

**ORDINANCE NO. 20160512-036**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4006 AND 4100 BANISTER LANE FROM MULTIFAMILY RESIDENCE LOW DENSITY-CONDITIONAL OVERLAY (MF-2-CO) COMBINING DISTRICT TO MULTIFAMILY RESIDENCE LIMITED DENSITY-CONDITIONAL OVERLAY (MF-1-CO) COMBINING DISTRICT FOR TRACT 1 AND TO MULTIFAMILY RESIDENCE MEDIUM DENSITY-CONDITIONAL OVERLAY (MF-3-CO) COMBINING DISTRICT FOR 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 multifamily residence low density-conditional overlay (MF-2-CO) combining district to multifamily residence limited density-conditional overlay (MF-1-CO) combining district for Tract 1 and to multifamily residence medium density-conditional overlay (MF-3-CO) combining district for Tract 2 on the property described in Zoning Case No. C14-2015-0167, on file at the Planning and Zoning Department, as follows:

**Tract 1:**

0.277 acres (approximately 12,068 sq. ft.) in the Isaac Decker League No. 20, Abstract No. 8, Travis County, Texas, being a portion of a 0.912 acre tract described in a warranty deed to Banister Cityhomes LP, and recorded in Document No. 2015148334 of the Official Public Records of Travis County, Texas, said 0.912 acre tract being a portion of Lots 17 and 18, Banister Heights, a subdivision in Travis County, Texas according to the map or plat recorded in Volume 3, Page 256, of the Plat Records of Travis County, Texas; said 0.277 acre tract being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

**Tract 2:**

1.596 acres (approximately 69,523 sq. ft.) in the Isaac Decker League No. 20, Abstract No. 8, Travis County, Texas, being all of a 0.961 acre tract and a portion of a 0.912 acre tract, both described in a warranty deed to Banister Cityhomes LP recorded in Document No. 2015148334 of the Official Public Records of Travis County, Texas, said 0.912 acre tract being a portion of Lots 17 and 18, Banister Heights, a subdivision in Travis County, Texas according to the map or plat recorded in Volume 3, Page 256, of the Plat Records of Travis County, Texas; said 1.596 acre

tract being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (cumulatively referred to as the "Property"),

locally known as 4006 and 4100 Banister Lane in the City of Austin, Travis County, Texas, generally identified in the map attached as Exhibit "C".

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

- A. A 10-foot wide vegetative buffer shall be provided and maintained along and adjacent to the southern property line. Improvements permitted within the buffer zone are limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
- B. The minimum setback for habitable structures along the southern property line is 50 feet.
- C. Development of the Property between the 10 foot vegetative buffer and the 50 foot setback is limited to 45% impervious coverage.
- D. Tandem parking spaces may only be counted as a half parking space to meet the minimum parking requirement on the Property.
- E. The minimum parking requirement on the Property shall be 0.5 spaces per unit above the minimum code requirement.
- F. Existing peak flow rate on the Property shall be reduced by at least 10.01 percent for proposed development or redevelopment that would exceed 45 percent impervious cover, as calculated on gross site area.
- G. Development of the Property is limited to 45 residential units.

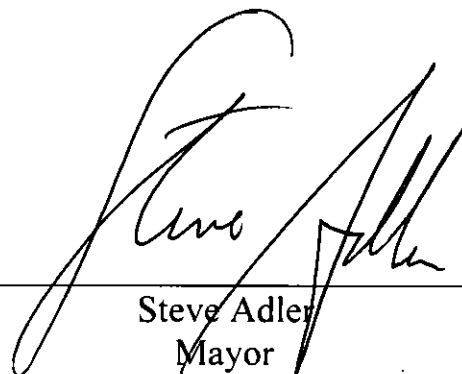
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the multifamily residence limited density (MF-1) base district, the multifamily residence medium density (MF-3) base district and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on May 23, 2016.


