

## SECOND AND THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2018-0004 -- Braker Office/Condo Park

DISTRICT: 1

REQUEST: Approve second and third readings of an ordinance amending City Code Title 25 by rezoning by rezoning property locally known as 1308 East Braker Lane (Walnut Creek Watershed) from multifamily residence low density-conditional overlay (MF-2-CO) combining district zoning to general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. First reading approved on January 31, 2019. Vote: 10-0.

DEPARTMENT COMMENTS: No conditions were added at first reading.

OWNER: Chung Vu and Sinh Trong Le

AGENT: Impact Design and Architecture Group (Jim Fisher)

DATE OF FIRST READING: First reading approved on January 31, 2019. Vote: 10-0.

CITY COUNCIL HEARING DATES:

April 25, 2019:

January 31, 2019: To close the public hearing and grant GR-MU-CO on first reading only, on consent (10-0). [A. Kitchen-1<sup>st</sup>, L. Pool- 2<sup>nd</sup>; J. Flannigan- Absent.]

CITY COUNCIL ACTION: 1<sup>st</sup> reading- 01/31/2019

ORDINANCE NUMBER:

ASSIGNED STAFF: Heather Chaffin

EMAIL: [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov)

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2018-0004 Braker Office/Condo Park

**Z.A.P. DATE:** January 15, 2019

**ADDRESS:** 1308 E. Braker Lane

**AREA:** 0.919 acres

**DISTRICT AREA:** 1

**OWNER/APPLICANT:** Chung Vu and Sinh Trong Le

**AGENT:** Impact Design and Architecture Group (James Fisher)

**ZONING FROM:** MF-2-CO

**TO:** GO-MU

### **SUMMARY STAFF RECOMMENDATION:**

Staff supports the Applicant's request for rezoning from MF-2-CO to GO-MU with the condition that the required right-of-way be dedicated along Braker Lane and Dessau Road.

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

January 15, 2019: APPROVED GO-MU-CO DISTRICT ZONING WITH THE CONDITIONAL OVERLAY PROHIBITING ALTERNATIVE FINANCIAL SERVICES, BAIL BOND SERVICES, MEDICAL OFFICES (EXCEEDING 5,000 SQUARE FEET GROSS FLOOR AREA), PAWN SHOP SERVICES, RESIDENTIAL TREATMENT, RESTAURANT (LIMITED AND GENERAL), AND SERVICE STATION, AND THE CONDITIONS OF RIGHT-OF-WAY DEDICATION ALONG BRAKER LANE AND DESSAU ROAD [S. LAVANI; B. EVANS – 2ND] (7-3) D. BREITHAUPT, B. GREENBERG, J. KIOLBASSA VOTED NAY; N. BARRERA-RAMIREZ – ABSENT

December 18, 2018: To grant postponement as requested by Commission to January 15, 2019.

December 4, 2018: To grant postponement as requested by Neighborhood to December 4, 2018, on consent.

November 20, 2018: To grant postponement as requested by Staff to December 4, 2018, on consent.

September 18, 2018: To grant postponement as requested by Staff to November 20, 2018, on consent.

August 21, 2018: To grant postponement as requested by Staff to September 18, 2018, on consent.

July 17, 2018: To grant postponement as requested by Staff to August 21, 2018, on consent.

June 19, 2018: To grant postponement as requested by Staff to July 17, 2018, on consent.

### **ISSUES:**

The rezoning tract is located near the intersection of East Braker Lane and Dessau Road and has limited frontage on both roads. Because of the limited frontage, driveway spacing, and other factors, Staff recommends that access to the site be taken from May Drive only. At the December 18, 2018 Commission meeting, the Applicant agreed to research any possibility of a shared driveway with the property to the southeast. The Applicant contacted the property owner who stated that they are not interested in sharing a driveway because they are in the process of selling the lot.

