

ZONING CHANGE REVIEW SHEET

CASE: C14-2025-0099 – Middle Fiskville Automotive Sales DISTRICT: 4

ADDRESS: 10602, 10604, 10606 and 10608 Middle Fiskville Road

ZONING FROM: SF-3-NP, LR-NP

TO: CS-NP

SITE AREA: 1.1528 acres

PROPERTY OWNER: Penize, LLC (Kanton Labaj)

AGENT: Husch Blackwell, LP (Nikelle Meade)

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

STAFF RECOMMENDATION:

Staff recommends CS-CO-NP, General Commercial-Conditional Overlay-Neighborhood Plan Combining District, zoning. The conditional overlay will prohibit the following uses on the property:

**Adult Oriented Businesses,
Agricultural Sales and Services,
Alternative Financial Services,
Bail Bond Services,
Building Maintenance Services,
Campground,
Construction Sales and Services,
Drop-off Recycling Collection Facility,
Equipment Repair Services,
Exterminating Services,
Funeral Services,
Kennels,
Limited Warehousing and Distribution,
Maintenance and Service Facilities,
Monument Retail Sales,
Outdoor Entertainment,
Outdoor Sports and Recreation,
Pawn Shop Services,
Research Services,
Residential Treatment,
Transportation Terminal,
Vehicle Storage**

PLANNING COMMISSION ACTION / RECOMMENDATION:

March 10, 2026: Approved staff's recommendation of CS-CO-NP zoning by consent (11-0, A. Lan-not yet arrived); B. Bedrosian-1st, N. Barrera-Ramirez-2nd.

CITY COUNCIL ACTION:

April 23, 2026

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is a 1.15 acre area that consists of four lots fronting Middle Fiskville Road. The property is currently developed with an automotive sales use (Third Coast Auto Group). The lots to the north are zoned CS-MU-CO-NP and are undeveloped. To the south, there is a vacant retail sales building (formerly Couch Potatoes Furniture Store) and an office/warehouse structure (Einstein Moving Co.) that are zoned CS-NP and CS-CO-NP respectively. The lots to the east along Brownie Drive contain single-family residences zoned SF-3-NP. The applicant is requesting to rezone the site under consideration to CS-NP to bring the existing automotive sales use into conformance with land use regulations in the Code.

In 2010, the North Lamar Combined Neighborhood Plan was devised for this area of the City. The neighborhood plan recommended Single-Family fronting Brownie Drive and Neighborhood Commercial fronting Middle Fiskville Road on the future land use map for this property (*please see North Lamar Combined NP FLUM – Exhibit D*). On June 24, 2010, the City Council approved the North Lamar Combined Neighborhood Plan along with accompanying rezoning for these tracts of land through case C14-2010-0048/ Ordinance No. 20100624-111. There is an associated neighborhood plan amendment case that is in process for this property: NPA-2025-0026.02.

The staff recommends CS-CO-NP, General Commercial-Conditional Overlay-Neighborhood Plan Combining District, zoning for this property. The property meets the intent of the CS district as it is located near two major arterial roadways, North Lamar Boulevard to the west and Braker Lane to the north, and a highway to the west, Interstate Highway-35 South Bound. The proposed conditional overlay will prohibit the more intensive uses in the General Commercial district adjacent to the established single-family neighborhood/SF-3-NP zoning to the west.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

General Commercial Services district is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments.

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 CS-CO-NP zoning is consistent with the CS-MU-CO-NP zoning to the north, and CS-NP zoning to the south fronting onto Middle Fiskville Road. General Commercial-Conditional Overlay-Neighborhood Plan combining district zoning will provide a transition in the intensity of permitted uses along Middle Fiskville Road to the SF-3-NP zoning fronting Brownie Drive.

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

The proposed zoning will bring the existing use on the property into conformance with land use regulations in the Code. CS-CO-NP zoning will permit the applicant to develop office, civic or commercial uses on the site to provide services to the community and to the established single-family residential neighborhood to the west. The property is located near two major arterial roadways, North Lamar Boulevard to the west and Braker Lane to the north where public transportation is available (Capital Metro Rapid Bus Routes).

