

## **ZONING CHANGE REVIEW SHEET**

CASE: C14-2024-0087 (12104 Jekel Circle)

DISTRICT: 6

ADDRESS: 12104 Jekel Circle

ZONING FROM: LI-CO

TO: CS

SITE AREA: 0.267 acres (11,631 sq. ft.)

PROPERTY OWNER: JLCC Interests, LLC (Michael Jordan Scott)

APPLICANT/AGENT: Industry ATX (Michael Winningham)

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

STAFF RECOMMEDATION:

**Staff recommends CS, General Commercial Services District, zoning.**

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

**August 6, 2024: Approved staff's recommendation of CS zoning by consent (7-0, A. Flores and L. Stern absent); D. Fouts-1st, R. Puzycki-2nd.**

CITY COUNCIL ACTION:

**September 12, 2024**

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is a 11,631 sq. ft undeveloped lot fronting Jekel Circle that is currently zoned LI-CO. Surrounding land uses include office uses to the north and east zoned CS, a religious assembly use with a surface parking lot to the south zoned LI-CO and a construction sales and services use zoned CS-CO across Jekel Circle to the west. In this case, the applicant is requesting a downzoning to the CS district to utilize the Affordability Unlocked program to develop residential units at this location.

The staff recommends CS, General Commercial Services District, zoning because the property is located within a commercial area. The lots surrounding this site to the north, east and west are zoned with CS and CS-CO. There are office uses to the north and east, commercial uses to the west and a religious assembly use to the south. 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 along Jekel Circle, 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.

*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 CS and 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 CS zoning district would allow for a fair and reasonable use of the site. The General Commercial Services zoning is 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.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LI-CO	Undeveloped
<i>North</i>	CS	Office
<i>South</i>	LI-CO	Surface Parking for Religious Assembly (Mosaic Church and Student Center)
<i>East</i>	CS	Office (Prosperity Roofing)
<i>West</i>	CS-CO	Construction Sales and Services (Aus Tex Fence and Deck), Outdoor Storage

NEIGHBORHOOD PLANNING AREA: N/A

WATERSHED: Rattan Creek

SCHOOLS: Round Rock I.S.D.

NEIGHBORHOOD ORGANIZATIONS:

Friends of Austin Neighborhoods,  
 Homeless Neighborhood Association,  
 Neighborhood Empowerment Foundation,  
 SELTexas,  
 Sierra Club, Austin Regional Group

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
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 <sup>nd</sup> .	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 <sup>st</sup> , S. Lavani-2 <sup>nd</sup> .	3/28/19: Approved CS zoning by consent on all 3 readings (11-0); P. Renteria-1 <sup>st</sup> , J. Flannigan-2 <sup>nd</sup> .
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	1/26/17: Approved ZAP Commission's recommendation of GR-CO zoning, with conditions, on 1 <sup>st</sup> reading on consent (11-0); D. Garza-1 <sup>st</sup> , P. Renteria-2 <sup>nd</sup> .  3/02/17: Ordinance No. 20170302-050 was approved for community commercial-conditional overlay

		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 <sup>st</sup> , B. Evans-2 <sup>nd</sup> .	(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	<p>11/17/15: Postponed at the applicant's request to December 15, 2015 (10-0); A. Denkler-2<sup>nd</sup>, B. Evans-2<sup>nd</sup>.</p> <p>12/15/16: Postponed at the applicant's request to January 5, 2016 (7-0, D. Breithaupt, Y. Flores, S. Harris-absent); B. Evans-1<sup>st</sup>, S. Lavani-2<sup>nd</sup>.</p> <p>01/05/16: Postponed at the applicant's request to January 19, 2016 (8-0, S. Lavani-absent, J. Goodman-arrived late); T. Webber-1<sup>st</sup>, A. Denkler-2<sup>nd</sup>.</p> <p>01/19/16: Postponed at the applicant's request to February 2, 2016 (10-0); T. Webber-1<sup>st</sup>, S. Lavani-2<sup>nd</sup>.</p> <p>02/02/16: Approved applicant's request for an indefinite postponement (10-0); J. Goodman-1<sup>st</sup>, J. Kiolbassa-2<sup>nd</sup>.</p> <p>Case expired on July 31, 2016 in accordance with LDC Section 25-2-246(A)(2).</p>	<p>12/10/15: Postponed to February 11, 2016 at the staff's request (10-0, S. Adler-absent)</p> <p>02/11/16: Postponed indefinitely at the request of the applicant (11-0); L. Pool-1<sup>st</sup>, D. Zimmerman-2<sup>nd</sup>.</p>
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-1 <sup>st</sup> , J. Meeker-2 <sup>nd</sup> , with the following conditions 1) Limit the development intensity for the site to less than 2,000 vehicle trips per day, 2) Prohibit the	11/08/12: Approved GR-CO zoning on consent on 1 <sup>st</sup> reading (6-0, S. Cole-off dais); L. Morrison-1 <sup>st</sup> , M. Martinez-2 <sup>nd</sup> .

