

ZONING CHANGE REVIEW SHEET

CASE: C14-2009-0149 – 2103 West Slaughter Lane Zoning Change

Z.A.P. DATE: January 5, 2010
January 19, 2010

ADDRESS: 2103 West Slaughter Lane

OWNER/APPLICANT: Shokrallah Delaram.

AGENT: Sean Hildebrandt

ZONING FROM: SF-2 **TO:** GO-MU

AREA: 0.7682 acres
(33,462.79 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general office – mixed use – conditional overlay (GO-MU-CO) combining district zoning. The Conditional Overlay allows for personal services, other neighborhood office (NO) zoning district uses and development regulations.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

January 5, 2010: *CONTINUED TO 1-19-10 (COMMISSION)*
[D. TIEMANN; P. SEEGER – 2ND] (6-0) G. BOURGEOIS – ABSENT

January 19, 2010: *APPROVED GO-MU-CO DISTRICT ZONING AS STAFF RECOMMENDED WITH A RESTRICTIVE COVENANT PROHIBITING BUSINESS OPERATIONS BETWEEN THE HOURS OF 10 P.M. AND 9 A.M. MONDAY THROUGH SATURDAY, AND ON SUNDAYS.*

[P. SEEGER; S. BALDRIDGE – 2ND] (6-1) B. BAKER - NAY

ISSUES:

The Agent met with Staff to further discuss how the personal services use could occur within the rezoning area. Staff estimates that six parking spaces are required based on the existing 1,500 square foot structure and it may be possible to use the existing impervious cover to fulfill this requirement. In this case, the Applicant may qualify for a site plan exemption and would then be able to proceed to the commercial building permit stage.

Notes on the Ford Oaks plat that was recorded in 1946 designate the use of all lots except for four lots located at the intersection of Riddle Road and Allred Drive to residential uses. However, a subsequent plat note states that, "...these restrictions and covenants shall be binding until January 1, 1960."

DEPARTMENT COMMENTS:

The subject rezoning area consists of one platted lot and the north 45 feet of the adjoining lot to the south, and is zoned single family residence standard lot (SF-2) district. The single

family residence was constructed on the common lot line, hence the need to rezone a portion of the adjoining lot to the south. Access is taken by way of a circular driveway to West Slaughter Lane. The property to the east also has driveway access to Slaughter Lane (NO-CO), while the property on the west takes access to a driveway that connects to Riddle Road (LO-CO). There are single family residences on platted lots to the south (SF-2) and across Slaughter Lane to the north, there is a shopping center (GR). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plat).

The Applicant is requesting general office – mixed use (GO-MU) zoning in order to convert the existing residence to a personal services use, a use that is first allowed in the GO district. Within the past 10 years, office zoning has been granted for three other properties on this block of Riddle Road/Slaughter Lane. While GO district zoning is less restrictive than that granted on either side of this property, one difference is that this property is only able to take access to Slaughter Lane, unlike all other properties on the block. Staff recommends GO-MU zoning for the personal services use given its sole access to a major arterial roadway, with a Conditional Overlay that limits the property to neighborhood office (NO) uses and development standards. The intent of the Conditional Overlay is to retain the residential character of the other office-zoned properties on this block.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	One single family residence
<i>North</i>	GR	Shopping center with retail and restaurant uses, auto repair business and liquor store
<i>South</i>	SF-2	Single family residences
<i>East</i>	NO-CO; GR	Undeveloped; Financial services
<i>West</i>	LO-CO; SF-2; NO	Single family residences

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Slaughter Creek **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association
 217 – Tanglewood Forest Neighborhood Association
 242 – Slaughter Lane 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 997 – Tanglewood Oaks Owners Association
 1037 – Homeless Neighborhood Association 1075 – League of Bicycling Voters
 1113 – Austin Parks Foundation

1200 – Super Duper Neighborhood Objectors and Appealers Organization
 1214 – Baurle Ranch Homeowners Association 1224 – Austin Monorail Project
 1228 – Sierra Group, Austin Regional Group
 1236 – The Real Estate Council of Austin, Inc.

