

## **SECOND/THIRD READINGS SUMMARY SHEET**

CASE: C14-2026-0005 – Family Affair Liquor Store

DISTRICT: 1

ADDRESS: 4503 East Martin Luther King Jr. Boulevard

OWNER /APPLICANT: Rodney Anderson

AGENT: Neighborhood Realty and Property Management-NRPM (Patrick S. Juvé)

CASE MANAGER: Jonathan Tomko, AICP 512-974-1057, jonathan.tomko@austintexas.gov

REQUEST:

Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 4503 East Martin Luther King Jr. Boulevard (Tannehill Branch Watershed). Applicant's Request: To rezone from community commercial-neighborhood plan (GR-NP) combining district zoning to commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning.

PREVIOUS CITY COUNCIL ACTION:

May 21, 2026: First reading approved with a vote of 9-0, with Council Member Harper-Madison and Council Member Fuentes absent.

ISSUES: There is a valid petition (21.58%) has been field in opposition to this rezoning request and the property is within 100 feet of a childcare facility.

## ZONING CHANGE REVIEW SHEET

CASE: C14-2026-0005 (Family Affair Liquor Store)      DISTRICT: 1

ADDRESS: 4501 East Martin Luther King Junior Boulevard, Unit 4503

ZONING FROM: GR-NP      TO: CS-1-NP (footprint)

SITE AREA: approximately 0.014 acres (approximately 653 square feet)

PROPERTY OWNER: Rodney Anderson

AGENT: Neighborhood Realty and Property Management (NRPM), Shelby Biggs

CASE MANAGER: Jonathan Tomko (512) 974-1057, [jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)

### STAFF RECOMMENDATION:

**Staff recommends granting a footprint of CS-1-NP for Unit 4503 of the commercial shopping center.** *For a summary of the basis of Staff's recommendation, please see the basis of recommendation section below.*

### PLANNING COMMISSION ACTION / RECOMMENDATION:

April 14, 2026: Motion to approve Staff's recommendation of CS-1-NP for Unit 4503 was approved on the consent agenda on Vice Chair Haney's motion, Commissioner Breton's second, on an 11-0 vote. Commissioner Skidmore was absent. 1 vacancy on the dais.

### CITY COUNCIL ACTION:

May 21, 2026: First reading approved with a vote of 9-0, with Council Member Harper-Madison and Council Member Fuentes absent.

July 23, 2026: Case is scheduled to be heard by City Council.

ORDINANCE NUMBER: TBD

ISSUES: There is a valid petition (21.58%) has been field in opposition to this rezoning request and the property is within 100 feet of a childcare facility.

### CASE MANAGER COMMENTS:

The property in question is currently a small commercial shopping center with three commercial spaces. There is a Double RR Grocery Store (Mini Mart) in the western-most space and Willy's Bar-B-Que in the eastern-most space. The commercial space in the middle was formerly a barber shop. This is the space that the applicant would like to apply for a CS-1 zoning footprint.

The subject tract is within 500 feet of the intersection of two Imagine Austin Activity Corridors (East Martin Luther King Jr. Boulevard and Springdale Road). MLK is an ASMP level 3 corridor mobility roadway and part of the ASMP transit priority network.

### BASIS OF RECOMMENDATION:

**Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities**

The footprint of CS-1 would be surrounded by GR-NP. There is a vacant lot and LO-MU-NP zoning that provides a transition to the south.

**The rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission.**

Granting this request provides additional uses along an Imagine Austin Corridor and Transit Priority Corridor which helps implement Imagine Austin, promoting a mix of uses.

**Rezoning should not contribute to the over zoning of the area**

Staff could not find another instance of CS-1 zoning within 1 mile of the subject tract.

**EXISTING ZONING AND LAND USES:**

|                                          | ZONING      | LAND USES                                                                                                       |
|------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------|
| <i>Site</i>                              | GR-NP       | Small commercial shopping center of approximately 3,800 square feet that was constructed in approximately 1964. |
| <i>North (across East MLK Jr. Blvd.)</i> | P-NP        | Morris Williams Public Golf Course                                                                              |
| <i>South</i>                             | LO-MU-NP    | Undeveloped Land                                                                                                |
| <i>East</i>                              | GR-MU-CO-NP | 3-story multifamily with approximately 12 units                                                                 |
| <i>West (across Overhill Dr.)</i>        | SF-3-NP     | One single family home that was constructed in approximately 2005                                               |

