

ZONING CHANGE REVIEW SHEET

CASE: C14-2025-0070 - McNeil Rezoning

DISTRICT: 6

ADDRESS: 7221 McNeil Drive

ZONING FROM: CS-CO

TO: Tract 1: CS-1
Tract 2: CS-CO

SITE AREA: Tract 1: 1.01 acres
Tract 2: 0.80 acres
1.81 acres

PROPERTY OWNER: Roy L. Wyatt III & Luke Hogan

APPLICANT/AGENT: Land Answers (Tamara Mitchell)

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

STAFF RECOMMEDATION:

Staff recommends CS-1-CO, Commercial-Liquor Sales-Conditional Overlay Combining District, zoning for Tract 1 and CS-CO, General Commercial Services-Conditional Overlay Combining District, zoning for Tract 2.

The conditional overlay will prohibit Adult Oriented Businesses on the property (Tract 1 & Tract 2).

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

September 16, 2025: Approved staff's recommendation of CS-1-CO for Tract 1 and CS-CO zoning for Tract 2 by consent (9-0, L. Osto Lugo-absent); L. Stern-1st, A. Flores-2nd.

CITY COUNCIL ACTION:

October 23, 2025

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is a 1.81 acre area fronting McNeil Drive that is zoned CS-CO. It currently contains an outdoor food trailer court with surface parking. The lots to the east are developed with a restaurant use (Taqueria Jessica) zoned SF-3, a construction sales and services use zoned CS-CO and a surface parking area for religious assembly use zoned LI-CO. To the north, across McNeil Drive, is a retail sales use (Advance Auto Parts) zoned GR-CO and a one-story office/warehouse park zoned LI-CO. To the south, there is SF-2 zoning fronting U.S. Highway 183 Service Road North Bound that is developed with an office/warehouse center. The lots to the west contain a restaurant (The Water Tank Bar) and office uses zoned GR, LI, SF-3. In this request, the applicant is asking to rezone this property to CS-1 for Tract 1, the food court area, and CS-CO for Tract 2, the surface parking and warehousing area. The applicant has said that the purpose of this rezoning is to allow patrons of the food court to purchase alcoholic beverages on-site and take them to the various food truck eating areas for consumption, along with their food.

The staff recommends CS-1-CO, Commercial-Liquor Sales-Conditional Overlay Combining District, zoning for Tract 1 and CS-CO, General Commercial Services-Conditional Overlay Combining District, zoning for Tract 2. The proposed conditional (CO) will prohibit Adult Oriented Businesses on both tracts. The property meets the intent of the CS and CS-1 base districts as it is located within a commercial area fronting an arterial roadway. The lots surrounding this site to the north, east and west are zoned with GR, CS-CO and LI-CO. There are commercial and office uses to the north, south, east and west. The proposed zoning will permit the applicant to utilize the property for commercial uses that are consistent with surrounding land use patterns in this area.

The site under consideration is within the designated '183 & McNeil Neighborhood Center', as identified on the Growth Concept Map in the Imagine Austin Comprehensive Plan. There are public transportation options in this area as there are sidewalks and a bike lane along McNeil Drive and there is a Capital Metro bus stop within 0.25 miles at the intersection of McNeil Drive and Research Boulevard.

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 commercial services (CS) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

Commercial-Liquor Sales district is intended predominately for commercial and industrial activities of a service nature which typically have operating characteristics or traffic service requirements generally incompatible with residential environments, and specifically includes liquor sales as a permitted use.

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 General Commercial Services district would be compatible and consistent with the surrounding land use patterns because there is GR, LI, GR-CO, LI-CO, CS-CO zoning adjacent to the property to the north, east and west of this site.

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

The proposed zoning districts would allow for a fair and reasonable use of the site. The Commercial Liquor Sales district and General Commercial Services district are appropriate for this property as it is located within the designated '183 & McNeil Neighborhood Center', identified on the Growth Concept Map in the Imagine Austin Comprehensive Plan adjacent to public transportation options.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-CO	Food Court, Surface Parking, Warehouse Structures
<i>North</i>	GR-CO, LI-CO	Retail Sales (Advance Auto Parts), Office/Warehouse
<i>South</i>	SF-2	Office/Warehouse
<i>East</i>	SF-3, CS-CO, LI-CO	Restaurant (Taqueria Jessica, Construction Sales and Services, Surface Parking for Religious Assembly (Mosaic Church and Student Center)
<i>West</i>	GR, LI, SF-3	Restaurant (The Water Tank Bar), Office (Virtual Geomatics Software Development), Blend Bodywork Massage Therapy, Rastrac Technology, etc.)

