



**Zoning**  
**CITY OF AUSTIN**  
**RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: Z-13**  
**AGENDA DATE: Thu 11/04/2004**  
**PAGE: 1 of 1**

**SUBJECT:** C14-04-0104 - Parkside at Slaughter Creek, Lot 19, Block A - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 10001 South IH-35 (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning with conditions. Applicant: Lumbermen's Investment Corp. (Robert M. Mann). Agent: Vaughn & Associates, Inc. (Rick Vaughn). City Staff: Wendy Walsh, 974-7719.

**REQUESTING**      Neighborhood Planning  
**DEPARTMENT:**      and Zoning

**DIRECTOR'S**  
**AUTHORIZATION:** Greg Guernsey

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-04-0104

**Z.P.C. DATE:** October 5, 2004

**ADDRESS:** 10001 South IH-35

**OWNER AND APPLICANT:** Lumbermen's  
Investment Corp.  
(Robert M. Mann)

**AGENT:** Vaughn & Associates, Inc.  
(Rick Vaughn)

**ZONING FROM:** I-RR

**TO:** GR

**AREA:** 5.180 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The Conditional Overlay prohibits the following uses: automotive rentals; automotive repair services; automotive sales; automotive washing (of any type); commercial off-street parking; drop-off recycling collection facility; exterminating services; hotel-motel; off-site accessory parking; outdoor entertainment; outdoor sports and recreation; pawn shop services; service stations; congregate living; and residential treatment.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated September 29, 2004, as provided in Attachment A.

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

October 5, 2004: *APPROVED STAFF RECOMMENDATION OF GR-CO DISTRICT ZONING WITH CONDITIONS OF THE TIA, BY CONSENT*  
[J.M, J.D 2<sup>ND</sup>] (9-0)

### **ISSUES:**

The applicant has met with representatives of the Parkside at Slaughter Creek Owners Association and a letter of support provided at the back of the staff report contains a list of prohibited uses. The list of prohibited uses has been incorporated into the Summary Staff Recommendation.

### **DEPARTMENT COMMENTS:**

The subject zoning area is one undeveloped, platted lot that was assigned interim-rural residence (I-RR) district upon its annexation into the City on December 31, 2003. The lot has frontage on both the IH-35 northbound frontage road and National Park Boulevard, a collector street that provides the main access to the Parkside at Slaughter Creek subdivision. Both this lot, as well as a 2.215 acre irregular-shaped lot on the south (opposite) side of National Park, are identified as "Commercial" on the plat. The remainder of Sections 1 and 2 consists of small lot single family residences to the north and east (zoned I-SF-4A). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plat).

The applicant proposes to zone the lot to the community commercial (GR) district for 18,000 square feet of shopping center space, 2,500 square feet of general office space and 4,500 square feet of fast food restaurant with drive-through. The site would primarily serve the residents of Parkside at Slaughter Creek and nearby Crossing at Onion Creek subdivisions. Staff supports GR-CO zoning in

the context of its 1) location at the intersection of a highway and the main entrance to the Parkside subdivision, thereby creating a transition in land uses stepping back from IH-35, and providing the opportunity for commercial goods and services to occur in proximity to residential development, and 2) consistency with the general land use category provided on the plat.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	County	Undeveloped; Equipment repair
<i>South</i>	I-RR; GR-CO	Undeveloped; Warehouse / distribution
<i>East</i>	I-RR	Small-lot single family residences
<i>West</i>	N/A	IH – 35 frontage road and main lanes

**AREA STUDY:** N / A

**TIA:** A Traffic Impact Analysis is required – Please refer to Attachment A

**WATERSHED:** Onion Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

26 – Far South Austin Community Association      300 – Terrell Lane Interceptor Association  
 428 – Barton Springs / Edwards Aquifer Conservation District  
 627 – Onion Creek Homeowners Association  
 948 – South by Southeast Neighborhood Organization  
 954 – East Slaughter Lane Neighborhood Association

