

**ORDINANCE NO. 20050818-060**

**AN ORDINANCE AMENDING ORDINANCE NO. 030424-30 TO INCREASE BY 1.792 ACRES THE BOUNDARIES OF THE PROJECT KNOWN AS PARMER/WALNUT CREEK PLANNED UNIT DEVELOPMENT PROJECT, AND REZONING THE 1.792 ACRES FROM COMMUNITY COMMERCIAL (GR) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT; TO MODIFY THE LAND USE PLAN, REZONING AND CHANGING THE ZONING MAP FROM PLANNED UNIT DEVELOPMENT (PUD) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT FOR THE PROPERTY LOCATED GENERALLY IN THE VICINITY OF PARMER LANE AND NORTH LAMAR BOULEVARD.**

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

**PART 1.** The Parmer/Walnut Creek Planned Unit Development ("the Original Parmer PUD") is comprised of approximately 21.808 acres of land located in the vicinity of Parmer Lane and North Lamar Boulevard in Travis County and more particularly described by metes and bounds in the land use plan incorporated into Ordinance No. 030424-30. The Parmer/Walnut Creek PUD was approved April 24, 2003 under Ordinance No. 030424-30 (the "Original PUD Ordinance") and amended November 4, 2004 under Ordinance No. 041104-44.

**PART 2.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from planned unit development (PUD) district to planned unit development (PUD) district on the property described by metes and bounds in Ordinance No. 030424-30 as approximately 21.808 acres of land, identified as Tracts One, Two, Three and Four, and to change the base district from community commercial (GR) district to planned unit development (PUD) district on the property described in Zoning Case No. C814-01-0038.02, as follows:

A 1.792 acre tract of land, more or less, out of the J. M. Swisher Survey No. 32 and the William B. Harrison Survey No. 86, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property")

the 23.600 acres being generally known as the Parmer/Walnut Creek planned unit development, ("Parmer/Walnut Creek PUD") locally known as the property located in the 1200-1210 block of Parmer Lane near North Lamar Boulevard, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 3.** The 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	Description of a 1.792 acre tract (Tract 5)
Exhibit B	Zoning Map
Exhibit C	Amended PUD Land Use Plan

**PART 4.** This ordinance, together with Exhibits A, B, and C, amends the Original PUD Ordinance. The Original Parmer PUD shall conform to the limitations and conditions set forth in the Original PUD Ordinance as amended by this ordinance. If this ordinance and the attached exhibits conflict, the ordinance applies. Except as otherwise specifically provided by this ordinance, all other rules, regulations and ordinances of the City in effect on the effective date of this ordinance apply to the Parmer/Walnut Creek PUD.

**PART 5.** Except as specifically provided in this ordinance, the Property shall comply with the terms and provisions of the Original PUD Ordinance, as amended.

**PART 6.** The Original PUD Ordinance, as amended, is modified as shown in this part.

1. Part 5 is amended to read as follows:

A site plan or building permit for Tract One may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 630 trips per day for Tract One and 2000 trips per day for Tracts Three, ~~and~~ Four, and Five combined.

2. Part 11 is amended as follows:

Except as otherwise provided in subsections A through H ~~and B~~, the 5.083 ~~3.291~~ ] acre tract of land identified as Tracts Three, ~~and~~ Four, and Five ("the Tracts"), shall be developed according to the community commercial (GR) district site development regulations and performance standards of the Code.

B. The following uses of the property are permitted uses:

Bed and breakfast residential (Groups 1&2) <del>[Automotive rentals]</del>	Administrative and business office Art and craft studio (limited) <del>[Automotive repair services]</del>
--	---

<del>[Automotive sales]</del>	<del>[Automotive washing (of any type)]</del>
<del>[Bail bond services]</del>	Business or trade school
Business support services	Commercial off-street parking
Communications services	Consumer convenience services
<del>[Consumer repair services ]</del>	<del>[Exterminating services ]</del>
Financial services	<del>[Funeral services]</del>
Food sales	General retail sales (convenience)
General retail sales (general)	Personal improvement services
Personal services	Restaurant (drive-in, fast food)
Restaurant (general)	Restaurant (limited)
Hotel-motel	Indoor entertainment
Indoor sports and recreation	Medical offices (not exceeding 5000
Medical offices (exceeding 5000	sq. ft. of gross floor area)
sq. ft. of gross floor area)	<del>[Off-site accessory parking]</del>
Outdoor sports and recreation	<del>[Pawn shop services]</del>
<del>[Pet services]</del>	Professional office
Research services	Service station
Software development	<del>[Stables]</del>
<del>[Theater]</del>	College and university facilities
Communications services facilities	Community recreation (private)
Community recreation (public)	<del>[Congregate living]</del>
Counseling services	Cultural services
Day care services (commercial)	Day care services (general)
Day care services (limited)	Family home
Group home class I (general)	Group home class I (limited)
Group home class II	Guidance services
Hospital services (general)	Hospital services (limited)
Private primary educational facilities	Private secondary education facilities
Public primary educational facilities	Public secondary educational facilities
Religious assembly	<del>[Residential treatment]</del>
Safety services	<del>[Urban farm]</del>
<u>Convenience storage</u>	

- C. Except as otherwise provided in this section the maximum height of a building or structure is 35 feet from ground level. For convenience storage use the maximum height is 38 feet from ground level.
- D. The cumulative floor to area ratio (FAR) may not exceed a ratio of 0.7 to 1.0.

