

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2017-0146 – 2105 West Slaughter Rezoning **Z.A.P. DATE:** February 6, 2018

**ADDRESS:** 2105 and 2107 West Slaughter Lane; 2109 Riddle Road

**DISTRICT AREA:** 5

**OWNER:** THS, LLC  
(Randall Traywick)

**AGENT:** Metcalfe Wolff Stuart  
& Williams, LLP  
(Michele Rogerson Lynch)

**ZONING FROM:** LR-MU-CO **TO:** LR-MU-CO, **AREA:** 0.86 acres  
change a condition of zoning (37,461.60 square feet)

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant neighborhood commercial – mixed use – conditional overlay (LR-MU-CO) district zoning and change the CO to allow for food sales and prohibit alternative financial services, medical offices exceeding 5,000 square feet, off-site accessory parking and hospital services (limited). The remainder of the prohibited uses and the 2,000 daily vehicle trips limit shown in Exhibit C would remain intact.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

February 6, 2018: *APPROVED LR-MU-CO DISTRICT ZONING AS STAFF  
RECOMMENDED, BY CONSENT*

*[A. AGUIRRE; D. KING – 2<sup>ND</sup>] (10-1) B. EVANS - NAY*

### **ISSUES:**

The Applicant's rezoning request is outlined in correspondence attached to the back of the Staff report.

### **DEPARTMENT COMMENTS:**

The subject property is located approximately 700 feet west of the Slaughter / Manchaca intersection and contains two platted, undeveloped lots zoned neighborhood commercial – mixed use – conditional overlay (LR-MU-CO) district. The Conditional Overlay limits development to general retail sales (convenience) and restaurant (limited) and all general office (GO) uses, and 2,000 trips per day. The western portion of the rezoning area has access to a driveway that functions as the terminus of Riddle Road; the eastern portion has driveway access to West Slaughter Lane. There are pet services and personal services to the east (LR-MU-CO; GO-MU-CO), single family residences on platted lots to the south, (SF-2) and an office to the west (NO). Across Slaughter Lane to the north is a shopping center (GR). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant is requesting a change to the Conditional Overlay to allow for food sales (first permitted in the LR district) and construct a market/deli. The Applicant is willing to prohibit alternative financial services (not a defined use in the Land Development Code until April 2012), medical offices exceeding 5,000 square feet, off-site accessory parking and hospital services (limited) (the latter three all permitted in the general office (GO) district), and retain the 2,000 vehicle trips per day limit.

This rezoning change would introduce food sales as a permitted use to this block of office and commercial zoning and uses. Within the past seven years, more intensive office and commercial zoning has been granted for two adjacent properties on this block of Riddle Road/Slaughter Lane. The subject rezoning area is uniquely situated in that it benefits from two driveways, one to Riddle Road, a collector street and another to West Slaughter Lane, an arterial. A food sales use is viewed as an incremental change that could serve the residential neighborhood to the south and west without necessitating access to Slaughter Lane, and capture eastbound pass-by traffic. Given the size of the lot and applicability of compatibility standards along the south property line, any resulting office or commercial development would be of relatively small scale.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	LR-MU-CO	Undeveloped
<i>North</i>	GR	Shopping center with retail and restaurant uses, auto repair business and liquor store
<i>South</i>	SF-2	Single family residences
<i>East</i>	LR-MU-CO; NO-CO	Pet services; Personal services use
<i>West</i>	SF-2; NO	Office; Single family residences

**AREA STUDY:** N/A

**TIA:** Is not required

**WATERSHED:** Slaughter Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** Yes

**NEIGHBORHOOD ORGANIZATIONS:**

217 – Tanglewood Forest Neighborhood Association	
242 – Slaughter Lane Neighborhood Association	511 – Austin Neighborhoods Council
627 – Onion Creek Homeowners Association	
742 – Austin Independent School District	943 – Save Our Springs Alliance
1214 – Baurle Ranch Homeowners Association	
1228 – Sierra Group, Austin Regional Group	1363 – SEL Texas
1424 – Preservation Austin	1528 – Bike Austin
1530 – Friends of Austin Neighborhoods	1559 – Palomino Park HOA
1531 – South Austin Neighborhood Alliance	