**NEIGHBORHOOD PLANNING AREA:** East MLK Combined (MLK) Neighborhood Planning Area

**WATERSHED:** Tannehill Branch Watershed

**SCHOOLS:** A.I.S.D.

Norman-Sims Elementary School

Martin Middle School

Northeast High School

**COMMUNITY REGISTRY LIST:**

Austin Independent School District, Austin Neighborhood Council, Del Valle Community Coalition, East Austin Conservancy, Friends of Austin Neighborhoods, Friends of Northeast Austin, Homeless Neighborhood Association, Martin Luther King Neighborhood Association, MLK Combined Neighborhood Plan Contact Team, Overton Family Committee, Preservation Austin

**AREA CASE HISTORIES:**

| Number                      | Request                                                          | Commission                                                                                                                  | City Council                                                                                               |
|-----------------------------|------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| C14-2007-0217<br>(MLK View) | Applicant is proposing to rezone property from GR-NP TO GR-MU-NP | 01.29.2008: To grant GR-MU-CO-NP on consent (8-0). The conditional overlay would prohibit vehicle access to Overhill Drive. | 02.28.2008: To grant GR-MU-CO-NP. The conditional overlay would prohibit vehicle access to Overhill Drive. |

|                                                   |                                                                                |                 |                                                                                                                          |
|---------------------------------------------------|--------------------------------------------------------------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------|
| C14-2008-0174<br>(Precinct 1 New Office Building) | The applicant is requesting to rezone property from GR-NP & LO-NP to P-Public. | 10.14.2008: N/A | 09.24.2009: To grant P-CO-NP. The conditional overlay would apply a 2,000 vehicle trip count and add 23 prohibited uses. |
|---------------------------------------------------|--------------------------------------------------------------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------|

RELATED CASES:

None

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning

**Project Name and Proposed Use:** 4501 E MARTIN LUTHER KING JR BOULEVARD. C14-2026-0005. Project: Family Affair Liquor Store - 512 Baker LLC. 0.4040 acres from GR-NP to CS-1-NP. Existing: restaurant, convenience store. Proposed: restaurant, convenience store, and liquor store.

| 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>• Adjacent to MLK Activity Corridor</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>• 0.06 miles to bus stop along E Martin Luther King JR BLVD</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>• Sidewalk present along E Martin Luther King JR BLVD</li> </ul>                                                                                                                                                                 |
|     | <b>Connectivity, Good and Services, Employment *:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center.                                                                                                                                                                                                                          |
|     | <b>Connectivity and Food Access *:</b> Provides or is located within 0.50 miles of a grocery store/farmers market.                                                                                                                                                                                                                                                       |
|     | <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.                                                                                                                                                                                                                                       |
|   | <b>Culture and Creative Economy *:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).                                                                                                                                                          |
|   | <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.                                                                                                                                                                                                                                                   |
| Y | <b>Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone</b>                                                                                                                                                                                                                       |
| 4 | <b>Number of "Yes's"</b>                                                                                                                                                                                                                                                                                         |

#### Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Tannehill Branch Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to 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. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.
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

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

SP 1. FYI: All comments regarding the effects of the proposed rezoning on subsequent Site Plan Review applications are intended to assist in identifying potential development constraints but do not include all regulations which may affect a specific proposal. Changes to property boundaries and requests for development cannot include all regulatory limitations which may apply to a specific subject to modification or reconsideration if affected by a change in property boundaries or if development is proposed on only a portion of the land proposed for rezoning. These comments are intended to assist in identifying potential development constraints, but do not address the actual restrictions which will apply to a specific development proposal. Austin Development Services offers a variety of pre-application review options to assist in evaluating specific development proposals prior to Site Plan Application. Site plans will be required for any new development except for residential only project with up to 4 units.

SP 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.

### ***Compatibility Standards***

SP 3. The site is subject to compatibility standards due to the proximity of SF-3-NP zoned and used property to the west and southwest (i.e., the triggering property).  
*Reference 25-2-1051, 25-2-1053*

SP 4. 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*

### Transportation and Public Works (TPW) Department – Engineering Review

TPW 1. Transportation assessment/traffic impact analysis and transportation demand management plan shall be required at the time of site plan if triggered per LDC 25-6 and TCM 10.2.1. Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application.

