

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 8328 1/2, 8350, AND 8352 WEST US 290 HIGHWAY AND 8110 1/2 AND 8112 SCENIC BROOK DRIVE, IN THE OAK HILL COMBINED NEIGHBORHOOD PLAN AREA FROM NEIGHBORHOOD COMMERCIAL-MIXED USE-NEIGHBORHOOD PLAN (LR-MU-NP) COMBINING DISTRICT, NEIGHBORHOOD COMMERCIAL-NEIGHBORHOOD PLAN (LR-NP) COMBINING DISTRICT, AND LIMITED OFFICE-NEIGHBORHOOD PLAN (LO-NP) COMBINING DISTRICT TO MULTIFAMILY RESIDENCE HIGH DENSITY-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (MF-5-CO-NP) COMBINING DISTRICT ON TRACT 1 AND FROM LIMITED OFFICE-NEIGHBORHOOD PLAN (LO-NP) COMBINING DISTRICT AND SINGLE-FAMILY RESIDENCE LARGE LOT-NEIGHBORHOOD PLAN (SF-1-NP) COMBINING DISTRICT TO LIMITED OFFICE-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LO-MU-CO-NP) COMBINING DISTRICT ON TRACT 2.

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 neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district, neighborhood commercial-neighborhood plan (LR-NP) combining district, and limited office-neighborhood plan (LO-NP) combining district to multifamily residence high density-conditional overlay-neighborhood plan (MF-5-CO-NP) combining district on Tract 1 and from limited office-neighborhood plan (LO-NP) combining district and single-family residence large lot-neighborhood plan (SF-1-NP) combining district to limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district on Tract 2, on the property described in Zoning Case No. C14-2022-0160, on file at the Planning Department, as follows:

Tract 1

6.871 acres of land, out of the Peter Matson Survey No. 619, Abstract No. 638, in the City of Austin, Travis County, Texas, being a portion of a 9.803 acre tract of land described in a deed recorded in Volume 12946, Page 1836, Official Public Records of Travis County, Texas, and being a portion of a 30.98 acre tract of land described in a deed recorded in Volume 12946, Page 1939, Official Public Records of Travis County, Texas, said 6.871 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance,

1 and

2
3 Tract 2

4
5 12.438 acres of land, out of the Peter Matson Survey No. 619, Abstract No. 638, in
6 the City of Austin, Travis County, Texas, being a portion of a 9.803 acre tract of
7 land described in a deed recorded in Volume 12946, Page 1836, Official Public
8 Records of Travis County, Texas, and being a portion of a 30.98 acre tract of land
9 described in a deed recorded in Volume 12946, Page 1939, Official Public Records
10 of Travis County, Texas, said 12.438 acres of land being more particularly
11 described by metes and bounds in **Exhibit “B”** incorporated into this ordinance

12
13 (Tract 1 and Tract 2 collectively, the “Property”),

14
15 locally known as 8328 1/2, 8350, and 8352 West US 290 Highway and 8110 1/2 and 8112
16 Scenic Brook Drive in the City of Austin, Travis County, Texas, generally identified in the
17 map attached as **Exhibit “C”**.

18
19 **PART 2.** The Property within the boundaries of the conditional overlay combining district
20 established by this ordinance is subject to the following conditions:

21
22 Vehicular access from the Property to Scenic Brook Drive is prohibited, except for
23 pedestrian, bicycle, and emergency ingress and egress. All vehicular access to the
24 Property shall be from other adjacent public streets or through other adjacent property.

25
26 **PART 3.** Except as specifically restricted under this ordinance, the Property may be
27 developed and used in accordance with the regulations established for the multifamily
28 residence highest density (MF-5) base district on Tract 1, and the limited office (LO) base
29 district, mixed use (MU) combining district on Tract 2, and other applicable requirements
30 of the City Code.

31
32 **PART 4.** Except as specifically modified by this ordinance, the Property is subject to
33 Ordinance No. 20081211-097 that established zoning for the West Oak Hill Neighborhood
34 Plan.

PART 5. This ordinance takes effect on _____, 2023.