1550 – Homeless Neighborhood Association

1578 – South Park Neighbors

1596 – TNR BCP – Travis County Natural Resources

**SCHOOLS:**

Kocurek Elementary School

Bailey Middle School

Akins High School

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0087 – 2103 West Slaughter Lane Zoning Change	GO-MU-CO to LR-MU, as amended	To Grant LR-MU-CO w/the CO allowing for personal improvement services, personal services and all NO uses & devt regs, and maintaining the existing SF-2 for that portion of the lot fronting Allred Dr	Apvd LR-MU-CO as Commission recommended, w/an addl permitted use of general retail sales (convenience) (8-07- 2014).
C14-2012-0162 – Riddle Road Retail Center – 2301 Retail Rd	SF-2 to LO, as amended	To Grant	Apvd (5-09-2013).
C14-2011-0168 – Dean's .524 – 2101 West Slaughter Lane	NO-CO to GO- MU-CO	To Grant GO-MU-CO w/the CO for: 1) a 25' vegetative buffer along the south property line, 2) prohibits vehicular access to Allred Drive, and 3) and allows for personal services and other permitted neighborhood office (NO) zoning district uses and development regulations	Apvd GO-MU-CO (3-01-2012).
C14-2011-0136 – Traywick 3 – 2105 and 2107 W. Slaughter Ln.; 2109 Riddle Rd.	SF-2; LO-CO to LR	To Grant GO-MU-CO and LO-MU-CO	Apvd LR-MU-CO, w/CO limited to general retail sales (convenience) and restaurant (ltd), all GO uses and 2,000 trips (2-2-2012).
C14-2008-0114 –	SF-2 to LR	To Grant LO-CO	Apvd LO-CO as

2105 and 2107 West Slaughter Ln		w/CO limited to medical offices, NO uses and NO development regulations for impervious cover and height	Commission recommended (8-21- 2008).
C14-02-0083 – 2308 Riddle Road	DR to SF-3	To Grant	Apvd (8-22-2002).
C14-02-0061 – Lot 7, Rezone – 2101 West Slaughter Ln	SF-2 to NO	To Grant NO-CO with 25' buffer on south and west sides of property	Apvd NO-CO with CO for a 25' vegetative buffer and prohibiting access to Allred Drive (8-1-2002).
C14-97-0120 – Residential Services – 2111 West Slaughter Ln	SF-2 to NO	To Grant	Apvd (11-20-1997).

### **RELATED CASES:**

The property is platted as Lot 3 of the Three Oaks subdivision and Lot 5, Block A of the Ford Oaks subdivision, recorded in June 1946 (C8s-63-050; C8-1946-1765). Notes on the Ford Oaks plat that was recorded in 1946 designate the use of all lots except for four lots located at the intersection of Riddle Road and Allred Drive to residential uses. However, a subsequent plat note states that, "...these restrictions and covenants shall be binding until January 1, 1960. Please refer to Exhibit B (Recorded Plats).

There are no site plan applications approved or in process on the subject property.

Lot 5 (the eastern lot) was rezoned to LO-CO with the CO limited to medical offices, neighborhood office (NO) uses, and NO development regulations for impervious cover and height on August 21, 2008 (C14-2008-0114 – 2105 and 2107 West Slaughter Lane).

On February 2, 2012, Council approved LR-MU-CO for unspecified office/retail purposes. The Conditional Overlay limited development to general retail sales (convenience) and restaurant (limited) and all GO uses, and 2,000 trips per day (C14-2011-0136 – Traywick 3).