		<p>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 &amp; Public), 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.</p>	<p>12/13/12: Approved GR-CO zoning on consent on 2<sup>nd</sup>/3<sup>rd</sup> readings (7-0), L. Morrison-1<sup>st</sup>, B. Spelman-2<sup>nd</sup>.</p>
<p>C14-2008-0098 (12205 Pecan Street)</p>	<p>SF-3 to LI</p>	<p>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<sup>st</sup>, J. Shieh-2<sup>nd</sup>.</p>	<p>8/07/08: Approved LI-CO district zoning, with the following conditions: 2,000 vtpdl, prohibit Adult Oriented Businesses and 35-foot of right-of-way should be dedicated from the centerline of Pecan Street through a street deed, by consent (7-0); B. McCracken-1<sup>st</sup>, S. Cole-2<sup>nd</sup>.</p>
<p>C14-2008-0095 (Jekel Rezoning: 12214 Jekel Circle)</p>	<p>SF-3 to LI</p>	<p>7/01/08: Approved staff's recommendation of LI-CO zoning, with added condition to prohibit Adult Oriented Businesses, by consent (6-0, J.</p>	<p>8/07/08: Approved LI-CO district zoning, with the following conditions: 2,000 vtpdl, prohibit Adult Oriented Businesses and 35-foot of right-of-way should be dedicated from the centerline of</p>

		Martinez, K. Jackson-absent) T. Rabago-1 <sup>st</sup> , J. Shieh-2 <sup>nd</sup> .	Jekel Circle through a street deed, by consent (7-0); B. McCracken-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .
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-1 <sup>st</sup> , Council Member Martinez-2 <sup>nd</sup> ; 1 <sup>st</sup> reading  7/23/09: Approved SF-6-CO zoning on consent on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (7-0); Morrison-1 <sup>st</sup> , Martinez-2 <sup>nd</sup> .
C14-03-0107 (Los Indios Lift Station: 12507 Oro Valley Trail)	SF-4A to P	8/26/03: Approved staff's recommendation of 'P' zoning by consent (8-0, K. Jackson-absent); J. Martinez-1 <sup>st</sup> , J. Gohil-2 <sup>nd</sup> .	9/25/03: Granted 'P' (7-0); all 3 readings
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);	7/17/03: Granted GO-CO; prohibiting vehicle access to Lobelia Dr. (7-0); all 3 readings

		<p>4) Provide a 25-foot setback (buffer zone) from the North property line for the area that is zoned SF-1.</p> <p>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.</p>	
C14-03-0059 (McNeil Deal: 6917 McNeil Drive)	SF-3 to CS	<p>5/6/03: Approved staff's rec. of CS-CO zoning with condition to prohibit the following uses:</p> <ul style="list-style-type: none"> <li>• Drop-off Recycling Collection Facility</li> <li>• Scrap and Salvage</li> <li>• Convenience Storage</li> <li>• Pawnshop Services</li> </ul> <p>(8-0, K. Jackson-absent)</p>	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:

C14-96-0090 – Previous Zoning Case

OTHER STAFF COMMENTS:

Comprehensive Planning

**Project Name and Proposed Use:** 12104 JEKEL CIRCLE. C14-2024-0087. Project: 12104 Jekel Circle. 0.267 acres from LI-CO to CS. Existing: undeveloped (vacant). Proposed: 15 residential units. Note that this application indicates intent for a SMART Housing Project and intention to seek the Affordability Unlocked Development Bonus Program but has not yet completed the formal application processes to engage these programs. Therefore, checklist items related to housing cannot be sufficiently indicated at this time.

