

ZONING CHANGE REVIEW SHEETCASE: C14-2025-0079 (South Town Rezoning)DISTRICT: 8ADDRESS: 4980, 5016, 5020 ½, and 5030 West U.S. Hwy 290 WestboundZONING FROM: CS-CO-NPTO: CS-MU-V-CO-NPSITE AREA: approximately 7.008 acres (approximately 305,268 square feet)PROPERTY OWNER: LAMY South Towne, Ltd.AGENT: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.)CASE MANAGER: Jonathan Tomko (512) 974-1057, jonathan.tomko@austintexas.govSTAFF RECOMMEDATION:

Staff recommends granting general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning.

The conditional overlay would prohibit the following 26 uses:

- | | |
|---|---|
| - Agricultural sales and services | - Funeral services |
| - Automotive repair services | - Kennels |
| - Automotive washing (of any kind) | - Laundry services |
| - Bail bond | - Limited warehousing/distribution |
| - Building maintenance services | - Monument retail sales |
| - Campground | - Outdoor entertainment |
| - Club or lodge | - Pawn shop services |
| - Commercial off-street parking | - Recreational equipment maintenance & storage |
| - Construction sales and services | - Recreation equipment sales |
| - Drop-off recycling collection facility | - Research services |
| - Equipment repair services | - Service station |
| - Equipment sales | - Vehicle storage |
| - Exterminating services | - Veterinary services |

PLANNING COMMISSION ACTION / RECOMMENDATION:

October 28, 2025: Neighborhood postponement request to November 13, 2025 granted.

November 13, 2025: Applicant postponement request to December 9, 2025 granted.

December 9, 2025: Case is scheduled to be heard by Planning Commission.

CITY COUNCIL ACTION:

TBD

ORDINANCE NUMBER:

N/A

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is currently approximately 65,000 square feet of commercial shopping constructed in the 1990s with approximately 80,000 square feet of paved parking and approximately 10,000 square feet of commercial outparcels with an additional approximately 20,000 square feet of paved parking. It is bound to the northwest, west, and south by highways and a major highway interchange of W. US 290 Hwy. and South Mopac Expy. (ASMP Level 4 roadways maintained by TxDOT). To the north and northeast is Gaines Creek Greenbelt Open Space. To the east is an approximately 135,000 square feet of commercial shopping (Sam’s warehouse club) constructed in approximately 1991 with approximately 200,000 square feet of paved parking. To the south are additional commercial outparcels. South of W. US 290 Hwy. is a Wal-Mart and additional intense commercial development.

BASIS OF RECOMMENDATION:

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.

Intensive multi-family zoning should be located on major arterials and highways.

Granting of the request should result in an equal treatment of similarly situated properties.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-CO-NP	Approximately 65,000 square feet of commercial shopping constructed in the 1990s with approximately 80,000 square feet of paved parking and approximately 10,000 square feet of commercial outparcels with an additional approximately 20,000 square feet of paved parking.
<i>North</i>	P-NP	Gaines Creek Greenbelt Open Space
<i>South</i>	GR-CO-NP	A single-story restaurant outparcel of approximately 5,500 square feet constructed in approximately 1995.
<i>East</i>	CS-CO-NP	Approximately 135,000 square feet of commercial shopping (Sam’s warehouse club) constructed in approximately 1991 with approximately 200,000 square feet of paved parking.
<i>West</i>	Interchange of W. US 290 Hwy. and South Mopac Expy.	Transportation: Highways and Highway Interchange

NEIGHBORHOOD PLANNING AREA: East Oak Hill Neighborhood Planning Area

WATERSHED: Barton Creek Watershed (Barton Springs Zone)

SCHOOLS: A.I.S.D.

