

ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0167 (Parmer Field)

DISTRICT: 7

ADDRESS: 710 Performance Drive and 13000 and 13106 ½ Harris Ridge Boulevard

ZONING FROM: LI-PDA

TO: LI-PDA*

*The applicant is requesting to amend the Planned Development Area overlay to allow Outdoor Entertainment as a permitted use (*please see Applicant's Request Letter – Exhibit C*).

SITE AREA: 24.205 acres

PROPERTY OWNER: Karlin McCallen Pass, LLC (Matthew Schwab)

AGENT: Armbrust & Brown, PLLC (Richard T. Suttle)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends LI-PDA, Limited Industrial-Planned Development Area Combining District, zoning, to change a condition of zoning.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:
February 21, 2023

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The site under consideration is a 24.205 acre area surrounding a water quality pond (known as Parmer Pond) that is part of a larger approximately 300 acre tract of land located at the southwest corner of East Howard Lane and Harris Ridge Boulevard. The northeastern portion of the property is developed with practice fields associated with the St. David's Performance Center (Austin FC Practice Facility). In addition to these facilities, a commercial project called "The Pitch" was also developed on the property that has restaurant and commercial uses in one and two-story container pods and an outdoor community gathering space with pickle ball courts and volleyball courts to provide services for the tenants and visitors of the adjacent soccer fields.

To the north, within this LI-PDA zoned property, there are office uses. Further to the north of this PDA, across E. Howard Lane, are lots zoned LI-PDA that are developed with single-family residences. The tracts of land to south and east are zoned LI-PDA (the detention area – Parmer Pond) and LR-CO an undeveloped area. To the west, across Harris Ridge Boulevard, there is GR, LO-CO and SF-2 zoning transitioning away from E. Howard Lane to the south. There is a Service Station/Food Sales use (Chevron) located at the corner, a vacant tract of land, and single-family residences (Harris Ridge Owner's Association).

In this rezoning request, the applicant is asking to change the conditions for this portion of the Planned Development Area (PDA) overlay by amending Ordinance No. 980430-P, Exhibit I, Section 2.A of the Dell PDA to add Outdoor Entertainment as a permitted use to allow the soccer fields to be used for hosting sporting events (*please see Applicant's Request Letter and Proposed Redline for Ordinance No. 980430-P – Exhibit C*).

The staff recommends the applicant's request to amend the Planned Development Area overlay. The proposed PDA amendment will permit the Outdoor Entertainment use to allow paid sporting events to be held on the existing practice fields (Parmer Fields). The proposed Outdoor Entertainment use will be located in an area where there are commercial services to accompany the adjacent civic uses. The staff is recommending LI-PDA zoning for this site because of the commercial character of the area and because the property fronts onto and takes access to a major arterial roadway, Harris Ridge Boulevard. The proposed zoning will permit the applicant to provide additional commercial services in an area with a variety of commercial and industrial employment centers along East Howard Lane. This property is near a designated neighborhood center, the Dessau/Parmer Neighborhood Center, to the east and is located between two activity corridors, the E. Howard Lane and Parmer Lane Activity Corridors, as identified in the Imagine Austin Comprehensive Plan.

The applicant agrees with the staff's recommendation.

BASIS OF RECOMMENDATION:

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

Limited industrial service (LI) district is the designation for a commercial service use or limited manufacturing use generally located on a moderately-sized site.

The purpose of a planned development area (PDA) combining district is to:

- (1) provide for industrial and commercial uses in certain commercial and industrial base districts; or
- (2) incorporate the terms of a planned development area agreement into a zoning ordinance following annexation of a property that is subject to a planned development area agreement.

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

The proposed LI-PDA zoning is compatible with surrounding land uses because this tract land is adjacent to undeveloped areas to the south and west. There is LI-PDA zoning to the west and to the north across E. Howard Lane. The original ordinance for this LI-PDA zoned property, Ordinance No. 980430-P, includes landscape buffers and building setbacks along Harris Ridge Boulevard between Howard Lane and Parmer Lane. These conditions provide for a separation between the uses within the PDA from the single-family residential developments to the east.

3. *The proposed zoning should allow for a reasonable use of the property.*

The proposed amendment to the existing LI-PDA zoning will permit the applicant to provide for commercial services in an area with a variety of commercial and industrial employment centers along East Howard Lane. This PDA is located at the southwest intersection of two major arterial roadways, East Howard Lane and Harris Ridge Boulevard, and is near a designated neighborhood center, the Dessau/Parmer Neighborhood Center, which is to the east. The property is located between two activity corridors, the E. Howard Lane and Parmer Lane Activity Corridors, as identified in the Imagine Austin Comprehensive Plan.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LI-PDA	Civic and Commercial Uses (Parmer Field: St. David's Performance Center and the Austin FC Youth Academy, Commercial/Restaurant Uses: The Pitch)
<i>North</i>	LI-PDA	Office, Fields
<i>South</i>	LI-PDA, LR-CO, SF-2	Detention Pond, Undeveloped Area, Single Family Residences
<i>East</i>	LI-PDA, SF-2	Soccer Fields, Single Family Residences (Harris Ridge Neighborhood)
<i>West</i>	LI-PDA	Undeveloped

NEIGHBORHOOD PLANNING AREA: N/A

TIA: Deferred to the time of Site Plan

WATERSHED: Harris Branch

SCHOOLS: Pflugerville I.S.D.

