

ORDINANCE NO. 20081218-113

AN ORDINANCE AMENDING ORDINANCE NO. 870430-G TO MODIFY THE SITE PLAN RELATED TO THE TERRACE PROJECT, REZONING AND CHANGING THE ZONING MAP FROM PLANNED UNIT DEVELOPMENT (PUD) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT FOR THE PROPERTY LOCATED AT 2300-300 VIA FORTUNA.

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

PART 1. The Terrace planned unit development is comprised of approximately 109 acres of land (the "Property") more particularly described by metes and bounds in Ordinance No. 870430-G.

PART 2. The Terrace planned unit development was approved April 30, 1987 under Ordinance No. 870439-G (the "Original Ordinance"), and amended from time to time. Development and use of the Property was subject to an approved site plan.

PART 3. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from planned unit development (PUD) district to planned unit development (PUD) district subject to a revised site plan on the property generally known as the Terrace planned unit development ("Terrace PUD"), locally known as 2300-3000 Via Fortuna, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 4. This ordinance and the attached exhibits together with the attached Exhibits amends the Original Ordinance. The Terrace PUD shall conform to the limitations and conditions set forth in the ordinance and the revised site plan on record at the Neighborhood Planning and Zoning Department in File No. C814-86-009.12. If this ordinance and the attached exhibits conflict, the ordinance applies.

PART 5. The attached exhibits are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance. The attached exhibits are as follows:

Exhibit A:	Zoning map
Exhibit B:	Terrace revised site plan, Revision 12
Exhibit C:	39.425 acre conservation easement tract

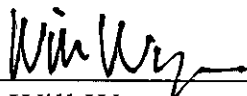

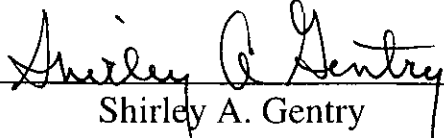
PART 6. The Terrace site plan under the Original Ordinance, as amended, is modified and amended by this revision twelve (12) as shown on the site plan, for Block A, Lots 1 and 2, Block B, Lots 1 and 2 and Block E, Lot 2, and as follows:

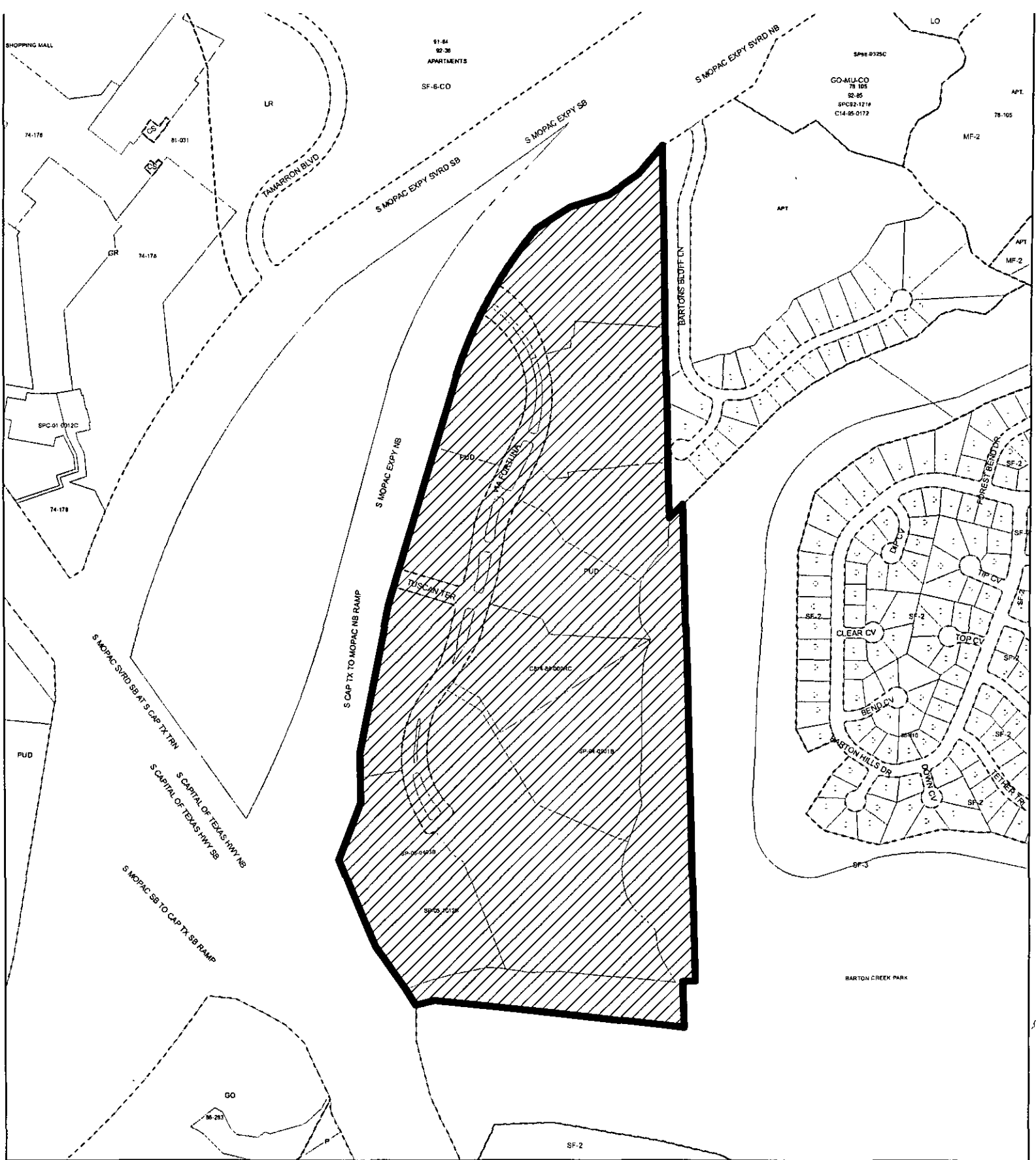
- A. At the time an application for approval of a site plan is submitted for development of the Property, or any portion of the Property, an Integrated Pest Management (IPM) plan shall be submitted to the Watershed Protection and Development Review Department for review and approval. The IPM plan shall 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 of this covenant
- B. All residential and commercial development shall comply with Austin Energy Green Building Program (GBP) for a minimum two-star rating as specified by the version of the rating system current at the time of design.
- C. No development is allowed on the tract described in Exhibit C except fencing, irrigation with stormwater from the Terrace PUD, below ground utilities to service the Terrace PUD, exercise stations, and hike and bike trails.

