

**Zone Hearings/App Ordinances/Restrictive Covenants
CITY OF AUSTIN**

AGENDA

DATE: 4/20/2006

#76

**RECOMMENDATION FOR
COUNCIL ACTION**

Subject: C14-05-0217 - 1204 West Slaughter Lane - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1204 West Slaughter Lane (Slaughter Creek Watershed) from single-family residence-standard lot (SF-2) to neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office (LO) district zoning. Applicant and Agent: Nicolas Younes. City Staff: Wendy Walsh, 974-7719.

Requesting Department: NPZD

For More Information:

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0217

Z.P.C. DATE: March 21, 2006

ADDRESS: 1204 West Slaughter Lane

OWNER & APPLICANT: Nicolas Younes

ZONING FROM: SF-2

TO: LR-CO **AREA:** 0.470 acres (20,473.2 feet)

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant limited office (LO) district zoning.

ZONING & PLATTING COMMISSION RECOMMENDATION:

March 21, 2006: *APPROVED STAFF'S RECOMMENDATION OF LO DISTRICT ZONING; BY CONSENT.*

[J. PINNELLI, J. GOHIL 2ND] (8-0) J. MARTINEZ – ABSENT

ISSUES:

The Applicant is in agreement with the Staff recommendation.

DEPARTMENT COMMENTS:

The subject platted lot is developed with a beauty salon and tax office, has direct access to West Slaughter Lane and is zoned single family residence – standard lot (SF-2) district. The north side of West Slaughter Lane between Chisholm Lane and Texas Oaks Drive consists of a single family residence (LR-CO), child care facility and Realtor's office (LO-CO) to the east, and two single family residences to the west (SF-2). Since 1998, rezoning requests from SF-2 to commercial and office districts have been approved for the five properties to the east, based on the upgrade of Slaughter Lane to an arterial. The rezonings have provided for the conversion of single family residences to office, civic and at the corner of Chisholm and Slaughter Lanes, to neighborhood commercial uses. The single family residential subdivision known as Westwood Heights is adjacent to the north (SF-2). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The applicant proposes to rezone the lot to the limited office (LO) district to accommodate its redevelopment to office uses. Staff recommends LO district zoning in the context of its location on an arterial roadway, consistency in zoning and compatibility with the office and civic uses to the east.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Beauty salon; Tax office
<i>North</i>	SF-2	Single family residences
<i>South</i>	LO-CO; SF-2; LR-CO; MF-1-CO; LR; P; DR	Child care facility; Roofing company; Apartments; Single family residences; Upholstery shop; Undeveloped; Electric substation; Auto repair
<i>East</i>	LO-CO; LR-CO; GR; LR	Realtor's office; Child care facility; Single family residences
<i>West</i>	SF-2; LR-CO; W/LO-CO; MF-2-CO	Single family residences; Undeveloped; Auto repair; Under construction for apartments

AREA STUDY: N / A**TIA:** Is not required**WATERSHED:** Slaughter Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**SCENIC ROADWAY:** Yes**NEIGHBORHOOD ORGANIZATIONS:**

26 – Far South Austin Community Association
 242 – Slaughter Lane Neighborhood Association
 300 – Terrell Lane Interceptor Association
 428 – Barton Springs / Edwards Aquifer Conservation District
 511 – Austin Neighborhoods Council
 627 – Onion Creek Homeowners Association
 658 – Texas Oaks North Neighborhood Association
 742 – Austin Independent School District
 948 – South by Southeast Neighborhood Organization

SCHOOLS:

Casey Elementary School Paredes Middle School Charles Akins High School

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-98-0270	DR, SF-2 to GR	To Grant LO-CO & LR-CO, w/conditions	Approved LR-CO and LO-CO with CO for 2,000 trips, prohibit access to Chisholm Lane, prohibit service station and financial services (7-15-99).

