

ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0197 – Chase Bank

Z.A.P. DATE: October 21, 2008

ADDRESS: 140 West Slaughter Lane

OWNER: Capitol City Warehousing, Inc.
(Bert Pence)

AGENT: C. Faulkner Engineering
(Colleen Smith)

ZONING FROM: CS-CO **TO:** CS-CO, to modify the original conditions of zoning, specifically the number of daily vehicle trips

AREA: 0.83 acres (36,154.80 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services (CS-CO) combining district zoning. The Conditional Overlay prohibits campground, kennels, pawn shop services and vehicle storage uses.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

October 21, 2008: *APPROVED CS-CO DISTRICT ZONING AS STAFF RECOMMENDED; BY CONSENT.*

[D. TIEMANN; T. RABAGO – 2ND] (4-0) B. BAKER; K. JACKSON; J. GOHIL - ABSENT

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject rezoning area consists of one platted lot located at the northeast corner of West Slaughter Lane and Cullen Lane, and is zoned general commercial services – conditional overlay (CS-CO) combining district. The conditional overlay approved with a 1996 zoning case that applies to the subject lot and also the two adjacent lots to the east consists of a 2,000 daily vehicle trip limit and prohibits campground, kennels, pawn shop services and vehicle storage uses. The intersection of Slaughter and Cullen Lanes is developed with office, retail, commercial and restaurant uses (RR; SF-2; GR-CO; CS-CO), and the subject lot contains a vacant flooring and carpet store. Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plat).

The Applicant is seeking to redevelop the property with a one-story, 4,315 square foot financial services use and proposes to modify the conditional overlay to remove the 2,000 daily vehicle trip limit. The list of prohibited uses approved with the 1996 case would

remain intact, and the 2,000 daily vehicle trip limit would continue to apply to the adjacent two lots to the east. Transportation staff reports that no additional right-of-way is needed at this time and furthermore, that the intersection of Cullen Lane and West Slaughter Lane is now signalized and no additional roadway improvements have been identified by Public Works Department. Based on these findings, Staff recommends removal of the 2,000 trip limit.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-CO	Vacant commercial building
<i>North</i>	CS-CO	Construction sales and services; Communication services; Parking area; Undeveloped; Cell tower
<i>South</i>	RR; SF-2; GR-CO; CS-1-CO	Dental office; Pet services; Financial services; Shopping center anchored by discount superstore; South Park Meadows shopping center; Cocktail lounge
<i>East</i>	CS-CO	Restaurant; Automotive repair; Service station with food sales
<i>West</i>	GR-CO; CS-1	Retail; Liquor store; Undeveloped

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Onion Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes,
Slaughter Lane

NEIGHBORHOOD ORGANIZATIONS:

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

SCHOOLS:

Williams Elementary School Bedichek Middle School

Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2008-0089 – Euers Office /	RR; SF-2 to GR	To Grant GR-CO with the CO for list of	Scheduled for 10-23- 08.

Retail Building		prohibited uses, 2,000 trips per day and the conditions of a Street Deed for r-o-w on Cullen Lane	
C14-2007-0193 – Sonic Slaughter #68 – 129 and 155 Slaughter Lane	SF-2 to GR	To Grant GR-CO with CO for 2,000 trips/day.	Approved GR-CO as ZAP recommended (1-10-08).
C14-06-0204 – Slaughter Zoning – 160 West Slaughter Lane	I-RR to GR	To Grant GR-CO with the CO for vegetative buffer, signage, building size & height, 3,000 trips with conditions, and list of prohibited uses. RC for hours of operation & construction, dumpster location, location of loading dock, delivery hours, outdoor sound, native plants and IPM, temporary storage containers, outdoor lighting. Posting of fiscal surety for intersection improvements at Cullen and Slaughter.	Approved GR-CO with CO and Restrictive Covenant as ZAP recommended (5-3-07).
C14-06-0203 – Cullen Zoning – 9006 Cullen Lane	I-RR to GR	To Grant GR-CO with the CO and Restrictive Covenant incorporating that described in C14-06-0204. Street Deed for Cullen Lane.	Approved GR-CO with CO, Restrictive Covenant and Street Deed as ZAP recommended (5-3-07).
C14-06-0161 – Southpark Meadows Building 19 – 9200-9250 Cullen Lane	GR-CO to CS-1	To Grant CS-1 for 15, 534 square feet.	Approved CS-1-CO with the CO to prohibit adult-oriented uses (11-2-06).
C14-05-0171 – The Grove at Southpark Meadows – 301 West Slaughter	I-RR; LO-CO; CS-CO to GR-MU-CO for Tracts 1 and 2; SF-6 for Tract 3;	To Grant GR-MU-CO for Tracts 1 and 2; SF-6 for Tract 3; SF-6-CO for Tract 4 and GR-CO for Tract 5, with	Approved GR-MU-CO for Tracts 1 and 2, SF-6 for Tract 3 and GR-CO for Tract 5 as ZAP recommended; SF-4A

