

**ORDINANCE NO. 20091001-049**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 888 BANISTER LANE FROM FAMILY RESIDENCE (SF-3) DISTRICT TO LIMITED OFFICE-MIXED USE-CONDITIONAL OVERLAY (LO-MU-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 (SF3) district to limited office-mixed use-conditional overlay (LO-MU-CO) combining district on the property described in Zoning Case No. C14-2009-0059, on file at the Planning and Development Review Department, as follows:

A 0.22 acre tract of land, more or less, out of Lot 5, Block 4, Freewater Addition, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 888 Banister 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:

- 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 300 trips per day.
- B. The following uses are prohibited uses of the Property:
  - Art gallery
  - Art workshop
  - Communications services
  - Medical offices (exceeding 5,000 sq.ft. of gross floor area)
  - Medical office (not exceeding 5,000 sq.ft. of gross floor area)
  - Software development
  - Communication service facilities

Convalescent services  
Cultural services  
Day care services (commercial)  
Day care services (general)  
Day care services (limited)  
Private primary educational facilities  
Public primary educational facilities  
Public secondary educational facilities  
Safety services

- C. Exterior lighting is subject to the design standards under Subchapter E, Chapter 25-2 of the City Code.

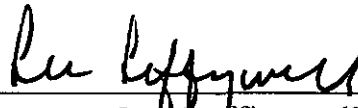
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the limited office (LO) base district, and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on October 12, 2009.

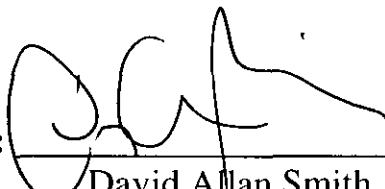
**PASSED AND APPROVED**

October 1, 2009

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§  
§

  
Lee Leffingwell  
Mayor

**APPROVED:**

  
David Allan Smith  
City Attorney

**ATTEST:**

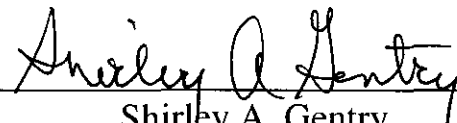
  
Shirley A. Gentry  
City Clerk

EXHIBIT "A"  
LEGAL DESCRIPTION

FIELD NOTES DESCRIBING 0.22 OF AN ACRE OF LAND, BEING THE WEST 50 FEET OF LOT 5, BLOCK 4, FREE WATER ADDITION, A SUBDIVISION RECORDED IN VOLUME 2, PAGE 235, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THAT CERTAIN PORTION CONVEYED TO THE CITY OF AUSTIN RECORDED IN VOLUME 6334, PAGE 1813, DEED RECORDS, TRAVIS COUNTY, SAID 0.22 OF AN ACRE OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found at the common southerly corner of Lots 4 and 7 and the common northerly corner of Lots 5 and 6, all of Block 4, of said Subdivision, for the northwest corner hereof;

THENCE South 59 degrees 18 minutes 36 seconds East, along the southerly line of said lot 4 and the northerly line of said lot 5, 50.18 feet to an iron rod found in said line, for the northeast corner hereof;

THENCE South 29 degrees 52 minutes 04 seconds West, through said lot 5, 186.53 feet to an iron rod found in the northerly right-of-way line of Danister Lane, same being the northerly line of said save and except, for the southeast corner hereof;

THENCE South 59 degrees 29 minutes 51 seconds West, along said right-of-way line and the northerly line of said save and except, continuing through said lot 5, 50.61 feet to an iron pipe found in said line, same being the easterly line of said lot 6 and the westerly line of said lot 5, for the southwest corner hereof;

THENCE North 30 degrees 00 minutes 00 seconds East, along the common line of said lots 5 and 6, 186.69 feet to the POINT OF BEGINNING and containing 0.22 of an acre of land, more or less.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ATTACHED SURVEY PLAT (BY SEPARATE INSTRUMENT), ONLY.

Edward Rumsey  
TX R.P.L.S. #5729  
Job # A0105605



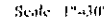
1-20-05  
Date

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on this 1st day of January, 2005.



