

ORDINANCE NO. 040902-62

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ESTABLISH A PLANNED UNIT DEVELOPMENT (PUD) DISTRICT ON APPROXIMATELY 31 ACRES OF LAND FOR THE PROPERTY GENERALLY KNOWN AS BRODIE 31 C/O WALTERS SOUTHWEST PROJECT LOCATED AT THE 9000-9600 BLOCK OF BRODIE LANE IN THE CITY OF AUSTIN.

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 zoning district from development reserve (DR) district to planned unit development (PUD) district on the property described in File No. C814-04-0024 as seven tracts of land consisting of approximately 31 acres of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property") generally known as the Brodie 31 c/o Walters Southwest planned unit development, locally known as the property located at the 9000-9600 block of Brodie Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. This ordinance and the attached Exhibits "A" through "C" are the land use plan for the Brodie 31 c/o Walters Southwest planned unit development district (the "PUD") created by this ordinance. The PUD shall conform to the limitations and conditions set forth in this ordinance and in the Brodie 31 c/o Walters Southwest planned unit development land use plan on record at the Neighborhood Planning and Zoning Department in File No. C814-04-0024. If this ordinance and the attached exhibits conflict, the ordinance applies. Except as otherwise specifically provided by this ordinance, all other rules, regulations and ordinances of the City apply to the Brodie 31 c/o Walters Southwest PUD.

PART 3. The attached exhibits are as follows:

Exhibit A: Description of Property

Exhibit B: Zoning map

Exhibit C: Brodie 31 c/o Walters Southwest PUD Land Use Plan (Tracts One through Seven)

PART 4. Development of the Property shall comply with the following use regulations.

A. Except as provided in Subsection C, all permitted and conditional community commercial (GR) uses are permitted uses and conditional uses of the Property.

B. Convenience storage use is an additional permitted use of the Property.

C. The following uses are prohibited uses of the Property:

Plant nursery

Bed & breakfast residential (Group 1)

Automotive rentals

Automotive washing (of any kind)

Commercial off-street parking

Pawn shop services

Service station

Bed & breakfast residential (Group 2)

Automotive sales

Bail bond services

Drop-off recycling collection facility

D. A drive-in service use as an accessory use to a restaurant use is a prohibited use of the Property.

PART 5. Development of the Property shall comply with the following site development regulations.

A. Except as otherwise provided in this part, development of the Property shall comply with neighborhood commercial (LR) district site development regulations.

B. The maximum building height is 40 feet.

C. The maximum building height is two stories.

D. The maximum gross square footage of a building is 40,000 square feet.

E. If Tract Three, identified on Exhibit "C", is developed with an automotive repair use then the following regulations apply.

1. A 100 foot building and parking setback from the west property line.

2. A maximum building size of 5,500 gross square feet.

PART 6. This ordinance takes effect on September 13, 2004.

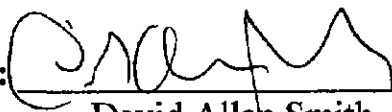
PASSED AND APPROVED

September 2, 2004

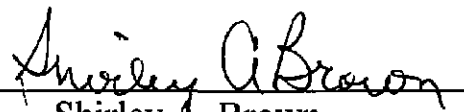
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Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:


Shirley A. Brown
City Clerk

FIELD NOTES

BEING A 31.00 ACRE TRACT OF LAND LOCATED IN THE SAMUEL W. HAMILTON SURVEY NO.16 IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THAT CERTAIN 196.27 ACRE REMAINDER OF A 200 ACRE TRACT OF LAND CONVEYED TO JEANETTE DAWSON CARROL, ET AL BY INSTRUMENT RECORDED IN VOLUME 2522, PAGE 442 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 31.00 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron found for the intersection of the north line of Deer Lane (ROW Varies) with the west line of Brodie Lane (100 ROW), same being the northeast corner of the herein described 31.00 acre tract;

THENCE southerly along the common line between said west line of Brodie Lane and the east line of the herein described 31.00 acre tract the following two (2) courses:

1. S 30°40'34" W a distance of 71.91 feet to a 1/2-inch iron rod found for angle point;
2. S 29°58'49" W a distance of 2,541.27 feet to a 1/2-inch iron rod set for the northeast corner of that certain 0.987 acre tract of land conveyed to the City of Austin by instrument recorded in Volume 12817, Page 575 of the Real Property Records of Travis County, Texas;

THENCE westerly and southerly along the common line between said 0.987 acre tract and the herein described 31.00 acre tract the following two (2) courses:

1. N 59°53'05" W a distance of 429.72 feet to a 1/2-inch iron rod set for corner;
2. S 30°16'22" W a distance of 100.00 feet to a 1/2-inch iron rod found for the southwest corner of said 0.987 acre tract, same being the northeast corner of that certain 214.875 acre tract conveyed to Circle C Development Joint Venture by deed recorded in Volume 11620, Page 1126 of the Real Property Records of Travis County, Texas;

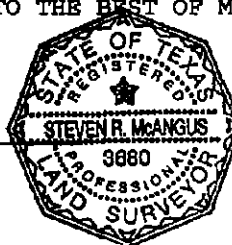
THENCE N 59°53'27" W along the common line between said 214.875 acre tract and the herein described 31.00 acre tract a distance of 86.46 feet to a 1/2-inch iron rod set for corner;

THENCE N 30°06'33" E crossing said 196.27 acre tract a distance of 2,712.15 feet to a 1/2-inch iron rod set for corner in the aforementioned south line of Deer Lane;

THENCE S 60°00'00" E along said south line of Deer Lane a distance of 511.46 feet to the POINT OF BEGINNING of the herein described tract and containing 31.00 acres of land.

I HEREBY CERTIFY THAT THIS METES AND BOUNDS DESCRIPTION WAS PREPARED FROM A SURVEY PERFORMED ON THE GROUND UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE

STEVEN R. MCANGUS, R.P. L.S. NO. 3680

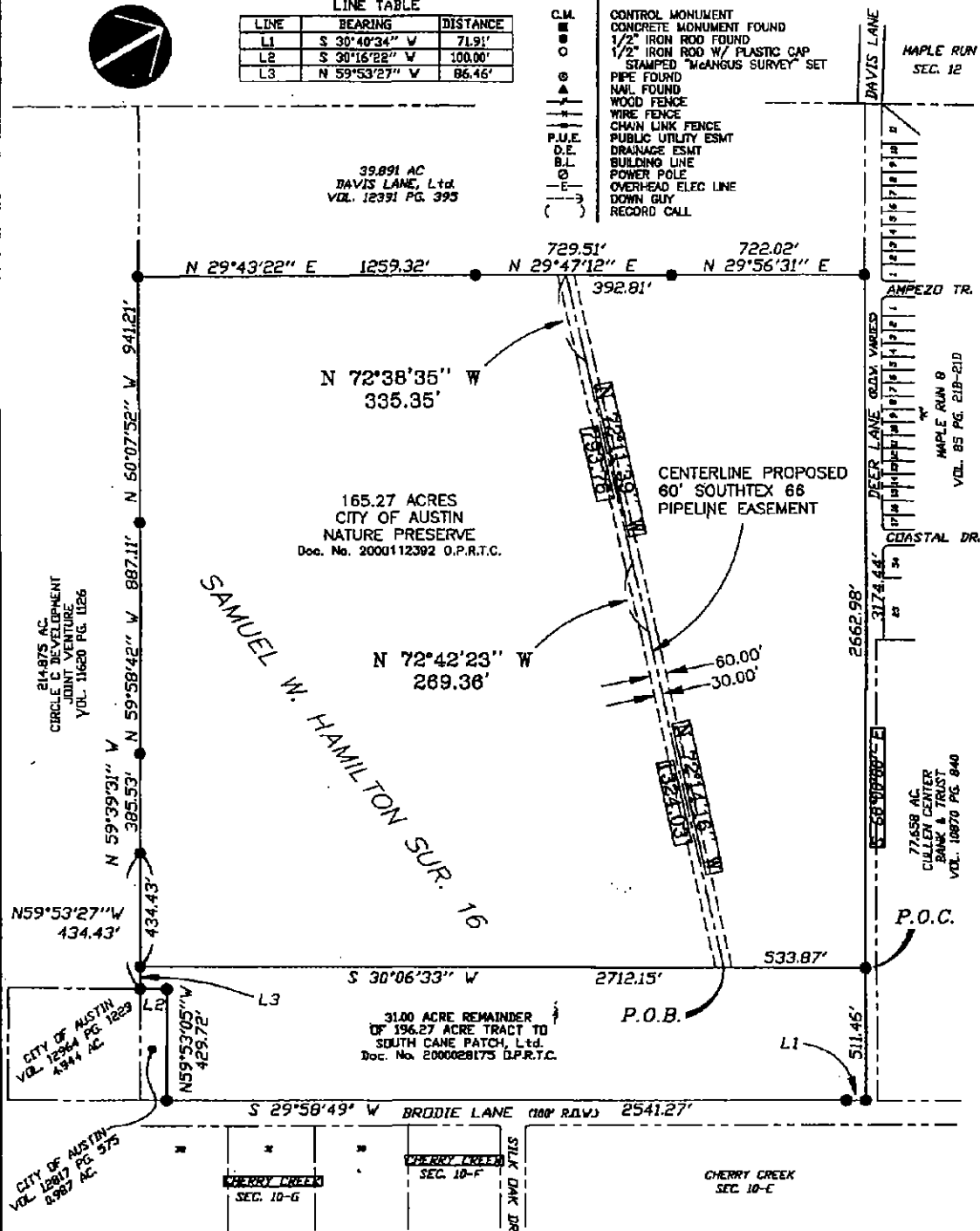


January 12, 1999
Job No. 98-213
31.00 Acre Tract
Page 2 of 2

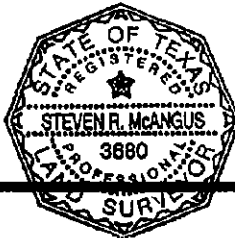
(The bearings shown hereon are referenced to deed recorded in
Volume 2522, Page 442 of the Deed Records of Travis County,
Texas.)

LINE	BEARING	DISTANCE
L1	S 30°40'34" V	71.91'
L2	S 30°16'22" V	100.00'
L3	N 59°53'27" V	86.46'

C.M. CONTROL MONUMENT
 O CONCRETE MONUMENT FOUND
 1/2" IRON ROD FOUND
 1/2" IRON ROD W/ PLASTIC CAP
 STAMPED "McANGUS SURVEY" SET
 PIPE FOUND
 ▲ NAIL FOUND
 — WOOD FENCE
 — WIRE FENCE
 — CHAIN LINK FENCE
 P.U.E. PUBLIC UTILITY ESMT
 D.E. DRAINAGE ESMT
 B.L. BUILDING LINE
 — POWER POLE
 — OVER-HEAD ELEC. LINE
 — DOWN GUY
 () RECORD CALL



