

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

**AGENDA**

**DATE: 4/20/2006**

#81

**RECOMMENDATION FOR  
COUNCIL ACTION**

**Subject: C14-05-0171 - The Grove at Southpark Meadows -**  
Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 301 West Slaughter Lane and 9501 South 1st Street (Slaughter Creek Watershed) from interim-rural residence (I-RR) district zoning; limited office-conditional overlay (LO-CO) combining district zoning; and general commercial services-conditional overlay (CS-CO) combining district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tracts 1 and 2; townhouse and condominium residence (SF-6) district zoning for Tract 3; townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning for Tract 4; and community commercial-conditional overlay (GR-CO) for Tract 5 with conditions. Zoning and Platting Commission

**Recommendation:** To grant community commercial-mixed use-conditional overlay (GR-MU-CO) district zoning for Tracts 1 and 2; townhouse and condominium residence zoning (SF-6) district zoning for Tract 3; townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning for Tract 4; community commercial-conditional overlay (GR-CO) combining district zoning for Tract 5 with conditions. Applicant: Abel J and Mary Ann Theriot Family, L.P. (Curtis Sanders); SP Meadows Central, Ltd. (Andy Pastor). Agent: Armbrust & Brown, L.L.C. (Richard T. Suttle, Jr.). City Staff: Wendy Walsh, 974-7719.

**Requesting Department: NPZD**

**For More Information:**

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## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-05-0171

**Z.P.C. DATE:** February 7, 2006  
February 21, 2006  
March 7, 2006  
March 21, 2006

**ADDRESS:** 301 West Slaughter Lane and 9501 South First Street

**OWNER:** Abel J. & Mary Ann Theriot  
Family, L.P. (Curtis Sanders)

**APPLICANT:** SP Meadows  
Central, Ltd. (Andy Pastor)

**AGENT:** Armbrust & Brown, L.L.C. (Richard T. Suttle, Jr.)

**ZONING FROM:** I-RR; LO-CO; CS-CO **TO:** GR-MU-CO-Tracts 1 & 2 (10.483 acres);  
SF-6 for Tract 3 (14.017 acres);  
SF-6-CO for Tract 4 (79.684 acres);  
(as amended)  
GR-CO for Tract 5 (39.023 acres)

**TOTAL AREA:** 143.207 acres

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant:

- For Tracts 1 and 2 – community commercial – mixed use – conditional overlay (GR-MU-CO) district zoning. The conditional overlay prohibits automotive sales; bail bond services; drop-off recycling collection facility; exterminating services; pawn shop services; and residential treatment;
- For Tract 3 – townhouse and condominium residence (SF-6) district zoning;
- For Tract 4 – townhouse and condominium residence – conditional overlay (SF-6-CO) combining district zoning. The conditional overlay establishes the following: that single family residence uses equal to or greater than 5,750 square feet be built in accordance with SF-2 development regulations; that single family residence uses equal to or less than 3,600 square feet be built to SF-4A standards; that duplex residential, single family attached and two-family residential uses be built in accordance with SF-3 development regulations; and that townhouse and condominium residence uses be built in accordance with SF-6 development regulations;
- For Tract 5 (*please refer to Exhibit C*)  
– community commercial – conditional overlay (GR-CO) district zoning for 4.10 acres along West Slaughter Lane and for the area east of the north – south interior boulevard. Along West Slaughter Lane, the conditional overlay prohibits the following uses: automotive rentals; automotive repair services; automotive sales; automotive washing; drop-off recycling collection facility; pawn shop services; residential treatment; and service station. Along the north – south interior

boulevard, the conditional overlay prohibits the following uses: drop-off recycling collection facility; pawn shop services; and residential treatment.

– neighborhood commercial (LR-CO) district zoning for the remaining 9.29 acres (approximately) along West Slaughter Lane, with the Conditional Overlay prohibiting residential treatment;

– general office (GO) district zoning for the area west of the north – south interior boulevard.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated January 31, 2006, as provided in Attachment A.

**ZONING & PLATTING COMMISSION RECOMMENDATION:**

February 7, 2006: **APPROVED A POSTPONEMENT REQUEST BY THE APPLICANT TO 02-21-06.**

**[J. PINNELLI; M. HAWTHORNE – 2<sup>ND</sup>] (6-0) K. JACKSON – ILL;  
J. MARTINEZ, J. GOHIL – ABSENT**

February 21, 2006: **APPROVED A POSTPONEMENT REQUEST BY THE APPLICANT TO 03/07/06.**

**[J. MARTINEZ; J. GOHIL 2<sup>ND</sup>] (8-0) T. RABAGO – NOT YET ARRIVED**

March 7, 2006: **APPROVED A POSTPONEMENT REQUEST TO 03/21/06 (NEARBY PROPERTY OWNER)**

**[J. MARTINEZ, S. HALE 2<sup>ND</sup>] (9-0)**

March 21, 2006: **APPROVED GR-MU-CO DISTRICT ZONING FOR TRACTS 1 & 2; SF-6 DISTRICT ZONING FOR TRACT 3; SF-6-CO DISTRICT ZONING FOR TRACT 4, AND A RESTRICTIVE COVENANT FOR THE RECOMMENDATIONS OF THE T.I.A, ALL AS STAFF RECOMMENDED. APPROVED GR-CO DISTRICT ZONING FOR TRACT 5 WITH THE FOLLOWING PROHIBITED USES ALONG THE SLAUGHTER LANE FRONTAGE: DROP-OFF RECYCLING COLLECTION FACILITY, PAWN SHOPS, RESIDENTIAL TREATMENT AND SERVICE STATION; AND LR SITE DEVELOPMENT REGULATIONS ARE ESTABLISHED. FOR THE NORTH-SOUTH SEGMENT OF TRACT 5 ALONG THE EAST PROPERTY LINE, THE SAME PROHIBITED USES APPLY, AS LISTED ABOVE.**

**FOR THE TRAFFIC IMPACT ANALYSIS:**

- **DRIVEWAY B, TURNING MOVEMENTS ARE RESTRICTED TO RIGHT-IN, RIGHT-OUT;**
- **DRIVEWAY K, FULL TURNING MOVEMENTS ARE PERMITTED, WITH THE DEVELOPER TO FUND ITS SIGNALIZATION, IF PERMITTED.**

*[K. JACKSON, T. RABAGO 2<sup>ND</sup>] (7-0) M. HAWTHORNE- LEFT EARLY; J. MARTINEZ  
- ABSENT*

**ISSUES:**

The Applicant is in agreement with the recommendations of the Zoning and Platting Commission meeting.

At the Zoning and Platting Commission meeting, the Applicant wanted to discuss the Staff zoning recommendation for Tract 5 and Traffic Impact Analysis recommendations #2 and #3.

The Board members of the Park Ridge Owners Association Board have written a letter of support for the rezoning case, which is attached towards the back of the packet. The Applicant and the Association have also worked together on a private Restrictive Covenant, also attached. One homeowner within Park Ridge has written a letter of opposition to the rezoning, also attached.

**DEPARTMENT COMMENTS:**

The subject rezoning area consists of a portion of the former South Park Meadows, is presently undeveloped, has direct access to West Slaughter Lane and South First Street, and is zoned interim – rural residence (I-RR) district, limited office – conditional overlay (LO-CO) and general commercial services (CS-CO). Driveway access through adjacent and related commercial developments is also provided to Cullen Lane, Turk Lane and IH-35. Within the past 2 ½ years, zoning changes for new commercial development and redevelopment have been approved on the south side of West Slaughter Lane in proximity to the IH-35 frontage road (Wal-Mart, South Park Meadows) and on the east side of South First Street (zoned GR-MU-CO – Harrell Tract #1). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to create a master plan incorporating single family residential, townhomes and multi-family, office and commercial uses. Please refer to Exhibit B. The master plan also features shared driveways for the commercial uses on West Slaughter Lane; perimeter landscaping and fencing; hooded and shielded lighting; unified, monument-style signs; walking trails; ten acres of wet ponds; and, a soccer field near Slaughter Creek. The property is proposed to be developed with 361 apartments (Tracts 1 and 2, proposed for GR-MU-CO, with the Mixed Use designation allowing for residential development in conjunction with the adjacent GR-MU-CO property to the south); 178 townhouses (Tract 3, proposed for SF-6); 400 residences of varying type (Tract 4, proposed SF-6-CO); 154,000 square feet of medical / dentist office space and 86,000 square feet of general office (Tract 5, proposed GR-CO), as well as a service station with 8 fuel pumps, 14,800 square feet of fast food restaurant with drive through, 8,000 square feet of fast food restaurant *without* drive-through, a 5,000 square foot high turnover restaurant, a drive-in bank with 10 lanes and a 6,000 square foot child care

center (also on Tract 5, GR-CO). The Applicant has offered to prohibit certain uses on Tract 5, and these have been incorporated into the Staff recommendation.

Staff recommends the Applicant's request for GR-MU-CO zoning on Tracts 1 and 2 based on its location on South First Street, an arterial roadway which is suitable for multi-family or commercial uses, and adjacent properties to the south have been approved for GR-MU-CO zoning for similar development. The Conditional Overlay is consistent with that approved for the adjacent GR-MU-CO zoned property to the south. For Tracts 3 and 4, Staff recommends the Applicant's request for SF-6 and SF-6-CO, respectively, based on: a) incorporating a residential component into the development, b) providing additional housing types (single family residences – attached, standard lot and small lot, duplexes, two-family residential, townhouses and condominiums) in the area, and 3) compatibility with other nearby residential subdivisions.

For Tract 5, the Staff recommendation *differs* from the Applicant's request, and the areas of difference are illustrated in Exhibit C. The Staff recommends GR-CO for 4.10 acres along West Slaughter Lane, limited to the two main entrances to this development. The Conditional Overlay is for prohibited uses, including auto-related uses. LR-CO zoning is recommended for the remainder of the West Slaughter Lane frontage (approximately 9.29 acres), because this portion does not have dual street / driveway access, and thus is situated away from an intersection), the availability of existing, undeveloped GR zoned property along the south side of Slaughter Lane between South First Street and IH-35, and greater compatibility with the existing and planned single family residential subdivisions. Along the east side of the north – south interior boulevard, also referenced in Exhibit C, the Staff and the Applicant are in agreement for GR-CO zoning, so that it may be combined with the adjacent shopping center under construction to the east. Along the west side of the interior boulevard, the Staff is recommending GO zoning, due to its interior location and thus, does not have direct access to the surrounding major arterial roadways, consistency with the use described in the Traffic Impact Analysis and greater compatibility with the planned SF-6-CO development adjacent to the west (Tract 4). The traffic improvements outlined in the Traffic Impact Analysis for the subject property and right-of-way will limit development to maintain acceptable traffic conditions on adjacent roadways and intersections.

#### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR; LO-CO; CS-CO	Undeveloped; Former parking area for Southpark Meadows
<i>North</i>	GR-CO; MF-2-CO; I-RR; I-SF-4A	Auto washing; Apartments under construction; Single family residences within the Park Ridge subdivision
<i>South</i>	GR-MU-CO; CS-CO	Undeveloped
<i>East</i>	GR-CO; CS-CO	Shopping center under construction
<i>West</i>	MF-2-CO; DR; GR-CO; MF-3-CO; P; SF-2	Undeveloped; Retail; Service station; Mary Moore Searight Park; Single family residences

**AREA STUDY:** N / A**TIA:** Is required – Please refer to Attachment A**WATERSHED:** Slaughter Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**SCENIC ROADWAY:** Yes, Slaughter Lane**NEIGHBORHOOD ORGANIZATIONS:**

26 – Far South Austin Community Association  
 242 – Slaughter Lane Neighborhood Association  
 262 – Beaconridge Neighborhood Association  
 300 – Terrell Lane Interceptor Association  
 428 – Barton Springs / Edwards Aquifer Conservation District  
 499 – Park Ridge Owners Association      511 – Austin Neighborhoods Council  
 627 – Onion Creek Homeowners Association  
 742 – Austin Independent School District  
 948 – South by Southeast Neighborhood Organization

**SCHOOLS:**

Williams Elementary School    Bedichek Middle School    Crockett High School

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-05-0002 (Quick Tract)	RR to CS	Approved GR-CO with CO for list of prohibited and conditional uses. Restrictive Covenant for the Traffic Impact Analysis.	Approved GR-CO as recommended by ZAP. Restrictive Covenant is for the TIA (3-10-05).
C14-05-0124 (Harrell #1)	I-RR to GR-MU-CO; CS-CO	To Grant GR-MU-CO for Tract 1A, CS-CO for Tract 1B with conditions of the TIA and establishing a minimum square footage for restaurant uses.	Approved GR-MU-CO for Tract 1A and CS-CO for Tract 1B, with CO for prohibited uses and with conditions, as ZAP recommended (12-2-04).
C14-04-0075 (Southpark Meadows)	LO-CO; CS-1-CO to GR-CO	To Grant GR-CO with conditions of the TIA	Approved GR-CO with a Restrictive Covenant for the TIA, as recommended by

			ZAP (10-21-04).
C14-99-0129 (RCT)	To Terminate the Restrictive Covenant which addresses the discontinuance of a cocktail lounge use.	To Grant a Termination of the Restrictive Covenant	Approved a Termination of the Restrictive Covenant (10-21-04).
C14-04-0059 (Harrell / Gatton)	I-RR to CS	Approved CS-CO with CO for list of prohibited and conditional uses. Restrictive Covenant for the Traffic Impact Analysis.	Approved CS-CO as recommended by ZAP. Restrictive Covenant is for the TIA and a minimum square footage for restaurant uses (3-10-05).
C14-04-0037 (Slaughter @ Cullen Commercial)	RR to GR	To Grant GR-CO with a list of prohibited uses and conditions of the TIA (7-20-04)	Approved GR-CO with CO for a list of prohibited and conditional uses; the Restrictive Covenant is for the TIA (8-26-04).
C14-03-0066 (Wal-mart: IH-35 and Slaughter Lane)	RR; SF-2; LI-CO; CS-CO and CS to GR	To Grant GR-CO with conditions of the TIA	Approved GR-CO with CO provide a 6' fence and landscaping along Cullen Lane; 2) direct all traffic south on Cullen Lane by way of limited function driveways onto Cullen Lane that allow right-in and left-out movements only; 3) the use of shielded / hooded lights throughout the site; and, 4) a list of prohibited uses and one accessory use. The Restrictive Covenant is for the TIA memorandum and an Integrated Pest Management (IPM) Plan and a landscape plan for the use of native and adapted

			plant materials (10-30-03).
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**RELATED CASES:**

The subject property was annexed into the City limits on December 31, 1997. There are no related subdivision or site plan cases on the subject property.

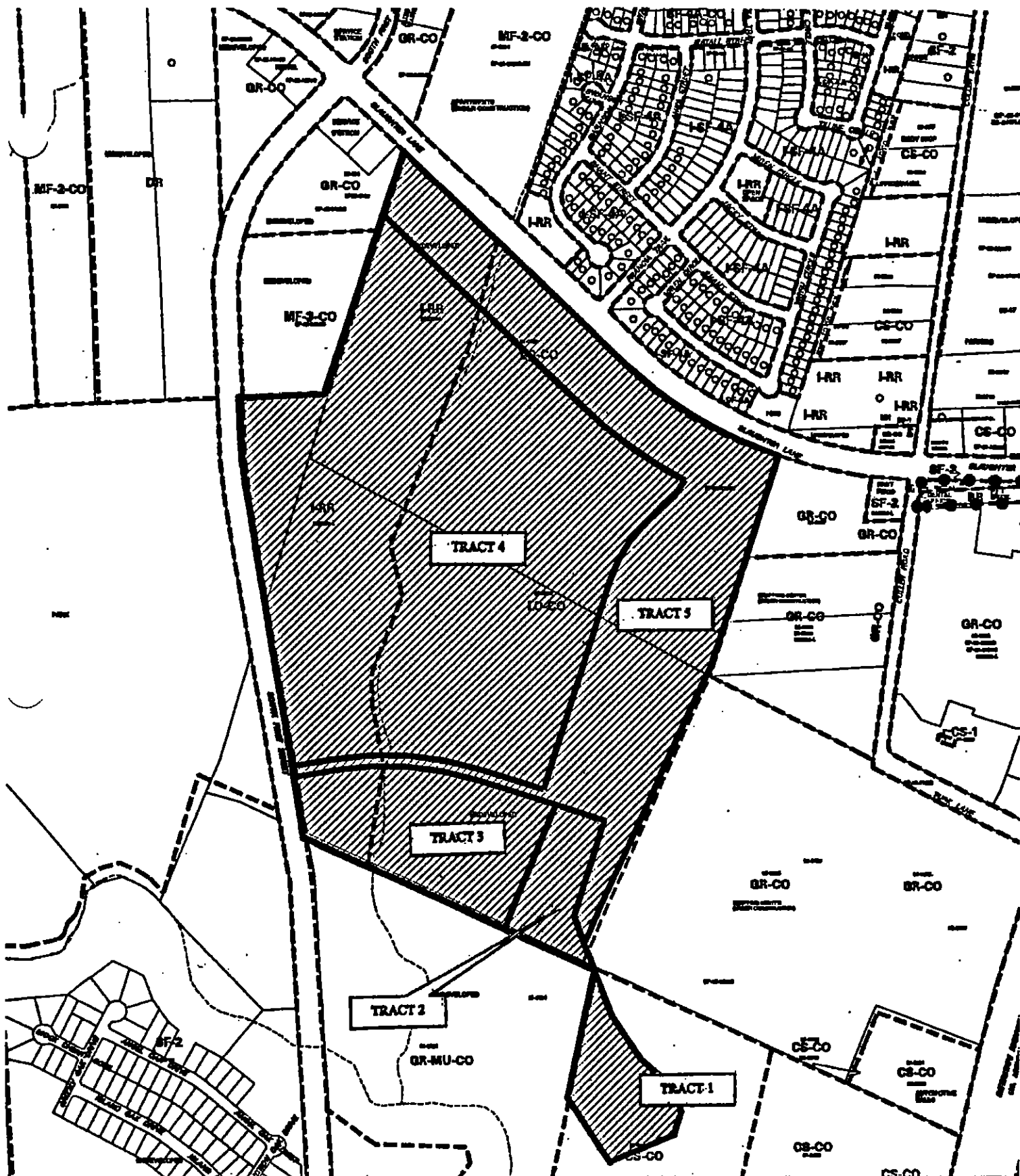
**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION
West Slaughter Lane	120 – 135 Feet	2 @ 46 feet	Minor arterial – 4 lanes
South First Street	120 feet	2 @ 24 feet	Major arterial – 6 lanes divided

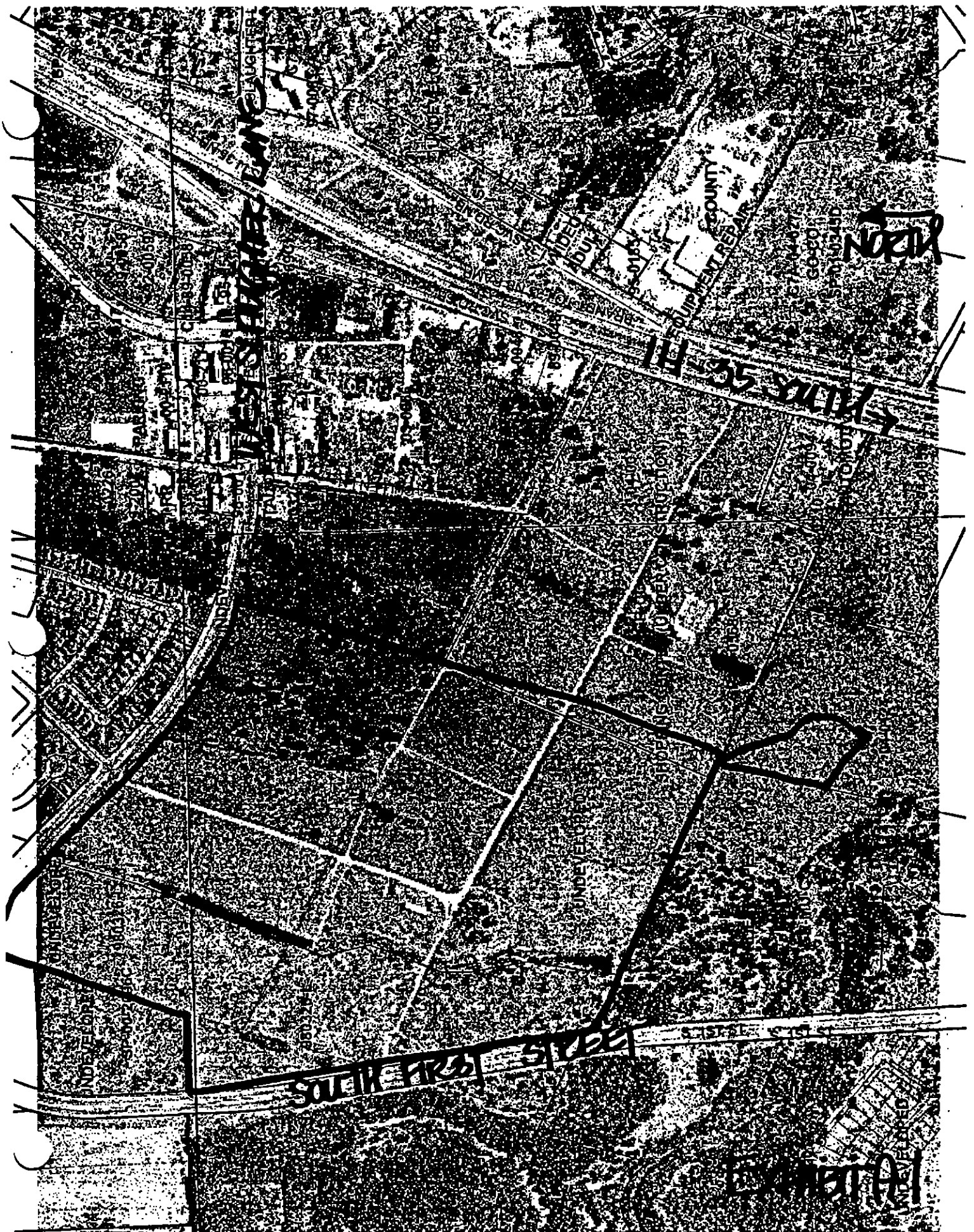
- There are existing sidewalks along Slaughter Lane and South First Street.
- Slaughter Lane is classified as a Priority 1 Route in the Austin Bicycle Plan.  
South First Street is classified as a Priority 2 Route in the Austin Bicycle Plan.
- Capital Metro bus service is not available in this area.