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP, LR-NP	Automotive Sales (Third Coast Auto Group)
<i>North</i>	CS-MU-CO-NP	Vacant Fenced Area, Undeveloped Lot
<i>East</i>	Right-of-Way	Interstate Highway-35 South Bound Frontage Road and Freeway
<i>South</i>	CS-NP, CS-CO-NP	Vacant Retail Sales (formerly Couch Potatoes Furniture Store) and an Office/Warehouse (Einstein Moving Co.)
<i>West</i>	SF-3-NP	Single-Family Residences

PLANNING AREA: North Lamar Neighborhood Plan

WATERSHED: Walnut Creek

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
Austin Neighborhoods Council
Friends of Austin Neighborhoods
Go Austin Vamos Austin-North
Heritage Hills/Windsor Hills Neighborhood Plan Contact Team
Homeless Neighborhood Association
Mockingbird Hill Neighborhood Association
North Austin Neighborhood Association
North Lamar/Georgian Acres Neighborhood Team
North Lamar Neighborhood Association
Overton Family Committee

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2021-0039 (Grady & Brownie Mixed Use: 10609-10615 Brownie Dr. and 10610-10614 Middle Fiskville Road)	Tract 1: SF-3-NP to MF-4-NP Tract 2: LR-NP to CS-MU-NP	9/14/21: Motion to approve the staff's recommendation for MF-2-NP zoning for Tract 1 and LR-MU-NP zoning for Tract 2 (9-1, C. Llanes-Pullido-No); C. Hempel-1st, G. Cox-2nd. Commissioner A. Azhar - abstained.	11/04/21: Approved Planning Commission recommendation for MF-2-NP zoning for Tract 1 and LR-MU-NP zoning for Tract 2 by consent on 1st reading (8-3, A. Alter, K. Tovo and M. Kelly-No); L. Pool-1st, A. Kitchen-2nd. 11/18/21: Approved MF-2-NP zoning for Tract 1 and LR-MU-NP zoning for Tract 2 by consent on 2nd reading (11-0). 3/24/22: Ordinance No. 20220324-070 for MF-2-NP combining district zoning for Tract 1 and CS-MU-CO-NP combining district zoning for Tract 2 with the following conditions was approved on Council Member Vela's motion, Council Member Pool's second on an 11-0 vote. An additional condition was made to remove daycare services (commercial, general, and limited) from the list of prohibited uses.
C14-2016-0137 (Grady .46: 600 East Grady Drive)	SF-2-NP to SF-3-NP	2/14/15: Approved staff rec. of SF-3-NP zoning, with condition of ROW dedication, on consent (10-0, S. Oliver, J. Shieh, N. Zaragoza-absent); T. White-1 st , J. Vela-2 nd .	3/23/17: Approved SF-3-NP zoning, with conditions, on consent on 1 st reading (11-0) 4/13/17: Approved SF-3-NP zoning, with conditions (9-1, O. Houston-No, L. Pool-absent); P. Renteria-1 st , D. Garza-2 nd .
C14-2012-0023 (601 W. Applegate Drive: 601 W. Applegate Drive)	LO-MU-CO-NP to GR-MU-NP	6/12/12: Approved staff recommendation to deny the requested zoning (6-1, A. Hernandez-No, D. Anderson and D. Chimenti-absent); M. Dealey-1 st , D. Tiemann-2 nd .	6/28/12 : Denied the rezoning request (7-0); B. Spelman-1 st , L. Morrison-2 nd .
C14-2010-0048 (North Lamar NP Rezoning)	CR-CO to LO-MU-CO-NP	5/11/10: Approved the staff's recommendation for LO-MU-CO-NP zoning, with condition to remove Art Gallery, Art Workshop, and Counseling Services as prohibited uses, for Tract 20 (ABS 29 SUR 38 Applegate J ACR .17,	6/24/10: Approved the North Lamar Combined Neighborhood Plan, except for tract 32 (postponed to July 29, 2010), and tracts 134 and 135B, on Council Member Spelman's motion, Council Member Cole's second on a 7-0 vote.

