

ZONING CHANGE REVIEW SHEET

CASE: C14-2013-0047 – JDJ Family Holdings, Ltd.
(Slaughter 25 Rezoning)

Z.A.P. DATE: June 18, 2013

ADDRESS: 913 West Slaughter Lane

OWNER: JDJ Family Holdings, Ltd.
(Kirby H. Jackson, Jr.)

AGENT: Thrower Design
(Ron Thrower)

ZONING FROM: DR; SF-1-CO

TO: MF-2

AREA: 25.126 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant multi-family residence-low density – conditional overlay (MF-2-CO) combining district zoning. The Conditional Overlay restricts vehicular access to South Chisholm Trail to emergency only and limits the number of daily trips to 2,000.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

June 18, 2013: *APPROVED MF-2-CO DISTRICT ZONING AS STAFF RECOMMENDED;
BY CONSENT*

*[G. ROJAS; S. COMPTON – 2ND] (5-0) B. BAKER – OFF THE DAIS; C. BANKS –
ABSENT*

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject property consists of two unplatted and undeveloped tracts: Tract 1 has frontage on West Slaughter Lane and is zoned development reserve (DR); Tract 2 has single family residence – large lot – conditional overlay (SF-1-CO) zoning and has frontage on South Chisholm Trail. The Slaughter Cemetery is a 0.04 acre area (2,000 square feet) located within Tract 1. There is a child care facility, single family residences and undeveloped land across Slaughter Lane to the north (GR; LR; SF-2; DR), Mary Moore Searight Metropolitan Park and apartments to the east (P; MF-2-CO), undeveloped land and Paredes Middle School to the south (I-RR), a mobile food establishment, automotive repair, a drainage channel and electric substation west of Tract 1 (LR-MU-CO; LO-MU-CO; DR; P) and single family residences on large lots across Chisholm Trail west of Tract 2 (RR; SF-1; SF-2). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to rezone property to the multi-family residence – low density (MF-2) district so that it may be developed with multi-family or townhome/condominium uses.

Slaughter Cemetery will be retained and access must be provided with any new development. Driveway access to the site will be taken to West Slaughter Lane, and with the exception of allowing for emergency access as is recommended by the Fire Department for large tracts, will be prohibited to South Chisholm Trail. In the context of the surrounding land uses and roadway, MF-2-CO zoning is appropriate. The property has access to Slaughter Lane, an improved 6-lane arterial roadway. There are also three other properties zoned for multi-family residential uses that take access to Slaughter Lane in the immediate vicinity. Furthermore, MF-2 zoning would be compatible with the 350 acre Mary Moore Searight Metropolitan Park to the east. Staff has proposed a Conditional Overlay to limit the property to use that generate less than 2,000 vehicle trips per day in order to maintain acceptable traffic conditions on adjacent roadways and intersections.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR; SF-1-CO	Undeveloped; Slaughter Cemetery
<i>North</i>	GR; LR; SF-2; DR; SF-4A	Child care facility; Single family residences; Undeveloped
<i>South</i>	I-RR	Undeveloped (proposed for SF-6); Paredes Middle School
<i>East</i>	P; MF-2-CO	Mary Moore Searight Park; Apartments
<i>West</i>	LR-MU-CO; LO-MU-CO; DR; P; SF-2; SF-1; RR; I-RR	Undeveloped; Automotive repair; Electric substation; Single family residences on large lots

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Slaughter Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes – West Slaughter Lane

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association
 242 – Slaughter Lane Neighborhood Association
 511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
 658 – Texas Oaks North Neighborhood Association
 742 – Austin Independent School District
 1037 – Homeless Neighborhood Organization 1075 – Bike Austin
 1200 – Super Duper Neighborhood Objectors and Appealers Organization
 1228 – Sierra Club, Austin Regional Group 1224 – Austin Monorail Project
 1236 – The Real Estate Council of Austin, Inc.
 1340 – Austin Heritage Tree Foundation 1363 – SEL Texas

SCHOOLS:

Casey Elementary School Paredes Middle School Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2013-0061 – Simpson Tract – S Chisholm Tr	I-RR to SF-6	Pending	Pending
C14-06-0116 – 1017 W Slaughter Ln	DR to LR	To Grant LR-MU-CO for Tract 1 and LO-MU-CO for Tract 2	Apvd LR-MU-CO and LO-MU-CO (8-31-2006).
C14-05-0217 – 1204 W Slaughter Ln	SF-2 to LR-CO	To Grant LO	Apvd LO (4-20-2006).
C14-01-0170 – Andrasi Zoning Change – 1200 W Slaughter Ln	SF-2 to LO	To Grant LO-CO with CO to prohibit medical office uses	Apvd LO-CO as ZAP recommended (2-7-2002).
C14-00-2098 – Blackhawk Apartments – 1200 W Slaughter Ln	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 (1-25-2001).
C14-98-0270 – Uresti Day Care – 9316 Chisholm Trail @ W Slaughter Ln	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 (7-15-1999).
C14-87-043 – City of Austin Electric – 1111 W Slaughter Ln	DR to P	To Grant P	Approved P (5-7-1987).
C14R-86-197 – Soeburn O. and Dorothy Carter – 1012 W Slaughter Ln	I-SF-2 to LR	To Grant LR subject to conditions	Approved LR with an attached site plan and Street Deed (3-5-1987).
C14-86-016 – La	SF-2 to GR	To Grant GR subject to	Approved GR with a

