

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0149 – Sitric House and Home, **Z.P.C. DATE:** October 2, 2007
L.L.C. October 16, 2007
December 18, 2007
February 5, 2008

ADDRESS: 3401 West Slaughter Lane

OWNER / AGENT: MacJ, Ltd. (Malachy and Margaret McGettrick)

ZONING FROM: LO-CO **TO:** GR, **AREA:** 0.637 acres (27,747 square feet)
AMENDED TO: LR

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood commercial – conditional overlay (LR-CO) combining district zoning. The Conditional Overlay:1) limits development to 300 trips per day and 2) prohibits the following uses: food sales; general retail sales (convenience); guidance services; medical offices; off-site accessory parking; private primary educational facilities; private secondary educational facilities; public primary educational facilities; public secondary educational facilities; restaurant (limited); restaurant (general); and service station.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

October 2, 2007: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO 10/16/07.*

[T. RABAGO, K. JACKSON – 2ND] (6-0) B. BAKER, C. HAMMOND – ABSENT

October 16, 2007: *APPROVED A POSTPONEMENT REQUEST BY THE APPLICANT AND NEIGHBORHOOD TO 12/18/07.*

[J. MARTINEZ, S. HALE – 2ND] (6-0) C. HAMMOND, J. GOHIL – ABSENT

December 18, 2007: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO 2/5/08.*

[K. JACKSON, J. GOHIL 2ND] (8-0)

February 5, 2008: *APPROVED LR-CO DISTRICT ZONING AS STAFF RECOMMENDED, WITH AN ADDITIONAL CONDITIONAL OVERLAY OF 300 TRIPS; BY CONSENT.*

[J. MARTINEZ, J. GOHIL 2ND] (8-0)

ISSUES:

The Applicant, representatives from Palomino Park and Staff met to further discuss this case during the week of October 1st, 2007.

In order to differentiate between intensive and neighborhood-friendly commercial development first allowed in the GR district, the Staff initiated a Code Amendment to add three uses to the LR district, with size and other restrictions. The three uses are: general retail sales – general (less than 5,000 square feet, and local street access is prohibited); personal improvement services (less than 5,000 square feet) and restaurant general (less than 4,000 square feet) (C20-07-015). On December 11, 2007, Planning Commission recommended a Code Amendment to permit the retail sales – general and personal improvement services uses as described above in the LR district. The restaurant general use is being forwarded to the Council without a recommendation from the Planning Commission. City Council approved on the Code Amendment as generally described above on January 31, 2008. Please refer to Exhibit D.

DEPARTMENT COMMENTS:

The subject rezoning area is developed with an unoccupied 2,500 square foot office building and represents a portion of a platted lot, which is located mid-block on West Slaughter Lane between Brodie Lane and Rocking Horse Road. The rezoning area was one of eight consecutive lots on Slaughter Lane that were initially proposed for community commercial (GR) zoning in 2002 – 2003, and is outlined in the Related Cases section on Page 5. The rezoning area is designated as limited office – conditional overlay (LO-CO) district along with the majority of the rezoning area, while portions of two lots to the west were approved for LR-CO zoning. The Conditional Overlay for the 2003 case prohibited several uses and established a 2,000 trip limit across all of the rezoned lots.

The property is situated between an office and lot containing a large shed (LO-CO). Other uses on the south side of Slaughter Lane include a gas station with convenience store, an orthodontist's office, a beauty salon, a single family residence and a financial services use. There is a retail shopping center to the north and single family residences on large lots to the south (SF-2; DR). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to rezone the lot to the community commercial (LR) district and renovate the existing structure into a business that includes architect and interior design offices, and furniture sales (a general retail sales – general use, which through a Code Amendment recommended by the Planning Commission would be first allowed in the LR district). As furnishings and flooring samples available for sale are proposed to occupy more than ten percent of the floor area, it would not qualify as accessory to the office use. Photographs of the Applicant's work are provided as Attachment A.