PART 7. Except as otherwise provided for in this ordinance, the terms and conditions of Ordinance No. 870430-G, as amended, remain in effect.

PART 8. This ordinance takes effect on December 29, 2008.

PASSED AND APPROVED

December 18, 2008	§ § §	 _____ Will Wynn Mayor
APPROVED:  _____ David Allan Smith City Attorney	ATTEST:  _____ Shirley A. Gentry City Clerk	



 **SUBJECT TRACT**

 **ZONING BOUNDARY**

 **PENDING CASE**

OPERATOR: S. MEEKS

ZONING *EXHIBIT A*

ZONING CASE#: **C814-86-009.12**
 ADDRESS: **3000 VIA FORTUNA**
 SUBJECT AREA: **0.000 ACRES**
 GRID: **F21**
 MANAGER: **S. WELCH**



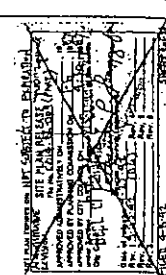
1" = 600'

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.

100

1	2
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URBAN PLANNING IN



THE PLANNING DEAR

[illegible]

2/28/88 revised: 6/16/88 revised: 11/11/88
3/25/88 revised: 4/25/88 revised: 3/15/87



DATE	NAME	STREET ADDRESS	CITY	STATE	ZIP
	Mr. J. W. Smith	123 Main St.	New York	N.Y.	10001
	Mr. J. W. Smith	123 Main St.	New York	N.Y.	10001

