



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-4
AGENDA DATE: Thu 08/26/2004
PAGE: 1 of 1

SUBJECT: C14-04-0090 - Star Center - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3100 West Slaughter Lane (Slaughter Creek Watershed-Barton Springs Zone) from neighborhood commercial-conditional overlay (LR-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Artale Services, Ltd. (Dennis Artale). City Staff: Wendy Walsh, 974-7719.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0090

Z.P.C. DATE: July 20, 2004
August 3, 2004

ADDRESS: 3100 West Slaughter Lane

OWNER AND APPLICANT: Artale Services, Ltd. (Dennis Artale)

ZONING FROM: LR-CO

TO: GR-CO

AREA: 0.240 acres
(10,762 square feet)

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant community commercial-conditional overlay (GR-CO) combining district zoning. The Conditional Overlay limits the property to personal improvement services, all neighborhood commercial (LR) uses except for service station and limited restaurant, and 2,000 vehicle trips per day.

ZONING & PLATTING COMMISSION RECOMMENDATION:

July 20, 2004: *POSTPONED TO 08/03/04 (STAFF & APPLICANT)*
[J.M; J.G 2ND] (8-0) J.P – ABSENT

August 3, 2004: *APPROVED STAFF'S RECOMMENDATION OF GR-CO ZONING WITH ADDED CONDITIONAL OVERLAY THAT THE ONLY PERMITTED USES, OTHER THAN THE GR, WOULD BE NO (NEIGHBORHOOD OFFICE) USES; OTHER THAN THE PERSONAL IMPROVEMENT SERVICE.*
[C.H; T.R 2ND] (8-0) J.P - ABSENT

ISSUES:

The applicant is in agreement with the Zoning and Platting Commission's recommendation and is willing to enter into a Restrictive Covenant with the City for an Integrated Pest Management (IPM) Plan, a landscape plan for the use of native and adapted plant materials and prohibits the use of coal tar based sealants.

Given the rezoning area's location over the Recharge Zone, environmental and zoning staff have discussed with the property owner how redevelopment of the existing impervious cover could occur.

DEPARTMENT COMMENTS:

The subject rezoning area represents a proposed building footprint and surrounding area out of Faye's Subdivision, and is developed with 18 parking spaces. The rezoning area carries neighborhood commercial – conditional overlay (LR-CO) combining district zoning that was a portion of Tract 2 by way of a 1996 case. The conditional overlay prohibits drive-in, fast food restaurant and limited restaurant. Access is available through adjacent property within the subdivision to West Slaughter Lane. The rezoning area is surrounded by commercial and office uses to the east and south (GR-CO – an existing gymnasium for dance / gymnastics / cheer training – also part of the 1996 rezoning case described above; LR-CO; RR; SF-1) and undeveloped land recently rezoned to MF-3-CO; SF-6; MF-4-CO. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The applicant wishes to expand the amount of gymnasium space and construct a second building of 4,800 square feet with parking beneath the elevated structure towards the rear of the lot, as illustrated in Exhibit C-2. This particular use is classified as a personal improvement service that is first allowed in the community commercial (GR) district. The applicant proposes GR-CO zoning with the Conditional Overlay to reflect that approved with the existing GR-CO pad area containing the gymnasium directly to the east. The staff also recommends prohibiting service station use in accordance with its location in the Barton Springs Zone.

GR-CO district zoning is appropriate in the context of the adjacent gymnasium as well as retail, office and convenience storage uses, as well as plans for an assisted living center and condominiums that were proposed in conjunction with the MF-3-CO and SF-6 zonings to the west, and access to an arterial roadway. A 2,000 motor vehicle trip limit is recommended to limit development to maintain acceptable traffic conditions on adjacent roadways and intersections.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LR-CO	Parking area serving the dance / gymnastics / cheer training facility
<i>North</i>	MF-3-CO; P; RR	Undeveloped; Convenience storage; Drainage area
<i>South</i>	LR-CO; RR; I-RR; SF-1; SF-2; SF-3	Retail; Rehabilitation center; Single family residences; Neighborhood park
<i>East</i>	GR-CO; RR; SF-1; GO-CO; SF-3	Gymnastics and cheer training facility; Convenience storage; Medical office; Auto washing; Service station with auto washing; Church; Apartments; Undeveloped
<i>West</i>	MF-3-CO; SF-6; MF-4-CO; GR-CO; RR	Two single family residences on large lots (zoned MF-3-CO and SF-6); Undeveloped (zoned MF-4-CO); Shopping center with food sales, financial services and restaurants

AREA STUDY: N / A

TIA: Is not required

WATERSHED: Slaughter Creek – Barton Springs Zone

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes, West Slaughter Lane is designated as a Scenic Roadway

NEIGHBORHOOD ORGANIZATIONS:

217 – Tanglewood Forest Neighborhood Association 384 – Save Barton Creek Association
 385 – Barton Springs Coalition
 428 – Barton Springs / Edwards Aquifer Conservation District
 465 – Cherry Creek on Brodie Neighborhood Assn. 511 – Austin Neighborhoods Council
 627 – Onion Creek Homeowners Association 918 – Davis Hills Estate HOA
 943 – Save Our Springs Alliance
 997 – Tanglewood Oaks Owners Association

SCHOOLS:

Kocurek Elementary School

Bailey Middle School

Bowie High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-03-0165	I-RR to SF-6	To Grant SF-6	Approved SF-6 with Restrictive Covenant for IPM Plan and use of native / adapted plant materials (4-22-04)
C14-03-0143	I-RR to MF-3-CO	To Grant MF-3-CO with convalescent services as the only permitted MF-3 use and all other permitted SF-6 uses	Approved MF-3-CO with RC for IPM Plan and use of native / adapted plant materials (12-11-03)
C14-02-0173	DR to GR	To Grant NO-CO with conditions of no additional impervious cover and prohibit access from Rocking Horse Road	Approved NO-CO as recommended by ZAP and a Restrictive Covenant for IPM Plan and use of native / adapted plant materials (7-17-03)
C14-02-0118	LO-CO to GR	To Grant GR-CO with list of prohibited uses and 2,000 trips per day	Approved GR-CO as recommended by ZAP (7-31-03)
C14-02-0035	I-RR to MF-4	To Grant MF-4-CO with conditions: Restrict development to MF-3 development standards, except height – limit of 45 feet; SF-6 density; 2,000 vehicle trips per day; 300 foot wide buffer along the north property line.	Approved MF-4-CO with Conditional Overlay restricting development to MF-3 standards with exception of a 45' height limit; SF-6 density; 2,000 trips; 300' wide vegetative buffer along north property line, adjacent to adjoining residential district, with limited improvements allowed. A Restrictive Covenant requires the use of native plants and an IPM Plan. (11-21-02).
C14-02-0151	LR-CO to GR-CO	To GR-CO with CO limiting property to vehicle trips to 300 per day	Approved GR-CO, as recommended by ZAP (12-5-02)
C14-02-0197	LR-CO to LR-CO	To Grant LR-CO with CO for 2,700 trips per day and one berm sign	Approved LR-CO as recommended by ZAP (2-6-03)
C14-01-0159	LO-CO to SF-3	To Grant SF-3	Approved SF-3 (1-10-02)

C14-00-2032	LR-CO to LR-CO	To Grant LR-CO w/conds.	Approved LR-CO w/conds. (4-20-00)
C14-99-0070	I-RR to GO	To Grant GO-CO w/conds.	Approved GO-CO w/conds. (12-2-99)
C14-97-0156	I-RR and I-SF-2 to RR; SF-1; SF-2; SF-3; SF-4; SF-6; GR; P	To Grant RR; SF-2; SF-4A; LO; LR; and P	Approved RR; SF-2; SF-4A; LO; P w/conds. (6-25-98)
C14-96-0039	I-RR to GR; LR	To Grant GR-CO on Tract 1; LR-CO on Tract 2	Approved as per PC recommendation (5-23-96)

RELATED CASES:

The subject rezoning area was part of a 1996 rezoning case that created two zoning tracts (C14-96-0039). Tract 1 was zoned to GR-CO and represents the footprint of the existing dance / gymnastics / cheer training facility. The Conditional Overlay limits the property to personal improvement services; neighborhood commercial (LR) uses and prohibits restaurant (limited) and restaurant (drive-in, fast food). The applicant agreed to a Restrictive Covenant for a roll back provision should the personal improvement services use cease for more than 90 days. Tract 2 comprises the balance of the owner's property and was zoned to LR-CO. The Conditional Overlay prohibits both drive-in, fast food restaurant and limited restaurant uses. The zoning was approved by Council on May 23, 1996.

The rezoning area as well as the remainder of the LR-CO and the GR-CO zoned areas were platted as Faye's Subdivision, a one lot plat recorded in November 1996. The plat includes a note that specifies that the property is restricted to uses other than residential. Please refer to Exhibit B.

The Star Center Site Plan that includes all of Faye's Subdivision includes 10,200 square feet of office space towards West Slaughter Lane, a 6,600 square foot athletic facility and an attached 2,040 square foot office area, and a water quality / detention pond (SP-97-0291C). The site plan was approved on September 3, 1998. Please refer to Exhibits C and C-1.

ABUTTING STREETS:

STREET	RIGHT-OF-WAY	PAVEMENT WIDTH	CLASSIFICATION	DAILY TRAFFIC
West Slaughter Lane	120 feet	2 @ 38 feet	Major Arterial	24,750 (1998)

- There are sidewalks along the north side of West Slaughter Lane.
- Slaughter Lane is classified in the Bicycle Plan as a Priority Low Usability bike route.
- Capital Metro bus service is not available along Slaughter Lane West.
- No additional right-of-way is needed at this time.

CITY COUNCIL DATE: August 26, 2004

ACTION:

ORDINANCE READINGS: 1st

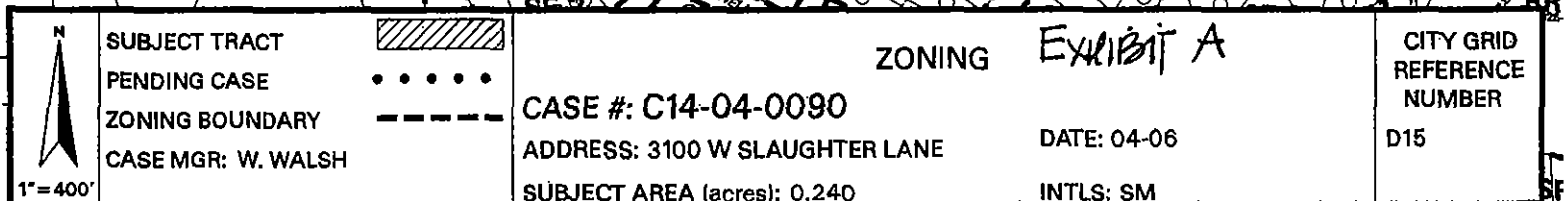
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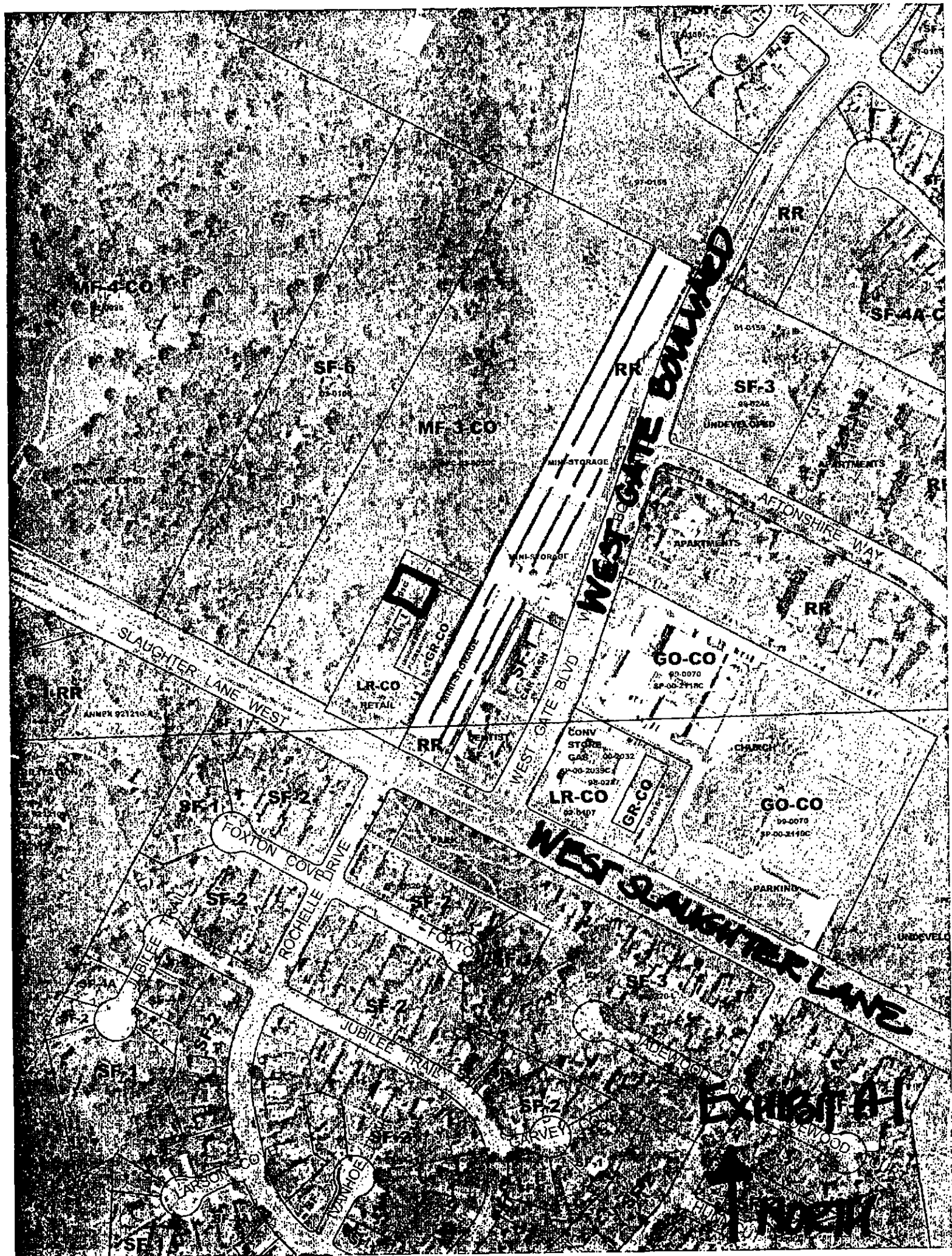
3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Walsh
e-mail: wendy.walsh@ci.austin.tx.us

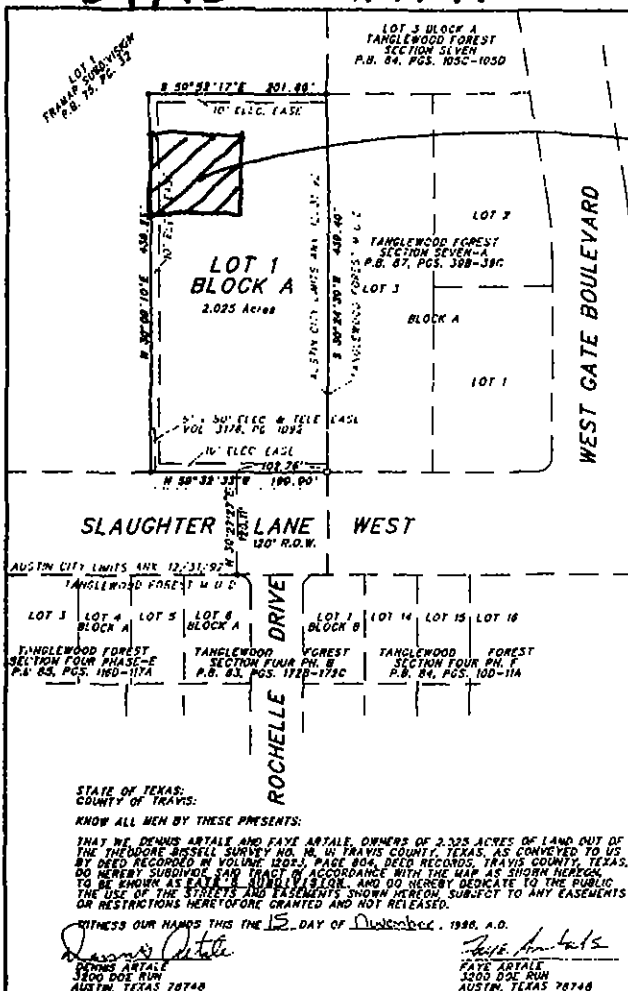
PHONE: 974-7719





11-19-96

B47743



FAYE'S SUBDIVISION

Proposed

REZONING AREA

SCALE 1"=100'

