

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2008-0025 – Circle Oaks  
Business Park

**Z.A.P. DATE:** August 5, 2008  
August 19, 2008

**ADDRESS:** 3107, 3109 and 3111 West Slaughter Lane

**OWNERS:** James Gang Living Trust  
(Carol and Max James);  
Marsha and Robert Pittman

**AGENT:** McClean & Howard, L.L.P.  
(Jeff Howard)

**ZONING FROM:** SF-2      **TO:** GO      **AREA:** 0.615 acres  
**AMENDED TO:** GO-CO      (approximately 26,789.40 square feet)

### **SUMMARY STAFF RECOMMENDATION:**

The Staff's recommendation is to grant limited office – conditional overlay (LO-CO) combining district zoning. The Conditional Overlay limits the number of driveways on West Slaughter Lane to one and prohibits access to Rochelle Drive via the platted access easement.

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

August 5, 2008: *APPROVED A POSTPONEMENT REQUEST BY THE APPLICANT AND NEIGHBORHOOD TO AUGUST 19, 2008.*

*[K. JACKSON; T. RABAGO – 2ND] (6-0) C. HAMMOND – ABSENT*

August 19, 2008: *APPROVED LO-CO DISTRICT ZONING WITH THE CO ALLOWING MEDICAL OFFICES LESS THAN 5,000 SQUARE FEET IN SIZE, AND ALL NEIGHBORHOOD OFFICE (NO) DISTRICT USES; AND LIMITED TO THE EXISTING IMPERVIOUS COVER ON-SITE.*

*[K. JACKSON; T. RABAGO – 2<sup>ND</sup>] (7-0)*

### **ISSUES:**

On August 15, 2008, the Applicants amended their rezoning request to GO-CO with the Conditional Overlay limiting development of the property to Personal Services and Business Support Services and all permitted LO uses and LO site development regulations.

A valid petition of 27.42% has been filed by the adjacent property owners in opposition to this rezoning request.

A representative of Tanglewood Forest Limited District has submitted a letter of opposition to the rezoning request. Correspondence is provided at the back of the Staff packet.

A Code Enforcement citation has been issued for the extermination services and hair salon businesses. The owner of the extermination business has provided a letter to the Applicant stating that he will vacate the property by September 2, 2008 (please refer to the attached letter).

The adjacent property owner to the west is supportive of the Applicant's rezoning request.

The subject rezoning area is platted as Block A, Lots 1, 2 and 3 of Tanglewood Forest Section Four, Phase-E (C8-82-032.02.1(84)). There is a 20-foot wide Access and Public Utility Easement that straddles the property line between Lots 1 through 5 that have West Slaughter Lane frontage and Lots 8 through 11 that have Foxton Cove frontage. The access easement is constructed as a driveway from Slaughter Lane on Lot 1 and serves the four lots that are developed with office and commercial uses and a rear parking area, including Lots 2 and 3. There is a wood privacy fence located at the edge of the driveway, and both the fence and the driveway are inside of the property boundary of the residential lots that front on Foxton Cove.

There is also a plat note that states, "Individual driveway access to Riddle Road (note: renamed as Slaughter Lane) is prohibited from Lots 1-5, Block A". The three lots being considered for rezoning also have one direct, shared driveway to West Slaughter Lane, and thus are not in conflict with the plat note.

#### **DEPARTMENT COMMENTS:**

The subject three platted lots are zoned single family residence standard lot (SF-2), and consist of two multi-tenant structures that contain a hair salon, administrative and professional offices, a medical office and an adjacent parking and driveway area. The western lot has direct driveway access to West Slaughter Lane and contains a shared parking area that serves these businesses. The driveway extends at the rear of these lots within a 20-foot wide platted access easement. Single family residences within Section 4, Phase E of Tanglewood Forest subdivision are adjacent to the south (SF-2). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

City records at the time of annexation (December 31, 1997) indicate that the two structures provided space for administrative, business, professional and medical offices, a talent agency and a driving school (the latter two are classified as personal improvement services). The talent agency and driving school have since vacated the property. The exterminating services business and the hair salon were not in existence at the time of annexation and are considered illegal uses. The owner of the exterminating services business provided notice that he will vacate the property by September 2, 2008. The Applicant proposes to rezone the lots to the general office (GO-CO) district consistent with the existing range of office uses and the hair salon (a personal services use, first allowed in the GO district). The subject three lots as well as the adjacent two lots to the east have been removed from the subdivision's Covenants and Restrictions. Please refer to Exhibit C (Uses Existing at the time of Annexation), D (Letter from Absolute Pest Management) and E (Uses that Have Occupied the Buildings Since 1987)

Since 1998, rezoning requests from SF-2 to office and commercial districts have been made for many properties on West Slaughter Lane. The rezonings have provided for the conversion of single family residences to office (NO and LO), civic and a limited number of neighborhood commercial (LR) uses. Staff recommends LO district zoning in the context of its location on an arterial roadway, compatibility with the adjacent office uses to the east, rehabilitation center to the west (a residential treatment use, conditional in the LR district), and single family residences to the south.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-2	Hair salon; Medical office; Real estate offices; Appraisal office; Insurance company; Extermination services; Administrative offices for a plumbing supplier; Parking area
<i>North</i>	MF-3-CO; LR-CO; RR; SF-1	Convalescent services; Retail shopping center; Indoor sports and recreation; Convenience storage; Dentist's office
<i>South</i>	SF-1; SF-2	Single family residences within Tanglewood Forest
<i>East</i>	SF-2	Insurance office; One single family residence
<i>West</i>	I-RR	Rehabilitation center

