

## **ZONING CHANGE REVIEW SHEET**

CASE: C14-2021-0118 (11586 Jollyville Road)    DISTRICT: 10

ADDRESS: 11586 Jollyville Road

ZONING FROM: GO-CO

TO: GO-MU-CO\*

\*The applicant is proposing to maintain the existing conditional overlay (CO) to limit the maximum height on the property to fifty-five (55) feet.

SITE AREA: 0.9128 acres

PROPERTY OWNER: Fuqua Stover Ltd. (David Foor)

AGENT: Kimley-Horn & Associates, Inc. (Amanda C. Brown)

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

STAFF RECOMMENDATION:

The staff's recommendation is to grant GO-MU-CO, General Office-Mixed Use-Conditional Overlay Combining District, zoning. The conditional overlay will limit the maximum height on the property to fifty-five (55) feet.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

**September 7, 2019: Approved staff's recommendation of GO-MU-CO zoning by consent (10-0, N. Barrera-Ramirez-arrived late); H. Smith-1st, T. Bray-2nd.**

CITY COUNCIL ACTION:

**October 21, 2021**

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is currently developed with a vacant structure. There is a multifamily residential use to the north, south and west. To the east, across Jollyville Road, there is a service station and office use. The applicant is requesting to rezone this property to add the 'MU' Combining District to allow for residential development on the site (Please see Applicant's Request Letter – Exhibit C).

The staff recommends General Office-Mixed Use-Conditional Overlay Combining District, zoning. The site under consideration meets the intent of the GO-MU district. This tract of land is located on an arterial roadway, Jollyville Road, a designated Activity Corridor in the Imagine Austin Comprehensive Plan. The proposed GO-MU-CO zoning is consistent with the surrounding office and residential uses. There are multifamily uses to the north, south and west and office use/zoning across Jollyville Road to the east.

The proposed zoning will be consistent with the zoning/land use patterns in this area as the west side of Jollyville Road is primarily zoned office and residential use.

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.*

General Office district is intended for offices and selected commercial uses predominately serving community and city-wide needs.

Mixed Use combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development.

Conditional Overlay combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

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

The proposed GO-MU-CO zoning is consistent with the surrounding office and residential uses. There are multifamily uses to the north, south and west and office use/zoning across Jollyville Road to the east.

The property takes access to Jollyville Road, an arterial roadway and designated Activity Corridor (Jollyville Road Activity Corridor) in the Imagine Austin Comprehensive Plan.

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

GO-MU-CO zoning will permit the applicant to redevelop the property with uses that will provide services to the surrounding community. The proposed zoning will be consistent with the zoning/land use patterns in this area as the west side of Jollyville Road is primarily zoned office and multi-family residential use.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GO-CO	Vacant Single-Family Residence
<i>North</i>	MF-2-CO	Multifamily Residential (Northland)
<i>South</i>	MF-2-CO	Multifamily Residential (Northland)
<i>East</i>	LO	Service Station (Chevron), Office (Touchstone Imaging)
<i>West</i>	MF-2-CO	Multifamily Residential (Northland)

AREA STUDY: U.S. 183/Jollyville Road Area Study

(The U.S. 183 Study was approved by the City Council in November of 1978. The Area Study recommended that a 120-foot deep strip of land along Jollyville Road be zoned “O” Office zoning (which was converted to LO, Limited Office, in 1985) and that a 200 foot strip of land along the west side of Jollyville Road be zoned “A” Residence (which was converted to SF-3, Family Residence, in 1985). The policy of a 120-foot strip buffer of LO zoning along the east side of Jollyville Road has been consistently applied to date. The policy of SF-3 on the west side of Jollyville Road was never approved or implemented, and today the west side of Jollyville Road is primarily zoned office and multi-family, with the majority of office zoning being LO zoning. The recommendation for a 120-foot strip of LO zoning along the eastern portion of Jollyville Road was incorporated into the Jollyville Road Study, which was adopted in 1984).

