

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0156 – West Slaughter Lane Residences Two DISTRICT: 5

ZONING FROM: DR; LO-MU-CO; LR-MU-CO

TO: GR-MU-V

ADDRESS: 1009 and 1013 West Slaughter Lane

SITE AREA: 3.147 acres

PROPERTY OWNERS: Nathan J. Kosta-Rodriguez; Howard and Cathy Jean Papke

AGENT: Alice Glasco Consulting (Alice Glasco)

CASE MANAGER: Wendy Rhoades (512-974-7719, wendy.rhoades@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – mixed use – vertical mixed use building (GR-MU-V) combining district zoning. *For a summary of the basis of Staff's recommendation, see case manager comments on page 2.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

November 2, 2021: *APPROVED GR-MU-V DISTRICT ZONING AS STAFF RECOMMENDED, BY CONSENT*

[A. DENKLER; T. BRAY – 2ND] (9-0) C. ACOSTA – ABSENT; ONE VACANCY ON THE COMMISSION

CITY COUNCIL ACTION:

December 2, 2021:

ORDINANCE NUMBER:

ISSUES:

None at this time.

CASE MANAGER COMMENTS:

Applicant requests rezoning to build 170 apartments and 2,000 sf of commercial space under community commercial – mixed use – vertical mixed use building (GR-MU-V) combining district zoning. If a vertical mixed use building is constructed, then 10% must be designated as affordable at 80% median family income.

1009 and 1013 West Slaughter, the rezoning tract (“Tract”) is located on the south side of West Slaughter Lane between Menchaca Road and South 1st Street. The Tract has

approximately 170 feet of frontage along West Slaughter Lane and is its only access. This 3.147 acre Tract contains an automotive repair use and a manufactured home, and is otherwise undeveloped.

An undeveloped property immediately to the west recently received Council approval on November 4, 2021 (C14-2021-0117 – West Slaughter Lane Residences) and has the potential to be developed in conjunction with the subject rezoning area. An Austin Energy substation and drainageway is located further west. To the east and south is a condominium community developed with two-story detached homes on compact lots.

City maps show a creek buffer area running diagonally from northwest to southeast through the Austin Energy site and continuing through the southwest corner of the rezoning Tract. Creek Buffers are unbuildable areas.

Existing Zoning

The Tract was annexed into the City limits with full jurisdiction in November 1984 (C7A-83-017) and consists of two rezoning areas: The west half of the tract is zoned development reserve (DR) district, and the east half is zoned neighborhood commercial – mixed use – conditional overlay (LR-MU-CO) and limited office – mixed use – conditional overlay (LO-MU-CO) by a 2006 rezoning case. The Conditional Overlay is for a maximum of 2,000 vehicle trips per day (C14-06-0116).

The adjacent 3.15 acre tract to the west was recently zoned GR-MU-V, and there is an Austin Energy Substation and drainage easement further west zoned P, public. The townhouse and condominium residence – conditional overlay (SF-6-CO) zoned neighborhood is directly east of the rezoning Tract. ***Please refer to attached Exhibits A and A-1: Zoning Map and Aerial.***

The land directly across West Slaughter Lane to the north has community commercial (GR) district zoning and is developed with a childcare business fronting and taking access on Chisholm Lane. Next to the childcare center is a detached residence on neighborhood commercial (LR) district zoned land. North of the childcare on Chisholm Lane, there is about 1,000 feet of development reserve (DR) district zoning developed with single family residences on lots that are about an acre in size.

Mobility and Connectivity

West Slaughter Lane is a Level 4 street (arterial) in Austin's Strategic Mobility Plan (ASMP) adopted in April 2019. There are 3 travel lanes in each direction with a center median and turn lanes. West Slaughter Lane is designated as a **Future Core Transit Corridor** from MoPac Expressway to IH-35. There are continuous bike lanes and sidewalks from Menchaca Road to South 1st Street. The Capital Metro #3 and 318 buses provide service to this section of West Slaughter Lane. The CapMetro eastbound bus stop (2976) is located about 100 feet east of the rezoning tract. The westbound stop (2933) is across West Slaughter Lane at the corner of United Kingdom Drive. A morning peak hour trip from stop 2933 to Republic Square Station Downtown is 30 minutes on the #3.