		<p>Lot 1 Block K Mockingbird Hill Section 1 Subdivision, Lot 2 Block K Mockingbird Hill Section 1 Subdivision, and 601 West Applegate Drive); Vote: (8-0, J. Reddy-absent); C. Small-1st, M. Dealey-2nd.</p>	<p>Approved the North Lamar Neighborhood Plan Combining District (NP) was approved on Council Member Spelman’s motion, Council Member Cole’s second on a 7-0 vote.</p>
<p>C14-05-0163 (Landrum-4: 601 W. Applegate Drive)</p>	<p>SF-2 to GR* *The applicant amended their rezoning request to CR zoning on November 14, 2005</p>	<p>10/18/05: Postponed to November 1, 2005 by the staff (9-0); J. Martinez-1st, J. Gohil-2nd.</p> <p>11/01/05: Postponed to November 15, 2005 by the applicant (9-0); J. Martinez-1st, J. Gohil-2nd.</p> <p>11/15/05: Case continued to January 17, 2006 ZAP Commission meeting (7-0, J. Gohil, J. Martinez – absent); M. Hawthorne-1st, T. Rabago-2nd).</p> <p>1/17/06: Postponed to January 31, 2006 at the applicant’s request (9-0); J. Martinez-1st, J. Gohil-2nd.</p> <p>1/31/06: Approved CR-CO zoning with the following conditions: 1) Recreational Equipment Maintenance & Storage as the only permitted CR (Community Recreation) district use; 2) Permit SF-6 (Townhouse & Condominium Residence) district uses; 3) SF-6 (Townhouse & Condominium Residence) district site development standards; 4) Limit access to the driveway previously considered Motheral Drive (vacated Motheral Drive); 5)The applicant will provide a vegetative buffer along Applegate Drive; 6) The site shall be limited to less than 300 vehicle trips per day above the existing trip generation. Vote: (8-0, J. Gohil-absent)</p>	<p>3/02/06: Approved CR-CO zoning on 1st reading with the following additional restrictions: 18 foot height limitation, minimum of 6 foot solid fence around all four sides of the property with the additional provision that the fence along Applegate must be 10 feet off the north property line and must have landscaping in front of it, and driveway access would be from Motheral Drive (6-1, Kim-Nay); Alvarez-1st, Wynn-2nd</p> <p>4/20/06: Approved CR-CO zoning with conditions by consent (6-0, D. Thomas-off dais); 2nd/3rd readings</p>
<p>C14-04-0209</p>	<p>CS-CO, CS to CS-1</p>	<p>3/01/05: Approved staff rec. of CS-1-CO with following conditions: Prohibit Adult Oriented Businesses, Liquor Sales, Cocktail Lounge, Vehicle Storage, Pawn Shop Services, Indoor Entertainment, Exterminating Services, Guidance</p>	<p>3/24/05: Approved CS-1-CO (7-0); all 3 readings</p>

		Services; limit height to a maximum of 40 feet; limit development to 2,000 vtpd (8-0)	
C14-03-0150 (Gilleland Zoning Change: 606 West Grady Drive)	SF-2 to CS* *Amended to 'GR' on 11/5/03	11/4/03: Approved staff's recommendation to deny CS, General Commercial Services District, zoning (9-0)	12/11/03: The motion to deny zoning request was approved (7-0); Slusher-1 st , McCracken-2 nd . The motion to approve reconsideration of this item was approved (7-0); Slusher-1 st ; Thomas-2 nd . This item was postponed to January 29, 2004 (7-0); Slusher-1 st , Wynn-2 nd 1/29/04: Denied request (4-0), Thomas/ Goodman-absent, McCracken-off dais)
C14-01-0116	LO to CS	1/22/02: Approved staff alternate rec. of CS-CO; w/conditions (8-0)	2/28/02: Approved CS-CO w/other conditions (6-0); all 3 readings: 1) Subject to TIA conditions, 2) Prohibiting the following uses: a) Automotive Washing (of any type) b) Commercial Off-Street Parking c) Convenience Storage d) Equipment Sales e) Funeral Services f) Kennels g) Monument Retail Sales h) Outdoor Sports and Recreation i) Residential Treatment j) Local Utility Services k) Service Station l) Campground m) Construction Sales and Services n) Equipment Repair Services o) Exterminating Services p) Hotel-motel q) Laundry Services r) Outdoor Entertainment s) Vehicle Storage t) Community Recreation (public) u) Community Recreation (private) v) Off-site Accessory Parking w) Drop-off Recycling Collection Facility 3) Prohibit Drive-in Service

C14-01-0037	MF-2, SF-3, SF-2 to NO-NP	4/17/01: Approved staff rec. of NO-NP, CS-NP, MF-2-NP, LO-NP, GR-NP, P-NP, LI-NP (9-0)	5/24/01: Approved PC rec. on all 3 readings, except Tract 9 (1 st reading only); (6-0) 8/9/01: Approved CS-NP for Tract 9 (7-0); 2 nd /3 rd readings
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RELATED CASES:

NPA-2025-0026.02 – Neighborhood Plan Amendment Case
C14-2010-0048 - North Lamar Neighborhood Plan Rezoning
C14-85-0178 - Mockingbird Hill Area Study Rezoning

OTHER STAFF COMMENTS:

Comprehensive Planning

Project Name and Proposed Use: 10602 MIDDLE FISKVILLE ROAD. C14-2025-0099.
Project: Middle Fiskville Automotive Sales. 1.1528 acres from LR-NP to CS-NP. Existing: auto sales. Proposed: auto sales.

Yes	Imagine Austin Decision Guidelines
Complete Community Measures *	
	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 *:
	Mobility and Public Transit *: Located within 0.25 miles of public transit stop and/or light rail station.
Y	Mobility and Bike/Ped Access *: Adjoins a public sidewalk, shared path, and/or bike lane. <ul style="list-style-type: none"> • Sidewalk present along I-35 Frontage Rd
	Connectivity, Good and Services, Employment *: Provides or is located within 0.50 miles to goods and services, and/or employment center.
	Connectivity and Food Access *: Provides or is located within 0.50 miles of a grocery store/farmers market.
	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.
	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.)
	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.
	Culture and Creative Economy *: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).

	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.
Y	Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone
2	Number of “Yes’s”

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut Creek Watershed classified as a Suburban Watershed and Little Walnut Creek Watershed of the Colorado River Basin classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site within the suburban watershed 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 (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

Zoning district impervious cover limits apply in the Urban Watershed classification.

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. The indicated use with the proposed rezoning is auto sales. 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

Zoning Cases

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 adjacency of SF-3-NP zoned lots to the west (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 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

Transportation

The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Middle Fiskville. It is 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:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Middle Fiskville Rd	Level 1	58'	59'	24'	No	No	Yes

Water Utility

No comments on zoning change.

FYI: 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.

Based on current public infrastructure configurations, Service Extension Requests (SER) will be required to provide service to this development. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

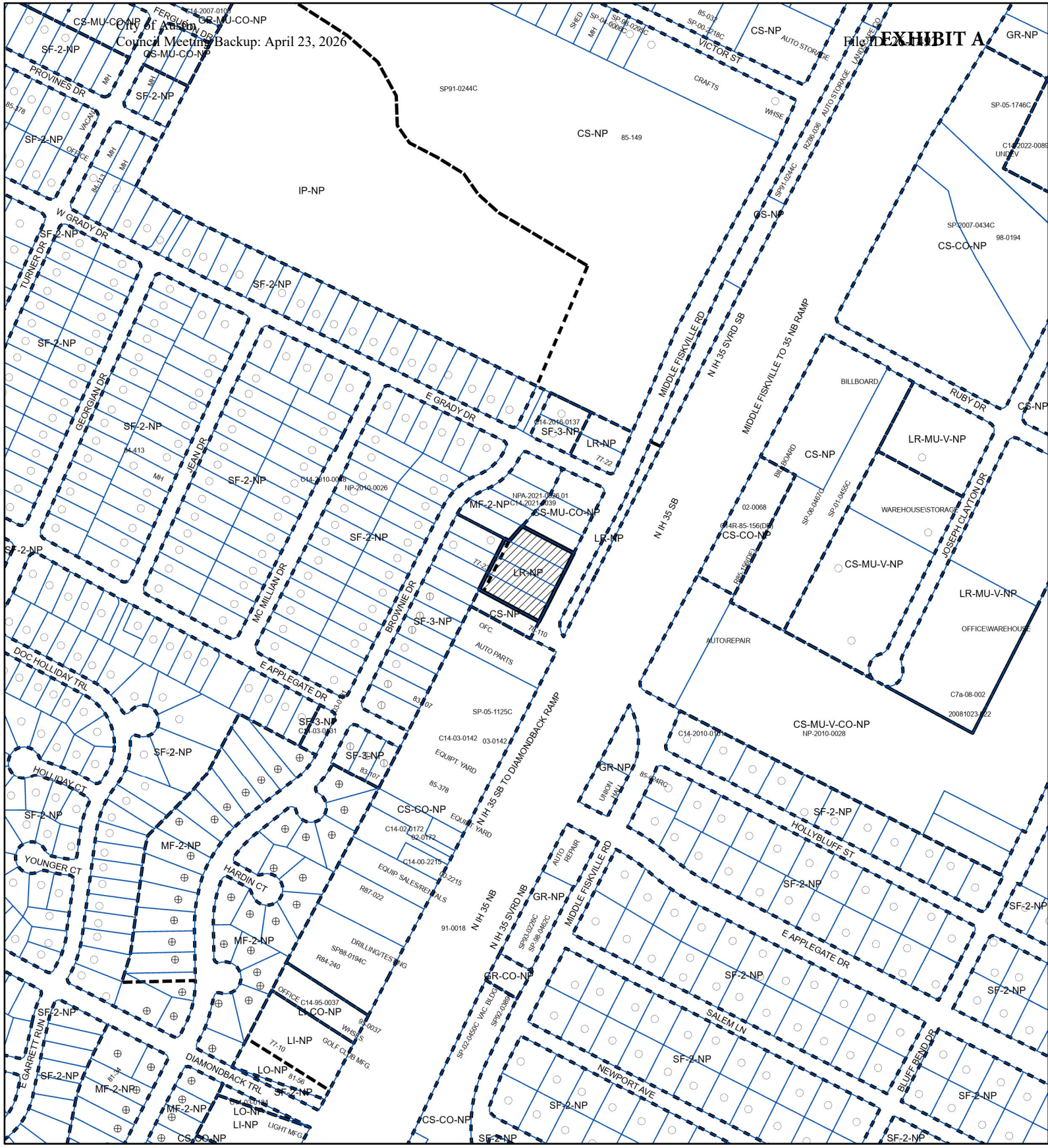
All new development within the proposed project will be subject to City Code Chapter 25-9 and any future amendments relating to reclaimed water connections, water benchmarking, and mandatory onsite water reuse.