TIA: Not required

WATERSHED: Bull Creek

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

REGISTERED NEIGHBORHOOD ORGANIZATIONS:

- Austin Independent School District
- Austin Lost and Found Pets
- Friends of Austin Neighborhoods
- Homeless Neighborhood Association
- Long Canyon Homeowners Association
- Mountain Neighborhood Association
- Neighborhood Empowerment Foundation
- North Oaks Neighborhood Association

## SELTEXAS

Sierra Club, Austin Regional Group

TNR BCP – Travis County Natural Resources

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2019-0116 (11586 Jollyville Road)	I-SF-2 to GO-CO	10/01/19: Approved staff's recommendation of GO-CO zoning, with a CO to limit the maximum height on the property to fifty-five (55) feet (10-0); H. Smith-1 <sup>st</sup> , J. Duncan-2 <sup>nd</sup> .	10/31/19: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20191031-046 GO-CO district zoning was approved on Council Member Tovo's motion, Council Member Renteria's second on a 9-1 vote. Council Member Flannigan voted nay. Council Member Casar was off the dais.
C14-2012-0013 (Jollyville Rezoning: 11602 Jollyville Road)	LO to LR	3/20/12: Approved LR zoning by consent (7-0); P. Seeger-1 <sup>st</sup> , C. Banks-2 <sup>nd</sup> .	4/26/12: Approved LR district zoning on consent on all 3 readings (7-0); B. Spelman-1 <sup>st</sup> , C. Riley-2 <sup>nd</sup> .
C14-2007-0148 (Beaver Brook Children Center: 11726 Jollyville Road)	SF-2, LO to LO	10/02/07: Approved staff's recommendation for LO-CO zoning, with a 2,000 vtpdl, adding a 35' height limit (6-0, C. Hammond, B. Baker-absent); J. Shieh-1 <sup>st</sup> , K. Jackson-2 <sup>nd</sup> .	11/08/07: Approved LO-CO zoning (7-0); all 3 readings
C14-2007-0123 (11701 Jollyville Road)	SF-2 to GR-MU * The applicant amended their rezoning request to LR-MU-CO. The applicant offered a conditional overlay to prohibit Food Sales, Off-Site Accessory Parking, Restaurant (Limited), Restaurant (General), and Service Station uses on the site.	10/02/07: Approved staff's recommendation for LO-MU-CO zoning, with a 2,000 vtpdl (6-0, B. Baker, C. Hammond-absent); K. Jackson-1 <sup>st</sup> , T. Rabago-2 <sup>nd</sup> .	11/08/07: Approved ZAP recommendation of LO-MU-CO zoning (6-1, J. Kim-No); 1 <sup>st</sup> reading 11/29/07: Approved LO-MU-CO zoning by consent (5-0, J. Kim, M. Martinez-off dais); 2 <sup>nd</sup> /3 <sup>rd</sup> readings.
C14-2007-0082 (11603 Jollyville Road)	LO, LR to GR-MU	7/17/07: Approved staff's recommendation of GR-MU-CO zoning, with a 2,000 vtpdl, adding	8/23/07: Approved GR-MU-CO zoning on all 3 readings (7-0); L. Leffingwell-1 <sup>st</sup> , M. Martinez-2 <sup>nd</sup> .

