

ZONING CHANGE REVIEW SHEET

CASE: C14-2013-0065 – Parkside Community School **Z.A.P. DATE:** July 16, 2013

ADDRESS: 3207 West Slaughter Lane

<u>OWNER/APPLICANT:</u> Parkside Community School (Joseph E. Bruno); Alarife (Logan Wagner)	<u>AGENT:</u> Thompson Land Engineering, LLC Ric Thompson, P.E.)
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ZONING FROM: RR; I-RR **TO:** NO **AREA:** 11.915 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general neighborhood office (NO) district zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

July 16, 2013: *TO GRANT NO, NEIGHBORHOOD OFFICE DISTRICT ZONING, AS
STAFF RECOMMENDED, BY CONSENT*
[P. SEEGER; G. ROJAS – 2ND] (7-0)

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject tract is zoned rural residence (RR) district zoning and interim – rural residence (I-RR) district zoning, developed with a residential treatment center, and has driveway access to West Slaughter Lane. There are office uses along fronting West Slaughter Lane to the east (GO-CO), single family residences within Section 4, Phase E of Tanglewood Forest subdivision to the southeast (SF-2), single family residences with the Elmwood Park subdivision and undeveloped land to the south (I-RR), and single family residences within the Palomino Park subdivision to the west (SF-2). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

City records indicate that the residential treatment use existed prior to annexation on December 31, 1992. The Applicant proposes to zone the tract to the neighborhood office (NO) district so that the existing single-story structures may be converted to a private primary educational facility (a civic use first permitted in the NO zoning district).

Since 1998, zoning requests from residential districts to office and commercial districts have been made for many properties on the south side of West Slaughter Lane. The rezonings have provided for the conversion of the existing uses to office (NO and LO), civic and a limited number of neighborhood commercial (LR) uses. Staff recommends the Applicant's

request for NO district zoning in the context of its location on an arterial roadway, compatibility with the adjacent office uses to the east and west, and single family residences to the south.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	RR; I-RR	Residential treatment center
<i>North</i>	MF-4-CO; SF-6; MF-3-CO; LR-CO; GR-CO	Two single family residences on large tracts; Convalescent services; Retail; Gymnastics studio; Convenience storage; Medical office
<i>South</i>	SF-2; I-RR	Single family residences within the Palomino Park and Elmwood Park subdivisions
<i>East</i>	GO-CO; SF-2	Offices; Single family residences within the Tanglewood Forest subdivision
<i>West</i>	NO-CO; SF-2	Offices; Single family residences within the Palomino Park subdivision

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Slaughter Creek – **DESIRED DEVELOPMENT ZONE:** No
Barton Springs Zone – Recharge Zone

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

217 – Tanglewood Forest Neighborhood Association
 219 – Palomino Park Homeowners Association
 384 – Save Barton Creek Association 511 – Austin Neighborhoods Council
 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District 943 – Save Our Springs Alliance x
 997 – Tanglewood Oaks Owners Association 1037 – Homeless Neighborhood Association
 1075 – Bike Austin 1134 – Oak Parke / Brodie Wild Preservation Group, Inc.
 1200 – Super Duper Neighborhood Objectors and Appealers Organization
 1214 – Bauerle Ranch Homeowner's Association
 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:

Baranoff Elementary School

Bailey Middle School

Bowie High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2008-0125 – Circle Oaks Business Park - 3107, 3109 and 3111 W Slaughter Ln	SF-2 to GO-CO	To Grant GO-CO w/CO for	Apvd GO-CO district zoning with personal services as the only permitted GO use, all LO uses, limit the number of driveways to West Slaughter Lane to one, prohibit access to Rochelle Dr via the platted access easement, and limited to the existing amount of impervious cover (9-25-2008).
C14-2007-0133 – Doak Rezoning – 3105 and 3107 W Slaughter Ln	SF-2 to NO	To Deny NO-CO zoning	Withdrawn after posting of the agenda
C14-05-0150 – Slaughter Lane Multifamily – 3226 W Slaughter Ln	MF-4-CO to MF-4-CO to change conditions of zoning, being an increase the height and reduction of the density	To Grant MF-4-CO with changes to the previous CO being a reduction of the zoning impervious cover to 15% and the density to 6.2 dwelling units per acre, and allowing up to 60 feet in height	Approved MF-4-CO for 7.25 acres with the CO as ZAP recommended, plus a two-star Green Building rating for buildings over 45' tall and a 646 foot setback from adjacent residentially zoned property (8-9-2006).
C14-04-0090 – Star Center – 3100 W Slaughter Ln	LR-CO to GR-CO	To grant GR-CO with CO allows personal improvement services and all NO-CO uses	Approved GR-CO as ZAP recommended, with a Restrictive Covenant addressing IPM / Grow Green and coal-tar based sealants (8-26-2004).
C14-03-0143 – Slaughter Assisted Living – 3200 W Slaughter Ln	I-RR to MF-3-CO	To Grant MF-3-CO with CO to include convalescent services as the only permitted use and all other SF-6 uses	Approved MF-3-CO as ZAP recommended (12-11-2003).