### **ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
West Slaughter Lane	100 – 160 feet	2 @ 24 feet	Major Arterial Divided – 4 lanes	Yes	Yes	Yes

**CITY COUNCIL DATE:** March 1, 2018

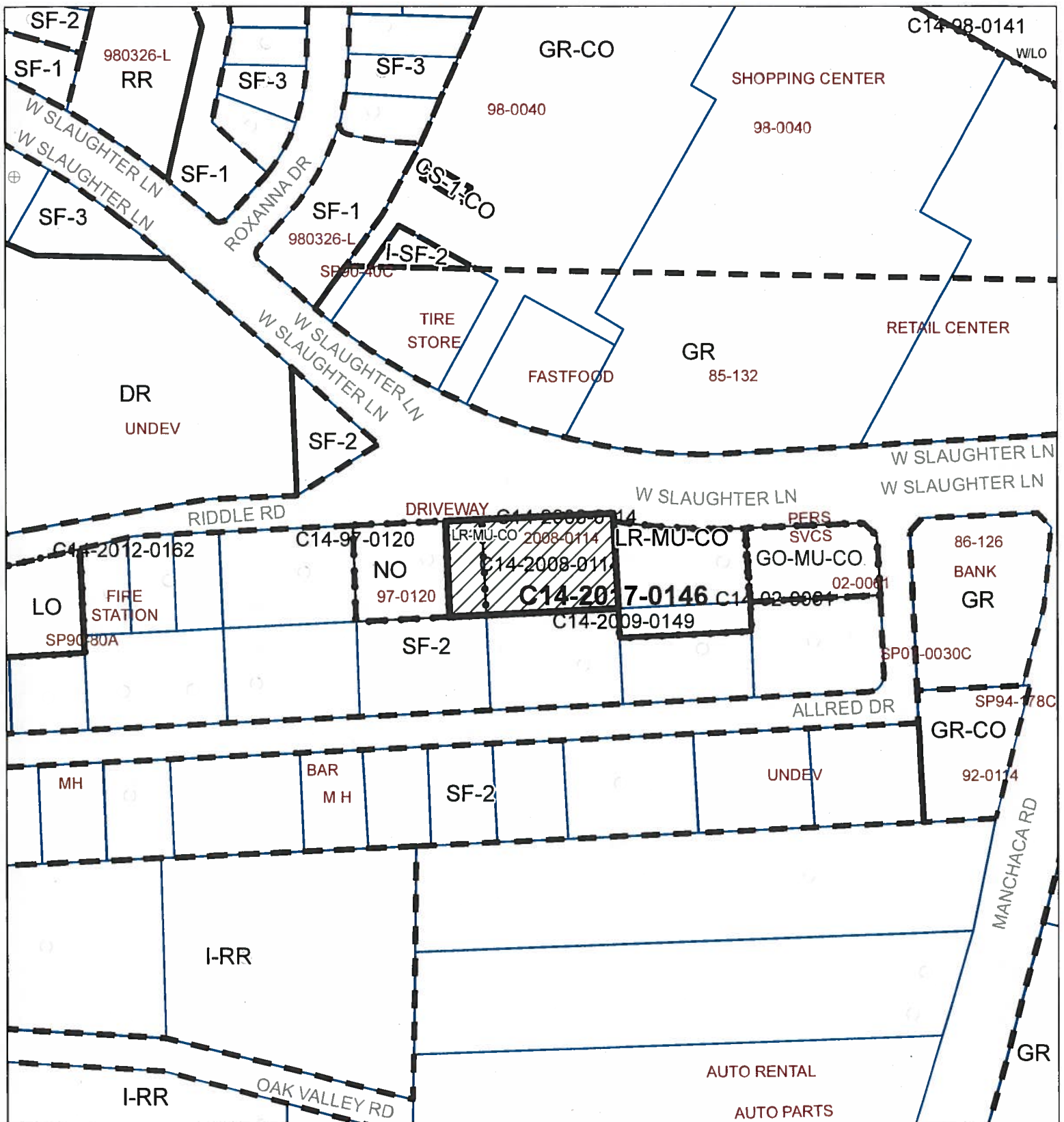
**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>                      2<sup>nd</sup>                      3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades  
e-mail: [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov)

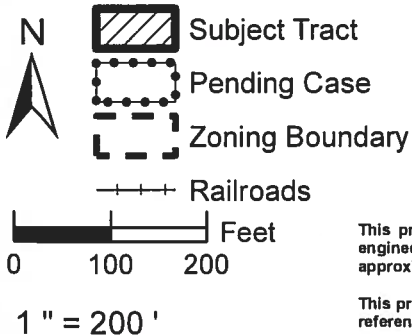
**PHONE:** 512-974-7719



## ZONING

Case#: C14-2017-0146

*EXHIBIT A*



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 11/28/2017



1" = 200'

- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY
- CREEK BUFFER

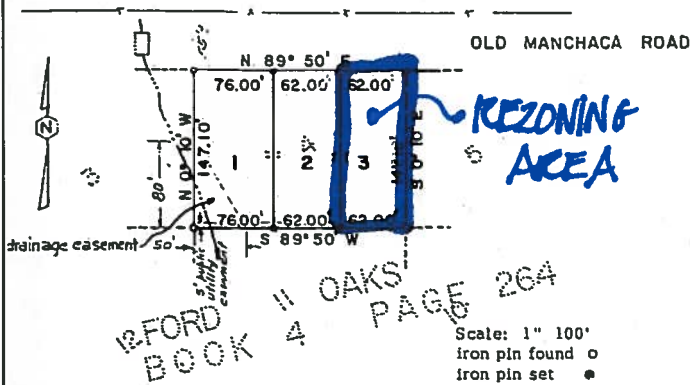
## 2105 WEST SLAUGHTER REZONING

ZONING CASE#: C14-2017-0146  
 LOCATION: 2105 WEST SLAUGHTER LANE  
 SUBJECT AREA: 0.86 ACRES  
 GRID: E14  
 MANAGER: WENDY RHOADES

*Exhibit A-1*



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



In approving this Plat by the Commissioner's Court of Travis County, Texas, it is understood that the building of all streets, roads and other public thoroughfares delineated and shown on this plat, and all bridges and culverts necessary to be constructed or placed in such streets, roads or other public thoroughfares, or in connection therewith, shall be the responsibility of the owner and/or the developer of the tract of land covered by this plat, in accordance with plans and specifications prescribed by the Commissioner's Court of Travis County, Texas, and the Commissioner's Court of Travis County, Texas, assumes no obligations to build the streets, roads and other public thoroughfares shown on this Plat or of constructing any bridges or culverts in connection therewith.

STATE OF TEXAS  
COUNTY OF TRAVIS

I, Miss Emilie Limberg, County Clerk of Travis County, Texas, do hereby certify that on the 10 day of June AD 1963, the Commissioner's Court of Travis County, Texas, passed an order authorizing the filing of record of this plat and that said order has been duly entered in the Minutes of said Court in Book 3 Page 354.

WITNESS MY HAND AND SEAL OF OFFICE this  
the 10 day of June AD 1963.

Emilie Limberg  
Miss Emilie Limberg, Clerk County Court, Travis County, Texas  
By A. Ranker  
Deputy

FILED FOR RECORD at 10:30 clock A.M. on the 10 day of June AD 1963

By Elmer Pruitt MISS EMILIE LIMBERG  
Deputy Clerk, County Court, Travis County, Texas

THE STATE OF TEXAS  
COUNTY OF TRAVIS

I, Miss Emilie Limberg, Clerk of County Court, within and for the County and State aforesaid, do hereby certify that the within and foregoing instrument of writing with its Certificates of Authentication was filed for record in my office on the 10 day of June AD at 10:30 clock A.M. and duly recorded on the 10 day of June AD at 10:30 clock M. in the Plat Records of said County in Book 17, Page 86.

WITNESS MY HAND AND SEAL OF OFFICE of the County Court of said County, the date last written above.

By A. Ranker MISS EMILIE LIMBERG  
Deputy Clerk, County Court, Travis County, Texas

STATE OF TEXAS  
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS: That Chesley Construction and Development Corporation, a corporation organized and existing under the laws of the State of Texas, acting herein by and through its duly authorized president, J. F. Chesley, does hereby subdivide lot 4, Block A, Ford Oaks lying in Travis County, Texas, and being that tract of land conveyed to Chesley Construction and Development Corporation by deed dated April 9, 1963 recorded in Book 2574, page 39 of the Deed Records of Travis County, Texas, does hereby adopt this Plat, of said subdivision to be known as THREE OAKS and does hereby dedicate the streets and easements shown and noted hereon to the use of the public.