C14-99-0063	SF-2 to LO	To Grant LO-CO, w/conditions	Approved LO-CO with CO prohibiting access to Slaughter Lane (8-19-99).
C14-00-2098	SF-1 to MF-1-CO and LR-CO	To Grant MF-1-CO and LR-CO, w/conditions	Approved MF-1-CO and LR-CO, with CO for Traffic Impact Analysis; 13.24 u.p.a. (300 units); 15' vegetative buffer along David Moore Rd; list of prohibited uses (1-25-01).
C14-00-2111	DR to MF-3	To Grant MF-2-CO w/conditions.	Approved MF-2-CO with CO for 12.18 u.p.a. and conditions of Traffic Impact Analysis (10-26-00).
C14-00-2189	DR to W/LO	To Grant W/LO-CO w/conditions	Approved W/LO-CO with CO for 2,000 trips (1-18-01).
C14-00-2242	DR to LR	To Grant LR-CO w/conditions	Approved LR-CO with CO for 2,000 trips (2-15-01).
C14-02-0046	DR to GR-CO	To Grant LR-CO	Approved LR-CO with CO for 2,000 trips and list of prohibited uses (9-26-02).

RELATED CASES:

The property was annexed into the City limits on November 15, 1984. The lot is platted as Lot 4 and the east 2.47 feet of Lot 5, Westwood Heights Section 1 subdivision. Right-of-way has been acquired for the expansion of Slaughter Lane.

ABUTTING STREETS:

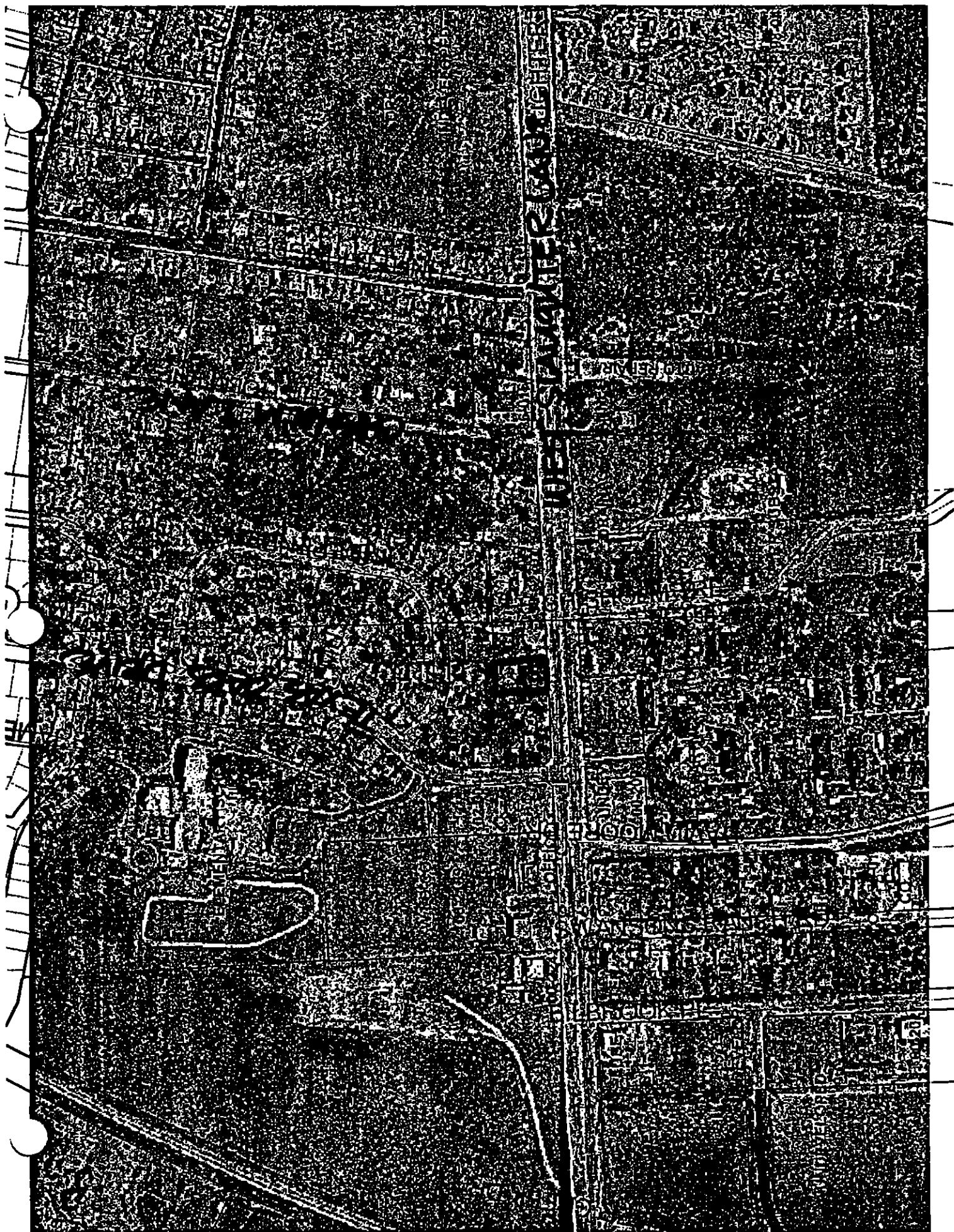
NAME	ROW	PAVEMENT	CLASSIFICATION	CAPITAL METRO	BICYCLE PLAN	SIDEWALKS
West Slaughter Lane	110 feet	2 @ 40 feet	Major Arterial	Yes	Yes, Priority 2 route	Yes