TPW 2. The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for OVERHILL DR. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for OVERHILL DR according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

**EXISTING STREET CHARACTERISTICS:**

| <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> |
|------------------------------|----------------------------|--------------------------|---------------------|--------------------------|------------------|----------------------|--------------------------------------|
| E MARTIN LUTHER KING JR BLVD | Level 3 (TxDOT)            | 130'                     | Varies: 98' – 108'  | Varies: 45' – 65'        | Yes              | Yes                  | Yes                                  |
| OVERHILL DR                  | Level 1                    | 45'                      | 58'                 | 30'                      | No               | No                   | 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

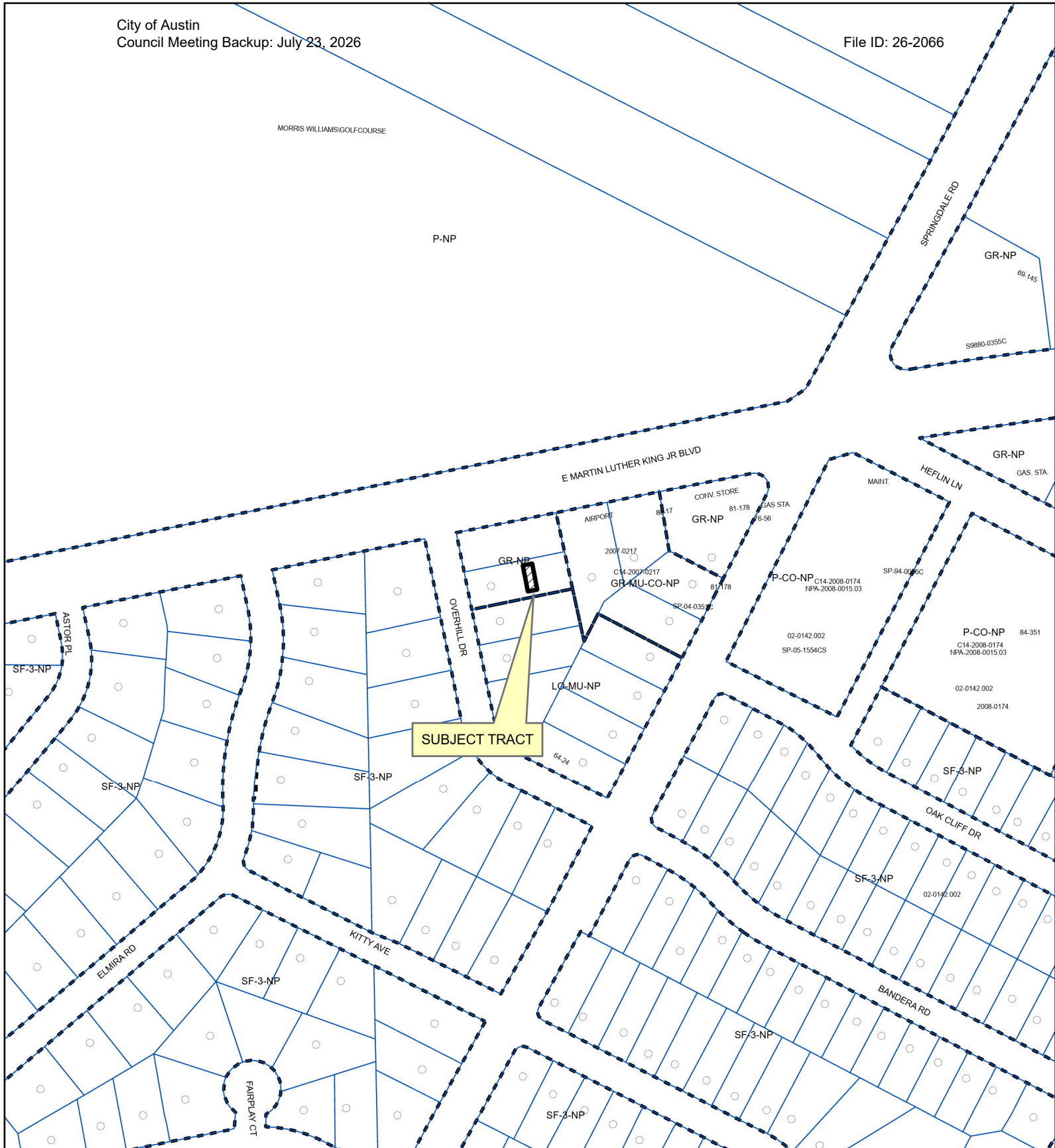
AW1. No comments on zoning change.

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

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. 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 AND ATTACHMENTS TO FOLLOW:**

- A. Zoning Map
- B. Aerial Map
- C. Applicant's Summary Letter
- D. Correspondence from Interested Parties
- E. Staff Memo Re: Location of Rezoning Relative to a Childcare Facility
- F. Valid Petition in opposition to this rezoning at 21.58%



SUBJECT TRACT



1" = 200'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

## ZONING

ZONING CASE#: C14-2026-0005

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.