**AREA STUDY:** N / A

**TIA:** Is not required

**WATERSHED:** Slaughter Creek –  
Barton Springs Zone

**DESIRED DEVELOPMENT ZONE:** No

**NEIGHBORHOOD ORGANIZATIONS:**

217 – Tanglewood Forest Neighborhood Association  
 219 – Palomino Park Homeowners Association      384 – Save Barton Creek Association  
 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  
 943 – Save Our Springs Alliance  
 959 – Villages Neighborhood Association      997 – Tanglewood Oaks Owners Association  
 1113 – Austin Parks Foundation      1037 – Homeless Neighborhood Association

**SCHOOLS:**

Baranoff Elementary School

Bailey Middle School

Bowie High School

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2007-0133 – Doak Rezoning – 3105 and 3107 West Slaughter Lane	SF-2 to NO	To Deny NO-CO zoning	Withdrawn after posting of the agenda
C14-05-0150 – Slaughter Lane Multifamily – 3226 West Slaughter Lane	MF-4-CO to MF-4-CO to change conditions of zoning, being an increase the height and reduction of the density	To Grant MF-4-CO with changes to the previous CO being a reduction of the zoning impervious cover to 15% and the density to 6.2 dwelling units per acre, and allowing up to 60 feet in height	Approved MF-4-CO for 7.25 acres with the CO as ZAP recommended, plus a two-star Green Building rating for buildings over 45 feet tall and a 646 foot setback from adjacent residentially zoned property (8-9-06).
C14-04-0090 – Star Center – 3100 West Slaughter Lane	LR-CO to GR- CO	To grant GR-CO with CO allows personal improvement services and all NO-CO uses	Approved GR-CO as ZAP recommended, with a Restrictive Covenant addressing IPM / Grow Green and coal-tar based sealants (8-26-04).
C14-03-0143 – Slaughter Assisted Living – 3200 West Slaughter Lane	I-RR to MF-3- CO	To Grant MF-3-CO with CO to include convalescent services as the only permitted use and all other SF-6 uses	Approved MF-3-CO as ZAP recommended (12-11-03).
C14-03-0165 – Shaid Zoning – 3206 West Slaughter Lane	I-RR to SF-6	To Grant SF-6	Approved SF-6 as ZAP recommended (4- 22-04).
C14-02-0173 – Tristan – 10003 Rocking Horse Road	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).
C14-02-0118 –	LO-CO to GR	To Grant GR-CO	Approved GR-CO as

Shady Hollow Retail Center – 9700 Block of Brodie Lane		w/CO for list of prohibited uses, 40' height and 2,000 trips.	recommended by ZAP (12-5-02).
C14-02-0102 – 3401 Joint Venture – 3305 to 3415 West Slaughter Lane	I-SF-2; SF-2 to LO-MU-CO; LR, as amended	To Grant LR-MU-CO with list of prohibited uses, 2,000 trips and 8 driveway cuts.	Granted LO-CO for Tracts 1 and 2 and LR- CO for Tract 3 (3-27- 03).
C14-01-0159 – Austin Star – 3014 Block of Aftonshire Way	LO-CO to SF-3	To Grant SF-3	Approved SF-3 (1-10-02).
C14-00-2032 – Texcon Convenience Store – 3020 West Slaughter Lane	LR-CO to LR- CO	To Grant LR-CO w/conds.	Approved LR-CO w/conditions (4-20- 00).
C14-99-0070 – Westoak Woods Baptist Church – 2900 West Slaughter Lane	I-RR to GO	To Grant GO-CO w/conds.	Approved GO-CO w/conditions (12-2- 99).
C14-97-0156 – Southland Oaks Municipal Utility District – Brodie Lane at Slaughter Lane	I-RR and I-SF-2 to RR; SF-1; SF- 2; SF-3; SF-4; SF-6; GR; P	To Grant RR; SF-2; SF-4A; LO; LR; and P	Approved RR; SF-2; SF-4A; LO; P w/conditions (6-25- 98).
C14-96-0039 – Dennis & Faye Artale – 3110 Block of West Slaughter Lane	I-RR to GR; LR	To Grant GR-CO on Tract 1; LR-CO on Tract 2	Approved as per PC recommendation (5-23-96).