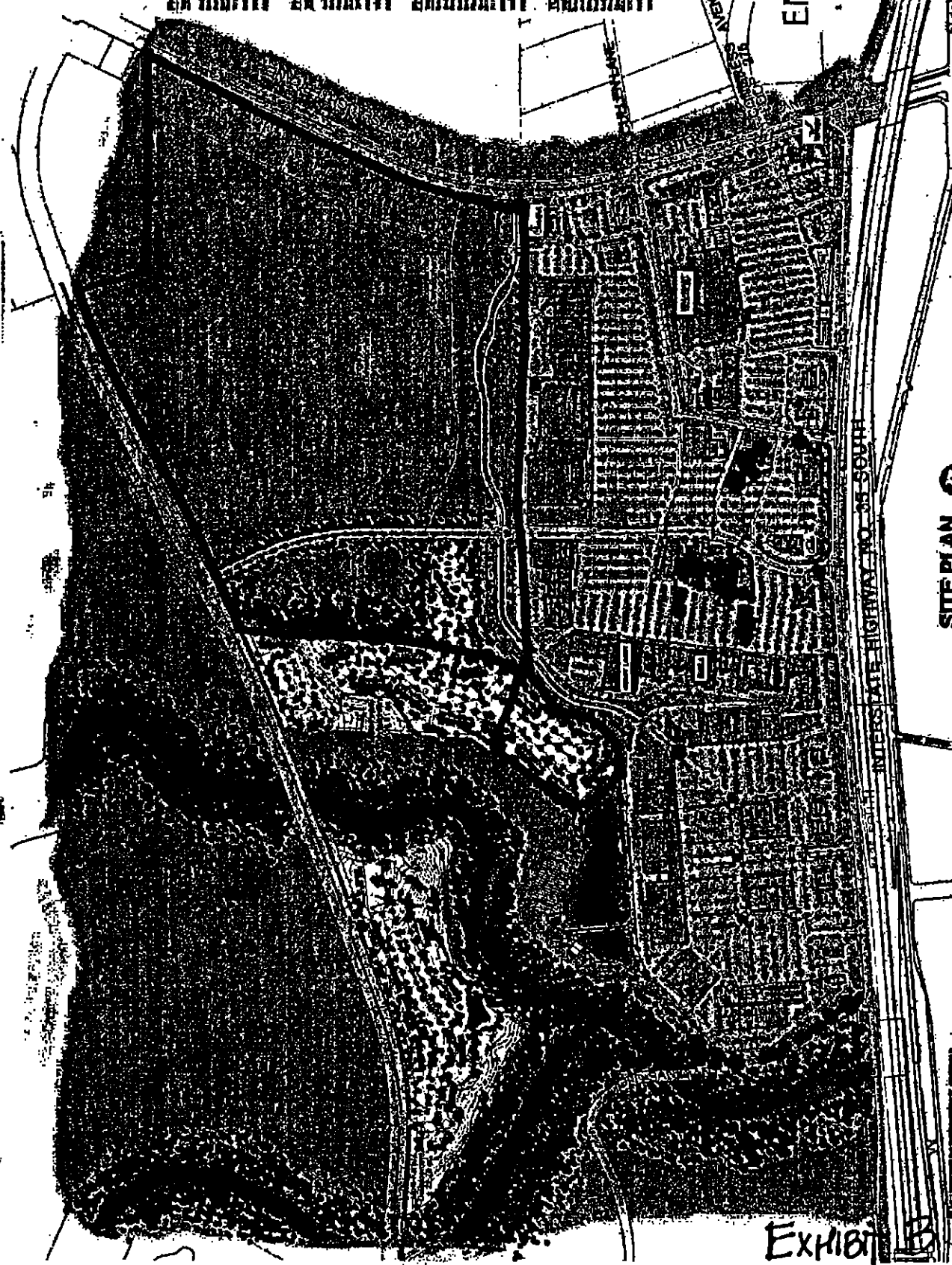
**CITY COUNCIL DATE:** April 20, 2006**ACTION:****ORDINANCE READINGS:** 1<sup>st</sup>2<sup>nd</sup>3<sup>rd</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Wendy Walsh  
e-mail: wendy.walsh@ci.austin.tx.us**PHONE:** 974-7719





 1" = 600'	SUBJECT TRACT 	<b>ZONING Exhibit A</b>		CITY GRID REFERENCE NUMBER F13
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-05-0171	DATE: 06-01	
	CASE MGR: W. WALSH	ADDRESS: 301 W SLAUGHTER LN & 8501 S 1ST ST SUBJECT AREA (acres): 143.207	INTLS: SM	





PROJECT NO.	100-1000000
PROJECT NAME	100-1000000
PROJECT LOCATION	100-1000000
PROJECT OWNER	100-1000000
PROJECT ENGINEER	100-1000000
PROJECT DATE	100-1000000
PROJECT SCALE	100-1000000
PROJECT STATUS	100-1000000
PROJECT DESCRIPTION	100-1000000
PROJECT NOTES	100-1000000
PROJECT CONTACT	100-1000000
PROJECT ADDRESS	100-1000000
PROJECT PHONE	100-1000000
PROJECT FAX	100-1000000
PROJECT E-MAIL	100-1000000
PROJECT WEBSITE	100-1000000
PROJECT SOCIAL MEDIA	100-1000000
PROJECT OTHER	100-1000000



**SITE PLAN** 27

SUBJECT TO CHANGES

Southpark Meadows  
Austin, Texas

113541 Park Lane Austin, Texas

SP-6E





**Date:** January 31, 2006  
**To:** Wendy Walsh, Case Manager  
**CC:** Kathy Hornaday, P.E. WHM Transportation Engineering  
**Reference:** Saunders 143 TIA (aka Grove at Southpark Meadows), C14-0-0171

The Transportation Review Section has reviewed the Traffic Impact Analysis for the Saunders 143 TIA (aka Grove at Southpark Meadows), dated September 2005, prepared by Kathy Hornaday, P.E., WHM Transportation Engineering, and offers the following comments:

#### **TRIP GENERATION**

The Grove at Southpark Meadows is a 143.207-acre development located in south Austin just southeast of the intersection of South 1<sup>st</sup> and Slaughter Lane.

The property is currently undeveloped and zoned Commercial Services – Conditional Overlay (CS-CO), Limited Office – Conditional Overlay (LO-CO), and Interim Rural Residence (I-RR). The applicant has requested a zoning change to Community Commercial – Mixed Use (GR-MU), Townhouse and Condominium Residence (SF-6) and Single Family Residence (SF-4A). 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 33,438 unadjusted average daily trips (ADT).

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

<b>Table 1. 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>
<b>Tract 1 ~ Apartments</b>	361du	2,320	36	144	141	76
<b>Tract 2 ~ Townhouse</b>	178du	1,048	14	68	65	32
<b>Tract 3/Tract 6</b>						
Medical/Dental Office	154,000sf	5,361	302	80	127	310
General Office	86,000	1,132	146	18	22	96
<b>Tract 4 ~ Single Family</b>	400du	3,722	72	217	235	138
<b>Tract 5</b>						
Service Station w/ Convenience Market	8vp	509	14	14	24	24
Fast Food w/ Drive Thru	14,800sf	3,429	184	177	127	117
Drive-In Bank	10 lanes	2,070	53	39	135	135
Day Care Center	6,000	476	41	36	37	42
Fast Food w/o Drive Thru	8,000	2,675	97	64	51	48
High Turnover Restaurant	5,000	326	15	14	17	11
<b>Total</b>		<b>23,068</b>	<b>874</b>	<b>871</b>	<b>981</b>	<b>1,029</b>

*Attachment A*

## **ASSUMPTIONS**

1. Traffic growth rates provided by the Texas Department of Transportation 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 Phase II Addendum	
Double Creek Village	C14-03-0053
Double Creek	C14-04-0018, C14-04-0019, C14-04-0020
Tobin Tract	C14-03-0186
Slaughter Lane at South I-35	C14-03-0066/SP-03-0283C
Rhodes Congress Ave LTD	SP-03-0198C
Stone Creek Ranch Apartments	SP-02-0158C.SH; SP-01-0527D
Parkside at Slaughter Lane	C8J-02-0198
South Park Meadows	SP-05-0568C (C14-04-0075; Janssen Tract C14-04-0094; Quick Tract C14-05-0002; Gatton Tract C14-04-0059; Slaughter at Cullen Commercial C14-04-0037)
Euers	C14-04-0167
Bill Miller BBQ	SP-04-0536C
Rich Industrial Park Phase II	SP-04-0180C
Waterstone Multi Family	SP-05-0683C.SH
Selah Restoration Fellowship	SP-05-0016C

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

<b>Table 3. Summary of Pass-By Reductions</b>		
<b>Land Use</b>	<b>Pass-By Reductions %</b>	
	<b>AM</b>	<b>PM</b>
Service Station w/ Convenience Market	62	56
Fast Food Restaurant w/ Drive Thru	49	50
Fast Food Restaurant w/o Drive Thru	49	50
Drive In Bank	47	47
High Turnover Restaurant	43	43

4. Reductions were taken for internal capture for the following uses:

<b>Table 4. Summary of Internal Capture Reductions</b>		
<b>Land Use</b>	<b>Internal Capture Reductions %</b>	
	<b>AM</b>	<b>PM</b>
Service Station w/ Convenience Market	10	5
Fast Food Restaurant w/ Drive Thru	10	5
Fast Food Restaurant w/o Drive Thru	10	5
Drive In Bank	10	5



High Turnover Restaurant	10	10
General Office and Medical Office *	10	10

\*Reduction taken for exiting traffic only

5. No reductions were taken for transit use.

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

**Slaughter Lane** – Slaughter Lane forms the northern boundary of the subject site. 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.

**Cullen Lane** – This roadway is classified as a collector street. The existing traffic volume for Cullen Lane south of Slaughter is 434vpd. The eastern half of Cullen Lane is being upgraded with the adjacent project.

**IH 35** – This roadway is classified as a six-lane freeway. The traffic volumes for year 2000 on IH 35 near Slaughter Lane were 115,000vpd. The Austin Metropolitan Area Transportation Plan 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. The southbound exit ramp south of Slaughter Lane near the intersection of Turk Lane will be extended by TXDOT. This roadway is in the Bicycle Plan as a priority 2 route.

**Congress Avenue** – This roadway is classified as a four-lane divided major arterial at its intersection with Slaughter Lane. Year 2000 traffic volumes for Congress Avenue between William Cannon and Slaughter were 4,800vpd.

**South 1<sup>st</sup> Street** – South 1<sup>st</sup> is located west of the site and is classified as a four-lane undivided minor arterial in the Roadway Plan. The traffic volume on South 1<sup>st</sup> Street north of Slaughter Lane was approximately 7,110vpd in 1997. This roadway is classified as a priority 2 route in the Bicycle Plan.

#### **INTERSECTION LEVEL OF SERVICE (LOS)**

The TIA analyzed 18 intersections, 7 of which are or 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>2005 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	E	F	F
IH-35 WFR and Slaughter Lane*	B	C	E	E
Congress Avenue and Slaughter Lane*	C	D	C	D
South 1 <sup>st</sup> Street and Slaughter Lane*	D	D	C	E
Cullen Road and Slaughter Lane*	B	F	D	D
Franda Trail/Driveway H and Slaughter Lane*	A	A	C	D
FM 1626 and South 1 <sup>st</sup> Street	A	A	B	B
Driveway A and South 1 <sup>st</sup> Street			A	A
Driveway B and South 1 <sup>st</sup> Street			A	A

Driveway C and South 1 <sup>st</sup> Street*		A	B
Driveway D and South 1 <sup>st</sup> Street		A	A
Driveway E and South 1 <sup>st</sup> Street		A	A
Driveway F and Slaughter Lane		F	E
Driveway G and Slaughter Lane		A	A
Driveway I and Slaughter Lane		A	A
Driveway J and Slaughter Lane		A	A
Driveway K and Slaughter Lane		F	F
Driveway L and IH-35		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:

Intersection	Improvements	Pro Rata Share (%)
IH-35 and Slaughter Lane	Restripe NB EFR for 2 lefts and 1 thru	5.7
	Construct NB EFR Right turn	5.2
	Restripe SB WFR for 1 left, 1 left/thru, and 1 thru	22.1
Congress and Slaughter Lane	Extend EB right turn lane	16.3
	Construct SB right turn lane	14.5
South 1 <sup>st</sup> Street and Slaughter Lane	Construct WB right turn lane	5.9
	Construct additional SB left turn lane	6.3
	Construct additional NB left turn lane	27.3
	Construct EB right turn lane	23.3
	Update signal equipment	8.9
	Construct additional NB thru	11.8
Cullen Lane and Slaughter Lane	Signal	TBD
	Construct EB right turn lane	TBD
	Construct additional SB lane	TBD
	Improvements to NB lanes	TBD
Francla/Driveway H and Slaughter Lane	Construct EB right turn lane	100*
	Signal	38.9
	Restripe SB thru lane	100

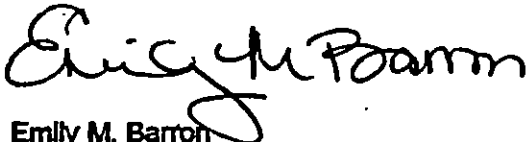
EB=Eastbound WB=Westbound NB=Northbound SB=Southbound

\*Fiscal for improvement is not required at the time of zoning. Improvement is required to be included at the time of site plan



