

**Zoning Public Hearing  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-1  
AGENDA DATE: Thu 10/27/2005  
PAGE: 1 of 1**

**SUBJECT:** C14-05-0143 - Quality Liquors - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13290-A Pond Springs Road (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning for Tract 1, and commercial liquor sales (CS-1) district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant community-commercial-conditional overlay (GR-CO) combining district zoning for Tract 1, and commercial liquor sales-conditional overlay (CS-1-CO) combining district zoning for Tract 2. Applicant and Agent: Farideh Babazadeh. City Staff: Sherri Sirwaitis, 974-3057.

**REQUESTING** Neighborhood Planning  
**DEPARTMENT:** and Zoning

**DIRECTOR'S**  
**AUTHORIZATION:** Greg Guernsey

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-05-0143

**Z.A.P. DATE:** September 20, 2005

**ADDRESS:** 13290-A Pond Springs Road

**OWNER/APPLICANT:** Farideh Babazadeh

**ZONING FROM:** I-RR

**TO:** Tract 1: GR  
Tract 2: CS-1

**AREA:** 3, 500 square feet  
1, 055 square feet  
4,550 sq. ft. (0.1045 acres)

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant GR-CO, Community Commercial-Conditional Overlay District, zoning for Tract 1 and CS-1-CO, Commercial-Liquor Sales-Conditional Overlay District, zoning. The conditional overlay would limit the development intensity to less than 2,000 vehicle trips per day.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

9/20/05: Approved GR-CO for Tract 1 and CS-1-CO for Tract 2, prohibit on-site consumption, limit to 2,000 vehicle trips per day (9-0); C. Hammond-1<sup>st</sup>, K. Jackson-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question is developed with a cinder block warehouse structure that is currently being used for an automotive repair business. The applicant is requesting CS-1 permanent zoning on the site to permit a 1,055 square foot Liquor Sales use in the existing structure (Tract 2). In addition, the applicant is requesting GR zoning for the remainder of the property (Tract 1) to allow for commercial parking for the site.

The staff recommends GR-CO zoning for Tract 1 and CS-1-CO zoning for Tract 2 because the property is surrounded by existing commercial and industrial uses. The proposed GR-CO zoning and CS-1-CO zoning footprint will be compatible and consistent with the surrounding uses because there is currently commercial zoning to the south, east, and west of this tract of land. The site meets the intent of the purpose statements for the GR and CS-1 zoning districts as it fronts onto and will take access from Pond Springs Road, an arterial roadway.

The applicant agrees with the staff's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR	Automotive Repair (ACM Automotive Service & Diagnostics)
<i>North</i>	County	Retail Sales (Publishing/Book Sales), Office (Vacant)
<i>South</i>	GR-CO, CS-CO	Large Cement Detention Structure, Industrial Park (Contractor's Offices, Plumbing Supply Sales, Warehouses)
<i>East</i>	GR-CO, I-RR	Office (Pond Springs Professional Park), Equipment Rental (Jon's Rental)
<i>West</i>	GR-CO	Contractor (Countryside Landscaping Installation and Maintenance)

**AREA STUDY:** N/A**TIA:** Waived**WATERSHED:** Lake Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:** None**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-03-0169	I-SF-2 to CS-CO	12/16/03: Approved staff's recommendation for CS-CO by consent (8-0, C. Hammond-absent)	1/15/04: Approved PC rec. of CS-CO by consent (6-0, McCracken-off dias); all 3 readings
C14-01-0163	I-RR to CS-CO	12/11/01: Approved staff's recommendation of CS-CO zoning, adding a condition prohibiting vehicle storage (6-0, A. Adams, V. Aldridge-Left Early)	1/17/02: Approved CS-CO on 3 readings (6-0, Wynn out of room)
C14-01-0111	I-RR, SF-2 to GR	11/27/01: Approved staff rec. of GR by consent (8-0)	1/10/02: Postponed to 1/31/02 at the request of the applicant (7-0) 1/31/02: Approved GR on all 3 readings (6-0, Goodman-off dias)
C14-01-0074	I-RR to LI	6/19/01: Approved staff rec. of CS-CO, w/ 2,000 vehicle trips per day limit, by consent (7-1, R.C.-Nay)	7/19/01: Approved CS-CO (6-0); all 3 readings

