

**Late Backup** ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1141 SHADY LANE AND 5300 JAIN LANE IN THE JOHNSTON TERRACE NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT AND LIMITED OFFICE-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LO-MU-CO-NP) COMBINING DISTRICT TO PLANNED UNIT DEVELOPMENT-NEIGHBORHOOD PLAN (PUD-NP) COMBINING DISTRICT.

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

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence-neighborhood plan (SF-3-NP) combining district and limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district to planned unit development-neighborhood plan (PUD-NP) combining district on the property described in Zoning Case No. C814-2012-0128.SH, on file at the Planning and Development Review Department, as two parcels of land consisting of approximately 24.37 acres in Travis County, Texas, shown in Exhibit "A" (the "Property"). The Property is locally known as 1141 Shady Lane and 5300 Jain Lane and generally identified in the map attached as Exhibit "B".

**PART 2.** This ordinance and the attached Exhibits A through D are the land use plan (the "Land Use Plan") for the thinkEAST planned unit development district (the "PUD") created by this 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. If this ordinance and the attached exhibits conflict, this ordinance controls. Except as otherwise provided by this ordinance or by Section 245.004 of the Local Government Code, development within the PUD is subject to the ordinances, regulations, and rules in effect on the effective date of this ordinance.

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

- Exhibit A: Legal description of the Property
- Exhibit B: Zoning Map
- Exhibit C: Land Use Plan
- Exhibit D: Grow Green Native and Adapted Landscape Plants

1 **PART 4. Definitions.**

2  
3 A. In this ordinance:

- 4  
5 1. LIVE WORK means a type of mixed-use land use that is predominantly  
6 residential, but may include commercial, office, and/or any other  
7 permitted land use. If non-residential uses are included, connecting  
8 commercial and residential units is not required.  
9  
10 2. CREATIVE STUDIO means type of mixed-use land use that is  
11 predominantly commercial, office, and/or any other permitted non-  
12 residential land use, but may also include residential uses. If residential  
13 uses are included, connecting commercial and residential units is not  
14 required.  
15

16 **PART 5. Use Regulations**

17  
18 A. Land Use Areas identified on Exhibit C shall conform to the following base  
19 districts, except as modified by this ordinance.  
20

- 21 (1) Land Use Area 1: limited office-mixed use (LO-MU) combining district  
22 zoning.  
23 (2) Land Use Area 2: multifamily residence highest density (MF-6)  
24 district zoning.  
25 (3) Land Use Area 3: limited office-mixed use (LO-MU) combining district  
26 zoning.  
27 (4) Land Use Area 4: limited office -mixed use (LO-MU) combining district  
28 zoning.  
29 (5) Land Use Area 5: general commercial services-mixed use (CS-MU)  
30 combining district zoning.  
31 (6) Parkland: Public (P) district zoning.  
32

33 B. Development of the Property may not exceed 54 multifamily residential units  
34 per acre.  
35

36 C. Development of the Property may not exceed 444 multifamily residential units.  
37

38 D. Development of the Property may not exceed 37,400 square feet of retail and  
39 office development.  
40

1 E. Development of the Property may not exceed 118,800 square feet of live-work  
2 land use.

3  
4 F. Development of the Property may not exceed 62,400 square feet of creative  
5 studio land use.

6  
7 G. Development of the Property must include two civic facilities totaling 4,800  
8 square feet.

9  
10 H. The maximum height, as defined by City Code, of a building or structure in  
11 Land Use areas 1-5 shall not exceed 40 feet or 3 stories.

12  
13 I. The following uses are prohibited uses on Land Use Area 5:  
14

Automotive repair services  
Automotive sales  
Commercial off-street parking  
Exterminating services  
Hospital services-general  
Kennels  
Laundry services  
Equipment repair services  
Off-site accessory parking  
Pawn shop services  
Construction sales and services

Bail bond services  
Automotive washing (of any type)  
Drop-off recycling collection facility  
Commercial blood plasma center  
Residential treatment  
Monument retail sales  
Funeral services  
Campground  
Outdoor sports and recreation  
Service station  
Vehicle storage

15  
16 J. Outdoor entertainment is a conditional use in Land Use Area 5.

17  
18 K. The following uses are permitted uses in all the PUD Land Use Areas:  
19

Community recreation  
College and university facilities  
Private secondary educational  
facilities  
Public secondary educational  
facilities

Business or trade school  
Private primary educational facilities  
Public primary educational facilities

20  
21 **PART 6. Open Space and Parkland.**

22  
23 A. All trails on the Property shall be open and accessible to the public.

- 1
- 2 B. The developer's costs of publicly accessible trails constructed on the Property
- 3 will be credited towards Parkland Dedication fees.
- 4
- 5 C. Development of the Property shall provide a minimum of 37 percent of gross
- 6 site area to open space.
- 7
- 8 D. Development of the Property shall include a 1.30 acre Parkland Dedication, as
- 9 indicated on the Land Use Plan.
- 10
- 11 E. The Parkland Dedication credit will be transferable up to ½ mile from the
- 12 Property and parkland within the 100 year floodplain is credited at 50 percent.
- 13

14 **PART 7. Environmental.**

15

- 16 A. The developer of the Property shall remove trash and debris, as well as non-
- 17 native woody species within the riparian corridor of the tributary to Boggy
- 18 Creek. The applicant will identify the invasive trees for removal on the site
- 19 development plan.
- 20
- 21 B. The developer of the Property will use Green Storm Water Quality
- 22 Infrastructure (e.g. bio-filtration, vegetative filter strips, rain gardens, etc.) for at
- 23 least 50 percent of the required water quality controls.
- 24
- 25 C. At the time of development, the City of Austin shall provide a Health and
- 26 Safety Plan for developer and contractor use to address the potential for
- 27 encountering residual hydrocarbons that may remain in the soils or groundwater
- 28 from historical releases in the area.
- 29
- 30 D. The developer of the Property shall restore all disturbed areas within the
- 31 Critical Water Quality Zones and priority woodlands with native plantings as
- 32 per City of Austin Standard Specification 609.S Native Grasslands Seeding and
- 33 Plantings for Erosion Control.
- 34
- 35 E. The developer of the Property will plant a minimum of fifty 4-inch caliper street
- 36 trees from the list in the Environmental Criteria Manual, Appendix F along
- 37 Shady Lane/Jain Lane meeting the Core Transit Corridor spacing and species
- 38 requirements. The trees will count toward mitigation for trees proposed to be
- 39 removed within the Shady Lane realignment and anywhere else on the Property.
- 40

