

**ORDINANCE NO. 20100422-055**

**AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 9333 BROWN LANE AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO LIMITED INDUSTRIAL SERVICE-CONDITIONAL OVERLAY (LI-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 limited industrial service-conditional overlay (LI-CO) combining district on the property described in Zoning Case No. C14-2010-0002, on file at the Planning and Development Review Department, as follows:

Lot 2-A, Resubdivision of Joe G. Aldridge Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 46, Page 61, of the Plat Records of Travis County, Texas; and,

A 5.353 acre tract of land, a 0.852 acre tract of land, and a 0.098 acre tract of land, more or less, out of the John Applegate Survey No. 58, in Travis County, the tracts of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 9333 Brown 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 2,000 trips per day.
- B. The following uses of the Property are prohibited uses:

Vehicle storage

Scrap and salvage

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

**PART 3.** This ordinance takes effect on May 3, 2010.

**PASSED AND APPROVED**

\_\_\_\_ April 22 \_\_\_\_\_, 2010      §  
   §  
   §  
   \_\_\_\_\_  
   Lee Leffingwell  
   Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
                                 David Allan Smith                                   Shirley A. Gentry  
                                 City Attorney                                   City Clerk

EXHIBIT "A"  
METES AND BOUNDS DESCRIPTION  
BROWN LANE PROPERTIES, INC.  
5.353 ACRES

BEING PART OF THE JOHN APPLGATE SURVEY NO. 58 IN TRAVIS COUNTY, TEXAS, AND BEING THAT SAME TRACT OF LAND CALLED TO CONTAIN 5.373 ACRES AS DESCRIBED IN A DEED TO BROWN LANE PROPERTIES, INC. RECORDED IN VOLUME 8730, PAGE 246 OF THE TRAVIS COUNTY REAL PROPERTY RECORDS (TCRPR), SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" rebar found on the east right-of-way line of Brown Lane, at the southwest corner of the above described Brown Lane Properties, Inc. (hereinafter referred to as "BLP") tract of land, also the northwest corner of Lot 2-A of "Resubdivision of Joe G. Aldridge Subdivision", a subdivision in the City of Austin, as recorded in Plat Book 46, Page 61 of the Travis County Plat Records, for the southwest corner and PLACE OF BEGINNING hereof;

THENCE with the east right-of-way line of Brown Lane, also the west line of said BLP tract, the following two courses:

- 1) N 29°01'00" E 274.05 feet to a ½" rebar found, for an angle point;
- 2) N 55°07'16" E 20.00 feet to a calculated point, which falls on an existing telephone pedestal, at the northwest corner of said BLP tract, also the southwest corner of the C & T Investments 4.54 acres as described in Volume 8961, Page 794 of the TCRPR, for the northwest corner hereof;

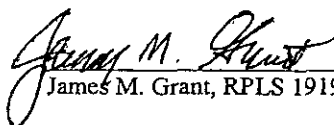
THENCE with the common line between BLP and said 4.54 acre tract, S 61°14'06" E 788.98 feet to a ½" rebar found at the northeast corner of said BLP tract, also the northwest corner of the Commercial Square LTD. tract of land described in Volume 12862, Page 460 of the TCRPR, for the northeast corner hereof;

THENCE with the common line between BLP and Commercial Square, Ltd., S 29°28'27" W 293.77 feet to a ½" rebar set, capped "Harris Grant", at the common southerly corner between said tracts of land, on a northerly line of the Draper Partners, Ltd. 15.00 acres described in Document No. 2001005482 of the Travis County Official Public Records (TCOPR), for the southeast corner hereof;

THENCE with the south line of said BLP tract, also the north line of said 15.00 acres and the north line of the Ferguson Lane Business Park, L.P. (hereinafter referred to as "FLBP") tract of land described in Document No. 2001213077 of the TCOPR, N 61°05'28" W at a distance of 196.05 feet pass a ½" rebar found at the common northerly corner between FLBP and said 15.00 acres, and continuing with the same course for a total distance of 466.73 feet to a ½" rebar found at the northwest corner of said FLBP tract, also the northeast corner of the above described Lot 2-A, for a point on the south line hereof;

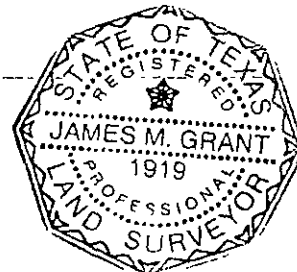
THENCE with the common line between BLP and said Lot 2-A, N 61°07'47" W 328.70 feet to the PLACE OF BEGINNING and containing 5.353 acres of land, more or less.

