

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 2008 BRANDT ROAD AND CHANGING THE ZONING MAP FROM INTERIM-RURAL RESIDENCE (I-RR) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-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 to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-2011-0012, on file at the Planning and Development Review Department, as follows:

A 9.07 acre tract of land, more or less, out of the Santiago Del Valle Grant in 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 2008 Brandt 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. The following uses are prohibited uses of the Property:

| | |
|--|----------------------------------|
| Automotive rentals | Automotive repair services |
| Automotive sales | Automotive washing (of any type) |
| Commercial off-street parking | Congregate living |
| Drop-off recycling collection facility | Exterminating services |
| Hotel-motel | Off-site accessory parking |
| Outdoor entertainment | Outdoor sports & recreation |
| Pawn shop services | Service station |
| Residential treatment | |

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

PASSED AND APPROVED

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

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION

9.07 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT TRAVIS COUNTY, TEXAS

ALL THAT CERTAIN PARCEL OR TRACT OF LAND BEING 9.07 ACRES OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, AND BEING THAT SAME TRACT CALLED 9.07 ACRES IN A DEED FROM SARAH ISABEL PENICK TO WATERFORD HOUSE, LTD. OF RECORD IN DOCUMENT No. 2005012278 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, RE-RECORDED IN DOCUMENT No. 2005076000 TO INCLUDE EXHIBIT A, SAID 9.07 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron capped iron rod set stamped RPLS 3693 in the north ROW line of Brandt Road at the southeast corner of a called 6.713 acre tract described in a deed from Floyd L. Martine and wife, Marie Ann Martine to the State of Texas for the use of the Permanent School Fund, of record in Document No. 2003023072 of the Travis County Official Public Records, at the southwest corner of said Waterford House Ltd. tract, for the southwest corner and POINT OF BEGINNING hereof, said capped iron rod set to replace a 5/8" iron rod previously found by the undersigned

THENCE with the east line of said 6.713 acre tract and west line of said Waterford House Ltd. tract, N15°56'38"E for a distance of 175.93 feet to a ½" iron pipe found at an angle point in said line

THENCE continuing with the west line of said Waterford House Ltd. tract and with the east line of said 6.713 acre tract and then the east line of a tract called 26.238 acres in a deed from Thomas M. Martine and Mary Jane Hermans, Co-Trustees of the Martine Family Trust to the State of Texas for the benefit of the Permanent School Fund, of record in Document No.

2003023073 of the Travis County Official Public Records, N15°40'00"E (bearing basis of this survey from Doc. No. 20050760000), at a distance of approximately 73.6 feet passing the northeast corner of said 6.713 acre tract and southeast corner of said 26.238 acre tract, and continuing on for a total distance of 721.71 feet to a 60d nail found in a wooden fence post at an angle point in said line

THENCE continuing with the east line of said 26.238 acre tract and west line of said Waterford House Ltd. tract N04°50'00"E for a distance of 289.64 feet to a capped iron rod found stamped M&S 1838 at the northeast corner of said 26.238 acre tract in the south line of Tract B of the Bashara Subdivision, a subdivision of record in Volume 18, Page 70 of the Travis County Plat Records, for the northwest corner of said Waterford House Ltd. tract and northwest corner hereof, and from which corner a 3/8" ID iron pipe found bears N04°50'00"E at a distance of 0.35'

THENCE with the south line of said Tract B and north line of said Waterford House Ltd. tract, S57°44'04"E, at a distance of 253.04 feet passing a 1/2" iron rod found 1.03' left (north) of line at end of fence, and continuing on for a total distance of 308.12 feet to the southeast corner of said Tract B, in the west line of a tract called 53.5117 acres in a deed from 56.06 Brandt Lane to Lennar Homes of Texas Land and Construction Co., Ltd., of record in Document No. 2001149937 of the Travis County Official Public Records, in the center of a creek at the northeast corner of said Waterford House Ltd. tract for the northeast corner hereof

THENCE with a creek meander line (the center of the creek being the actual east line of said Waterford House Ltd. tract and west line of said Lennar Homes tract), the following 7 calls:

1. S22°43'35"W for a distance of 90.01 feet
2. S01°49'25"E for a distance of 172.50 feet
3. S12°07'25"E for a distance of 203.61 feet
4. S01°23'35"W for a distance of 67.50 feet
5. S26°07'25"E for a distance of 63.06 feet
6. S41°18'25"E for a distance of 169.72 feet
7. S15°26'25"E for a distance of 41.16 feet to the intersection of the centerline of said creek and the north ROW line of Brandt Road, at the southwest corner of said Lennar Homes tract and southeast corner of said Waterford House Ltd. tract for the southeast corner

hereof

THENCE with the south line of said Waterford House Ltd. tract and north ROW line of Brandt Road, the following 4 calls:

1. S60°15'48"W for a distance of 113.73 feet to a ½" iron rod set, capped and stamped RPLS 3693, replacing a ½" iron rod previously found by the undersigned
2. S67°46'45"W for a distance of 397.89 feet to a ½" iron rod set, capped and stamped RPLS 3693, replacing a ½" iron rod previously found by the undersigned
3. S78°17'09"W for a distance of 196.05 feet to a mag nail set with shiner stamped RPLS 3693 in a concrete driveway entry, replacing a ½" iron rod previously found by the undersigned
4. N82°18'59"W for a distance of 31.98 feet to the POINT OF BEGINNING hereof and containing a calculated area of 9.07 acres of land, more or less.

