





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

AGENDA

			
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Thursday, August 10, 2006

 + [Back](#)  [Print](#)**Zoning and Neighborhood Plan Amendments
(Public Hearings and Possible Action)
RECOMMENDATION FOR COUNCIL ACTION****ITEM No. 69**

Subject: C14-06-0116 - 1017 West Slaughter - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1017 West Slaughter Lane (Slaughter Creek Watershed) from development reserve (DR) district zoning to neighborhood commercial (LR) district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning for Tract 1, and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2. Applicant: Elinor Walther (Elinor Kosta). Agent: Land Answers (Jim Wittliff). City Staff: Wendy Walsh, 974-7719.

Additional Backup Material

(click to open)

 [Staff Report](#)**For More Information:** Wendy Walsh, 974-7719.

ZONING CHANGE REVIEW SHEET

CASE: C14-06-0116

Z.P.C. DATE: June 20, 2006

ADDRESS: 1017 West Slaughter Lane

OWNER: Elinor Walther
Justelle (Elinor Kosta)

AGENT: Land Answers
(Jim Wittliff)

ZONING FROM: DR

TO: LR

AREA: 1.590 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood commercial – conditional overlay (LR-CO) combining district zoning for Tract 1 and limited office – conditional overlay (LO-CO) combining district zoning for Tract 2, as shown in Exhibit B. The Conditional Overlay limits the number of vehicle trips to less than 2,000 per day.

ZONING & PLATTING COMMISSION RECOMMENDATION:

June 20, 2006: *APPROVED STAFF'S RECOMMENDATION FOR LR-CO DISTRICT ZONING FOR TRACT 1; LO-CO DISTRICT ZONING FOR TRACT 2; BY CONSENT.*
[J. MARTINEZ, M. HAWTHORNE 2ND] (7-0) S. HALE, J. GOHIL – ABSENT

ISSUES:

The Applicant is in agreement with the Staff recommendation and would like to add a mixed use (MU) district on both tracts.

DEPARTMENT COMMENTS:

The subject lot is developed with a recently installed snow cone business that operates out of a manufactured home, zoned development reserve (DR) and located along West Slaughter Lane. The lot is situated between DR zoned properties the west (an auto repair business which preceded annexation) and undeveloped land to the east, residential neighborhoods with commercial and office zoned properties (GR, LR, LO) at or near intersections with Slaughter Lane. There is an undeveloped 13-acre tract to the south zoned SF-1-CO, with the Conditional Overlay limited to 28 residential units. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The snow cone business, a food sales use, has been in operation since early Spring 2006, and the six-month permit for a construction trailer on site expired in February 2006. The permit issued by the City of Austin allowed for the storage of construction materials, but not sales.

The Applicant proposes to rezone the tract to the neighborhood commercial (LR) district order to continue operation and resolve permitting issues. The Applicant has also expressed an interest in providing additional commercial and office development on site.

In consideration of the property's frontage on a major arterial, and proximity to other commercially zoned or used properties on West Slaughter Lane, Staff divided the lot into two zoning tracts. For the Slaughter Lane frontage and extending 400 feet south (thus 0.82 acres, 36,000 square feet), Staff recommends LR district zoning (Tract 1). This depth is consistent with that of the undeveloped LR zoned property to the west. For the balance of the property (Tract 2) which is presently adjacent to undeveloped land with low density zoning (DR and SF-1-CO), Staff recommends limited office (LO) district in order to provide greater compatibility. The Conditional Overlay limits the number of daily vehicle trips to 2,000 trips across both Tracts 1 and 2. Please refer to Exhibit C.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	Snow cone business
<i>North</i>	GR; LR; SF-2; DR; SF-4A	Child care facility; Single family residences; Undeveloped
<i>South</i>	SF-1-CO; I-RR	Undeveloped
<i>East</i>	DR; P; MF-2-CO	Undeveloped; Park; Apartments
<i>West</i>	DR; LR; P; SF-2; SF-1; RR	Auto repair; Drainage channel; Electric substation; Single family residences

AREA STUDY: N/A

TIA: Is not required

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

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

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
 511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District
 948 – South by Southeast Neighborhood Organization

SCHOOLS:

