## ORDINANCE NO. $\underline{20230831-129}$


#### Abstract

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FROM PLANNED UNIT DEVELOPMENT (PUD) BASE DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) BASE DISTRICT FOR THE PROPERTY KNOWN AS THE LEANDER REHABILITATION CENTER PLANNED UNIT DEVELOPMENT PROJECT LOCATED AT 13430 1/2 AND 13450 1/2 LYNDHURST DRIVE, TO CHANGE A CONDITION OF ZONING.


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

PART 1. Leander Rehabilitation Center ("Leander Rehabilitation PUD") is comprised of approximately 446 acres of land located generally along North F.M. 620 Road, northeast of its intersection with U.S. 183 in Williamson County. This ordinance only affects the 30.045 acres of the Leander Rehabilitation PUD as described in Part 3 below.

PART 2. The Development Plan that established the Leander Rehabilitation PUD was approved by the Texas General Land Office on January 16, 1998 by Order of the Special Board of Review (the "Original Order") recorded in Document No, 9802790, Official Public Records of Travis County, Texas, and amended by the Second Order of the Special Board of Review on February 25, 1998, the Notice of Development Plan Revision in Lieu of Third Order of the Special Board of Review on September 20, 2010, Ordinance No. 20080327-053, Ordinance No. 20090402-050, Ordinance No. 20140626-135, Ordinance No. 20190620-154, Ordinance No. 20210729-155, as approved by City Council, and eight administrative amendments approved by the Director of the Planning Department (collectively, "Leander Rehabilitation PUD Ordinances, as amended").

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 (PUD) base district to planned unit development (PUD) base district on the property described in Zoning Case No. C814-970001.15 as follows:

A 30.045 acre tract of land situated in the Rachael Saul Survey, Abstract No. 551, Williamson County, Texas, being a portion of the tract of land described by deed recorded in Document No. 2007062860, Official Public Records of Williamson County, Texas, said 30.045 acres of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),
also known as Leander Rehabilitation PUD Parcels CO-1 and COR-4 and locally known as $134301 / 2$ and 13450 1/2 Lyndhurst Drive in the City of Austin, Williamson County, Texas, generally identified in the map attached as Exhibit "B".

PART 4. This ordinance and the attached exhibits amend the uses and development regulations for the Property (collectively, the "Amended Land Use Plan"). If this ordinance and the attached exhibits conflict, this ordinance controls. Except as otherwise provided by this ordinance and the Amended Land Use Plan, all other rules, regulations, and ordinances of the City apply to the Property.

PART 5. The attached exhibits are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance. The exhibits are as follows:

Exhibit A: Legal Description
Exhibit B: Zoning Map
Exhibit C: Land Use Plan
Exhibit D: Internal Drives
Exhibit E: Circulation Routes
Exhibit F: Development Standards

## PART 6. Land Use.

(A) The Land Use Plan applicable to the Property are attached to this ordinance as Exhibit "C" amending the Development Limitations on the Property established by the Leander Rehabilitation PUD Ordinances, as amended.
(B) The Development Standards applicable to the Property are attached to this ordinance as Exhibit "F" amending the Development Standards established by the Leander Rehabilitation PUD Ordinances, as amended.
(C) The design of circulations and internal drives applicable to the Property are attached to this ordinance as Exhibit "D" and Exhibit "E" amending the design of circulations and internal drives established by the Leander Rehabilitation PUD Ordinances, as amended.

## PART 7. Affordable Housing

(A) Landowner shall reserve a minimum of 5 percent of the additional 1,200 residential dwelling units allowed to be constructed on the Property as affordable rental units for at least 40 years from the date of issuance of the certificate of occupancy for any building containing affordable rental units. Affordable rental unit means a residential dwelling unit for lease and occupancy by households earning 80 percent or less of the current Austin-Round Rock Metropolitan Statistical Area Median Family Income as determined by the Director of the Housing Department.
(B) Unless otherwise approved by the Director of Housing Department, affordable rental units shall include an equivalent mix of bedrooms as offered in the market rate rental units and market-rate owner-occupied units.
(C) All affordable rental units shall meet the following requirements:
(1) Provide equal access and use of on-site amenities, common areas, and parking facilities as provided to market rate units; and
(2) Include interior components that are functionally equivalent to market-rate units; and
(3) Have shared access routes among affordable rental units and affordable owner-occupied and market-rate residential units.
(4) The affordable rental units and affordable owner-occupied units will be dispersed throughout the market-rate residential units within the development.
(5) For affordable rental units Landowner shall prohibit discrimination on the basis of an individual's source of income as defined in City Code Section 5-1-13 (Definitions).
(D) If Landowner constructs multifamily residential use building exceeding six stories, Landowner may satisfy the affordable housing requirements in this Part 7 by paying to the City's Housing Trust Fund a fee in-lieu for the bonus square footage. The fee in-lieu is $\$ 8.00$ per square foot. Bonus square footage means any building square footage constructed above six stories for multifamily residential use.