- 1 F. Developer of the Property will, wherever possible, irrigate landscapes with  
2 reclaimed water supplied by the City of Austin Reclaimed Water Division.  
3  
4 G. Development of the Property shall comply with the requirements of the Austin  
5 Energy Green Building Program (GBP) multifamily, single family, or  
6 commercial rating system for a minimum two-star rating. Certification from  
7 the GBP shall be based on the version in effect at the time ratings applications  
8 are submitted for individual buildings.  
9  
10 H. An Integrated Pest Management (IPM) plan shall be submitted to the Watershed  
11 Protection Department or successor Department for review and approval. The  
12 IPM plan shall comply with the guidelines in Section 1.6.9.2 (D) and (F) of the  
13 Environmental Criteria Manual in effect on the effective date of this ordinance.  
14  
15 I. At the time an application for approval of a site plan is submitted for  
16 development of the Property, or any portion of the Property, a landscape plan  
17 for the use of native and adapted plant materials according to the City of Austin  
18 Preferred Plant List, attached as Exhibit "D", shall be submitted to the  
19 Watershed Protection Department or successor Department for review and  
20 approval.  
21

## 22 **PART 8. Affordable Housing Program.**

- 23  
24 A. Subject to and conditioned upon public or private development subsidies, 100%  
25 of the residential units in Land Use Areas 1 and 2 will be for rental occupancy  
26 by households whose income is between 30%-60% of the median family  
27 income and owned occupancy between 30%-80% of the median family income  
28 (MFI) in the Austin metropolitan statistical area as established annually by the  
29 director of Austin Neighborhood Housing and Community Development  
30 Office.  
31  
32 B. Without public or private development subsidies, 10% of the residential units in  
33 Land Use Areas 1 and 2 will be for owned or rental housing at 60% of Austin  
34 MFI and 10% of the residential units in Land Use Areas 1 and 2 will be for  
35 owned or rental housing at 80% of Austin MFI. Affordability requirements  
36 under this paragraph shall expire on the 10th anniversary of the issuance of a  
37 certificate of occupancy for the unit.  
38  
39 C. Rents for any affordable unit will be established annually by the director of  
40 Austin Neighborhood Housing and Community Development Office.

- 1  
2 D. The owner must accept tenants that are receiving government housing choice  
3 vouchers or other similar program that may be developed in the future (so long  
4 as such tenants otherwise meet owner's tenant requirements) for a minimum of  
5 10% of any affordable units provided under paragraph A above.  
6  
7 E. The owner must enter into a Land Use Restriction Agreement with the  
8 Neighborhood Housing and Community Development Office to be executed  
9 and recorded in the Travis County real property records applicable to the  
10 property that contractually commits any owner of the property to comply with  
11 the requirements of Part 8, Sections A through D of this ordinance.  
12  
13 F. The owner may not file a development application with the City of Austin for  
14 the Property before recording the executed Land Use Restriction Agreement.  
15

16 **PART 9. Transportation and Bicycle Plan.**

- 17  
18 A. The number of bicycle parking spaces shall equal to at least 5 percent of  
19 required motor vehicle parking.  
20  
21 B. A minimum of 50 percent of all required bicycle parking shall be secure,  
22 located within 50 feet of the principal building entrance and shall not be  
23 obscured from view. The remainder of all bicycle parking shall be secure,  
24 located within 50 feet of other building entryways; and/or at employee only  
25 entrances; and/or within a building; and/or in a covered motor vehicle parking  
26 facility within 50 feet of a street entrance. The location of the closest bicycle  
27 parking facility must be no further than the closest motor vehicle parking space,  
28 excluding accessible parking spaces.  
29  
30 C. A building containing one or more commercial uses that total 5,000 square feet  
31 or more shall include shower facilities for bicycle riders. A building containing  
32 one or more commercial uses that total 5,000 square feet or larger, but less than  
33 20,000 square feet shall contain one private unisex shower. A building  
34 containing more than 20,000 square feet, but less than 100,000 square feet of  
35 commercial uses shall provide a minimum of one private shower facility for  
36 each gender. A building containing more than 100,000 square feet, but less  
37 than 500,000 square feet of commercial uses shall provide two shower facilities  
38 each for both sexes. A building containing more than 500,000 square feet of  
39 commercial uses shall provide private shower facilities with a minimum of  
40 three showers for each of both sexes. All shower requirements shall include an

1 area for changing clothes and storing personal items. The facilities may be  
2 located outside of the building in a common area accessible to all buildings  
3 subject to this requirement. The facilities shall be separate from the office toilet  
4 facilities.  
5

6 **PART 10. Code modifications.** In accordance with Chapter 25-2, Subchapter B, Article  
7 2, Division 5 (Planned Unit Development) of the Code, the following site development  
8 regulations apply to the PUD instead of otherwise applicable City regulations:  
9

10 A. Zoning

- 11  
12 (1) Section 25-2-1064 (*Front Setback*) is modified to require a 10 foot  
13 setback in Land Use areas 1, 2 and 3, on property adjoining residential  
14 uses. The maximum building height is permitted at the 10 foot setback.  
15  
16 (2) Section 25-2, Subchapter B, Division 5, Subpart D, Section 4.3 shall be  
17 waived until the Shady Lane/Jain Lane roadway improvements have been  
18 completed.  
19

20 **PART 11.** The Property is subject to Ordinance No. 030327-11b that established the  
21 Johnston Terrace neighborhood plan combining district.  
22