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- 2) Recommend no lefts out of Driveway K. The analysis shows this intersection to function at a Level of Service (LOS) F. Due to the high traffic volumes on Slaughter Lane, the ability to turn left out of this site is a safety concern therefore northbound lefts out of this site are not recommended for the following reasons:
- It is anticipated that with the deletion of this maneuver the number of potential conflicts at this intersection would be reduced.
  - There are three signalized intersection available to this site for those vehicles that need to go westbound on Slaughter Lane. Those signalized intersections include Cullen at Slaughter Lane, Franda Trail/Driveway H and Slaughter Lane and Driveway C and South 1<sup>st</sup> Street. These intersections allow for safer maneuvers out of the subject site.
  - Driveway K is planned to connect to a main artery which will serve this site as well as the site to the southeast.
- 3) Recommend removal of Driveway B. This is recommended for the following reasons:
- Low traffic volumes at this driveway.
  - Alternate access to a signalized intersection is available for the tracts proposed to utilize Driveway B
  - The Transportation Criteria Manual mandates minimization of driveways on an arterial to reduce the number of conflict points and facilitate traffic flow.
- 4) Joint access is required to be provided between all commercial lots.
- 5) Final approval from DPWT - Signals and TXDOT is required prior to 1<sup>st</sup> Reading.
- 6) Driveways should be constructed to the widths recommended in the TIA.
- 7) For information: Two copies of the final version of the TIA incorporating all corrections and additions must be submitted prior to final approval of the zoning case.
- 8) 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  
Sr. Planner - Transportation Review Staff  
City of Austin - Watershed Protection and Development Review Department

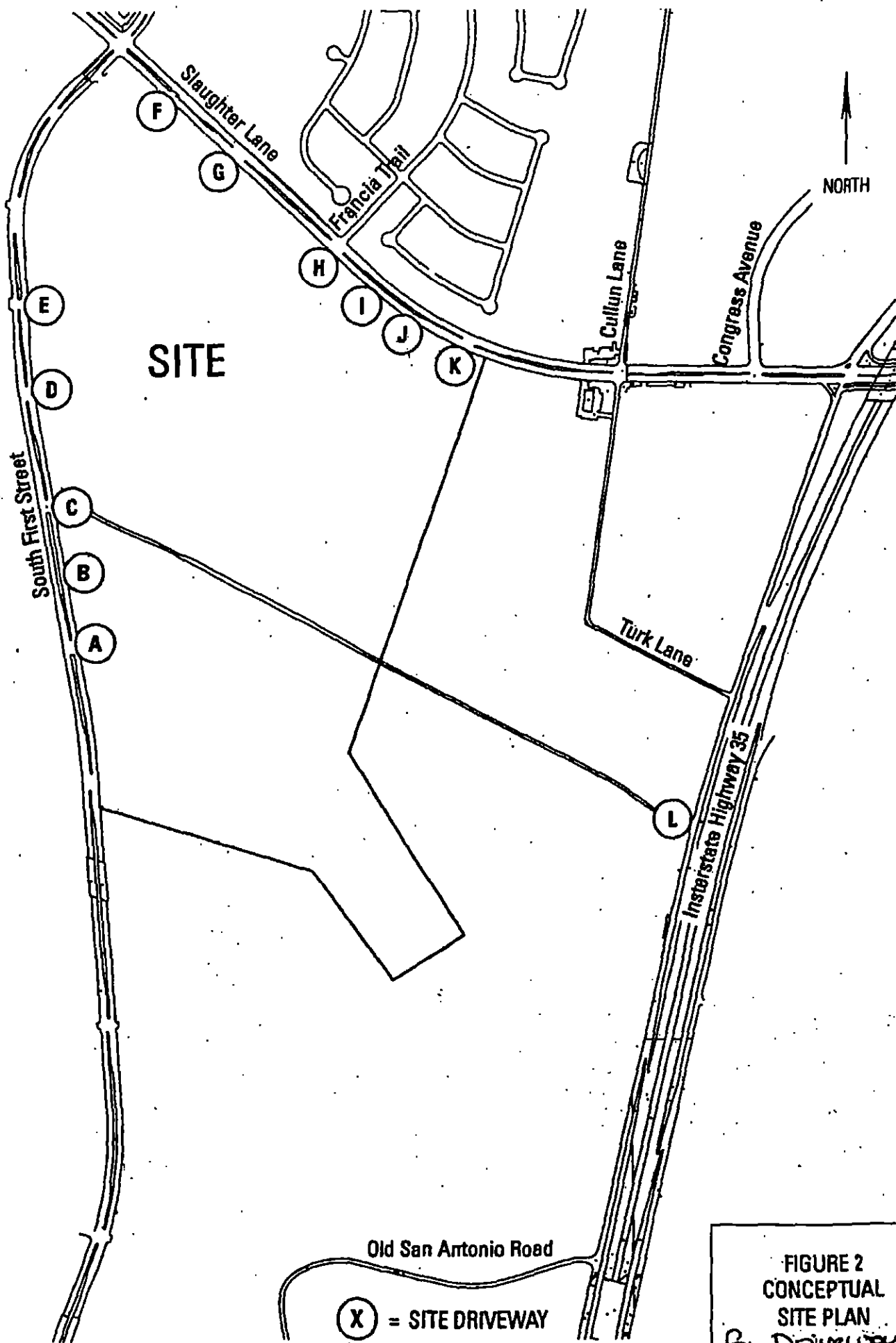


FIGURE 2  
CONCEPTUAL  
SITE PLAN  
for Driveways

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant:

- For Tracts 1 and 2 – community commercial – mixed use – conditional overlay (GR-MU-CO) district zoning. The conditional overlay prohibits automotive sales; bail bond services; drop-off recycling collection facility; exterminating services; pawn shop services; and residential treatment;
- For Tract 3 – townhouse and condominium residence (SF-6) district zoning;
- For Tract 4 – townhouse and condominium residence – conditional overlay (SF-6-CO) combining district zoning. The conditional overlay establishes the following: that single family residence uses equal to or greater than 5,750 square feet be built in accordance with SF-2 development regulations; that single family residence uses equal to or less than 3,600 square feet be built to SF-4A standards; that duplex residential, single family attached and two-family residential uses be built in accordance with SF-3 development regulations; and that townhouse and condominium residence uses be built in accordance with SF-6 development regulations; and
- For Tract 5 (*please refer to Exhibit C*)
  - community commercial – conditional overlay (GR-CO) district zoning for 4.10 acres along West Slaughter Lane and for the area east of the north – south interior boulevard. Along West Slaughter Lane, the conditional overlay prohibits the following uses: automotive rentals; automotive repair services; automotive sales; automotive washing; drop-off recycling collection facility; pawn shop services; residential treatment; and service station. Along the north – south interior boulevard, the conditional overlay prohibits the following uses: drop-off recycling collection facility; pawn shop services; and residential treatment.
  - neighborhood commercial (LR-CO) district zoning for the remaining 9.29 acres (approximately) along West Slaughter Lane, with the Conditional Overlay prohibiting residential treatment;
  - general office (GO) district zoning for the area west of the north – south interior boulevard.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated January 31, 2006, as provided in Attachment A.

### **BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

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

For Tracts 1 and 2: The community commercial (GR) district is intended for an office or other commercial use that serves neighborhood and community needs and is generally accessible from major traffic ways. The mixed use (MU) district is

intended to allow for office, retail, commercial and residential uses to be combined in a single development.

For Tracts 3 and 4: The townhouse and condominium residence (SF-6) district, is intended as an area for moderate density single family, duplex, two-family, townhouse and condominium use.

For Tract 5: The community commercial (GR) district is intended for an office or other commercial use that serves neighborhood and community needs and is generally accessible from major traffic ways.

The neighborhood commercial (LR) 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."

The general office (GO) district is intended for offices and selected commercial uses predominantly serving community or City-wide needs, such as medical or professional offices. A building in a GO district may contain more than one use.

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

Staff recommends the Applicant's request for GR-MU-CO zoning on Tracts 1 and 2 based on its location on South First Street, an arterial roadway which is suitable for multi-family or commercial uses, and adjacent properties to the south have been approved for GR-MU-CO zoning for similar development. The Conditional Overlay is consistent with that approved for the adjacent GR-MU-CO zoned property to the south. For Tracts 3 and 4, Staff recommends the Applicant's request for SF-6 and SF-6-CO, respectively, based on: a) incorporating a residential component into the development, b) providing an additional housing types (single family residences – attached, standard lot and small lot, as well as duplexes, two-family residential, townhouses and condominiums) in the area and 3) compatibility with other nearby residential subdivisions.

For Tract 5, the Staff recommendation *differs* from the Applicant's request, and the areas of difference are illustrated in Exhibit C. The Staff recommends GR-CO for 4.10 acres along West Slaughter Lane, limited to the two main entrances to this development. The Conditional Overlay is for prohibited uses, including auto-related uses. LR-CO zoning is recommended for the remainder of the West Slaughter Lane frontage (approximately 9.29 acres), because this portion does not have dual street /

driveway access, and thus is situated away from an intersection), the availability of existing, undeveloped GR zoned property along the south side of Slaughter Lane between IH-35 and IH-35, and greater compatibility with the existing and planned single family residential subdivisions. Along the east side of the north – south interior boulevard, also referenced in Exhibit C, the Staff and the Applicant are in agreement for GR-CO zoning, so that it may be combined with the adjacent shopping center under construction to the east. Along the west side of the interior boulevard, the Staff is recommending GO zoning, due to its interior location and thus, does not have direct access to the surrounding major arterial roadways, consistency with the use described in the Traffic Impact Analysis and greater compatibility with the planned SF-4A development adjacent to the west (Tract 4). The traffic improvements outlined in the Traffic Impact Analysis for the subject property and right-of-way will limit development to maintain acceptable traffic conditions on adjacent roadways and intersections.

## **EXISTING CONDITIONS**

### **Site Characteristics**

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

### **Impervious Cover**

The maximum impervious cover allowed by the GR, LR or GO zoning districts would be 80%, which is a consistent figure between the watershed and the zoning regulations.

The maximum impervious cover allowed by the SF-6 or SF-4A zoning districts would be 55%, which is a consistent figure between the zoning and watershed regulations.

The maximum impervious cover allowed by the SF-3 or SF-2 zoning districts would be 45%, which 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 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.

At this time, no information has been provided as to whether this property has any pre-existing approvals which preempt current water quality or Code requirements.

### **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 of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility relocation, and adjustments. 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 utility construction must be inspected by the City. The landowner must pay the associated and applicable City fee.

### **Compatibility Standards**

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 site is subject to compatibility standards. Along the north property line, 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.

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

# PARK RIDGE OWNERS ASSOCIATION, INC.

Property Manager:  
Real Manage  
12335 Hymenlow Drive, Suite 300  
Austin, TX 78750  
(512) 219-1927

Association President:  
Rene' Lara [rene@arata.parkridgehoa.com](mailto:rene@arata.parkridgehoa.com)

Board Members:  
Michael Beranek [mberanek@parkridgehoa.com](mailto:mberanek@parkridgehoa.com)  
Susan Hambright [austinmsh@netnetpage.com](mailto:austinmsh@netnetpage.com)

Dear ZAP Board Members:

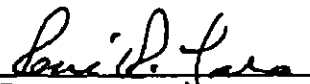
The Park Ridge Owners' Association, Inc. (Park Ridge HOA Board) and Endeavor Real Estate Group have met several times to discuss the Southpark Meadows zoning case. Park Ridge HOA Board organized a meeting of Park Ridge residents on October 22, 2005 to review the development plans that Endeavor Real Estate Group presented for the land on the east side of South First and the south side of Slaughter Lane, across from our subdivision. Based on Endeavor's plans at the meeting, the responses to residents' questions and Endeavor's cooperation with our association, the Park Ridge HOA Board supports Endeavor's application for rezoning this land.

One very important additional factor weighed in favor of the Board's support of Endeavor's application: The City of Austin staff's support of the installation of a traffic light at the intersection of Slaughter Lane and Francia Trail. This traffic light was recommended in the Traffic Impact Analysis submitted to the City of Austin. We need the traffic light because our residents literally risk their lives trying to exit our subdivision onto Slaughter Lane.