**PASSED AND APPROVED**

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May 12, 2016

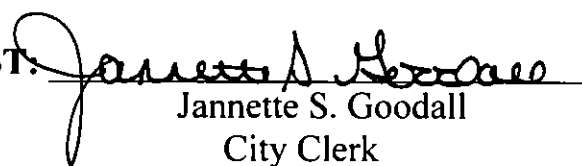
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§

  
\_\_\_\_\_  
Steve Adler  
Mayor

**APPROVED:**

  
\_\_\_\_\_  
Anne L. Morgan  
City Attorney

**ATTEST:**

  
\_\_\_\_\_  
Jannette S. Goodall  
City Clerk



**Professional Land Surveying, Inc.  
Surveying and Mapping**

Office: 512-443-1724  
Fax: 512-389-0943

3500 McCall Lane  
Austin, Texas 78744

**0.277 ACRES  
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 0.277 ACRES (APPROXIMATELY 12,068 SQ. FT.) IN THE ISAAC DECKER LEAGUE NO 20, ABSTRACT NO. 8, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 0.912 ACRE TRACT DESCRIBED IN A WARRANTY DEED TO BANISTER CITYHOMES LP, AND RECORDED IN DOCUMENT NO. 2015148334 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.912 ACRE TRACT BEING A PORTION OF LOTS 17 AND 18, BANISTER HEIGHTS, A SUBDIVISION IN TRAVIS COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 3, PAGE 256, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.277 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" rebar found for the southeast corner of said 0.912 acre tract, same being an angle point in the west right-of-way line of Banister Lane (right-of-way width varies), also being in the north line of Lot 4, Resubdivision of a Portion of Lots 17 & 18 Banister Heights, a subdivision recorded in Volume 6, Page 44 of the Plat Records of Travis County, Texas;

**THENCE** North 61°54'07" West, with the south line of the 0.912 acre tract, same being the north line of Lots 1, 2, 3 and 4 of the Resubdivision of a Portion of Lots 17 & 18 Banister Heights, a distance of 241.15 feet to a Mag nail found for the southwest corner of the 0.912 acre tract, same being the northwest corner said Lot 1, also being the northeast corner of Lot 19-A, Resubdivision of the South 1/2 of Lot 19 of Banister Heights, a subdivision recorded in Document No. 201000106 of the Official Public Records of Travis County, Texas, also being the southeast corner of Lot 5, Oak Run 1-A, a subdivision recorded in Volume 84, Page 109D of the Plat Records of Travis County, Texas;

**THENCE** North 27°12'32" East, with the common line of the 0.912 acre tract and said Lot 5, a distance of 50.01 feet to a calculated point, from which a 1/2" rebar found for a corner of Lot 5, same being the northwest corner of a 0.961 acre tract described in the Warranty Deed to Banister Cityhomes LP recorded in Document No. 2015148334 of the Official Public Records of Travis County, Texas, bears North 27°12'32" East, passing at a distance of 113.84 feet a calculated point for the common corner of the 0.912 acre tract and the 0.961 acre tract, from which a cotton spindle found bears South 62°05'42" East, a distance of 0.41 feet, and continuing, for a total distance of 285.78 feet;

**THENCE** South 61°54'07" East, crossing the 0.912 acre tract, a distance of 241.59 feet to a calculated point in the west right-of-way line of Banister Lane, same being the east

line of the 0.912 acre tract, from which a threaded bolt found in the west right-of-way line of Banister Lane, for the northeast corner of the 0.912 acre tract, same being the southeast corner of the 0.961 acre tract, bears North 27°42'57" East, a distance of 114.64 feet;

**THENCE** South 27°42'57" West, with the west right-of-way line of Banister Lane, same being the east line of the 0.912 acre tract, a distance of 50.00 feet to the **POINT OF BEGINNING**, containing 0.277 acres of land, more or less.

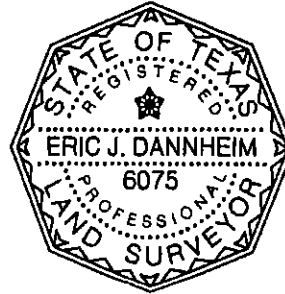
Surveyed on the ground March 14, 2016. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User Service (OPUS).