SCHOOLS:

Kocurek Elementary School

Bailey Middle School

Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2008-0114 – 2105 and 2107 West Slaughter Lane	SF-2 to LR	To Grant LO-CO with CO limited to medical offices, NO uses and NO development regulations for impervious cover and height	Approved LO-CO as Commission recommended (8-21- 08).
C14-02-0083 – Riddle Road – 2308 Riddle Road	DR to SF-3	To Grant SF-3	Approved SF-3 (8-22- 02).
C14-02-0061 – Lot 7, Rezone – 2101 West Slaughter Lane	SF-2 to NO	To Grant NO-CO with 25' buffer on south and west sides of property	Approved NO-CO with CO for a 25' vegetative buffer and prohibiting access to Allred Drive (8-1-02).
C14-97-0120 – Residential Services – 2111 West Slaughter Lane	SF-2 to NO	To Grant NO	Approved NO (11-20- 07).

RELATED CASES:

The property is platted as Lot 6, and the north 45 feet of Lot 9, Block A of the Ford Oaks subdivision, recorded in June 1946 (C8-1946-1765). Prior to the expansion of West Slaughter Lane, right-of-way was acquired along the frontage of Lot 6. There are no site plan applications approved or in process on the subject property.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Plan	Bus Routes
West Slaughter Lane	113 feet	76 feet	Arterial	Yes	Bike Lane Recommended and Exists	Yes

CITY COUNCIL DATE: February 4, 2010

ACTION:

ORDINANCE READINGS: 1st

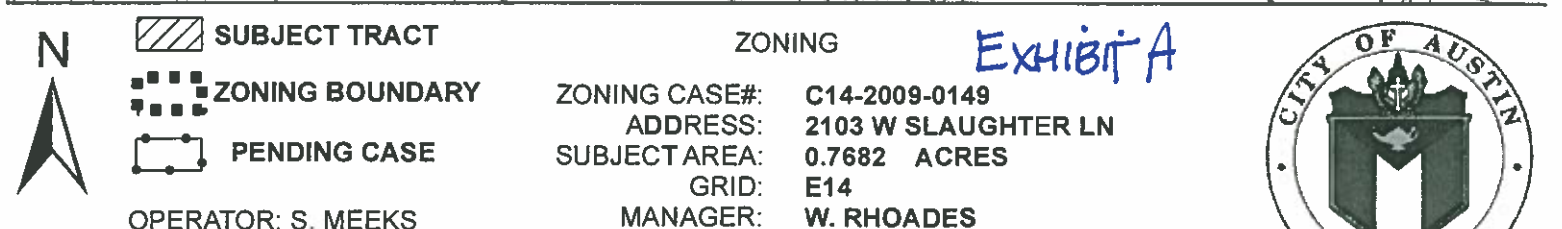
2nd

3rd

ORDINANCE NUMBER:

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

PHONE: 974-7719



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SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general office – mixed use – conditional overlay (GO-MU-CO) combining district zoning. The Conditional Overlay allows for personal services, other neighborhood office (NO) zoning district uses and development regulations.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The general office (GO) district is intended for offices and selected commercial uses predominantly serving community or City-wide needs, such as medical or professional offices. A building in a GO district may contain more than one use. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

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

Staff recommends GO-MU zoning for the personal services use given its sole access to a major arterial roadway, with a Conditional Overlay that limits the property to neighborhood office (NO) uses and development standards. The intent of the Conditional Overlay is to retain the residential character of the other office-zoned properties on this block.

EXISTING CONDITIONS**Site Characteristics**

The subject lot is developed with one single family residence and has moderate vegetative cover. There appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the GO zoning district is 80%, a consistent figure between the *zoning and watershed* regulations. The maximum impervious cover allowed by the NO and LO zoning districts is 60% and 70%, respectively, a figure based on the more restrictive *zoning* regulations.

