

## ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0224(RCT) – AE Medical & Retail RCT

DISTRICT: 6

ADDRESS: 13642 North US 183 Highway Service Road South Bound

OWNER/APPLICANT: Austintatious Enterprises, LLC

AGENT: Central Texas Permit Partners, LLC (Tisha Ritta)

ZONING: GR-CO, GO-CO

AREA: 4.365 acres

REQUEST:

The applicant is requesting the termination of the public restrictive covenant recorded under Document No. 2010045795 that imposes restrictions on the property that limit the operational hours to between 7:00 a.m. and 10:00 p.m. and requires the installation of landscaped vegetative buffers along interior property lines adjacent to residential development.

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

STAFF RECOMMENDATION:

**Staff recommends the proposed public restrictive covenant termination.**

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

July 15, 2025: Granted neighborhood postponement request to August 19, 2025 by consent (7-0, A. Flores, L. Osta-Lugo)

**August 19, 2025: Approved the public restrictive covenant termination (8-0, R. Puzycki and S. Boone-absent); L. Osto Lugo-1st, C. Tschoepe-2nd.**

CITY COUNCIL ACTION:

**September 25, 2025**

DEPARTMENT COMMENTS:

In this case, the applicant is requesting to terminate a public restrictive covenant that was recorded in 2010 in association with zoning case C14-2008-0224. The applicant is asking to delete this restrictive covenant to remove restrictions on the property that limit the operational hours to between 7:00 a.m. and 10:00 p.m. and require the installation of landscaped vegetative buffers along interior property lines adjacent to residential development (*please see Applicant's Request Letter - Exhibit C and Original Restrictive Covenant – Exhibit D*).

The staff recommends the applicant's request to remove the conditions of this public restrictive covenant because the property in question is currently developed with an office/retail center that fronts onto and takes access to U.S. Highway 183. The Law Department has advised that city no longer recommends limiting the hours of operation of businesses and implementing landscape buffers through public restrictive covenants.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

|              | ZONING            | LAND USES   |
|--------------|-------------------|---|
| <i>Site</i>  | GR-CO, GO-CO      | Retail Center (Spicewood Centre: Spicewood Dermatology, Capital Therapy Group, Edward Jones, STA, Inc., Cure Bakery Coffee, Six Blades, Jiu-Jitsu)      |
| <i>North</i> | I-SF-2, LO        | Personal Services (Artist's Hair Studio), Personal Improvement Services (Iron Ankles Fitness)   |
| <i>South</i> | I-RR, SF-2, GR-CO | Undeveloped, Detention Pond, Medical Office (Firehouse Animal Health Center, Austin Dentistry, Austin Children's Dentistry, Austin Family Orthodontics) |
| <i>East</i>  | ROW               | U. S. Highway 183/Research Boulevard  |
| <i>West</i>  | I-SF-2            | Single-Family Residences  |

AREA STUDY: N/A

WATERSHED: Lake Creek

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Acres West Homeowners Association,  
Friends of Austin Neighborhoods,  
Long Canyon Homeowners Assn.,  
Mountain Neighborhood Association (MNA)

AREA CASE HISTORIES:

| NUMBER  | REQUEST                 | COMMISSION  | CITY COUNCIL  |
|---|-------------------------|---|---|
| C14-2025-0032<br>(Acres West Lot 20 Rezone: 13608 Caldwell Drive)                 | I-RR to SF-6            | 7/01/2025: Postponed to August 19, 2025 at the neighborhood's request by consent (7-0, A. Flores D. Fouts and T. Major-absent); B. Greenberg-1 <sup>st</sup> , C. Tschoepe-2 <sup>nd</sup> .  |   |
| C14-2022-0204<br>(Gemini School of Visual Arts)                                   | I-SF-2 to GO            | 9/06/2022: Approved staff's recommendation of GO zoning, adding a conditional overlay to prohibit Convalescent Services, Hospital Services (General and Limited) and Printing and Publishing uses on the property (8-0, C. Acosta, A. Denkler and R. Woody-absent); H. Smith-1st, B. Greenberg-2nd.   | 9/29/2022: Approved GO-CO zoning by consent on all 3 readings (9-0, N. Harper-Madison and V. Fuentes-off dais); L. Pool-1st, P. Ellis-2nd.  |
| C14-2013-0150<br>(Bethany United Methodist Church: 9908-10010 Anderson Mill Road) | I-RR to LO              | 1/21/14: Approved staff's recommendation of LO-CO zoning by consent (5-0, J. Meeker & P. Seeger-absent); R. McDaniel-1 <sup>st</sup> , S. Compton-2 <sup>nd</sup> .   | 2/13/2014: Approved LO-CO zoning on consent on 1 <sup>st</sup> reading (6-0, S. Cole-off dais); B. Spelman-1 <sup>st</sup> , C. Riley-2 <sup>nd</sup> .<br><br>5/15/2014: Approved LO-CO zoning, with conditions, on consent on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (7-0); B. Spelman-1 <sup>st</sup> , M. Martinez-2 <sup>nd</sup> . |
| C14-2013-0012<br>(Hooper Communities: 9710-9718 Anderson Mill Road)               | CS-CO, I-RR to CS-MU-CO | 6/04/13: Approved staff's recommendation of CS-MU-CO zoning with the following additional conditions agreed to by the applicant and the neighborhood as read into the record: 1) Under the 'MU' Combining District-prohibit civic uses, multi-family residential use and short-term rentals; 2) Limit the maximum height to two stories (30 ft.); 3) Limit the maximum density to 60 dwelling units or 12 per acre and 4) Note that the Buyer has agreed to prohibit 2nd floor open space (balconies) through a private restrictive covenant (6-0, G. Rojas-absent); P. Seeger-1 <sup>st</sup> , S. Compton-2 <sup>nd</sup> . | 6/20/13: Approved CS-MU-CO zoning on consent on all 3 readings (7-0); C. Riley-1 <sup>st</sup> , B. Spelman-2 <sup>nd</sup> .   |