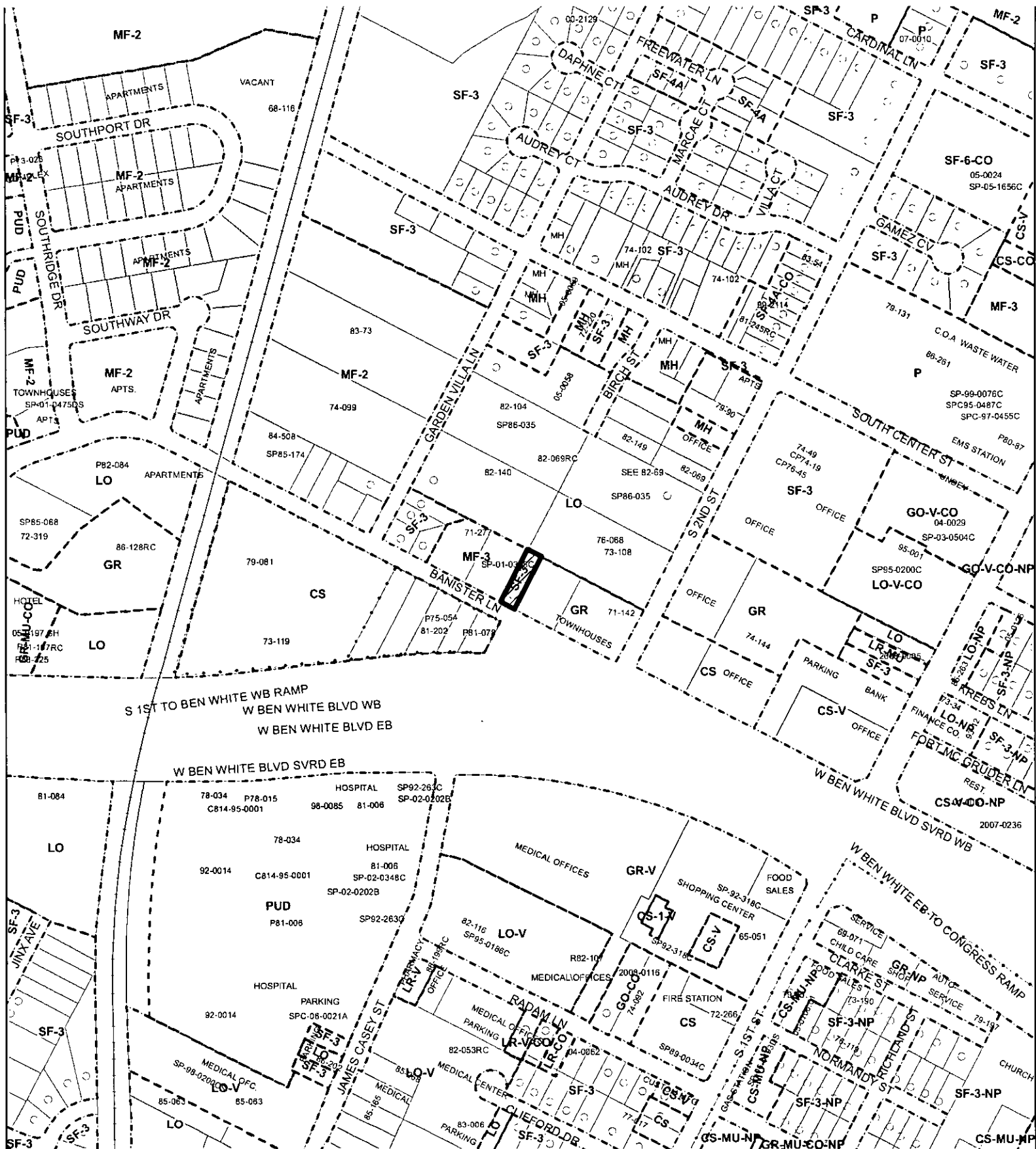
Dana DeBeauvoir, County Clerk

S. HERNANDEZ



ARE HEREBY NOTED

FIELD WORK	Keith Hobby	1/19
DRAFTING	Obadiah Ocasio	1/20
FINAL CHECK UP DATE	E Ramsey	1/20



# ZONING EXHIBIT B

- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE

ZONING CASE#: C14-2009-0059  
 ADDRESS: 888 BANISTER LANE  
 SUBJECT AREA: 0.22 ACRES  
 GRID: G19  
 MANAGER: S. RYE

OPERATOR: S. MEEKS



1" = 400'

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.