

## **ZONING CHANGE REVIEW SHEET**

CASE: C14-2022-0171 (7960 Shoal Creek Rezoning)

DISTRICT: 7

ADDRESS: 7960 Shoal Creek Boulevard

ZONING FROM: LO

TO: LR

SITE AREA: 0.4219 acres (19,375 sq. ft.)

PROPERTY OWNER: 5205 ACQUISITIONS, LLC (Manny Farahani)

AGENT: Permit Partners, LLC (Tisha Ritta)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov))

STAFF RECOMMEDATION:

**Staff recommends LR, Neighborhood Commercial District, zoning.**

PLANNING COMMISSION ACTION / RECOMMENDATION:

**February 28, 2023: Approved staff's recommendation of LR zoning by consent (11-0, Y. Flores-absent); R. Schneider-1st, P. Howard-2nd.**

CITY COUNCIL ACTION:

**April 13, 2023**

ORDINANCE NUMBER:

ISSUES:

During the Burnet Road, Anderson Lane and the North Shoal Creek Area neighborhood planning process, the long-range planning staff did not add the –NP combining district to the end of the zoning string for the properties in the planning area. Therefore, the rezoning request does not require the “NP” annotation.

CASE MANAGER COMMENTS:

The property in question is a 0.4219 acre lot that is currently developed with a one-story dentist office, with a surface parking area. The area to the north and west is zoned LO, LR and LI and contains a retail store (Lowe’s Home Improvement). To the south, there is a vet clinic (Capital Area Veterinary Specialists) and a medical office (Child Neurology Consultants of Austin) zoned LR. Across Shoal Creek Boulevard to the east there are GR zoned lots that are developed with a financial services use (PNC Bank) and a professional office (Austin Gastroenterology). The applicant is requesting to rezone this site to LR to repurpose the existing structure with a Pet Services use.

The staff recommends Neighborhood Commercial District zoning. The site under consideration meets the intent of the LR district as it is located on a Level 3/minor arterial roadway in an area that provides services to the existing residential developments to the south and east. The proposed zoning is consistent with the LR zoning to the north and south and there are office and commercial uses adjacent to this lot fronting Shoal Creek Boulevard. In addition, the property is located within the Anderson Lane Neighborhood Center as described on the Growth Concept Map in the Imagine Austin Comprehensive Plan.

The applicant agrees with the staff’s recommendation.

BASIS OF RECOMMENDATION:

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

Neighborhood Commercial district is intended for neighborhood shopping facilities which provide limited business service and office facilities predominately for the convenience of residents of the neighborhood.

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed zoning is consistent with the LR zoning to the north and south. There are office and commercial uses adjacent to this lot fronting Shoal Creek Boulevard, a Level 3/Minor Arterial roadway. The Future Land Use Map for the North Shoal Creek Neighborhood Plan designates area as a Mixed Use Activity Corridor/Hub.

3. *The proposed zoning should allow for a reasonable use of the property.*

The proposed Neighborhood Commercial zoning will permit the applicant to develop additional office and commercial uses in this area that will provide services to the surrounding residential neighborhoods.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO	Office Building
<i>North</i>	LO, LR	Retail Sales (Lowes Home Improvement)
<i>South</i>	LR	Pet Services (Capital Area Veterinary Specialists), Medical Office (Child Neurology Consultants of Austin)
<i>East</i>	GR	Financial Services (PNC Bank), Professional Office (Austin Gastroenterology)
<i>West</i>	LI	Retail Sales (Lowes Home Improvement)

NEIGHBORHOOD PLANNING AREA: North Shoal Creek Neighborhood Plan

TIA: Deferred to the time of Site Plan

WATERSHED: Shoal Creek

SCHOOLS: Austin I.S.D.

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District  
 Austin Lost and Found Pets  
 Austin Neighborhoods Council  
 Friends of Austin Neighborhoods  
 Homeless Neighborhood Association  
 NW Austin Neighbors  
 Neighborhood Empowerment Foundation  
 North Austin Neighborhood Alliance  
 North Shoal Creek Neighborhood Association  
 North Shoal Creek Neighborhood Plan Contact Team  
 SELTEXAS  
 Shoal Creek Conservancy  
 Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2008-0032	Apply vertical mixed use building "V" to selected tracts in the North Shoal Creek NP area	5/13/08: Approved "V" zoning with parking reductions and additional uses in the office districts for Tracts 1, 4-6 and 8 (Vote: 9-0) Amended the boundaries of the VMU overlay district to exclude Tracts 2, 3 and 7 (Vote: 9-0).	6/18/08: The public hearing was closed and the first reading of the ordinance was approved by consent (7-0) 8/28/08: Ordinance No. 20080828-104 for vertical mixed use building (V) district was approved.