12 WATER QUALITY NOTES

1. BUCKS A LOT! A. P SHALL PROVIDE FOR A CAPTURE VOLUME OF 1" OVER THE AREA OF IMPERVIOUS COVER.

506.570 S.F. 

508,520 \$7

THE FOLIO AVOIDS SHEET MATCHING

THE FOLIO AVOIDS SHEET MATCHING

EXHIBIT B

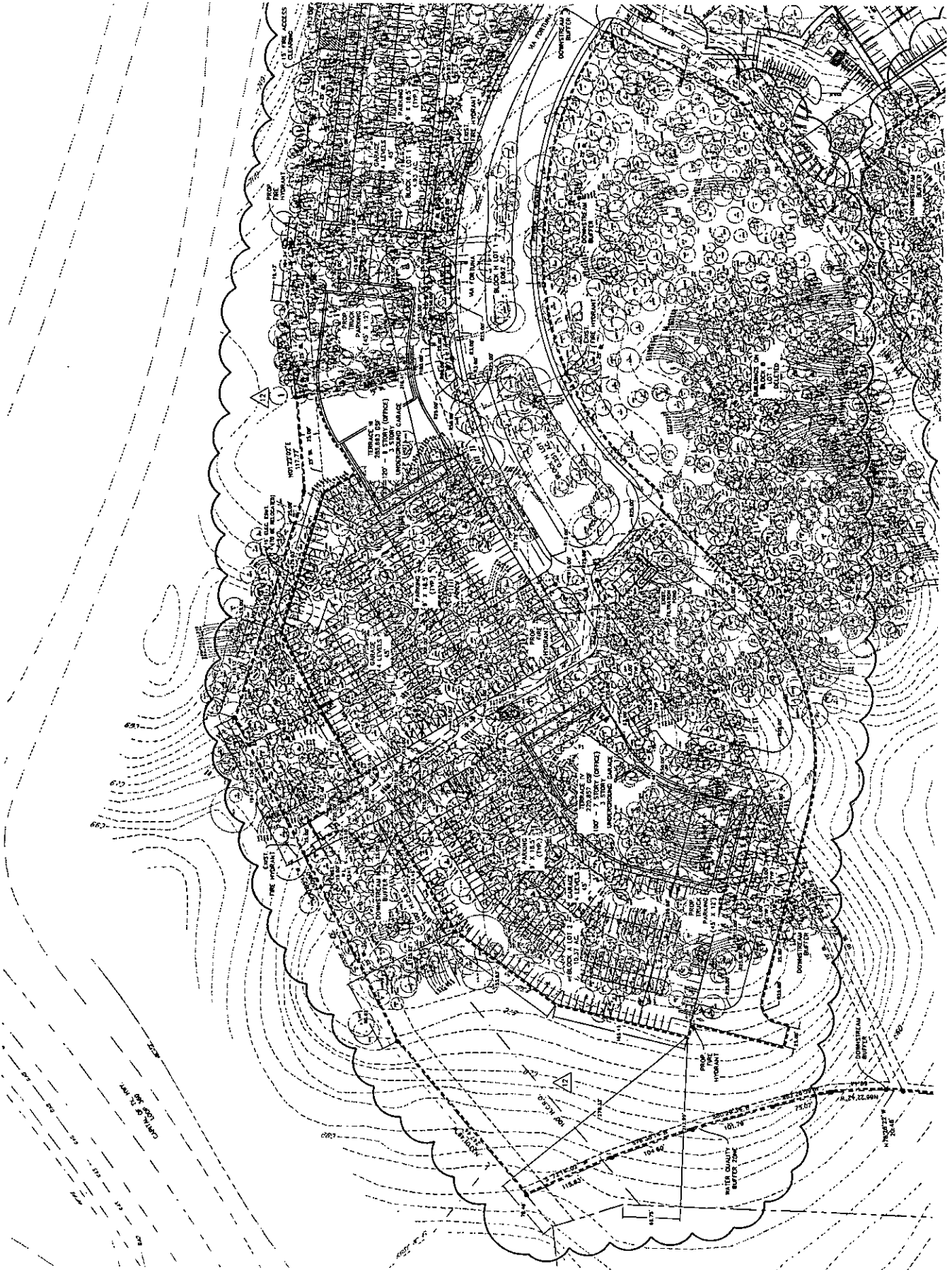
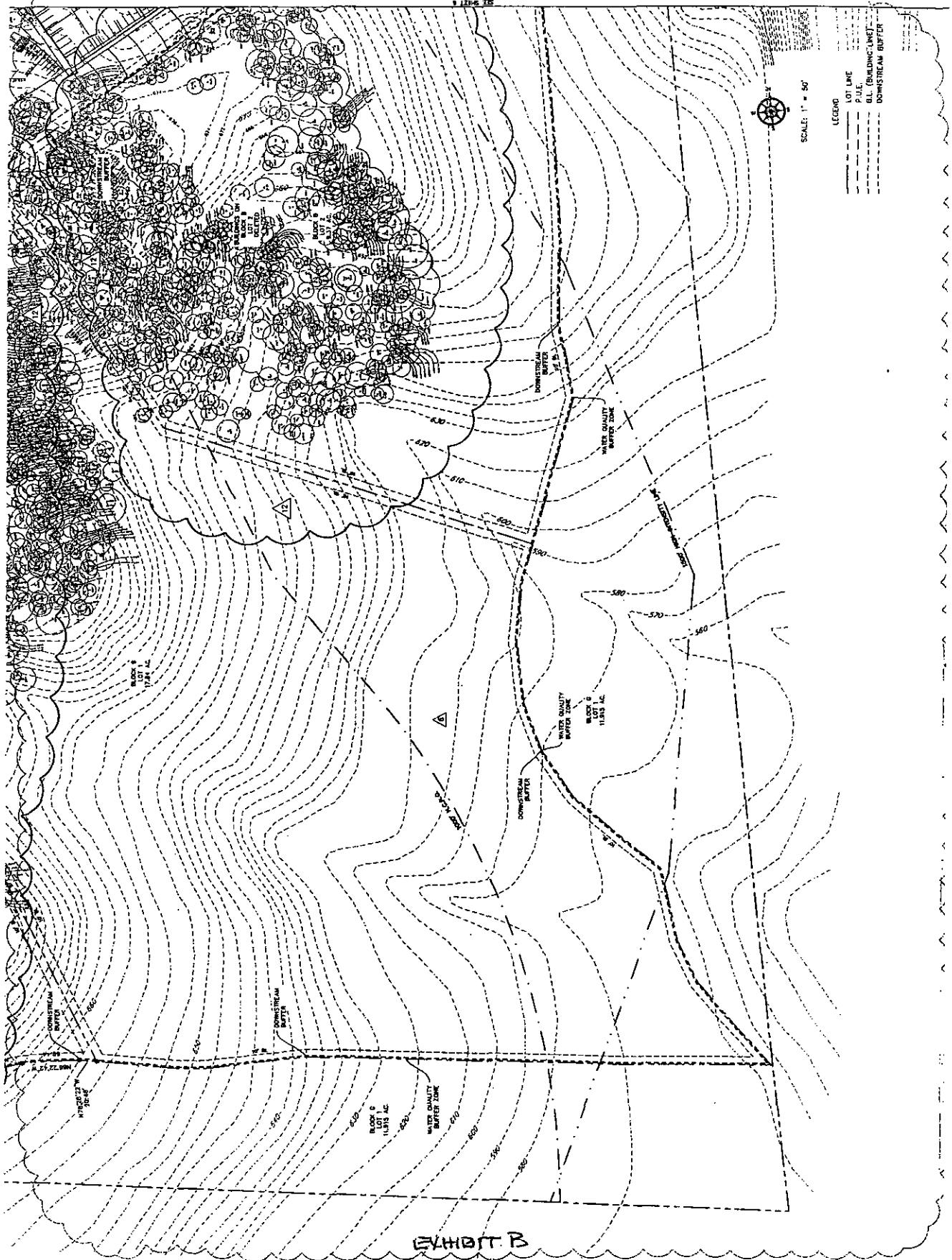


EXHIBIT B



The Terrace

LANDCORP
 ESPY, HUSTON & ASSOCIATES, INC.
 Engineering & Environmental Consultants
 10000 W. 10th Street, Suite 100
 Dallas, Texas 75243
 (214) 343-1111

URBAN PLANNING INCORPORATED
 10000 W. 10th Street, Suite 100
 Dallas, Texas 75243
 (214) 343-1111

URBAN PLANNING INCORPORATED
 10000 W. 10th Street, Suite 100
 Dallas, Texas 75243
 (214) 343-1111

LEGEND
 LOT LINE
 P.U.E.
 B.L. (BUILDING LINE)
 DOWNSIDE BUFFER



SCALE: 1" = 50'

