ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0011 DISTRICT: 3
712 & 714 Pedernales St. and 2409 Coronado St.

ZONING FROM: SF-3-NP TO: CS-MU-NP

ADDRESS: 712 & 714 Pedernales Street and 2409 Coronado Street

SITE AREA: 0.3444 acres (15,003.06 square feet)

PROPERTY OWNER:
Jose Soto

AGENT:
Husch Blackwell LLP
(Nikelle Meade)

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

STAFF RECOMMENDATION:
Staff does not support the Applicant's request for rezoning to CS-MU-NP. Staff supports an alternate recommendation of LR-MU-NP.

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

PLANNING COMMISSION ACTION / RECOMMENDATION:
June 8, 2021: To grant GR-MU-CO-NP with the following conditions:

1. The property will be limited to LR land uses. The following land uses shall be prohibited: Short-term rental, Automotive repair services, Automotive rentals, Automotive sales, Automotive washing (of any kind), Bail bond services, Business or trade school, Business support services, Commercial off-street parking, Drop off recycling center, Exterminating services, Food preparation, Funeral services, Outdoor entertainment, Outdoor sports and recreation, Pawnshop services, Research services, Theater, and Hospital services (general).
2. The following land uses shall be conditional: Alternative financial services, Medical offices (exceeding 5,000 s.f.), Restaurant (General), Restaurant (Limited), Community recreation (private), Community recreation (public), Congregate living, Group home-Class II, Hospital services (limited), and Residential treatment.
3. Restaurant (general) and Restaurant (limited) land uses shall be developed in accordance with Sections 25-2-87(b) and 25-2-809 of City Code.

Vote:(11-0) [G. Cox- 1st, C. Llanes-Pulido- 2nd; J. Shieh- Absent]

May 11, 2021: To postpone to June 8, 2021 by action of Planning Commission. (12-0) [A.Ahzar- 1st, G. Cox- 2nd; Chair T. Shaw- Absent]
April 27, 2021: To grant postponement to May 11, 2021 as requested by Neighborhood Plan Contact Team, on consent. (12-0) [C. Hempel- 1st, A. Ahzar- 2nd; S. Praxis- Not yet arrived]
CITY COUNCIL ACTION:
July 29, 2021:
May 20, 2021: Postponed to July 29, 2021 at the request of staff on Council Member Kelly's motion, Council Member Renteria's second on an 11-0 vote.

ORDINANCE NUMBER:

ISSUES:
The property was previously zoned LI and was rezoned to SF-3-NP in 2003 as part of the Govalle neighborhood plan process (Ordinance No. 030327-lla). Many other properties in the neighborhood plan area were downzoned from LI to less intense zoning categories at that time.

CASE MANAGER COMMENTS:
The subject property is located at the southwest corner of Pedernales Street and Coronado Street. The SF-3-NP zoned property was previously occupied by automotive repair services, office, and single-family residential land uses. These structures remain on the property but are all vacant. Immediately west of the subject property are two single family residential homes zoned SF-3-NP. West of those homes is the Capital Metro Red Line railroad right-of-way (ROW). Across Coronado Street to the north are duplex and single family homes that are also zoned SF-3-NP. Northeast of the property, across the intersection of Coronado and Pedernales, is Parque Zaragoza Neighborhood Park, which is zoned P-NP. Across Pedernales Street to the east are single family residences zoned SF-3-NP and a self-serve car wash zoned CS-CO-NP. Across an alley to the south of the property is vacant CS-CO-NP zoned property that was previously used for automotive sales. Southwest across the alley is an alternative financial services business also zoned CS-CO-NP. These CS-CO-NP properties have frontage on East 7th Street which is a Core Transit Corridor. Like the subject property, these lots were downzoned during the Govalle neighborhood plan process in 2003. These properties were downzoned from LI to CS-CO-NP, with limitations on certain land uses. The following land uses are prohibited: Adult oriented businesses, Campground, Kennels, Pawn shop services, Residential treatment, and Vehicle storage. The following land uses are conditional: Agricultural sales and services, Construction sales and services, Limited warehousing and distribution, Building maintenance services, Laundry services, Equipment sales and Equipment repair services. ***Please see Exhibits A and B- Zoning Map and Aerial Exhibit.***

Staff does not support the requested CS-MU-NP for the subject property. The property is surrounded by single family and duplex residential to the west, north, and east and is immediately adjacent to single family residential property. These properties will trigger compatibility on the site. The property was downzoned in 2003 as part of a neighborhood effort to reduce intensive land uses in the area. The CS-CO-NP properties that are nearby were also downzoned and encumbered with several prohibited and conditional land uses. These CS-CO-NP properties access East 7th Street and Pedernales Street, not a local street like Coronado Street.

