

SECOND/THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2011-0136 – Traywick 3

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2105 and 2107 West Slaughter Lane; 2109 Riddle Road (Slaughter Creek Watershed) from single family residence – standard lot (SF-2) district and limited office – mixed use – conditional overlay (LO-MU-CO) combining district zoning to neighborhood commercial – mixed use – conditional overlay (LR-MU-CO) combining district zoning. The Conditional Overlay allows for general retail sales (convenience), restaurant (limited), and all general office (GO) uses, and limits the number of daily trips to 2,000.

DEPARTMENT COMMENTS:

The Conditional Overlay incorporates the conditions imposed by the City Council at First Reading.

OWNER & APPLICANT: THS, LLC (Randall Traywick)

AGENT: Jim Bennett Consulting (Jim Bennett)

DATE OF FIRST READING: January 12, 2012, Approved LR-MU-CO combining district zoning, on First Reading (6-0, Mayor Leffingwell abstained).

CITY COUNCIL HEARING DATE: February 2, 2012

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

ZONING CHANGE REVIEW SHEET

CASE: C14-2011-0136 – Traywick 3

Z.A.P. DATE: December 6, 2011

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

OWNER: THS, LLC
(Randall Traywick)

AGENT: Jim Bennett Consulting
(Jim Bennett)

ZONING FROM: LO-CO, SF-2

TO: LR-CO **AREA:** 0.86 acres

AMENDED TO: LR-MU-CO (37,461.60 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning for 2105 West Slaughter Lane (Tract 1), and limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning for 2107 West Slaughter Lane and 2109 Riddle Road (Tract 2). The Conditional Overlay for 2105 West Slaughter Lane (Tract 1) allows for personal services, medical offices and all other neighborhood office (NO) uses. The Conditional Overlay for 2107 West Slaughter Lane and 2109 Riddle Road (Tract 2) allows for medical offices, and all NO uses and development regulations for impervious cover and height.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

December 6, 2011: *APPROVED GO-MU-CO FOR TRACT 1 AND LO-MU-CO FOR TRACT 2 AS STAFF RECOMMENDED*

[P. SEEGER; C. BANKS – 2ND] (7-0)

ISSUES:

The Applicant would like to pursue LR-CO district zoning for the entire rezoning area and discuss the Staff recommendation. He is considering making an application to vacate the right-of-way adjacent to the two western lots (2107 West Slaughter Lane and 2109 Riddle Road) so that these two properties would have direct access to Slaughter Lane.

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.

DEPARTMENT COMMENTS:

The subject property contains two platted lots. The western lot, 2109 Riddle Road, is zoned single family residence – standard lot (SF-2) and is undeveloped. The eastern lot has two addresses, 2105 and 2107 West Slaughter Lane, and is zoned limited office-conditional

overlay (LO-CO) by a 2008 case. The CO allows for medical office uses and all neighborhood office (NO) uses. This lot contains one remaining residence and has driveway access to West Slaughter Lane and the terminus of Riddle Road. There are single family residences on platted lots to the west and south, (SF-2), and a vacant single family residence to the east (GO-MU-CO). Across Slaughter Lane to the north is a shopping center (GR). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plats).

The Applicant is requesting neighborhood commercial – conditional overlay (LR-CO) district zoning in order to construct for unspecified office/retail purposes. The CO is for a 2,000 vehicle trips per day limit. The Applicant's conceptual plan shows one driveway to the Riddle Road terminus, and one driveway to Slaughter Lane. Please refer to Exhibit C. Within the past 10 years, office zoning has been granted for three other properties on this block of Riddle Road/Slaughter Lane, including a rezoning change on the eastern lot in 2008.

Staff recommends GO-MU-CO district zoning to allow personal services, medical offices, and all NO uses and development regulations on a portion of the eastern lot (Tract 1), since it takes access to West Slaughter Lane. This zoning would be consistent with that permitted on the adjacent GO-MU-CO property to the east. For the remaining portion of the eastern lot and the western lot (Tract 2), the Staff recommends LO-MU-CO with the CO limited to medical offices, neighborhood office (NO) uses, and NO development regulations for impervious cover and height. The intent of the Conditional Overlay is allow for additional office uses on these properties, and retain the residential character of the other office-zoned properties on this block.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2, LO-CO	One single family residence
<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>	GO-MU-CO; NO-CO	Vacant single family residence; 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

786 – Home Builders Association of Greater Austin
 943 – Save Our Springs Alliance 997 – Tanglewood Oaks Owners Association
 1037 – Homeless Neighborhood Association 1075 – League of Bicycling Voters
 1113 – Austin Parks Foundation
 1200 – Super Duper Neighborhood Objectors and Appealers Organization
 1214 – Baurle Ranch Homeowners Association 1224 – Austin Monorail Project
 1228 – Sierra Group, Austin Regional Group
 1236 – The Real Estate Council of Austin, Inc. 1340 – Austin Heritage Tree Foundation

