

ORDINANCE NO. 20071108-085

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 9011 BROWN LANE FROM FAMILY RESIDENCE (SF-3) DISTRICT TO LIMITED INDUSTRIAL SERVICE-CONDITIONAL OVERLAY (LI-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 family residence (SF-3) district to limited industrial service-conditional overlay (LI-CO) combining district on the property described in Zoning Case No. C14-2007-0098, on file at the Neighborhood Planning and Zoning Department, as follows:

A 4.421 acre tract of land, more or less, out of the John Applegate Survey in Travis County, consisting of a 4.358 acre parcel and a 0.06 acre parcel, the 4.421 acre tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 9011 Brown Lane, 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:

1. 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.
2. A 25-foot wide undisturbed vegetative buffer zone shall be established along the south property line. Improvements permitted within the buffer zone are limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
3. A 100-foot wide building setback shall be established along and from the south property line.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the limited industrial service (LI) 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: _____ **ATTEST:** _____
 David Allan Smith Shirley A. Gentry
 City Attorney City Clerk

EXHIBIT A

METES AND BOUND DESCRIPTION 4.421 ACRES OUT OF THE JOHN APPLGATE SURVEY TRAVIS COUNTY, TEXAS

ALL THOSE CERTAIN PARCELS OR TRACTS OF LAND BEING A TOTAL OF 4.421 ACRES OUT OF THE JOHN APPLGATE SURVEY IN TRAVIS COUNTY, TEXAS, AND BEING COMPOSED OF THOSE TWO TRACTS DESCRIBED HEREIN AS TRACT 1 AND TRACT 2, TRACT 1 BEING THAT TRACT FOUND TO CONTAIN 4.358 ACRES AND DESCRIBED AS 4.36 ACRES IN A DEED TO CARL & JOYCE BARKER, OF RECORD IN VOLUME 12031, PAGE 305 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND THAT FIVE FOOT WIDE STRIP FOUND TO CONTAIN 0.06 ACRE AND DESCRIBED IN A QUIT CLAIM DEED TO BARKER WALLBOARD SUPPLY COMPANY, OF RECORD IN VOLUME 11678, PAGE 1010 OF THE TRAVIS COUNTY REAL PROPERTY RECORDS, SAID TRACTS BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

TRACT 1

BEGINNING FOR REFERENCE at an iron pipe found at the southwest corner of Lot 1-A of the Resubdivision of the Joe G. Aldridge Subdivision, a subdivision in Travis County, Texas, of record in Volume 46, Page 61 of the Travis County Plat Records, being the northwest corner of Tract 2 described herein, in the east line of Brown Lane; Thence with the south line of said Lot 1-A and north line of said Tract 2, S60°38'25"E for a distance of 5.00 feet to the northeast corner of said Tract 2, northwest corner of said 4.358 acre tract and northwest corner and POINT OF BEGINNING hereof

THENCE with the south line of said Joe G. Aldridge Resubdivision and north line of said 4.358 acre tract, S60°38'25"E for a distance of 315.51 feet to an iron pipe found at the southeast corner of said Resubdivision, in the west line of a tract called 8.997 acres in a deed to Ferguson Lane Business Park, LP, of record in Document No.

2001213077 of the Official Public Records of Travis County, Texas, at the northeast corner of said 4.358 acre tract for the northeast corner hereof

THENCE with the west line of said Ferguson Lane tract and then the west line of a tract called 1.00 acre in a deed to Dolegario and Carla Favela, of record in Document No. 2001052303 of the Travis County Official Public Record, and with the east line of said 4.358 acre tract S29°34'W for a distance of 673.73 feet to an iron pipe found in the west line of said Favela tract at the northeast corner of a tract called 0.56 acre in a deed to Elizabeth White, of record in Volume 10842, Page 382 of the Travis County Real Property Records, at the southeast corner of said 4.358 acre tract for the southeast corner hereof

THENCE with a south line of said 4.358 acre tract and north line of said White tract N57°39'52"W for a distance of 154.83 feet to an iron pipe found at the northwest corner of said White tract, in the east line of Lot 2 of the Menefee Subdivision, a subdivision of record in Volume 48, Page 41 of the Travis County Plat Records, at the southerly southwest corner of said 4.358 acre tract and southerly southwest corner hereof

THENCE with the east line of said Menefee Subdivision and a west line of said 4.358 acre tract, N29°14'28"E for a distance of 117.47 feet to an iron rod found at the northeast corner of Lot 1 of said Menefee Subdivision, at an ell corner of said 4.358 acre tract for an ell corner hereof

THENCE with the north line of said Lot 1 and a south line of said 4.358 acre tract, N60°32'30"W for a distance of 153.06 to a point for the westerly southwest corner of said 4.358 acre tract and southeast corner of the herein described Tract 2, for the westerly southwest corner hereof, and from which an iron rod found in the east line of Brown Lane at the southwest corner of said Tract 2 bears N60°32'30"W at a distance of 5.00 feet

THENCE with the west line of said 4.358 acre tract and east line of said Tract 2 N28°49'16"E for a distance of 547.98 feet to the POINT OF BEGINNING hereof and containing 4.358 acres of land, more or less.

TRACT 2

BEGINNING at an iron pipe found in the east line of Brown Lane at the southwest corner of Lot 1-A of the Resubdivision of the Joe G. Aldridge Subdivision, a subdivision of record in Volume 46 Page 61 of the Travis County Plat Records, at the northeast corner of said 5' strip described in Volume 11678, Page 1010 of the Travis County Real Property Records, for the northwest corner and POINT OF BEGINNING hereof

THENCE with the north line of said 5' strip and south line of said Lot 1-A, S60°38'25"E for a distance of 5.00 feet to the northwest corner of Tract 1 described herein and northeast corner of said 5' strip for the northeast corner hereof

THENCE with the west line of Tract 1 and east line of said 5' strip, S29°49'16"W for a distance of 547.98 feet to the westerly southwest corner of Tract 1 and southeast corner of said 5' strip, in the north line of Lot 1 of Menefee Subdivision as referenced above, for the southeast corner hereof

THENCE with the south line of said 5' strip and north line of said Lot 1, N60°32'30"W for a distance of 5.00 feet to an iron rod found at the northwest corner of said Lot 1 in the east line of Brown Lane, at the southwest corner of said 5' strip, for the southwest corner hereof

THENCE with the west line of said 5' strip, N28°49'16"E for a distance of 547.97 feet to the POINT OF BEGINNING hereof and containing 0.06 acre of land, more or less, save and except any portion thereof which may lie within the present right-of-way of Brown Lane.

Prepared from survey performed on 3/3/07 by the undersigned:



Michael Samford, RPLS 3693

See Survey Plat, Plan No. 070078, attached



