

**ORDINANCE NO. 20060831-061**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4320 TO 4330 BULL CREEK ROAD FROM MULTIFAMILY RESIDENCE MODERATE-HIGH DENSITY (MF-4) DISTRICT TO MULTIFAMILY RESIDENCE HIGHEST DENSITY-CONDITIONAL OVERLAY (MF-6-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 multifamily residence moderate-high density (MF-4) district to multifamily residence highest density-conditional overlay (MF-6-CO) combining district on the property described in Zoning Case No. C14-06-0100, on file at the Neighborhood Planning and Zoning Department, as follows:

A 3.847 acre tract of land, more or less, out of the Daniel J. Gilbert Survey, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 4320 to 4330 Bull Creek Road 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. 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 2,000 trips per day.
- B. Building height on the Property shall not exceed 60 feet from ground level.
- C. Residential development on the Property may not exceed a density of 250 units.
- D. Residential development on the Property may not exceed a density of 64.98 units per acre over the entire property.
- E. The minimum setback from Bull Creek Road is 25 feet.

- F. The minimum setback from 44<sup>th</sup> Street is 25 feet.
- G. Upon redevelopment, vehicular access from the Property to 44<sup>th</sup> Street is prohibited, except for emergency vehicle use. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
- H. The maximum floor-to-area ratio (FAR) is 2.25 to 1.0.

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

**PART 3.** This ordinance takes effect on September 11, 2006.

**PASSED AND APPROVED**

\_\_\_\_\_, August 31, 2006      §  
§  
§ \_\_\_\_\_  
Will Wynn  
Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
David Allan Smith      Shirley A. Gentry  
City Attorney      City Clerk

3.847 ACRES  
BULL CREEK CONDOMINIUMS  
LOTS 3, 4, AND 5  
GEORGETOWN SQUARE.

FN. NO. 06-311(CAG)  
MAY 24, 2006  
BPI JOB NO. 856-11.92

**EXHIBIT A**  
**DESCRIPTION**

OF A 3.847 ACRE TRACT OF LAND OUT OF THE DANIEL J. GILBERT SURVEY, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING ALL OF LOT 4 AND A PORTION OF LOTS 3 AND 5 OF GEORGETOWN SQUARE, A SUBDIVISION OF RECORD IN BOOK 35, PAGE 23 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 3.847 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2 inch iron pipe found in the westerly right-of-way line of Bull Creek Road (65' R.O.W.), for the southeasterly corner of said Lot 3, same being the northeasterly corner of Lot 2 of said Georgetown Square, from which a 1/2 inch iron pipe found for the southeasterly corner of said Lot 2 bears S26°47'20"W, a distance of 124.76';

**THENCE**, N63°07'52"W, leaving the westerly right-of-way line of Bull Creek Road, along the common line of said Lots 2 and 3, for the southerly line hereof, a distance of 346.13 feet to a 1/2 inch iron rod found in the easterly right-of-way line of Mo-Pac Boulevard (R.O.W. width varies) for the southwesterly corner hereof, same being the common westerly corner of said Lots 2 and 3, from which the southwesterly corner of Lot 1 of said Georgetown Square bears S04°46'55"W, a distance of 226.56 feet;

**THENCE**, N04°46'55"E, along the easterly right-of-way line of Mo-Pac Boulevard, for a portion of the westerly line of said Lot 3 and hereof, a distance of 99.83 feet to an angle point hereof, being the northwesterly corner of that certain 400 square foot lease area of record in Document No. 2000124094 of the Official Public Records of Travis County, Texas, same being the southernmost corner of that certain tract of land conveyed to the City of Austin for street widening purposes, of record in Volume 3925, Page 682 of the Deed Records of Travis County, Texas;

**THENCE**, continuing along the easterly line of Mo-Pac Boulevard, along the easterly line of said City of Austin tract for the westerly line hereof, the following two (2) courses and distances:

- 1) N11°59'57"E, passing at a distance of 70.81 feet a P.K. nail found in the common line of said Lots 3 and 5, and continuing for a total distance of 161.00 feet to a brass disk found for an angle point;
- 2) N16°01'00"E, a distance of 168.55 feet to a 1/2 inch iron rod found in the southerly right-of-way line of West 44th street (50' R.O.W.), for the northwesterly corner hereof;


**THENCE**, S62°03'57"E, leaving the easterly right-of-way line of Mo-Pac Boulevard, along a portion of the northerly line of said Lots 5, and the northerly line of said Lot 4 for the northerly line hereof, a distance of 456.23 feet to a 1/2 inch iron rod with cap set for the northeasterly corner of said Lot 4 and hereof, being at the southwesterly intersection of West 44th Street and Bull Creek Road;

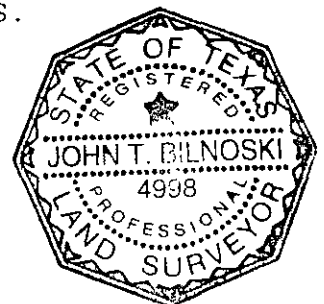
**THENCE**, S26°47'20"W, along the westerly right-of-way line of Bull Creek Road, being the easterly lines of said Lots 4 and 3, for the easterly line hereof, passing at a distance of 244.13 feet a 1/2 inch iron rod found for the common easterly corner of said Lots 4 and 3, and continuing for a total distance of 405.16 feet to the **POINT OF BEGINNING**, containing an area of 3.847 acres (167,594 sq. ft.) of land, more or less, within these metes and bounds.

