A U S T I N C I T Y C O U N C I L

AGENDA



Thursday, June 22, 2006

#103PH

Back

Zone Hearings/App Ordinances/Restrictive Covenants
RECOMMENDATION FOR COUNCIL ACTION

Subject: C14-06-0059 - Euers Office/Retail Building - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 135 West Slaughter Lane (Onion Creek Watershed) from rural residence (RR) district zoning and single-family residence-standard lot (SF-2) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning with conditions. Applicant: Lester Euers. Agent: Thrower Design (Ron Thrower). City Staff: Wendy Walsh, 974-7719.

Additional Backup Material
(click to open)
D Staff Report

For More Information:

ZONING CHANGE REVIEW SHEET

CASE: C14-06-0059 **Z.P.C. DATE:** April 18, 2006

ADDRESS: 135 West Slaughter Lane

OWNER AND APPLICANT: Lester Euers **AGENT:** Thrower Design (Ron Thrower)

ZONING FROM: RR; SF-2 **TO:** GR **AREA:** 1.510 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The Conditional Overlay: 1) limits development of the property to less than 2,000 vehicle trips per day; and prohibits the following uses: 2) automotive rentals; automotive repair services; automotive sales; bail bond services; building maintenance services; commercial off-street parking; communications services; drop-off recycling collection facility; exterminating services; funeral services; indoor entertainment; indoor sports and recreation; off-site accessory parking; outdoor entertainment; outdoor sports and recreation; pawn shop services; research services; and, theater.

If the requested zoning is recommended for this site, 35 feet of right-of-way should be dedicated from the centerline of Cullen Lane in accordance with the Transportation Criteria Manual.

ZONING & PLATTING COMMISSION RECOMMENDATION:

April 18, 2006: *APPROVED STAFF'S RECOMMENDATION FOR GR-CO DISTRICT ZONING; BY CONSENT.*

[J. MARTINEZ, J. GOHIL 2ND] (9-0)

ISSUES:

Based on discussions with the Park Ridge Owners Association and action at First Reading for the previous (expired) case on this property, the Applicant is willing to prohibit the following uses: automotive rentals; automotive repair services; automotive sales; bail bond services; building maintenance services; commercial off-street parking; communications services; drop-off recycling collection facility; exterminating services; funeral services; indoor entertainment; indoor sports and recreation; off-site accessory parking; outdoor entertainment; outdoor sports and recreation; pawn shop services; research services; and, theater. These uses have been incorporated into the Staff recommendation.

DEPARTMENT COMMENTS:

The subject rezoning area consists of a portion of a platted lot out of the Tom F. Dunnahoo subdivision, is situated at the southeast corner of Slaughter Lane and Cullen Road, and is zoned rural residence and single family residence (RR; SF-2) district. The remainder of the land along Slaughter Lane between Cullen Road and the IH-35 frontage road is developed with a shopping center anchored by a discount superstore, retail shopping space, restaurants, a drive-in bank, and service station (zoned GR-CO). The property to the west of the Cullen / Slaughter intersection consists of an existing fast food restaurant, and a shopping center that is under construction for retail, restaurant and financial service uses (zoned SF-2; GR-CO). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to rezone the lot to the community commercial (GR) district for a proposed retail and office development. Staff recommends GR-CO zoning based on the following considerations of the property: 1) location at the intersection of West Slaughter Lane, a major arterial roadway and Cullen Road, a collector street, both of which are suitable for commercial uses and have good transportation access, and 2) properties on both sides of Slaughter Lane, east of Cullen Road and along the IH-35 frontage road are developed with commercial uses and carry CS or GR zoning. The dedication requirement for right-of-way along Cullen Lane will enable intersection and turning lane improvements to occur.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	RR; SF-2	Dental office; Pet services
North	I-RR; GR-CO; CS-1-CO	Undeveloped; Retail; Carpet sales; Auto-tinting; Service stations with convenience stores
South	GR-CO	Shopping center anchored by a discount superstore
East	N/A	IH-35 frontage roads and main lanes
West	SF-2; GR-CO; RR; LO-CO	Fast food restaurant; Under construction for a shopping center, drive-in bank and fast food restaurants); Agricultural