PASSED AND APPROVED

_____, 2023

§
§
§

Kirk Watson
Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan Myrna Rios
City Attorney City Clerk

EXHIBIT A

6.871 ACRE
GREYSTAR
"MF-5-NP" ZONING DESCRIPTION

FN. NO. 22-090 (ABB)
APRIL 29, 2022
JOB NO. 222012506

DESCRIPTION

A 6.871 ACRE OF LAND OUT OF THE PETER MATSON SURVEY NO 619, ABSTRACT NO. 638, SITUATED IN TRAVIS COUNTY, TEXAS BEING A PORTION OF THAT CERTAIN 9.803 ACRE TRACT OF LAND CONVEYED TO SCHMIDT INVESTMENTS, LTD BY DEED OF RECORD IN VOLUME 12946, PAGE 1836 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; ALSO BEING A PORTION OF THAT 30.98 ACRE TRACT OF LAND CONVEYED TO SCHMIDT INVESTMENTS, LTD BY DEED OF RECORD IN VOLUME 12946, PAGE 1939 OF SAID OFFICIAL PUBLIC RECORDS; SAID 6.871 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a 1/2 inch iron rod with "BURY" cap found in the westerly right-of-way line of Scenic Brook Drive (R.O.W. varies), being the common easterly corner of Lot 18B, Resubdivision of Lots 16-19, Westoaks Section 2, a subdivision of record in Book 23, Page 38 of the Plat Records of Travis County, Texas and said 9.803 acre tract;

THENCE, S27°54'30"W, leaving said common corner, along the westerly line of Scenic Brook Drive, being the easterly line of said 9.803 acre tract, a distance of 214.61 feet to the **POINT OF BEGINNING** for the northeasterly corner hereof;

THENCE, S27°54'30"W, continuing along the westerly line of Scenic Brook Drive, being the easterly line of said 9.803 acre tract, for a portion of the easterly line hereof, a distance of 164.12 feet to a TXDOT Type II monument found at the northeasterly corner of that certain 5.068 acre tract of land conveyed to the State of Texas by deed of record in Document No. 2019145815 of said Official Public Records;

THENCE, leaving the westerly line of Scenic Brook Drive, along the northerly line of said 5.068 acre tract, for a portion of the easterly line and the southerly line hereof, the following five (5) courses and distances:

- 1) S31°39'55"W, a distance of 286.55 feet to an angle point;
- 2) S59°04'53"W, a distance of 61.30 feet to the southeasterly corner hereof;
- 3) N69°36'04"W, a distance of 350.97 feet to an angle point;

- 4) N73°53'25"W, a distance of 100.28 feet to an angle point;
- 5) N69°36'04"W, a distance of 86.31 feet to the southwesterly corner hereof;

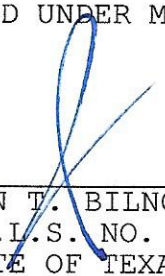
THENCE, leaving the northerly line of said 5.068 acre tract, over and across said 30.98 acre tract and said 9.803 acre tract, for the westerly and northerly lines hereof, the following four (4) courses and distances:

- 1) N22°53'38"E, a distance of 482.72 feet to the northwesterly corner hereof, from which a 1/2 inch iron rod with "BURY" cap found in the southerly line of Lot 28 of said Westoaks Section 2, being the northwesterly corner of said 30.98 acre tract bears N47°08'32"W, a distance of 1258.54 feet;
- 2) S61°47'12"E, a distance of 112.90 feet to an angle point;
- 3) N28°02'47"E, a distance of 55.01 feet to an angle point;
- 4) S67°06'22"E, a distance of 513.32 feet to the **POINT OF BEGINNING**, containing an area of 6.871 acre (299,309 square feet) of land, more or less, within these metes and bounds.

THE BASIS OF BEARING OF THE SURVEY SHOWN HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83(2011), BY UTILIZING REAL-TIME KINEMATIC (RTK) CORRECTIONS PROVIDED BY RTK COOPERATIVE NETWORK, MANAGED BY ALLTERRA CENTRAL.

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.