Staff supports LR-CO zoning as the proposed re-use of the property incorporates both office and retail components, carries over the Conditional Overlay attached to the existing LR zoning on this section of West Slaughter Lane and prohibits the more intensive, traffic generating uses.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO-CO	Former office building with front and rear parking areas and three storage buildings
<i>North</i>	GR-CO	Shopping center with Grocery store, financial services and restaurants
<i>South</i>	SF-2	Single family residences within the Palomino Park subdivision
<i>East</i>	LO-CO; LR-CO	Shed; Beauty salon; Offices
<i>West</i>	LO-CO	Office; Orthodontist's office; Service station with food sales

AREA STUDY: N/A**TIA:** Is not required**WATERSHED:** Slaughter Creek – Barton Springs Zone – Recharge Zone **DESIRED DEVELOPMENT ZONE:** No**CAPITOL VIEW CORRIDOR:** No**SCENIC ROADWAY:** Yes**NEIGHBORHOOD ORGANIZATIONS:**

217 – Tanglewood Forest Neighborhood Association
 219 – Palomino Park Homeowners Association 384 – Save Barton Creek Association
 385 – Barton Springs Coalition
 428 – Barton Springs/Edwards Aquifer Conservation District
 465 – Cherry Creek on Brodie Neighborhood Association
 511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District
 786 – Home Builders Association of Greater Austin
 918 – Davis Hills Estate HOA 943 – Save Our Springs Alliance
 959 – Villages Neighborhood Association 997 – Tanglewood Oaks Owners Association

SCHOOLS:

Baranoff Elementary School

Bailey Middle School

Bowie High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0150 – Fairfield at Woodland Park	MF-4-CO to MF-4-CO, to change conditions of zoning for 7.25	To Grant MF-4-CO	Approved MF-4-CO with the CO for buildings over 45 in height: a two-star Green Building

	acres, as amended		requirement and a 646 foot setback from the north property line (8-9-06).
C14-05-0074 – H20 Car Wash	LO-CO to GR-CO	Recommended GR-CO with the CO for height limits, hooded lighting, trip limit, vegetative buffer, signage limits, prohibit drive-thru services. RC for rollback to LO-CO and hours of operation.	Denied GR-CO (10-27-05).
C14-02-0173 – Tristan	DR to GR	To Grant NO-CO with conditions of no additional impervious cover; prohibit access to Rocking Horse Road.	Approved NO-CO with the CO establishing the maximum impervious cover at 21.9 percent and prohibiting access to Rocking Horse Road (7-17-03).
C14-02-0119 – Hollow Retail Partners, Ltd. – Twin Liquors	GR-CO to CS-1	To Grant CS-1-CO w/CO to permit Liquor Sales and all other GR uses with the exception of auto washing and repair, commercial off-street parking, extermination services, funeral services, pawn shops, and service stations; limit of 40' height.	Approved CS-1-CO, with a Restrictive Covenant for an IPM plan and to use native plants (11-7-02).
C14-02-0118 – Shady Hollow Retail Center	LO-CO to GR	To Grant GR-CO w/CO for list of prohibited uses, 40' height and 2,000 trips.	Approved GR-CO as recommended by ZAP (12-5-02).
C14-02-0035 – Slaughter Lane Multifamily	I-RR to MF-4	To Grant MF-4-CO with conditions; Restrict development to MF-3 development standards, except height – limit of 45 feet; SF-6 density; 2,000 vehicle trips per day; 300 foot wide	Approved MF-4-CO with CO restricting development to MF-3 standards with exception of a 45' height limit; SF-6 density; 2,000 trips; 300' wide vegetative buffer along north

		buffer along the north property line.	property line, adjacent to adjoining residential district, with limited improvements allowed. A Restrictive Covenant requires the use of native plants and an IPM Plan (11-21-02).
C14-96-0080 – National Convenience Store	SF-2 to GR-CO	Approved GR-CO with the CO for 2,000 trips and limit impervious cover to 15%.	Approved GR-CO as Commission recommended (12-12-96).
C14-92-0017 – Slaughter Lane Zoning Change	SF-2 to GR		Approved LO zoning (6-25-92).

RELATED CASES:

The subject property is a portion of Lot 2 of Palomino Park Section One, recorded in June 1965 (C8-65-008). Please refer to Exhibit B.