We understand that, in addition to Endeavor's large project, KB Homes is building a new subdivision to the west along South First Street, which will also greatly impact traffic on Slaughter Lane. Therefore, we urge you to approve this zoning change, which will result in a well-thought-out master planned project with appropriate traffic calming and lighted intersections to improve the safety of our neighbors.

As an additional but unrelated note, we request that you help convert the area at the southern ends of Congress Avenue and South First Street into a model development for Austin. Our neighborhood is ready to provide any assistance in this regard.

Sincerely,

  
Rene' Lara  
HOA President

  
Susan Hambright  
Vice President

  
Michael Beranek  
Treasurer

Feb. 20, 2006

RPL



**Wendy Worth****Fax**

<b>To:</b> Wendy Walsh, City of Austin	<b>From:</b> Wendy Worth 280-5448
<b>Fax:</b> 974-8054	<b>Pages:</b> 2
<b>Phone:</b> 974-7719	<b>Date:</b> 2/20/2006
<b>Re:</b> Case Number C14-05-0171	<b>CC:</b>

☒ Urgent    ☐ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

I am writing to express my opposition to the zoning request changes in case # C14-05-0171. My house is located at 9201 Vigen Circle, which is at the very southeast corner of the Park Ridge subdivision. Only a fence separates my backyard from Slaughter Lane.

After living in Orlando for 12 years, I have witnessed firsthand how out-of-control growth and over-development not only destroy the natural beauty of the land, but also lead to increased traffic, noise, pollution, and crime. There is no thought put into the consequences - it's all about the almighty dollar and greed.

One of the reasons I chose to move to Austin (particularly South Austin) was due to its seemingly environmental dedication to keep and honor green spaces. However, in the three short years I have lived here, I have become disheartened to see this city going down the same path as Orlando. I can only imagine how native or long-term Austin residents feel.

In this particular case, I am against the Southpark Meadows project and all its components being developed at all. I'd much rather see a peaceful open field with cattle in it than 425 acres of chain stores, restaurants, offices, houses and apartment complexes right across the street. I certainly don't mind driving 5 miles down the road to do my shopping at Sunset Valley (yet another Endeavor Property.)

I am especially concerned about the inevitable noise caused by construction vehicles and workers during a 3-5 year project. The current Waterstone apartment construction project located on the southwest corner of our neighborhood has made my house vibrate and shake so much that one of the shelves in my office fell off the wall. (And my house is on the opposite end of that construction!) This incessant noise - beeping vehicles and rumbling - starts around 6am Mondays - Saturdays.

Also, I am worried about the ramifications the construction will have if I decide to sell my house during the next couple of years. Will this deter prospective buyers? Will I even be able to make a profit on the sale of my house? I might have a better chance if it were located in the interior of Park Ridge, but not with Slaughter Lane directly behind my backyard. I truly don't believe this will help increase the resale value of my house. Already, three hideous looking light poles have been built that tower over the fence line. What a lovely view.

February 20, 2006

The Southpark Meadows project is a perfect example of the over-development problems going on all across our country right now. I'm really disgusted seeing land being turned into concrete jungles and big box and chain stores being built on every corner. I do not want a version of "Generica" in my own backyard.

Thank you for your time and consideration.

Sincerely,

*Wendy Worth*

Wendy Worth

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

Case Number: C14-05-0171

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

February 7, 2006 Zoning and Platting Commission

☐ I am in favor  
☒ Object

Your Name (please print) Wendy Walsh

9201 Vigen Circle

Your address(es) affected by this application

Wendy Walsh 2/19/06

Signature

Date

Comments Please see fax cover sheet.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8110

## PUBLIC HEARING INFORMATION

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

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

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

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

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

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

6054 From: Wendy Walsh

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

Case Number: C14-05-0171

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

March 21, 2006 Zoning and Planning Commission

☐ I am in favor  
☒ I object

Wendy Walsh  
Your Name (please print)

9201 Vigen Circle Austin 78748

Your address(es) affected by this application

Wendy Walsh 3/18/06  
Signature Date

Comments: I sent a previous

fax on 2/20/06 regarding  
this case. Thank you

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

To: Wendy Walsh 974-

## PUBLIC HEARING INFORMATION

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

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[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

**ARMBRUST & BROWN, L.L.P.**

**ATTORNEYS AND COUNSELORS**

100 CONGRESS AVENUE, SUITE 1300  
AUSTIN, TEXAS 78701-2744  
812-435-2300

FACSIMILE 812-435-2360

RICHARD T. SUTTLE, JR.  
(512) 435-2310  
rsuttle@aboustin.com

February 3, 2006

**VIA E-MAIL - Wendy.Walsh@cl.austin.tx.us,**  
**FACSIMILE (512) 974-6054**  
**AND FIRST CLASS MAIL**

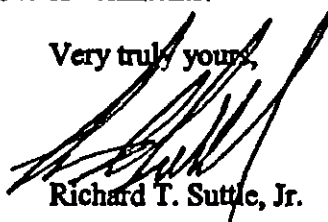
Wendy Walsh  
City of Austin  
P.O. Box 1088  
Austin, Texas 78767

Re: Case No. C14-05-0171; The Grove at Southpark Meadows; ZAPCO Agenda  
Item No. 12

Dear Wendy:

I represent and am writing to you on behalf of the applicant in the above-referenced case. The applicant hereby requests a two (2) week postponement of the consideration of this case. The purpose of the request for postponement is to allow the applicant more time to prepare for the presentation to ZAP. Your attention to this matter is greatly appreciated and please don't hesitate to contact me if you have any questions or comments.

Very truly yours,



Richard T. Suttle, Jr.

cc: Andy Pastor

**ARMBRUST & BROWN, L.L.P.**

**ATTORNEYS AND COUNSELORS**

100 CONGRESS AVENUE, SUITE 1300  
AUSTIN, TEXAS 78701-2744  
512-435-2300

FACSIMILE 512-435-2360

RICHARD T. SUTTLE, JR.  
(512) 435-2310  
rsuttle@abrown.com

February 21, 2006

**VIA E-MAIL - Wendy.Walsh@ci.austin.tx.us,**  
**AND FACSIMILE (512) 974-6054**  
**AND FIRST CLASS MAIL**

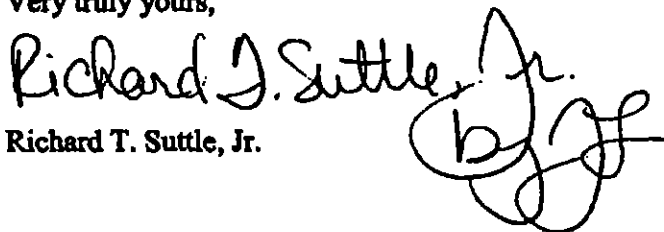
Wendy Walsh  
City of Austin  
P.O. Box 1088  
Austin, Texas 78767

Re: Case No. C14-05-0171; The Grove at Southpark Meadows; ZAPCO Agenda  
Item No. 6

Dear Wendy:

I represent and am writing to you on behalf of the applicant in the above-referenced case. The applicant hereby requests a two (2) week postponement of the consideration of this case. The purpose of the request for postponement is to continue working with staff on transportation comments. Your attention to this matter is greatly appreciated and please don't hesitate to contact me if you have any questions or comments.

Very truly yours,

  
Richard T. Suttle, Jr.

cc: Andy Pastor

**Walsh, Wendy**

---

**From:** martin brown [martybdeveloper@yahoo.com]  
**Sent:** Friday, March 03, 2006 4:26 PM  
**To:** Walsh, Wendy  
**Subject:** postponement request on C14-05-0171

VIA E-MAIL

Wendy Walsh  
City of Austin  
PO Box 1088  
Austin, TX 78767

Wendy:

On behalf of the Euers Family, property owners at the intersection of Cullen Lane and West Slaughter (135 W. Slaughter), we are requesting a 90 Day postponement on Zoning Case C14-05-0171; The Grove at Soutpark Meadows.

*June 6, 2006*

This postponement request is being made due to the time needed to review and study the transportation and ROW concerns that the Owner's have at the Intersection of Cullen and Slaughter, and its affect on their property. We feel that the amount of traffic that will be generated by the extremely large scale development will have an detrimental affect to the Owners small business and any future plans that they have for the facility that has been operating there since 1995.

This is our first opportunity to review the plans and feel that as an adjacent property owner, this postponement is warranted in order to make our concerns known.

Thank you,

Martin T. Brown  
The Brown Group  
on behalf of  
The Euers Family

---

Brings words and photos together (easily) with  
PhotoMail - it's free and works with Yahoo! Mail.

3/6/2006

**ARMBRUST & BROWN, L.L.P.**

**ATTORNEYS AND COUNSELORS**

100 CONGRESS AVENUE, SUITE 1300  
AUSTIN, TEXAS 78701-2744  
512-435-2300

FACSIMILE 512-435-2360

RICHARD T. SUTTLE, JR.  
(512) 435-2310  
rsuttle@abacustln.com

March 7, 2006

**VIA E-MAIL - Wendy.Walsh@ci.austin.tx.us,**  
**AND FACSIMILE (512) 974-6054**  
**AND FIRST CLASS MAIL**

Wendy Walsh  
City of Austin  
P.O. Box 1088  
Austin, Texas 78767

Re: Case No. C14-05-0171; 301 W. Slaughter Lane and 9501 S. 1<sup>st</sup> Street ("Tract 4")

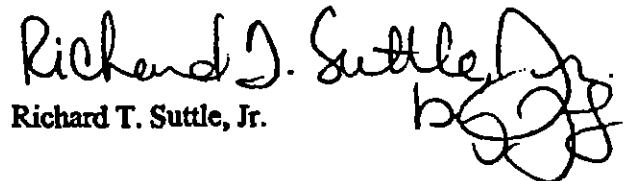
Dear Wendy:

This firm represents and I am writing to you on behalf of the applicant in the above-referenced case. The applicant wishes to amend its request for a portion of the zoning case. Specifically, the applicant would like to amend the application for zoning on Tract 4 to request townhouse and condominium residence district zoning with a conditional overlay (SF-6-CO). The CO would limit the uses to condominium residential, duplex residential, single family attached residential, single family residential, small lot single family residential, and townhouse residential. The CO would also include a provision that the development standards applicable to the specific use would apply at the time of development.

The purpose of this amendment is to allow a mix of lot sizes and housing types within Tract 4 instead of the all small lot development required by SF-4A. Please sever this portion of the case, note and review the amended request, and place it on the March 21<sup>st</sup> Zoning and Platting Commission agenda for consideration. The applicant's desire is that the remainder of Case No. C14-05-0171 remain on the ZAPCO agenda tonight for consideration.

If you have any questions or comments, please do not hesitate to contact me.

Very truly yours,

  
Richard T. Suttle, Jr.

cc: Andy Pastor

236747-1 03/07/2006



**DECLARATION OF RESTRICTIVE COVENANT**

STATE OF TEXAS           §

COUNTY OF TRAVIS       §

THIS DECLARATION OF RESTRICTIVE COVENANT ("Restrictive Covenant") is entered into and effective as of the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the undersigned.

OWNER:                   SP Meadows Central, LP

ADDRESS:                C/O  
                              Mr. Andy Pastor  
                              Endeavor Real Estate Group  
                              221 West 6<sup>th</sup> Street  
                              Suite 1300  
                              Austin, Texas 78701

CONSIDERATION:       Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

PROPERTY:               Approximately 24 acres of land; said tracts of land being more particularly described by metes and bounds in Exhibit "A" attached and incorporated into this covenant.

WHEREAS, the Owner of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions;

NOW, THEREFORE, it is declared that the Owner of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this Restrictive Covenant. This Restrictive Covenant shall be deemed and considered as running with the land, and shall be binding on the Owner of the Property, its heirs, successors, and assigns.

1.     Rubbish and Debris. All litter, rubbish or other debris located within the portion of the Slaughter Lane right-of-way that lies adjacent and contiguous to the Property shall be collected and disposed of weekly.