C14-00-2037	SF-2 to CS	4/4/00: Approved GR-CO, prohibiting Auto Repair, Auto Sales, Auto Rentals; limiting site to 2,000 vehicle trips per day (5-1, R.C.-Nay)	5/11/00: Approved PC rec. of GR-CO on 1 <sup>st</sup> reading (7-0)  8/3/00: Approved GR-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-99-0036	TR1: GR-CO to MF-2 TR2: I-RR to GR-MU TR3: GR-CO to GR-MU	6/22/99: Approved staff alternate recommendation of MF-2 (TR1), GR-MU (TR2&3) (5-0)	7/22/99: Approved PC rec. of MF-2 (TR1) and GR-MU (TR 2&3) with conditions (7-0); 1 <sup>st</sup> reading  10/28/99: Approved 2 <sup>nd</sup> /3 <sup>rd</sup> readings (5-0, W.L./ J.G.-absent)
C14-98-0273	I-RR to LR	2/23/99: Approved LR-CO, restrict to LO regulations; allow only NO uses and limiting site to 2,000 vehicle trips per day (6-0)	3/25/99: Approved PC rec. of LR-CO w/ conditions (7-0); 1 <sup>st</sup> reading  5/6/99: Approved LR-CO w/ conditions (7-0); 2 <sup>nd</sup> / 3 <sup>rd</sup> readings
C14-98-0201	I-SF-2 to LI	12/8/98: Approved LI by consent (8-0)	1/7/99: Approved LI-CO w/ condition of 2,000 vehicle trips per day limit, (7-0); all 3 readings
C14-98-0167	I-SF-2 to CS	11/17/98: Approved staff alternate rec. of CS-CO, w/ 2,000 vehicle trips per day limit, by consent (9-0)	1/21/99: Approved CS-CO w/ conditions (7-0); all 3 readings
C14-98-0152	I-SF-2 to CS	11/10/98: Approved staff alternate rec. of CS-CO, w/ 2,000 vehicle trips per day limit, by consent (9-0)	12/10/98: Approved PC rec. of CS-CO w/ conditions (7-0); 1 <sup>st</sup> reading  2/25/99: Approved CS-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-98-0099	I-RR to CS	8/18/98: Approved CS-CO, w/ 2,000 vehicle trips per day limit, by consent (7-0)	10/8/98: Approved PC rec. of CS-CO w/ conditions (6-0); 1 <sup>st</sup> reading  12/10/98: Approved CS-CO w/ conditions (7-0); 2 <sup>nd</sup> / 3 <sup>rd</sup> readings
C14-98-0097	I-RR to CS	8/18/98: Approved CS-CO, w/ conditions (7-0)	10/8/98: Approved PC rec. of CS-CO w/ 35 feet of deferred ROW dedication and 2,000 vehicle trips per day limit by consent (6-0); 1 <sup>st</sup> reading

			12/10/98: Approved CS-CO with conditions (7-0); 2 <sup>nd</sup> / 3 <sup>rd</sup> readings
C14-98-0096	I-SF-2 to LI-CO	8/18/98: Approved CS-CO w/ conditions (7-0)	10/8/98: Approved PC rec. of CS-CO w/ 35 feet of deferred ROW dedication and 2,000 vehicle trips per day limit by consent (6-0); 1 <sup>st</sup> reading  12/10/98: Approved CS-CO w/ conditions (7-0); 2 <sup>nd</sup> / 3 <sup>rd</sup> readings
C14-98-0036	I-SF-2 to LI-CO	4/14/98: Approved LI-CO w/ conditions of 2,000 vehicle trips per day limit, prohibiting Agricultural Sales and Service, Automotive Repair Services, Construction Sales and Services, Equipment Sales, Equipment Repair Services, Scrap and Salvage, Vehicle Storage, Basic Industry, Recycling Center, Resource Extraction, and Railroad Facilities (8-0)	5/14/98: Approved PC rec. of LI-CO w/ conditions (5-0); 1 <sup>st</sup> reading  1/21/99: Approved LI-CO w/ conditions (7-0); 2 <sup>nd</sup> / 3 <sup>rd</sup> readings

**RELATED CASES:** There are no pending related cases.

**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION
Pond Springs Road	100'	20'	Minor Arterial

**CITY COUNCIL DATE:** October 27, 2005

**ACTION:**

**ORDINANCE READINGS:** 1st

2<sup>nd</sup>

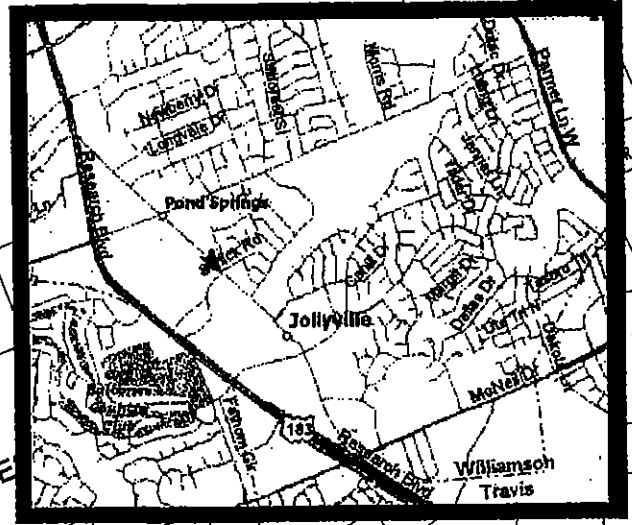
3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057,  
[sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)