CITY COUNCIL DATE: April 20, 2006**ACTION:****ORDINANCE READINGS:** 1st2nd3rd

ORDINANCE NUMBER:

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

PHONE: 974-7719



SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant limited office (LO) district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

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 rezoning area is located along West Slaughter Lane, an arterial, and the segment between Chisholm Lane and Texas Oaks Drive consists of office, civic and residential uses.

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

Staff recommends LO district zoning in the context of its location on an arterial roadway, consistency in zoning and compatibility with the office and civic uses to the east.

EXISTING CONDITIONS**Site Characteristics**

The site is developed with a beauty salon and a tax office. There appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the LO zoning district would be 70%, 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 Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

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

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

According to flood plain maps, there is no flood plain in, or within close proximity of, 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 the following water quality control requirements:

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

Transportation

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

The trip generation under the requested zoning is estimated to be 1,544 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 not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design

criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the applicable City fees.

Site Plan

This site is located along a Scenic Roadway and would be required to comply with LDC Section 25-10-6.

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

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Compatibility Standards

The site is subject to compatibility standards. Along the north, south and east property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- 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.
- 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.
- 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.

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

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 1204 WEST SLAUGHTER LANE FROM SINGLE
3 FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT TO LIMITED
4 OFFICE (LO) DISTRICT.

5
6 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

7
8 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to
9 change the base district from single family residence standard lot (SF-2) district to limited
10 office (LO) district on the property described in Zoning Case No. C14-05-0217, on file at
11 the Neighborhood Planning and Zoning Department, as follows:

12
13 A tract of land, being Lot 4, and the east 2.47 feet of Lot 5, Westwood Heights,
14 Section 1 Subdivision in Travis County, the tract of land being more particularly
15 described by metes and bounds in Exhibit "A" incorporated into this ordinance,

16
17 locally known as 1204 West Slaughter Lane, in the City of Austin, Travis County, Texas,
and generally identified in the map attached as Exhibit "B".

20 PART 2. This ordinance takes effect on _____, 2006.

21
22
23 PASSED AND APPROVED

24
25 §
26 §
27 _____, 2006 § _____

28 Will Wynn
29 Mayor

30
31
32 APPROVED: _____ ATTEST: _____
33 David Allan Smith Shirley A. Gentry
34 City Attorney City Clerk

C14-05-0217

EXHIBIT A
METES AND BOUNDS DESCRIPTION

BEING LOT 4 AND THE EAST 2.47 FEET OF LOT 5, WESTWOOD HEIGHTS, SECTION 1, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, RECORDED IN PLAT BOOK 10, PAGE 95 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THAT PORTION OF LOTS 4 AND 5 CONVEYED TO TRAVIS COUNTY RECORDED IN CAUSE NO. 1942, SAID REMAINING PORTION BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found at the northeast corner of said Lot 4, being also the northwest corner of Lot 3 of said Westwood Heights Section 1, being also the southeast corner of Lot 6, Block B, Texas Oaks, a subdivision in Travis County, Texas, as recorded in Plat Book 80, Page 212 of the Travis County Plat Records, for the northeast corner and PLACE OF BEGINNING hereof;

THENCE with the common line between said Lots 4 and 3, S 02° 39' 17" W 175.13 feet to a 1/2" rebar found in the north r.o.w. line of Slaughter Lane at the northeast corner of said Travis County tract of land, for the southeast corner hereof;