2.     Quality Requirements. Each building must contain a minimum of 75% stone or brick.

3. Noise. No exterior speakers or other sound devices (other than speakers and sound devices used in connection with drive-through banks or restaurants) shall be located, used or placed on any exterior portion of the Property, unless such sound devices are required by law.

4. Loading Docks. Loading docks shall be screened from public right of ways. Screening shall consist of landscaping.

5. Temporary Structures. No temporary buildings, storage containers or structures shall be placed on the Property, except for temporary buildings, structures and containers necessary for storage and housing of construction materials, tools, equipment and construction spoils during actual construction.

6. Signage. Non-building signage for pad users on Slaughter lane will be restricted to monument signs not to exceed 9' 9" in overall height.

7. Illumination. All exterior illumination for any parking area shall be directed or shielded so that it shines only on the particular parking area for which such illumination was installed and shall not interfere with any adjoining property. Poles supporting light fixtures shall not exceed 25 feet in height.

8. Restricted Uses. Owner will restrict the uses of the pad sites on the southeast and southwest corner of Francia Trail and Slaughter Lane to not include any automobile service, sales, rental, gas stations or car washes.

9. Additional Restricted Uses. Owner will restrict the uses of the pad sites against a gas station on Slaughter Lane.

10. Integrated Pest Management Plan. The project shall comply with an integrated pest management plan.

11. Enforcement. If any person or entity shall violate or attempt to violate this Restrictive Covenant, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such Restrictive Covenant to prevent the person or entity from such actions, and to collect damages for such actions.

12. Severability. If any part of this Restrictive Covenant is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this Restrictive Covenant, and such remaining portion of this Restrictive Covenant shall remain in full effect.

13. Waiver. If at any time the City of Austin fails to enforce this Restrictive Covenant, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.

14. Amendment, Modification and/or Termination. This Restrictive Covenant shall run with the title and bind the land for a period of thirty (30) years from the date this Restrictive Covenant is recorded, after which time it shall be automatically extended for successive periods of ten (10) years. This Restrictive Covenant may be amended, modified or terminated during the first thirty (30) year period only by instrument signed by a majority of the members of the City Council of the City of Austin. Any such amendment, modification or termination shall be evidenced in a writing recorded in the appropriate records of Travis County, Texas.

15. Governing Law. This Restrictive Covenant shall be governed by the laws of the State of Texas.

EXECUTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2006.

OWNER:

SP MEADOWS CENTRAL, LP., a Texas limited partnership

By: EGP Management, L.L.C., a Texas limited liability company, its general partner

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

THE STATE OF TEXAS       §

COUNTY OF TRAVIS       §

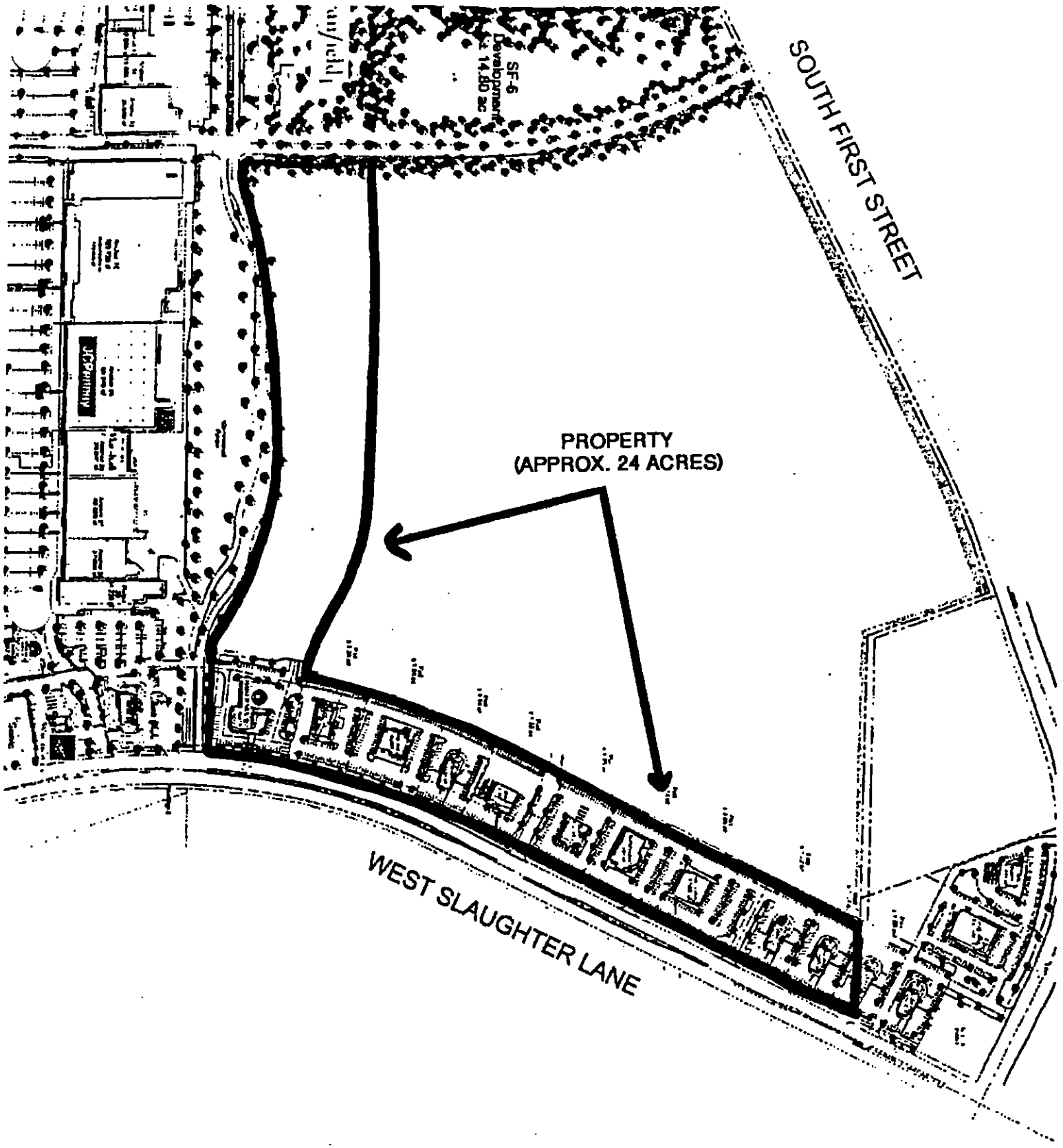
This instrument was acknowledged before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 2006, by \_\_\_\_\_ of EGP Management, L.L.C., a Texas limited liability company, general partner of SP MEADOWS CENTRAL, LP., a Texas limited partnership, on behalf of said limited liability company and limited partnership.

(seal)

\_\_\_\_\_  
Notary Public, State of Texas

After Recording, Please Return to:  
Kimberly S. Beckham  
Armbrust & Brown, L.L.P.  
100 Congress, Suite 1300  
Austin, Texas 78701

EXHIBIT "A"





**39.023 ACRE TRACT**

**SHEET 1 OF 3**

SCA

ABEL J. AND MARY ANN THEOT  
FAMILY LIMITED PARTNERSHIP  
(TRACT TWO)  
DOC. NO. 1999035181 O.P.R.T.C.

AMEL J. AND MARY ANN THEROT  
FAMILY LIMITED PARTNERSHIP  
(TRACT ONE)  
DOC. NO. 198905181 O.P.R.T.C.

Δ

**Cumingham | Allen**

## Engineers • Surveyors

5109 Bee Creek Road, Suite 202

**Armed, Tense 78746-6819**

Tel: (912) 377-3344

**Page (512) 327-2973**

STREET R.O.W. (120' R.O.W.)  
SOUTH FIRST STREET EXTENSION

PARCEL 6 -- EXHIBIT A--CAUSE NO. 2350  
CITY OF AUSTIN

DOC. NO. 2000061379 Q.P.A.T.C.

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**CE**


INCLUDED

DOC. NO. 2005106425  
Q.P.R.T.C.

**SP MEADOWS CENTRAL, LTD.  
(152.42 ACRES)**

Doc

10

W/CAP

1

**SECTION 101**

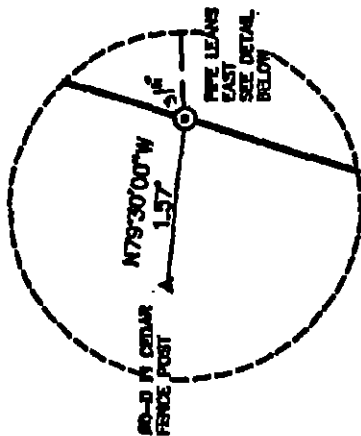
# SKETCH TO ACCOMPANY DESCRIPTION

39.023 ACRE TRACT  
SHEET 3 OF 3

LINE	BEARING	DISTANCE
L1	N08°16'59"W	83.00'
L2	N07°10'12"E	191.02'
L3	S72°22'06"E	314.55'
L4	N17°43'08"E	128.68'
L5	N17°44'40"E	193.22'
L6	N20°38'43"W	138.97'
L7	N17°18'48"E	491.41'
L8	S00°10'12"W	191.53'
L9	N17°28'35"E	133.45'

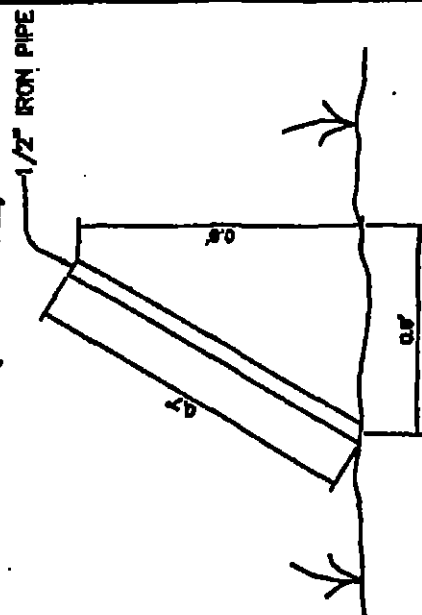
REFERENCE IS HEREIN MADE TO THE METES  
AND BOUNDS DESCRIPTION TO ACCOMPANY  
THIS SKETCH.

BEARING BASIS: GRID NORTH, TEXAS STATE  
PLANE COORDINATE SYSTEM NAD83 (CORR)  
CENTRAL ZONE.



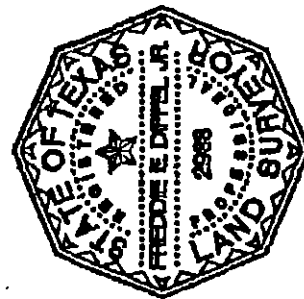
DETAIL A

(NOT TO SCALE)



CURVE	RADIUS	LENGTH	DELTA	CHORD BRG.	CHORD
C1	1528.80'	728.43'	27°22'42"	S86°05'27"E	722.51'
C2	683.00'	423.04'	35°23'04"	N35°14'26"E	418.35'
C3	402.50'	194.12'	27°37'59"	N39°08'58"E	192.25'
C4	2350.00'	831.85'	15°23'53"	N04°12'37"W	829.85'
C5	2080.00'	898.50'	24°42'44"	S96°52'03"E	891.83'
C6	1473.50'	704.10'	27°22'42"	N88°08'27"W	697.42'
C7	2080.00'	458.83'	12°45'42"	S77°34'22"E	457.88'
C8	3952.97'	403.76'	05°32'53"	S08°20'29"E	405.59'

CURVE TABLE



SURVEYED BY:

*Freddie E. Diffel, Jr.*  
FREDDIE E. DIPPEL, JR.  
REG. PROF. LAND SURVEYOR  
NO. 2988  
DATE 9-26-02

## LEGEND

- 1/2" IRON ROD FOUND (UNLESS STATED)
- ◎ 1/2" IRON PIPE FOUND (UNLESS STATED)
- △ 800 NAIL FOUND (UNLESS STATED)
- 1/2" IRON ROD W/CAP SET (UNLESS STATED)
- P.R.T.C. PLAT RECORDS TRAVIS COUNTY
- R.P.R.T.C. REAL PROPERTY RECORDS OF TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