As surveyed by:  
Harris-Grant Surveying, Inc.  
1700 S. Lamar, Ste. 332  
Austin, Texas 78704  
(512) 444-1781

  
James M. Grant, RPLS 1919

January 5, 2010

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SCANNED

EXHIBIT "A"  
METES AND BOUNDS DESCRIPTION

BEING PART OF THE JOHN APPLIGATE SURVEY NO. 58 IN TRAVIS COUNTY, TEXAS, AND BEING PART OF THAT CERTAIN TRACT OF LAND CONVEYED TO COMMERCIAL SQUARE, LTD. BY DEED RECORDED IN VOLUME 12862, PAGE 460 OF THE TRAVIS COUNTY REAL PROPERTY RECORDS (TCRPR), SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" rebar found on the south line of the C & T Investments 4.54 acres as described in Volume 8961, Page 794 of the TCRPR, at the northwest corner of said Commercial Square, Ltd. (hereinafter referred to as "CSL"), for the northwest corner and PLACE OF BEGINNING hereof;

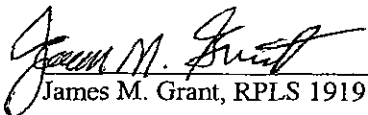
THENCE with the common line between CSL and said 4.54 acres, S 61°16'10" E 139.10 feet to a ½" rebar found at the northeast corner of said CSL tract, also the northwest corner of the Deepak Bajaj tract of land described in Document No. 2008141508 of the Travis County Official Public Records, for the northeast corner hereof;

THENCE with the common line between CSL and Bajaj, S 28°47'49" W 264.19 feet to the southeast corner hereof, from which point a ½" rebar found at CSL's southeast corner bears S 28°49'49" W 30.00 feet;

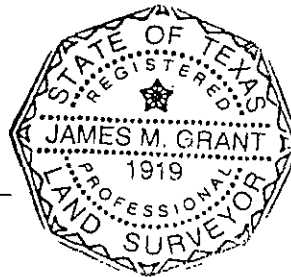
THENCE with a line thirty feet northeast of and parallel with the south line of said CSL tract, N 61°05'28" W 142.22 feet to a point on the west line of said CSL tract, also the east line of the Brown Lane Properties, Inc. 5.373 acres described in Volume 8730, Page 246 of the TCRPR, for the southwest corner hereof;

THENCE with the common line between CSL and said 5.373 acres, N 29°28'27" E 263.77 feet to the PLACE OF BEGINNING and containing 0.852 acre of land, more or less.

As surveyed by:  
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1700 S. Lamar, Ste. 332  
Austin, Texas 78704  
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James M. Grant, RPLS 1919

January 5, 2010



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**SCANNED**

EXHIBIT "A"  
METES AND BOUNDS DESCRIPTION

BEING PART OF THE JOHN APPLGATE SURVEY NO. 58 IN TRAVIS COUNTY, TEXAS, AND BEING PART OF THAT CERTAIN TRACT OF LAND CONVEYED TO COMMERCIAL SQUARE, LTD. BY DEED RECORDED IN VOLUME 12862, PAGE 460 OF THE TRAVIS COUNTY REAL PROPERTY RECORDS (TCRPR), SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Beginning for reference at a ½" rebar found on the south line of the C & T Investments 4.54 acres as described in Volume 8961, Page 794 of the TCRPR, at the northwest corner of said Commercial Square, Ltd. (hereinafter referred to as "CSL"), said point being also the northeast corner of the Brown Lane Properties, Inc. 5.373 acres described in Volume 8730, Page 246 of the TCRPR;

THENCE with the common line between CSL and said 5.373 acres, S 29°28'27" W 263.77 feet to the northwest corner and PLACE OF BEGINNING hereof;

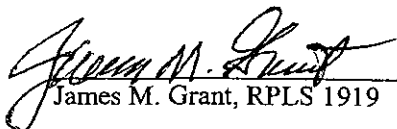
THENCE crossing through said CSL property, and with a line thirty feet northeast of and parallel with the south line of said CSL property, S 61°05'28" E 142.22 feet to a point on the east line of said CSL property, also the west line of the Deepak Bajaj property described in Document No. 2008141508 of the Travis County Official Public Records (TCOPR), for the northeast corner hereof;

THENCE with the common line between CSL and Bajaj, S 28°47'49" W 30.00 feet to a ½" rebar found on a northerly line of the Draper Partners, Ltd. 15.00 acres described in Document No. 2001005482 of the TCOPR, at the common southerly corner between CSL and Bajaj, for the southeast corner hereof;

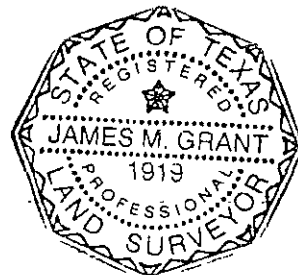
THENCE with the south line of said CSL tract, also the north line of said 15.00 acres, N 61°05'28" W 142.57 feet to CSL's southwest corner, also the southeast corner of the above described 5.373 acres, for the southwest corner hereof;

THENCE with the common line between CSL and said 5.373 acres, N 29°28'27" E 30.00 feet to the PLACE OF BEGINNING and containing 0.98 acre of land, more or less.