Casey Elementary School Paredes Middle School Charles Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0217 – 1204 West Slaughter Lane	SF-2 to LR-CO	To Grant LO	Approved LO district zoning (4-20-06).
C14-02-0079 – Stone Tract	I-RR to SF-3	To Grant SF-1-CO with CO for a maximum of 28 units.	Approved SF-1-CO as ZAP recommended (1- 16-03).
C14-01-0170 – Andrasi Zoning Change	SF-2 to LO	To Grant LO-CO with CO to prohibit medical office uses	Approved LO-CO as ZAP recommended (2- 7-02).
C14-00-2098 – Blackhawk Apartments	SF-1 to MF-1- CO and LR-CO	To Grant MF-1-CO and LR-CO, w/conditions	Approved MF-1-CO and LR-CO, with CO for Traffic Impact Analysis; 13.24 u.p.a. (300 units); 15' vegetative buffer along David Moore Rd; list of prohibited uses (1- 25-01).
C14-98-0270 – Uresti Day Care	DR, SF-2 to GR	To Grant LO-CO & LR-CO, w/conditions	Approved LR-CO and LO-CO with CO for 2,000 trips, prohibit access to Chisholm Lane, prohibit service station and financial services (7-15-99).
C14-87-043 – City of Austin Electric	DR to P	To Grant P	Approved P (5-7-87).
C14R-86-197 – Soeburn O. and Dorothy Carter	I-SF-2 to LR	To Grant LR subject to conditions	Approved LR with an attached site plan and Street Deed (3-5-87).
C14-86-016 – La Petite Academy	SF-2 to GR	To Grant GR subject to site plan approval and Restrictive Covenant	Approved GR with a Restrictive Covenant limiting the property to day care services and subject to site plan approval (12-4-86).

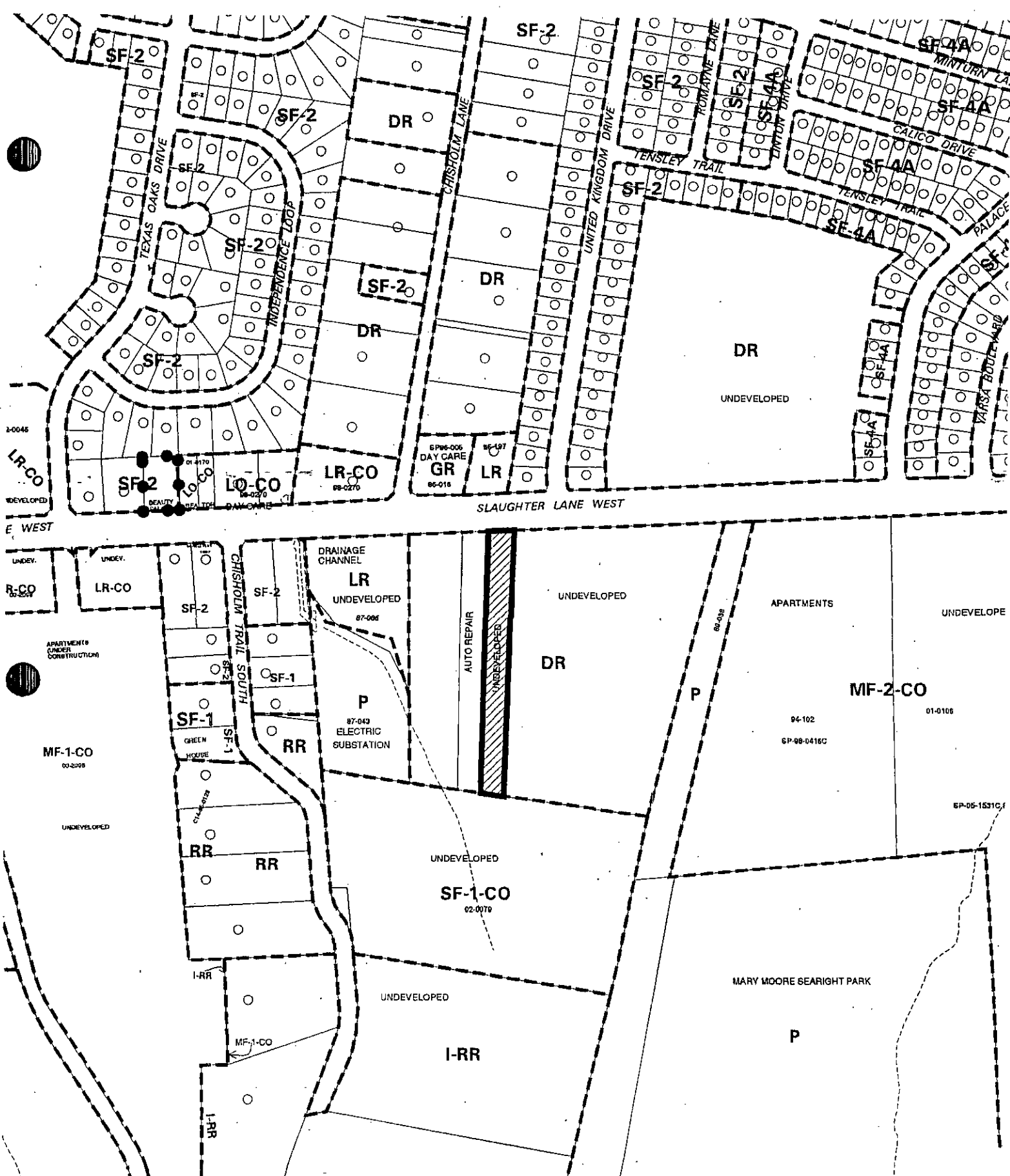
RELATED CASES:


The property was annexed into the City limits in November 1984. The property is platted as The Resubdivision of Tract C of the Etta Chappell Estate Farm Tract Subdivision, recorded in March 1978. Please refer to Exhibit B.

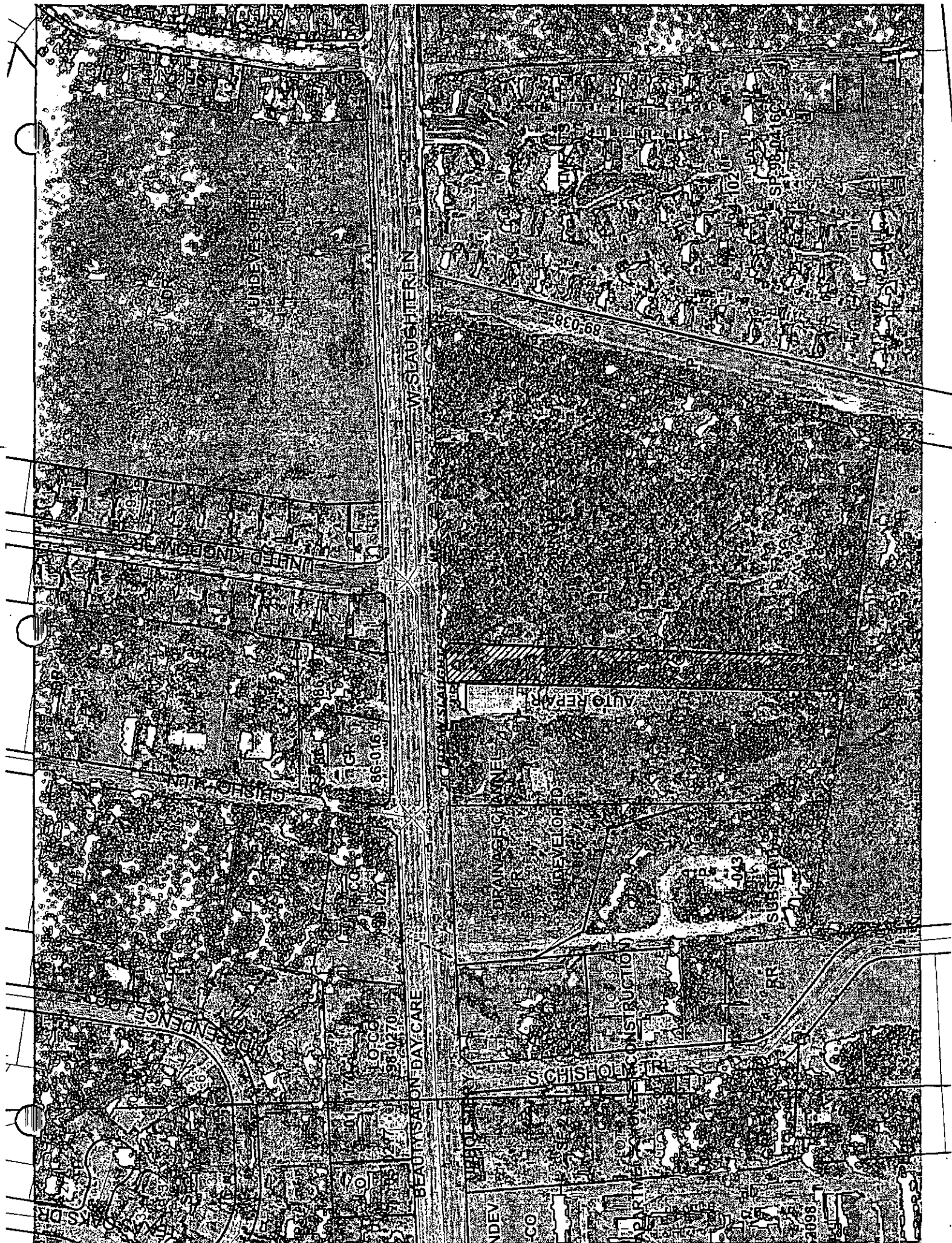
ABUTTING STREETS:

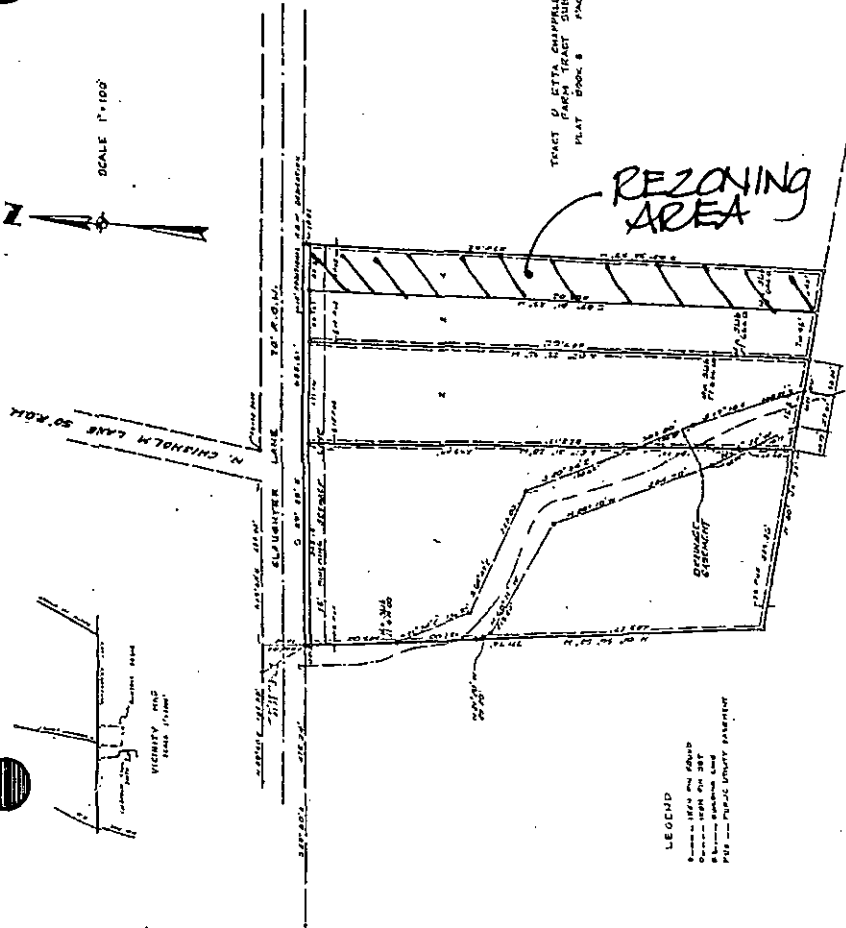
Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
West Slaughter Lane	120 feet	2 @ 36 feet	Arterial	No	Yes	Priority 2

CITY COUNCIL DATE: August 10, 2006**ACTION:****ORDINANCE READINGS:** 1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Wendy Walsh
e-mail: wendy.walsh@ci.austin.tx.us**PHONE:** 974-7719



