



MEMORANDUM

TO: Hank Smith, Chair &
Zoning and Platting Commission Members

FROM: Beverly Villela, Senior Planner, Current Planning Division
Planning Department

DATE: April 15, 2025

RE: C14-2024-0178_8116 Ferguson Cutoff

The applicant has amended their zoning request to LI-CO, with a conditional overlay that prohibits the following uses:

- Resource Extraction
- Recycling Center
- Laundry Services
- Service Station
- Automotive Rentals
- Automotive Repair Services
- Automotive Sales
- Automotive Washing (of any type)
- Scrap and Salvage

Staff is supportive of the amended request.

Attachment: Updated Summary Letter and SOS Alliance Correspondence



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Texas P.E. Firm Registration 12469
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April 11, 2025

Beverly Villela
City of Austin Permitting and Development Center
6310 Wilhelmina Delco Dr
Austin, Texas 78752

Re: 8116 Ferguson Cutoff Rezoning Case (C14-2024-0178)
8116 Ferguson Cutoff, Austin, Texas 78724

Dear Ms. Villela,

On behalf of our Client, Kyle Rother, we would like to request a zoning change on the property located at 8116 Ferguson Cutoff, Austin, Texas 78724. The site is currently zoned I-SF-2 (Interim Single Family) and we are requesting that it be rezoned to LI-CO (Light Industrial – Conditional Overlay) to accommodate a general warehouse & distribution use, to replace the current warehousing use.

We previously met with Bobby Levinski with the Save our Springs Alliance to discuss adding a conditional overlay to the site. The conditional overlay will prohibit the following uses:

- Resource Extraction
- Recycling Center
- Laundry Services
- Service Station
- Automotive Rentals
- Automotive Repair
- Automotive Sales
- Automotive Washing
- Scrap and Salvage Yards

The zoning surrounding the property is as follows: LI (Limited Industrial) to the north, P (Public) to the northeast, and I-SF-2 (Interim Single Family) to the south and west. The lot to the east across Ferguson Cutoff is within the Extra-Territorial Jurisdiction of the City of Austin and therefore has no zoning.

If you have any questions or require additional information, please contact me at (512) 761-6161.

Sincerely,
Dane Edwards

Villela, Beverly

From: Bobby Levinski <[REDACTED]>
Sent: Friday, April 11, 2025 9:25 AM
To: Villela, Beverly; Harden, Joi
Cc: Kyle Rother; cc: Dane Edwards; Larry Rother; Jason Rother; nhat@civiltude.com; Amy Nunnellee
Subject: C14-2024-0178 - Rezoning for 8816 Ferguson

You don't often get email from bobby@sosalliance.org. [Learn why this is important](#)

External Email - Exercise Caution

Ms. Villela,

The applicant and its representatives met with me earlier this week. My understanding is that the applicant is agreeable to the following prohibited uses:

- Resource Extraction
- Recycling Center
- Laundry Services
- Service Station
- Automotive Rentals
- Automotive Repair
- Automotive Sales
- Automotive Washing
- Scrap and Salvage Yards

If these prohibited uses are incorporated into a conditional overlay, we will remove our opposition to the requested rezoning. I am copying the applicant and its representatives in hopes that they will confirm my understanding and the agreement on those conditions.

We are greatly appreciative of the applicant being willing to engage in a conversation that could result in some enhanced protections for the Walnut Creek preserve. While LI is not ideal, permitting the rezoning to LI-CO in this case is understandable given the historic use of the property and the need to retain economic use of the existing building.

On a broader note, separate from this case, we would encourage the City to consider standards for buffers to conservation lands.

Many thanks,

Bobby Levinski
Senior Staff Attorney
Save Our Springs Alliance
3201 Menchaca Road
Austin, TX 78704