Oak Hill Elementary School

O Henry Middle School

Austin High School

COMMUNITY REGISTRY LIST:

Austin Independent School District, Austin Neighborhoods Council, Barton View Neighborhood Association, East Oak Hill Neighborhood Association, Friends of Austin Neighborhoods, Homeless Neighborhood Association, Oak Hill Association of Neighborhoods (OHAN), Oak Hill Neighborhood Plan - COA Liaison, Oak Hill Neighborhood Plan Contact Team, Oak Hill Trails Association, Preservation Austin, Save Barton Creek Assn., Save Our Springs Alliance, TNR BCP - Travis County Natural Resources

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2023-0056 (W US 290)	The Applicant is proposing to change approximately 24.83 acres from DR-NP; LO-CO-NP; GO-CO-NP; GR-CO-NP; and GR-MU-CO-NP to LI-PDA-NP.	04.23.2024 (PC): Approved staff's recommendation of LI-PDA-NP on the consent agenda. Motion by Commissioner Anderson, seconded by Commissioner Woods on a vote of 10-0. Commissioner Cox, Mushtaler, and Phillips were off the dais.	05.02.2024: Approved Ordinance No. 20240502-087 for CH-PDA-NP with prohibited uses, a maximum height of 120 feet, a maximum impervious cover of 56.5 percent, and 0-foot setbacks.
C14-06-0195 (Pointe at Gaines Ranch Shopping Center)	The Applicant is proposing to change approximately 1.278 acres from CS to CS-1-CO.	10.24.2006 (PC): Approved staff's recommendation on consent (8-0)	11.30.2006: Approved Ordinance No. 20061130-058 for commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning was approved with additional prohibited uses. The additional prohibited uses are: pet services, bail bonds, and pawnshops.

C814-05-0213 (Loop 1 at US 290 West PUD)	The Applicant is proposing to change approximately 54.84 acres from GR, RR, and GR-CO to PUD.	02.07.2006 (ZAP): Approve PUD with conditions recommended by staff. 02.14.2006 (PC): Approve PUD with conditions recommended by staff.	05.04.2006: Approved Ordinance No. 20060504-034 for PUD district zoning for tracts 1 and 2.
C14-95-0017 (Leif Johnson Ford @ Mopac & Hwy 290 West)	The Applicant is proposing to change approximately 29.925 acres from GO-CO to GR-CO and RR-CO-NP	09.05.1995 (PC): N/A	09.28.1995: Ordinance No. 950928-J approved the conditional overlay states that development of the Property shall, at a minimum, comply with the water quality provisions as contained in Chapter 13-2, Article V, and Chapter 13-7, Article I, of the Land Development Code. Development shall also comply with all other stricter water quality provisions which may be applicable.

RELATED CASES:

NPA-2025-0025.02 South Town Future Land Use Map (FLUM) change from Commercial to Mixed Use.

ADDITIONAL STAFF COMMENTS:Environmental

1. This site is located over the Edwards Aquifer Recharge Zone. The site is in the Barton Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.
2. Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone.

3. According to floodplain maps there is no floodplain within or adjacent to the project location. Offsite drainage should be calculated to determine whether a Water Quality Transition Zone / Critical Water Quality Zone exist 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. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site. Runoff from the site is required to comply with pollutant load restrictions as specified in Land Development Code.
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 will be required for the new applicable uses proposed by this development, multifamily with proposed CS-MU-V-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 any 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 § 25-1-609.

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: ann.desanctis@austintexas.gov. At the applicant's request, PARD can provide a parkland early determination (PED) of whether fees in-lieu of land will be allowed. It is highly recommended that a PED be submitted for this project.

Site Plan

Zoning Cases

1. Site plans will be required for any new development except for residential only project with up to 4 units.
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.

Transportation and Public Works (TPW) Department – Engineering Review

TPW 1. There is a proposed Urban Trail adjacent to this site, along the western/southern property boundary. A 12 ft shared use path will be required at time of site plan.

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
W 290 WB to MoPac SVRD Ramp	Level 4	Coord. With TxDOT	N/A	N/A	Yes	Yes	Yes
S. MoPac Expy SVRD NB	Level 4	Coord. With TxDOT	N/A	N/A	Yes	Yes	Yes

TIA: A traffic impact analysis is NOT required. Traffic generated by the proposal does not exceed the thresholds established in the City of Austin Land Development Code (LDC). Mitigation per LDC 25-6-101 may still apply.

