

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**
2 **PROPERTY COMMONLY KNOWN AS THE DELL JEWISH COMMUNITY**
3 **CAMPUS LOCATED AT 7300 HART LANE, FROM FAMILY RESIDENCE (SF-3)**
4 **DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT.**

5
6 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**
7

8 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
9 change the base district from family residence (SF-3) district to planned unit development
10 (PUD) combining district on the property described in Zoning Case No. C814-2008-0016,
11 on file at the Neighborhood Planning and Zoning Department, as follows:

12
13 Lots 1, 2, 3, and 4, Block A, Dell Jewish Community Campus Subdivision, a
14 subdivision in the City of Austin, Travis County, Texas, according to the map or
15 plat of record in Plat Book 100, Page 346, of the Plat Records of Travis County,
16 Texas (the "Property"),

17
18 locally known as 7300 Hart Lane, in the City of Austin, Travis County, Texas, and
19 generally identified in the map attached as Exhibit "A".
20

21 **PART 2.** This ordinance, together with the attached Exhibits A through C-1, are the land
22 use plan for the Dell Jewish Community Campus planned unit development district (the
23 "PUD") created by this ordinance. The PUD shall conform to the limitations and
24 conditions set forth in this ordinance and in the Dell Jewish Community Campus planned
25 unit development land use plan. If the text of this zoning ordinance and the attached
26 exhibits conflict, the text controls of this ordinance shall be controlling. Except as
27 otherwise specifically provided by this ordinance and land use plan, all other rules,
28 regulations and ordinances of the City apply to the PUD. In accordance with Part 3 of
29 Ordinance No. 20080618-098, the PUD is subject to the standards for planned unit
30 development zoning in effect on June 18, 2008.
31
32
33

1 **PART 3.** The attached exhibits are incorporated into this ordinance in their entirety as
2 though set forth fully in the text of this ordinance. The exhibits are as follows:

- 3 Exhibit A: Zoning Map
4 Exhibit B: Land Use Plan
5 Exhibit C: Grow Green Native and Adapted Landscape Plants
6 Exhibit C-1 Invasive Species/Problem Plants
7

8 **PART 4.** Definitions.
9

10 A. In this ordinance:

- 11
12 1. HIGH HOLY DAYS means Rosh Hashana and Yom Kippur.
13
14 2. SPORTS FIELD AND TENNIS COURT means a recreational facility as
15 defined in the City Code as Outdoor Sports and Recreation use.
16

17 B. All other terms have the meaning provided in the City Code.
18

19 **PART 5.** In accordance with Division 5, Article 2, Subchapter B, Chapter 25-2 (*Planned*
20 *Unit Developments*) of the City Code, the following regulations apply to the PUD instead
21 of otherwise applicable City regulations.
22

- 23 A. Except as otherwise provided in this ordinance, the Property is subject to
24 family residence (SF-3) uses and site development regulations.
25
26 B. The maximum impervious cover is 50 percent.
27
28 C. The maximum gross floor area of climate controlled space for buildings is
29 331,000 square feet.
30
31 D. A 100 foot building setback shall be established from the north and west
32 property lines.
33
34 E. Except as provided in Section F of this Part, the maximum heights are:
35
36 1) 35 feet from the building setback line to 300 feet from the north and
37 west property lines; and
38 2) the lesser of 45 feet or three stories beyond 300 feet from the north
39 and west property lines;

- 1 3) the lesser of 35 feet or three stories for a parking structure. The only
2 permitted location of a parking structure is at the approximate location
3 on shown on Exhibit B.

4
5 F. Section 25-2-531 (*Height Limit Exceptions*) of the City Code applies as
6 follows:

- 7
8 1) The structural elements listed in Section 25-2-531 (B) (1) may exceed
9 heights in Section E by 15 percent.
10 2) The structural elements listed in Section 25-2-531 (B) (2) may not
11 exceed a height of 60 feet.

12
13 G. Subchapter E (*Design Standards and Mixed Use*) of Chapter 25-2 of the City
14 Code does not apply to the PUD.

15
16 H. A 50-foot wide vegetative buffer along the north and west property lines is
17 established and shall be maintained. Improvements permitted within the
18 buffer zone are limited to site grading, supplemental planting, wildlife
19 maintenance, landscape maintenance, underground utility improvements,
20 improvements existing on the date this ordinance is approved, and
21 improvements that may be otherwise required by the City of Austin or
22 specifically allowed in the buffer by this ordinance.

23
24 I. The tree identified as #505 on Exhibit B shall be preserved and maintained.

25
26 J. The owner shall add one layer of vertical wood slats to the existing
27 permanent wood fence along the west property line by the DJCC
28 Development Corporation, which shall maintain the fence. The construction
29 of the fence with vertical slats must be completed prior to the issuance of a
30 building permit for a building or structure greater than 35 feet in height.

31
32 K. Uses.

- 33
34 1) The following uses are the only permitted uses of the Property:

36 Congregate living	Art gallery
37 Guidance services	Personal improvement services
38 Counseling services	Club or lodge
39 Group home, Class II	Group home, Class I (general)
40 Group home, Class I (limited)	Retirement housing (small site)

Community recreation (private)	Community recreation (public)
Outdoor sports & recreation	Cultural services
Family home	Day care services (commercial)
Day care services (general)	Day care services (limited)
Private primary educational facilities	Religious assembly
Private secondary educational facilities	Theater

- 2) Theater uses may not exceed a cumulative seating capacity of 275 persons.
- 3) A private secondary educational facilities use may not exceed a 100 student capacity.
- 4) The following uses are the only uses permitted as accessory uses to a permitted use of the Property:
 - Administrative & business offices (not exceeding 33,100 sq. ft. of gross floor area of air conditioned space)
 - Personal services (not exceeding 15,000 sq. ft. of gross floor area of air conditioned space)
 - Off-site accessory parking
- 5) The following uses are prohibited uses of the Property:

Residential treatment	Transitional housing
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- 6) A parking structure shall have a maximum of 300 parking spaces.

