

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0193 – Sonic Drive-In #68

Z.A.P. DATE: November 4, 2007
November 20, 2007

ADDRESS: 129 and 155 West Slaughter Lane

OWNER / AGENT: Sonic Development of Central Texas (John Patton)

ZONING FROM: SF-2

TO: GR

AREA: 0.907 acres
(approximately 39,508 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant community commercial (GR-CO) combining district zoning with conditions. The Conditional Overlay limits development to 2,000 vehicle trips per day.

ZONING & PLATTING COMMISSION RECOMMENDATION:

November 4, 2007: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO NOVEMBER 20, 2007.*

[J. MARTINEZ, T. RABAGO – 2ND] (7-0, S. HALE – ABSENT)

November 20, 2007: *APPROVED STAFF'S RECOMMENDATION FOR GR-CO DISTRICT ZONING; BY CONSENT.*

[J. MARTINEZ, K. JACKSON – 2ND] (7-0) S. HALE – ABSENT

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject platted lot is developed with a restaurant general use of 1,500 square feet, plus 27 stalls and a 30 by 30 foot wide outside patio area, and has been in operation since October 1997. Access is provided by way of two driveways: one to Slaughter Lane and one to Cullen Lane. The lot is zoned single family residence standard lot (SF-2) district since its annexation into the City limits on December 31, 1997, therefore the existing restaurant is considered a legal non-conforming use. The property has access to Slaughter Lane, a major arterial roadway and Cullen Lane, a collector street. The Southpark Meadows shopping center is adjacent to the west and south (GR-CO), to the east there is a pet clinic and a dentist's office (RR; SF-2) as well as a shopping center anchored by a general retail sales use (GR-CO). To the north at the intersection of Slaughter and Cullen Lanes, there is undeveloped property (GR-CO), a carpet sales business and service station with food sales (CS-CO). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes community commercial (GR) district zoning to be consistent with its existing use. GR zoning is compatible and consistent with the zoning and land uses at the intersection of Slaughter and Cullen Lanes.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Restaurant (general)
<i>North</i>	GR-CO	Retail shopping center with liquor sales; Undeveloped
<i>South</i>	GR-CO	South Park Meadows shopping center
<i>East</i>	SF-2; RR; GR-CO	Dentist's office and Pet services; General retail sales (general); Financial services
<i>West</i>	GR-CO	South Park Meadows shopping center; Cocktail lounge

AREA STUDY: N / A

TIA: Is not required

WATERSHED: Slaughter Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes, Slaughter Lane

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association
 242 – Slaughter Lane Neighborhood Association
 262 – Beaconridge Neighborhood Association
 300 – Terrell Lane Interceptor Association
 428 – Barton Springs / Edwards Aquifer Conservation District
 499 – Park Ridge Owners Association 511 – Austin Neighborhoods Council
 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District
 786 – Home Builders Association of Greater Austin
 948 – South by Southeast Neighborhood Organization
 1037 – Homeless Neighborhood Organization

SCHOOLS:

Williams Elementary School

Bedichek Middle School

Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-06-0204 – Slaughter Zoning	I-RR to GR	To Grant GR-CO with the CO for vegetative buffer, signage, building size & height, 3,000 trips with	Approved GR-CO with CO and Restrictive Covenant as ZAP recommended (5-3-07).