Attachments: Drawing 1186-001-ZN1.



3/18/16

Eric J. Dannheim                      Date  
Registered Professional Land Surveyor  
State of Texas No. 6075  
TBPLS Firm No. 10124500

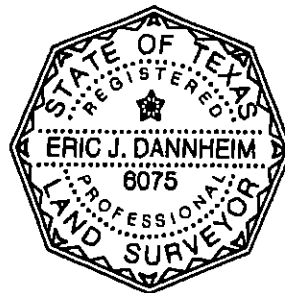


SKETCH TO ACCOMPANY A DESCRIPTION OF 0.277 ACRES (APPROXIMATELY 12,068 SQ. FT.) IN THE ISAAC DECKER LEAGUE NO 20, ABSTRACT NO. 8, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 0.912 ACRE TRACT DESCRIBED IN A WARRANTY DEED TO BANISTER CITYHOMES LP, AND RECORDED IN DOCUMENT NO. 2015148334 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.912 ACRE TRACT BEING A PORTION OF LOTS 17 AND 18, BANISTER HEIGHTS, A SUBDIVISION IN TRAVIS COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 3, PAGE 256, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

LINE TABLE			
LINE	BEARING	DISTANCE	RECORD INFO.
L1	N61°54'07"W	241.15'	(N59°17'00"W 241.09')
L2	N27°12'32"E	50.01'	
L3	S61°54'07"E	241.59'	
L4	S27°42'57"W	50.00'	

LEGEND

- 1/2" REBAR FOUND
- ▲ MAG NAIL FOUND
- \* COTTON SPINDLE FOUND
- THREADED BOLT FOUND
- △ CALCULATED POINT



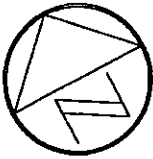
*En*  
3/18/16

DATE OF SURVEY: 3/14/2016  
PLOT DATE: 3/18/2016  
DRAWING NO.: 1186-001-ZN1  
PROJECT NO.: 1186-001  
T.B.P.L.S. FIRM NO. 10124500  
DRAWN BY: JPA  
SHEET 1 OF 2

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS)

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 1186-001-ZN1

*Chaparral*



1" = 50'

N27°12'32"E 171.94'  
(N29°49'22"E 171.94')

SEE DETAIL

BANISTER  
CITYHOMES LP  
0.961 ACRE  
(2015148334)

LOT 5  
OAK RUN 1-A  
(84/109D)

JM-OAK RUN, LTD  
MT-OAK RUN, LTD  
(2013198025)

N27°12'32"E 113.84'  
(N29°49'22"E 163.87')

LOT 18  
BANISTER HEIGHTS  
(3/256)

BANISTER  
CITYHOMES LP  
0.912 ACRE  
(2015148334)

LOT 17  
BANISTER HEIGHTS  
(3/256)

N27°42'57"E 114.64'  
(N30°20'35"E 164.65')

BANISTER LANE  
(R.O.W. WIDTH VARIES)  
(7402/480)(7392/480)(7681/919)

L2

L3

0.277 ACRES  
APPROX. 12,068 SQ. FT.

50.00'

L4

L1

P.O.B.

LOT 19-A  
RESUBDIVISION  
OF THE  
SOUTH 1/2  
OF LOT 19  
OF BANISTER  
HEIGHTS  
(201000106)

LOT 1  
RESUBDIVISION  
OF A  
PORTION  
OF LOTS 17  
& 18  
BANISTER  
HEIGHTS  
(6/44)

LOT 2  
RESUBDIVISION  
OF A  
PORTION  
OF LOTS 17  
& 18  
BANISTER  
HEIGHTS  
(6/44)

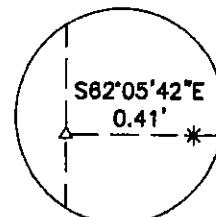
LOT 3  
RESUBDIVISION  
OF A  
PORTION  
OF LOTS 17  
& 18  
BANISTER  
HEIGHTS  
(6/44)