The subject rezoning area was part of a 2002-03 rezoning case that involved eight lots fronting West Slaughter Lane (C14-02-0102). The property owners, including the Applicant on the subject rezoning case, applied for GR zoning. The case was forwarded to the Dispute Resolution Officer and the Zoning and Platting Commission approved LR-MU-CO district zoning for all eight lots. The Conditional Overlay prohibited several uses and limiting trips to 2,000 per day and the number of driveway cuts to eight. Prior to City Council consideration, one of the eight applicants withdrew from the zoning case, and the remaining applicants amended the application and reduced the amount of commercial zoning requested. The Applicants requested LR-CO for portions of two lots, both adjacent to the Slaughter Lane right-of-way. For the remaining lots and portions thereof, the Applicants requested LR-CO. On March 27, 2003, the City Council approved LR-CO for Tracts One and Two, and LO-CO for Tract Three. The Conditional Overlay limits the number of daily trips to 2,000, and prohibits the following uses: food sales, off-site accessory parking, service station, medical offices; guidance services; local utility services, restaurant limited; general retail sales (convenience), and all educational facilities. Please refer to Exhibit C.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
West Slaughter Lane	114 feet	88 feet	Arterial	Yes	86, 17	No

CITY COUNCIL DATE: March 6, 2008

ACTION:

ORDINANCE READINGS: 1st

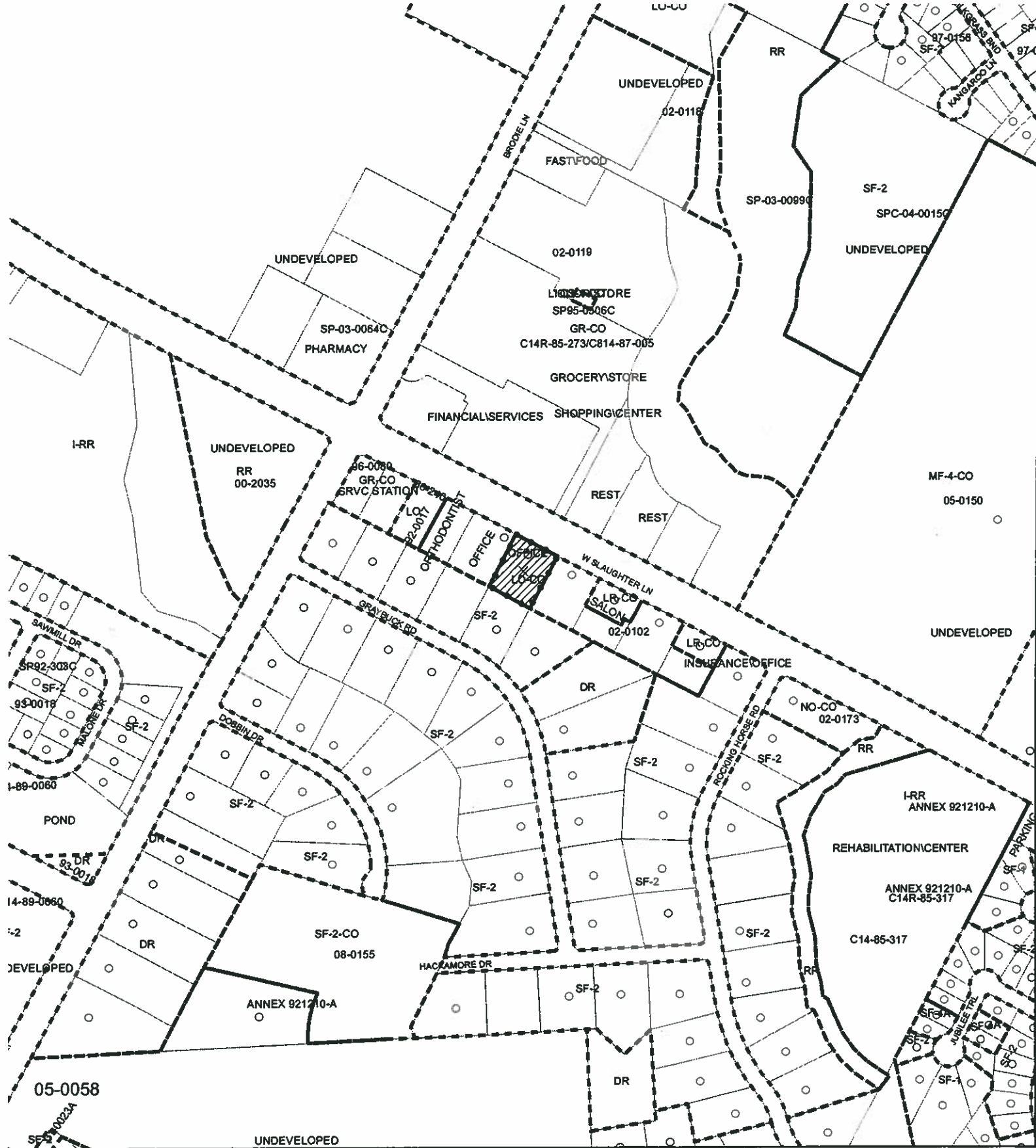
2nd

3rd

ORDINANCE NUMBER:

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

PHONE: 974-7719



Subject Tract



Zoning Boundary



Pending Cases

ZONING

Exhibit A

CASE#: C14-2007-0149

ADDRESS: 3401 W SLAUGHTER LANE

SUBJECT AREA: 0.637 ACRES

GRID: D15

OPERATOR: W. RHOADES

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.

1" = 400'



WEST SLAUGHTER LANE

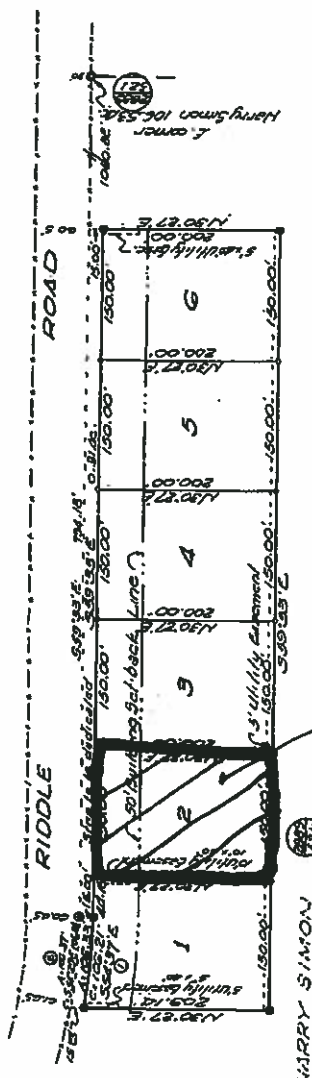
ROCKING HORSE

GRAYBUCK ROAD

BROOK LANE

N
ENUBTAI

PALOMINO PARK
SECTION ONE



APPROVED FOR ACCEPTANCE
Date: June 1, 1965

ACCEPTED AND AUTHORIZED FOR RECORD BY THE
CITY PLANNING COMMISSION, CITY OF AUSTIN, TEXAS
Date: June 1, 1965
Date: June 1, 1965

"In approving this plat by the Commissioners Court of Travis County, it is understood that the building of all streets, roads and other public thoroughfares delineated and shown on this plat, and all bridges and culverts necessary to be constructed or placed in such streets, roads or other public thoroughfares or in connection therewith shall be the responsibility of the owner and/or the developer of the tract of land covered by this plat, in accordance with plans and specifications prescribed by the Commissioners Court of Travis County, Texas, and the Commissioners Court of Travis County, Texas, assumes no obligation to build streets, roads and other public thoroughfares shown on this plat or of constructing any bridges or culverts in connection therewith."

WITNESS MY HAND AND SEAL OF OFFICE this 7th day of June, A.D. 1965.
Miss Emily Limberg, County Clerk of Travis County, Texas
Miss Emily Limberg, County Clerk of Travis County, Texas

FILED FOR RECORD
at 10 o'clock a.m. on the 8 day of June, A.D. 1965
Miss Emily Limberg, County Clerk of Travis County, Texas

EXHIBIT B
RECORDED PLAT

PLAN 7915
Miss Emily Limberg, County Clerk of Travis County, Texas
Miss Emily Limberg, County Clerk of Travis County, Texas

THE STATE OF TEXAS
COUNTY OF TRAVIS

That I, Harry Simon, being the owner of a portion of land as shown hereon, being a portion of a 106.53-acre tract, a portion of the Theodore Bissel League Survey #19 in Travis County, Texas, as conveyed, same by deed of record in Volume 2889, Page 521, Travis County Deed Records, do hereby assign this map and plat as my subdivision of same, to be known and designated as PALOMINO PARK - SECTION ONE and I do hereby dedicate to the public all of the streets and easements as shown hereon.

