

## **ZONING CHANGE REVIEW SHEET**

CASE: C14-2018-0081 – PAZ Veterinary

DISTRICT: 3

ZONING FROM: GO-NP

TO: GR-NP

ADDRESS: 3300 East 7<sup>th</sup> Street and 3311 Gonzales Street

SITE AREA: 0.774 Acres

PROPERTY OWNERS:

3301 Gonzales LLC  
(Thomas Joseph)

AGENT:

Alice Glasco Consulting  
(Alice Glasco)

CASE MANAGER: Heather Chaffin (512-974-2122, [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov))

STAFF RECOMMENDATION:

**Staff supports the Applicant's request for rezoning from GO-NP to GR-NP. For a summary of the basis of staff's recommendation, see case manager comments on page 2.**

PLANNING COMMISSION ACTION / RECOMMENDATION:

October 9, 2018:

September 25, 2018: TO GRANT POSTPONEMENT TO OCTOBER 9, 2018 AS REQUESTED BY STAFF, ON CONSENT. (10-0) [G. Thompson- 1<sup>st</sup>, Y. Flores-2<sup>nd</sup>; C. Kenny, P. Seeger- Absent]

CITY COUNCIL ACTION:

October 18, 2018:

ORDINANCE NUMBER:

CASE MANAGER COMMENTS:

The subject tract is located at the northeast corner of East 7<sup>th</sup> Street and Allen Street. The property also has frontage on Gonzales Street to the north. The property is zoned GO-NP and is currently undeveloped. Immediately east of the property are properties zoned LR-MU-CO-NP and CS-V-CO-NP. The LR properties face Gonzales Street and are developed with single family residences. The CS properties are along East 7<sup>th</sup> Street and include an undeveloped lot and a retail store. To the west of the subject tract, across Allen Street, is land zoned GO-V-NP that is developed with a mixed use commercial/multifamily project. Across Gonzales Street to the north is a lumber yard that is zoned CS-MU-CO-NP and single family residences that are zoned SF-3-NP. Across East 7<sup>th</sup> Street to the south is land zoned CS-V-CO-NP and CS-CO-NP that is developed with a retail store. ***Please see Exhibits A and B—Zoning Map and Aerial Exhibit.***

The Applicant is proposing construction of a veterinary clinic, which is classified as “Pet Services” by Code. The clinic will not include kennels or outdoor facilities, and will only serve household pets, not large animals. Staff supports the rezoning request for several reasons. First, East 7<sup>th</sup> Street is an Activity Corridor, which is intended to provide a variety of uses and services to the surrounding community. Second, the property is mostly surrounded by more intensive zoning than is currently located on this property. While there is a SF-3-NP neighborhood across Gonzales Street to the northeast, the other surrounding properties are a mix of GO-V-NP, CS-MU-CO-NP, LR-MU-CO-NP, CS-V-CO-NP, and CS-CO-NP. The addition of GR-NP at this location would fit with these surrounding categories.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought.* Community commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways. The subject property is on an Activity Corridor, and is proposed to provide pet services to the surrounding neighborhood and community.
2. *Granting of the request should result in an equal treatment of similarly situated properties.* The surrounding properties are primarily a mix of GO-V-NP, CS-MU-CO-NP, LR-MU-CO-NP, CS-V-CO-NP, and CS-CO-NP, particularly along the Activity Corridor of East 7<sup>th</sup> Street. The addition of GR-NP at this location would fit with these surrounding categories.
3. *Public facilities and services should be adequate to serve the set of uses allowed by a rezoning.*

The proposed rezoning is located on an Activity Corridor and is well served by bicycle and bus routes. The site also has three street frontages, which is a benefit to a commercially zoned property.