Dessau Elementary School
Delco Primary School
Dessau Middle School
Connally High School

NEIGHBORHOOD ORGANIZATIONS:

Austin Lost and Found Pets
Friends of Austin Neighborhoods
Harris Glen Homeowners Association
Harris Ridge Owners Association
Homeless Neighborhood Association
Neighborhood Empowerment Foundation
North Growth Corridor Alliance
Pflugerville Independent School District
SELTEXAS
Sierra Club, Austin Regional Group
Tech Ridge Neighbors
Yager Community

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2019-0166 (Parmer Business Park: 13000, 13100 and 13106 1/2 Harris Ridge Boulevard)	The applicant is asking for an amendment to the conditions of the PDA overlay to remove a condition in in Ordinance No. 20170518-056 that limits restaurant and cocktail lounge uses on the site. In addition, the applicant is requesting to amend the	2/15/22: Approved staff's recommendation of LI-PDA zoning (9-0); H. Smith, S. Boone-2nd.	3/24/22: Approved LI-PDA zoning, to change a condition of zoning, on all 3 readings by consent (11-0); P. Ellis-1st, A. Kitchen-2nd.

	<p>original PDA ordinances, Ordinance No. 980226-G and 980430-P, to add Cocktail Lounge as a permitted use in this portion of the PDA.</p> <p>* On November 22, 2021, the staff received a letter from the applicant amending this request to reduce the rezoning area from 64.126 acres to 7.724 acres. Then on February 10, 2022, the applicant added changes to their rezoning application to remove the request to add Outdoor Entertainment as a permitted use and to limit the site to one Cocktail Lounge use at a maximum of 7,000 sq. ft.</p>		
C14-2016-0124 (Parmer Business Park: Southwest Corner of East Howard Lane and Harris Ridge Boulevard)	LI-PDA to LI-PDA	3/07/17: Approved staff recommendation of LI-PDA zoning, with additional conditions for no outdoor amplified sound and to require a TIA at the time of Site Plan (10-0); B. Greenberg-1 st , B. Evans-2 nd .	4/20/17: Approved the ZAP Commission's recommendation for LI-PDA zoning on consent on 1 st reading, with additional conditions that a multifamily use be limited to 900 residential dwelling units and that a TIA be conducted at the time of site plan review if a multifamily use is proposed to be built on the property (11-0); L. Pool-1 st , G. Casar-2 nd .

			5/18/17: Ordinance No. 20170518-056 was approved for limited industrial services-planned development area (LI-PDA) combining district zoning, to change a condition of zoning on Council Member Garza's motion, Council Member Alter's second on a 9-0 vote. Council Members Casar and Troxclair were off the dais.
C14-04-0139 (1100 East Howard Lane)	I-RR to LI	11/2/04: Approved staff's recommendation of LI-CO zoning, with a 2,000 vtpd and adding a condition of no Adult Oriented Businesses, by consent (9-0); J. Martinez-1 st , J. Gohil-2 nd .	12/02/04: Approved LI-CO (7-0); all 3 readings
C14-04-0120	I-LI to LI	9/7/04: Approved staff's recommendation of LI-CO by consent (8-0, J. Martinez-absent)	10/21/04: Approved LI-CO (7-0); all 3 readings
C14-04-0073	CS-CO to CS-1	7/20/04: Approved staff's recommendation of CS-1 zoning by consent (8-0, J. Pinnelli-absent)	8/26/04: Approved CS-1 (7-0); all 3 readings
C14-03-0069	SF-2 to CS	5/6/03: Approved CS-CO zoning with condition to prohibit Adult Oriented Businesses, by consent (8-0, K. Jackson-absent)	6/5/03: Granted CS-CO on all 3 readings (7-0)
C14-02-0111	Tract 1: GR-CO to GR Tract 2: CS-CO to CS	10/15/02: Approved staff's recommendation of GR-CO; CS-CO zoning with added condition to prohibit Automotive Sales; by consent (7-0, D. Castaneda-absent)	12/5/02: Granted GR-CO for Tract 1 and CS-CO for Tract 2 on all 3 readings (7-0)
C14-01-0169	IP to CS	2/5/02: Approved staff's alternate rec. of CS-CO w/conditions by consent (8-0)	3/21/02: Approved CS-CO w/ other conditions (7-0); 1 st reading 4/11/02: Approved CS-CO (6-0); 2 nd /3 rd readings
C14-00-2099	SF-2, GR to CS	10/17/00: Approved staff's rec. of CS-CO, with no Adult Oriented Businesses (8-0)	12/14/00: Approved CS-CO w/ additional prohibited uses (7-0); all 3 readings
C14-98-0265	AV to LI	5/25/99: Approved staff rec. of LI-PDA w/ condition regarding bicycle parking	6/3/03: Approved LI-PDA w/ conditions (7-0); all 3 readings-on emergency passage

