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

AGENT: McClean & Howard, L.L.P.

(Jeff Howard)

Marsha and Robert Pittman

(Carol and Max James);

ZONING FROM: SF-2

TO: GO A

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^{ND}] (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 be 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:

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

AREA STUDY: N/A

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TIA: Is not required

WATERSHED: Slaughter Creek –

DESIRED DEVELOPMENT ZONE: No

Barton Springs Zone

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:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
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	T	w/CO for list of	recommended by ZAP
Retail Center –		prohibited uses, 40'	(12-5-02).
9700 Block of		height and 2,000 trips.	(12-3-02).
Brodie Lane	i	neight and 2,000 trips.	
C14-02-0102 -	I-SF-2; SF-2 to	To Grant LR-MU-CO	Granted LO-CO for
	1		
3401 Joint Venture	LO-MU-CO;	with list of prohibited	Tracts 1 and 2 and LR-
- 3305 to 3415	LR, as amended	uses, 2,000 trips and 8	CO for Tract 3 (3-27-
West Slaughter		driveway cuts.	03).
Lane			
C14-01-0159 –	LO-CO to SF-3	To Grant SF-3	Approved SF-3
Austin Star – 3014			(1-10-02).
Block of Aftonshire			
Way			
C14-00-2032 -	LR-CO to LR-	To Grant LR-CO	Approved LR-CO
Texcon	CO	w/conds.	w/conditions (4-20-
Convenience Store			00).
- 3020 West			
Slaughter Lane			
C14-99-0070 -	I-RR to GO	To Grant GO-CO	Approved GO-CO
Westoak Woods		w/conds.	w/conditions (12-2-
Baptist Church –		i	99).
2900 West			'
Slaughter Lane			
C14-97-0156 -	I-RR and I-SF-2	To Grant RR; SF-2;	Approved RR; SF-2;
Southland Oaks	to RR; SF-1; SF-	SF-4A; LO; LR; and P	SF-4A; LO; P
Municipal Utility	2; SF-3; SF-4;	31 111, 23, 211, 411	w/conditions (6-25-
District – Brodie	SF-6; GR; P		98).
Lane at Slaughter	51 0, 51 , 1		^0).
Lane			
C14-96-0039 -	I-RR to GR; LR	To Grant GR-CO on	Approved as per PC
Dennis & Faye	THE WOR, LA	Tract 1; LR-CO on	recommendation
Artale – 3110		Tract 2	(5-23-96).
Block of West		114002	(23-70).
Slaughter Lane		10077	
Slaugillei Laile			

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:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
West Slaughter	90 –	87 feet	Major	Yes	Yes	Yes,
Lane	100		Arterial			Priority 1
	feet		Divided			
			(27,681 vpd,			
			COA 12-02-	9		
			03)			İ

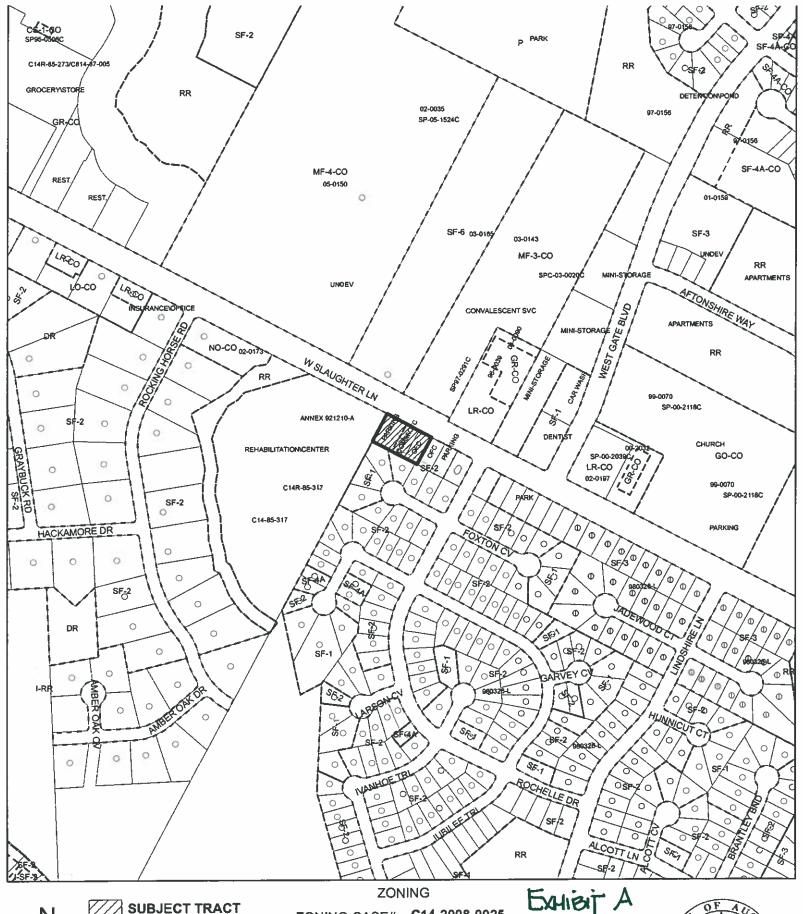
CITY COUNCIL DATE: August 28, 2008 **ACTION:**