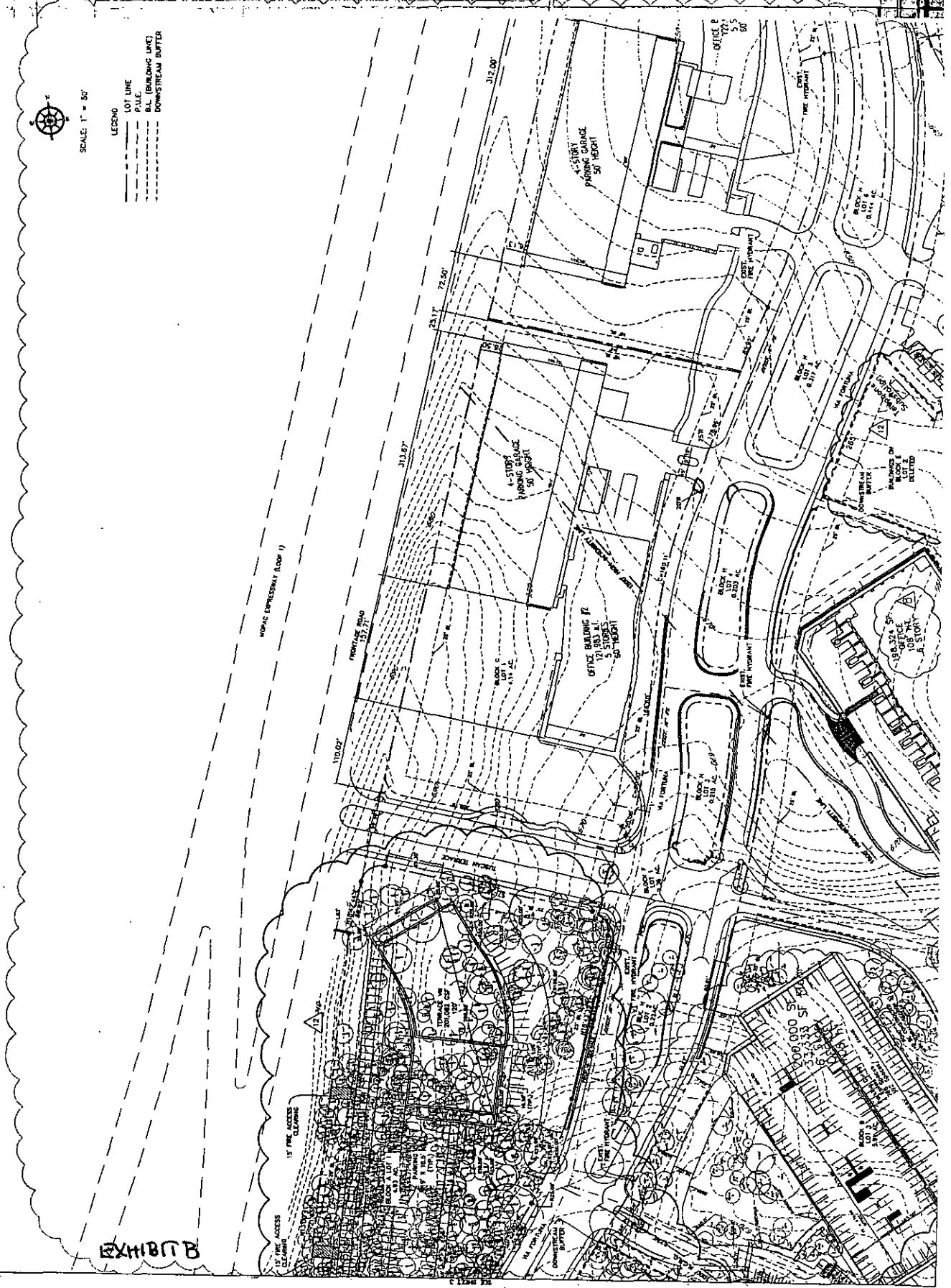
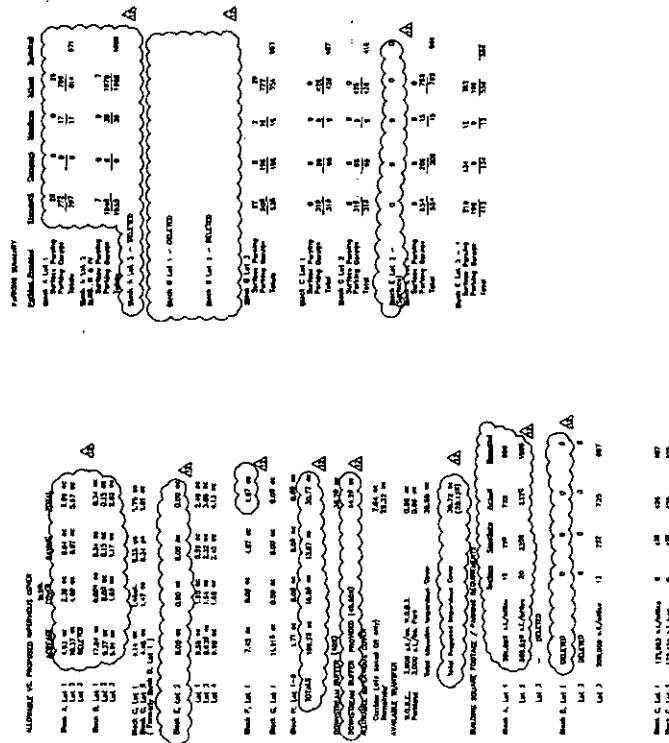


EXHIBIT B

REVISED SITE PLAN (REVISION 12)