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 Slaughter 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.

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's 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.

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 his own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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

This site is subject to Commercial Design Standards.

This location is in the Scenic Roadway sign district.

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.

- a. The site is subject to compatibility standards. Along the south property line, the following standards apply:
- b. No structure may be built within 25 feet of the property line.
- c. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- d. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- e. No parking or driveways are allowed within 25 feet of the property line.
- f. A landscape area at least 15 feet wide is required along 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.
- g. 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.
- h. 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.
- i. Additional design regulations will be enforced at the time a site plan is submitted.

**Zoning & Platting Commission
January 5, 2010 @ 6.00 P.M.
City Hall
City Hall- Council Chambers
301 W. 2nd Street
Austin, TX 78701**

AGENDA

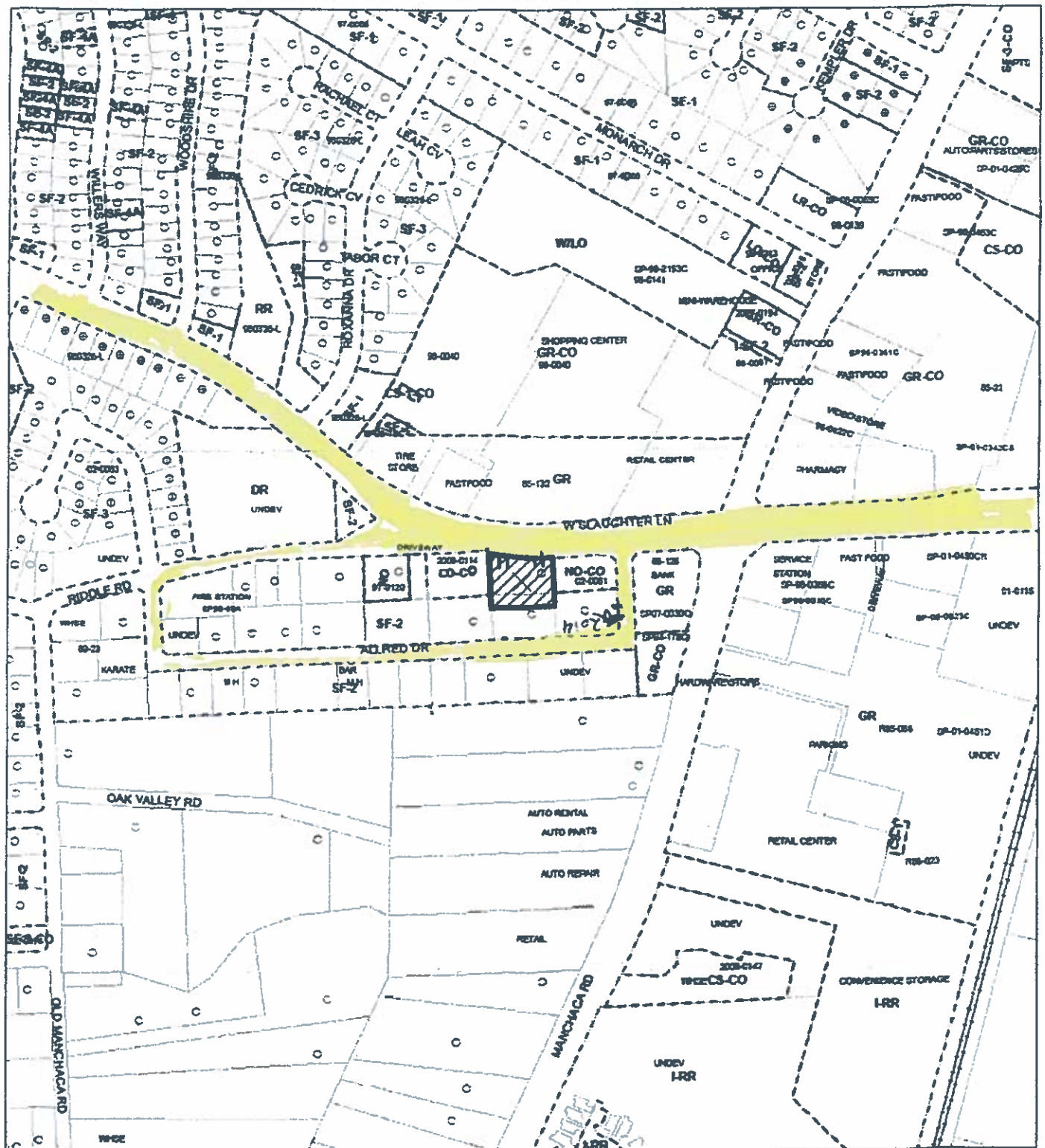
Betty Baker- Chair	Teresa Rabago- Secretary
Sandra Baldrige	Patricia Seeger
Cynthia Banks	Donna Tiemann- Vice-Chair
Gregory Bourgeois- Assistant Secretary	




