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ZONING CHANGE REVIEW SHEET

CASE: C14-2013-0143 – 3105 West Slaughter Lane

Z.A.P. DATE: December 17, 2013

ADDRESS: 3103 and 3105 West Slaughter Lane

OWNER: Philip and Mary Ellen Doak

AGENT: McLean & Howard, L.L.P.
(Jeffrey S. Howard)

ZONING FROM: SF-2

TO: GO-CO,
AMENDED TO: LO-CO

AREA: 0.352 acres (approximately 15,333.12 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant limited office – mixed use – conditional overlay (LO-MU-CO) combining district zoning. The Conditional Overlay limits the number of driveways on West Slaughter Lane to one.

ZONING & PLATTING COMMISSION RECOMMENDATION:

December 17, 2013:

ISSUES:

The Applicant has discussed the proposed rezoning with adjacent property owners to the south. The Applicant has amended his request from GO-MU-CO to LO-CO zoning with the Conditional Overlay permitting medical offices ($\pm 5,000$ s.f.); hospital services (limited) which is a conditional use in LO zoning; all permitted uses in NO zoning; establishing day care services (commercial, general and limited types) as conditional uses; and limiting the number of driveways on West Slaughter Lane to one.

DEPARTMENT COMMENTS:

The subject area is zoned single family residence standard lot (SF-2) district, consists of an insurance agency office and an adjacent parking area, has direct access to West Slaughter Lane as well as a driveway within a platted access easement at the rear of the property. The south side of West Slaughter Lane between Rochelle Drive and Rocking Horse Road consists of one single family residence at the corner of Rochelle and Slaughter Lane (SF-2), office / commercial uses and a shared driveway and parking area (GO-CO), and a rehabilitation center (NO). Single family residences within Section 4, Phase E of Tanglewood Forest subdivision are adjacent to the south (SF-2). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

C14/2

The insurance agency office has been in operation since 1992, prior to annexation into the City limits, and therefore is considered a legal, non-conforming use. The Applicant proposes to rezone the lot to the limited office (LO) base district consistent with the existing office use. The subject lots as well as the adjacent three lots to the west have been removed from the subdivision's Covenants and Restrictions.

Since 1998, rezoning requests from SF-2 to office and commercial districts have been made for many properties on West Slaughter Lane. The rezonings have provided for the conversion of single family residences to office (NO, LO, GO), civic and a limited number of neighborhood commercial (LR) uses. The adjacent property to the west is zoned GO-CO by a 2008 case, with the uses limited to personal services use and all uses permitted in LO zoning (C14-2008-0025 – Circle Oaks Business Park). Since the 2008 case was approved, the Code has been amended to allow personal services use as a conditional use and limited to 1,000 square feet in the LO zoning district (LDC Section 25-2-588). On the basis that the subject property is similarly situated, Staff recommends LO-MU-CO district zoning in the context of its location on an arterial roadway, compatibility with the adjacent office uses and single family residences. The Conditional Overlay limits the number of driveways to West Slaughter Lane to one.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Insurance agency office with an adjacent parking and driveway area
<i>North</i>	MF-3-CO; LR-CO; RR; SF-1	Convalescent services; Retail shopping center; Indoor sports and recreation; Convenience storage; Dentist's office
<i>South</i>	SF-1; SF-2	Single family residences within Tanglewood Forest
<i>East</i>	SF-2; SF-3	One single family residence; Park; Duplexes
<i>West</i>	GO-CO; NO	Office; Commercial businesses; Parking area; Rehabilitation center

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Slaughter Creek – Barton Springs Zone – Recharge Zone

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

217 – Tanglewood Forest Neighborhood 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
 997 – Tanglewood Oaks Owners Association 1037 – Homeless Neighborhood Association
 1075 – Bike Austin 1134 – Oak Parke / Brodie Wild Preservation Group, Inc.

C2/13

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
 1424 – Preservation Austin

SCHOOLS:

Baranoff Elementary School

Bailey Middle School

Bowie High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2013-0065 – 3207 W Slaughter Ln – Parkside Community School	I-RR, RR to NO	To Grant	Apvd as ZAP recommended (8-22- 2013).
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 allowing medical offices less than 5,000 s.f. in size, all NO uses and limited to the amount of existing impervious cover onsite	Apvd GO-CO w/ 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).
C14-05-0150 – 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 w/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	Apvd MF-4-CO for 7.25 acres w/the CO as ZAP recommended, plus a two-star Green Building rating for buildings over 45 feet 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 w/ CO allowing for personal improvement services and all NO-	Apvd GR-CO as ZAP recommended, with a Restrictive Covenant addressing IPM /Grow

		CO uses	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 w/CO to include convalescent services as the only permitted use and all other SF-6 uses	Apvd 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	Apvd 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.	Apvd NO-CO w/the CO establishing the maximum impervious cover at 21.9 percent and prohibiting access to Rocking Horse Road (7-17-2003).
C14-01-0159 – Austin Star – 3014 Blk of Aftonshire Way	LO-CO to SF-3	To Grant SF-3	Apvd SF-3 (1-10-2002).
C14-00-2032 – Texcon Convenience Store – 3020 W Slaughter Ln	LR-CO to LR-CO	To Grant LR-CO w/conds.	Apvd LR-CO w/conditions (4-20-2000).
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	Apvd as PC recommended (5-23-1996).