		conditions, and list of prohibited uses. RC for hours of operation & construction, dumpster location, location of loading dock, delivery hours, outdoor sound, native plants and IPM, temporary storage containers, outdoor lighting. Posting of fiscal surety for intersection improvements at Cullen and Slaughter.	
C14-06-0203 – Cullen Zoning	I-RR to GR	To Grant GR-CO with the CO and Restrictive Covenant incorporating that described in C14-06-0204. Street Deed for Cullen Lane.	Approved GR-CO with CO, Restrictive Covenant and Street Deed as ZAP recommended (5-3-07).
C14-06-0161 – Southpark Meadows Building 19	GR-CO to CS-1	To Grant CS-1 for 15, 534 square feet.	Approved CS-1-CO with the CO to prohibit adult-oriented uses (11-2-06).
C14-05-0171 (The Grove at Southpark Meadows)	I-RR; LO-CO; CS-CO to GR-MU-CO for Tracts 1 and 2; SF-6 for Tract 3; SF-6-CO for Tract 4; GR-CO for Tract 5	To Grant GR-MU-CO for Tracts 1 and 2; SF-6 for Tract 3; SF-6-CO for Tract 4 and GR-CO for Tract 5, with additional prohibited uses and LR development standards, and the conditions of the Traffic Analysis with additional turning movements allowed	Approved GR-MU-CO for Tracts 1 and 2, SF-6 for Tract 3 and GR-CO for Tract 5 as ZAP recommended; SF-4A for Tract 4. A Restrictive Covenant for the Traffic Impact Analysis (5-18-06).
C14-05-0002 (Quick Tract)	RR to CS	Approved GR-CO with CO for list of prohibited and conditional uses. Restrictive Covenant for the Traffic Impact Analysis.	Approved GR-CO as recommended by ZAP. Restrictive Covenant is for the TIA (3-10-05).
C14-04-0075	LO-CO; CS-1-	To Grant GR-CO with	Approved GR-CO

(Southpark Meadows)	CO to GR-CO	conditions of the TIA	with a Restrictive Covenant for the TIA, as recommended by ZAP (10-21-04).
C14-99-0129 (RCT)	To Terminate the Restrictive Covenant which addresses the discontinuance of a cocktail lounge use.	To Grant a Termination of the Restrictive Covenant	Approved a Termination of the Restrictive Covenant (10-21-04).
C14-04-0037 (Slaughter @ Cullen Commercial)	RR to GR	To Grant GR-CO with a list of prohibited uses and conditions of the TIA (7-20-04)	Approved GR-CO with CO for a list of prohibited and conditional uses; the Restrictive Covenant is for the TIA (8-26-04).
C14-03-0066 (Wal-mart: IH-35 and Slaughter Lane)	RR; SF-2; LI-CO; CS-CO and CS to GR	To Grant GR-CO with conditions of the TIA	Approved GR-CO with CO provide a 6' fence and landscaping along Cullen Lane; 2) direct all traffic south on Cullen Lane by way of limited function driveways onto Cullen Lane that allow right-in and left-out movements only; 3) the use of shielded / hooded lights throughout the site; and, 4) a list of prohibited uses and one accessory use. The Restrictive Covenant is for the TIA memorandum and an Integrated Pest Management (IPM) Plan and a landscape plan for the use of native and adapted plant materials (10-30-03).
C14-99-2063 – 8900 Block of	I-RR to CS for Tract 1; LO for	To Grant CS-CO for Tract 1; LO-CO for	Approved CS-CO for Tract 1; LO-CO for

Cullen Lane	Tract 2	Tract 2. (The CO is described below in C14-98-0226)	Tract 2 as Commission recommended (6-22-00).
C14-99-2007 – 8916 Cullen Lane	I-RR to CS for Tract 1; LO for Tract 2	To Grant CS-CO for Tract 1; LO-CO for Tract 2. (The CO is described below in C14-98-0226)	Approved CS-CO for Tract 1; LO-CO for Tract 2 as Commission recommended (1-27-00).
C14-99-0112 – 8816 Cullen Lane	DR to CS for Tract 1; LO for Tract 2	To Grant CS-CO for Tract 1; LO-CO for Tract 2. (The CO is described below in C14-98-0226)	Approved CS-CO for Tract 1; LO-CO for Tract 2 as Commission recommended (1-27-00).
C14-99-0075 – 8810 Cullen Lane	DR to CS for Tract 1; LO for Tract 2	To Grant CS-CO for Tract 1; LO-CO for Tract 2, with LO-CO being a 40' wide landscaped buffer and a 6' solid fence along the west property line; CS-CO for list of prohibited uses; 30' height limit; 2,000 trips; rollback to W/LO if construction sales & service use is a permitted use in that district; r-o-w dedication on Cullen Lane (approximately 5').	Approved CS-CO for Tract 1; LO-CO for Tract 2 as Commission recommended (9-30-99).
C14-98-0226 – 8908 Cullen Lane	I-RR to CS-CO	To Grant LO-CO	Approved CS-CO for Tract 1 and LO-CO for Tract 2 with LO-CO being a 40' wide landscaped buffer and a 6' solid fence along the west property line; CS-CO for list of prohibited uses; 30' height limit; 2,000 trips; rollback to W/LO if construction sales & service use is a permitted use in that district; r-o-w