#### **RELATED CASES:**

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

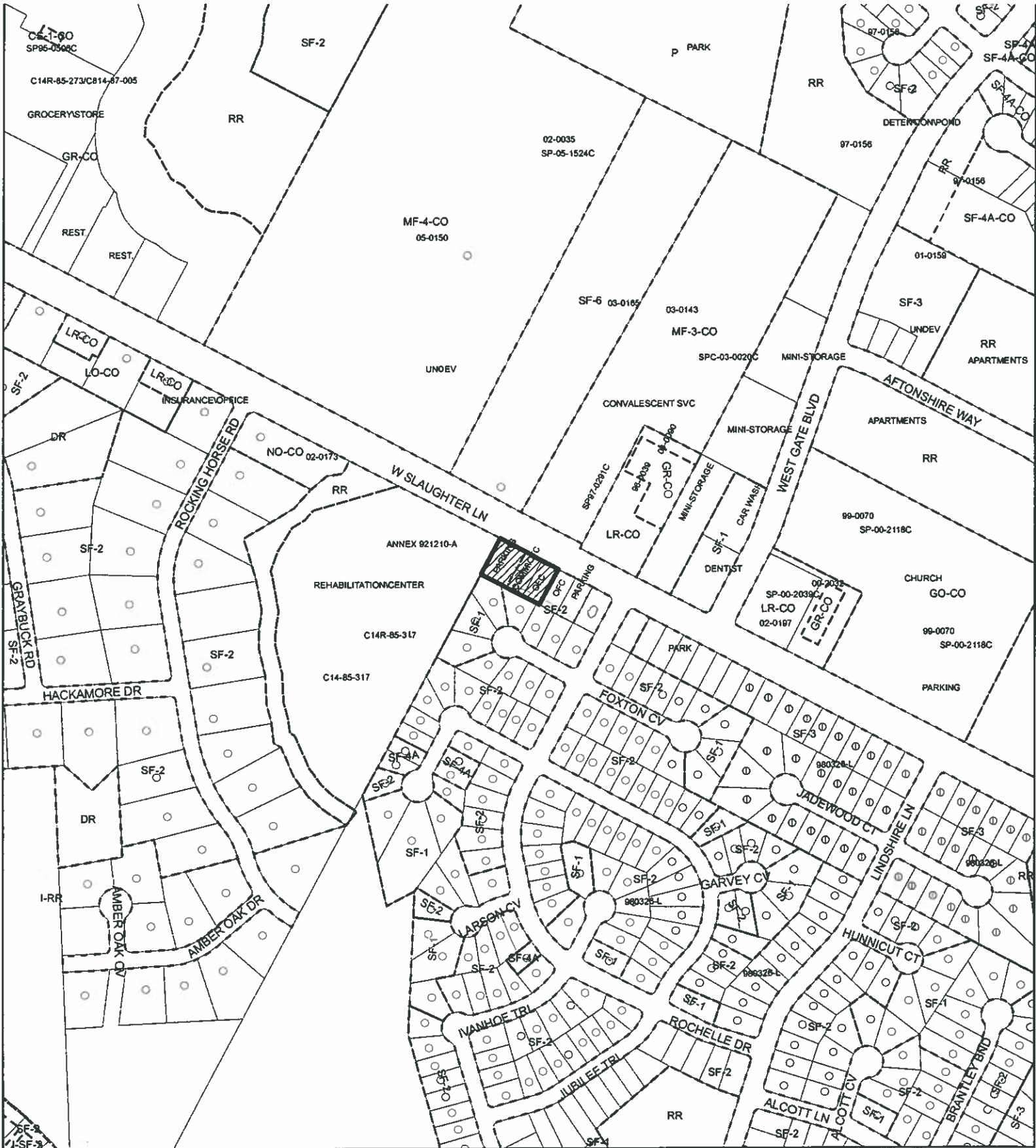
The Owners applied for community commercial (GR) zoning in 1998-99 (C14-98-0241).  
The Owners withdrew the case prior to Planning Commission action.

The rezoning area represents Block A, Lots 1, 2 and 3 of Tanglewood Forest, Section Four Phase-E, recorded in March 1985 (C8-82-32.02.1(84)). Please refer to Exhibit B. There are no pending site plan applications on the subject property.

**ABUTTING STREETS:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bus Route</b>	<b>Bike Route</b>
West Slaughter Lane	90 – 100 feet	87 feet	Major Arterial Divided (27,681 vpd, COA 12-02-03)	Yes	Yes	Yes, Priority 1




**CITY COUNCIL DATE:** August 28, 2008**ACTION:****ORDINANCE READINGS:** 1<sup>st</sup>2<sup>nd</sup>3<sup>rd</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Wendy Rhoades  
e-mail: wendy.rhoades@ci.austin.tx.us**PHONE:** 974-7719



# ZONING

**Exhibit A**

ZONING CASE#: C14-2008-0025  
 ADDRESS: 3107, 3109 & 3111 W SLAUGHTER LN  
 SUBJECT AREA: 0.615 ACRES  
 GRID: D14-15  
 MANAGER: W. RHOADES

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

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'





EXHIBIT A

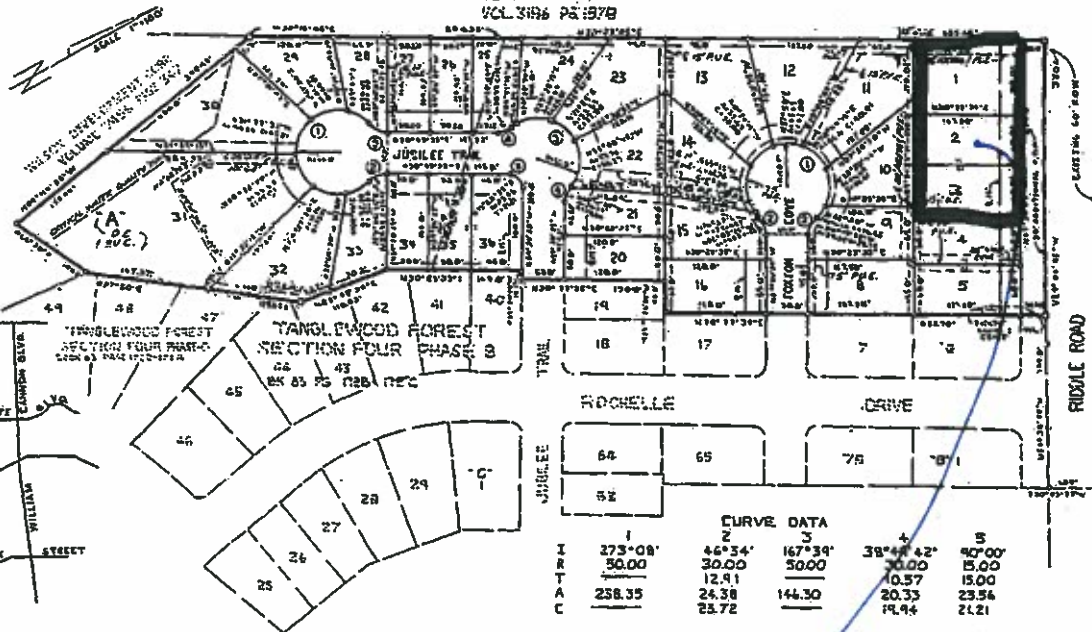
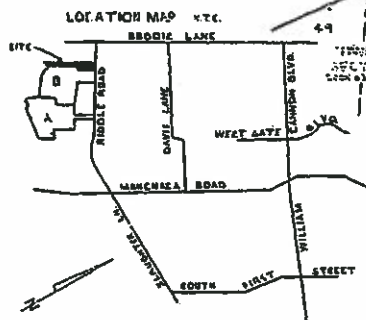