SCHOOLS:

Kocurek Elementary School

Bailey Middle School

Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2011-0168 – Dean's .524 – 2101 West Slaughter Lane	NO-CO to GO- MU-CO	Scheduled for 2-2-12	Scheduled for 3-1-12
C14-2009-0149 – 2103 West Slaughter Lane Zoning Change	SF-2 to GO-MU	To Grant GO-MU-CO with the CO allowing for personal services and NO uses and dev't regulations; Restrictive Covenant limiting hours of operation	Approved GO-MU- CO with RC as ZAP recommended (2-4- 10).
C14-02-0083 – Riddle Road – 2308 Riddle Road	DR to SF-3	To Grant SF-3	Approved SF-3 (8-22- 02).
C14-02-0061 – Lot 7, Rezone – 2101 West Slaughter Lane	SF-2 to NO	To Grant NO-CO with 25' buffer on south and west sides of property	Approved NO-CO with CO for a 25' vegetative buffer and prohibiting access to Allred Drive (8-1-02).
C14-97-0120 – Residential Services – 2111 West Slaughter Lane	SF-2 to NO	To Grant NO	Approved NO (11-20- 07).

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-63-50; C8-1946-1765). 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).

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Daily Traffic
West Slaughter Lane	Varies	Varies	Arterial	35,620 (TxDOT, 2010)
Riddle Road	Varies	Varies	Collector	2,970 (TxDOT, 2010)

- There are existing sidewalks along West Slaughter Lane.
- According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows:

Street Name	Existing Bicycle Facilities	Recommended Bicycle Facilities
West Slaughter Lane	Bike Lane	Bike Lane
Riddle Road	None	None

- Capital Metro bus service (route no. 103) is available along Slaughter Lane.

CITY COUNCIL DATE: January 12, 2012

ACTION: Approved LR-MU-CO district zoning limited to general retail sales (convenience) and restaurant (limited) and all GO uses, and 2,000 trips per day, on First Reading (6-0, Mayor Leffingwell abstained).