			dedication on Cullen Lane (approximately 5') (10-7-99).
C14-96-0015 – 9100 Cullen Lane	I-RR to GR; CS-1	To Grant CS-1-CO for Tract 1; GR-CO for Tract 2, with CO for 2,000 trips	Approved CS-1-CO for Tract 1; GR-CO for Tract 2 as recommended by Commission (4-25-96).

RELATED CASES:

The property was annexed into the City limits on December 31, 1997.

The rezoning area is platted as Lot 1, Slaughter at Cullen Commercial, recorded in June 1997 (C8-96-0155.0A). Right-of-way on Cullen Lane was dedicated with the final plat. Please refer to Exhibit B. The approved site plan is provided as Exhibit C (SP-97-0239D).

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Bicycle Plan	Sidewalks	Capital Metro
Slaughter Lane	120 feet	2@30 feet	Arterial	Yes	No	Yes
Cullen Lane	50 – 60 feet	24 feet	Collector	Yes	No	No

CITY COUNCIL DATE: January 10, 2008

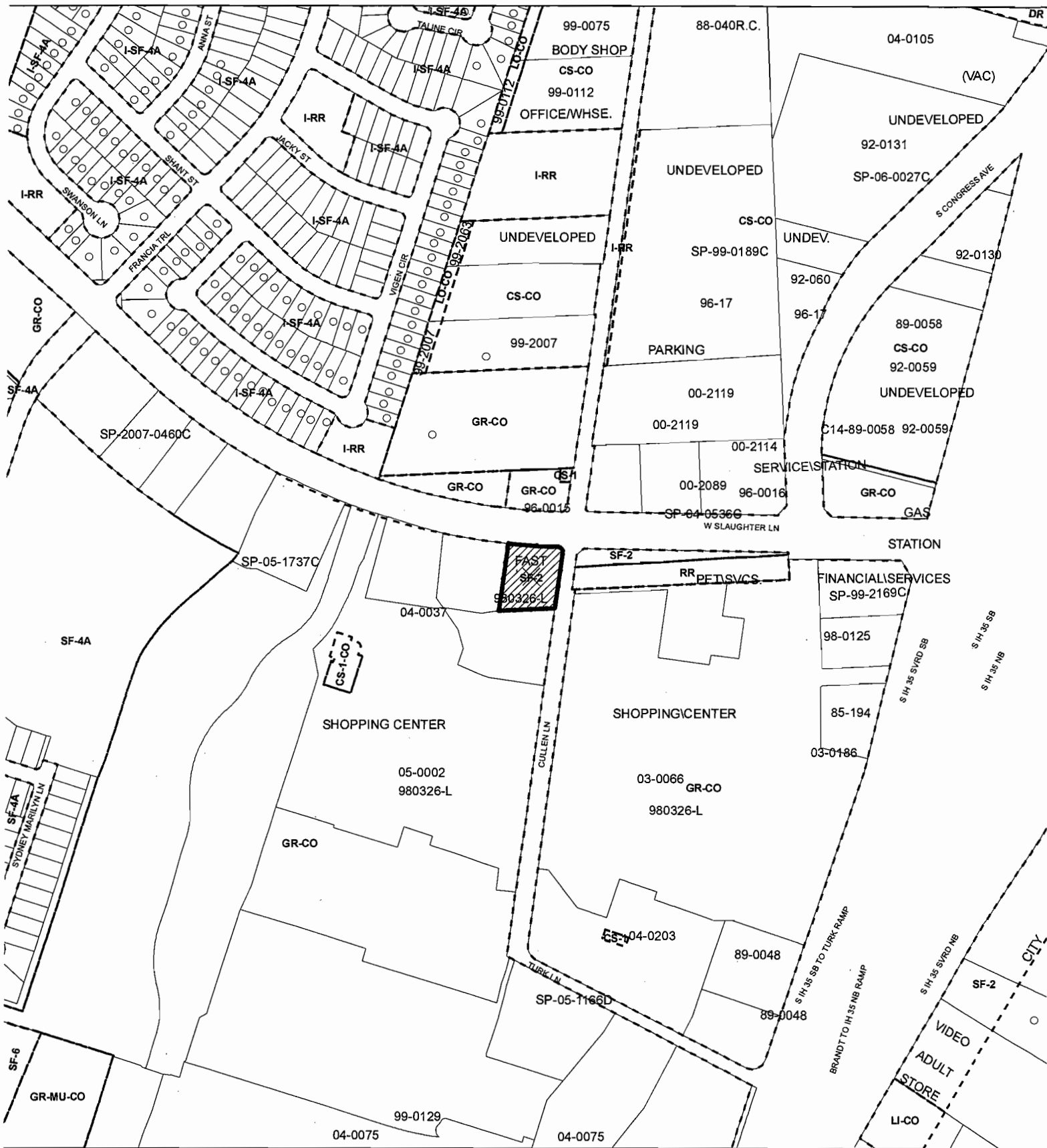
ACTION:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us

