

**ORDINANCE NO. 20090514-060**

**AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 9211 EAST HIGHWAY 290 AND CHANGING THE ZONING MAP FROM INTERIM-RURAL RESIDENCE (I-RR) DISTRICT AND DEVELOPMENT RESERVE (DR) 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 interim-rural residence (I-RR) district and development reserve (DR) district to limited industrial service-conditional overlay (LI-CO) combining district on the property described in Zoning Case No. C14-2009-0015, on file at the Neighborhood Planning and Zoning Department, as follows:

A 3.990 acre tract of land, more or less, out of the H.T. Davis Survey No. 30, Abstract No. 214, 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 9211 East Highway 290, 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 2,000 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 limited industrial service (LI) base district, and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on May 25, 2009.

**PASSED AND APPROVED**

\_\_\_\_\_, May 14 \_\_\_\_\_, 2009      §  
§  
§ \_\_\_\_\_  
Will Wynn  
Mayor

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

EXHIBIT A

**PROPERTY DESCRIPTION**

**DESCRIPTION OF 3.990 ACRES OF LAND OUT OF THE H.T. DAVIS SURVEY NO. 30, ABSTRACT NO. 214, IN AUSTIN, TRAVIS COUNTY, TEXAS SAME BEING ALL OF THAT TRACT OF LAND DESCRIBED AS 4.00 ACRES IN A DEED TO WILLIAM K. REAGAN, OF RECORD IN VOLUME 11276, PAGE 166, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS; SAID 3.990 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at 1/2" iron rod found at the west corner of this tract and said Reagan tract and the south corner of Lot 3, Block A, Ferguson Commercial, Section 1, of record in Book 97, Page 378, Plat Records, Travis County, Texas and the south corner of that tract described in a deed to All Springdale Venture, LTD., of record in Document Number 2003055076, Official Public Records, Travis County, Texas same being at an angle point in the north line of Lot 6 of said Block A, Ferguson Commercial Section 1 and the north line of that tract described in a deed to Springdale Business Center, LTD, of record in Document Number 2000080898, Official Public Records, Travis County, Texas;

**THENCE**, with the northwest line of this tract and said Reagan tract and the southeast line of said Lot 3 and said All Springdale tract, the following two (2) courses and distances, numbered 1 and 2;

- 1) **N27°02'04"E**, passing at 316.89 feet a 1/2" iron found at the east corner of said Lot 3 and said All Springdale tract and the south corner of Lot 1, Enterprise Business Center Section One, of record in Book 87, Page 161, Plat Records, Travis County, Texas and the south corner of that tract described in a deed to Zippy Properties, Inc., of record in Volume 10722, Page 1670, Real Property Records, Travis County, Texas and continuing with the southeast line of said Lot 1 and said Zippy Properties tract, 247.76 feet, for a total distance of **564.65 feet** to a 1/2" iron rod found; and
- 2) **N05°09'36"W 38.63 feet** to a calculated point at the northwest corner of this tract and said Reagan tract and the northeast corner of said Lot 1 and said Zippy Properties tract, same being in the existing south right-of-way (ROW) line of U.S. Highway 290;

**THENCE**, with the north line of this tract and said Reagan tract and the existing south ROW line of U.S. Highway 290, **N84°02'10"E 174.50 feet** to a Texas Department of Transportation (TxDOT) Type I concrete monument found at the northeast corner of this tract and said Reagan tract, same being in the existing west ROW line of Ferguson Cutoff;

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THENCE, with the east line of this tract and said Reagan tract and the existing west ROW line of said Ferguson Cutoff, the following two (2) courses, numbered 1 and 2;

- 1) **S31°18'22"E 76.88 feet** to a TxDOT Type I concrete monument found; and
- 2) **S10°39'25"E 399.00 feet** to a calculated point at the southeast corner of this tract and said Reagan tract and the northeast corner of that tract dedicated as ROW on said plat of Ferguson Commercial Section 1;

THENCE, with the south line of this tract and said Reagan tract and the north line of said tract dedicated as ROW, **S79°20'14"W**, passing at 17.08 feet, a 1/2" iron rod found at the northwest corner of said tract dedicated as ROW and the northeast corner of said Lot 6 and said Springdale Business Center tract and continuing with the north line of said Lot 6 and said Springdale Business Center tract, 532.88 feet, for a total distance of **549.96 feet** to the POINT OF BEGINNING and containing 3.990 acres within these metes and bounds, more or less.

All bearings are based on the Texas State Plane Coordinate System, Central Zone, NAD83(93 HARN). All distances and coordinates were adjusted to surface using a combined scale factor of 1.00011.