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades **PHONE:** 974-7719

e-mail: wendy.rhoades@ci.austin.tx.us













ZONING CASE#: C14-2008-0025

ADDRESS: 3107, 3109 & 3111 W SLAUGHTER LN

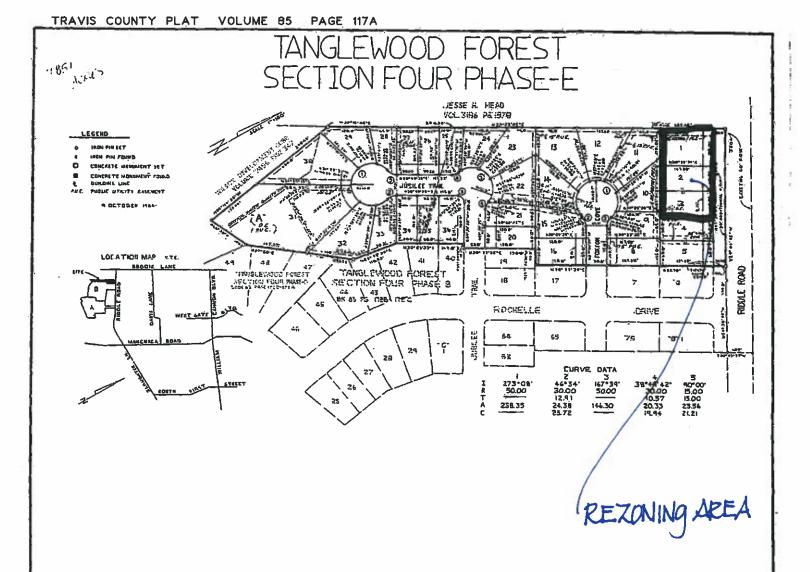
0.615 ACRES SUBJECT AREA:

D14-15 GRID:

W. RHOADES MANAGER:







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EXHIBIT B RECORDED PUT

C8-82-32.02.1 (84)