Staff supports an alternate recommendation of LR-MU-NP for the subject property. This would allow mixed use at a neighborhood scale that is more appropriate adjacent to single and duplex residential. It would be a step down in intensity from the properties oriented along the East 7th Street core transit corridor. The step down in intensity would include site development regulations and land uses and reflects planning principles of providing transition of development intensities and orderly planning.

Staff has received Correspondence in support and in opposition of the rezoning request. ***Please see Exhibit C- Correspondence.***

/

BASIS FOR RECOMMENDATION

The requested CS-MU-NP is not appropriate for the site because it does not meet the following:

1. Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.

2. Rezoning should not contribute to the over zoning of the area.

3. The proposed zoning should promote consistency and orderly planning.

4. Zoning changes should promote an orderly relationship among land uses.

5. Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.

CS-MU-NP zoning is not appropriate at the intersection of a local residential street (Level 1) and a collector street (Level 2); CS is appropriate along major roadways, arterials, and highways. The history of downzoning in this area demonstrates an intent to remove intense zoning categories, particularly in areas that do not access East 7th Street or other major roadways. The addition of CS at this location does not demonstrate consistent and orderly planning or promote a transition from the CS-CO-NP properties along East 7th Street to the residential areas along Coronado Street and Pedernales Street. LR-MU-NP would allow mixed use at a level that demonstrates orderly planning and provides a transition.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-3-NP	VACANT- *previously Automotive repair services, Professional office, Single family residential*
North/ Northeast	SF-3-NP, P-NP	Duplex residential, Single family residential, Parque Zaragoza Neighborhood Park
South	CS-CO-NP	VACANT- *previously Automotive sales*
West	SF-3-NP, Unzoned	Single family residential, Capital Metro Red Line ROW
East	SF-3-NP, CS-CO	Single family residential, Car washing services

NEIGHBORHOOD PLANNING AREA: Govalle/Johnston Terrace Combined (Govalle)

TIA: Deferred to time of site plan, if triggered.

WATERSHED: Lady Bird Lake

NEIGHBORHOOD ORGANIZATIONS:

Red Line Parkway Initiative
Guadalupe Neighborhood Development Corporation
El Concilio Mexican American Neighborhood
Blackshear-Prospect Hill
East Austin Conservancy
Austin Lost and Found Pets

Govalle Neighborhood Association
Central Austin Concerned Architects
Homeless Neighborhood Association
Capital Metro Transportation Authority
Neighbors United for Progress
Friends of Austin Neighborhoods
Neighborhood Empowerment Foundation
Greater East Austin Neighborhood Association
Govalle/Johnston Terrace Neighborhood Plan Contact Team
Organization of Central East Austin Neighborhoods (OCEAN)
Tejano Town
Del Valle Community Coalition
AISD
Preservation Austin
Sierra Club
Austin Neighborhoods Council
Bike Austin

AREA CASE HISTORIES:
There have been no rezoning requests in the area in the past 10 years.

A neighborhood plan amendment is proposed in conjunction with the rezoning request under file number NPA-2020-0016.04.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Pedernales Street	60’	40’	Level 2	No	Cycle Track	Yes
Coronado Street	60’	30’	Level 1	No	N/A	Yes

ADDITIONAL STAFF COMMENTS:

Environmental
1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Lady Bird Lake 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 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. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
SP2. The site is subject to compatibility standards. Along the north, west, and east property lines, the following standards apply:
a. No structure may be built within 25 feet of the property line.

b. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
c. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
d. No parking or driveways are allowed within 25 feet of the property line.
e. 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.

SP3. Additional design regulations will be enforced at the time a site plan is submitted.

Parks & Recreation

PR1: Parkland dedication will be required for the new residential units proposed by this development, multifamily with CS-MU-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. 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.

Transportation

ASMP Assessment - The Austin Strategic Mobility Plan (ASMP) adopted 04/11/2019, calls for 74 feet of right-of-way for Pedernales Street. It is recommended that 37 feet of right-of-way from the existing centerline should be dedicated for Pedernales according to the Transportation with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].
Transportation Assessment- 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.

