

Late Backup ORDINANCE NO. _____

91
10/18/12
cc agenda

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY COMMONLY KNOWN AS THE BROADSTONE AT THE LAKE
3 PUD LOCATED AT 201 SOUTH FIRST STREET AND 422 WEST RIVERSIDE
4 DRIVE IN THE BOULDIN NEIGHBORHOOD PLAN AREA FROM LIMITED
5 INDUSTRIAL SERVICES (LI) DISTRICT TO PLANNED UNIT DEVELOPMENT-
6 NEIGHBORHOOD PLAN (PUD-NP) COMBINING DISTRICT.

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

9
10 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended
11 to change the base district limited industrial services (LI) district to planned unit
12 development-neighborhood plan (PUD-NP) combining district on the property described in
13 Zoning Case No. C814-2012-0071, on file at the Planning and Development Review
14 Department, as follows:

15
16 A 1.533 acre tract of land, more or less, out of Lot 3-F, Swisher's Addition
17 Subdivision the tract of land being more particularly described by metes and
18 bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

19
20 locally known as 201 South First Street and 422 West Riverside Drive in the City of
21 Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

22
23 **PART 2.** This ordinance and Exhibits A through D are the land use plan (the "Land Use
24 Plan") for Broadstone at the Lake planned unit development district (the "PUD") created
25 by this ordinance. Development of and the uses within the PUD shall conform to the
26 limitations and conditions set forth in this ordinance and in the Land Use Plan. If this
27 ordinance and the attached exhibits conflict, this ordinance controls. Except as otherwise
28 specifically provided by this ordinance, all other rules, regulations and ordinances of the
29 City, including Ordinance No. 020523-33 (establishing the Bouldin Creek neighborhood
30 plan combining district) shall apply. All references in this ordinance and the exhibits to the
31 City Code sections or regulations shall mean those sections and regulations as they exist on
32 the effective date of this ordinance.
33

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

- Exhibit A: Description of the Property
- Exhibit B: Zoning Map
- Exhibit C: Land Use Plan
- Exhibit D: Native Shade Trees

PART 4. Except as otherwise provided in this ordinance, the Property shall be developed according to the general commercial services (CS) district, waterfront overlay (WO) district and South Shore Central subdistrict site development regulations and performance standards of the code, including the provisions of Subchapter E (*Design Standards and Mixed Use*) requirements for a Core Transit Corridor, Section 25-2-721 (*Waterfront Overlay (WO) Combining District Regulations*) and Section 25-2-742 (*South Shore Central Subdistrict Regulations*).

- A. The maximum height, as defined in City Code, for a building or structure on the Property may not exceed 79 feet. Heating and cooling equipment are excepted from the maximum height limit under Section 25-2-531 (*Height Limit Exceptions*).
- B. A 15 foot building setback shall be required along the street yard on West Riverside Drive and no minimum street yard setback on South First Street and no minimum interior side yard or rear yard setback shall be required. The provisions of Article 10 (*Compatibility Standards*) of Subchapter C of Chapter 25 of the City Code concerning setbacks do not apply to any structure on this Property.
- C. The maximum floor area ratio may not exceed 4:1 over the entire site, as shown on the Land Use Plan.
- D. All buildings on the Property shall comply with Austin Energy Green Building Program (AEGP) current at the time of AEGP approval of the rating application.
- E. The Property shall be designed to earn at least seven (7) points from Section 3.3.2(C) (*Table of Design Options*) of Subchapter E.
- F. Section 25-2-742(F) (*South Shore Central Subdistrict Regulations*) of the City Code does not apply to the PUD.

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- G. Native shade trees, with a minimum diameter of 3 inches, selected from the list on Exhibit D shall be planted every 30 feet on center with the planting zones depicted on Exhibit C. All street furniture and other improvements within the planting zones and the supplemental zones shall be installed at the expense of the owner and all such street furniture and improvements (other than street trees and furniture and improvements for accessory outdoor dining) shall be dedicated and conveyed to the public when installed. All street trees and the associated irrigation systems and all furniture and improvements for accessory outdoor dining shall be installed at the expense of the owner and shall be owned, maintained and replaced, as may be necessary, by the owner.
 - H. The minimum total amount of open space shall be 15% of the gross site area of the Property. Decks, balconies, patios and water quality facilities, such as rain gardens, rainwater collection areas, vegetative filter strips, biofiltration and porous pavement for pedestrian use, shall be included as open space if located on the Property. Vegetative roofs and other landscaped areas of roofs shall be permitted and all such areas that are at least 5 feet in width shall be included as open space for purposes of complying with the 15% minimum open space requirement. All of the open space on the ground floor and all upper floors will be credited toward meeting the minimum open space requirement.
 - I. Subsection (E) of Section 25-6-472 (*Parking Facility Standards*) does not apply to this PUD.
 - J. A payment in lieu of providing on-site structural water quality controls under Section 25-8-214 (Optional Payment Instead of Structural Controls in Urban Watersheds) of the City Code shall be permitted and is approved to satisfy the water quality treatment requirements for 1.0 acre of the Property that does not lie within 500 feet of Town Lake (Lady Bird Lake). The amount of such payment shall be calculated at the time of review of the Site Development Permit for the project and shall be paid prior to release of the Site Development Permit. Water quality controls to satisfy the treatment requirements for the remaining portion of the project not participating in the option fee in lieu program shall be provided. The area within the planting zones, clear zones, and supplemental zones may be used for innovative water quality controls as provided in the City of Austin Environmental Criteria Manual, including but not limited to, rain gardens, biofiltration ponds, vegetative filter strips, and porous pavement for pedestrian use and may also be used for other innovative water quality features that may be approved or authorized by the City or the

1 City Code. Providing water quality treatment for an equivalent area of off-site
2 runoff in a location mutually agreed to by the City of Austin and the developer,
3 including the use of innovative water quality controls, may also be utilized to
4 satisfy the water quality treatment requirements for the portions of the Property
5 not participating in the optional fee in lieu program.
6

