

ZONING CHANGE REVIEW SHEET

CASE: C14-2013-0063 – Slaughter Lane Commercial

Z.A.P. DATE: July 16, 2013

ADDRESS: 1701 – 1715 West Slaughter Lane

OWNER/APPLICANT: Westco Development
#29, L.L.C.
(Michael M. Caldwell)

AGENT: Austin Civil Engineering
(Keith Parkan)

ZONING FROM: GR

TO: CS

AREA: 3.990 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district zoning. The Conditional Overlay will restrict the development of the property to 2,000 vehicle trips per day, and prohibit campground, monument retail sales, and vehicle storage uses.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

July 16, 2013: *TO GRANT CS-CO DISTRICT ZONING, AS STAFF RECOMMENDED, BY CONSENT*

[P. SEEGER; G. ROJAS – 2ND] (7-0)

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject lot is undeveloped and zoned community commercial (GR) district. The Applicant has requested the general commercial services (CS) district with the intent of developing the property as a commercial blood plasma center, which is first allowed in this district. A commercial blood plasma center use is first allowed in the CS district and given the location of residences within 540 feet of the property, is a conditional use requiring site plan review by the Commission (LDC 25-2-803 – *Commercial Blood Plasma Center Conditional Use Requirements*). Please refer to Exhibits A (Zoning Map), A-1 (Aerial) and B (Recorded Plat).

The property is adjacent to West Slaughter Lane, an improved 6-lane major arterial, and takes its access from an existing driveway that leads to the retail center to the south. Access would be taken from a driveway that would be extended east from the existing driveway serving the retail center, as this section of Slaughter Lane is elevated above grade, approximately 30 - 45 feet, thereby reducing the site's visibility. The property is surrounded on the west and south by a shopping center that includes office, retail stores and commercial

services, a service station and a fast food restaurant, and is zoned GR. The 100-foot wide Missouri Pacific Railroad right-of-way is adjacent along the east property line, and continuing east, a convenience storage facility, which is zoned CS-CO.

CS-CO zoning is appropriate in the context of its location adjacent to a major arterial roadway and railroad right-of-way, its access from a driveway which also serves a shopping center zoned GR, distance and lack of connection to the residential areas to the northeast and southeast, reduced visibility given that this section of Slaughter Lane is elevated above grade, and a similarly situated property which carries CS-CO zoning. The Staff recommends a Conditional Overlay to limit the property to development which does not exceed 2,000 vehicle trips per day as well as the following uses: campground, monument retail sales, and vehicle storage.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR	Undeveloped
<i>North</i>	GR-CO	Undeveloped; Pharmacy; Video store; Fast food restaurants
<i>South</i>	GR; MF-2-CO	Undeveloped; Retail center
<i>East</i>	CS-CO; DR; LR	Missouri Pacific Railroad right-of-way; convenience storage; Undeveloped; Auto repair
<i>West</i>	GR	Undeveloped; Fast food restaurant; Service station

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Slaughter Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

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 Association
 1075 – Bike Austin
 1200 – Super Duper Neighborhood Objectors and Appealers Organization
 1224 – Austin Monorail Project 1228 – Sierra Club, Austin Regional Group
 1236 – The Real Estate Council of Austin, Inc.
 1340 – Austin Heritage Tree Foundation 1363 – SEL Texas

SCHOOLS:

Kocurek Elementary School

Bailey Middle School

Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2012-0074 – Zilk's – 1807 W Slaughter Ln	GR to LI	To Grant LI-CO district zoning w/a Restrictive Covenant for a rollback to a more restrictive zoning district if the Code is amended to increase the square foot limitation for a food preparation use	Apvd. LI-CO as Commission recommended (8/16/2012).
C14-2010-0190 – BB-OTL Project – 1807 W Slaughter Ln	GR to LI	To Grant LI-CO district zoning with list of prohibited uses and a Restrictive Covenant for a rollback to a more restrictive zoning district if the Code is amended to increase the square foot limitation for a food preparation use	Apvd. LI-CO w/RC as Commission recommended (1/13/2011).
C14-06-0198 – Laurelwood Commercial Section 4 – 9507 Manchaca Rd	GR-CO; CS-CO to CS	To Grant CS-CO w/CO for 35' height & two stories, and 2,000 trips.	Apvd. CS-CO as Commission recommended (12-7- 2006).
C14-00-2242 – Swanson's Crossing Retail – 1216-1400 W Slaughter Ln	DR to LR	To Grant LR-CO w/ CO for 2,000 trips	Approved LR-CO (2/15/2001).
C14-00-2192 – Fain Rezoning – 1801 ½ W Slaughter Ln	GR-CO to GR- CO	To Grant GR-CO and building may not exceed 35' above ground level	Approved GR-CO as Commission recommended; Restrictive Covenant requires cell tower to incorporate Universal Cobra Arm Mounts (2/8/2001).
C14-00-2111 – Solera – 1211 W Slaughter Ln	DR to MF-3	To Grant MF-2-CO w/ CO limiting development to 12.8 u.p.a. and conds. of the	Granted MF-2-CO as Commission recommended (10/26/2000).

		TIA	
C14-00-2027 – Texas Oaks Baptist Church – 9910 Bilbrook Place	I-RR to LO, amended to SF-6	To Grant SF-6-CO, w/CO for 2,000 trips	Granted SF-6-CO as Commission recommended (9/7/2000).
C14-94-0129 – Slaughter Lane Development – Slaughter Creek Dr	DR; SF-2 to LI	To Grant CS-CO w/CO prohibiting vehicle storage on Tract 2 only, and the following uses: restaurants (all types), financial services, food sales, general retail sales (convenience), medical offices, adult-oriented businesses, and limited to 2,000 trips. Street Deed for add'l r-o-w on Slaughter Creek Dr	Approved CS-CO w/Street Deed as Commission recommended (2/9/1995).

RELATED CASES:

A 2001 zoning case filed on the subject property was approved on First Reading by the City Council for CS-CO district zoning, with the Conditional Overlay limiting development to uses allowed in the W/LO and LR zoning districts, 2,000 trips per day and a 40 foot height limit (C14-01-0115 – Slaughter Lane Commercial Development). The case subsequently expired.

The property is platted as Lot 1, Block A, Slaughter Lane Commercial subdivision, recorded on August 23, 2002 (C8-01-0217.0A – Slaughter Lane Commercial Subdivision). The lot is encumbered by an 80-foot wide drainage easement along the east property line, which coincides with the approximate 100-year floodplain boundary. Please refer to Exhibit B.