23 **PART 12.** This ordinance takes effect on \_\_\_\_\_, 2013.  
24

25  
26 **PASSED AND APPROVED**  
27

28  
29  
30 \_\_\_\_\_, 2013

§  
§  
§

31 \_\_\_\_\_  
32 Lee Leffingwell  
33 Mayor  
34

35 **APPROVED:** \_\_\_\_\_

36 Karen M. Kennard  
37 City Attorney

**ATTEST:** \_\_\_\_\_

Jannette S. Goodall  
City Clerk

**HOLT CARSON, Inc.**  
**PROFESSIONAL LAND SURVEYORS**

1904 FORTVIEW ROAD  
AUSTIN, TX 78704  
TELEPHONE: (512) 442-0990  
FACSIMILE: (512) 442-1084

**FIELD NOTE DESCRIPTION OF 22.37 ACRES OF LAND OUT OF THE JESSE C. TANNEHILL SURVEY ABSTRACT No. 22 IN TRAVIS COUNTY, TEXAS, BEING COMPRISED OF ALL OF THAT CERTAIN TRACT OF LAND AS CONVEYED TO COASTAL STATES MARKETING, INC., NOW KNOWN AS EL PASO MERCHANT ENERGY PETROLEUM COMPANY, BY DEED RECORDED IN VOLUME 4131 PAGE 2307 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, TOGETHER WITH ALL OF THAT CERTAIN TRACT OF LAND AS CONVEYED TO EL PASO MERCHANT ENERGY PETROLEUM COMPANY BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT No. 2003017135 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, TOGETHER WITH ALL OF THAT CERTAIN TRACT OF LAND AS CONVEYED TO EL PASO MERCHANT ENERGY PETROLEUM COMPANY BY WARRANTY DEED RECORDED IN DOCUMENT No. 2003135554 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, TOGETHER WITH ALL OF THAT CERTAIN TRACT OF LAND AS CONVEYED TO EL PASO MERCHANT ENERGY PETROLEUM COMPANY BY WARRANTY DEED RECORDED IN DOCUMENT No. 2003264332 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND TOGETHER WITH A PORTION OF THAT CERTAIN STRIP OF LAND LOCALLY KNOWN AS "JAIN LANE" AS ESTABLISHED BY INSTRUMENT RECORDED IN BOOK U PAGE 33 OF THE COMMISSIONERS' COURT MINUTES OF TRAVIS COUNTY, TEXAS, SAME BEING ALL OF THAT CERTAIN (22.41 ACRE) TRACT OF LAND AS DESCRIBED IN THAT AFFIDAVIT OF OWNERSHIP IDENTITY AND CONSOLIDATED REAL PROPERTY DESCRIPTION AS RECORDED IN DOCUMENT No. 2004096950 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, LESS THAT CERTAIN (1,585 SQUARE FEET) TRACT OF LAND AS CONVEYED TO THE CITY OF AUSTIN BY QUIT CLAIM DEED RECORDED IN DOCUMENT No. 2012076626 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a ½" iron rod found at the intersection of two fences in the South line of that certain (16.05 acre) tract of land as conveyed to Hugo Anderson by deed recorded in Volume 429 Page 248 of the Deed Records of Travis County, Texas, and in the North line of that certain (7.35 acre) tract of land described as "First Tract" and as conveyed to Otto Friedrich by deed recorded in Volume 376 Page 276 of the Deed Records of Travis County, Texas, for the Southeast corner of that certain (3.2 acre) tract of land as conveyed to J.E. Hamby, et ux, by deed recorded in Volume 569 Page 15 of the Deed Records of Travis County, Texas, and for the Southeast corner of that certain (2.024 acre) tract of land as conveyed to Paubla Gutierrez by deed recorded in Volume 13304 Page 3132 of the Real Property Records of Travis County, Texas, and for an angle corner of that certain (11.256 acre) tract of land as conveyed to James H. Crockett by deed recorded in Volume 8775 Page 500 of the Deed Records of Travis County, Texas, and for an angle corner of that certain tract of land as conveyed to Stephen Craig Anderson and Rodney Milton Anderson by Warranty Deed recorded in Volume 13127 Page 2576 of the Real Property Records of Travis County, Texas, and being an angle corner of that certain tract of land as conveyed to El Paso Merchant Energy Petroleum Company by Special Warranty Deed recorded in Document No. 2003017135 of the Official Public Records of Travis County, Texas, and being the **PLACE OF BEGINNING** of the herein described tract;



THENCE entering the interior of said Hugo Anderson (16.05 acre) tract with the East line of said Gutierrez (2.024 acre) tract and with a Westerly line of said Stephen and Rodney Anderson tract, N 29 deg. 45' 31" E 236.82 ft. to a ½" iron pipe found at a chain-link fence corner post for the Northeast corner of said Gutierrez (2.024 acre) tract, and for the Southeast corner of a twenty-five foot (25') wide "Roadway" strip of which title was reserved and retained in said deed recorded in Volume 569 Page 15 of the Deed Records of Travis County, Texas, and for an angle corner of said Stephen and Rodney Anderson tract, same being an angle corner of this tract;

THENCE with the South line of said 25 ft. "Roadway" strip and with the common line of said Stephen and Rodney Anderson tract and Gutierrez (2.024 acre) tract, N 58 deg. 50' 36" W 355.68 ft. to a spindle set in the interior of the improved Shady Lane and in the Westerly line of said Hugo Anderson (16.05 acre) tract, and for the Northwest corner of said Gutierrez (2.024 acre) tract and for the Northwest corner of that certain tract of land as conveyed to the City of Austin by Street Deed recorded in Volume 9647 Page 182 of the Real Property Records of Travis County, Texas, same being an angle corner of this tract;

THENCE with the most Westerly line of said Stephen and Rodney Anderson tract and with the West line of said Hugo Anderson (16.05 acre) tract, N 72 deg. 35' 00" E 34.23 ft. to a spindle set in the interior of the improved Shady Lane for the Southwest corner of that certain tract of land as conveyed to Fidel Estrada, Jr. by deed recorded in Volume 3709 Page 1867 of the Deed Records of Travis County, Texas, and being an angle corner of said Stephen and Rodney Anderson tract, same being an angle corner of this tract;

THENCE re-entering the interior of said Hugo Anderson (16.05 acre) tract with the common line of said Stephen and Rodney Anderson tract and said Estrada tract and with the North line of said 25 ft. "Roadway" strip, S 58 deg. 50' 36" E 332.27 ft. to a ½" iron pipe found at the base of an old fence corner post for the Southeast corner of said Estrada tract and for an angle corner of said Stephen and Rodney Anderson tract, and being an angle corner of this tract;