LEGEND

- IRON PEG FOUND
- CONCRETE AGUMENT SET
- SIDEWALK LOCATION

NO LOT WILL BE OCCUPIED UNTIL THE STRUCTURE IS CONNECTED TO THE CITY OF AUSTIN WATER AND WASTEWATER SYSTEM.

ALL WATER AND WASTEWATER SYSTEM IMPROVEMENTS MUST BE IN ACCORDANCE TO CITY OF AUSTIN WATER AND WASTEWATER SYSTEM DESIGN CRITERIA AND SPECIFICATIONS. ALL WATER AND WASTEWATER PLANS MUST BE PRESENTED TO THE CITY OF AUSTIN FOR REVIEW AND APPROVAL. ALL WATER AND WASTEWATER CONSTRUCTION MUST BE INSPECTED BY THE CITY OF AUSTIN.

THE OWNER OF THIS SUBDIVISION, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITY FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF AUSTIN. THE OWNER UNDERSTANDS AND AGREES THAT PLANS FOR VACATING OR RE-ALYING MAY BE REQUIRED. AT THE OWNER'S SOLE EXPENSE IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.

PRIOR TO CONSTRUCTION, EXCEPT DETACHED SINGLE FAMILY ON ANY LOT IN THIS SUBDIVISION, A SITE DEVELOPMENT PERMIT MUST BE OBTAINED FROM THE CITY OF AUSTIN.

PRIOR TO CONSTRUCTION ON LOTS IN THIS SUBDIVISION, DRAINAGE PLANS WILL BE SUBMITTED TO THE CITY OF AUSTIN FOR REVIEW. RAINFALL RUN-OFF SHALL BE HELD TO THE ADJACENT EXISTING ADJACENT STATUS BY FLOODING OR OTHER APPROVED METHODS. ALL PROPOSED CONSTRUCTION ON SITE ALTERATION ON LOT(S) _____, BLOCK(S) _____, REQUIRES APPROVAL OF A SEPARATE DEVELOPMENT PERMIT.

THE ELECTRIC UTILITY HAS THE RIGHT TO CUT AND TRIM TREES AND SHROUBERY AND REMOVE OBSTRUCTIONS TO THE LATEST NECESSARY TO KEEP THE EASEMENTS CLEAR OF OBSTRUCTIONS.

ANY ELECTRICAL UTILITY ACTIVITY INSIDE THE SUBDIVISION SHALL BE INCLUDED UNDER THE DEVELOPMENT PERMIT.

THE OWNER/DEVELOPER OF THIS SUBDIVISION/LOT SHALL PROVIDE THE CITY OF AUSTIN ELECTRIC UTILITY DEPARTMENT WITH EASEMENTS AND/OR ACCESS REQUIRED FOR THE INSTALLATION AND ONGOING MAINTENANCE OF OVERHEAD AND UNDERGROUND ELECTRIC FACILITIES TO SERVICE THIS PROPERTY.

ALL WORK MUST STOP IF A VOID IN THE ROCK SUBSTRATE IS DISCOVERED WHICH IS: 6 INCHES LONG OR LONGER; 6 INCHES DIAMETER OR LARGER; BLOWS AIR FROM WITHIN THE SUBSTRATE AND/OR CONSISTENTLY RECEIVES RAINFALL. IN ANY EVENT, THE CITY OF AUSTIN ENVIRONMENTAL INSPECTION FOR FURTHER INVESTIGATION.

PUBLIC SIDEWALKS, BUILT TO CITY OF AUSTIN STANDARDS, ARE REQUIRED ALONG THE FOLLOWING STREET(S) _____, BLOCK(S) _____. THESE SIDEWALKS SHALL BE IN PLACE PRIOR TO THE BEGINNING OF CONSTRUCTION. THE REQUIRED SIDEWALKS MAY RESULT IN THE WITHDRAWING OF CERTIFICATES OF OCCUPANCY, BUILDING PERMITS, OR UTILITY CONNECTIONS BY THE GOVERNING BODY OF UTILITY COMPANY.

OFF-STREET LOADING AND UNLOADING FACILITIES SHALL BE PROVIDED ON ALL COMMERCIAL AND INDUSTRIAL LOTS.

THIS SUBDIVISION PLAT WAS APPROVED AND RECORDED BEFORE THE CONSTRUCTION AND AGENT-ANCE OF STREETS AND OTHER SUBDIVISION IMPROVEMENTS. PURSUANT TO THE TERMS OF A SUBDIVISION IMPROVEMENTS AGREEMENT BETWEEN THE SUBDIVIDER AND THE CITY OF AUSTIN, DATED _____, THE SUBDIVIDER IS RESPONSIBLE FOR THE CONSTRUCTION OF THE IMPROVEMENTS REQUIRED TO SERVE THE LOTS WITHIN THE SUBDIVISION. THIS RESTRICTION MAY BE ASSIGNED IN ACCORDANCE WITH THE TERMS OF THAT AGREEMENT.

