ORDINANCE NO. <u>20201210-071</u>

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2001-2821 EAST PARMER LANE AND 11600-12161 SAMSUNG BOULEVARD 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. C14-2020-0118, on file at the Housing and Planning Department, as follows:

Tract 2:

A 27.7978 acre (1,210,872 square feet) tract of land, lying within the Lucas Munos Survey No. 55, Abstract 513, Travis County, Texas, said 27.7978 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance, and

Tract 3:

A 81.4494 acre (3,547,935 square feet) tract of land, lying within the Samuel Cushing Survey No. 70, Abstract No. 164 and the Lucas Munos Survey No. 55, Abstract 513, Travis County, Texas, said 81.4494 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 2001-2821 East Parmer Lane and 11600-12161 Samsung Boulevard 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 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:

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

PART 5. Transportation

A. Off-Street Parking and Loading

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

PART 6. Landscaping

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

PART 7. Noise

The maximum allowable sound pressure level measured along each property line shall 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 December 21, 2020.

PASSED AND APPROVED

December 10 , 2020

Steve Adler

Mayor

APPROVED: *

Anno L. Morgan | pu

City Attorney

Whomes

Jannette S. Goodall

City Clerk

Tract 2

EXHIBIT "A" DESCRIPTION

A 27.7978 acre (1,210,872 square feet), tract of land, lying within the Lucas Munos Survey No. 55, Abstract 513, Travis County, Texas, and being all of a called 27.802 acre tract (Tract 2) 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 a point in the westerly line of said 27.802 acre tract, being the southeasterly corner of Lot 1, Block A, of Jourdan Crossing Phase C, Section 2, a subdivision, recorded in Volume 96, Page 230 of the Plat Records of Travis County, Texas and being the northeasterly corner of a called 120.00 acre tract as described in a Special Warranty Deed, dated July 7, 2000 to Samsung Austin Semiconductor LLC., recorded in Document No. 2000106442, of the Official Public Records of Travis County, Texas, from which a "X" with punch hole found bears N66°33'49"E a distance of 0.58 feet;

THENCE, N26°51'48"E, with the westerly line of said 27.802 acre tract and the easterly line of said Lot 1, a distance of 547.91 feet to a 5/8-inch iron rod with cap stamped "JACOBS" found for the northerly corner of said 27.802 acre tract and being on the arc of a curve to the left on the westerly 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 easterly line of said 27.802 acre tract and the westerly right-of-way line of Samsung Boulevard, the following five (5) courses and distances;

Along said curve to the left, an arc distance of 717.79 feet, having a radius of 1050.00 feet, a central angle of 39°10'04", and a chord which bears S07°17'42"W, a distance of 703.89 feet to a 1/2-inch iron rod with cap stamped "SURVCON INC" found;

S12°18'59"E a distance of 364.31 feet to a 1/2-inch iron rod with cap stamped "SURVCON INC" found at the point of curvature of a curve to the right;

Along said curve to the right, an arc distance of 1348.41 feet, having a radius of 1450.00 feet, a central angle of 53°16'53", and a chord which bears S14°21'06"W, a distance of 1300.34 feet to a 1/2-inch iron rod found;

S40°55'28"W a distance of 265.82 feet to a 1/2-inch iron rod with cap stamped "SURVCON INC" found at the point of curvature of a curve to the right, for the easterly southeasterly corner of said 27.802 acre tract;

Along said curve to the right, an arc distance of 39.52 feet, having a radius of 25.00 feet, a central angle of 90°34'38", and a chord which bears S86°09'17"W, a distance of 35.53 feet to a 1/2-inch iron rod with cap stamped "SURVCON INC" found for the westerly southeasterly corner of said 27.802 acre tract and being on the proposed northerly right-of-way line of Braker Lane, same being the remainder of a called 479.683 acre tract (Tract 10) as described in a Correction General Warranty Deed, dated September 17, 1998 to Art Collection, Inc., recorded in Volume 13270, Page 1369, of the Real Property Records of Travis County, Texas;

