

## ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0190  
3020 E. Cesar Chavez

DISTRICT: 3

ZONING FROM: CS-MU-CO-NP

TO: CS-MU-V-NP

ADDRESS: 3020 East Cesar Chavez Street

SITE AREA: 2.35 acres

PROPERTY OWNER:  
Eastside Partners LLC

AGENT:  
Drenner Group PC  
(Leah Bojo)

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

### STAFF RECOMMENDATION:

**Staff supports the Applicant's request of CS-MU-V-NP, with the condition listed below, making the recommendation CS-MU-V-CO-NP.**

**1. The following land uses shall be prohibited: Adult oriented businesses, Automotive repair services, Automotive washing ( of any type), Automotive rentals, Automotive sales, Campground, Convenience storage, Equipment sales, Laundry services, Residential treatment, Equipment repair services, Kennels, Pawn shop services, and Vehicle storage.**

**2. The following land uses shall be conditional: Commercial off-street parking, Limited warehousing and distribution, Custom manufacturing, Service station, Transportation terminal, and Drive-in service as an accessory use to commercial uses.**

*For a summary of the basis of staff's recommendation, see case manager comments on page 2.*

### PLANNING COMMISSION ACTION / RECOMMENDATION:

September 27, 2022: To grant CS-MU-V-CO-NP as recommended by Staff. (7-1)

[Anderson- 1st, Hempel- 2nd. Llanes-Pulido-Nay; Cox- Abstain; 1 Vacancy.

March 8, 2022: To grant indefinite postponement as requested by Applicant, on consent.

February 22, 2022: To grant postponement to March 8, 2022 as requested by Staff, on consent.

### CITY COUNCIL ACTION:

October 27, 2022:

### ORDINANCE NUMBER:

ISSUES:

The conditional and prohibited land uses included in the Staff Recommendation are being carried over from the current CS-MU-CO-NP zoning on the site. The Applicant has agreed to these conditional and prohibited land uses.

CASE MANAGER COMMENTS:

The subject property is located on the north side of Cesar Chavez Street, between Linden Street and Tillery Street. The CS-MU-CO-NP property is currently developed with office land uses. Immediately east of the rezoning tract is a convenience store/service station, also zoned CS-MU-CO-NP. Across Linden Street to the west are properties zoned CS-MU-CO-NP and GR-MU-NP that are developed with office and restaurant land uses. Across East 2<sup>nd</sup> Street to the north are single family residences zoned SF-3-NP. Across East Cesar Chavez to the south are properties zoned CS-MU-CO-NP, GR-MU-CO-NP and SF-3-NP. These properties include a lumber yard, limited retail, and undeveloped land. ***Please see Exhibits A and B- Zoning Map and Aerial Exhibit.***

Staff supports the rezoning request with the addition of conditional and prohibited land uses. The property is served by Capital Metro bus routes 17 and 4, providing convenient transit opportunities. The addition of V/VMU will allow changes to site development standards for redevelopment that includes onsite affordable housing. Additionally, the Applicant has agreed to keep the existing list of conditional and prohibited land uses, maintaining the conditions established with the existing zoning.

Staff has received correspondence in opposition to the rezoning request. ***Please see Exhibit C- Correspondence.***

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the goals and objectives of the City Council.*
2. *The rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission.*

By adding V/VMU, the property will be able to utilize relaxed site development standards if onsite affordable housing is provided. While residential land uses are permitted in the existing CS-MU-CO-NP zoning, the addition of affordable housing is consistent with the Strategic Planning Blueprint.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	CS-MU-CO-NP	Administrative/business offices
North	SF-3-NP	Single family residential
South	CS-MU-CO-NP, GR-MU-CO-NP, SF-3-NP	Construction sales and services, Retail- limited, Undeveloped
East	CS-MU-CO-NP	Food sales, Service station
West	CS-MU-CO-NP, GR-MU-NP	Administrative/business offices, Restaurant- general

NEIGHBORHOOD PLANNING AREA: Govalle/Johnston Terrace

CAPITOL VIEW CORRIDOR: No

TIA: Deferred to time of site plan

WATERSHED: Colorado River

NEIGHBORHOOD ORGANIZATIONS:

Del Valle Community Coalition

PODER

East Austin Conservancy

Save Town Lake.org

Tejano Town

Barrio Unido Neighborhood Association

Buena Vista Neighborhood Association

River Bluff Neighborhood Association

Preservation Austin

Friends of the Emma Barrientos MACC

Guadalupe Neighborhood Development Corporation

Sentral Plus East Austin Koalition (SPEAK)

Holly Neighborhood Coalition

Govalle/Johnston Terrace Neighborhood Plan Team

Tillery Square Neighborhood Association

El Concilio Mexican-American Neighborhoods

Cristo Rey Neighborhood Association

Austin Neighborhoods Council

Greater East Austin Neighborhood Association

United East Austin Coalition

AREA CASE HISTORIES:

NUMBER / NAME	REQUEST	COMMISSION	CITY COUNCIL
C14-2021-0083 3001 East Cesar Chavez	CS-MU-CO-NP, GR-MU-CO-NP, SF-3-NP, RR-NP to CS-MU-V-CO-NP	Indefinite postponement by applicant	

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
E 2 <sup>nd</sup> St.	73'	43'	ASMP Level 2	Yes	Shared Lane	Yes
Linden St.	74'	40'	ASMP Level 1	Yes	None	Yes
E Cesar Chavez	103'	55'	ASMP Level 3	Yes	None	Yes

### ADDITIONAL STAFF COMMENTS:

#### Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Colorado River 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. 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.
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

SP1. Site plans will be required for any new development other than single-family or duplex residential.

SP2. 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.

SP3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP4. FYI: Additional design regulations will be enforced at the time a site plan is submitted.

SP5. The site is subject to compatibility standards due to adjacency of SF-3-NP to the north and northwest. The following standards apply:

- ☐ 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.
- ☐ 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 zoned SF-5 or more restrictive.
- ☐ For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.
- ☐ No parking or driveways are allowed within 25 feet of the property line.
- ☐ Landscaping or screening is required along the west property line in accordance with the screening requirements (Section 25-2-1006 and ECM 2.9.1.), Parking Design Standards (Section 25-6-563) and/or Screening Standards (Section 25.2.1066) to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- ☐ An intensive recreational use, including a swimming pool, tennis court, ball court, or

playground, may not be constructed 50 feet or less from property in an SF-5 or more restrictive zoning district.

□ 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.

SP6. The applicant is responsible for requesting relocation and demolition permits once the site

plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

#### Parks & Recreation

PR1: Parkland dedication will be required for the new residential units proposed by this development, multifamily with CS-MU-V-NP 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. Parkland dedications 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](mailto:thomas.rowlinson@austintexas.gov).

#### Transportation

##### Transportation Assessment

A Traffic Impact Analysis shall be required at the time of site plan if triggered, when land uses and intensities will be known per LDC 25-6-113.

The Austin Strategic Mobility Plan (ASMP) calls for 104 feet of right-of-way for E Cesar Chavez St. Additional right-of-way or easement may be required at the time of subdivision and/or site plan. The adjacent street characteristics table is provided below:

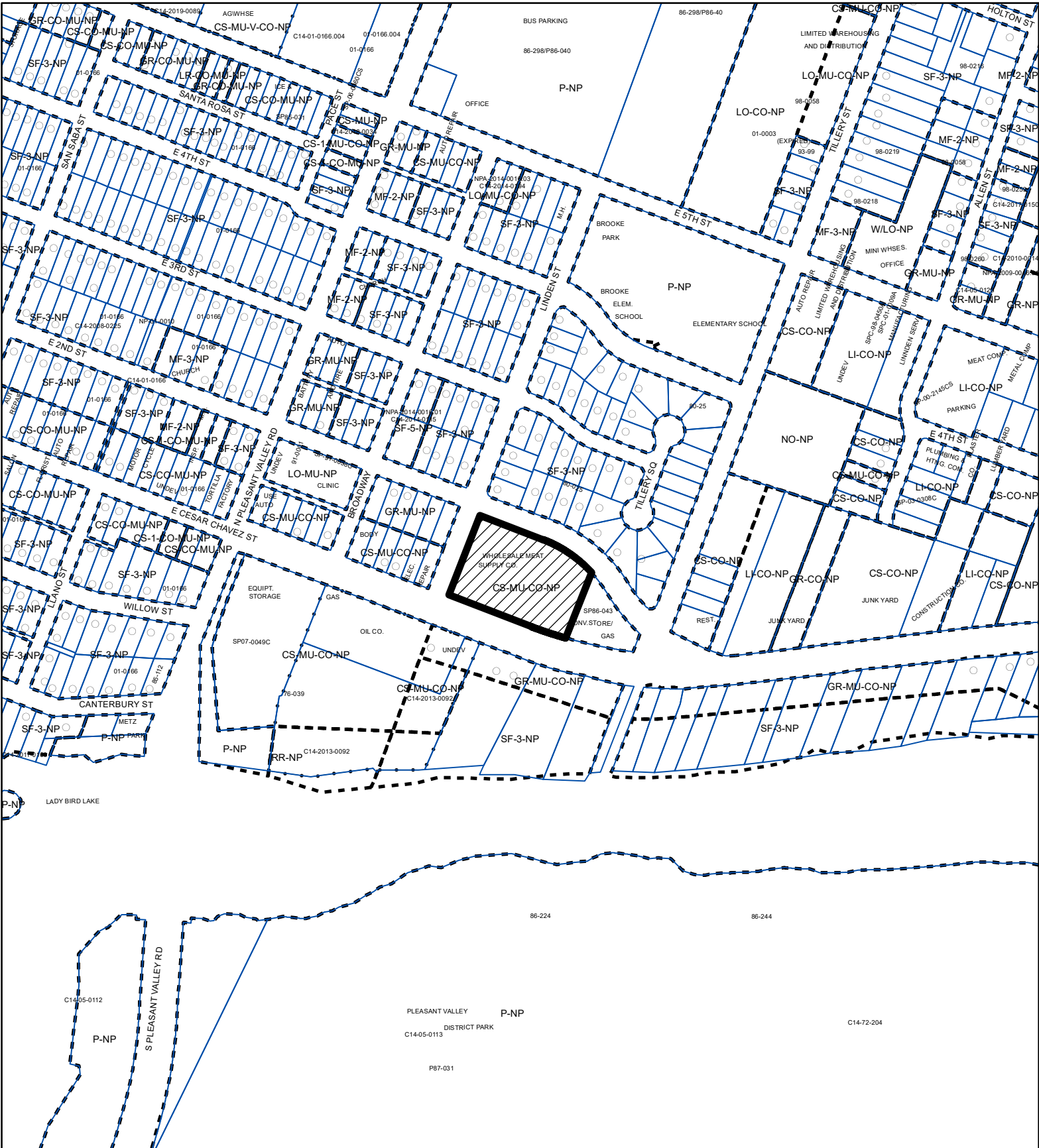
Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
E 2 <sup>nd</sup> St.	73'	43'	ASMP Level 2	Yes	Shared Lane	Yes
Linden St.	74'	40'	ASMP Level 1	Yes	None	Yes
E Cesar Chavez	103'	55'	ASMP Level 3	Yes	None	Yes

Water Utility

AW1. 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 TO FOLLOW

- A: Zoning Map
- B. Aerial Exhibit
- C. Correspondence



1" = 400'

- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

# ZONING

## ZONING CASE#: C14-2021-0190

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: 12/15/2021





# Property Profile



1: 2,400

## Legend

- Street Labels
- Lot Line
- Zoning Review Cases (All)
- Capital Metro Rail Route
- Capital Metro Rapid Bus Stops
- Capital Metro Bus Stops
- Capital Metro Bus Routes
- Zoning Text

## Notes

0.1 0 0.04 0.1 Miles

NAD\_1983\_StatePlane\_Texas\_Central\_FIPS\_4203\_Feet

Date Printed:

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From: Daniel Llanes <  
Sent: Monday, February 21, 2022 10:33 AM  
To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>  
Cc: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Leah Bojo <  
Subject: G/JTNP Contact Team OPPOSES zoning change at 3020 E. Cesar Chavez

\*\*\* External Email - Exercise Caution \*\*\*

Hi Heather and Maureen, Hope you all are well and safe.

I am writing on behalf of the G/JTNP Contact Team to express

OPPOSITION to the zoning request to add “V” to this zoning case. The G/JTNP designates E. 7th and Airport as the designated “V” corridors. E. Cesar Chavez is not.

I will sign up to speak on this case if there is to be discussion.

Thank you,

Daniel Llanes, Chair  
G/JTNP Contact Team  
512-431-9665

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