

ORDINANCE NO. _____

1 **AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE**
2 **PROPERTY LOCATED AT 15433 FM 1325 ROAD AND CHANGING THE**
3 **ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO**
4 **MULTIFAMILY RESIDENCE MEDIUM DENSITY-CONDITIONAL OVERLAY**
5 **(MF-3-CO) COMBINING DISTRICT.**

6
7 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**
8

9 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
10 change the base district from interim rural residence (I-RR) district to multifamily
11 residence medium density-conditional overlay (MF-3-CO) combining district on the
12 property described in Zoning Case No. C14-2011-0122, on file at the Planning and
13 Development Review Department, as follows:
14

15 A 14.21 acre tract of land, more or less, out of the M.M. Hornsby Survey No. 76,
16 Abstract No. 889 in Williamson County, Texas and out of the M.M. Hornsby
17 Survey No. 76, Abstract No. 391 in Travis County, Texas the tract of land being
18 more particularly described by metes and bounds in Exhibit "A" incorporated into
19 this ordinance (the "Property"),
20

21 locally known as 15433 FM 1325 Road in the City of Austin, Williamson County, Texas,
22 and generally identified in the map attached as Exhibit "B".
23

24 **PART 2.** The Property within the boundaries of the conditional overlay combining district
25 established by this ordinance is subject to the following conditions:
26

- 27 A. A site plan or building permit for the Property may not be approved, released,
28 or issued, if the completed development or uses of the Property, considered
29 cumulatively with all existing or previously authorized development and uses,
30 generate traffic that exceeds 2,000 trips per day.
31
32 B. Development of the property may not exceed a density of 17 units per acre.
33
34 C. The development of property along the northeast and east property lines,
35 adjacent to the existing single family use, shall comply with compatibility
36 standards, as set forth in the City Code.
37

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the multifamily residence medium density (MF-3) base district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on _____, 2011.

PASSED AND APPROVED

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_____, 2011

Lee Leffingwell
Mayor

APPROVED: _____ **ATTEST:** _____
Karen M. Kennard Shirley A. Gentry
City Attorney City Clerk

HOLT CARSON INCORPORATED

1904 FORTVIEW ROAD
AUSTIN, TEXAS 787074
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September 3, 2008

FIELD NOTE DESCRIPTION OF 14.21 ACRES OF LAND OUT OF THE M.M. HORNSBY SURVEY NO. 76, ABSTRACT NO. 889 IN WILLIAMSON COUNTY, TEXAS AND OUT OF THE M.M. HORNSBY SURVEY NO. 76, ABSTRACT NO. 391, IN TRAVIS COUNTY, TEXAS, BEING COMPRISED OF A PORTION OF THAT CERTAIN (14.714 ACRE) TRACT OF LAND CONVEYED TO MIKE McCARTY BY DEED RECORDED IN DOCUMENT NO. 9538326 AND RE-RECORDED IN DOCUMENT NO. 9545133 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS AND ALSO BEING RECORDED IN VOLUME 12551, PAGE 1632 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND ALL OF THAT CERTAIN (35,358 SQ.FT.) TRACT OF LAND AS CONVEYED TO MIKE McCARTY BY SPECIAL WARRANTY EXCHANGE DEED RECORDED IN DOCUMENT NO. 9809144 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found in the East right-of-way line of the abandoned Austin-Round Rock Road at the Southeast corner of that certain (35,358 sq.ft.) tract of land as conveyed to Mike McCarty by Special Warranty Exchange Deed recorded in Document No. 9809144 of the Official Records of Williamson County, Texas, same being a point in the East line of that certain (0.30 acre) tract of land known as Parcel 4, Tract 1, as described in a deed to David and Laura Starks recorded in Document No. 9904633 of the Official Records of Williamson County, Texas, also being a point in a West line of that certain (14.714 acre) tract of land as conveyed to Mike McCarty by deed recorded in Document No. 9538326 and re-recorded in Document No. 9545133 of the Official Records of Williamson County, Texas and also being recorded in Volume 12551, Page 1632 of the Real Property Records of Travis County, Texas and also being a point in a South line and **PLACE OF BEGINNING** of the herein described tract, from which a ½" iron pipe found at the Southeast corner of said (0.30 acre) Parcel 4, Tract 1, same being a Southwest corner of said (14.714 acre) McCarty tract and the Northeast corner of that certain (1.35 acre) tract of land known as Parcel 2, Tract 1 as conveyed to David and Laura Starks by deed recorded in Document No. 9904633 of the Official Records of Williamson County, Texas bears, S 04 deg. 31'35" W 45.94 ft.;