### **DEPARTMENT COMMENTS:**

The proposed rezoning tract is located northwest of the intersection of East Braker Lane and Dessau Road. The property is an L-shaped tract that has frontage on Braker, Dessau, and May Drive. It is currently undeveloped and zoned MF-2-CO. Immediately southeast of the rezoning tract, at the northwest corner of Braker and Dessau, is a lot zoned LR-CO that is used for personal improvement services. To the east, across Dessau Road, is property that is included in the Pioneer Crossing PUD. This includes a large undeveloped lot as well as single family homes. Also across Dessau Road, southeast of the rezoning tract, are more single family residential properties zoned SF-1, SF-2, and SF-3. Across Braker Lane, south of the rezoning tract, is property zoned LO-CO-NP that is used for religious assembly. Immediately west of the rezoning tract is property zoned NO that is occupied by

professional offices. Further west, across June Drive, is more professional office and NO zoning, as well as a residential neighborhood comprised primarily of SF-2 zoning. North of the rezoning tract, across May Drive, are single family residences and undeveloped lots zoned SF-2. ***Please see Exhibits A and B--Zoning Map and Aerial Map.***

Transportation Review staff has identified a need for additional right-of-way (ROW) be dedicated along both East Braker Lane and Dessau Road. Staff recommends the ROW dedication be a condition of zoning. Additionally, a Neighborhood Traffic Analysis (NTA) has been prepared to address transportation issues for the proposed rezoning cases. Staff recommends that the site be required to comply with the NTA Memorandum. ***Please see Exhibit C—NTA Memorandum.***

Staff had received Correspondence regarding the proposed rezoning. ***Please see Exhibit D--Correspondence.***

### **SUMMARY STAFF RECOMMENDATION:**

Staff supports the requested GO-MU. Office land use would provide a transition from the commercial land uses at the intersection of Braker Lane and Dessau Road to the residential neighborhood to the north and northwest. Mixed Use adds additional flexibility for redevelopment. This recommendation includes ROW dedication and compliance with the NTA.

### **BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

1. *The proposed zoning should be consistent with the purpose statement of the district sought.* The proposed rezoning would allow office, residential or mixed use. General office (GO) district is the designation for an office or commercial use that serves community and city-wide needs. A building in a GO district may contain one or more different uses.
2. *Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.*

GO-MU would provide a transition from the LR-CO property located at the intersection of Braker and Dessau and the NO and SF-2 zoned properties to the north and northwest.

### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	MF-2-CO	Undeveloped
<i>North</i>	SF-2	Single family residences, Undeveloped
<i>South</i>	LO-CO-NP	Religious assembly
<i>East</i>	PUD, LR-CO, SF-2, SF-3	Personal improvement services, Undeveloped, Single family residences
<i>West</i>	NO, SF-2	Professional offices, Single family residences

### **RELATED CASES:**

<b>CITY FILE # / NAME</b>	<b>ZONING FROM</b>	<b>ZONING TO</b>	<b>STAFF REC.</b>	<b>ZAP COMMISSION</b>	<b>CITY COUNCIL</b>
<b>C14-2016-0068 1308 E. Braker Ln.</b>	<b>SF-2</b>	<b>MF-4</b>	<b>MF-2</b>	<b>MF-2</b>	<b>Approved MF-2-CO; Multifamily use is prohibited. Ord # 20161110-52</b>
C14-2009-0003 Austin Chinese Church	SF-2, PUD, & SF-6	LO	LO-CO: 2,000 vehicle trip limit	To grant LO-CO as rec.	04/30/2009: Approved as rec. Ord. NO. 20090430-047
C14-2016-0038 ATCIC Braker	SF-6	LO-NP	Recommended	WITHDRAWN	

**WATERSHED:** Walnut Creek**NTA:** See attached- Exhibit C**EXISTING STREET CHARACTERISTICS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Dessau Road	124 ft.	91 ft.	Arterial	Yes	Yes, Shared Lane	Yes
Braker Lane	86 ft.	61 ft.	Arterial	Yes	Yes, Shared Lane	Yes
May Road	62 ft.	43 ft.	Local	No	No	Yes

**NEIGHBORHOOD ORGANIZATIONS:**

Bike Austin  
 Harris Branch Master Association, Inc.  
 Heritage Hills/Windsor Hills Combined Neighborhood Contact Team  
 Austin Neighborhoods Council  
 Friends of Austin Neighborhoods  
 Yager Planning Area  
 SEL Texas  
 Sierra Club, Austin Regional Group  
 Austin ISD  
 Pioneer Crossing West Homeowners Association

**CITY COUNCIL DATE:**

April 25, 2019:

January 31, 2019: The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for general office-mixed use-conditional overlay (GO-MUCO) combining district zoning, with conditions was approved as amended below on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.

