

ZONING CHANGE REVIEW SHEET

CASE: C14-2017-0123 – South Chisholm
Professional Offices

Z.A.P. DATE: January 16, 2018

ADDRESS: 9401 West Slaughter Lane

DISTRICT: 5

OWNER: Mario Solis

AGENT: Land Answers, Inc.
(Jim Wittliff)

ZONING FROM: SF-2 **TO:** LO-MU-CO **AREA:** 1.3018 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant limited office – mixed use (LO-MU) combining district zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

January 16, 2018:

ISSUES:

The Slaughter Lane Neighborhood Association is opposed to anything other than LO-CO, with the Conditional Overlay prohibiting vehicular access to Chisholm Trail (therefore requiring access to West Slaughter Lane). A valid petition of 22.99% has been filed by the adjacent property owners in opposition to this rezoning request. Petition materials and comment response forms are located at the back of the Staff report.

The property owner across Chisholm Trail to the west (also a member of the Slaughter Lane Neighborhood Association) supports the Applicant's initial request for LR-CO zoning allowing food sales, general retail sales (convenience and general), and all permitted LO uses. All correspondence received is attached at the back of the Staff report.

The Applicant met with the Slaughter Lane Neighborhood Association on November 17, 2017. On December 8, 2017, the Applicant amended the rezoning case from LR-CO to LO-MU.

DEPARTMENT COMMENTS:

The subject rezoning area consists of two platted lots located at the southeast corner of West Slaughter Lane and South Chisholm Trail, and has single family residence – standard lot (SF-2) district zoning. There is a driveway to Chisholm Trail and a driveway apron on Slaughter Lane constructed by TxDOT at the time the roadway was widened in the late 1980s.

(Slaughter Lane is a City owned and operated roadway.) Chisholm Trail is a local street and developed with single family residences. The eastern lot also contains a drainage channel that conveys overland flow from areas on the north side of Slaughter Lane, through the City's electric substation site and continues further southeast. This segment of West Slaughter Lane also contains an auto trim business, a few single family residences, apartments and undeveloped land with approved site plans approved for medical offices (P, LR-CO, SF-2; LR-CO, MF-1-CO). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plat).

The Applicant has requested limited office – mixed use – conditional overlay (LO-MU-CO) zoning with the –CO prohibiting vehicular access to Chisholm Trail for an office or other use first permitted in the in LO district. This request for LO-MU zoning is reasonable based on its location as a corner lot with arterial frontage and provides a less intense land use transition to the adjacent single family residences that take their access to South Chisholm Trail. There are several examples of office and commercial zoning (LO; LR) on the south side of West Slaughter Lane.

However, Staff does not support a –CO prohibiting vehicular access to Chisholm Trail. Land Development Code Section 25-6-381(A) (*Minimum Frontage For Access*) prohibits access to arterials if the lot has less than 200' of frontage and access is available from other roadways. This code section is a life/safety issue for the purposes of reducing the number of curb cuts and thus traffic conflict points on major roadways, and providing for a safer and more efficient transportation system. The width of this rezoning area (2 lots) on Slaughter Lane is 187 feet. Although Chisholm Trail has a substandard pavement width, it is considered the safer access point. At the time of site plan, additional improvements to the Chisholm Trail right-of-way adjacent to this lot will likely be required for construction by the Applicant.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Single family residence
<i>North</i>	LO-CO; LR-CO	Offices; Beauty salon; Tailor; Computer repair; Child care facility; Undeveloped
<i>South</i>	SF-1; RR	Single family residences
<i>East</i>	P	City of Austin drainage easement and electrical substation
<i>West</i>	LR-CO; SF-2; MF-1-CO;	Auto upholstery business; Single family residence; Undeveloped (proposed for medical offices); Apartments

NEIGHORHOOD PLANNING AREA: No **TIA:** Is not required

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

CAPITOL VIEW CORRIDOR: No **SCENIC ROADWAY:** Yes,
Slaughter Lane

NEIGHBORHOOD ORGANIZATIONS:

242 – Slaughter Lane Neighborhood Association 511 – Austin Neighborhoods Council
 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District 1228 – Sierra Club, Austin Regional Group
 1363 – SEL Texas 1424 – Preservation Austin
 1528 – Bike Austin 1530 – Friends of Austin Neighborhoods
 1550 – Homeless Neighborhood Organization 1578 – South Park Neighbors

SCHOOLS:

Casey Elementary School Paredes Middle School Akins High School

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-98-0270 – Uresti Day Care – 9316 Chisholm Ln and 1112 Slaughter Ln	DR; SF-2 to GR	To Grant LO-CO on the Tract 1 (west) and LR-CO on the Tract 2 (east), with conditions	Apvd LO-CO (Tract 1) and LR-CO (Tract 2) w/CO for 2,000 trips, no vehicle access to Chisholm Ln and prohibit financial services and service station on Tract 2 (7-15-1999).
C14-99-0063 – Shirell and Lois Hipp Zoning Change – 1303 W Slaughter Ln	SF-2 to LO	To Grant LO-CO, w/conditions	Apvd LO-CO w/ CO prohibiting access to Slaughter Lane (8-19-1999).
C14-00-2098 – Blackhawk Apartments – 1200 W Slaughter Ln	SF-1 to MF-1-CO and LR-CO	To Grant MF-1-CO and LR-CO, w/conditions	Apvd MF-1-CO and LR-CO, w/CO for Traffic Impact Analysis; 13.24 u.p.a. (300 units); 15' vegetative buffer along David Moore Rd; list of prohibited uses (1-25-2001).
C14-00-2111 – Solera – 1200 Block of W Slaughter Ln	DR to MF-3	To Grant MF-2-CO w/conditions	Apvd MF-2-CO w/CO for 12.18 u.p.a. and conditions of Traffic Impact Analysis (10-26-2000).
C14-00-2189 –	DR to W/LO	To Grant W/LO-CO	Apvd W/LO-CO