OFFICE



AUTOMOTIVE SALE  
GOLF CARTS

RETAIL

BOOK SALES

OFFICE

CHURCH

TRACT 2

**LR-CO**

98-0273

SP-02-0253C

SP-03-0162C

SPC-04-0028C

**GR-CO**

02-0158 02-0159

SP-03-0331C

TRACT 1

**I-RR**

CEMETERY

UNDEVELOPED

01-0163

**CS-CO**

**I-SF-2**

INDUSTRIAL PARK

03-0169  
OFFICE

EQUIPMENT  
RENTAL

RETAIL

VET  
CLINIC

**I-RR**

INDUSTRIAL C

**CS-CO**

01-0074

OFFICE

INDUS  
**I-SF-**

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE MGR: S. SIRWAITIS



ZONING

CASE #: C14-05-0143

ADDRESS: 13290-A POND SPRINGS RD

SUBJECT AREA (acres): 0.330

DATE: 05-09

INTLS: SM

CITY GRID  
REFERENCE  
NUMBER

G37



1" = 200'

## **STAFF RECOMMENDATION**

The staff's recommendation is to grant GR-CO, Community Commercial-Conditional Overlay District, zoning for Tract 1 and CS-1-CO, Commercial-Liquor Sales-Conditional Overlay District, zoning. The conditional overlay would limit the development intensity to less than 2,000 vehicle trips per day.

## **BASIS FOR RECOMMENDATION**

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The Community Commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

The Commercial-Liquor Sales (CS-1) district is intended for the development of a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

The property in question fronts onto and will take access from an arterial roadway, Pond Springs Road.

2. *The proposed zoning should promote consistency, and orderly planning.*

There property in question is located adjacent to existing commercial and industrial uses that are developed to the north, south, east and west. The GR-CO zoning and 1, 055 square foot CS-1-CO zoning footprint will be compatible and consistent with the surrounding uses because there is GR-CO zoning to the south, east, and west of this site.

3. *The proposed zoning should allow for a reasonable use of the property.*

The GR-CO zoning and CS-1-CO zoning footprint would allow for a fair and reasonable use of the site. The proposed zoning will allow the applicant to redevelop an existing commercial building. GR-CO and CS-1-CO zoning are appropriate for this location because of the commercial and industrial character of the area.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site under consideration is developed with a cinder block warehouse structure. There is an office park to the east, a contractor business to the west, a publishing/book sales use and office use to the north, and an industrial park located to the south of the site.

### **Impervious Cover**

The maximum impervious cover allowed by the CS-1 zoning district would be 95% and the GR zoning district would be 90%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
Single-Family Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

Note: The most restrictive impervious cover limit applies.

### **Environmental**

The site is located over the North Edward's Aquifer Recharge Zone. The site is in the Lake Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps, there is no flood plain within the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.

### **Transportation**

No additional right-of-way is needed at this time.



The trip generation under the requested zoning is estimated to be 2,360 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Capital Metro bus service is available along US Highway 183.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION
Pond Springs Road	100'	20'	Minor Arterial

#### **Right of Way**

No comments received.

#### **Water and Wastewater**

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades are required, the landowner, at own expense, will be responsible for providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.

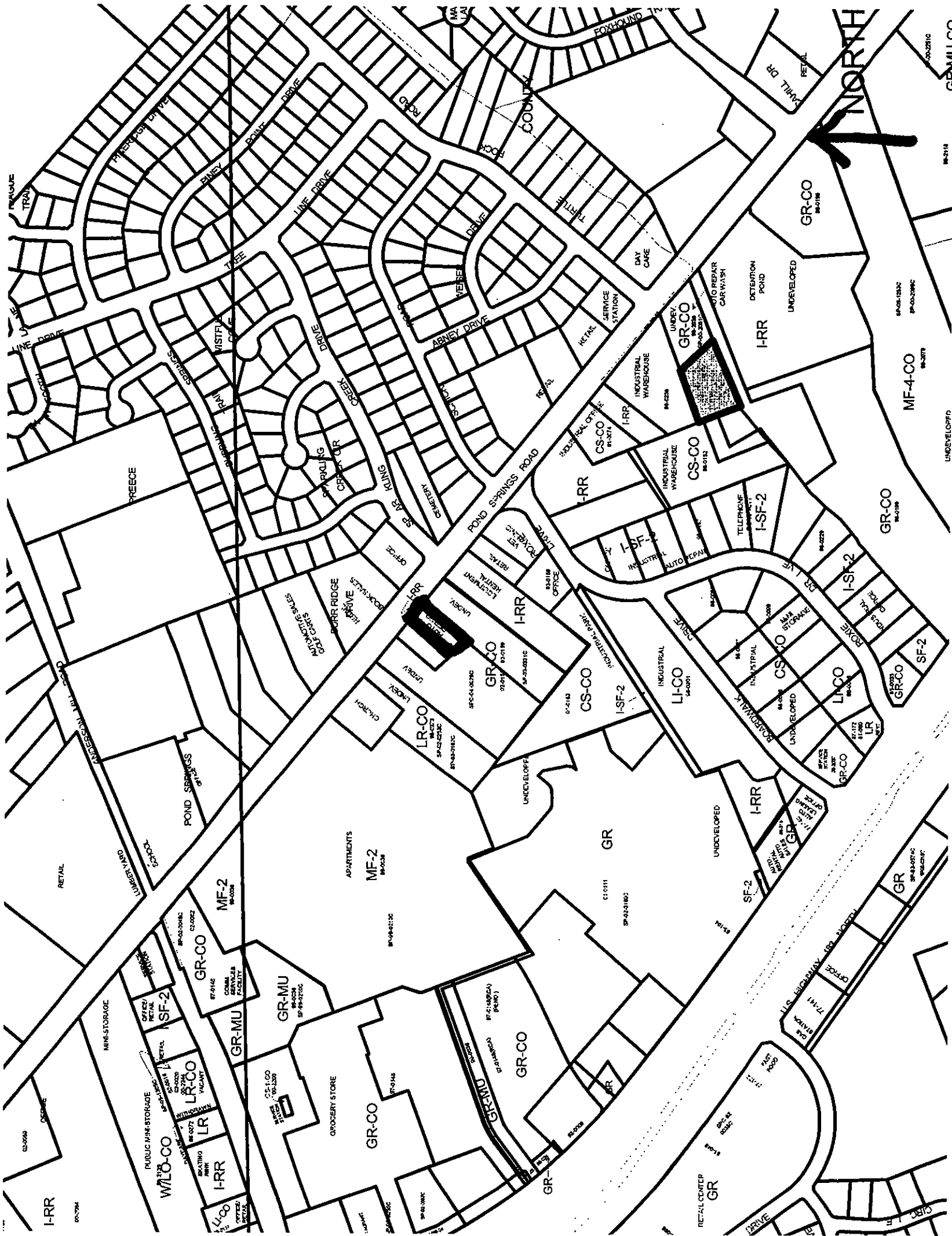
#### **Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