Slaughter Lane from IH-35 to MoPac Expressway is also designated as a Future Core Transit Corridor and thus, eligible for the addition of –V zoning. The addition of –V provides an additional development option to a property, however it does not grant: 1) additional height to the base zoning district which is 60 feet in the GR district or 2) additional impervious cover which is limited to 80 percent in the suburban portion of the Slaughter Creek watershed. The addition of –V also does not waive applicable compatibility standards.

A building built under vertical mixed use building (V) standards is required to contain a mix of residential and commercial uses, and the result is typically retail, restaurants and offices on the ground floor, and residential units on the upper levels. On the subject property, there is also the opportunity to waive: 1) the front and interior side setbacks, 2) the 1:1 floor-to-area ratio established by GR zoning, and 3) the minimum site area requirement which is the number of dwelling units on a site by requiring a certain amount of square footage for a specific type of multi-family unit (efficiency, one bedroom, two bedroom). A –V building is also eligible for 60 percent of the minimum requirement for off-street parking. Finally, a (V) building has an established affordability level for rental units which is 10 percent of the residential units set aside for households earning no more than 80 percent of the current MFI (\$79,100 – dated June 2021), for a period of 40 years.

BASIS OF RECOMMENDATION:

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

The proposed community commercial (GR) district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. Vertical mixed use building (V) combining district may be applied in combination with any commercial base zoning district and allows for a combination of office, retail, commercial and residential uses within a vertical mixed use building.

The Applicant requests community commercial (GR) base zoning for a district that permits buildings up to 60 feet in height and mixed use (MU) which adds the ability to build residential with commercial uses.

Applicant proposes to meet the combination of requirements for the V building including commercial uses, residential uses and affordable residential units.

2. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

The City Council adopted Core Transit Corridors and Future Core Transit Corridors in 2006 and adopted the Imagine Austin Comprehensive Plan (IACP) June 15, 2012. The proposed location on West Slaughter Lane is an IACP activity corridor and on a designated Future Core Transit Corridor. The proposed location is where compact development should be located in conjunction with retail, service, entertainment, education and employers. Places where people can walk and bike to accomplish some daily tasks. Activity corridors help to

increase the level of physical activity promoting health goals and reducing reliance on fossil-fuel based transportation thereby supporting environmental goals.

Staff supports the Applicant's request since the proposed apartments and retail uses are consistent with uses on the corridor. The proposed development is both mixed-use and compact and adds to the variety of housing choices available in the area. The addition of affordable units consistent with requirements of the vertical mixed use (V) zoning is also a benefit for the area.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR; LO-MU-CO; LR-MU-CO	Automotive repair; Manufactured home; Undeveloped
<i>North</i>	LR-CO; GR; LR; SF-2	Undeveloped; Child care facility; Single family residences
<i>South</i>	SF-6-CO	Detached single family residences in Searight Village
<i>East</i>	SF-6-CO	Detached single family residences in Searight Village
<i>West</i>	GR-MU-V; P; LO-MU-CO; SF-2; SF-1; RR	2400 sq ft Canopy (TCAD); Undeveloped (approved for GR-MU-V on 1 st Rdg); COA drainage channel and electric substation; Single family residences

NEIGHBORHOOD PLANNING AREA: Not Applicable

TIA: Is not required

WATERSHED: Slaughter Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes

SCHOOLS:

Casey Elementary School

Paredes Middle School

Akins High School

COMMUNITY REGISTRY LIST:

242 – Slaughter Lane Neighborhood Association	511 – Austin Neighborhoods Council
627 – Onion Creek Homeowners Association	742 – Austin Independent School District
1228 – Sierra Club, Austin Regional Group	1363 – SEL Texas
1424 – Preservation Austin	1530 – Friends of Austin Neighborhoods
1531 – South Austin Neighborhood Alliance (SANA)	
1550 – Homeless Neighborhood Association	
1616 – Neighborhood Empowerment Foundation	1774 – Austin Lost and Found Pets
1775 – Chisholm Lane Homeowners	1794 – Brentwood Villas HOA

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-98-0270 –	DR; SF-2 to GR	To Grant LO-CO on	Apvd LO-CO (Tract 1)