NEIGHBORHOOD PLANNING AREA: N/A

WATERSHED: Rattan Creek

SCHOOLS: Round Rock I.S.D.

NEIGHBORHOOD ORGANIZATIONS:

Friends of Austin Neighborhoods,
Homeless Neighborhood Association

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2024-0087 (12104 Jekel Circle)	LI-CO to CS	8/06/24: Approved staff's recommendation of CS zoning by consent (7-0, A. Flores and L. Stern absent); D. Fouts-1st, R. Puzycki-2nd.	9/12/24: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20240912-093 for CS district zoning was approved on Council Member Vela's motion, Council Member Ellis' second on an 11-0 vote.
C14-2021-0147 (12117 Jekel Circle)	SF-3 to CS	11/02/21: Approved staff's recommendation of CS zoning by consent (9-0, C. Acosta-absent); A. Denkler-1st, T. Bray-2 nd .	12/02/21: Approved CS zoning on all 3 readings (10-0, G. Casar-off dais); M. Kelly-1st, P. Ellis-2nd.
C14-2018-0148 (12202 Pecan Street Rezoning: 12202 Pecan Street)	SF-3 to CS	3/05/19: Approved the staff's recommendation of CS zoning by consent (9-0, D. Breithaupt-absent); B. Evans-1 st , S. Lavani-2 nd .	3/28/19: Approved CS zoning by consent on all 3 readings (11-0); P. Renteria-1 st , J. Flannigan-2 nd .
C14-2016-0123 (6914 McNeil Dr.)		1/17/17: Approved staff recommendation of GR-CO zoning, with CO to prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales Automotive Washing (of any type), Bail Bond Services Commercial Off-Street Parking Drop Off Recycling Facility Exterminating Services, Funeral Services, Pawn Shop Services Research Services, Service Station; with additional conditions to prohibit Hospital Services, Alternative Financial Services, and Drive-In Services uses and to include a public restrictive covenant to require the installation of sidewalks and sidewalk improvements (8-2, J. Kiolbassa, B. Greenberg-No; D. Breithaupt-absent); S. Harris-1 st , B. Evans-2 nd .	1/26/17: Approved ZAP Commission's recommendation of GR-CO zoning, with conditions, on 1 st reading on consent (11-0); D. Garza-1 st , P. Renteria-2 nd . 3/02/17: Ordinance No. 20170302-050 was approved for community commercial-conditional overlay (GR-CO) combining district zoning, with conditions, on Council Member Troxclair's motion, Council Member Flannigan's second on a 10-0 vote. Council Member Kitchen was off the dais.
C14-2015-0136 (6914 McNeil Dr.)	I-RR to GR	11/17/15: Postponed at the applicant's request to December 15, 2015 (10-0); A. Denkler-2 nd , B. Evans-2 nd .	12/10/15: Postponed to February 11, 2016 at the staff's request (10-0, S. Adler-absent)

		12/15/16: Postponed at the applicant's request to January 5, 2016 (7-0, D. Breithaupt, Y. Flores, S. Harris-absent); B. Evans-1st, S. Lavani-2nd. 01/05/16: Postponed at the applicant's request to January 19, 2016 (8-0, S. Lavani-absent, J. Goodman-arrived late); T. Webber-1st, A. Denkler-2nd. 01/19/16: Postponed at the applicant's request to February 2, 2016 (10-0); T. Webber-1st, S. Lavani-2nd. 02/02/16: Approved applicant's request for an indefinite postponement (10-0); J. Goodman-1st, J. Kiolbassa-2nd. Case expired on July 31, 2016 in accordance with LDC Section 25-2-246(A)(2).	02/11/16: Postponed indefinitely at the request of the applicant (11-0); L. Pool-1st, D. Zimmerman-2nd.
C14-2012-0099 (Myers Zoning Change: 6810 McNeil Drive)	I-SF-2 to €S GR	11/06/12: Approved GR-CO zoning (6-0, G. Rojas-absent); P. Seeger-1st, J. Meeker-2nd, with the following conditions 1) Limit the development intensity for the site to less than 2,000 vehicle trips per day, 2) Prohibit the following uses as offered by the applicant: Automotive Repair Services, Automotive Washing (of any kind), Bail Bond Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Exterminating Services, Food Sales, Funeral Services, Hotel/Motel, Indoor Entertainment, Indoor Sports and Recreation, Off-Site Accessory Parking, Outdoor Entertainment, Outdoor Sports and Recreation, Plant Nursery, Theater, Custom Manufacturing, College and University Facilities, Communication Service Facilities, Community Recreation (Private & Public),	11/08/12: Approved GR-CO zoning on consent on 1st reading (6-0, S. Cole-off dais); L. Morrison-1st, M. Martinez-2nd. 12/13/12: Approved GR-CO zoning on consent on 2nd/3rd readings (7-0), L. Morrison-1st, B. Spelman-2nd.