L. Traffic and Access

- 1) Vehicular access from the Property to Hart Lane is limited to the two existing driveways. The southernmost driveway shall be a limited function driveway that prohibits left-out movement.
- 2) Vehicular access between the Property and Stone Cliff Cove is prohibited.

1 3) Except during High Holy Days, access between the Property and
2 Firestone Drive is restricted to emergency vehicles and pedestrian
3 traffic.

4
5 4) Development of the Property is subject to the Traffic Impact Analysis
6 ("TIA") prepared by HDR/WHM Transportation Engineering, dated
7 May 9, 2007 and August 7, 2008, or as amended and approved by the
8 Director of the Watershed Protection and Development Review
9 Department. Development is subject to the recommendations
10 contained in the memorandum from the Transportation Review
11 Section of the Watershed Protection and Development Review
12 Department dated August 14, 2008 (revised) (the "TIA Memo"),
13 provided the vehicles per day limit in Recommendation #2 shall be
14 9000 instead of 9518.

15
16 In addition, traffic counts shall be conducted at the driveways (1) one
17 year after certificates of occupancy are issued for new buildings on
18 the site containing a cumulative total of 85,455 square feet (not
19 including buildings existing on the effective date of this
20 ordinance) and (2) one year after certificates of occupancy are issued
21 for new buildings on the site containing a cumulative total of 185,523
22 square feet (not including buildings existing on the effective date of
23 this ordinance). Counts shall be taken on a typical Tuesday,
24 Wednesday, and Thursday when school is in session. If the average
25 daily counts at the driveways exceed the number of vehicles assumed
26 in the TIA, the owner shall perform additional capacity analysis of the
27 intersections analyzed in the TIA is required. If the analysis shows
28 levels of service below those presumed in the TIA, the owner must
29 provide additional traffic mitigation, as approved by the Director.

30
31 5) Except for improvements that exist on the effective date of this
32 ordinance, all internal roads shall have a minimum setback of 50 feet
33 from the north and west property lines.

34
35 M. Outdoor activities and facilities

36
37 1) Sports fields and tennis court facilities shall be under the supervision
38 of the Jewish Community Association of Austin only.
39

- 2) A sports field or tennis court may not be located within 300 feet of the west property line and 300 feet of the north property line.
- 3) The maximum number of sports fields permitted is two. Neither lights for nighttime use nor temporary or permanent bleachers are permitted for the sports fields.
- 4) The maximum number of tennis courts permitted is eight. Permanent bleachers to accommodate a maximum of 50 people are allowed. The tennis courts may only be ~~used~~ ^{lit} between 9:00 a.m. and 10:00 p.m. Tennis courts may only be lighted with downward focused lights.
- 5) Indoor restroom facilities shall be available during all outdoor activities. Portable toilets are permitted on the Property only in association with specific events and may not be left on the Property indefinitely or for extended periods of time between events.

N. Lighting, Sound, and Dumpsters

- 1) Lighting designed to illuminate the exterior façade of a building or structure shall have a maximum illumination height of 25 feet. Except for security lights, all exterior lighting shall be turned off at 10:00 p.m.. All exterior lighting installed after the date this ordinance is approved must be hooded or shielded so that the light source is not directly visible from adjacent properties.
- 2) Temporary outdoor sound amplification systems are permitted only between the following hours:

9:00 a.m. and 8:00 p.m. Monday through Friday;
10:00 a.m. and 10:00 p.m. Saturday; and
10:00 a.m. and 9:00 p.m. Sunday.

Temporary outdoor speakers shall be directed toward Hart Lane and Far West Boulevard only and located beyond 400 feet from the north and west property lines. Sound amplification is subject to City of Austin sound ordinance.
- 3) Activities requiring a permit under Chapter 9-2 of the City Code are prohibited and a permit for such activities may not be issued. The

1 Property is considered to be zoned residential for purposes of Section
2 9-2-5 of the City Code.

- 3
4 4) Trash dumpsters shall be located a minimum of 100 feet from the
5 north property line and 100 feet from the west property line. Dumpster
6 pick-up is permitted only between 8:00 a.m. and 5:00 p.m. Monday
7 through Friday and only between 11:00 a.m. and 5:00 p.m. on
8 Saturday.

9
10 O. Construction

- 11
12 1) Construction access is limited to Hart Lane.
13
14 2) Except as set forth in this section, exterior construction activities
15 including truck traffic are permitted only between the following
16 hours:

17
18 7:00 a.m. and 7:00 p.m. Monday through Friday; and
19 9:00 a.m. and 7:00 p.m. Saturday and Sunday.

- 20
21 3) The construction activity hours in Subsection 2 do not apply to a
22 concrete pour.
23
24 4) Operation of a hoe ram is permitted only between 9:00 a.m. and 5:00
25 p.m. Monday through Friday.

26
27 P. All residential and commercial development occurring after the date this
28 ordinance is approved shall comply with Austin Energy Green Building
29 Program (GBP) multifamily rating system for a minimum two-star rating.
30 Certification from the GBP shall be met as specified by the version of the
31 rating system on the date this ordinance is approved.

32
33 Q. At the time an application for approval of a site plan is submitted for
34 development of the Property, or any portion of the Property, a landscape
35 plan shall be submitted to the Watershed Protection and Development
36 Review Department for review and approval. Ninety percent of the total
37 plant material used, exclusive of turf, shall be native to Central Texas or on
38 the Grow Green Native and Adapted Landscape Plants list, attached as
39 Exhibit "C". Plants on the Invasive Species/Problem Plants list, attached as

R. At the time an application for approval of a site plan is submitted for development of the Property, or any portion of the Property, an Integrated Pest Management (IPM) plan shall be submitted to the Watershed Protection and Development Review Department for review and approval. The IPM plan shall comply with the guidelines in Section 1.6.9.2 (D) and (F) of the Environmental Criteria Manual that are in effect on the date this ordinance is approve.