Uresti Day Care – 9316 Chisholm Ln and 1112 Slaughter Ln		the Tract 1 (west) and LR-CO on the Tract 2 (east), with conditions	and LR-CO (Tract 2) w/CO for 2,000 trips, no vehicle access to Chisholm Ln and prohibit financial services and service station on Tract 2 (7-15-1999).
C14-99-0063 – Shirell and Lois Hipp Zoning Change – 1303 W Slaughter Ln	SF-2 to LO	To Grant LO-CO, w/conditions	Apvd LO-CO w/ CO prohibiting access to Slaughter Lane (8-19-1999).
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	Apvd MF-1-CO and LR-CO, w/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).
C14-00-2111 – Solera – 1200 Block of W Slaughter Ln	DR to MF-3	To Grant MF-2-CO w/conditions	Apvd MF-2-CO w/CO for 12.18 u.p.a. and conditions of Traffic Impact Analysis (10-26-2000).
C14-00-2189 – Wattinger Acres – 1218 W Slaughter Ln	DR to W/LO	To Grant W/LO-CO w/conditions	Apvd W/LO-CO w/CO for 2,000 trips (1-18-2001).
C14-00-2242 – Swanson’s Crossing Retail – 1216 – 1400 W Slaughter Ln	DR to LR	To Grant LR-CO w/conditions	Apvd LR-CO w/ CO for 2,000 trips (2-15-2001).
C14-02-0079 – Stone Tract – 9601- 9641 South Chisholm Trl	I-RR to SF-3	To Grant SF-1-CO w/ max. 28 units and conditions of NTA	Apvd SF-1-CO as Commission recommended, and conditions of Neighborhood Traffic Analysis (1-16-2003).
C14-02-0046 – Wattinger Corner – NW corner of Slaughter Ln and	DR to GR-CO	To Grant LR-CO	Apvd LR-CO w/CO for 2,000 trips and list of prohibited uses (9-26-2002).

Texas Oaks Dr			
C14-05-0217 – 1204 W Slaughter Ln	SF-2 to LR-CO	To Grant LO	Apvd LO (4-20-2006).
C14-2007-0059 – 1206 W Slaughter Ln	SF-2 to LR-CO	To Grant LO-CO	Apvd LO-CO w/CO for 2,000 trips (7-26-2007).
C14-2008-0052 – TJG – 9609 Swanson’s Ranch Rd	SF-2 to CS	To Grant GO-CO w/ CO for personal services as only GO use, and all NO zoning uses and regulations, 150 trips/day, all parking to be located on-site and conditions of the NTA	Apvd GO-CO district zoning w/conditions of a Restrictive Covenant as Commission recommended (1-15-2009).
C14-2008-0164 – 2.458 acres adjacent to Slaughter Lane Substation	DR to P	To Grant P	Apvd P (10-2-2008).
C14-2008-0187 – Burr – 1201 West Slaughter Ln	SF-2 to LR	To Grant LR-CO w/CO allowing food sales, general retail sales (convenience and general) and all permitted LO uses	Apvd LR-CO as Commission recommended (11-6-2008).
C14-2017-0123 – South Chisholm Professional Offices – 1109 W Slaughter Ln	SF-2 to LO-MU	To Grant LO-MU-CO w/CO limited to one residential unit	Apvd LO-MU-CO as Commission recommended, w/an add’l CO prohibiting vehicular access to S Chisholm Ln (5-10-2018).
C14-2021-0117 – West Slaughter Lane Residences – 1017 W Slaughter Ln	DR to GR-MU- V	To Grant	Apvd (11-4-2021).

RELATED CASES:

The property is platted as Lots 3 and 4 of the Resubdivision of Tract C of the Etta Chappell Estate Farm Tract Subdivision, recorded in March 1978 (C8s-77-290).

The property was annexed into the City limits in November 1984 (C7A-83-017 A, Ord. 841115-L).

On August 31, 2006, Council approved LR-MU-CO (to a depth of 400 feet) and LO-MU-CO for the remainder of Lot 4 (C14-06-0116 – 1017 W Slaughter). The -CO is for a maximum of 2,000 vehicle trips per day.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
West Slaughter Lane	120 feet	79 feet	Level 4	Yes	Bike Lane - Buffered	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

The rezoning case is located on the south side of West Slaughter Lane, on a property that is approximately 3.15 acres in size, which contains an auto repair shop, a manufactured home, and undeveloped land. The property is located outside the boundaries of a small area plan but is located along **the Slaughter Lane Activity Corridor** and approximately 0.35 linear miles west of the **Slaughter Lane Station Neighborhood Center**. Surrounding land uses include a children's day care center and a single-family subdivision to the north; to the south and east is a single-family subdivision; and to the west is an electrical substation.