# TANGLEWOOD FOREST SECTION FOUR PHASE-E

JESSE H. HEAD  
VOL. 3196 PG. 197B

## LEGEND

- IRON PIN SET
- IRON PIN FOUND
- CONCRETE MONUMENT SET
- CONCRETE MONUMENT FOUND
- BUILDING LINE
- PUBLIC UTILITY EASEMENT
- DETODEN HALL



JUSLEE TRAIL		RICHIE DRIVE	
64	65	75	81
52			
CURVE DATA			
1	2	3	4
273°08'	46°34'	167°38'	38°44'42"
50.00	30.00	50.00	30.00
12.41	12.41	10.57	15.00
258.35	24.38	144.30	20.33
	25.72		14.44
			23.54
			21.21

REZONING AREA

EXHIBIT B  
RECORDED PLAT

(8-82-32.02.1 (84))

Tondra Flavio.....	243-2411
Tondra Sylviane M.....	243-2477
<b>ZIP CODE</b>	<b>78719</b>
<b>SKYLINE LANDSCAPING...</b>	<b>243-2410</b>
<b>ZIP CODE</b>	<b>78746</b>
100 Yancy Howard.....	3609 0004 347-1259
Yancy Howard.....	3609 0004 328-0308
Yancy Mary G.....	3609 0004 328-0308
102 TOPLINE PUBLISHERS.....	3609 0004 327-1512
Kinsley Bernard B.....	3609 0004 327-1512
108 Yancy Howard.....	3609 0004 347-1259
109 Deanne Marie O.....	3609 0004 327-1512
112 Cosh J R.....	3643 0004 328-1147
Koltenavik Joel.....	3643 0004 328-1147
116 Carpenter Lk.....	3643 0004 327-4272
117 Hill Jennifer.....	3643 0004 327-4444
181 SHELTON PROPERTIES.....	3644 0004 327-0642
187 Lee R E.....	3644 0004 327-0120
200 Sopenaky Joe T.....	3611 0004 327-1153
201 Jacobson Antonette G.....	3610 0004 327-1517
204 Freeman Joe C.....	3611 0004 327-7323
205 Doty E W.....	3611 0004 327-7323
305 Brown Ann.....	3612 0004 328-8809
Brown Malcolm.....	3612 0004 328-8809
Brown R M J.....	3612 0004 328-8809
401 Vance M E.....	3614 0004 327-3878
405 Shari Adel H.....	3614 0004 328-5552
406 Margolin Steven P.....	3614 0004 327-1107
407 DATED FIVE SYSTEMS INC.....	3614 0004 327-4235
410 Guster Alois.....	3642 0004 327-1168
Guster Chris.....	3642 0004 327-1168
411 Johnson J Mary.....	3614 0004 327-1636
Johnson Mary.....	3614 0004 327-1636

<b>ZIP CODE</b>	<b>78732</b>
14020 Pool Jack O.....	1043 0004 288-1540
<b>BUSINESSES 4</b>	<b>HOUSEHOLDS 37</b>
<b>SKYLINE RD (G)</b>	<b>78628</b>
34 Sidner David L.....	3600 0004 883-8728
Sidner Russell.....	3600 0004 883-8482
100 Stone Larry W.....	3610 0004 883-8728
101 Hue Mark A.....	3610 0004 883-8728
102 Hargrove John M.....	3610 0004 883-8728
Hargrove Janice.....	3610 0004 883-8728
109 Outen John.....	3610 0004 883-8728
120 Chelsa O Y.....	3610 0004 883-8728
122 Lory Debra.....	3610 0004 883-8728
Lory John.....	3610 0004 883-8728
Lory L.....	3610 0004 883-8728
129 Walenczyk Anna.....	3610 0004 883-8728
201 Stacy Angie.....	3610 0004 883-8728
202 Turner J B.....	3610 0004 883-8728
203 Kegel Anthony.....	3610 0004 883-8728
204 Warren David.....	3610 0004 883-8728
205 Warren Laurie.....	3610 0004 883-8728
218 Stangle R E.....	3610 0004 883-8728
220 Turner J B.....	3610 0004 883-8728
221 Gonsowski Linda.....	3610 0004 883-8728
222 Compton Lee.....	3610 0004 883-8728
232 McKelver Edward.....	3610 0004 883-8728
300 King Taylor.....	3610 0004 883-8728
404 Taylor Kathryn.....	3610 0004 883-8728
Taylor W J.....	3610 0004 883-8728
Todd Heather.....	3610 0004 883-8728
Todd Kelly.....	3610 0004 883-8728