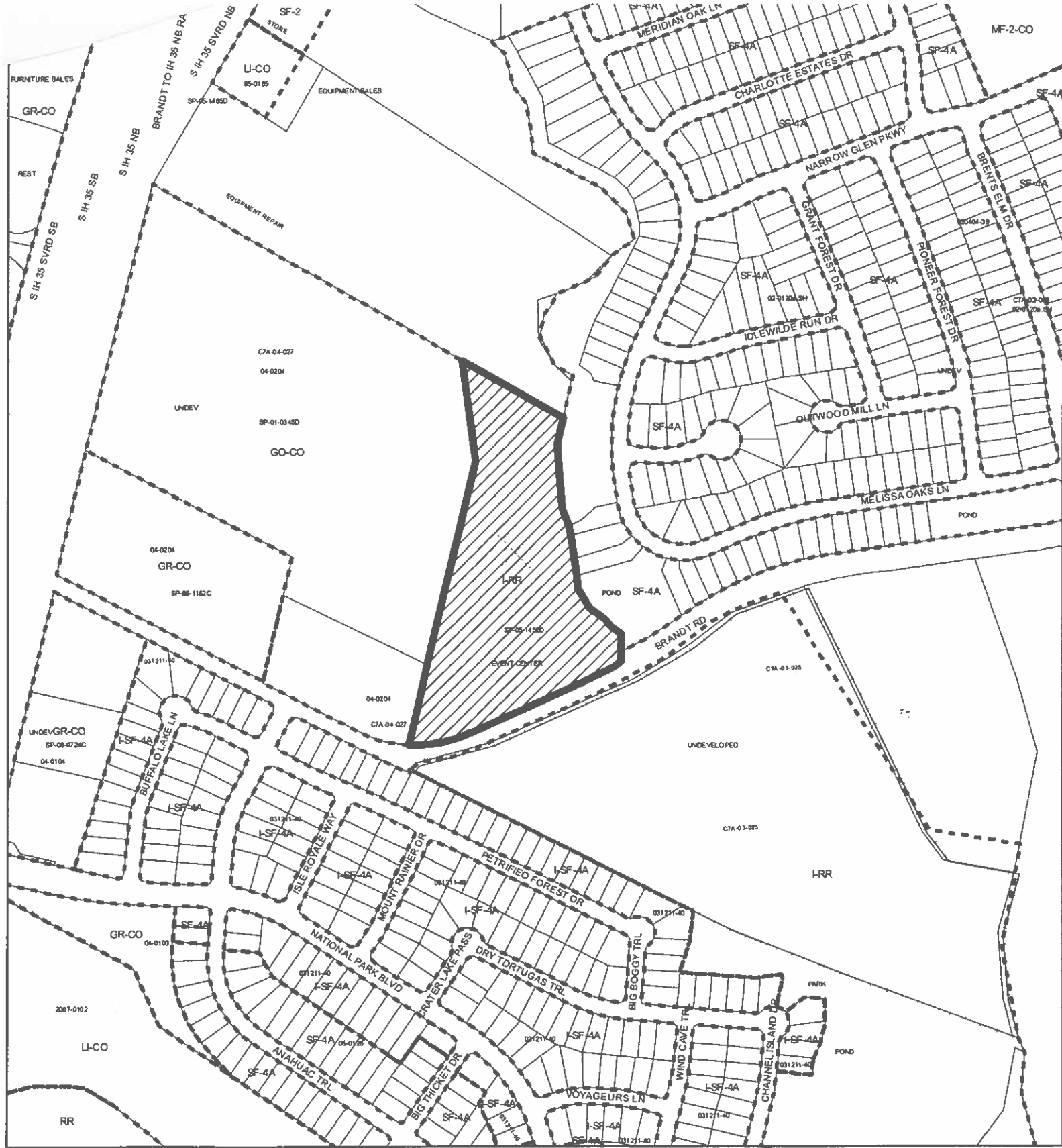


Michael Samford, RPLS 3693

Description prepared July 09, 2008

See Survey, Plan No. 080148, attached and made a part hereof





ZONING EXHIBIT B

- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

1" = 400'

ZONING CASE#: C14-2011-0012
 LOCATION: 2008 BRANDT RD
 SUBJECT AREA: 9.07 ACRES
 GRID: G12, G13
 MANAGER: WENDY RHOADES



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.