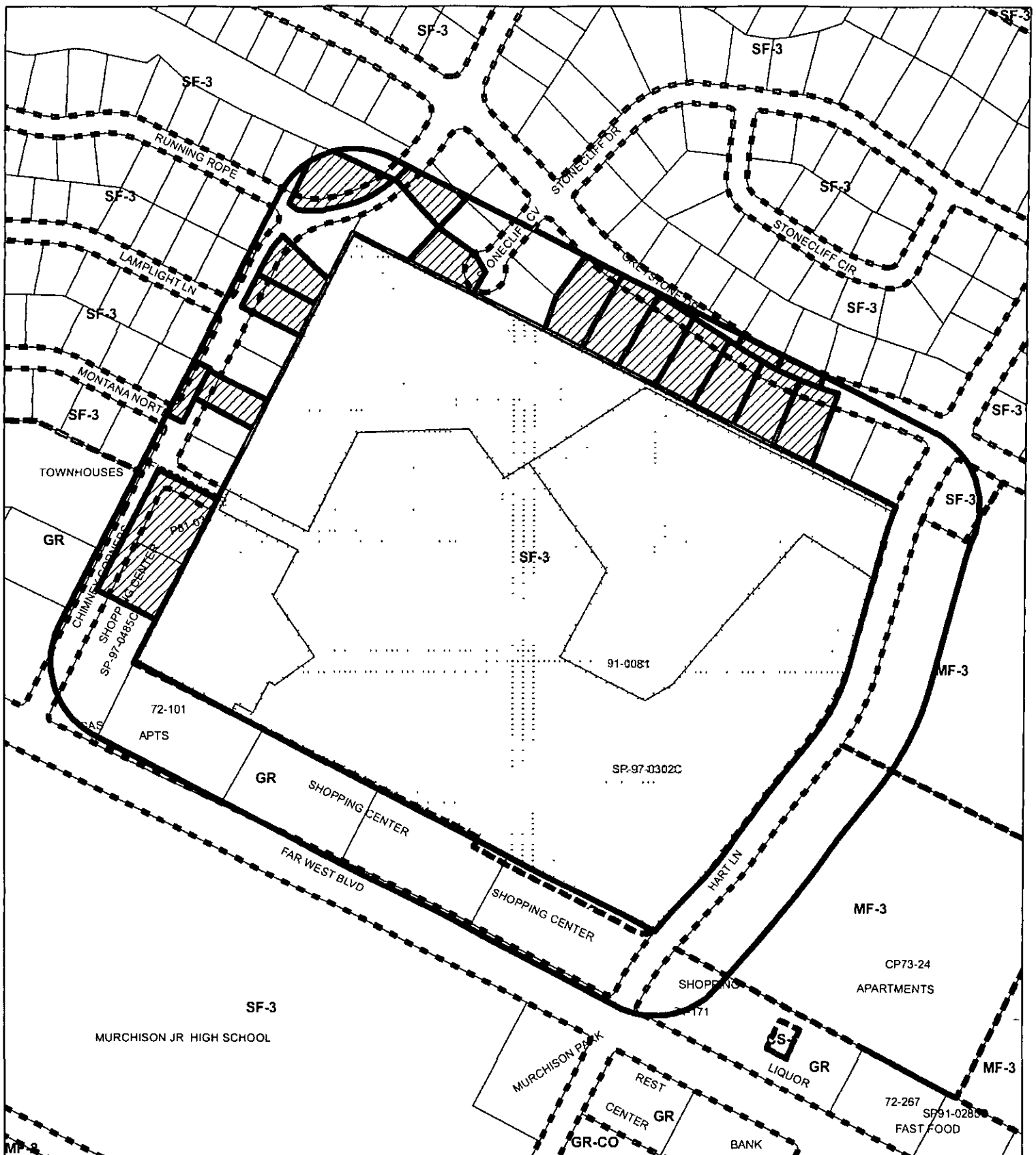
PART 6. This ordinance takes effect on _____, 2008.

_____, 2008

§
§
§
§

Will Wynn
Mayor

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



- Subject Tract
- Property Owner
- Buffer
- Zoning Boundary

OPERATOR S MEEKS

PETITION

CASE# C814-2008-0016
 ADDRESS 7300 HART LANE
 GRID H30
 CASE MANAGER C. PATTERSON



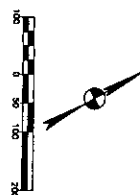
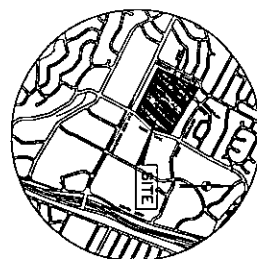
1" = 400'

This map has been produced by GIS Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



	EXISTING	APPROVED FOR 1997-2000-4	PROPOSED
AD DIVERS (%)	27	434	504
AD DIVERS (M)	441.79	790.775	867.304
TOTAL SLOD AREA	115,000	325,000	227,000
SLOD COMPARISON	1.206	1.436	426
PAID	\$372.1	\$36.1	\$30.1

VICINITY MAP



LEGAL DESCRIPTION

COUNTY: TEXAS. NAME: AL. PAULI. CENTRAL BANK AND TRACT OF LAND CONVERTED TO THE AGRIC. FEDERATION. ALIEN BY ACTS OF CONGRESS IN VARIOUS YEARS, PAGE 1, AND ALL OF THE REMAINDER OF PAULI CENTRAL BANK'S ACRES. TRACT OF LAND CONVERTED BY DOMESTIC HOLDINGS BY ACT OF CONGRESS IN VARIOUS YEARS, PAGE 117. NORTH OF RAILROAD. NAME: COUNTY: TEXAS.