- 7 K. Section 25-6, Appendix A (*Tables of Off-Street Parking and Loading*
8 *Requirements*) is modified to require that the minimum off-street parking for a
9 residential use is 60% and a minimum off-street parking for a pedestrian
10 oriented use is 20%.
11
- 12 L. Section 25-6, Appendix A (*Tables of Off-Street Parking and Loading*
13 *Requirements*) is modified to require that the minimum off-street parking
14 facilities for bicycles shall be equal to 5% of the total number of motor vehicle
15 spaces.
16
- 17 M. A minimum of one loading area shall be constructed within or adjacent to the
18 proposed building to serve a combination of uses.
19
- 20 N. A single drive way is permitted on West Riverside Drive and a single drive way
21 is permitted on South First Street as shown on the Land Use Plan, or as
22 modified during the site plan permitting process.
23
- 24 O. The Property shall comply with the requirements of Section 25-10-129
25 (*Downtown Sign District Regulations*).
26
- 27 P. The lesser of at least 10 percent of the residential rental units or the residential
28 rental habitable square footage must (i) be affordable to a household whose
29 income is less than 80 percent of the median family income in the Austin
30 metropolitan statistical area, and (ii) remain affordable for 40 years after the
31 date the certificate for the residential rental habitable portion of the building is
32 issued. Notwithstanding the foregoing, in lieu of complying with this
33 affordable housing requirement, the payment of a fee may be made to a
34 Housing Assistance Fund to be used for producing or financing affordable
35 housing, such fund to be identified by the Director of Neighborhood Housing
36 and Community Development Department. The amount of such fee shall be 60
37 percent of the fee established under Section 25-2-586(I) (*Affordable Housing*
38 *Incentives in a Central Business District or Downtown Mixed Use Zoning*
39 *District*) multiplied by 10 percent of the residential rentable habitable square

footage contained within the building that is greater than the base line square footage of 133,292 square feet at the time of the payment of fee.

PART 5. Development of the Property shall comply with the following use regulations:

A. Except as provided in Subsection C, all permitted uses, conditional uses and pedestrian-oriented uses in the general commercial services (CS) district, waterfront overlay (WO) district and South Shore Central subdistrict, as provided in Section 25-2-491 (*Permitted, Conditional and Prohibited Uses*); Section 25-2-691 (*Waterfront Overlay (WO) District Uses*); and, Section 25-2-692(F) South Shore subdistrict are permitted and conditional uses of the Property.

B. The following are additional permitted uses:

Condominium residential
Multifamily residential
Cocktail lounge

C. The following are prohibited uses:

Automotive repair services	Service station
Automotive sales	Automotive washing (of any type)
Outdoor entertainment	Adult oriented business
Congregate living	Residential treatment
Hospital services (general)	Research services
Hospital services (limited)	Kennels
Business or trade school	Outdoor sports & recreation
Pawn shop services	Bail bond services
Exterminating services	Plant nursery
Custom manufacturing	Drop-off recycling collection facility
Counseling services	Guidance services
Food preparation	General retail sales (general)
Laundry services	Printing and publishing
Off-site accessory parking	
Medical offices-exceeding 5,000 sq/ft of gross floor space	
Bed and breakfast residential (Group 1)	
Bed and breakfast residential (Group 2)	

Commercial off-street parking is permitted only in a structure.

1
2 D. Pursuant to Section 25-2-691 (C) (*Waterfront Overlay (WO) District Uses*) and
3 Section 25-2-692 (F) (*Waterfront Overlay (WO) Subdistrict Uses*), the
4 following are additional pedestrian-oriented uses:

5
6 Personal improvement services
7 Financial services
8 Personal services
9 Administrative business offices for on-site sales and leasing
10 Administrative business offices if an owner resides on-site
11

12 **PART 5.** This ordinance takes effect on _____, 2012.
13

14
15 **PASSED AND APPROVED**

16
17 §
18 §
19 _____, 2012 § _____
20 Lee Leffingwell
21 Mayor
22

23
24 **APPROVED:** _____ **ATTEST:** _____
25 Karen M. Kennard Shirley A. Gentry
26 City Attorney City Clerk

DESCRIPTION OF 1.533 ACRES

DESCRIPTION OF 1.533 ACRES, OR 66,768 SQUARE FEET OF LAND, MORE OR LESS, OUT OF LOT 3-F, SWISHER'S ADDITION, A SUBDIVISION OF RECORD IN BOOK 1, PAGE 1, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND BEING THE SAME TRACT DESCRIBED AS 0.970 OF ONE ACRE IN A DEED TO DAVID J. DUNLAP, OF RECORD IN VOLUME 3654, PAGE 331, DEED RECORDS, TRAVIS COUNTY, TEXAS AND ALSO THAT TRACT DESCRIBED IN A DEED TO DAVID J. DUNLAP, OF RECORD IN VOLUME 4430, PAGE 1136, DEED RECORDS, TRAVIS COUNTY, TEXAS; SAID 1.533 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron found with cap at the north corner of this tract and said Dunlap tract in Volume 4430, Page 1136, and at most northerly west corner in Lot 5A, Resubdivision of Lot 5, T.L. Subdivision No. 1, a subdivision of record in Document No. 200200297, Official Public Records, Travis County, Texas, said Lot 5A described in a deed to Cheryl Ogle (undivided 95% interest) and Cheryl Ogle and Crystal Marie Ogle, co-trustees of the Crystal Ogle Management Trust (undivided 5% interest), of record in Document No. 2008190436, Official Public Records, Travis County, Texas, same being in the southeast line of South First Street, from which a 1/2" iron rod found with cap at the north corner of said Lot 5A and said Ogle tract bears N28°37'16"E 58.26 feet;

THENCE, with the northeast line of this tract and said Dunlap tract in Volume 4430, Page 1136, and a southwest line of said Lot 5A and said Ogle tract, S61°19'38"E 124.79 feet to a 1/2" iron rod found at the most northerly northeast corner of this tract and the northeast corner of said Dunlap tract in Volume 4430, Page 1136, and at an interior ell corner of said Lot 5A and said Ogle tract;

THENCE, with the southeast line of this tract, the following five (5) courses, numbered 1 through 5;

1. with the southeast line of said Dunlap tract in Volume 4430, Page 1136 and the northwest line of said Lot 5A and said Ogle and Lot 5B of said Resubdivision of Lot 5, T.L. Subdivision No. 1, said Lot 5B described in a deed to Crescent Resources, LLC, of record in Document No. 2007222585, Official Public Records, Travis County, Texas, S28°21'07"W (said course being the bearing basis for this survey), passing at 79.24 feet a 1/2" iron rod found at the most southerly west corner of said Lot 5A and said Ogle tract and the north corner of Lot 5B and said Crescent Resources tract, in all 173.92 feet to a 1/2" iron rod found at the most easterly north corner of said Dunlap 0.970 acre tract and the west corner of said Lot 5B and said Crescent Resources tract, from which a 1/2" iron rod found with cap bears N31°36'34"W 0.64 feet;