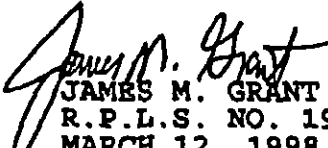
THENCE with the north r.o.w. line of Slaughter Lane (120' r.o.w.), also the common line between said remainder portion of Lots 4 and 5, Westwood Heights Section 1 and said Travis County tract of land, N 87° 37' 25" W 117.39 feet to a 1/2" rebar set for the southwest corner hereof;

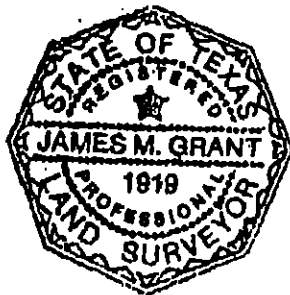
THENCE crossing said Lot 5, Westwood Heights Section 1, N 02° 38' 32" E 175.11 feet to a 1/2" rebar found in the north line of said Lot 5, Westwood Heights Section 1, being also the south line of Lot 5, Block B, of said Texas Oaks, for the northwest corner hereof;

THENCE with the common line between said Lots 5 and 4, Westwood Heights, Section 1 and said Lots 5 and 6, Block B, Texas Oaks, S 87° 38' 00" E (bearing basis for this survey) 117.43 feet to the PLACE OF BEGINNING.

NOTE: See plat prepared to accompany this metes and bounds description.

AS SURVEYED BY:
RALPH HARRIS SURVEYOR INC.
1406 HETHER
AUSTIN, TEXAS 78704


JAMES M. GRANT
R.P.L.S. NO. 1919
MARCH 12, 1998



B41:29490

I, THE UNDERSIGNED, HAVE THIS DATE, MADE A CAREFUL AND ACCURATE SURVEY OF THE PROPERTY LOCATED AS 1204 SLAUGHTER LANE, AUSTIN, TEXAS, BEING DESCRIBED AS FOLLOWS: LOT 4 AND THE EAST 2.47 FEET OF LOT 5, WESTWOOD HEIGHTS, SECTION 1, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP ON PLAT OF RECORD IN VOLUME 10, PAGE 85, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID AND EXCEPT THAT PORTION AWARDED TO TRAVIS COUNTY, BY AGREED JUDGMENT DATED 8-5-62, RENDERED IN THE COUNTY COURT AT LAW NO. ONE, OF TRAVIS COUNTY, TEXAS, UNDER CAUSE # 1942. SAID REMAINDER PORTION DESCRIBED BY METES AND BOUNDS ATTACHED AND MADE A PART HEREOF.

REFERENCE OF NO. 129628

MICHAEL YOUNG, KENNETH FORELL, GEORGE M. ARMSTRONG & WIFE, DIANNE MALE ARMSTRONG

NATIONS BANK

TITLE CO. TEXAS PROFESSIONAL TITLE, INC.

