

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3215 EAST PARMER LANE FROM PLANNED UNIT DEVELOPMENT (PUD) DISTRICT TO LIMITED INDUSTRIAL SERVICES-PLANNED DEVELOPMENT AREA (LI-PDA) COMBINING DISTRICT; GRANTING VARIANCES FROM CITY CODE SECTIONS 25-8-42 , 25-8-604, AND 25-4-153; WAIVING THE REQUIREMENTS OF CITY CODE SECTIONS 25-8-41 AND 25-4-36; AND INITIATING AN AMENDMENT TO THE PIONEER CROSSING PUD.

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 planned unit development (PUD) district to limited industrial services-planned development area (LI-PDA) combining district on the property described in Zoning Case No. C14-2020-0117, on file at the Housing and Planning Department, as follows:

Tract 1:

A 56.4164 acre (2,457,500 square feet) tract of land, lying within the Mariquita Castro Survey No. 50, Abstract No. 160 and the Lucas Munos Survey No. 55, Abstract 513, Travis County, Texas, said 56.4164 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance, and

Tract 3-1:

A 39.2753 (1,710,833 square feet) tract of land, lying within the Lucas Munos Survey No. 55, Abstract 513, Travis County, Texas, said 39.2753 acres of land being more particularly described by metes and bounds in **Exhibit "B"** incorporated into this ordinance (cumulatively referred to as the "Property"),

locally known as 3215 East Parmer Lane in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit "C"**.

PART 2. Except as specifically provided in this ordinance, the Property may be developed and used in accordance with the regulations established for the limited industrial services (LI) base district and other applicable requirements of the City Code.

PART 3. Development of the Property within the boundaries of the planned development area (PDA) combining district established by this ordinance is subject to the use and site development regulations set forth in this part:

A. The following uses are additional permitted uses of the Property:

Club or lodge	Guidance services
Hospital services (general)	Hospital services (limited)
Research assembly services	Research testing services
Research warehousing services	Telecommunications tower

B. Resource extraction is a not a permitted use of the Property.

C. The following site development standards apply to the Property:

1. The maximum height of a building or structure on the Property shall not exceed one hundred and thirty (130) feet except as provided below.

The following structures and features may exceed the maximum height of one hundred and thirty (130) feet with an additional fifteen percent (15%) in height, as may be necessary to comply with generally accepted engineering practices for stacks and vents, or any applicable federal or state law, regulation, guidelines, or order, whichever is greater.

- a. Parapet walls, communication facilities, chimneys and vents, and mechanical or safety features such as fire towers, stairways, elevator penthouses, heating and cooling equipment and protective covers.
- b. Ornamental towers, cupolas, domes and spirals not designed for human occupancy.

For structures other than buildings, the maximum height may not exceed one hundred and fifty (150) feet.

PART 4. Signs.

The maximum amount of total combined area for freestanding signs (3 square feet and larger) shall be limited to a combined square area of 600 square feet for the site. The following additional regulations for individual free standing signs apply:

- 1 A. Free standing signage at each entrance driveway will not exceed an area of sixty (60)
2 square feet (nominal height of six (6) feet and a nominal length of ten (10) feet).
3
- 4 B. A free standing corporate identity signage located at the northwest or northeast
5 corner of the site will not exceed an area of six hundred (600) square feet (nominal
6 height of twenty (20) feet and a nominal length of thirty (30) feet).
7

8 **PART 5. Transportation**

9

10 A. Off-Street Parking and Loading

- 11
- 12 1. There shall be one off-street parking space per 300 square feet of office or
13 administrative activity space designed for human occupancy. There shall be
14 one off-street parking space per 1,000 square feet of indoor manufacturing
15 space designed for human occupancy.
16
- 17 2. There shall be one off-street loading space per 15,000 square feet of occupied
18 office, administrative, and indoor manufacturing space.
19
- 20 3. For manufacturing and related support (e.g. gowning, lockers) and test/sort
21 areas, the number of square feet in the unoccupied mechanical, electrical,
22 machine, Emergency Response Team, air return and interstitial, utility, service
23 and similar spaces shall not be included in determining parking and loading
24 space computations.
25
- 26 4. Accessory uses including but not limited to kitchen, cafeteria, dining,
27 auditorium and similar spaces; recreational facilities, day-care centers and/or
28 other similar facilities, shall not be included in the areas used to determine the
29 required parking and loading space computations.
30

31 **PART 6. Landscaping**

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33 Landscaping requirements shall apply to the Property, provided that the application of
34 landscaping requirements shall not reduce allowable impervious cover.
35

36 **PART 7. Noise**

37

38 The maximum allowable sound pressure level measured along each property line shall
39 be based on the hourly Day-Night Average Sound Level (L_{dn}) measurement

methodology, adjusted as following for the zoning designations of the adjoining property.