THENCE, with the southerly line of said 27.802 acre tract and the proposed northerly right-of-way line of Braker Lane, same being the said remainder of 479.683 acre tract, the following three (3) courses and distances;

N48°59'31"W a distance of 218.10 feet to a 1/2-inch iron rod found at the point of curvature of a curve to the left;

Along said curve to the left, an arc distance of 378.94 feet, having a radius of 1060.00 feet, a central angle of 20°28'57", and a chord which bears N59°13'57"W, a distance of 376.92 feet to a 1/2-inch iron rod found;

N69°34'41"W a distance of 65.36 feet to a 1/2-inch iron rod found under two 4 x 4 corner post, for the southwesterly corner of said 27.802 acre tract and the southeasterly corner of said 120.00 acre tract;

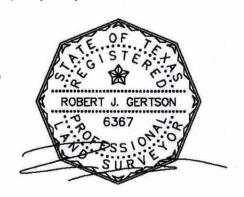
THENCE, N26°51'48"E, with the westerly line of said 27.802 acre tract and the easterly line of said 120.00 acre tract, a distance of 1871.57 feet to the **POINT OF BEGINNING**;

Containing 27.7978 acres or 1210872 square feet, more or less.

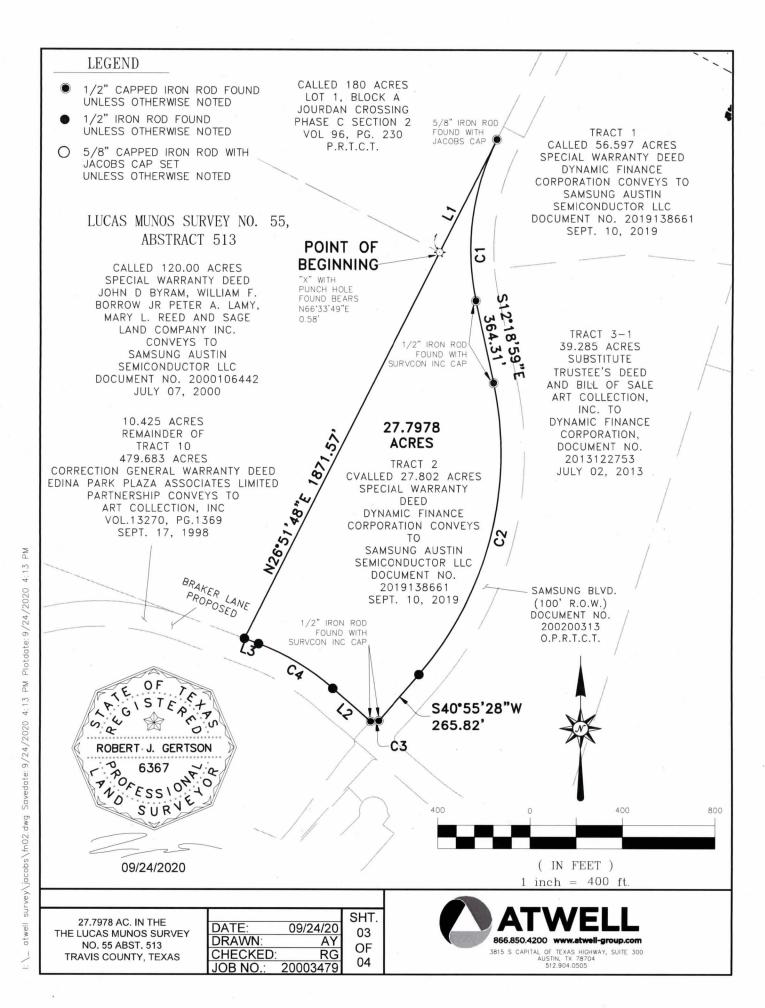
Bearings are based on the Texas State Plane Coordinate System, Central Zone (4203), North American Datum of 1983 (NAD83), 2011 Adjustment. All distances shown hereon are surface values represented in U.S. Survey Feet and may be converted to grid by dividing by a combined adjustment factor of 1.00010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