#### **Compatibility Standards**

The tract of land is developed and it is surrounded by majority of commercial properties. There is a church to the north of the property. There is I-RR & undeveloped property to the south of the site.

Compatibility is not required because the site is surrounded by commercial zoning districts and uses.



NORTH

SEMI-LCO

RM-2118

UNDEVELOPED

MF-4-CO

GR-CO

I-SF-2

LI-CO

CS-CO

I-RR

GR-CO

SF-2

GR-CO

GR

GR

GR

GR







**LOTT BROTHERS**  
Construction Company

# Fax

To: ZONING Commiss. From: D. MANFIELD  
Company: Cty of AUS Company: Lott Brothers Construction Company  
Fax: 974-2269 Pages: 2 including cover page  
Phone: 974-2269 Date: 9-20-05  
Re: \_\_\_\_\_ CC: \_\_\_\_\_  
\_\_\_\_\_

NOTE:

POST OFFICE BOX 203594, AUSTIN TEXAS, 78720 PHONE (512) 401-8882 FAX (512) 401-8883

09/19/2005 14:47

5122191344

HENRY MAYES COMPANY

PAGE 04/04

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-05-0143

Contact: Sherri Sirvaids, (512) 974-3057

Public Hearing:

September 20, 2005 Zoning and Planning Commission

974-2269

Your Name (please print)

*BILL OATES*

Your address(es) affected by this application

*13284 FOND SPRINGS Rd #202*

Signature

Date

*Bill Oates* *9/20/05*

Comments:

*"CR" zoning at the location is not appropriate.*

If you use this form to comment, it may be returned to:

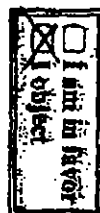
City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirvaids

P. O. Box 1088

Austin, TX 78767-8810



09/19/2005 14:47

5122191344

HENRY MAYES COMPANY

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Case Number: C14-05-0143

Contact: Sherri Sirwaltis, (512) 974-3057

Public Hearing:

September 20, 2005 Zoning and Planning Commission

Your Name (please print)

Dawn Masaru

☐ I am in town  
☐ I am out of town

13284 Pond Springs #505

Your address(es) affected by this application

13284 Pond Springs #505

Signature

Date

Comments:

THIS IS NOT AN  
APPROPRIATE PLACE FOR  
A SIGNATURE. THE  
BUILDING IS AN OVER-  
SIZED AND DOES NOT  
HAVE MODERN SPECS  
FROM ADJACENT OLD  
TO THE NORTH. THE  
BUILDING IS RUN DOWN

If you use this form to comment, it may be returned to:

City of Austin  
Neighborhood Planning and Zoning Department  
Sherri Sirwaltis  
P.O. Box 11888  
Austin, TX 78767-8810

## PUBLIC HEARING INFORMATION

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Case Number: C14-05-0143

Contact: Sheri Sirvairs, (512) 974-3057

97412269

Public Hearing:  
September 20, 2005 Zoning and Planning Commission

Michael Newman

Your Name (please print)

13279 BONDSPINE RD SEC 1-A

Your address(es) affected by this application

Signature: *Michael Newman* Date: 09-20-05

Comments:

*Liquor Sales*  
*NOT APPROPRIATE*

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Sheri Sirvairs

P. O. Box 1088

Austin, TX 78767-8810



ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE  
2 PROPERTY LOCATED AT 13290-A POND SPRINGS ROAD AND CHANGING  
3 THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT  
4 TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO)  
5 COMBINING DISTRICT FOR TRACT ONE AND COMMERCIAL-LIQUOR  
6 SALES-CONDITIONAL OVERLAY (CS-1-CO) COMBINING DISTRICT FOR  
7 TRACT TWO.