Lot	Area	Perimeter	Volume	Weight	Value
1	1.00	1.00	1.00	1.00	1.00
2	1.00	1.00	1.00	1.00	1.00
3	1.00	1.00	1.00	1.00	1.00
4	1.00	1.00	1.00	1.00	1.00
5	1.00	1.00	1.00	1.00	1.00
6	1.00	1.00	1.00	1.00	1.00
7	1.00	1.00	1.00	1.00	1.00
8	1.00	1.00	1.00	1.00	1.00
9	1.00	1.00	1.00	1.00	1.00
10	1.00	1.00	1.00	1.00	1.00
11	1.00	1.00	1.00	1.00	1.00
12	1.00	1.00	1.00	1.00	1.00
13	1.00	1.00	1.00	1.00	1.00
14	1.00	1.00	1.00	1.00	1.00
15	1.00	1.00	1.00	1.00	1.00
16	1.00	1.00	1.00	1.00	1.00
17	1.00	1.00	1.00	1.00	1.00
18	1.00	1.00	1.00	1.00	1.00
19	1.00	1.00	1.00	1.00	1.00
20	1.00	1.00	1.00	1.00	1.00
21	1.00	1.00	1.00	1.00	1.00
22	1.00	1.00	1.00	1.00	1.00
23	1.00	1.00	1.00	1.00	1.00
24	1.00	1.00	1.00	1.00	1.00
25	1.00	1.00	1.00	1.00	1.00
26	1.00	1.00	1.00	1.00	1.00
27	1.00	1.00	1.00	1.00	1.00
28	1.00	1.00	1.00	1.00	1.00
29	1.00	1.00	1.00	1.00	1.00
30	1.00	1.00	1.00	1.00	1.00
31	1.00	1.00	1.00	1.00	1.00
32	1.00	1.00	1.00	1.00	1.00
33	1.00	1.00	1.00	1.00	1.00
34	1.00	1.00	1.00	1.00	1.00
35	1.00	1.00	1.00	1.00	1.00
36	1.00	1.00	1.00	1.00	1.00
37	1.00	1.00	1.00	1.00	1.00
38	1.00	1.00	1.00	1.00	1.00
39	1.00	1.00	1.00	1.00	1.00
40	1.00	1.00	1.00	1.00	1.00
41	1.00	1.00	1.00	1.00	1.00
42	1.00	1.00	1.00	1.00	1.00
43	1.00	1.00	1.00	1.00	1.00
44	1.00	1.00	1.00	1.00	1.00
45	1.00	1.00	1.00	1.00	1.00
46	1.00	1.00	1.00	1.00	1.00
47	1.00	1.00	1.00	1.00	1.00
48	1.00	1.00	1.00	1.00	1.00
49	1.00	1.00	1.00	1.00	1.00
50	1.00	1.00	1.00	1.00	1.00
51	1.00	1.00	1.00	1.00	1.00
52	1.00	1.00	1.00	1.00	1.00
53	1.00	1.00	1.00	1.00	1.00
54	1.00	1.00	1.00	1.00	1.00
55	1.00	1.00	1.00	1.00	1.00
56	1.00	1.00	1.00	1.00	1.00
57	1.00	1.00	1.00	1.00	1.00
58	1.00	1.00	1.00	1.00	1.00
59	1.00	1.00	1.00	1.00	1.00
60	1.00	1.00	1.00	1.00	1.00
61	1.00	1.00	1.00	1.00	1.00
62	1.00	1.00	1.00	1.00	1.00
63	1.00	1.00	1.00	1.00	1.00
64	1.00	1.00	1.00	1.00	1.00
65	1.00	1.00	1.00	1.00	1.00
66	1.00	1.00	1.00	1.00	1.00
67	1.00	1.00	1.00	1.00	1.00
68	1.00	1.00	1.00	1.00	1.00
69	1.00	1.00	1.00	1.00	1.00
70	1.00	1.00	1.00	1.00	1.00
71	1.00	1.00	1.00	1.00	1.00
72	1.00	1.00	1.00	1.00	1.00
73	1.00	1.00	1.00	1.00	1.00
74	1.00	1.00	1.00	1.00	1.00
75	1.00	1.00	1.00	1.00	1.00
76	1.00	1.00	1.00	1.00	1.00
77	1.00	1.00	1.00	1.00	1.00
78	1.00	1.00	1.00	1.00	1.00
79	1.00	1.00	1.00	1.00	1.00
80	1.00	1.00	1.00	1.00	1.00
81	1.00	1.00	1.00	1.00	1.00
82	1.00	1.00	1.00	1.00	1.00
83	1.00	1.00	1.00	1.00	1.00
84	1.00	1.00	1.00	1.00	1.00
85	1.00	1.00	1.00	1.00	1.00
86	1.00	1.00	1.00	1.00	1.00
87	1.00	1.00	1.00	1.00	1.00
88	1.00	1.00	1.00	1.00	1.00
89	1.00	1.00	1.00	1.00	1.00
90	1.00	1.00	1.00	1.00	1.00
91	1.00	1.00	1.00	1.00	1.00
92	1.00	1.00	1.00	1.00	1.00
93	1.00	1.00	1.00	1.00	1.00
94	1.00	1.00	1.00	1.00	1.00
95	1.00	1.00	1.00	1.00	1.00
96	1.00	1.00	1.00	1.00	1.00
97	1.00	1.00	1.00	1.00	1.00
98	1.00	1.00	1.00	1.00	1.00
99	1.00	1.00	1.00	1.00	1.00
100	1.00	1.00	1.00	1.00	1.00

Public Service Information Center

Block 1, Lot 1

Block 2, Lot 1

Block 3, Lot 1

Block 4, Lot 1

Block 5, Lot 1

Block 6, Lot 1

Block 7, Lot 1

Block 8, Lot 1

Block 9, Lot 1

NO. DATE REVISION

1. 1/25/88 REVISION: ADJUSTED ELEVATIONS AND GRADES TO REFLECT FIELD DATA. DIMENSIONS TO BE USED FOR CONSTRUCTION.