As surveyed by:  
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Austin, Texas 78704  
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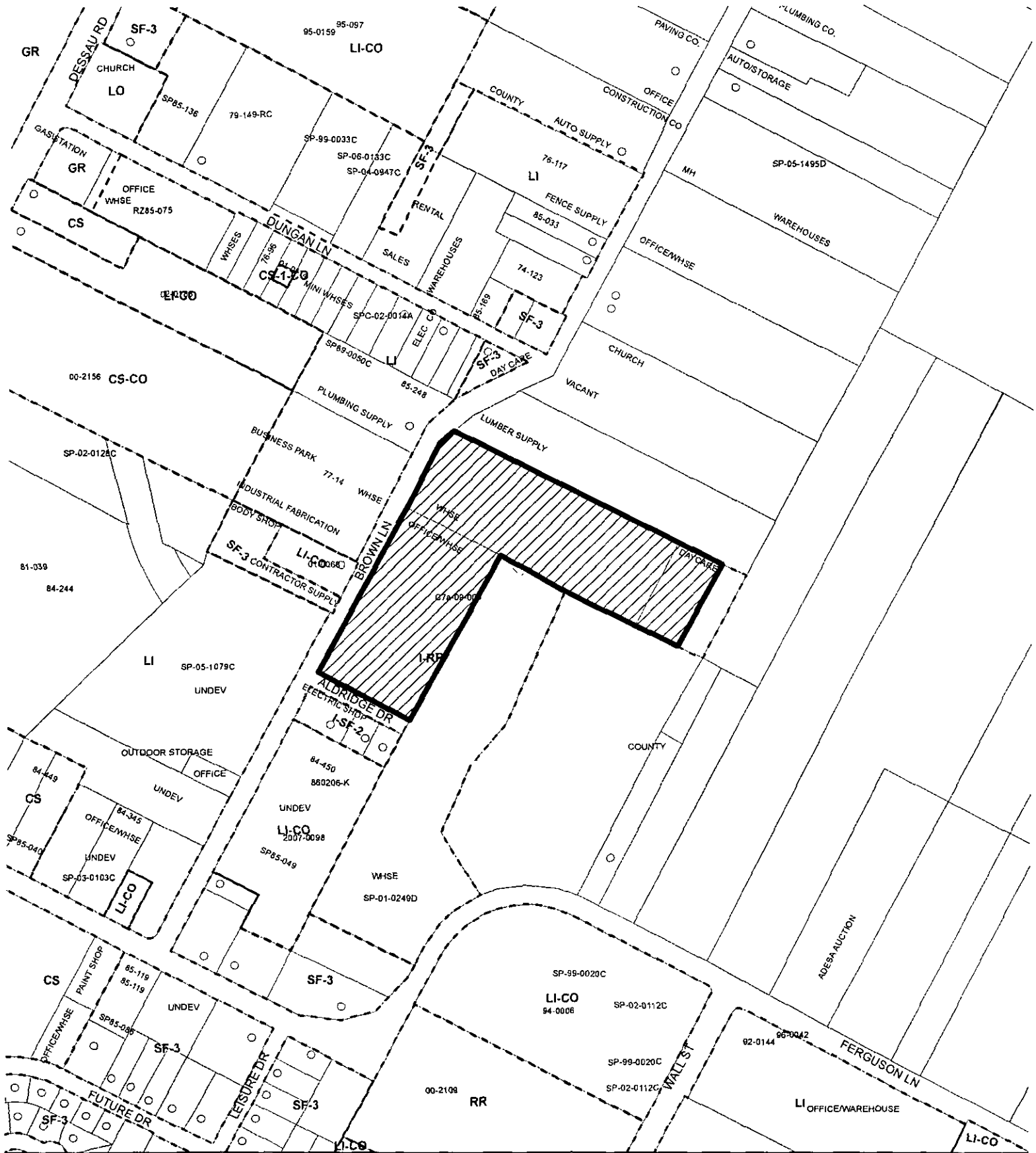
  
James M. Grant, RPLS 1919





January 5, 2010



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**SCANNED**




  
 **SUBJECT TRACT**
  
 **ZONING BOUNDARY**
  
 **PENDING CASE**
  
**OPERATOR: S. MEEKS**

# **ZONING EXHIBIT B**

**ZONING CASE#: C14-2010-0002**  
**ADDRESS: 9333 BROWN LANE**  
**SUBJECT AREA: 10.774 ACRES**  
**GRID: M29**  
**MANAGER: J. HARDEN**



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