8  
9 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

10  
11 **PART 1.** The zoning map established by Section 25-2-137 of the City Code is amended to  
12 change the base district on the property described in Zoning Case No. C14-05-0143, on file  
13 at the Neighborhood Planning and Zoning Department, as follows:

14  
15 Tract One: From interim rural residence (I-RR) district to community commercial-  
16 conditional overlay (GR-CO) combining district.

17  
18 A 0.33 acre tract of land, more or less, out of the Henry Rhodes Survey, Abstract  
19 No. 522, Williamson County, the tract of land being more particularly described by  
20 metes and bounds in Exhibit "A" incorporated into this ordinance, Save and Except  
21 a 1,055 square foot tract being a portion of a building on the 0.33 acre tract and  
22 described in Exhibit "B", and,

23  
24 Tract Two: From interim rural residence (I-RR) district to commercial-liquor sales-  
25 conditional overlay (CS-1-CO) combining district.

26  
27 A 1,055 square foot tract being a portion of a building on that certain 0.33 acre of  
28 land out of the Henry Rhodes Survey, Abstract No. 522, Williamson County, the  
29 tract of land being more particularly described by metes and bounds in Exhibit "B"  
30 incorporated into this ordinance (the "Property"),

31  
32 locally known as 13290-A Pond Springs Road, in the City of Austin, Williamson County,  
33 Texas, and generally identified in the map attached as Exhibit "C".  
34  
35  
36

1 **PART 2.** The Property within the boundaries of the conditional overlay combining district  
2 established by this ordinance is subject to the following conditions:

- 3  
4 1. A site plan or building permit for the Property may not be approved, released, or  
5 issued, if the completed development or uses of the Property, considered cumulatively  
6 with all existing or previously authorized development and uses, generate traffic that  
7 exceeds 2,000 trips per day.  
8  
9 2. Cocktail lounge use and Restaurant (general) use are prohibited uses of the Property.

10  
11 Except as specifically restricted under this ordinance, the Property may be developed and  
12 used in accordance with the regulations established for the respective base districts and  
13 other applicable requirements of the City Code.  
14

15 **PART 3.** This ordinance takes effect on \_\_\_\_\_, 2005.

16  
17  
18 **PASSED AND APPROVED**

19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
\_\_\_\_\_  
Will Wynn  
Mayor

**APPROVED:**

\_\_\_\_\_  
David Allan Smith  
City Attorney

**ATTEST:**

\_\_\_\_\_  
Shirley A. Brown  
City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

FIELD NOTES OF THAT CERTAIN TRACT CALLED 0.33 ACRES OF LAND OUT OF THE HENRY RHODES SURVEY, ABSTRACT NO. 5222 IN WILLIAMSON COUNTY, TEXAS, BEING CONVEYED TO FARIDEH BABAZADEH BY DEED RECORDED IN DOCUMENT NO. 9735387 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THERE FROM A 1055 SQUARE FEET PORTION OF THE BUILDING SITUATED ON SAID 0.33 ACRE TRACT, SAID SAVE AND EXCEPT PORTION BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 3/8" rebar found for the northeast corner of a tract of land described in a deed to Yopez Enterprises, L.P. of record as Document Number 2003115861, of the Official Records of Williamson County, Texas, same being the northwest corner of the aforementioned 0.33 of an acre tract;

THENCE, S 38°34'04" W, with the common line of the 0.33 of an acre tract and the Yopez Enterprises tract, a distance of 35.50 feet to a point on said line;

THENCE, S 51°25'56" E, departing said common line, into the interior of the 0.33 of a acre tract a distance of 0.29 of a foot to the corner of an existing building for the PLACE OF BEGINNING and northwest corner of the herein described 1055 square foot tract;

THENCE, S 51°28'42" E, with the North line of said building, a distance of 34.00 feet to the northeast corner of said building, for the northeast corner hereof;

THENCE, S 38°33'28" W with the East line of said building, a distance of 31.00 feet to a point for the southeast corner hereof;

THENCE, N 51°28'42" W, through said building, a distance of 34.00 feet to a point in the West line of said building for the southwest corner hereof;

THENCE, N 38°31'23" E, with the West line of said building, a distance of 31.00 feet to the PLACE OF BEGINNING hereof, and containing a calculated area of 1055 square feet of land.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ACCOMPANYING SURVEY SKETCH, ONLY.