- | | |
|----------------------|-------------------------------|
| 1. Commercial zoning | Sound Pressure Level – 65 dBa |
| 2. Industrial zoning | Sound Pressure Level – 70 dBa |

These measurements should be made at the property line using the Day-Night Average Sound Level (L_{dn}) measurement methodology.

PART 8. Variances

- A. A variance is granted from City Code Section 25-4-153 (*Block Length*) to allow a commercial or industrial block to have no maximum block length if the director determines that there is adequate traffic circulation and utility service.
- B. A variance is granted from City Code Section 25-8-604 (*Development Application Requirements*) to allow the application to demonstrate that the design will preserve the existing natural character of the landscape, including retention of trees nineteen inches or larger in diameter to the extent feasible.
- C. A variance is granted from City Code Section 25-8-42 (*Administrative Variances*) to allow the director of Watershed Protection to grant a variance through an administrative process according to the limits in the following table for cut or fill above 4 feet not already permitted by City Code Sections 25-8-341 (A) (*Cut Requirements*) and 25-8-342 (A) (*Fill Requirements*), provided that the cut or fill:
 - 1. is not located on a slope with a gradient of more than 15 percent or within 100 feet of a classified waterway;
 - 2. is the minimum deviation from the Code requirement necessary to allow a reasonable use of the Property; and

3. does not create a significant probability of harmful environmental consequences.

Depth of Cut or Fill (feet)	Area (% Gross Site Area)
8-15	25
15-20	10
20-25	5
25+	1

Cut and/or fill quantities can be transferred from categories of higher cut/fill to those of lower cut/fill.

PART 9. City Council waives the requirements imposed by City Code Sections 25-8-41 (*Land Use Commission Variances*) and 25-4-36 (*Variance Filing and Consideration*) regarding the processing and granting of a variance for the variances granted in Part 8 of this ordinance.

PART 10. City Council initiates an amendment to the Pioneer Crossing PUD (Ordinance No. 970410-I), as necessitated by the removal of the property subject to this ordinance from the PUD.

PART 11. This ordinance takes effect on _____, 2020.

PASSED AND APPROVED

_____, 2020

Steve Adler
Mayor

APPROVED: _____ **ATTEST:** _____

Anne L. Morgan
City Attorney

Jannette S. Goodall
City Clerk

Tract 1

EXHIBIT "A" DESCRIPTION

A 56.4164 acre (2,457,500 square feet), tract of land, lying within the Mariquita Castro Survey No. 50, Abstract No. 160 and the Lucas Munos Survey No. 55, Abstract 513, Travis County, Texas, and being all of a called 56.597 acre tract (Tract 1) as described in a Special Warranty Deed, dated September 10, 2019 to Samsung Austin Semiconductor LLC, recorded in Document No. 2019138661, of the Official Public Records of Travis County, Texas, described as follows:

BEGINNING at the most easterly northwest corner of said 56.597 acre tract, being the easterly right-of-way line of Samsung Boulevard (100' wide Right-of-Way), as dedicated by Jourdan Crossing Phase C, Section 2, a subdivision, recorded in Volume 96, Page 230 of the Plat Records of Travis County, Texas and being on the southerly right-of-way of Parmer Lane (200' wide Right- of-Way), from which a 1/2-inch iron rod with cap stamped "SURCON INC" found, bears, N30°00'31"E a distance of 0.55 feet;

THENCE, S59°59'29"E, with the northerly line of said 56.597 acre tract and the southerly right-of-way of Parmer Lane, passing at a distance of 979.53 feet a TxDOT Type II monument found, in all a total distance of 1092.13 feet to a 1/2-inch iron rod with cap stamped "SURCON INC" found in base of a tree for the northeasterly corner of said 56.597 acre tract and the northwesterly corner of a called 68.97 acre tract as described in a Substitute Trustee's Deed, dated November 3, 2009 to J. Tim Brown, Trustee, recorded in Document No. 2009183929, of the Official Public Records of Travis County, Texas;

THENCE, with the easterly line of said 56.597 acre tract and the westerly line of said 68.97 acre tract (a conflicting boundary line), the following four (4) courses and distances;