NOTES

1. I have been in the United States for approximately 10 years and have been employed by the United States Postal Service for approximately 5 years. I am currently employed as a Mail Carrier in the New York City Office of the United States Postal Service. I am a member of the United States Postal Service Employees Union, Local 1197.
2. I am currently employed as a Mail Carrier in the New York City Office of the United States Postal Service. I am a member of the United States Postal Service Employees Union, Local 1197.
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DEVELOPMENT REGULATIONS

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MAXIMUM HEIGHT = 100 PROBABLY
MAX LEFT SIDE = 0.714 1/3
MAX LEFT WIDTH = 90
MAX RETRACTION

- HEIGHT VALUE = 20 (ALONG EAST PROPERTY LINE)
- STREET SIDE WIND = 15
- WESTERN SIDE WIND = 0 (ALONG SOUTH PROPERTY LINE)
- WESTERN SIDE WIND = 0 (ALONG NORTH PROPERTY LINE)
- RETRACTION VALUE = 90 (ALONG WEST PROPERTY LINE)
- RETRACTION VALUE = 90 (ALONG WEST PROPERTY LINE)

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LEGEND

DATE	DATE
TIME	TIME

PLOTTING SCALE 1" = 1'
DATE PLOTTED 11/14/2007
FILE \\S75105\DRAWINGS\75105.DWG
DRAWN BY ML
DESIGNED BY DMS
REVIEWED BY DMS
PROJECT NO. 75-05.00

**DELL JEWISH COMMUNITY CAMPUS
(DJCC)
7300 HART ROAD**

LAND USE PLAN

Bury+Partners
ENGINEERING SOLUTIONS
221 West Sixth Street Suite 600
Austin, Texas 78701
Tel. (512)325-6811 Fax (512)325-6326
Bury+Partners, Inc. ©Copyright 2007

EXHIBIT C

Grow Green Native and Adapted Landscape Plants

Trees

Ash, Texas *Fraxinus texensis*
 Arizona Cypress *Cupressus arizonica*
 Big Tooth Maple *Acer grandidentatum*
 Cypress, Bald *Taxodium distichum*
 Cypress, Montezuma *Taxodium mucronatum*
 Elm, Cedar *Ulmus crassifolia*
 Elm, Lacebark *Ulmus parvifolia*
 Honey Mesquite *Prosopis glandulosa*
 Oak, Bur *Quercus macrocarpa*
 Oak, Chinquapin *Quercus muhlenbergii*
 Oak, Southern Live *Quercus virginiana*

Oak, Escarpment Live *Quercus fusiformis*
 Oak, Lacey *Quercus glaucoides*
 Oak, Monterey (Mexican White) *Quercus polymorpha*
 Oak, Shumard *Quercus shumardii*
 Oak, Texas Red *Quercus texana* (*Quercus buckleyi*)
 Pecan *Carya illinoensis*
 Soapberry *Sapindus drummondii*

Small Trees/Large Shrubs

Anacacho Orchid Tree *Bauhinia congesta*
 Buckeye, Mexican *Ungnadia spectiosa*
 Buckeye, Rec *Aesculus pavia*
 Carolina Buckthorn *Rhamnus caroliniana*
 Cherry Laurel *Prunus caroliniana*
 Crape Myrtle *Lagerstroemia indica*
 Desert Willow *Chilopsis linearis*
 Dogwood, Roughleaf *Cornus drummondii*
 Escarpment Black Cherry *Prunus serotina* var. *eximia*
 Eve's Necklace *Sophora affinis*
 Goldenball Leadtree *Leucaena retusa*
 Holly, Possumhaw *Ilex decidua*
 Holly, Yaupon *Ilex vomitoria*
 Mountain Laurel, Texas *Sophora secundiflora*

Persimmon, Texas *Diospyros texana*
 Pistachio, Texas *Pistacia texana*
 Plum, Mexican *Prunus mexicana*
 Pomegranate *Punica granatum*
 Redbud, Mexican *Cercis canadensis* 'mexicana'
 Redbud, Texas *Cercis canadensis* var. 'texensis'
 Retama Jerusalem Thorn *Parkinsonia aculeata*
 Senna, Flowering *Cassia corymbosa*
 Smoke Tree, American *Cotinus obovatus*
 Sumac, Flameleaf *Rhus lanceolata*
 Viburnum, Rusty Blackhaw *Viburnum rufidulum*
 Viburnum, Sandankwa *Viburnum suspensum*

Shrubs

Abelia, Glossy <i>Abelia grandiflora</i>	Nandina <i>Nandina domestica</i> 'Compacta nana' 'Gulf Stream'
Agarita <i>Berberis trifoliata</i>	Oleander <i>Nerium oleander</i>
Agave (Century Plant) <i>Agave sp.</i>	Palmetto <i>Sabal minor</i>
American Beautyberry <i>Callicarpa americana</i>	Prickly Pear <i>Opuntia engelmannii</i> var. <i>lindheimeri</i>
Artemisia <i>Artemisia</i> 'Powis Castle'	Rose, Belinda's Dream <i>Rosa</i> 'Belinda's Dream'
Barbados Cherry <i>Malpighia glabra</i>	Rose, Lamarne <i>Rosa</i> 'Lamarne'
Barberry, Japanese <i>Berberis thunbergii</i>	Rose, Livin' Easy <i>Rosa</i> 'Livin' Easy'
'Atropurpurea'	Rose, Marie Pavie <i>Rosa</i> 'Marie Pavie'
Basket Grass (Sacahuista) <i>Nolina texana</i>	Rose, Martha Gonzales <i>Rosa</i> 'Martha Gonzales'
Black Dalea <i>Dalea frutescens</i>	Rose, Mutabilis <i>Rosa</i> 'Mutabilis'
Bush Germander <i>Teucrium fruticans</i>	Rose, Nearly Wild <i>Rosa</i> 'Nearly Wild'
Butterfly Bush <i>Buddleia davidii</i>	Rose, Old Blush <i>Rosa</i> 'Old Blush'
Butterfly Bush, Wooly <i>Buddleia marrubifolia</i>	Rose, Perle d'or <i>Rosa</i> 'Perle d'or'
Coralberry <i>Symphoricarpos orbiculatus</i>	Rock Rose <i>Pavonia lasiopetala</i>
Cotoneaster <i>Cotoneaster sp.</i>	Rosemary <i>Rosmarinus officinalis</i>
Eleagnus <i>Eleagnus pungens</i>	Sage, Mountain <i>Salvia regia</i>
Esperanza/Yellow Bells <i>Tecoma stans</i>	Sage, Texas (Cenizo) <i>Leucophyllum frutescens</i>
Flame Acanthus <i>Anisacanthus quadrifidus</i> var. <i>wrightii</i>	Senna, Lindheimer <i>Cassia lindheimeriana</i>
Fragrant Mimosa <i>Mimosa borealis</i>	Southern Wax Myrtle <i>Myrica cerifera</i>
Holly, Burford <i>Ilex cornuta</i> 'Burfordii'	Sumac, Evergreen <i>Rhus virens</i>
Holly, Dwarf Chinese <i>Ilex cornuta</i> 'Rotunda nana'	Sumac, Fragrant (Aromatic) <i>Rhus aromatica</i>
Holly, Dwarf Yaupon <i>Ilex vomitoria</i> 'Nana'	Texas Sotol <i>Dasylirion texanum</i>
Jasmine, Primrose <i>Jasminum mesnyi</i>	Turk's Cap <i>Malvaviscus arboreus</i>
Kidneywood <i>Eysenhardtia texana</i>	Yucca, Paleleaf <i>Yucca pallida</i>
Lantana, Native <i>Lantana horrida</i>	Yucca, Red <i>Hesperaloe parviflora</i>
Mistflower, Blue (Blue Boneset) <i>Eupatorium coelestinum</i>	Yucca, softleaf <i>Yucca recurvifolia</i>
Mistflower, White (Shrubby White Boneset) <i>Ageratina havanense</i>	Yucca, Twistleaf <i>Yucca rupicola</i>
Mock Orange <i>Philadelphus coronarius</i>	