**SCHOOLS:**

Graham Elementary School

Dobie Middle School

Reagan High School

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-04-0103 (Parkside at Slaughter Lot 127, Block C)	I-RR to GR	To Grant GR-CO	Approved GR-CO with CO for a list of prohibited uses and 2,000 trips (9-2-04).
C14-04-0094 (Janssen Tract)	CS-CO to CS	To Grant CS-CO with a Restrictive Covenant for the TIA	Approved CS-CO with a Restrictive Covenant for the TIA, as recommended by ZAP (10-21-04).
C14-04-0075 (Southpark Meadows)	LO-CO; CS-I-CO to GR	To Grant GR-CO with a Restrictive Covenant for the TIA	Approved CS-CO with a Restrictive Covenant for the TIA, as recommended by ZAP

			(10-21-04).
C14-99-0129 (RCT) (Southpark Meadows)	Terminate the Restrictive Covenant pertaining to a rollback to LO zoning	To Grant the Restrictive Covenant Termination	Approved the Restrictive Covenant Termination (10-21-04).
C14-04-0059 (Harrell / Gatton)	I-RR to CS	To Grant an Indefinite Postponement; Pending submittal of the TIA	Pending
C14-02-0120.SH	I-RR to SF-4A and GR	To Grant SF-4A for Tracts 1 and 3; GR for Tract 2, with conditions of the TIA	Approved SF-4A and GR with a Restrictive Covenant for the TIA (11-20-03).
C14-00-2181	I-RR to RR; MF-3	To Grant RR; MF-2-CO with conditions of the TIA	Approved RR; MF-2-CO with CO for a 25' building setback along east and southeast property lines adjacent to residential properties and the conditions of the TIA (2-8-01)

**RELATED CASES:**

The zoning area is platted as Lot 19, Block A of the Parkside at Slaughter Creek Section 1 plat, recorded on April 11, 2003 (C8J-02-0198.1A). Subsequently, on December 31, 2003, the zoning area was annexed into the City limits. There are no related site plan cases on the subject property.

**ABUTTING STREETS:**

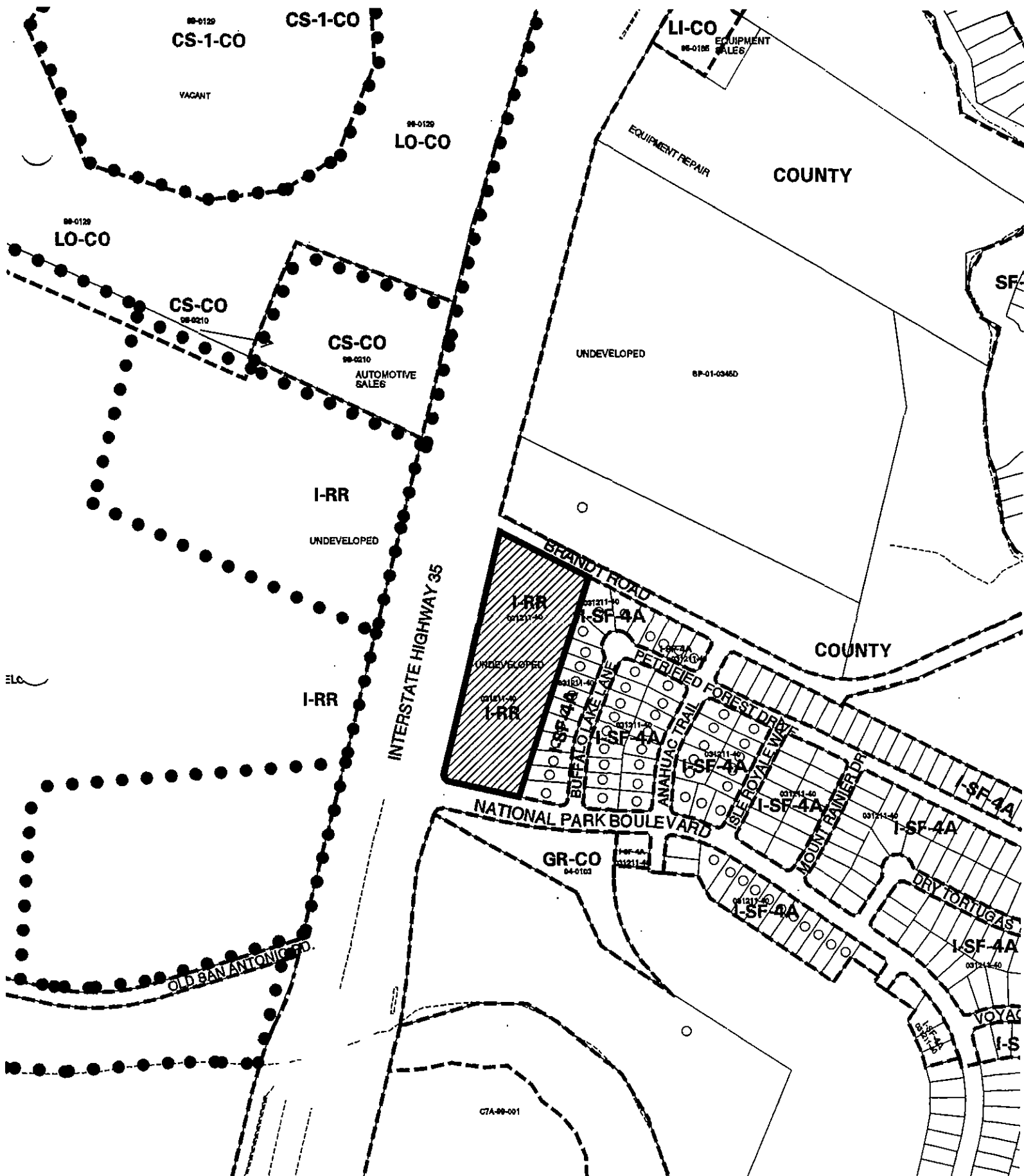
STREET	RIGHT- OF-WAY	PAVEMENT WIDTH	CLASSIFICATION
South IH-35	320 feet	Varies	Major Arterial
National Park Boulevard	90 feet	2 @ 27 feet	Collector