THENCE continuing across the interior of said Hugo Anderson (16.05 acre) tract, N 29 deg. 22' 23" E 163.88 ft. to a ½" iron pipe found at an old fence corner post for an angle corner of said Stephen and Rodney Anderson tract and for the Northeast corner of said Hamby (3.2 acre) tract and for the Northeast corner of that certain (one acre) tract of land as conveyed to F.F. Gooding by deed recorded in Volume 812 Page 583 of the Deed Records of Travis County, Texas, and for the Northeast corner of that certain tract of land as conveyed to William A. Gouldie by deed recorded in Volume 8450 Page 753 of the Deed Records of Travis County, Texas, and being an angle corner of this tract;

THENCE along an old wire fence, S 60 deg. 30' 37" E 108.21 ft. to a ½" iron pipe found in the centerline of a small creek for an angle corner of said Stephen and Rodney Anderson tract and for the Southeast corner of that certain tract of land as conveyed to Steven DePaz by deed recorded in Volume 10936 Page 977 of the Real Property Records of Travis County, Texas, and being an angle corner of this tract;

THENCE with the common line of said Stephen and Rodney Anderson tract and said DePaz tract, N 30 deg. 09' 08" E at 188.63 ft. passing a PK nail found in asphalt in the South line of Jain Lane, a thirty-foot (30') wide Right-of-Way as established by instrument dated April, 1930, and recorded in Book U Page 33 of the Commissioners' Court Minutes of Travis County, Texas, and continuing with the same course for a total distance of 203.63 ft. to a spindle found in the centerline of Jain Lane an angle corner of this tract;

THENCE with the centerline of "Jain Lane", N 59 deg. 58' 10" W 142.22 ft. to a ½" iron rod found with a plastic cap imprinted with "Carson and Bush Professional Surveyors" at a point of intersection with the Westerly projection of the North line of that certain (3.08 acre) tract of land as conveyed to Coastal States Marketing, Inc., now known as El Paso Merchant Energy Petroleum Company, by deed recorded in Volume 4131 Page 2307 of the Deed Records of Travis County, Texas, and the South line of the Southern Pacific Railroad, and being a Northwesterly angle corner of this tract;

THENCE with the South line of the Southern Pacific Railroad, N 73 deg. 02' 50" E 753.42 ft. to a ½" iron rod found with a plastic cap imprinted with "Carson and Bush Professional Surveyors" for the Northeast corner of said (3.08 acre) tract and for the Northwest corner of that certain tract of land as conveyed to El Paso Merchant Energy Petroleum Company by Warranty Deed recorded in Document No. 2003135554 of the Official Public Records of Travis County, Texas;

THENCE continuing with the South line of the Southern Pacific Railroad, N 73 deg. 02' 50" E 612.18 ft. to a currently inundated point on a concrete drainage channel for the Northeast corner of said El Paso tract (Document No. 2003135554) and for the North common corner of Lots 10 and 11, Block C, Pecan Grove, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 59 Page 3 of the Plat Records of Travis County, Texas, and for a Northwesterly corner of that certain (49.99 acre) tract of land as conveyed to Joe Stanzel and Victor Stanzel by deed recorded in Volume 3099 Page 196 of the Deed Records of Travis County, Texas, and being the Northeast corner of this tract;

THENCE with the common line of said El Paso tract (Document No. 2003135554) and said Pecan Grove, S 30 deg. 19' 41" W at 322.14 ft. passing a ½" iron rod found for the West common corner of Lot 9 and Lot 10, Block C, Pecan Grove, and at 577.10 ft. passing a ½" iron rod found for the West common corner of Lot 6 and Lot 7, Block C, Pecan Grove, and continuing along the same course for a total distance of 936.44 ft. to a spindle found in asphalt paving for a Southeasterly corner of this tract and being in the curving North right-of-way line of Jain Lane;

THENCE with the North right-of-way line of Jain Lane (as described in the aforementioned Commissioners' Court Book U Page 33), the following three (3) courses;

- 1) along a curve to the left with a radius of 71.79 ft. for an arc length of 13.18 ft. and which chord bears S 49 deg. 43' 19" W 13.16 ft. to a spindle found in asphalt for a point of reverse curvature;
- 2) along a curve to the right with a radius of 46.14 ft. for an arc length of 60.86 ft. and which chord bears S 82 deg. 14' 51" W 56.54 ft. to a spindle found in asphalt for a point of tangency;
- 3) N 59 deg. 58' 10" W 10.19 ft. to a spindle found for an angle corner of this tract;

THENCE crossing the interior of "Jain Lane", S 29 deg. 58' 06" W at 30.00 ft. passing a ½" iron pipe found for the Northeast corner of that certain (0.432 acre) tract of land as conveyed to El Paso Merchant Energy Petroleum Company by Warranty Deed recorded in Document No. 2003264332 of the Official Public Records of Travis County, Texas, and continuing with the same course for a total distance of 216.48 ft. to a PK nail found in concrete at the base of a fence corner post for an angle corner in the West line of Lot 3, Block B, of said Pecan Grove and for an angle corner of the aforementioned El Paso tract (Document No. 200317135) and for the South corner of said El Paso (0.432 acre) tract, and being an angle corner of this tract;

end of Page 3

THENCE with the common line of said Stephen and Rodney Anderson tract and said Pecan Grove, the following two (2) courses;

- 1) S 17 deg. 10' 06" E 83.36 ft. to a ½" iron pipe found;
- 2) S 18 deg. 31' 39" W 381.02 ft. to a ½" iron rod found in the West line of Lot 10, Pecan Grove, for the Southeast corner of said Stephen and Rodney Anderson tract and for the Northeast corner of that certain tract of land as conveyed to the City of Austin by Warranty Deed recorded in Volume 11297 Page 1112 of the Real Property Records of Travis County, Texas, and being the Southeast corner of this tract, and from which a chiseled "X" found in concrete for the Southeast corner of said City of Austin tract bears S 18 deg. 32' 48" W 132.41 ft.;

