

ORDINANCE NO. 201100609-050

AN ORDINANCE AMENDING ORDINANCE NO. 970410-I TO MODIFY THE LAND USE PLAN FOR THE PIONEER CROSSING PROJECT, REZONING AND CHANGING THE ZONING MAP FROM PLANNED UNIT DEVELOPMENT (PUD) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT FOR THE PROPERTY LOCATED AT 2405 EAST YAGER LANE.

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

PART 1. Pioneer Crossing planned unit development is comprised of approximately 1,548 acres of land located generally in the vicinity of Parmer Lane and Dessau Road and more particularly described by metes and bounds in the land use plan incorporated into Ordinance No. 970410-I and Ordinance No. 20050512-058, which increased the development area by approximately 138 acres.

PART 2. Pioneer Crossing planned unit development was approved April 10, 1997 under Ordinance No. 970410-I (the "Original Ordinance"), and amended under Ordinance No. 20050512-058, Ordinance No. 20050728-077, Ordinance No. 20080925-103, and Ordinance No. 20090115-096.

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 on the property generally known as the Pioneer Crossing planned unit development described in Zoning Case No. C814-96-0003.09 on file at the Planning and Development Review Department, as follows:

Parcel No. E-21: A 5.003 acre (217,913.2 square feet) tract of land, more or less, out of the Samuel Cushing Survey No. 70, Abstract No. 164, Travis County, 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 2405 East Yager Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 4. This ordinance and the attached Exhibits A and B are the amended land use plan for the Pioneer Crossing planned unit development (the "PUD") and amends the Original Ordinance. Development of and uses within the PUD shall conform to the limitations and

conditions set forth in this ordinance and in the land use plan attached as Exhibit "B" (the "Land Use Plan"). If this ordinance and the attached exhibits conflict, this ordinance controls.

PART 5. The attached exhibits are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance. Exhibit B of the Original Ordinance (No. 970410-I) is amended as shown on Exhibit B of this ordinance. The attached exhibits are as follows:

Exhibit A:	Property description and zoning map
Exhibit B:	Amended Land Use Plan (3 pages)

PART 6. The PUD Land Use Plan under the Original Ordinance, as amended, is modified and amended as to Parcel E-21, as follows:

- A. Parcel E-21 is a part of the original planned unit development known as Pioneer Crossing and was identified as Tract 4 in the field notes of Ordinance No. 970410-I. Inadvertently Tract 4 was not assigned a parcel number or land use designation on the land use plan. This ordinance is made to correct this error and to confirm Tract 4 (Parcel E-21) as a part of the Pioneer Crossing PUD.
- B. The land use designation and site development standards on Parcel E-21 is public (P) district.
- C. Major utility facilities use and maintenance and service facilities use are permitted uses of Parcel E-21 and are not subject to a conditional use permit requirement.

PART 7. Except as otherwise provided for in this ordinance, the terms and conditions of Ordinance No. 970410-I, as amended, remain in effect.

PASSED AND APPROVED

APPROVED: Karen M. Kennard ATTEST: Shirley A. Gentry for
Karen M. Kennard Shirley A. Gentry
City Attorney City Clerk

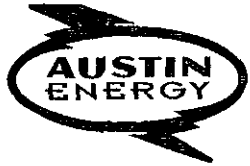


EXHIBIT "A"

SURVEY PLAT OF A 5.003 ACRE (217913.2 SQUARE FEET) TRACT OF LAND BEING OUT OF AND A PORTION OF THE SAMUEL CUSHING SURVEY NUMBER 70, ABSTRACT NUMBER 164, IN TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT CALLED 5.000 ACRE TRACT OF LAND DESCRIBED TO THE CITY OF AUSTIN, A TEXAS HOME-RULE MUNICIPALITY IN THAT CERTAIN SPECIAL WARRANTY DEED AS RECORDED IN DOCUMENT NUMBER 2005104297, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 5.003 ACRE TRACT OF LAND BEING SHOWN ON THE ATTACHED SKETCH LABELED EXHIBIT "B" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOW:

BEGINNING at a one-half inch iron rod found for the east corner of the herein described 5.003 acre tract of land and the said City of Austin 5.000 acre tract of land, same being the north corner of that called Tract 3, 60.586 acre tract of land described to Art Collection, Inc., a Nevada Corporation, in that certain Correction General Warranty Deed as recorded in Volume 13270, Page 1369, of the Real Property Records of Travis County, Texas and being a point on the southwest line of Yager Lane, Right of Way varies, a county road in Travis County, Texas;