**CA**

Cunningham | Allen  
Engineers • Surveyors

3103 Bee Cave Road, Suite 202  
Austin, Texas 78746-0819  
TEL: (512) 377-9946  
FAX: (512) 377-9979

DESCRIPTION

DESCRIPTION OF 39.023 ACRES OF LAND SITUATED IN THE S. F. SLAUGHTER LEAGUE SURVEY NO. 1, ABSTRACT NO. 20 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THOSE CERTAIN TRACTS OF LAND DESCRIBED AS TRACT ONE AND TRACT TWO, IN DEED TO ABEL J. AND MARY ANN THERIOT, FAMILY LIMITED PARTNERSHIP OF RECORD IN DOCUMENT NO. 1999055181 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING A PORTION OF THAT CERTAIN TRACT OF LAND SAID TO CONTAIN 30.300 ACRES OF LAND DESCRIBED IN DEED TO SP MEADOWS CENTRAL, LTD., OF RECORD IN DOCUMENT NO. 2005106430 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 39.023 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2 inch iron rod found in the east right-of-way line of South First Street and the south line of said Abel J. and Mary Ann Theriot Family Limited Partnership Tract One for the northwest corner of that certain tract of land said to contain 152.42 acres of land in deed to SP Meadows Central, Ltd., of record in Document No. 2005106425 of the Official Public Records of Travis County, Texas, the southeast corner of that certain tract of land described in Street Deed (South First Street 80' R.O.W.) to the City of Austin of record in Volume 11532, Page 2216 of the Real Property Records of Travis County, Texas, and for the northeast corner of that certain tract of land described as South 1ST Extension Parcel 5 (120' R.O.W.) in Cause No. 2330 Judgment of Court in Absence of Objection to the City of Austin of record in Document No. 2000081379 of the Official Public Records of Travis County, Texas, from which a 1/2 inch iron rod with cap (unknown) found in the east right-of-way line of said South First Street (120' R.O.W.) and the west line of said 152.42 acre tract, bears with a curve to the right an arc distance of 405.76 feet, having a radius of 3952.97 feet, a central angle of 05°52'53", and a chord which bears S06°20'29"E a distance of 405.59 feet, and also from which a 1/2 inch iron rod with cap (Harris) found in the west right-of-way line of said South First Street (120' R.O.W.) bears S80°44'22"W a distance of 120.04 feet and also from which a 1/2 inch iron rod with cap set for the southwest corner of said 30.300 acre tract, bears S65°11'44"E a distance of 1064.87 feet;

THENCE with the east right-of-way line of said South First Street (80' R.O.W.), N09°16'59"W a distance of 293.36 feet to a point for the southwest corner and POINT OF BEGINNING of the herein described tract;

THENCE continuing N09°16'59"W with the east right-of-way line of said South First Street (80' R.O.W.) and with the west line of the herein described tract a distance of 53.00 feet to a point, from which a 1/2 inch iron rod found in the west line of said Abel J. and Mary Ann Theriot Family Limited Partnership Tract One for the northeast corner of said South First Street (80' R.O.W.) (Volume 11532, Page 2216), the southeast corner of South First Street (120' R.O.W.) described in deed to the City of Austin of Record in Volume 11532, Page 2210 of the Real Property Records of Travis County, Texas, bears N09°16'59"W a distance of 890.16 feet;



THENCE over and across said Abel J. and Mary Ann Theriot, Family Limited Partnership Tract One and Tract Two the following six (6) courses:

1. N80°10'12"E a distance of 191.02 feet to a point at the beginning of a curve to the right;
2. With said curve to the right an arc distance of 729.43 feet, having a radius of 1526.50 feet, a central angle of 27°22'42", and a chord which bears S86°08'27"E a distance of 722.51 feet to a point;
3. S72°27'06"E a distance of 314.55 feet to a point;
4. N17°32'54"E a distance of 1056.82 feet to a point at the beginning of a curve to the right;
5. With said curve to the right an arc distance of 423.04 feet, having a radius of 685.00 feet, a central angle of 35°23'04", and a chord which bears N35°14'26"E a distance of 416.35 feet to a point at the beginning of a reverse curve to the left;
6. With said curve to the left an arc distance of 194.12 feet, having a radius of 402.50 feet, a central angle of 27°37'59", and a chord which bears N39°06'58"E a distance of 192.25 feet to a point;

THENCE continuing over and across said Abel J. and Mary Ann Theriot, Family Limited Partnership Tract Two, with a line 290 feet south of and parallel with the south right-of-way line of Slaughter Lane West (120' R.O.W.) as described in Roadway Dedication as Parcel No. 57 in deed to Travis County, Texas, of record in Volume 11553, Page 208 of the Real Property Records of Travis County, Texas, the following two (2) courses:

1. With a curve to the right an arc distance of 631.55 feet, having a radius of 2350.00 feet, a central angle of 15°23'53", and a chord which bears N54°12'37"W a distance of 629.65 feet to a point;
2. N46°32'23"W a distance of 1308.49 feet to a point in the east line of Lot 3, Block D, Slaughter/South First Section Five according to the map or plat thereof recorded in Document No. 200000204 of the Official Public Records of Travis County, Texas, and the west line of said Abel J. and Mary Ann Theriot, Family Limited Partnership Tract Two, from which a 3/4 inch iron pipe found in the west line of Lot 4, Block D, of said Slaughter/South First Section Five, bears S17°43'08"W passing at a distance of 338.38 feet a 1/2 inch iron rod found 5.27 feet west of this line, in all a total distance of 411.64 feet;

THENCE with the east line of said Lot 3, Block D and the west line of said Abel J. and Mary Ann Theriot, Family Limited Partnership Tract Two, the following two (2) courses:

1. N17°43'08"E a distance of 128.68 feet to a 3/4 inch iron pipe found;
2. N17°44'40"E a distance of 193.22 feet to a 1/2 inch iron pipe found in the south right-of-way line of said Slaughter Lane West for the southwest corner of said Parcel No. 57, the northeast corner of said Lot 3, Block D and for the northwest corner of the herein described tract, from which a 1/2 inch iron rod found in the north right-of-way line of said Slaughter Lane West and the east line of said Abel J. and Mary Ann Theriot, Limited

Partnership Tract Two, for the northwest corner of said Parcel No. 57, bears N17°29'35"E a distance of 133.45 feet;

THENCE with the south right-of-way line of said Slaughter Lane West, the south line of said Parcel No. 57 and the north line of the herein described tract, the following two (2) courses:

1. S46°32'23"E a distance of 1448.37 feet to a 1/2 inch iron pipe found at the beginning of a curve to the left, from which a 1/2 inch iron rod found in the north right-of-way line of said Slaughter Lane West and the north line of said Parcel No. 57, bears N43°35'34"E a distance of 120.07 feet;
2. With said curve to the left passing at an arc length of 538.08 feet a 1/2 inch iron rod with cap set for the northwest corner of said 30.300 acre tract, in all a total arc length of 888.50 feet, having a radius of 2060.00 feet, a central angle of 24°42'44", and a chord which bears S58°52'03"E a distance of 881.63 feet to a 1/2 inch iron pipe found in the east line of said Abel J. and Mary Ann Theriot, Family Limited Partnership Tract Two, for the northeast corner of said 30.300 acre tract, the northwest corner of Lot 2, Slaughter @ Cullen Commercial according to the map or plat thereof recorded in Volume 99, Page 144-145 of the Plat Records of Travis County, Texas, being that same tract of land described in deed to SP Meadows Central, Ltd., of record in Document No. 2005075471 of the Official Public Records of Travis County, Texas, the southwest corner of that certain tract of land described in Roadway Dedication as Parcel No. 58 of record in Volume 10890, Page 310 of the Real Property Records of Travis County, Texas, the southeast corner of said Parcel No. 57 and for the northeast corner of the herein described tract, from which a 1/2 inch iron rod with cap (Baker/Aicklen) found for the northernmost northeast corner of said Lot 2 and the northwest corner Lot 1, of said Slaughter @ Cullen Commercial, bears with said curve to the left an arc distance of 458.83 feet, and having a chord which bears S77°34'22"E a distance of 457.88 feet;

THENCE with the east line of said 30.300 acre tract, the east line of said Abel J. and Mary Ann Theriot, Family Limited Partnership Tract Two, and the west line of said Lot 2, S17°05'21"W a distance of 517.10 feet to a 3/4 inch iron pipe found for the southwest corner of said Lot 2 and the northwest corner of Lot 12, Tom F. Dunnahoo Subdivision according to the map or plat thereof recorded in Volume 683, Page 1 of the Deed Records of Travis County, Texas, being that same tract of land described in deed to SP Meadows Central, Ltd., of record in Document No. 2005105994 of the Official Public Records of Travis County, Texas, from which a 80-D nail found in a cedar fence post bears N79°30'00"W a distance of 1.57 feet;

THENCE continuing with the east line of said 30.300 acre tract, the east line of said Abel J. and Mary Ann Theriot, Family Limited Partnership Tract Two, the east line of the herein described tract, and with the west line of Lots 12, 14 and 16 of said Tom F. Dunnahoo Subdivision, S17°34'25"W a distance of 564.70 feet to a 3/4 inch iron pipe found in the north line of said Abel J. and Mary Ann Theriot, Family Limited Partnership Tract One, for the southeast corner of said Abel J. and Mary Ann Theriot, Family Limited Partnership Tract Two, and an interior ell corner of said 30.300 acre tract and the southwest corner of said Tom F. Dunnahoo Subdivision,

from which a 1/2 inch iron rod set in the south line of said Lot 16 and the north line of said Abel J. and Mary Ann Theriot Tract One, for the easternmost northeast corner of said 30.300 acre tract, bears S61°59'27"E a distance of 331.03 feet;

THENCE over and across said 30.300 acre tract and said Abel J. and Mary Ann Theriot, Family Limited Partnership Tract One, the following six (6) courses:


1. S24°19'48"W a distance of 1465.15 feet to a point for the southeast corner of the herein described tract;
2. N20°38'43"W a distance of 138.97 feet to a point;
3. N17°16'49"E a distance of 491.41 feet to a point;
4. N72°27'06"W passing at a distance of 247.53 feet the west line of said 30.300 acre tract, in all a total distance of 640.22 feet to a point at the beginning of a curve to the left;
5. With said curve to the left an arc distance of 704.10 feet, having a radius of 1473.50 feet, a central angle of 27°22'42", and a chord which bears N86°08'27"W a distance of 697.42 feet to a point;
6. S80°10'12"W a distance of 191.53 feet to the POINT OF BEGINNING, containing 39.023 ACRES of land, more or less, within these metes and bounds.

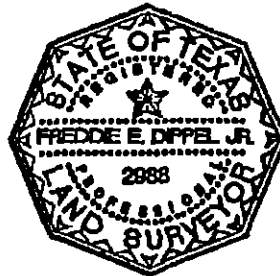
Reference is herein made to the sketch accompanying this metes and bounds description.

Bearing Reference: Grid North, Texas State Plane coordinate system NAD83 (CORS) Central Zone.

I hereby certify that this description was prepared from the results of a survey made on the ground under my supervision.

CUNNINGHAM-ALLEN, INC.