S28°55'13"W, a distance of 181.52 feet to a 1/2-inch iron rod with cap stamped "STANTEC" found;

S25°24'54"W, a distance of 139.05 feet to a 1/2-inch iron rod with cap stamped "STANTEC" found;

S27°34'46"W, a distance of 634.03 feet to a 1/2-inch iron rod with cap stamped "STANTEC" found;

S37°11'38"W, a distance of 365.07 feet to a 1/2-inch iron rod with cap stamped "STANTEC" found; for an ell corner of said 68.97 acre tract;

THENCE, with the easterly line of said 56.597 acre tract and the westerly line of said 68.97 acre tract, the following three (3) courses and distances;

N61°22'00"W, a distance of 78.91 feet to a 5/8-inch iron pipe found for an ell corner;

S18°27'44"W, a distance of 110.71 feet to a 3/4-inch iron pipe with 60d nail found;

S17°49'45"W, a distance of 618.81 feet to a 1/2-inch iron rod found for the southeasterly corner of said 56.597 acre tract and the northeasterly corner of a called 39.285 acre tract (Tract 3-1) as described in a Substitute Trustee's Deed and Bill of Sale, dated July 2, 2013 to Dynamic Finance Corporation, recorded in Document No. 2013122753, of the Official Public Records of Travis County, Texas;

THENCE, with the southerly line of said 56.597 acre tract and the northerly line of said 39.285 acre tract, the following two (2) courses and distances;

N84°02'00"W, a distance of 451.81 feet to a 1/2-inch iron rod found;

S83°54'15"W, a distance of 605.29 feet to a 5/8-inch iron rod with cap stamped "SURVCON INC" found for the southwesterly corner of said 56.597 acre tract and the northwesterly corner of said 39.285 acre tract and being on the arc of a curve to the right on the easterly right-of-way line of Samsung Boulevard (100' wide Right- Of-Way), as dedicated by Pioneer Crossing East Section One "Samsung Boulevard", a subdivision, recorded in Document No. 200200313 of the Official Public Records of Travis County, Texas;

THENCE, with the westerly line of said 56.597 acre tract and the easterly right-of-way line of Samsung Boulevard, the following three (3) courses and distances;

Along said curve to the right, an arc distance of 531.59 feet, having a radius of 950.00 feet, a central angle of 32°03'38", and a chord which bears N10°50'20"E, a distance of 524.68 feet to a 1/2-inch iron rod found;

N26°51'48"E, passing at a distance of 61.29 feet a 1/2-inch iron rod found for the northeasterly corner of said Samsung Boulevard right-of-way, as dedicated by Pioneer Crossing East Section One "Samsung Boulevard" and the southeasterly corner of Samsung Boulevard right-of-way, as dedicated by Jourdan Crossing Phase C, Section 2, in all a total distance of 2053.10 feet to a 1/2-inch iron rod with cap stamped "SURCON INC" found at the point of curvature of a curve to the right;

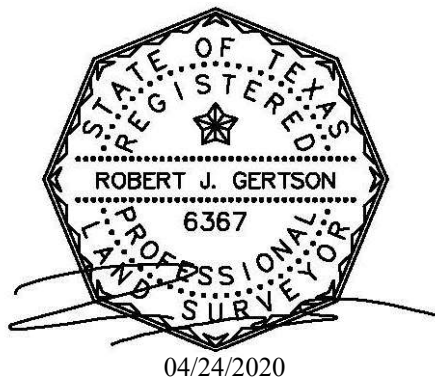
Along said curve to the right, an arc distance of 40.29 feet, having a radius of 25.00 feet, a central angle of 92°20'18", and a chord which bears N73°31'51"E, a distance of 36.07 feet to the **POINT OF BEGINNING**;

Containing 56.4164 acres or 2,457,500 square feet, more or less.