RELATED CASES:

Previous Zoning Cases: C14-2019-0166, C14-2016-0124, C14-98-0032, C14-97-0141

SITE CHARACTERISTICS

The site under consideration is part of a larger tract of land located at the corner of two arterial roadways, East Howard Lane and Harris Ridge Boulevard. The property is currently developed with office, civic and commercial uses. The lots to the north of the Dell PDA, across E. Howard Lane, are zoned LI-PDA and are developed with single-family residences. The areas to the south and west are zoned LI-PDA and LR-CO and are undeveloped. To the east, across Harris Ridge Boulevard, there is GR, LO-CO and SF-2 zoning transitioning away from E. Howard Lane to the south. There is a Service Station/Food Sales use (Chevron) located at the corner, a vacant tract of land, and single- family residences (Harris Ridge Owner's Association).

STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Performance Drive	Level 1	58		22	Portions	No	Yes
Harris Ridge Boulevard	Level 3/ MAD-2/Major Arterial	116	80	50	Portions	Yes	Yes
E. Howard Lane	Level 3	116	254	50	Yes	No	Yes
Center Lake Drive	Level 3	116	105	56	Portions	No	Yes

OTHER STAFF COMMENTS:Comprehensive Planning

Project Name and Proposed Use: 710 PERFORMANCE DR. and 13000 and 13106 ½ HARRIS RIDGE BLVD. C14-2022-0167. LI-PDA Amendment. Project: Parmer Field. Amend Ordinance No. 980430-P, Exhibit I, Section 2.A of the Dell PDA to add Outdoor Entertainment as a permitted use of the property already used for restaurants and outdoor sports.

Yes	Imagine Austin Decision Guidelines
	Complete Community Measures
Y	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center: 0.12 miles from East Howard Lane Activity Corridor and 0.20 miles from E Parmer Lane Activity Corridor
	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
Y	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
Y	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center.
	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
	Connectivity and Education: Located within 0.50 miles from a public school or university.
	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail.
	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	Mixed use: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
3	Total Number of "Yes's"

Environmental

No comments.

Environmental Officer

No changes to environmental protections are proposed with this amendment. No comments at this time.

Fire

No comments.

Parks and Recreation

As of January 1, 2023, new commercial uses are subject to parkland dedication requirements at the time of site plan and subdivision. Civic uses are not subject to these requirements.

Site Plan

No comments.

Transportation

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. **Transportation assessment/traffic impact analysis and transportation demand management plan shall** be required at the time of site plan if triggered per **LDC 25-6 and TCM 10.2.1.**

Water Utility

No Austin Water comments.

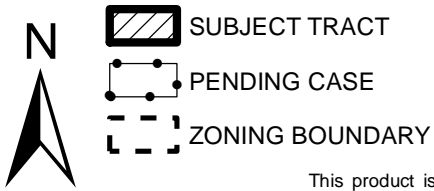
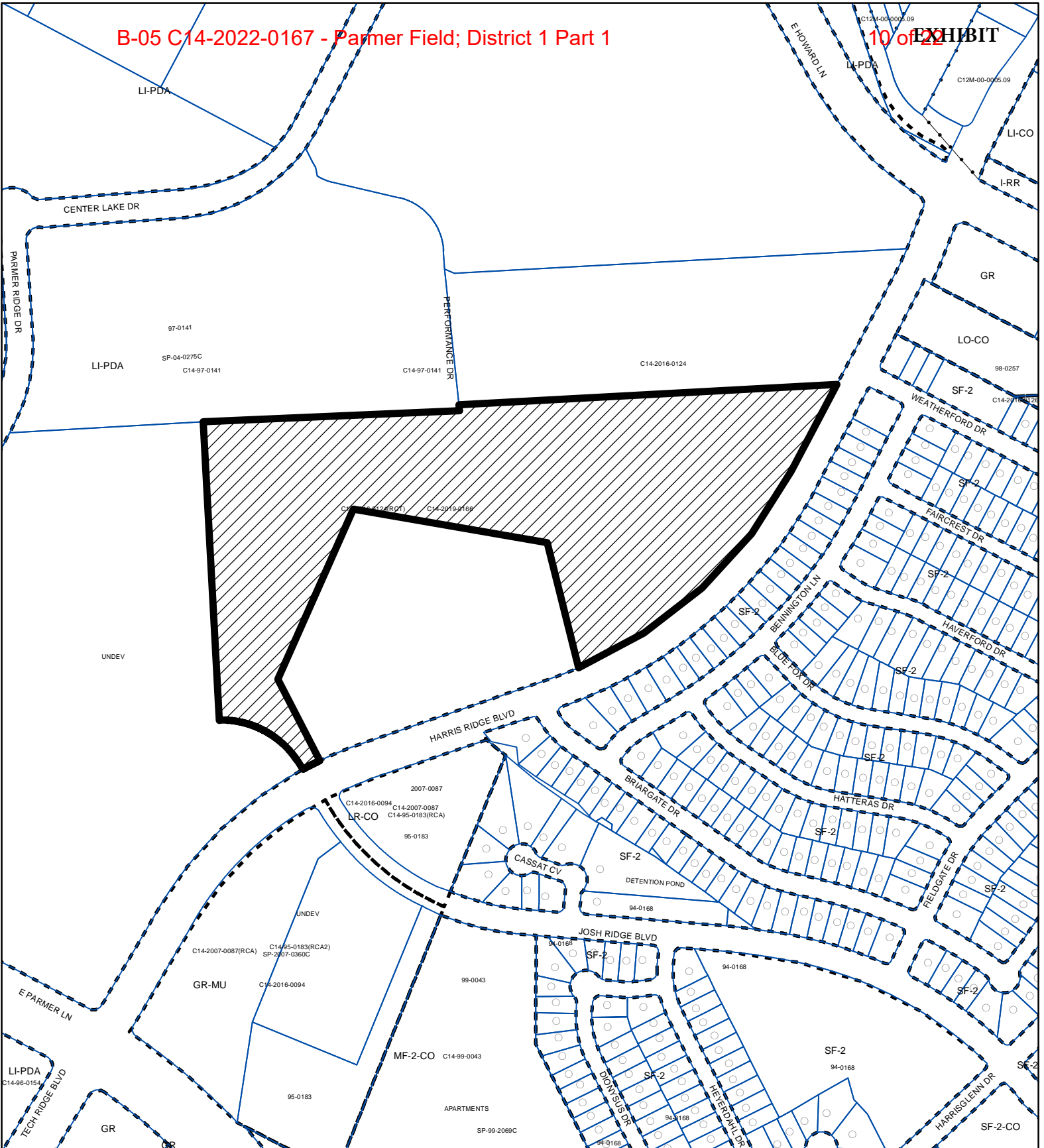
INDEX OF EXHIBITS TO FOLLOW