		prohibition of Automotive Sales, Automotive Rentals, Automotive Repair, Automotive Washing (of any type) and Pawn Shops uses (8-0), J. Martinez-1 <sup>st</sup> , S. Hale-2 <sup>nd</sup> .	
C14-2007-0081 (11625 Jollyville Road)	LR-CO to Tract 1: LO, Tract 2: GR-MU	7/17/07: Approved staff's recommendation of LO-CO zoning for Tract 1 and GR-MU-CO zoning for Tract 2, with a 2,000 vtpdl, adding prohibition of Automotive Sales, Automotive Rentals, Automotive Repair, Automotive Washing (of any type) and Pawn Shops uses (8-0), J. Martinez-1 <sup>st</sup> , S. Hale-2 <sup>nd</sup> .	8/23/07: Approved LO-CO for Tract 1 and GR-MU-CO for Tract 2 (7-0); all 3 readings
C14-06-0172 (Arboretum Retirement Community: 11601 Jollyville Road)	LO to Tract 1(1.570 acres): GR-MU (for 866 to 896 ft above sea level) and MF-6 (for 896 to 986 ft above sea level) Tract 2 (0.424 acres): LO-MU (an area 120 ft in depth on the site from the property line along Jollyville Road)	10/17/06: Approved GR-MU-CO zoning on Tract 1 for an area 866 to 896 ft above sea level and MF-6-CO zoning for an area 896 to 926 ft above sea level; with conditions of a 60-foot height limit and 2,000 vehicle trip limit and approved LO-MU-CO zoning on Tract 2; with conditions of 2,000 vehicle trip limit, limit site to 'LO' district uses and residential accessory uses (prohibiting dwelling units). Vote: 9-0; K. Jackson-1 <sup>st</sup> , J. Martinez-2 <sup>nd</sup> .  1/09/07: Approved staff rec. of GR-MU-CO zoning for Tract 1 and LO-CO zoning for Tract 2, with a 2,000 vehicle trip limit per tract (6-0, B. Baker, S. Hale, J. Martinez-absent); J. Pinnelli-1 <sup>st</sup> , C. Hammond-2 <sup>nd</sup> .	1/25/07: Approved GR-MU-CO for Tract 1 and LO-CO for Tract 2 (6-0); all 3 readings
C14-06-0013 (Pavilion Condominiums: 11819 Pavilion Boulevard)	GR, SF-2 to MF-6* *On 4/27/06, the agent requested to amend the case to allow for a 65 foot strip of SF-3 zoning along the southeast property line.	5/02/06: Motion to approve MF-6-CO zoning, with a 60 foot height limit, and SF-3 zoning for an area 65 feet from the southeastern property line (5-3, B. Baker, M. Hawthorne, C. Hammond-No, J. Martinez-absent); K. Jackson-1 <sup>st</sup> , B. Baker-2 <sup>nd</sup> .  Motion made to rescind and reconsider previous action (8-0, J. Martinez-absent); K. Jackson-1 <sup>st</sup> , B. Baker-2 <sup>nd</sup> .  Motion to deny the applicant's request for MF-6 zoning (6-2, J.	6/22/06: Case withdrawn by applicant

		Gohil, S. Hale-No, J. Martinez-absent); K. Jackson-1 <sup>st</sup> , J. Pinnelli-2 <sup>nd</sup> .	
C14-02-0088 (Ghodsí Tract: 11820 Jollyville Road)	LO to LR-CO	6/18/02: Approved staff's recommendation of LR-CO zoning, by consent (8-0, A. Adams-absent)	7/18/02: Approved LR-CO, prohibiting the following uses as offered by the applicant: Restaurant (Drive-in, Fast Food), Service Station, Counseling Services, Guidance Services, and Safety Services(7-0); all 3 readings
C14-01-0160 (11851 Jollyville Road)	LO to GO	Withdrawn by applicant on 12/14/01	N/A

RELATED CASES:

C14-2019-0116 – Previous Zoning Case

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Jollyville Rd.	104' to 106'	50'	ASMP Level 3	Yes	Yes	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

This zoning cases is located on the southwest side of Jollyville Road, on a 0.918 vacant property that is not located within a small planning area. The parcel is situated along the **Jollyville Road Activity Corridor**. Surrounding land uses include a gas station, two restaurants, an auto repair shop and an office building to the north; to the south is a multi-family apartment complex; to the west is an office; and to the east is an office and a restaurant.

The proposed use is multifamily, with a density of 10 units per acre. The existing Conditional Overlay prohibits any structure on the lot from exceeding 55 feet or taller in height.

**Connectivity**

A public sidewalk is located along the west side of Jollyville Road but only partially along the east side of this road. A transit stop is located approximately 550 feet east of the subject property, on Research Boulevard, with limited pedestrian accessibility. The next closest public transit stops are located just over a half a mile away to the north and south. What

appears to be very narrow unprotected bike lanes are located on both side of Jollyville Road. The connectivity options in the area are good; while the mobility options are fair, and could be greatly improved with a public sidewalk system located along both sides and the entire length of Jollyville Road; the installation of protected bike lanes; curb and gutters on both sides of the road; and a public transit stop being located closer than a half mile from the subject property on Jollyville Road.