Wattering Acres – 1218 W Slaughter Ln		w/conditions	w/CO for 2,000 trips (1-18-2001).
C14-00-2242 – Swanson's Crossing Retail – 1216 – 1400 W Slaughter Ln	DR to LR	To Grant LR-CO w/conditions	Apvd LR-CO w/ CO for 2,000 trips (2-15- 2001).
C14-02-0079 – Stone Tract – 9601- 9641 South Chisholm Trl	I-RR to SF-3	To Grant SF-1-CO w/ max. 28 units and conditions of NTA	Apvd SF-1-CO as Commission recommended, and conditions of Neighborhood Traffic Analysis (1-16-2003).
C14-02-0046 – Wattering Corner – NW corner of Slaughter Ln and Texas Oaks Dr	DR to GR-CO	To Grant LR-CO	Apvd LR-CO w/CO for 2,000 trips and list of prohibited uses (9- 26-2002).
C14-05-0217 -1204 W Slaughter Ln	SF-2 to LR-CO	To Grant LO	Apvd LO (4-20-2006).
C14-2007-0059 – 1206 W Slaughter Ln	SF-2 to LR-CO	To Grant LO-CO	Apvd LO-CO w/CO for 2,000 trips (7-26- 2007).
C14-2008-0052 – TJG – 9609 Swanson's Ranch Rd	SF-2 to CS	To Grant GO-CO w/ CO for personal services as only GO use, and all NO zoning uses and regulations, 150 trips/day, all parking to be located on-site and conditions of the NTA	Apvd GO-CO district zoning w/conditions of a Restrictive Covenant as Commission recommended (1-15- 2009).
C14-2008-0164 – 2.458 acres adjacent to Slaughter Lane Substation	DR to P	To Grant P	Apvd P (10-2-2008).
C14-2008-0187 – Burr - 1201 West Slaughter Ln	SF-2 to LR	To Grant LR-CO w/CO allowing food sales, general retail sales (convenience and general) and all permitted LO uses	Apvd LR-CO as Commission recommended (11-6- 2008).

RELATED CASES:

The property is platted as Lots 4 and 5 of Swanson's Ranchettes, recorded in November 1962 (C8S-62-137). Please refer to Exhibit B.

The property was annexed into the City limits on November 15, 1984.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
West Slaughter Lane	Approx. 115 feet	Approx. 81 feet	MAD 6 – Major Arterial	Yes	Yes	Yes
South Chisholm Trail	Approx. 60 feet	Approx. 17 feet	Local	No	No	Yes

CITY COUNCIL DATE: February 15, 2018

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

PHONE: 512-974-7719

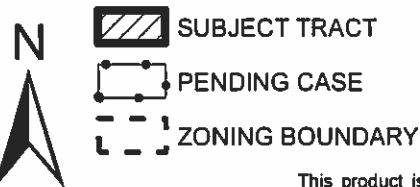
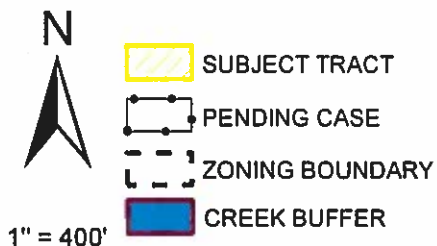
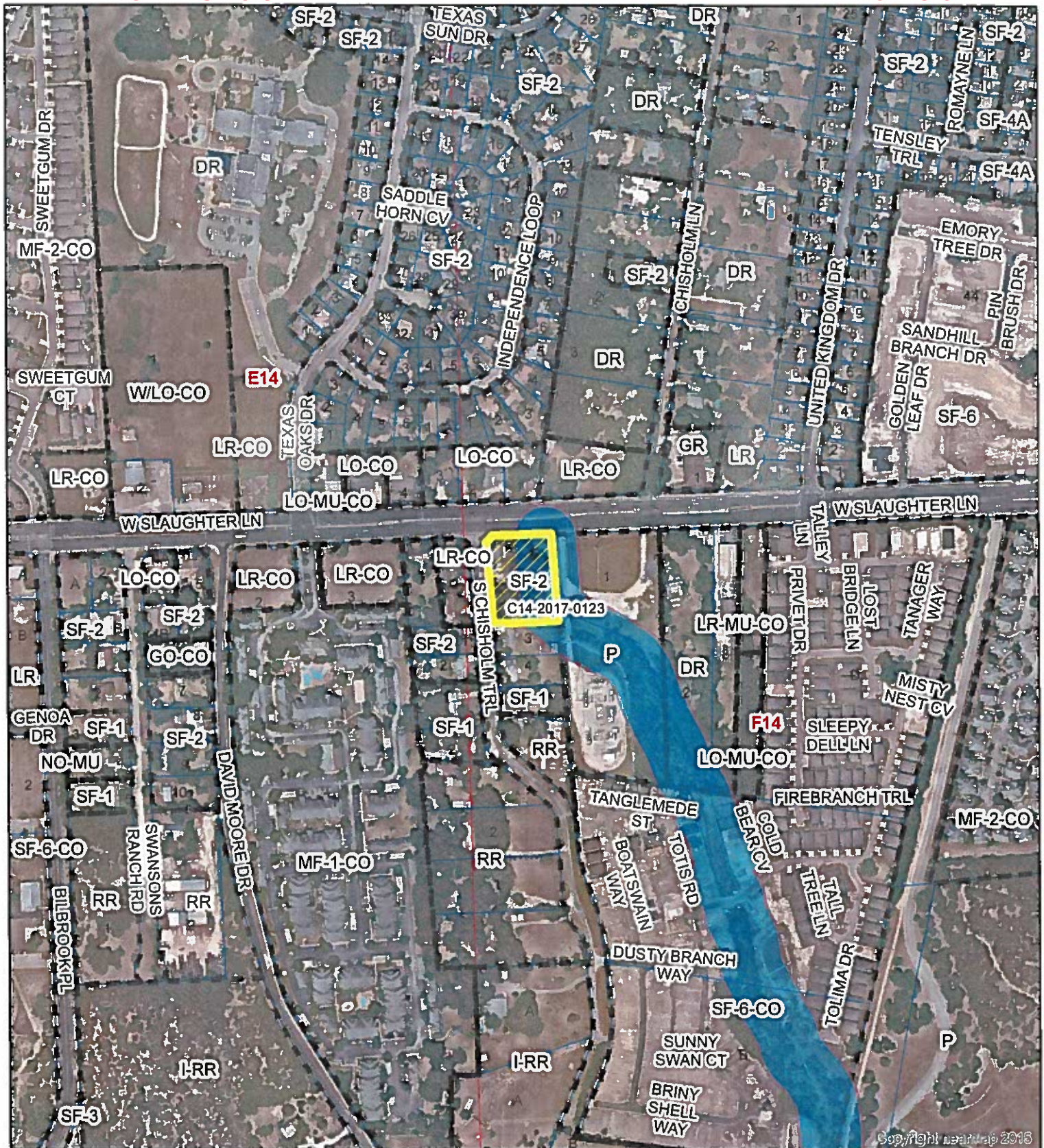