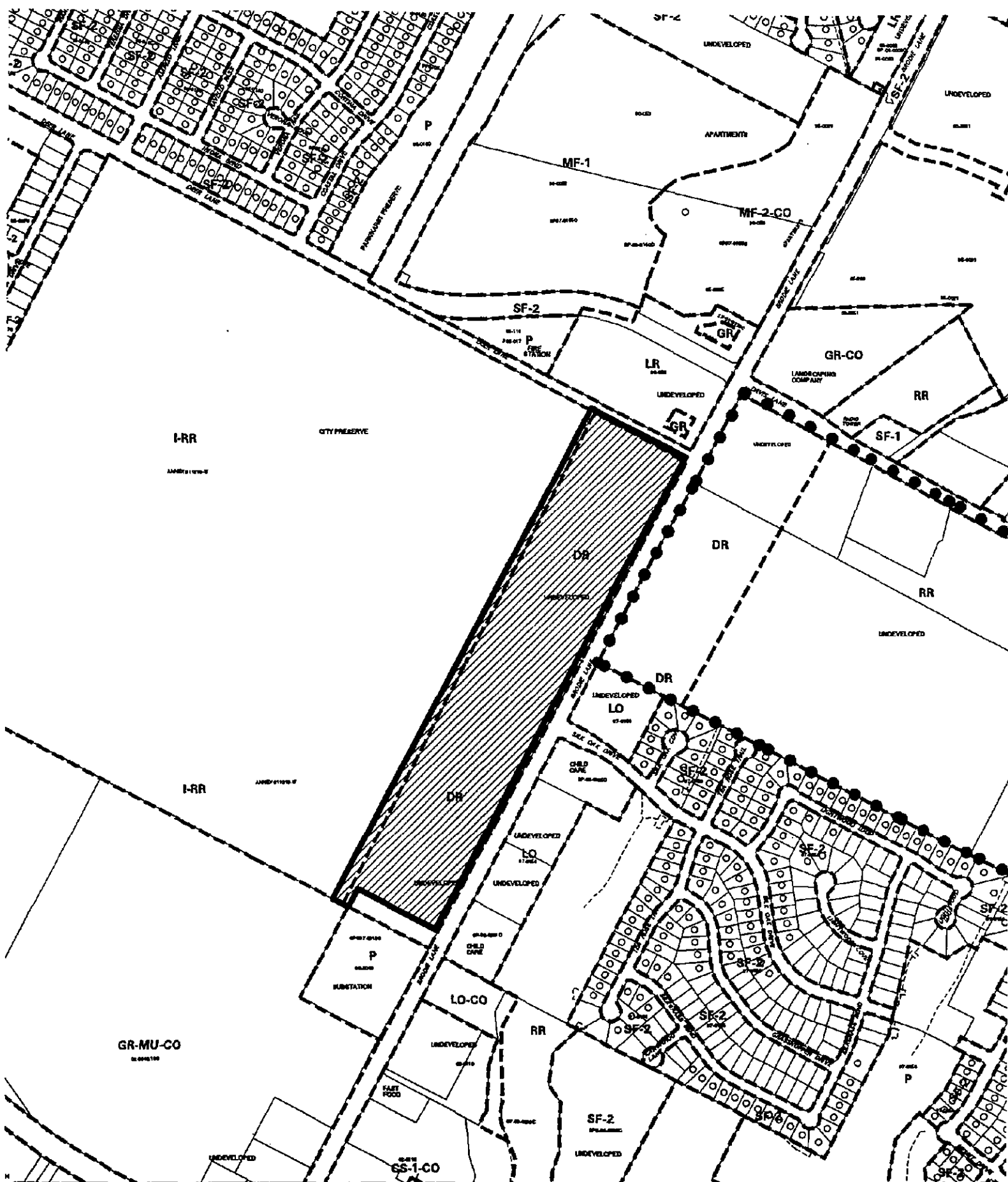

STEVEN R. McANGUS, R.P.L.S. No. 3680 D.







1101 HWY. 360, SOUTH, H-100
AUSTIN, TEXAS 78746
(512) 328-9302

LEGAL DESCRIPTION Centerline Description of a 60' Strip of Land
Being a Portion of a 165.27 Acre Tract as described in
Document No. 2000112392, Official Records, Travis County, Texas

JOB NO. 98-213-AE1 FIELD BOOK n/a



 1" = 600'	SUBJECT TRACT 	PLANNED UNIT DEVELOPMENT EXHIBIT D		CITY GRID REFERENCE NUMBER D15-16
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C814-04-0024	DATE: 04-07	
	CASE MGR: W. WALSH	ADDRESS: 9000-9600 BLK BRODIE LANE SUBJECT AREA (acres): 31	INTLS: SM	

[illegible][illegible][illegible]

1987-1988

10

100

7

5

An aerial photograph showing a coastal area. A road runs diagonally across the upper portion of the image. A building or structure is labeled 'Tribal' in the upper right corner. The terrain appears to be a mix of land and water, with some irregular shapes that could be fields or marshes.

Tract 6
+27.00
Road Right

±10.7 ac

EXHIBIT