 <p>1" = 400'</p> <p>SUBJECT TRACT</p> <p>PENDING CASE</p> <p>ZONING BOUNDARY</p> <p>CASE MGR: W. WALSH</p>	<p>CASE #: C14-06-0116</p> <p>ADDRESS: 1017 W SLAUGHTER LN</p> <p>SUBJECT AREA (acres): 1.590</p>	<p>ZONING <i>Exhibit A</i></p> <p>DATE: 06-05</p> <p>INTLS: SM</p>	<p>CITY GRID REFERENCE NUMBER</p> <p>F14</p>
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TRACT C OF ETTA CHAPPELL ESTATE
FARM TRACT SUBDIVISION

THE STATE OF TEXAS
COUNTY OF TRAVIS

David L. Conrad, Surveyor
1/16/78
AUSTIN, TEXAS COUNTY CLERK'S OFFICE

WITNESSES MY HAND AND SEAL OF THE COUNTY COURT OF TRAVIS COUNTY, TEXAS, THIS 16th DAY OF JANUARY, 1978.

RECEIVED
DEC 7 1977
COUNTY CLERK
AUSTIN, TEXAS

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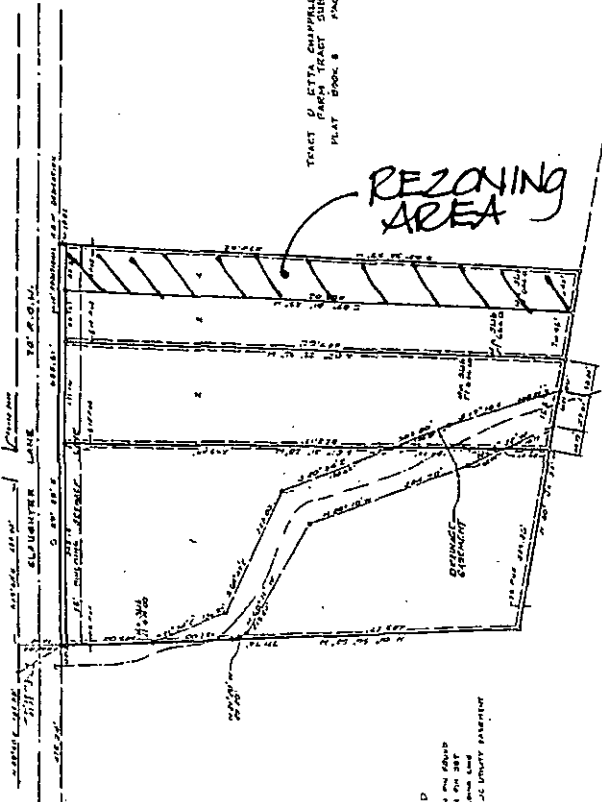
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EXHIBIT
B
RECORDED
PLAT

THE STATE OF TEXAS
COUNTY OF TRAVIS

SCALE 1"=100'