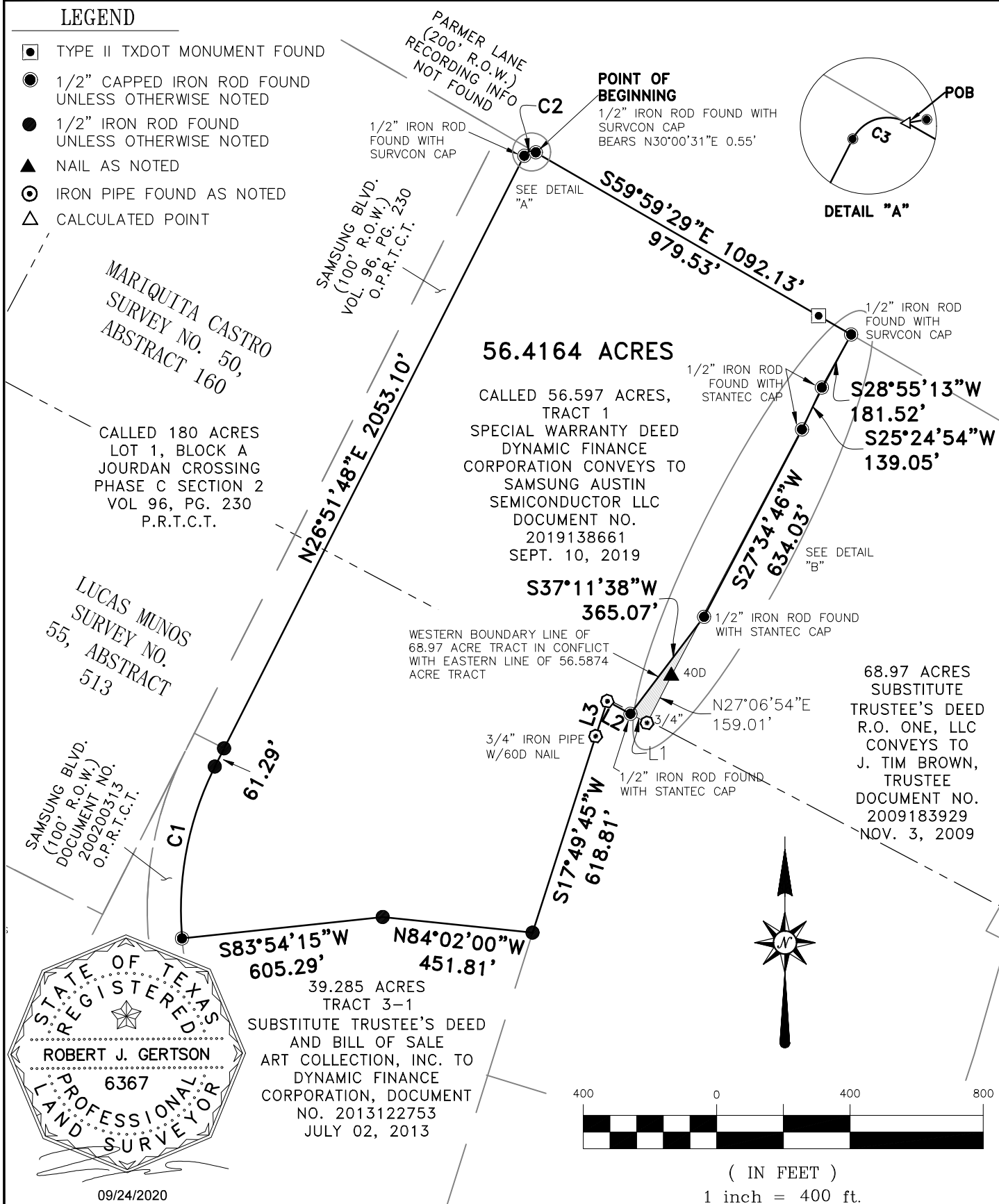
Bearings are based on the Texas State Plane Coordinate System, Central Zone (4203), North American Datum of 1983 (NAD83), 2011 Adjustment. All distances shown hereon are surface values represented in U.S. Survey Feet and may be converted to grid by dividing by a combined adjustment factor of 1.00010 exactly.

I hereby certify that this boundary description represents the results of a survey made on the ground January 2nd of 2020. This description is accompanied by a separate plat of even date.

Robert J. Gertson, RPLS
Texas Registration No. 6367
Atwell, LLC
3815 Capital of Texas Highway, Suite 300
Austin, Texas 78704
Ph. 512-904-0505
TBPLS Firm No. 10193726



- ☐ TYPE II TXDOT MONUMENT FOUND
- 1/2" CAPPED IRON ROD FOUND
UNLESS OTHERWISE NOTED
- 1/2" IRON ROD FOUND
UNLESS OTHERWISE NOTED
- ▲ NAIL AS NOTED
- ◎ IRON PIPE FOUND AS NOTED
- △ CALCULATED POINT