RELATED CASES:

The rezoning area represents Block A, Lots 4 and 5 of Tanglewood Forest, Section Four Phase-E, recorded in March 1985 (C8-82-32.02.1(84)). There is a 20 foot wide Access and Public Utility Easement that straddles the property line between Lots 1 through 5 that have West Slaughter Lane frontage and Lots 8 through 11 that have Foxton Cove frontage. The access easement is constructed as a driveway from Slaughter Lane on Lot 1 to the west and serves the five lots that are developed with office and commercial uses and a rear parking area, including the subject two lots. There is a wood privacy fence located at the edge of the driveway, and both the fence and the driveway are inside of the property boundary of

02/15

residential lot that fronts on Foxton Cove. Please refer to Exhibit B. There are no pending site plan applications on the subject property.

There is also a plat note that states, "Individual driveway access to Riddle Road (note: re-named as Slaughter Lane) is prohibited from Lots 1-5, Block A". The two lots being considered for rezoning also have one direct, shared driveway to West Slaughter Lane, and thus are not in conflict with the plat note.

The property was annexed into the City limits on December 31, 1997 (C7A-97-012A). The property owner applied for neighborhood office (NO) district zoning in 2007 (C14-2007-0133 – Doak). The case was recommended for denial by the Zoning and Platting Commission and withdrawn on May 2, 2008, after the City Council agenda was posted.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
West Slaughter Lane	Varies	87 feet	Major Arterial Divided, 4 lanes (27,681 vpd)	Yes	Yes	Yes, #86

CITY COUNCIL DATE: January 23, 2014

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

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

PHONE: 974-7719

02/18

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant limited office – mixed use – conditional overlay (LO-MU-CO) combining district zoning. The Conditional Overlay limits the number of driveways on West Slaughter Lane to one.

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 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.

Staff's recommendation: The limited office (LO) district is a designation for offices and selected commercial uses predominantly serving neighborhood or community needs, and is located in or adjacent to residential neighborhoods. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

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

Staff recommends LO-MU-CO district zoning in the context of its location on an arterial roadway, compatibility with the adjacent office uses and single family residences. The Conditional Overlay limits the number of driveways to West Slaughter Lane to one.

EXISTING CONDITIONS**Site Characteristics**

The subject property contains an insurance agency office and an adjacent parking area and rear driveway.

Comprehensive Planning

This zoning case is located on the south side of W. Slaughter Lane and is situated on a 0.35 acre parcel of land, which contains an existing office. The subject property is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes a rehabilitation center, dance studio/gym, and retail shopping center to the north, single family housing to the south, a parking lot to the east, and an office to the west. The owner wants the property zoned to reflect the office use that has been located on this property for years but was annexed into the City as 'single family'.

C2/9

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan identifies this section of Slaughter Lane as an **Activity Corridor**. 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**. The property is also located over the Edwards Aquifer Recharge Zone, as identified on the Imagine Austin's Environmental Resources Map, found in the Imagine Austin Comprehensive Plan (IACP). An aquifer contributing zone is an area where runoff from precipitation flows to the recharge zone of an aquifer. Streams in the contributing zone flow downstream into the recharge zone and "contribute" water to the aquifer.

The following Imagine Austin policies are applicable to this case:

- **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 P21.** Ensure that redevelopment in the Edwards Aquifer's recharge and contributing zones maintains the quantity and quality of recharge of the aquifer.

Based upon this property being: (1) situated along an **Activity Corridor** as identified on the Imagine Austin Growth Concept Map; and (2) Imagine Austin policies referenced above that supports commercial and office development in this area of the city staff believes that this of office use is supported by Imagine Austin as long as environmental ordinance and regulations are enforced.

Environmental & Impervious Cover

This site is located over the Edward's Aquifer Recharge Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which in this area is classified as a Barton Springs Zone (BSZ) watershed. It is in the Drinking Water Protection Zone.

The existing lots were platted prior to November 1, 1991, and as such are subject to the provision referenced in LDC 25-8-516 (within Article 12: Save Our Springs Initiative) with respect to existing tracts and platted lots. This limits development of each lot to a maximum of 8,000 square feet of impervious cover, including that existing before and after the development. Therefore, if the platted lots remain zoned SF-2, then a maximum of 8,000 square feet of impervious cover is allowed on each lot, and this includes renovation, additions to, repair and construction of improvements incidental to that residential use. However, in this case, the impervious cover established by zoning is more restrictive and a maximum of 45% is allowed under the existing SF-2 zoning. The same provisions apply with NO, LO and GO district zoning, and the maximum impervious cover would be 60, 70 and 80 percent, respectively.

C2
/10

According to flood plain maps, there is no flood plain within the project location.

The site is not 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.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features.

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

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].

Eric Dusza in the Neighborhood Connectivity Division may provide additional comments regarding mobility enhancement and bicycle/pedestrian facilities.

Water and Wastewater

FYI – The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at his own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. 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.

The site is subject to compatibility standards. Compatibility Standards are applicable to all property adjoining or across the street from a lot zoned or used as SF-5 or more restrictive, or

within 540 feet from a lot zoned SF-5 or more restrictive. The adjacent lots to the South are zoned SF-2 and the lot to the East is zoned SF-2.

Along the southern and eastern property lines, the following standards apply:

- No structure may be built within 25 feet of this property line adjacent to the SF-2 property (25-2-1062).
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No parking is allowed within 25 feet and no driveways are allowed within 23 feet of the property line (25-2-1067).
- A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

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