Petite Academy – 1018-1022 W Slaughter Ln		site plan approval and Restrictive Covenant	Restrictive Covenant limiting the property to day care services and subject to site plan approval (12-4-1986).
---	--	--	--

RELATED CASES:

The property was annexed into the City limits in November 1984 (C7a-83-017 A, Ord. 841115-L). The south tract was zoned SF-1-CO district zoning on January 16, 2003 (C14-02-0079 – Stone Tract). The Conditional Overlay limits development of the property to 28 units. A 2007 case proposed SF-2 zoning on the SF-1-CO zoned tract and the I-RR zoned tract to the south, but expired (C14-07-0022 – South Chisholm Trail).

There are no related subdivision or site plan applications on the subject property.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	ADT
West Slaughter Lane	120 feet	2 @ 36 feet	Major Arterial	40,234

- Slaughter Lane is classified in the Bicycle Plan as Bike Route No. 86.
- Capital Metro bus service (Route No. 10) is available along Slaughter Lane.
- There are existing sidewalks along Slaughter Lane.

Note: An access road for Mary Moore Searight Metropolitan Park and Paredes Middle School abuts the site to the east. The road is within the boundaries of the City Park and no driveway access is permitted.

CITY COUNCIL DATE: June 27, 2013

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

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

PHONE: 974-7719





SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant multi-family residence-low density – conditional overlay (MF-2-CO) combining district zoning. The Conditional Overlay restricts vehicular access to South Chisholm Trail to emergency only and limits the number of daily trips to 2,000.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The multi-family residence low density (MF-2) district is intended to accommodate multifamily use with a maximum density of up to 23 units per acre, depending on unit size. This district is appropriate given its location near supporting transportation and commercial facilities.

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

In the context of the surrounding land uses and roadway, MF-2-CO zoning is appropriate. The property has access to Slaughter Lane, an improved 6-lane arterial roadway. There are also three other properties zoned for multi-family residential uses that take access to Slaughter Lane in the immediate vicinity. Furthermore, MF-2 zoning would be compatible with the 350 acre Mary Moore Searight Metropolitan Park to the east. Staff has proposed a Conditional Overlay to limit the property to use that generate less than 2,000 vehicle trips per day in order to maintain acceptable traffic conditions on adjacent roadways and intersections.

EXISTING CONDITIONS**Site Characteristics**

The subject property is undeveloped and is generally flat.

Impervious Cover

Within the Slaughter Creek watershed, the maximum impervious cover allowed by the MF-2 zoning district would be 60%, which is based on the more restrictive watershed regulations.

Comprehensive Planning

The zoning case is located on the south side of W. Slaughter Lane, just west of S. Mary Moore Searight Drive. The property is approximately 25 acres in size and is vacant. The zoning case is not located within the boundaries of a neighborhood planning area. Surrounding land uses include single family houses and vacant land to the north, parkland to the south, a multi-family apartment complex to the east, and an auto-body shop to west. The proposed use is multi-family housing.

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP), identifies this section of W. Slaughter Lane as an **Activity Corridor**. Activity corridors are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, **apartments**, public buildings, houses of worship, mixed-use buildings, and offices. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

The following Imagine Austin policies are taken from Chapter 4 of the IACP, which specifically discusses the promotion of a variety of housing types and promoting growth along activity corridors:

- **LUT P5.** Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- **LUT P10.** Direct housing and employment growth to activity centers and corridors, preserving and integrating existing affordable housing where possible.
- **H P1.** Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.
- **H P5.** Promote a diversity of land uses throughout Austin to allow a variety of housing types including rental and ownership opportunities for singles, families with and without children, seniors, persons with disabilities, and multi-generational families.
- **HN P10.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Based on the Imagine Austin policies referenced above that: (1) direct housing and employment growth to activity corridors, (2) support a mix of housing types and land uses, and (3) surrounding land uses in the area, including multi-family, staff believes that the proposed residential use is consistent with the Imagine Austin Comprehensive Plan.

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 flood plain maps there is no flood plain 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.

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

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans or a site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

Transportation

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

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

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, 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 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

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. This site has residential zoning within 540 feet and is subject to compatibility standards.

Along the west property line where adjacent to South Chisholm Trail, 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.
 - 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.austintexas.gov

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: C14-2013-0047

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: June 18, 2013, Zoning and Platting Commission

June 27, 2013, City Council

Thomas Huver

Your Name (please print)

9502 S. Chisholm Trl.

Your address(es) affected by this application

Thomas Huver

Signature

6-13-13

Date

Daytime Telephone: _____

Comments: _____

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