

ZONING CHANGE REVIEW SHEET**CASE:** C14-2016-0114 (Domain Entertainment District)**P.C. DATE:** November 8, 2016**ADDRESS:** 3121 Palm Way**DISTRICT AREA:** 7**OWNER:** Domain Retail Property Owner, LP c/o Endeavor Real Estate Group**AGENT:** Jackson Walker, LLC (Katherine Loayza)**ZONING FROM:** MI-PDA**TO:** MI-PDA**AREA:** 43.36 acres**SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant MI-PDA, Major Industrial-Planned Development Area District, zoning. The PDA amendment will allow for the sale of alcoholic beverages as an accessory use to a General Retail Sales (General) use for on premise consumption for a second occupant not to exceed an additional 11,204 sq. ft. (for a total of 61,204 sq. ft. for two occupants) within this designated 43 acre area of the Domain development.

PLANNING COMMISSION RECOMMENDATION:**DEPARTMENT COMMENTS:**

The property in question (The Domain-Endeavor site) is currently developed with a mixture of high density residential, office and commercial uses. Last year, through zoning case C14-2015-0038, the applicant requested and was granted an amendment to the PDA for the sale of alcoholic beverages as an accessory use for General Retail Sales (General) use for on premise consumption for a single occupant not to exceed 50,000 sq. ft. within the 43 acre area located in the northeastern portion of the Domain for the development of a Restoration Hardware retail store.

In this rezoning request, the applicant is asking for a second amendment to the conditions the Planned Development Area (PDA) overlay in Ordinance No. 20150611-033 to permit the sale of alcoholic beverages as an accessory use to a General Retail Sales (General) use, not to exceed an additional 11,204 sq. ft., within the Domain for a new Crate and Barrel retail establishment. The purpose is to allow for on premise consumption with the retail store (Please see Zoning Request Letter-Attachment A). The applicant states that the proposed accessory use will not function as a cocktail lounge use. Therefore, it will not apply against the existing cocktail lounge use allocation of up to 90,000 square feet without a conditional use permit that was granted within this area of the Domain/MI-PDA zoning.

The staff recommends the applicant's request to amend the Planned Development Area overlay, with conditions. The staff recommendation would allow for the sale of alcoholic beverages as an accessory use for General Retail Sales (General) use for on premise consumption for a second occupant not to exceed 11,204 sq. ft. (for two occupants not to exceed a total of 61,204 sq. ft.) within the 43 acre area located in the northeastern portion of the Domain development. The staff believes the proposed amendment would be permissible in the entertainment district area within the Domain. Therefore, the PDA amendment will not alter the intent of the approved MI-PDA designation for this

site. The requested PDA amendment will allow for the on-site consumption of alcoholic beverages as an accessory use to two General Retail Sales (General) uses within a specific area on the eastern side of the Domain without going through the conditional use site plan process for approval. The proposed on-site consumption of alcoholic beverages as an accessory to specific retail sales use would be compatible with other commercial and restaurant uses that have already been constructed within the Domain development.

The proposed MI-PDA zoning will allow for a mixture of high-density residential uses, office uses, commercial uses, and industrial uses to be developed on the property in question. The location of the site is appropriate for the proposed mixture and intensity of uses because the site is located between three major roadways, MOPAC Expressway North, Burnet Road, and Braker Lane. The property in question is within the North Burnet/Gateway Combined Neighborhood Planning Area and is adjacent to the North Burnet/Gateway Transit Oriented Development District (TOD).

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MI-PDA	Multifamily, Office, Commercial (Restaurant, Retail, Hotel uses), Industrial/Office/Warehouse (IBM)
<i>North</i>	NBG-NP	Hotel, Office, Financial Services
<i>South</i>	MI-NP	University of Texas J.J. Pickle Research Center
<i>East</i>	MI-PDA	Commercial (Retail, Restaurants, Theater uses), Multifamily, Office
<i>West</i>	NBG-NP	Office, Commercial/Retail, Vacant Tract, Commercial/Retail

AREA STUDY: North Burnet/Gateway NP

TIA: Subject to existing TIA conditions

WATERSHED: Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
 Austin Independent School District
 Austin Neighborhoods Council
 Bike Austin
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Northwest Austin Coalition
 Neighborhoods of North Austin/NONA
 North Burnet Gateway Neighborhood Association
 North Growth Corridor Alliance
 SELTEXAS
 Sierra Club, Austin Regional Group

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2015-0038 (Domain Entertainment District: 11624-11824 Burnet Road)	MI-PDA to MI-PDA	4/28/15: Approved the staff's recommendation of MI-PDA zoning with conditions (8-0, B. Roark-absent); J. Nortey-1 st , J. Stevens-2 nd .	6/11/15: Approved MI-PDA zoning on consent (11-0); A. Kitchen-1 st , P. Renteria-2 nd
C14-2014-0062 (The Kenzie: 3201 Esperanza Crossing)	MI-PDA to MI-PDA (To amend the PDA overlay to allow for a Cocktail Lounge use as a permitted use on a designated 0.084 acre (3,659 sq. ft.) parcel inside the Kenzie multifamily building.)	5/27/14: Approved staff's recommendation for MI-PDA zoning by consent (8-0, J. Nortey-absent); R. Hattfield-1 st , N. Zaragoza-2 nd .	6/26/14: Approved MI-PDA zoning, to change a condition of zoning, on consent on all 3 readings(6-0, M. Martinez-off the dais); B. Spelman-1 st , S. Cole-2 nd .
C14-2013-0130 (Domain Entertainment District: 11824 Burnet Road)	MI-PDA to MI-PDA	11/12/13: Approved staff's recommendation for MI-PDA zoning, with conditions for a limitation of 90,000 square feet of Cocktail Lounge use as permitted with no one user exceeding 13,000 sq. ft. within the designated 43.267acre area (outlined in Exhibit A) located within the Property., by consent (7-0-2, D. Chimenti and A. Hernandez-absent); J. Nortey-1 st , B. Roark-2 nd .	12/12/13: Approved MI-PDA zoning on consent on all 3 readings (7-0); B. Spelman-1 st , S. Cole-2 nd .
C14-2012-0002 (The Domain: 10728-11306 and 11500-11900 Burnet Road; 3300 West Braker Lane; 11105 and 11401-11925 Domain Drive, and 2900-3210 Esperanza Crossing)	MI-PDA to MI-PDA: To amend the PDA 1) To allow for a Cocktail Lounge use as a permitted use on a 2,198 sq. ft. parcel and 2) To relocate 1-acre of designated zero impervious area within a nine acre park	5/08/12: Approved MI-PDA zoning by consent (9-0); D. Anderson-1 st , S. Kirk-2 nd .	6/28/12: Approved MI-PDA zoning to change a condition of zoning on all 3 readings (7-0); C. Riley-1 st , S. Cole-2 nd .

