

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2015-0139 (New Office/ Retail Space)

**Z.A.P. DATE:** January 19, 2016

**ADDRESS:** 11812 Millwright Parkway

**DISTRICT AREA:** 6

**OWNER:** NZ Lands, Inc. (Zulfiqar Ali Prasla and Nizar Ali Prasla)

**ZONING FROM:** I-SF-2

**TO:** LR

**AREA:** 0.96 acres (41,817.6 sq. ft.)

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant LO-MU, Limited Office-Mixed Use District, zoning.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

1/19/16: Approved staff recommendation of LO-MU zoning (8-2, A. Denkler and J. Goodman-No); T. Webber-1<sup>st</sup>, J. Kiolbassa-2<sup>nd</sup>.

### **ISSUES:**

On March 10, 2016, the property owners adjacent to the proposed zoning case submitted petition information in opposition to anything less restrictive than NO-MU zoning. However, the staff is unable to validate the petition information as the request is currently from interim (I-SF-2) to permanent zoning. Petitions apply to a re-zoning of a property. A petition signed by property owners within 200 feet does not trigger a supermajority vote of the City Council since this is not a re-zoning application but initiation of original zoning.

The excerpt below is from the City of Austin's Land Development Code and explains when the City Council is subject to the three-fourths vote.

#### ***Sec. 25-2-284 REQUIREMENT FOR APPROVAL BY THREE-FOURTHS OF COUNCIL.***

- (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.*

The staff has included the information submitted by the neighbors with the zoning case report for the City Council's review and consideration (please see Attachment A).

**DEPARTMENT COMMENTS:**

The property in question is currently developed with a vacant burned down structure that was previously a day care facility (ABC Child Development Center). There is a convenience store (Speedy Mart) and retail strip center located to the south. To the north, east and west are single-family residential homes. The applicants are requesting LR, Neighborhood Commercial District, zoning so that they can redevelop the site with office/retail uses.

The staff is recommending LO-MU zoning for this site because the property in question meets the intent of the Limited Office district as it will permit an office use that serves neighborhood or community needs and that is located in or adjacent to residential neighborhoods with site development designed to ensure that the uses are compatible and complementary in scale and appearance with the residential environment. LO-MU zoning will allow for low intensity office uses to front onto Millwright Parkway, a residential collector street, while creating an appropriate transition from the retail strip center/convenience store use to the south to the single-family residential uses located to the north, east and west of the property.

The applicant does not agree with the staff's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-SF-2	Previous Day Care Facility (ABC Child Development Center)
<i>North</i>	I-SF-2	Single-Family Residences
<i>South</i>	LR-CO	Convenience Store (Speedy Mart), Restaurant, Vacant Space
<i>East</i>	I-SF-2	Single-Family Residences
<i>West</i>	I-SF-2	Single-Family Residences

**AREA STUDY:** N/A

**TIA:** Waived

**WATERSHED:** Lake Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Anderson Mill Neighborhood Association  
Austin Heritage Tree Foundation  
Bike Austin  
Bull Creek Foundation  
Friends of Austin Neighborhoods  
Long Canyon Homeowners Association  
Long Canyon Phase II & III Homeowner Association Inc.  
Round Rock Independent School District  
SELTEXAS  
Sierra Club, Austin Regional Group  
Spicewood Springs Road Tunnel Coalition

