

ORDINANCE NO. 20200206-070

AN ORDINANCE AMENDING ORDINANCE NO. 20130627-090 TO MODIFY THE LAND USE PLAN FOR THE PROJECT KNOWN AS THE THINKEAST PLANNED UNIT DEVELOPMENT LOCATED AT 1141 SHADY LANE AND 5300 JAIN LANE IN THE JOHNSTON TERRACE NEIGHBORHOOD PLAN AREA AND CHANGING THE ZONING MAP FROM PLANNED UNIT DEVELOPMENT-NEIGHBORHOOD PLAN (PUD-NP) COMBINING DISTRICT TO PLANNED UNIT DEVELOPMENT-NEIGHBORHOOD PLAN (PUD-NP) COMBINING DISTRICT.

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

PART 1. The thinkEAST PUD was approved by City Council on June 27, 2013, under Ordinance No. 20130627-090 (the "Original Ordinance") and amended under Ordinance No. 20161110-061.

PART 2. The thinkEAST Planned Unit Development (the "thinkEAST PUD") is comprised of approximately 24.37 acres of land located at 1141 Shady Lane and 5300 Jain Lane and more particularly described by metes and bounds in the land use plan incorporated into Ordinance No. 20130627-090.

PART 3. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from planned unit development-neighborhood plan (PUD-NP) combining district to planned unit development-neighborhood plan (PUD-NP) combining district on the property described in Zoning Case No. C814-2012-0128.03.SH, on file at the Planning and Zoning Department, as follows:

A 10.84 acre tract of land, situated in J.C. Tannehill Survey, Abstract No. 22, Travis County, Texas, the 10.84 acre tract of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance, (the "Property"),

and locally known as 1141 Shady Lane and 5300 Jain Lane, and generally identified by the map in **Exhibit "B"** attached and incorporated into this ordinance.

PART 4. Part 5 of the Original Ordinance (*Use Regulations*), Subsections C and H are amended to read:

- C. Development of the Property may not exceed [444] 597 multifamily residential units.

- H. The maximum height, as defined by City Code, of a building or structure in Land Use areas 1, and 2~~[, 4 and 5]~~ shall not exceed 40 feet or 3 stories. The maximum height, as defined by City Code, of a building or structure in Land Use areas 3, 4, and 5 shall not exceed 50 feet or 4 stories.

PART 5. Exhibit C: (*Land Use Plan*) to the Original Ordinance, as amended is replaced with **Exhibit "C"** attached and incorporated into this ordinance.

PART 6. Except as otherwise specifically provided in this ordinance, in all other respects the terms and conditions of Ordinance No. 20130627-090, as amended, remain in effect.

PART 7. This ordinance takes effect on February 17, 2020.

PASSED AND APPROVED


February 6, _____, 2020

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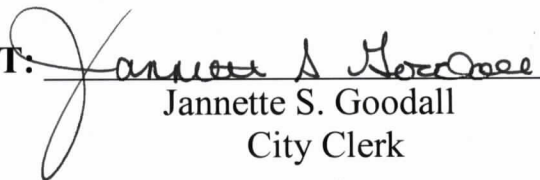
Steve Adler
Mayor

APPROVED:



Anne L. Morgan
City Attorney

ATTEST:



Jannette S. Goodall
City Clerk



Partners for a Better Quality of Life

**METES AND BOUNDS DESCRIPTION OF A
10.84 ACRE TRACT OF LAND
SITUATED IN THE J.C. TANNEHILL SURVEY, ABSTRACT NO. 22
TRAVIS COUNTY, TEXAS**

BEING A 10.84 ACRE TRACT OF LAND SITUATED IN THE J.C. TANNEHILL SURVEY, ABSTRACT NO. 22, TRAVIS COUNTY TEXAS; SAID 10.84 ACRE TRACT BEING A PORTION OF A CALLED 22.37 ACRE TRACT OF LAND AS DESCRIBED IN A DEED TO THINKEAST AUSTIN, LP AND RECORDED IN DOCUMENT NO. 2012110181 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.); SAID 10.84 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod with orange cap stamped "CARSON AND BUSH" found having a Texas Central State Plane NAD '83 (HARN '93) Coordinate of: Northing = 10,069,548.8 feet and Easting = 3,131,137.7 feet, marking the centerline of Jain Lane, 30 foot right-of-way (R.O.W.) recorded in Book U, Page 33 of the Commissioner's Court Minute Records of Travis County, Texas, being on the south right-of-way line of the Southern Pacific Railroad, and the west corner of said 22.37 acre tract for the west corner and **POINT OF BEGINNING** hereof;