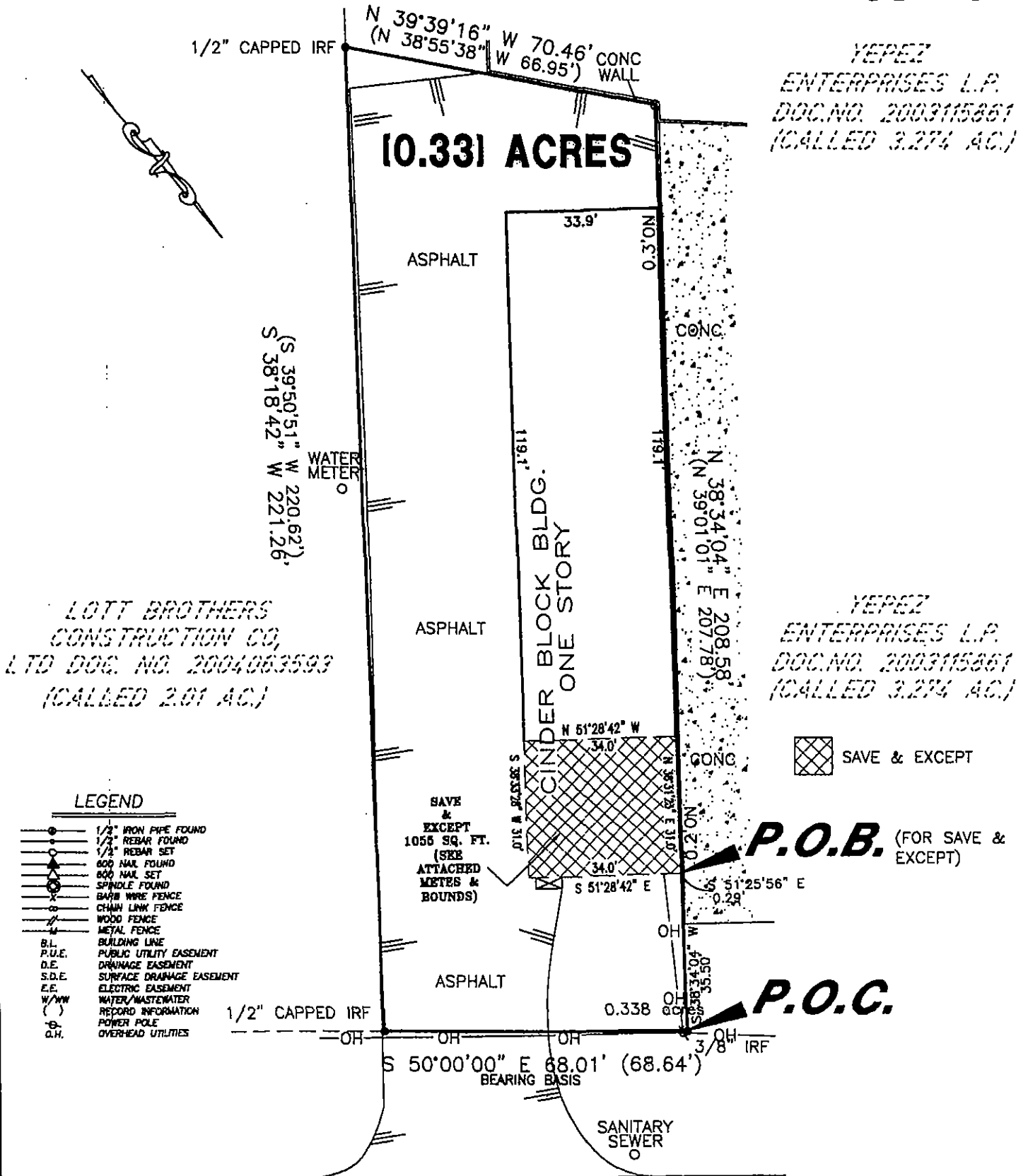


David L. Bell R.P.L.S. 3994  
Dewey H. Burris & Associates, Inc.  
1404 W. North Loop Blvd.  
Austin, Texas 78756  
(512)-458-6969  
Job#: R0615405A

8-3-05  
Date



## SKETCH TO ACCOMPANY METES AND BOUNDS



Dewey H. Burris & Associates, Inc.  
Land Surveying Services

1404 West North Loop Blvd. 512\*458-6969  
Austin, Texas 78756 Fax 512\*458-9845

# POND SPRINGS ROAD

DATE 7/8/05  
JOB # R0615405  
SCALE 1" = 30'

EXHIBIT "B"

LEGAL DESCRIPTION

FIELD NOTES OF A 1055 SQUARE FEET PORTION OF A BUILDING, SAID BUILDING IS SITUATED ON THAT CERTAIN 0.33 ACRE OF LAND OUT OF THE HENRY RHODES SURVEY, ABSTRACT NO. 522 IN WILLIAMSON COUNTY, TEXAS, BEING CONVEYED TO FARIDEH BABAZADEH BY DEED OF RECORD IN DOCUMENT NO. 9735387 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 1055 SQUARE FEET OF LAND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 3/8" rebar found for the northeast corner of a tract of land described in a deed to Yepez Enterprises, L.P. of record as Document Number 2003115861, of the Official Records of Williamson County, Texas, same being the northwest corner of the aforementioned 0.33 of an acre tract;

THENCE, S 38°34'04" W, with the common line of the 0.33 of an acre tract and the Yepez Enterprises tract, a distance of 35.50 feet to a point on said line;