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0041 (New Tenant Project: 10300 Anderson Mill Road)	I-SF-2 to CS-4 LR	12/16/14: Approved the staff's recommendation of LR-CO zoning, with conditions, by consent (6-0, R. McDaniel-absent); P. Seeger-1 <sup>st</sup> , S. Compton-2 <sup>nd</sup> .	2/12/15 : Approved LR-CO zoning, with conditions, on consent 1 <sup>st</sup> reading only (11-0)  4/16/15: Approved LR-CO zoning on 2 <sup>nd</sup> /3 <sup>rd</sup> readings by consent (10-0); D. Zimmerman-1 <sup>st</sup> , S. Gallo-2 <sup>nd</sup> .
C14-2007-0240 (10401 Anderson Mill Road)	RR, GR to GR	2/19/08: To grant GR-CO zoning (6-0, T. Rabago, J. Martinez-absent), with the following conditions: 1) Prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Bail Bond Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Exterminating Services, Funeral Services, Hotel-Motel, Indoor Entertainment, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shop Services, Research Services, Theater, and Hospital Services (General); 2) Allow the following as conditional uses: Community Recreation (Private), Community Recreation (Public), Congregate Living, Group Home-Class II, Hospital Services (Limited), Residential Treatment; 3) Limit the property to 'LR' district site development regulations; 4) Limit development to less than 2,000 vehicle trips per day above what currently exists on the site; 5) The applicant shall dedicate approximately 11-feet of right-of-way from the existing centerline of Anderson Mill Road.	3/20/08 : Approved GR-CO zoning by consent (7-0); all 3 readings
C14-04-0112 (Williamson Square:	I-RR to GR	9/7/04: Approved GR-CO zoning, with following conditions:	10/21/04: Approved GR-CO zoning (7-0); all 3 readings

1070 Anderson Mill Road)		1) Prohibit all 'GR' district uses except: Business or Trade School (with a 3,000 sq. ft. size limit), Business Support Services, Communications Services, Food Preparation (as a conditional use up to 5,000 sq. ft.), General Retail Sales (General), Indoor Sports and Recreation, Personal Improvement Services, Restaurant (General); 2) Permit all 'LR' district uses and conditional uses; 3) Limit the property to 'LR' district development regulations; 4) Limit development to less than 2,000 vehicle trips per day above what currently exists on the site. (7-1, B. Baker-Nay); T. Rabago-1 <sup>st</sup> , M. Whaley-2 <sup>nd</sup>	
C14-02-0180 (Hope Presbyterian Church: 11512 Olson Drive)	RR to GR	1/07/03: Approved staff's recommendation of GO-CO zoning with conditions to limit development intensity to 2,000 vehicle trips per day; allow Religious Assembly as the only permitted GO use; and allow all other LO uses (9-0); B. Baker-1 <sup>st</sup> , K. Jackson-2 <sup>nd</sup>	2/06/03: Granted GO-CO on all 3 readings (7-0)
C14-00-2255 (Spicewood Tract: 10601 Block of Anderson Mill Road)	RR to SF-6	1/23/01: Approved staff alternated rec. of SF-6-CO by consent (8-0)	3/1/01: Approved SF-6-CO w/ other conditions (7-0); 1 <sup>st</sup> reading  4/19/01: Approved SF-6-CO w/ conditions; 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-00-2071 (Sprint PCS Wormwood: 10401 Anderson Mill Road)	RR to GR	6/06/00: Approved staff rec. of GR by consent (9-0)	8/03/00: Approved GR zoning (7-0); all 3 readings

**RELATED CASES:** C7L-98-006 (Annexation – December 21, 1998)

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Anderson Mill Road	90'	50'	Major Arterial	No	Yes	Yes
Millwright Parkway	60'	46'	Local	Yes	Yes	Yes

**CITY COUNCIL DATE:** February 11, 2016

**ACTION:** Postponed to March 24, 2016 at the neighborhood's request (11-0); L. Pool-1<sup>st</sup>, D. Zimmerman-2<sup>nd</sup>.