WITNESS MY HAND this 3rd day of May, A.D. 1965.

Harry Simon
Harry Simon

THE STATE OF TEXAS
COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, on this day personally appeared Harry Simon, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he had executed the same for the purposes and consideration therein expressed.

NOTARY PUBLIC in and for Travis County, Texas
Volney Dobbins, Notary

NOTE:
All lots in this Section shall be set back 50 feet from the front property line and shall have a turn-around driveway within the boundaries of said lot.

SEPTIC TANK NOTE
Each house constructed in this subdivision shall be connected to a septic tank with a capacity of not less than 500 gallons and with the drain field of not less than 150 feet, and shall be installed in accordance with the regulations of the City-County Health Officer and shall be inspected and approved by such officer. This restriction is enforceable by the City of Austin-Travis County Health Unit.

- Iron Slates Set
- Concrete Manhole Set
- Travis County Deed Records
- 929/6 1" = 100 Feet



I hereby certify that Austin City Code Chapter 23.27 of 1954 has been complied with.
Subscribed April 7, 1965
Merrill O. McKeefe
Merrill O. McKeefe
Reg. Public Surveyor

98-65-8

ORDINANCE NO. 030327-9

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING, REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3305-3413 WEST SLAUGHTER LANE FROM SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT TO NEIGHBORHOOD COMMERCIAL-CONDITIONAL OVERLAY (LR-CO) COMBINING DISTRICT FOR TRACT ONE AND TRACT TWO AND FROM INTERIM SINGLE FAMILY RESIDENCE STANDARD LOT (I-SF-2) DISTRICT AND SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT TO LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT FOR TRACT THREE.

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 districts on the property described in Zoning Case No.C14-02-0102, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From single family residence standard lot (SF-2) district to neighborhood commercial-conditional overlay (LR-CO) combining district.

The north 83 feet of Lot 6, Palomino Park Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 24, Page 28, of the Plat Records of Travis County, Texas, and

Tract Two: From single family residence standard lot (SF-2) district to neighborhood commercial-conditional overlay (LR-CO) combining district.

The north 96 feet of Lot 4 less a 20 by 20 foot area at the southeast corner of said north 96 feet, Lane at Riddle Road Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 79, Pages 61 and 62, of the Plat Records of Travis County, Texas, and

Tract Three: From interim single family residence standard lot (I-SF-2) district and single family residence standard lot (SF-2) district to limited office-conditional overlay (LO-CO) combining district.

Lots 1-3, 5, and the remaining portion of Lot 6, Palomino Park Subdivision, and the remaining portion of Lot 4, Lane at Riddle Road Subdivision, subdivisions in the City of Austin, Travis County, Texas, according to the maps or plats of record in Plat Book 24, Page 28, and Plat Book 79, Pages 61 and 62, respectively, of the Plat Records of Travis County, Texas, (the "Property")

locally known as 3305-3413 West Slaughter Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

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

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
2. The following uses are prohibited uses of the Property:

Food sales	Off-site accessory parking
Service station	Medical offices
Guidance services	Local utility services
Restaurant (limited)	General retail sales (convenience)
Private primary educational facilities	Private secondary educational facilities
Public primary educational facilities	Public secondary educational facilities

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

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

PART 4. This ordinance takes effect on April 7, 2003.

PASSED AND APPROVED

March 27, 2003

§
§
§

Gustavo L. Garcia

Gustavo L. Garcia
Mayor

APPROVED:

Sedora Jefferson
Sedora Jefferson
City Attorney

ATTEST:

Shirley A. Brown
Shirley A. Brown
City Clerk

ORDINANCE NO.

1 AN ORDINANCE AMENDING CHAPTER 25-2 OF THE CITY CODE TO
2 AMEND SECTION 25-2-491 AND TO ADD SECTION 25-2-586 RELATING TO
3 CERTAIN USES IN NEIGHBORHOOD COMMERCIAL (LR) DISTRICTS.
4

5 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:
6

7 **PART 1.** The table in Section 25-2-491(C) (*Permitted, Conditional, And Prohibited*
8 *Uses*) of the City Code is amended to indicate that the following uses are permitted in a
9 neighborhood commercial (LR) district:

- 10 (A) general retail sales (general);
11 (B) personal improvement services; and
12 (C) restaurant (general).