- Capital Metro bus service is not available within 1/4 mile of this property.

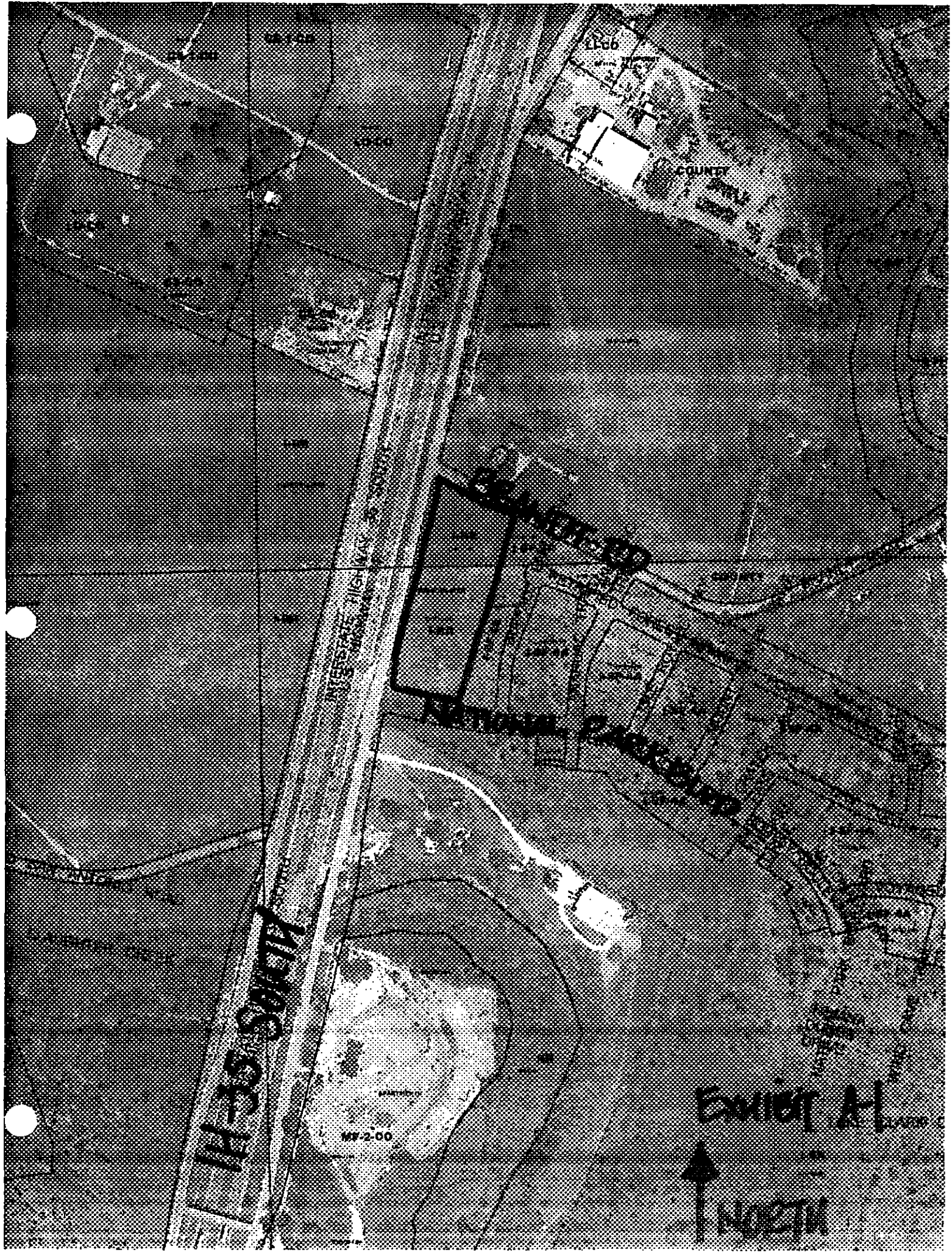
**CITY COUNCIL DATE:** November 4, 2004**ACTION:****ORDINANCE READINGS:** 1<sup>st</sup>2<sup>nd</sup>3<sup>rd</sup>**ORDINANCE NUMBER:**