	to a new location within the same park.		
C14-2010-0087 (The Domain Rezoning-Simon: 11701, 11733 North Mopac Expressway; 11400, 11500 Domain Drive; 3311 Rogers Road; 3409 Esperanza Crossing; 11600 Century Oaks Terrace)	MI-PDA to MI-PDA: To amend the Domain zoning ordinance to request a change to the PDA overlay to allow 83% impervious cover for the overall site.	8/24/10: Approved staff's recommendation of MI-PDA zoning with the condition that the applicant agree to a public restrictive covenant to limit one acre of land on the Endeavor-Domain site to zero percent impervious cover to offset the increase in impervious cover on the Simon-Domain property (8-1, Chimenti-No), with the following additional conditions: 1) Require the applicant to provide bicycle access for a portion Bicycle Route Segment #905.04 (Please see Public Works Department Memorandum – "Attachment B") to allow for continuity for bicycle traffic to and through the Domain development. 2) Require a public restrictive covenant that will limit one acre of land on the Endeavor-Domain site to zero percent impervious cover to be signed and recorded before the 3 rd reading of this zoning case at City Council.	8/26/10: The public hearing will remain open and the first reading of the case was approved for MI-PDA zoning (7-0); Morrison-1 st , Spelman-2 nd , with the following additional conditions: 1) The applicant is to provide bicycle access for a portion of Bicycle Route Segment #905.04 to allow for continuity for bicycle traffic to and through the Domain development. 2) A public restrictive covenant that will limit one acre of land on the Endeavor- Domain site to zero percent impervious cover will be signed and recorded before the third reading of this zoning case. 10/14/10: Approved MI-PDA zoning on 2 nd /3 rd readings (7-0); Spelman-1 st , Leffingwell-2 nd , with the following amendments: 1) Part 3, C, 1 of the ordinance should read: "A pedestrian/bicycle entrance shall be provided between the existing pedestrian/bicycle trail under Mopac Expressway and the Simon Project internal drive as shown on the attached Exhibit B. A minimum 12-foot wide paved path shall be constructed with an associated curb cut connecting to the internal drive prior to issuance of a certificate of occupancy for a building on Lot 5A, Block A, the Domain Shopping Center Section 3 Subdivision."; 2) Add a new paragraph to Part 3, Section D to read: "The two trees on the property numbered 5068 and 5081 as shown on Exhibit D may not be removed, unless the City Arborist

			approved otherwise based on the health of the individual trees.”; 3) The approved otherwise based on fourth WHEREAS of the restrictive covenant should read: “WHEREAS, the requirements of the Land Development Code for both the Endeavor Tract and the Simon Tract allow for a combined maximum of eighty percent (80%) net site area impervious cover resulting in a total allowable impervious cover area of 135.36 acres for the Endeavor Tract and 40.54 for the Simon Tract; and”.
C14-06-0121	MI-PDA to MI-PDA	<p>2/13/07: Approved staff’s rec. for MI-PDA zoning with additional conditions of:</p> <ul style="list-style-type: none"> • 2 star Green Building rating • natural landscaping of all water quality ponds (existing and future); • be in compliance with TIA conditions; • the applicant’s requested parkland dedication proposal; • height base of 140-ft; plus an additional 12-stories based on electing to provide some of the public benefits as listed in the North Burnet/Gateway Neighborhood Plan. • Maximum height of 308 feet. <p>Vote: (9-0); J.Reddy-1st, G. Stegeman-2nd.</p>	3/01/07: Approved MI-PDA zoning with the addition of low albedo roofing materials, one star construction for the total site and two star construction for 50% of the office and residential construction (7-0); McCracken-1 st , Dunkerley-2 nd .
C14-06-0154	MI-PDA to MI-PDA	8/08/06: Approved staff rec. of MI-PDA by consent (8-0)	<p>09/28/06: Approved MI-PDA (7-0); 1st reading</p> <p>10/05/06: Approved MI-PDA changes as a condition of zoning (6-0); 2nd/3rd readings</p>