FOR THE SUBDIVISION IMPROVEMENTS AGREEMENT PERTAINING TO THIS SUBDIVISION, SEE SEPARATE INSTRUMENT VOLUME _____, PAGE _____. IN THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

BUILDING SETBACK LINES SHALL BE IN CONFORMANCE WITH CITY OF AUSTIN TOWNING ORDINANCE REQUIREMENTS.

WATER AND WASTEWATER SYSTEMS SERVING THIS SUBDIVISION SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE CITY OF AUSTIN AND STATE HEALTH DEPARTMENT PLANS AND SPECIFICATIONS. PLANS AND SPECIFICATIONS SHALL BE SUBMITTED TO THE CITY OF AUSTIN, WATER AND WASTEWATER DEPARTMENT, FOR REVIEW.

ALL SIGNS SHALL COMPLY WITH THE AUSTIN SIGN ORDINANCE, CHAPTER 13-2, ART. VI.

DEVELOPMENT OF LOT 1, BLOCK A, IS HEREBY RESTRICTED TO USES OTHER THAN RESIDENTIAL USES.

NO PORTION OF THIS TRACT IS WITHIN A DESIGNATED FLOOD HAZARD AREA AS SHOWN ON A FLOOD HAZARD ADMINISTRATION RATE MAP NO. 40024 SERGE, FOR TRAVIS COUNTY, TEXAS, DATED JUNE 16, 1993.

THIS SUBDIVISION IS LOCATED IN THE SLAUGHTER CREEK WATERSHED, WATER SUPPLY SUBURBAN, CLASS I IN THE RECHARGE ZONE OF THE EDWARDS AQUIFER AND SHALL BE DEVELOPED, CONSTRUCTED AND MAINTAINED IN CONFORMANCE WITH THE TERMS AND CONDITIONS OF CHAPTER 13-2, ARTICLE V AND CHAPTER 13-2, ARTICLE VI OF THE CITY LAND DEVELOPMENT CODE. LAND IN THIS SUBDIVISION IS RESTRICTED TO THE PERVIOUS COVER LIMITS OF SECTION 13-2-2-2-2.

THE WATER QUALITY EASEMENTS SHOWN ARE FOR THE PURPOSE OF ACHIEVING COMPLIANCE PURSUANT TO CHAPTER 13-2 OF THE CITY LAND DEVELOPMENT CODE. THE USE AND MAINTENANCE OF THESE EASEMENTS IS RESTRICTED TO SECTION 13-2-2-2-2, 34 AND 35 THEREOF.

MAINTENANCE OF THE WATER QUALITY CONTROLS REQUIRED ABOVE SHALL BE TO THE STANDARDS AND SPECIFICATIONS CONTAINED IN CHAPTER 13-2, ARTICLE I, THE ENVIRONMENTAL CRITERIA MANUAL AND OTHER ORDINANCES AND REGULATIONS OF THE CITY. CROSS-SECTIONAL CONTROLS ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT, INCLUDING SINGLE FAMILY AND DUPLEX CONSTRUCTION PURSUANT TO LOC SECTION 13-2-2-2-2, AND THE ENVIRONMENTAL CRITERIA MANUAL.

WATER QUALITY CONTROLS ARE REQUIRED FOR ALL DEVELOPMENT WITH IMPERVIOUS COVER IN EXCESS OF 20% OF THE NET SITE AREA OF EACH LOT PURSUANT TO LOC SECTION 13-2-2-2-2.

NO CUT OR FILL SHALL EXCEED A DEPTH OF FOUR FEET EXCEPT FOR STRUCTURAL EXCAVATION PURSUANT TO LOC SECTION 13-2-2-2-2, UNLESS A VARIANCE IS GRANTED BY THE CITY OF AUSTIN.

CONSTRUCTION ON SLOPES IN EXCESS OF FIFTEEN PERCENT (15%) ARE RESTRICTED PURSUANT TO LOC SECTION 13-2-2-2-2.

THIS SITE IS IN THE 0-15% SLOPE CATEGORY.

I, DOUGLAS A. SEELIG, AN AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THIS PLAT COMPLES WITH TITLE 13, OF THE AUSTIN CITY CODE OF 1981, AS AMENDED; IS TRUE AND CORRECT; AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

AS SURVEYED BY:
DOUGLAS A. SEELIG LAND SURVEYORS P.C.DOUGLAS A. SEELIG
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1004
3802 WACHACA ROAD
AUSTIN, TEXAS 78704
AUGUST 15, 1993

JOH F10059

SHEET 1 OF 1 CB-95-0192.0A

Exhibit B
RECORDED
PLATSTATE OF TEXAS;
COUNTY OF TRAVIS;

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, DENNIS ARTALE AND FAYE ARTALE, OWNERS OF 2.025 ACRES OF LAND OUT OF THE THEODORE BUSSELL SURVEY NO. 18, IN TRAVIS COUNTY, TEXAS, AS CONVEYED TO US BY DEED RECORDED IN VOLUME 1200, PAGE 804, DEED RECORDS, TRAVIS COUNTY, TEXAS, DO HEREBY SUBDIVIDE SAID TRACT IN ACCORDANCE WITH THE MAP AS SHOWN HEREON, TO BE KNOWN AS FAYE'S SUBDIVISION, AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS OUR HANDS THIS 15th DAY OF November, 1996, A.D.