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

**PHONE:** 974-7719



 1" = 400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: W.WALSH	  	<b>ZONING</b> <b>Exhibit A</b> <b>CASE #:</b> C14-04-0104 <b>ADDRESS:</b> 10001 S. IH 35 <b>SUBJECT AREA (acres):</b> 5.180	<b>DATE:</b> 04-10 <b>INTLS:</b> TRC	<b>CITY GRID REFERENCE NUMBER</b> G12,13
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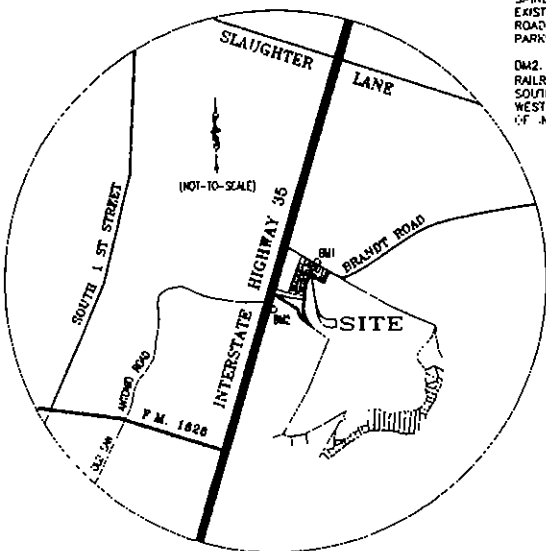
6  
PARKSIDE AT SLAUGHTER  
SECTION 2  
DOCUMENT NO. 200500100  
(140.87 ACRES)  
LUMBERMEN'S INVESTMENT CORPORATION  
VOLUME 4487, PAGE 806

**LEGEND**

⊗	IRON PIPE FOUND
○	IRON PIN SET
●	IRON PIN FOUND
■	CONCRETE MONUMENT FOUND
□	CONCRETE MONUMENT SET
W. ESM	WATER LINE EASEMENT
W. ESM	WASTEWATER EASEMENT
B.L.	BUILDING SETBACK LINE
P.U.E.	PUBLIC UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
L	LOT NUMBER
(A)	BLOCK NUMBER
---	APPROX. SIDEWALK LOCATION
---	BUILDING SETBACK LINE
---	EASEMENT LINE
---	WATER QUALITY TRANSITION ZONE (WQTZ)