IN WITNESS WHEREOF, the said Chesley Construction and Development Corporation, aforesaid, has caused these presents to be signed by J. F. Chesley, its president, and its common seal to be hereunto affixed by Winnie D. Tidwell, its secretary, this the 10 day of April, AD 1963.

CHESLEY CONSTRUCTION AND DEVELOPMENT  
CORPORATION

By J. F. Chesley  
J. F. Chesley, President

Attest:

Winnie D. Tidwell  
Winnie D. Tidwell, Secretary

THE STATE OF TEXAS  
COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, on this day personally appeared J. F. Chesley, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 10 day of April AD 1963.

Notary Public in and for Travis County, Texas

APPROVED FOR ACCEPTANCE Date:

Director of Planning  
ACCEPTED AND AUTHORIZED FOR RECORD  
BY THE PLANNING COMMISSION  
Date:

Secretary  
Secretary

Date:

Vice-Chairman  
Vice-Chairman

NOTE: Each house constructed in this subdivision shall be connected to a septic tank with a capacity of not less than 500 gallons and with a drain field of not less than 150 feet, and shall be installed in accordance with the regulations of the city-county health officer and shall be inspected and approved by such officer. This restriction is enforceable by the City of Austin-Travis County Health Unit and/or the subdivider.

Surveyed by:  
WELDON R. HUDSON  
CONSULTING ENGINEER  
Date: April-8-1963.

By Registered Professional Engineer  
Registered Professional Engineer

CBs-63-50

EXHIBIT B  
RECORDED PLAT



**ORDINANCE NO. 20120202-024**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2105 AND 2107 WEST SLAUGHTER LANE AND 2109 RIDDLE ROAD FROM SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT, AND LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT TO NEIGHBORHOOD COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (LR-MU-CO) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base districts on the property (the "Property") described in Zoning Case No. C14-2011-0136, on file at the Planning and Development Review Department, as follows:

Tract 1: From single family residence standard lot (SF-2) district to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district.

Lot 3, Three Oaks Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 17, Page 86 of the Plat Records of Travis County, Texas of the Official Public Records of Travis County, Texas; and,

Tract 2: From limited office-conditional overlay (LO-CO) combining district to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district.

Lot 5, Block A, Ford Oaks Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 4, Page 264 of the Plat Records of Travis County, Texas of the Official Public Records of Travis County, Texas,

locally known as 2105 and 2107 West Slaughter Lane and 2109 Riddle Road in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
- B. The following uses are prohibited uses of the Property:

Consumer convenience services	Consumer repair services
Custom manufacturing	Financial services
Food sales	General retail sales (general)
Personal improvement services	Pet services
Plant nursery	Restaurant (general)
Service station	

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the neighborhood commercial (LR) base district, the mixed use combining district, and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on February 13, 2012.




**PASSED AND APPROVED**

February 2, 2012 §  
Lee Jeffingwell  
Mayor

APPROVED: Karen M. Kennard  
City Attorney

ATTEST: Shirley A. Gentry  
City Clerk



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

## ZONING

ZONING CASE#: C14-2011-0136

Exhibit A



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant neighborhood commercial – mixed use – conditional overlay (LR-MU-CO) district zoning and change the CO to allow for food sales and prohibit alternative financial services, medical offices exceeding 5,000 square feet, off-site accessory parking and hospital services (limited). The remainder of the prohibited uses and the 2,000 daily vehicle trips limit shown in Exhibit C would remain intact.

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

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

The LR-MU-CO, 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.” The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. The conditional overlay (CO) combining district may be applied in combination with most base districts. The district is intended to provide flexible and adaptive use or site development regulations by requiring standards tailored to individual properties.