EXHIBIT A



This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

$$1'' = 400'$$



SOUTH CHISHOLM PROFESSIONAL OFFICE

ZONING CASE#: C14-2017-0123

LOCATION: 9401 S. CHISHOLM TRAIL

SUBJECT AREA: 1.3018 ACRES

GRID: F14

MANAGER: WENDY RHOADES

Exhibit A-1



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

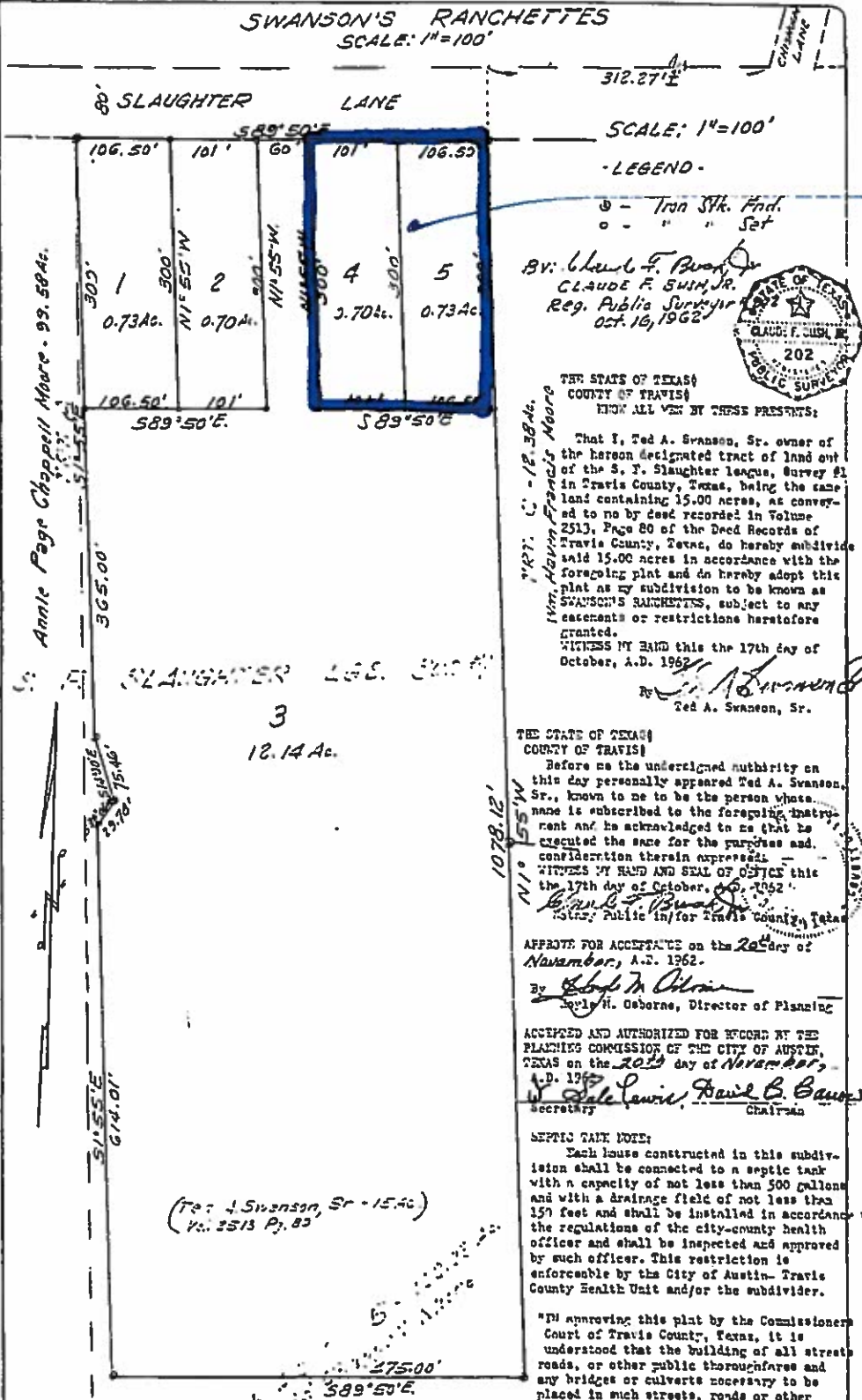
Nov 26-62 RCH

7794

45

TRAVIS COUNTY PLAT VOLUME 16 PAGE 58

SWANSON'S RANCHETTES
SCALE: 1"=100'



SCALE: 1"=100'

- LEGEND -

⊙ - Iron Stk. Hd.
○ - " " Set

By: Claude F. Smith, Jr.
CLAUDE F. SMITH, JR.
Reg. Public Surveyor
Oct. 10, 1962



REZONING AREA

THE STATE OF TEXAS)
COUNTY OF TRAVIS)
KNOW ALL MEN BY THESE PRESENTS:

That I, Ted A. Swanson, Sr. owner of the herein designated tract of land out of the S. T. Slaughter League, Survey #1 in Travis County, Texas, being the same land containing 15.00 acres, as conveyed to me by deed recorded in Volume 2513, Page 80 of the Deed Records of Travis County, Texas, do hereby subdivide said 15.00 acres in accordance with the foregoing plat and do hereby adopt this plat as my subdivision to be known as SWANSON'S RANCHETTES, subject to any easements or restrictions heretofore granted.

WITNESS MY HAND this the 17th day of October, A.D. 1962.

By: Ted A. Swanson, Sr.
Ted A. Swanson, Sr.

THE STATE OF TEXAS)
COUNTY OF TRAVIS)

Before me the undersigned authority on this day personally appeared Ted A. Swanson, Sr., known to me to be the person whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purposes and consideration therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE this the 17th day of October, A.D. 1962.

By: Clyde H. Osborne
Clyde H. Osborne, Director of Planning

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION OF THE CITY OF AUSTIN, TEXAS on the 20th day of November, A.D. 1962.