March 24, 2016

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

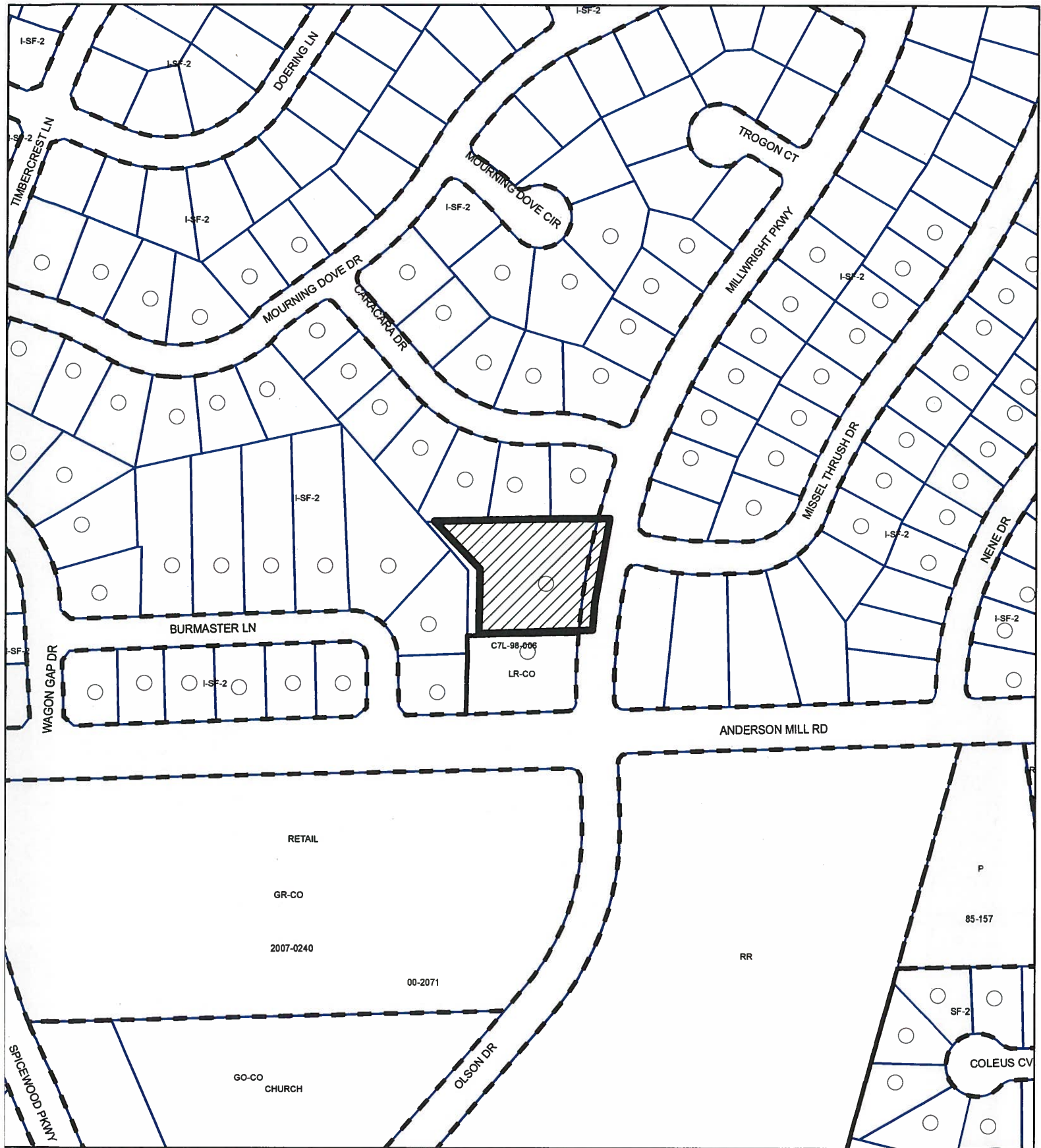
2<sup>nd</sup>




3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 512-974-3057,  
[sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

## ZONING

ZONING CASE#: C14-2015-0139

1" = 200'

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.