Rezoning: C14-2009-0149-2103 W. Slaughter Lane

Location: 2103 West Slaughter Lane, Slaughter Creek Watershed
Owner /Applicant: Shokrollah Delaram
Agent: Sean Hildebrandt
Request: SF-2 to GO-MU
Staff Rec: **Recommendation of GO-MU-CO**
Staff: Wendy Rhoades, 974-2786, wendy.rhoades@ci.austin.tx.us
Planning and Development Review Department

The following information attached is regarding the above case discussed in 1/5/2010:

1. Survey: highlighted area is the driveway
2. The signature of the surrounding property owners in favor of the changing of the zoning
3. Pictures of the property



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

OPERATOR: S. MEEKS

ZONING

ZONING CASE#: C14-2009-0149
 ADDRESS: 2103 W SLAUGHTER LN
 SUBJECT AREA: 0.7682 ACRES
 GRID: E14
 MANAGER: W. RHOADES

1" = 400'

This map has been produced by G.I.S. Services for the sole purpose of geographic reference.
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H.E.B

SLAUGHTER LANE (E.O.W. varied)

TRAVIS COUNTY
(0.1179 ACRES)
VOLUME 10503 PAGE 620

SCALE 1" = 30'



FORD OAKS
VOLUME 4
PAGE 264

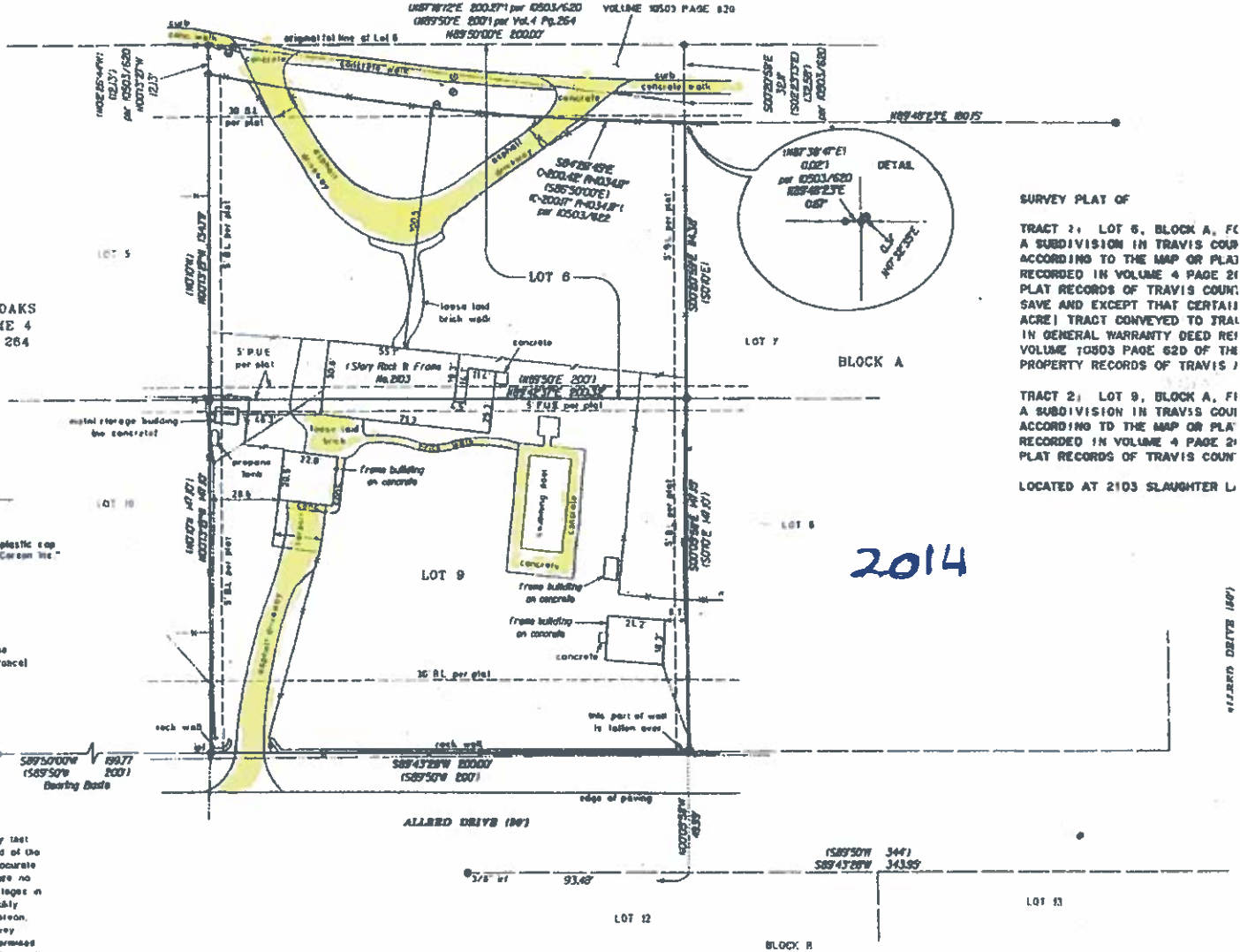
- Legend**
- Iron Rod Found