		Counseling Services, Guidance Services, Hospital Services (General), Hospital Services (Limited), Local Utility Services, Private Primary Educational Facilities, Private Secondary Educational Facilities, Public Primary Educational Facilities, Residential Treatment, Safety Services; 3) Add Automotive Sales and Service Station as prohibited uses. 4) Prohibit/restrict hours of operation between 12:00 a.m. and 6:00 a.m.	
C14-2008-0098 (12205 Pecan Street)	SF-3 to LI	7/01/08: Approved staff's rec. of LI-CO zoning, with added condition to prohibit Adult Oriented Businesses, by consent (6-0, J. Martinez, K. Jackson-absent) T. Rabago-1 st , J. Shieh-2 nd .	8/07/08: Approved LI-CO district zoning, with the following conditions: 2,000 vtpdl, prohibit Adult Oriented Businesses and 35-feet of right-of-way should be dedicated from the centerline of Pecan Street through a street deed, by consent (7-0); B. McCracken-1 st , S. Cole-2 nd .
C14-2008-0095 (Jekel Rezoning: 12214 Jekel Circle)	SF-3 to LI	7/01/08: Approved staff's recommendation of LI-CO zoning, with added condition to prohibit Adult Oriented Businesses, by consent (6-0, J. Martinez, K. Jackson-absent) T. Rabago-1 st , J. Shieh-2 nd .	8/07/08: Approved LI-CO district zoning, with the following conditions: 2,000 vtpdl, prohibit Adult Oriented Businesses and 35-feet of right-of-way should be dedicated from the centerline of Jekel Circle through a street deed, by consent (7-0); B. McCracken-1 st , S. Cole-2 nd .
C14-2008-0069 (IABA Phase-1: 12460 Los Indios Trail)	I-RR to MF-3	6/17/08: Approved SF-6-CO district zoning with conditions of: Restricting to no duplexes, multi-family, town homes or condominiums; Maximum of 30 units; 25' undisturbed vegetative setback and a 50' building setback from the northern property line; 300 vehicle trips per day; Commissioner Keith Jackson's motion, Commissioner Joseph Martinez second the motion on a vote of 8-0; with 1 vacancy on this commission.	7/24/08: Approved the ZAP Commission's rec. of SF-6-CO zoning, with restrictions as follows: no attached single family dwellings and 35' height limitation with exceptions allowed under the Code up to 40'. The parking will be agreed upon by involved parties. (7-0); Council Member Cole-1st, Council Member Martinez-2nd; 1st reading 7/23/09: Approved SF-6-CO zoning on consent on 2nd/3rd readings (7-0); Morrison-1st, Martinez-2nd.
C14-03-0107 (Los Indios Lift	SF-4A to P	8/26/03: Approved staff's recommendation of 'P' zoning	9/25/03: Granted 'P' (7-0); all 3 readings