2. *Zoning changes should allow for reasonable use of the property.*

This rezoning change would introduce food sales as a permitted use to this block of office and commercial zoning and uses. Within the past seven years, more intensive office and commercial zoning has been granted for two adjacent properties on this block of Riddle Road/Slaughter Lane. The subject rezoning area is uniquely situated in that it benefits from two driveways, one to Riddle Road, a collector street and another to West Slaughter Lane, an arterial. A food sales use is viewed as an incremental change that could serve the residential neighborhood to the south and west without necessitating access to Slaughter Lane, and capture eastbound pass-by traffic. Given the size of the lot and applicability of compatibility standards along the south property line, any resulting office or commercial development would be of relatively small scale.

**EXISTING CONDITIONS****Site Characteristics**

The subject two lots are undeveloped and have moderate vegetative cover. There appear to be no significant topographical constraints on the site.

### **Impervious Cover**

The maximum impervious cover allowed by the *LR-MU-CO zoning district* is 80%, a consistent figure between the *zoning and watershed* regulations.

### **Comprehensive Planning**

This rezoning case is located on the south side of W. Slaughter Lane, on an undeveloped parcel that is 0.87 acres in size. The subject property is not located within the boundaries of the neighborhood planning area. Surrounding land uses include an HEB shopping center to the north; single family housing to the south; a counseling office to the west; and an office/afterschool day care center to the east. The request is to remove the existing -CO that prohibits food sales on the property to open a small market/deli.

### **Connectivity**

Public sidewalks and CapMetro transit stops are located along both sides of this portion of W. Slaughter Lane. The Walkscore for this site is 60/100, Somewhat Walkable, meaning some errands can be accomplished on foot.

### **Imagine Austin**

The property is located within the boundaries of ‘**Neighborhood Center**’ and along an ‘**Activity Corridor**’, as identified on the Imagine Austin’s Growth Concept Map. A Neighborhood Center is the smallest and least intense of the three types of activity centers outlined in the Growth Concept Map, with a focus on creating local businesses and services—including doctors and dentists, shops, branch libraries, dry cleaners, hair salons, coffee shops, restaurants, and other small and local businesses that generally serve the center and surrounding neighborhoods. Activity corridors are characterized by a variety of activities and types of buildings located along the roadway, and are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. The following IACP policies are also relevant to this case:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a **compact and connected city** in line with the growth concept map.
- **LUT P3.** Promote development in **compact centers, communities, or along corridors** that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.

### **Conclusion**

While this proposed project is located by a Neighborhood Center and along an Activity Corridor, based upon the comparatively scale of the proposed commercial use to other

commercial uses in the area, this case falls below the scope of Imagine Austin; and consequently the plan is neutral on this proposed rezoning.

### **Environmental**

The site is not located over the Edwards 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. The site is in the Desired Development Zone.

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 Gross Site Area</i>	<i>% of Gross Site Area 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 floodplain maps there is no floodplain within or adjacent to the project location.

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

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding 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 requires water quality control with increased capture volume and control of the 2 year storm on site.

### **Site Plan and Compatibility Standards**

This location is in the Scenic Roadway sign district. Compliance with Scenic Roadway sign district regulations is required.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

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 south 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.
- A landscape area at least 25 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.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

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

### **Transportation**

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC, 25-6-113].

### **Water and Wastewater**

FYI: 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 any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fees once the landowner makes an application for Austin Water utility tap permits.



METCALFE WOLFF  
STUART & WILLIAMS, LLP  
Attorneys at Law

MICHELE ROGERSON LYNCH  
512.404.2251  
mlynch@mwswtexas.com

November 16, 2017

Mr. Greg Guernsey, Director  
Planning and Zoning Department  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, Texas 78704

*Via Hand Delivery*

Re: Application for Rezoning; 0.87 acres located at 2105 & 2107 West Slaughter Lane and 2109 Riddle Road (the "Property")

Dear Mr. Guernsey:

As representatives of the owner of the above stated Property we respectfully submit the attached application for rezoning. The Property is located at 2105 & 2107 West Slaughter Ln and 2109 Riddle Rd (see Location Map attached) and is currently zoned Neighborhood Commercial-Mixed Use- Conditional Overlay (LR-MU-CO).