C14-03-0165 – Shaid Zoning – 3206 W Slaughter Ln	I-RR to SF-6	To Grant SF-6	Approved SF-6 as ZAP recommended (4- 22-2004).
C14-02-0173 – Tristan – 10003 Rocking Horse Rd	DR to GR	To Grant NO-CO with conditions of no additional impervious cover; prohibit access to Rocking Horse Road.	Approved NO-CO with the CO establishing the maximum impervious cover at 21.9% and prohibiting access to Rocking Horse Rd (7- 17-2003).
C14-02-0102 – 3401 Joint Venture – 3305 to 3415 W Slaughter Ln	I-SF-2; SF-2 to LO-MU-CO; LR, as amended	To Grant LR-MU-CO with list of prohibited uses, 2,000 trips and 8 driveway cuts.	Granted LO-CO for Tracts 1 and 2 and LR- CO for Tract 3 (3-27- 2003).
C14-96-0039 – Dennis & Faye Artale – 3110 Block of W Slaughter Ln	I-RR to GR; LR	To Grant GR-CO on Tract 1; LR-CO on Tract 2	Approved as per PC recommendation (5-23-1996).

RELATED CASES:

The subject property is considered a legal tract (C8i-92-0058). City records indicate that there is an amnesty certificate of occupancy for the residential treatment use.

The subject property was annexed into the City limits on December 31, 1992 (Ordinance Number 921210-A). There are no subdivision or site plan applications on the property.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Daily Traffic
West Slaughter Lane	114 feet	2 @ 38 feet	Major Arterial Divided 6 Lanes (MAD 6)	27,681 vpd (2003)

- There are existing sidewalks along Slaughter Lane.
- According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities exist along the adjacent streets as follows: Slaughter Lane serves route no. 86 with an existing bike lane.
- Capital Metro bus service (route no. 238) is available 0.25 miles east of the site along Slaughter Lane at bus stop no. 2908.

CITY COUNCIL DATE: August 22, 2013

ACTION:

ORDINANCE READINGS: 1st

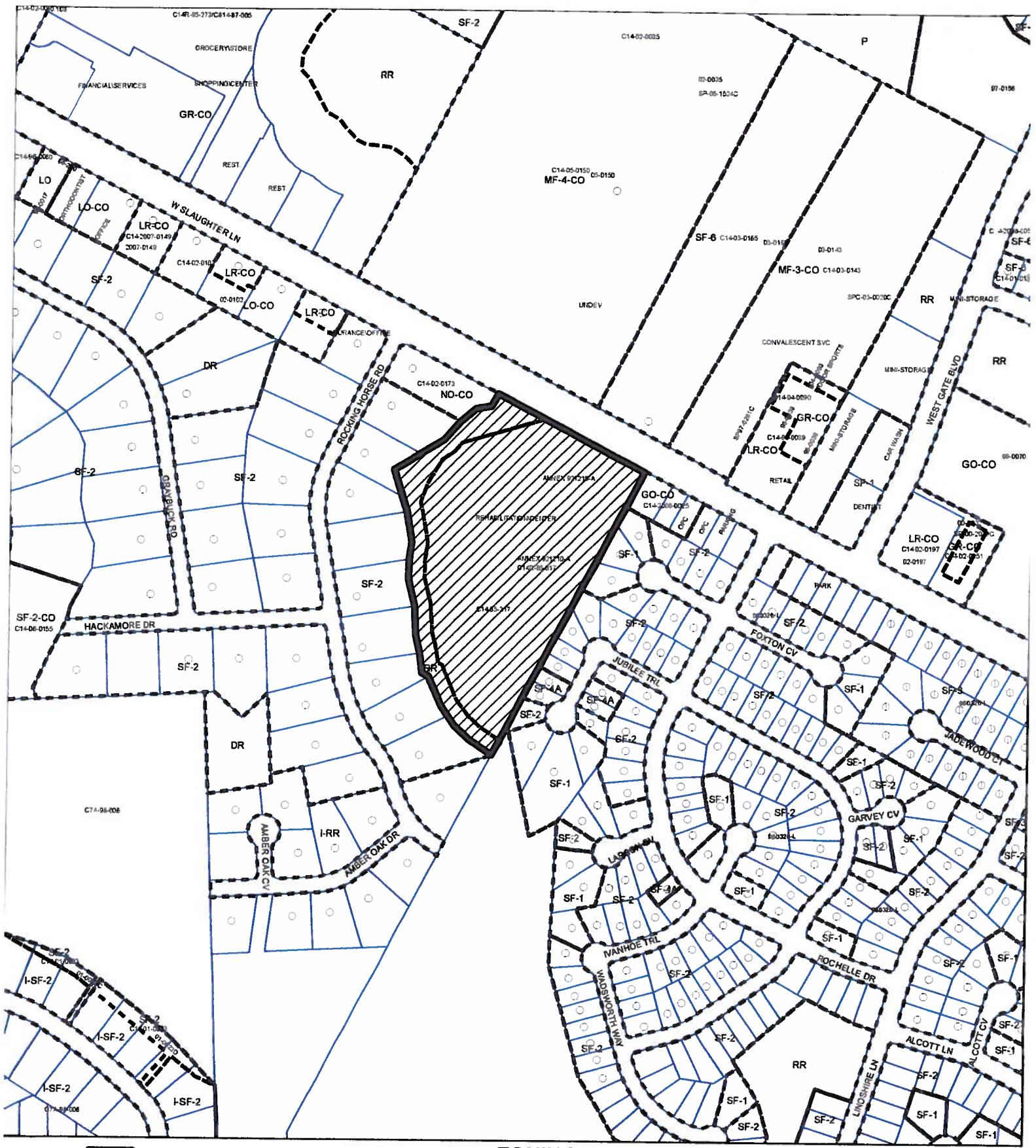
2nd




3rd

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#: C14-2013-0065

EXHIBIT A

1" = 400'

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.





STAFF RECOMMENDATION

The Staff recommendation is to grant general neighborhood office (NO) district zoning.

BASIS FOR RECOMMENDATION

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

The neighborhood office (NO) district is intended for offices predominantly serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods. Offices in the NO district would typically locate on collector streets with a minimum of 40 feet of pavement width, and would not unduly affect traffic in the area. The NO district is designed to accommodate small, single-use offices and to encourage and preserve compatibility with existing neighborhoods through renovation and modernization of existing structures.

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

Since 1998, zoning requests from residential districts to office and commercial districts have been made for many properties on the south side of West Slaughter Lane. The rezonings have provided for the conversion of the existing uses to office (NO and LO), civic and a limited number of neighborhood commercial (LR) uses. Staff recommends the Applicant's request for NO district zoning in the context of its location on an arterial roadway, compatibility with the adjacent office uses to the east and west, and single family residences to the south.

EXISTING CONDITIONS**Site Characteristics**

The subject tract is developed with a residential treatment use occupying several single-story buildings. The site is relatively flat and generally slopes towards south.

Impervious Cover

The maximum impervious cover allowed by the NO zoning district would be 15%, given its location over the Edwards Aquifer Recharge Zone. The Applicant's agent reports that the site is developed with approximately 40,000 square feet of impervious cover, which amounts to 9.1% of the gross site area or 28.1% of the net site area (this figure removes the water quality transition zone (WQTZ – 4.98 acres) and the critical water quality zone (CWQZ – 3.10 acres) from the calculation area).

Comprehensive Planning

This zoning case is located on the south side of W. Slaughter Lane and is situated on an approximately 12 acre parcel of land. The subject property is not located within the boundaries of a neighborhood planning area. The property contains a variety of buildings. The proposed use is the Parkside Community School. Surrounding land uses includes undeveloped land to the north, single family houses to the south, commercial, office and single family houses to the east, and commercial and single family houses to the west.