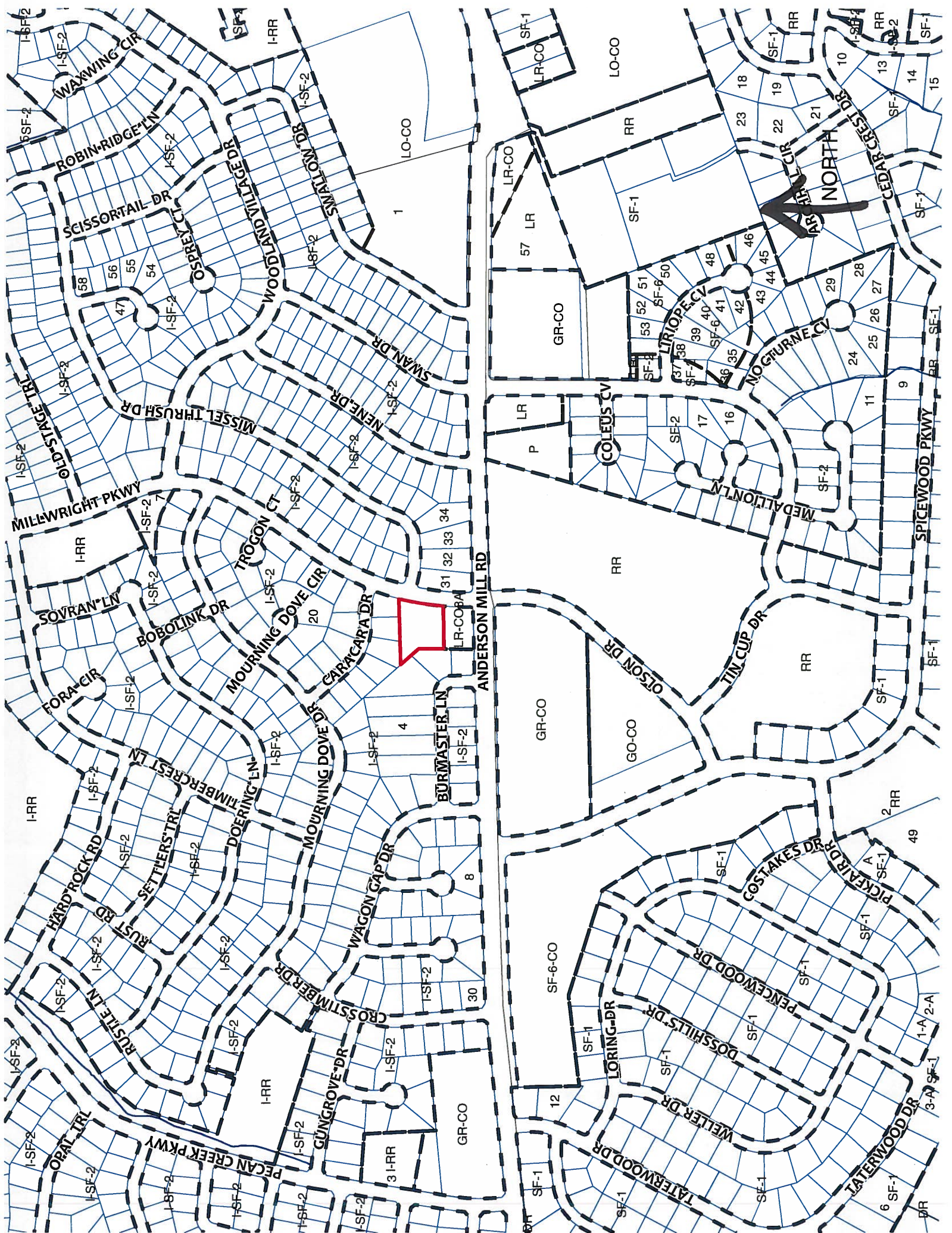
This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.













## **STAFF RECOMMENDATION**

The staff's recommendation is to grant LO-MU, Limited Office-Mixed Use District, zoning.

## **BASIS FOR RECOMMENDATION**

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

Limited office (LO) district is the designation for an office use that serves neighborhood or community needs and that is located in or adjacent to residential neighborhoods. An office in an LO district may contain one or more different uses. Site development regulations and performance standards applicable to an LO district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

2. *The proposed zoning should promote consistency and orderly planning.*

LO-MU zoning will allow for low intensity office that will front onto Millwright Parkway, a local collector street and the entrance to a single-family residential neighborhood. Limited Office zoning will create an appropriate transition to the retail center/convenience store use to the south to the single-family residential uses located to the north, east and west of the property.

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

The LO-MU zoning district would allow for a fair and reasonable use of the site because it will allow for the applicant to redevelop the site with office uses that are compatible with and may provide services to the surrounding residential neighborhood.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site under consideration is developed with a vacant structure that was previously a day care facility (ABC Child Development Center). The property to the north, east and west is developed with single-family residences. The tract of land to the south contains a convenience store and a vacant restaurant use that fronts onto Anderson Mill Road.