Austin Water Utility

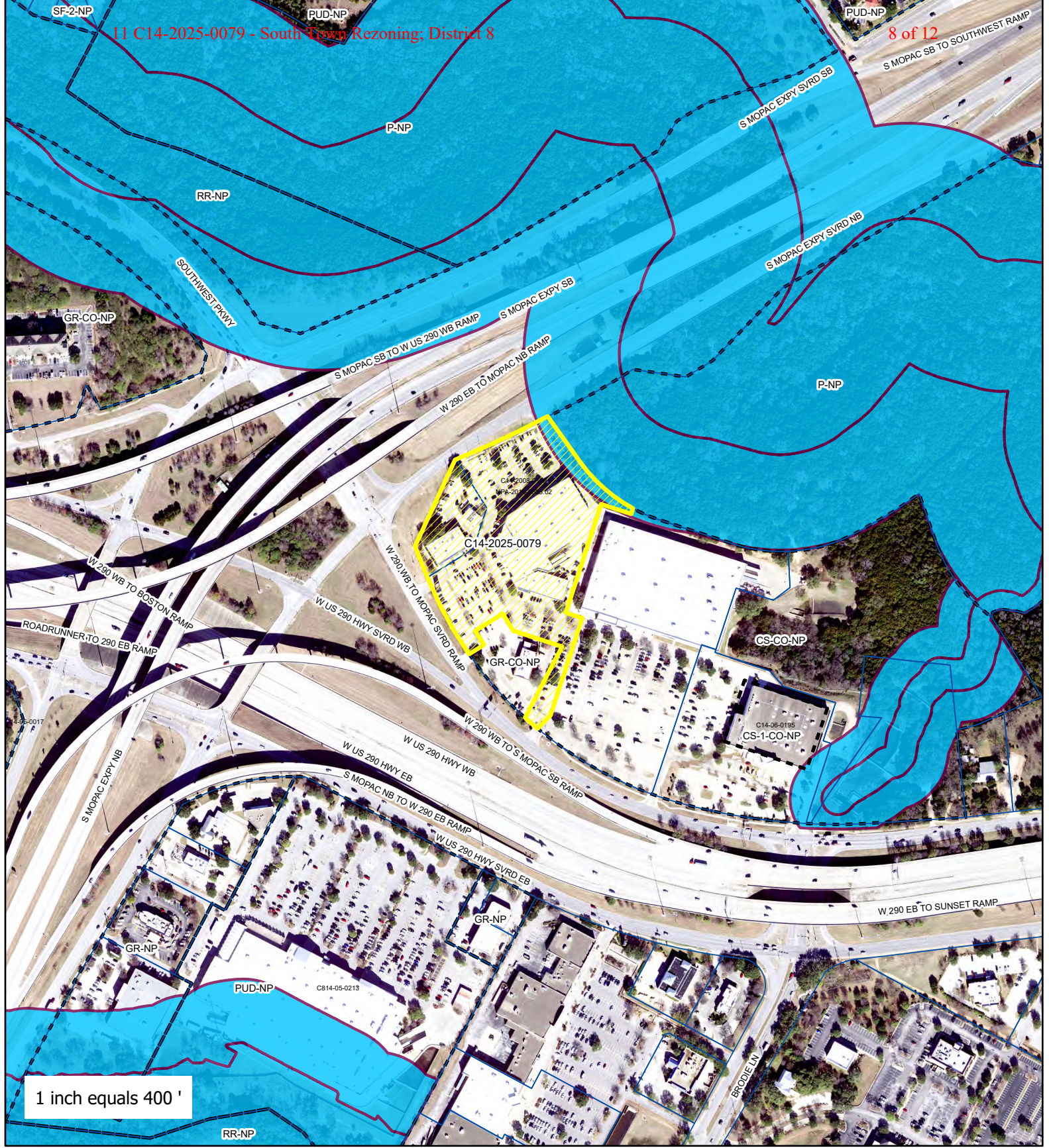
AW1. No comments on zoning change.

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

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. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.





INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

- A. Zoning Map
- B. Aerial Map
- C. Applicant's Summary Letter
- D. Neighborhood Correspondence



1 inch equals 400'

South Town Rezoning

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

ZONING CASE#: C14-2025-0079
 LOCATION: 4980, 5016, 5020 1/2,
 & 5030 W US Hwy 290 WB
 SUBJECT AREA: 7.008 Acres
 MANAGER: Marcelle Boudreaux



This product has been produced by Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

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512-435-2300

FACSIMILE 512-435-2360

Richard T. Suttle, Jr.
(512) 435-2300
rsuttle@abaustin.com

July 2, 2025

Lauren Middleton-Pratt, Director
City of Austin Planning Department
6310 Wilhelmina Delco Drive
Austin, Texas 78752

Re: Rezoning Application for property located at 4980, 5016, 5020 ½, and
5030 W US 290 HWY WB, Austin, Texas 78735 (the "Application")

Dear Mrs. Middleton-Pratt:

This letter, along with the Application is submitted to rezone ±7.008 acres of land located at 4980, 5016, 5020 ½, and 5030 W US 290 HWY WB (the "Property").