By: W. Dale Lewis David B. Bauer
Secretary Chairman

SEPTIC TANK NOTE:

Each house constructed in this subdivision shall be connected to a septic tank with a capacity of not less than 500 gallons and with a drainage field of not less than 150 feet and shall be installed in accordance with the regulations of the city-county health officer and shall be inspected and approved by such officer. This restriction is enforceable by the City of Austin- Travis County Health Unit and/or the subdivider.

"In approving this plat by the Commissioners Court of Travis County, Texas, it is understood that the building of all streets, roads, or other public thoroughfares and any bridges or culverts necessary to be placed in such streets, roads or other public thoroughfares shall be the responsibility of the owner and/or developer of

the tract of land covered by this plat in accordance with plans and specifications prescribed by the Commissioners Court of Travis County, Texas and said court assumes no obligation to build any of the streets, roads or other public thoroughfares or any bridges or culverts in connection therewith.

THE STATE OF TEXAS)
COUNTY OF TRAVIS)

I, Miss Billie Linberg, County Clerk of Travis County, Texas, do hereby certify that on the 26 day of November, A.D. 1962, the Commissioners Court of Travis County, Texas passed an order authorizing the filing for record of this plat and that said order has been duly entered in the minutes of said court in Book 3 Page 257.

WITNESS MY HAND AND SEAL OF OFFICE this the 26 day of November, A.D. 1962.

By: Miss Billie Linberg Stuart Harris
County Clerk, Travis County, Texas Deputy

FILED FOR RECORD on the 26 day of November, A.D. 1962 at 10:30 o'clock A.M.

By: Miss Billie Linberg Stuart Harris
County Clerk, Travis County, Texas Deputy

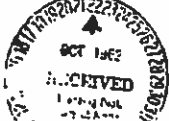


EXHIBIT B
RECORDED PLAT

C86-62-137

Rhoades, Wendy

From: Land Answers <[REDACTED]>
Sent: Friday, December 08, 2017 3:38 PM
To: 'TJ Greaney'
Cc: [REDACTED]; Rhoades, Wendy
Subject: RE: 9401 South Chisholm Trail. Case #C14-2017-0123 - 12/6/2017 Slaughter Lane Neighborhood Association

TJ,

We will amend our rezoning request to LO-MU-CO. The CO will state in the rezoning ordinance that any office/ LO allowed use of the site is prohibited from using Chisolm Trail for driveway access. The MU will allow Mario to develop the property as residential in the event the City of Austin does not allow a driveway onto Slaughter Lane.

Jim

-----Original Message-----

From: TJ Greaney [mailto:[REDACTED]]
Sent: Friday, December 08, 2017 2:38 PM
To: Land Answers <[REDACTED]>
Subject: Re: 9401 South Chisholm Trail. Case #C14-2017-0123 - 12/6/2017 Slaughter Lane Neighborhood Association

Hey Jim- can you give me any direction or info on the recent request for info from SLNA/Chisholm Trail? We are solid on Slaughter/LO/CO - or SF2... has Your client decided on which he will chose? TJ

> On Dec 8, 2017, at 1:05 PM, Land Answers <[REDACTED]> wrote:

>

> Dawn and TJ,

>

> The current zoning is SF-2, which only allows residential development. Mario was requesting LO, which only allows office development. After your neighborhood modified its position to say that no office uses could access Chisolm Trail, I approached the City to discuss the possibility of Mario using Slaughter Lane as his site's sole access. The City agreed this would be a good idea, but warned me that the Austin Transportation Department would not make their final decision regarding driveway access until a site plan is submitted.

>

> In order to protect both the neighborhood's and Mario's interests, I added the condition that no driveway access to Chisolm Trail will be allowed for non-residential uses (which will be part of the rezoning ordinance), and we added an MU overlay, to allow the site to be developed residentially in case driveway access to Slaughter Lane is denied.

>

> Jim

>

> -----Original Message-----

> **From:** Dawn Grunwaldt [mailto:[REDACTED]]
 > **Sent:** Friday, December 08, 2017 12:32 PM
 > **To:** Land Answers <[REDACTED]>
 > **Cc:** Wendy.Rhoades@austintexas.gov; [REDACTED]
 > [REDACTED]
 > **Subject:** Re: 9401 South Chisholm Trail. Case #C14-2017-0123 -
 > 12/6/2017 Slaughter Lane Neighborhood Association

*Applicant's AMENDED
REQUEST TO LO-MU-CO*

>
> Hi Jim~
>
> Thanks for responding.
>
> Yes sir, we all have seen the email you are referring to below.
>
> We were all made aware of a phone conversation that transpired after this email was sent and we are all waiting on a response from that as from my understanding there was a grace extension given meaning that the deadline of 5 o'clock on Wednesday was extended as decisions needed to be made and thought about.
>
> Are you sharing with us that this is your response regarding the letter that was sent out ,so you are suggesting LO-MU and not SF2?
>
> Thank you for the communication.
>
> I am including Tj on this email as he and I have always from the beginning spearheaded this together.
>
> Thank you
> Dawn
> 9503
>
> Sent from my iPhone
>
>> On Dec 8, 2017, at 12:05 PM, Land Answers <[REDACTED]> wrote:
>>
>> Here ya go, Dawn. As you can see, this email was sent to TJ and Wendy
>> on Wednesday afternoon, immediately after I had the opportunity to
>> discuss it with the property owner.
>>
>> Christmas Snowfall Cheer!
>>
>> Jim
>>
>> -----Original Message-----
>> From: Land Answers [mailto:[REDACTED]]
>> Sent: Wednesday, December 06, 2017 5:54 PM
>> To: 'TJ Greaney' <[REDACTED]>; 'Wendy.Rhoades@austintexas.gov'
>> <Wendy.Rhoades@austintexas.gov>
>> Cc: 'Solis, Mario A' <[REDACTED]>; '[REDACTED]' <[REDACTED]>
>> <[REDACTED]>
>> Subject: FW: 9401 South Chisholm Trail. Case #C14-2017-0123 -
>> 12/6/2017 Slaughter Lane Neighborhood Association
>>
>> TJ and Wendy,
>>
>> Per the email below, Mario has agreed to only LO zoning. However,
>> since the neighborhood has now added a condition that the LO zoning
>> uses can only take access to Slaughter Lane (which we do not know
>> with certainty will be allowed), I am advising Mario to add an MU
>> overlay as well. This will allows the property as two residential
>> lots in the event that direct driveway access to Slaughter Lane is

>> not approved by the Austin Transportation Department.