- E. The cumulative parking required may not exceed the minimum City of Austin off-street parking requirements.
- F. The maximum impervious cover for Tract Five is 80 percent.
- G. A site plan or building permit for Tract Five may not be approved, released, or issued until participation fees for the Regional Stormwater Management Program are paid to the City.
- H. The following applies for a convenience storage use on the Tracts.
  - 1. Vehicular access from Tracts shall be provided to Parmer Lane and North Lamar Boulevard.
  - 2. A fence shall be provided and maintained along the north property line of Tracts Three, Four and Five, the south property line of Tract Five, and the east property line of Tract Four.
  - 3. Exterior lighting shall be hooded or shielded so that the light source is not directly visible from the adjacent residential properties.
  - 4. A 25-foot wide vegetative buffer shall be provided and maintained along Parmer Lane. Improvements permitted within the buffer zone are limited to drainage, driveways, sidewalks, fencing, signage, irrigation, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
  - 5. The minimum building setback from Parmer Lane is 75 feet.

**PART 7.** Except as otherwise provided in the ordinance, the terms and conditions of Ordinance No. 030424-30 remain in effect.

**PART 8.** This ordinance takes effect on August 29, 2005.

**PASSED AND APPROVED**

\_\_\_\_\_  
August 18, 2005

§  
§  
§

\_\_\_\_\_  
*Will Wynn*

Will Wynn  
Mayor

**APPROVED:**

\_\_\_\_\_  
*David Allan Smith*  
David Allan Smith  
City Attorney

**ATTEST:**

\_\_\_\_\_  
*Shirley A. Brown*  
Shirley A. Brown  
City Clerk

1.792 ACRES  
STAR STORAGE  
PORTION OF EXXON TRACT

EXHIBIT A

FN. NO. 03-190 (MJJ)  
JULY 17, 2003  
BPI JOB NO. 1231-04

### DESCRIPTION

OF A 1.792 ACRE TRACT OF LAND OUT OF THE J. M. SWISHER SURVEY NO. 32 AND THE WILLIAM B. HARRISON SURVEY NO. 86, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 4.0175 ACRE TRACT OF LAND CONVEYED TO THE EXXON CORPORATION BY DEED OF RECORD IN VOLUME 10980, PAGE 753 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.792 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a 1/2 inch iron rod found in the curving westerly line of North Lamar Boulevard (120' R.O.W.), being the southeasterly corner of that certain 17.066 acre tract of land conveyed to Transcontinental Lamar, Inc. by Document No. 2000010480 of the Official Public Records of Travis County, Texas and the northeasterly corner of said 4.0175 acre tract, for the northeasterly corner hereof;

**THENCE**, along the curving westerly line of Lamar Boulevard, being a portion of the easterly line of said 4.0175 acre tract, for the easterly line hereof, along a curve to the right having a radius of 5669.60 feet, a central angle of 01°20'11", an arc length of 132.25 feet and a chord which bears S05°47'24"W, a distance of 132.24 feet to a 1/2 inch iron rod with cap set for the southeasterly corner hereof, from which a concrete monument found in the westerly line of Lamar Boulevard for the end of said curve bears S06°43'18"W, a chord distance of 52.14 feet;

**THENCE**, N83°04'58"W, leaving the westerly of Lamar Boulevard, over and across said 4.0175 acre tract, for the southerly line hereof, a distance of 408.08 feet to a 1/2 inch iron rod with cap set in the easterly line of the remaining portion of that certain 6.00 acre tract of land conveyed to Edgar Perry et. ux. by deed of record in Volume 3310, Page 1487 of the Deed Records of Travis County, Texas, being the westerly line of said 4.0175 acre tract, for the southwesterly corner hereof, from which a 1/2 inch iron rod found in the northerly line of Parmer Lane, also known as F.M. 734 (R.O.W. varies) (Hwy. Sta. 689+08.18, 75.00 feet left being the southeasterly corner of the remaining portion of said 6.00 acre tract and the southwesterly corner of said 4.0175 acre tract bears S06°41'46"W, a distance of 197.00 feet;