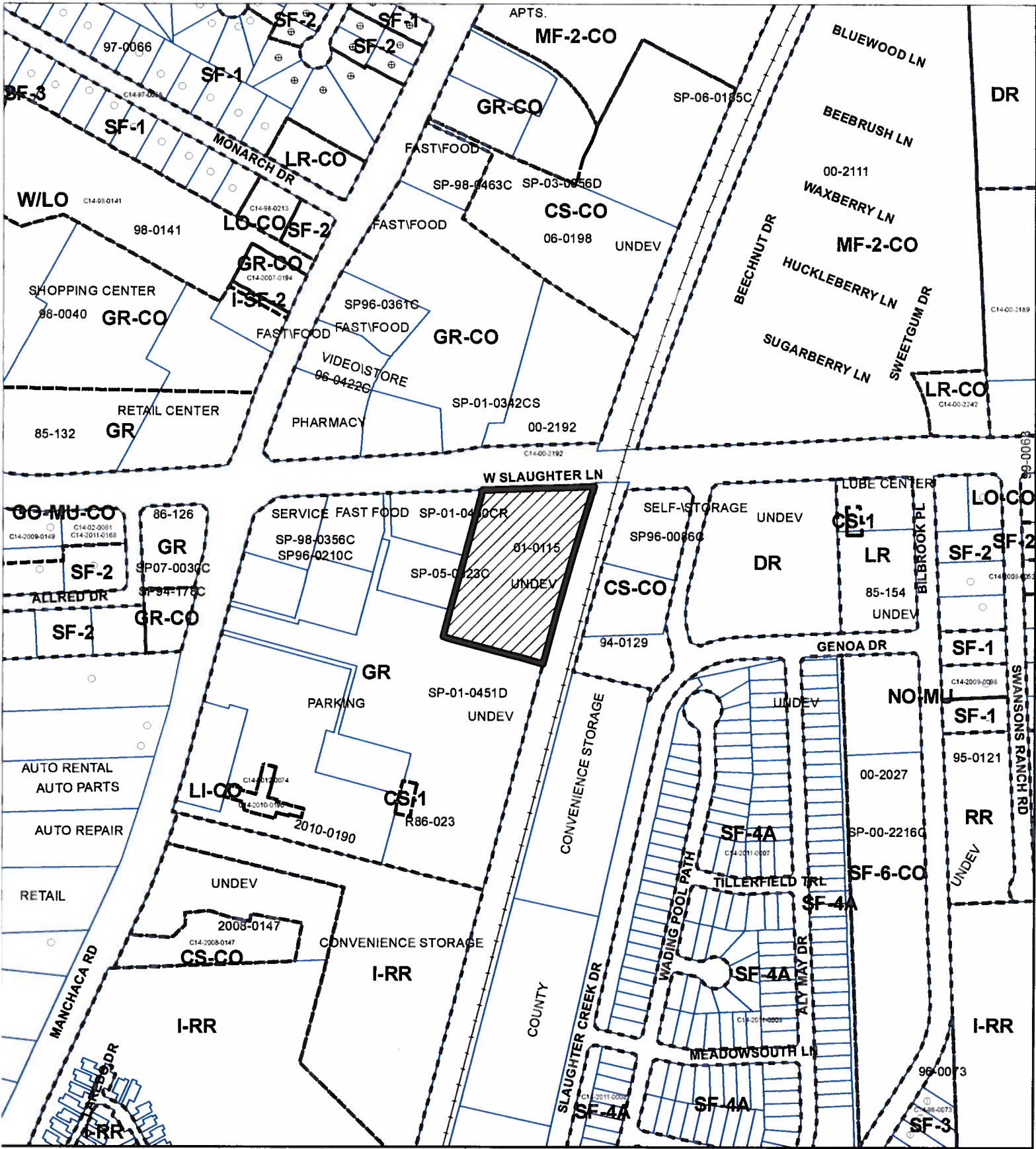
ABUTTING STREETS:





Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
West Slaughter Lane	130 feet	MAD 6	Arterial	No	Yes	Yes

CITY COUNCIL DATE: August 22, 2013**ACTION:****ORDINANCE READINGS:** 1st2nd3rd**ORDINANCE NUMBER:**

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

PHONE: 974-7719




 SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY

ZONING
 ZONING CASE#: C14-2013-0063

EXHIBIT A



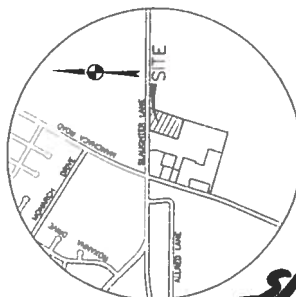
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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.

1" = 400'