>>

>> In the event that the Slaughter Lane driveway is approved, we will
>> agree (per a condition on the zoning ordinance) to require the
>> Chisholm Trail driveway to be closed prior to a Certificate of
>> Occupancy for any LO use being granted.

>>

>> Thank you,

>>

>> Jim Wittliff

>>

>> -----Original Message-----

>> From: Solis, Mario A [mailto:msolis@cityofaustin.gov]

>> Sent: Wednesday, December 06, 2017 4:44 PM

>> To: 'Land Answers' <landanswers@cityofaustin.gov>

>> Cc: 'Chisholm Trail' <chisholmtrail@cityofaustin.gov>

>> Subject: RE: 9401 South Chisholm Trail. Case #C14-2017-0123 -

>> 12/6/2017 Slaughter Lane Neighborhood Association

>>

>> Jim,

>>

>> I will take your guidance. I have no problem with the LO-MU, but I
>> think it is critical to respond to the SLNA that they have also
>> shifted from their first agreement of "will support ONLY the LO
>> designation. Now , (like I
>> shared) they now want LO with Slaughter Lane entry.) I would like to
>> hold them to their original statement the way they held onto the LO.

>>

>> My concern is.....will they agree to LO even if the city does not
>> give us entry from Slaughter? Their statement indicates they will not support it.
>> Therefore, what zoning do I end up with when all is said and done. I
>> need clarity.

>>

>> MSolis

>>

>> -----Original Message-----

>> From: Land Answers [mailto:landanswers@cityofaustin.gov]

>> Sent: Wednesday, December 06, 2017 4:35 PM

>> To: Solis, Mario A

>> Subject: RE: 9401 South Chisholm Trail. Case #C14-2017-0123 -

>> 12/6/2017 Slaughter Lane Neighborhood Association

>>

>> Mario,

>>

>> The driveway access requirement is apparently a result of their most
>> recent discussions and private meetings. As I suggested, this could
>> most easily be handled with a condition on the zoning ordinance that
>> states commercial use of the property requires access to Slaughter
>> Lane. The case manager, Wendy Rhoades, called me to day and she will
>> be discussed the driveway access with the Austin Transportation
>> Department, who has the ultimate authority to determine if driveway access to Slaughter Lane will be allowed.

>>

>> My advice to you is that we agree to limit the zoning to LO-MU at this time.
>> The MU stands for Mixed Use and I want that in there so in the event
>> we do not get the Slaughter Lane access, you can still use each of
>> the two platted lots for residential purposes.
>>
>> Please let me know as soon as possible if you agree with my recommendations.
>>
>> -Jim
>>
>>
>>
>>
>
>

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant limited office – mixed use (LO-MU) combining district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

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

Staff recommendation: 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 and the mixed use component would allow for residential uses on the property, which should be encouraged in the City's Desired Development Zone.

2. Zoning should allow for reasonable use of the Property.

3. Zoning changes should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.

This request for LO-MU zoning is reasonable based on its location as a corner lot with arterial frontage and provides a less intense land use transition to the adjacent single family residences that take their access to South Chisholm Trail. There are several examples of office and commercial zoning (LO; LR) on the south side of West Slaughter Lane.

However, Staff does not support a –CO prohibiting vehicular access to Chisholm Trail. Land Development Code Section 25-6-381(A) (*Minimum Frontage For Access*) prohibits access to arterials if the lot has less than 200' of frontage and access is available from other roadways. This code section is a life/safety issue for the purposes of reducing the number of curb cuts and thus traffic conflict points on major roadways, and providing for a safer and more efficient transportation system. The width of this rezoning area (2 lots) on Slaughter Lane is 187 feet. Although Chisholm Trail has a substandard pavement width, it is considered the safer access point. At the time of site plan, additional improvements to the Chisholm Trail right-of-way adjacent to this lot will likely be required for construction by the Applicant.

EXISTING CONDITIONS

Site Characteristics

The subject property contains a 1,632 square foot single family residence. The site is relatively flat and there is a drainage channel that runs parallel to the east property line and carries overland flow through the property and further southeast.

Comprehensive Planning

This rezoning case is located on the southeast corner of W. Slaughter Lane and Chisolm Trail on a 1.30 acre property with an existing house. The subject property is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes single family housing to the east and west, an auto trim shop to the south, and an office in a converted house to the north. The proposed uses are office and retail.

Connectivity

Public sidewalks are located along both sides of W. Slaughter Lane. Cap Metro transit stops are located within walking distance to this location. The Walkscore for this property 34/100, *Car Dependent*, meaning most errands require a car.

Imagine Austin

The Imagine Austin Growth Concept Map identifies this section of Slaughter Lane as an **Activity Corridor**. Activity Corridors are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices.

The following Imagine Austin policies are applicable to this case:

- **HN P10.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.
- **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, **corridors** and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.

While this property is situated along an Activity Corridor as identified on the Imagine Austin Growth Concept Map, the comparative scale of the site relative to nearby commercial and office uses located all along Slaughter Lane and adjoining this parcel falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning.

Impervious Cover

The maximum impervious cover allowed by the LO zoning district is 70%, which is based on the more restrictive zoning regulations.

Environmental

The site is not located over the Edwards Aquifer Recharge 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. The site is in the Desired Development Zone.

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 Gross Site Area</i>	<i>% of Gross Site Area 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 floodplain maps there is no floodplain within or adjacent to the project location.

There is an intermediate Critical Water Quality Zone along the east side of the property; development is limited in this area per 25-8-261.

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 512-974-1876.

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 requires water quality control with increased capture volume and control of the 2 year storm on site.

Site Plan and Compatibility Standards

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

This site is in the Scenic Roadway Sign District. All commercial signage must meet the criteria for Scenic Roadway signs, as found in 25-10-124 of the Land Development Code.

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

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 and Southwest property lines, the following standards apply:
- b. No structure may be built within 25 feet of the property line.
- c. Because the site is adjacent to SF-2, compatibility setbacks will also apply to the Front property line.
- d. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- e. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- f. 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.
- g. 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.
- h. No parking or driveways are allowed within 25 feet of the property line.
- i. A landscape area at least 25 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.