		Approved ab affordability level of 80% of the median family income for 10% of rental units in a vertical mixed use building for Tracts 1, 4-6 and 8 (Vote 9-0).	
C14-05-0178 (Caplin Veterinary Clinic: 7958 Shoal Creek Boulevard)	LO to LR	11/15/05: Approved staff's rec. of LR zoning by consent (Vote: 7-0, J.G. and J. M.-absent)	12/15/05: Ordinance No. 20051215-Z011 for neighborhood commercial (LR) district zoning was approved.
C14-05-0047 (Water-2-Wine: 3300 West Anderson Lane)	GR to CS-1	5/17/05: Approved staff's recommendation of CS-1 zoning by consent (Vote: 9-0)	6/23/05: Ordinance No. 20050623-Z008 for commercial-liquor sales (CS-1) district zoning was approved.

RELATED CASES:

C8S-84-108 – Subdivision Case

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP ROW Requirement	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Cap Metro (within ¼ mile)
Shoal Creek Boulevard	Level 3	116 feet	91 feet	59 feet	Yes, on both sides of roadway	Yes, two-way	Yes

OTHER STAFF COMMENTS:Comprehensive Planning

**Project Name and Proposed Use:** 7960 SHOAL CREEK BLVD. C14-2022-0171. 0.42 acres from LO to LR. North Shoal Creek NP. Mixed Use Activity Corridor/Hub. Dentist to Pet Services.

Yes	Imagine Austin Decision Guidelines
	<b>Complete Community Measures</b>
Y	<b>Imagine Austin Growth Concept Map:</b> Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. <b>Name(s) of Activity Center/Activity Corridor/Job Center:</b> <b>Within Anderson Lane Neighborhood Center/ 750 ft. north of Activity Corridor</b>
Y	<b>Mobility and Public Transit:</b> Located within 0.25 miles of public transit stop and/or light rail station.
Y	<b>Mobility and Bike/Ped Access:</b> Adjoins a public sidewalk, shared path, and/or bike lane.
Y	<b>Connectivity, Good and Services, Employment:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center.
	<b>Connectivity and Food Access:</b> Provides or is located within 0.50 miles of a grocery store/farmers market.
Y	<b>Connectivity and Education:</b> Located within 0.50 miles from a public school or university.
	<b>Connectivity and Healthy Living:</b> Provides or is located within 0.50 miles from a recreation area, park or walking trail.
Y	<b>Connectivity and Health:</b> Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
	<b>Housing Affordability:</b> Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	<b>Housing Choice:</b> Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	<b>Mixed use:</b> Provides a mix of residential and non-industrial uses.
	<b>Culture and Creative Economy:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	<b>Culture and Historic Preservation:</b> Preserves or enhances a historically and/or culturally significant site.
	<b>Creative Economy:</b> Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	<b>Workforce Development, the Economy and Education:</b> Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	<b>Industrial Land:</b> Preserves or enhances industrial land.
6	<b>Total Number of "Yes's"</b>

### Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal 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. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

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.

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 sq. ft. cumulative is exceeded, and on site control for the two-year storm.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

### Fire

No comments.

### Parks and Recreation

Parkland dedication fees may apply to any future site or subdivision applications resulting from this rezoning, LO to LR for pet services. As of January 1, 2023, new commercial uses are subject to parkland dedication requirements at the time of site plan and subdivision.

### Site Plan

A site plan will be required for any new development other than single-family, two-family or duplex residential. A change of use will require a site plan exemption.

Any new development is subject to the design standards in Subchapter E of the Land Development Code.

### Transportation

The Austin Strategic Mobility Plan (ASMP) calls for 116 feet of right-of-way for Shoal Creek Boulevard. It is recommended that 58 feet of right-of-way from the centerline should be dedicated according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

### Water Utility

No comments on zoning change.