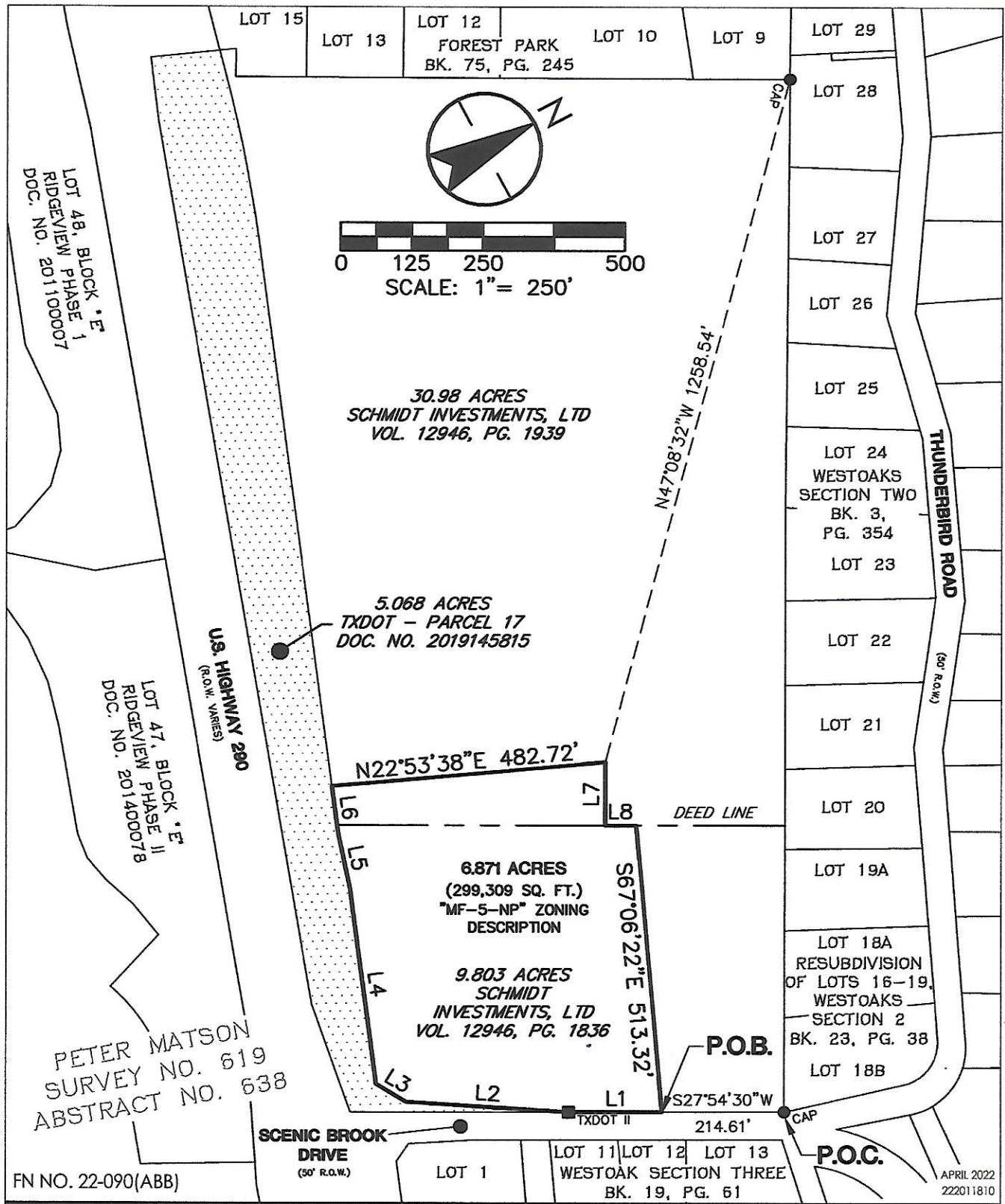
STANTEC CONSULTING
SERVICES INC.
1905 ALDRICH STREET
SUITE 300
AUSTIN, TEXAS 78723

 9/6/22

JOHN T. BILNOSKI Date
R.P.L.S. NO. 4998
STATE OF TEXAS
TBPELS # 10194230
john.bilnoski@stantec.com



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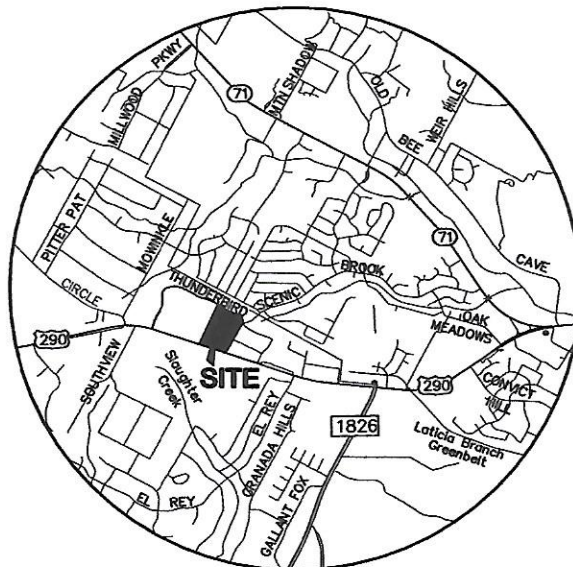
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TBPELS # F-6324 & # 10194230
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Client/Project
GREYSTAR
US 290/ SCENIC BROOK