AREA STUDY: N / A **TIA:** Is not required

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

CAPITOL VIEW CORRIDOR: No **SCENIC ROADWAY:** Yes

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association
242 – Slaughter Lane Neighborhood Assn.
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 Homeowner's Association
742 – Austin Independent School District
948 – South by Southeast Neighborhood Association

SCHOOLS:

Williams Elementary School Paredes Middle School Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0171 (Grove at Southpark Meadows)	I-RR; LO-CO; CS-CO to GR-MU-CO; SF-6; SF-6-CO; GR-CO	Approved GR-MU-CO for Tracts 1 & 2; SF-6 for Tract 3; SF-6-CO for Tract 4; GR-CO for Tract 5	Scheduled for CC meeting of 4-20-06.
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).
C14-04-0075 (Southpark Meadows)	LO-CO; CS-1-CO to GR-CO	To Grant GR-CO with conditions of the TIA	Approved GR-CO district zoning with a Restrictive Covenant for the TIA, as recommended by the ZAP (10-21-04).
C14-04-0203 (Twin Liquors at Slaughter)	GR-CO to CS-1	To Grant CS-1	Approved CS-1 (2-10-05).
C14-04-0037 (Slaughter @ Cullen Commercial)	RR to GR	To Grant GR-CO with a list of prohibited uses and conditions of the TIA.	Approved GR-CO with CO for a list of prohibited and conditional uses; the Restrictive Covenant is for the TIA (8-26-04).
C14-03-0186 (Tobin Tract)	SF-2 to GR-CO	To Grant GR-CO	Approved GR-CO with CO for list of prohibited uses, and exterior lighting requirements; fiscal surety (3-4-04)
C14-03-0066	RR; SF-2; LI-	To Grant GR-CO with	Approved GR-CO

(IH-35 and Slaughter Lane)	CO; CS-CO and CS to GR	conditions of the TIA	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).
C14-96-0015	I-RR to CS-1; GR	To Grant CS-1 for Tract 1; GR-CO for Tract 2	Approved CS-1; GR-CO with CO for 2,000 trip limit (4-25-96).
C14-00-2114	I-RR to CS	To Grant CS-CO	Approved CS-CO with prohibited uses: campground; kennels; pawn shops; vehicle storage; adult-oriented businesses; a sign may not be visible from IH-35 (10-23-00).
C14-00-2089	I-RR to CS	To Grant CS-CO	Approved CS-CO with prohibited uses: campground; kennels; pawn shops; vehicle storage (10-12-00).
C14-96-0016	I-RR to CS	To Grant CS-CO	Approved CS-CO with prohibited uses: campground; kennels; pawn shops; vehicle

			storage and 2,000 trips (4-25-96).

RELATED CASES:

A previous rezoning request for GR-CO zoning on the subject property was approved by Council in January 2005 on First Reading with an additional Conditional Overlay for a list of prohibited uses as discussed between the Applicant and the Park Ridge Owners Association and the requirement for right-of-way dedication along Cullen Lane. The case expired in January 2006 because no action occurred within one year of First Reading, as set forth in Chapter 25-2-246 (B) of the Land Development Code.

In May 1995 the rezoning area was approved for two 1-story office buildings, totaling 10,300 square feet (SP-94-0493D). The Development Permit ("D") site plan (one which does not include a land use element, in this case because at the time it was located in the Extra-Territorial Jurisdiction) for the office uses is provided as Exhibit B.

The rezoning area represents the north 62 feet of Lot 9 of Tom F. Dunnahoo subdivision. Please refer to Exhibit C.

The property was annexed into the Full-Purpose Jurisdiction on December 31, 1997.