Tonche Flavio		-4626 CU/6 3Uz-U636	1 =			1 200		4 ************************************
Tonche Sylviane M	Reichard Kristin	4525 C076 302-0636	: I —	ATE CREEK TRL (A)		Stringer Scott	-5703 FI041 280-8028	Medrano Orlando
SKYLINE LANDSCAPING 343-2410	100 TEARA TRAVEL	-4526 C076 459-0390 -4526 C076 452-4232	920	O Powers C	2934 POSS 310-248	Calvert John F	S6704 R041 280-8800 -5704 R041 290-8800	
ZIP CODE 78746	Hernandez F	-4526 C076 323-5257	1 830	Kim Minne	-2061 ROSS 248-8277	ENVIRONMENTAL	-5706 R041 292-6940	9103 Merritt Bille L
100 Yancy Howard	Stallings Gwendolyn	4526 C076 323-5257	r i eac	MoMillan David M MoMillan Sheryl	2961 Pi086 244-4901 2961 Pi086 244-4901	SOUTHWEST-INSURAN	-6705 R041 280-6100	
Yancy Mary G	Keesens Todd G	-4526 C078 467-0730	1		HOUSEHOLDS.	HOT-ADSTIN STEEL FRAM		106 Jones R A
Kinsey Bernard B		-4625 C078 463-0950	-	OLAHOUTED LAL	7074	BYSTEMS	6706 RO41 280-3210	
109 Doctorman William C3808 C004 327-2745 112 Cosh J R3643 C004 328-1147	Reiner Rob	-4627 C076 454-8320	1	SLAUGHTER LN (A)		RCHOOL	-EXPE DOC1 505-5050	9205 Bell Clinton Diem Josh 9211 Herters Mergis
112 Ceeh J R	Sweneon Eric	-4528 C078 450-0740	612	EMERSON AND MARIE	1861 C099 282-1670	BANNET CHENNETT	6706 Pi041 282 [[00 6706 Pi041 280 0142	Herrera Margia Olvera Christa
Carpenter Liz	206 Kennedysmith Mary Smith Donalde E	-4527 C076 452-8951 -4527 C076 452-8961	636	Hardcastle Erich S	1862 C039 282-4603 1862 C039 280-4766	1000		9301 Granado Oecar
181 SHELTON PROPERTIES3644 C004 327-0642	206 Mathewa Ginger	-4528 C076 459-8326 -4528 C076 458-4984	707	West Dornida L	1859 CD39 282-2456	STEVE LUCCA INC THION ISALES MONHAY BOD	5706 P041 363 600 	9303 Mallary Robbie
200 Scepenelry Joe 73611 C004 327-1163	Pluthren John	-4528 C076 458-4984 -4528 C076 458-4984		INC	- 1869 C039 282-246 7 -1869 C039 282-227	Bloke Curtie A	-5706 PO41 260-0050	w/.
181 SHELTON PROPERTIES 3864 CO04 327-0542 187 Lee R E	302 Bicknell Cralg Carter Gragory	-4530 C076 458-4542 -4530 C076 458-4542	1 101	Hernandez Merge		1006 Acune Lyde	4708-P041 282-4983 -6709 P041 292-4837	LEEPY HOLW (M)
306 Brown Ann	303 Pradelle Jeen	-4529 C076 302-4535	1	Carter 8 O. S AUTOWAY AUTOMOTIVE	-6429 C039 282-5724	3311 Baruggs John P	8709 R041 282-4714 5709 R041 282-3227	11802 Croft James.
Brown A M Jr	Valenzuela Paul	-4520 COZE 450-0187	""	INC	6430 C039 282-1646 6430 C039 282-1023		-5711 R041 282-0170	11805 Beck Poper A
401 Vence M E3614 C004 327-3678 406 Sharel Adel H3614 C004 328-2653	Wasisk Mary	-4529 C076 452-6582	1	VMC UPHOLSTERY	6430 C030 282-1023	CARLSON ENGINEERIN	KS	11806 Sperks Floreid Sparks Ferti
406 Sharel Adel H	306 Lemak Jenniler	-4530 C076 453-8194 -4530 C076 467-1881	1	DEAUTIFUL BBS TODOLRS LANNG CT	-6431 C039 282-8922	& ASSOC 3412 EXCELL ENVIRONMENT		
		-4530 C076 467-1381	120	Tabb Wayne A	6375 C039 282-0444	DECREE CANTILLODS	-6711 R041 280-5230 -5711 R041 292-1910	Shugert E L