Perennials

Black-eyed Susan <i>Rudbeckia hirta</i>	Lantana, Trailing <i>Lantana montevidensis</i>
Bulbine <i>B. frutescens</i> or <i>caulescens</i>	Marigold, Mexican Mint <i>Tagetes lucida</i>
Bush Morning Glory <i>Ipomoea fistulosa</i>	Obedient Plant, Fall <i>Physostegia virginiana</i>
Butterfly Weed <i>Asclepias tuberosa</i>	Oregano, Mexican <i>Poliomintha longiflora</i>
Butterfly Weed 'Mexican' <i>Asclepias curassivica</i>	Penstemon <i>Penstemon</i> sp.
Cast Iron Plant <i>Aspidistra elatior</i>	Phlox, Fragrant <i>Phlox pilosa</i>
Chile Pequin <i>Capsicum annuum</i>	Pink Skullcap <i>Scutellaria suffrutescens</i>
Cigar Plant <i>Cuphea micropetala</i>	Plumbago <i>Plumbago auriculata</i>
Columbine, Red <i>Aquilegia canadensis</i>	Poinciana, Red Bird of Paradise, Pride of Barbados
Columbine, Yellow <i>Aquilegia chrysantha</i> 'Texas Gold'	<i>Caesalpinia pulcherrima</i>
Coreopsis <i>Coreopsis lanceolata</i>	Primrose, Missouri <i>Oenothera macrocarpa</i>
Daisy, Blackfoot <i>Melampodium leucanthum</i>	Purple Coneflower <i>Echinacea purpurea</i>
Daisy, Copper Canyon <i>Tagetes lemmonii</i>	Ruellia <i>Ruellia brittoniana</i>
Damiantia <i>Crysactina mexicana</i>	Sage, Cedar <i>Salvia roemeriana</i>
Fall Aster <i>Aster oblongifolius</i>	Sage, Jerusalem <i>Phlomis fruticosa</i>
Fern, River <i>Thelypteris kunthii</i>	Sage, Majestic <i>Salvia guaranitica</i>
Firebush <i>Hamelia patens</i>	Sage, Mealy Blue <i>Salvia farinacea</i>
Gaura <i>Gaura lindeheimeri</i>	Sage, Mexican Bush <i>Salvia leucantha</i>
Gayfeather <i>Liatris mucronata</i>	Sage, Penstemon, Big Red Sage <i>Salvia penstemonoides</i>
Gregg Dalea <i>Dalea greggii</i>	Sage, Russian <i>Perovskia atricapsifolia</i>
Hibiscus, Perennial <i>Hibiscus moscheutos</i> , <i>Hibiscus coccineus</i>	Sage, Scarlet or 'Tropical' <i>Salvia coccinea</i>
Honeysuckle, Mexican <i>Justicia spicigera</i>	Salvia, Gregg (Cherry Sage) <i>Salvia greggii</i>
Hymenoxys (Four Nerve Daisy) <i>Tetranneuris scaposa</i>	Shrimp Plant <i>Justicia brandegeana</i>
Indigo Spires <i>Salvia</i> 'Indigo Spires'	Texas Betony <i>Stachys coccinea</i>
Iris, Bearded <i>Iris albicans</i>	Verbena, Prairie <i>Verbena bipinnatifida</i>
Iris, Butterfly/Bicolor (African) <i>Dietes</i> sp	Yarrow <i>Achillea millefolium</i>
Lamb's Ear <i>Stachys byzantina</i>	Zexmenia <i>Wedelia texana</i>
Lantana <i>Lantana x hybrida</i> (many varieties)	

Ornamental Grasses

Bluestem, Big *Andropogon gerardii*
 Bluestem, Bushy *Andropogon glomeratus*
 Bluestem, Little *Schizachyrium scoparium*
 Fountain Grass, Dwarf *Pennisetum alopecuroides*
 Indian Grass *Sorghastrum nutans*
 Inland Sea Oats *Chasmanthium latifolium*

Mexican Feathergrass (Wiregrass) *Stipa tenuissima*
 Muhly, Bamboo *Muhlenbergia dumosa*
 Muhly, Big *Muhlenbergia lindheimeri*
 Muhly, Deer *Muhlenbergia rigens*
 Muhly, Gulf *Muhlenbergia capillaris*
 Muhly, Seep *Muhlenbergia reverchonii*
 Sideoats Grama *Bouteloua curtipendula*
 Wild Rye *Elymus canadensis*

Vines

Asian Jasmine *Trachelospermum asiaticum*
 Carolina Jessamine *Gelsemium sempervirens*
 Coral Vine *Antigonon leptopus*
 Crossvine *Bignonia capreolata*
 Fig Vine *Ficus pumila*