2. with a northeast line of said Dunlap 0.970 acre tract and the southwest line of said Lot 5B and said Crescent Resources tract **S38°15'30"E 31.47 feet** to a spindle set at the an exterior ell corner of said Dunlap 0.970 acre tract and the north corner of Lot 1, T.L. Subdivision No. 2, a subdivision of record in Book 77, Page 312, Plat Records, Travis County, Texas, said Lot 1 described in a deed to The Bible Disclaimer Trust, Ollie M. Bible, Trustee, of record in Volume 12548, Page 362, Real Property Records, Travis County, Texas;
3. with a southeast line of said Dunlap 0.970 acre tract and the northwest line of said Lot 1 and said Bible Disclaimer Trust tract **S28°21'32"W 80.82 feet** to a 1/2" iron rod found at an interior ell corner of said Dunlap 0.970 acre tract and the most northerly west corner of said Lot 1 and said Bible Disclaimer Trust tract;
4. with a northeast line of said Dunlap 0.970 acre tract and a southwest line of said Lot 1 and said Bible Disclaimer Trust tract **S39°36'28"E 100.36 feet** to a 1/2" iron rod set with a plastic cap at the east corner of said Dunlap 0.970 acre tract and an interior ell corner of said Lot 1 and said Bible Disclaimer Trust tract; and
5. with a southeast line of said Dunlap 0.970 acre tract and a northwest line of said Lot 1 and said Bible Disclaimer Trust tract **S50°37'32"W 156.82 feet** to a spindle set at the south corner of this tract and said Dunlap 0.970 and the east corner of that tract described as 0.135 of one acre to the City of Austin, of record in Volume 1851, Page 7, Deed Records, Travis County, Texas, same being in the northeast line of West Riverside Drive;

THENCE, with the southwest line of this tract and said Dunlap 0.970 acre tract and the northeast line of said City of Austin tract and West Riverside Drive **N36°40'28"W 206.57 feet** to a spindle set at the east corner of this tract and said Dunlap 0.970 acre tract and the north corner of said City of Austin tract, same being in the northeast line of West Riverside Drive and the southeast line of South First Street;

1.533 AC.

THENCE, with the northwest line of this tract and said Dunlap 0.970 acre tract and said Dunlap tract in Volume 4430, Page 1136 and the southeast line of South First Street N28°21'07"E 363.50 feet to the POINT OF BEGINNING and containing 1.553 acres or 66,768 square feet, more or less, within these metes and bounds.

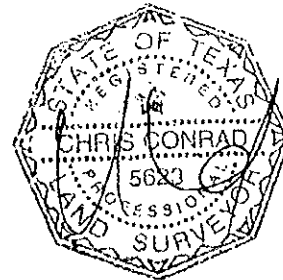
Bearing Basis Note

The bearing base for this survey is the record bearing (N28°21'07"E) along the northwest line of Lots 5A and 5B, Resubdivision of Lot 5, T.L. Subdivision No. 1, a subdivision of record in Document No. 200200297, Official Public Records, Travis County, Texas.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.

3301 Hancock Dr., Ste. 6, Austin, TX 78731 (512) 451-8591



05/29/2012

Chris Conrad, Reg. Professional Land Surveyor No. 5623

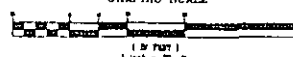
Date

Note: This copy of this description is not valid unless an original signature through an original seal appears on its face. There is a plat to accompany this description.

2012/Descriptions/12-022~RunTex 1.533 acres-ALTA

Issued 05/29/12

ALTA/ACSM LAND TITLE SURVEY PLAT OF
1.533 ACRES OR 66,768 SQUARE FEET
OUT OF LOT 3-F, SWISHER'S ADDITION
BOOK 1, PAGE 1.
PLAT RECORDS, TRAVIS COUNTY, TEXAS

[illegible]

