryl D. Hart, P.E.
11952 Registered Professional Engineer



JDH:JWH/dd
Job No. 73-62-F



1-16-3171

JUL 24 8 38 AM '75

Doris A. Hays
COUNTY CLERK
TRAVIS COUNTY, TEXAS

LAW DEPARTMENT
CITY OF AUSTIN
P. O. BOX 1088
AUSTIN, TEXAS 78761

Hand, change to Travis Co.

X
INDEX

STATE OF TEXAS COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on the
5th day of July 1975 at the time stamped hereon by me; and was duly
RECORDED, in the Volume and Page of the named RECORDS
of Travis County, Texas, as Stamped hereon by me, on

JUL 24 1975



Doris A. Hays
COUNTY CLERK
TRAVIS COUNTY, TEXAS

5234 2092