STATE OF TEXAS           §  
                                  §       KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF TRAVIS     §

That I, Chris Conrad, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

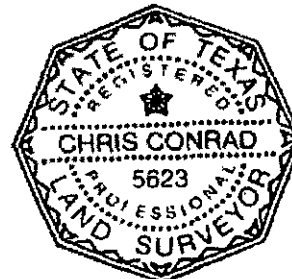
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 10<sup>th</sup> day of February, 2009 A.D.

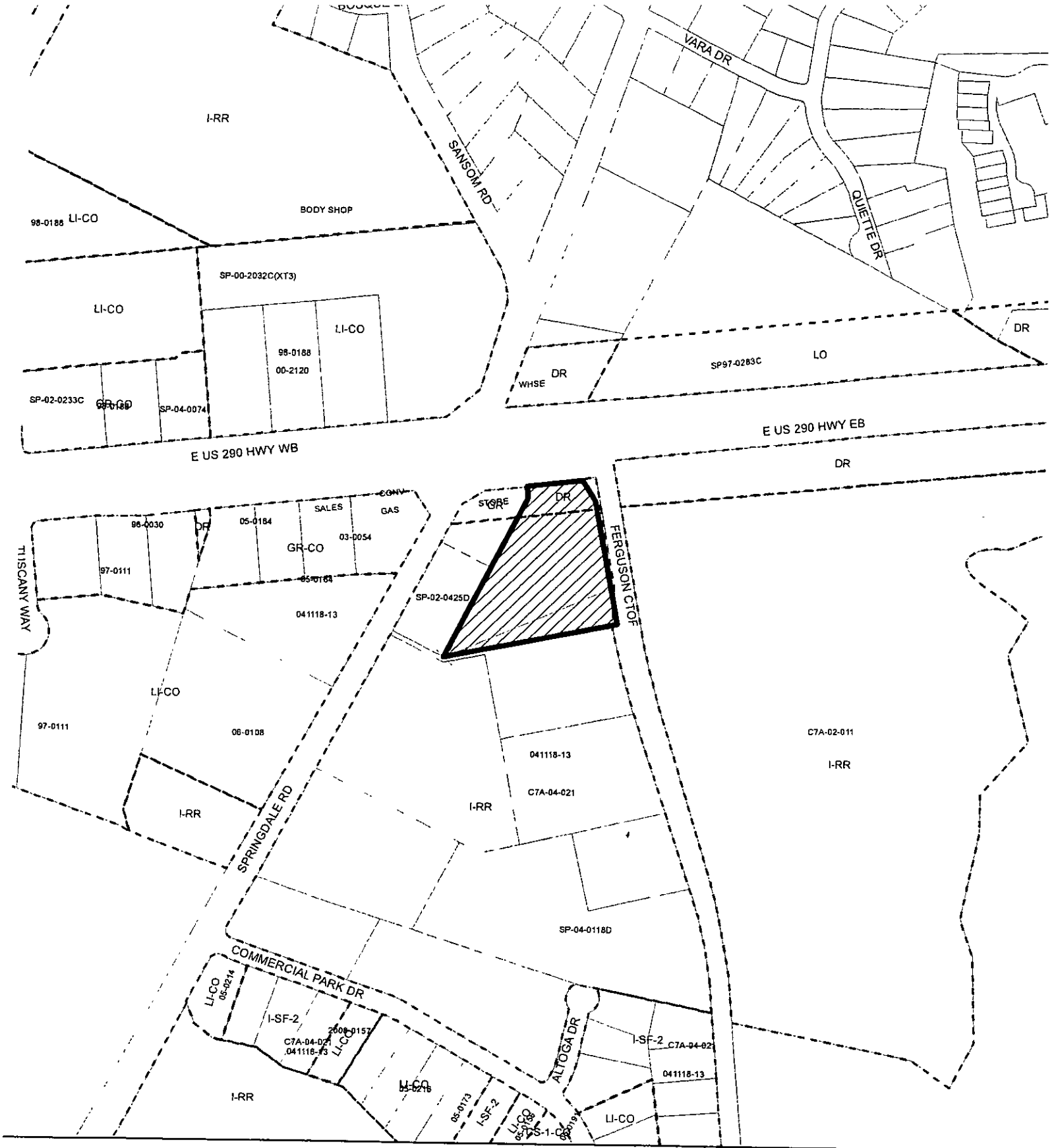
SURVEYED BY:

**McGRAY & McGRAY LAND SURVEYORS, INC.**  
3301 Hancock Drive, Suite 6 Austin, Texas 78731  
(512) 451-8591



Chris Conrad, Reg. Professional Land Surveyor No. 5623  
Original Issued 1/20/09  
Re-Issued 2/10/09





N  
1" = 400'

- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE

OPERATOR: S. MEEKS

### ZONING EXHIBIT B

ZONING CASE#: C14-2009-0015  
 ADDRESS: E US 290 HWY  
 SUBJECT AREA: 3.99 ACRES  
 GRID: N27  
 MANAGER: J. HARDEN



This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.