EXISTING ZONING AND LAND USES:

|       | ZONING               | LAND USES  |
|-------|----------------------|--|
| Site  | GO-NP                | Undeveloped  |
| North | CS-MU-CO-NP, SF-3-NP | Construction sales and services, Single family residential |
| South | CS-CO-NP             | General retail   |

|      | ZONING                  | LAND USES                                 |
|------|-------------------------|---|
| East | LR-MU-CO-NP, CS-V-CO-NP | Single family residential, Limited retail |
| West | GO-V-NP                 | Mixed use- Commercial/Multifamily         |

NEIGHBORHOOD PLANNING AREA: Govalle-Johnston Terrace

TIA: N/A

WATERSHED: Boggy Creek

OVERLAYS: Airport Overlay

NEIGHBORHOOD ORGANIZATIONS:

|  |                               |
|--|-------------------------------|
| Homeless Neighborhood Association                                | East Austin Conservancy       |
| El Concilio Mexican-American Neighborhoods                       | AI SD                         |
| Austin Neighborhoods Council                                     | Austin Innerscity Alliance    |
| Del Valle Community Coalition                                    | United East Austin Coalition  |
| Claim Your Destiny Foundation                                    | Black Improvement Association |
| Preservation Austin  | Bike Austin                   |
| Friends of Austin Neighborhoods                                  | Tejana Bilingual Community    |
| Neighborhood Empowerment Foundation                              | East Austin Conservancy       |
| Buena Vista Neighborhood Association                             | Tejano Town                   |
| Neighbors United for Progress                                    | Sierra Club                   |
| Greater East Austin Neighborhood Association                     | Preservation Austin           |
| Govalle/Johnston Terrace Neighborhood Plan Contact Team          |                               |
| Guadalupe Neighborhood Development Corporation                   |                               |
| African American Cultural Heritage District Business Association |                               |

AREA CASE HISTORIES:

| NUMBER                              | REQUEST                    | PLANNING COMMISSION  | CITY COUNCIL                            |
|-------------------------------------|----------------------------|--|---|
| C14-05-0122<br>704 Gunter<br>Street | CS-CO-NP to<br>CS-MU-CO-NP | 11/8/2005: Recommended CS-MU-CO-NP. (6-2), Prohibited uses: Adult-oriented business, Kennels, Residential treatment, Campground, Pawn shop svcs, Vehicle storage, Conditional uses: Ag sales and svcs, Ltd warehousing and distribution, Laundry svcs, Equipment repair svcs, Const sales and svcs, Building maintenance svcs, Equipment sales | 001/26/2016: Grant as recommended by PC |

EXISTING STREET CHARACTERISTICS:

| Name                      | ROW  | Pavement | Classification          | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|---------------------------|------|----------|-------------------------|-----------|---------------|-------------------------------|
| E. 7 <sup>th</sup> Street | 124' | 50'      | Major Arterial, Divided | Yes       | Yes           | Yes                           |
| Allen Street              | 50'  | 26'      | Local                   | No        | No            | Yes                           |
| Gonzales Street           | 50'  | 26'      | Local                   | No        | No            | Yes                           |

OTHER STAFF COMMENTS:ENVIRONMENTAL

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Boggy Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. 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.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

SITE PLAN

SP 1. Site plans will be required for any new development other than single-family or duplex residential.

SP 2. 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.

SP 3. 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

SP 4. The site is subject to compatibility standards.

- ☐ 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.
- ☐ A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- ☐ For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
- ☐ 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.
- ☐ A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

#### Airport Overlay

SP 5. FYI – This site is located within the Austin-Bergstrom Airport Controlled Compatible Land Use Area Overlay. No use will be allowed that can create electrical interference with navigational signals or radio communications between airport and aircraft, make it difficult for pilots to distinguish between the airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. Height limitations and incompatible uses with each Airport Overlay zone are established in the Airport Overlay Ordinance. Airport Hazard Zoning Committee review may be required prior to Planning Commission Hearing. Additional comments may be generated during the site plan review process.

#### TRANSPORTATION

TR1. Per LDC 25-6-101 (Ordinance No. 20170302-077), this site may be required to provide mitigation for traffic impact with the zoning application. Please contact Scott James (Scott.James@austintexas.gov) to discuss the required mitigation for this site. A traffic study may be required.

TR2. Additional right-of-way maybe required at the time of subdivision and/or site plan.

TR3. A Neighborhood Traffic Analysis or a Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-114. LDC. 25-6-113.

TR4. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a Protected Bike Lane is recommended for E 7th St. Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and bicycle facility construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the Bicycle Master Plan for more information.