### **Comprehensive Planning**

#### **I-SF-2 to LR-CO**

This zoning case is located on the west side of Millwright Parkway, on a parcel that is approximately .96 acres in size and formerly contained a daycare/playground center, which burned down. The property is not located with the boundaries of an existing neighborhood planning area. The property is surrounded by a single family housing to the north, east and west, and a convenience store to the south, located on Anderson Mills Road. The proposal is build a mixed use office/retail building.

### **Imagine Austin**

The site is located over the Edwards Aquifer Recharge Zone. An aquifer contributing zone is an area where runoff from precipitation flows to the recharge zone of an aquifer. Streams in the contributing zone flow downstream into the recharge zone and “contribute” water to the aquifer. Due to the site’s location in an environmentally sensitive area, if applicable, during the site planning stage, an environmental review will be required to determine if any critical environmental features are located on the site. If any are located, mitigation and setbacks necessitated by the land development code will be required.

The following are policies taken from Chapter 4 of the Imagine Austin Comprehensive Plan, which specifically discuss the preservation of neighborhood character:

- **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.
- **HN P11.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

A high intensity mixed use project with a retail component that is located within the interior of an existing residential neighborhood does not appear to be context sensitive to the surrounding residential uses. Based on the property being located within the interior of a residential street, and Imagine Austin policies referenced above, staff believes that office (rather than mixed use/retail) is consistent with the Imagine Austin Comprehensive Plan.

### **Environmental**

The site is located over the North Edwards Aquifer Recharge Zone. The site is in the Lake 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.

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.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other 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.

### **Impervious Cover**

The maximum impervious cover allowed by the LR zoning district would be 80%. However, because the Watershed impervious cover is more restrictive than the LR zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

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%

Note: The most restrictive impervious cover limit applies.

### **Site Plan**

Development on the subject property will be subject to *Subchapter E: Design Standards and Mixed Use*. Millwright Parkway, classified as a Suburban Roadway, will be considered the Principal Street. Additional Site Plan Review comments will be provided upon submittal of a site plan upon application for site development permit.

Please note that the adjacent properties zoned I-SF-2 will not trigger compatibility standards on the subject property. However, an adjacent single-family use will trigger compatibility standards on the subject tract. Therefore, any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property with a single family use or in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

### **Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

## **Transportation**

Additional right-of-way maybe required at the time of subdivision and/or site plan.

A TIA may be required at the time of site plan if proposed development exceeds 2,000 vehicle trips per day.

A Neighborhood Traffic Analysis is required for Millwright Parkway and will be performed for this project by the Transportation Review staff. Results will be provided in a separate memo. LDC, Sec. 25-6-114. Provide 24 hour trip counts for Millwright Parkway to this reviewer.

Provide a TIA determination worksheet. This was not found in the application packet.

What is the proposed Conditional Overlay?

Nadia Barrera, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

Existing Street Characteristics:

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bike Route</b>	<b>Capital Metro (within ¼ mile)</b>
Millwright Parkway	61'	40'	Collector	Yes	Yes; bike lane (northbound only); route #23	Yes

## **Water and Wastewater**

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 the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. 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. 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.





## MEMORANDUM

**DATE:** December 4, 2015  
**TO:** Sherri Sirwaitis, Case Manager  
**CC:** Saffan Prasla  
**SUBJECT:** Neighborhood Traffic Analysis for New Office/ Retail Space (C14-2015-0139)

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The transportation review staff has prepared Neighborhood Traffic Analysis (NTA) for the above referenced case. The site is located at the northeast corner of Anderson Mill Road and Millwright Parkway. The site is bordered by single family zoning immediately north and west, Millwright Pkwy to the east, and commercial retail to the south. This .49 acre tract is currently zoned I-SF-2. The site is proposed for LR-CO.

### **ROADWAYS**

Millwright Parkway is residential collector with 60 feet of right-of-way and 42 feet of pavement. Under Section 25-6-114 of the Land Development Code, Millwright Parkway is classified as a residential collector street because at least 50 percent of its frontage is zoned for SF-5 or more restrictive uses. The average daily traffic (ADT) on Millwright is estimated at 3,179 vehicles at the intersection with Anderson Mill Road (based on traffic counts provided by the applicant).

### **TRIP GENERATION AND TRAFFIC ANALYSIS**

Based on the Institute of Transportation Engineer's (ITE) publication Trip Generation, the proposed development may generate up to 1,830 vehicle trips per day.