## PART 8. Environmental.

(A) Landowner shall construct, operate, and maintain an onsite water reuse system utilizing rainwater and $\mathrm{A} / \mathrm{C}$ condensate for all non-potable uses on the Property such as irrigation, cooling and toilet/urinal flushing applications.
(B) Toilet/urinal flushing applications are required for ground floor non-residential uses of the Property. Following approval of a development permit on or after

December 2, 2024, toilet/urinal flushing applications shall be required for all areas of the Property.
(C) Landowner shall use reclaimed water for ground floor commercial uses on the Property.

PART 9. Except as specifically modified by this ordinance, in all other respects the terms and conditions the Leander Rehabilitation PUD Ordinances, as amended, remain in effect.

PART 10. This ordinance takes effect on September 11, 2023.

## PASSED AND APPROVED

August 31 , 2023


ATTEST:


DESCRIPTION of a $\mathbf{3 0 . 0 4 5}$ acre tract of land situated in the Rachael Saul Survey, Abstract No. 551, Williamson County, Texas; said tract being all of the tract of land described as 128.71 acres in Warranty Deed to Sonmar of Phoenix, LLC, et al, recorded in Williamson County Official Public Records as document number 2007062860 save and except the following tracts of land:

1. The Presidio Section One, OPR Document 2014049303, 5.213 Acres
2. Presidio Channel and East Wet Pond Subdivision, OPR Document 2014072591, 7.02 Acres
3. The Presidio Section Two, OPR Document 2014072733, 3.556 Acres
4. Presidio Phase One, OPR Document 2014087844, 14.101 Acres
5. Presidio East Subdivision, OPR Document 2015048394, 22.96 Acres
6. Presidio Phase II, OPR Document 2017089607, 8.624Acres
7. Texas Children's Hospital, OPR Document 2019118721, 24.453 Acres
8. Presidio Phase III, Lot 1C and Phase IV Lot 1D, OPR Document 2019126886, 13.65 Acres;
said 30.045 acre tract being more particularly described as follows:

BEGINNING at a $1 / 2$-inch iron rod with "CEC BOUNDARY" found at the southeast corner of said remainder of Sonmar of Phoenix, LLC tract; said point being in the northwest right-of-way line of State Highway 45 (a variable width right-ofway) and the southeast corner of Lot 1, Block 1 Texas Children's Hospital North Campus recorded in Instrument No. 2019126886 of said Official Public Records;

THENCE, North 17 degrees, 09 minutes, 23 seconds West, along the southwest line of said remainder of Sonmar of Phoenix, LLC tract and along the northeast line of said Lot 1, a distance of 1178.61 feet to a $1 / 2$-inch iron rod with "PACHECO KOCH" cap set for the northwest corner of said Sonmar of Phoenix, LLC tract; said point being the southwest corner of Lot 1D, Presidio Phase IV according to the plat recorded in Instrument No. 2019126886;

THENCE, North $\mathbf{7 2}$ degrees, $\mathbf{5 0}$ minutes, $\mathbf{0 0}$ seconds East, departing the said northeast line of Lot 1 and along the northwest line of said Sonmar of Phoenix, LLC tract and the southeast line of said Lot 1D, a distance of 391.38 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for the northeast corner of said Sonmar of Phoenix, LLC tract and the southeast corner of said Lot 1D; said point being in the southwest line of Lot 1C, Presidio Phase IV;