THENCE with the North line of said City of Austin tract, S 80 deg. 56' 48" W 37.40 ft. to a point in an Easterly deed line of that certain (23.32 acre) tract of land as conveyed to the City of Austin in September, 1946, by deed recorded in Volume 828 Page 5 of the Deed Records of Travis County, Texas, and being the Southeast corner of that certain (1,585 square feet) tract of land as conveyed to the City of Austin by Quit Claim Deed recorded in Document No. 2012076626 of the Official Public Records of Travis County, Texas, same being an angle corner of this tract, and from which a ½" iron rod found for an angle corner of said El Paso Merchant Energy (22.41 acre) tract bears S 80 deg. 56' 48" W 11.32 ft.;


THENCE with the East line of said City of Austin (1,585 square feet) tract, N 03 deg. 16' 30" E 286.50 ft. to a ½" iron pipe found at an old fence corner post for a common angle corner of said Stephen and Rodney Anderson tract and said City of Austin (23.32 acre) tract, same being an angle corner of this tract;

THENCE with the common line of said Stephen and Rodney Anderson tract and City of Austin (23.32 acre) tract and along old wire fence remnants, N 60 deg. 09' 07" W 123.14 ft. to a ½" iron pipe found at the end of said old wire fence for a common angle corner of said Stephen and Rodney Anderson tract and said City of Austin (23.32 acre) tract, and being an angle corner of this tract;

THENCE, S 29 deg. 49' 25" W 244.60 ft. to a ½" iron pipe found at an old fence corner post for an angle corner of said Stephen and Rodney Anderson tract and for the Northeast corner of the aforementioned Friedrich (7.35 acre) tract, and being an angle corner of this tract, and from which a ½" iron rod found at a chain-link fence corner post for an angle corner of said City of Austin (23.32 acre) tract bears S 29 deg. 39' 06" W 325.33 ft.;

THENCE with a Southerly or Southwesterly line of said Stephen and Rodney Anderson tract, N 58 deg. 52' 07" W 687.85 ft. to the **PLACE OF BEGINNING** containing 22.37 acres of land.

**SURVEYED:** December 15, 2011



Holt Carson  
Registered Professional Land Surveyor No. 5166

see accompanying map: B 692002





# HOLT CARSON, INC.

## PROFESSIONAL LAND SURVEYORS

1904 FORTVIEW ROAD  
AUSTIN, TEXAS 78704  
TELEPHONE: (512) 442-0990  
FACSIMILE: (512) 442-1084  
www.hciaustin.com

FIELD NOTE DESCRIPTION OF 1.926 ACRES OF LAND OUT OF THE JESSE C. TANNEHILL SURVEY ABSTRACT No. 22 IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN (1.923 ACRE) TRACT OF LAND AS CONVEYED TO DERALD PHILLIP GUTIERREZ BY WARRANTY DEED RECORDED IN DOCUMENT No. 2011025780 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found at the intersection of two fences in the South line of that certain (16.05 acre) tract of land as conveyed to Hugo Anderson by deed recorded in Volume 429 Page 248 of the Deed Records of Travis County, Texas, and in the North line of that certain (7.35 acre) tract of land described as "First Tract" and as conveyed to Otto Friedrich by deed recorded in Volume 376 Page 276 of the Deed Records of Travis County, Texas, for the Southeast corner of that certain (3.2 acre) tract of land as conveyed to J.E. Hamby, et ux, by deed recorded in Volume 569 Page 15 of the Deed Records of Travis County, Texas, and for the Southeast corner of that certain (2.024 acre) tract of land as conveyed to Paubla Gutierrez by deed recorded in Volume 13304 Page 3132 of the Real Property Records of Travis County, Texas, and for the Southeast corner of that certain (1.923 acre) tract of land as conveyed to Derald Phillip Gutierrez by Warranty Deed recorded in Document No. 2011025780 of the Official Public Records of Travis County, Texas, and for an angle corner of that certain (11.256 acre) tract of land as conveyed to James H. Crockett by deed recorded in Volume 8775 Page 500 of the Deed Records of Travis County, Texas, and for an angle corner of that certain tract of land as conveyed to Stephen Craig Anderson and Rodney Milton Anderson by Warranty Deed recorded in Volume 13127 Page 2576 of the Real Property Records of Travis County, Texas, and being an angle corner of that certain tract of land as conveyed to El Paso Merchant Energy Petroleum Company by Special Warranty Deed recorded in Document No. 2003017135 of the Official Public Records of Travis County, Texas, and for an angle corner of that certain (22.41 acre) tract of land as described in that Affidavit of Ownership Identity and Consolidated Real Property Description as recorded in Document No. 2004096950 of the Official Public Records of Travis County, Texas, and being the Southeast corner and PLACE OF BEGINNING of the herein described tract, and from which a ½" iron pipe found at an old fence corner post for the Northeast corner of said Friedrich (7.35 acre) tract and for an angle corner of said (22.41 acre) tract bears S 58 deg. 52' 07" E 687.85 ft.;

end of Page 1

Exhibit "A"

Page 2 of 2  
1.926 ACRES

THENCE with the common line of said Friedrich (7.35 acre) tract and said Gutierrez (1.923 acre) tract, N 59 deg. 02' 18" W 362.66 ft. to a square-head bolt found in the East right-of-way line of Shady Lane for the Southwest corner of said Gutierrez (1.923 acre) tract and for the Southeast corner of that certain (4,428 square feet) tract of land as conveyed to the City of Austin by Street Deed recorded in Volume 9647 Page 182 of the Real Property Records of Travis County, Texas, and being the Southwest corner of this tract;

THENCE with the East right-of-way line of Shady Lane and with the West line of said Gutierrez (1.923 acre) tract and with the East line of said City of Austin (4,428 square feet) tract, the following two (2) courses;