Gunter Chris	BUSINESSES 2	HOUSEHOLDS 31	1204	AOP INVESTMENTS JETT ENTERPRISES INC	6374 C039 280-6388	3418 STOP H GO 518	-5711 R041 292-1910 -5711 R041 290-2533	11912 CRITTERS & SUCH
ZIP CODE 78732	M SKIAIEM UD (V)	78752	1204	VENDORS ROUNDUP	6374 C039 292-1111 6375 C039 292-9272	ZIP CODE	78749	BUSINESSES 1
14020 Pool Jack O	Determinate 1	-4532 C076 452-9191	1	Bobbit Jack 1	-6375 C039 282-1537 -6374 C039 292-0777	4301 Alon Jen		
BUSINESSES 4 HOUSEHOLDS 37	103 Russell Phills	-4631 C076 461-5802		Barfield H E Jr	-6274 C039 282-1137	BUSINESSES 57	HOUSEHOLDS 107	SLEEPY DAISY CV (P)
SKYLINE RD (G) 78828	104 Gregory Teresa	-4532 C076 458-6802 -4531 C076 323-5823	1216	Anderson Chester M Delmeide Dion	6374 C039 282-1215 6374 C039 290-0709	SLAUGHTER CREEK	DR (A) 78748	Jacobs Sharon E
34 Sidner Devid L	106 Gregg Alella Gregg Shawn	4632 C074 202-6750		SEARCEY & DAIKER AGENCY	6374 C039 290-5194	9910 BEANIES TOWING		20904 Reich Jeffrey Reich Katherine
Skinner Aumeel	Yount A D	-4532 C076 302-6795	!	Carson Ronald	6317 C039 292-3001	SERVICETANGLEWOOD SELF		20912 Jones Gene Jones Terry
101 Hune Merk A	Yount Andrew	-4532 C076 302-6750 -4532 C076 459-7461	1303	Constance F M	6317 C039 280-4012 6315 C039 282-5402	10107 Fleto Michael	-1439 C039 282-7807 -1434 C039 282-3152	1417
Hargrove Sjanne3820 C004 869-0102	300 Cutter Frank R	-4634 C076 453-6787	1312	SA AUTO SALES	6316 C039 282-6622	Malone Jimmye	-1434 C039 282-3152 -1435 C039 282-4781	
120 Chafin O Y	Ì	HOUSEHOLDS 12	1801	TIP TOP CLEANERS &	-6218 C039 280-2266	10109 Jamison Lens	-1434 C039 282-1219	SLEEPY HOLLOW DR (
100 Pairgrow Santa 3822 CXX 898-9112	SKYVIEW ST (CP)	78613	1807	ALBERTSONS STORE		10204 Hernitton J M 10206 Brooks Larry D	1433 C039 282-5858	17004 Madonne Raymond A 17008 Doose Don
Leoy	651 Hollmelster G	-9007 Pi006 259-2542		ASCLEPIUS FOUNDATION	-6216 C039 280-6174	10207 Malone Jemes D	-1432 C039 282.1306	17102 CROWNE STAR
Watericzyk Henry		HOUSEHOLDS 1		ASSOC ASSISTANCE	-6215 C039 290-5862 -6215 C039 290-0419	10209 Obson Tim	-1433 C039 282-5576 	17104 PAT HASTINGS III
201 Stary Angle 3821 C004 930-4645 Stary 70m 3821 C004 630-4845 208 Kegel Anthony 3822 C004 683-2148 209 Kegel Anthony 3822 C004 683-2148	SKYVIEW TEA (L)	78641	l	DAVID W EVERS	. :6216 C039 290-1117	Pitisford Wede	-1433 C039 292-4629	17311 Chaudoin David
Warran Lauria .3821 COC4 603-007	108 Piley Bast	-9741 ROOS 256-1000	l	GREAT HAIRCUTS HOMESPUN COTTAGE	6216 C039 290-3685 -6216 C039 282-4659	10301 Mendez Albert	2219 C039 282-4334	Simon Riley R
218 Stengle R E	110 Tobey Emily	-9741 R006 259-1998 -9741 R006 259-2358	1	MEDICAL CLAIMS	6215 C039 290-2958	10305 Woodland Trevie W	-2219 C039 282-4334	BUSINESSES 2