SLAUGHTER LANE COMMERCIAL SUBDIVISION



FORD OAKS SUBDIVISION
BK. 4, PG. 264

LOT 14 LOT 15 LOT 16

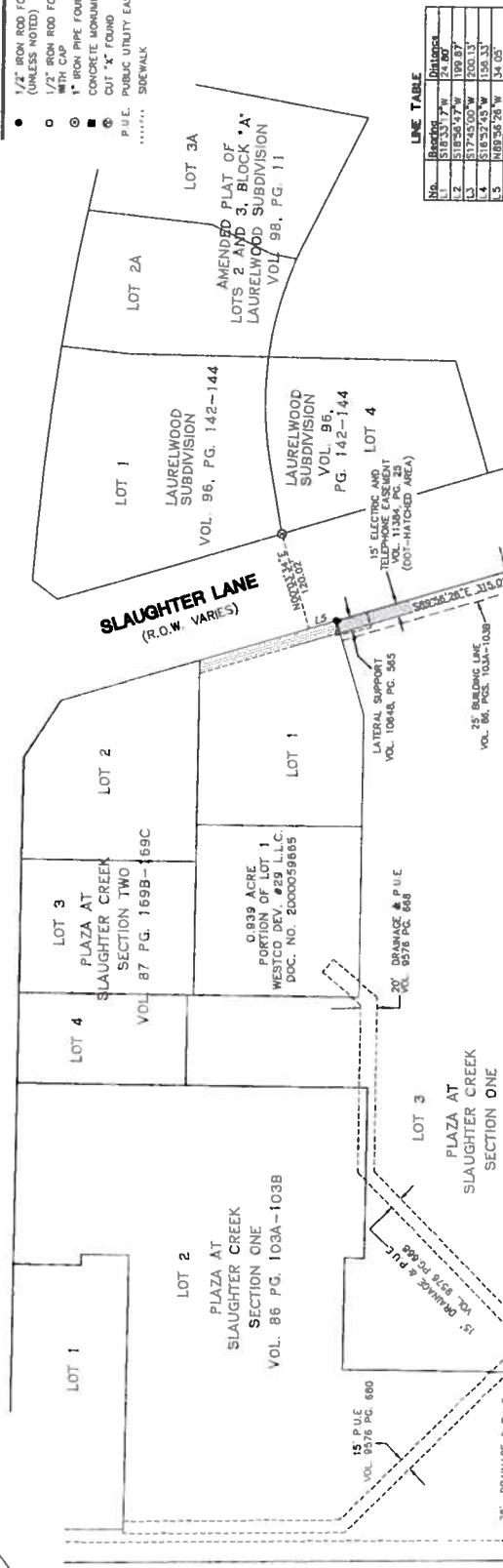
LOT 3, BLOCK 'A'
TANGLEWOOD VILLAGE SECTION ONE-A
VOL. 86, PG. 120B-C

MANCHACA ROAD - FM 2304
(120' R.O.W.)

2000015

VICINITY MAP
SITE

- LEGEND**
- 1/2" IRON ROD FOUND (UNLESS NOTED)
 - 1/2" IRON ROD FOUND WITH CAP
 - 1" IRON PIPE FOUND
 - CONCRETE MONUMENT SET
 - CUT "X" FOUND
 - PUBLIC UTILITY EASEMENT
 - SIDEWALK



6.978 ACRES
J. MURCH ASSET, TRUST
VOL. 13250, PG. 2386

9.08 ACRES
JOHN S. FAIN
VOL. 12462, PG. 74

BEARING BASIS

THE BEARING BASIS OF THE SURVEY SHOWN HEREON IS THE WESTERLY BEARING OF THE MISSOURI PACIFIC RAILROAD AS SHOWN ON THE PLAT OF PLAZA AT SLAUGHTER CREEK SECTION ONE, VOL. 86, PG. 120B-C, PAGES 102A-102B, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

SLAUGHTER LANE COMMERCIAL SUBDIVISION
A ONE LOT SUBDIVISION
CONSISTING OF 3.999 ACRES
DATE: SEPTEMBER 11, 2001
PREPARED BY:

Bury+Partners
Consulting Engineers and Surveyors
Austin, Texas Tel 512/328-0011 Fax 512/328-0025
Bury+Partners, Inc. ©Copyright 2001

Drawn by: ALM Approved by: MJP Project No. 1028-07-22 File: H:\028\01\0280\01.dwg

C8-01-0217.0A

11620

MISSOURI PACIFIC RAILROAD
(100' R.O.W.)

LOT 1
MALONE ADDITION
SECTION SEVEN
BK. 85, PG. 100B

LOT 2
AMENDED
BK. 66 PG. 99

TANGLEWOOD
SELF STORAGE
BK. 97, PG. 30

LOT 1
MALONE ADDITION NO. 2
AMENDED
BK. 66 PG. 99

EXHIBIT B
RECORDED PAT

SHEET
1
OF 2

STAFF RECOMMENDATION

The staff's recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district zoning. The Conditional Overlay will restrict the development of the property to 2,000 vehicle trips per day, and prohibit campground, monument retail sales, and vehicle storage uses.

BASIS FOR RECOMMENDATION

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

CS, Commercial Services, zoning is intended for commercial or industrial uses that typically have operating characteristics or traffic service requirements generally incompatible with residential environments.

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

CS-CO zoning is appropriate in the context of its location adjacent to a major arterial roadway and railroad right-of-way, its access from a driveway which also serves a shopping center zoned GR, distance and lack of connection to the residential areas to the northeast and southeast, reduced visibility given that this section of Slaughter Lane is elevated above grade, and a similarly situated property which carries CS-CO zoning. The Staff recommends a Conditional Overlay to limit the property to development which does not exceed 2,000 vehicle trips per day as well as the following uses: campground, monument retail sales, and vehicle storage.