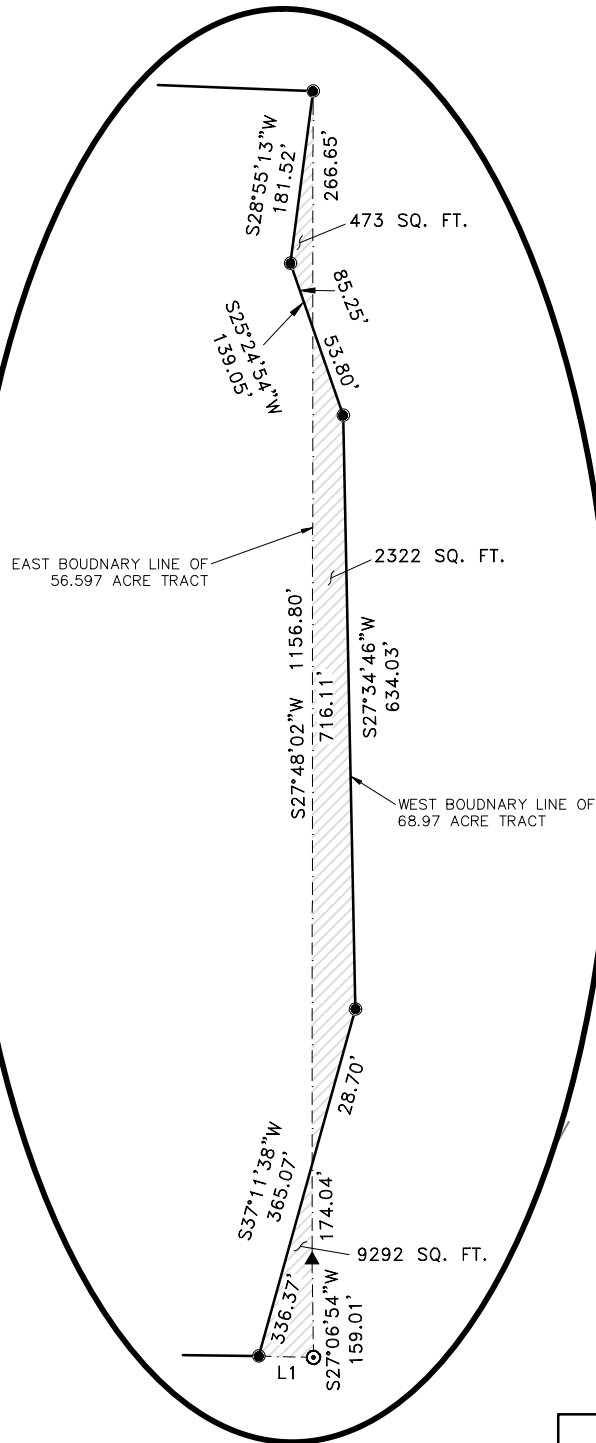


56.4164 AC. IN THE MARIQUITA CASTRO SURVEY NO. 50, ABST. 160 AND THE LUCAS MUNOS SURVEY NO. 55 ABST. 513 TRAVIS COUNTY, TEXAS	DATE:	09/24/20	SHT. 03 OF 04
	DRAWN:	AY	
	CHECKED:	RG	
	JOB NO.:	20003479	

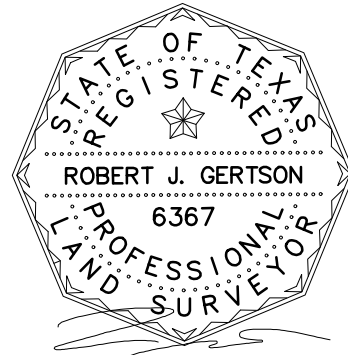


ATWELL

866.850.4200 www.atwell-group.com
3815 S CAPITAL OF TEXAS HIGHWAY, SUITE 300
AUSTIN, TX 78704
512.904.0505



DETAIL "B"



09/24/2020

Line Table		
Line #	Direction	Length
L1	N61° 00' 20"W	56.81'
L2	N61° 22' 00"W	78.91'
L3	S18° 27' 44"W	110.71'

CURVE TABLE					
Curve #	Length	Radius	Central Angle	Chord Bearing	Chord
C1	531.59'	950.00'	32°03'38"	N10°50'20"E	524.68'
C2	40.29'	25.00'	92°20'18"	N73°31'51"E	36.07'

56.4164 AC. IN THE
MARIQUITA CASTRO SURVEY NO.
50, ABST. 160 AND THE LUCAS
MUNOS SURVEY NO. 55 ABST. 513
TRAVIS COUNTY, TEXAS

