

ORDINANCE NO. 20051215-Z009

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT BRODIE LANE AT BEN GARZA LANE AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-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 general commercial services-conditional overlay (CS-CO) combining district on the property described in Zoning Case No. C14-05-0196B, on file at the Neighborhood Planning and Zoning Department, as follows:

A 16.455 acre tract of land, more or less, out of the Thomas Anderson League No. 17, Abstract No. 2, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as the property located at Brodie Lane at Ben Garza 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:

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

Agricultural sales and services
Campground
Convenience storage
Electronic testing
Equipment sales
Laundry services
Maintenance and service facilities
Transitional housing
Vehicle storage

Building maintenance services
Commercial blood plasma center
Electronic prototype assembly
Equipment repair services
Kennels
Limited warehousing and distribution
Monument retail sales
Transportation terminal
Veterinary services

2. The following uses are conditional uses of the Property:

Custom manufacturing
Outdoor entertainment
Special use historic

Food preparation
Plant nursery

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

PART 3. This ordinance takes effect on December 31, 2005.

PASSED AND APPROVED

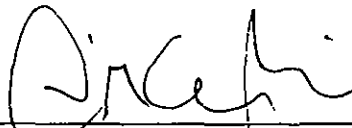
December 15, 2005

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Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:

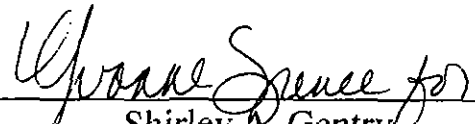

Shirley A. Gentry
City Clerk

EXHIBIT A

Legal Description
16.445 AcresState of Texas
County of Travis

All that certain tract or parcel of land situated in the Thomas Anderson League No. 17, Abstract No. 2, Travis County, Texas, being part of a called 17.516 acre tract described in a deed to Eli James Garza, dated February 9, 1982, recorded in Volume 7684 on Page 700 in the Deed Records of Travis County, Texas and being more particularly described as follows:

BEGINNING at a 1/2" iron rod (found) in the northwest right of way line of Brodie Lane and in the southwest line of the above referenced 17.516 acre tract, same being the northeast line of Lot 1, Block A of the H.E.B./Austin # 23 Addition as recorded in Book 100, on Page 237 in the Plat Records of Travis County Texas;

THENCE North 60 deg. 00 min. 00 sec. West with the northeast line of said Lot 1, Block A and the southwest line of the 17.516 acre tract, at a distance of 1127.89 feet pass a 1/2" iron rod (set) for the east corner of a called 0.192 acre tract, described in a deed to Eli James Garza, dated January 24, 1975, recorded in Volume 5091 on Page 194 in the said Deed Records, continuing with the southwest line of the 17.516 acre tract and with the northeast line of said 0.192 acre tract for a total distance of 1228.16 feet to a 1/2" iron rod (found) for the westernmost corner of said 17.516 acre tract;

THENCE North 29 deg. 22 min. 36 sec. East with the westernmost northwest line of said 17.516 acre tract, a distance of 340.32 feet to a 1/2" iron rod (found) for the westernmost north corner of same, and being an elf corner in the southwest line of Ben Garza Lane (unimproved in this area) recorded in Volume 3513 on Page 459 in the said Deed Records;

THENCE South 60 deg. 01 min. 41 sec. East with the southwest line of said Ben Garza Lane and a northeast line of said 17.516 acre tract, a distance of 269.83 feet to a 1/2" iron rod (found) for corner;