THENCE, with the south line of Southern Pacific Railroad, and the northwest line of said 22.37 acre tract, **North 70° 54' 08" East**, a distance of **1,365.65 feet** to a punch hole set, marking the north corner of said 22.37 acre tract, the northwest corner of a called 51.26 acre tract of land described in a Judgement Nunc Pro Tunc to the City of Austin and recorded in Volume 10330, Page 630 of the Real Property records of Travis County, Texas (R.P.R.T.C.T.), the common north corner of Lot 10 and Lot 11, Block "C", Pecan Grove, a subdivision recorded in Book 59, Page 3, of the Plat Records of Travis County, Texas (P.R.T.C.T.), for the north corner hereof;

THENCE, with the east line of said 22.37 acre tract and the west line of said Pecan Grove subdivision, the following five (5) courses and distances:

- 1) **South 28° 10' 33" West**, a distance of **936.71 feet** to a 60D nail in asphalt found, for an angle point hereof,
- 2) (C1) with the arc of a curve to the left, having a radius of **71.79 feet**, and arc length of **13.26 feet**, a central angle of **10° 34' 59"**, and a chord which bears, **South 47° 35' 33" West**, a distance of **13.24 feet** to a cotton gin spindle in asphalt found, in the north R.O.W. line of Jain Lane, for a point of reverse curvature hereof,
- 3) (C2) with the arc of a curve to the right, having a radius of **46.14 feet**, and arc length of **60.83 feet**, a central angle of **75° 32' 19"**, and a chord which bears, **South 80° 12' 38" West**, a distance of **56.52 feet** to a cotton gin spindle in asphalt found, in the north R.O.W. line of Jain Lane, for an angle point hereof,
- 4) (L1) **North 61° 26' 20" West**, a distance of **10.21 feet** to a cotton gin spindle in asphalt found, for an interior corner hereof,

EXHIBIT "A"

1 Chisholm Trail, Suite 130
Round Rock, Texas 78681
TBPE # F-1741
TBPLS # 10194125

(p) 512.248.0065 · (f) 512.246.0359
www.cpyi.com



5) (L2) **South 27° 20' 25" West**, a distance of **30.28 feet** to a 60D nail in cotton gin spindle found, on the south R.O.W. line of Jain Lane, and the northeast corner of a called 5.228 acre tract of land described in a Deed to Govalle Terrace Partners, LP and recorded in Document No. 2017081044 O.P.R.T.C.T., for the southeast corner hereof,

THENCE, with the common south R.O.W. line of Jain Lane, the north line of said 5.228 acre tract and through said 22.37 acre tract, **North 62° 05' 30" West**, a distance of **725.59 feet** to a PK nail found on the northeast corner of a called 8,979 square feet of land described in a Street Deed to the City of Austin recorded in Volume 10045, Page 547 Deed Records of Travis County, Texas (D.R.T.C.T.), on the west line of said 22.37 acre tract, and the northwest corner of said 5.228 acre tract, for a southwest corner hereof;

(L3) **THENCE**, with the west line of said 22.37 acre tract and through the R.O.W. of Jain Lane, **North 28° 29' 41" East**, a distance of **14.93 feet** to cotton gin spindle found, on the centerline of Jain Lane and an interior south corner of said 22.37 acre tract, for an interior south corner hereof;

THENCE, with the centerline of Jain Lane and the west line of said 22.37 acre tract, **North 62° 03' 08" West**, a distance of **142.36 feet** to the **POINT OF BEGINNING** of and containing 10.84 acres of land, based on the survey performed by CP&Y, Inc., Round Rock, Texas.

This metes and bounds description is accompanied by an exhibit drawing.

Bearings are based on the Texas Central Zone Coordinate System, NAD '83 (HARN '93), which is based upon the Allterra Trimble RTK Network.

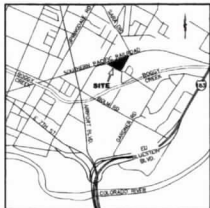
Surveyed in the field September 13, 2019.



Margaret A. Nolen, R.P.L.S. No. 5589
CP&Y, Inc.
One Chisholm Trail, Suite 130
Round Rock, Texas 78681
Ph. (512) 248-0065
TBPLS Firm No. 10194125
Project No. 1901025



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SCALE: 1" = 60'