<b>HOUSEHOLDS 29</b>	<b>78628</b>
<b>SKYLINE SPUR (G)</b>	<b>78628</b>
123 Eby Mary L.....	3652 0004 888-8833
Smith Terry K.....	3652 0004 888-8833
125 Grogan John.....	3652 0004 888-8745
126 Grogan Phil.....	3652 0004 888-8745
127 Morgan Paul E.....	3652 0004 888-1633

<b>HOUSEHOLDS 6</b>	<b>78745</b>
<b>SKYLOOP DR (A)</b>	<b>78745</b>
1001 Marguez Jose.....	4434 0014 443-0004
104 Sanford Travis E.....	4434 0014 441-2156
106 Hernandez Jesse.....	4434 0014 447-3582
108 Yuhua Stevens L.....	4434 0014 444-7787
200 Jeshig Diana.....	4434 0014 444-7787
202 Barone M A.....	4434 0014 447-5832

<b>BUSINESSES 1</b>	<b>HOUSEHOLDS 6</b>
<b>SKYNOOK DR (A)</b>	<b>78745</b>
6701 Tran Thanh.....	5837 0032 707-1418
6703 Chapman Bobby.....	5837 0032 445-7840
Corynne Richard.....	5837 0032 441-8424
Crosby Diana.....	5837 0032 418-0797
6705 Oles Palmito.....	5837 0032 445-0334
6707 Mercer Doug.....	5837 0032 445-0300
6709 Waters Gary.....	5837 0032 448-4782
6710 Zyma Delakope.....	5837 0032 448-0714
6714 Herrera Abel L.....	5837 0032 448-1788
6715 Harrison James.....	5837 0032 462-4040
6716 Brown M G.....	5837 0032 441-7359
6807 Autergrange Deborah.....	5837 0032 445-6021
6808 Auter.....	5837 0032 445-6036
6809 Muenzer Mark.....	5837 0032 445-6036
6810 Benight Kenneth D.....	5837 0032 445-6036
6811 Bosio Sherry.....	5837 0032 444-5790
6811 Shephard D H.....	5837 0032 441-3143
6800 Meers Donald.....	5842 0032 442-8827
6801 Locke Bruce C.....	5841 0032 448-9227
6802 Herrera Carmen.....	5842 0032 448-9227
Herrera Marc.....	5842 0032 448-2384
6804 Harrison James L.....	5842 0032 443-2947
6806 Wolf Mark L.....	5841 0032 707-2006
6808 Flores B.....	5842 0032 328-5134
6807 Rivera N J.....	5841 0032 445-8824
6808 CREATIONS BY DIANE.....	5842 0032 445-8824
6809 Harvey P F.....	5842 0032 445-8824
6810 Caffey Anita.....	5842 0032 447-1235
6811 Evans Ed.....	5842 0032 447-1235
6811 Evans Ed.....	5841 0032 447-8201
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7001 Hoffman Gregory.....	5843 0032 462-9147

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6807 Rivera N J.....	5841 0032 445-8824
6808 CREATIONS BY DIANE.....	5842 0032 445-8824
6809 Harvey P F.....	5842 0032 445-8824
6810 Caffey Anita.....	5842 0032 447-1235
6811 Evans Ed.....	5842 0032 447-1235
6811 Evans Ed.....	5841 0032 447-8201
6811 Evans Ed.....	5841 0032 447-8201
7001 Hoffman Gregory.....	5843 0032 462-9147

<b>BUSINESSES 1</b>	<b>HOUSEHOLDS 19</b>
<b>SKYNOOK DR (A)</b>	<b>78745</b>
6701 Tran Thanh.....	5837 0032 707-1418
6703 Chapman Bobby.....	5837 0032 445-7840
Corynne Richard.....	5837 0032 441-8424
Crosby Diana.....	5837 0032 418-0797
6705 Oles Palmito.....	5837 0032 445-0334
6707 Mercer Doug.....	5837 0032 445-0300
6709 Waters Gary.....	5837 0032 448-4782
6710 Zyma Delakope.....	5837 0032 448-0714
6714 Herrera Abel L.....	5837 0032 448-1788
6715 Harrison James.....	5837 0032 462-4040
6716 Brown M G.....	5837 0032 441-7359
6807 Autergrange Deborah.....	5837 0032 445-6021
6808 Auter.....	5837 0032 445-6036
6809 Muenzer Mark.....	5837 0032 445-6036
6810 Benight Kenneth D.....	5837 0032 445-6036
6811 Bosio Sherry.....	5837 0032 444-5790
6811 Shephard D H.....	5837 0032 441-3143
6800 Meers Donald.....	5842 0032 442-8827
6801 Locke Bruce C.....	5841 0032 448-9227
6802 Herrera Carmen.....	5842 0032 448-9227
Herrera Marc.....	5842 0032 448-2384
6804 Harrison James L.....	5842 0032 443-2947
6806 Wolf Mark L.....	5841 0032 707-2006
6808 Flores B.....	5842 0032 328-5134
6807 Rivera N J.....	5841 0032 445-8824
6808 CREATIONS BY DIANE.....	5842 0032 445-8824
6809 Harvey P F.....	5842 0032 445-8824
6810 Caffey Anita.....	5842 0032 447-1235
6811 Evans Ed.....	5842 0032 447-1235
6811 Evans Ed.....	5841 0032 447-8201
6811 Evans Ed.....	5841 0032 447-8201
7001 Hoffman Gregory.....	5843 0032 462-9147