13 **PART 2.** Chapter 25-2 (*Zoning*) of the City Code is amended to add Section 25-2-586 to
14 read:

15 **§ 25-2-586 REQUIREMENTS FOR CERTAIN USES IN A NEIGHBORHOOD**
16 **COMMERCIAL (LR) DISTRICT.**

- 17 (A) This section applies in a neighborhood commercial (LR) district.
18 (B) A personal improvement services use may not exceed 5,000 square feet of
19 gross floor area.
20 (C) This subsection applies to a general retail sales (general) use.
21 (1) The gross floor area may not exceed 5,000 square feet.
22 (2) Access to the site from a local street is prohibited.
23 (D) This subsection applies to a restaurant (general) use.
24 (1) A restaurant (general) use may operate only after 7:00 a.m. and before
25 11:00 p.m.
26 (2) An outdoor seating area may not:
27 (a) exceed 500 square feet of area; or

EXHIBIT D

(b) be located within 50 feet of property with a single-family use or property zoned as a townhouse and condominium residence (SF-6) or more restrictive district.

(3) Outdoor entertainment as an accessory use is prohibited.

(4) Outdoor amplified sound is prohibited.

(5) A drive-through facility is prohibited.

PART 3. This ordinance takes effect on _____, 2008.

PASSED AND APPROVED

_____, 2008 §
 §
 §
_____, 2008 §

Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk



September 21, 2007

To Whom It May Concern:

Sitric House and Home is a business that primarily concentrates on building and remodeling. The office, located at 3401 W. Slaughter Lane, will also complement a shoppe or showroom highlighting various wall finishes and floor configurations that are offered.

It is our wish and hope that we will be able to sell pieces of furniture, such as antiques, which would blend with and accentuate the existing settings. These furnishings would be accessories to the business.