- 1) N 29 deg. 43' 22" E 87.47 ft. to a 1/2" iron rod set with a plastic cap imprinted with "Holt Carson, Inc." for a point of curvature;
- 2) along a curve to the right with a radius of 270.00 ft. for an arc length of 158.42 ft. and which chord bears N 46 deg. 34' 26" E 156.16 ft. to a 1/2" iron rod set with a plastic cap imprinted with "Holt Carson, Inc." in the South line of a twenty-five feet (25') wide "Roadway" strip of which title was reserved and retained in said deed recorded in Volume 569 Page 15 of the Deed Records of Travis County, Texas, for the Northwest corner of said Gutierrez (1.923 acre) tract and for the Northeast corner of said City of Austin (4,428 square feet) tract, and being the Northwest corner of this tract, and from which a spindle found in the interior of the improved Shady Lane for an angle corner of said (22.41 acre) tract bears N 58 deg. 50' 36" W 38.13 ft.;

THENCE with the common line of said Gutierrez (1.923 acre) tract and said (22.41 acre) tract, S 58 deg. 50' 36" E 317.55 ft. to a 1/4" iron pipe found at a chain-link fence corner post for the Northeast corner of said Gutierrez (1.923 acre) tract and for the Southeast corner of said twenty-five (25') wide "Roadway" strip and for an angle corner of said (22.41 acre) tract and being the Northeast corner of this tract;

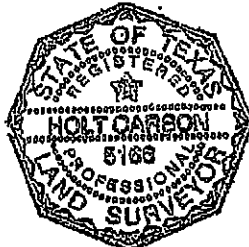
THENCE with the common line of said Gutierrez (1.923 acre) tract and said (22.41 acre) tract, S 29 deg. 45' 31" W 236.82 ft. to the PLACE OF BEGINNING, containing 1.926 acres of land

**SURVEYED:** May 23, 2012



Holt Carson

Registered Professional Land Surveyor No. 5166



## **EXHIBIT B**

### **Permitted Exceptions**

1. Taxes for the year 2012, a lien not yet due and payable.
2. Telecommunications/Cable easement awarded to AT&T Corp., by Supplemental Final Order and Judgment dated September 18, 2007, recorded under Document No. 2007201886, Official Public Records of Travis County, Texas.
3. Unrecorded lease dated June 1, 2012, between Shady Lane Property LLC, as lessor, and Brynda Lynn Gutierrez, as lessee.
4. The Ground Water Restriction contained herein.

11-GF# 201201000 JPB  
RETURN TO: HERITAGE TITLE  
401 CONGRESS, SUITE 1500  
AUSTIN, TEXAS 78701

See accompanying Field Note Description

- ☒ Men Rod Found
- ☒ Men Pipe Found
- ☒ Men Rod Set with plastic cap  
inscribed with "Mott Corros, Inc."
- ☒ Single Found
- ☒ Chain-Link Fence
- ☒ Square Head Bolt Found
- ☒ Overhead Utility Line

(Records Begin on Distance!)

SHADY LANE

SHADY LANE

NOTE:  
This tract of land is apparently subject to a Telecommunications Easement  
as awarded to AT&T Corp. by Supplemental First Order and Judgment  
as recorded in Document No. 200720986 of the Official Public Records  
of Travis County, Texas.

City of Austin  
Street Deed  
Vol. 10097 Pg. 798

City of Austin  
Street Deed  
Vol. 11156 PG. 972

Street Deed  
City of Austin  
Vol. 9647 Pg. 182

Norman, Sigurd  
N48134  
C-138  
A-138  
R-270C

14028

NOTE:  
THIS INFO  
IS DOWNG  
IS RECORD  
OF TRIPS

— William A. Gouldie —  
Volume 8450 Page 753

F.P. Gooding  
(One Acre)  
Volume 612 Page 533

Fidel Estrada, Jr.  
Volume 3709 Page 18  
Dionicio Sanchez  
Doc. 2000196749

1558°50'36"-21  
(1332 39')  
558°50'36" 332.3

1558°30'36"E	351.267
558°30'38"E	37.55
1559°20'E	355.7

**1.926 ACRES  
SURVEYED**

J.B. Hamby, et ux  
 {3.2 Acres}  
 Volume 569 Page 15

- Paubla Gutierrez (2.024 Acres)  
Volume 13304 Page 3132

Derald Phillip Gutierrez  
(1.923 Acres)  
Warranty Deed  
Document No. 2011025780

N59°02'18"W	362.66
N55°20'W	372.81

Otto Friedrich "First Tract" (7.35 Acres)  
Volume 376 Page 376

Hugo Anderson  
{16.05 Acres}  
Volume 429 Page 248

James H. Crockett  
(11.256 Acres)  
Volume 8775 Page 500

Stephen Craig Anderson and Rodney Milton Anderson  
Warranty Deed  
Volume 13127 Page 2576

El Paso Merchant Energy Petroleum Company  
(22.41 Acres)  
Affidavit of Ownership Identity and  
Consolidated Real Property Description  
Document No. 2004096950

FF No. 14563-12-00004

TO: Brynda Lynn Gutierrez  
Counselors Mortgage  
North American Title Company

THE STATE OF TEXAS  
THE COUNTY OF TRAVIS

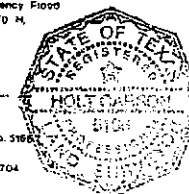
The undersigned does hereby certify that a survey was this day made on the ground of the property legally described herein and is accurate to the best of my abilities and that there are no boundary line conflicts, encroachments, mortgages or areas, overlapping or improvements, visible utility lines, or roads in place, except as shown herein, and said property shows a dedicated roadway. This property is within Zone X (taxes determined to be outside of the 100 Year Flood Plain) according to the Federal Emergency Management Agency Flood Insurance Rate Map (FIRM) 46082A 0470 M, dated September 26, 2008.

THIS is the 23rd day of MAY, A.D. 2012.