THENCE leaving the West line of said (14.714 acre) McCarty tract and crossing the interior of said (0.30 acre) Parcel 4, Tract 1 with the South line of said (35,358 sq.ft.) McCarty tract, N 60 deg. 02'37" W, passing a calculated point at a distance of 37.86 ft. in the record West line of said (0.30 acre) Parcel 4, Tract 1, same being a point in the record East line of that certain (0.69 acre) tract of land known as Parcel 3, Tract 1, as described in a deed to David and Laura Starks recorded in Document No. 9904633 of the Official Records of Williamson County, Texas, continuing along said bearing for a total distance of 167.59 ft. to a ½" iron rod found in the East right-of-way line of Burnet Road (F.M. 1325), same being a point in the West line of said (0.69 acre) Parcel 3, Tract 1 at the Southwest corner of said (35,358 sq.ft.) McCarty tract and the Westerly Southwest corner of the herein described tract, from which a ½" iron pipe found at the Southwest corner of said (0.69 acre) Parcel 3, Tract 1, same being the Northwest corner of said (1.35 acre) Starks tract bears, S 09 deg. 03'43" W 62.17 ft.;

THENCE with the East line of Burnet Road (F.M. 1325) and the West line of said (0.69 acre) Parcel 3, Tract 1, same being the West line of said (35,358 sq.ft.) McCarty tract, N 09 deg. 07'50" E 212.31 ft. to a ½" iron rod set with a plastic cap imprinted "Holt Carson, Inc." at the Northwest corner of said (0.69 acre) Parcel 3, Tract 1, same being the Northwest corner of said (35,358 sq.ft.) McCarty tract, also being the Southwest corner of that certain (3,176 sq.ft.) tract of land as conveyed to Zachary B. Stearns by deed recorded in Volume 2137, Page 360 of the Official Records of Williamson County, Texas and the Westerly Northwest corner of the herein described tract;

THENCE leaving the East right-of-way line of Burnet Road (F.M. 1325) with the North line of said (0.69 acre) Parcel 3, Tract 1, same being a North line of said (35,358 sq.ft.) McCarty tract and the South line of said Stearns (3,176 sq.ft.) tract, following a curve to the right, with a radius of 5000.00 ft. for an arc length of 86.88 ft. and which chord bears, S 72 deg. 01'05" E 86.88 ft. to a chiseled "X" cut in a concrete drainpipe in the West line of said (0.30 acre) Parcel 4, Tract 1, at the Northeast corner of said (0.69 acre) Parcel 3, Tract 1, same being the Southeast corner of said (3,176 sq.ft.) Stearns tract and an interior angle corner of said (35,358 sq.ft.) McCarty tract;

THENCE with the East line of said (3,176 sq.ft.) Stearns tract, same being the West line of said (0.30 acre) Parcel 4, Tract 1 and a West line of said (35,358 sq.ft.) McCarty tract, N 00 deg. 54'33" E passing a calculated point at the record Northeast corner of said (3,176 sq.ft.) Stearns tract at a distance of 29.13 ft., continuing along said bearing for a total distance of 33.39 ft. to a ½" iron rod set with a plastic cap imprinted "Holt Carson, Inc." at the Northerly Northwest corner of said (35,358 sq.ft.) McCarty tract, same being the Northwest corner of said (0.30 acre) Parcel 4, Tract 1, and a point in the South line of Lot 2, Block A, Noah's Ark, a subdivision in Williamson County, Texas, according to the map or plat thereof recorded in Cabinet V, Slide 334 of the Plat Records of Williamson County, Texas, from which a ½" iron rod found with a plastic cap imprinted "J.O.M." at the Southwest corner of Lot 2, Block A, Noah's Ark bears, N 58 deg. 45'06" E 87.73 ft. and again from said ½" iron rod set with a plastic cap imprinted "Holt Carson, Inc." a concrete highway monument found in the East right-of-way line of Burnet Road (F.M. 1325) at record Engineers Station 576+52 bears, N 00 deg. 54'33" E 600 .44 ft.;

THENCE with the South line of Lot 2, Block A, Noah's Ark, same being the North line of said (35,358 sq.ft.) McCarty tract, also being the North line of said (0.30 acre) Parcel 4, Tract 1, S 58 deg. 45'06" E 58.56 ft. to a ¾" iron rod found in the East right-of-way line of the abandoned Austin-Round Rock Road at the Northeast corner of said (35,358 sq.ft.) McCarty, same being the Northeast corner of said (0.30 acre) Parcel 4, Tract 1, also being the Northwest corner of said (14.714 acre) McCarty tract and an angle point in the North line of the herein described tract;

THENCE with the North line of said (14.714 acre) McCarty tract, same being the South line of Lot 2, Block A, Noah's Ark, the following three (3) courses:

- 1.) S 59 deg. 37'18" E 168.46 ft. to a ½" iron rod found with a plastic cap imprinted "J.O.M.";
- 2.) S 60 deg. 09'40" E 472.60 ft. to a ½" iron rod found;
- 3.) S 58 deg. 22'34" E 27.60 ft. to a ½" iron rod found at the Southwest corner of Lot 13, Block F, Willow Run, Section 8, a subdivision in Williamson County and Travis County, Texas, according to the map or plat thereof recorded in Cabinet M, Slide 245 of the Plat Records of Williamson County, Texas and Volume 96, Page 139 of the Plat Records of Travis County, Texas, same being an angle point in the South line of said Lot 2, Block A, Noah's Ark;

THENCE with the South line of Lot 13, Block F, Willow Run, Section 8 and continuing with the South line of Lot 2, Block A, Noah's Ark, S 60 deg. 03'48" E 352.22 ft. to a ½" iron rod found, from which a ½" iron rod found with an aluminum cap at the Southeast corner of Lot 2, Block A, Noah's Ark, same being the Southeast corner of Lot 13, Block F, Willow Run, Section 8, also being an angle corner of Lot 22, Block F, Willow Run, Section 8, bears, S 59 deg. 56'55" E 57.62 ft.;

THENCE S 60 deg. 07'35" E 331.23 ft. to a ½" iron rod found at an angle corner of Lot 25, Block F, Willow Run, Section 8;

THENCE S 59 deg. 51'52" E 147.80 ft. to a ½" iron rod found in the South line of Lot 28, Block F, Willow Run, Section 8, same being the most Northerly Northeast corner of said (14.714 acre) McCarty tract, also being the Northwest corner of that certain (1.14 acre) tract of land as conveyed to Juvenal Palacios and Esperanza R. Palacios by deed recorded in Document No. 1995035315 of the Official Records of Williamson County, Texas and Volume 12491, Page 1028 of the Real Property Records of Travis County, Texas;

THENCE leaving the South line of Lot 28, Block F, Willow Run, Section 8, with the common line of said (14.714 acre) McCarty tract and said (1.14 acre) Palacios tract, the following three (3) courses:

- 1.) S 30 deg. 23'49" W 124.07 ft. to a ½" iron rod found;
- 2.) S 59 deg. 35'17" E 120.46 ft. to a ½" iron rod found;
- 3.) S 30 deg. 22'55" W 120.66 ft. to a ½" iron rod found in the North line of Lot 36, Block B, Willow Run, Section 1, a subdivision in Travis County, Texas according to the map or plat thereof recorded in Volume 91, Page 150 of the Plat Records of Travis County, Texas;

THENCE with a North line of Block B, Willow Run, Section 1 and a South line of said (14.714 acre) McCarty tract, N 59 deg. 25'33" W 120.25 ft. to a ½" iron rod found at the Northwest corner of Lot 37, Block B, Willow Run, Section 1, same being an interior angle corner of said (14.714 acre) McCarty tract;

THENCE with a West line of Block B, Willow Run, Section 1 and an East line of said (14.714 acre) McCarty tract, S 30 deg. 18'27" W passing at a distance of 259.19 ft. a ½" iron rod found with an aluminum cap imprinted "LCRA" at an angle corner of Lot 39, Block B, Willow Run, Section 1, same being an angle corner in the North line of Lot 1, Shoreline Park, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Document No. 200200268 of the Official Public Records of Travis County, Texas, continuing along said bearing for a total distance of 325.48 ft. to a bent ¾" iron rod found at the Southeast corner of said (14.714 acre) McCarty tract, same being an angle corner of said Lot 1, Shoreline Park;


THENCE with the South line of said (14.714 acre) McCarty tract and the North line of Lot 1, Shoreline Park, N 58 deg. 12'27" W 692.50 ft. to a ½" iron rod found at the Southeast corner of that certain (1.105 acre) tract of land as conveyed to Texas Greenscapes, Inc. by deed recorded in Document No. 9809144 of the Official Records of Williamson County, Texas and Volume 12125, Page 2907 of the Real Property Records of Travis County, Texas;

THENCE crossing through the interior of said (14.714 acre) McCarty Tract, with the East and North lines of said (1.105 acre) Texas Greenscapes, Inc. tract, the following two (2) courses:

- 1.) N 29 deg. 57'46" E 304.07 ft. to a ½" iron rod found at the Northeast corner of said (1.105 acre) Texas Greenscapes, Inc. tract;

2.) N 60 deg. 03'10" W 261.47 ft. to a ½" iron pipe found at the Northwest corner of said (1.105 acre) Texas Greenscapes, Inc. tract, same being an angle corner of said (14.714 acre) McCarty tract, also being an angle corner of that certain (4.11 acre) tract of land known as Parcel 1, Tract 1 as conveyed to David and Laura Starks by deed recorded in Document No. 9904633 of the Official Records of Williamson County, Texas, and also being the East corner of that certain (8,844 sq.ft.) tract of land known as Tract 2, as conveyed to David and Laura Starks by deed recorded in Document No. 9904633 of the Official Records of Williamson County, Texas;