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





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

## Family Affair Liquor Store - 512 Baker LLC

ZONING CASE#: C14-2026-0005  
 LOCATION: 4501 E Martin Luther King Jr Blvd  
 Unit 4503  
 SUBJECT AREA: 0.0143 Acres  
 MANAGER: Jonathan Tomko



1" = 200'

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# APPLICANT LETTER – ZONING REQUEST

Property Address: 4501 E. Martin Luther King Jr. Blvd, Austin, Texas 78721  
Includes units: 4503 & 4505 E. Martin Luther King Jr. Blvd  
Proposed Zoning Change: Rezoning to allow operation of a liquor store

This letter is submitted in support of the accompanying zoning application. This request is for a **change of use only** to allow the operation of a **liquor store** within an existing commercial retail building. **No demolition, construction, redevelopment, expansion, site work, or physical changes of any kind are proposed.** The existing structure, parking, access, utilities, and site conditions will remain unchanged. This request is intended solely to establish the appropriate zoning classification to permit a liquor store at a preexisting commercial outlet.

## Property Description

Being all of Lot 11, and all of Lot 12, less the North 10 feet, of Outlet 19, Division B, Grant Park Subdivision, a subdivision in Travis County, Texas, according to the map or plat of record in the Official Public Records of Travis County, Texas; said property also being identified as including the premises commonly known as 4503 and 4505 E. Martin Luther King Jr. Blvd, Austin, Travis County, Texas.

This rezoning request does not propose any changes to the existing building footprint, impervious cover, traffic patterns, or surrounding neighborhood character. The request is limited strictly to use authorization, and all applicable City of Austin codes, ordinances, and licensing requirements will be complied with.

Respectfully submitted,

Shelby Biggs  
Authorized Agent / Applicant



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## Regarding Case Number C14-2026-0005

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From David Oles [REDACTED]

Date Sat 3/7/2026 2:49 PM

To Tomko, Jonathan [REDACTED]

You don't often get email from [REDACTED]. [Learn why this is important](#)

### External Email - Exercise Caution

Hi Jonathan,

I was notified of a requested zoning change at 4501 E MLK Blvd which would allow the operation of a liquor store. I live on Overhill Drive, approximately 200 feet from the property under consideration. I strongly oppose this rezoning - a liquor store is not necessary in this area - and could be detrimental in the long run. There are already three gas stations and Double R Grocery (at the rezoning property) which sell beer and wine.

Additionally, the parking lot at 4501 E MLK is often filled with people drinking beer, repairing their vehicles and playing disruptive music. In my opinion, giving access to more alcohol could further exacerbate this activity.

Thanks,

David Oles  
1708 Overhill Dr #A  
Austin, TX 78721

Links:

[https://stacks.cdc.gov/view/cdc/61243/cdc\\_61243\\_DS1.pdf](https://stacks.cdc.gov/view/cdc/61243/cdc_61243_DS1.pdf)

<https://pmc.ncbi.nlm.nih.gov/articles/PMC6167150>

<https://www.recoveryanswers.org/research-post/adolescents-growing-up-in-neighborhoods-with-more-liquor-stores-are-more-likely-to-drink/>

**CAUTION:** This is an EXTERNAL email. Please use caution when clicking links or opening attachments. If you believe this to be a malicious or phishing email, please report it using the "Report Message" button in Outlook.

For any additional questions or concerns, contact CSIRT at "[REDACTED]".



Case Number: C14-2026-0005

From Keshav Naick <[REDACTED]>  
Date Thu 4/9/2026 10:12 AM  
To Tomko, Jonathan <[REDACTED]>

You don't often get email from [REDACTED]. [Learn why this is important](#)

### External Email - Exercise Caution

Dear Mr. Tomko,

I am writing to formally express my opposition to the proposed rezoning of the commercial property at 4501 East Martin Luther King Jr. Boulevard Suite 4503 from GR-NP to CS-1-NP. I am strongly not in favor of this change for the following reasons:

- **Oversaturation of alcohol outlets:** Three nearby properties are already zoned for alcohol sales. East Austin has seen a significant rise in alcohol related establishments, and adding another CS 1 designation deepens that concentration beyond what is appropriate for this neighborhood.
- **Public safety:** A higher density of alcohol focused businesses correlates with increased public intoxication, DUI activity, and disturbances — problems residents already experience from nearby establishments.
- **Traffic and noise:** Bars, liquor stores, and cocktail lounges bring late night traffic, parking congestion, and noise that harm residents' quality of life. The current GR NP designation accommodates commercial activity without these intensive uses.
- **Proximity to a Montessori school:** Introducing alcohol primary businesses near a school

The current GR-NP designation already provides ample flexibility for a wide range of commercial uses that genuinely serve the community. There is no demonstrated need to upzone this property to CS-1 when three other nearby sites already carry that designation.