BY

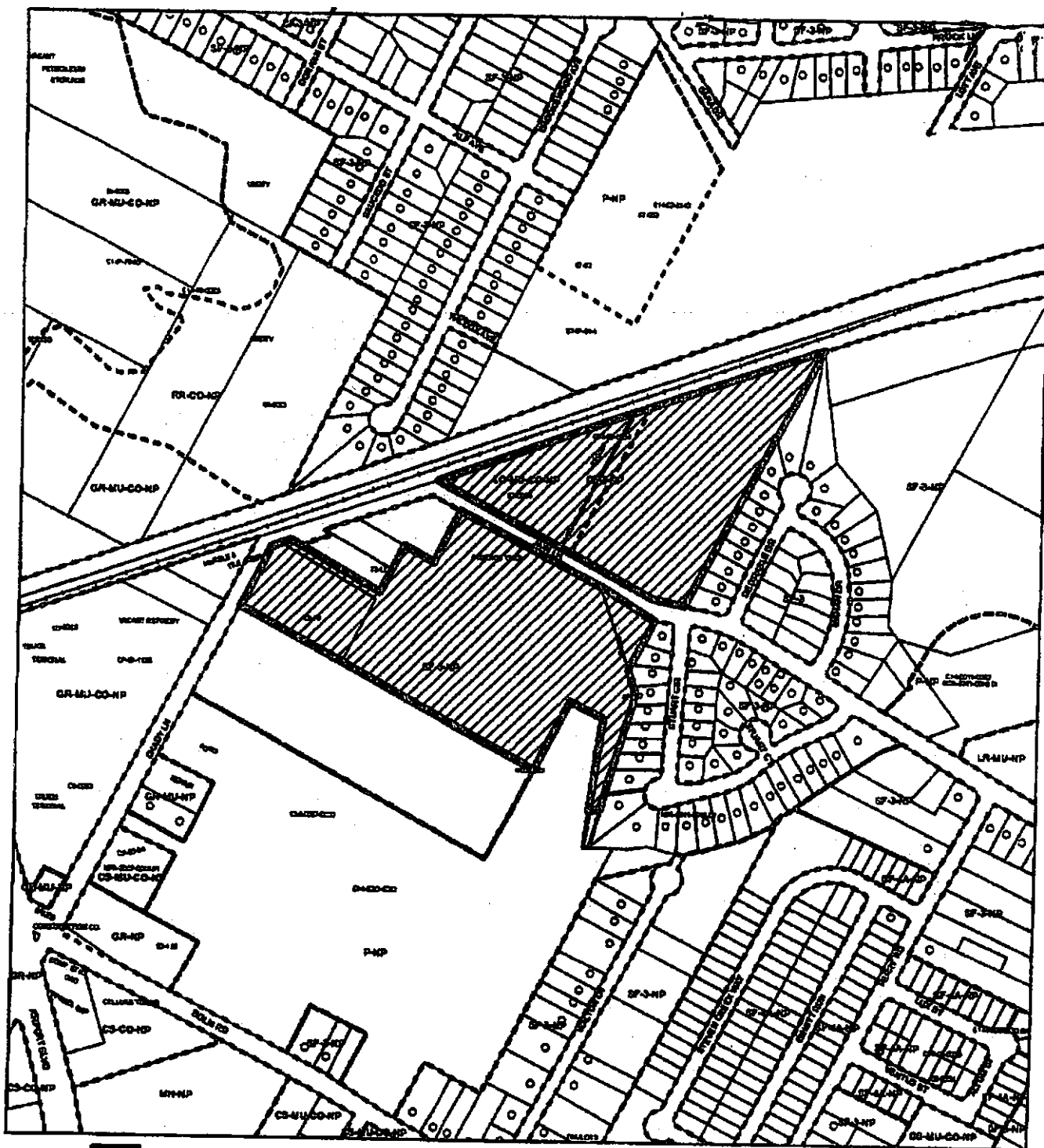
Holt Carson  
 Registered Professional Land Surveyor No. 5166  
 HOLT CARSON, INC.  
 1504 Fortview Road Austin, Texas 78704  
 (512) 442-0990  
 © copyright 2012