Lane and 9501 South 1 st Street	SF-6-CO for Tract 4; GR-CO for Tract 5	additional prohibited uses and LR development standards, and the conditions of the Traffic Analysis with additional turning movements allowed	for Tract 4. A Restrictive Covenant for the Traffic Impact Analysis (5-18-06).
C14-05-0002 – Quick Tract – 9420 Cullen Lane	RR to CS	Approved GR-CO with CO for list of prohibited and conditional uses. Restrictive Covenant for the Traffic Impact Analysis.	Approved GR-CO as recommended by ZAP. Restrictive Covenant is for the TIA (3-10-05).
C14-04-0075 – Southpark Meadows – 9600 South IH-35 Service Road Southbound	LO-CO; CS-1-CO to GR-CO	To Grant GR-CO with conditions of the TIA	Approved GR-CO with a Restrictive Covenant for the TIA, as recommended by ZAP (10-21-04).
C14-99-0129 (RCT) – 9600 South IH-35 Service Road Southbound	To Terminate the Restrictive Covenant which addresses the discontinuance of a cocktail lounge use.	To Grant a Termination of the Restrictive Covenant	Approved a Termination of the Restrictive Covenant (10-21-04).
C14-04-0037 – Slaughter @ Cullen Commercial – 9200 Cullen Lane	RR to GR	To Grant GR-CO with a list of prohibited uses and conditions of the TIA (7-20-04)	Approved GR-CO with CO for a list of prohibited and conditional uses; the Restrictive Covenant is for the TIA (8-26-04).
C14-03-0066 – Wal-mart: IH-35 and Slaughter Lane – Southwest corner of IH-35 and West Slaughter Lane	RR; SF-2; LI-CO; CS-CO and CS to GR	To Grant GR-CO with conditions of the TIA	Approved GR-CO with CO provide a 6' fence and landscaping along Cullen Lane; 2) direct all traffic south on Cullen Lane by way of limited function driveways onto Cullen Lane that allow right-in and left-out movements only; 3) the use of shielded / hooded lights

			throughout the site; and, 4) a list of prohibited uses and one accessory use. The Restrictive Covenant is for the TIA memorandum and an Integrated Pest Management (IPM) Plan and a landscape plan for the use of native and adapted plant materials (10-30-03).
C14-99-2063 – 8900 Block of Cullen Lane	I-RR to CS for Tract 1; LO for Tract 2	To Grant CS-CO for Tract 1; LO-CO for Tract 2. (The CO is described below in C14-98-0226)	Approved CS-CO for Tract 1; LO-CO for Tract 2 as Commission recommended (6-22- 00).
C14-99-2007 – 8916 Cullen Lane	I-RR to CS for Tract 1; LO for Tract 2	To Grant CS-CO for Tract 1; LO-CO for Tract 2. (The CO is described below in C14-98-0226)	Approved CS-CO for Tract 1; LO-CO for Tract 2 as Commission recommended (1-27- 00).
C14-99-0112 – 8816 Cullen Lane	DR to CS for Tract 1; LO for Tract 2	To Grant CS-CO for Tract 1; LO-CO for Tract 2. (The CO is described below in C14-98-0226)	Approved CS-CO for Tract 1; LO-CO for Tract 2 as Commission recommended (1-27- 00).
C14-99-0075 – 8810 Cullen Lane	DR to CS for Tract 1; LO for Tract 2	To Grant CS-CO for Tract 1; LO-CO for Tract 2, with LO-CO being a 40' wide landscaped buffer and a 6' solid fence along the west property line; CS- CO for list of prohibited uses; 30' height limit; 2,000 trips; rollback to W/LO if construction sales & service use is a permitted use in that district; r-o-w dedication on Cullen Lane (approximately	Approved CS-CO for Tract 1; LO-CO for Tract 2 as Commission recommended (9-30- 99).