**Imagine Austin**

The property is located along the **Jollyville Road Activity Corridor**, which supports mixed use and residential uses. Activity Corridors are characterized by a variety of activities and types of buildings located along the roadway —shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices; and allows people to travel throughout the city and region by bicycle, transit, or automobile.

The following policies apply to this request:

- **LUT P3.** Promote development in compact centers, communities, or **along corridors** that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- **LUT P5.** Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- **HN P10.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Based on the property being located along an Activity Corridor that supports mixed use; the adjoining commercial, office and multifamily uses; good connectivity options in the area; but only fair mobility options and not including a true mix of uses under the proposed mixed use zoning category, this proposal partially supports the policies of the Imagine Austin Comprehensive Plan. It is hoped in the near future that a complete public sidewalk system be installed along both sides of Jollyville Road to readily access nearby goods and services.

Environmental

The site is located over the Edwards Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, which is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

Development within a Water Quality Transition Zone is limited to 18%.

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.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

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 will be required for the new residential units proposed by this development, multifamily with GO-CO-MU 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](mailto: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.

#### Site Plan

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

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.

Any new development is subject to Subchapter E. Design Standards and Mixed Use.

Jollyville is a Future Core Transit Corridor Roadways, currently a Suburban Roadway. Additional comments will be made when the site plan is submitted.

### Transportation

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, calls for 104 feet of right-of-way for Jollyville Road.

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/subdivision application. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

### Austin Water Utility

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.

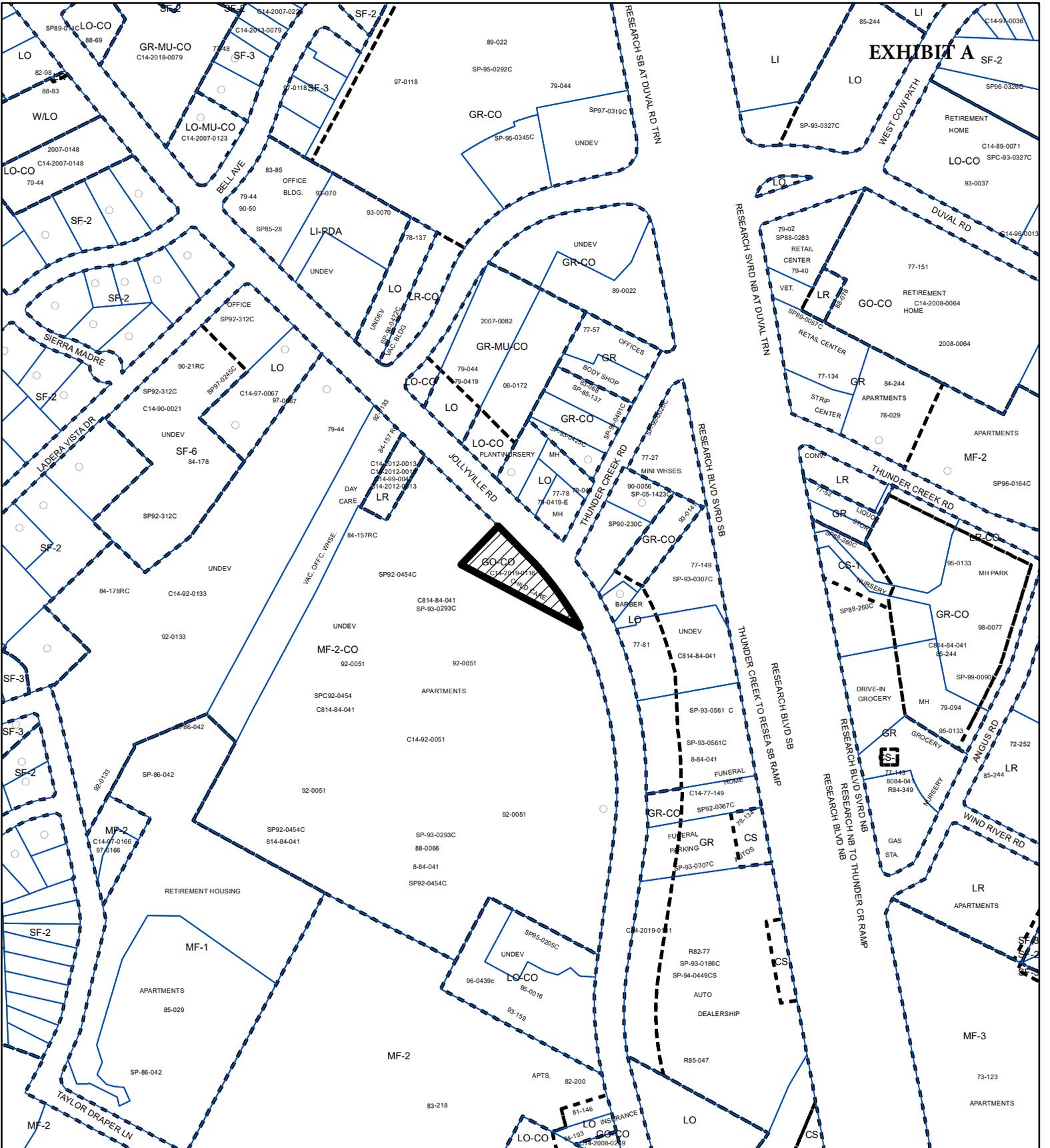
Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