THENCE South 34°49'46" West, along the come dividing line of the said City of Austin 5.000 acre tract of land and the said Tract 3, 60.586 acres of land a distance of 524.01 feet to a Survcon capped iron rod found for the south corner of the herein described 5.003 acre tract of land and the said City of Austin 5.000 acre tract of land, same being the west corner of the said Tract 3, 60.586 acres of land and a point on the northeast line of Farm to Market Number 734, having a Right of Way width of two hundred feet;

THENCE North 48°43'05" West, coincidence with the northeast Right of Way line of the said Farm to Market Number 734 a distance of 387.22 feet to a one-half inch iron rod set for the west corner of the herein described 5.003 acre tract of land and the said City of Austin 5.000 acre tract of land, same being the south corner of that called Tract 4, 1.029 acre tract of land described to the said Art Collection, Inc., a Nevada Corporation, in the said Correction General Warranty Deed as recorded in said Volume 13270, Page 1369, of the Real Property Records of Travis County, Texas, same being a point on the northeast Right of Way line of the said Farm to Market Number 734;

THENCE along the common dividing line of the said City of Austin 5.000 acre tract of land and the said Tract 4, 1.029 acre tract of land the following two (2) courses:

- 1) North 20°20'54" East, a distance of 135.94 feet to a one-half inch iron rod found under an existing chain link fence for the beginning of a curve to the left;
- 2) Along said curve to the left, being concave to the northwest, having the following curve elements: Delta Angle of 03°10'11", Arc Length of 325.30 feet, Radius of 5880.00 feet, the chord of which bears North 18°48'13" East, a Chord distance of 325.25 feet, to a one half inch iron rod found at an chain link post in concrete, for the north corner of the herein described 5.003 acre tract of land and the said City of Austin 5.000 acre tract of land, same

(SURVEY PLAT OF A 5.003 ACRE (217913.2 SQUARE FEET) TRACT OF LAND BEING OUT OF AND A PORTION OF THE SAMUEL CUSHING SURVEY NUMBER 70, ABSTRACT NUMBER 164, IN TRAVIS COUNTY, TEXAS)

being the east corner of the said Tract 4, 1.029 acre tract of land and a point on the southwest line of the said Yager Lane;

THENCE along the common dividing line of the said City of Austin 5.000 acre tract of land and the southwest Right of Way line of the said Yager Lane the following three (3) courses:

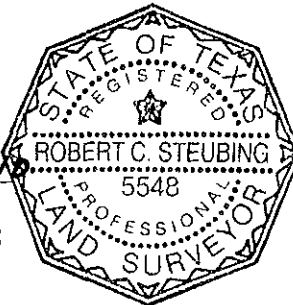
- 1) South 62°35'09" East, a distance of 98.29 feet to a one-half inch iron rod found for an exterior angle corner of the herein described 5.003 acre tract of land;
- 2) South 60°53'09" East, a distance of 174.71 feet to a one inch inside diameter pipe found for an exterior angle corner of the herein described 5.003 acre tract of land;
- 3) South 56°39'39" East, a distance of 237.32 feet to the **POINT OF BEGINNING** and containing 5.003 acres of land or (217913.2 square feet) of land more or less.

BASIS OF BEARINGS: NAD 83, TEXAS CENTRAL ZONE, 4203, as per GPS observation.

I hereby certify that these field notes were prepared from an on the ground survey made under my supervision in November 2010.

Prepared By: **AUSTIN ENERGY**

Robert C. Steubing 11/23/2010
Robert C. Steubing
Registered Professional Land Surveyor No. 5548