LOT 4  
RESUBDIVISION  
OF A  
PORTION  
OF LOTS 17  
& 18  
BANISTER  
HEIGHTS  
(6/44)



*En*  
3/18/16

*Chaparral*



DETAIL  
NOT TO SCALE



**Professional Land Surveying, Inc.  
Surveying and Mapping**

Office: 512-443-1724  
Fax: 512-389-0943

3500 McCall Lane  
Austin, Texas 78744

**1.596 ACRES  
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 1.596 ACRES (APPROXIMATELY 69,523 SQ. FT.) IN THE ISAAC DECKER LEAGUE NO 20, ABSTRACT NO. 8, TRAVIS COUNTY, TEXAS, BEING ALL OF A 0.961 ACRE TRACT AND A PORTION OF A 0.912 ACRE TRACT, BOTH DESCRIBED IN A WARRANTY DEED TO BANISTER CITYHOMES LP RECORDED IN DOCUMENT NO. 2015148334 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.912 ACRE TRACT BEING A PORTION OF LOTS 17 AND 18, BANISTER HEIGHTS, A SUBDIVISION IN TRAVIS COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 3, PAGE 256, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.596 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a threaded bolt found in the west right-of-way line of Banister Lane (right-of-way width varies), being the northeast corner of said 0.961 acre tract, same being a southeast corner of Lot 5, Oak Run 1-A, a subdivision recorded in Volume 84, Page 109D of the Plat Records of Travis County, Texas;

**THENCE** South  $27^{\circ}39'08''$  West, with the west right-of-way line of Banister Lane, same being the east line of the 0.961 acre tract, a distance of 172.30 feet to a threaded bolt found for the southeast corner of the 0.961 acre tract, same being the northeast corner of said 0.912 acre tract;

**THENCE** South  $27^{\circ}42'57''$  West, continuing with the west right-of-way line of Banister Lane, same being the east line of the 0.912 acre tract, a distance of 114.64 feet to a calculated point, from which a 1/2" rebar found for the southeast corner of the 0.912 acre tract, same being an angle point in the west right-of-way line of Banister Lane, also being in the north line of Lot 4, Resubdivision of a Portion of Lots 17 & 18 Banister Heights, a subdivision recorded in Volume 6, Page 44 of the Plat Records of Travis County, Texas, bears South  $27^{\circ}42'57''$  West, a distance of 50.00 feet;

**THENCE** North  $61^{\circ}54'07''$  West, crossing the 0.912 acre tract, a distance of 241.59 feet to a calculated point in the west line of the 0.912 acre tract, same being the east line of said Lot 5, from which a Mag nail found for the southwest corner of the 0.912 acre tract, same being a southeast corner of Lot 5, also being the northwest corner of Lot 1, Resubdivision of a Portion of Lots 17 & 18 Banister Heights, also being the northeast corner of Lot 19-A, Resubdivision of the South 1/2 of Lot 19 of Banister Heights, a subdivision recorded in Document No. 201000106 of the Official Public Records of Travis County, Texas, bears South  $27^{\circ}12'32''$  West, a distance of 50.01 feet;



**THENCE** North  $27^{\circ}12'32''$  East, with the common line of the 0.912 acre tract and Lot 5, a distance of 113.84 feet to a calculated point for the northwest corner of the 0.912 acre tract, same being the southwest corner of the 0.961 acre tract, from which a cotton spindle found bears South  $62^{\circ}05'42''$  East, a distance of 0.41 feet;

**THENCE** with the common line of the 0.961 acre tract and Lot 5, the following two (2) courses and distances:

1. North  $27^{\circ}12'32''$  East, a distance of 171.94 feet to a 1/2" rebar found for the northwest corner of the 0.961 acre tract and an angle point in the east line of Lot 5;
2. South  $62^{\circ}10'48''$  East, a distance of 243.92 feet to the **POINT OF BEGINNING**, containing 1.596 acres of land, more or less.

Surveyed on the ground March 14, 2016. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User Service (OPUS).