100	NEXT STOP MARKETING ...	4826 0078 302-0538
	Dworsky Allen	4826 0078 302-0538
	Reichard Kristin	4826 0078 302-0538
108	Kallagou Chris	4826 0078 458-0330
108	TRAVEL	4826 0078 458-0330
	Hernandez F	4826 0078 323-5257
	Norwood S	4826 0078 323-5257
	Stacy Kennedy	4826 0078 323-5257
112	Kassene Bonnie	4826 0078 467-9790
	Kassene Todd G	4826 0078 467-9790
200	Davis Andrew W	4826 0078 453-1252
202	Kyle Kevin	4826 0078 453-0850
203	Risher Monica	4826 0078 454-0020
	Reichard Kristin	4826 0078 454-0020
204	Hall Heeb	4826 0078 450-0740
	Swenson Eric	4826 0078 450-0740
205	Kennedy-Smith Mary	4826 0078 452-9651
	Smith Donalke E	4826 0078 452-9651
208	Mathews Ginger	4826 0078 458-4028
	Ruthven Eric	4826 0078 458-4048
	Ruthven Eric	4826 0078 458-4048
	White Michael	4826 0078 458-4084
202	Bicnell Craig	4826 0078 458-4454
	Carter Gregory	4826 0078 458-4454
303	Pradelle Jean	4826 0078 302-4535
304	Valeznuska Joe	4826 0078 450-0187
	Valeznuska Joe	4826 0078 450-0187
305	Vanoverback Paul	4826 0078 454-1051
	Weslak Mary	4826 0078 452-5582
308	Lemak Jennifer	4830 0078 453-8194
308	Brown Kathleen	4830 0078 467-1381
	Brown Kathleen	4830 0078 467-1381



# Absolute

Pest Management

P.O. Box 150923

Austin TX 78715

512-444-0262

[www.absolutpest@earthlink.net](mailto:www.absolutpest@earthlink.net)

June 2, 2008

JP Investments  
3109 A Slaughter Lane West  
Austin TX 78748

Curt Stefka,

Please consider this our 90 day notice to vacate the property located at 3107 B Slaughter Lane West Austin TX 78748. Should you have any questions please feel free to contact me at 512-444-0262.

Best regards,



Tony Ragan  
President

Avl. 9.1.08

EXHIBIT D



# Slaughter Lane Tenants

■ A Beautiful You Hair Salon	■ John Johnson
■ Absolute Pest Control	■ Larsen Supply Company
■ Action Mortgage	■ Lawless & Cox
■ Austin Driving School	■ Mariah Resources
■ Austin Steel Framing Sys.	■ Pascual Piedfort
■ Advocet Capital	■ Precision Inspection
■ Bob McNeely Graphics	■ Rebecca Tassi, Interior Design
■ Capital City Driving	■ Rent to Own Center
■ Central Texas Realty	■ Richard Hampton Drywall
■ City Express Delivery	■ St. Philip Church
■ Chris Copeland, Attorney	■ Sapphire Homes
■ Collier Equipment Corp	■ Schaefer Law Firm
■ Computer Vision	■ Speak Freely Speech Therapy
■ DB Talent	■ State Farm, Steve Lucca
■ Discovery Resource	■ Stefka Home & Land Co.
■ Dr. Sam Bennett	■ Stefka & Rogers Co.
■ Dr. Donna Hudspeth	■ Texas Investment Builders
■ DS Residential	■ Texas State Billing
■ Ed Neal, Art Gallery	■ Trion Sales
■ Farmers Insurance	■ Troy Castillo
■ First Stop	■ Tug Hill Construction
■ Greg Meyer	■ Texas Towing
■ Infinity Computer	■ United Casualty
■ Jim Hix Realty	■ Veronica Snyder, Attorney

EXHIBIT E

**SUMMARY STAFF RECOMMENDATION:**

The Staff's recommendation is to grant limited office – conditional overlay (LO-CO) combining district zoning. The Conditional Overlay limits the number of driveways on West Slaughter Lane to one and prohibits access to Rochelle Drive via the platted access easement.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

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

LO zoning is intended for office use predominantly serving the neighborhood or community needs, such as professional, semi-professional and medical offices, which may be located within or adjacent to residential neighborhoods. The proposal meets the purpose statement set forth in the Land Development Code. The subject lot is adjacent to a neighborhood that is largely single family. The proposed office use would potentially serve the surrounding neighborhoods.

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

Since 1998, rezoning requests from SF-2 to office and commercial districts have been made for many properties on West Slaughter Lane. The rezonings have provided for the conversion of single family residences to office (NO and LO), civic and a limited number of neighborhood commercial (LR) uses. Staff recommends LO district zoning in the context of its location on an arterial roadway, compatibility with the adjacent office uses to the east, rehabilitation center to the west (a residential treatment use, conditional in the LR district), and single family residences to the south.

**EXISTING CONDITIONS****Site Characteristics**

The subject three lots contain a hair salon, medical office, real estate offices, appraisal office, insurance company; a pest control company and an administrative offices for a plumbing supplier; and an adjacent parking area and rear driveway.

**Environmental & Impervious Cover**

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 in this area is classified as a Barton Springs Zone (BSZ) watershed. It is in the Drinking Water Protection Zone.

These platted lots may qualify for redevelopment under Section 25-8-27 (*Redevelopment Exception in the Barton Springs Zone*). This section applies to property that has existing

commercial development and is located in the Barton Springs Zone if the property owner files a site plan application and an election for the property to be governed by this section.

For a site with more than 40 percent net site area impervious cover, the redevelopment must have: a) sedimentation/filtration ponds for the entire site; or b) *(if approved by WPDR)* SOS ponds for a portion of the site, and sedimentation/filtration ponds for the remainder of the site.