I respectfully urge that this rezoning request be denied and that the GR-NP designation be preserved. Please let me know if you need me to sign a document.

Thank you for your consideration.

**CAUTION:** This is an EXTERNAL email. Please use caution when clicking links or opening attachments. If you believe this to be a malicious or phishing email, please report it using the "Report Message" button in Outlook.

For any additional questions or concerns, contact CSIRT at "[REDACTED]".

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive case-related comments online which can be accessed through this link or QR code:  
<https://bit.ly/ATXZoningComment>.



During its public hearing, the board or commission may postpone or continue an application's hearing to a later date or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: [www.austintexas.gov/planning](http://www.austintexas.gov/planning).

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

**Case Number: C14-2026-0005**

**Contact: Jonathan Tomko, 512-974-1057**

**Public Hearing: May 21, 2026, City Council**

Linda Steele

Your Name (please print)

1804 Overhill Dr Austin 78721

Your address(es) affected by this application

Linda Steele

Signature

5-4-2026

Date

Daytime Telephone (optional): 512-228-2584

Comments: This AREA Already has  
A large amount of traffic w/beer  
and wine sales. The last thing this  
neighborhood needs is customers  
getting more intoxicated.

If you use this form to comment, it may be returned to:

City of Austin, Austin Planning

**Jonathan Tomko**

P. O. Box 1088, Austin, TX 78767

Or email to:

[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)



## MEMORANDUM

**To:** City Council Members

**From:** Jonathan Tomko, AICP, Planner Principal, Austin Planning

**Date:** May 19, 2026

**Subject:** **Staff Clarification Item #69 Family Affair Liquor Store (C14-2026-0005)**

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The purpose of this memorandum is for Staff to provide additional information that is relevant to the applicant's request. There is a childcare facility approximately 100 feet to the southeast of the property (as measured from the southeast corner of the proposed CS-1 footprint to the northwest side of the lot on which the childcare facility is located), along the west side of Springdale Road which is zoned LO-MU-NP.

City Code and the Texas Alcoholic Beverage Code prohibit the sale of liquor within 300 feet of a church, public school, public hospital, day care or childcare facility, and the proposed rezoning area does not meet this requirement. If CS-1 base district zoning is approved, a waiver from this requirement would still be required from City Council as part of the development permitting process [City Code 4-9-5 (*Waiver of Minimum Distances*)].

Should you have any questions or concerns, please contact Jonathan Tomko, Planner Principal, at [Jonathan.Tomko@austintexas.gov](mailto:Jonathan.Tomko@austintexas.gov) or (512) 974-1057.

cc: Joi Harden, AICP, Acting Assistant Director

Case Number:  
**C14-2026-0005**

## PETITION

Date: 5/21/2026

Total Square Footage of Buffer: 148226.1462

Percentage of Square Footage Owned by Petitioners Within Buffer: 21.58%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

| TCAD ID                                                                                                                                                            | Address                                         | Owner                            | Signature | Petition Area    | Percent       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|----------------------------------|-----------|------------------|---------------|
| 0212200609                                                                                                                                                         | 1802 OVERHILL DR 78721                          | 1600 WHELESS LANE 78723          | yes       | 6226.22          | 4.20%         |
| 0212200703                                                                                                                                                         | 1803 OVERHILL DR 78721                          | ANDERSON RODNEY M                | no        | 10845.94         | 0.00%         |
| 0212200715                                                                                                                                                         | 1806 SPRINGDALE RD 78721                        | CHET LTG LLC                     | no        | 10932.88         | 0.00%         |
| 0213190101                                                                                                                                                         | 3851 MANOR RD 78723                             | CITY OF AUSTIN                   | no        | 19036.41         | 0.00%         |
| 0212200702                                                                                                                                                         | 1801 OVERHILL DR 78721                          | COOL AMERICAN INVESTMENTS LLC    | yes       | 10805.91         | 7.29%         |
| 0212200701                                                                                                                                                         | 1707 OVERHILL DR 78721                          | GONZALEZ GREGORY W & ELEXIA LOWE | no        | 8210.61          | 0.00%         |
| JOY JOBIN, PHILTINI PROPERTIES LLC,<br>FERRIER CORY, NORTH AUSTIN REAL ESTATE<br>INVESTMENT, BURNS PATRICK KEVIN,<br>WANG SEAN, HALASZ SANDRA, GURRAM<br>TEJOVATHI |                                                 |                                  |           |                  |               |
| 0212200901                                                                                                                                                         | 4507 E M L KING JR BLVD, UNITS 121-124, 131-134 | TEJOVATHI                        | no        | 34165.18         | 0.00%         |
| 0212200713                                                                                                                                                         | 1802 SPRINGDALE RD AUSTIN 78721                 | MENCHACA CARLOS J                | no        | 1781.67          | 0.00%         |
| 0212200610                                                                                                                                                         | 1800 OVERHILL DR AUSTIN 78721                   | NAICK KESHAV                     | yes       | 2119.52          | 1.43%         |
| 0212200608                                                                                                                                                         | 1804 OVERHILL DR AUSTIN 78721                   | STEELE CARL & LINDA              | yes       | 12835.46         | 8.66%         |
| <b>Total</b>                                                                                                                                                       |                                                 |                                  |           | <b>116959.80</b> | <b>21.58%</b> |