		5').	
C14-98-0226 – 8908 Cullen Lane	I-RR to CS-CO	To Grant LO-CO	Approved CS-CO for Tract 1 and LO-CO for Tract 2 with LO-CO being a 40' wide landscaped buffer and a 6' solid fence along the west property line; CS-CO for list of prohibited uses; 30' height limit; 2,000 trips; rollback to W/LO if construction sales & service use is a permitted use in that district; r-o-w dedication on Cullen Lane (approximately 5') (10-7-99).
C14-96-0015 – 9100 Cullen Lane	I-RR to GR; CS-1	To Grant CS-1-CO for Tract 1; GR-CO for Tract 2, with CO for 2,000 trips	Approved CS-1-CO for Tract 1; GR-CO for Tract 2 as recommended by Commission (4-25-96).

RELATED CASES:

The subject property was annexed into the Full-Purpose Jurisdiction on December 31, 1996. This property (140 West Slaughter Lane) as well as the two adjacent lots to the east were zoned CS-CO with the CO for a 2,000 daily vehicle trip limit and prohibiting the uses of campground, kennels, pawn shop services and vehicle storage (C14-96-0016 – Plumley Subdivision Zoning).

The zoning area is platted as Lot 3, Block 1 of the Slaughter Lane Commercial Park subdivision (C8-01-0074.0A). Please refer to Exhibit B.

There is a site plan in process for the proposed financial services use, known as Chase Bank (SP-2008-0018C). Please refer to Exhibit C.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	ADT
West Slaughter Lane	120-140 feet	2 @ 36 feet	6-lane, major arterial, divided (MAD)	31,236 vehicles per day**
Cullen Lane	50-60 feet	24-27 feet	Collector	N/A

**Taken in 2003, near Francia Trail.

- There are existing sidewalks along both sides of West Slaughter Lane. There are no sidewalks along Cullen Lane.
- Capital Metro bus service is available along West Slaughter Lane with the Southpark Meadows feeder route (#201) and 1L via Lamar local service. *For information: #201 route continues to Akins High School via FM 1626 and S. First Street.*
- West Slaughter Lane is identified as a Priority 1 in the Bicycle Plan, from South First Street to IH-35. Cullen Lane is identified as a Priority 1 in the Bicycle Plan, from Ralph Albanedo Drive to Turk Lane.

CITY COUNCIL DATE: November 20, 2008

ACTION:

ORDINANCE READINGS: 1st

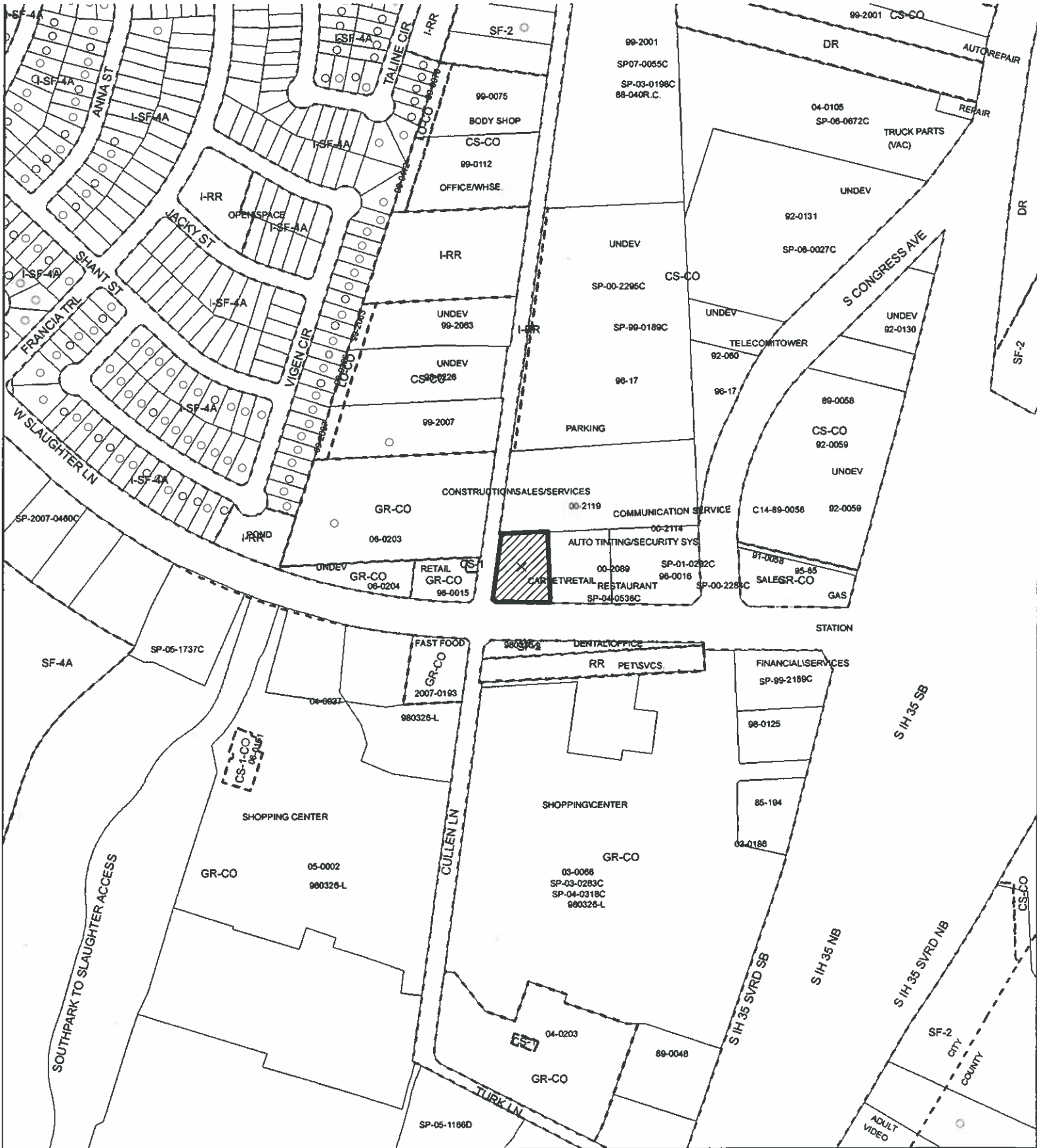
2nd




3rd

ORDINANCE NUMBER:

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

PHONE: 974-7719



 **SUBJECT TRACT**
 **ZONING BOUNDARY**
 **PENDING CASE**

OPERATOR: S. MEEKS

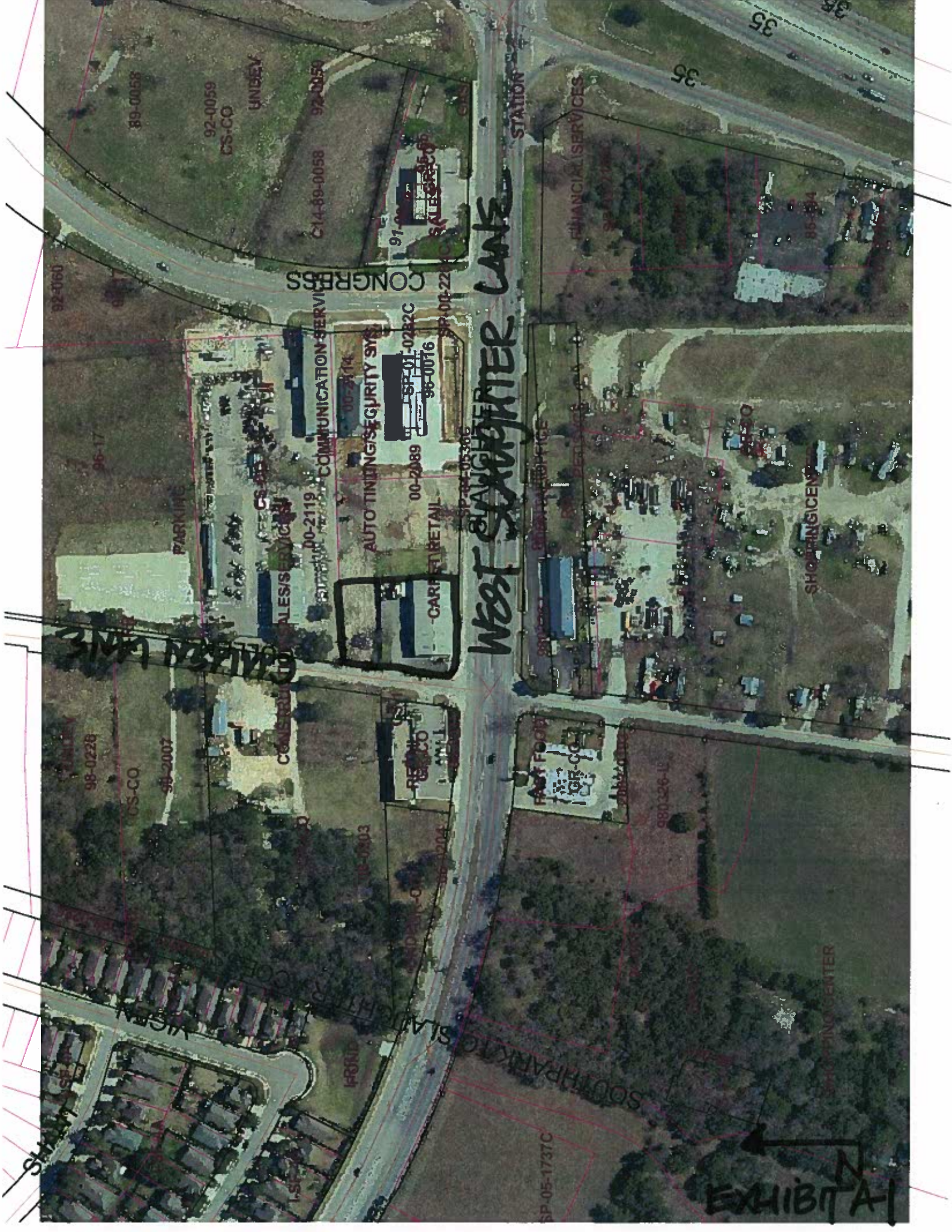
This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

ZONING

ZONING CASE#: C14-2008-0197
ADDRESS: 140 W SLAUGHTER LANE
SUBJECT AREA: 0.83 ACRES
GRID: G13
MANAGER: W. RHOADES

EXHIBIT A


$$1'' = 400'$$



SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services (CS-CO) combining district zoning. The Conditional Overlay prohibits campground, kennels, pawn shop services and vehicle storage uses.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The general commercial services (CS) district is intended predominantly for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. The CS district is best suited for uses located at intersections of arterial roadways or arterials with collector status. The intention is to promote safe and efficient use of transportation facilities.

The property has frontage on West Slaughter Lane, a major arterial.

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

The list of prohibited uses approved with the 1996 case would remain intact, and the 2,000 daily vehicle trip limit would continue to apply to the adjacent two lots to the east. Transportation staff reports that no additional right-of-way is needed at this time and furthermore, that the intersection of Cullen Lane and West Slaughter Lane is now signalized and no additional roadway improvements have been identified by Public Works Department.

EXISTING CONDITIONS**Site Characteristics**

The subject property contains a vacant commercial structure. The site is relatively flat and there appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the CS zoning district would be 80% which is based on the more restrictive zoning regulations. The impervious cover shown on the site plan in process is 75.29%.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Onion Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land

Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

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

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

Trees will likely be impacted with this rezoning case. Please be aware that an approved rezoning status does not eliminate the requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

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

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

Transportation

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

The traffic impact analysis for this site was waived because any traffic and roadway related improvements to the nearby intersection of Cullen Lane and W. Slaughter Lane that were identified with the zoning case (**Case No.: C14-2005-0171**) and the traffic impact analysis (**Project Name: Grove at South Park Meadows Tract a.k.a. Saunders 143 Property**) have been completed. The intersection of Cullen Lane and West Slaughter Lane is now signalized and no additional roadway improvements have been identified by Public Works Department.

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

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

There is a site plan currently under review for this property (SP-2008-0018C) which provides for 4,315 square feet of financial uses, along with associated parking and drainage facilities.