

## ZONING CHANGE REVIEW SHEET

CASE: C14-2024-0132 (City Initiated: Humane Society of Austin & Travis County)     DISTRICT: 4

ADDRESS: 7600, 7602, 7604, 7606, 7608, 7610, 7612, 7614, and 7616 Bennett Avenue

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

SITE AREA: approximately 1.69 acres (approximately 73,617 square feet)

PROPERTY OWNER: Humane Society of Austin & Travis County

AGENT: Bleyl Engineering (Robert Heil)

CASE MANAGER: Jonathan Tomko (512) 974-1057, [jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)

STAFF RECOMMEDATION:

**Staff recommends granting general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning.** *For a summary of the basis of Staff's recommendation, please see the basis of recommendation section below.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

October 22, 2024: Staff postponement request to November 12, 2024.

November 12, 2024: Planning Commission approved staff recommendation on the consent agenda. [A. AZHAR; D. SKIDMORE - 2ND] (12-0) G. COX – ABSENT

CITY COUNCIL ACTION:

December 12, 2024: Case is scheduled to be heard by City Council.

ORDINANCE NUMBER:

N/A

ISSUES: This is a city initiated rezoning application.

CASE MANAGER COMMENTS:

The subject tract includes approximately 1.69 acres approximately 850 feet southeast of the interchange of I-35 and East Anderson Lane East Bound (US 183). The tract has frontage along the US 183 service road to the north and is to the east of a structure owned by the Humane Society of Austin & Travis County. The Humane Society wishes to expand and utilize this land. To the south is vacant land with Buttermilk Creek owned by the City of Austin, and to the east, across Bennett Avenue are nine single family homes. There is currently a wooden fence that exists along the length of the east side of the property along Bennett Avenue.

Bennett Avenue is a cul-de-sac that does not connect to the East Anderson Lane East Bound (US 183) service road to the north.

**BASIS OF RECOMMENDATION:**

**Zoning should allow for reasonable use of the property**

This rezoning would allow for reasonable use of the property. The undeveloped lot was not developed in tandem with the structure to the west in 1988 or since. It does not interface with Bennett Avenue to the east nor does it interface with the service road to the north or the structure to the west. Allowing the Humane Society to expand to this undeveloped tract would be reasonable and service the community at large.

**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.**

This zoning locates a community service near (approximately 850 feet from) the intersection of two major freeways in Austin, I-35 and US-183. This location offers access to the facility across the community and is a location where more intensive zoning is already located on all four sides of the interchange.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<i>Site</i>	LR-MU-NP and SF-3-NP	Undeveloped land
<i>North</i>	LR-NP	This parcel is occupied by the East Anderson Lane East Bound (US 183) service road
<i>South</i>	P-NP	Undeveloped Land owned by the City of Austin – encumbered largely by Buttermilk Branch Creek Buffer
<i>East (across Bennett Avenue)</i>	SF-3-NP	Nine single family homes
<i>West</i>	CS-MU-NP	Humane Society of Austin & Travis County Office/Medical Building, approximately 30,000 square feet in a two-story structure built in approximately 1988.

**NEIGHBORHOOD PLANNING AREA:** St. John/Coronado Hills (St. John) Combined Neighborhood Planning Area

**WATERSHED:** Buttermilk Branch Watershed

**SCHOOLS:** A.I.S.D.

Pickle Elementary School  
 Webb Middle School  
 Northeast High School

**COMMUNITY REGISTRY LIST:**

Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Friends of Austin Neighborhoods, Go Austin Vamos Austin - North, Homeless Neighborhood Association, Neighborhood Empowerment Foundation, SELTexas, Sierra Club, Austin Regional Group, St. John Neighborhood Assn., St. John Neighborhood Plan Contact Team

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2020-0072 (IH-35 & US 183 Retail Center)	The Applicant proposes to rezone 0.881 acres from CH-CO-NP and CS-NP to CS-NP.	08.25.2020: Approved CS-NP combining district zoning as staff recommended by Consent. Motion by Commission Azhar, seconded by Commission Schneider (13-0).	09.17.2020: CS-NP combining district zoning was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

RELATED CASES:

NPA-2023-0029.02 (FLUM Change from Neighborhood Mixed Use and Single Family to Mixed Use)

ADDITIONAL STAFF COMMENTS:

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Buttermilk Branch 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.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists 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.
7. 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 on rezoning

PARD – Planning & Design Review

PR1: Parkland dedication fees may apply to any future site or subdivision applications resulting from this rezoning. As of January 1, 2024, new commercial, non-residential uses are not subject to parkland dedication requirements at the time of site plan and subdivision.

The site is adjacent to undeveloped ROW which is adjacent to Parkland. If the applicant suspects any impact to parkland due to proposed future construction on the site, please contact this reviewer: [ann.desanctis@austintexas.gov](mailto:ann.desanctis@austintexas.gov).

Site Plan

- SP 1 Site plans will be required for any new development other than single-family or duplex residential.
- SP 2 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 3 The site is subject to compatibility standards due to the proximity/adjacency of SF-3 -NP zoning on the west side of the triggering property. *Reference 25-2-1051, 25-2-1053*
- SP 4 Any structure that is located:
  - a. At least 50 feet but less than 75 feet from any part of a triggering property may not exceed 60 feet.
  - b. Less than 50 feet from any part of a triggering property may not exceed 40 feet.*Reference 25-2-1061*
- SP 5 A 25-foot (15-foot if site is less than 75 feet wide) compatibility buffer is required along the property line shared with the triggering property. No vertical structures are permitted in the compatibility buffer. *Reference 25-2-1062(B)*
- SP 6 An on-site amenity, including a swimming pool, tennis court, ball court, or playground, may not be constructed 25 feet or less from the triggering property. *Reference 25-2-1062*
- SP 7 FYI this tract is in the St. John Neighborhood Planning area.