C14-04-0151	MI-PDA to MI-PDA	11/23/04: Approved staff recommendation of MI-PDA, with Environmental Board conditions (9-0).	12/16/04: Approved MI-PDA (7-0); all 3 readings
C14-04-0146	P to CH	11/9/04: Approved staff's recommendation of CH zoning with conditions (9-0)	12/2/04: Approved CH zoning (7-0); all 3 readings
C14-03-0017	MI-PDA to MI-PDA	6/11/03: Approved staff's recommendation of MI-PDA zoning, with inclusion of original PDA conditions (as read into the record) from Ordinance #000608-67 (8-0, R. Pratt-off dais)	7/31/03: Granted MI-PDA on all 3 readings (7-0)
C14-03-0016	MI to MI-PDA	6/11/03: Approved staff's recommendation of MI-PDA zoning (8-0, R. Pratt-off dais)	7/31/03: Granted MI-PDA on all 3 readings (7-0)
C14-03-0015	MI to CS	6/11/03: Approved staff's recommendation of CS-CO zoning (8-0, R. Pratt-off dais)	7/31/03: Granted CS-CO on all 3 readings
C14-02-0062	LI to CS-1	6/12/02: Approved CS-1 by consent (8-0)	7/11/02: Approved PC rec. of CS-1 (7-0); all 3 readings
C14H-00-2177	LI-PDA to LI-PDA	10/24/00: Approved staff rec. of LI-PDA (TR1), LI-PDA-H (TR2) by consent (9-0)	11/30/00: Approved LI-PDA (TR1) and LI-PDA-H (TR2); (7-0); all 3 readings
C14-00-2065	MI to MI-PDA	5/9/00: Approved staff rec. of MI-PDA by consent (8-0); with the following conditions: 1) That minimum lot size be 1 acre provided for any lots that directly abut Braker Lane and Burnet Road (but not both) and which are less than 3 acres in size. 2) The total number of additional curb cuts on Braker Lane & Burnet Road providing access to such lots shall not exceed 50 % of the total number of such lots. 3) The foregoing limitation shall not apply to any lot of	6/8/00: Approved MI-PDA, with changes agreed to with neighborhood association (7-0); all 3 readings

		more than 3 acres, which abut Braker Lane and Burnet Road.	
C14-99-0024	MI to GR	4/20/99: Approved staff alternate rec. of GR-CO by consent (7-0)	5/20/99: Approved PC rec. of GR-CO w/ conditions (7-0); 1 st reading 6/3/99: Approved GR-CO w/ conditions (7-0); 2 nd /3 rd readings
C14-92-0072	IP to P	8/18/92: Approved	9/3/92: Approved P; all 3 readings

RELATED CASES: C14-2015-0038
C14-2014-0062
C14-2013-0130
C14-2012-0002
C14-2010-0087
C14-03-0015
C14-03-0016
C14-04-0017
C14-04-0151

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
MoPac (Loop 1)	500'	Varies	Freeway	91,000
Braker Lane	114'	2@30'	Major Arterial	
Burnet Road (FM 1325)	140'	Varies	Major Arterial	24,000

CITY COUNCIL DATE: December 8, 2016

ACTION:

ORDINANCE READINGS: 1st

2nd

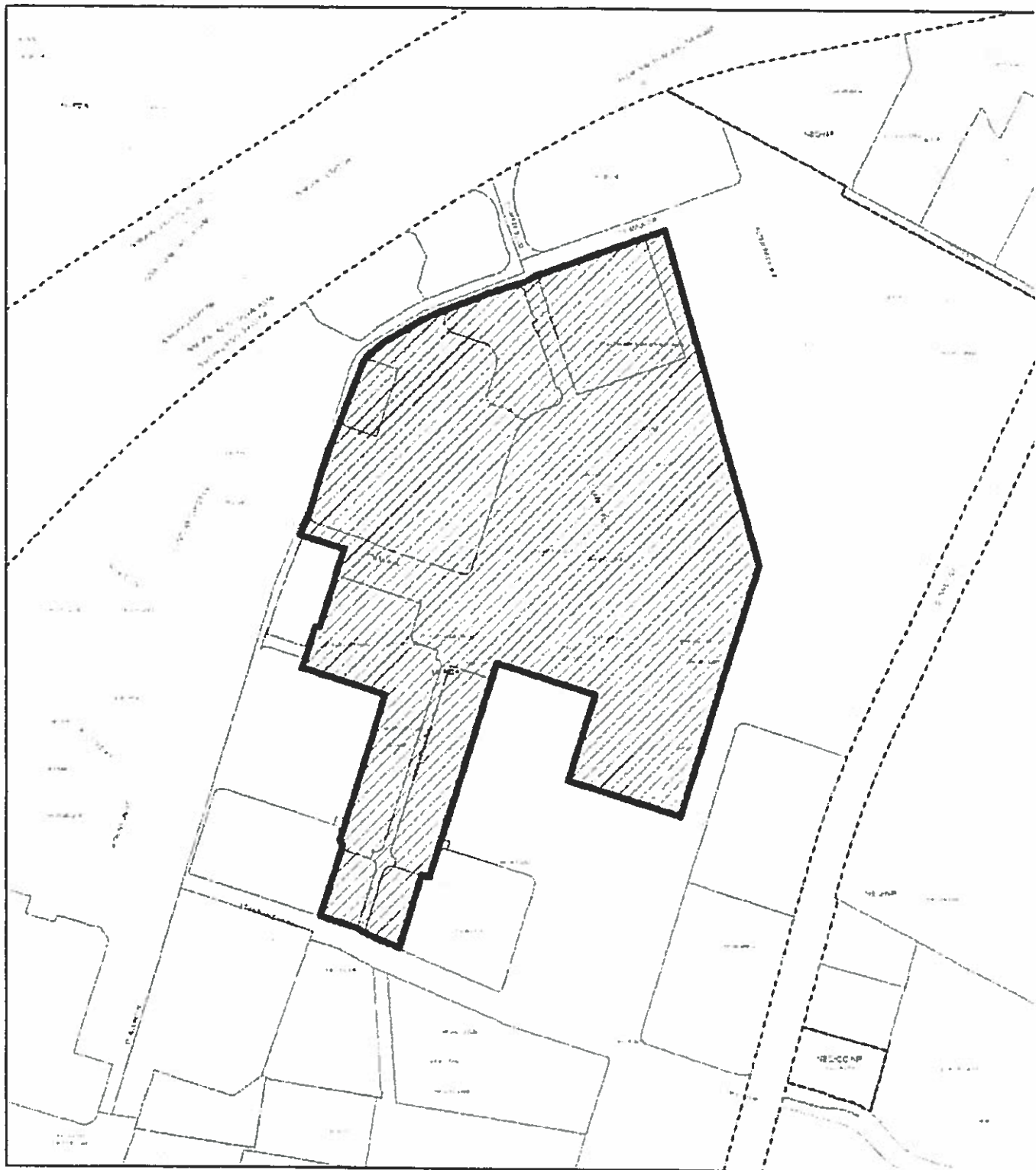
3rd




ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 512-974-3057

sherri.sirwaitis@austintexas.gov



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

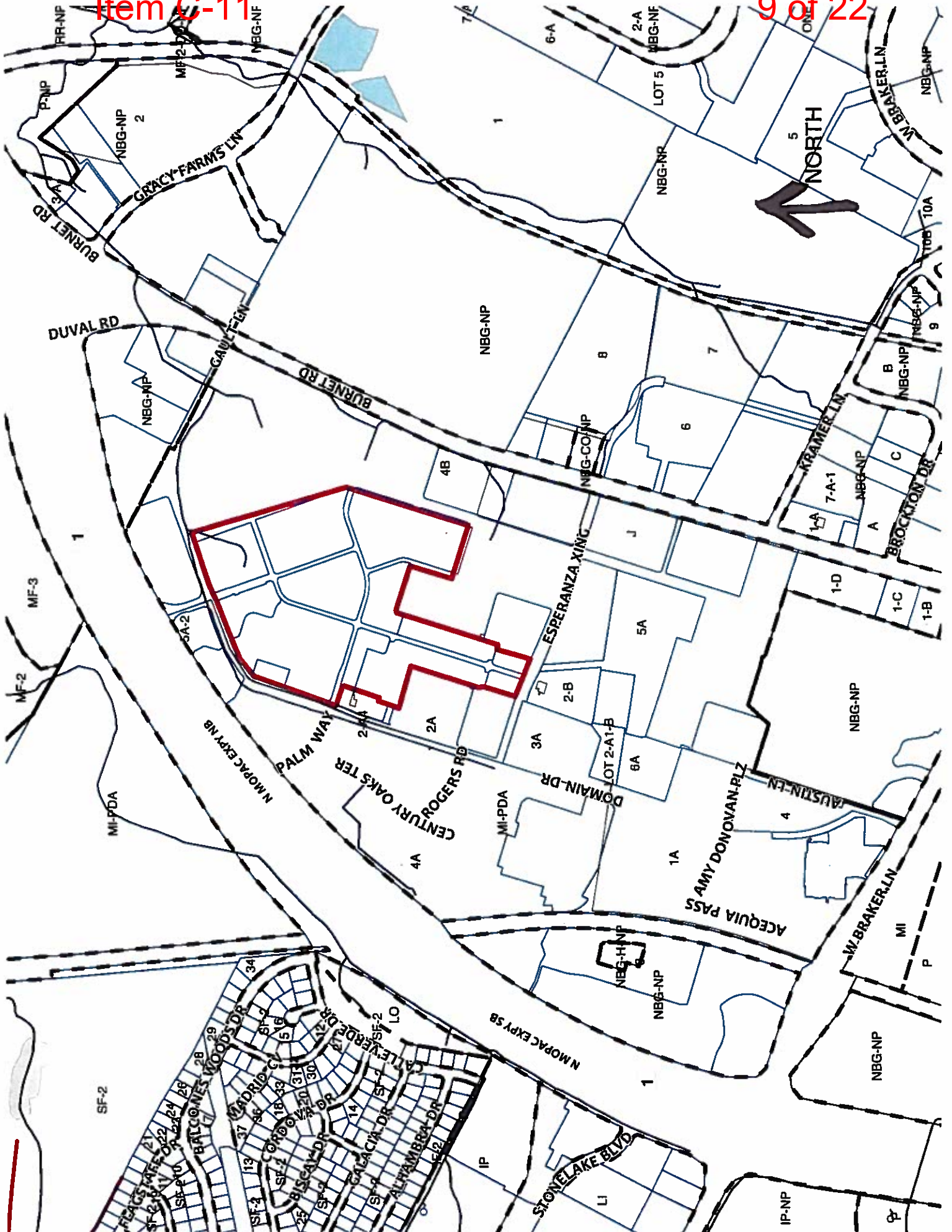
ZONING CASE#: **C14-2016-0114**

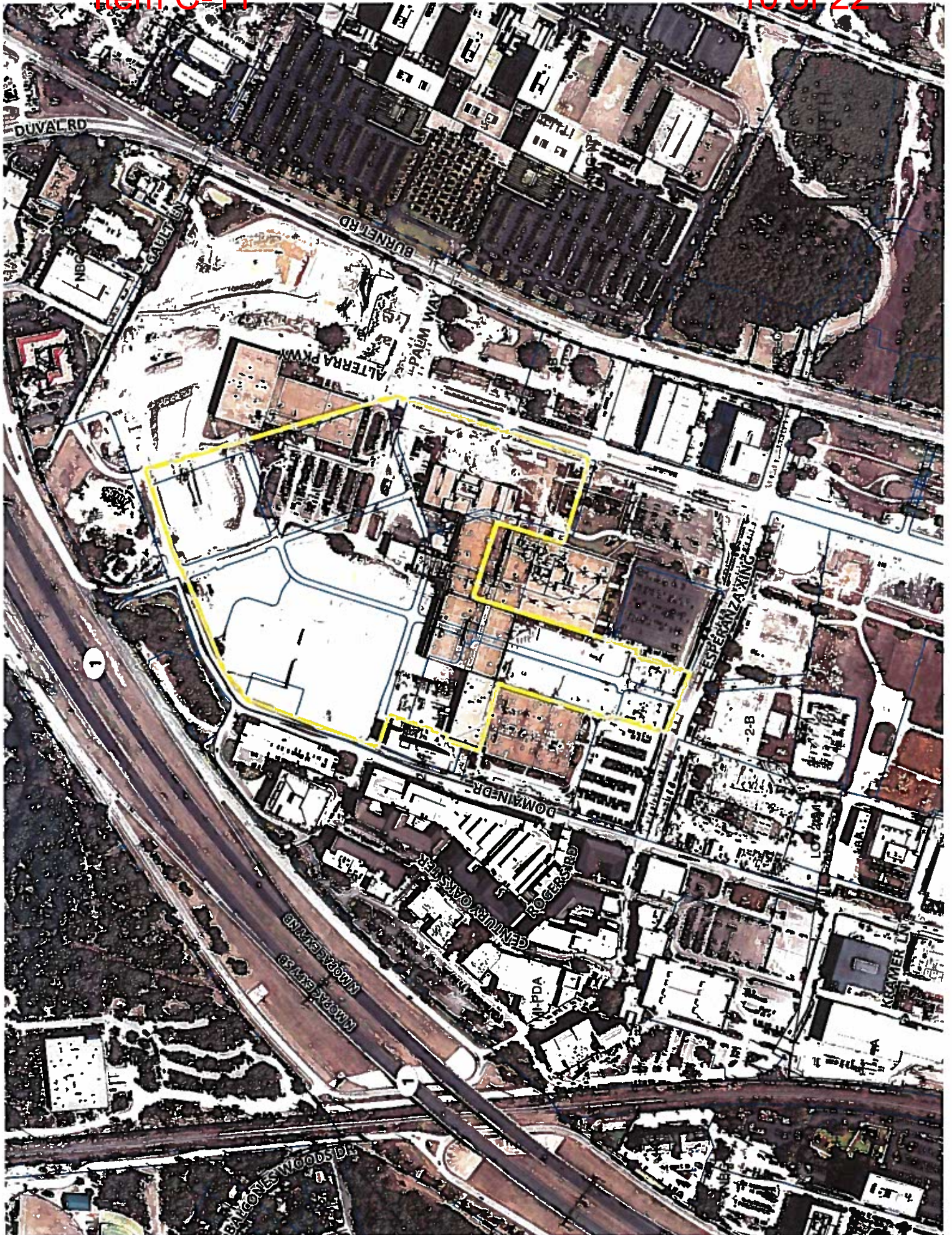
1" = 400'

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.







STAFF RECOMMENDATION

The staff's recommendation is to grant MI-PDA, Major Industrial-Planned Development Area District, zoning. The PDA amendment will allow for the sale of alcoholic beverages as an accessory use to a General Retail Sales (General) use for on premise consumption for a second occupant not to exceed an additional 11,204 sq. ft. (for a total of 61,204 sq. ft. for two occupants) within this designated 43 acre area of the Domain development.

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The MI district designation is for a commercial service use, research and development use, administrative use, or manufacturing use that meets strict development and performance standards and is generally located on a large site or in a planned industrial center.

The PDA combining district designation provides for industrial and commercial uses in certain commercial and industrial base districts.

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed MI-PDA amendment will permit the applicant have the on-site consumption of alcoholic beverages as an accessory use for two occupants of a General Retail Sales (General) uses within a specific area on the eastern side of the Domain without going through the conditional use site plan process for approval. The proposed PDA amendment will allow for uses that will be compatible with other commercial and restaurant uses that have already been constructed throughout the Domain development.

3. *Zoning changes should promote an orderly relationship among land uses.*

MI-PDA zoning would allow this site to be developed with a mixture of high-density residential uses, office uses, commercial uses and industrial uses. This location is appropriate for the proposed PDA because site is located between three major roadways, MOPAC Expressway North (freeway), Burnet Road (major arterial roadway), and Braker Lane (major arterial roadway). The property in question is within the North Burnet/Gateway Combined Neighborhood Planning Area and is adjacent to the North Burnet/Gateway Transit Oriented Development District (TOD.)

EXISTING CONDITIONS

Site Characteristics

The property in question is part of The Domain, a large mixed use development. It is located along Mopac Expressway North, a freeway, and Burnet Road, a major arterial roadway. A portion of the site borders the Missouri Pacific Railroad on the western side.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Environmental

The site is partially located over the Edwards Aquifer Recharge Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

The applicant proposes no construction with this zoning request. Therefore, no impact to trees is anticipated.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Impervious Cover

The maximum impervious cover allowed by the MI zoning district would be 80 %. However, if the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

Note: The most restrictive impervious cover limit applies.