ABUTTING STREETS:

STREET	RIGHT-OF-WAY	PAVEMENT WIDTH	CLASSIFICATION
West Slaughter Lane	140 feet	Divided with 3 lanes	Major Arterial
Cullen Lane	Varies	Varies	Commercial Collector

- There are existing sidewalks along Slaughter Lane and Cullen Lane.
- Slaughter Lane is classified in the Bicycle Plan as a Priority Low Usability bike route while Cullen Lane is classified as a High Usability route.
- Capital Metro bus service is not available within 1/4 mile of this property.

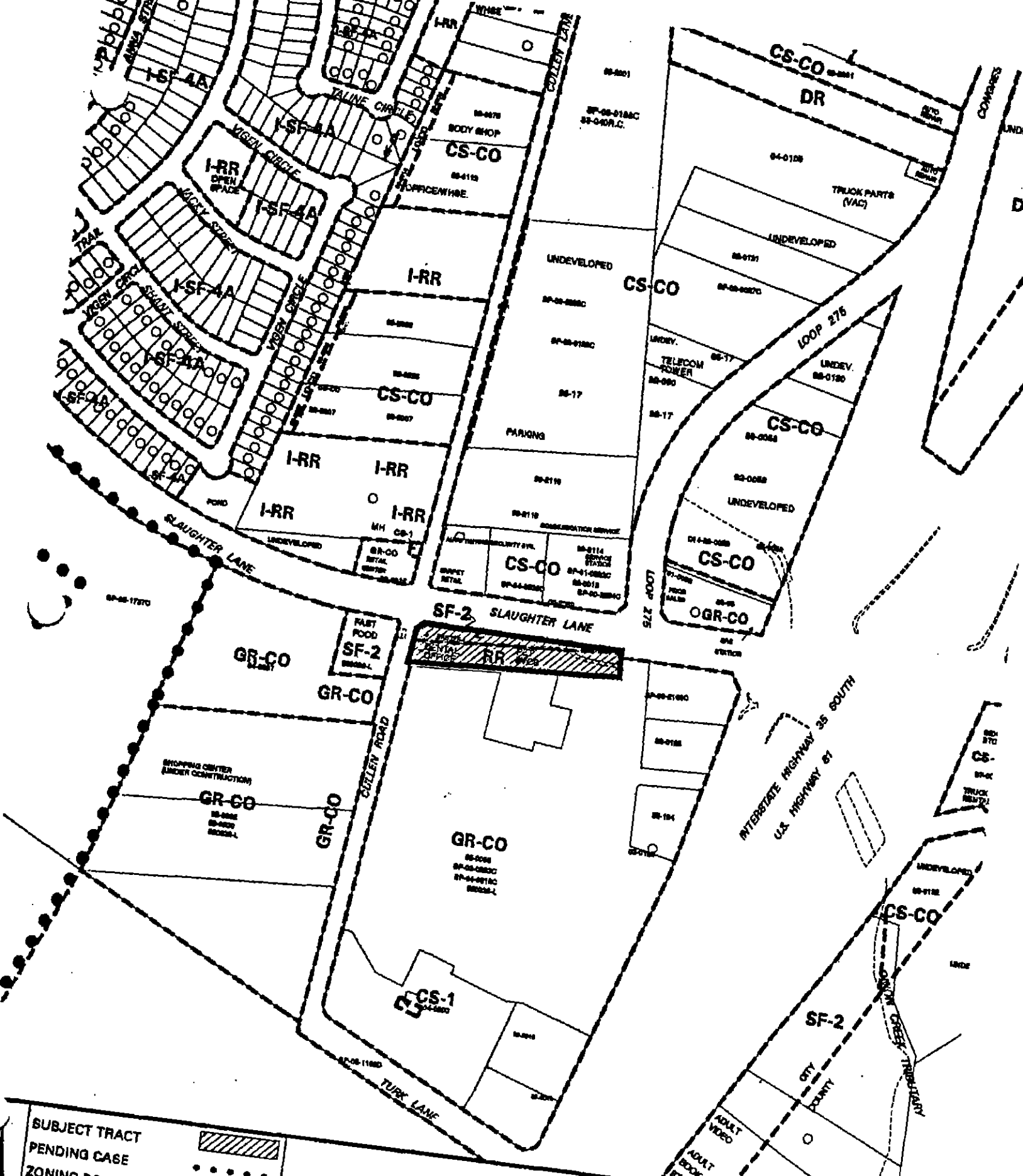
CITY COUNCIL DATE: May 25, 2006 **ACTION:** Approved a Postponement request by the Applicant to June 22, 2006 (7-0).