09/24/2020



Line Table			
Line #	Direction	Length	
L1	N26° 51' 48"E	547.91	
L2	N48° 59′ 31″W	218.10'	
L3	N69° 34′ 41″W	65.36	

		C	CURVE TABLE		
Curve #	Length	Radius	Central Angle	Chord Bearing	Chord
C1	717.79'	1050.00'	39°10'04"	S07°17'42"W	703.89
C2	1348.41'	1450.00'	53°16′53"	S14°21'06"W	1300.34
С3	39.52'	25.00'	90°34'38"	S86*09'17"W	35.53'
C4	378.94	1060.00'	20°28'57"	N59°13'57"W	376.92'



27.7978 AC. IN THE THE LUCAS MUNOS SURVEY NO. 55 ABST. 513 TRAVIS COUNTY, TEXAS

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

SHT.

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OF

04



Tract 3

EXHIBIT DESCRIPTION

A 81.4494 acre (3,547,935 square feet), tract of land, lying within the Samuel Cushing Survey No. 70, Abstract No. 164 and the Lucas Munos Survey No. 55, Abstract 513, Travis County, Texas, and being all of a called 81.411 acre tract (Tract 3) 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 northerly northeasterly corner of said 81.411 acre tract, being the most easterly northwest corner of Lot 1, Block A, of 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 aluminum cap with a punch hole found bears, N23°59'10"E a distance of 0.40 feet;

THENCE, with the easterly line of said 81.411 acre tract and the westerly line of said Lot 1, the following three (3) courses and distances:

S79°32'28"W a distance of 62.15 feet to a 1/2-inch iron rod with aluminum cap with a punch hole found;

S27°48'14"W a distance of 1902.35 feet to a 1/2-inch iron rod with aluminum cap with a punch hole found;

S20°22'45"W a distance of 929.76 feet to a 1/2-inch iron rod with cap stamped "SURVCON INC" found for the southwesterly corner of said Lot 1 and the northwesterly corner of a called 120.00 acre tract as described in a Special Warranty Deed, dated July 7, 2000 to Samsung Austin Semiconductor Llc, recorded in Document No. 2000106442, of the Official Public Records of Travis County, Texas;

THENCE, continuing with the easterly line of said 81.411 acre tract and the westerly line of said 120.00 acre tract, the following three (3) courses and distances;

S20°22'45"W a distance of 375.13 feet to a 1/2-inch iron rod with aluminum cap with a punch hole found;

S13°14'19"W a distance of 1764.38 feet to a 1/2-inch iron rod with aluminum cap with a punch hole found for an ell corner of said 81.411 acre tract and the most northerly southwest corner of said 120.00 aces tract;

S28°19'11"E a distance of 74.33 feet to a 1/2-inch iron rod with aluminum cap with a punch hole found for an ell corner of said 81.411 acre tract and the most southerly southwesterly corner of said 120.00 aces tract;

THENCE, S69°34'41"E, with a northerly line of said 81.411 acre tract and the southerly line of said 120.00 acre tract, a distance of 2028.20 feet to the easterly corner of said 81.411 acre tract being on the arc of a curve to the left on the proposed northerly right-of-way line of Braker Lane, same being the remainder of a called 479.683 acre tract (Tract 10) as described in a Correction General Warranty Deed, dated September 17, 1998 to Art Collection, Inc., recorded in Volume 13270, Page 1369, of the Real Property Records of Travis County, Texas, from which a 1/2-inch iron rod found bears S20°25'19"W a distance of 0.36 feet;

THENCE, with the southerly line of said 81.411 acre tract and the proposed northerly right-of-way line of Braker Lane, same being the said remainder of 479.683 acre tract, the following four (4) courses and distances;

Along said curve to the left, an arc distance of 592.54 feet, having a radius of 1060.00 feet, a central angle of 32°01'41", and a chord which bears N85°38'16"W, a distance of 584.85 feet to a 1/2-inch iron rod with cap stamped "SURVCON INC" found;