LEGEND

- 001 010 020 030 040 050 060 070 080 090 100 110 120 130 140 150 160 170 180 190 200 210 220 230 240 250 260 270 280 290 300 310 320 330 340 350 360 370 380 390 400 410 420 430 440 450 460 470 480 490 500 510 520 530 540 550 560 570 580 590 600 610 620 630 640 650 660 670 680 690 700 710 720 730 740 750 760 770 780 790 800 810 820 830 840 850 860 870 880 890 900 910 920 930 940 950 960 970 980 990 1000 1010 1020 1030 1040 1050 1060 1070 1080 1090 1100 1110 1120 1130 1140 1150 1160 1170 1180 1190 1200 1210 1220 1230 1240 1250 1260 1270 1280 1290 1300 1310 1320 1330 1340 1350 1360 1370 1380 1390 1400 1410 1420 1430 1440 1450 1460 1470 1480 1490 1500 1510 1520 1530 1540 1550 1560 1570 1580 1590 1600 1610 1620 1630 1640 1650 1660 1670 1680 1690 1700 1710 1720 1730 1740 1750 1760 1770 1780 1790 1800 1810 1820 1830 1840 1850 1860 1870 1880 1890 1900 1910 1920 1930 1940 1950 1960 1970 1980 1990 2000 2010 2020 2030 2040 2050 2060 2070 2080 2090 2100 2110 2120 2130 2140 2150 2160 2170 2180 2190 2200 2210 2220 2230 2240 2250 2260 2270 2280 2290 2300 2310 2320 2330 2340 2350 2360 2370 2380 2390 2400 2410 2420 2430 2440 2450 2460 2470 2480 2490 2500 2510 2520 2530 2540 2550 2560 2570 2580 2590 2600 2610 2620 2630 2640 2650 2660 2670 2680 2690 2700 2710 2720 2730 2740 2750 2760 2770 2780 2790 2800 2810 2820 2830 2840 2850 2860 2870 2880 2890 2900 2910 2920 2930 2940 2950 2960 2970 2980 2990 3000 3010 3020 3030 3040 3050 3060 3070 3080 3090 3100 3110 3120 3130 3140 3150 3160 3170 3180 3190 3200 3210 3220 3230 3240 3250 3260 3270 3280 3290 3300 3310 3320 3330 3340 3350 3360 3370 3380 3390 3400 3410 3420 3430 3440 3450 3460 3470 3480 3490 3500 3510 3520 3530 3540 3550 3560 3570 3580 3590 3600 3610 3620 3630 3640 3650 3660 3670 3680 3690 3700 3710 3720 3730 3740 3750 3760 3770 3780 3790 3800 3810 3820 3830 3840 3850 3860 3870 3880 3890 3900 3910 3920 3930 3940 3950 3960 3970 3980 3990 4000 4010 4020 4030 4040 4050 4060 4070 4080 4090 4100 4110 4120 4130 4140 4150 4160 4170 4180 4190 4200 4210 4220 4230 4240 4250 4260 4270 4280 4290 4300 4310 4320 4330 4340 4350 4360 4370 4380 4390 4400 4410 4420 4430 4440 4450 4460 4470 4480 4490 4500 4510 4520 4530 4540 4550 4560 4570 4580 4590 4600 4610 4620 4630 4640 4650 4660 4670 4680 4690 4700 4710 4720 4730 4740 4750 4760 4770 4780 4790 4800 4810 4820 4830 4840 4850 4860 4870 4880 4890 4900 4910 4920 4930 4940 4950 4960 4970 4980 4990 5000 5010 5020 5030 5040 5050 5060 5070 5080 5090 5100 5110 5120 5130 5140 5150 5160 5170 5180 5190 5200 5210 5220 5230 5240 5250 5260 5270 5280 5290 5300 5310 5320 5330 5340 5350 5360 5370 5380 5390 5400 5410 5420 5430 5440 5450 5460 5470 5480 5490 5500 5510 5520 5530 5540 5550 5560 5570 5580 5590 5600 5610 5620 5630 5640 5650 5660 5670 5680 5690 5700 5710 5720 5730 5740 5750 5760 5770 5780 5790 5800 5810 5820 5830 5840 5850 5860 5870 5880 5890 5900 5910 5920 5930 5940 5950 5960 5970 5980 5990 6000 6010 6020 6030 6040 6050 6060 6070 6080 6090 6100 6110 6120 6130 6140 6150 6160 6170 6180 6190 6200 6210 6220 6230 6240 6250 6260 6270 6280 6290 6300 6310 6320 6330 6340 6350 6360 6370 6380 6390 6400 6410 6420 6430 6440 6450 6460 6470 6480 6490 6500 6510 6520 6530 6540 6550 6560 6570 6580 6590 6600 6610 6620 6630 6640 6650 6660 6670 6680 6690 6700 6710 6720 6730 6740 6750 6760 6770 6780 6790 6800 6810 6820 6830 6840 6850 6860 6870 6880 6890 6900 6910 6920 6930 6940 6950 6960 6970 6980 6990 7000 7010 7020 7030 7040 7050 7060 7070 7080 7090 7100 7110 7120 7130 7140 7150 7160 7170 7180 7190 7200 7210 7220 7230 7240 7250 7260 7270 7280 7290 7300 7310 7320 7330 7340 7350 7360 7370 7380 7390 7400 7410 7420 7430 7440 7450 7460 7470 7480 7490 7500 7510 7520 7530 7540 7550 7560 7570 7580 7590 7600 7610 7620 7630 7640 7650 7660 7670 7680 7690 7700 7710 7720 7730 7740 7750 7760 7770 7780 7790 7800 7810 7820 7830 7840 7850 7860 7870 7880 7890 7900 7910 7920 7930 7940 7950 7960 7970 7980 7990 8000 8010 8020 8030 8040 8050 8060 8070 8080 8090 8100 8110 8120 8130 8140 8150 8160 8170 8180 8190 8200 8210 8220 8230 8240 8250 8260 8270 8280 8290 8300 8310 8320 8330 8340 8350 8360 8370 8

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- [illegible]

The undersigned, being a registered surveyor of the State of Texas, certifies to (1) Alliance Realty Partners, L.P., as surveyors and assignee; (2) First American Title Insurance Company; and (3) Heritage Life Company of Austin, Inc. as follows:

- The Map of SMI and the Survey in which it is based are hereby published in accordance with the "Mutualist Standard Field Requirements for ALTA/ACSM Land Use Surveys" jointly established by American Land Use Association and the American Institute of Professional Surveyors in 2011, and include notes 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829,

The parties listed above and their successors and assigns are intended to rely on the truth and this certificate as being true and accurate.

SURVEYED BY: MCGUIRE & MCGUIRE LAND SURVEYORS, INC.
2203 Hickock Drive, Suite A
Austin, Texas 78751 (412) 451-4591

BEARING BASIS ONLY:

The basis of breeding for this variety stems in terms to the mixed bearing (22/11/77) along the north-west line of Fats 3A and 5B. "Reproduction of 1 of 5 TL" (under name No. 1), a number of record in December No. 20/20/77, just recorded from County, Texas.

FLOOD PLAIN NOT FOR INSURANCE PURPOSES ONLY, NOT FOR CONSTRUCTION, PERMITTING OR OTHER USES, AN ENGINEER MUST BE CONSULTED FOR THE ACTUAL LOCATION OF THIS FLOOD PLAIN. A portion of this tract lies within an identified floodplain special flood hazard area shown on Flood Insurance Rate Maps (FIRMs) issued by FEMA. The flood depths are 1 to 3 feet (locally sheet flow on sloping terrain); average depth determined by analyzing the 100 year flood and water level has been determined to be around 560' from flood plain, as identified by the Federal Emergency Management Agency, National Flood Insurance Program, Flood Hazard and Risk Map for Travis County, Texas, and incorporated Atlas Map No. 44451C 04615 dated September 28, 2009.

The above statement is for informational purposes and does not constitute an offer or solicitation for the purchase or sale of any securities. In addition, the above statement does not represent the opinion of the author(s) of the prospectus. Registered Professional Land Surveyors in Texas are not licensed to determine flood zones.