December 13, 2018: To grant postponement to January 31, 2019, as requested by Staff, on consent.

**ORDINANCE READINGS:** 1<sup>st</sup> 01/31/2019 2<sup>nd</sup> 3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Heather Chaffin  
 e-mail: [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov)

**PHONE:** 512-974-2122

## **ADDITIONAL STAFF COMMENTS**

### **Comprehensive Planning**

Connectivity and Mobility: Public sidewalks and crosswalks are located on both sides of this portion of Braker Lane. A CapMetro transit stop is located within walking distance of the project area on Braker Lane; and the existing public sidewalk is part of an urban trail system. The Walkscore for this site is 32/100, Car Dependent, meaning most errands require a car. The Bikes Score is 33/100, Somewhat Bikable.

Imagine Austin: The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies this project as being located along an Activity Corridor (E. Braker Lane). Activity Corridors are designated for additional people and jobs above what currently exists on the ground. Corridors are intended to allow people to reside, work, shop, access services without traveling far distances. Corridors are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. The following Imagine Austin policies are applicable to this case:

- ☐ LUT P3. Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- ☐ 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.

Based upon this property being situated along an Activity Corridor, which supports mixed use; and the Imagine Austin policies referenced above that supports a variety of land uses along corridors, including mixed use and residential, this project appears to be supported by Imagine Austin.

### **Site Plan**

SP 1. Site plans will be required for any new development other than single-family or duplex residential.

SP 2. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

SP 3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP 4. The site is subject to compatibility standards. Along the north, south, east, and west property lines, the following standards apply:

- ☐ No structure may be built within 25 feet of the property line.
- ☐ No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- ☐ No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- ☐ No parking or driveways are allowed within 25 feet of the property line.
- ☐ A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- ☐ For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
- ☐ An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- ☐ A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

Additional design regulations will be enforced at the time a site plan is submitted.

### **Transportation**

TR1. A Neighborhood Traffic Analysis is required for this project. The NTA requires three (3) consecutive 24 hour tube counts, preferably on Tuesday, Wednesday, and Thursday, during a non-holiday week when school is in session. Please contact Scott James ([Scott.James@austintexas.gov](mailto:Scott.James@austintexas.gov)) or myself to discuss the location of the tube counts. Results will be provided in a separate memo. LDC 25-6-114. Please pay the NTA fees with the Intake staff on the 4th floor. This comment will be cleared once the Memo is approved and the fees are paid.

TR2. Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

TR3. The Austin Metropolitan Area Transportation Plan calls for a total of 140 feet of right-of-way for Dessau Road. If the requested zoning is granted, then 70 feet of right-of-way should be dedicated from the existing centerline of Dessau Road in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

TR4. The Austin Metropolitan Area Transportation Plan calls for a total of 140 feet of right-of-way for Braker Lane. If the requested zoning is granted, then 70 feet of right-of-way should be dedicated from the existing centerline of Braker Lane in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

TR5. Additional right-of-way maybe required at the time of subdivision and/or site plan.

TR6. Janae Spence, Urban Trails, Public Works Department, Mike Schofield, and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

TR7. The Urban Trails Master Plan requires a tier II urban trail along E Braker Lane and Dessau Road. Please review the [Urban Trails Master Plan](#) for more information. Janae Spence, Urban Trails, Public Works Department may provide additional comments and requirements for right-of-way dedication and trail construction in accordance with LDC 25-6-55 and LDC 25-6-101.

TR8. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is required for E Braker Lane and Dessau Road. Mike Schofield, and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and bicycle facility construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the [Bicycle Master Plan](#) for more information.