The adjacent street characteristics table is provided below:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Pedernales Street	60'	40'	Level 2	No	Cycle Track	Yes
Coronado Street	60'	30'	Level 1	No	N/A	Yes

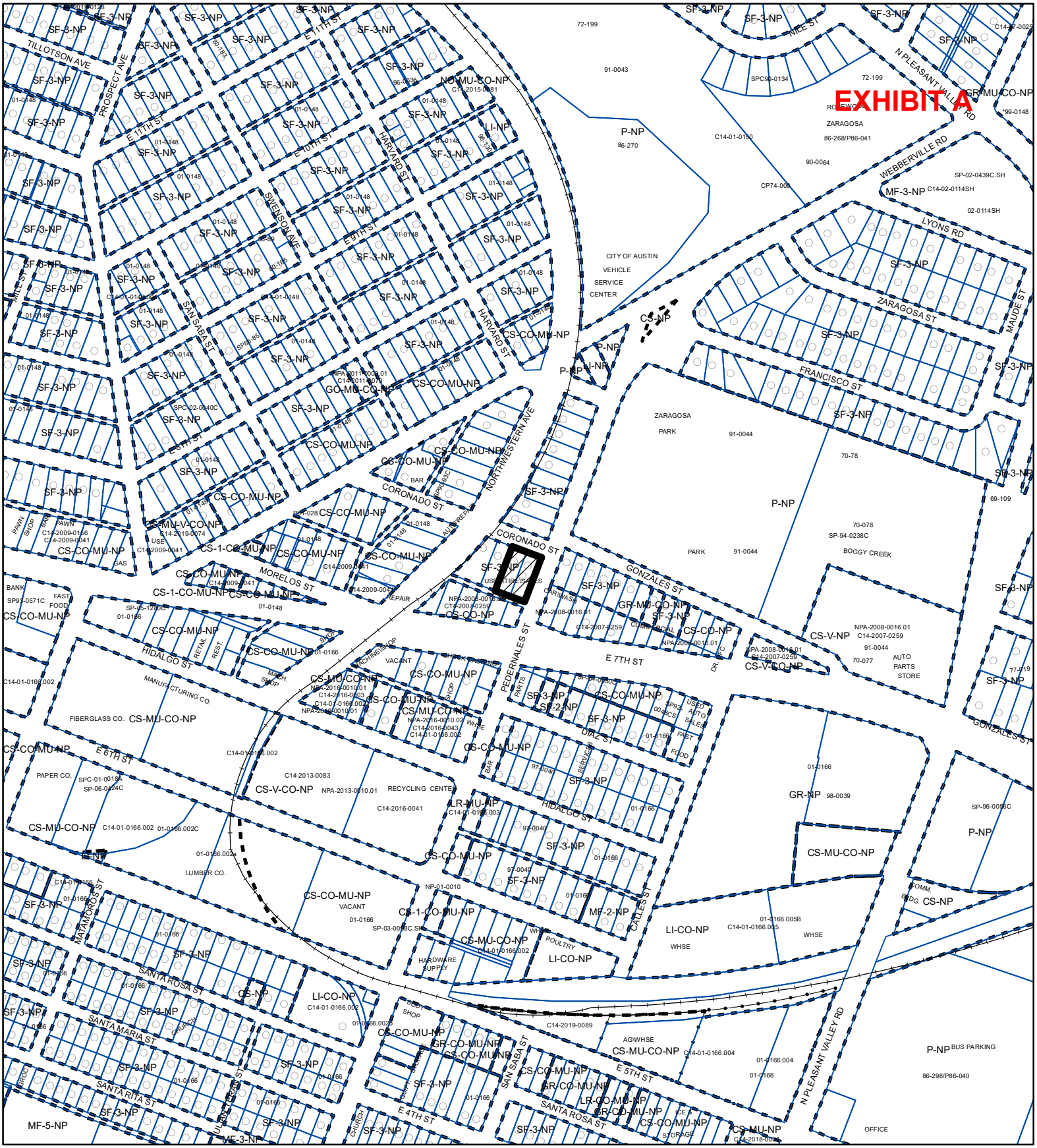
Water Utility

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



ZONING

ZONING CASE#: C14-2021-0011

N

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

CITY OF AUSTIN FOUNDED 1839

Created: 2/5/2021



N

C14-2021-0011

Creek Buffers

ZONING BOUNDARY

1" = 100'

712 & 714 Pedernales St. and 2409 Coronado St

ZONING CASE#:	C14-2021-0011
LOCATION:	712 & 714 Pedernales St. and 2409 Coronado St
SUBJECT AREA:	0.344 Acres
GRID:	K21
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.

EXHIBIT C

NEIGHBORS' LETTER OF SUPPORT

Re: Neighbors' Letter of Support for a Mixed-Use Designation and CS-MU Zoning for Property at 712 & 714 Pedernales St. and 2409 Coronado St.
Plan Amendment Case NPA-2020-0016.04 / Zoning Case C14-2021-0011

Dear Planning Commissioners, Mayor, and City Council Members:

We are property owners and residents near the above-referenced property and ***support*** Jose Soto's request to change the use designation of his property to Mixed-Use and rezone it to Commercial Services-Mixed Use (CS-MU).