A: Zoning Map

B. Aerial Map

C. Applicant's Request Letter and Proposed Redlined Ordinance

[D. Correspondence from Interested Parties](#)



ZONING

ZONING CASE#: C14-2022-0167

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 the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or

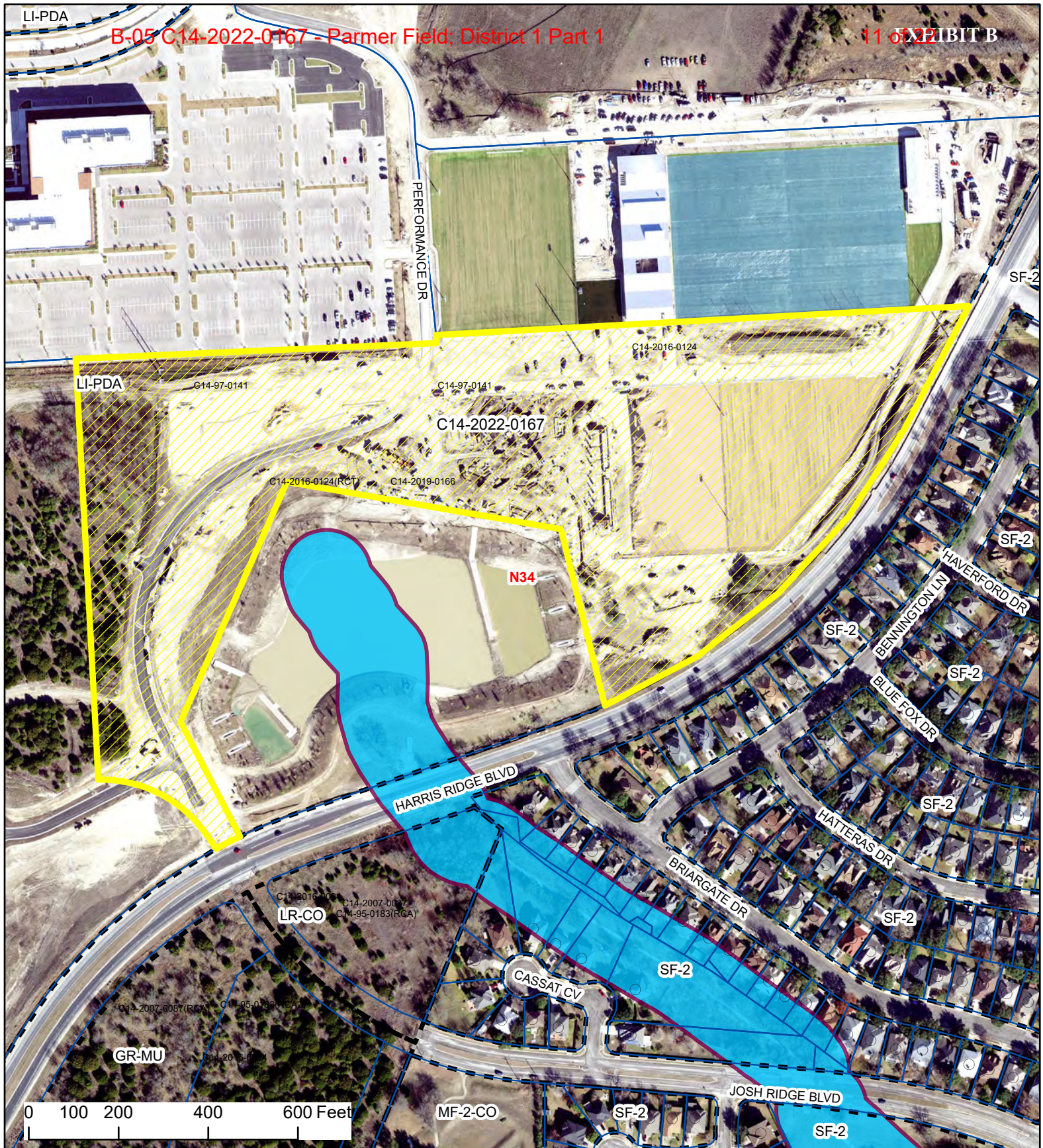


Created: 11/30/2022

LI-PDA

B-05 C14-2022-0167 - Parmer Field; District 1 Part 1

11 of 22 EXHIBIT B



Parmer Field

ZONING CASE#: C14-2022-0167
 LOCATION: 710 Performance Dr; 13000 and 13106 1/2 Harris Ridge Blvd
 SUBJECT AREA: 24.21 Acres
 GRID: N34
 MANAGER: Sherri Sirwaitis



- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE
- CREEK BUFFER

This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Created: 12/13/2022

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

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Richard T. Suttle, Jr.
(512) 435-2300
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November 11, 2022

Rosie Truelove, Director
City of Austin
Housing & Planning Department
1000 E. 11th Street, Suite 200
Austin, Texas 78702

Re: Amendment to Zoning Ordinance No. 980430-P (the "Application")

Dear Ms. Truelove:

This firm represents and this Application is submitted on behalf of Karlin McCallen Pass, LLC, owner of the property subject to this Application. The property subject to this Application consists of ±24.205 acres of land located at 710 Performance Drive, 13000 & 13106 ½ Harris Ridge Boulevard (the "Property").

The Property is zoned Limited Industrial District – Planned Development Area ("LI-PDA") and is subject to Ordinance 980430-P (the "Dell PDA"), as amended. It is currently developed as an outdoor community gathering space with multiple restaurants, pickle ball courts, and volleyball courts. Additionally the northeastern portion of the Property is developed with practice fields associated with the St. David's Performance Center (Austin FC Practice Facility).

This Application seeks to amend Ordinance No. 980430-P, Exhibit I, Section 2.A of the Dell PDA to add outdoor entertainment as a permitted use of the Property so the fields can also be used to host sporting events. A copy of the redlined zoning ordinance is included with this application to show the proposed modification.