NO. OF SINGLE FAMILY LOTS:	31
NO. OF COMMERCIAL LOT:	2
<hr/> TOTAL NO. OF LOTS:	<hr/> 33
TOTAL NO. OF BLOCKS:	5

SHEET 1 OF 4



LOCATION MAP

EXHIBIT 13  
RECORDED PLAT



**Date:** September 29, 2004  
**To:** Wendy Walsh, Case Manager  
**CC:** Members of the Zoning and Platting Commission  
Lynn Ann Carley, P.E. WHM Transportation Engineering  
Carol Kaml, COA Fiscal Officer  
**Reference:** Parkside at Slaughter Creek TIA, C14-04-0104

The Transportation Review Section has reviewed the Traffic Impact Analysis for Parkside at Slaughter Creek dated April 2004, prepared by Lynn Ann Carley, P.E., WHM Transportation Engineering, and offers the following comments:

### **TRIP GENERATION**

Parkside at Slaughter Creek is a 5.18-acre development located in south Austin at the southeast intersection of Brandt Road and IH-35.

The property is currently undeveloped and zoned Interim Rural Residence (I-RR). The applicant has requested a zoning change to Community Commercial (GR). The estimated completion of the project is expected in the year 2008.

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 4,574 unadjusted average daily trips (ADT).

The table below shows the adjusted trip generation by land use for the proposed development:

<b>Table 1. Adjusted Trip Generation</b>						
			<b>AM Peak</b>		<b>PM Peak</b>	
<b>LAND USE</b>	<b>Size</b>	<b>ADT</b>	<b>Enter</b>	<b>Exit</b>	<b>Enter</b>	<b>Exit</b>
Shopping Center	18,000sf	1,494	23	15	64	69
General Office	2,500sf	78	9	1	1	3
Fast Food Restaurant w/ Drive Thru	4,500sf	1,071	55	53	37	34
<b>Total</b>		<b>2,643</b>	<b>87</b>	<b>69</b>	<b>102</b>	<b>106</b>

### **ASSUMPTIONS**

1. Traffic growth rates provided by the City of Austin were as follows:

<b>Table 2. Growth Rates per Year</b>	
<b>Roadway Segment</b>	<b>%</b>
All Roads	3%

2. In addition to these growth rates, background traffic volumes for 2003 included estimated traffic volumes for the following projects:

Double Creek Village  
Double Creek  
Tobin Tract

C14-03-0053  
C14-04-0018, C14-04-0019, C14-04-0020  
C14-03-0186

*attachment a*



Slaughter Lane at Brandt Road	C14-02-0120.SH
Slaughter Lane at South I-35	C14-03-0066/SP-03-0283C
St Albans Expansion	SP-02-0115D
Onion Creek Office Park	SP-03-0140D
Onion Creek Section 100	SP-02-0041D
Fairfield at Slaughter	SP-01-0044C
Terrace at Onion Creek	SP-02-0005D
Parkside at Slaughter Lane	C8J-02-0198
Brandt Road Industrial Park	C8J-03-0046
Slaughter Creek Subdivision	C8-01-0178.0A/SP-01-0345D
Slaughter Lane Commercial Park	C8-01-0074.0A
Crossing at Onion Creek Sections 3&4	C8-02-0184.4A.SH
Bella Fortuna	C8J-03-0167

3. Reductions were taken for pass-by for the following uses:

<b>Table 3. Summary of Pass-By and Internal Capture Reductions</b>		
<b>Land Use</b>	<b>Pass-By Reductions %</b>	
	<b>AM</b>	<b>PM</b>
Shopping Center	34%	34%
Fast Food Restaurant w/ Drive Thru	49%	50%

4. A 5% reduction was taken for internal capture for the fast food restaurant without drive thru and the high turnover restaurant.
5. No reductions were taken for transit use.