Honeysuckle, Coral *Lonicera sempervirens*
 Lady Banksia Rose *Rosa banksiae*
 Passion Vine *Passiflora incarnata*
 Trumpet Vine *Campsis radicans*
 Virginia Creeper *Parthenocissus quinquefolia*

Groundcover

Aztec Grass *Ophiopogon japonicus*
 Frogfruit *Phyla incisa*
 Horseherb *Calypocarpus vialis*
 Leadwort *Plumbago ceratostigma plumbaginoides*
 Liriope *Liriope muscari*
 Monkey Grass (Mondo Grass) *Ophiopogon japonicus*
 Oregano *Origanum vulgare*
 Periwinkle, Littleleaf *Vinca minor*
 Pigeonberry *Rivina humilis*

Purple Heart *Secreasea pallida*
 Santolina (Lavender Cotton) *Santolina chamaecyparissus*
 Sedge, Berkeley *Carex tumulicola*
 Sedge, Meadow *Carex perdentata*
 Sedge, Texas *Carex texensis*
 Sedum (Stonedrop) *Sedum nuttallianum*
 Silver Ponyfoot *Dichondra argentea*
 Woolly Stemodia *Stemodia lanata*
 (*Stemodia tomentosa*)

Turf Grasses

Bermuda 'Tif 419', 'Sahara', 'Baby', 'Common'
 Buffalo '609', 'Stampede', 'Prairie'
 St. Augustine 'Baby', 'Common', 'Raleigh', 'Delmar'
 Zoysia, Fine Leaf 'Matrella', 'Emerald', 'Zorro'
 Zoysia, Coarse Leaf 'Japonica', 'Jamur', 'El Toro', 'Palis'

EXHIBIT C-1

Invasive Species/Problem Plants

PLANTS TO AVOID

INVASIVES

(Plants that are non-native to the Central Texas ecosystem and tend to out-compete native species)

Do Not Plant

(Travel by seeds, berries, and spores so can be transported long distances. They have already invaded preserves and greenbelts):

- Arizona Ash
- Chinaberry
- Chinese Pistache
- Chinese Tallow
- Chinese Privet
- Elephant Ear
- Holly Fern
- Japanese Honeysuckle
- Ligustrum, Wax Leaf
- Mimosa
- Mulberry, Paper
- Nandina (large, berrying varieties)
- Photinia, Chinese
- Pyracantha
- Tamarisk
- Tree of Heaven

Do Not Plant Near

Parks/Preserves/Greenbelts

(travel by runners, rhizomes, and stems so only invade neighboring areas):

- Bamboo
- English Ivy
- Vinca (Periwinkle)

PROBLEM TREES AND SHRUBS

(Typically fast-growing, highly adaptable, but often have weak wood and are short-lived. Most are susceptible to insect and disease problems.)

- Arizona Ash
- Azalea (not adapted to Austin soils)
- Boxelder
- Camellia
- Chinaberry
- Chinese Privet
- Chinese Tallow
- Cottonwood
- Ligustrum
- Lombardy Poplar
- Mimosa
- Mulberry, Paper
- Photinia, Chinese
- Siberian Elm
- Silver Maple
- Sweetgum
- Sycamore
- Tree of Heaven

PETITION

Case Number

C814-2008-0016

Date

Sept 25, 2008

7300 HART LANE

Total Area Within 200' of Subject Tract

1,167,603 91

1	<u>01-4001-0104</u>	<u>PARSONS DONALD A</u>	<u>3,684 94</u>	<u>0 32%</u>
		<u>FITZGERALD</u>		
2	<u>01-4001-0105</u>	<u>GREGORY SCOTT</u>	<u>3,584 95</u>	<u>0 31%</u>
		<u>DAPPER JOHN M &</u>		
3	<u>01-4001-0301</u>	<u>JESSICA D</u>	<u>17,847 77</u>	<u>1 53%</u>
4	<u>01-4001-0302</u>	<u>PEEL DORTHA JEAN</u>	<u>17,210 03</u>	<u>1 47%</u>
5	<u>01-4001-0303</u>	<u>ROAN VICKIE H</u>	<u>17,002 43</u>	<u>1 46%</u>
6	<u>01-4001-0304</u>	<u>WILKES ROBERT D</u>	<u>17,173 43</u>	<u>1 47%</u>
		<u>WHITE NIKOLAS &</u>		
7	<u>01-4003-0121</u>	<u>SHELLEY G</u>	<u>6,025 89</u>	<u>0 52%</u>
		<u>UREN HARVEY</u>		
8	<u>01-4003-0703</u>	<u>GEORGE & MARY LOUI</u>	<u>13,615 58</u>	<u>1 17%</u>
9	<u>01-4003-0704</u>	<u>REAM R SCOTT</u>	<u>13,652 29</u>	<u>1 17%</u>
10	<u>01-4003-0709</u>	<u>OTTO JEANNE</u>	<u>11,870 21</u>	<u>1 02%</u>
		<u>BURSTYN RAMON &</u>		
11	<u>01-4003-0714</u>	<u>ADELINE</u>	<u>46,090 94</u>	<u>3 95%</u>
12	<u>01-4103-0802</u>	<u>SPACE CHARLES C</u>	<u>10,937 12</u>	<u>0 94%</u>
13	<u>01-4103-0803</u>	<u>SHIRLEYANN</u>	<u>135 14</u>	<u>0 01%</u>
14	<u>01-4103-0806</u>	<u>EDELMAN PATTI L</u>	<u>14,455 22</u>	<u>1 24%</u>
		<u>EVANS BARRY R &</u>		
15	<u>01-4103-0811</u>	<u>ANNE H</u>	<u>19,255 72</u>	<u>1 65%</u>
16	<u>01-4103-0810</u>	<u>ATER B F</u>	<u>19,753.96</u>	<u>1 69%</u>
		<u>BERNSTEIN ROBERT</u>		
17	<u>01-4103-0809</u>	<u>LIFE ESTATE</u>	<u>21,053 35</u>	<u>1 80%</u>
18	<u>01-4003-0601</u>	<u>BARTOL WILLIAM F</u>	<u>21,429 28</u>	<u>1 84%</u>
19				<u>0 00%</u>
20				<u>0 00%</u>
21				<u>0.00%</u>
22				<u>0 00%</u>
23				<u>0 00%</u>
24				<u>0 00%</u>
25				<u>0 00%</u>
26				<u>0 00%</u>
27				<u>0.00%</u>