Attachments: Drawing 1186-001-ZN2.

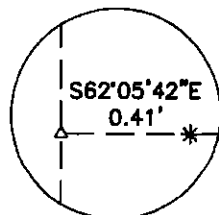
*En* 3/18/16  
Eric J. Dannheim  
Registered Professional Land Surveyor  
State of Texas No. 6075  
TBPLS Firm No. 10124500



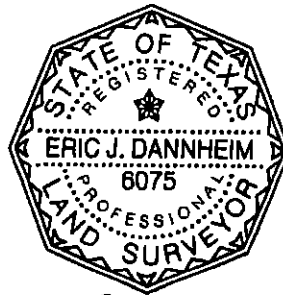
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LEGEND

- 1/2" REBAR FOUND
- ▲ MAG NAIL FOUND
- \* COTTON SPINDLE FOUND
- THREADED BOLT FOUND
- △ CALCULATED POINT



DETAIL  
NOT TO SCALE



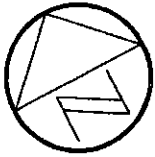
*En*  
3/18/16

DATE OF SURVEY: 3/14/2016  
PLOT DATE: 3/18/2016  
DRAWING NO.: 1186-001-ZN2  
PROJECT NO.: 1186-001  
T.B.P.L.S. FIRM NO. 10124500  
DRAWN BY: JPA  
SHEET 1 OF 2

*Chaparral*

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS)

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 1186-001-ZN2



1" = 50'

LOT 5  
OAK RUN 1-A  
(84/109D)

LOT 5  
OAK RUN 1-A  
(84/109D)

S62°10'48"E 243.92'  
(S59°33'06"E 243.90')

BANISTER  
CITYHOMES LP  
0.961 ACRE  
(2015148334)

1.596 ACRES  
APPROX. 69,523 SQ. FT.

N27°12'32"E 171.94'  
(N29°49'22"E 171.94')

(N29°45'E 336.00')

N27°12'32"E 113.84'

(N29°49'22"E 163.87')

LOT 19-A  
RESUBDIVISION  
OF THE  
SOUTH 1/2  
OF LOT 19  
OF BANISTER  
HEIGHTS  
(201000106)

S27°12'32"W  
50.01'

N61°54'07"W 241.59'

BANISTER  
CITYHOMES LP  
0.912 ACRE  
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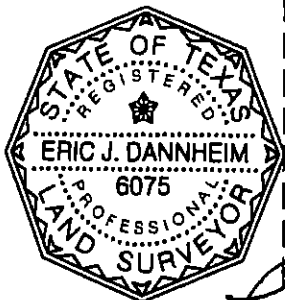
LOT 18  
BANISTER HEIGHTS  
(3/256)

LOT 17  
BANISTER HEIGHTS  
(3/256)

S27°39'08"W 172.30'  
(S30°15'51"W 172.27')

S27°42'57"W 114.64'  
50.00' (S30°20'35"W 164.65')

BANISTER LANE  
(R.O.W. WIDTH VARIES)  
(7402/480)(7392/480)(7681/919)



SHEET 2 OF 2

LOT 1  
RESUBDIVISION  
OF A  
PORTION  
OF LOTS 17  
& 18  
BANISTER  
HEIGHTS  
(6/44)