The Property is currently zoned General Commercial Services – Conditional Overlay Combining District – Neighborhood Plan Combining District ("CS-CO-NP") and is developed as a retail shopping center with associated surface parking and infrastructure. The Property is located within the Oak Hill Combined Neighborhood Plan and the Future Land Use Map identifies the Property as Commercial.

The proposed redevelopment of the Property contemplates approximately 1,000 residential units (the "Project"). In order to facilitate development of the Project, this Application seeks to rezone the Property from CS-CO-NP to General Commercial Services – Mixed Use Combining District – Vertical Mixed Use Building Combining District – Neighborhood Plan Combining District ("CS-MU-V-NP"). A neighborhood plan amendment application will also be submitted concurrently with the Application to change the Future Land Use Map from Commercial to Mixed Use so that it's consistent with the proposed rezoning.

Thank you in advance for your time and consideration of this Application. If you have any questions or need additional information, please do not hesitate to contact me at (512) 435-2300 or Kelly Wright at (512) 435-2364.

ARMBRUST & BROWN, PLLC
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Very truly yours,

ARMBRUST & BROWN, PLLC

A handwritten signature in black ink, appearing to read "Richard T. Suttle, Jr.", written in a cursive style.

Richard T. Suttle, Jr.

cc: Joi Harden
Amanda Hendrix
Kelly Wright
Jay Lamy
Joe Lamy

ARMBRUST & BROWN, PLLC

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November 10, 2025

Jonathan Tomko
Case Manager
City of Austin, Planning Department
6310 Wilhelmina Delco Drive
Austin, Texas 78752

Re: South Town NPA (NPA-2025-0025.02) and South Town Rezoning
(C14-2025-0079) (collectively, the "Applications")

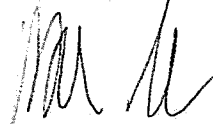
Dear Mr. Tomko:

This letter is written on behalf of the owner for the above referenced Applications to request a postponement of the South Town NPA and South Town Rezoning cases to the December 9, 2025 Planning Commission agenda due to a scheduling conflict.

If you have any questions or comments, please do not hesitate to contact me.

Very truly yours,

ARMBRUST & BROWN, PLLC



Richard T. Suttle, Jr.

cc: Maureen Meredith
Joi Harden
Jay Lamy
Joe Lamy
Amanda Hendrix



November 7, 2025

Maureen Meredith, Planning
Jonathan Tomko, Planning & Zoning
Members of the Planning Commission:

The **Oak Hill NPCT (OHNPCT) and OHAN** object to increasing building height by adding **Vertical Mixed Use** (changing to MU land use and V zoning) at this key Oak Hill intersection currently home to single-story commercial properties.

The **OHNPCT and OHAN oppose the changes** due to compounded negative impacts added onto the **Re-development Exception in the Barton Creek Zone**. Traffic and roadway access, the compromise of water quality at Gaines Creek, as well as electrical and water hardship in meeting existing and especially planned growth are escalating concerns.

Most importantly, current land use and zoning already will bring substantial commercial as well as possible residential development up to 60 ft. from the existing 1 story development. It allows for coverage of essentially the entire 7 acres without additional height allowances despite being in the Drinking Water Protection Zone. **Utilizing current allowances is more than adequate for this site**, which already includes an automatic provision of SB840 that allows **378 units under current land use/zoning**.

This commercial lot remains **auto centric** without any realistic remedy due to corner traffic **congestion at the intersection, inadequate and unpopular transit options**, and the **boxed in location**. Overall, these **commercial businesses are key assets to the surrounding community**. There is an **overabundance of MF & SF housing already built & in the pipeline**. For the purpose of minimizing existing roadway congestion & pollution by maintaining nearby access to commercial, retail and restaurant space at this location, upzoning of South Towne is undesirable and opposed by the community at this time.

Thank you,

Leigh Ziegler, OHNPCT Chair
Cynthia Wilcox, OHAN President