 - Iron Pipe Found
 - Iron Rod Set with plastic cap imprinted with "Holt Carson Inc."
 - Calculated Point
 - Water Valve
 - Water Meter
 - Fire Hydrant
 - Wire Fence
 - Chain Link Fence
 - Wood Board Fence
 - Overhead JHI/L Line
 - Records Bearing and Distance

80°44' 150W 2007
89°52' 2007
58°50'00W 158°50'W 2007
Bearing Bats

TEXAS
TRAVIS
I hereby certify that
I have made on the ground of the
survey hereon and in accurate
ability and that there are no
flood, encroachments, shortages in
of improvements, visible utility
poles, except as shown hereon,
about a dedicated roadway
within Zone X (area determined
the 100 Year Flood Flood according
Agency Management Agency Flood
up Panel No 65063c 0260 F.
2000
17 of NOVEMBER, A.D. 2006



Holt Carson
Professional Land Surveyor No 5156
T. CARSON, INC.
P.O. Box 4000, Austin, Texas 78704
512-662-0980



SURVEY PLAT OF

TRACT 2: LOT 5, BLOCK A, FC
A SUBDIVISION IN TRAVIS COUP
ACCORDING TO THE MAP OR PLAT
RECORDED IN VOLUME 4 PAGE 21
PLAT RECORDS OF TRAVIS COUNT
SAVE AND EXCEPT THAT CERTAIN
ACRE) TRACT CONVEYED TO TRAI
IN GENERAL WARRANTY DEED RE
VOLUME 10503 PAGE 620 OF THE
PROPERTY RECORDS OF TRAVIS)