**THENCE**, N06°41'46"E, along a portion of the easterly line of the remaining portion of said 6.00 acre tract, being a portion of the westerly line of said 4.0175 acre tract, for the westerly line hereof, a distance of 251.58 feet to a 1/2 inch iron rod found in the southerly line of said 17.066 acre tract, being the northeasterly corner of the remaining portion of said 6.00 acre tract and the northwesterly corner of said 4.0175 acre tract, for the northwesterly corner hereof;

FN. NO. 03-190 (MJJ)  
JULY 17, 2003  
PAGE 2 of 2

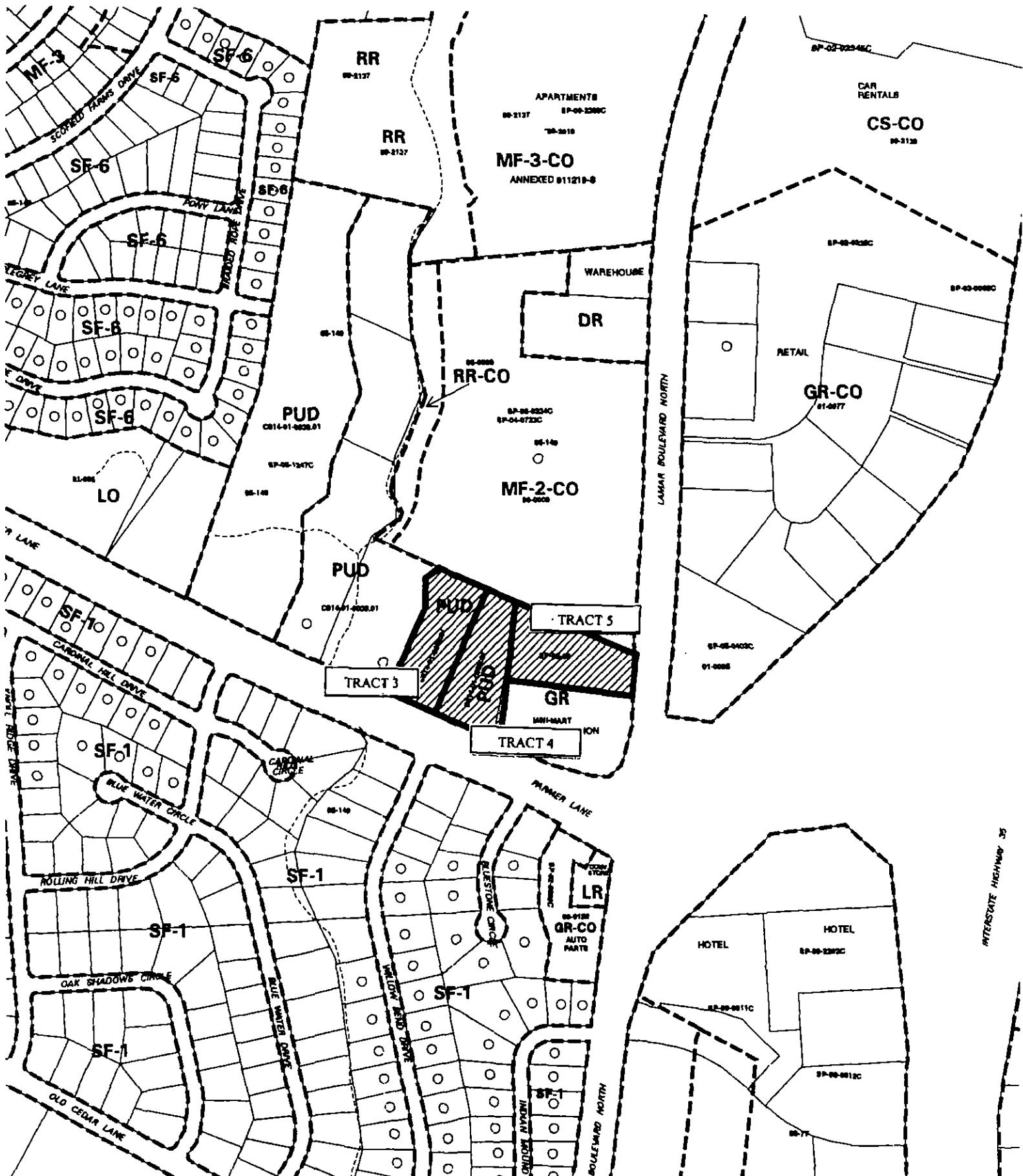
**THENCE**, S66°43'03"E, along a portion of the southerly line of said 17.066 acre tract, being the northerly line of said 4.0175 acre tract, for the northerly line hereof, a distance of 423.61 feet to the **POINT OF BEGINNING**, containing an area of 1.792 acres (78,079 sq. ft.) of land, more or less, within these metes and bounds.