  
Freddie E. Dippel, Jr.  
Registered Professional Land Surveyor No. 2988  
Date: 9-26-05



- 10. Rezoning:** C14-06-0013 - Pavilion Condominiums  
**Location:** 11819 Pavilion Boulevard, Walnut Creek Watershed  
**Owner/Applicant:** Mitchel and Rose Wong  
**Agent:** Lopez-Phelps & Associates (Amelia Lopez-Phelps)  
**Request:** GR to MF-6  
**Staff Rec.:** RECOMMENDATION PENDING  
**Staff:** Sherri Sirwaitis, 974-3057, sherri.sirwaitis@ci.austin.tx.us  
Neighborhood Planning and Zoning Department

**POSTPONED TO 04/04/06 (APPLICANT)**

**[M.HAWTHORNE, J.PINNELLI 2<sup>ND</sup>] (8-0) J.MARTINEZ - ABSENT**

- 11. Rezoning:** C14-05-0171 - The Grove at Southpark Meadows  
**Location:** 301 West Slaughter Lane and 9501 South First Street, Slaughter Creek Watershed  
**Owner/Applicant:** Abel J. and Mary Ann Theriot Family LP (Curtis Sanders)  
**Agent:** SP Meadows Central, Ltd. (Andy Pastor)  
**Postponements:** Postponed from 2/7/06 (applicant); 2/21/06 (applicant); 3/7/06 (nearby property owner)  
**Request:** CS-CO; LO-CO; I-RR to GR-MU-CO for Tracts 1 and 2; SF-6 for Tracts 3 and 4; GR-CO for Tract 5.  
**Staff Rec.:** GR-MU-CO for Tracts 1 and 2; SF-6 for Tract 3; SF-6-CO for Tract 4; GR-CO and LR for Tract 5, with conditions.  
**Staff:** Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us  
Neighborhood Planning & Zoning Department

**APPROVED GR-MU-CO FOR TRACTS 1 & 2; SF-6 FOR TRACT 3; SF-6-CO FOR TRACT 4, WITH THE RECOMMENDATIONS OF THE T.L.A, ALL AS STAFF RECOMMENDED. APPROVED GR-CO FOR TRACT 5 AS RECOMMENDED FOR THE SLAUGHTER LANE FRONTAGE, DROP-OFF RECYCLING COLLECTION FACILITY, PAWN SHOPS, RESIDENTIAL TREATMENT AND SERVICE STATION ARE PROHIBITED; AND LR SITE DEVELOPMENT REGULATIONS ARE ESTABLISHED. FOR THE NORTH-SOUTH SEGMENT ALONG THE EAST PROPERTY LINE, THE SAME PROHIBITED USES APPLY, AS LISTED ABOVE.**

**FOR THE TRAFFIC IMPACT ANALYSIS:**

- **DRIVEWAY B, TURNING MOVEMENTS ARE RESTRICTED TO RIGHT-IN, RIGHT-OUT;**
- **DRIVEWAY K, FULL TURNING MOVEMENTS ARE PERMITTED, WITH THE DEVELOPER TO FUND ITS SIGNALIZATION, IF PERMITTED.**

**[K.JACKSON, T.RABAGO 2<sup>ND</sup>] (7-0) M.H - LEFT EARLY; J.MARTINEZ - ABSENT**

**SUMMARY**

*Wendy Walsh, Staff, gave the Staff presentation.*

*Commissioner Jackson – On the North/South roadway that's part of this project, you say that on the east side of that you can support GR-CO because it can be combined and backs up to JC Penney's; however, on the west side you are recommending GO; and the Applicant is seeking GR-CO?*

*Ms. Walsh – That's correct.*

*Commissioner Jackson – I'm struggling with the difference; east and west side, if you look closer to I-35, you have Cullen Lane, we have GR on both sides of that street.*

*Ms. Walsh – That's right.*

*Commissioner Jackson – So how is that different than this road; that we say on one side is commercial development and the other it can't be commercial?*

*Ms. Walsh – This tract does not have direct access to an arterial, like the adjacent property to the east. The traffic impact analysis was for a certain number of medical office uses in this location, and GO covers that.*

*Commissioner Baker – Explain to me the GR and the LR on Slaughter.*

*Ms. Walsh – We were supportive of GR-CO at 3 individual sites on Slaughter, that corresponds with their two main entrances there; one, is on the east side of the north/south corridor; and the other two are opposite from Francia Trail to Park Ridge Subdivision; and there will be a drive that extends between those. We are supportive for GR-CO at those intersections and adjacent to that north/south corridor. The Applicant would like to discuss our recommendation for Tract 5, as well as two recommendations in the traffic impact analysis that Emily will go over. The Applicant has also met with Park Ridge Owners Association, and they did write a letter in support for this case and have come up with a private restrictive covenant.*

*Emily Barron, Transportation Staff – Gave a presentation regarding the traffic impact analysis. This site will generate approximately 23,068 adjusted daily trips; it will have access to approximately 11 pad sites and Staff agrees with the recommendation and improvements contained in the TIA, with two exceptions; the first exception will be to driveway K; Staff is recommending no left turns out of this driveway. It is anticipated that with the deletion of this maneuver, the number of potential conflicts at that intersection will be reduced. There are 3 future signal light intersections available for this site for those who need to go westbound on Slaughter Lane. Driveway K is planned to connect to a main arterial, which will serve this site as well onto the southeast. The other condition or recommendation in the TIA that Staff disagrees with is driveway B; we recommend that this driveway be removed based on the low traffic volume at this driveway; there's also alternate access to a signalized intersection for the tract to utilize.*

*Commissioner Jackson asked questions regarding Driveway K.*

*Ms. Barron – We're not recommending that driveway K be closed, just that the maneuver for "lefts out" of driveway K be eliminated.*

*Commissioner Jackson – But if you're going in you can turn left.*

*Ms. Barron – You can go left in; the recommendation is to eliminate the "left out" from this site.*

*Marty Brown, architect for owners at the intersection of Cullen and Slaughter Lane – We can indicate our strong support for approving this case with full access "left turn" development onto Slaughter Lane,*

utilizing driveway K. We feel that this driveway access is important to the overall development that's taking place in South Park Meadows. It would provide a substantial benefit to the traffic flow in that area.

Richard Suttle, representing the Applicant – We also have a letter of support from the neighborhood association with conditions that we have agreed upon. They also asked today for no service station use on Slaughter Lane and we have agreed to that. This case boils down to four minor issues with Staff that we'd like your consideration on. The first is that we have asked for GR zoning for the properties along Slaughter Lane; Staff has recommended LR with the exception of one or two points; what we are offering tonight is to allow us to have the GR uses, but we would go to LR site development regulations. We also asked that the Staff recommendation for GO along our private road that Staff recommends GO, that private road is actually a driveway and we maintain it as part of the retail development and we would like to have the GR on the west side. The access to driveway K is an interesting situation because that is a driveway that in previous zoning cases was approved for full access. We're asking that it be a full access driveway. If you think that could be an unsafe situation for making left turns out, the developer is willing to fund and pay for another stop light at that intersection to make it full access and do another stop light to make it safe, we're offering that tonight. Driveway B on South First, that is a driveway for another tract to come out onto South First, there's a drainageway that comes through that we're on the permitting process. We would like to have a right-in and a right-out driveway there; Staff is recommending no driveway because it doesn't have much traffic, we think it's important to have as much access as you can to this tract because it works.

Commissioner Hale – Has there been any study or analysis done for the stop light, in terms of the traffic impact?

Mr. Suttle – There has not been a traffic impact analysis done that I'm aware of, it does not meet the recommended distance from other stop lights in the area; however, it works.

Commissioner Rabago – You said you want a full access driveway and that you want to add a light, which was on driveway K, right?

Mr. Suttle – Yes.

Commissioner Rabago – Talk about B.

Mr. Suttle – Driveway B; that's the one on South First,, we want to be able to get onto South First.

Commissioner Rabago – Okay. If you don't have Driveway B, what would be the residents' alternate exit from this subdivision?

Mr. Suttle – Everybody would have to funnel out through that one road; make a left and then hit South First.

Commissioner Jackson – Do you know the distance between Cullen Lane and driveway K?

Mr. Suttle – I think it's about 900-feet.

Commissioner Hammond asked about a driveway behind the Sonic; parallel to Slaughter Lane.

Commissioner Baker – ...the uses that are listed by Staff, if there are any LR uses.

Mr. Suttle – We have agreed to no service stations on Slaughter.

*Commissioner Baker – Automotive repair and rental...*

*Mr. Suttle – What we've agreed to do, at the corner of Francia Trail, which is where the entry to the neighborhood is, we've agreed to no automotive uses. That would include rentals, repair, washing; that kind of stuff. Up and down Slaughter we would like to keep the flexibility to do most of those uses, but not the gas station.*

*Commissioner Hammond – We have our share of automotive uses in South Austin.*

*Commissioner Baker – Will you exclude automotive repair?*

*Mr. Suttle – That's part of a retail development, but what we have done to alleviate that is we have more buffer and more landscaping along Slaughter; and less driveways. We're not asking for a driveway for each use.*

*Commissioner Hawthorne and Gohil moved to close the public hearing.*

*Commissioner Rabago – I like the idea of that light that the owners are willing to pay for if we provide that full access to driveway K.*

*Emily Barron, staff – Final approval for that light will have to come from our Public Works Department; and due to the spacing and approval of a signal at Francia and Slaughter, they won't approve a signal at this driveway.*

*Mr. Suttle – They would not recommend the light at that driveway; but if we pay for it and a higher union than Public Works says to do the light, I think the light would happen.*

*Commissioner Hammond – Are all the houses going to be multi-family housing?*

*Mr. Suttle – No, the reason we asked for SF-6, we have a single-family home builder that would like to build single-family in there and mix the lot sizes, some standard and some small lot. The lowest zoning category that you can ask for to do both small and normal size lot is SF-6.*

*Commissioner Hammond – Is there a potential that it would be a TND?*

*Mr. Suttle – There is a potential, we haven't thought about that.*

*Commissioner Hammond – I would recommend that.*

*Commissioner Jackson – I'll make a motion to approve Staff's recommendation with the following modifications to those recommendations. For Tract 5, the internal portion of tract 5 adjacent to driveway 5, be GR. Adjacent to Slaughter Lane be GR with LR development regulations and restricting drop-off recycling, collection facility, pawn shop services, residential treatment and service stations. We'll allow full access on driveway K with the provision that the developer fund the signal there and that driveway B be allowed as right-in and right-out.*

*Commissioner Rabago – Second.*

*Commissioner Baker – Would you be certain that your motion is GR-CO; and for that tract along the portion of GR-CO on tract 5, that runs between Slaughter, are you prohibiting the same uses there?*

*Commissioner Jackson – No, I am not requiring LR development regulations; but I would prohibit the same uses.*

*Commissioner Baker – Okay; that's fine.*

*Motion carried. (7-0)*

**12. Rezoning:** C14-05-0217 - 1204 West Slaughter Lane  
**Location:** 1204 West Slaughter Lane, Slaughter Creek Watershed  
**Owner/Applicant:** Nicolas Younes  
**Request:** SF-2 to LR-CO  
**Staff Rec.:** RECOMMENDATION OF LO  
**Staff:** Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us  
Neighborhood Planning & Zoning Department

***APPROVED STAFF'S RECOMMENDATION OF LO DISTRICT ZONING; BY CONSENT.  
[J.PINNELLI, J.GOHIL 2<sup>ND</sup>] (8-0) J.MARTINEZ – ABSENT***

**DISCUSSION AND ACTION ON SUBDIVISION CASE**

**13. Final without a Preliminary:** C8-05-0201.0A - Arnold Subdivision at Walden Park, A  
Resubdivision of the Amended Plat of the Arnold I Subdivision  
Section 1  
**Location:** Lake Creek Parkway at State Highway 45, Lake Creek Watershed  
**Owner/Applicant:** 620/183 Partnership (Fred Thomas)  
**Agent:** Bury & Partners, Inc. (Jonathon Neslund)  
**Request:** The resubdivision of 2 lots into 4 lots comprised of 5.968 acres.  
**Staff Rec.:** RECOMMENDED  
**Staff:** Sylvia Limon, 974-2767, sylvia.limon@ci.austin.tx.us  
Watershed Protection and Development Review Department

***APPROVED STAFF'S RECOMMENDATION; BY CONSENT.  
[J.PINNELLI, J.GOHIL 2<sup>ND</sup>] (8-0) J.MARTINEZ – ABSENT***

**DISCUSSION AND ACTION ON SITE PLAN CASES**

**14. Site Plan Conditional Use:** SPC-05-0033A - Dominion at Great Hills Neighborhood Playscape  
**Location:** 6600 Yaupon Drive, Bull Creek Watershed  
**Owner/Applicant:** Dominion At Great Hills Community, Inc.  
**Agent:** Sheri Smith  
**Request:** Request approval of conditional use site development permit (land use only).  
**Staff Rec.:** RECOMMENDED  
**Staff:** Kathy Haught, 974-2724, kathy.haught@ci.austin.tx.us  
Watershed Protection and Development Review Department