FIELD NOTE
POINT OF BEGINNING
CITY OF AUSTIN
CITY OF AUSTIN
CITY OF AUSTIN

LEGEND

- 1. LOT AREA (SEE TABLE)
- 2. LOT CORNER (SEE TABLE)
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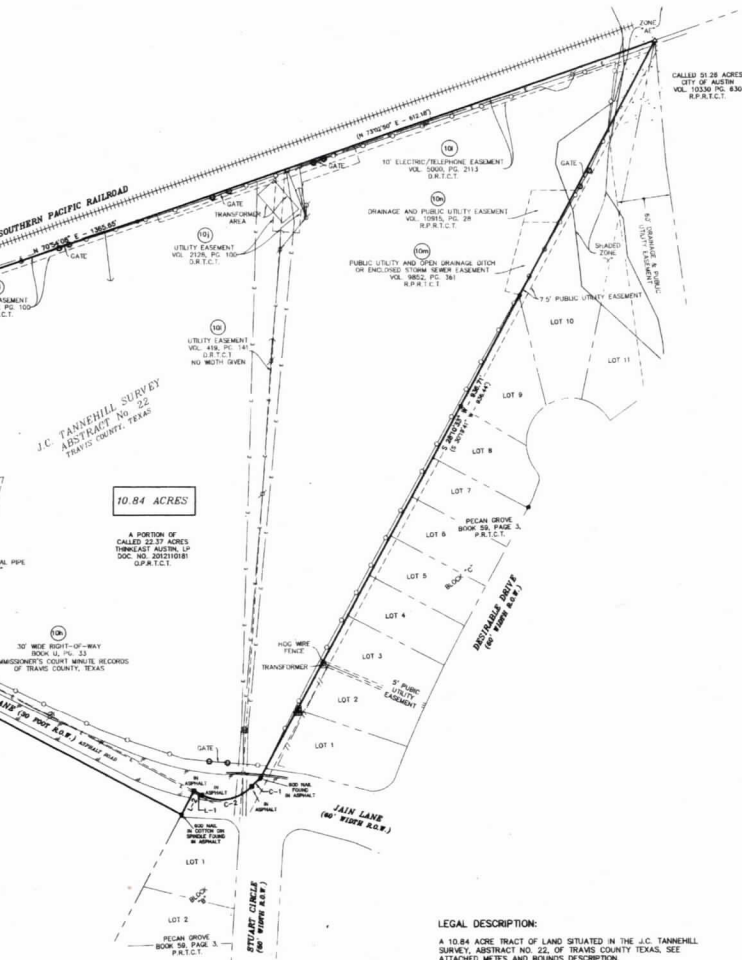
LINE	BEARING	LENGTH	(RECORD)
L-1	N 81°28'26" W	16.21	(N 81°28'26" W - 16.21)
L-2	S 77°27'25" W	36.28	(S 77°27'25" W - 36.28)
L-3	N 28°28'41" E	14.93	(N 28°28'41" E - 14.93)

CURVE	RADIUS	ARC	DELTA	CH. BEARING	CHORD
C-1	71.76	13.26	100°34'58"	S 47°28'33" W	13.24
C-2	71.76	13.26	100°34'58"	S 47°28'33" W	13.24
C-3	46.14	60.83	100°34'58"	S 47°28'33" W	36.52
C-4	46.14	60.83	100°34'58"	S 47°28'33" W	36.52

- GENERAL NOTES:
1. THE SURVEYOR HAS NOT CONDUCTED AN ABSTRACT OF THE SUBJECT TRACT.
 2. ALL CORNERS SHOWN HEREON ARE CONTROL MONUMENTS.
 3. SUBJECT TO ANY AND ALL COVENANTS, RESTRICTIONS, EASEMENTS AND CONDITIONS THAT MAY BE APPLICABLE.
 4. NO EVIDENCE OF RECENT EARTHWORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
 5. COVENANTS AND RESTRICTIONS IN DOCUMENT NOS. 201210181 AND 201313341 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS MAY APPLY.

BASES OF BEARINGS:
BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS CENTRAL ZONE STATE PLANE COORDINATE SYSTEM, NAD83, (HARN), WHICH IS BASED ON THE TRIMBLE W80NET, ALLIANCE VRS NETWORK.

FLOOD NOTE:
BY GRAPHIC PLOTTING ONLY, THIS PROPERTY APPEARS TO BE IN A NON-SHADED ZONE "X", SHADDED ZONE "A" AND ZONE "AE" AS SHOWN ON THE FLOOD INSURANCE RATE MAP NO. 48453 C D4604 AND 48453 C 04704, WHICH BEARS AN EFFECTIVE DATE OF JANUARY 01, 2018. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.



LEGAL DESCRIPTION:
A 10.84 ACRE TRACT OF LAND SITUATED IN THE J.C. TANNEHILL SURVEY, ABSTRACT NO. 22, OF TRAVIS COUNTY TEXAS, SEE ATTACHED METES AND BOUNDS DESCRIPTION.

UTILITY WARNING
The underground utilities shown have been located from field survey information. The surveyor has not physically located the underground utilities.