Thank you in advance for your consideration of this request. Should you have any additional questions or need additional information during your review of the Application, please do not hesitate to contact me or Amanda Morrow at 512-435-2368.

ARMBRUST & BROWN, PLLC
Page 2

Very truly yours,

ARMBRUST & BROWN, PLLC



Richard T. Suttle, Jr.

cc: Jerry Rusthoven
Mike McGlashan
Amanda Morrow
Amanda Hendrix

ORDINANCE NO. 980430-P

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE CITY CODE ON APPROXIMATELY 450 ACRES OF LAND OUT OF THE ALEXANDER WALTERS SURVEY NO. 67, IN TRAVIS COUNTY, TEXAS, FROM "LI" LIMITED INDUSTRIAL DISTRICT AND "LI-PDA" LIMITED INDUSTRIAL SERVICES DISTRICT-PLANNED DEVELOPMENT AREA COMBINING DISTRICT DEVELOPMENT RESERVE DISTRICT TO "LI-PDA" LIMITED INDUSTRIAL SERVICES DISTRICT-PLANNED DEVELOPMENT AREA COMBINING DISTRICT, GENERALLY KNOWN AS THE DELL-PARMER NORTH DEVELOPMENT, LOCALLY KNOWN AS 301 EAST HOWARD LANE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

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

PART 1. The Zoning Map established by Chapter 13-2-22 of the City Code is amended to change the respective base zoning districts on the property (the "Property") described in File C14-98-0032, as follows:

Tract 1: From "LI" Limited Industrial district to "LI-PDA" Limited Industrial Services district-Planned Development Area combining district.

150.576 acre tract of land out of the Thomas C. Collins Survey No. 61, Travis County, Texas, SAVE & EXCEPT a 0.099 acre parcel for R.O.W. recorded in Volume 12735, Page 1961, of the Real property Records of Travis County, Texas, the remaining 150.477 tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

Tract 2: From "LI-PDA" Limited Industrial Services district-Planned Development Area combining district to "LI-PDA" Limited Industrial Services district-Planned Development Area combining district.

32.485 acre tract of land out of the Alexander Walters Survey No. 67, Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance

Tract 3: From "LI-PDA" Limited Industrial Services district-Planned Development Area combining district to "LI-PDA" Limited Industrial Services district-Planned Development Area combining district.