## HOW TO FILE A PETITION

A petition should be dated and addressed to the City Council. In order to be legally binding, the first paragraph should read as follows:

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than GR-NP.

After this initial statement, briefly state the reasons for the protest.

This statement should be followed by the signatures of the protesters and their addresses. If a protester signs for other than the owner of record, a Power of Attorney should accompany the petition. Signatures should be in black ink to facilitate reproduction. A sample petition is attached.

Property owner information is obtained from the Travis County Appraisal District. If there has been a recent sale of the property, the current owners may not be shown. A copy of the deed or closing statement must be furnished with the petition to establish ownership.

Please furnish the name and phone number of a contact person in case there are questions about the petition.

File number and zoning information may be obtained from the Planning and Zoning Department, 505 Barton Springs Road, Fifth Floor. It is also suggested that a numeric printout of the property owners and a copy of that portion of the tax plat showing 200 feet around the area proposed for rezoning be obtained.

A parcel number for each property within a 200-foot radius must be determined. This may be done as follows:

- ☐ The first five digits of the parcel number are the tax plat number.
- ☐ The next two digits are the block number. This is the large underlined number shown on each block.
- ☐ The last two digits are the lot number. This is the small underlined number on each lot.

This nine digit number is called a parcel number and corresponds to those numbers shown on the property owner printout. A sample map with the appropriate numbers circled is attached for your information.

A brief description of the process for determining the validity of a petition is as follows:

Figure square footage of area within 200-foot radius of property being rezoned, excluding property being considered.

Figure each petitioner's area. These areas should include one-half of right-of-way adjacent to the petitioner's property.

Figure percentage:

$$\frac{\text{Total of petitioners' area}}{\text{Total area within 200' radius}}$$

Condominium projects may protest the rezoning if the petition is signed by the appropriate officer of the governing body of the condominium. An individual condominium owner shall not be included when calculating the petition unless the documents governing the condominium clearly establish the right of an individual owner to act with respect to his or her respective undivided interest in the common elements of the condominium.

The petition should be furnished to the Planning and Zoning Department as early as possible prior to the Council hearing so the validity may be determined prior to the hearing.

If you need additional information or assistance concerning the above procedures, please contact the Planning and Zoning Department, 505 Barton Springs Road, Fifth Floor, 512-974-3583.

## INFORMATION FOR OPPOSING A ZONING CHANGE

If you are in opposition to a zoning change in your neighborhood, it is suggested you contact the City staff and the applicant to attempt to reach a compromise. When possible, applicants are advised to contact and work with the applicable neighborhood organization(s) prior to submitting an application.

If a compromise cannot be reached, the following procedures may be used to protest the zoning change. These are

- 1) either in writing or at the public hearing, request the Zoning and Platting Commission/Planning Commission not to recommend the zoning change to the City Council, and /or
- 2) petition the City Council not to grant the zoning change. Petitions must be submitted no later than 12:00 p.m. (noon) on the day of the scheduled public hearing to the Case Manager, Planning and Zoning Department (per City Council Resolution as of 11/13/1986). You are, however, encouraged to submit your petition earlier (possibly two days earlier) to assure that validation occurs in a timely manner.

These procedures are described below:

### ZONING AND PLATTING COMMISSION / PLANNING COMMISSION

At the Zoning and Platting Commission/Planning Commission hearing you will be given an opportunity to speak in opposition to the zoning. If you are part of an organized group, it is recommended a spokesman be selected to represent the interests of the group.

A written statement of your opposition may also be presented to the Commission members (there are nine) with a copy for the staff.