Validated By:

Total Area of Petitioner:

Total %

Stacy Meeks

274,778.26

23.53%

RESTRICTIVE COVENANT

OWNER: CONGREGATION AGUDAS ACHIM OF AUSTIN, TEXAS,
a Texas non-profit corporation

ADDRESS: 7400 Hart Lane, Austin, Texas 78731

OWNER: JEWISH COMMUNITY ASSOCIATION OF AUSTIN,
a Texas non-profit corporation ("JCAA")

ADDRESS: 7320 Hart Lane, Austin, Texas 78731

OWNER: DJCC DEVELOPMENT CORPORATION,
a Texas non-profit corporation

ADDRESS: 7300 Hart Lane, Austin, Texas 78731

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

PROPERTY: Lots 1, 2, 3, and 4, Block A, Dell Jewish Community Campus Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 100, Page 346, of the Plat Records of Travis County, Texas.

WHEREAS, the Owner, whether one or more, of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions;

NOW, THEREFORE, it is declared that the Owner of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant. These covenants and restrictions shall run with the land, and shall be binding on the Owner of the Property, its heirs, successors, and assigns.

1. JCAA shall maintain a website generally accessible to the public. Notice of outdoor events on the Property that will include more than 50 people and involve temporary sound amplification will be posted on the website at least 10 days prior to the event and will be emailed to the neighbors who provide their email addresses to JCAA. JCAA shall send out a postcard annually to neighbors within 300 feet of the Property requesting updated email addresses.
2. At least five days prior to a concrete pour during construction, JCAA shall post notification of the pour on its website.
3. If any person or entity shall violate or attempt to violate this agreement and covenant, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions.

4. If any part of this agreement or covenant is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full effect.
5. If at any time the City of Austin fails to enforce this agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
6. This agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, and (b) by the owner(s) of the Property subject to the modification, amendment or termination at the time of such modification, amendment or termination.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED this the _____ day of _____, 2008

OWNER:

CONGREGATION AGUDAS ACHIM OF
AUSTIN, TEXAS, a Texas non-profit
corporation

JEWISH COMMUNITY ASSOCIATION
OF AUSTIN,
a Texas non-profit corporation

DJCC DEVELOPMENT CORPORATION,
a Texas non-profit corporation

APPROVED AS TO FORM:

Assistant City Attorney
City of Austin

(SIGNATURE AND ACKNOWLEDGEMENT PAGES TO FOLLOW)

SIGNATURE PAGE FOR
CONGREGATION AGUDAS ACHIM OF AUSTIN TEXAS

CONGREGATION AGUDAS ACHIM OF
AUSTIN, TEXAS, a Texas non-profit
corporation

Name: Michael Whellan

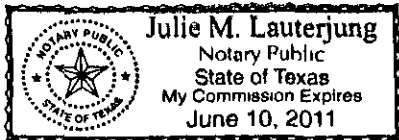
Printed Name: Michael Whellan

Title: President

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 25TH day of SEPTEMBER
2008, by MICHAEL WHELLEN PRESIDENT of Congregation
Agudas Achim of Austin, Texas, a Texas non-profit corporation, on behalf of said corporation.



Julie M. Lauterjung
Notary Public, State of Texas

SIGNATURE PAGE FOR
JEWISH COMMUNITY ASSOCIATION OF AUSTIN

JEWISH COMMUNITY ASSOCIATION
OF AUSTIN,
a Texas non-profit corporation

By: Robert L. Krumholz

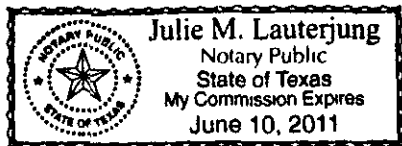
Printed Name: ROBERT KRUMHOLZ

Title: PRESIDENT

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 25TH day of SEPTEMBER, 2008, by ROBERT KRUMHOLZ, PRESIDENT of Jewish Community Association of Austin, Texas, a Texas non-profit corporation, on behalf of said corporation.



Julie M. Lauterjung
Notary Public, State of Texas

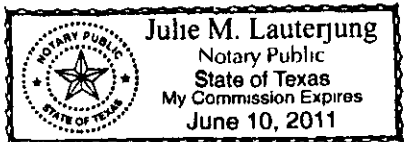
SIGNATURE PAGE FOR
DJCC DEVELOPMENT CORPORATION

DJCC DEVELOPMENT CORPORATION,
a Texas non-profit corporation

By: Linda Millstone
Printed Name: Linda Millstone
Title: President

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 25TH day of SEPTEMBER
2008, by LINDA MILLSTONE, PRESIDENT of DJCC
Development Corporation, a Texas non-profit corporation, on behalf of said corporation.



Julie M. Lauterjung
Notary Public, State of Texas

After Recording, Please Return to:
City of Austin
Department of Law
P. O. Box 1546
Austin, Texas 78767-1546
Attention: Diana Minter, Legal Assistant

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Pg 6

- 2) A sports field or tennis court may not be located within 300 feet of the west property line and 300 feet of the north property line.

The maximum number of sports fields permitted is two. Neither lights for nighttime use nor temporary or permanent bleachers are permitted for the sports fields.

lit

The maximum number of tennis courts permitted is eight. Permanent bleachers to accommodate a maximum of 50 people are allowed. The tennis courts may only be ~~used~~ between 9:00 a.m. and 10:00 p.m. Tennis courts may only be lighted with downward focused lights.

Indoor restroom facilities shall be available during all outdoor activities. Portable toilets are permitted on the Property only in association with specific events and may not be left on the Property indefinitely or for extended periods of time between events.