I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A LAND TITLE SURVEY WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PARTNERS, INC.  
ENGINEERS-SURVEYORS  
3345 BEE CAVE ROAD, SUITE 200  
AUSTIN, TEXAS 78746

*Mark J. Jezisek* 7/17/03  
MARK J. JEZISEK DATE  
R.P.L.S. NO. 5267  
STATE OF TEXAS





 1" = 400'	<b>SUBJECT TRACT</b> PENDING CASE ZONING BOUNDARY CASE MGR: S. GAGER	<b>PLANNED UNIT DEVELOPMENT</b> <b>CASE #:</b> C814-01-0038.02 <b>ADDRESS:</b> 1200-1210 W FARMER LANE <b>SUBJECT AREA (acres):</b> 23.600	<b>EXHIBIT B</b> <b>DATE:</b> 05-08 <b>INTLS:</b> SM	<b>CITY GRID REFERENCE NUMBER</b> M34
---------------	---	---	--	--



EXHIBIT C

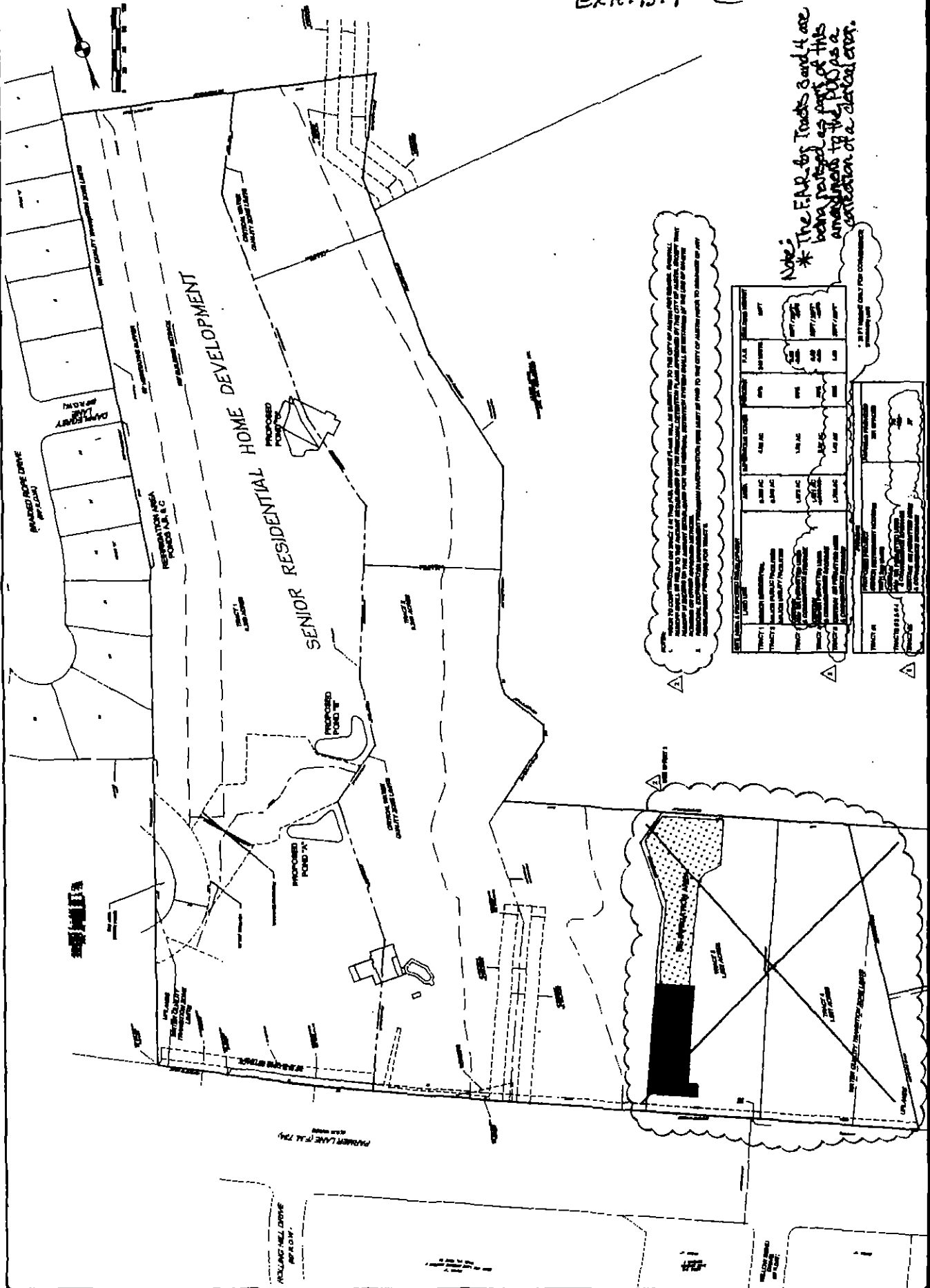


EXHIBIT C

