

**ORDINANCE NO. 20071108-097**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 10011 AND 10015 STONELAKE BOULEVARD FROM GENERAL COMMERCIAL SERVICES (CS) DISTRICT TO MULTIFAMILY RESIDENCE MODERATE-HIGH DENSITY-CONDITIONAL OVERLAY (MF-4-CO) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from general commercial services (CS) district to multifamily residence moderate-high density-conditional overlay (MF-4-CO) combining district on the property described in Zoning Case No. C14-2007-0141, on file at the Neighborhood Planning and Zoning Department, as follows:

A 6.955 acre tract of land, more or less, out of the James P. Wallace Survey No. 18 and the James Rogers Survey No. 19, and Lots 3 and 4, Block A, Morse Commercial Subdivision, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 10011 and 10015 Stonelake Boulevard, in the City of Austin, Travis County, Texas, and 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 site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,374 trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the multifamily residence moderate-high density (MF-4) base district, and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on November 19, 2007.

**PASSED AND APPROVED**

\_\_\_\_ November 8 \_\_\_\_\_, 2007

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Will Wynn  
Mayor

**APPROVED:**

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David Allan Smith  
City Attorney

**ATTEST:**

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Shirley A. Gentry  
City Clerk

**Exhibit "A"**

**FIELD NOTES FOR 6.955 ACRE TRACT**

BEING 6.955 ACRES MORE OR LESS OUT OF THE JAMES P. WALLACE SURVEY NO 18 AND THE JAMES ROGERS SURVEY NO 19 IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, SAID 6 955 ACRES BEING COMPOSED OF ALL OF LOTS 3 AND 4, BLOCK "A", MORSE COMMERCIAL SUBDIVISION, RECORDED IN VOLUME 101, PAGE 54-55, PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P R T C T.) AND A 0 570 ACRE REMNANT OF THAT CERTAIN 71.91 ACRE TRACT CONVEYED TO FRED C. MORSE BY DEED RECORDED IN VOLUME 2082, PAGE 34, DEED RECORDS OF TRAVIS COUNTY, TEXAS (D R T C T), WITH 1/2 INTEREST CONVEYED TO TEXAS COMMERCE BANK-AUSTIN (aka CHASE BANK OF TEXAS, N.A.), INDEPENDENT EXECUTOR AND TRUSTEE OF THE ESTATE OF ESTELLE K. MORSE, DECEASED, BY INSTRUMENT OF RECORD IN VOLUME 11098, PAGE 1648, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (R P R T C T), AND BEING 25% INTEREST OF CALLED 6 955 ACRE TRACT (TRACT EIGHT) DESCRIBED IN A DISTRIBUTION CONVEYANCE DEED TO JP MORGAN CHASE BANK, AS TRUSTEE OF THE FREDERIC CLARKE MORSE, JR EXEMPT FAMILY TRUST, RECORDED IN DOCUMENT NO 2004113210, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O P R T C T.) AND BEING 25% INTEREST OF CALLED 6 955 ACRE TRACT (TRACT FOUR) DESCRIBED IN A DISTRIBUTION CONVEYANCE DEED TO JP MORGAN CHASE BANK, AS TRUSTEE OF THE FREDERIC CLARKE MORSE, JR NONEXEMPT FAMILY TRUST, RECORDED IN DOCUMENT NO 2004113209, O P R T C T; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT A ½" IRON ROD SET WITH ORANGE PLASTIC CAP STAMPED "WALLACE GROUP" (HEREAFTER REFERRED TO AS "WALLACE CAP") AT THE SOUTHWEST CORNER OF LOT 1, BLOCK A, MORSE/STONELAKE I, A SUBDIVISION OF RECORD IN DOCUMENT NO 199900141, P R T C T, SAME BEING IN THE EAST RIGHT-OF-WAY (R O W) LINE OF STONELAKE BOULEVARD, AND FROM SAID BEGINNING POINT RUN THE FOLLOWING TWENTY-ONE (21) COURSES AND DISTANCES

THENCE WITH THE SOUTH AND EAST LINES OF SAID MORSE/STONELAKE I, SAME BEING ALONG A NORTHERLY AND WESTERLY LINE OF THE HEREIN DESCRIBED TRACT, BY COURSES 1 THROUGH 6 AS FOLLOWS.

- 1 N82°42'53"E 417 63 FEET TO A ½" IRON ROD FOUND,
- 2 N46°59'08"W 92 12 FEET TO A ½" IRON ROD SET WITH "WALLACE CAP",
- 3 N07°01'51"W 48 24 FEET TO A ½" IRON ROD SET WITH "WALLACE CAP",
4. N25°27'44"E 14 98 FEET TO A ½" IRON ROD SET WITH "WALLACE CAP",
- 5 N14°53'39"E 24 84 FEET TO A ½" IRON ROD FOUND,
6. N14°27'10"E 23 40 FEET TO A ½" IRON ROD FOUND,

THENCE WITH THE NORTHEAST AND EAST LINES OF THE TRACT HEREIN DESCRIBED AND ALONG THE NORTHEAST LINE OF SAID 71 91 ACRE MORSE TRACT AS REVISED BY A BOUNDARY LINE AGREEMENT OF RECORD IN VOLUME 4439, PAGE 1390, D R T C T, ALSO WITH THE SOUTH LINE OF THE UNIVERSITY OF TEXAS 2 41 ACRE TRACT 1 OF RECORD IN VOLUME 4971, PAGE 1661, D R T C T., WITH THE WEST LINE OF THE UNIVERSITY OF TEXAS 382 ACRE TRACT OF RECORD IN VOLUME 994, PAGE 337, D R T C T, WITH THE WEST LINE OF THE UNIVERSITY OF TEXAS 3 06 ACRE TRACT OF RECORD IN VOLUME 4971, PAGE 1661, D R T C T, BY COURSES 7 THROUGH 14 AS FOLLOWS