Chris Conrad, HIG PROFESSIONAL LAND SURVEYOR NO. 3623 DATE 05/29

05/29/2012

RECEIVED BY: 05/25/2017
WEGFAY & McGRAY
LAND SURVEYORS, INC.
8411 HALLCOCK DRIVE #8
AUSTIN, TEXAS 78721
(512) 451-6521

PROJECT NUMBER 18-047	DATE OF ENTRY 18	(17) 151-6231
CASE NO./P.O.	SCH NO.	
FIELD NO./S	1987/06-12	
DURATION OF VISIT - PLANT GROWTH DATA - 12/20/1987-12/20/1987		

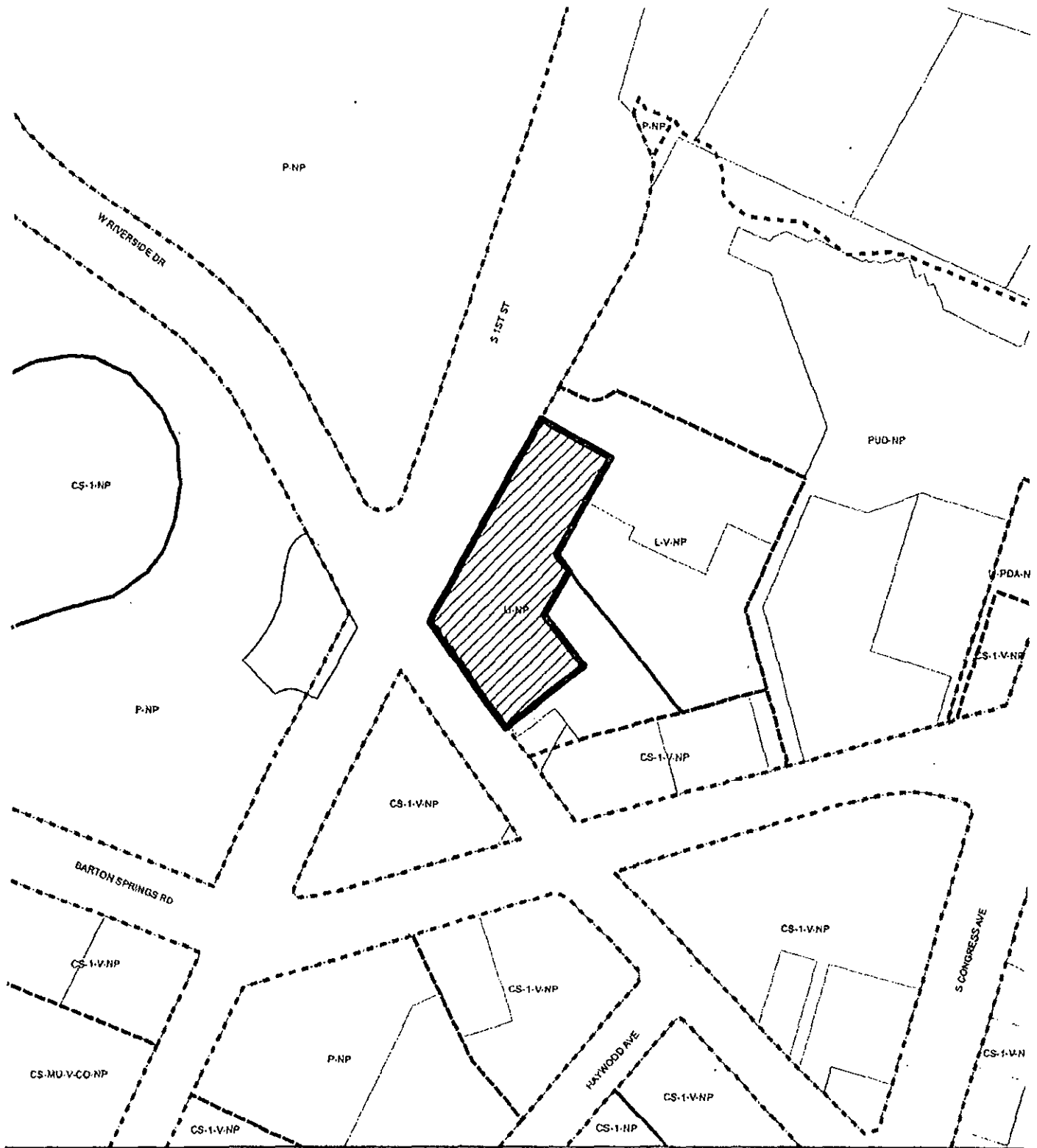


EXHIBIT B

Case No. C814-2012-0071



SUBJECT TRACT

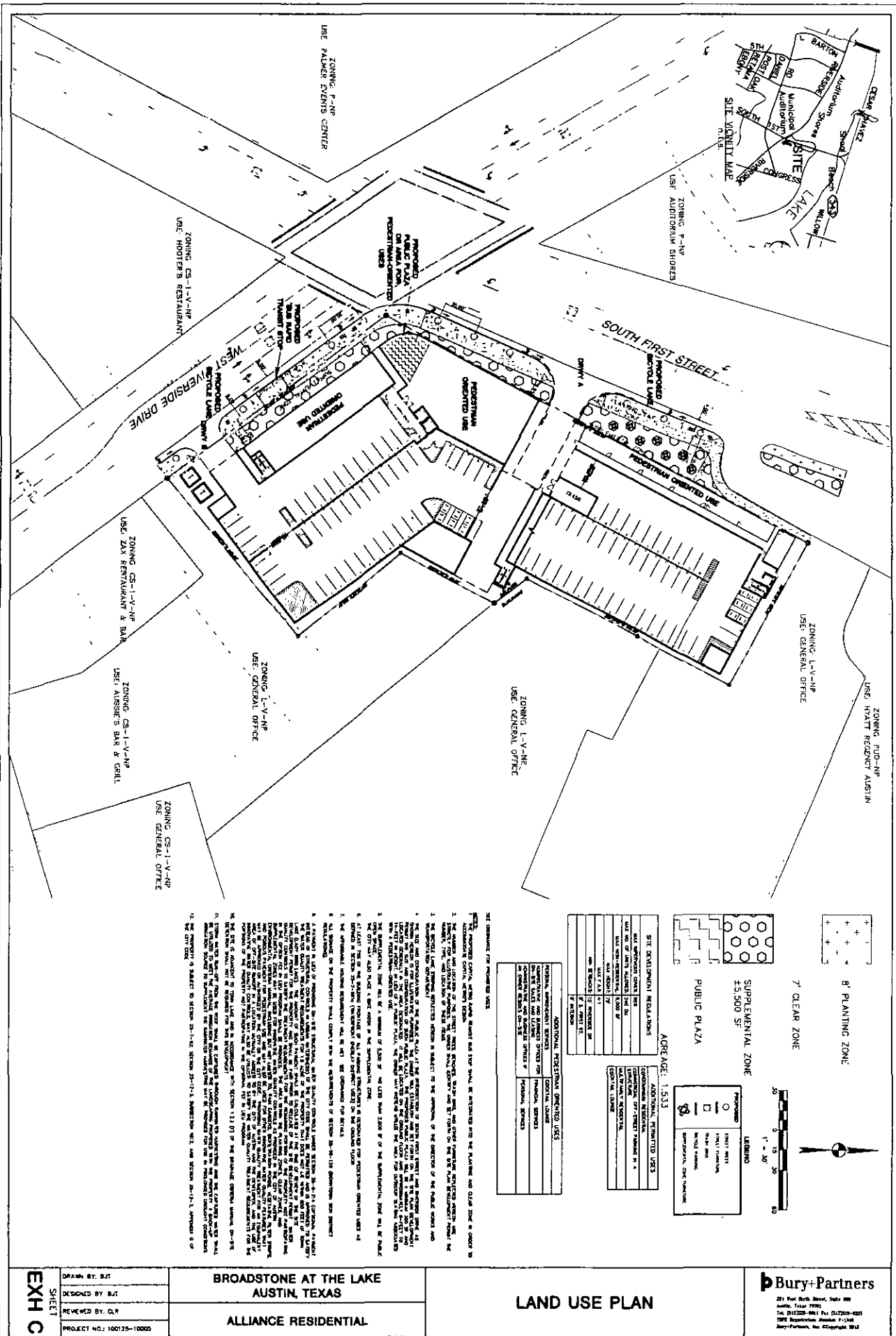


ZONING BOUNDARY

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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





APPENDIX N: CITY OF AUSTIN PREFERRED PLANT LIST

Other plants may be used if approved by the City of Austin. This list is a guide and is not meant to be exclusive. Any other native or well adapted plant may be used if drawings are sealed by a registered Texas Landscape Architect.

EVERGREEN TREES	HEIGHT	FEATURES (N = Native)
Arizona Cypress <i>Cupressus arizonica</i>	30'-75'	good heat and drought tolerance, aromatic foliage
Cherry Laurel <i>Prunus caroliniana</i>	25'-30'	N, screening plant, wildlife food
Deodar Cedar <i>Cedrus deodara</i>	40'-50'	fine texture, needs drainage
Live Oak <i>Quercus virginiana</i>	50'-60'	N, oak wilt susceptible
Mountain Laurel <i>Sophora secundiflora</i>	15'-25'	N, fragrant purple spring blossoms, small tree, large shrub
Texas Madrone <i>Arbutus texana</i>	25'-30'	N, distinctive, attractive bark, difficult to propagate and transplant
Yaupon Holly <i>Ilex vomitoria</i>	15'-20'	N, red berries in winter, small tree, large shrub
DECIDUOUS TREES	HEIGHT	FEATURES (N = Native)
American Elm <i>Ulmus americana</i>	60'-80'	N, vase-shaped canopy, susceptible to Dutch Elm disease
American Smoketree <i>Cotinus obovatus</i>	15'-25'	N, spring floral "clouds", fall color
Arizona Walnut <i>Juglans major</i>	40'-50'	N, nuts attract wildlife
Bald Cypress <i>Taxodium distichum</i>	60'-70'	N, fine texture, rust fall color