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Transportation

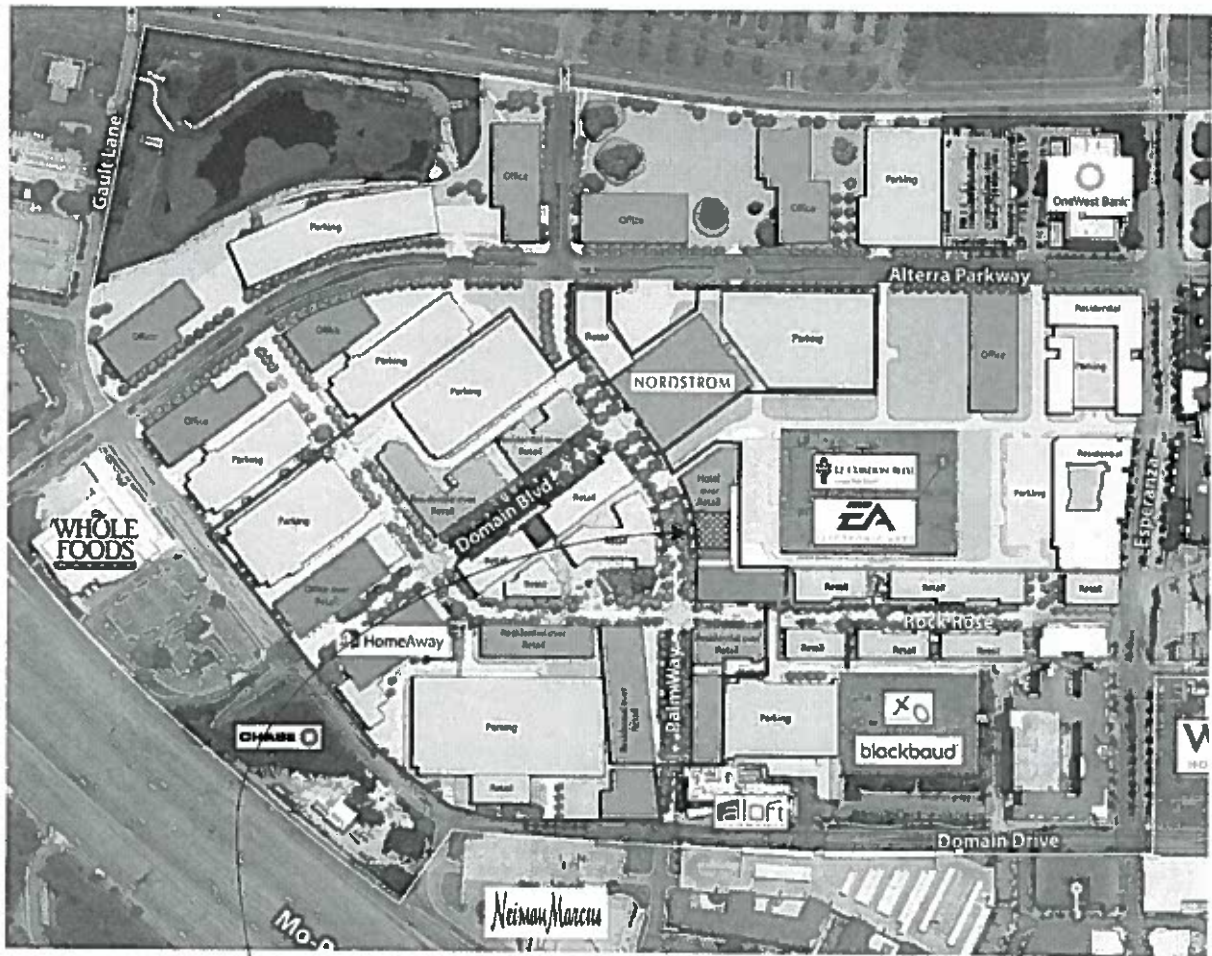
An email to the applicant was sent on 10/13/16 to request a demonstration of compliance which illustrates how the proposed change of land use will comply with the current TIA.

If the requested zoning is granted, it must comply with the approved Domain Endeavor TIA.

Water and Wastewater

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Exhibit A



Shopping Center



Premises



Additional Co-Tenancy Area



Katherine P. Loayza
(512) 236-2259 (Direct Dial)
(512) 691-4412 (Direct Fax)
kloayza@jw.com

September 22, 2016

Greg Guernsey, Director
Planning and Zoning Department
City of Austin
505 Barton Springs Road
Austin, Texas 78704

Re: Application for Amendment to the Domain Entertainment District (the
"District") Planned Development Area ("PDA") from Major Industrial Planned
Development Area ("MI-PDA") to MI-PDA

Dear Greg:

I am submitting an application for a PDA amendment for the District authorized by the property owner, Domain Retail Property Owner LP on behalf of Euromarket Designs, Inc. d/b/a Crate & Barrel, the tenant ("CB2"). The proposed amendment is necessary in order to allow CB2 to sell of alcoholic beverages in conjunction with a general retail sales (general) use in their new facility that is located within the District. The address of the CB2 store is 3121 Palm Way, Suite 110 and will occupy approximately 11,504 square feet of lease space on the ground floor of the new hotel at this location, including 300 square feet of outdoor seating.

The specific request is to amend Ordinance No. 20150611-033 in order to allow a second cocktail lounge use in conjunction with a general retail sales (general) use not to exceed an additional 11, 204 square feet that will also not count against the cocktail lounge use limit established in Ordinance No. 20131212-120.

The proposed sale of alcoholic beverages will not function as a cocktail lounge in the true sense of the use because the sale of alcoholic beverages will solely be for the benefit of CB2 customers. The actual area where the alcohol will be served will be in a much smaller area, but the intent is to allow customers to wander throughout the store with beverages in hand. This is part of the overall customer enhancement concept that is being applied to CB2 stores nationwide.

We appreciate your support of this endeavor and are available to provide any additional information.

Regards,


Katherine P. Loayza
Land Use Consultant

16452554v.1

ORDINANCE NO. 20150611-033

AN ORDINANCE AMENDING ORDINANCE NO. 030731-Z-3 TO REZONE AND CHANGE THE ZONING MAP FROM MAJOR INDUSTRIAL PLANNED DEVELOPMENT AREA (MI-PDA) COMBINING DISTRICT TO MAJOR INDUSTRIAL PLANNED DEVELOPMENT AREA (MI-PDA) COMBINING DISTRICT FOR PROPERTY GENERALLY KNOWN AS THE DOMAIN-ENDEAVOR PROJECT LOCATED AT 11624-11824 BURNET ROAD.

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

PART 1. The planned development area ("Domain Project") is comprised of property originally known as the Domain planned development area ("Domain PDA"). On July 31, 2003, the Domain PDA was approved under Ordinance No. 030731-Z-3. Each designated planned development area over time has been modified under amendments to the original ordinance. These ordinances are: Ordinance No. 041216-Z-5a, Ordinance No. 20061005-044, Ordinance No. 20070412-024, Ordinance No. 20071101-056, Ordinance No. 20081106-083, Ordinance No. 20101014-047, Ordinance No. 20101014-048, Ordinance No. 20120628-127, Ordinance No. 20131212-120 and Ordinance No. 20140626-129. This ordinance affects approximately 43.267 acres out of the Domain Project as described in Part 2 below and known as the Domain-Endeavor Project.