2. 1/25/88 REVISION: ADJUSTED ELEVATIONS AND GRADES TO REFLECT FIELD DATA. DIMENSIONS TO BE USED FOR CONSTRUCTION.

THE TERRACE, SECTION SIX

DIMENSIONS

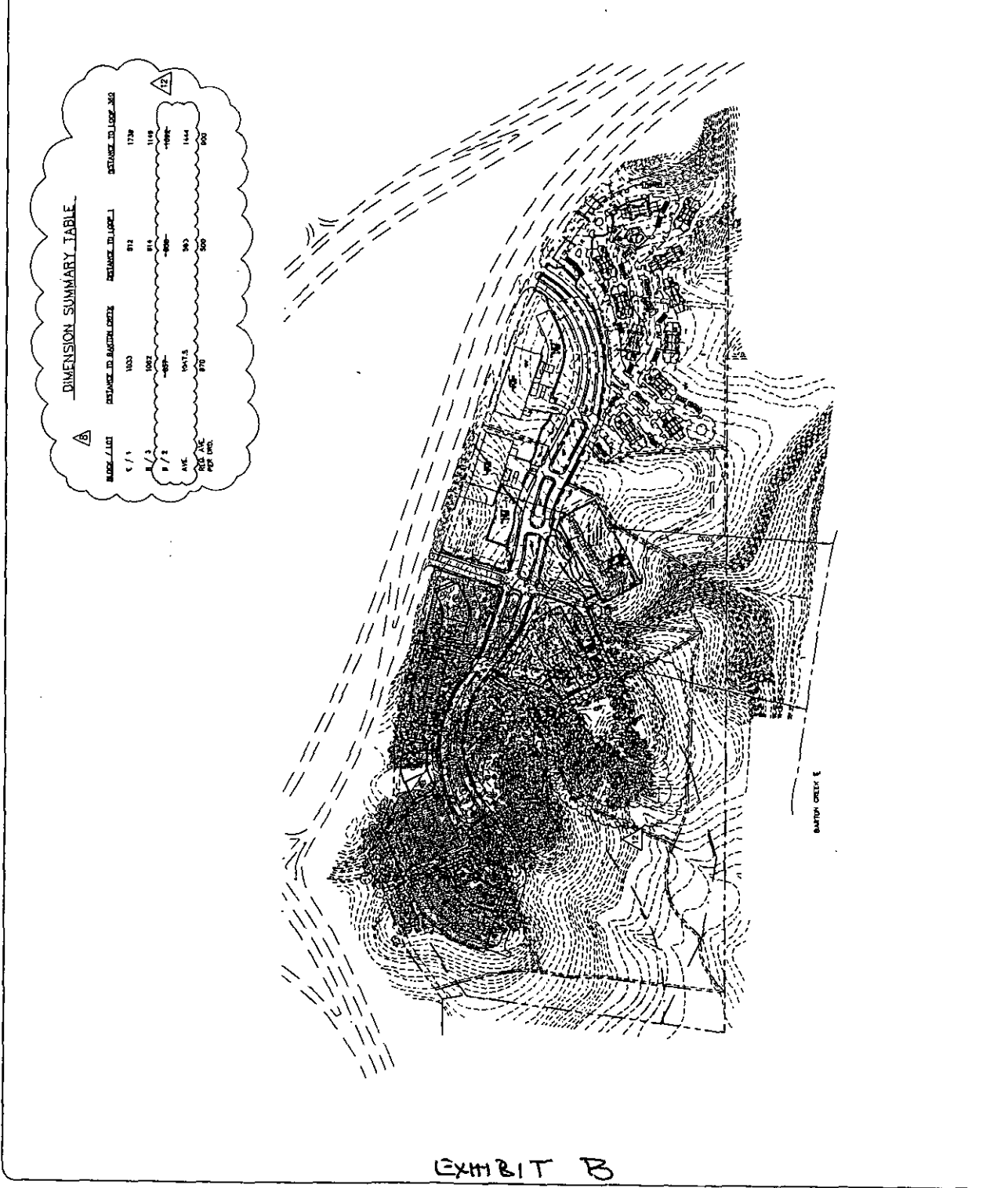


EXHIBIT B

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

FIELDNOTE DESCRIPTION of a 39.425 acre tract out of the Henry P. Hill Survey No. 21, Abstract No. 14, Travis County, Texas, being a portion of the remainder of that 109.25 acre tract conveyed to W & G Partnership, Ltd., by deed recorded in Volume 8755, Page 519 of the Deed Records of Travis County, Texas, all of Lot 2, Block "E", The Terrace, Section Six, a subdivision recorded in Document No. 200000362 of the Official Public Records of Travis County, Texas, a portion of Lot 1 and Lot 2, Block "B". The Terrace, Section Seven, a subdivision recorded in Document No. 200100072 of the said Official Public Records and a portion of Lot 2, Block "A", The Terrace, Section Five, a subdivision recorded in Document No. 200000361 of the said Official Public Records, the said 39.425 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod, without cap, found on the east line of the remainder of the said 109.25 acre tract, being the southwest corner of Lot 3, Block "A", Wallingwood, Section II-A, P.U.D., a subdivision recorded in Book 86, Pages 43A and 43B of the Plat Records of Travis County, Texas, being also the northwest corner of that 3.05 acre tract conveyed to the City of Austin by deed recorded in Volume 5024, Page 2191 of the said Deed Records and an angle point on the east line of aforesaid Lot 2, Block "E", The Terrace, Section Six, from which a cotton gin spindle found on the common line between aforesaid Lot 3, Block "A", Wallingwood, Section II-A, P.U.D., being the northeast corner of said Lot 2, Block "E", The Terrace, Section Six, bears N00°58'23"E, a distance of 271.43 feet;