TR9. FYI – Frontage along Braker Lane and Dessau Road is less than 200 feet, therefore, direct access from Braker Lane and Dessau Road to this property is prohibited per LDC , 25-6-381(A). Direct access shall only be taken to May Drive.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Dessau Road	124 ft.	91 ft.	Arterial	Yes	Yes, Shared Lane	Yes
Braker Lane	86 ft.	61 ft.	Arterial	Yes	Yes, Shared Lane	Yes
May Road	62 ft.	43 ft.	Local	No	No	Yes

### **Environmental**

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

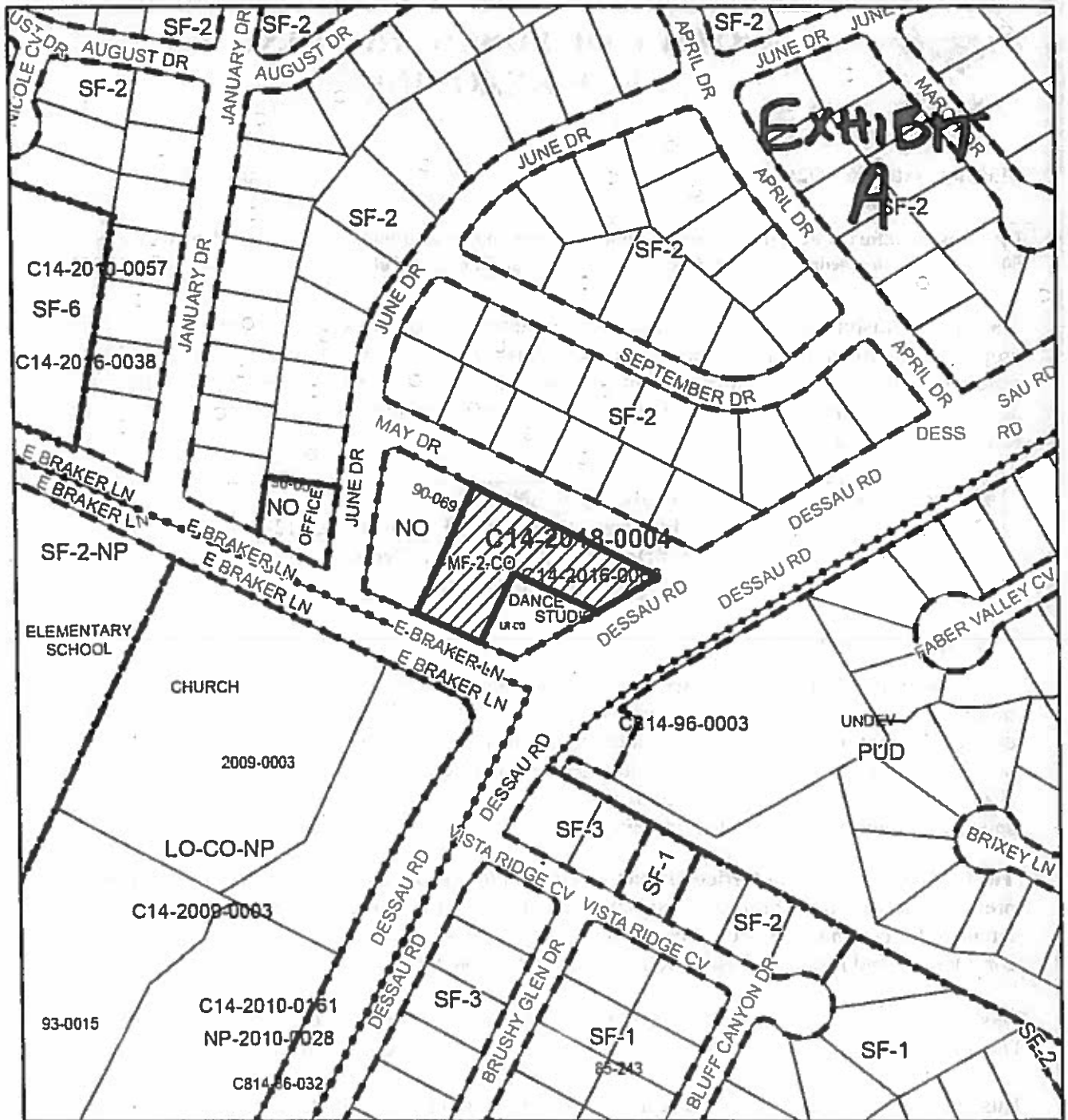
2. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