N. Lighting, Sound, and Dumpsters

- 1) Lighting designed to illuminate the exterior façade of a building or structure shall have a maximum illumination height of 25 feet. Except for security lights, all exterior lighting shall be turned off at 10:00 p.m.. All exterior lighting installed after the date this ordinance is approved must be hooded or shielded so that the light source is not directly visible from adjacent properties.

- 2) Temporary outdoor sound amplification systems are permitted only between the following hours:

9:00 a.m. and 8:00 p.m. Monday through Friday;
10:00 a.m. and 10:00 p.m. Saturday; and
10:00 a.m. and 9:00 p.m. Sunday.

Late Backup

Item 135

City Council will not allow
any more sports fields
or tennis courts
at this time
Sept 4

Congregation Agudas Achim - Two Minor Additions to DJCC PUD
Agenda Item #135 September 25, 2008

I. Appropriate Setback for Synagogue

The original agreement provided for a 100 foot setback from any existing residential structure - this works. The cul de sac at Stonecliff Drive brings the property line to within approximately 100 feet of the existing sanctuary. The proposed revision is in all caps and italics:

② PART 5

- D. A 100 feet building setback shall be established from the north and west property lines, *EXCEPT FOR LOT 1. ON LOT 1, ALL PROPOSED BUILDINGS SHALL BE 100 FEET FROM ANY EXISTING RESIDENTIAL STRUCTURE.*

II. Sound for Religious Assembly Purposes

Because the synagogue has a garden and a courtyard that are used as worship space, the synagogue seeks the following addition (all caps and italics) [no change to hours limitations or sound ordinance requirements]:

③ PART 5

N. Lighting, Sound, and Dumpsters

- (2) Temporary outdoor sound amplification systems are permitted only between the following hours:

9:00 a.m. and 8:00 p.m. Monday through Friday;
10:00 a.m. and 10:00 p.m. Saturday; and
10:00 a.m. and 8:00 p.m. Sunday.

Temporary outdoor speakers, *OTHER THAN FOR 'RELIGIOUS ~~ASSEMBLY~~ PURPOSES*, shall be directed toward Hart Lane and Far West Boulevard only and located beyond 400 feet from the north and west property lines. Sound amplification is subject to City of Austin sound ordinance.

SERVICES

on Lot 1 within the courtyard and the garden on lot 1.

24.
New
Addition to
ord.

within

~~Prior to the traffic count required~~ one year after Certificates of Occupancy are issued for new buildings containing a cumulative total of 185,523 square feet, the ~~existing~~ sidewalks on Hart Lane shall be improved as follows:

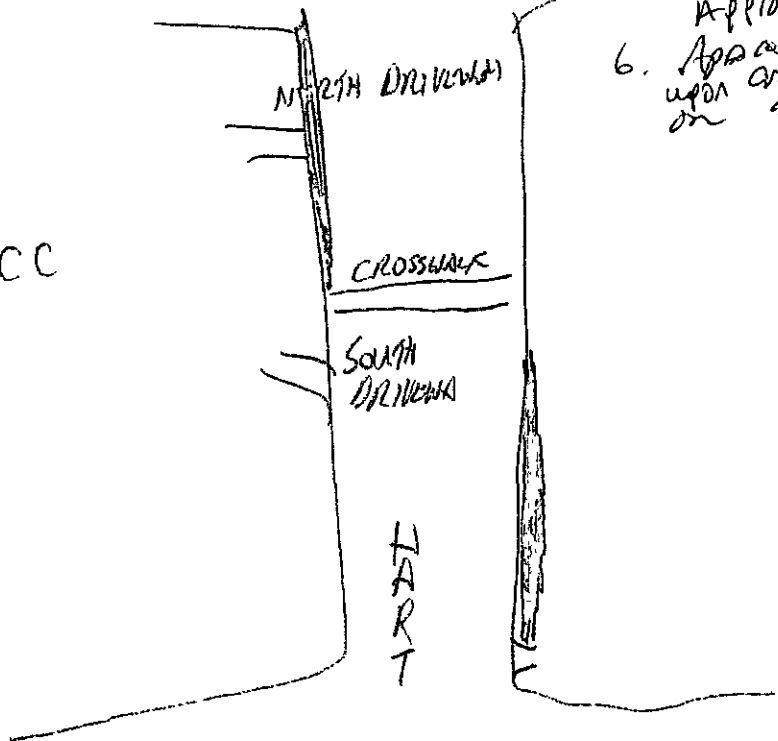
owner shall improve the

- 1) The existing sidewalk on the east side of Hart Lane south of the southernmost driveway to next existing driveway on Hart Lane will be widened to five (5) feet.
- 2) The existing sidewalk on the west side of Hart Lane north of the southernmost driveway to the north property line will be widened to five (5) feet
- 3) A crosswalk shall be painted across Hart Lane between the northernmost and southernmost driveway
- 4) No utility relocation is required to add the additional two (2) feet to the existing sidewalks.

5. A sidewalk 5' in width shall be constructed ~~for~~
on the west side of Hart Lane from the
northernmost driveway to Graystone Dr.

Approval of the crosswalk will be contingent
upon approval of the crosswalk contractor
on approval of DPWT.
Department of Pub Works
& Transportation

JCC



~~each 12 months~~
each 12 months

- Northwest Austin Civic Association

2. Add a provision to the PUD that expands the notification area as follows:

- a. expand the notification area from persons within 500 feet of the subject property being rezoned to persons within 1000 feet of the subject property being rezoned; and

b. when an application to rezone any portion of the JCCA property is submitted, notification must be sent to persons within 1000 feet of the boundary of the DJCC Property as it exists today (the "Original PUD Boundary"). In other words, the same properties who received notice of the current PUD zoning would receive notice if any portion of the PUD property were up for rezoning in the future.

~~Adviser~~ 3. Add a provision to the PUD that requires the JCCA to notify persons whose properties about Greystone and Chimney Corners no later than 2045 days prior to filing an application for changes to the PUD.

NOTICE
CLAW
BOYDUM
CODE
'S NOT
FATAL
CLAW IN
CASE