THENCE, S 51°25'56" E, departing said common line, into the interior of the 0.33 of a acre tract a distance of 0.29 of a foot to the corner of an existing building for the PLACE OF BEGINNING and northwest corner of the herein described 1055 square foot tract;


THENCE, S 51°28'42" E, with the North line of said building, a distance of 34.00 feet to the northeast corner of said building, for the northeast corner hereof;

THENCE, S 38°33'28" W with the East line of said building, a distance of 31.00 feet to a point for the southeast corner hereof;

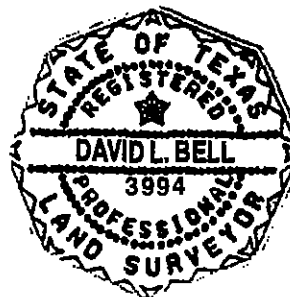
THENCE, N 51°28'42" W, through said building, a distance of 34.00 feet to a point in the West line of said building for the southwest corner hereof;

THENCE, N 38°31'23" E, with the West line of said building, a distance of 31.00 feet to the PLACE OF BEGINNING hereof, and containing a calculated area of 1055 square feet of land.

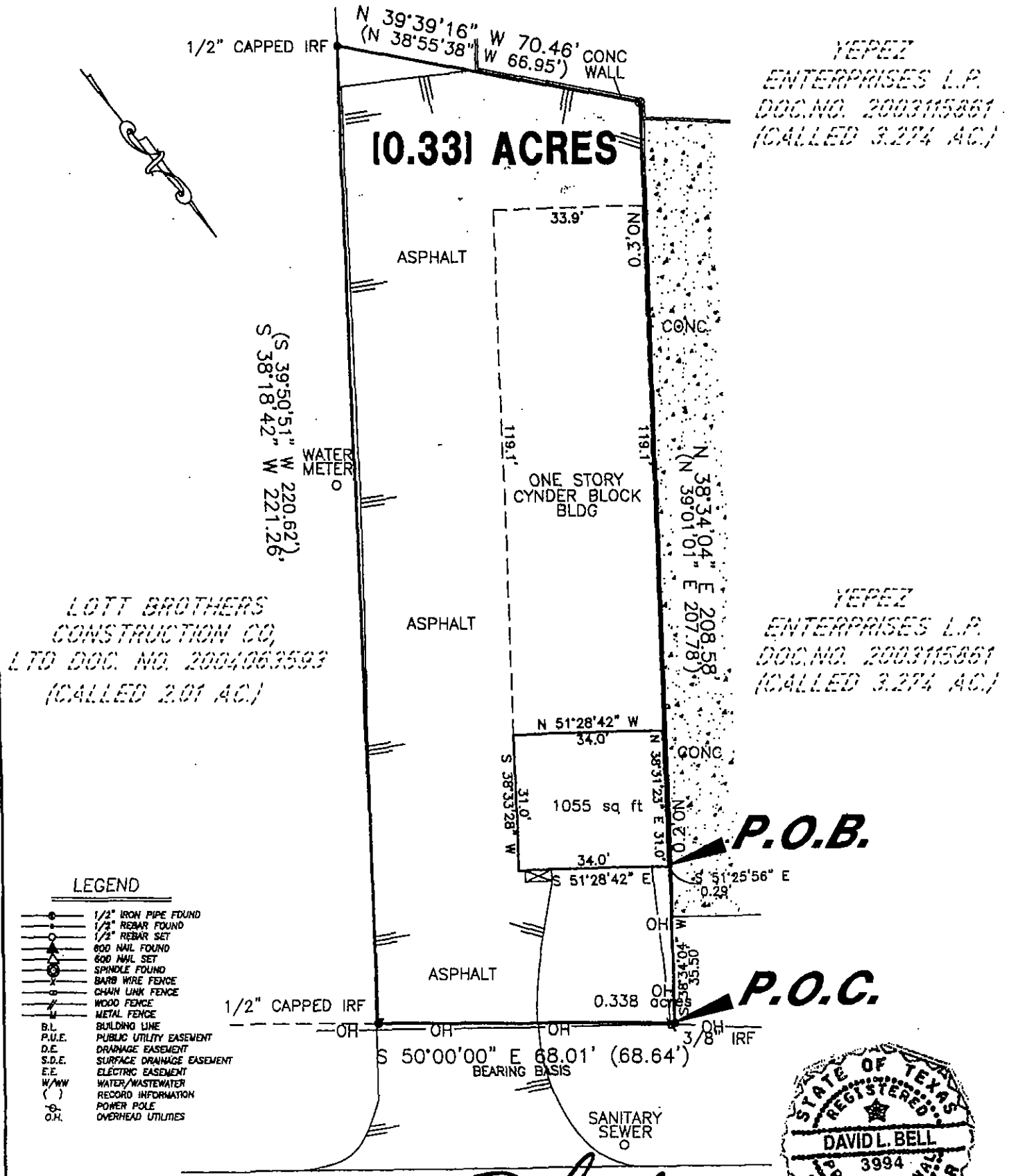
THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ACCOMPANYING SURVEY SKETCH, ONLY.