The Property is currently zoned Neighborhood Commercial-Mixed Use- Conditional Overlay (LR-MU-CO) and the proposed zoning will be the same, with the Conditional Overlay (CO) allowing for a Food Sales use. The Property is currently undeveloped. The proposed CO will continue to include the existing uses prohibited on the Property today, with the exception of Food Sales. In addition, the following uses will be prohibited on the Property with this zoning:

- Alternative Financial Services,
- Medical Office exceeding 5,000 SF,
- Off-Site Parking,
- Hospital Services (Limited).

At this time, a small market/ deli is proposed for the property.

The Property is not within a neighborhood plan. Surrounding zoning includes Single Family (SF-2) to the south, Neighborhood Office to the west, Neighborhood Commercial-Mixed Use- Conditional Overlay (LR-MU-CO) to the east, and Community Commercial (GR), across from Slaughter Ln, to the north. Surrounding land uses include single family and commercial uses.

If you have any questions about this Application for rezoning or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.

Very truly yours,

Michele Rogerson Lynch

cc: Randall Traywick, Traywick Properties, LLC

*Applicant's REQUEST*

Zoning and Platting Commission – 2/6/18

Item C-3 – 2105 West Slaughter Lane

The proposed conditional overlay (CO) for this case is a combination of the existing CO on the property today with the addition of 3 additional prohibited uses and the conversion of 1 existing prohibited use to an allowed use as follows:

Prohibited in existing CO to remain in new CO:

Consumer Convenience Services	Custom Manufacturing	Personal Improvement Services
Plant Nursery	Service Station	Consumer Repair Services
Financial Services	General Retail Sales (General)	Pet Services
Restaurant (General)		
		2,000 daily trip limit

Additional Prohibited uses to add to new CO:

Alternative Financial Services	Medical Offices Exceeding 5,000 square feet	Off-Site Accessory Parking
Hospital Services (Limited)		

Previously prohibited use in existing CO to now be an allowed use and not prohibited:

Food Sales
------------

Justification for new CO:

- The owner intends to sell the property to someone that wishes to do a small deli and therefore a rezoning was needed to allow for Food Sales, which was previously prohibited;
- The existing prohibited uses and restrictions (including the 2,000 trip limit) noted above were carefully negotiated in 2012 with regard to the size and type of development for this property related to its proximity to single family and location along West Slaughter Lane;
- While the area has seen some change in density and use over the last 5 years, careful consideration should still be given to commercial properties adjacent to single family;
- Thus, the existing prohibited uses and restrictions should remain in place with the addition of 4 other uses that would also seem to not be as compatible with adjacent single family; and
- 43 uses are still allowed for the property.

<b>Permitted LR uses :</b>
Bed & Breakfast (Group 1)
Bed & Breakfast (Group 2)
Administrative and Business Offices
Art Gallery
Art Workshop
Food Sales
General Retail Sales (Convenience)
Medical Offices -- exceeding 5000 sq. ft. gross floor area
Pedicab Storage and Dispatch
Personal Services
Printing and Publishing
Professional Office
Restaurant (Limited)
Software Development
Special Use Historic
Community Garden
Urban Farm
Club or Lodge
College and University Facilities
Communication Service Facilities
Community Events
Community Recreation (Private)
Community Recreation (Public)
Congregate Living
Counseling Services
Cultural Services
Day Care Services (Commercial)
Day Care Services (General)
Day Care Services (Limited)
Family Home
Group Home, Class I (General)
Group Home, Class I (Limited)
Group Home, Class II
Guidance Services
Local Utility Services
Private Primary Educational Facilities
Private Secondary Educational Facilities
Public Primary Educational Facilities
Public Secondary Educational Facilities
Religious Assembly
Residential Treatment
Safety Services
Telecommunication Tower <sup>7</sup>

<b>Prohibited Uses which carry over from previous zoning ordinance:</b>
Consumer convenience services
Custom Manufacturing
Personal Improvement Services
Plant Nursery
Service Station
Consumer Repair Services
Financial Services
General Retail Sales (General)
Pet Services
Restaurant (General)
<b>New Prohibited Uses:</b>
Alternative Financial Services
Medical Offices Exceeding 5,000 SF
Off-site Accessory Parking
Hospital Services (limited)