33.342 acre tract of land out of the Alexander Walters Survey No. 67, Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "C" incorporated into this ordinance,

Tract 4: From "LI-PDA" Limited Industrial Services district-Planned Development Area combining district to "LI-PDA" Limited Industrial Services district-Planned Development Area combining district.

33.346 acre tract of land out of the Alexander Walters Survey No. 67, Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "D" incorporated into this ordinance,

Tract 5: From "LI-PDA" Limited Industrial Services district-Planned Development Area combining district to "LI-PDA" Limited Industrial Services district-Planned Development Area combining district.

56.495 acre tract of land out of the Alexander Walters Survey No. 67, Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "E" incorporated into this ordinance,

Tract 6: From "LI-PDA" Limited Industrial Services district-Planned Development Area combining district to "LI-PDA" Limited Industrial Services district-Planned Development Area

135.075 acre tract of land out of the Alexander Walters Survey No. 67 and the Menucan Hunt Survey No. 88, Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "F" incorporated into this ordinance,

Tract 7: From "LI-PDA" Limited Industrial Services district-Planned Development Area combining district to "LI-PDA" Limited Industrial Services district-Planned Development Area

10.721 acre tract of land out of the Alexander Walters Survey No. 67, Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "G" incorporated into this ordinance,

generally known as the Dell-Parmer North Development, locally known as 301 East Howard Lane, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "H".

PART 2. The Property within the boundaries of the Planned Development Area combining district established by this ordinance shall conform to the site development standards as set forth in the "Site Development Standards" attached as Exhibit "I" to this ordinance.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the "LI" Limited Industrial Services base district and other applicable requirements of the Land Development Code.

PART 3. The Council waives the requirements of Sections 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

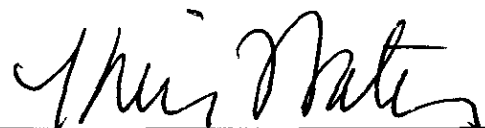
PART 4. This ordinance takes effect on May 11, 1998.

PASSED AND APPROVED

April 30

, 1998.

§
§
§



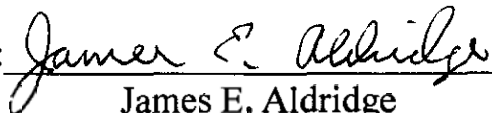
Kirk Watson
Mayor

APPROVED:



Andrew Martin
City Attorney

ATTEST:



James E. Aldridge
City Clerk

FIELDNOTE DESCRIPTION

BEING a 150.576 acre tract of land out of the Thomas C. Collins Survey No. 61 in Travis County, Texas and being a portion of that certain 267.278 acre tract described in Vol. 7779, page 388 Deed Records of said county, SAVE & EXCEPT that 0.099 Acre parcel of land for R.O.W. Acquisition recorded in Volume 12735, Page 1961 of the Real Property Records of Travis County, Texas, a remaining 150.477 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found in the South Right-of-Way line of West Dessau Road according to a Street Deed recorded in Volume 10247, Page 296 R.P.R.T.C.T. (1.66 acre tract to City of Austin for street widening), a 1/2 inch iron rod was found for reference marking the Northeast corner of said 267.278 acre tract and situated N 30° 03' 36" E, a distance of 66.50 feet;

THENCE departing said Right-of-Way line, along or near the East line of said Thomas C. Collins Survey and the West line of the Alexander Walters Survey and the general line of a barbed wire fence, the following two (2) calls:

South 30° 03' 36" West, a distance of 2,598.25 feet to a 1/2 inch iron rod found for corner at a fence intersection for angle point;

South 29° 56' 55" West, a distance of 2,129.86 feet to a 1/2 inch iron rod (with TxD.O.T. Aluminum cap) found for corner in the curving North Right-of-Way line of Parmer Lane (Farm-Market Road # 734 - 200' wide) as set forth in a Community Facilities contract between the City of Austin and Airpark Associates dated Sept. 20, 1984 and from said iron rod a 1 1/2 inch iron pipe was (previously) found for reference marking the Southeast corner of said 267.278 acre tract bearing S 29° 56' 55" W, a distance of 33.95 feet;

THENCE along the said North Right-of-Way line of Parmer Lane the following Three (3) calls:

along a circular curve to the left having a radius of 2,009.86 feet through a central angle of 09° 53' 30", an arc length of 346.98 feet, a chord bearing North 83° 25' 39" West a chord distance of 346.55 feet to a 1/2 inch iron rod (with TxD.O.T. aluminum cap) found for the Point of Tangency to said curve;

North 88° 25' 30" West, a distance of 27.31 feet to a 1/2 inch iron rod (with TxD.O.T. aluminum cap) found for a Point of curvature of a non-tangent, circular curve to the left having a radius of 2,496.19 feet;

along said circular curve to the left, Chord bearing North 85° 16' 14" West, a chord distance of 83.14 feet to a 1/2 inch iron rod found for the Southeast corner of a 2.256 acre L.C.R.A. "substation" tract as described in Vol. 9790, Page 985 R.P.R.T.C.T.;

THENCE departing said North R.O.W. line of proposed Parmer Lane, along the East then North line of said 2.256 acre L.C.R.A. tract the following four (4) calls:

EXHIBIT "A"

980430-P

150.477 acres continued.....