TRACT 2: LOT 9, BLOCK A, FI
A SUBDIVISION IN TRAVIS COUP
ACCORDING TO THE MAP OR PLAT
RECORDED IN VOLUME 4 PAGE 21
PLAT RECORDS OF TRAVIS COUNT

LOCATED AT 2103 SLAUGHTER L

Note:
This plat is subject to restrictions recorded in Volume 4, Page 25,
of the Plat Records of Travis County, Texas.

residential to commercial. We have agreed that changing the zone is beneficial to the property and the neighborhood. The signature of the people in favor of case Number: C14-2000-0149

Eddie Dean

2101 Slaughter La

W. H. J.

House on allred
behind shop

Doyle + Gloria Sartin 2105 Slaughter La



2103

**PROPOSED
ZONING
CHANGE**

PUBLIC HEARING

FOR FURTHER INFORMATION
CONTACT:

NEIGHBORHOOD PLANNING &
ZONING DEPARTMENT
ZONING REVIEW SECTION

974-7668

Please reference file number--

C14-2009-0149

 **DO NOT REMOVE.**





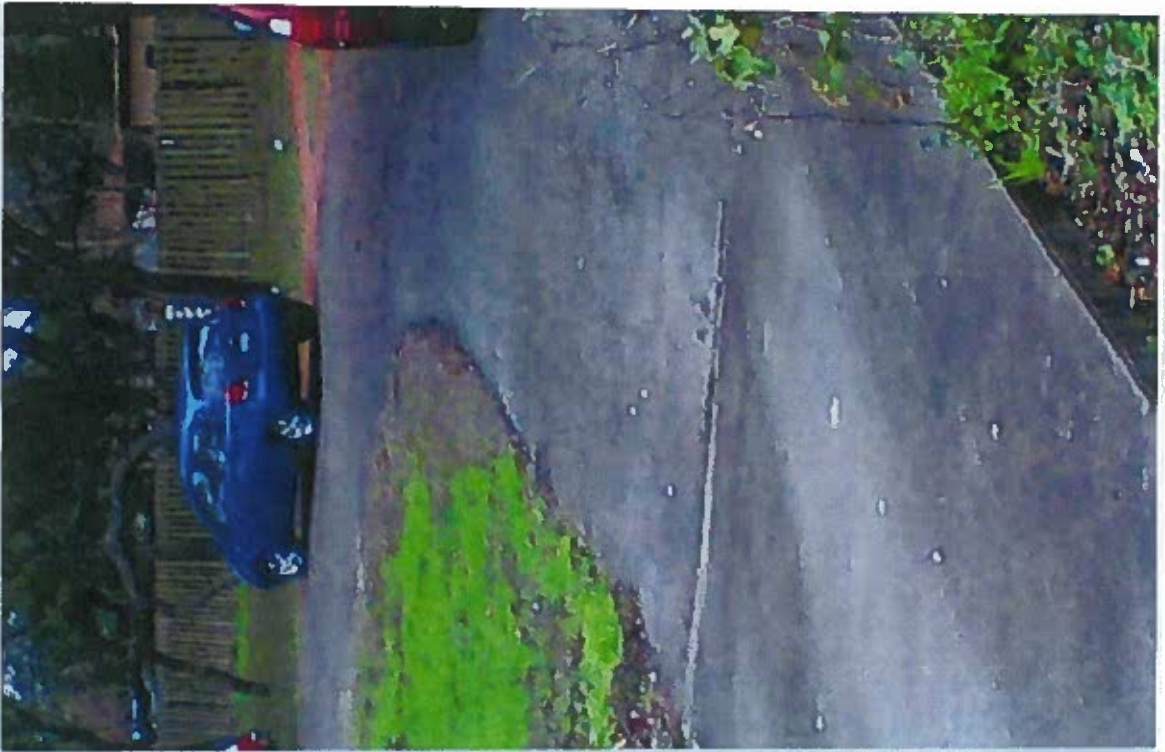




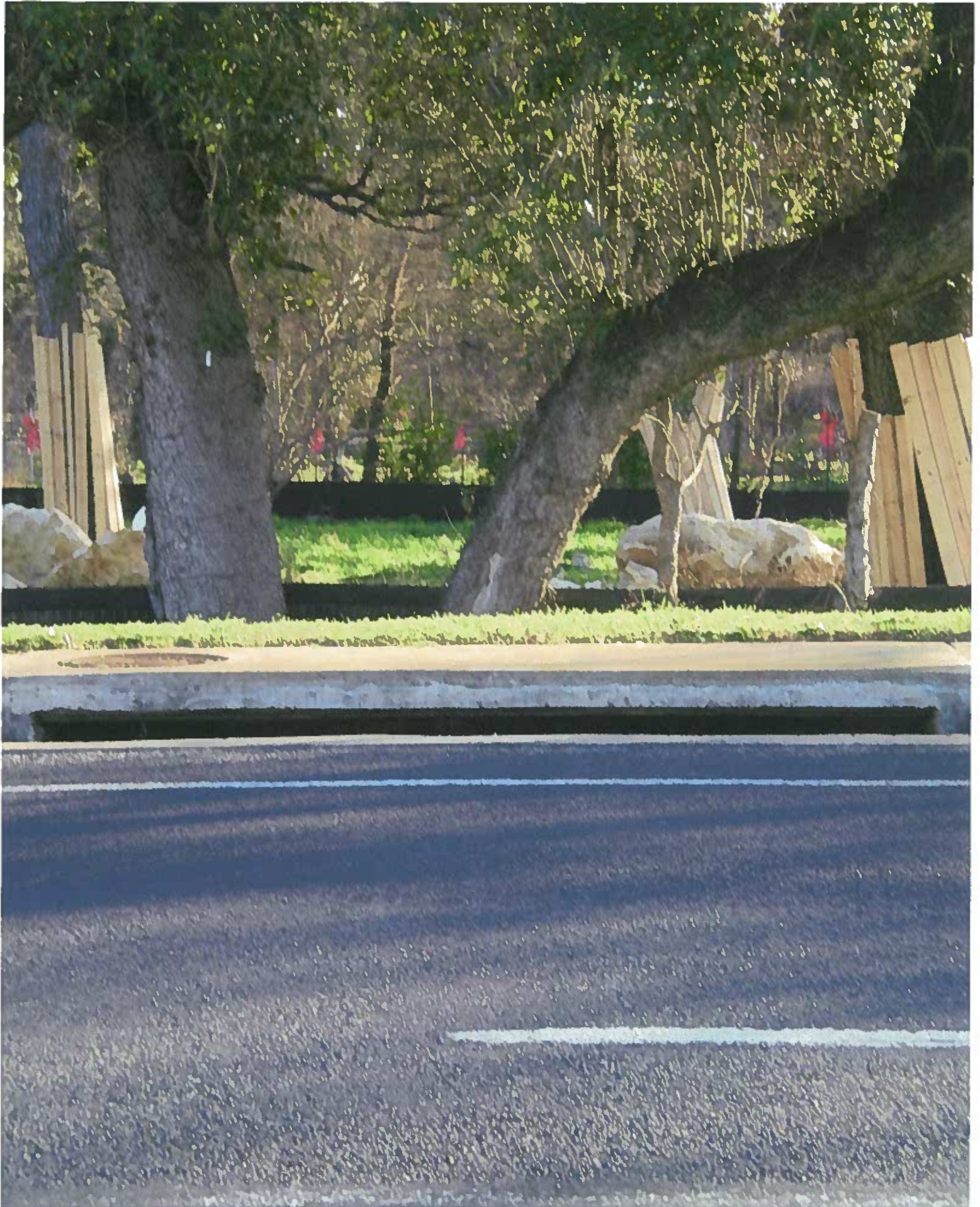








2103 W. Slaughter LN



Storm drain on Slaughter & Allred

2103 W. Slaughter Ln



Storm Drain on Allred

2103 W. Slaughter



Storm Drain on Altree

2103 W. Slaughter Ln



Damaged Culvert @ corner of Allred

2103 W. Slaughter LN



2nd Damaged Storm Drain @ Allred

PUBLIC HEARING INFORMATION

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

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

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

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

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

www.ci.austin.tx.us/development

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

Case Number: C14-2009-0149

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jan. 5, 2010, Zoning & Platting Commission
Feb. 4, 2010, City Council

Georgia S. GROSSMAN
Your Name (please print)

☒ I am in favor
☐ I object

2115 A11red

Your address(es) affected by this application

George S. Grossman *9-29-09*
Signature Date

Daytime Telephone: *512-282-0083*

Comments:

*This area faces Slaughter Lane
of the HEB shopping
center & should have
been zoned commercial
10 years ago.*

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

City of Austin
Planning & Development Review Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2009-0149

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jan. 5, 2010, Zoning & Platting Commission
Feb. 4, 2010, City Council

Sean Hildebrandt

Your Name (please print)

2103 W SLAUGHTER LN

Your address(es) affected by this application

SEAN HILDEBRANDT

Signature

Date

Daytime Telephone: 512-663-9486

Comments: I believe that rezoning this property will not impact adjacent properties in any significant manner. Thank You

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

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

City of Austin
Planning & Development Review Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

Mizell Response to Re-zoning of 2103 West Slaughter Ln.

In opening, I am against re-zoning 2103 West Slaughter to commercial dual usage for multiple reasons; drainage, traffic, and property value. My property, 2014 Allred Drive, borders the East side of the property in question. It is not the small business my neighbors intend to run which worries me; it is all the impacts of this re-zoning. There is absolutely no guarantee the lot will not be used for a larger business in the future.

The first concern is drainage onto my property. Due to past re-zoning and incomplete city planning, my property receives significant runoff from Allred Drive to the East and South. Ongoing construction and lack of drainage planning on the lot to the North, 2101 Slaughter, already has a significant negative impact on my home. Water runs off that property and onto mine compromising the dwelling and pooling in my lawn. At my expense, steps have been taken, to safe guard my property, but issues persist, and I already can't afford the significant repairs I need.