Bigtooth Maple <i>Acer grandidentatum</i>	30'-40'	N, outstanding fall foliage, requires drainage
Blackjack Oak <i>Quercus marilandica</i>	50'-60'	N, short-lived, bell-shaped leaves
Bradford Pear	30'-40'	showy white spring flowers

Pyrus calleryana 'Bradford'

Bur Oak <i>Quercus macrocarpa</i>	60'-100'	N, large fringed acorn, majestic, adaptable tree
Cedar Elm <i>Ulmus crassifolia</i>	50'-60'	N, fall color, small leaves
Chinese Pistache <i>Pistacia chinensis</i>	30'-40'	brilliant fall color, very adaptable
Chinquapin Oak <i>Quercus Muhlenbergii</i>	40'-60'	N, tall, slender form, dark glossy lush foliage
Crape Myrtle* <i>Lagerstroemia indica</i>	25'-30'	summer flowers, many varieties
Desert Willow <i>Chilopsis linearis</i>	15'-25'	N, orchid-like blooms, not a true willow
Drake Elm <i>Ulmus parvifolia</i> 'Drake'	20'-30'	nearly evergreen, drought tolerant
Durand Oak <i>Quercus sinuata</i>	50'-70'	N, large oak, prefers moist sites
Eastern Walnut <i>Juglans nigra</i>	70'-80'	N, large tree, valued for nuts
Escarpment Cherry <i>Prunus serotina</i>	20'-30'	N, fall color, fruit for wildlife and jellies
Eve's Necklace <i>Sophora affinis</i>	20'-30'	N, same genus as Mt. Laurel, pink blooms in late spring
Flameleaf Sumac <i>Rhus copallina</i> and <i>R. glabra</i>	15'-20'	N, brilliant fall color, may colonize
Fragrant Ash <i>Fraxinus cuspidata</i>	10'-12'	N, fragrant white flowers in late spring
Golden Rain Tree <i>Koelreuteria bipinnata*</i> and <i>K. paniculata</i>	20'-30'	yellow spring blooms, drought tolerant
Honey Mesquite <i>Prosopis glandulosa</i>	25'-30'	N, drought tolerant, wood valued for smoking meat
Kidneywood <i>Eysenhardtia texana</i>	10'-15'	N, fragrant fall flowers, small tree, large shrub
Lacey Oak <i>Quercus glaucoides</i> and <i>Q. laceyi</i>	20'-40'	N, small tree, peach colored foliage in spring and fall
Little Walnut <i>Juglans microcarpa</i>	20'-30'	N, small tree, strongly scented, good for attracting wildlife
Mexican Buckeye	10'-15'	N, pink spring flowers, small tree,