S78°23'25''W, a distance of 210.47 feet to a 1/2-inch iron rod with cap stamped "VARA LAND SURVEY" found at a point of curvature of a curve to the right;

Along said curve to the right, an arc distance of 527.75 feet, having a radius of 940.00 feet, a central angle of 32°10'04", and a chord which bears N85°33'22"W, a distance of 520.84 feet to a 1/2-inch iron rod found;

N69°32'26"W, a distance of 1442.57 feet to a 1/2-inch iron rod with cap stamped "VARA LAND SURVEY" found on the arc of a curve to the right on the westerly line of said 81.411 acre tract and the easterly line of called 85.439 acre tract (Parcel 2, Part 2) as described in a Special Warranty Deed, dated December 21, 1990 to State of Texas recorded in Volume 11339, Page 2005, of the Real Property Records of Travis County, Texas;

THENCE, the westerly line of said 81.411 acre tract and the easterly line of said 85.439 acre tract, the following two (2) courses and distances;

Along said curve to the right, an arc distance of 498.90 feet, having a radius of 2815.00 feet, a central angle of $10^{\circ}09'16''$, and a chord which bears N15°17'18"E, a distance of 498.25 feet to a 1/2-inch iron rod with aluminum cap with a punch hole found;

N20°21'52"E, a distance of 5219.23 feet to a TxDOT Type II monument found for the northwesterly corner of said 81.411 acres tract and being on the said southerly right-of-way of Parmer Lane;

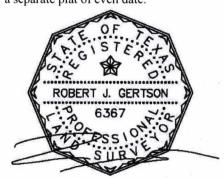
THENCE, S48°42'17"E, with a northerly line of said 81.411 acre tract and the said southerly right-of-way of Parmer Lane, a distance of 776.61 feet to the **POINT OF BEGINNING**;

Containing 81.4494 acres or 3,547,935 square feet, more or less.

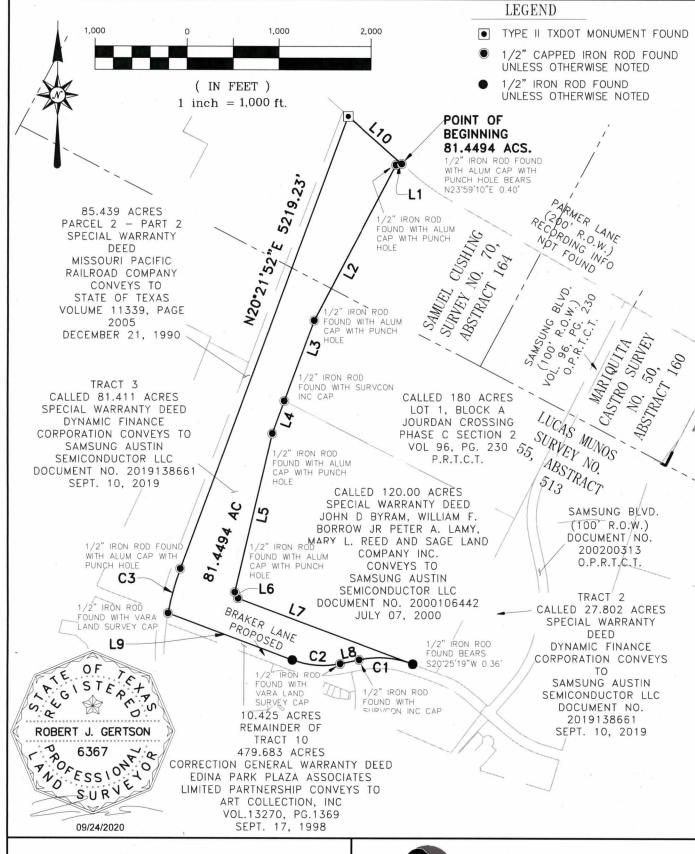
Bearings are based on the Texas State Plane Coordinate System, Central Zone (4203), North American Datum of 1983 (NAD83), 2011 Adjustment. All distances shown hereon are surface values represented in U.S. Survey Feet and may be converted to grid by dividing by a combined adjustment factor of 1.00010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