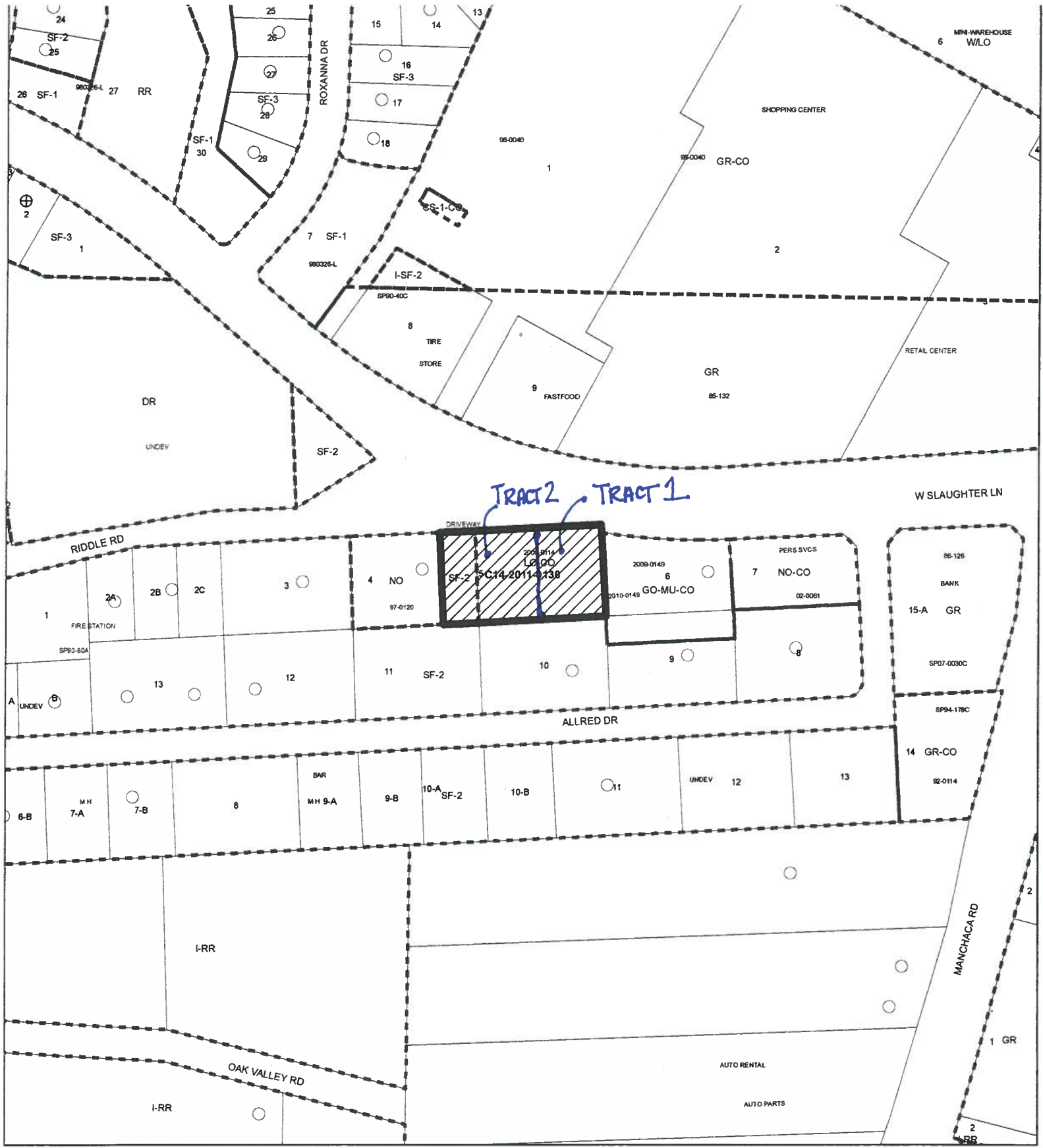
February 2, 2012




ORDINANCE READINGS: 1st January 12, 2012 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

PHONE: 974-7719

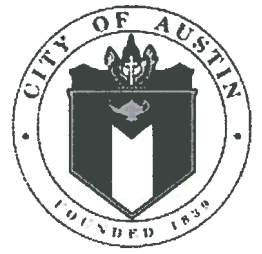


-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

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.

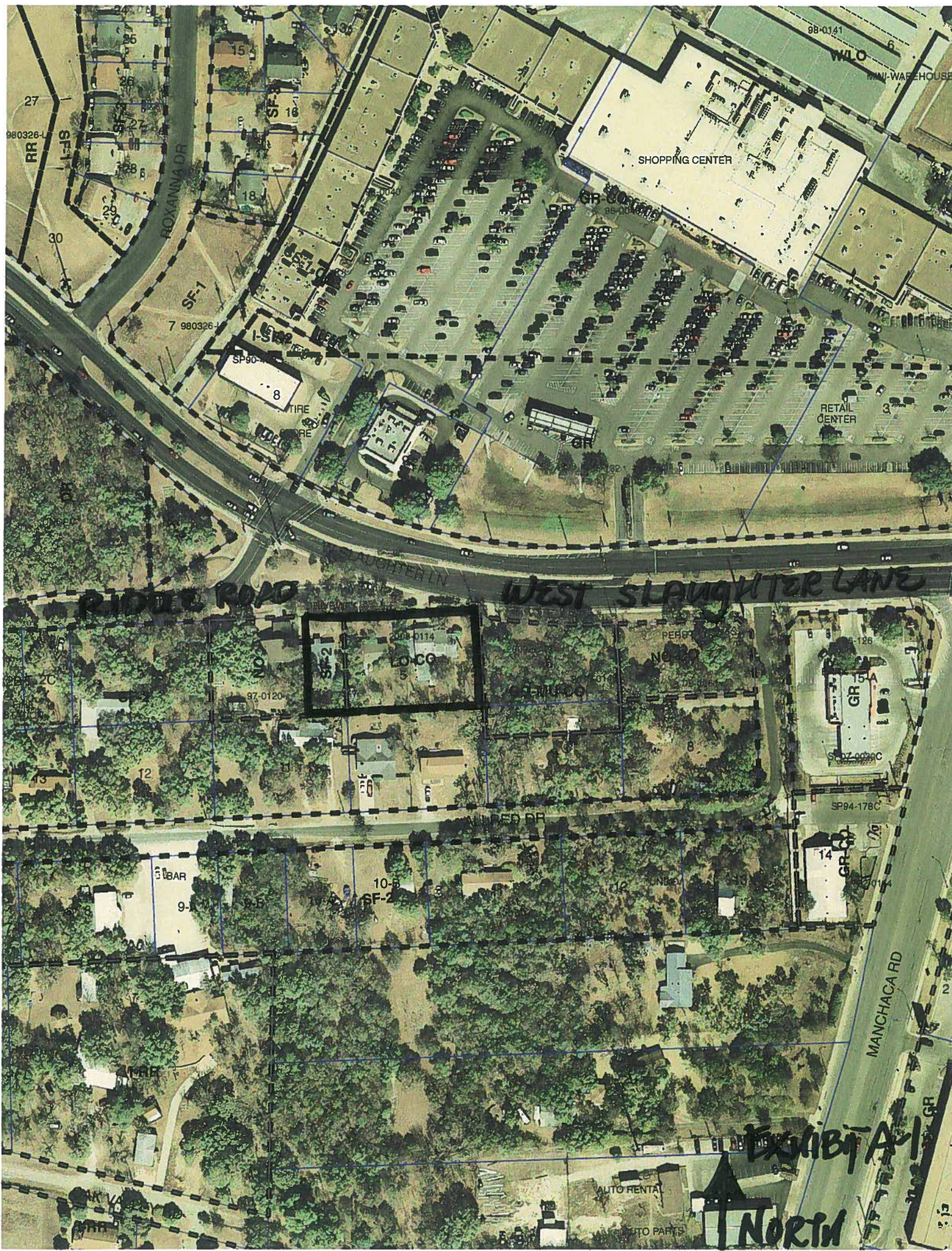
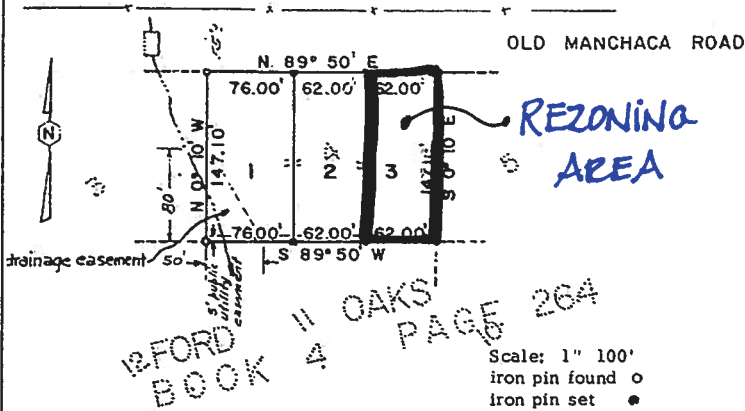