221 Guenoweld Linda	111 Barry Jamie	-9747 RO06 250-1481 -9747 RO06 250-9476	l	PIZZA HUT 311618		Woodland Trent	2219 C039 280-2308 2222 C039 282-0748	SLEEPY HOLLOW DR @
226 Compton Lee	112 Also Carle	-9742 FIOOS 259-1906	١	Euers David W	-6218 C039 280-1117 -5968 P024 282-1359	10404 BANKER AUTOMOTIVE Banker Donalda E	2222 C039 280-0177	13902 Fax Peggy
404 Taylor Kathryn	E 114 A J PRECISION	-9742 ROOS 259-1906	2106	Moore Jack 6	5988 PIO24 282-1248	Banker F		Fragosa Leann
7aylor W S	Custer A J	-9742 R006 259-3000 -9742 R006 259-0413	Ι.	Sertin Doyle H	-6988 R024 282-1246 -6988 R024 282-1246	10412 Buchenan Bruce C	2222 C029 282-0816	13905 McDoneld Darie 13907 Sandovel Cella
Twist Kelly	119 Carpenter Arthur Jr	-9742 ROOS 259-1653 -9747 ROOS 259-3414		Scherer W H	5076 R024 282-1632 -5077 R024 282-0004	Goetze Y W 10414 PITACCO & SIMON	2222 C039 292-0616	Sandoval Jesus
HOUSEHOLDS 29	120 Towers James P	-0742 FIOOS 258-0905 -0747 FIOOS 325-0192		ANGELS NAIL & TANNING SALON	-5077 P024 202-5230	ROOFING	2222 C039 280-4717	14001 Rios Jose A
SKYLINE SPUR (G) 78628	121 ABAX Kieffer Don Pkach Dave 123 Mayes Lovell A 125 Avery Stephen	-9747 P006 259-5418		GRANDE TRUCK CENTER.	-5977 PIQ24 292-8410 -8977 PIQ24 280-1902	10418 Vasionk Johnny L		14006 Lujan Merie Lujan Peul
	123 Mayee Lowell A	-9747 ROOS 259-2060		HI LO AUTO SUPPLY 92	6977 P024 280-6201	10501 Malone David A	-2223 C039 292-1949	LUAN PAUL 14007 HÖWARD COGDILL WHOLESALE
Smith Terry K				CHROPRACTIC	-5977 R024 280-6212	CONSULTING INC	2223 C039 280-8986	
126 Gingrae John	Patrick Mikie	-9742 POOS 259-9422		ONION CREEK JEWELERS		Kortan Derlene	2223 CU39 280-8678 I	1401 Nevero Letcis
127 Morgan Paul E3852 C004 869-1633	Cramer Lee	-8742 R008 259-2911 -8742 R008 259-2911		POSTNET 10102	-5977 FIG24 282-0001 -5977 FIG24 292-4567	10508 James Geneva		14101 Golden Decends
HOUSEHOLDS 6	Roe Becky	-9742 POO8 259-7744 -9742 POO8 259-9422		RESOLUTION MATG	-5977 P024 290-0065	BARNHaddook Carl G	2225 C039 282-1007 2225 C039 282-1007	14102 Cleneres L
SKYLOOP DR (A) 78745	Roe James FL	49742 PIOOS 259-9422 -9747 PIOOS 250-0490		SUBWAY SANDWICHES	-6077 P024 282-9020 -5077 P024 280-6164	Heddoolt Carl G. 10708 Folia David R. Miscreel J. 10711 Larkin Gleen	2227 C039 292-6338 2227 C039 292-1906	Thompson Donelds E
100 Marquez Jose 4424 C014 442-0084 104 Bertord Travia E 4424 C014 441-2156	Vannoy Dave	-9747 P008 259-0910	i	Quick Deniel W	-5977 R024 290-6114	10711 Larkin Glenn	2226 C039 290-2816 2226 C039 290-4379	14107 Lopez George L
105 Hernandez Jesse,	& CAB	-8742 R008 259-5100 -9742 R008 259-5727	2204	LAMB VENTURES INC	-5023 C036 200-E235	10800 Woodell Lu	2230 C030 282-6385	Lopez Lydie
200 Helnis Diene	Persona William	-8742 ROOS 259-5727	2446	Heath Michael	-5065 CO26 292-6787	10801 Gora Ray	2228 C039 282-0396	14110 Freelich Merc A
202 Bereile M M4425 C014 447-5832 204 LONGHOPN BLINDS &	BUSINESSES 4	HOUSEHOLDS 26	2407	Greenwood Sien	-5065 C036, 290-8114	Hollingsworth A W	2239 C039 290-2008	Tobin A R