North 48° 39' 08" East, a distance of 14.06 feet to a 1/2 inch iron rod found for angle point;

North 3° 43' 45" East, a distance of 94.09 feet to a 1/2 inch iron rod found for angle point;

North 42° 41' 03" West, a distance of 14.07 feet to a 1/2 inch iron rod found for angle point;

North 86° 13' 44" West, a distance of 328.93 feet to a 1/2 inch iron rod found for corner;

THENCE departing the North line of said L.C.R.A. tract, across the said 267.278 acre tract the following three (3) calls:

North 2° 50' 25" East, a distance of 82.63 feet to a 1/2 inch iron rod found in the Airport's emergency sand pit;

South 87° 08' 52" East, a distance of 299.61 feet to a 1/2 inch iron rod in concrete found for corner;

North 11° 11' 43" East, a distance of 5,122.29 feet to a 1/2 inch iron rod in concrete found for corner in the said South Right-of-Way line of West Dessau Road;

THENCE along the aforementioned new South Right-of-Way line of West Dessau Road the following five (5) calls:

Along a circular curve to the right having a central angle of 4° 43' 00", a radius of 1,456.64 feet, an arc length of 119.91 feet, a chord bearing of South 57° 07' 57" East, a chord distance of 119.88 feet to a 1/2 inch iron rod found for a point of tangency;

South 54° 43' 18" East, a distance of 305.59 feet to a 1/2 inch iron rod found for the point of curvature of a circular curve to the right having a radius of 1,456.64 feet;

Along said circular curve to the right through a central angle of 4° 43' 03", an arc length of 119.95 feet, a chord bearing of South 57° 05' 18" East a chord distance of 119.90 feet to a 1/2 inch iron rod found for the point of tangency;

South 59° 27' 05" East, a distance of 1,255.22 feet to a 1/2 inch iron rod Set for a point of curvature of a circular curve to the right having a radius of 1,678.67 feet;

Along said circular curve to the right through a central angle of 13° 20' 42", an arc length of 390.99 feet, a chord bearing of South 52° 46' 55" East, a chord distance of 390.10 feet to the POINT OF BEGINNING and containing an area of 150.477 Acres of land,



[Handwritten signature]
2-9-98

980430.P

32.485 ACRES
MARTHA LUCILLE McADAMS VERTREES
TRACT 2

FN NO, 97-398 (MM)
SEPTEMBER 18, 1997
BPI JOB NO. 725-05.92

DESCRIPTION

OF A 32.485 ACRE TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE ALEXANDER WALTERS SURVEY NO. 67, SITUATED IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 32.48 ACRE TRACT CONVEYED TO MARTHA LUCILE McADAMS VERTREES BY DEED OF RECORD IN VOLUME 6424, PAGE 325 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 32.485 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found at the northwesterly corner of that certain 149.591 acre tract known as Parcel 3 conveyed to Ridge Investors Limited by deed of record in Volume 12038, Page 1581 of the Real Property Records of Travis County, Texas, being in the easterly line of that certain 150.477 acre tract conveyed to Northpoint Business Park (Austin) PIP, L.P. by deed of record in Volume 12735, Page 1954 of said Real Property Records, same being the southwesterly corner of said 32.48 acre tract;

THENCE, N29°43'18"E, along the easterly line of said 150.477 acre tract, being the westerly line of said 32.48 acre tract, a distance of 2772.01 feet to a 1/2 inch iron rod found in the curving southerly right-of-way line of Dessau Road (R.O.W. varies), being the northeasterly corner of said 150.477 acre tract, same being the northwesterly corner of said 32.48 acre tract;

THENCE, along the southerly line of Dessau Road, being the northerly line of said 32.48 are tract the following two (2) courses and distances:

- 1) Along a non-tangent curve to the right, having a radius of 636.46 feet, a central angle of 11°34'13", an arc distance of 128.53 feet, and a chord which bears S39°08'07"E, a distance of 128.31 feet to a 1/2 inch iron rod found at the point of tangency;
- 2) S34°39'56"E, a distance of 458.51 feet to a 1/2 inch iron rod found at the northwesterly corner of that certain 33.34 acre tract of land conveyed to Martha Lucile McAdams Vertrees, et. al. by deed of record in Volume 8495, Page 747 of said Deed Records, being the northeasterly corner of said 32.48 acre tract, from which a 1/2 inch iron rod found in the northerly line of said 33.34 are tract bears S34°39'56"E, a distance of 427.84 feet;

THENCE, S29°43'02"W, leaving the southerly line of Dessau Road, along the westerly line of said 33.34 acre tract, being the easterly line of said 32.48 acre tract, a distance of 2525.92 feet to a 1/2 inch iron rod found in the northerly line of said Parcel 3, being the southeasterly corner of said 32.48 acre tract;

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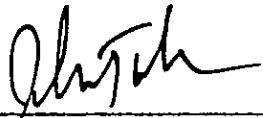
EXHIBIT "B"

FN 97-398 (MM)
SEPTEMBER 18, 1997
PAGE 2 OF 2

THENCE, N60°27'00"W, along the northerly line of said Parcel 3, being the southerly line of said 32.48 acre tract, a distance of 533.33 feet to the POINT OF BEGINNING, containing an area of 32.485 acres (1,415,062 sq. ft.) of land, more or less, within these metes and bounds.