VIEWER'S NAME
DATE



TRACT C OF ETTA CHAPPELL ESTATE
FARM TRACT SUBDIVISION
PLAT BOOK 8 PAGE 226

REZONING
AREA

LEGEND

Survey - 1/16/78
Owner - 1/16/78
Plat - 1/16/78
Date - 1/16/78

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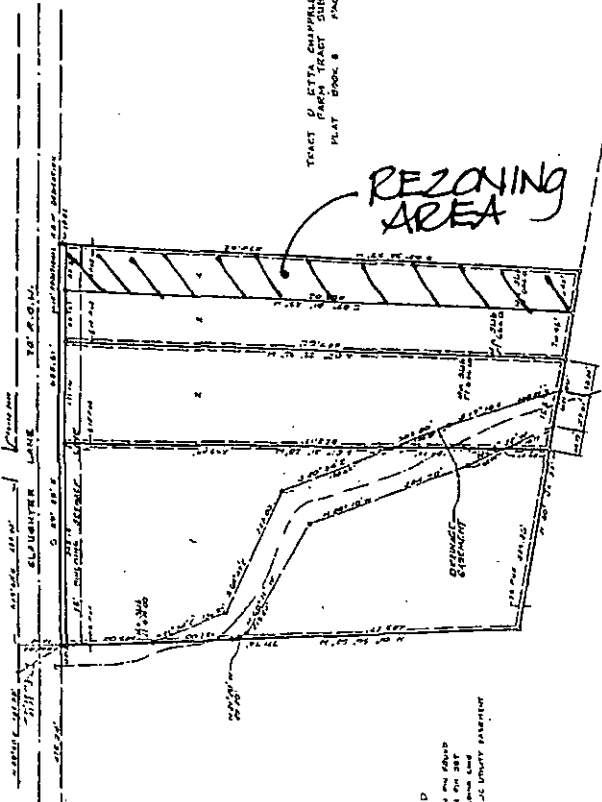
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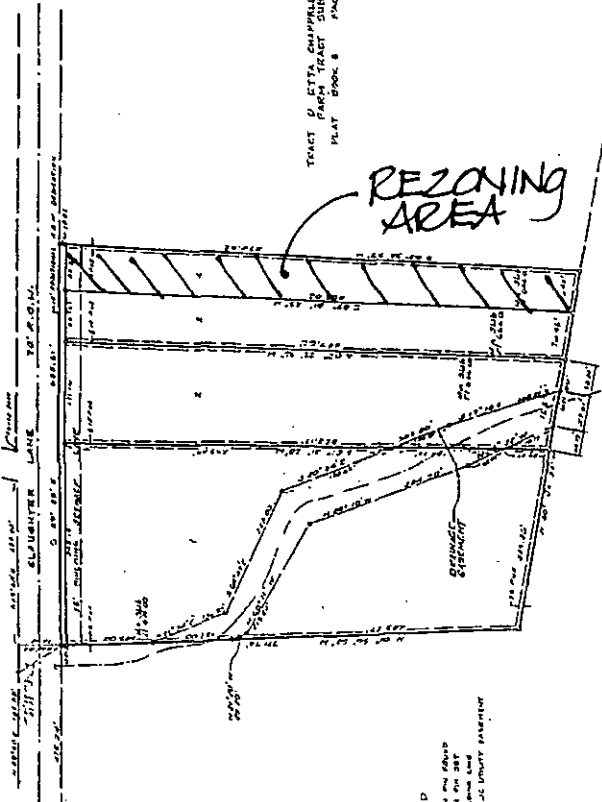
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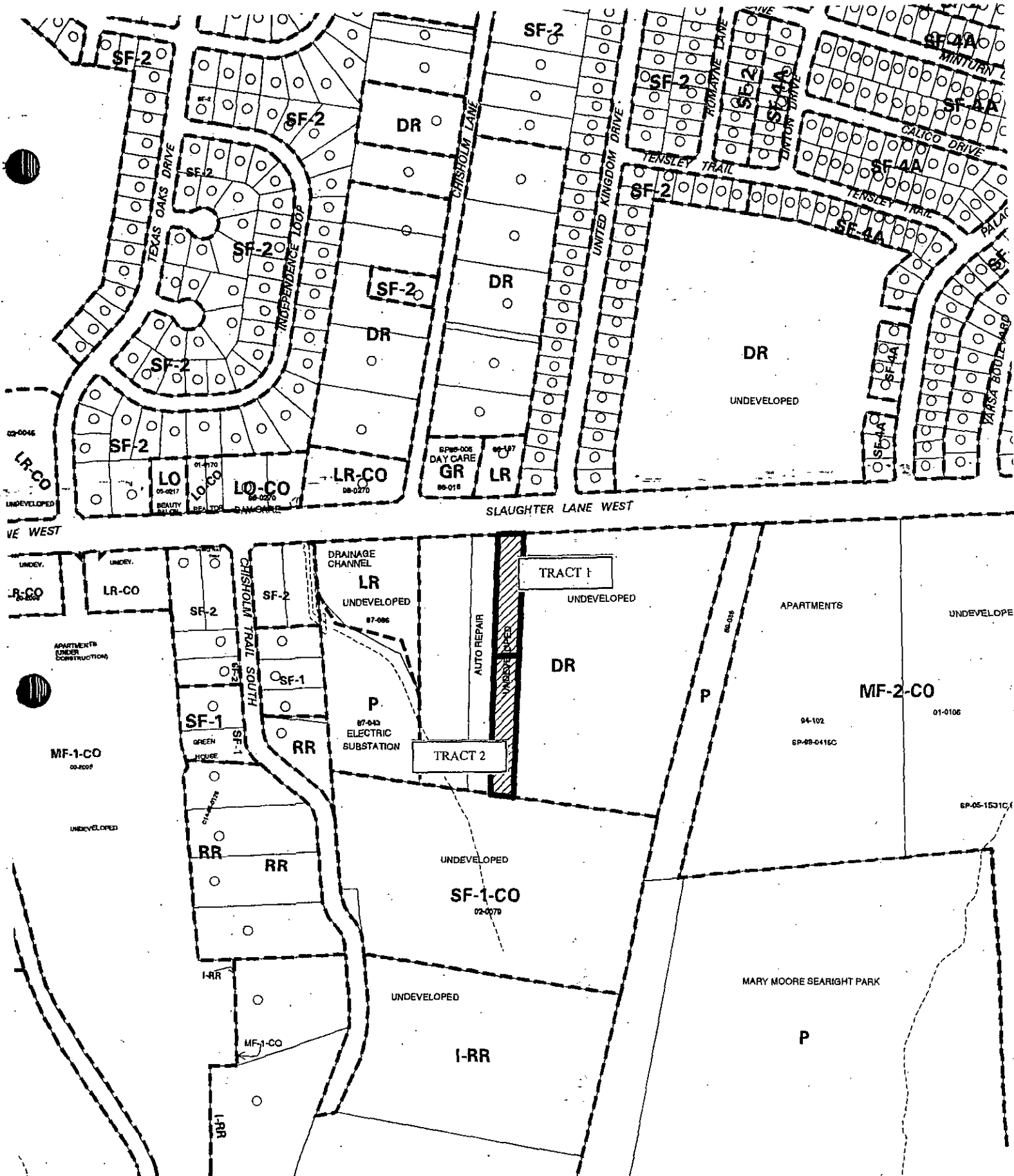
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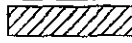