- TITLE COMMITMENT NOTE:
ONLY THOSE EASEMENTS AND THAT INFORMATION LISTED IN OLD REPUBLIC NATIONAL INSURANCE COMPANY TITLE COMMITMENT OF NUMBER 20180181, EFFECTIVE DATE JUNE 25, 2018, ISSUED DATE JULY 10, 2018, AND LISTED BELOW WERE CONSIDERED FOR THIS SURVEY. NO OTHER EASEMENT RESEARCH WAS PERFORMED BY CP&Y, INC.
- SCHEDULE B ITEMS, NUMBER 10:
1. 10' Sanitary Sewer Easement to the City of Austin as recorded in Volume 1875, Page 71, of the Deed Records of Travis County, Texas. - Not shown, not on subject tract
 2. Subject to the terms, conditions, and stipulations contained in that certain Deed Notice of Restricted Ground Water Use recorded as Document Number 200313748, of the Official Public Records of Travis County, Texas. - As shown
 3. Terms, Conditions and Stipulations of the easement granted by ShireEast Austin LP as recorded in Document Number 201317005, of the Official Public Records of Travis County, Texas. - Not shown, not on subject tract
 4. Easement granted by ShireEast Austin LP as set forth and dedicated in Document Number 201317006, of the Official Public Records of Travis County, Texas. Having been Amended in Document Number 201820774, of the Official Public Records of Travis County, Texas. - Not shown, not on subject tract
 5. Right of way easement donated to the public, by instrument dated April 5, 1930, recorded in Book U, Page 33 of the County Commissioners' Court Minute Records of Travis County, Texas. - As shown
 6. Utility easement granted to Texas Power & Light Company, by instrument dated March 30, 1928, recorded in Volume 418, Page 141, of the Deed Records of Travis County, Texas. - As shown
 7. Utility easement granted to the City of Austin, by instrument dated October 21, 1958, recorded in Volume 2128, Page 100, of the Deed Records of Travis County, Texas. - As shown
 8. Utility easement granted to the City of Austin, by instrument dated November 12, 1962, recorded in Volume 2545, Page 15, of the Deed Records of Travis County, Texas. - As shown
 9. Utility easement granted to the City of Austin, by instrument dated August 2, 1974, recorded in Volume 3002, Page 213, of the Deed Records of Travis County, Texas. - As shown
 10. Public Utility and open drainage ditch or enclosed storm sewer easement granted to the City of Austin recorded in Volume 3852, Page 361, of the Deed Records of Travis County, Texas. - As shown
 11. Drainage and public utility easement granted to the City of Austin, by instrument dated March 25, 1989, recorded in Volume 10915, Page 28, of the Deed Records of Travis County, Texas. - As shown
 12. Right of Way Easement granted to Travis County recorded in Volume 928, Page 42, of the Deed Records of Travis County, Texas. - Not shown, insufficient description
 13. Right of Way Easement recorded in Volume 2515, Page 420, of the Deed Records of Travis County, Texas. Affected by Release recorded in Document Number 201310848, of the Official Public Records of Travis County, Texas. - Not shown, blanket type easement and may have been released by Release Document
 14. Terms, conditions, and stipulations in the Easement rights granted to AT&T Communications -East, Inc. as set forth in Document Number 200720186, of the Official Public Records of Travis County, Texas. - Not shown, no described easement in document.

SURVEYOR'S CERTIFICATE:

TO OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY:
THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2018 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 4, 7, 8, 9, AND 10 OF TABLE A, THEREOF. THE FIELD WORK WAS COMPLETED ON SEPTEMBER 13, 2019.

MARGARET A. NOLEN, RPLS, 5089
CP&Y, INC.
ONE CHISHOLM TRAIL, SUITE 130
ROUND ROCK, TEXAS 78681
PHONE: (512) 248-0065



ALTA/NSPS LAND TITLE SURVEY
OF
A 10.84 ACRE TRACT OF LAND,
SITUATED IN J.C. TANNEHILL SURVEY, ABSTRACT NO. 22,
TRAVIS COUNTY, TEXAS

SITE ADDRESS:
5800 JAIN LANE
AUSTIN, TEXAS 78721
PREPARED FOR:
KIMLEY-HORN AND ASSOCIATES, INC.
TERRACE 1-5800 VIA PUERTALLA, SUITE 300
AUSTIN, TEXAS 78746
PREPARED BY:
CP&Y
1 Chisholm Trail, Suite 130, Round Rock, Texas 78681 512.248.0065
TEXAS REGISTERED ENGINEERING FIRM F-1741
TBPLS 10194125

JOB NO.	FIELDBOOK NO.	SURVEY DATE	FILE NAME	DRAWN BY	DATE	CHECKED BY	PLAT #	NO.	DATE	REVISIONS	NO.	DATE	REVISIONS
1901025	RR 379/53	09-13-2019	1901025-ALTA	YYG	09-16-2019	MAN	D-2265						

 ZONING BOUNDARY
$$1'' = 400'$$



C814-2012-0128.02.SH