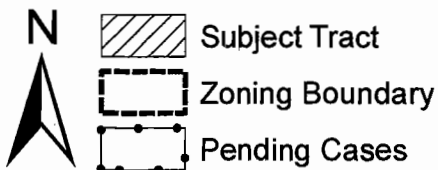
PHONE: 974-7719



ZONING

EXHIBIT A

ZONING CASE#: C14-2007-0193
 ADDRESS: 129 & 155 SLAUGHTER LANE
 SUBJECT AREA: 0.907 ACRES
 GRID: G13
 MANAGER: W. RHOADES



1" = 400' OPERATOR: S MEEKS

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



SLAUGHTER @ CULLEN COMMERCIAL

SCALE: 1" = 100'

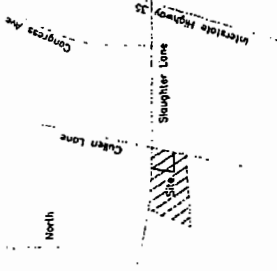


LEGEND

- 1/2-INCH IRON ROD FOUND
- 1/2-INCH IRON ROD SET
- EXIST. SIDEWALK
- BUILDING LINE

56081760000
2007 11 17 10:00 AM

VICINITY MAP (NOT TO SCALE)



CURVE	DELTA	CHD BEARING	RADIUS	ARC	TANG	CHORD
C1	172°32'	S 79°59'18" E	2050.00	626.87	316.95	626.33
C2	04°43'35"	S 89°22'07" E	2050.00	170.13	85.11	170.08
C3	12°45'43"	S 77°37'18" E	2050.00	486.84	230.31	497.89

LINE DIST BEARING
T1 28.34 S 40°13'36" E

LOT 8
TOM F. DUNAHOO
SUBDIVISION
683/1

R.L. PLUNKLY
SUBDIVISION
52/71

SLAUGHTER LANE
(120' ROW)