Trip Generation (unadjusted)		
Land Use	Size/Units	ADT
LR (ITE 820)	1 acre	1860

The trip distribution on the adjacent roadways is shown in the table below:

Traffic Distribution	
Street	Site Traffic
Millwright Parkway (Residential Collector)	100%

Below is a table containing the estimated number of trips that will affect each street.

Trip Assignment			
Street	Existing Traffic	Site Traffic	Total Traffic after Project
Millwright Parkway	3,179	1,860	5,039

The Land Development Code specifies desirable operating levels for certain streets in section 25-6-116. These levels are as follows: A residential local or collector street with a pavement width of more than 40' may carry 4,000 vehicle trips per day or more.

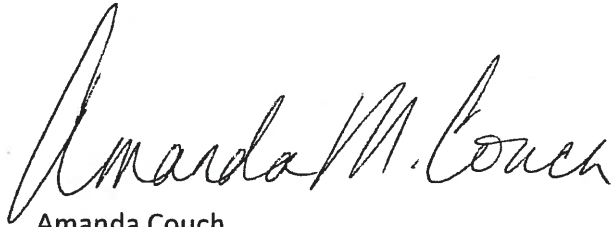
#### **CONCLUSIONS/RECOMMENDATIONS**

1. The neighborhood traffic analysis was triggered because the projected number of vehicle trips generated by the project exceeds the vehicle trips per day generated by existing uses by at least 300 trips per day, and the project has access to a local or residential collector street where at least 50 percent of the site frontage has an SF-5 or more restrictive zoning designation.
2. The traffic along Millwright Parkway does not exceed the requirements established in Section 25-6-116 (referenced above).
3. Development of this property should be limited to uses and intensities, which will not exceed or vary from the projected traffic conditions assumed in this neighborhood traffic analysis including traffic distribution, roadway conditions, and other traffic related characteristics.

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If you have any questions or require additional information, please contact me 974-2881.



A handwritten signature in black ink that reads "Amanda M. Couch". The signature is fluid and cursive, with the first name "Amanda" being larger and more prominent than the last name "Couch".

Amanda Couch

Senior Planner

Transportation Review Team, Land Use Review

Development Services Department

## 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 attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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 or at a 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.

**Case Number: C14-2015-0139**

**Contact: Sherri Sirwaitis, 512-974-3057**

**Public Hearing: Jan. 19, 2016, Zoning and Platting Commission  
Feb. 11, 2016, City Council**

Your Name (please print)

Loyac Cook

☐ I am in favor  
☒ I object

Your address(es) affected by this application

10411 MOUNTAIN DOVE DRIVE

Signature

Date

Daytime Telephone: 512-258-6751

Comments:

TRAFFIC IS ALREADY TOO BUSY

WITH A NUMBER OF SCHOOLS.

WE DO NOT NEED MORE COMMERCIAL.

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

City of Austin  
Planning & Zoning Department  
Sherri Sirwaitis  
P. O. Box 1088  
Austin, TX 78767-8810

Item # C-6



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Case Number: C14-2015-0139

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Jan. 19, 2016, Zoning and Platting Commission

Feb. 11, 2016, City Council

JANEY COOK  
Your Name (please print)

10417 MAURINE DOVE DR

Your address(es) affected by this application

JANEY COOK

Signature

Jan 11, 2016

Date

Daytime Telephone: 512-258-6251

Comments: Too close to busy intersection pool

package. This is a "NEIGHBORHOOD" area

with traffic flow to many homes in ANDERSON

WILL. THERE IS A SMALL STRIP MALL FACING

ANDERSON MILL RD ON BOTH SIDES OF ANDERSON MILL

RD. THERE IS A HOME ON CORNER ADJACENT

TO PROPOSED COMMERCIAL TRACT. THAT HOME WILL

BE DEVALUED AND HAVE NO NOISE.