ORAPERIES	SKYWAY CIR (A)	78704		Hell D J	-5985 C036 280-4875	10802 Gannell Richard D Höllingsworth A W 10807 Hellis Rised. 10809 Denier John Denier M 10000 Fierre Marco A 10903 Orn Stanley. 10913 Wilds K G 10915 Kromer Jemes.	2226 C030 292-4288	BUSINESSES 1
DRIANGES 4-2-500 4-7	2800 Kourkouneks Willem J Martinez Roserio	4715 C038 328-5400	2409	Srown Mary J	-5965 C006 282-4857 -5986 C006 292-6461	10000 Fierro Marco A	2228 C039 292-8288 2231 C039 292-0882	SLEEPY HOLLOW LN (L)
302 Garola Paula	Martinez Roserio	4716 C038 445-6756 4716 C038 416-7840	2411	Scott P E	-5965 C036 280-9013 -5966 C036 282-0016	10903 Orn Slankry	2230 C039 292-0831	7610 Borneman Jane
304 Gerza Gundaham	Ybarra Erica	4715 C038 448-1442	2413	Long Aeron Long Courtney Walter Terrary	-5985 C036 292-8492	10016 Kromer James	2230 C039 282-8364	Hawking Eline
306 Earobar Roy R4426 C014 444-6418	2801 FUNTASIES	4715 C038 442-2733	2416	Walter Terrory	-5965 C038 292-9064	11001 Gordon Jerry R	2232 C039 280-8912	
300 Gestandos Noisees A - 4-452 OD14 328-3252 Garza J A - 4-427 OD14 48-8-818 206 Cote Daniel C - 4-427 CD14 448-0010 307 Gillengie Sam B - 4-428 CD14 449-0010 307 Gillengie Sam B - 4-428 308 Daniel B M - 4-427 CD14 448-5258	Thomas Williams M	4715 C039 707-2122	2410	Gunii Devin	-\$966 C036 292-4563	11004 Bheed J	-2233 C030 282-3728	SLEEPY HOLLOW RD (A
300 Cavis B M	2002 Citty Joel	4718 C038 442-8483	2417	Wiley 6 Hindos Adrians	-5065 C006 282-0654	Casebler Lyses	2234 C009 280-6765	13304 Plauche M R
	Videna Joann	4716 C038 442-9483 4716 C038 707-4967		Murillo Andrea	-5965 C036 292-8254 -5965 C038 292-8254	11211 Japko Yetle	-2236 C039 282-6329	Marin Willem A
BUSINESSES HOUSEHOLDS 19	Egbert L	4716 CUSS 441-2963 4716 CUSS 416-7783	2419		-5965 C036 290-1595	Shugart C A	·2237 C039 282-2309	70
SKYNOOK DR (A) 78745	State Lutte 2004 McGweln Mergeret 2004 McGweln Mergeret 2006 Hulf Karen 2006 Campbell Y J 2006 Campbell Y 2006 Cam	4716 C038 912-9983 4716 C038 462-8689	2421	Scheunelder Cel	-5886 CO38 280-1805 -5886 CO38 282-020 -5886 CO36 282-0118 -5865 CO36 282-0112 -5865 CO36 282-4872 -5865 CO36 280-8223	Constant Juerita	2236 C039 282-8576	SLIDELL CT (A)
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Evans Marie	8410 Bell Denies	3718 C099 918-2755 9718 C099 918-2755	290B I	Delaney Dena	-5804 R041 280-2827 -5804 R041 282-8074	8911 Rodriguez Gilbert Ximenez Rudy	5052 C027 635-4750 5052 C027 635-4750	11219 GB BW
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SKYVIEW CV (LH) 78642	8414 Shepard George B	3718 CU39 258-8018 3720 C039 331-9641	2903	Perry Aronel	-5701 R041 282-4806	9003 Davis G B	5054 C027 837-1315	Piloy Devede
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							EXHIBI	
							- Millia	