Yes	Imagine Austin Decision Guidelines
<b>Complete Community Measures *</b>	
Y	<b>Imagine Austin Growth Concept Map:</b> 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. <b>Names of Activity Centers/Activity Corridors/Job Centers *:</b> <ul style="list-style-type: none"> <li>• <b>Within 183 &amp; McNeil Neighborhood Center</b></li> </ul>
Y	<b>Mobility and Public Transit *:</b> Located within 0.25 miles of public transit stop and/or light rail station. <ul style="list-style-type: none"> <li>• <b>0.25 miles to bus stop at intersection of McNeil Dr and Research Blvd.</b></li> </ul>
Y	<b>Mobility and Bike/Ped Access *:</b> Adjoins a public sidewalk, shared path, and/or bike lane. <ul style="list-style-type: none"> <li>• <b>Sidewalk access along Jekel Cir and McNeil Dr is limited. Bike lane present along McNeil Dr.</b></li> </ul>
Y	<b>Connectivity, Good and Services, Employment *:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center. <ul style="list-style-type: none"> <li>• <b>Goods and Services present along McNeil Dr and Spicewood Springs Rd</b></li> </ul>
Y	<b>Connectivity and Food Access *:</b> Provides or is located within 0.50 miles of a grocery store/farmers market. <ul style="list-style-type: none"> <li>• <b>0.5 miles to HEB along Spicewood Springs Rd</b></li> </ul>
	<b>Connectivity and Education *:</b> Located within 0.50 miles from a public school or university.
	<b>Connectivity and Healthy Living *:</b> Provides or is located within 0.50 miles from a recreation area, park or walking trail.
	<b>Connectivity and Health *:</b> 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.)
	<b>Housing Choice *:</b> 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.
	<b>Housing Affordability *:</b> Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	<b>Mixed use *:</b> Provides a mix of residential and non-industrial uses.
Y	<b>Culture and Creative Economy *:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).



	<ul style="list-style-type: none"> <li>• <b>0.5 miles to Spicewood Springs Branch Public Library</b></li> </ul>
	<b>Culture and Historic Preservation:</b> Preserves or enhances a historically and/or culturally significant site.
	<b>Creative Economy:</b> Expands Austin’s creative economy (ex: live music venue, art studio, film, digital, theater.)
	<b>Workforce Development, the Economy and Education:</b> 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.
	<b>Industrial Land:</b> Preserves or enhances industrial land.
	<b>Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone</b>
6	<b>Number of “Yes’s”</b>

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

Residential units that are certified affordable under a City Housing policy are exempt from the parkland dedication requirements per City Code § 25-1-601(D)(4). Parkland dedication will be required for any new market-rate residential units that may be proposed by this development, multifamily with CS zoning, at the time of subdivision or site plan, per City Code § 25-1-601.

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 parkland dedication requirements.

### 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. Additional comments will be made when the site plan is submitted.

### Transportation

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

The adjacent street characteristics table is provided below:

<b>Name</b>	<b>ASMP Classification</b>	<b>ASMP Required ROW</b>	<b>Existing ROW</b>	<b>Existing Pavement</b>	<b>Sidewalks</b>	<b>Bicycle Route</b>	<b>Capital Metro (within ¼ mile)</b>
Jekel Circle	Level 1	58'	62'	30'	No	No	Yes

Water Utility

No comments on zoning change.