3. *Public facilities and services should be adequate to serve the set of uses allowed by a rezoning.*

The Conditional Overlay will continue to limit development to maintain acceptable traffic conditions on adjacent roadways and intersections.

EXISTING CONDITIONS

Site Characteristics

The subject tract is undeveloped, sparsely vegetated and relatively flat. The property slopes to the east, and there is an 80-foot wide drainage easement along the east property line, adjacent to the railroad tracks.

Impervious Cover

The maximum impervious cover allowed by the CS-CO zoning district is 80%, based on the more restrictive *watershed* regulations.

Comprehensive Planning

This zoning case is located on the north side of W. Slaughter Lane. The subject property is not located within the boundaries of a neighborhood planning area. The property is vacant and is approximately 3.99 acres in size. Surrounding land uses includes vacant land and Soccer Zone to the north, undeveloped land to the south, a heavily travelled railroad track to the east, and vacant land and commercial uses to the west. The existing property is vacant and the proposed use is commercial retail.

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan identifies this portion of W. Slaughter Lane as immediately adjacent to a Neighborhood Center and along an Activity Corridor. The IACP defines Neighborhood Centers as *“the smallest and least intense of the three types of activity centers outlined in the Growth Concept Map. Of the three, these will have a more local focus. Businesses and services—doctors and dentists, shops, branch libraries, dry cleaners, hair salons, coffee shops, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.”*

The following Imagine Austin policies are taken from Chapter 4 of the IACP, which specifically discusses promoting a variety of land uses, including retail and commercial services, and promoting a compact and connected city:

- **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.
- **LUT P6.** Ensure that neighborhoods of modest means have a mix of **local-serving retail**, employment opportunities, and residential uses.
- **LUT P20.** Locate industry, warehousing, logistics, manufacturing, and other freight-intensive uses in proximity to adequate transportation and utility infrastructure.
- **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 healthy food, schools, retail, employment, community services, and parks and recreation options.

Based upon the property being located immediately adjacent to an Neighborhood Center and along a Activity Corridor, which promotes retail and services, and the IACP policies referenced above that supports a variety of land uses, including retail to promote a compact

and connected city, staff believes that the proposed commercial use at this location is in compliance to 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 floodplain maps there is a floodplain within or adjacent to the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone should be limited to 30%.

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 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.

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

Any new development is subject to Subchapter E. Design Standards and Mixed Use.

Additional comments will be made when the site plan is submitted.

Compatibility standards are not applicable.

Capital Metro Comments

Concerning all proposed development within 500-feet of the Capital Metro Rail Tracks

Capital Metro runs freight service on these tracks, and is required to continue to do so as a matter of federal law. Since March 22, 2010, we are operating passenger rail service, primarily, but not limited to, weekday hours. With the start of passenger rail service, we have shifted freight rail service to other times, particularly the hours after the last passenger train has run. This shift is in accordance with Federal regulations and safety procedures.

All concerned parties need to be aware of the freight service in planning any development. The freight trains generate some noise as they move through. At many urban street crossings, there are upgraded signal systems with crossing arms to block the roadway. This allows the City of Austin the ability to apply for a “quiet zone” meaning that the train will not blow its horn, under normal operations, as it moves through the street. At other crossings, the freight train will blow the horn, which is approximately 96 decibels. At any time, if the engineer judges it to be prudent, the horn will be sounded as needed for safe operation.

Capital Metro strives to provide the community with the best passenger and freight service possible. We also try to be sure that all of our neighbors are aware of both our present and possible future operations.

Please consider this information in planning or reviewing developments near the Capital Metro rail lines.

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: C14-2013-0063

Contact: Wendy Rhoades, 512-974-7719

**Public Hearing: July 16, 2013, Zoning and Platting Commission
August 22, 2013, City Council**

JUANA BENAVIDES

Your Name (please print)

1521 WAXBEERY LN

Your address(es) affected by this application

[Signature]

Signature

Daytime Telephone: 577-3117

Date

7/16/13

☒ I am in favor
☐ I object

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