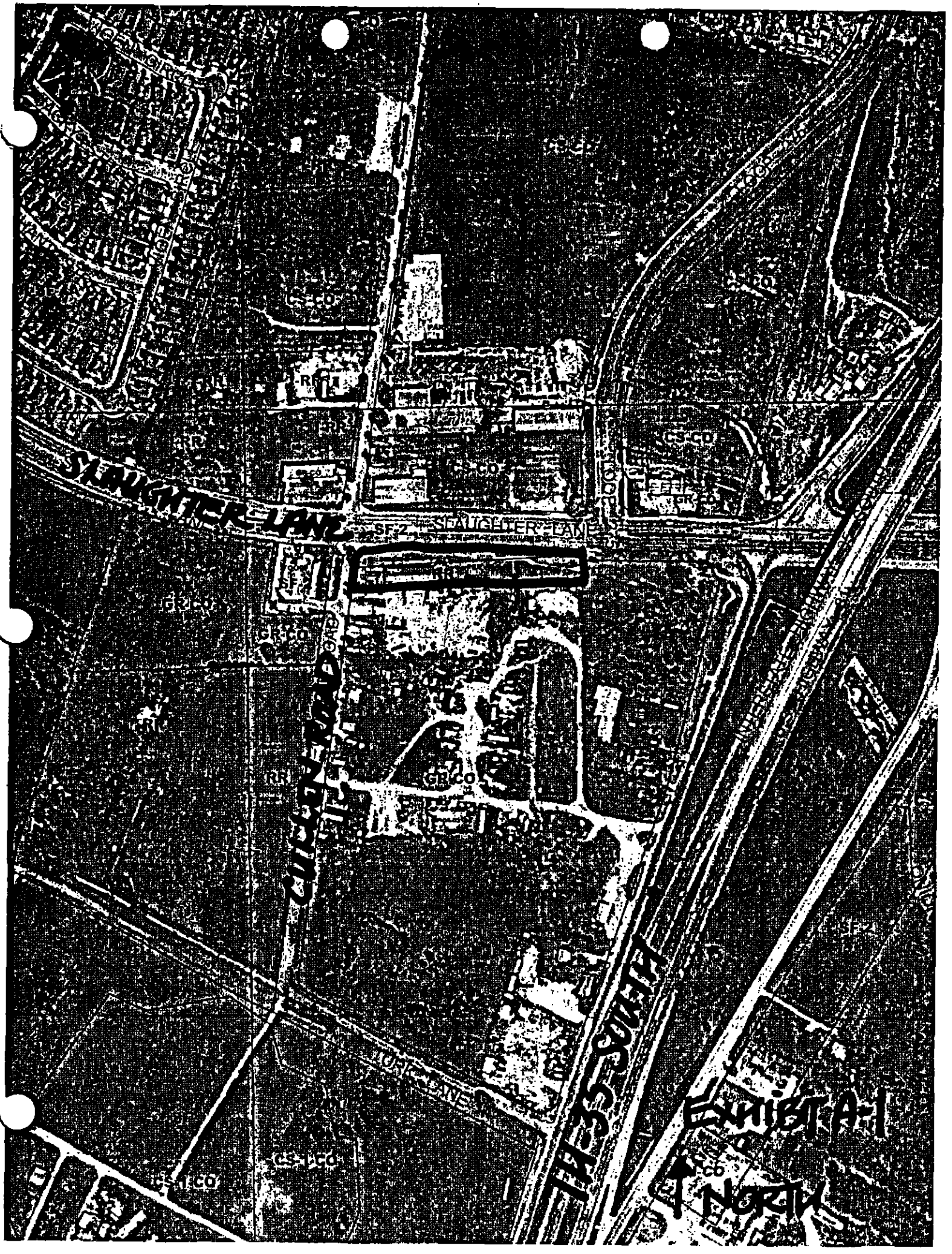
June 22, 2006

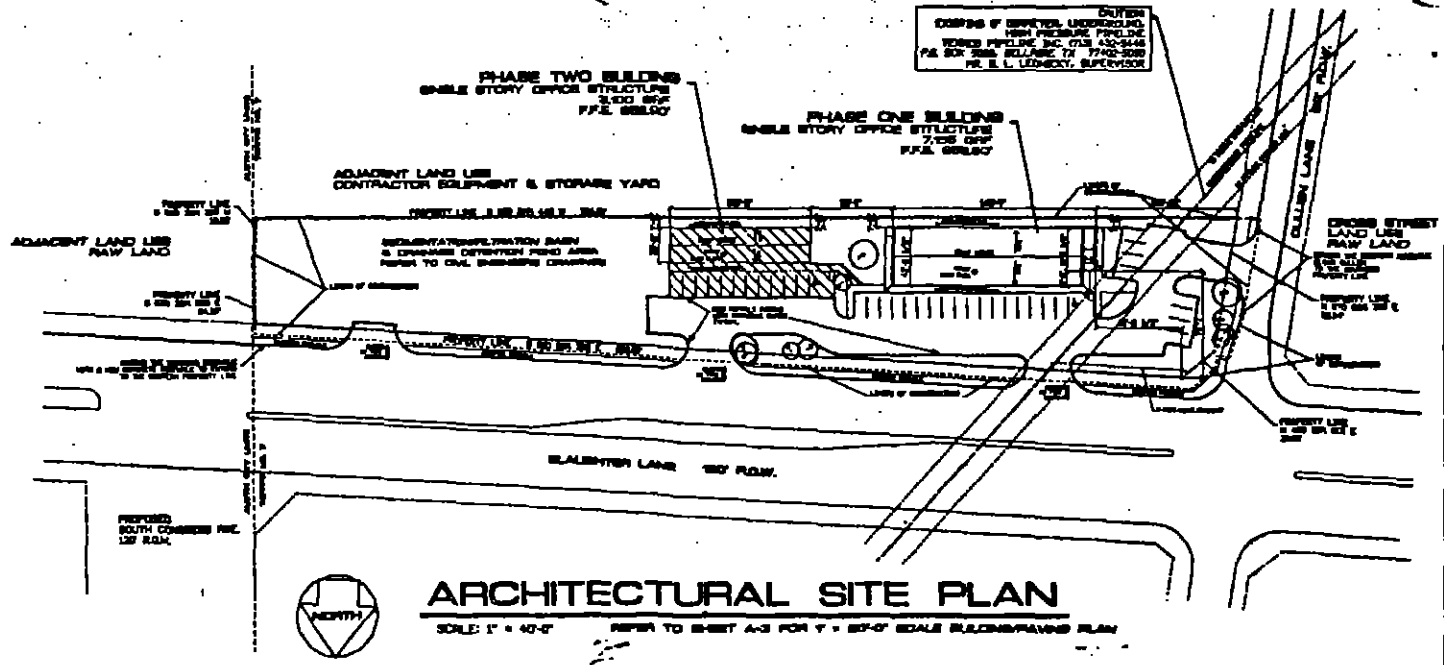
ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Walsh **PHONE:** 974-7719