  
David L. Bell R.P.L.S. 3994  
Dewey H. Burris & Associates, Inc.  
1404 W. North Loop Blvd.  
Austin, Texas 78756  
(512)-458-6969  
Job#: R0615405

8-1-05  
Date



# SKETCH TO ACCOMPANY METES AND BOUNDS

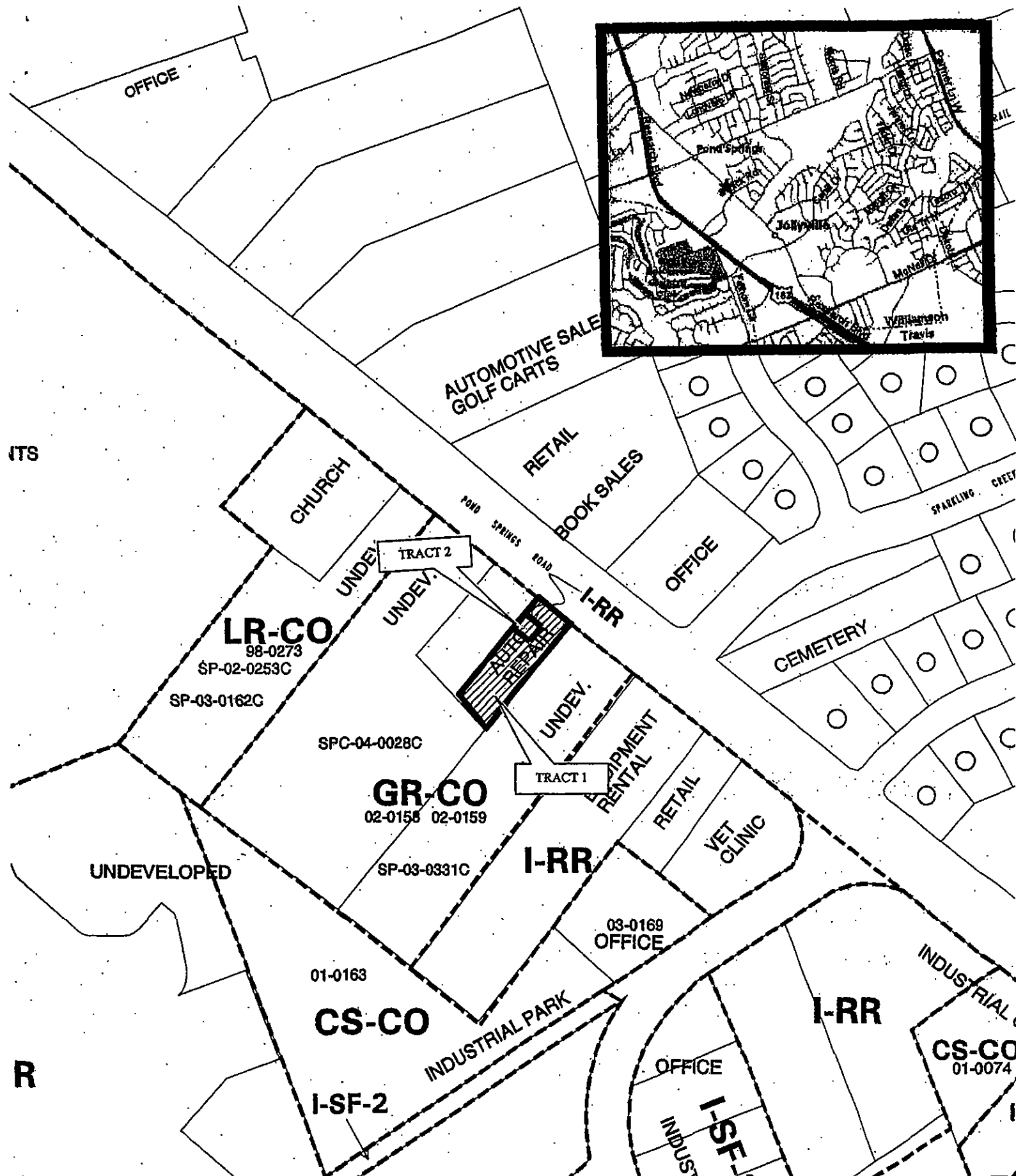


Dewey H. Burris & Associates, Inc.  
Land Surveying Services

**POND SPRINGS ROAD**

1404 West North Loop Blvd. 512\*458-6969  
Austin, Texas 78756 Fax 512\*458-9845

DATE 7/8/05  
JOB # R0615405  
SCALE 1"= 30'



 1" = 200'	SUBJECT TRACT		ZONING EXHIBIT C		CITY GRID REFERENCE NUMBER G37
	PENDING CASE				
	ZONING BOUNDARY		CASE #: C14-05-0143	DATE: 05-09	
	CASE MGR: S. SIRWAITIS	ADDRESS: 13290-A POND SPRINGS RD	INTLS: SM.		
		SUBJECT AREA (acres): 0.330			