Respectfully,

Malachy + Margaret M. Gettrick

Malachy and Margaret McGettrick



3401 w. slaughter lane
austin, tx 78748

shoppe: 512.291.0804
fax: 512.291.0814

sitrichouseandhome.com

ATTACHMENT A





new

Ambience



Save







Print only
\$59.95

A

B

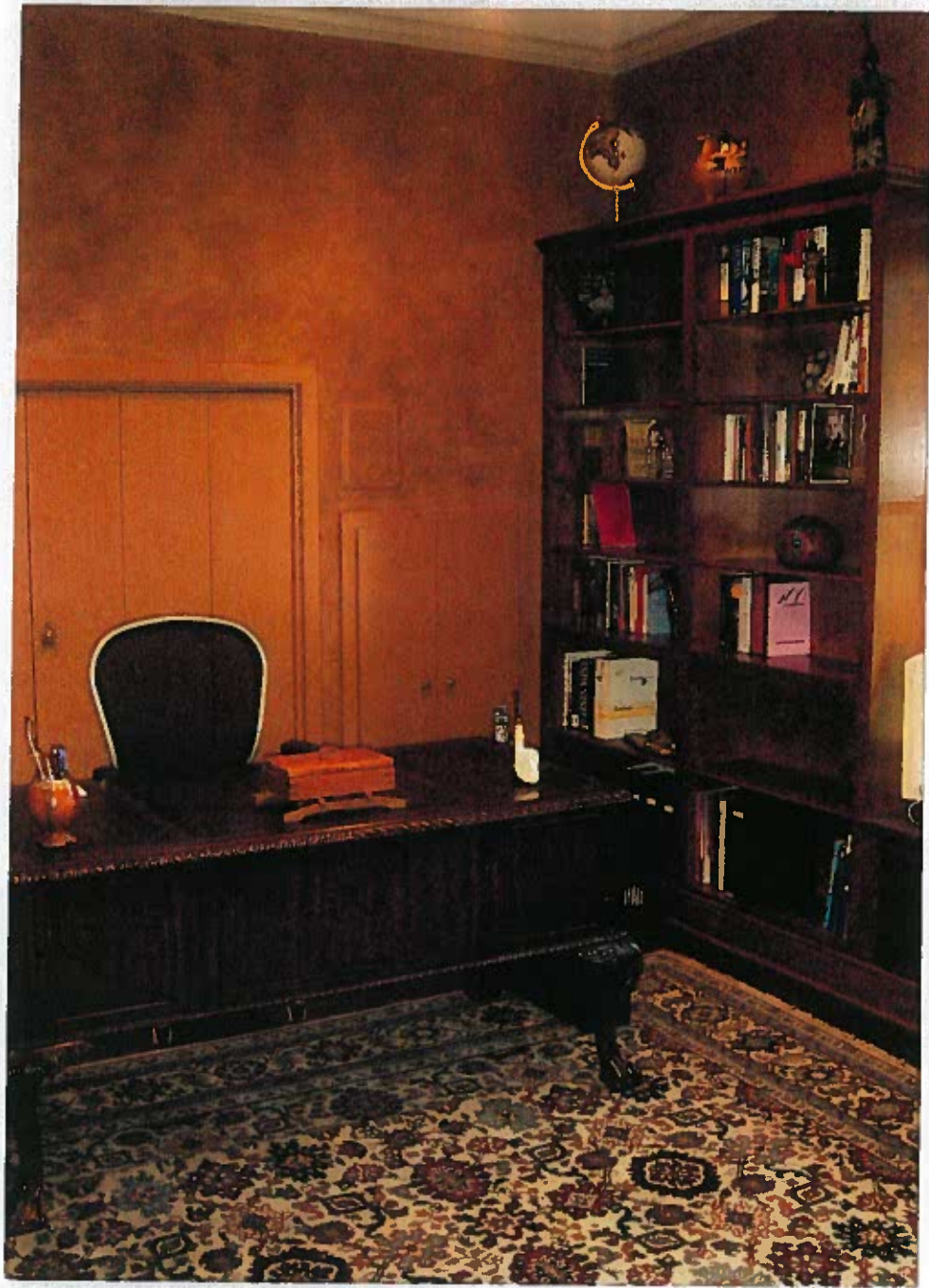
B

D

C

*See easy payment terms
on center order form.

†See Hvy. Wt. chart
on center order form.



H A B E R S H A M



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SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood commercial – conditional overlay (LR-CO) combining district zoning. The Conditional Overlay: 1) limits development to 300 trips per day and 2) prohibits the following uses: food sales; general retail sales (convenience); guidance services; medical offices; off-site accessory parking; private primary educational facilities; private secondary educational facilities; public primary educational facilities; public secondary educational facilities; restaurant (limited); restaurant (general); and service station.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The LR, Neighborhood Commercial district is intended for shopping facilities that provide limited business services and offices to the residents of the neighborhood, such as consumer repair services, food sales, service stations, and pet services. The purpose statement listed in the City of Austin *Land Development Code* states: “The Neighborhood Commercial district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.”

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

Staff supports LR-CO zoning as the proposed re-use of the property incorporates both office and retail components, carries over the Conditional Overlay attached to the existing LR zoning on this section of West Slaughter Lane and prohibits the more intensive, traffic generating uses.

EXISTING CONDITIONS**Site Characteristics**

The subject property is undeveloped and relatively flat.

Impervious Cover

The maximum impervious cover allowed by the LO zoning district would be 15%, which is based on the more restrictive watershed regulations. However, the property may be subject to the “Redevelopment Exception in the Barton Springs Zone” ordinance, as approved by City Council on November 8, 2007 (Ordinance 20071108-121).

Environmental

This site is located over the Edward's Aquifer Recharge Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) watershed. It is in the Drinking Water Protection Zone.

Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone, 20% impervious cover in the Barton Creek watershed and 25% impervious cover in the Contributing zone. This tract lies in the recharge zone.

According to flood plain maps, there is no flood plain within the project location.

The site is located within the endangered species survey area.

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 providing structural sedimentation and filtration basins with increased capture volume and 2 year detention. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.

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.

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

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

The site is subject to compatibility standards. Along the South property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

Additional design regulations will be enforced at the time a site plan is submitted.

This site is in the Scenic Roadway Sign District, and must comply with all Scenic Roadway sign district regulations, Sec. 25-10-124.