Transportation and Public Works Department – Engineering Review

- TPW 1. The Austin Strategic Mobility Plan (ASMP) calls for Bennett Ave feet of right-of-way for 58 feet. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for Bennett Ave according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within 1/4 mile)

Bennett Ave	Level 1	58 feet	Approx 50 feet	Approx 29 feet	None	None	Yes
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TIA: The traffic impact analysis for this site is not required, the traffic generated by the proposal does not exceed the thresholds established in the City of Austin Land Development Code. [LDC 25-6-113].

Austin Water Utility

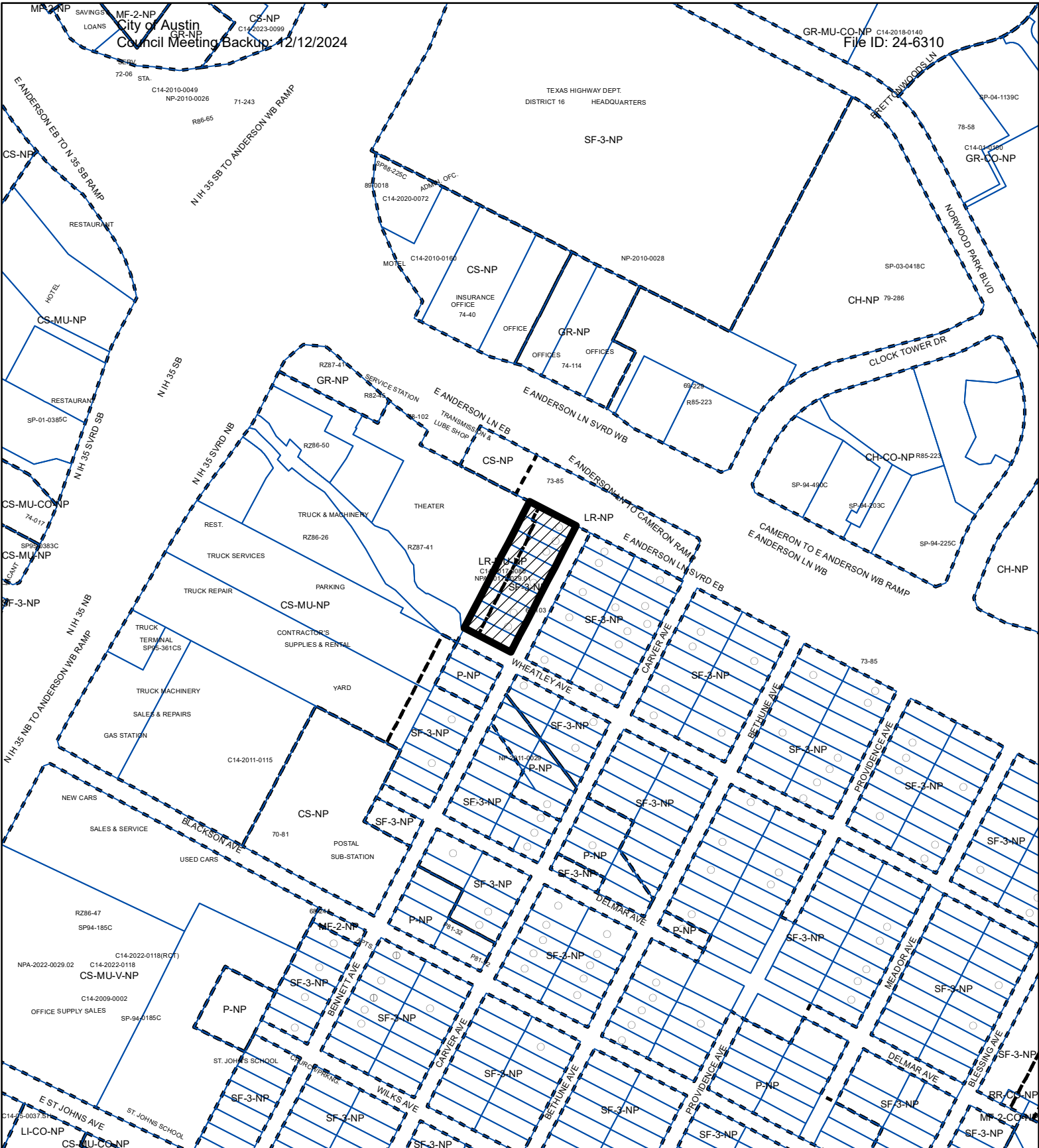
AW1. No comments on zoning change.

FYI: The landowner intends to serve the site with existing City of Austin water utilities.

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).





**INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:**

- A. Zoning Map
- B. Aerial Map



**ZONING**

ZONING CASE#: C14-2024-0132


  
 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.

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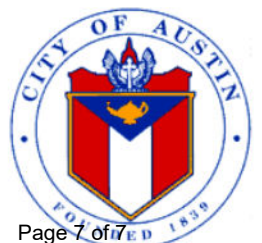
C14-2024-0132

LR-MU-NPSF-3-NP

### Humane Society of Austin & Travis County

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

ZONING CASE#: C14-2024-0132  
 LOCATION: 7600, 7616 Bennett Ave.  
 SUBJECT AREA: 1.69 Acres  
 MANAGER: Jonathan Tomko



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