EXHIBIT A-1

NORTH



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 o'clock A.M. on the 10 day of June AD 1963

By Edwin 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 o'clock A.M. and duly recorded on the 10 day of June AD at 10:30 o'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 35 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.

Clare E. Egan
Notary Public in and for Travis County, Texas

APPROVED FOR ACCEPTANCE Date:

Robert M. Colton
Director of Planning
ACCEPTED AND AUTHORIZED FOR RECORD
BY THE PLANNING COMMISSION
Date:

W. Dale Lewis
Secretary

Date:

J. F. Chesley
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 W. Dale Lewis
Registered Professional Engineer

CBs-63-50

EXHIBIT B
RECORDED PLAT- WEST LOT

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning for 2105 West Slaughter Lane (Tract 1), and limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning for 2107 West Slaughter Lane and 2109 Riddle Road (Tract 2). The Conditional Overlay for 2105 West Slaughter Lane (Tract 1) allows for personal services, medical offices and all other neighborhood office (NO) uses. The Conditional Overlay for 2107 West Slaughter Lane and 2109 Riddle Road (Tract 2) allows for medical offices, and all NO uses and development regulations for impervious cover and height.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

Applicant's request: The LR-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."

Staff recommendation for 2107 West Slaughter Lane: 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. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

Staff recommendation for 2105 West Slaughter Lane and 2109 Riddle Road: 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 mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. The subject property is adjacent to a neighborhood that is largely single family.

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

Staff recommends GO-MU-CO district zoning to allow personal services, medical offices, and all NO uses and development regulations on a portion of the eastern lot (Tract 1), since it takes access to West Slaughter Lane. This zoning would be consistent with that permitted on the adjacent GO-MU-CO property to the east. For the remaining

portion of the eastern lot and the western lot (Tract 2), the Staff recommends LO-MU-CO with the CO limited to medical offices, neighborhood office (NO) uses, and NO development regulations for impervious cover and height. The intent of the Conditional Overlay is allow for additional office uses on these properties, and retain the residential character of the other office-zoned properties on this block.

EXISTING CONDITIONS

Site Characteristics

The subject two lots are developed with one single family residence and has moderate vegetative cover. There appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the *LR-CO and the GO-MU zoning districts* is 80%, a consistent figure between the *zoning and watershed* regulations. The maximum impervious cover allowed by the *LO-MU zoning district* is 70%, which is based on the more restrictive watershed regulations.

Environmental

The site is not located over the Edwards 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 floodplain 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.

Numerous 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 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 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.

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

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the proposed land use. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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 fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan and Compatibility Standards

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

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.

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: C14-2011-0136

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing: December 6, 2011, Zoning and Platting Commission
January 12, 2012, City Council

Eddie Degen

Your Name (please print)

2101 W Slaughter

Your address(es) affected by this application

Eddie Degen

12-4-11

Signature

Date

Daytime Telephone: 512-731-4848

Comments: This would Better this

ARENA

☒ I am in favor
☐ I object

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

City of Austin
Planning & Development Review Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810