For a site with 40 percent or less net site area impervious cover, the redevelopment must have SOS ponds for the entire site.

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

The site is not 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.

If the requested zoning is granted, it is recommended that joint access be provided for the three lots.

If the requested zoning is granted, it is recommended that access to Rochelle Drive via the joint access easement be prohibited as a condition of zoning.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

### **Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. 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 east and south property lines, 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.
- for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- No parking or driveways are allowed within 25 feet of the property line.
- 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.



# PETITION

Case Number:

**C14-2008-0025**

Date:

July 15, 2008

**3107, 3109, 3111 W SLAUGHTER LANE**

Total Area Within 200' of Subject Tract

260,299.58

1	04-2825-0801	GRANADO CASMIRO A & GLORIA Q	13,684.08	5.26%
2	04-2825-0802	TREVINO TEDDY	8,735.58	3.36%
3	04-2825-0809	SHERRILL PAUL K III	9,880.15	3.80%
4	04-2825-0810	SCHRIBER STEVEN A SCHRIBER MICHAEL	9,772.12	3.75%
5	04-2825-0811	EUGENE	10,366.38	3.98%
6	04-2825-0812	WOLFF HEIDI B & CHRIS D	12,839.13	4.93%
7	04-2825-0901	MAHONEY MICHAEL S MCHAM STANLEY W & GAIL S	18.95	0.01%
8	04-2825-0904	BRUMBACK RICHARD III	2,427.45	0.93%
9	04-2825-0905	MORTON JAMES W & DEBORA J	1,666.52	0.64%
10	04-2825-0907		1,973.68	0.76%
11				0.00%
12				0.00%
13				0.00%
14				0.00%
15				0.00%
16				0.00%
17				0.00%
18				0.00%
19				0.00%
20				0.00%
21				0.00%
22				0.00%
23				0.00%
24				0.00%
25				0.00%
26				0.00%
27				0.00%

Validated By:

Stacy Meeks

Total Area of Petitioner:

71,364.04

Total %

27.42%



# P E T I T I O N

Date: 7-7-08

File Number: C14-2008-0025

Address of

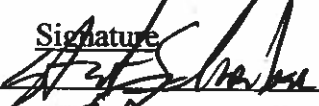



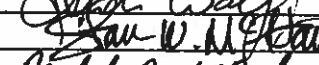


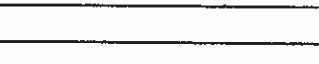
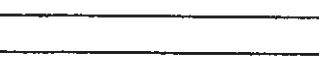
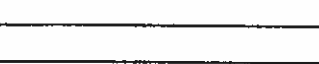
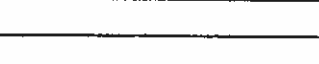
Rezoning Request: 3107 3109 3111 W. Slaughter 1.

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF2.

(STATE REASONS FOR YOUR PROTEST)

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
	STEVEN A. SCHRIBER	3104 FOXTON COVE 78748
	PAUL SHERRILL	3102 FOXTON COVE 78748
	BEVERLY HURBACE	3110 FOXTON COVE 78748
	TED TREVINO	3100 FOXTON COVE 78748
	MICHAEL SCHRIBER	3106 FOXTON COVE 78748
	JAMES W. MORTON	3107 FOXTON COVE 78748
	HEIDI WOLFF	3108 FOXTON COVE 78748
	STAN W. MELHAM	3105 FOXTON COVE 78748
	MICHAEL SCOTT MAHONEY	3101 FOXTON COVE 78748
	CASMIRA GRANADA	3101 SLAUGHTER 78748
	RICHARD A. BRUMBACK III	3103 FOXTON COVE 78748

Date: 7-7-08

Contact Name: STEVEN SCHRIBER

Phone Number: (512) 970-7501

**P E T I T I O N**

Date: 2-18-2008

File Number: C14-2008-0025

Address of

Rezoning Request: 3107, 3109, 3111 W. Slaughter Ln

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF2.

(STATE REASONS FOR YOUR PROTEST)

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Ronald F. Dorke

Printed Name

Ronald F. Dorke

Address

3508 Paxton Cv

Date: 7-7-08

Contact Name: STEVEN A. SCHRIER

Phone Number: (512) 970-7501



February 21, 2008

Austin City Council  
P.O. Box 1088  
Austin, TX 78767

Neighborhood Planning and Zoning  
Attn: Wendy Rhoades  
505 Barton Springs Rd.  
5<sup>th</sup> Floor  
Austin, TX 78704

Re: Application for Rezoning  
C14-2008-0025

Dear Madams and Sirs:

Please be informed that it is Austin Recovery's desire to support a zoning request for the above case number on the frontage of 3107 & 3109 & 3111 W. Slaughter Lane from SF-2 to GO, NO or LR.

Austin Recovery is the owner of the adjoining property.

Thank you,

  
Jimmy Ochs, LCSW, LCDC  
Chief Operating Officer



## Rhoades, Wendy

---

**From:** Alison Gardner [redacted]  
**Sent:** Monday, August 04, 2008 9:17 AM  
**To:** Jeff Howard; Rhoades, Wendy  
**Subject:** RE: Slaughter Lane Re-zoning

Yes.

---

**From:** Jeff Howard [mailto:jeff.howard@mcleanhowardlaw.com]  
**Sent:** Mon 8/4/2008 8:07 AM  
**To:** Rhoades, Wendy; Alison Gardner  
**Subject:** RE: Slaughter Lane Re-zoning

Yes.