Station: 12507 Oro Valley Trail)		by consent (8-0, K. Jackson-absent); J. Martinez-1 st , J. Gohil-2 nd .	
C14-03-0074 (Gateway Community Church: 7014 McNeil Drive)	SF-6-CO to GO	6/3/03: Approved GO-CO zoning, with the following conditions: 1) Limit the development intensity on the site to less than 2,000 vehicle trips per day. 2) Allow GO, General Office district, zoning height (60 feet) and impervious cover (80%) standards. Limit all other site development regulations to LO, Limited Office district, zoning standards. 3) Permit LO district uses (prohibit the following GO district uses): Business or Trade School, Business Support Services, College and University Facilities, Congregate Living, Hospital Services (General), Hospital Services (Limited), Private Secondary Education Facilities, Off-Site Accessory Parking, Personal Services, Restaurant (Limited); 4) Provide a 25-foot setback (buffer zone) from the North property line for the area that is zoned SF-1. 5) Provide a 25-foot setback from the East property line for the area that is zoned SF-1 and the lot zoned SF-2.	7/17/03: Granted GO-CO; prohibiting vehicle access to Lobelia Dr. (7-0); all 3 readings
C14-03-0059 (McNeil Deal: 6917 McNeil Drive)	SF-3 to CS	5/6/03: Approved staff's rec. of CS-CO zoning with condition to prohibit the following uses: • Drop-off Recycling Collection Facility • Scrap and Salvage • Convenience Storage • Pawnshop Services (8-0, K. Jackson-absent)	6/5/03: Approved CS-CO (7-0); all 3 readings
C14-00-2218 (6514 McNeil Drive)	I-RR to GO	2/13/01: Approved staff rec. of GO-CO by consent (9-0)	3/22/01: Approved GO-CO zoning, with the following conditions: 660

			vehicle trip limit and 40 foot height limit (7-0); all 3 readings
C14-99-0095	SF-3 to CS	6/29/99: Approved staff's alternate rec. of CS-CO (8-0)	7/29/99: Approved PC rec. of CS-CO (6-0); all 3 readings

RELATED CASES:

C14-91-0090 – Previous Zoning Case

OTHER STAFF COMMENTS:

Comprehensive Planning

Project Name and Proposed Use: 7221 MC NEIL DRIVE. C14-2025-0070. Project: MCNEIL REZONE. 1.014 acres from CS-CO to CS-1, CS-CO. Existing: food court. Proposed: food court and parking.

Yes	Imagine Austin Decision Guidelines
	Complete Community Measures *
Y	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Names of Activity Centers/Activity Corridors/Job Centers *: • Within 183 & McNeil Neighborhood Center
Y	Mobility and Public Transit *: Located within 0.25 miles of public transit stop and/or light rail station. • Within 0.14 miles of bus stop along 183 Highway SVD
Y	Mobility and Bike/Ped Access *: Adjoins a public sidewalk, shared path, and/or bike lane. • Bike lane present along McNeil Drive
Y	Connectivity, Good and Services, Employment *: Provides or is located within 0.50 miles to goods and services, and/or employment center. • Within 0.5 miles of Goods and Services along Spicewood Springs Road and McNeil Drive
Y	Connectivity and Food Access *: Provides or is located within 0.50 miles of a grocery store/farmers market. • 0.4 miles to HEB grocery store
	Connectivity and Education *: Located within 0.50 miles from a public school or university.
	Connectivity and Healthy Living *: Provides or is located within 0.50 miles from a recreation area, park or walking trail.
Y	Connectivity and Health *: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.) • 0.4 miles to medical clinic along 183 Highway SVD
	Housing Choice *: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	Housing Affordability *: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	Mixed use *: Provides a mix of residential and non-industrial uses.
Y	Culture and Creative Economy *: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center). • 0.4 miles to the Spicewood Springs branch of the Austin Public Library

	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin’s creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
	Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone
7	Number of “Yes’s”

Environmental

The site is located over the North Edwards Aquifer Recharge Zone. The site is in the Rattan Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

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

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

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 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.

Site Plan

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

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

The site is subject to compatibility standards due to the proximity of SF-2 and SF-3 zoned properties to the south, west and east (i.e., the triggering property).