Figure No.
SHEET 1 OF 2

Title
"MF-5-NP" ZONING DESCRIPTION



VICINITY MAP

BEARING BASIS NOTE:

THE BASIS OF BEARING OF THE SURVEY SHOWN HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83(2011), BY UTILIZING REAL-TIME KINEMATIC (RTK) CORRECTIONS PROVIDED BY RTK COOPERATIVE NETWORK, MANAGED BY ALLTERRA CENTRAL.

LEGEND

- CAP 1/2" IRON ROD WITH "BURY" CAP FOUND
- TXDOT II TXDOT TYPE II MONUMENT FOND
- P.O.C. POINT OF COMMENCING
- P.O.B. POINT OF BEGINNING

LINE TABLE

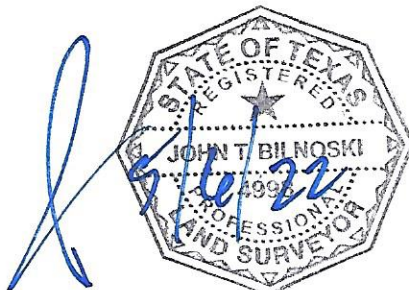
NO.	BEARING	DISTANCE
L1	S27°54'30"W	164.12'
L2	S31°39'55"W	286.55'
L3	S59°04'53"W	61.30'
L4	N69°36'04"W	350.97'
L5	N73°53'25"W	100.28'
L6	N69°36'04"W	86.31'
L7	S61°47'12"E	112.90'
L8	N28°02'47"E	55.01'

FN NO. 22-090(ABB)

APRIL 2022
222011810



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TBPELS # F-6324 & # 10194230
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Client/Project
**GREYSTAR
US 290/ SCENIC BROOK**

Figure No.
SHEET 2 OF 2

Title
"MF-5-NP" ZONING DESCRIPTION

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EXHIBIT B

12.438 ACRE
GREYSTAR
"LO-MU-NP" ZONING DESCRIPTION

FN. NO. 22-091 (ABB)
APRIL 29, 2022
JOB NO. 222012506

DESCRIPTION

A 12.438 ACRE OF LAND OUT OF THE PETER MATSON SURVEY NO 619, ABSTRACT NO. 638, SITUATED IN TRAVIS COUNTY, TEXAS BEING A PORTION OF THAT CERTAIN 9.803 ACRE TRACT OF LAND CONVEYED TO SCHMIDT INVESTMENTS, LTD BY DEED OF RECORD IN VOLUME 12946, PAGE 1836 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; ALSO BEING A PORTION OF THAT 30.98 ACRE TRACT OF LAND CONVEYED TO SCHMIDT INVESTMENTS, LTD BY DEED OF RECORD IN VOLUME 12946, PAGE 1939 OF SAID OFFICIAL PUBLIC RECORDS; SAID 12.438 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod with "BURY" cap found in the westerly right-of-way line of Scenic Brook Drive (R.O.W. varies), being the common easterly corner of Lot 18B, Resubdivision of Lots 16-19, Westoaks Section 2, a subdivision of record in Book 23, Page 38 of the Plat Records of Travis County, Texas and said 9.803 acre tract, for the northeasterly corner hereof;

THENCE, S27°54'30"W, leaving said common corner, along the westerly line of Scenic Brook Drive, being the easterly line of said 9.803 acre tract and hereof, a distance of 214.61 feet to the southeasterly corner hereof, from which a TXDOT Type II monument found at the northeasterly corner of that certain 5.068 acre tract of land conveyed to the State of Texas by deed of record in Document No. 2019145815 of said Official Public Records bears S27°54'30"W, a distance of 164.12 feet;

THENCE, leaving the westerly line of Scenic Brook Drive, over and across said 9.803 acre tract and said 30.98 acre tract, for the southerly line hereof, the following three (3) courses and distances:

- 1) N67°06'22"W, a distance of 513.32 feet to an angle point;
- 2) S28°02'47"W, a distance of 55.01 feet to an angle point;
- 3) N61°47'12"W, a distance of 1330.64 feet to a point in the easterly line of Lot 10, Forest Park, a subdivision of record in Book 75, Page 245 of said Plat Records, being the westerly line of said 30.98 acre tract, for the southwesterly corner hereof;

THENCE, N28°13'42"E, along the easterly line of Lots 9 and 10 of said Forest Park, being the westerly line of said 10.98 acre tract and hereof, a distance of 318.18 feet to a 1/2 inch iron rod with "BURY" cap found in the southerly line of Lot 28 of said Westoaks Section 2, being the common northerly corner of said Lot 9 and said 30.98 acre tract, for the northwesterly corner hereof;

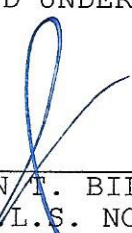
THENCE, leaving said common corner, in part along the southerly line of Lots 20-28 of said Westoaks Section 2, in part along the southerly line of Lots 18A, 18B and 19A of said Resubdivision of Lots 16-19, Westoaks Section 2, being the northerly line of said 30.98 acre tract and said 9.803 acre tract and hereof, the following three (3) courses and distances:

- 1) S61°40'42"E, a distance of 155.87 feet to a 1/2 inch iron rod found;
- 2) S61°26'59"E, a distance of 606.98 feet to a 1/2 inch iron pipe found;
- 3) S61°57'48"E, a distance of 609.30 feet to a 1/2 inch iron pipe found;
- 4) S61°54'38"E, a distance of 468.22 feet to the **POINT OF BEGINNING**, containing an area of 12.438 acre (541,817 square feet) of land, more or less, within these metes and bounds.

THE BASIS OF BEARING OF THE SURVEY SHOWN HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83(2011), BY UTILIZING REAL-TIME KINEMATIC (RTK) CORRECTIONS PROVIDED BY RTK COOPERATIVE NETWORK, MANAGED BY ALLTERRA CENTRAL.

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.

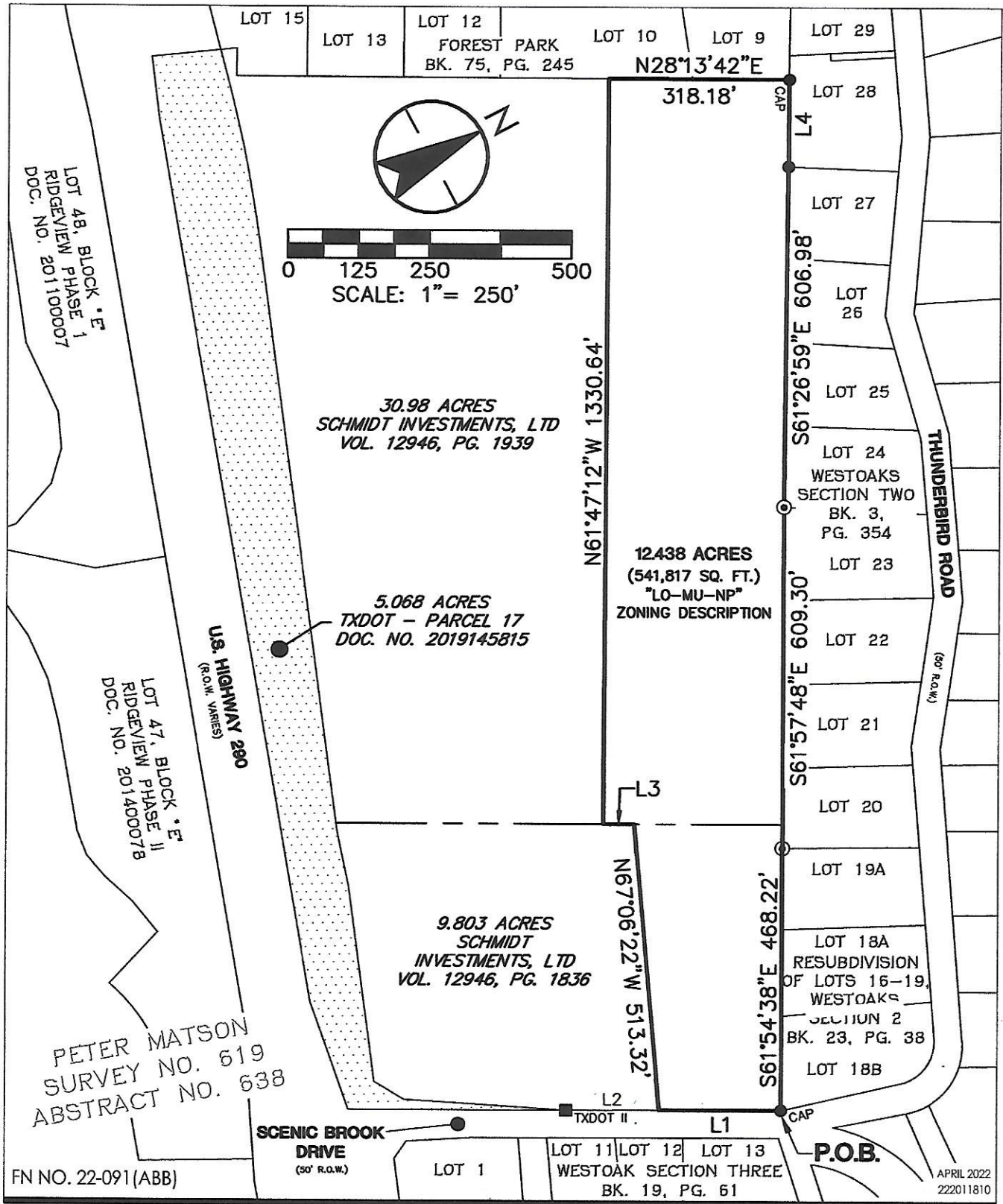
STANTEC CONSULTING
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1905 ALDRICH STREET
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AUSTIN, TEXAS 78723