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. North Lamar Combined Neighborhood Plan FLUM
- D. Correspondence from Interested Parties


Council Meeting Backup: April 23, 2026





ZONING

ZONING CASE#: C14-2025-0099



 SUBJECT TRACT

 PENDING CASE

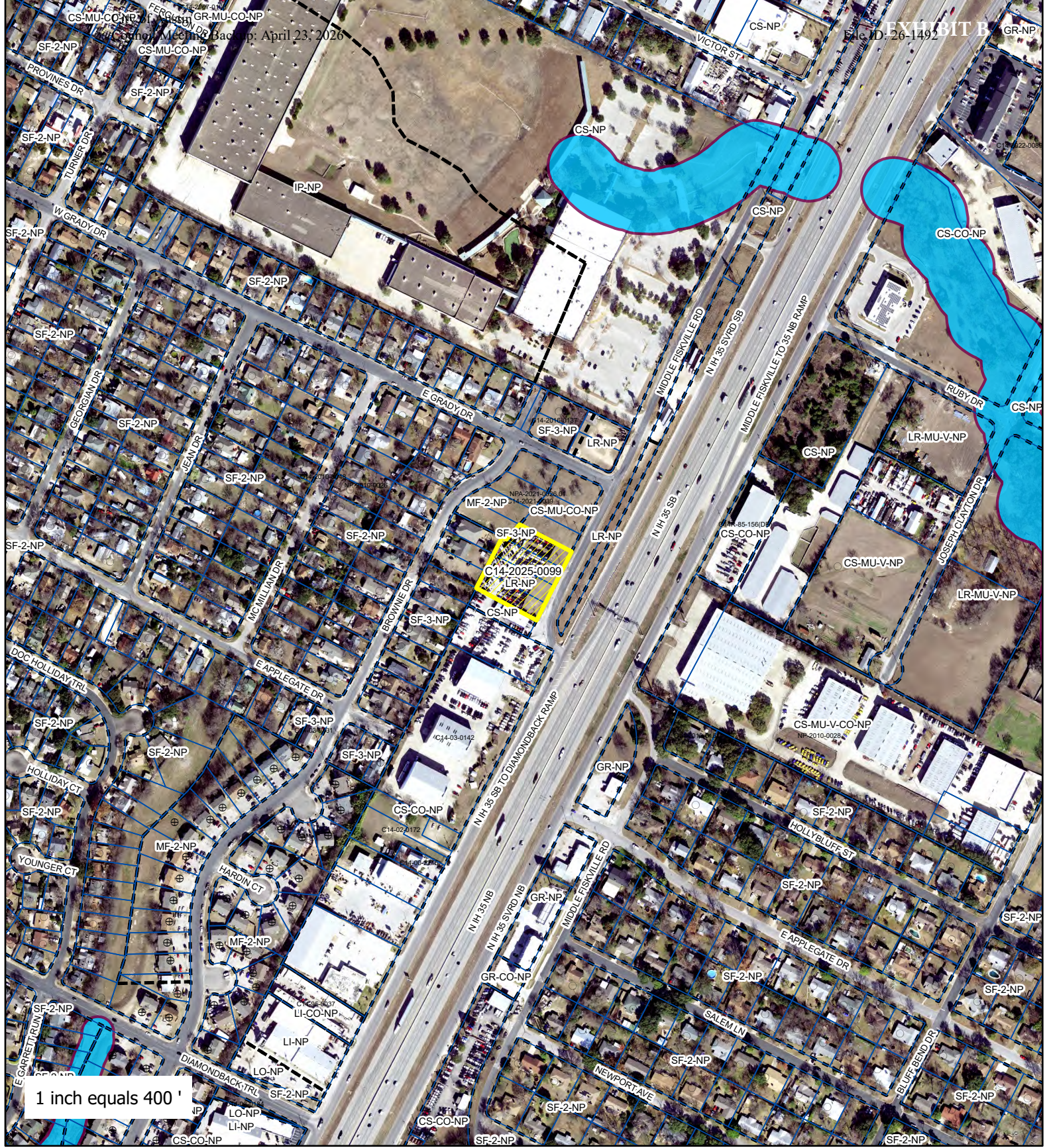
 ZONING BOUNDARY

0 200 400 Feet

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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City Council Meeting Backup: April 23, 2026

Middle Fiskville Automotive Sales

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

ZONING CASE#: C14-2025-0099
 LOCATION: 10602, 10604, 10606,
 10608 Middle Fiskville Rd
 SUBJECT AREA: 1.1528 Acres
 MANAGER: Sherri Sirwaitis

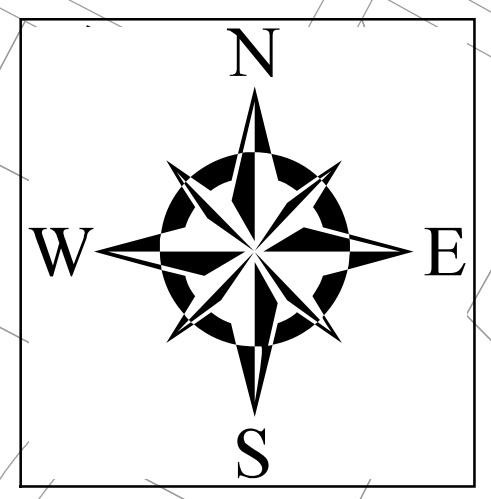


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North Lamar Combined Neighborhood Planning Area Future Land Use Map