#### **EXISTING AND PLANNED ROADWAYS**

**IH 35** – This roadway is classified as a six-lane freeway. The traffic volumes for year 2002 on IH 35 north and south of Slaughter Lane were 156,000 vehicles per day (vpd) and 119,000 vpd, respectively. The Austin Metropolitan Area Transportation Plan (AMATP) classifies IH 35 as an eight-lane freeway with HOV lanes between William Cannon Drive and Slaughter Lane and as an eight-lane freeway between Slaughter Lane and FM 1626 in 2025. This roadway is in the Bicycle Plan as a priority 2 route.

**Slaughter Lane** – Slaughter Lane is located north of the property. This roadway is classified as a six-lane divided major arterial between Manchaca Road and IH 35. The 1997 traffic volumes on Slaughter Lane were approximately 27,560 and 30,210 vehicles per day (vpd), respectively, east and west of South 1<sup>st</sup> Street. Slaughter Lane is in the Bicycle Plan as a priority 1 route.

**Brandt Road** – This roadway is classified as a two lane collector roadway within the vicinity of the project. The traffic volumes in 1997 were approximately 310 vpd.

**National Park Boulevard** – This roadway is classified as a collector roadway within the vicinity of the project.

## INTERSECTION LEVEL OF SERVICE (LOS)

The TIA analyzed 7 intersections, 2 of which will be signalized. Existing and projected levels of service are as follows, assuming that all improvements recommended in the TIA are built:

<b>Table 4. Level of Service</b>				
<b>Intersection</b>	<b>2004 Existing</b>		<b>2008 Site + Forecasted</b>	
	<b>AM</b>	<b>PM</b>	<b>AM</b>	<b>PM</b>
IH-35 EFR and Slaughter Lane	F	D	D	D
IH-35 and WFR and Slaughter Lane	B	B	B	B
IH-35 EFR and Slaughter Creek Overpass	A	A	B	B
IH-35 WFR and Slaughter Creek Overpass	A	A	C	D
IH-35 EFR and Brandt Road	A	A	D	C
IH-35 EFR and National Park Boulevard	A	A	A	A
Slaughter Lane and Brandt Road	A	A	A	A
National Parkway Boulevard and Driveway A			A	A
Brandt Road and Driveway B			A	A

\* = SIGNALIZED

## RECOMMENDATIONS

1) Prior to 3<sup>rd</sup> reading at City Council, fiscal is required to be posted for the following improvements:

<b>Intersection</b>	<b>Improvements</b>	<b>Total Cost</b>	<b>Pro Rata Share %</b>	<b>Pro Rata Share \$</b>
Slaughter Ln. and IH-35	NB dual left turn lane	\$10,595	5.6	\$593
	NB right turn lane	\$48,374	5.6	\$2,709
Slaughter Creek Overpass and IH-35	Restripe the southbound approach to provide 1 left turn lane and 1 through/right shared lane	\$5,493	7.4	\$406
	Install a traffic signal	\$196,773	2.8	\$5,510
IH-35EFR and Brandt Road	NB right turn lane	\$69,578	3.6	\$2,505
<b>Total</b>		<b>\$335,100</b>		<b>\$11,723</b>

- 2) Final approval from TXDOT is required prior to 3<sup>rd</sup> Reading of the zoning case.
- 3) For information: Two copies of the final version of the TIA incorporating all corrections and additions must be submitted prior to final reading of the zoning case.
- 4) Additional right-of-way may be required at the time of subdivision or site plan.
- 5) Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.

If you have any questions or require additional information, please contact me at 974-2788.



Emily M. Barron  
Transportation Review Staff  
Watershed Protection and Development Review

**SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The Conditional Overlay prohibits the following uses: automotive rentals; automotive repair services; automotive sales; automotive washing (of any type); commercial off-street parking; drop-off recycling collection facility; exterminating services; hotel-motel; off-site accessory parking; outdoor entertainment; outdoor sports and recreation; pawn shop services; service stations; congregate living; and residential treatment.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated September 29, 2004, as provided in Attachment A.