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

Slaughter Lane Tenants

A Beautiful You Hair Salon

Absolute Pest Control

Action Mortgage

Austin Driving School

Austin Steel Framing Sys.

Advocet Capital

Bob McNeely Graphics

Capital City Driving

Central Texas Realty

City Express Delivery

Chris Copeland, Attorney

Collier Equipment Corp

Computer Vision

DB Talent

Discovery Resource

Dr. Sam Bennett

DS Residential

Dr. Donna Hudspeth

Ed Neal, Art Gallery

Farmers Insurance

EXHIBIT

First Stop

Greg Meyer

Infinity ComputerJim Hix Realty

lohn Johnson

Larsen Supply Company

Lawless & Cox

Mariah Resources

Pascual Piedfort

Precision Inspection

Rebecca Tassi, Interior Design

Rent to Own Center

Richard Hampton Drywall

St. Philip Church

Sapphire Homes

Schaefer Law Firm

Speak Freely Speech Therapy

State Farm, Steve Lucca

Stefka & Rogers Co.

Stefka Home & Land Co.

Texas Investment Builders

Texas State BillingTrion Sales

■ Troy Castillo

Tug Hill Construction

Texas Towing

United Casualty

Veronica Snyder, Attorney

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 <u>Land Development Code</u>. 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

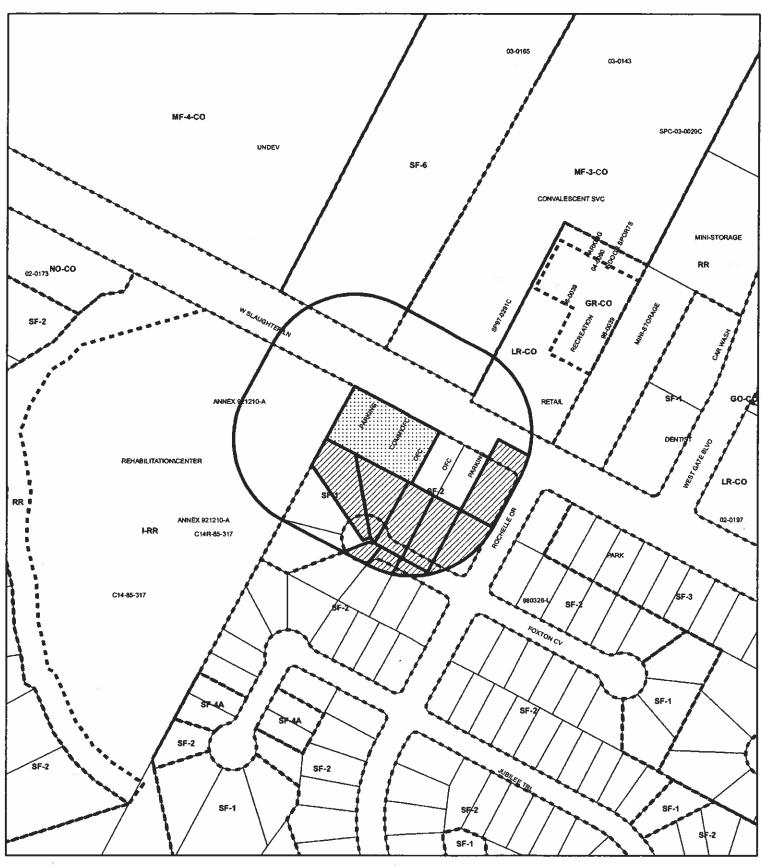
Site plans will be required for any new development other than single-family or duplex residential.

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.