THENCE, S01°02'37"W, leaving the southeast line of said Lot 2, Block "E" and the southwest corner of said Lot 3, Block "A", Wallingwood, Section II-A, P.U.D., along the common east line of the remainder of the said 109.25 acre tract and west line of the said 3.05 acre tract, a distance of 2187.50 feet to a ½" iron rod, without cap, found for the southwest corner of the said 3.05 acre tract, being an angle point on the west line of that 126.65 acre tract conveyed to the City of Austin by deed recorded in Volume 5024, Page 2197 of the said Deed Records;

THENCE, S00°32'25"W, leaving the southwest corner of the said 3.05 acre tract, along the common line between the remainder of the said 109.25 acre tract and the said 126.65 acre tract, a distance of 219.42 feet to a bolt found for the southeast corner of the aforesaid remainder of the said 109.25 acre tract, being the northeast corner of that 10.11 acre tract conveyed to the City of Austin by Judgement recorded in Volume 6656, Page 902 of the said Deed Records;

THENCE, leaving the west line of the said 126.65 acre tract, along the common line between the remainder of the said 109.25 acre tract and the said 10.11 acre tract, for the following two (2) courses:

- 1) N81°14'26"W, a distance of 1198.32 feet to a bolt found for corner;
- 2) S78°42'58"W, a distance of 90.96 feet to a TxDOT concrete monument found for the northwest corner of the said 10.11 acre tract and southeast corner of the remainder of the said 109.25 acre tract, being a point in the northeast right-of-way line of State Highway Loop 360 (right-of-way varies), said point being 390.35 feet left of State Highway Loop 360 centerline station 843+67.99;

THENCE, N33°01'49"W, leaving the northwest corner of the said 10.11 acre tract, along the common line between the remainder of the said 109.25 acre tract and the said northeast right-of-way line of State Highway Loop 360, a distance of 52.87 feet to a cotton gin spindle found for the southeast corner of said Lot 2, Block "A", The Terrace, Section Five, from which a TxDOT concrete monument found bears N33°01'49"W, a distance of 247.44 feet;

THENCE, leaving the said northeast right-of-way line of State Highway Loop 360, across the remainder of the said 109.25 acre tract, with the south line of said Lot 2, Block "A", The Terrace, Section Five, for the following three (3) courses:

- 1) N72°14'02"E, a distance of 115.83 feet to a ½" iron rod, without cap, found for corner;
- 2) N76°38'14"E, a distance of 104.60 feet to a ½" iron rod, with plastic cap marked "Capital Surveying Co., Inc.", found for corner;
- 3) N80°29'34"E, a distance of 101.79 feet to a ½" iron rod, with plastic cap marked "Capital Surveying Co., Inc.", found for corner;

THENCE, across said Lot 2, Block "A", The Terrace, Section Five, for the following four (4) courses:

- 1) N22°48'50"E, 119.71 feet to a calculated point for corner;
- 2) N69°28'48"W, 25.00 feet to the calculated point of curvature of a non-tangent curve to the right;

- 3) With the said curve to the right having a central angle of $90^{\circ}00'00''$, a radius of 5.00 feet, a chord distance of 7.07 feet (chord bears $N24^{\circ}28'48''W$), for an arc distance of 7.85 feet to the calculated point of non-tangency;
- 4) $N20^{\circ}31'12''E$, 151.05 feet to a calculated point on the common east line of aforesaid Lot 2, Block "A", The Terrace, Section Five and west line of Lot 1, Block "B", The Terrace, Section Seven, from which a $\frac{1}{2}$ " iron rod, without cap, found for the common southeast corner of aforesaid Lot 2, Block "A", and southwest corner of Lot 1, Block "B", bears $S18^{\circ}51'46''E$, 280.75 feet and also from which a cotton gin spindle found for an angle point on the aforesaid common line between Lot 2, Block "A" and Lot 1, Block "B", bears $N18^{\circ}51'46''W$, 265.77 feet;

THENCE, leaving the east line of said Lot 2, Block "A", The Terrace, Section Five, across said Lot 1, Block "B", The Terrace, Section Seven, for the following eleven (11) courses:

- 1) $N20^{\circ}31'12''E$, 79.66 feet to the calculated point of curvature of a curve to the left;
- 2) With the said curve to the left having a central angle of $54^{\circ}15'16''$, a radius of 320.00 feet, a chord distance of 291.82 feet (chord bears $N06^{\circ}36'26''W$), for an arc distance of 303.01 feet to the calculated point of non-tangency;
- 3) $S51^{\circ}05'30''E$, 90.49 feet to a calculated point for corner;
- 4) $N88^{\circ}47'37''E$, 64.33 feet to a calculated point for corner;
- 5) $N41^{\circ}38'00''E$, 32.47 feet to a calculated point for corner;
- 6) $N04^{\circ}07'59''W$, 67.67 feet to a calculated point for corner;
- 7) $N17^{\circ}22'41''W$, 68.76 feet to a calculated point for corner;
- 8) $N41^{\circ}01'21''W$, 141.56 feet to a calculated point for corner;
- 9) $N29^{\circ}45'50''E$, 136.97 feet to a calculated point for corner;
- 10) $S64^{\circ}46'54''E$, 70.67 feet to a calculated point for corner;

- 11) N42°17'46"E, 25.50 feet to a calculated point on the northeast line of aforesaid Lot 1, Block "B", being on the southeast line of Lot 2, Block "B", The Terrace, Section Seven, from which a ½" iron rod, with plastic cap marked "Capital Surveying Company, Inc.", found for an angle point on the said common line between Lot 1 and Lot 2, Block "B", bears N27°36'50"W, 332.79 feet and also from which a cotton gin spindle found for an angle point on the common line between said Lot 1 and Lot 2, Block "B", The Terrace, Section Seven, bears S27°36'50"E, 188.35 feet;