I, JOHN T. BILNOSKI, 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. A LAND TITLE SURVEY WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PITTMAN, INC.,
ENGINEERS-SURVEYORS
3345 BEE CAVE ROAD
SUITE 200
AUSTIN, TEXAS 78746


JOHN T. BILNOSKI, R.P.L.S. 9/18/97 DATE
NO. 4998
STATE OF TEXAS



980430-P

3

33.342 ACRES - TRACT 3
MARTHA LUCILE
McADAMS VERTREES, ET. AL.

FN NO. 97-399 (MM)
SEPTEMBER 18, 1997
BPI JOB NO. 725-05.92

DESCRIPTION

OF A 33.342 ACRE TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE ALEXANDER WALTERS SURVEY NO. 67, SITUATED IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 33.34 ACRE TRACT CONVEYED TO MARTHA LUCILE McADAMS VERTREES, ET. AL. BY DEED OF RECORD IN VOLUME 8495, PAGE 747 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 33.342 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found in the northerly line of that certain tract of land called Parcel 3 conveyed to Ridge Investors Limited by deed of record in Volume 12038, Page 1581 of the Real Property Records of Travis County, Texas, being the southeasterly corner of that certain 32.48 acre tract conveyed to Martha Lucile McAdams Vertrees by deed of record in Volume 6424, Page 325 of said Deed Records, same being the southwesterly corner of said 33.34 acre tract, from which a 1/2 inch iron rod found in the easterly line of that certain 150.477 acre tract conveyed to Northpoint Business Park (Austin) PIP, L.P. by deed of record in Volume 12735, Page 1954 of said Real Property Records, same being the northwesterly corner of said Parcel 3, and also being the southwesterly corner of said 32.48 acre tract bears, N60°27'00"W, a distance of 533.33 feet;

THENCE, N29°43'02"E, along the easterly line of said 32.48 acre tract, being the westerly line of said 33.34 acre tract, a distance of 2525.92 feet to a 1/2 inch iron rod found in the southerly right-of-way line of Dessau Road (R.O.W. varies), being the northeasterly corner of said 32.48 acre tract, same being the northwesterly corner of said 33.34 acre tract;

THENCE, along the southerly line of Dessau Road, being the northerly line of said 33.34 acre tract, the following Two (2) courses and distances:

- 1) S34°39'56"E, a distance of 427.84 feet to a 1/2 inch iron rod found at the point of curvature of a non-tangent curve to the left;
- 2) Along said non-tangent curve to the left, having a radius of 1088.37 feet, a central angle of 12°31'02", an arc distance of 237.77 feet and a chord which bears S40°53'32"E, a distance of 237.30 feet to a 1/2 inch iron rod found at the northwesterly corner of that certain tract of land conveyed to Muecke-McAdams Texas, Ltd. by deed of record in Volume 12963, Page 243 of said Real Property Records, being the northeasterly corner of said 33.34 acre tract;

EXHIBIT "C"

9804 30-P.

FN 97-398 (MM)
SEPTEMBER 18, 1997
PAGE 2 OF 2

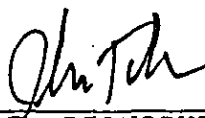
THENCE, S29°42'54"W, leaving the southerly line of Dessau Road, along the westerly line of said Muecke-McAdams Texas, Ltd. Tract, being the easterly line of said 33.34 acre tract, a distance of 2259.27 feet to a 1/2 inch iron rod found in the northerly line of said Parcel 3, being the southwesterly corner of said Muecke-McAdams Texas, Ltd. tract, same being the southeasterly corner of said 33.34 acre tract;

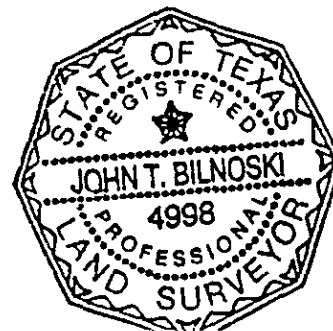
THENCE, along the northerly line of said Parcel 3, being the southerly line of said 33.34 acre tract, the following two (2) courses and distances:

- 1) N60°49'23"W, a distance of 171.55 feet to a 1 inch iron pipe found for an angle point;
- 2) N60°27'00"W, a distance of 438.17 feet to the POINT OF BEGINNING containing an area of 33.342 acres (1,452,390 sq. ft.) of land, more or less within these metes and bounds.

I, JOHN T. BILNOSKI, 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. A LAND TITLE SURVEY WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PITTMAN, INC.
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AUSTIN, TEXAS 78746


JOHN T. BILNOSKI, R.P.L.S. DATE 9/18/97
NO. 4998
STATE OF TEXAS



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