

ORDINANCE NO. 20060518-050

AN ORDINANCE AMENDING ORDINANCE NO. 000413-48 TO INCREASE BY 14.78 ACRES THE BOUNDARIES OF THE PROJECT KNOWN AS AVERY RANCH PLANNED UNIT DEVELOPMENT PROJECT, AND REZONING THE 14.78 ACRES FROM INTERIM RURAL RESIDENCE (I-RR) 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 LOCALLY KNOWN AS AVERY RANCH BOULEVARD AT PARMER LANE AND 10500 AVERY CLUB DRIVE.

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

PART 1. Avery Ranch Planned Unit Development ("Avery Ranch PUD") is comprised of approximately 1,629 acres of land located at Parmer Lane and Brushy Creek in Williamson County and more particularly described by metes and bounds in the land use plan incorporated in ordinance No. 000413-48.

PART 2. Avery Ranch PUD was approved April 13, 2000 under Ordinance No. 000413-48 and was amended under Ordinances No. 030130-27, No. 030424-22, No. 20060112-Z020, and No. 20060112-045.

PART 3. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from interim rural residence (I-RR) district to planned unit development (PUD) district on the property described in Zoning Case No. C814-99-0001.05, on file at the Watershed Protection and Development Review Department, as follows:

Tracts No. III-G and III-H (partial): A 14.78 acre tract of land, more or less, out of the S. Damon Survey, Abstract No. 170 in Williamson County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as the property at Avery Ranch Boulevard at Parmer Lane and 10500 Avery Club Drive, in the City of Austin, Williamson County, Texas, and generally identified in the map attached as Exhibit "B".

PART 4. Exhibit D identified as the Land Use Table on the Avery Ranch Land Use Plan ("Exhibit C"), under Ordinance No. 000413-48 is amended:

- A. to modify the land use plan to allow service station use and liquor sales use as permitted uses on Tract II-E as shown on the attached Exhibit "C". A liquor sales use may not exceed a 6,000 square foot building footprint on the tract; and
- B. to modify the land use plan to prohibit cocktail lounge use and mobile home residential use on Tract II-E as shown on the attached Exhibit "C".

PART 5. The attached Exhibits "A", "B" and "C", are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance.

PART 6. In all other respects the terms and conditions of Ordinance No. 000413-48, as amended, remain in effect.

PART 7. This ordinance takes effect on May 29, 2006.

PASSED AND APPROVED

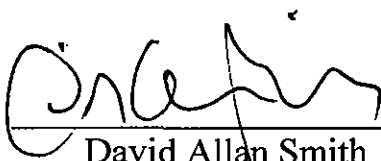
_____, May 18 _____, 2006

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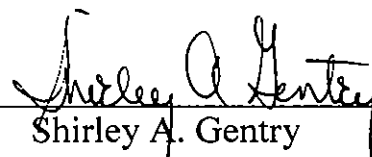
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

DESCRIPTION

OF A 14.78 ACRE TRACT OR PARCEL OF LAND OUT OF AND PART OF THE SAMUEL DAMON SURVEY, ABSTRACT NO. 170, SITUATED IN WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION A 15.00 ACRE TRACT CONVEYED TO THE PROTESTANT EPISCOPAL CHURCH COUNCIL OF THE DIOCESE OF AUSTIN, RECORDED IN DOCUMENT NO. 199929623 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 14.78 ACRES MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2" iron rod with aluminum surveyor's cap found for the northeast corner of a 46.37 acre tract conveyed to the Round Rock Independent School District in Document No. 2002001208 of the Official Public Records of Williamson County, Texas and the southeast corner of said 15.00 acre tract, same being in the west line of Parmer Lane (FM 734) for the southeast corner hereof,

THENCE, leaving the west line of Parmer Lane and along the north line of said 46.37 acre tract and the south line of said 15.00 acre tract the following five (5) courses and distances:

- 1) S68°21'53"W, a distance of 33.79 feet to a 60d nail found for an angle point hereof;
- 2) S68°44'10"W, a distance of 389.73 feet to a 60d nail found for an angle point hereof;
- 3) S67°48'55"W, a distance of 144.45 feet to a 60d nail found for an angle point hereof;
- 4) S66°55'31"W, a distance of 81.39 feet to a 60d nail found for an angle point hereof; and
- 5) S67°23'43"W, a distance of 220.48 feet to a 1/2 inch iron rod found for the northwest corner of said 46.37 acre tract and the northwest corner of a 335 acre tract conveyed to William A. Savage, Jr., recorded in Document No. 9666531 of the Official Records of Williamson County, Texas, for an angle point hereof;

THENCE, leaving the north line of said 46.37 acre tract, along the north line of said 335 acre tract and the south line of said 15.00 acre tract, S68°47'54"W, a distance of 82.93 feet to a 1/2 inch iron rod with plastic surveyor's cap found at the southeast corner of Avery Ranch West, Phase One, recorded in Document No. 2000060452 of the Official Public Records of Williamson County, Texas, and the southwest corner of said 15.00 acre tract for the southwest corner hereof,

THENCE, leaving the north line of said 335 acre tract and along the east line of said Avery Ranch West, Phase One and the west line of said 15.00 acre tract, N21°11'21"W, a distance of 694.04 feet to a 1/2 inch iron rod found at the southwest corner of a tract of land conveyed to Williamson County, Texas, recorded in Document No. 2000025083 of the Official Public Records of Williamson County, Texas, a 1/2 inch iron rod with plastic surveyor's cap found bears N20°42'14"W, a distance 10.42 feet, for the northwest corner hereof,

THENCE, leaving the east line of said Avery Ranch West, Phase One, along the south line of

said Williamson County Tract, N68°09'05"E, a distance of 908.74 feet to a 1/2 inch iron rod with plastic surveyor's cap (INTERSTATE SURVEYING, INC.) set in the west line of Parmer Lane and the east line of said 15.00 acre tract, same being at the southeast corner of said Williamson County tract for the northeast corner hereof,

THENCE, leaving the south line of said Williamson County tract along the east line of said 15.00 acre tract and the west line of Parmer Lane, S24°49'08"E, a distance of 694.47 feet to the **POINT OF BEGINNING**, containing 14.78 acres of land, more or less, within these metes and bounds.

This fieldnote description has been prepared in conjunction with a digital survey drawing identified as Interstate Surveying, Inc., drawing file "21326112.dwg".