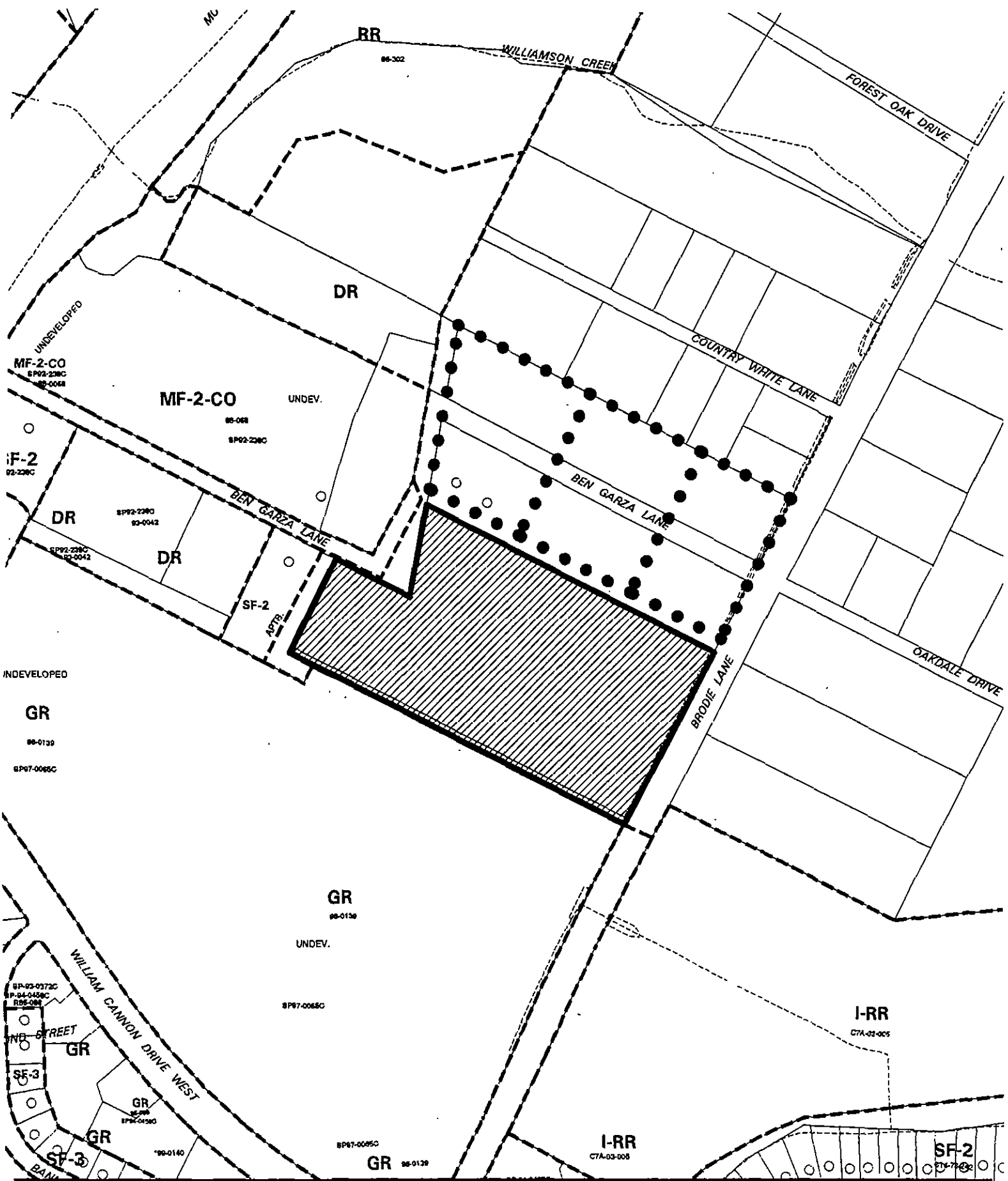
THENCE North 13 deg. 22 min. 07 sec. East continuing with a common line of said Ben Garza Lane and said 17.516 acre tract, a distance of 307.46 feet to a 1/2" iron rod (found) for the easternmost north corner of said 17.516 acre tract;


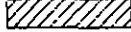


THENCE South 60 deg. 01 min. 01 sec. East continuing with a common line of said Ben Garza Lane and northeast line of said 17.516 acre tract, a distance of 1053.42 feet to a 1/2" iron rod (found) for the east corner of the 17.516 acre tract and in the northwest right of way line of the aforementioned Brodie Lane;

THENCE South 30 deg. 18 min. 21 sec. West with the northwest right of way line of Brodie Lane, a distance of 635.35 feet to the **PLACE OF BEGINNING**, containing 16.445 acres (716,326 sq. ft.) of land.

Joe W. Clark 08/01/03
Joe W. Clark Date
Registered Professional Land Surveyor No. 4366





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|  1" = 400' | SUBJECT TRACT  | | ZONING EXHIBIT B | | CITY GRID REFERENCE NUMBER E18 |
| | PENDING CASE  | | | | |
| | ZONING BOUNDARY  | | CASE #: C14-05-0196B | DATE: 05-11 | |
| | CASE MGR: W.WALSH | | ADDRESS: BRODIE LN AT BEN GARZA LN | INTLS: SM | |