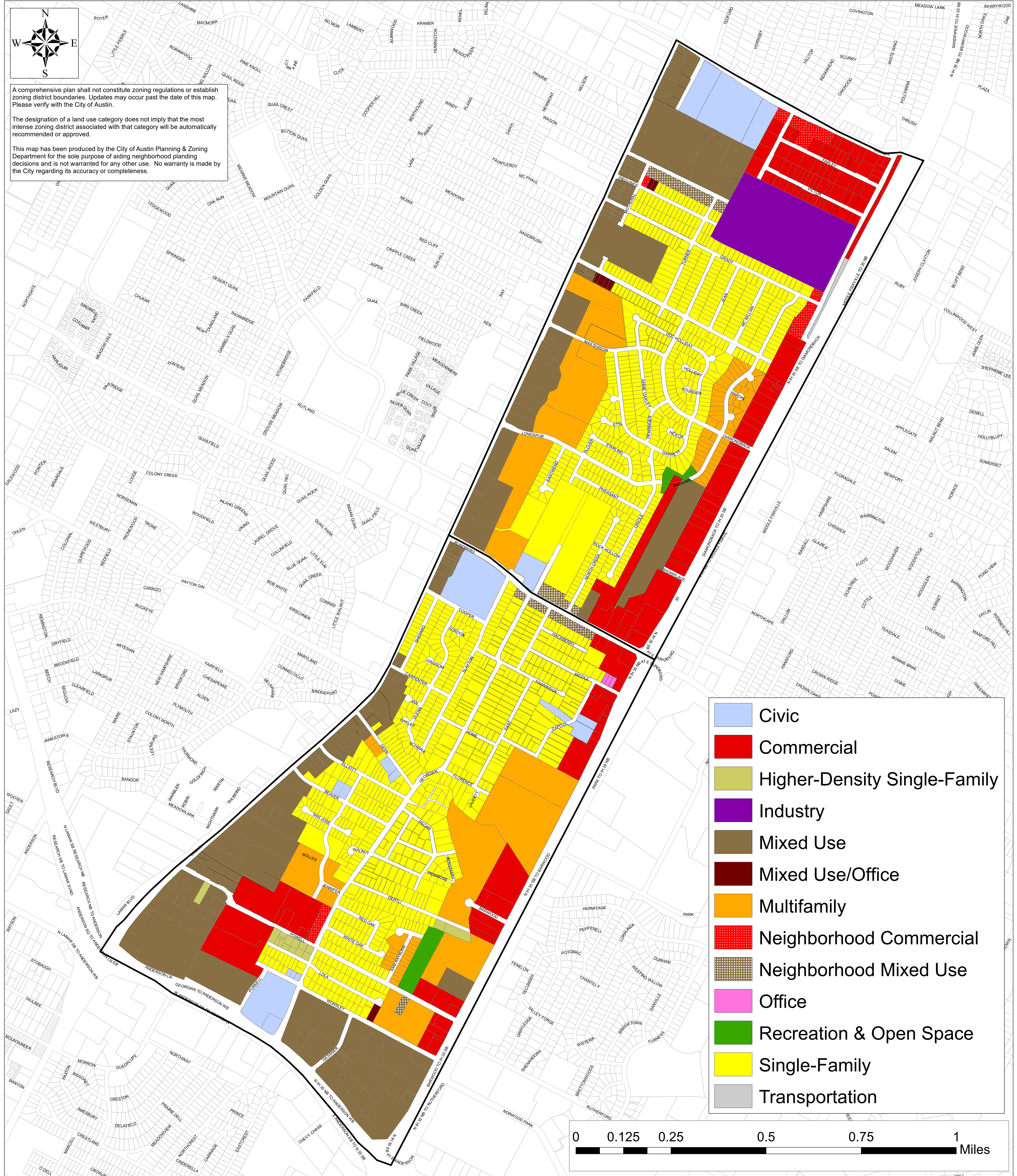
Plan Adopted: June 24, 2010
Last Amended: Mar 26, 2020



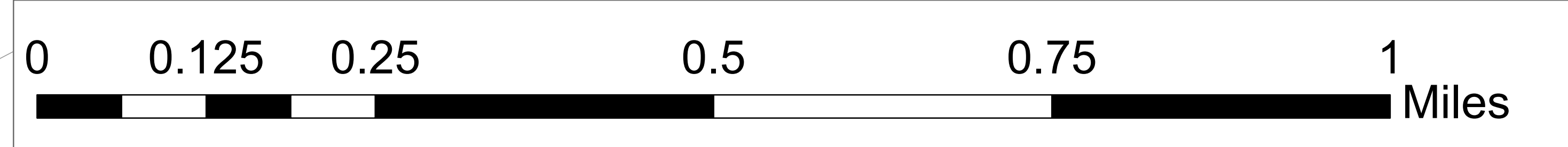
A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. Updates may occur past the date of this map. Please verify with the City of Austin.

The designation of a land use category does not imply that the most intense zoning district associated with that category will be automatically recommended or approved.

This map has been produced by the City of Austin Planning & Zoning Department for the sole purpose of aiding neighborhood planning decisions and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness.



- Civic
- Commercial
- Higher-Density Single-Family
- Industry
- Mixed Use
- Mixed Use/Office
- Multifamily
- Neighborhood Commercial
- Neighborhood Mixed Use
- Office
- Recreation & Open Space
- Single-Family
- Transportation



March 3, 2026

To: Maureen Meredith
Senior Planner
City of Austin Planning

Planning Commission

From: Melissa Caudle
President
Mockingbird Hill Neighborhood Association

Re: Zoning Cases NPA-2025-0026.02 and C14-2025-0099_Middle Fiskville Automobile Sales

On behalf of the Mockingbird Hill Neighborhood Association, I am writing to confirm that the association is not against the rezoning request referenced above so long as the prohibited uses that the association and applicant have agreed upon are applied.