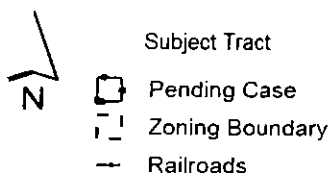
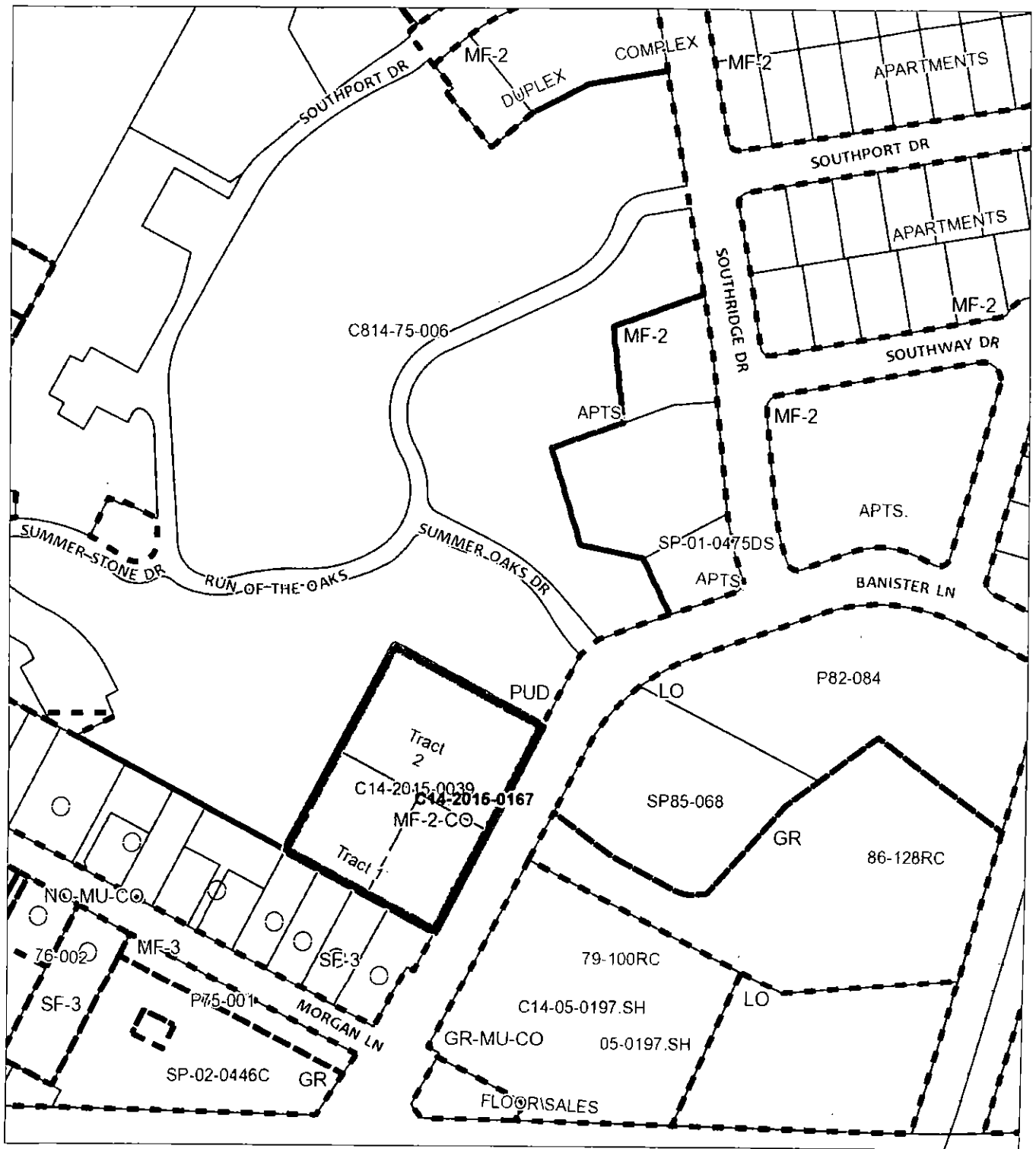
LOT 2  
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OF LOTS 17  
& 18  
BANISTER  
HEIGHTS  
(6/44)

LOT 3  
RESUBDIVISION  
OF A  
PORTION  
OF LOTS 17  
& 18  
BANISTER  
HEIGHTS  
(6/44)

LOT 4  
RESUBDIVISION  
OF A  
PORTION  
OF LOTS 17  
& 18  
BANISTER  
HEIGHTS  
(6/44)

*En* 3/18/16

*Chaparral*



100 200  
Feet

1" = 200'

## ZONING

ZONING CASE#: C14-2015-0167



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.

Exhibit C