THE TACO EXPRESS IS AN EYESORE.!! WE

WANT TO KEEP OUR NEIGHBORHOOD QUIET

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

City of Austin

Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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**Case Number: C14-2015-0139**

**Contact: Sherri Sirwaitis, 512-974-3057**

**Public Hearing: Jan. 19, 2016, Zoning and Platting Commission  
Feb. 11, 2016, City Council**

Mrs. Norman U. Blackmon

*Your Name (please print)*

1901 Millwright Pkwy  
Austin, TX 78750

*Your address(es) affected by this application*

Mrs. Norman U. Blackmon Jan 16, 2016

*Signature*

*Date*

*Daytime Telephone:* 512-250-0354

*Comments:* The traffic on Millwright Parkway is already heavy. The corner convenience store and other businesses have lots of auto & foot traffic that have difficulty getting into & out of that location. Much of the trash from purchases ends up tossed along Millwright Pkwy. This is a residential neighborhood. We do not need any more commercial development at this intersection.

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

City of Austin

Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810



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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 or at a 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.

**Case Number: C14-2015-0139**

**Contact: Sherri Sirwaitis, 512-974-3057**

**Public Hearing: Jan. 19, 2016, Zoning and Platting Commission  
Feb. 11, 2016, City Council**

*Merrimac Jenkins*  
Your Name (please print)

*10263 Missel Thrash Dr.*

Your address(es) affected by this application

*Merrimac Jenkins* *2-3-16*  
Signature Date

Daytime Telephone: *512-589-3624*

Comments: *The previous business (daycare) used the front of my house as their employee parking. When it became an issue with the garbage and postal service the daycare was rude and would do nothing to help remedy the problem. The street (Missel Thrash) is not wide enough for employee parking and safely using my home.*

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

City of Austin  
Planning & Zoning Department  
Sherri Sirwaitis  
P. O. Box 1088  
Austin, TX 78767-8810



## PUBLIC HEARING INFORMATION

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Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Jan. 19, 2016, Zoning and Platting Commission

Feb. 11, 2016, City Council

Merrimac Jenkins

Your Name (please print)

10263 Missel Thrush Dr

Your address(es) affected by this application

Merrimac Jenkins

Signature

Daytime Telephone: 512-589-3524

Date

2-3-16

Comments:

The previous business (daycare) used the front of my house as their employee parking. When it became an issue with the garbage and postal service, they were rude and would do nothing to help ~~the~~ remedy the problem. The street (Missel Thrush) is not wide enough for employee parking and ~~the~~ If you use this form to comment, it may be returned to: safely using my home.

City of Austin

Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

Valid Petition

Regarding Re-zoning of 11812 Millwright Parkway

Case number: C14-2015-0139 (New Office/Retail Space)

Based on the Zoning Principals established by the City of Austin, the property is most suited to the NO-MU classification based on its location and prior acceptable use.

1. Zoning should satisfy a public need and not constitute a grant of special privilege to an individual owner.

Response: There is no public need for a retail establishment at this location. There is already a retail establishment fronting Anderson Mill. Retail is not needed or appropriate for property that fronts a residential street.

2. Granting the zoning should not in any way set an undesirable precedent for other properties in the neighborhood.

Response: The neighborhood agrees that allowing retail or certain office type spaces to infiltrate into the neighborhood sets an undesirable precedent for future developments in residential neighborhoods.

3. Zoning should allow for reasonable use of the property.

Response: Reasonable use of a property located within a neighborhood and fronting a neighborhood street would be 'Neighborhood Office' as outlined in the Zoning Guidelines. Allowing anything other shows preferential treatment for the owner seeking rezoning and dismisses the rights of the property owners by changing what is an acceptable use in their backyard or front yard as the case may be.

4. Zoning changes should promote compatibility and nearby uses and should not result in detrimental impacts to the neighborhood character.

Response: Anderson Mill is a quiet residential neighborhood with a diverse population. Allowing retail, or even certain LO uses would impact the neighborhood with increased traffic and automobile exhaust, additional light and noise pollution, and increase in trash and number of people loitering around surrounding homes – all of which are detrimental to the neighborhood and its character.

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

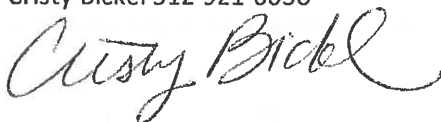
Response: With the Retail currently fronting Anderson Mill, the neighbors believe that the NO-MU zoning would be most suited to provide this transition from public businesses to private homes.

6. Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterial and major collectors.

Response: Millwright Parkway is a residential collector street and therefore should not allow more intensive uses. Per the traffic study performed by the City, it has been established that this intersection already has traffic issues. Adding any uses that are more than low intensity puts a burden on the neighborhood.

Valid Petition Contact:

Cristy Bickel 512-921-6630



Please see attached signatures for valid petition from the following property owners

Larry and Cristy Bickel	10303 Caracara Dr.
Sham and Usha Chadha	10300 Caracara Dr.
Antaro and Sylvia Davis	10307 Caracara Dr.
Marilyn Farrell	10302 Caracara Dr.
James Hall	11814 Millwright Pkwy.
William Allen	11807 Millwright Pkwy.
Merrimac Jenkins	10263 Missel Thrush Dr.
Carrie Hartwell	10259 Missel Thrush Dr.
Octavio Giraldo	10306 Burmaster Ln.



Valid Petition

Regarding Re-zoning of 11812 Millwright Parkway

Case number: C14-2015-0139 (New Office/Retail Space)

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 less restrictive than NO-MU.

Name (Printed)

Cristy Meadows Bickel

Name (Signature)

Cristy Bickel

Address

10303 CeraCera dr  
Austin TX 78750

Contact information (Phone or email)

512 921-6630

Valid Petition

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Name (Printed)

SHAM CHADHA

Name (Signature)

A. L. Chadha

Address

10300 Caracora dr

AUSTIN TX 78750

shamchadha@pcglobal.net

Contact information (Phone or email)

512 365 370

Valid Petition

Regarding Re-zoning of 11812 Millwright Parkway

Case number: C14-2015-0139 (New Office/Retail Space)

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Name (Printed)

Sylvia Ann Davis

Name (Signature)

Sylvia Ann Davis

Address

10307 Caracara Dr.  
Austin, TX 78750

Contact information (Phone or email)

Sylviaadavis@gmail.com



Valid Petition

Regarding Re-zoning of 11812 Millwright Parkway

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Name (Printed)

MARILYN K. FARRELL

Name (Signature)

Marilyn K. Farrell

Address

10302 Caracara Dr.  
Austin, TX 78750

Contact information (Phone or email)

marilynkate@att.net

Valid Petition

Regarding Re-zoning of 11812 Millwright Parkway

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Name (Printed)

JAMES A HALL JR

Name (Signature)

James A Hall Jr

Address

11814 MILLWRIGHT PKWY  
AUSTIN TX 78750

Contact information (Phone or email)

512/258-2781

Valid Petition

Regarding Re-zoning of 11812 Millwright Parkway

Case number: C14-2015-0139 (New Office/Retail Space)

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Name (Printed)

WILLIAM C. ALLEN

Name (Signature)



Address

11807 MILLWRIGHT PKWY, AUSTIN, TX 78750

Contact information (Phone or email)

(H) 512-335-6307

(C) 512-944-6369

wallen1039@aol.com



**Valid Petition**

**Regarding Re-zoning of 11812 Millwright Parkway**

**Case number: C14-2015-0139 (New Office/Retail Space)**

**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 less restrictive than NO-MU.**

**Name (Printed)**

Merrimac Jenkins

**Name (Signature)**

Merrimac Jenkins

**Address**

10263 Missel Thrush Dr.  
Austin, TX 78750

**Contact information (Phone or email)**

512-589-3524  
Merrimacjenkins@gmail.com

**Valid Petition**

**Regarding Re-zoning of 11812 Millwright Parkway**

**Case number: C14-2015-0139 (New Office/Retail Space)**

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**Name (Printed)**

Carrie Hartwell

**Name (Signature)**

Carrie Hartwell

**Address**

10259 Missel Thrush Dr  
Austin TX 78750

**Contact information (Phone or email)**

Chartwell03@gmail.com  
512.784.4760

Valid Petition

Regarding Re-zoning of 11812 Millwright Parkway

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Name (Printed)

OCTAVIO Giraldo

Name (Signature)

Octavio Giraldo

Address

10306 Burmaster Ln  
Austin Texas 78750

Contact information (Phone or email)

512 844 5979