7. S64°52'03"E 183 45 FEET TO A ½" IRON ROD FOUND,
8. S60°51'12"E 140 57 FEET TO A ½" IRON ROD FOUND;
- 9 S64°13'40"E 66 92 FEET TO A ½" IRON ROD FOUND,
- 10 S08°24'08"W 127 49 FEET TO A ½" IRON ROD FOUND,

**Exhibit "A" continued**

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11. S01°44'03"E 47 45 FEET TO A ½" IRON PIPE FOUND;
12. S07°46'56"E 75 47 FEET TO A ½" IRON PIPE FOUND
13. S23°22'01"E 47.55 FEET TO A ½" IRON PIPE FOUND,
14. S25°44'49"E 208 98 FEET TO A ½" IRON ROD FOUND;

THENCE WITH THE NORTH LINE OF LOT 1, BLOCK A, MORSE/CLUBHOUSE INN SUBDIVISION, OF RECORD IN PLAT BOOK 98, PAGE 356-357, P.R.T.C.T., BY COURSE 15 AS FOLLOWS:

- 15 N77°19'37"W 316 80 FEET TO A ½" IRON ROD FOUND,

THENCE WITH THE NORTH LINE OF LOT 2, BLOCK A OF SAID MORSE COMMERCIAL SUBDIVISION, BY COURSES 16 AND 18 AS FOLLOWS:

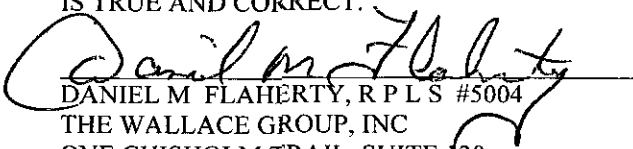
- 16 N84°21'32"W 102.45 FEET TO A ½" IRON ROD FOUND WITH ORANGE PLASTIC CAP STAMPED "ARPENTEURS 1772 5306" (HEREAFTER REFERRED TO AS "ARPENTEURS CAP");
- 17 N81°30'30"W 339.30 FEET TO A PK NAIL FOUND WITH WASHER STAMPED "ARPENTEURS 512-832-1232",
- 18 S85°13'05"W 31 55 FEET TO A ½" IRON ROD FOUND WITH "ARPENTEURS CAP" IN THE EAST R.O.W. LINE OF SAID STONELAKE BOULEVARD AT THE COMMON NORTHWEST CORNER OF SAID LOT 2 AND THE SOUTHWEST CORNER OF SAID LOT 4 OF MORSE COMMERCIAL SUBDIVISION,

THENCE WITH THE EAST R.O.W. LINE OF SAID STONELAKE BOULEVARD, SAME BEING THE WEST LINE OF THE HEREIN DESCRIBED TRACT BY COURSES 19-21 AS FOLLOWS:

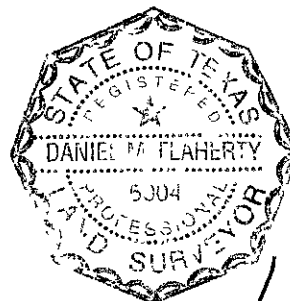
19. N04°26'47"W 48 47 FEET ALONG THE CHORD OF A CURVE TO THE LEFT WHOSE ELEMENTS ARE I=00°48'39", R=3,425 10 FEET, A=48 47 FEET TO A ½" IRON ROD SET WITH "WALLACE CAP" FOR THE COMMON CORNER OF SAID LOTS 4 AND LOT 3, MORSE COMMERCIAL SUBDIVISION,
20. N06°03'54"W 145 51 FEET ALONG THE CHORD OF A CURVE TO THE LEFT WHOSE ELEMENTS ARE I=02°26'04", R=3,425.10 FEET, A=145.53 FEET TO A ½" IRON ROD IN CONCRETE FOUND,
21. N07°16'43"W AT A DISTANCE OF 46.73 FEET PASSING THE NORTHWEST CORNER OF SAID LOT 3, CONTINUING IN ALL A TOTAL DISTANCE OF 112.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 6 955 ACRES (302,948 SQUARE FEET) OF LAND AS COMPUTED BY THE WALLACE GROUP, INC , ROUND ROCK, TEXAS IN JUNE OF 2007

BEARINGS SHOWN HEREON ARE REFERENCED TO THE SOUTHERLY LINE OF LOT 4, BLOCK "A", MORSE COMMERCIAL SUBDIVISION, VOLUME 101, PAGE 54-55, PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

I, DANIEL M FLAHERTY, REGISTERED PROFESSIONAL LAND SURVEYOR NO 5004, STATE OF TEXAS, DO HEREBY CERTIFY THAT THESE FIELD NOTES WERE PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY PERFORMED ON THE GROUND AND THAT THE SAME IS TRUE AND CORRECT.

  
DANIEL M FLAHERTY, R P L S #5004  
THE WALLACE GROUP, INC  
ONE CHISHOLM TRAIL, SUITE 130  
ROUND ROCK, TEXAS 78681  
PH (512) 248-0065

WORK ORDER NO 20789/ PLAT NO D-1823



10/22/07