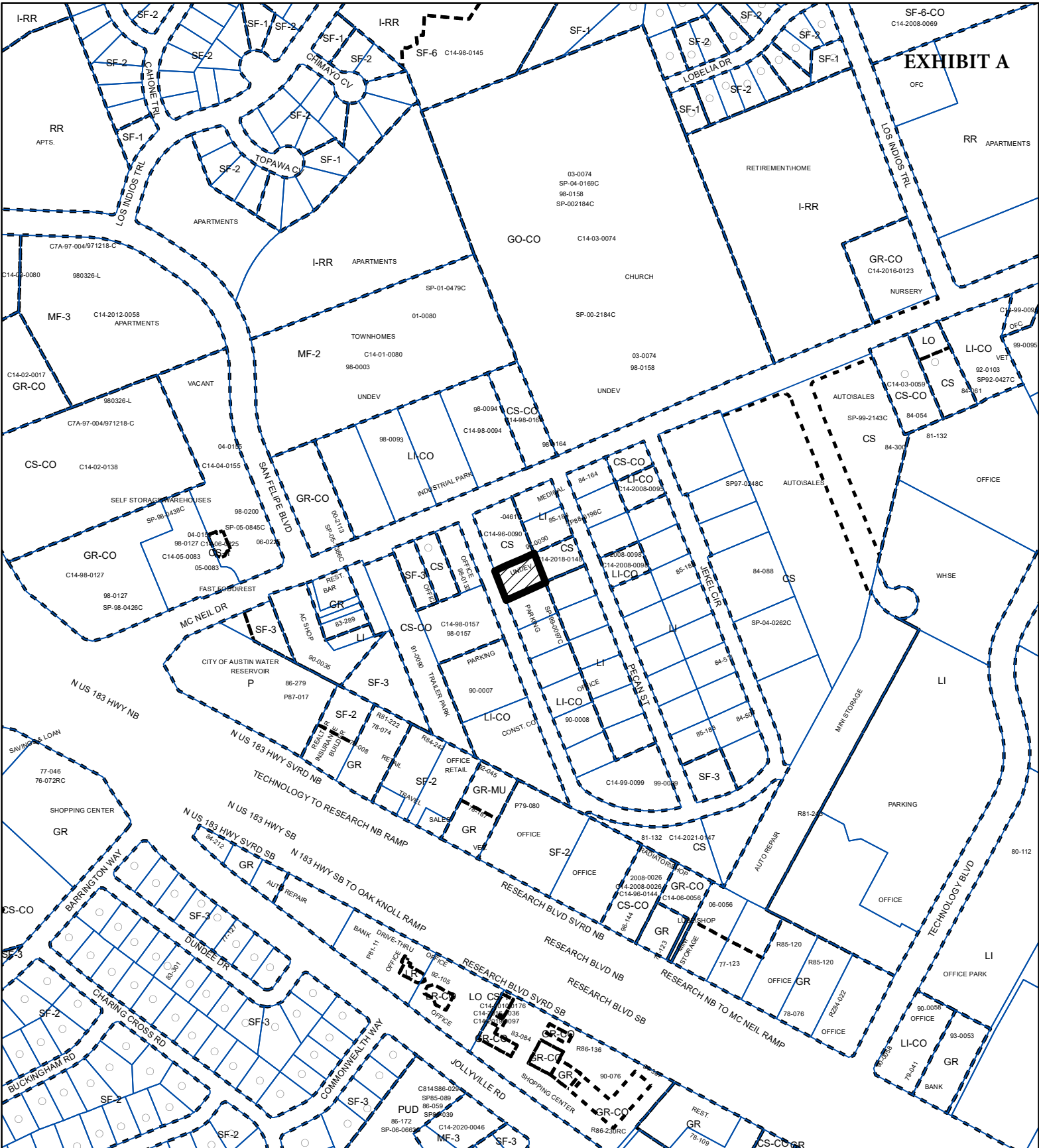
FYI: The landowner intends to serve the site with existing City of Austin water utilities.

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](mailto:ser@austintexas.gov).