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. Numerous 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 512-974-1876. 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.
6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

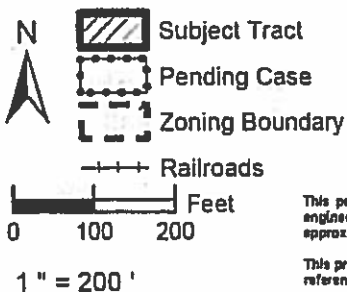
#### **Water and Wastewater**

FYI: The landowner intends to serve the site with City of Austin water utilities and an On-Site Sewage Facility approved by the City of Austin. 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 (if required by future connection requirements) utility tap permit.



## ZONING

Case#: C14-2018-0004



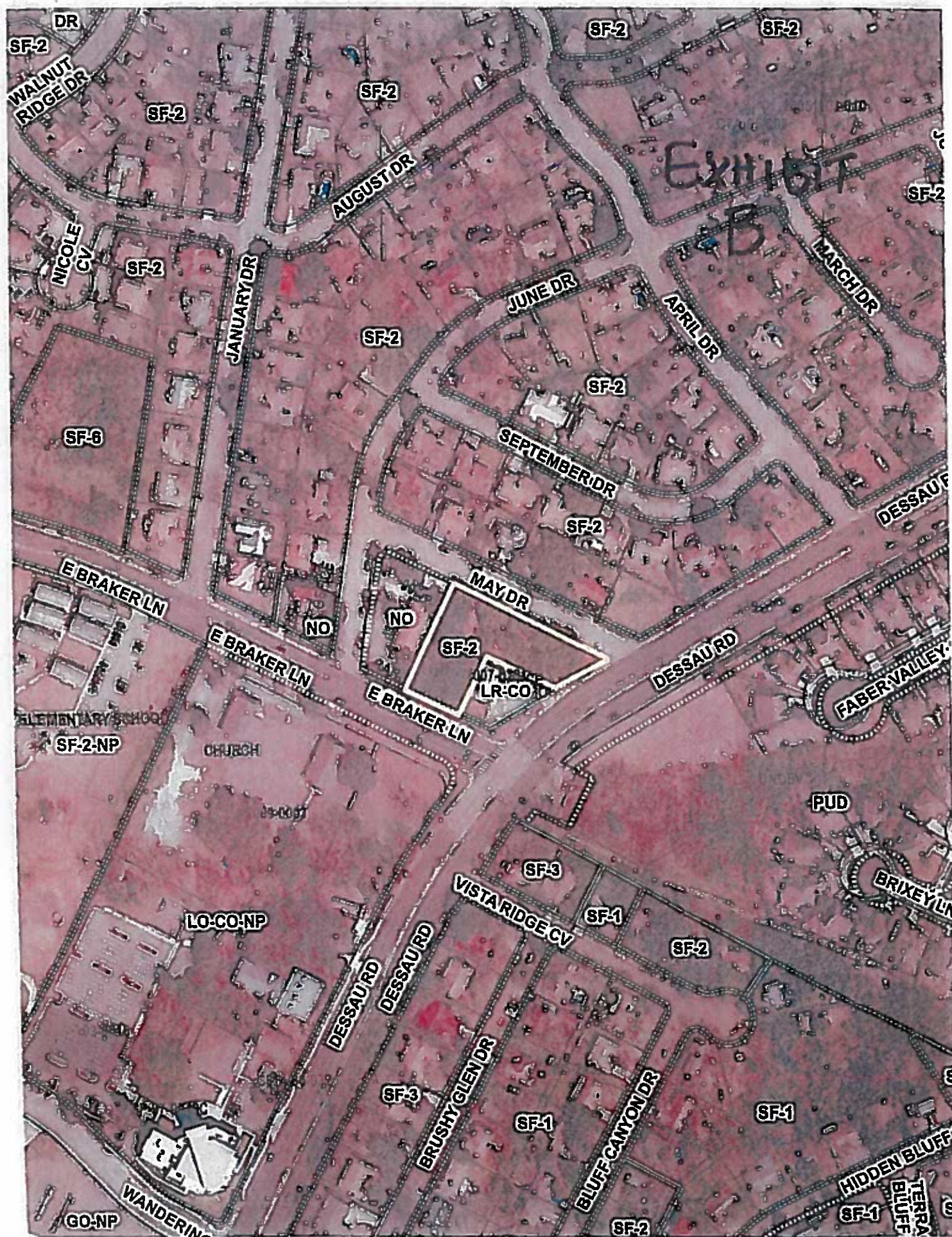
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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