Dennis Artale
3200 DOE RUN
AUSTIN, TEXAS 78748Faye Artale
3200 DOE RUN
AUSTIN, TEXAS 78748STATE OF TEXAS;
COUNTY OF TRAVIS;

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED DENNIS ARTALE AND FAYE ARTALE, KNOWN TO ME TO BE THE PEOPLE WHOSE NAMES ARE SUB-SCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 15th DAY OF November, 1996, A.D.

NOTARY PUBLIC IN AND FOR TRAVIS COUNTY, TEXAS
MY COMMISSION EXPIRES: 04-17-99

APPROVED FOR ACCEPTANCE:

ALICE GLASCO, DIRECTOR
DEVELOPMENT REVIEW AND INSPECTION DEPARTMENT

FILED FOR RECORD AT 4:00 O'CLOCK P.M. ON THE 19th DAY OF November, 1996, A.D.

DANA DEBEAUVON
DEPUTY CLERK
STATE OF TEXAS;
COUNTY OF TRAVIS;

I, DANA DEBEAUVON, CLERK OF THE COUNTY COURT, OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT ON THE 19th DAY OF November, 1996, A.D., THE COMMISSIONERS' COURT OF TRAVIS COUNTY, TEXAS, PASSED AN ORDER AUTHORIZING THE FILING FOR RECORD OF THIS PLAT AND THAT SAID ORDER WAS DULY ENTERED IN THE MINUTES OF SAID COURT, IN BOOK 97, PAGE(S) 1.

DANA DEBEAUVON, CLERK, COUNTY COURT
TRAVIS COUNTY, TEXAS

BY:

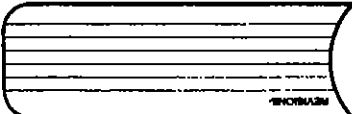
STATE OF TEXAS;
COUNTY OF TRAVIS;

I, DANA DEBEAUVON, CLERK OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE 19th DAY OF November, 1996, A.D., AT 4:00 O'CLOCK P.M., AND DULY RECORDED ON THE 19th DAY OF November, 1996, A.D., AT 4:00 O'CLOCK P.M., IN THE PLAT RECORDS OF SAID COUNTY, IN PLAT BOOK 97, PAGE(S) 1.

WITNESS MY HAND AND SEAL OF THE OFFICE OF THE COUNTY CLERK, THE DAY OF November, 1996, A.D.

DANA DEBEAUVON, CLERK OF THE COUNTY COURT, TRAVIS COUNTY, TEXAS.

BY: Dana Debeaumont
M. Lunday

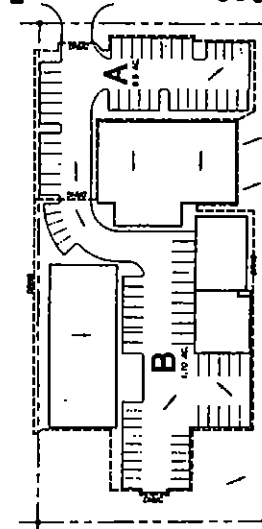
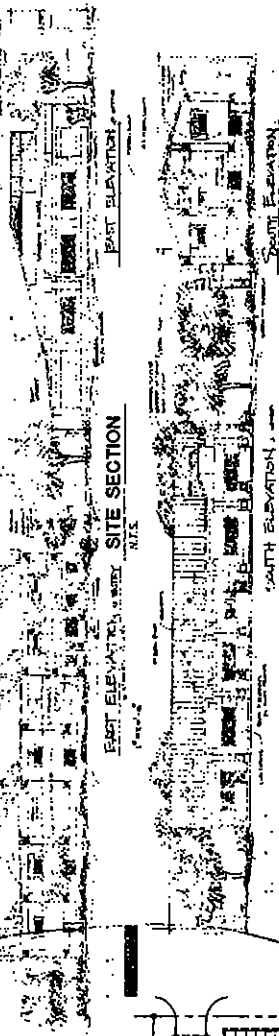
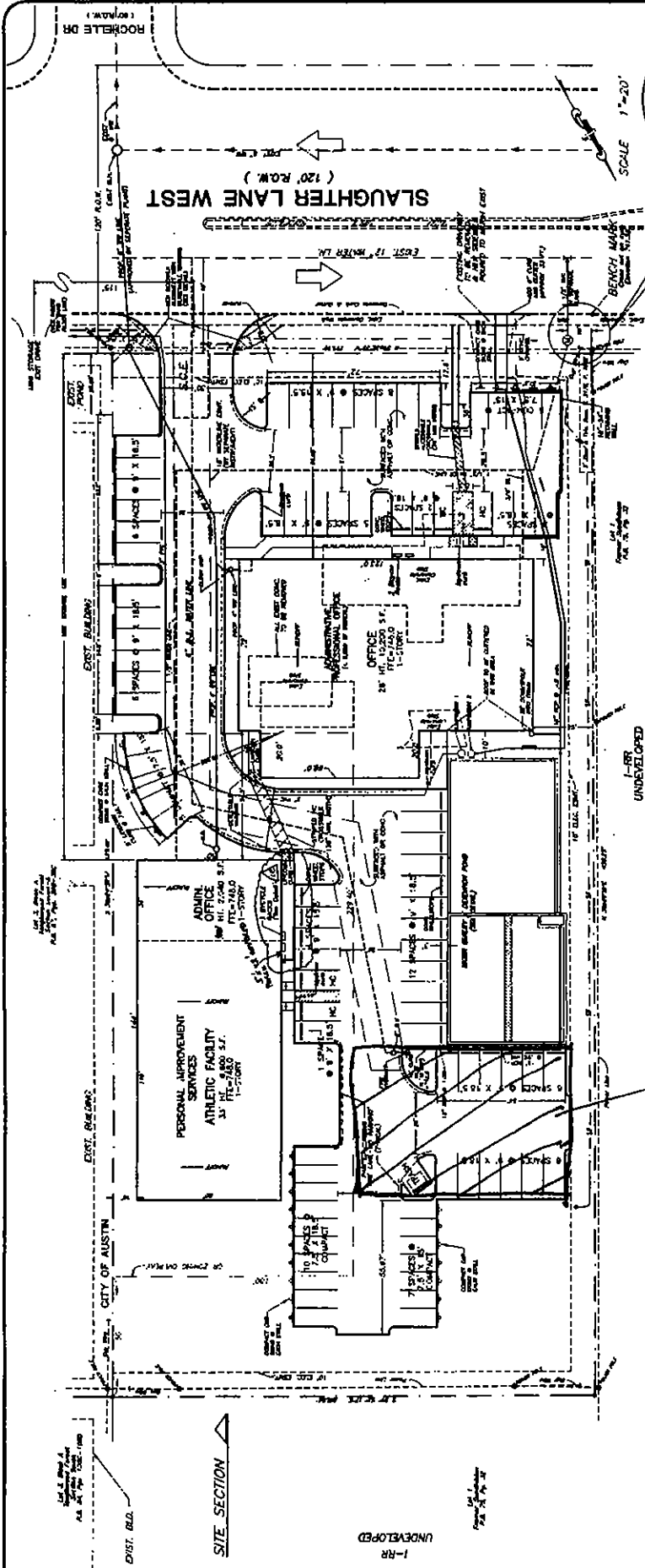