Reference 25-2-1051, 25-2-1053

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

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), 25-8-700

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

Transportation

The Austin Strategic Mobility Plan (ASMP) calls for 120 feet of right-of-way for McNeil. It is recommended that 60 feet of right-of-way from the existing centerline should be dedicated with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The Austin Strategic Mobility Plan (ASMP) calls for 116 feet of right-of-way for POND SPRINGS RD-OAK KNOLL CONNECTOR. It is recommended that 58 feet of right-of-way

from the future centerline should be dedicated with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Pond Springs Road – Oak Knoll Connector	Level 3	116'	NA	NA	NA	NA	NA
Mc Neil	Level 3	120'	113'	58'	Yes	Yes	Yes

Water Utility

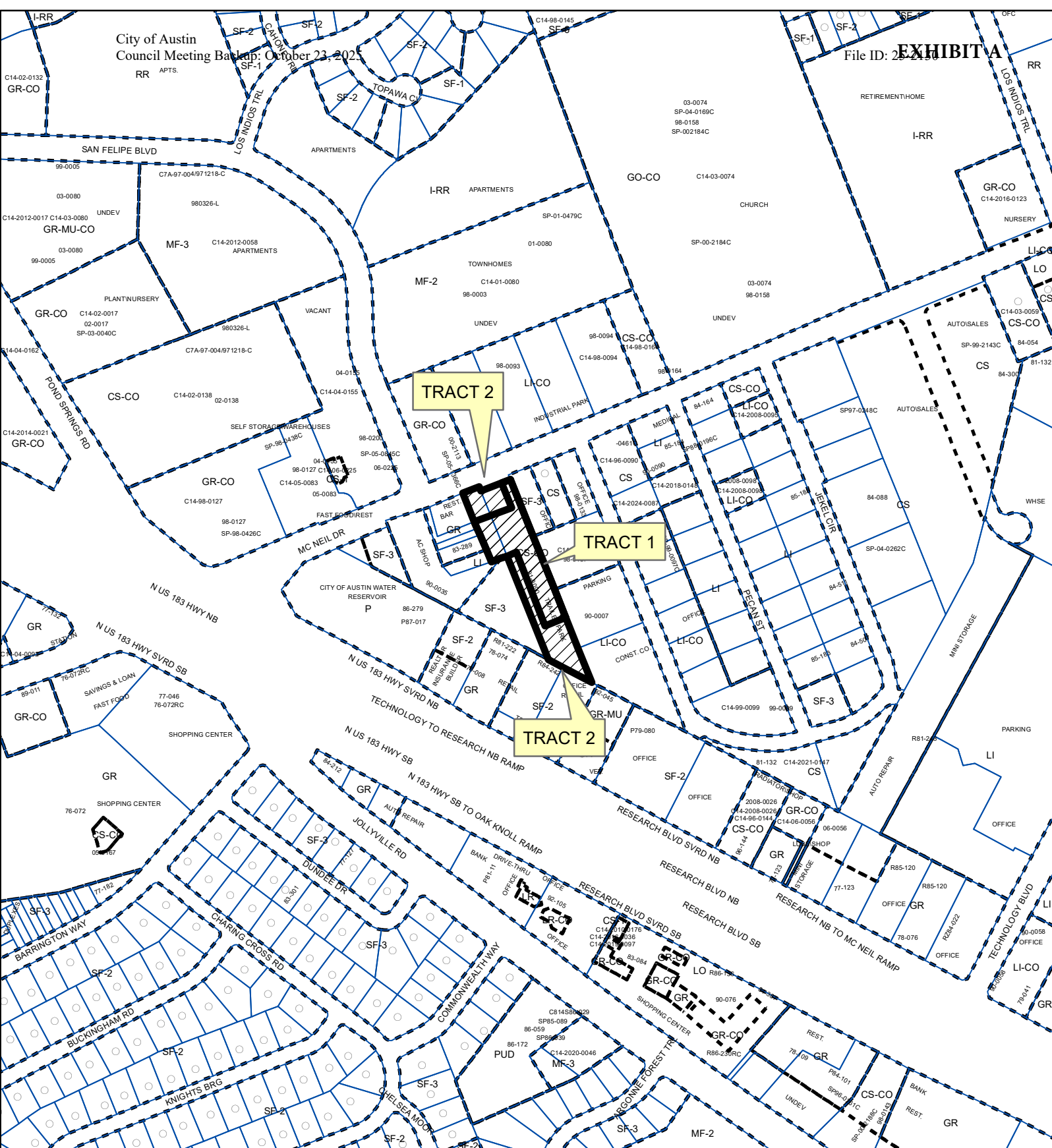
No comments on zoning change.