 3/6/22

JOHN T. BILNOSKI Date
R.P./L.S. NO. 4998
STATE OF TEXAS
TBPELS # 10194230
john.bilnoski@stantec.com



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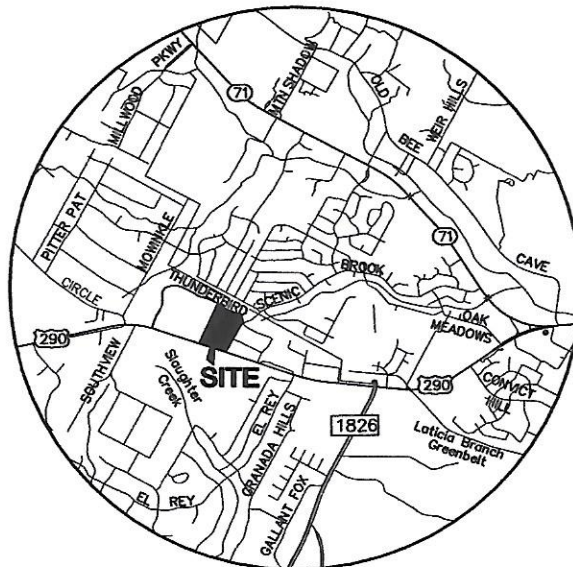


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Figure No. SHEET 1 OF 2
Title "LO-MU-NP" ZONING DESCRIPTION



VICINITY MAP

BEARING BASIS NOTE:

THE BASIS OF BEARING OF THE SURVEY SHOWN HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83(2011), BY UTILIZING REAL-TIME KINEMATIC (RTK) CORRECTIONS PROVIDED BY RTK COOPERATIVE NETWORK, MANAGED BY ALLTERRA CENTRAL.

LEGEND

- _{CAP} 1/2" IRON ROD WITH "BURY" CAP FOUND
- _{TXDOT II} TXDOT TYPE II MONUMENT FOND
- ⊙ 1/2" INCH IRON PIPE FOUND
- 1/2" IRON ROD FOUND
- P.O.C. POINT OF COMMENCING
- P.O.B. POINT OF BEGINNING

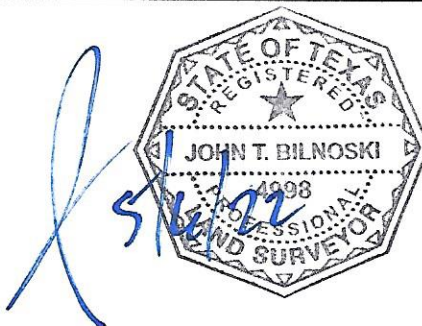
LINE TABLE		
NO.	BEARING	DISTANCE
L1	S27°54'30"W	214.61'
L2	S27°54'30"W	164.12'
L3	S28°02'47"W	55.01'
L4	S61°40'42"E	155.87'