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 * = 400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: W. WALSH	  	CASE #: C14-06-0116 ADDRESS: 1017 W SLAUGHTER LN SUBJECT AREA (acres): 1.590	ZONING <i>EXHIBIT C</i> DATE: 08-07 INTLS: SM	CITY GRID REFERENCE NUMBER F14
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SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood commercial – conditional overlay (LR-CO) combining district zoning for Tract 1 and limited office – conditional overlay (LO-CO) combining district zoning for Tract 2, as shown in Exhibit B. The Conditional Overlay limits the number of vehicle trips to less than 2,000 per day.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The LR, Neighborhood Commercial 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."

LO zoning is intended for office use predominantly serving the neighborhood or community needs, such as professional, semi-professional and medical offices, which may be located within or adjacent to residential neighborhoods. The proposal meets the purpose statement set forth in the *Land Development Code*. The subject lot is adjacent to a neighborhood that is largely single family. The proposed medical office use would potentially serve the surrounding neighborhoods and the mixed use component would allow for residential uses on the property, which should be encouraged in the City's Desired Development Zone.

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

In consideration of the property's frontage on a major arterial, and proximity to other commercially zoned or used properties on West Slaughter Lane, Staff divided the lot into two zoning tracts. For the Slaughter Lane frontage and extending 400 feet south (thus 0.82 acres, 36,000 square feet), Staff recommends LR district zoning (Tract 1). This depth is consistent with that of the undeveloped LR zoned property to the west. For the balance of the property (Tract 2) which is presently adjacent to undeveloped land with low density zoning (DR and SF-1-CO), Staff recommends limited office (LO) district in order to provide greater compatibility. The Conditional Overlay limits the number of daily vehicle trips to 2,000 trips across both Tracts 1 and 2.

EXISTING CONDITIONS

Site Characteristics

The site contains a snow cone business. There appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the LR zoning district would be 80% which is a consistent figure between the watershed and zoning regulations. The maximum impervious cover allowed by the LO zoning district would be 70%, which is based on the more restrictive zoning regulations.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development 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%

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.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

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

Transportation

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

The trip generation under the requested zoning is estimated to be 3,409 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, and system upgrades. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.

Compatibility Standards

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

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

The site is subject to compatibility standards. Along the rear property line, the following standards apply:

- Side and rear building setbacks are 20 feet.
- The front building setback is 25 feet.
- 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 within 13 feet of the property line.
- No driveway within 8 feet of 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.

- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

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

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: C14-06-0116

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

June 20, 2006 Zoning and Platting Commission

JAMEE F. STEWART

Your Name (please print)

1025 Slaughter Lane, Austin TX

Your address(es) affected by this application

Jamee F. Stewart

Signature

6/14/06

Date

Comments: Ph. 512-331-7379



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