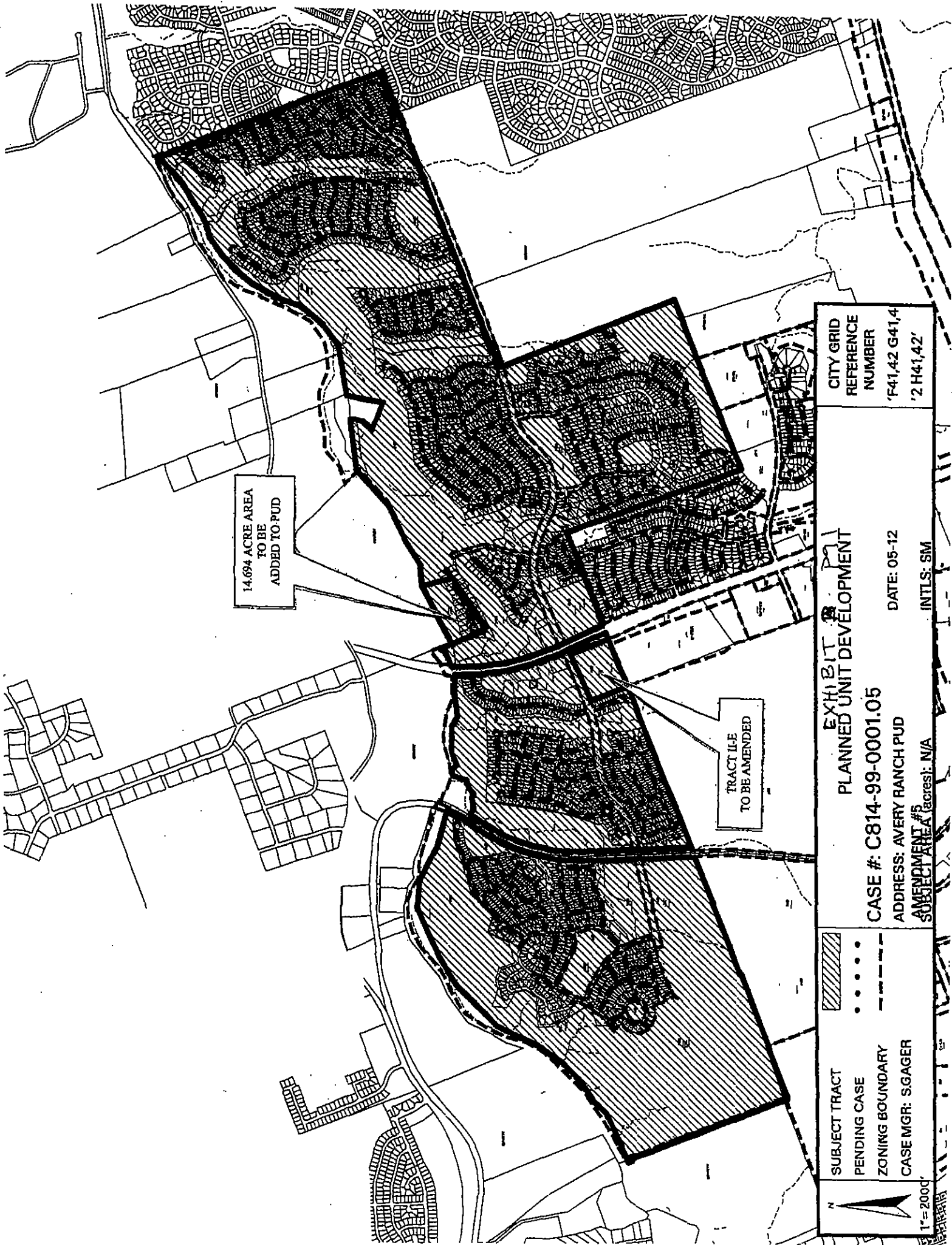
STATE OF TEXAS §
 KNOW ALL BY THESE PRESENTS §
COUNTY OF WILLIAMSON §

THAT I, BLAINE J. MILLER, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

WITNESS MY HAND AND SEAL AT AUSTIN, WILLIAMSON COUNTY, TEXAS THIS 12th DAY OF
SEPTEMBER, 2005 A.D.


Blaine J. Miller
BLAINE J. MILLER, R.P.L.S.
STATE OF TEXAS NO:5121
INTERSTATE SURVEYING, INC.
13740 N. HWY 183, BLDG. L-4
Austin, Texas 78750





14.694 ACRE AREA
TO BE
ADDED TO PUD

TRACT ILE
TO BE AMENDED

 1" = 200'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: SGAGER	EXHIBIT B PLANNED UNIT DEVELOPMENT		CITY GRID REFERENCE NUMBER 'F41,42 G41,4 '2 H41,42'
		CASE #: C814-99-0001.05 ADDRESS: AVERY RANCH PUD AMENDMENT #5 SUBJECT AREA (acres): N/A		DATE: 05-12 INTLS: SM

SOUTH BRUSHY
COUNTY

SOUTH BRUSHY CREEK

CREEK ROAD

BREAST-AWAY

Y CREEK

C814-99-0001.02

PUD

C7L-99-002
000413-41

SUNNINGDALE STREET

PUD

PUD

PUD

PUD

PUD

C7L-99-002
000413-41

FOSSMOOR STREET

EVERY CLUB DRIVE-AVERY CLUB DRIVE

PUD

INTERLACHEN DRIVE

PARNER LANE WEST

CASITAS DRIVE

C814-99-0001.02

BP-01-03850

PUD

BP-04-0007C



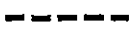
BP-01-02850

C814-99-0001.02

BP-02-0401C

BP-02-0274C



SUBJECT TRACT 
PENDING CASE 
ZONING BOUNDARY 
CASE MGR: S. SIRWAITIS

PLANNED UNIT DEVELOPMENT *EXHIBIT B*

CASE #: C814-99-0001.05

ADDRESS: 10500 AVERY CLUB DR

SUBJECT AREA (acres): 14.694

DATE: 05-10

INTLS: SM

CITY GRID
REFERENCE
NUMBER
G42