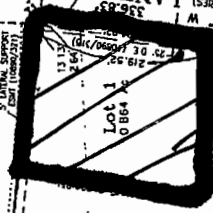
CULLEN LANE
N 0°15'55" E 120.15'

CITY OF AUSTIN
TRAVIS COUNTY

LOT 7
N 88°10'0" W 60.00'

0.079 AC dedicated herein
for right-of-way purposes

LOT 9
TOM F. DUNAHOO
SUBDIVISION
683/1



Lot 2
5.614 AC

61.361 ACRES
ABEL AND MAY ANN THERIOT
FAMILY TRUST
12-5853/1445

Centrifuge gas pipeline
Trans Pipeline Company
(Blowout Event- 86/7/35)

LOT 12
TOM F. DUNAHOO
SUBDIVISION
683/1

BENCHMARK
Top of 1-inch iron pipe at southwest intersection
of Cullen Ln and Turk Ln. (COA Datum)
Elev. - 639.31'

REZONING
AREA

McANGUS SURVEYING CO., INC.
1101 HIGHWAY 380 SOUTH
BUILDING E, SUITE 230
AUSTIN, TEXAS 78746
(512)328-9302

JOB No. 98-158 SHEET 1 of 2
CS-96-0155 OA

EXHIBIT B
RECORDED PLAT

26/11/9 2900H 0258
PHOTOGRAPHIC MYLAR

125 West Slaughter Lane
Austin, Texas

Lot 1
Slaughter & Cullen Commercial
Volume 99, Page 144
Travis County, Texas

ENGINEER:

OWNER:

ALEXANDER CIVIL ENGINEERING

ALMA KING

311 BARTON SPRINGS ROAD, SUITE 200
AUSTIN, TEXAS 78704
(512) 472-2120

2822 MILLWOOD DRIVE
DALLAS, TEXAS 75234

PLANNER:

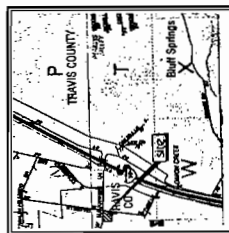
SITE SPECIFICS

811 EARTON SPRINGS ROAD, SUITE 200
AUSTIN, TEXAS 78704
(512) 472-5252

DRAWING INDEX

[illegible]

LOCATION MAP



NOTE: THERE IS NO FLOOD PLAIN ON SITE
FEMA MAP PANEL # 68453C0214C

GENERAL CONSTRUCTION SEQUENCING

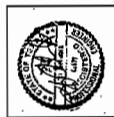
1. Installation of temporary emission controls as shown on the Emission & Sedimentation Control Plan.
2. Precipitation runoff meeting with environmental inspector.
3. Cleaning and grading for foundations, parking lots and driveways.
4. Site grading and the construction of parking lots.
5. Construction of buildings and pavement.
6. Installation of permanent erosion and sedimentation controls.
7. Removal of temporary emission controls.
8. Final inspection and release of construction site.
9. Final cleanup and release of construction site.

WATERSHED STATUS

THIS PROJECT IS LOCATED IN THE DRYER CREEK WATERSHED, IS CLASSIFIED AS SUBURBAN AND SHALL BE DEVELOPED, CONSTRUCTED AND MAINTAINED IN CONFORMANCE WITH THE TERMS AND CONDITIONS OF CHAPTER 13-2, ARTICLE I AND CHAPTER 13-7, ARTICLE I OF THE CITY LAND DEVELOPMENT CODE. THE QUALITY OF THE WATER QUALITY CONTROL REQUIRED ABOVE SHALL BE TO THE STANDARDS SPECIFIED IN THE CITY OF CHICAGO'S STANDARD SPECIFICATIONS FOR SEWERAGE AND SANITATION, EDITION 1995, CHAPTER 13-7, ARTICLE I, SECTION 13-7-01, AND THE CHICAGO METROPOLITAN OFFICIAL MAP AND

NOTES

All detention basins, water quality ponds and openwater areas which receive stormwater runoff from commercial or multi-family developments shall be redesigned by the record owner in accordance with the maintenance standards in the Continuous and Environmental Quality Manual.