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

Transportation

Per LDC 25-6-101 (Ordinance No. 20170302-077), this site is required to provide mitigation for traffic impact with the zoning application. Please contact Scott James (Scott.James@austintexas.gov) to discuss the required mitigation for this site. A traffic study may be required.

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].

A Neighborhood Traffic Analysis shall be required at the time of site plan if triggered per LDC 25-6-114.

- If the projected number of vehicle trips generated by the project exceeds the vehicle trips per day generated by existing uses by at least 300 vehicle trips per day; or
- the application is for a public primary or secondary educational facility.

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 any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. 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 fees once the landowner makes an application for Austin Water utility tap permits.

Rhoades, Wendy

From: Rick Burr [REDACTED]
Sent: Monday, December 04, 2017 10:58 AM
To: Rhoades, Wendy
Cc: [REDACTED]; [REDACTED]
Subject: RE: 12/4/2017 - Case #C14-2017-0123

Dear Wendy,

The letter from the Slaughter Lane Association, which we are a part of, does not include our support for Mr. Solis.

So that we may be heard:

My wife, Tina Burr & I, own the property at 1201 W. Slaughter Lane just across South Chisolm Trail from the property requesting rezoning in Case #C14-2017-0123. We are in support of the zoning that Mr. Solis is requesting for his property up to and including the exact zoning we have at our address.

Rick & Tina Burr

J & H Auto Trim
 1201 W Slaughter Lane
 Austin, Texas 78748
 Rick Cell: 512-773-4953
 Rick Office: 512-282-0444

From: TJ Greaney [mailto:[REDACTED]]
Sent: Monday, December 4, 2017 10:42 AM
To: [REDACTED]
Cc: Wendy.Rhoades@austintexas.gov; [REDACTED]; Rick Burr
 <[REDACTED]>
Subject: 12/4/2017 - Case #C14-2017-0123

12/4/2017

To:
 Land Owner: Mario A. Solis and Nicholas David Solis
 9401 South Chisolm Trail, Austin, Texas

Representative: Jim Wittliff, Land Answers

Dear Sirs,

I am forwarding this letter in representation of the Slaughter Lane Neighborhood Association and the residents of S. Chisolm Trail (78748) on the recent applications for rezoning of the properties at 9401 South Chisolm Trail. From SF-2 to LR (originally LO): Case #C14-2017-0123

Rhodes, Wendy

From: Land Answers <[REDACTED]>
Sent: Friday, November 03, 2017 12:22 PM
To: 'Rick Burr'; Rhodes, Wendy
Cc: [REDACTED]; [REDACTED]
Subject: RE: Response 11/3/2017 - Slaughter Lane Neighborhood Association reply to Zoning Request Case #C14-2017-0123

Rick and Tina,

Thank you for taking the time to reach out to Mr. Solis and myself. Your support is greatly appreciated. We too, believe that this zoning request will be an asset to the area. We understand that the SLNA and the adjacent neighbors have a great deal of concerns regarding our request. We intend to meet with the neighborhood association, discuss, educate and hopefully, alleviate those concerns. I look forward to meeting you in person, should you plan on attending the meeting (time and place TBD).

Thank you,

Jim Wittliff
Land Answers, Inc.
3606 Winfield Cove
Austin, Texas 78704
(512) 416-6611

From: Rick Burr [mailto:[REDACTED]]
Sent: Friday, November 03, 2017 11:49 AM
To: [REDACTED]; Wendy.Rhodes@austintexas.gov
Cc: [REDACTED]; [REDACTED]
Subject: Response 11/3/2017 - Slaughter Lane Neighborhood Association reply to Zoning Request Case #C14-2017-0123

Mr. Wittliff,

My name is William (Rick) Burr. My wife, Tina & I, own the property at 1201 W Slaughter Lane just west across S Chisolm Trail from Mr. Solis' property. My wife and I want you to know that the Slaughter Lane neighborhood Association does not speak for us on the Zoning Request Case #C14-2017-0123. The association is aware of our standing from the meeting we had a week or so back.

We are in support of the zoning requested as we believe that it will be an asset to the area.

William (Rick) Burr
1201 W Slaughter Lane
Austin, Texas 78748

SLAUGHTER LANE NEIGHBORHOOD ASSOCIATION



12/4/2017

To:

Land Owner: Mario A. Solis and Nicholas David Solis
9401 South Chisholm Trail, Austin, Texas

Representative: Jim Wittliff, Land Answers

Dear Sirs,

I am forwarding this letter in representation of the Slaughter Lane Neighborhood Association and the residents of S. Chisholm Trail (78748) on the recent applications for rezoning of the properties at 9401 South Chisholm Trail. From SF-2 to LR (originally LO): Case #C14-2017-0123

After meeting with your agent Jim Whittliff and numerous meetings among ourselves our conclusions as an association and a community are as follows:

We feel that any access for other than the current SF-2 off Slaughter Lane would be hazardous to both incoming and outgoing traffic. Even with the heavy reconstructions of both sides of S. Chisholm Trail at Slaughter, widening of the street, curbs and gutters, sidewalks etc. we feel it would create a dangerous ingress and egress from S. Chisholm Trail.

The only option we would consider may be with access only from Slaughter Lane with an LO use and CO that includes no retail use, light office as requested by you in your original conversations and letter to the residents of S. Chisholm Trail.

The residents effected are prepared to implement the use of the "Petition" at this point, which they are fully entitled to do should they choose.

The Slaughter Lane Neighborhood Association and residents of S. Chisholm Trail are for positive and Smart growth along the Slaughter Lane corridor.