CASE#: C14-2008-0025

ADDRESS: 3107, 3109, 3111 W SLAUGHTER LANE

GRID: D14-15

CASE MANAGER: W. RHOADES



ase No	umber:	C14-2008-0025	Date:	July 15, 200
	310	7, 3109, 3111 W SLAUGHTER	LANE	·
otal Ar	ea Within 200' of Subje	ect Tract	260,299.58	
		GRANADO CASMIRO A		
1 _	04-2825-0801	& GLORIA Q	13,684.08	5.269
2 _	04-2825-0802	TREVINO TEDDY	8,735.58	3.369
3 _	04-2825-0809	SHERRILL PAUL K III	9,880.15	3.809
4 _	04-2825-0810	SCHRIBER STEVEN A	9,772.12	3.759
_		SCHRIBER MICHAEL		
⁵ _	04-2825-0811	EUGENE	10,366.38	3.989
_		WOLFF HEIDI B &		
6 _	04-2825-0812	CHRIS D	12,839.13	4.939
⁷ –	04-2825-0901	MAHONEY MICHAEL S	18.95	0.019
_		MCHAM STANLEY W &		
8 _	04-2825-0904	GAIL S	2,427.45	0.93%
_		BRUMBACK RICHARD		
9 _	04-2825-0905	_ !!!	1,666.52	0.64%
		MORTON JAMES W &		
¹⁰ –	04-2825-0907	DEBORA J	1,973.68	0.769
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alidate	d By:	Total Area	of Petitioner:	Total %
	Stacy Meeks		71,364.04	27.42%

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

Austin City Council

To:

Address of

Date: 7-7-08
File Number: C14-2008-0025

Rezoning Request: 3107 3109 3111 W. 5/409 html

(S	TATE REASONS FOR YOUR P	ROTEST)
(PLEASE USE BLACK IN	K WHEN SIGNING PETITION)	
Signature have	Printed Name STEVEN A. SCHRIBER	Address 3104 FOX TON COVE 78148
Briva to Veret	PAN SHERRILL /	2102 FOXTON COVE 78748
(Kell frotring	TEO TREVINO	CE 3110 tolton COVE 78748 3100 FOXTON COVE 78748
Michael E. Schribe	a Michael Schriber	3106 Foxton Cove 78748
James Willottor	James W. Morton	3107 Forton Caye 78748
Say Waller	Heidi Wolff	3108 Foxton Car 78748
Muld But mohney	GIAN W. MEHAM Michael Scott Myhoney	3105 FOXTON COVE 18748
Come Fine la	Lesmira Pronde	3101 FONTON LOVE 78748 3101 Slaughter 78799
Killela Bert es	Richard A. Brumback III	3103 Fexton Cove 78748
		<u> </u>
Date: 7-7-08		: STEVEN SCHRIBER 1: (512) 970-7501

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 $\frac{1}{2}$.

(STATE REASONS FOR YOUR PROTEST)

Printed Name

To:

Signature

Austin City Council

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Date: 2-18-2008

Address of

File Number: C14-2008 -0025

Address

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

Ti .
Contact Name: Struck A. SCHRIBER 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. 5th 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,

Timpy Ochs LOSW, LCDC Chief Operating Officer

Rhoades, Wendy

From: Alison Gardner for the Alison Gardner f

Sent: Monday, August 04, 2008 9:17 AM

To: Jeff Howard; Rhoades, Wendy Subject: RE: Slaughter Lane Re-zoning

Yes.

From: Jeff Howard [mailton] roward@meleanhowardiaw.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

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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 [mailton from and immediate from the state of the st

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

Facsimile (512) 328-2409 www.mcleanhowardlaw.com

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From: Alison Gardner [mailto:agardner@sbaustinlage.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

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August 18, 2008

VIA E-MAIL

Wendy Rhoades
Neighborhood Planning & Zoning Department
City of Austin
505 Barton Springs Road, 5th 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.meleanhowardlaw.com

August 15, 2008

Via Facsimile 974-6054

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

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.

JH

cc:

Curt Stefka Max James Bob Pittman