3401 Joint Venture
5501 West William Cannon
Austin, Texas 78749
512-280-5160

August 28, 2007

Land Use Commission Members
Austin City Council Members
City of Austin
c/o Ms. Wendy Walsh
Neighborhood Planning and Zoning Department
P.O. Box 1088
Austin, Texas 78767

RE: CASE NUMBER: C14-2007-0149
Rezoning Request


Commission and Council Members:

As property owners within 300 feet of the subject property, we fully support the recent request for rezoning to LR-CO.

Our property address is 3407, which sits directly to the west side of 3401. We absolutely have no objections to this change. Since precedence has already been set with small business owners on Slaughter Lane from Brodie Lane to Manchaca Road, the traffic flow at this point would remain undisturbed and Mr. McGettrick's use of this rezoning is adaptable to the area and existing structures.

We will be happy to discuss any concerns or answer any questions.

Respectfully,


Thomas W. Carlson
3401 Joint Venture

cc: Malachy McGettrick, Sitric House & Home LLC

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2007-0149

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

October 2, 2007 Zoning and Platting Commission

<input checked="" type="checkbox"/> I am in favor
<input type="checkbox"/> I object

Melissa Knippa, manager
Your Name (please print) Missy Cat, LP

3309 Slaughter Lane West

Your address(es) affected by this application

Melissa Knippa
Signature

Date

Comments:

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2007-0149

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

October 2, 2007 Zoning and Platting Commission

ELLEN FAGAN

Your Name (please print)

☐ I am in favor
☒ I object

34036 RA Faced Austin

Your address(es) affected by this application

Ellen A. Fagan 9-24-07

Signature

Date

Comments:

Heard as a officer.
Don't need more housing
in this area.

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

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Case Number: C14-2007-0149

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

October 2, 2007 Zoning and Platting Commission

Linda Cates

Your Name (please print)

3311 W. Slaughter Lane

Your address(es) affected by this application

Linda Cates

Signature

Date

Comments:

☒ I am in favor
☐ I object

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

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Case Number: C14-2007-0149

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

October 2, 2007 Zoning and Platting Commission

CHARLES BRIGANCE: 3401 JV

Your Name (please print)

3407 Slaughter Ln. West

Your address(es) affected by this application

Charles Brigance

Signature

Date

9/24/07

☒ I am in favor
☐ I object

Comments:

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

Rhoades, Wendy

From: Shannon Martinez [Shannon@psper.com]
Sent: Tuesday, October 02, 2007 1:55 PM
To: Rhoades, Wendy
Subject: Case Number C14-2007-0149

Wendy,

Thank you for the update this afternoon on the Slaughter Lane property.

I would like to voice my objection to the applicants requested zoning.

I feel that any increase to the intensity of the use of this property would be done to the detriment of the people who own and reside adjacent to it and the other commercial uses that front on this segment of Slaughter Lane.

I appreciate that development and change are a part of living in a city like Austin, however, feel that the changes in this area are being unfairly advantageous to the commercial owners over the residential.

The business use as it is proposed by the applicant holds the potential to operate with much more than normal business hours and even more worrisome, allow future less desirable uses to carry through on the zoning if changed.

Thank you and the City staff for focusing so closely on this issue and accepting my objection.

Shannon Martinez

President
Spertus Investments
5300 Bee Cave Road
Building I Suite 220
Austin, Texas 78746
512.329.6374 office
512.565.2739 mobile
512.328.5940 fax
spertusinvestments skype

10/2/2007

3401 Joint Venture
3407 West Slaughter Ln
Austin, Texas 78748

February 21, 2008

City of Austin
c/o Wendy Rhoades
Neighborhood Planning and Zoning Department
P.O. Box 1088
Austin, Texas 78767

RE: CASE NO. C14-2007-0149
Re-zoning LO-CO to LR

City Council Members:

Our property address is 3407 Slaughter Lane West; so are next-door neighbors to MacJ. We agree with the proposed re-zoning **to LR** and are encouraged with the type of ownership the McGettrick's bring to our neighborhood. We will fully support your vote on March 6, 2008 to re-zone this property as requested by MacJ (Margaret and Malachy McGettrick).

Sincerely,



Danny D. Doering
3401 Joint Venture

cc: Malachy McGettrick, MacJ