SUBMITTAL DATE FEBRUARY 13, 1997

WATERLIZED: ONION CREEK SUBURBAN WATERLOO

DEVELOPMENT PERMIT NO.: [REDACTED] SP-97-02390

CONFIDENTIAL CASE NO.: C4-DE-C188.0A

EXAMINING CASE NO.: N/A

SUBMITTED BY: SCOT ALEXANDER P.E.

THOMAS COUNTY PERMIT NUMBER : 97-0067

ALL RESPONSIBILITY FOR THE AGENCY OF THESE PLANS REMAINS WITH THE ENGINEER WHO PREPARED THEM. IN RETURNING THESE PLANS, THE CITY OF AUSTIN MUST REPLY TO THE AGENCY OF THE WORK OF THE DESIGN ENGINEER.

APPROVED BY: [Signature] DATE 6/9/97

ALL RESPONSIBILITY FOR THE AGENCY OF THESE PLANS REMAINS WITH THE ENGINEER WHO PREPARED THEM. IN RETURNING THESE PLANS, THE CITY OF AUSTIN MUST REPLY TO THE AGENCY OF THE WORK OF THE DESIGN ENGINEER.

APPROVED BY: [Signature] DATE 6/9/97

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FOR TRANS COUNTY ENGINEERING

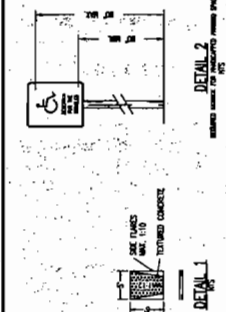
APPROVED BY: Don Salinas FOLLOW 05-22-97

Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains. The concentration of the *Agrobacterium* suspension was 10⁶ cells/ml (○), 10⁷ cells/ml (□), 10⁸ cells/ml (△), and 10⁹ cells/ml (◇). The data represent the mean ± SD of three independent experiments.