Kind Regards,

TJ Greaney
9508 S. Chisholm Trail
512-789-3838

cc: Wendy Rhodes, City of Austin

Slaughter Lane Neighborhood Association

Date: December 11, 2017
File Number: C14-2017-0123

To: Austin City Council

(STATE REASONS FOR YOUR PROTEST)

Signature

Printed Name _____

Address

Consuelo Soto	Consuelo Soto	9417 SCHISHOLM TRL	Austin TX 78748
Elsy Montalvo	Elsy Montalvo	9412 Chisholm Trl	78748
Star Jones	Star Jones	9414 S. Chisholm Trl	78748
Sam Jones	Brandon Thompson	9414 S. Chisholm Trl.	
Salvador Sanchez	Salvador Sanchez	9412 S. Chisholm Trl	
John Ciavarini	Lynn Ciavarini	9501 S Chisholm Trail	
Erin Roney	ERIN RONEY	9500 SCHISHOLM TRAIL	
Christopher Bram	Christopher Bram	9415 S. Chisholm Trail	

Date: December 11, 2017

Contact Name: Dawn Grunwaldt
Phone Number: 512 785 0067

If you cannot appear at the hearing, a written statement of your opposition may be sent to the Planning and Zoning Department. Written protests should be filed as early as possible so copies will be available for the Commission. The Notices of Public Hearing contain a section where brief comments may be made and returned to the Planning and Zoning Department.

Comments should be mailed to:

Planning and Zoning Department
City of Austin
P.O. Box 1088
Austin, Texas 78767

Zoning File No. C14- 2017-0123

CITY COUNCIL

At the City Council hearing you may again protest the zoning change following the same procedures as for the Zoning and Platting Commission/Planning Commission.

You may also submit a written petition against the zoning. Only a simple majority of the Council is required to grant the zoning unless a valid written petition has been submitted. A valid petition requires a three-fourths vote of Council. This usually consists of nine votes; however, if a Council Member must recuse, it could require fewer votes to obtain a three-fourths majority. An absence or abstention does not reduce the number of votes required.

Sec. 25-2-284 of the Land Development Code, states that:

- (A) The affirmative vote of three-fourths of the members of council is required to approve a proposed rezoning if:
- 1) the Land Use Commission recommends denial of an application to rezone property to a planned unit development; or
 - 2) the proposed rezoning is protested in writing by the owners of not less than 20 percent of the area of land:
 - (a) included in the proposed change; or
 - (b) Immediately adjoining the area included in the proposed rezoning and extending 200 feet from the area.

PETITION

Case Number:

C14-2017-0123

Date:

12/21/2017

Total Square Footage of Buffer:

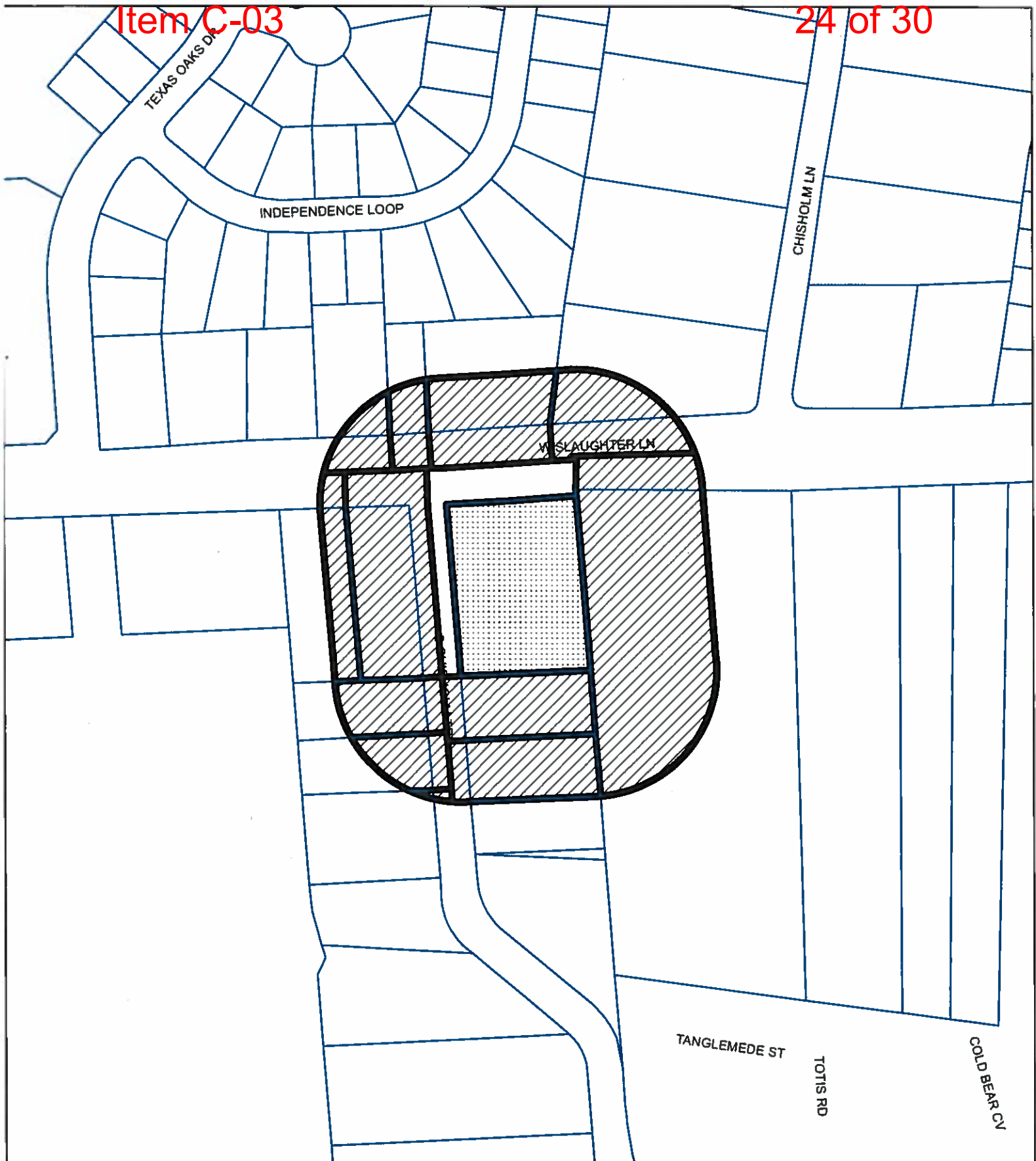
318449.1378

Percentage of Square Footage Owned by Petitioners Within Buffer:

22.99%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Percent
0430190408	1205 SLAUGHTER LN	BOBBITT OLIVIA ARENAS	no	13347.79	0.00%
0430150204	9415 S CHISHOLM TRL 78748	BROM CHRISTOPHER R & TIRA CHAICHA-BROM	yes	23907.52	7.51%
0430150102	1201 SLAUGHTER LN 78748	BURR WILLIAM R & ANNA V	no	42872.00	0.00%
0430150215	9501 S CHISHOLM TRL 78748	CIAVARINI LYNN S	yes	0.66	0.00%
0430150212	SLAUGHTER LN	CITY OF AUSTIN	no	98166.03	0.00%
0430150303	SLAUGHTER LN	CITY OF AUSTIN	no	8271.25	0.00%
0430150305	SLAUGHTER LN	CREATIVE WEALTH SERVICES LLC	no	8643.77	0.00%
0430150301	9316 CHISHOLM TRL 78748	HENRIQUEZ CARMEN	no	23915.58	0.00%
0430150104	9414 S CHISHOLM TRL 78748	JONES STEVEN L	yes	10599.28	3.33%
0430150302	1112 SLAUGHTER LN 78747	LOPEZ BERNARDINA & CARMEN SILLERO	no	28011.53	0.00%
0430150105	9500 CHISHOLM TRL 78748	ROONEY ROBERT R & ROBYN & ERIN RACHEL ROONEY	yes	795.35	0.25%
0430150103	9412 S CHISHOLM TRL 78748	SANCHEZ SALVADOR	yes	14634.69	4.60%
0430150203	9417 S CHISHOLM TRL 78748	SOTO CONSUELA	yes	23265.56	7.31%
Total				296431.01	22.99%



N



BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

CASE#: C14-2017-0123

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



1" = 200'

From: <[REDACTED]>
[REDACTED]

Subject: her is my letter to the City Council and
Zoning Board

Date: Dec 15, 2017 at 8:04:55 PM

To: Dawn [REDACTED]

Regarding Case #C14-2017-0123 Rezoning 9501 Chsisholm Trail s, Austin, 78748.

To the Members of the Austin City Council and Zoning Board

My name is Lynn Ciavarini and I have lived at 9501 Chisholm Trail s for 11 years. My property is just a bit out of range for the 200' area that can vote on whether to allow the rezoning of sed 9501 property from SF-2 to LO w CO or LR. Nevertheless, I am writing a letter to explain why I am against this rezoning.

Our Street is a small dead-end street off Slaughter Lane. It has no streetlights and no curbing. While this sounds like a detriment, it has graced our neighborhood with very little traffic which allows us to enjoy a quiet street for walking our children, dogs, or for a evening or morning walk. I have watched my neighbors teach their autistic son to ride a bike, try his sister's skateboard and the once rare occasion where he ran into the street totally unharmed because of this. I have seen new neighbors move in and rebuild a house because they loved the rural setting for their 2 young children (3 and under) and I have also helped the children, now grown, once get their ponies safely back to the barn without harm. This is a surprisingly wonderful piece of heaven off the now heavily trafficked Slaughter Lane.

There are just a few of the Chisholm Trail residents that will directly suffer if 9501 is rezoned. However, if the impact on residents will not be enough here is an example which would impact many school children in the area. Many times I have had to stop on Slaughter Lane before turning on to my street, Chisholm Trail s, pulled way over to the right to avoid getting hit by traffic to allow young school children walking home from school to cross Chisholm Trail safely. These children are young and not always accompanied by an adult that have crossed Chisholm Trail, sometimes without looking, dashing into the street laughing and sometimes skipping.

Last week, thank God, I stopped to allow the children to cross and a van, on the north side of Slaughter, decided to make a u turn across oncoming traffic on south side turn down Chisholm Trail when the driver noticed the lack of area in which to make a complete turn, heading right into the group of 4 children! I tooted my horn and the children quickly scattered to either side of the street. In the past 2 years there have been many more "turn arounds" happening on Chisholm Trail and sadly more than once I have stopped pulled over on Slaughter Lane to allow the children to cross safely. The amount of cars moving in and out of Chisholm Trail due

to rezoning would definitely put these children, walking home to apartments on Slaughter lane to a free after school program for low income families not being within the 200' area at a high risk. These children do not qualify for bus transportation.

In closing, I am asking the Board to please deny the rezoning to 9501 s Chisholm Trail, 78748.

With most respect,
Lynn Ciavarini
9501 s Chisholm Trail
Austin. TX 78748
[401-862-9017](tel:401-862-9017)

From: ROBERT RODRIGUEZ [REDACTED]
Subject: Chisholm Trail
Date: Dec 14, 2017 at 1:49:02 PM
To: Dawn Grunwaldt [REDACTED]

12-14-17

As a resident for over 20 years on Chisholm Trail, I totally oppose having a business on Chisholm Trail as proposed.

The neighborhood we reside in is just that, a neighborhood!

Bringing a business onto Chisholm Trail will create chaos. It will increase traffic, potentially lead to vehicular accidents, create different types of crimes and overall put all residents on this street on watch 24/7.

Chisholm Trail is not your typical city street, not capable of handling a high volume of traffic and it should remain as is.

Robert Rodriguez
9604 S. Chisholm Trail
Austin, Texas 78748

From: Austin Texas Xeriscapes & [REDACTED]
Subject: Letter of Support for Zoning Petition
Date: Dec 14, 2017 at 5:44:43 PM
To: Dawn [REDACTED]

I am in agreement with the petitioners of the zoning request for 9401 Chisholm Trl S Austin, Tx 78748 . There is no way the intersection of W Slaughter Ln and Chisholm Trl S. can handle the amount of traffic that would be generated in a safe manner, especially on Chisholm Trl , and especially with No Traffic Light on Slaughter.

John J Fasano 9502 Chisholm Trl S [512-659-9647](tel:512-659-9647)

From: ted bruner [REDACTED]
Subject: Fwd:
Date: Dec 11, 2017 at 3:42:55 PM
To: [REDACTED]

Sent from my iPhone

Begin forwarded message:

From: "Keele, Duane" <[REDACTED]>
Date: December 11, 2017 at 2:28:27 PM CST
To: "Bruner, Ted Ted" <[REDACTED]>

Milton Duane Keele
Owner:
9602 S. Chisholm Trail
Austin, TX 78748

I do not want further rezoning in my district.

We are situated on a narrow dead end street (one lane). It is a chore to get onto Slaughter Lane now.

Rezoning will increase traffic making getting around on this street more difficult than it already is.

South Chisholm Trail was designed as a small side street to accommodate a limited amount of private homes and never to become a major thoroughfare which is the

way it appears to be headed.

Regards.

Duane Keele