Ungnadia speciosa		large shrub
Mexican Plum Prunus mexicana	15'-25'	N, white spring blossoms, wildlife food
Orchid Tree Bauhinia spp.	6'-12'	N, showy white blossoms, small understory or patio tree
Pecan Carya illinoensis	60'-80'	N, shade tree, nut producing
Possumhaw Ilex decidua	15'-20'	N, red winter berries, large shrub, small tree
Post Oak Quercus stellata	50'-75'	N, large oak, roots sensitive to disturbance
Red Buckeye Aesculus pavia	10'-20'	N, good understory tree, requires deep well-drained soils
Rusty Blackhaw Viburnum rufidulum	10'-15'	N, good understory tree, glossy leaves, fall color
Shin Oak Quercus sinuata brevifolia	30'-35'	N, small tree, attractive bark, grows in thickets
Shumard Oak Quercus shumardii	50'-75'	N, fast growing, good fall red foliage coloration, tolerant of limestone soils
Texas Ash Fraxinus texensis	40'-50'	N, fast growing, shade tree exceptional fall foliage coloration
Texas Persimmon Diospyros texana	15'-25'	N, wildlife food, multi-trunk
Texas Redbud Cercis canadensis var. 'Texensis'	20'-25'	N, early pink blossoms, drought tolerant
Texas Red Oak Quercus texana	30'-40'	N, white patches on bark, fall color
Vitex, Lilac Tree Vitex Agnus-castus	15'-20'	late spring lavender blooms, small tree
Western Soapberry Sapindus Drummondii	30'-40'	N, showy winter fruit, yellow fall color

*susceptible to severe freeze

EVERGREEN SHRUBS

	SUN	SHADE	FEATURES (N = Native)
Agarita Berberis trifoliolata	o		N, prickly leaves, bright red berries
Barbados Cherry* Malpighia glabra	o	o	N, pale pink flowers, berries attract wildlife

Burford Holly Ilex cornuta 'Burfordii'	o	o	glossy dark green foliage, red fruit
Dwarf Burford Holly Ilex cornuta 'Burfordii nana'	o	o	glossy leaves, berries not prominent
Dwarf Chinese Holly Ilex cornuta 'Rotunda nana'	o	o	spiney foliage, no berries
Dwarf Yaupon Holly Ilex vomitoria 'Nana'	o	o	low mound-like shrub, no berries
Elaeagnus Elaeagnus pungens	o	o	silver foliage, fragrant white fall flowers
Evergreen Sumac Rhus virens	o	o	N , glossy leaves, red fall color when mature
Indian Hawthorn* Raphiolepis indica	o		pink flowers, copper colored new foliage
Mountain Laurel Sophora secundiflora	o	o	N , showy fragrant purple flower, large shrub
Nandina Nandina domestica	o	o	red berries, red fall winter color
Oleander* Nerium oleander	o		summer flowers, large shrub
Pampas Grass* Cortaderia selloana	o		large clumping grass
Red Yucca Hesperaloe parviflora	o		N , coral flower spike, not a true yucca
Rock Cotoneaster Cotoneaster horizontalis	o		red fall fruit, small leaves
Rosemary* Rosmarinus officinalis	o		aromatic leaves, 'Prostratus' cultivar
Sacahuista, Bear Grass Nolina texana	o	o	N , grass-like mounding clumps
Shore Juniper Juniperus conferta	o		spreading, ground cover, blue-green
Silverleaf Cotoneaster Cotoneaster glaucophyllus	o		silver leaves, red fall fruit
Texas Sage Leucophyllum frutescens	o		N , lavender flowers, gray or green foliage
Texas Sotol Dasylirion texanum	o		N , long blade-like leaf with spines
Wax Myrtle Myrica cerifera	o	o	N , very adaptable, aromatic leaves, berries used for Bayberry fragrance

* susceptible to severe freeze

**SEMI-EVERGREEN
SHRUBS****

	SUN	SHADE	FEATURES (N = Native)
Cast Iron Plant* <i>Aspidistra elatior</i>	o		broad strap shaped leaves to 2' height
Glossy Abelia <i>Abelia grandiflora</i>		o	small pink flowers, glossy leaves
Muhly Grass <i>Muhlenbergia lindheimeri</i>	o		N, looks like small pampas grass
Pineapple Guava* <i>Feijoa sellowiana</i>	o		exotic fragrant flowers
Pomegranate* <i>Punica granatum</i>	o	o	orange flowers, yellow fall color
Primrose Jasmine* <i>Jasminum mesnyi</i>	o		yellow flowers, mounding form

* susceptible to severe freeze

**influenced by severity or duration of winter

DECIDUOUS SHRUBS

	SUN	SHADE	FEATURES (N = Native)
Althaea <i>Hibiscus syriacus</i>	o		showy summer flowers
American Beautyberry <i>Callicarpa americana</i>	o	o	N, purple fruit in autumn, wildlife food
Aromatic Sumac <i>Rhus aromatica</i>	o	o	N, red berries in late spring, brilliant fall foliage
Arrowwood <i>Viburnum dentatum</i>	o	o	N, spring flowers, fall color
Black Dalea <i>Dalea frutescens</i>	o		N, purple summer flowers, fine foliage
Butterfly Bush <i>Buddleia Davidii</i>	o		N, lavender/lilac flowers, small fuzzy leaves
Flame Acanthus <i>Anisacanthus Wrightii</i>	o	o	N, orange flowers attracts hummingbirds
Possumhaw Holly <i>Ilex decidua</i>	o	o	N, red winter berries large shrub
Texas Lantana* <i>Lantana horrida</i> and <i>L. camara</i>	o		N, good summer color, many varieties
Trailing Lantana*	o	o	N, lilac colored flowers summer