FN NO. 22-091(ABB)

APRIL 2022
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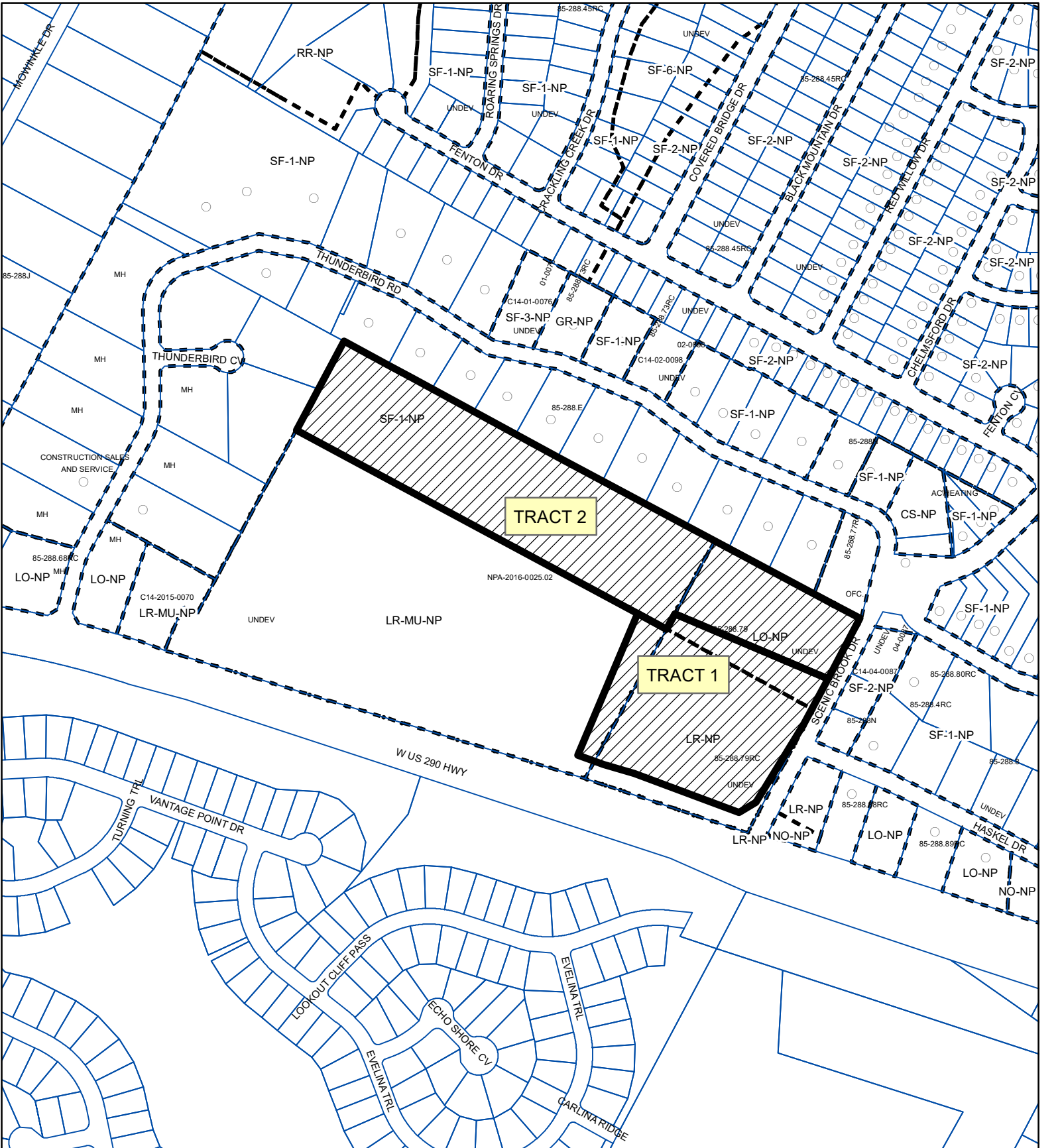


Client/Project
**GREYSTAR
US 290/ SCENIC BROOK**

Figure No.
SHEET 2 OF 2

Title
"LO-MU-NP" ZONING DESCRIPTION

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SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2022-0160

EXHIBIT C

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.

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Created: 4/7/2023