DESIGN BY: BSW
DRAWN BY: JS
CHECK BY: BSW

GENSEL
Engineering Inc.
205 Blue Cave Woods Dr.
Austin, Texas 78748
512-257-4008
FAX: 512-257-4009

LOT 1, BLOCK A
FAYE'S SUBDIVISION
DIMENSIONED SITE PLAN

2016 7
PAGE NUMBER

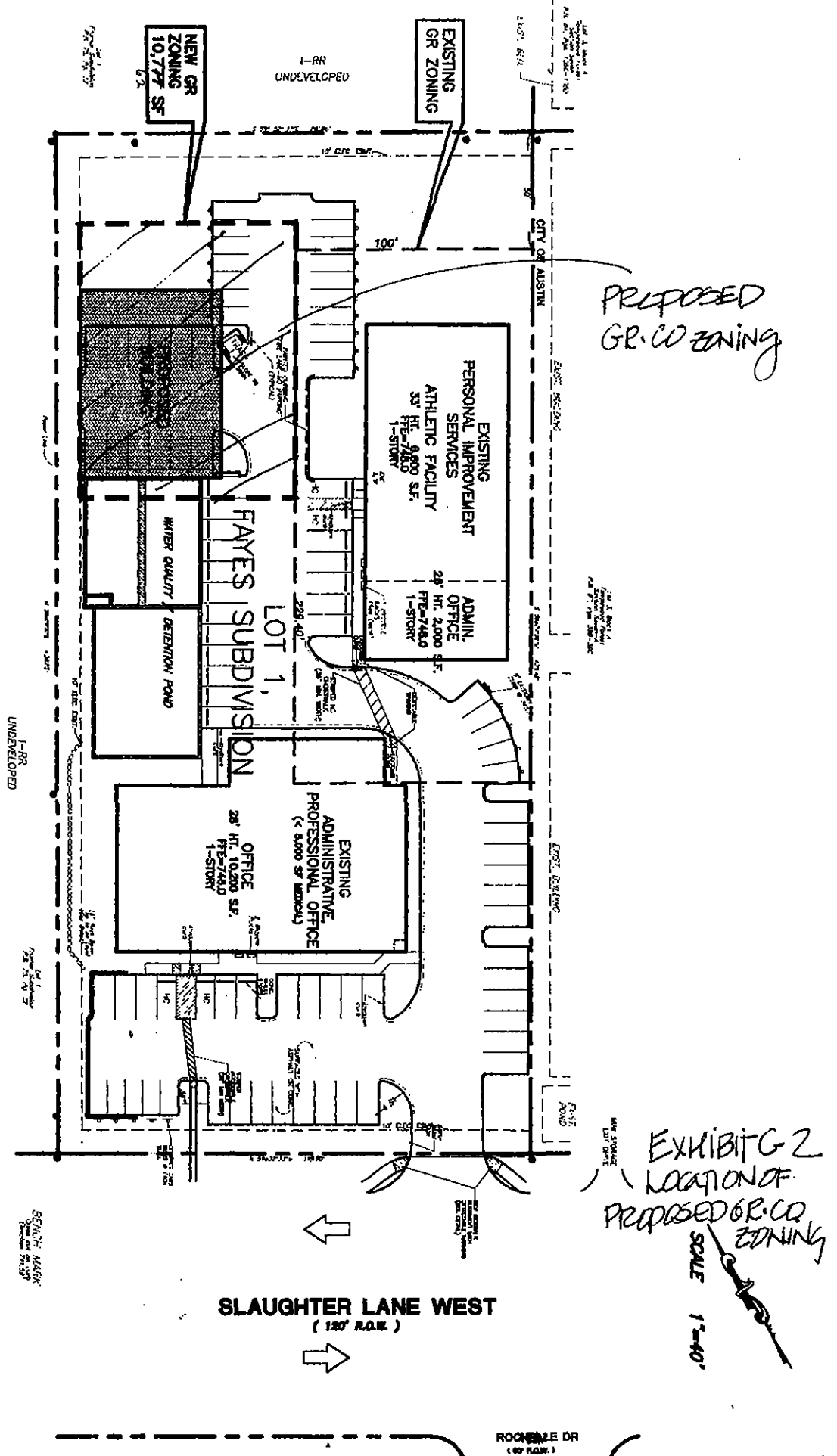


PROPOSED
RECONING AREA,
PRESENTLY
USED FOR
PARKING

DRAINAGE AREA MAP
(PROPOSED CONDITIONS) SCALE: 1" = 50'

EXHIBIT C-1
APPROVED
SITE PLAN OF
STAR CENTER
(PAGE 2)

STAR CENTER GR ZONING EXHIBIT



SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant community commercial-conditional overlay (GR-CO) combining district zoning. The Conditional Overlay limits the property to personal improvement services, all neighborhood commercial (LR) uses except for service station and limited restaurant, and 2,000 vehicle trips per day.

BACKGROUND

The subject rezoning area represents a proposed building footprint and surrounding area out of Faye's Subdivision, and is developed with 18 parking spaces. The rezoning area carries neighborhood commercial – conditional overlay (LR-CO) combining district zoning that was a portion of Tract 2 by way of a 1996 case. The conditional overlay prohibits drive-in, fast food restaurant and limited restaurant. Access is available through adjacent property within the subdivision to West Slaughter Lane. The rezoning area is surrounded by commercial and office uses to the east and south (GR-CO – an existing gymnasium for dance / gymnastics / cheer training – also part of the 1996 rezoning case described above; LR-CO; RR; SF-1) and undeveloped land recently rezoned to MF-3-CO; SF-6; MF-4-CO.

The applicant wishes to expand the amount of gymnasium space and construct a second building of 4,800 square feet with underground parking towards the rear of the lot. This particular use is classified as a personal improvement service that is first allowed in the community commercial (GR) district. The applicant proposes GR-CO zoning with the Conditional Overlay to reflect that approved with the existing GR-CO pad area containing the gymnasium directly to the east. The staff also recommends prohibiting service station use in accordance with its location in the Barton Springs Zone.

GR-CO district zoning is appropriate in the context of the adjacent gymnasium as well as retail, office and convenience storage uses, as well as plans for an assisted living center and condominiums that were proposed in conjunction with the MF-3-CO and SF-6 zonings to the west, and access to an arterial roadway. A 2,000 motor vehicle trip limit is recommended to limit development to maintain acceptable traffic conditions on adjacent roadways and intersections.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The proposed GR, Community Commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways. The property has access to West Slaughter Lane, an improved, 6-lane major arterial roadway.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

GR-CO district zoning is appropriate in the context of the adjacent gymnasium as well as retail, office and convenience storage uses, as well as plans for an assisted living center and condominiums that were proposed in conjunction with the MF-3-CO and SF-6 zonings to the west, and access to an arterial roadway. A 2,000 motor vehicle trip limit is recommended to limit development to maintain acceptable traffic conditions on adjacent roadways and intersections.