INDEX OF EXHIBITS TO FOLLOW





- A: Zoning Map
- B. Aerial Map

**EXHIBIT A**



**ZONING**

ZONING CASE#: C14-2024-0087


  
 SUBJECT TRACT
   
 PENDING CASE
   
 ZONING BOUNDARY

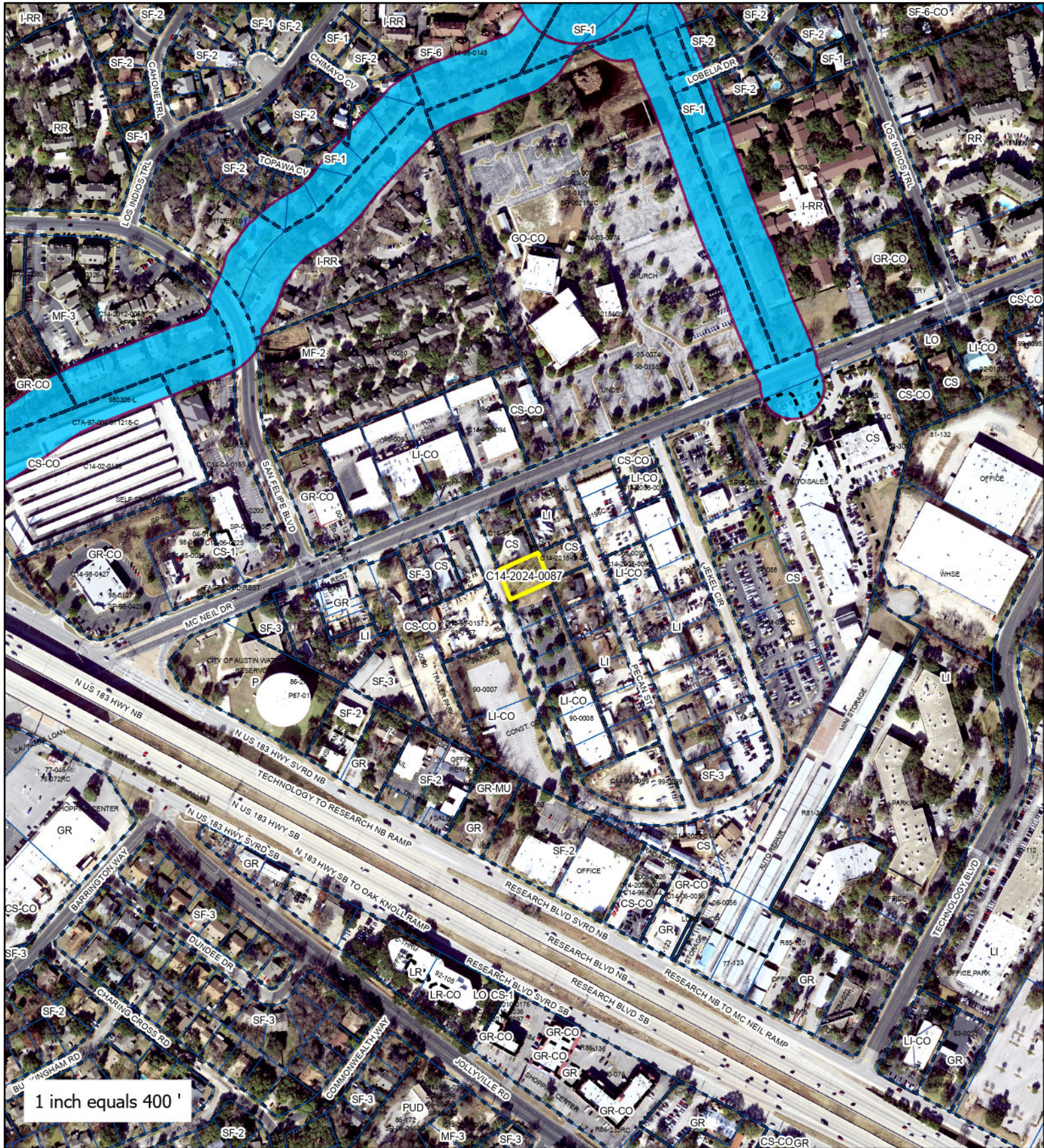
1" = 400'

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








**Created: 6/4/2024**



### 2104 Jekel Circle

**ZONING CASE#:** C14-2024-0087  
**LOCATION:** 2104 Jekel Circle  
**SUBJECT AREA:** 0.267 Acres  
**MANAGER:** Sherri Sirwaitis

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



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