TR5. Existing Street Characteristics:

FYI – the existing driveways and sidewalks along E 7th St. may be required to be removed and/or reconstructed at the time of the site plan application in accordance with the Land Development Code and Transportation Criteria Manual.

| Name                      | ROW  | Pavement | Classification          | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|---------------------------|------|----------|-------------------------|-----------|---------------|-------------------------------|
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### WATER UTILITY

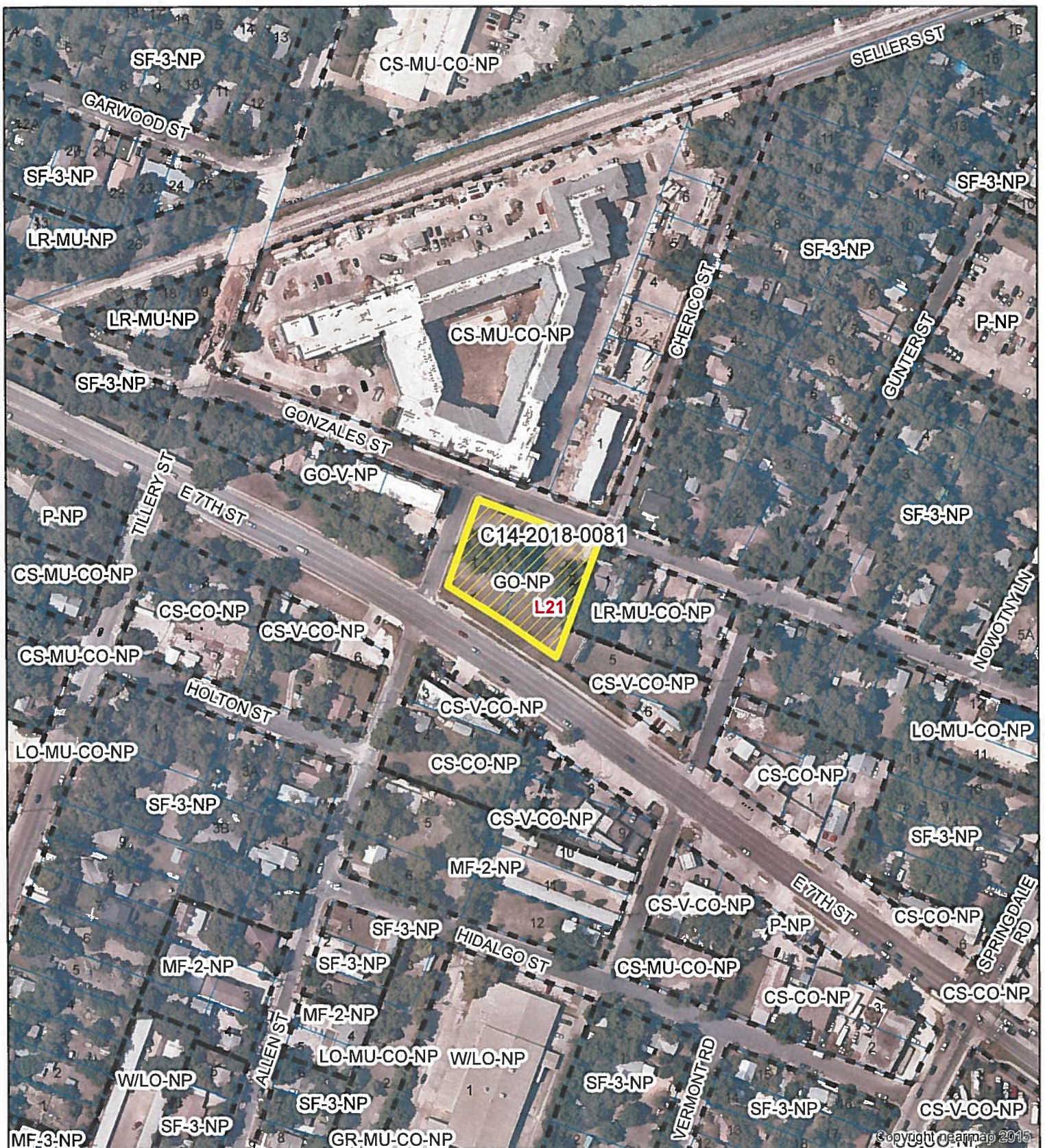
1. The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. Water 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.

### INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Exhibit







1" = 200'

- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE
- CREEK BUFFER

### PAZ VETERINARY

ZONING CASE#: C14-2018-0081  
 LOCATION: 3300 E. 7TH STREET  
 SUBJECT AREA: .774 ACRES  
 GRID: L21  
 MANAGER: HEATHER CHAFFIN



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.