The overall goal of the Imagine Austin Comprehensive Plan (IACP) is to achieve ‘*complete communities*’ across Austin, where housing, services, retail, jobs, entertainment, health care, schools, parks, and other daily needs are within a convenient walk or bicycle ride of one another. The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan, also identifies this section of 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. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor.

Imagine Austin is largely supportive of the rezoning request to develop a school, and developing a variety of land uses along a corridor to develop ‘*complete communities*’, which is demonstrated in the following plan policies:

- **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.
- **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.
- **N P1.** 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.
- **N P4.** Strengthen Austin’s neighborhoods by connecting to other neighborhoods, **quality schools**, parks, environmental features, and other community-serving uses that are accessible by transit, walking, and bicycling.
- **S P27.** Partner with Austin-area school districts to enhance policies and practices that **support neighborhood-based schools**.

Based on the subject property: (1) providing a neighborhood based school to nearby housing thus supporting the developing of a complete community; (2) the property being located along an Activity Corridor, which supports the development of schools; and (3) the Imagine Austin policies referenced above that also supports the development of 'complete communities' by supporting a variety of land uses, including schools, staff believes that the proposed educational use is supported by the Imagine Austin Comprehensive Plan.

Environmental

This site is 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 Barton Springs Zone (BSZ) watershed. It is in the Drinking Water Protection Zone. Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the Recharge Zone.

According to floodplain maps, there is a floodplain within the project location. Based upon the close proximity of the floodplain, offsite drainage should be calculated to determine whether transition zone exists within the project location.

The site is located within the endangered species survey area.

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 providing structural sedimentation and filtration basins with increased capture volume and 2 year detention. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.

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, 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

This site will be subject to *Subchapter E: Design Standards and Mixed Use* for development along Suburban Roadways.

This site must comply with the requirements of Article 10 (*Compatibility Standards*). All structures, parking areas and driveways shall maintain a setback of 25 feet from property lines adjacent to an SF-5 or more restrictive use or district. (Section 25-2-1067).

All structures shall not exceed two stories or 30 feet in height between 25 feet and 50 feet of a property used or zoned as SF-5 or more restrictive (Section 25-2-1062/1063).

Rhoades, Wendy

From: Tracy East <[REDACTED]>
Sent: Thursday, August 08, 2013 1:35 PM
To: Rhoades, Wendy
Subject: Notice of Public Hearing for Rezoning Case # C14-2013-0065

Dear Ms. Rhoades,

I am emailing you in reference to case # C14-2013-0065, rezoning of 3207 West Slaughter Lane. I am against this proposed rezoning. I live at 10013 Rocking Horse Road, which is next to the property that is being considered for rezoning. This is the house that I was raised in, we bought it in 1967 when the area was considered "way out in the country". I moved away as a young adult and then returned a little over 25 years ago after my father passed away in order to assist my mother with the house and my younger brother. I have inherited this property from my mother, who died a little over two years ago, and love my home.

The development began shortly after I moved back to 10013 Rocking Horse Road around 1987. I remember when they built Slaughter Lane, which used to be a very small two lane street called Riddle Road. Little did I know what was to follow. As the development began to rapidly increase I became depressed at all the beautiful fields and trees that were being destroyed to build stores and offices. I finally came to terms with the progress and have learned to embrace the convenience of shopping, restaurants and doctors that are now within a short distance of my house.

At this time I feel that there is enough shopping strip malls and office space available in the area and urge the City Counsel to reject this rezoning request. I feel that the quality of life will decrease, not only for the residents that are living and raising their families but also the wildlife that is trying to survive in the area. The traffic is already extremely congested and the noise is at an all time high. Most of the residents that live in my neighborhood had been there for many years and enjoy our little piece of heaven that used to be county living.

Please reject the rezoning request! Thank you in advance for your consideration.

Tracy East
Nature Lover and
Resident

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: C14-2013-0065

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: July 16, 2013, Zoning and Platting Commission

August 22, 2013, City Council

Tracy L East

Your Name (please print)

10013 Rocking Horse Rd.

Your address(es) affected by this application

Wendy L. East

Signature

8/8/13

Date

Daytime Telephone: 512/656-6887

Comments:

There are already enough businesses and offices around. We don't need any more. We have to preserve some of the land for the wild life that lives in the area. The traffic is already bad. I have lived at my property for over 25 years and the growth is out of control. Please keep I.R.R. Thank you for your consideration.

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