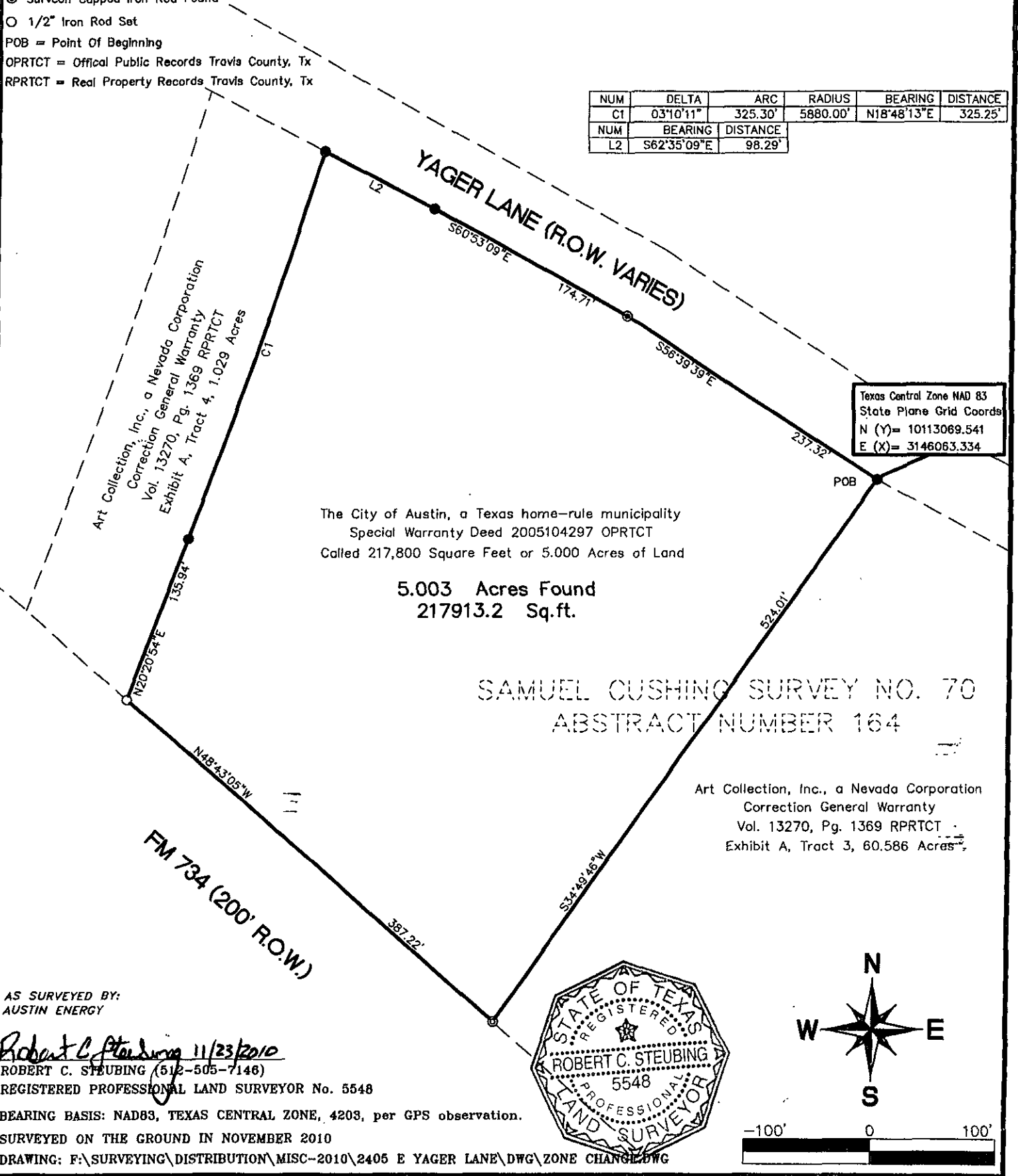
SKETCH TO ACCOMPANY FIELD NOTE DESCRIPTION OF A 5.003 ACRE (217913.2 SQ. FT.) TRACT OF LAND IN THE SAMUEL CUSHING SURVEY NUMBER 70, ABSTRACT NUMBER 164, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 5.000 ACRES OF LAND DESCRIBED TO THE CITY OF AUSTIN, A TEXAS HOME-RULE MUNICIPALITY, IN THAT CERTAIN SPECIAL WARRANTY DEED AS RECORDED IN DOCUMENT NUMBER 2005104297, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