Request: DR, LR-MU-CO, LO-MU-CO to GR-MU-V. The proposed use is mixed use project would include **170 units** of multi-family housing and 2,000 square feet of commercial. Ten percent of the units (17 units) will be classified as 'affordable housing' under the Vertical Mixed-Use Ordinance.

Connectivity

There is a public transit stop less than 200 feet from the subject property. Public sidewalks are located on both sides of this portion of West Slaughter Lane. Unprotected bike lanes are located along both sides of this portion of West Slaughter Lane. A large park and a middle school are located less than a half a mile from the subject property. Mobility options are average while connectivity options are fair in this area.

Imagine Austin

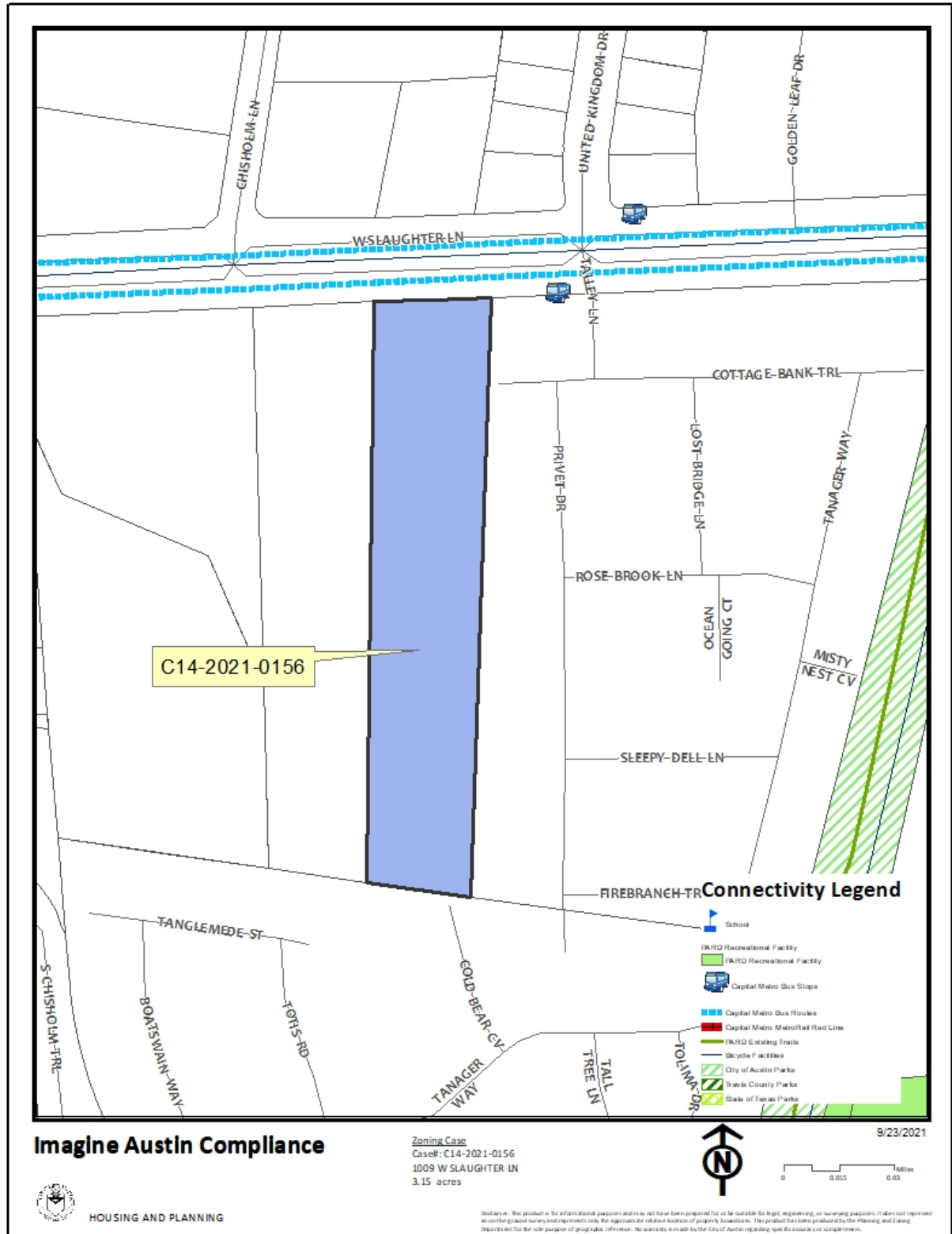
The Imagine Austin Growth Concept Map identifies this section of **West Slaughter Lane as an Activity Corridor**. Activity Corridors are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile and characterized by a variety of land uses including

commercial, schools, single-family houses, **apartments**, public buildings, houses of worship, **mixed-use buildings**, and offices.