Runoff from 2103 West Slaughter drains to my lot, as it is slightly uphill from my property. Though I have mitigated the situation through the years with construction on my lot, I hate to think of what more paving on that lot, would result in. Truly, if 2103 Slaughter disrupts watershed and natural drainage further, the problems to my property will be insurmountable.

My second issue is traffic on Allred. It has increased through the years due to the busy intersection of Slaughter and Manchaca. Overall road condition is poor, because Allred is not maintained to support commercial traffic. My gravel driveway is already used daily as a turnaround for unwelcome traffic unfamiliar with the area. This traffic wears out my driveway, further destroys the drainage canal in front of my property, and further complicates flooding on my property. I do not have the money for a new drive.

In closing, please realize, I only want to remain in the home my husband left me with as little strife as possible on my limited income. However, I know development sometimes has a louder voice than residents in the name of progress. If the committee decides to re-zone 2103 West Slaughter, consider one of two options.

- If rezoning is approved, let it be with the stipulations that a drainage plan be implemented to completely deal with runoff from the lot and that the City pave and grade Allred, to deal with traffic and runoff caused by this growth.
- Otherwise, please delay the decision until another hearing to re-zone the entire group of properties on the East end of Allred Drive so I may sell my property for enough money to find a home to live in peace elsewhere in the area. I am sure you realize this will be a big expense and burden to me.

Thank you for your time and for hearing a citizen's valid concerns about her property and her well being. I wish the best for everyone involved.

Sandra L. Mizell
2014 Allred Drive
Austin, TX 78748
512-280-0722