UNDERWRITER: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

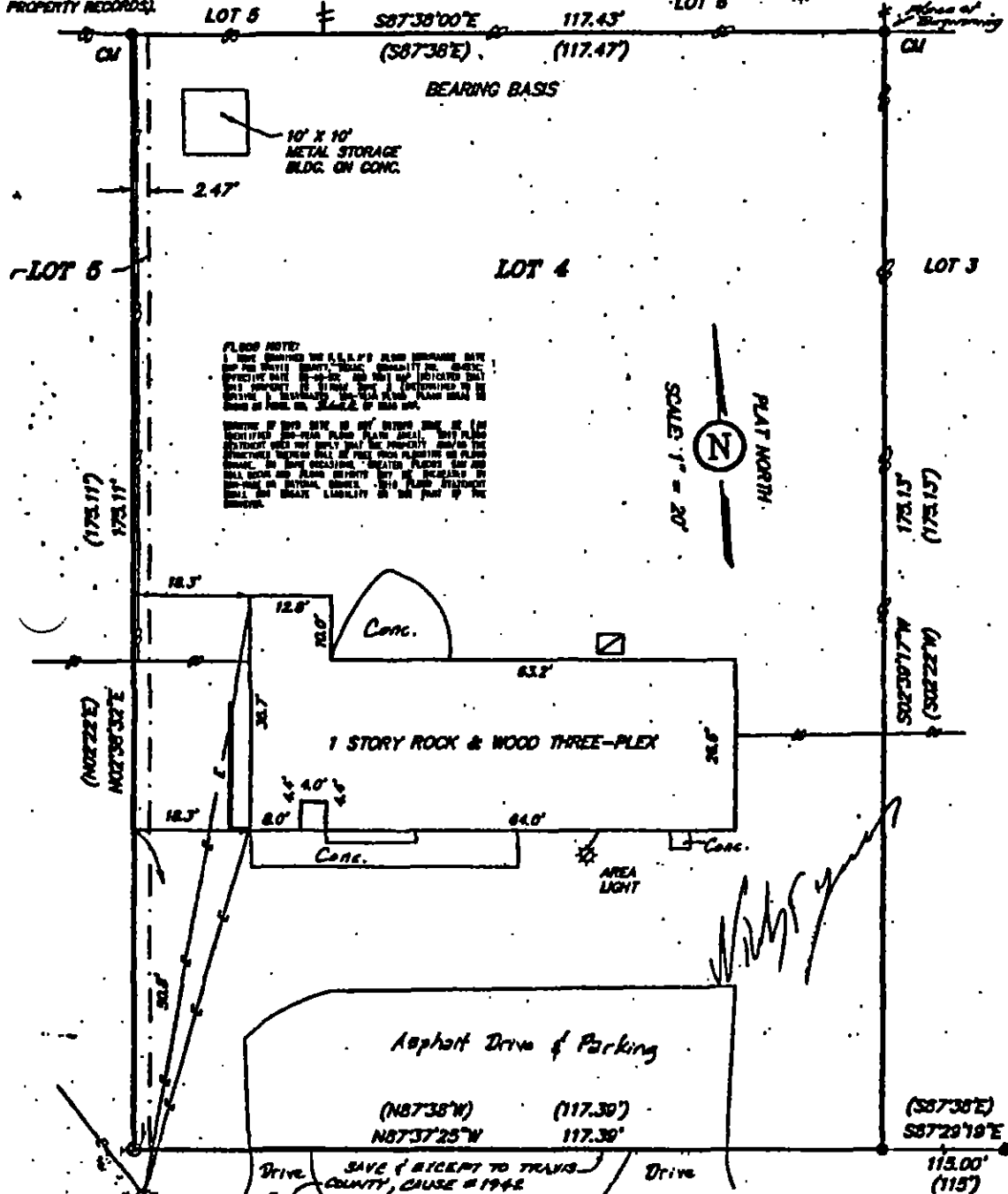
NOTES: 1. FOR RESTRICTIONS AFFECTING THIS LOT, SEE M. 10 P. 85 (PLAT RECORDS) AND M. 2183 P. 808 (DEED RECORDS) AND M. 8589 P. 353; M. 8605 P. 88 (REAL PROPERTY RECORDS).

MAP SYMBOLS

- X— BARBED WIRE FENCE
- CHAIN LINK FENCE
- WOOD BOARD FENCE
- U— UTILITY LINE
- P— PUBLIC UTILITY EASEMENT
- BL— BUILDING LINE
- 1/2" REBAR FOUND
- 1/2" REBAR SET
- IRON PIPE FOUND
- CONTROL MONUMENT
- RECORD DATA FROM PLAT V. 10 P. 85 WHEN DIFFERENT FROM MEASURED DATA
- DRAINAGE EASEMENT
- RIGHT-OF-WAY
- AIR CONDITIONER
- POWER POLE