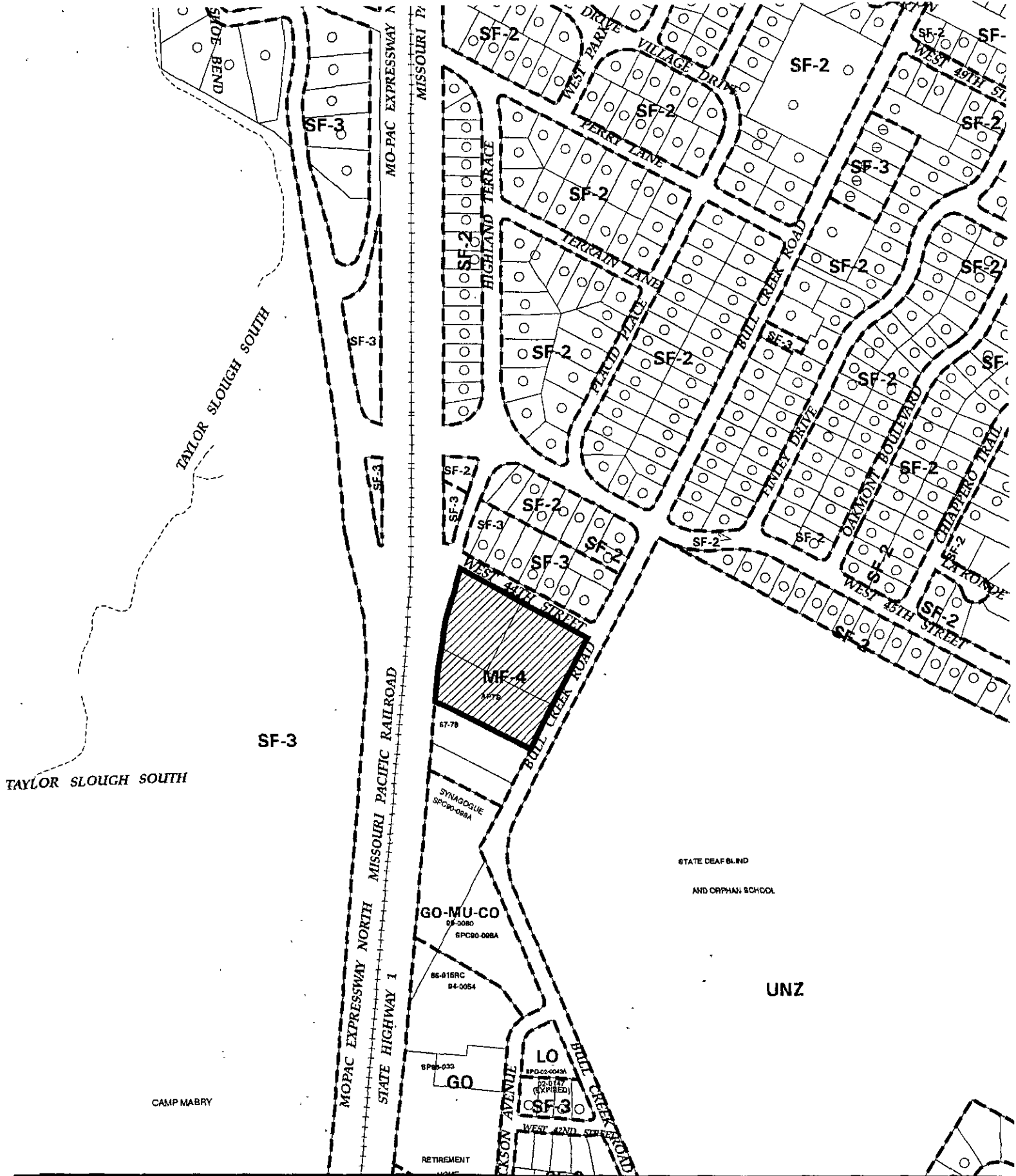
**BASIS OF BEARINGS:** IS REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD 83(93) CENTRAL ZONE, UTILIZING CITY OF AUSTIN MONUMENTS: AUS5B, CB55, CB57, AND CB58

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE DESCRIPTION WAS DETERMINED BY A SURVEY MADE ON THE GROUND BY ME OR UNDER MY DIRECTION AND SUPERVISION. A LAND TITLE SURVEY WAS PREPARED TO ACCOMPANY THIS DESCRIPTION.

BURY+PARTNERS, INC.  
ENGINEERS-SURVEYORS  
3345 BEE CAVE ROAD  
SUITE 200  
AUSTIN, TEXAS 78746

  
5/24/06  
JOHN T. BILNOSKI, R.P.L.S.  
NO. 4998  
STATE OF TEXAS





 1" = 400'	SUBJECT TRACT		ZONING <i>Exhibit "B"</i>  CASE #: C14-06-0100 ADDRESS: 4320-4330 BULL CREEK RD SUBJECT AREA (acres): 3.843	DATE: 06-05  INTLS: TRC	CITY GRID REFERENCE NUMBER  H26
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: J.ROUSSELIN				