**BACKGROUND**

The subject zoning area is one undeveloped, platted lot that was assigned interim-rural residence (I-RR) district upon its annexation into the City on December 31, 2003. The lot has frontage on both the IH-35 northbound frontage road and National Park Boulevard, a collector street that provides the main access to the Parkside at Slaughter Creek subdivision. Both this lot, as well as a 2.215 acre irregular-shaped lot on the south (opposite) side of National Park, are identified as "Commercial" on the plat. The remainder of Sections 1 and 2 consists of small lot single family residences to the north and east (zoned I-SF-4A).

The applicant proposes to zone the lot to the community commercial (GR) district for 18,000 square feet of shopping center space, 2,500 square feet of general office space and 4,500 square feet of fast food restaurant with drive-through. The site would primarily serve the residents of Parkside at Slaughter Creek and nearby Crossing at Onion Creek subdivisions. Staff supports GR-CO zoning in the context of its 1) location at the intersection of a highway and the main entrance to the Parkside subdivision, thereby creating a transition in land uses stepping back from IH-35, and providing the opportunity for commercial goods and services to occur in proximity to residential development, and 2) consistency with the general land use category provided on the plat.

**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 the IH-35 frontage road and National Park Boulevard a collector street providing the primary access to Parkside at Slaughter Creek subdivision.

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

Staff supports GR-CO zoning in the context of its 1) location at the intersection of a highway and the main entrance to the Parkside subdivision, thereby creating a transition in land uses stepping back from IH-35, and providing the opportunity for commercial goods and services to occur in proximity to residential development, and 2) consistency with the general land use category provided on the plat.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site is undeveloped and there appear to be no significant topographical constraints on the site.

### **Impervious Cover**

The maximum impervious cover allowed by the GR zoning district would be 80%, which is based on the more restrictive zoning regulations.

### **Environmental**

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Onion Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

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

In the Water Quality Transition Zones, impervious cover is limited to 30%.

According to flood plain maps, there is flood plain in, or within close proximity of, the project location. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone shall be limited to 30%.

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 the following water quality control requirements:

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

### **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 zoning 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**

A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC, Sec. 25-6-142]. Comments are provided in Attachment A.

### **Water and Wastewater**

The landowner intends to serve the site with City water and wastewater utilities. Water and wastewater utility improvements are necessary to serve the site and land use. The landowner will be responsible for all costs and providing. Also, water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City's utility design criteria and specifications.

### **Compatibility Standards**

The site is subject to compatibility standards. Along the south property line across from single family use, the following standards apply:

- No structure may be built within 25 feet of the I-RR property line (although it appears that is under a zoning change C14-04-0103).
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

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

**Parkside at Slaughter Creek  
Owner's Association, Inc.**

**P.O. Box 2030**

**Austin, TX 78768**

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February 3, 2004

Ms. Wendy Walsh, Zoning Planner  
Neighborhood Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

Re: Zoning Request for Lot 19 Block. A and Lot 127, Block. C,  
Parkside at Slaughter Creek, Section 1

Dear Ms. Walsh,

The Parkside at Slaughter Creek Owners Association has met with the property owner of the above referenced properties located at the entrance of our subdivision. The two properties were designated as commercial on the Subdivision Plats and the association supports the request for permanent zoning to "GR". We feel that this will provide a level of security as to what is built on their two lots. We have reviewed the uses allowed under the "GR" zoning district and with the owner's agreement request that the following uses be excluded for their properties.

- Automotive Rentals
- Automotive Repair Services
- Automotive Sales
- Automotive Washing of any type
- Commercial Off-Street Parking
- Drop-Off/ Recycling Collection Facility
- Exterminating Services
- Hotel/Motel
- Off-Site Accessory Parking
- Outdoor Entertainment
- Outdoor Sports and Recreation
- Pawn Shops
- Service Stations
- Congregate Living
- Residential Treatment

February 3, 2004

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With the exclusion of these uses listed above, the Parkside Owners Association is in support of the request for "GR" zoning on the above referenced properties.

If you have any questions, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in cursive script, reading "Darlene Louk", positioned above a horizontal line.

Darlene Louk, President

Parkside at Slaughter Creek Owner's Association, Inc.