BLK. 8, TEXAS OAKS
K 80 P. 222

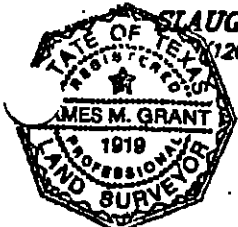
D.E.
R.O.W.
□
□

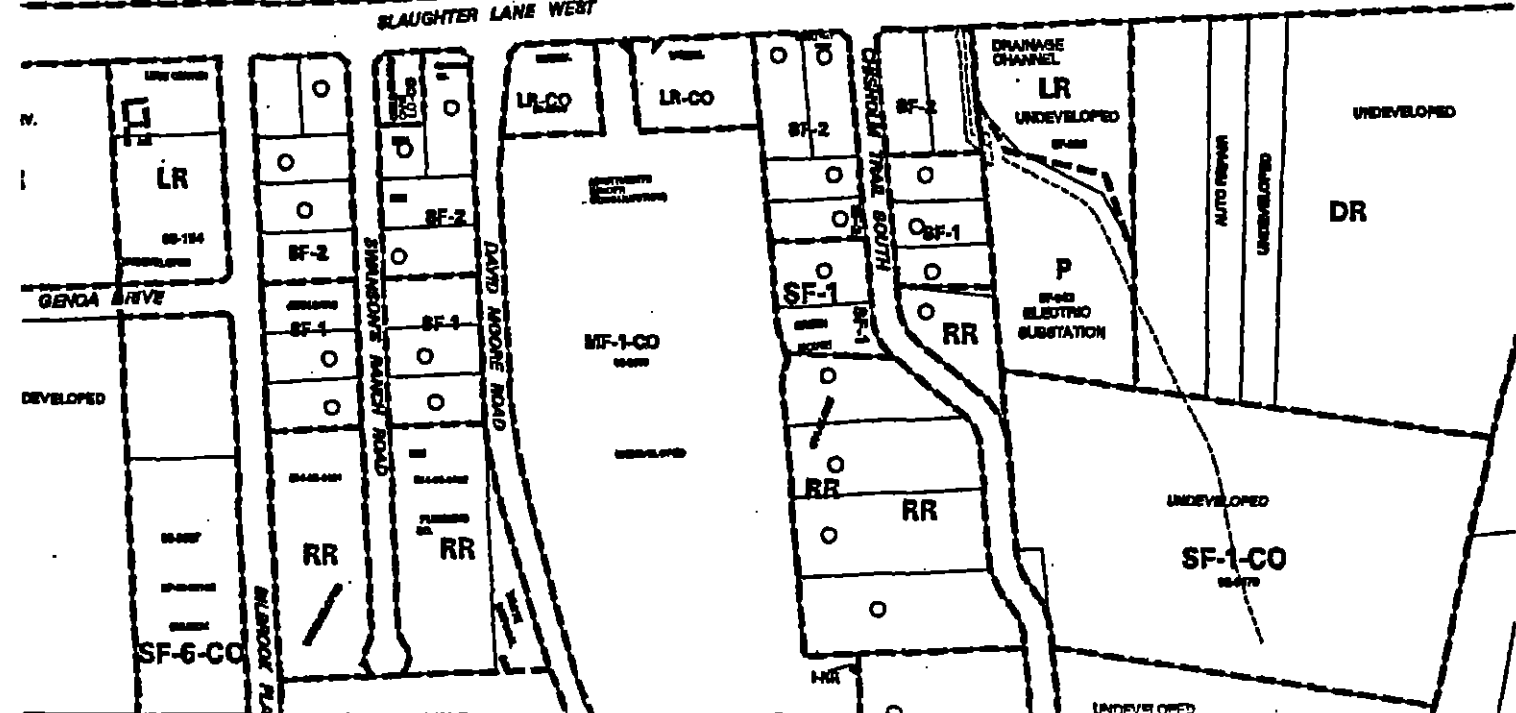




THE UNDERSIGNED DOES HEREBY CERTIFY TO TITLE COMPANY, LENDER, UNDERWRITER, BUYER AND SELLER ABOVE-NAMED THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY DESCRIBED HEREON AND IS ACCURATE, AND THAT THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, OR OVERLAPPING OF IMPROVEMENTS. VISIBLE UTILITY EASEMENTS OR ROADWAYS EXCEPT AS SHOWN HEREON, AND THE SAID PROPERTY, HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON. THIS PLAT IS NOT VALID UNLESS ACCOMPANIED BY AN ORIGINAL SEAL.

RALPH HARRIS SURVEYOR INC. 1406 HETTER, AUSTIN, TEXAS 78704

James M. Grant
JAMES M. GRANT, R.P.L.S. NO. 1919, MARCH 11, 1968
INVOICE NO. 30910 WORK ORDER NO. 20480





 1" = 400'	SUBJECT TRACT		ZONING EXHIBIT B		CITY GRID REFERENCE NUMBER E14
	PENDING CASE	• • • • •			
	ZONING BOUNDARY	-----			
	CASE MGR: W.WALSH				