PART 2. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from major industrial planned development area (MI-PDA) combining district to major industrial planned development area (MI-PDA) combining district on the property described in Zoning Case No. C14-2015-0038, on file at the Planning and Zoning Department, as follows:

A 43.267 acre tract of land, more or less, out of the James Rogers Survey, Abstract No. 659 the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 11624-11824 Burnet Road, in the City of Austin, Travis County, Texas and generally identified in the map attached as Exhibit "B".

PART 3. Development of the Property is subject to the limitation and condition set forth below.

One 50,000 sq. ft. cocktail lounge use on the Property is permitted in conjunction with a general retail sales (general) use of equal or greater size. The cocktail lounge use will not count against the cocktail lounge use limit established in Ordinance No. 20131212-120.

PART 4. The provisions in Ordinance No. 030731-Z-3, as amended, apply to the Property except as otherwise provided in this ordinance.

PART 5. This ordinance takes effect on June 22, 2015.

PASSED AND APPROVED

_____, June 11, 2015

§
§
§



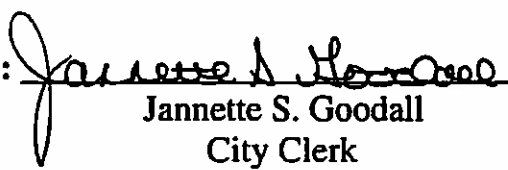
Steve Adler
Mayor

APPROVED:



Anne L. Morgan
Interim City Attorney

ATTEST:



Jannette S. Goodall
City Clerk


 Exhibit A, Continued

43.267 ACRES
THE DOMAIN RETAIL DISTRICT
ENDEAVOR REAL ESTATE GROUP

FN NO. 13-390(MJJ)
SEPTEMBER 5, 2013
BPI JOB NO. R0101231-10044

DESCRIPTION

OF 43.267 ACRES OF LAND OUT OF THE JAMES ROGERS SURVEY, ABSTRACT NO. 659, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING ALL OF LOT 3A, RREEF DOMAIN BLOCK U SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 201300086 OF SAID OFFICIAL PUBLIC RECORDS, A PORTION OF LOTS 1A AND 2A OF SAID RREEF DOMAIN BLOCK U SUBDIVISION AND A PORTION OF LOT 1A RREEF DOMAIN BLOCK V SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 201100200 OF SAID OFFICIAL PUBLIC RECORDS; SAID 43.267 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a P.K. nail with washer found at the northeasterly corner of Lot 2-A4 Amended Plat of Lots 2-A1 and 2-A4, Block "A" Resubdivision of Lot 2-A, Block "A", Resubdivision of Lot 2, Block "A" Domain Section 2 Subdivision, a subdivision of record in Document No. 200800180 of said Official Public Records, being an angle point in the westerly line of said Lot 2A;

THENCE, N72°33'59"W, in part along the common line of said Lot 2A and said Lot 2-A4, for a portion of the westerly line hereof, a distance of 143.35 feet to an angle point hereof;

THENCE, continuing over and across said Lot 2A, for a portion of the westerly and northerly lines hereof, the following nine (9) courses and distances:

- 1) N22°37'47"E, a distance of 80.42 feet to an angle point;
- 2) N17°31'31"E, a distance of 172.11 feet to the point of curvature of a non-tangent curve to the right;
- 3) Along said non-tangent curve to the right having a radius of 881.14 feet, a central angle of 5°03'28", an arc length of 77.78 feet and a chord which bears, N19°47'07"E, a distance of 77.76 feet to the end of said curve;
- 4) N21°29'52"E, a distance of 233.04 feet to the point of curvature of a curve to the right;
- 5) Along said curve to the right having a radius of 90.50 feet, a central angle of 30°08'09", an arc length of 47.60 feet and a chord which bears, N36°33'56"E, a distance of 47.05 feet to the end of said curve;
- 6) N51°38'01"E, a distance of 55.01 feet to an angle point;
- 7) N57°35'55"E, a distance of 35.00 feet to an angle point;
- 8) N60°12'19"E, a distance of 103.52 feet to the point of curvature of a curve to the right;



FN NO. 13-390 (MJJ)
SEPTEMBER 5, 2013
PAGE 2 OF 4

- 9) Along said curve to the right having a radius of 560.89 feet, a central angle of $5^{\circ}56'36''$, an arc length of 58.18 feet and a chord which bears, $N65^{\circ}51'07''E$, a distance of 58.16 feet to the end of said curve;

THENCE, continuing in part over and across said Lot 2A and in part along the northerly line of said Lot 3A, for a portion of the northerly line hereof, the following three (3) courses and distances:

- 1) $N68^{\circ}34'51''E$, passing at a distance of 127.96 feet a P.K. nail with washer found at the northwesterly corner of said Lot 3A and continuing for a total distance of 163.46 feet to a P.K. with washer found for the point of curvature of a curve to the right;
- 2) Along said curve to the right having a radius of 472.87 feet, a central angle of $3^{\circ}56'16''$, an arc length of 32.50 feet and a chord which bears, $S70^{\circ}32'57''W$, a distance of 32.49 feet to a P.K. nail with washer found for the end of said curve;
- 3) $N72^{\circ}31'03''E$, a distance of 48.34 feet to a P.K. nail with washer found at the northeasterly corner of said Lot 3A, for the point of curvature of a curve to the left;

THENCE, over and across said Lot 2A, for a portion of the northerly and easterly lines hereof, the following ten (10) courses and distances:

- 1) Along said non-tangent curve to the left having a radius of 204.02 feet, a central angle of $16^{\circ}39'47''$, an arc length of 59.33 feet and a chord which bears, $N68^{\circ}42'23''E$, a distance of 59.12 feet to the point of reverse curvature;
- 2) Along said reverse curve having a radius of 197.00 feet, a central angle of $6^{\circ}13'47''$, an arc length of 21.42 feet and a chord which bears, $N63^{\circ}29'24''E$, a distance of 21.41 feet to the point of reverse curvature;
- 3) Along said reverse curve having a radius of 221.77 feet, a central angle of $4^{\circ}40'54''$, an arc length of 18.12 feet and a chord which bears, $N68^{\circ}56'44''E$, a distance of 18.12 feet to the end of said curve;
- 4) $N70^{\circ}11'03''E$, a distance of 404.54 feet to the northeasterly corner hereof;
- 5) $S15^{\circ}53'14''E$, a distance of 1079.13 feet to an angle point;
- 6) $S17^{\circ}26'07''W$, a distance of 823.46 feet to an angle point;
- 7) $N72^{\circ}29'30''W$, a distance of 367.07 feet to an angle point;



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- 8) N17°31'20"E, a distance of 278.45 feet to an angle point;
- 9) N72°23'21"W, a distance of 323.27 feet to an angle point;
- 10) S17°23'13"W, a distance of 699.00 feet to a point in the northerly line of said Lot 1A RREEF Domain Block U Subdivision, for an angle point hereof;

THENCE, N73°34'14"W, along the common line of said Lot 2A and said Lot 1A RREEF Domain Block U Subdivision, for a portion of the easterly line hereof, a distance of 24.39 feet to an angle point;

THENCE, S17°19'18"W, leaving the common line of said Lot 2A and said Lot 1A RREEF Domain Block U Subdivision, over and across said Lot 1A RREEF Domain Block U Subdivision, for a portion of the southerly line hereof, a distance of 237.65 feet to a point in the common line of said Lot 2A and said Lot 1A RREEF Domain Block U Subdivision, for the southeasterly corner hereof;

THENCE, N67°21'28"W, along the common line of said Lot 2A and said Lot 1A RREEF Domain Block U Subdivision, for a portion of the southerly line hereof, a distance of 109.10 feet to a P.K. nail with washer set at the southwesterly corner of said Lot 1A RREEF Domain Block U Subdivision, for an angle point hereof;

THENCE, N58°43'45"W, leaving the common line of said Lot 2A and said Lot 1A RREEF Domain Block U Subdivision, over and across said Lot 2A, for a portion of the southerly line hereof, a distance of 35.90 feet to a P.K. nail with washer found at the southeasterly corner of said Lot 1A RREEF Domain Block V Subdivision, being an angle point in the interior line of said Lot 2A, for an angle point hereof;

THENCE, N72°31'08"W, along the common line of said Lot 2A and said Lot 1A RREEF Domain Block V Subdivision, for a portion of the southerly line hereof, a distance of 119.94 feet to the southwesterly corner hereof;

THENCE, N17°19'18"E, leaving the common line of said Lot 2A and said Lot 1A RREEF Domain Block V Subdivision, over and across said Lot 1A RREEF Domain Block V Subdivision, for a portion of the westerly line hereof, a distance of 229.58 feet to a point in the common curving line of said Lot 2A and said Lot 1A RREEF Domain Block V Subdivision, for the point of curvature of a non-tangent curve to the right;

THENCE, along the common line of said Lot 2A and said Lot 1A RREEF Domain Block V Subdivision, for a portion of the westerly line hereof, along said non-tangent curve to the right having a radius of 50.35 feet, a central angle of 25°54'18", an arc length of 22.76 feet and a chord which bears, S21°12'57"E, a distance of 22.57 feet to the end of said curve;



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THENCE, leaving the common line of said Lot 1A RRERF Domain Block V Subdivision and said Lot 2A, over and across said Lot 2A, for a portion of the westerly line hereof, the following three (3) courses and distances:

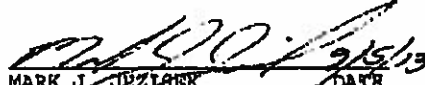
- 1) N17°28'07"E, a distance of 470.91 feet to an angle point;
- 2) N72°28'15"W, a distance of 271.44 feet to an angle point;
- 3) N17°26'01"E, a distance of 138.18 feet to a point in the common line of said Lot 2-A4 and said Lot 2A, for an angle point hereof;

THENCE, along the common line of said Lot 2-A4 and said Lot 2A, for a portion of the westerly line hereof, the following five (5) courses and distances:

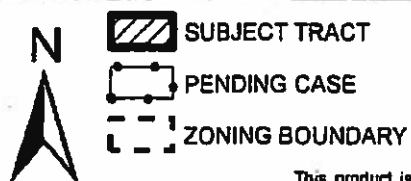
- 1) S72°33'59"E, a distance of 12.78 feet to a 1/2 inch iron rod with cap found at the southeasterly corner of said Lot 2-A4, for an angle point hereof;
- 2) N17°26'01"E, a distance of 159.87 feet to a P.K. nail with washer found for an angle point;
- 3) N72°33'59"W, a distance of 0.47 feet to a P.K. nail with washer found for an angle point;
- 4) N17°26'01"E, a distance of 74.33 feet to a P.K. nail with washer found for an angle point;
- 5) N17°27'03"E, a distance of 21.46 feet to the POINT OF BEGINNING containing an area of 43.267 acres (1,884,714 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.

BURY & PARTNERS, INC.
221 WEST SIXTH STREET, SUITE 600
AUSTIN, TEXAS 78701


MARK J. JEZISEK
R.P.L.S. NO. 5267
STATE OF TEXAS





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