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 Map
- C. Applicant's Request Letter

**EXHIBIT A**



**ZONING**

ZONING CASE#: C14-2021-0118



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

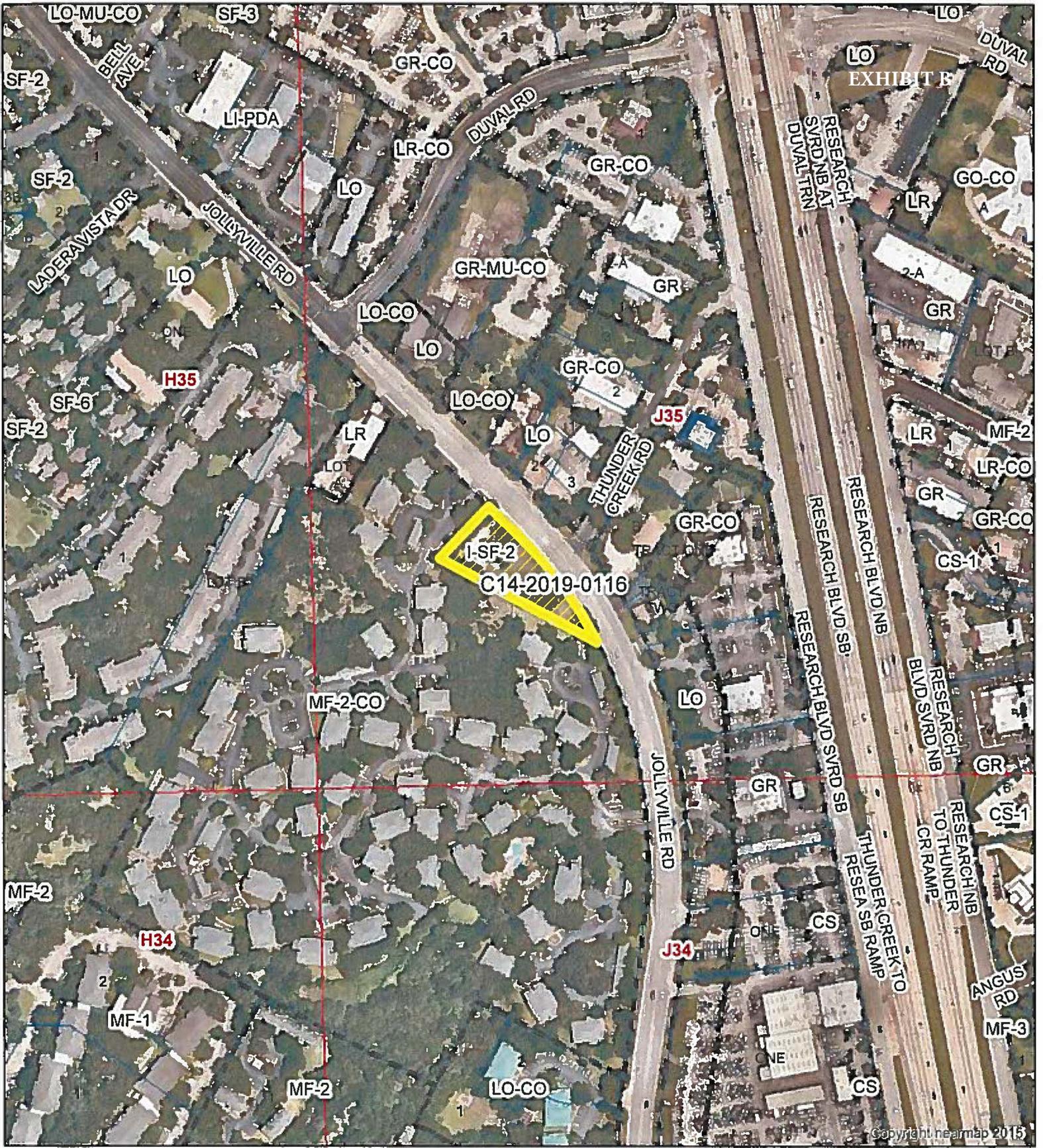
1" = 400'