552°52'07"E *↗* 687.85




JESSE C. TANNEHILL SURVEY  
ABSTRACT No. 22



#90



1" = 400'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

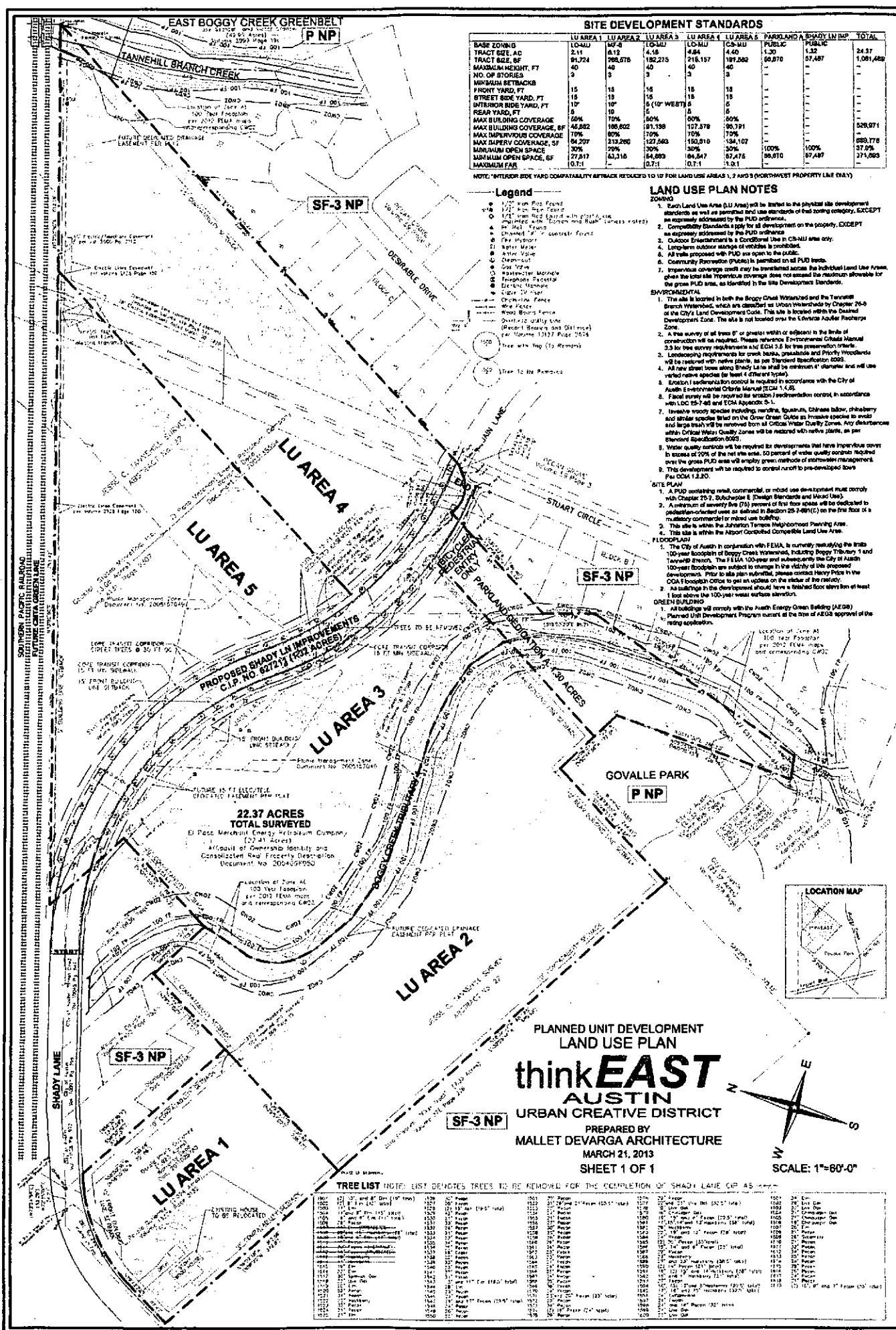
### PLANNED UNIT DEVELOPMENT

ZONING CASE#: C814-2012-0128.SH

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

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

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

\*susceptible to severe freeze

#### EVERGREEN SHRUBS

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

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

\* susceptible to severe freeze

**SEMI-EVERGREEN  
SHRUBS\*\***

	SUN	SHADE	FEATURES (N = Native)
<b>Cast Iron Plant*</b> <i>Aspidistra elatior</i>	o		broad strap shaped leaves to 2' height
<b>Glossy Abelia</b> <i>Abelia grandiflora</i>		o	small pink flowers, glossy leaves
<b>Muhly Grass</b> <i>Muhlenbergia lindheimeri</i>	o		N, looks like small pampas grass
<b>Pineapple Guava*</b> <i>Feijoa sellowiana</i>	o		exotic fragrant flowers
<b>Pomegranate*</b> <i>Punica granatum</i>	o	o	orange flowers, yellow fall color
<b>Primrose Jasmine*</b> <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)
<b>Althaea</b> <i>Hibiscus syriacus</i>	o		showy summer flowers
<b>American Beautyberry</b> <i>Callicarpa americana</i>	o	o	N, purple fruit in autumn, wildlife food
<b>Aromatic Sumac</b> <i>Rhus aromatica</i>	o	o	N, red berries in late spring, brilliant fall foliage
<b>Arrowwood</b> <i>Viburnum dentatum</i>	o	o	N, spring flowers, fall color
<b>Black Dalea</b> <i>Dalea frutescens</i>	o		N, purple summer flowers, fine foliage
<b>Butterfly Bush</b> <i>Buddleia Davidii</i>	o		N, lavender/lilac flowers, small fuzzy leaves
<b>Flame Acanthus</b> <i>Anisacanthus Wrightii</i>	o	o	N, orange flowers attracts hummingbirds
<b>Possumhaw Holly</b> <i>Ilex decidua</i>	o	o	N, red winter berries large shrub
<b>Texas Lantana*</b> <i>Lantana horrida</i> and <i>L. camara</i>	o		N, good summer color, many varieties
<b>Trailing Lantana*</b>	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*				
<i>Trachelospermum asiaticum</i>	o	o		low vigorous groundcover
Bigleaf Periwinkle				
<i>Vinca major</i>			o	loose groundcover, blue flowers
Carolina Jessamine				
<i>Gelsemium sempervirens</i>	o	o		N, fragrant yellow flowers in spring
Coral Honeysuckle				
<i>Lonicera sempervirens</i>	o	o		N, coral flowers, red fruit, attracts wildlife
Cross Vine				
<i>Bignonia capreolata</i>	o	o		N, yellow/red flowers, clinging vine
Damianita				
<i>Chrysactinia mexicana</i>	o			N, yellow flowers, low growing to 12" height
English Ivy				
<i>Hedera helix</i>			o	clinging, vigorous, self-climbing vine
Fig Vine*				
<i>Ficus pumila</i>	o	o		clinging vine, fine texture
Lady Banksia Rose				
<i>Rosa banksiae</i>	o			yellow spring flowers, large cascading form
Liriope				
<i>Liriope muscari</i>			o	purple spike flowers, clump-like foliage
Littleleaf Periwinkle				
<i>Vinca minor</i>			o	blue flowers, groundcover
Monkey Grass				
<i>Ophiopogon japonicus</i>			o	tufted grass-like groundcover
Oregano				
<i>Origanum vulgare</i>	o	o		perennial, spreading herb
Santolina				
<i>Santolina chamaecyparissus</i>	o			fine textured, aromatic foliage
Stonecrop				
<i>Sedum spp.</i>	o	o		low, fast growing groundcover

\*susceptible to severe freeze

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



tricuspidata 'Veitchii'

**Bush Morning Glory**  
Ipomoea leptophylla

o o

N, forms 1½' - 3' mounds of foliage,  
avender 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

N, yellow dark-centered  
daisy, flowers May to  
September

**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

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

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

\*susceptible to severe freeze

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

**Disclaimer:**

This Code of Ordinances and/or any other documents that appear on this site may not reflect the most current legislation adopted by the

Municipality. American Legal Publishing Corporation provides these documents for informational purposes only. These documents should not be relied upon as the definitive authority for local legislation. Additionally, the formatting and pagination of the posted documents varies from the formatting and pagination of the official copy. The official printed copy of a Code of Ordinances should be consulted prior to any action being taken.

For further information regarding the official version of any of this Code of Ordinances or other documents posted on this site, please contact the Municipality directly or contact American Legal Publishing toll-free at 800-445-5588.

© 2011 American Legal Publishing Corporation  
[techsupport@amlegal.com](mailto:techsupport@amlegal.com)  
1.800.445.5588