SUBJECT TRACT
PENDING CASE
ZONING BOUNDARY
CASE MGR: W. WALSH
CASE #: C14-06-0059
ADDRESS: 135 W SLAUGHTER LN
SUBJECT AREA (acres): 1.510
ZONING Exhibit A
DATE: 06-03
INTLS: SM
CITY GRID REFERENCE NUMBER
G13
SLAUGHTER LANE
CULLEN ROAD
TURK LANE
LOOP 275
INTERSTATE HIGHWAY 35 SOUTH
U.S. HIGHWAY 81
CS-1
CS-CO
GR-CO
SF-2
I-RR
I-SF-4A
DR


SLAUGHTER LANE
SF-2
SLAUGHTER LANE
CS-CO
GR-CO
RR
EXHIBIT A-1
NORTH



ARCHITECTURAL SITE PLAN

SCALE: 1" = 40'-0" REFER TO SHEET A-3 FOR 1" = 20'-0" SCALE BUILDING/WING PLAN

SITE AREA CALCULATIONS

EXISTING SITE CONFIGURATION

PHASE ONE SITE CONFIGURATION

PHASE TWO SITE CONFIGURATION

TOTAL PROJECT SITE CONFIGURATION

GENERAL NOTES

1.
2.
3.
4.
5.

TREE SCHEDULE

REFER TO SHEET L-1 FOR TREE PROTECTION DETAILS/NOTES

PROJECT SUMMARY

PHASE ONE SUMMARY

PHASE TWO SUMMARY

TOTAL PROJECT SUMMARY

REVIEW//APPROVAL BLOCK

5-1-15

EXHIBIT B
APPROVED SITE PLAN

KAMPER DESIGN GROUP, INC.
ARCHITECTURE
KDS

PROJECT
OFFICE BUILDING
SLAUGHTER/CULLEN LANE
AUSTIN, TX 78748

LOT 1, BLOCK F, P.O. BOX 167, EAGLE LAKE, TX 77

SHEET TITLE
ARCHITECTURAL SITE PLAN

SHEET NUMBER
A-2

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The Conditional Overlay: 1) limits development of the property to less than 2,000 vehicle trips per day; and prohibits the following uses: 2) automotive rentals; automotive repair services; automotive sales; bail bond services; building maintenance services; commercial off-street parking; communications services; drop-off recycling collection facility; exterminating services; funeral services; indoor entertainment; indoor sports and recreation; off-site accessory parking; outdoor entertainment; outdoor sports and recreation; pawn shop services; research services; and, theater.
limits development of the property to less than 2,000 vehicle trips per day.

If the requested zoning is recommended for this site, 35 feet of right-of-way should be dedicated from the centerline of Cullen Lane in accordance with the Transportation Criteria Manual.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

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

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

   Staff recommends GR-CO zoning based on the following considerations of the property: 1) location at the intersection of West Slaughter Lane, a major arterial roadway and Cullen Road, a collector street, both of which are suitable for commercial uses and have good transportation access, and 2) properties on both sides of Slaughter Lane, east of Cullen Road and along the IH-35 frontage road are developed with commercial uses and carry CS or GR zoning. The dedication requirement for right-of-way along Cullen Lane will enable intersection and turning lane improvements to occur.

EXISTING CONDITIONS

Site Characteristics

The rezoning area is developed with a dental office and pet services use. There appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 80%, which is based on the more restrictive zoning regulations. The existing amount of impervious cover shown on the approved "D" Site Plan is 29.98%.

Environmental

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

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

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

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

If the requested zoning is recommended for this site, 35 feet of right-of-way should be dedicated from the centerline of Cullen Lane in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site. LDC, 25-6-55; TCM, Tables 1-7, 1-12.

The trip generation under the requested zoning is estimated to be 5,172 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be

limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Water and Wastewater

The 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 adjustments, and relocation. 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 all associated and applicable City fees.

Compatibility Standards

This tract is already developed with one of two buildings phased in SP-94-0495D (approximately 25,829 sq. ft. at 29.98% impervious coverage). The site is subject to compatibility standards. Along the west property line, the following standards apply:

- No structure may be built within 25' feet of the property lines.
- 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.
- A landscape area at least of 5 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

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