Jeffrey S. Howard  
McLean & Howard, LLP  
1004 Mopac Circle, Suite 100  
Austin, Texas 78746  
Telephone (512) 328-2008  
Facsimile (512) 328-2409  
[www.mcleanhowardlaw.com](http://www.mcleanhowardlaw.com)

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**From:** Rhoades, Wendy [mailto:Wendy.Rhoades@ci.austin.tx.us]  
**Sent:** Monday, August 04, 2008 8:06 AM  
**To:** Jeff Howard; Alison Gardner  
**Subject:** RE: Slaughter Lane Re-zoning

Jeff and Alison,  
May I assume that the postponement request is to the August 19th meeting?  
Thank you,  
Wendy

---

**From:** Jeff Howard [mailto:jeff.howard@mcleanhowardlaw.com]  
**Sent:** Friday, August 01, 2008 5:00 PM  
**To:** Alison Gardner; Rhoades, Wendy  
**Subject:** RE: Slaughter Lane Re-zoning

I confirm our agreement to postpone as stated in Alison's email. Thanks.

Jeffrey S. Howard  
McLean & Howard, LLP  
1004 Mopac Circle, Suite 100  
Austin, Texas 78746  
Telephone (512) 328-2008

8/4/2008

Facsimile (512) 328-2409

[www.mcleanhowardlaw.com](http://www.mcleanhowardlaw.com)

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---

**From:** Alison Gardner [<mailto:alison.gardner@sbaustinlaw.com>]

**Sent:** Friday, August 01, 2008 4:39 PM

**To:** Rhoades, Wendy

**Cc:** Jeff Howard

**Subject:** Slaughter Lane Re-zoning

Wendy,

Jeff and I have spoken and it is my understanding that we are in agreement to request a joint postponement. Jeff can confirm by email. My and Jeff's clients (Mike and Steve Schriber & the applicant, respectively) agree that they are not going to seek another postponement unless again jointly agreed upon. Thanks for your patience.

Regards,

Alison

Alison Gardner

Stahl, Bernal & Davies, L.L.P.

7320 N. Mopac, Suite 211

Austin, Texas 78731

Direct (512) 652-2949

Fax (512) 346-2712

[agardner@sbaustinlaw.com](mailto:agardner@sbaustinlaw.com)

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8/4/2008

August 18, 2008

VIA E-MAIL

Wendy Rhoades  
Neighborhood Planning & Zoning Department  
City of Austin  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, Texas 78701

Re: C14-2008-0025, Rezoning for 3107, 3109, and 3111 West Slaughter Lane

Dear Ms. Rhoades:

On behalf of the Tanglewood Forest Limited District (the "District") as an interested party to the above-mentioned rezoning case, this letter is written to express our opposition to the rezoning request.

The structures on these properties were original built in 1986 as residential model homes for residential use, in accordance with the technical requirements set forth for a residential building. Subsequently, these homes were converted into commercial uses and have since been used for that purpose. Over the years, there have been 48 different tenants that have occupied these structures. Currently, there are multiple tenants within each structure, ranging from administrative and professional offices, personal improvement services to medical office. Given the array of tenants over the past decade, one could only assume that there have been numerous interior remodels to these structures. Theoretically, if the buildings were structurally altered in any fashion upon a tenant changeover, a building permit should have been obtained from the City of Austin. It does not appear as though there have been any building permits, or a certificate of occupancy ever issued for these structures.

Therefore, the District is extremely concerned that these structures do not adhere to the technical codes from a health and safety perspective. For that reason, the District respectfully requests that the Zoning and Platting Commission and City Council deny this rezoning request. Or, if the Zoning and Platting Commission and City Council see fit to approve the rezoning request, that they do so with a condition that each tenant obtain a certificate of occupancy from the Building Official within 60 days of adoption of the zoning ordinance by City Council and ensure that the current structures are in compliance with the health and safety codes.

In addition, we also request that the applicant be required to change their signage to comply with the Scenic Corridor Ordinance that applies to Slaughter Lane.

Thank you for your consideration of the matter.

Respectfully submitted by,

Linda Klar  
Vice President  
Tangelwood Forest Limited District



1004 Mopac Circle  
Suite 100  
Austin, TX. 78746  
phone 512.328.2008  
fax 512.328.2409

www.mcleandhowardlaw.com

August 15, 2008

Ms. Wendy Rhodes  
Neighborhood Planning and Zoning Dept.  
City of Austin  
505 Barton Springs  
One Texas Center, 5th Floor  
Austin, Texas 78704

Via Facsimile 974-6054

Re: Zoning Case No. C14-2008-0025  
Applicant/Owner Name: James Gang Living Trust, *et al*

Dear Ms. Rhodes:

As you recall, we discussed with you and Jerry Rusthoven several weeks ago that the applicant would be seeking a "GO-CO" zoning designation in this case with a Conditional Overlay that would (i) limit the site development regulations to those that apply in the "LO" base zoning district, and (ii) limit the uses so that only LO permitted uses plus Personal Services and Business Support Services would be permitted (all other uses allowed in GO would be prohibited uses). As Agent for the above referenced zoning application, please accept this letter as an official revision to our zoning application to change the proposed zoning from GO to GO-CO with the conditional overlay as set forth in the foregoing sentence. Please let me know if you will need any additional information in order to amend the application.

Thank you for your cooperation. Should you have any questions, please do not hesitate to call me.

Sincerely,

Jeffrey S. Howard

cc: Curt Stefka  
Max James  
Bob Pittman