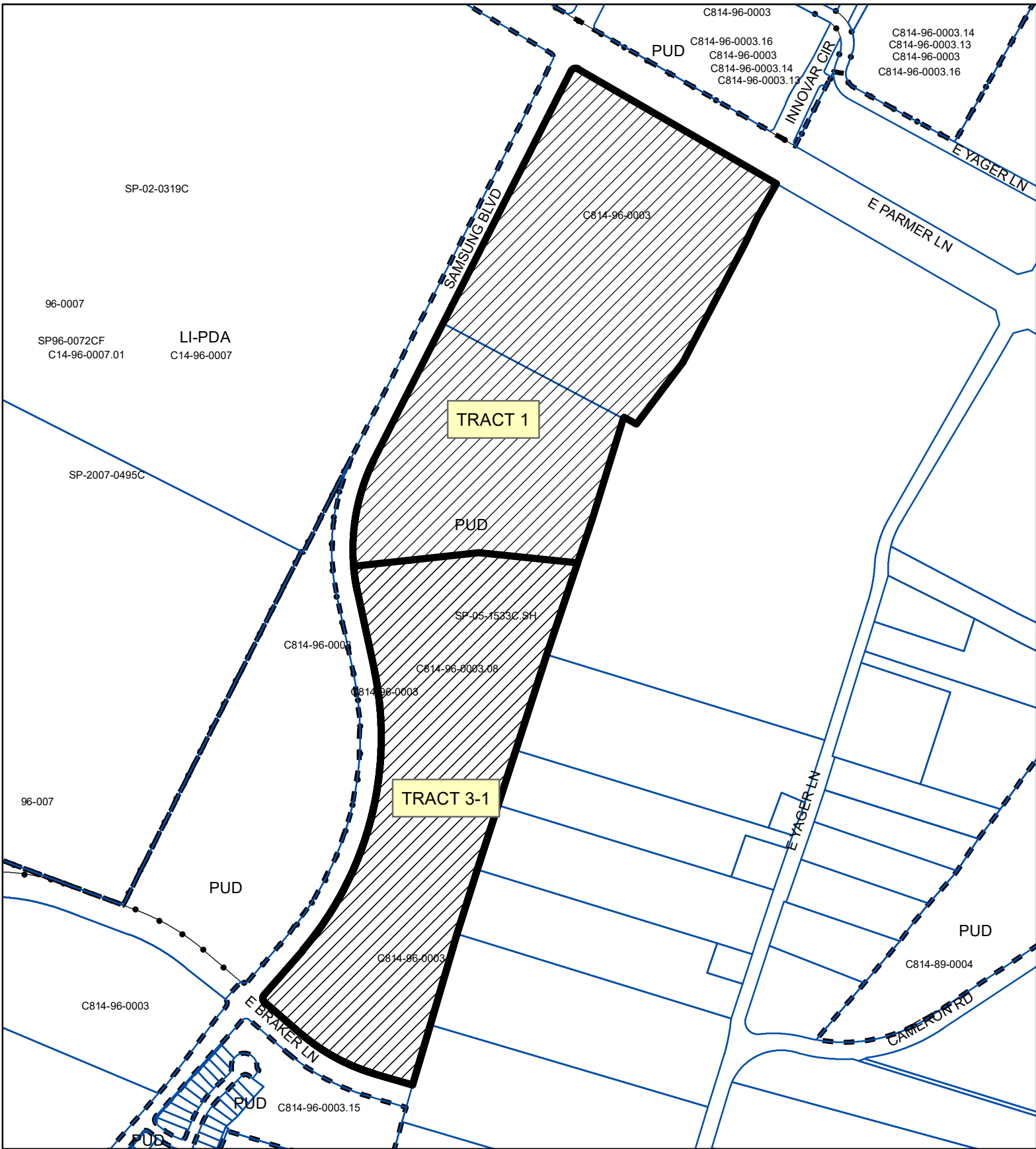
DATE: 09/24/20
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CHECKED: RG
JOB NO.: 20003479




SHT.
04
OF
04



ATWELL

866.850.4200 www.atwell-group.com
3815 S CAPITAL OF TEXAS HIGHWAY, SUITE 300
AUSTIN, TX 78704
512.904.0505



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 600'

ZONING

ZONING CASE#: C14-2020-0117

Exhibit C

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.



Created: 11/10/2020