The property has historically had a mix of uses, including tire sales and auto repairs with former residences, but the property has fallen into a state of disrepair. The property is next to Pedernales Street, just a ½ block north of E. 7th Street. As such, the requested zoning and use are appropriate for the area and would enable the Sotos to provide much-needed neighborhood retail or office space on the ground floor with residential units above.

For these reasons, we respectfully request that you ***approve*** the requested zoning and use designation. Thank you for your consideration.

Sincerely,

Name: Ricky Hennessy
Address: 2519 Gonzales St, 78702
By:

Name: Tracy Hennessy
Address: 2519 Gonzales St, 78702
By:

Name: Ryan Smith
Address: 730 Pedernales St
By:

Name: Sabrina Smith
Address: 730 Pedernales St
By:

Name: Gary Cash
Address: 720A PEDERNALES
By:

Name: Angelia Cash
Address: 720A PEDERNALES
By:

Name: Diane Jenkins
Address: 724 pedernales
By:

Name:
Address:
By:

Name: Logan E. Jenkins
Address: 724 Pedernales St
By:

Name:
Address:
By:

To the Planning Commission of the City of Austin,

We're writing in regards to the project at 712, 714 Pedernales St and 2409 Coronado Street (Case Number NPA-2020-0016.04 | C14-2021-0011). These are two residential lots with two abandoned houses and a used tire shop immediately to the east of our properties at 2405 and 2401 Coronado St.

We live on a short street that dead-ends into a train track (with the red line), with six houses in total before the intersection with Pedernales. It's a small street that feels like a cul-de-sac where neighbors sit on their front lawns and dogs run off leash between yards.

John, his wife, and two daughters have lived here for almost thirteen years, and Hudson, a native Austinite, has lived here for the last four years. We knew and spent regular time with the former residents of the property in question.

We're writing to oppose both the change in the future land use map from single family to mixed use and to oppose the change in zoning from SF-3-NP to CS-MU-NP.

Since September 2020 we have worked with the neighborhood contact team and Hush Blackwell regarding a change in use for Mr. Soto's property. The team from Hush-Blackwell has been communicative and pleasant to work with, and while we've made progress in our discussions, we have not reached an agreement and run out of time - leading to our opposition to this request.

We're hopeful for more residential density in our city (especially when it creates more affordable housing) and open to a request to up-zone the property in question, however our concerns with the impacts of a change to CS-MU-NP were not adequately addressed in the current proposal.

Those concerns are as follows:

- **Evening use**. We're concerned about restaurants or bars with usage when families are home.
- **Traffic at the light**. The light at Pedernales and 7th often backs up past Coronado and we worry more density on the corner lot would make that light impassable during peak hours.
- **Height.** We would prefer a two-story addition to our neighborhood instead of the currently proposed three story building.
- **Trash**. There's an alley to the west of the property that also goes behind both of our lots. We're concerned trash bins and collection will negatively impact the livability of our street.
- **Street parking.** Parking is limited on our street, with roughly ten existing spots shared between seven homes. When any family hosts friends, all the parking is taken and we coordinate ahead to make sure events don't impact our neighbors. We're concerned increased use will make it feel like parking downtown such that friends won't want to visit.
- **Change in historic use**. The property in question, while a used tire shop, was primarily two residences for three generations of a single east Austin family. We're hopeful the future use will focus on providing other east Austin families a long-term place to raise families.

The architecture plans, as currently proposed, show a three-story block building that represents a sharp departure from the character of the neighborhood and surrounding buildings. The ~10,000 square feet of residential, ~2,600 square feet of office, and thirty-three parking spots seem high next to the adjacent 930 square foot home at 2405 Coronado St.

We appreciate the implications of existing setbacks and compatibility on the site development options, and don't believe they solve all of our concerns. We are open to a change in use that creates a transition zone between SF-3 on Coronado and CS-MU on 7th street, and explored an increase in residential density (likely to SF-4) or a change in use to office (-NO, -NO, -LO).

Neither of those options were agreeable to the landowner at the time of this letter.

We're grateful for the consideration of the Planning Commission and respectfully request you deny any change in the neighborhood plan and zoning until an agreement can be reached between the property owner and neighborhood contact team for a use that integrates our concerns into proposed change in use that we can all agree upon.

Sincerely,

John Mistrot & Hudson Baird
2401 Coronado St & 2405 Coronado St