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1" = 300'

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

**11586 JOLLYVILLE ROAD**

ZONING CASE#: C14-2021-0118  
 LOCATION: 11586 JOLLYVILLE RD.  
 SUBJECT AREA: 0.9128 ACRES  
 GRID: J35  
 MANAGER: Sherri Sirwaitis



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

July 6, 2021

Mr. Jerry Rusthoven, Assistant Director  
Planning and Zoning Department  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, Texas 78704

*Via electronic Delivery*

Re: Application for Rezoning; 0.91 acres located at 11586 Jollyville Road (the "Property")

Dear Mr. Rusthoven:

As representatives of the owner of the above stated Property we respectfully submit the attached application for rezoning. The Property is located at 11586 Jollyville Road (see Location Map attached) and is currently zoned General Office – Conditional Overlay (GO-CO). The proposed zoning is General Office-Conditional Overlay-Mixed Use Combining District (GO-CO-MU). The purpose of the rezoning is to allow for a residential development which is compatible with the adjacent neighborhood.

We have coordinated with city staff and have received a preliminary positive recommendation. Please see attached email for reference.

The Property is not located within a Neighborhood Plan. Surrounding zoning is MF-2-CO to the south, LR to the west, LO east, and LO to the north (across from Jollyville Rd). Surrounding land uses include a gas station to the north, a multi-family lot to the south and a commercial lot to the east. A Traffic Impact Analysis (TIA) is not required at this time but may be required with the site plan.

If you have any questions about this Application for rezoning or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.



Amanda Couch Brown



### Location Map



### PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.austintexas.gov/planning](http://www.austintexas.gov/planning).

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and may be published online.

**Case Number: C14-2021-0118**  
**Contact: Sherri Sirwaitis, 512-974-3057**  
**Public Hearing: September 7, 2021, Zoning and Platting Commission**

*Anay Patel*

Your Name (please print)

I am in favor  
 I object

*11603 Jollyville Rd Austin, TX 78752*

Your address(es) affected by this application (optional)

*[Signature]*

Signature

*9/3/21*

Date

Daytime Telephone (Optional): *512-680-2185*

Comments: *I would be in favor of this zoning change.*

City of Austin

SEP 14 2021

NHCD / AHFC

If you use this form to comment, it may be returned to:

City of Austin, Housing & Planning Department

**Sherri Sirwaitis**

P. O. Box 1088, Austin, TX 78767

Or email to:

[sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)