EXISTING CONDITIONS

Site Characteristics, Impervious Cover and Environmental

The rezoning area is developed with a surface parking area that contains 18 spaces.

Existing Subdivision and Site Plan Approvals on the Property and Redevelopment

The Faye's Subdivision is a 2.025 acre, one lot plat that was recorded in November 1996. The Star Center site plan, which includes the rezoning area, was approved in September 1998 and identified suburban watershed regulations as applicable. 60% impervious cover was allowed and the cover sheet of the site plan identifies that the property is presently developed with 56.4% impervious cover. Environmental staff has identified that the proposed expansion for additional gymnasium space may be subject to redevelopment provisions as described in LDC 25-8-26 which would provide for redevelopment of up to 25% of the existing impervious cover and providing water quality controls to current SOS standards.

The following would apply for Standard New Development:

Based on the City GIS Maps, this site is located within 1,500 feet of the Edward's Aquifer Recharge Zone, and as such the applicant must provide a certified report from a geologist or hydrologist verifying whether the site is over the Recharge Zone (LDC 25-8-2). The site is in the Slaughter Creek Watershed of the Colorado River Basin. This section of the Slaughter Creek Watershed is classified as a Barton Springs Zone (BSZ) watershed. Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone and 25% impervious cover in the contributing zone.

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

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 such as bluffs, springs, canyon rimrock, caves sinkholes, and wetlands.

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.

TPSD Right-of-Way

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed rezoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

Transportation

The trip generation under the requested zoning is estimated to be 1,595 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Water and Wastewater

The site is served with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustment are required, the landowner will be responsible for all costs and providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility.

Compatibility Standards

A change of use within the existing structure would not trigger compatibility development regulations. However, any new construction on this site would be subject to compatibility development regulations due to the existing SF-2 to the south and SF-1 to the east.

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 following regulations would apply:

- 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.
- For a structure 300 feet or more from the property zoned SF-5 or more restrictive, 60 feet plus 1 foot for each 4 feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.

The subject site is located on a Scenic Roadway.