Created: 1/23/2018









**Development**  
SERVICES DEPARTMENT

*Building a Better and Safer Austin Together*

**EXHIBIT**  
**C**

**MEMORANDUM**

**TO:** Heather Chaffin, Case Manager  
Planning and Zoning Department

**CC:** Lee Austin, P.E.  
Austin Transportation Department

**FROM:** Natalia Rodriguez, CNU-A  
Scott A. James, P.E., PTOE  
Development Services Department/Land Use Review - Transportation

**DATE:** November 28, 2018

**SUBJECT:** Neighborhood Traffic Analysis for Braker Office / Condo Park – 1308 E Braker Lane  
C14 – 2018 – 0004

The Land Use Review/Transportation staff has performed a Neighborhood Traffic Analysis (NTA) for the above referenced rezoning application and offers the following comments.

The .919 acre site is located in north Austin at the intersection of East Braker Lane Dessau Road. The site is currently zoned Multi-Family Residence – Low Density (MF-2-CO) and is vacant. The site is surrounded by residential uses to the north (across May Drive) and commercial uses to the east, west, and south (across East Braker Lane). The zoning request is for General Office – Mixed Use (GO-MU).

**Nearby Roadways**

**May Drive** is classified as a residential local street and measures 43 feet in pavement width and 62 feet of right-of-way. The land uses along May Drive are commercial and residential. There are no sidewalks on either side and access is proposed to May Drive. The posted speed limit is 25 miles per hour (MPH).

**East Braker Lane** is classified as a major roadway and measures 61 feet in pavement width and 86 feet of right-of-way. The land uses along East Braker Lane are commercial and residential. There are sidewalks on both sides and the roadway is classified as a "low comfort" bicycle facility. Per LDC 25-6-381, access to East Braker Lane from this tract is not permitted since alternative access is available to May Drive. The posted speed limit is 35 miles per hour (MPH).

Dessau Road is classified as a major roadway and measures 91 feet in pavement width and 124 feet of right-of-way. The land uses along Dessau Road are commercial and residential. There are sidewalks on both sides and the roadway is classified as a "low comfort" bicycle facility. The posted speed limit is 40 MPH. According to Section 25 – 6 – 381 of the City of Austin Land Development Code (LDC), access to Dessau Road from this tract is not permitted since alternative access is available to May Drive.

#### Trip Generation and Traffic Analysis

The City Council may deny an application if the neighborhood traffic analysis demonstrates that the traffic generated by a project combined with existing traffic, exceeds the desirable operating level established on a residential local or collector street in the study area.

Based on the Institute of Transportation Engineer's Trip Generation Manual, 10<sup>th</sup> Edition, the maximum allowable intensity for the site based on the proposed GO-MU zoning would generate approximately 1,450 daily trips (summarized in Table 1).

<b>*Table 1 – Estimated Daily Trip Generation</b>					
<b>TRACT NUMBER</b>	<b>TRACT ACRES</b>	<b>ZONING</b>	<b>INTENSITY</b>	<b>LAND USE (ITE Code)</b>	<b>TRIPS PER DAY</b>
1	.919	GO-MU	40,031 sq.ft.	Medical/Dental Office Building (Code 720)	1,450

\*This trip generation estimate is for the maximum allowable intensities for GO – MU zoning district.

Table 2 presents the expected distribution of the 1,450 daily trips:

<b>Table 2 – Trip Distribution</b>	
<b>Street - Direction</b>	<b>Vehicle Trips</b>
May Drive - westbound	870 (60%)
May Drive - eastbound	580 (40%)

According to the traffic count data collected during the days of September 11-13, 2018, the current average daily volumes on May Drive are 164 vehicle trips per day. As shown in Table 3, the projected daily trips from the site could increase the observed volumes on May Drive by approximately tenfold.