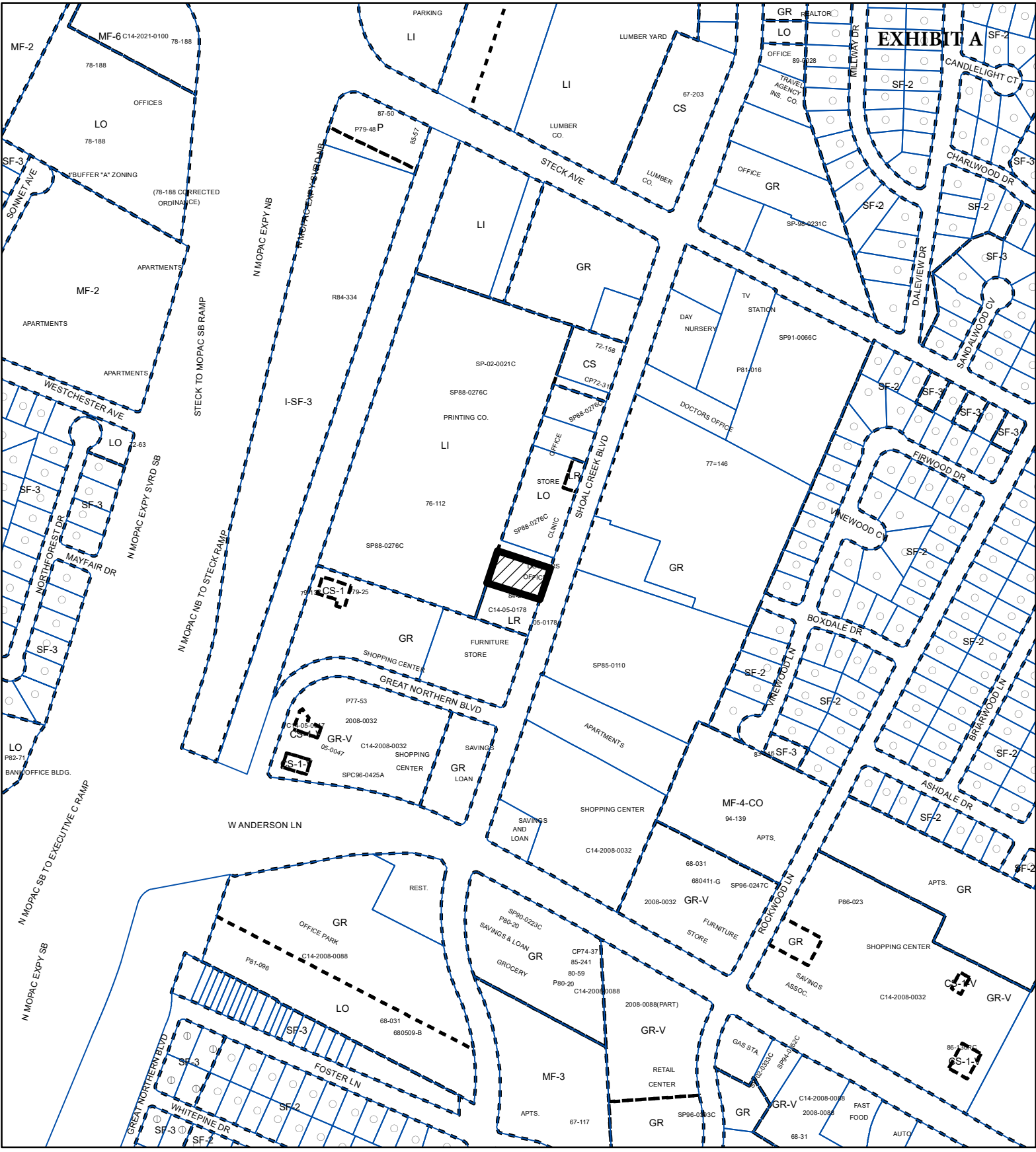
FYI: The landowner intends to serve the site with existing City of Austin water utilities and an On-Site Sewage Facility previously permitted.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at [ser@austintexas.gov](mailto:ser@austintexas.gov).