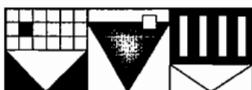
6/30/07

1 of 7

EXHIBIT C
APPROVED
"D" SITE PLAN



SITE SPECIFICS



Sonic Drive-In
125 WEST SLAUGHTER LANE
SITE PLAN

Notes

01/07/2017

1000

— **James G. Thompson**

DATE _____

100

10

1995

177

2

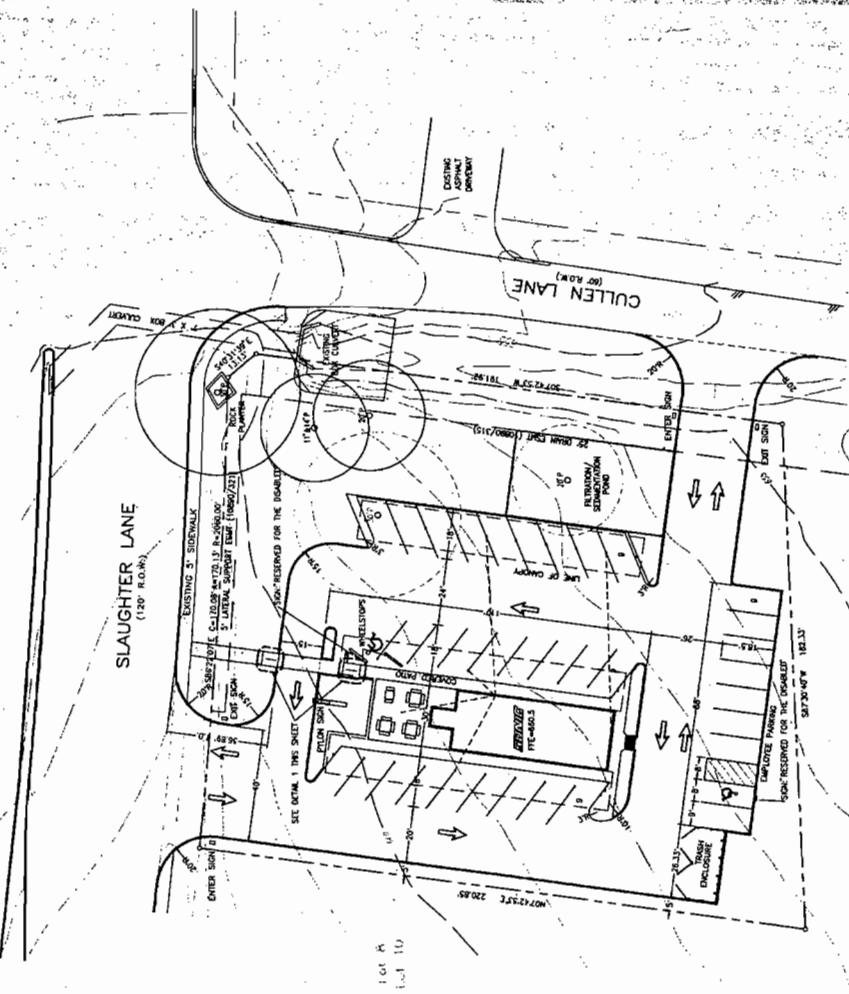
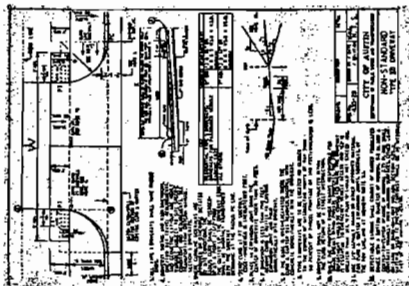
21

—

1

100

NAME: SONG, DENG-RI
 ADDRESS: 125 WEST SLAUGHTER LANE
 ELIZ. DISCOVERY Slaughter & Cuts Commercial
 Dress Clothing, Texas
 Volume Page
 75254
 75254
 Dallas, Texas 75254



GENERAL NOTES

1. Approval of the state does not include building and fire code approval (building permits).
2. All other codes are subject to change without notice.
3. All other codes are subject to change without notice.
4. All other codes are subject to change without notice.
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10. All other codes are subject to change without notice.

BUILDING AND PARKING TABULATIONS

- [illegible]

STATE OF TEXAS **COUNTY OF DALLAS** **SS: I, _____, Clerk of the County of Dallas, State of Texas, do hereby certify that the foregoing is a true and correct copy of the _____ as the same appears from the records of said County.**

- [illegible]

[Faint, illegible handwritten text]

-
- Technical drawing of a ship's hull section, showing internal structure, including the hull, deck, and various compartments. The drawing is labeled with dimensions and structural details.

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant community commercial (GR-CO) combining district zoning with conditions. The Conditional Overlay limits development to 2,000 vehicle trips per day.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The proposed GR, Community Commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways. The property has access to West Slaughter Lane, an improved, 6-lane major arterial roadway.

2. Zoning changes should promote an orderly and compatible relationship among land uses.

GR zoning is compatible and consistent with the zoning and land uses at the intersection of Slaughter and Cullen Lanes.

EXISTING CONDITIONS

Site Characteristics

The subject property contains a restaurant general use. There appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the GR zoning district is 80%, based on the more restrictive watershed regulations.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Slaughter Creek and Onion Creek Watersheds of the Colorado River Basin, which are classified as Suburban Watersheds by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%

Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

Transportation

No additional right-of-way is needed at this time.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

The total restaurant area of 2,400 square feet would generate 1,718 trips.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at his own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan and Compatibility Standards

There is an existing site plan for this property (SP-97-0239D) which provides for 1,921 square feet of restaurant limited uses, along with associated parking and drainage facilities.