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 P10.** Direct housing and employment growth to activity centers and corridors, preserving and integrating existing affordable housing where possible.
- **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 upon this proposal being a true mixed-use project that includes an affordable housing component located along Activity Corridor; and good mobility and fair connectivity options in the area; this proposed mixed use project supports the policies of the Imagine Austin Comprehensive Plan.



Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental

The site is not 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 Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

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 Gross Site Area</i>	<i>% of Gross Site Area 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 location.

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 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 requires water quality control with increased capture volume and control of the 2-year storm on site.

Impervious Cover

Within the Slaughter Creek watershed, the maximum impervious cover allowed by the *GR-MU-V zoning district is 80% (90% with transfers)*, which is based on the more restrictive *watershed regulations*.

PARD – Planning & Design Review

Parkland dedication will be required for the new residential units proposed by this development, multifamily with GR-MU-V zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

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.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. This site is located on a Suburban Roadway. Additional comments will be made when the site plan is submitted.

ATD Engineering Review

Assessment of required transportation mitigation, including the potential dedication of right-of-way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

Austin Water Utility

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 land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

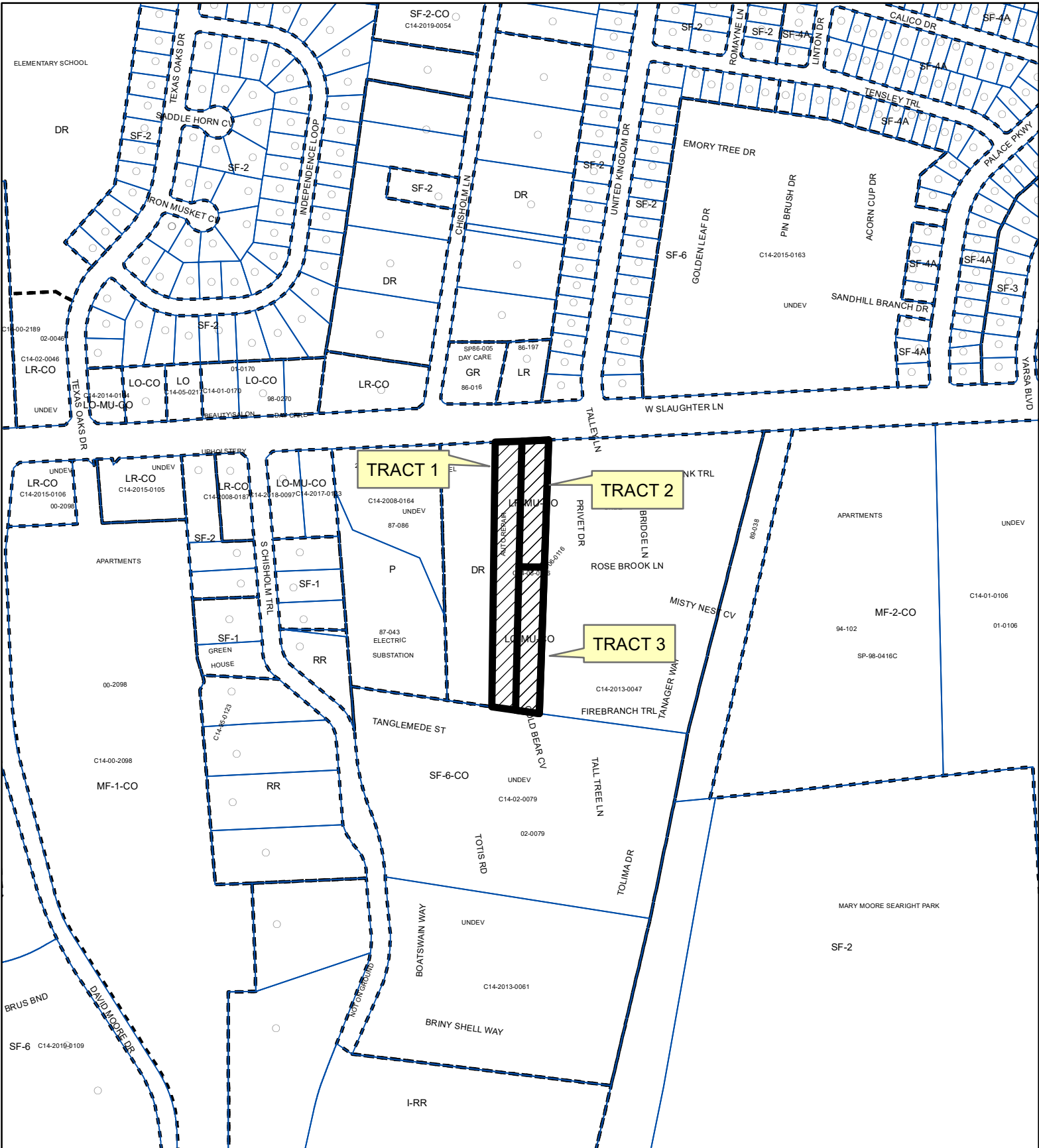
Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