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 Map
- C. Property Survey



**ZONING**

**ZONING CASE#: C14-2022-0171**

-  **SUBJECT TRACT**
-  **PENDING CASE**
-  **ZONING BOUNDARY**



1" = 400'

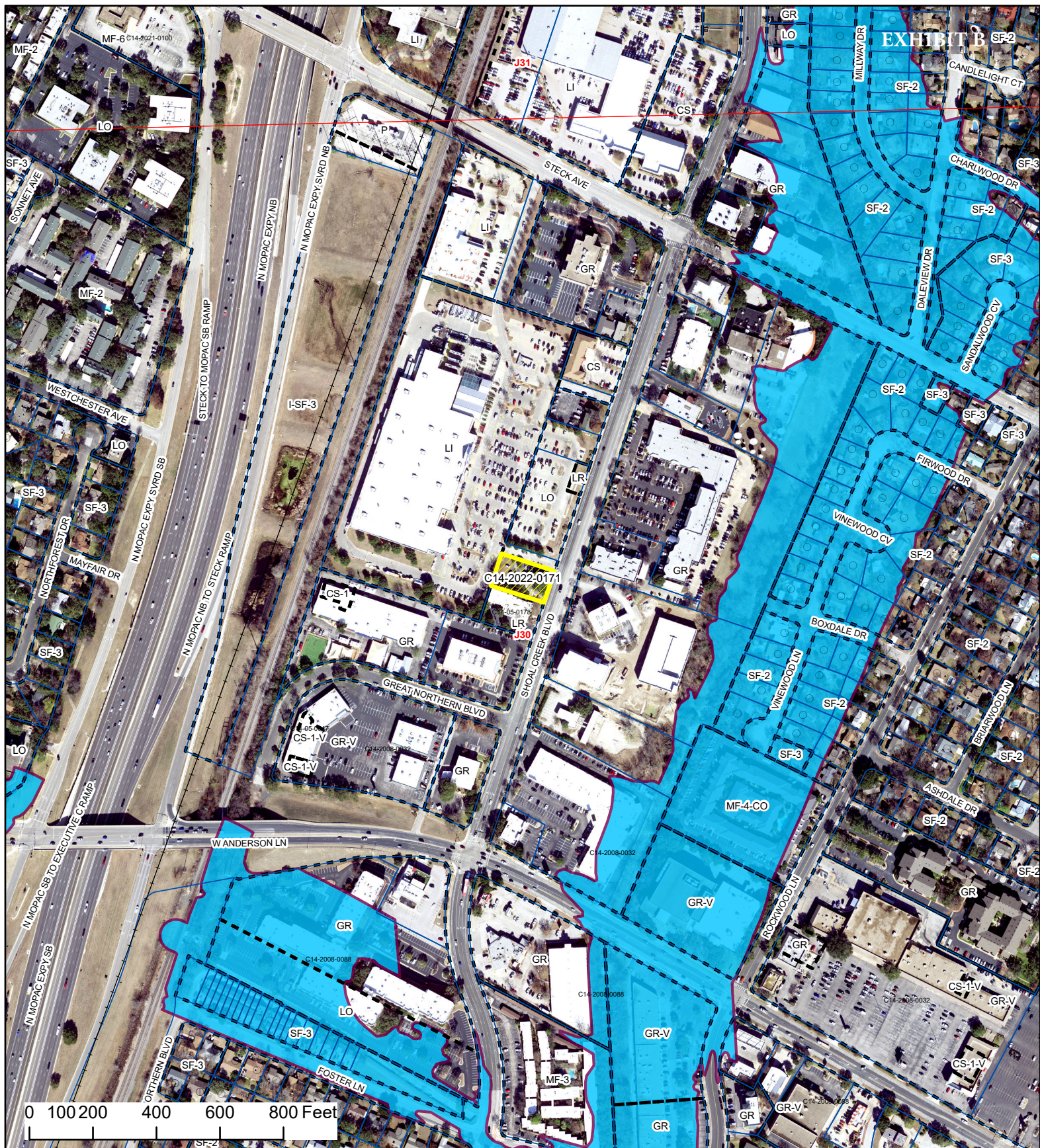
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by 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: 12/12/2022**





## 7960 Shoal Creek Blvd - Rezoning



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

ZONING CASE#: C14-2022-0171  
 LOCATION: 7960 Shoal Creek Boulevard  
 SUBJECT AREA: 0.4219 Acres  
 GRID: J30  
 MANAGER: Sherri Sirwaitis



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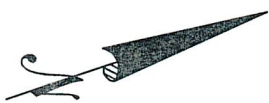
Created: 1/24/2023



AS-BUILT, TOPOGRAPHY & TREE SURVEY

ATS Job # 22063009s

Reference: Mullen Heller Architecture Address: 7960 Shoal Creek Boulevard, Austin, Texas  
Lot 1, HOOTEN SUBDIVISION, a subdivision in Travis County, Texas, according to the map or plat as recorded in Book 85, Pg. 5C, Plat Records, Travis County, Texas.