09/24/2020



81.4494 AC. IN THE SAMUEL CUSHING SURVEY NO. 70, ABST. 164 AND THE LUCAS MUNOS SURVEY NO. 55 ABST. 513 TRAVIS COUNTY, TEXAS

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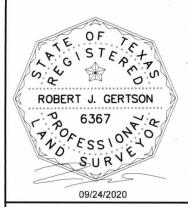
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3815 S CAPITAL OF TEXAS HIGHWAY, SUITE 300 AUSTIN, TX 78704 512.904.0505

Line Table			
Line #	Direction	Length	
L1	S79° 32' 28"W	62.15'	
L2	S27° 48' 14"W	1902.35	
L3	S20° 22′ 45″W	929.76	
L4	S20° 22' 45"W	375.13'	
- L5	S13° 14' 19"W	1764.38	
L6	S28° 19' 11"E	74.33'	
L7	S69° 34′ 41″E	2028.20'	
L8	S78° 23' 25"W	210.47	
L9	N69° 32' 26"W	1442.57	
L10	S48° 42' 17"E	776.61'	

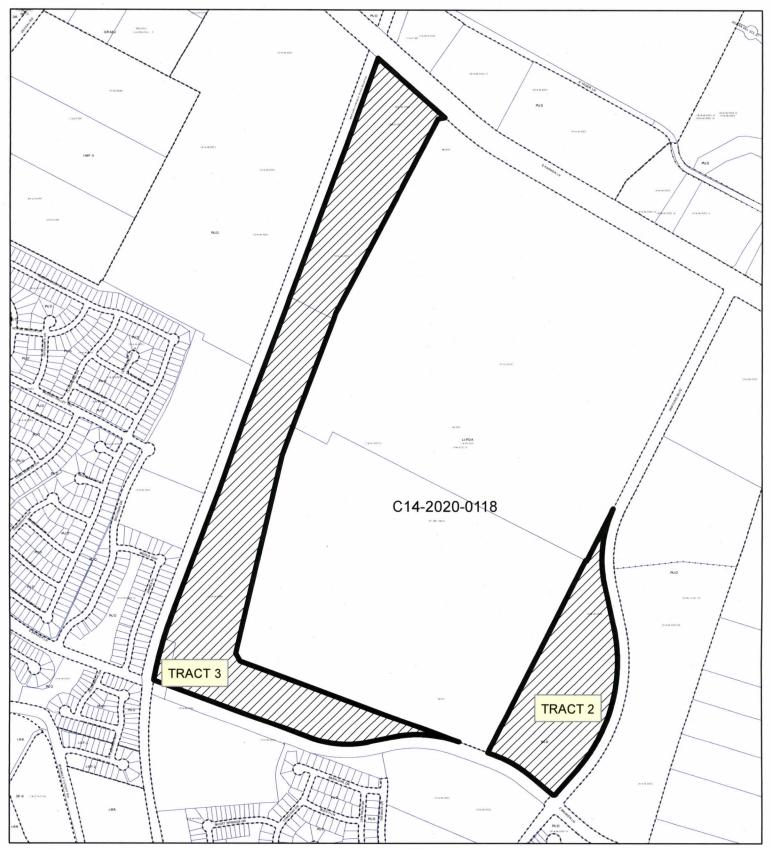
CURVE TABLE					
Curve #	Length	Radius	Central Angle	Chord Bearing	Chord
C1	592.54	1060.00'	32°01'41"	N85*38'16"W	584.85
C2	527.75	940.00'	32°10'04"	N85°33'22"W	520.84
С3	498.90'	2815.00'	10°09'16"	N15°17'18"E	498.25



81.4494 AC. IN THE SAMUEL CUSHING SURVEY NO. 70, ABST. 164 AND THE LUCAS MUNOS SURVEY NO. 55 ABST. 513 TRAVIS COUNTY, TEXAS

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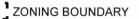






SUBJECT TRACT





ZONING

ZONING CASE#: C14-2020-0118



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: 10/19/2020