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.

INDEX OF EXHIBITS AND CORRESPONDENCE TO FOLLOW:

A: Zoning Map
A-1: Aerial Map

Correspondence Received



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

ZONING

ZONING CASE#: C14-2021-0156

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 the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or



Created: 9/22/2021

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the 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. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

Case Number: C14-2021-0156

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: November 2, 2021, Zoning and Platting Commission

ROBERT MERRIAM

Your Name (please print)

☐ I am in favor
☒ I object

9420 PRIVET DRIVE AUSTIN, TX 78748

Your address(es) affected by this application (optional)

R. L. Merriam

Signature

10/25/2021

Date

Daytime Telephone (Optional): _____

Comments: PLEASE SEE DIGITAL FILES. THANK YOU.

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

City of Austin, Housing & Planning Department

Wendy Rhoades

P. O. Box 1088, Austin, TX 78767

Or email to:

wendy.rhoades@austintexas.gov

Comments re Rezoning Request

October 25, 2021

Case Number: C14-2021-0156

Contact: Wendy Rhoades: 512-974-7719

Public Hearing: November 2, 2021, Zoning and Platting Commission

Comments:

I am against the request to rezone the property. The rezoning will negatively affect the Searight Village homeowners in the following ways.

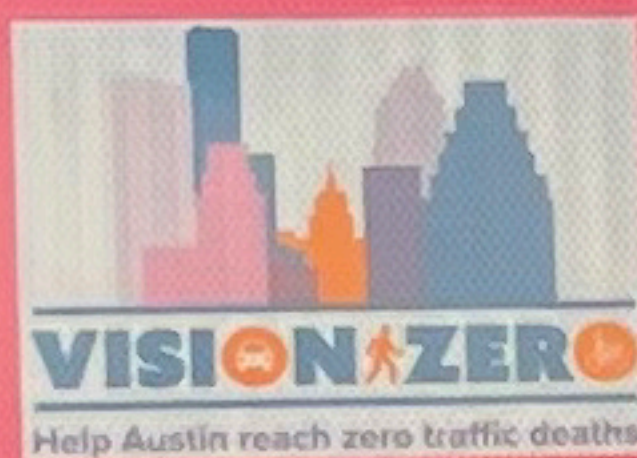
1. The proposed development will remove the current greenbelt that is on the property.
2. Currently, Searight Village has minimum water pressure. The addition of 300-400 apartments will significantly affect the low water pressure in Searight Village.
2. The impervious surface runoff will flow into the Searight Village area.
3. There will be a significant increase in traffic on Slaughter Lane, especially at the United Kingdom / Slaughter Lane intersection.
4. The incidence of traffic accidents, already high, will increase on Slaughter Lane.
5. There will be an increase in refuse pollution in the area.
6. There will be an increase in the crime rate in the area.
7. There will be a significant increase in light pollution.
8. There will be an increase in noise pollution in the area.

Thank you for your attention and consideration.

Robert Merriam
9420 Privet Drive
Austin, TX 78748

HIGH CRASH ROADWAY

**Eyes Up
Buckle Up**



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/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the 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. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

Case Number: C14-2021-0156

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: November 2, 2021, Zoning and Platting Commission

Carmen Henriquez
Your Name (please print)

☐ I am in favor
☒ I object

Your address(es) affected by this application (optional)

Carmen Henriquez
Signature

10/26/2021
Date

Daytime Telephone (Optional):

Comments:

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

City of Austin, Housing & Planning Department

Wendy Rhoades

P. O. Box 1088, Austin, TX 78767

Or email to:

wendy.rhoades@austintexas.gov