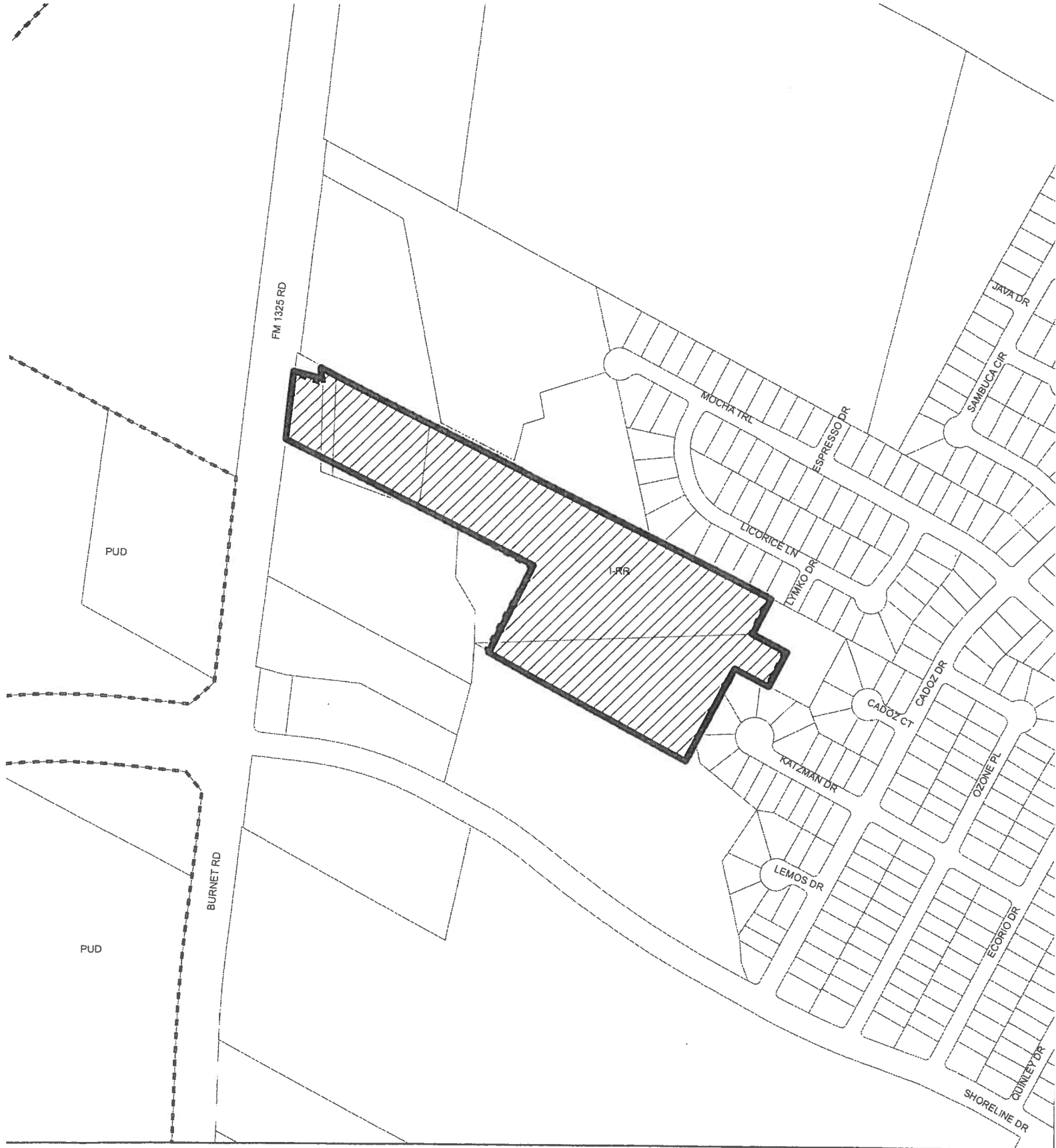
THENCE re-crossing the interior of said (14.714 acre) McCarty tract, with the North line of said (8,844 sq.ft.) tract, N 60 deg. 00'38" W 426.92 ft .to the **PLACE OF BEGINNING** and containing **14.21** acres of land.



SURVEYED: September 3rd, 2008
Holt Carson
Registered Professional Land Surveyor No. 5166

see accompanying map no. B831026





ZONING **ZONING CASE#: C14-2011-0122**

Exhibit B



1" = 400'

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

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.

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