THENCE, South 17 degrees, 10 minutes, $\mathbf{0 0}$ seconds East, along the said southwest line of Lot 1 C and along the northwesterly most northeast line of said Sonmar of Phoenix, LLC tract, a distance of 314.26 feet to a $1 / 2$-inch iron rod with "PACHECO KOCH" cap set for corner; said point being the southwest corner of Lot 1C;

THENCE, North 72 degrees, 49 minutes, 55 seconds East, along the northwest line of said Sonmar of Phoenix, LLC tract and the southeast line of said Lot 1 C , a distance of $\mathbf{8 3 0 . 8 4}$ feet to a $1 / 2$-inch iron rod with "PACHECO KOCH" cap set at the beginning of a tangent curve to the right;

THENCE, in a northeasterly direction along the said northwest line of Sonmar of Phoenix, LLC tract and the said southeast line of Lot 1 C , the following five (5) calls:

- Along said curve to the right, having a central angle of $\mathbf{3 0}$ degrees, $\mathbf{5 1}$ minutes, $\mathbf{0 8}$ seconds, a radius of $\mathbf{2 6 . 5 0}$ feet, a chord bearing and distance of North 88 degrees, 15 minutes, 29 seconds East, 14.10 feet, an arc distance of 14.27 feet to a $1 / 2$-inch iron rod with "PACHECO KOCH" cap set at the beginning of a reverse curve to the left;
- Along said curve to the left, having a central angle of $\mathbf{3 0}$ degrees, 51 minutes, 08 seconds, a radius of $\mathbf{2 6 . 5 0}$ feet, a chord bearing and distance of North 88 degrees, 15 minutes, 29 seconds East, 14.10 feet, an arc distance of 14.27 feet to a $1 / 2$-inch iron rod with "PACHECO KOCH" cap set at the end of said curve;


## Westwood

- North $\mathbf{7 2}$ degrees, 49 minutes, 55 seconds East, a distance of 5.00 feet to a $1 / 2$-inch iron rod with "PACHECO $\mathrm{KOCH}^{\prime \prime}$ cap set at the beginning of a tangent curve to the left;
- Along said curve to the left, having a central angle of 22 degrees, 21 minutes, $\mathbf{3 8}$ seconds, a radius of 107.51 feet, a chord bearing and distance of North 61 degrees, 39 minutes, 06 seconds East, 41.69 feet, an arc distance of 41.96 feet to a $1 / 2$-inch iron rod with "PACHECO KOCH" cap set at the end of said curve;
- North $\mathbf{5 0}$ degrees, $\mathbf{2 8}$ minutes, $\mathbf{1 7}$ seconds East, a distance of $\mathbf{2 8 . 3 8}$ feet to a $1 / 2$-inch iron rod with "PACHECO KOCH" cap set for corner in the northeast corner of said Sonmar of Phoenix, LLC tract and the southeast corner of said Lot 1 C ; said point being in the southwest line of Lyndhurst Street (a 90 -foot wide right-of-way);

THENCE, South 39 degrees, 26 minutes, 05 seconds East, along the northeast line of said Sonmar of Phoenix tract and along the said southwest line of Lyndhurst Street, a distance of $\mathbf{1 8 6 . 5 0}$ feet to a 60D nail found at the beginning of a tangent curve to the right;

THENCE along said curve to the right, having a central angle of 19 degrees, 10 minutes, 19 seconds, a radius of 955.58 feet, a chord bearing and distance of South 29 degrees, 55 minutes, 10.38 seconds East, 318.26 feet, an arc distance of 317.75 feet to a $1 / 2$-inch iron rod with "PACHECO KOCH" cap set at the end of said curve;

THENCE, South 20 degrees, 20 minutes, 01 seconds East, along the northeast line of said Sonmar of Phoenix tract and along the said southwest line of Lyndhurst Street, a distance of $\mathbf{3 0 5 . 5 8}$ feet to a $1 / 2$-inch iron rod with "PACHECO KOCH" cap set for the southeast corner of said Sonmar of Phoenix tract and the southwest corner of said Lyndhurst Street; said point being in the said northwest line of State Highway 45;

THENCE, in a southwesterly direction along the southeast line of said Sonmar of Phoenix, LLC tract and the said northwest line of State Highway 45, the following four (4) calls:

- South 68 degrees, 59 minutes, 33 seconds West, a distance of 1217.08 feet to a $1 / 2$-inch iron rod with "PACHECO KOCH" cap set at the beginning of a tangent curve to the right;
- Along said curve to the right, having a central angle of 02 degrees, 59 minutes, 12 seconds, a radius of 921.48 feet, a chord bearing and distance of South 70 degrees, 04 minutes, 40.98 seconds West, 48.03 feet, an arc distance of 48.04 feet to a drilled hole in stone found at the end of said curve;
- South $\mathbf{7 2}$ degrees, $\mathbf{0 3}$ minutes, $\mathbf{0 2}$ seconds West, a distance of $\mathbf{1 7 8 . 0 0}$ feet to a "TXDOT" bronze disk found at the beginning of a tangent curve to the left;
Along said curve to the left, having a central angle of 02 degrees, 05 minutes, $\mathbf{2 0}$ seconds, a radius of 1078.47 feet, a chord bearing and distance of South 70 degrees, 48 minutes, 57.62 seconds West, 39.32 feet), an arc distance of 39.32 feet to the POINT OF BEGINNING; CONTAINING: 1,308,772 square feet or 30.045 acres of land, more or less. , as shown on the accompanying plat. Bearings are relative to State Plane Coordinates, NAD 83(2011), Texas Central Zone. Distances and areas reflect the application of a combined scale factor of 1.00012 and thus represent surface measurements.

I, Michael Jack Needham, Registered Professional Land Surveyor of Texas, do hereby certify that the above describes



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A27 sUBJECT TRACT $\because P E N D I N G$ CASE L- = Z ZONING BOUNDARY

## PLANNED UNIT DEVELOPMENT

## EXHIBIT B

 approximate relative location of property boundaries.



## EXHIBIT F

December 8, 1997

| Development Standards |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | Commercial | Industrial | Office | Multi-Family Residential | All Other Residential | Mixed Use |
| Deasity | N/A | N/A | N/A | 54 du's/ac (4) | 18 du's/ac | 54 du 's/ac |
| Yards |  | , | * | \% |  | $\sqrt{2}$ |
| Front | 0 | $10^{\prime}$ | 0 | $10^{\prime}(1)$ | $10^{\prime}$ | 0 |
| Side | 0 | $10^{\prime}$ | 0 | $10^{\prime}(1)$ | 015' (2) | 0 |
| Street Side | 12 | $25^{\prime}$ | $25^{\prime}$ | $10^{\prime}$ (1) | $10^{\prime}$ | 5 |
| Rear | 0 | $25^{\prime}$ | $20^{\prime}$ | $10^{\prime}$ (1) | $15^{\prime}$ | $10^{\prime}$ |
| Height (3) | 6 stories | 4 stories | $\begin{gathered} 12 \text { stories } \\ \text { or } 180 \\ \text { feet } \end{gathered}$ | 6 stories (4) | 3 stories | -12 stories or 180 feet |
| Max1mum Impervious Cover | $\begin{gathered} 75 \%-1 \text { story } \\ 65 \%-2-6 \\ \text { stories } \end{gathered}$ | 65\% | 65\% | 60\% | 45\% | 65\% |

(1) Between any structure, or group of connected structures containing multi-family residential and the respective lot line.
(2) Zero side setback required for attached single-family units.
(3) In this ordinance the height of a story will vary depending on the use. For purposes of calculating height, roofs, mechanical equipment, cooling towers, omamental cupolas or domes, skylights, visual screens, chimneys and vent stacks, communication towers, parapet walls and other similar structures are not included. Story height will be defined by the national standards for uses $d$ on the following, as amended:

Residential uses: 12 feet - 15 feet or as set forth by National Association of Home Builders
Commercial uses: 20 feet -25 feet or as set forth by Intemational Council of Shopping Centers
Industrial uses: 30 feet - 40 feet or as set forth by National Association of Industrial and Office Property

Mixed uses: $\quad 14$ feet -20 feet or as set forth by Urban Land Institute
Office uses: $\quad 14$ feet -18 feet or as set forth by Building Owners and Managers Association Intemational
(4) Multi-Family Residential uses on Parcels CO-1 and COR-4 are permitted a maximum height of 8 stories and are not subject to the 54 du's/ac density maximum.