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 TO FOLLOW

- A: Zoning Map
- B. Aerial Map



ZONING

ZONING CASE#: C14-2025-0070

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



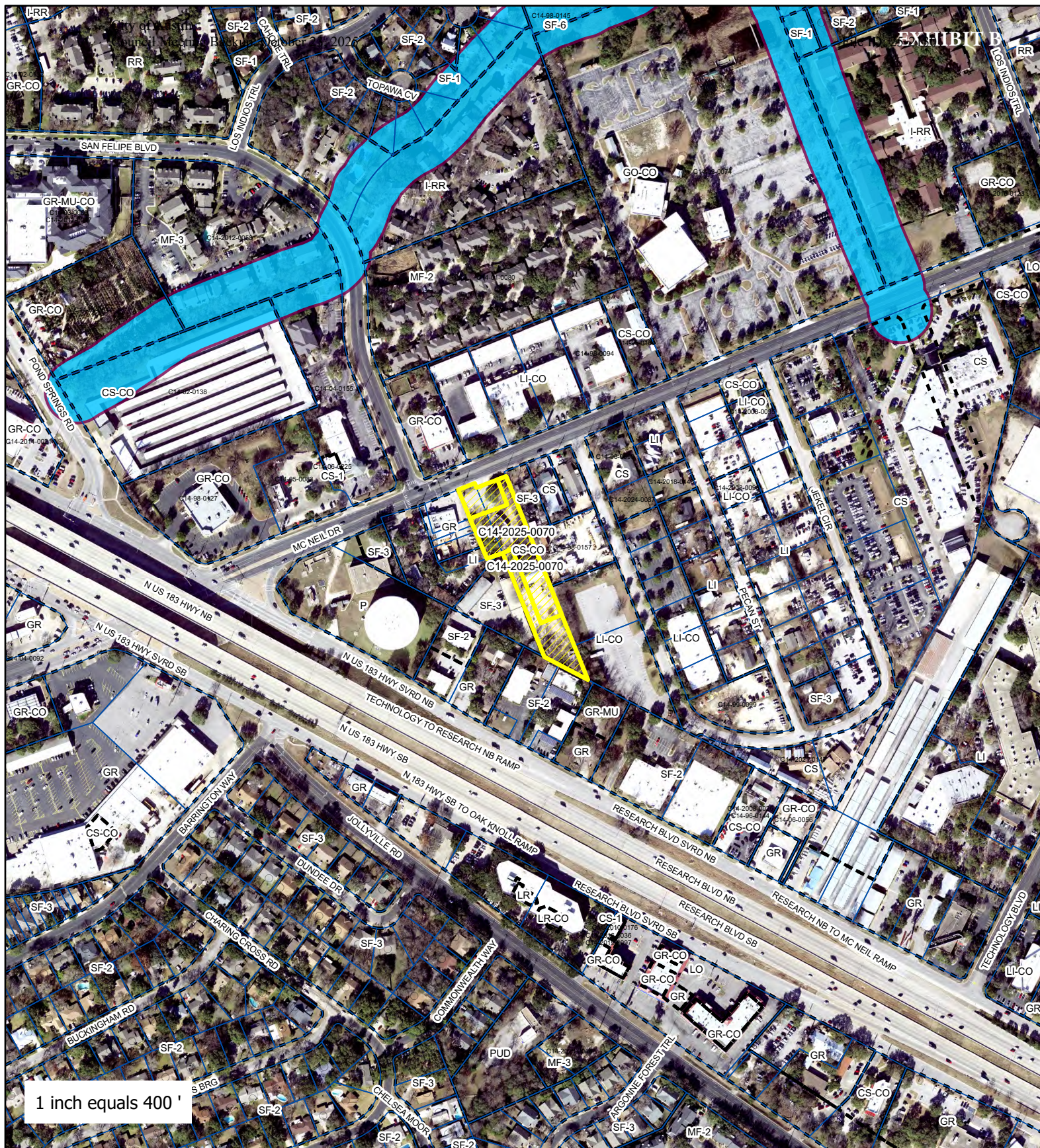
1" = 400'

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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Created: 6/13/2025



MCNEIL REZONE



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

ZONING CASE#: C14-2025-0070
 LOCATION: 7221 Mc Neil Dr
 SUBJECT AREA: 1.014 Acres
 MANAGER: Sherri Sirwaitis



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