<b>Table 3 – Estimated increase in daily traffic volumes</b>				
<b>Street</b>	<b>Existing Traffic (VPD)</b>	<b>Site Traffic</b>	<b>Total Traffic</b>	<b>Percentage Increase</b>
May Drive	164	1,450	1,614	984%

### Desirable Operating Levels

According to Section 25 – 6 – 116 of the Land Development Code, neighborhood residential streets are operating at a desirable level if the daily volumes do not exceed the following thresholds:

Table 4 – LDC Thresholds	
Pavement Width	Vehicles Per Day
Less than 30'	1,200
30' to less than 40'	1,800
40' or wider	4,000

### Conclusion and Recommendations

This NTA memorandum findings are determined using the the maximum allowable intensities for the requested GO – MU zoning district, which may not reflect the proposed land use mix by the applicant. However, the estimated number of daily trips generated by this site, in combination with the existing traffic on May Drive does not exceed the thresholds set forth in the LDC 25 – 6 – 116.

Therefore, staff recommends approval of this rezoning request subject to the following conditions:

- 1) The Austin Metropolitan Area Transportation Plan calls for 140 feet of right-of-way for Dessau Road and also 140 feet of right-of-way for East Braker Lane. Accordingly, at the time of subdivision and/or site plan, 70 feet of right-of-way, as measured from the existing centerline, shall be dedicated for both Dessau Road and East Braker Lane, to comply with the AMATP. [LDC 25-6-51 and 25-6-55].
- 2) The City of Austin Bicycle Master Plan requires protected bike lanes along Dessau Road and East Braker Lane. The Urban Trails Master Plan requires a tier II trail along Dessau Road and East Braker Lane. The City of Austin requires a 12-foot shared use path along Dessau Road and East Braker Lane frontages to accommodate the protected bike lanes and tier II urban trails. The required 12-foot shared use path shall be designed and constructed at the time of the site plan application.
- 3) Per LDC 25-6-381, access to East Braker Lane and Dessau Road from this tract is not permitted since the frontage widths of the tract are less than 200 feet and alternative access is available to May Drive.
- 4) Development of this property should not vary from the approved uses, nor exceed the approved intensities and estimated traffic generation assumptions within this NTA staff memorandum, including land uses, trip generation, trip distribution, traffic controls and other identified conditions. If the proposed uses, intensities, or traffic operations differ from this neighborhood traffic analysis, a revised Neighborhood Traffic Analysis or Traffic Impact Analysis shall be required at the time of site plan application and mitigation may be required.
- 5) The findings and recommendations of this staff memorandum remain valid until November 28, 2023, after which a revised NTA or staff memorandum may be required

If you have any questions or require additional information, please contact me at (512) 974 – 3099.



Natalia Rodriguez, CNU-A

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: C14-2018-0004  
Contact: Heather Chaffin, 512-974-2122  
Public Hearing: June 19, 2018, Zoning and Platting Commission  
August 09, 2018, City Council

Dorene Smith  
Your Name (please print)

1309 September Drive  
Your address(es) affected by this application

☐ I am in favor  
☒ I object

D. J. Smith  
Signature

6-12-18  
Date

Daytime Telephone: 512-231-7400 / 512-925-2033

Comments: Since it is unknown what type of business will be there I would hate to see another meat market or convenience store. more and more the wants are being cut down. It is sad to see.

**EXHIBIT D**

If you use this form to comment, it may be returned to:  
City of Austin  
Planning & Zoning Department  
Heather Chaffin  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: C14-2018-0004

Contact: Heather Chaffin, 512-974-2122

Public Hearing: June 19, 2018, Zoning and Planning Commission

August 09, 2018, City Council

James C. Boyce  
 Your Name (please print)

☐ I am in favor  
☒ I object

904 Rocky Springs Rd  
 Your address(es) affected by this application

Austin 78753

James C. Boyce  
 Signature

Date

Daytime Telephone: 512 461 8424

Comments:

requesting zoning to be  
NO - MU! to a part of business &  
express in our neighborhood

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

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