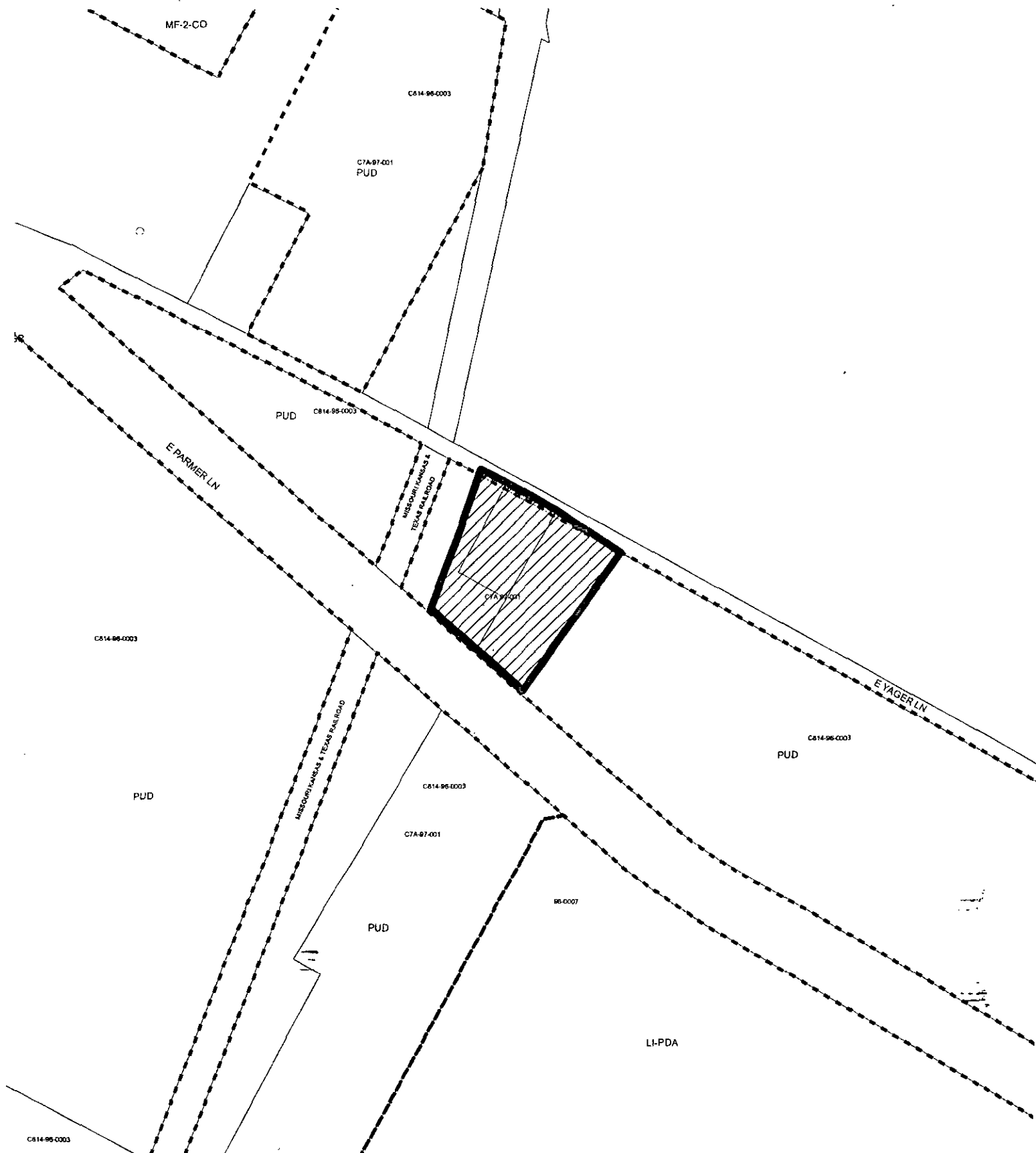
LEGEND

- 1" Inside Diameter Pipe Found
- 1/2" Iron Rod Found
- ⊙ Surveyor Capped Iron Rod Found
- 1/2" Iron Rod Set
- POB = Point Of Beginning
- OPRTCT = Official Public Records Travis County, Tx
- RPRTCT = Real Property Records Travis County, Tx

EXHIBIT "B"

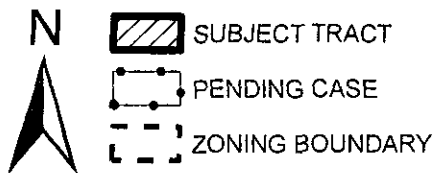
NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	03°10'11"	325.30'	5880.00'	N18°48'13"E	325.25'
NUM	BEARING	DISTANCE			
L2	S62°35'09"E	98.29'			





PLANNED UNIT DEVELOPMENT EXHIBIT A

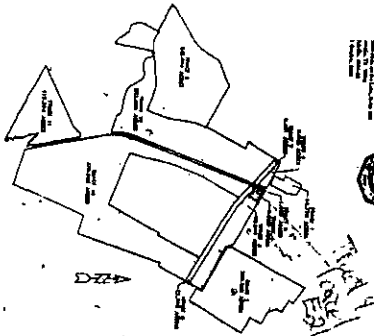
ZONING CASE#: C814-96-0003.09
 LOCATION: 2405 E YAGER LN
 SUBJECT AREA: 5.000
 GRID: P32
 MANAGER: S. SIRWAITIS



1" = 400'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

SATURDAY, MAY 1



PIONEER CROSSING
P. U. D.
EXHIBIT B

OWNER:
AUSTIN POLSKAN, CO-OWNING PARTNER
1717 WEST 6TH STREET
SUITE 300
AUSTIN, TEXAS 78701
PHONE: (512) 375-1334

TRAFFIC CONSULTANTS
Prime Management, Inc.
1718 Westwood
Austin, Texas 78701
Phone (512) 424-8244

PROJECT ENGINEER
MALONE / WHEELER, INC
1121 SCOTT DR. TEXAS HWY. SOUTH
SUITE #210
DALLAS, TEXAS 75219
PHONE 817/341-8201

GADE DAVIS ASSOCIATES
NEW YORK, NEW YORK

PLANNED ENVIRONMENTS INC