THENCE, leaving the northeast line of aforesaid Lot 1, Block "B", across said Lot 2, Block "B", The Terrace, Section Seven, for the following four (4) courses:

- 1) N42°17'46"E, 77.25 feet to a calculate point for corner;
- 2) N00°08'04"E, 79.07 feet to a calculated point for corner;
- 3) N76°31'11"W, 72.62 feet to a calculated point for point;
- 4) N30°23'19"E, 102.00 feet to a calculated point on the north line of aforesaid Lot 2, Block "B", being a point on the southeast line of said Lot 3, Block "B", The Terrace, Section Seven;

THENCE, N60°09'12"E (Basis of Bearing), with the common line between said Lot 2 and Lot 3 Block "B", The Terrace, Section Seven, for a distance of 725.38 feet to a ½" iron rod, with plastic cap marked "Capital Surveying Company, Inc.", found for the northeast corner of aforesaid Lot 2, Block "B", being the most easterly corner of Lot 3, Block "B", the southeast corner of said Lot 1, Block "E", The Terrace, Section Six, and a point on a westerly remainder line of the above said 109.25 acre tract;

THENCE, leaving the north line of said Lot 2, Block "B", The Terrace, Section Seven and Lot 3, Block "B", The Terrace, Section Seven, with the easterly line of said Lot 1, Block "E", The Terrace, Section Six and a westerly remainder line of the 109.25 acre tract, for the following three (3) courses:

- 1) N28°48'06"W, 77.23 feet to a ½" iron rod, with plastic cap marked "Capital Surveying Company, Inc.", found for an angle point;
- 2) N07°22'21"W, 67.44 feet to a cotton gin spindle found for an angle point;
- 3) N04°26'01"E, 137.31 feet to a ½" iron rod, with plastic cap marked "Capital Surveying Company, Inc.", found for the northeast corner of aforesaid Lot 1, Block "E", The Terrace, Section Seven, being the southeast corner of Lot 2, Block "E", The Terrace, Section Six;

THENCE, with the common line between said Lot 1 and Lot 2, Block "E", The Terrace, Section Six, for the following three (3) courses:

- 1) N58°30'38"W, 418.64 feet to a ½" iron rod, with plastic cap marked "Capital Surveying Company, Inc.", found for an angle point;
- 2) N27°47'32"W, 143.13 feet to a ½" iron rod, with plastic cap marked "Capital Surveying Company, Inc.", found for an angle point;
- 3) N62°07'51"W, 158.25 feet to an "X" found in concrete for the common northwest corner of aforesaid Lot 1, Block "E" and Lot 2, Block "E", being a point on the easterly right-of-way line of Via Fortuna (right-of-way varies) as dedicated by plat in Book 97, Pages 115 and 116 of the Plat Records of Travis County, Texas;

THENCE, N27°51'09"E, leaving the north line of said Lot 1, Block "E", with the common west line of Lot 2, Block "E", The Terrace, Section Six and the easterly right-of-way line of Via Fortuna, for a distance of 194.93 feet to a ½" iron rod, with plastic cap marked "Capital Surveying Company, Inc.", found for the northwest corner of aforesaid Lot 2, Block "E", being the southeast corner of Lot 3, Block "E", The Terrace, Section Three, a subdivision recorded in Book 97, Pages 113 and 114 of the said Plat Records;

THENCE, leaving the easterly right-of-way line of Via Fortuna, with the common north line of said Lot 2, Block "E", The Terrace, Section Six and south line of Lot 3, Block "E", The Terrace, Section Three, for the following six (6) courses:

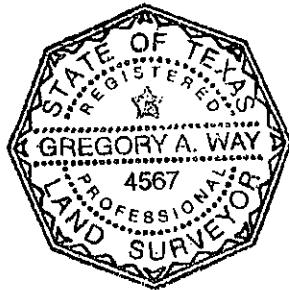
- 1) S36°38'04"E, 101.91 feet to a ½" iron rod, with plastic cap marked "Capital Surveying Company, Inc.", found for an angle point;
- 2) N86°24'02"E, 54.00 feet to a ½" iron rod, without cap, found for an angle point;
- 3) N03°35'58"W, 2.62 feet to a calculated point for corner;
- 4) N86°24'02"E, 36.50 feet to a ½" iron rod, without cap, found for an angle point;
- 5) N03°35'58"W, 23.00 feet to a ½" iron rod, without cap, found for an angle point;
- 6) N86°24'02"E, 478.90 feet to a cotton gin spindle found for the common east corner of aforesaid Lot 2, Block "E", The Terrace, Section Six and Lot 3, Block "E", The Terrace, Section Three, being a point on the west line of aforesaid Lot 3, Block "A", Wallingwood, Section II-A, P.U.D.;

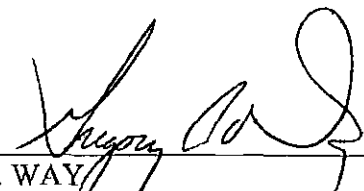
THENCE, S00°58'23"W, leaving the south line of said Lot 3, Block "E", The Terrace, Section Three, with the common east line of Lot 2, Block "E", The Terrace, Section Six and west line of Lot 3, Block "A", Wallingwood, Section II-A, P.U.D., 271.43 feet to the POINT OF BEGINNING, CONTAINING within these metes and bounds 44.030 acres of land area.

Note: Basis of Bearing is the record bearing, as shown on the recorded plat referenced above, between Lot 2 and Lot 3, Block "B", The Terrace, Section Seven subdivision.

I, Gregory A. Way, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 26th day of November, 2008.




GREGORY A. WAY
Registered Professional Land Surveyor
No. 4567 State of Texas