The order of the meeting is as follows:

1. Chair announces request.
2. Staff present a summary
3. Chair calls on those FAVORING the request.
  - a. Applicant's presentation (5 minutes)
  - b. Others favoring the request (3 minutes)
4. Chair calls on those OPPOSING the request
  - a. Primary presentation (5 minutes)
  - b. Others opposing the request (3 minutes)
5. Applicant answers stated objections (3 minutes)
6. Staff summation and questions from Commission
7. Public hearing is closed and Commission acts on request

The Zoning and Platting Commission/Planning Commission's recommendation will be forwarded to the City Council for their action.

## Page 19 of 30

P E T I T I O N

Date: 4/24/2026

File Number: C14-2026-0005

Address of

Rezoning Request: 4501 East Martin Luther King Jr. Boulevard, Unit 4503

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than GR-NP.

(STATE REASONS FOR YOUR PROTEST)

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

Cory Ferner

Cory Ferner

4507 E. MLK Unit # 123

Date: 4/24/2026

Contact Name: Cory Ferner

Phone Number: 443-572-9769

If you cannot appear at the hearing, a written statement of your opposition may be sent to the Planning and Zoning Department. Written protests should be filed as early as possible so copies will be available for the Commission. The Notices of Public Hearing contain a section where brief comments may be made and returned to the Planning and Zoning Department.

Comments should be mailed to:

Planning and Zoning Department  
City of Austin  
P.O. Box 1088  
Austin, Texas 78767

Zoning File No. C14-2026-0005

### CITY COUNCIL

At the City Council hearing you may again protest the zoning change following the same procedures as for the Zoning and Platting Commission/Planning Commission.

You may also submit a written petition against the zoning. Only a simple majority of the Council is required to grant the zoning unless a valid written petition has been submitted. A valid petition requires a three-fourths vote of Council. This usually consists of nine votes; however, if a Council Member must recuse, it could require fewer votes to obtain a three-fourths majority. An absence or abstention does not reduce the number of votes required.

Sec. 25-2-284 of the Land Development Code, states that:

- (A) The affirmative vote of three-fourths of the members of council is required to approve a proposed rezoning if:
  - 1) the Land Use Commission recommends denial of an application to rezone property to a planned unit development; or
  - 2) the proposed rezoning is protested in writing by the owners of not less than 20 percent of the area of land:
    - (a) included in the proposed change; or
    - (b) Immediately adjoining the area included in the proposed rezoning and extending 200 feet from the area.

WRITTEN CONSENT OF 1600 WHELESS LANE 78723 LLC

On this 19<sup>th</sup> day of May, 2026, the undersigned Roberto Varela, being officers of 1600 WHELESS LANE 78723, a Texas limited liability company (**Company**) acting by written consent do hereby approve, consent to, and adopt the following resolutions:

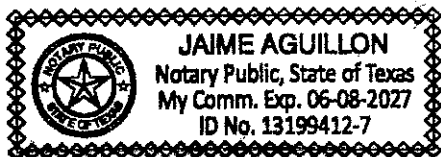
1. Any two officers of the Company, acting together, shall have full power and authority to authorize and enter into any and all transactions and to execute and deliver any and all instruments, documents, contracts, and agreements of every kind and nature on behalf of the Company to bind the Company.
2. Roberto Varela, (being elected officer of the Company) have full authority to bind the Company and conduct all business and enter into any and all transaction on behalf of the Company.

1600 WHELESS LANE 78723, a Texas limited liability company

By: Roberto Varela  
Roberto Varela  
President

THE STATE OF TEXAS   §  
COUNTY OF TRAVIS   §

This instrument was acknowledged before me on this the 19<sup>th</sup> day of May, 2026,  
by Roberto Varela, as President of 1600 WHELESS LANE 78723, a Texas limited liability company,  
on behalf of said company.



  
Notary Public, State of Texas

WRITTEN CONSENT OF JSP Construction Investment LLC

On this 19 day of May, 2026, the undersigned Jae Park being officers of JSP Construction Investment, LLC, a Texas limited liability company (**Company**) acting by written consent do hereby approve, consent to, and adopt the following resolutions:

1. Any two officers of the Company, acting together, shall have full power and authority to authorize and enter into any and all transactions and to execute and deliver any and all instruments, documents, contracts, and agreements of every kind and nature on behalf of the Company to bind the Company.
2. Jae Park, (being elected officers of the Company) have full authority to bind the Company and conduct all business and enter into any and all transaction on behalf of the Company.

JSP Construction Investment, LLC, a Texas  
limited liability company

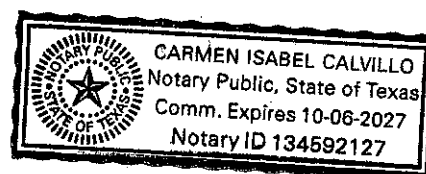
By:

  
Jae Park

THE STATE OF TEXAS   §  
COUNTY OF TRAVIS   §

This instrument was acknowledged before me on this the 19 day of May, 2026,  
by Jae Park, as President of JSP Construction Investment, LLC, a Texas limited liability company,  
on behalf of said company.