Lantana montevidensis

through fall

*susceptible to severe freeze

EVERGREEN VINES & GROUNDCOVERS		SUN	SHADE	FEATURES (N = Native)
Asian Jasmine* Trachelospermum asiaticum	o	o		low vigorous groundcover
Bigleaf Periwinkle Vinca major			o	loose groundcover, blue flowers
Carolina Jessamine Gelsemium sempervirens	o	o		N, fragrant yellow flowers in spring
Coral Honeysuckle Lonicera sempervirens	o	o		N, coral flowers, red fruit, attracts wildlife
Cross Vine Bignonia capreolata	o	o		N, yellow/red flowers, clinging vine
Damianita Chrysactinia mexicana	o			N, yellow flowers, low growing to 12" height
English Ivy Hedera helix			o	clinging, vigorous, self-climbing vine
Fig Vine* Ficus pumila	o	o		clinging vine, fine texture
Lady Banksia Rose Rosa banksiae	o			yellow spring flowers, large cascading form
Liriope Liriope muscari			o	purple spike flowers, clump-like foliage
Littleleaf Periwinkle Vinca minor			o	blue flowers, groundcover
Monkey Grass Ophiopogon japonicus			o	tufted grass-like groundcover
Oregano Origanum vulgare	o	o		perennial, spreading herb
Santolina Santolina chamaecyparissus	o			fine textured, aromatic foliage
Stonecrop Sedum spp.	o	o		low, fast growing groundcover

*susceptible to severe freeze

DECIDUOUS VINES & GROUNDCOVERS		SUN	SHADE	FEATURES (N = Native)
Boston Ivy Parthenocissus	o	o		N, red fall color, clinging vine

tricuspidata 'Veitchii'

Bush Morning Glory

Ipomoea leptophylla

o

o

N, forms 1½' - 3' mounds of foliage, lavender to purple flowers

Coral Vine

Antigonon leptopus

o

pink flowers in summer and fall

Cypress Vine

Ipomoea quamoclit

o

red tube-like flowers, twining vine, annual

Gregg Dalea*

Dalea greggii

o

o

N, purple flowers in fall, groundcover

Mustang Grape

Vitis mustangensis

o

o

N, native grape, climbs by tendrils

Old Man's Beard

Clematis Drummondii

o

o

twining vine, feathery seeds

Passion Vine*

Passiflora incarnata

o

o

N, lavender flowers, edible fruit: Maypop

Sweet Autumn Clematis

Clematis paniculata

o

fragrant fall flowers, twining vine

Trumpet Vine

Campsis radicans

o

o

N, orange-scarlet flowers, invasive

Virginia Creeper

Parthenocissus quinquefolia

o

o

N, red fall color, clinging vine

*susceptible to severe freeze

FLOWERING PERNNIALS

SUN

SHADE

FEATURES (N = Native)

Artemisia

o

Artemisia ludoviciana

N, aromatic foliage, white fuzzy leaves

Black-eyed Susan

o

o

Rudbeckia hirta

September

N, yellow dark-centered daisy, flowers May to

Blackfoot Daisy

o

Melampodium leucanthum

short-lived

N, short white daisy, flowers all summer,

Butterfly Weed

o

o

Asclepias tuberosa

N, orange/yellow flowers, attracts butterflies

Canna Lily

o

banana-like foliage

Canna X generalis			blooms in summer
Cedar Sage Salvia roemeriana	o		N , red flowers, naturalizes
Cherry Sage Salvia greggii	o	o	N , red, pink or white flowers
Cigar Plant Cuphea micropetala	o		orange-yellow fall flowers
Coreopsis Coreopsis lanceolata	o		N , yellow spring and fall flowers, clumping
Daylily Hemerocallis fulva	o		orange/yellow funnel- shaped flower
Fall Aster Aster spp.	o	o	N , blue/purple autumn flowers
Firebush* Hamelia patens	o		red-orange flowers, red fall color
Gayfeather Liatris spp.	o		N , purple flower spikes in autumn
Heartleaf Hibiscus Hibiscus cardiophyllus	o	o	N , red flowers all summer
Hinckley's Columbine Aquilegia Hinckleyana		o	bright yellow flowers in spring
Hymenoxys Hymenoxys scaposa	o		N , small yellow daisy, bitter smelling leaves
Lamb's Ears Stachys byzantina	o		unique foliage, low growing
Maximillian Sunflower Helianthus maximiliana	o		N , yellow flower, late summer to fall
Mealy Blue Sage Salvia farinacea	o		N , blue flower spikes spring and summer
Mexican Bush Sage Salvia leucantha		o	tall purple flower spikes
Mexican Heather* Cuphea hyssopifolia	o		tiny purple, pink or white flowers
Mexican Marigold Mint Tagetes lucida	o	o	yellow fall flowers, anise flavored foliage
Mexican Oregano Poliomintha longiflora	o		lavender/pink flowers, aromatic
Oxeye Daisy Chrysanthemum leucanthemum	o		white early summer flower, yellow center
Peruvian Verbena*	o		pink, purple, red or

Verbena peruviana			white flowers,
Pink Skullcap	o	o	pink flowers in
<i>Scutellaria suffrutescens</i>			summer, low growing
Plumbago*	o	o	low growing, blue
<i>Plumbago auriculata</i>			flowers
Purple Coneflower	o	o	N, purple daisy-like
<i>Echinacea purpurea</i>			flowers
Rose Mallow	o	o	N, pink hibiscus-like
<i>Pavonia lasiopetala</i>			flowers
Scarlet Sage	o	o	N, red, pink or white
<i>Salvia coccinea</i>			flowers, spring to fall
Spiderwort	o		N, purple-blue flowers,
<i>Tradescantia x Andersoniana</i>			informal ground cover
Turk's Cap	o	o	N, red flowers and fruit,
<i>Malvaviscus arboreus</i>			colonizing
<i>'Drummondii'</i>			
Yarrow	o	o	off-white flowers, pink
<i>Achillea millefolium</i>			variety available
White Mistflower	o	o	N, white autumn flowers,
<i>Eupatorium Wrightii</i>			attracts butterflies
Wild Petunia	o		N, purple flowers from
<i>Ruellia nudiflora</i>			March to December
Zexmenia	o	o	N, orange/yellow
<i>Wedelia hispida</i>			flowers, May to November

*susceptible to severe freeze

TURF & LOW GRASSES	SUN	SHADE	FEATURES (N = Native)
Bermuda <i>Cynodon dactylon</i>	o		seed or hybrid sod
Blue Grama <i>Bouteloua gracilis</i>	o		N, seed, fine-leaf tufted grass, good meadow grass, not for mowed lawns
Buffalograss <i>Buchloe dactyloides</i>	o		N, many seed varieties, sod available in '609' and Prairie hybrids
Little Bluestem <i>Schizachyrium scoparium</i>	o		N, seed, blue-green, fine texture, not for mowed lawns
Side Oats Gramma <i>Bouteloua curtipendula</i>	o	o	N, seed, not for mowed lawns

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