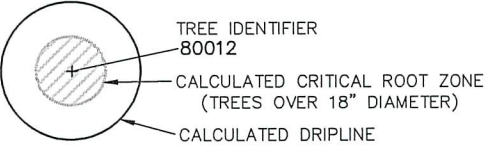


SCALE: 1"=20'

LEGEND	
	1/2" (IRF) IRON ROD FOUND
	"X" FOUND IN CONCRETE
B.S.L.	BUILDING SETBACK LINE
P.U.E.	PUBLIC UTILITY EASEMENT
R.O.W.	RIGHT OF WAY
( )	RECORD INFORMATION
	COVERED AREA
	METAL FENCE
	CONCRETE
	STONE
	ASPHALT
	AIR CONDITIONER
	GAS METER
	ELECTRIC METER
	ELECTRIC TRANSFORMER
	LIGHT STANDARD
	IRRIGATION CONTROL VALVE
	WASTEWATER CLEANOUT
	WATER METER
	ELECTRIC LID
	UNDERGROUND CABLE
	SPOT LIGHT FOR TREE
F.F.E.	FINISHED FLOOR ELEVATION
	1' INTERVAL CONTOUR
	TEMPORARY BENCHMARK: TRIANGLE CUT IN CONCRETE ELEVATION: 6721.57'

TREE LEGEND	
TREE #	TREE TYPE & DIAMETER SIZE IN INCHES
6059	CRAPE MYRTLE 3 X5
6061	LIVE OAK 34
6062	YAUPON HOLLY 6.6, 3.5, 2.5 X2
6063	YAUPON HOLLY 3.7, 3, 2.7 X2
6064	YAUPON HOLLY 3.9, 3.6, 2.3
6065	YAUPON HOLLY 3.4, 2.3 X3
6066	CRAPE MYRTLE 3.9, 2.9, 2.5
6067	CRAPE MYRTLE 3 X4
6068	YAUPON HOLLY 5.8, 4.4
6069	CHERRY LAUREL 8.8
6070	YAUPON HOLLY 5.5, 4.7, 4
6098	RED OAK 12.3
6099	RED OAK 16.2
6100	RED OAK 16.7
6215	YAUPON HOLLY 5.5, 2.5 X5
6216	LIVE OAK 23
6217	YAUPON HOLLY 5, 4.6, 4.2 X2, 3.7
6218	YAUPON HOLLY 5.9
6219	YAUPON HOLLY 6.5, 6

GRAPHIC REPRESENTATION OF TREE DRIPLINE:  
EXAMPLE: A TRIPLE STEM TREE WITH STEMS  
10", 8", 6" SHALL RENDER A GRAPHICAL  
RADIUS OF 10 + (8/2) + (6/2) = 17' FEET

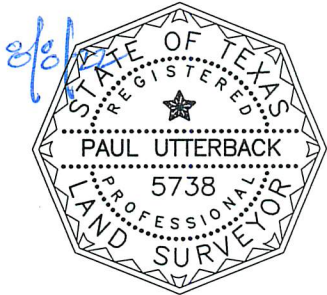


- Notes:
- 1) This map and the survey on which it is based have been prepared without the benefit of a title report and are not intended to reflect all easements, encumbrances or other circumstances affecting the title to the property shown hereon.
  - 2) Building setback lines are per the current City of Austin Zoning Ordinance.
  - 3) Easements shown are per the recorded subdivision plat.

I, Paul Utterback, HEREBY CERTIFY that a survey was made on the ground of the property shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-way, except as shown; that said property has access to and from a public roadway; and that this plat is an accurate representation of the property to the best of my knowledge.

*Paul Utterback*

Paul Utterback, RPLS No. 5738  
Client: Mullen Heller Architecture  
Date of Field Work: 7/28/22, 7/29/22 & 8/2/22  
Field: Malvaro  
Tech: LSerrano  
Date Drawn: 8/4/22  
Path: Projects\BULK\STUVWXYZ\ShoalCreekBlvd7960\Production\Dwgs\D-ShoalCreekBlvd7960-220802.dwg



SHOAL CREEK BOULEVARD  
(80' R.O.W.)

Surveyor's Note:  
Bearings shown hereon are based on Texas State Plane Coordinate System, Central Zone (FIPS Code 4203), NAD 83, Grid Coordinates & Grid North.

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