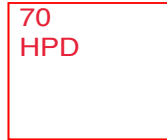
Applicant has been operating an auto sales business in the incorrect zoning for years and it is because of a code case triggering the need to rezone that this application exists. While the association sees no direct benefit in the zoning changing from Neighborhood Commercial to General Commercial, we accept this change so long as the prohibited uses are applied.

The neighborhood has not had any issues with this applicant operating an auto sales business which is why we are more amenable to the zoning request. Applicant has stated that they intend to continue operating the same auto sales business as is and are not looking to take advantage of the rezone to switch to a different business. Nevertheless, the association must consider the future potential uses once the rezoning is granted which is why we are asking for the agreed upon prohibited uses.

To begin the evaluation the association looked to case C14-2021-0039, as it is our most recent rezoning case. C14-2021-0039 covers the properties adjacent to and just north of the properties in question here. Inserted below is the list of prohibited uses for C14-2021-0039.

C14-2021-0039

Prohibited CS uses:



- Bed & Breakfast (Group 2)
- Agricultural Sales and Services
- Alternative Financial Services 12
- Automotive Repair Services
- Automotive Washing (of any type)
- Bail Bond Services 10
- Building Maintenance Services
- Campground
- Construction Sales and Services
- Convenience Storage
- Drop-Off Recycling Collection Facility
- Equipment Repair Services
- Equipment Sales
- Exterminating Services
- Funeral Services
- General Retail Sales (General)
- Hotel-Motel
- Indoor Entertainment
- Indoor Sports and Recreation
- Kennels
- Monument Retail Sales
- Outdoor Entertainment
- Outdoor Sports and Recreation
- Pawn Shop Services
- Plant Nursery
- Research Services
- Theater
- Vehicle Storage
- Veterinary Services
- Custom Manufacturing
- Limited Warehousing and Distribution
- Indoor Crop Production
- Urban Farm
- Club or Lodge
- College and University Facilities
- Community Events
- Community Recreation (Private)
- Community Recreation (Public)
- Congregate Living
- Day Care Services (Commercial)
- Day Care Services (General)
- Day Care Services (Limited)
- Family Home
- Hospital Services (General)
- Hospital Services (Limited)
- Maintenance and Service Facilities
- Private Primary Educational Facilities
- Private Secondary Educational Facilities
- Residential Treatment
- Safety Services
- Transitional Housing
- Transportation Terminal

The association evaluated the prohibited uses in C14-2021-0039 and negotiated with applicant on which of these should also apply to the properties in question herein. Some of the prohibited uses in C14-2021-0039 felt overly restrictive such as the plant nursery therefore the association did not ask to simply limit the exact same uses.

The **prohibited** uses applicant and the association have agreed upon for the cases at issue are:

- Adult-Oriented Business
- Agricultural Sales and Services
- Alternative Financial Services
- Bail Bond Services
- Building Maintenance Services
- Campground
- Construction Sales and Services
- Drop-off Recycling Collection Facility
- Equipment Repair Services
- Exterminating Services
- Funeral Services
- Kennels
- Limited Warehousing and Distribution
- Maintenance and Service Facilities
- Monumental Retail Sales
- Outdoor Entertainment
- Outdoor Sports and Recreation
- Pawn Shop Services
- Residential Treatment
- Transitional Housing
- Transportation Terminal
- Vehicle Storage

The association is trying to limit businesses that harm, target, or exploit vulnerable populations. The association also factors in that these properties in these cases back up to houses and duplexes and as such we must consider light, noise, and environmental pollution of potential future businesses. The proposed prohibited uses reflect types of businesses that we have an overabundance of in the general area, ones that have been problematic for the area, or we do not feel bring safe, beneficial, diverse opportunities and/or services that align with the neighborhood plan objectives.

The association is also balancing the fact that these properties are on the frontage road of IH-35 and therefore more suited to certain types of commercial activity, but also back into our neighborhood. The IH-35 expansion is occurring where these properties are located and unfortunately TxDOT did not choose our section to receive the highway noise barriers. The highway expansion and the full effects of it are yet to be seen and that unknown went into the decision-making process for the association as well.