  
Notary Public, State of Texas



WRITTEN CONSENT OF NORTH AUSTIN REAL ESTATE INVESTMENT PARTNERS LLP

On this 4 day of May, 2026, the undersigned, being the Manager of North Austin Real Estate Investment Partners GP LLC, the general partner of North Austin Real Estate Investment Partners LLP, a Texas limited liability partnership (**Partnership**) acting by written consent does hereby approve, consent to, and adopt the following resolutions:

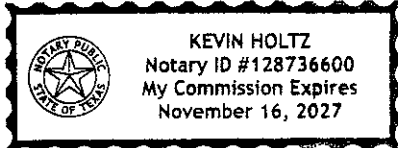
1. The Manager of North Austin Real Estate Investment Partners GP LLC, as general partner of the Partnership, shall have full power and authority to authorize and enter into any and all transactions and to execute and deliver any and all instruments, documents, contracts, and agreements of every kind and nature on behalf of the Partnership to bind the Partnership.
2. The undersigned Manager of North Austin Real Estate Investment Partners GP LLC, as general partner of the Partnership, has full authority to bind the Partnership and conduct all business and enter into any and all transactions on behalf of the Partnership.

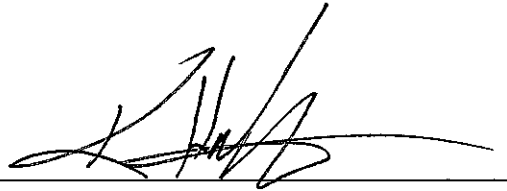
NORTH AUSTIN REAL ESTATE INVESTMENT  
PARTNERS LLP, a Texas limited liability  
partnership, by its General Partner, North  
Austin Real Estate Investment Partners GP LLC

By: Leah Fremblay  
Manager, North Austin Real  
Estate Investment Partners GP LLC,  
General Partner

THE STATE OF TEXAS   §  
COUNTY OF ~~TRAVIS~~   §  
*Williamson*

This instrument was acknowledged before me on this the 4 day of May, 2026,  
by the Manager of North Austin Real Estate Investment Partners GP LLC, as General Partner of  
North Austin Real Estate Investment Partners LLP, a Texas limited liability partnership, on behalf  
of said partnership.



  
\_\_\_\_\_  
Notary Public, State of Texas

WRITTEN CONSENT OF COOL AMERICAN INVESTMENTS LLC

On this 20 day of MAY, 2026, the undersigned Morgan Ellyson Terrill, being an officer of COOL AMERICAN INVESTMENTS LLC, a Texas limited liability company (**Company**) acting by written consent do hereby approve, consent to, and adopt the following resolutions:

1. Any two officers of the Company, acting together, shall have full power and authority to authorize and enter into any and all transactions and to execute and deliver any and all instruments, documents, contracts, and agreements of every kind and nature on behalf of the Company to bind the Company.
2. Morgan Ellyson Terrill, (being an elected officer of the Company) has full authority to bind the Company and conduct all business and enter into any and all transaction on behalf of the Company.

COOL AMERICAN INVESTMENTS LLC, a Texas  
limited liability company

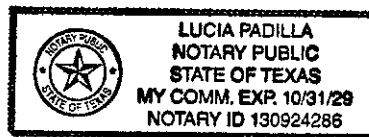
By:

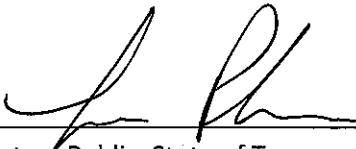


Morgan Ellyson Terrill  
President

THE STATE OF TEXAS   §  
COUNTY OF TRAVIS   §

This instrument was acknowledged before me on this the 26 day of May, 2026,  
by Morgan Ellyson Terrill, as President of COOL AMERICAN INVESTMENTS LLC, a Texas limited  
liability company, on behalf of said company.



  
\_\_\_\_\_  
Notary Public, State of Texas

Date: 5/21/2026

File Number: C14-2026-0005

Rezoning Request: 4501 East Martin Luther King  
Dr. Boulevard, Unit 4503

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than GR-NP.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Signature  
Gus Steele

Printed Name

LINDA Steele

Address

1804 Overhill Dr. 78721

Date: 5/21/2026

Contact Name: Keshav Naick

Phone Number: 512-942-9971