|  |                                      |   |  |
|--|--------------------------------------|---|--|
| C14-2010-0009<br>(13642 Research Boulevard)                            | I-SF-2 and SF-2 to GR and GO         | Case closed.  |  |
| <b>C14-2008-0224<br/>(13642 Research)</b>                              | <b>SF-2, Unzoned to GO-CO, GR-CO</b> | <b>4/20/10: Approved staff's recommendation with additional conditions:</b> <ul style="list-style-type: none"> <li>• removal of Counseling Services as a prohibited use</li> <li>• removal of prohibited access to Caldwell Drive as a condition of zoning</li> <li>• limit access to 183 frontage and to the existing joint use access to the tract to the immediate South of the subject property</li> </ul>  | <b>5/27/10: — The City Council added additional prohibited uses to Tract 1: consumer convenience services, funeral services, hotel, motel, restaurant general and hospital services on Tract 2. Vehicular access to Caldwell was also prohibited.</b><br><br><b>6/24/10: Ordinance No. 20100624-107 for general office-conditional overlay (GO-CO) combining district zoning and community commercial-conditional overlay (GR-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Shade's second on a 7-0 vote.</b> |
| C14-05-0043<br>(Warren Broz: U.S. Highway 183 North at Caldwell Drive) | SF-2 to GR                           | 6/07/05: To approve GR-CO zoning; prohibiting all the uses offered by the applicant as follows: Bail Bond Services, Business or Trade School, Commercial Off-Street Parking, Communications Services, Financial Services, Food Sales, Funeral Services, Hotel – Motel, Indoor entertainment, Indoor Sports & Recreation, Outdoor Sports & Recreation, Pawn Shop Services, Restaurant (General), Service Station, Theater, College & University Facilities, Counseling Services, Guidance Services, Hospital Services Limited, Public & Private, Primary & Secondary Education Services, Residential Treatment and Urban Farm. In addition, prohibit the following additional uses: Drop-Off | 7/28/2005: Granted GR-CO zoning on all 3 readings (7-0)  |

|  |  |  |  |
|--|--|--|--|
|  |  | Recycling Collection Facility, Exterminating Services, Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Daycare Services (Commercial), Daycare Services (General), Daycare Services (Limited), Drive- through Services and include the conditions set out by staff relative to a 2,000 vehicle trip limit and no curb cuts onto Caldwell until the pavement is improved (9-0); K. Jackson-1 <sup>st</sup> , J. Martinez-2 <sup>nd</sup> . |  |
|--|--|--|--|

RELATED CASES:

C14-2008-0224 - Previous Rezoning Case  
C8-2010-0017.0A – Subdivision Case  
SP-2010-0027, SP-2024-0215C – Site Plan Cases

OTHER STAFF COMMENTS:

Comprehensive Planning

The initiation, termination or amending of a Restrictive Covenant is not under the purview of the policies of the Imagine Austin Comprehensive Plan and therefore an Imagine Austin compliance report has not been provided for this case.

Environmental

Please explain the purpose of the landscaping vegetated buffers called for in the restrictive covenant.

Fire

No review required.

Parks and Recreation

Parkland dedication fees may apply to any future site or subdivision applications on this site that are resulting from this removal of restrictive covenant. 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

Approved. No comments.

Transportation

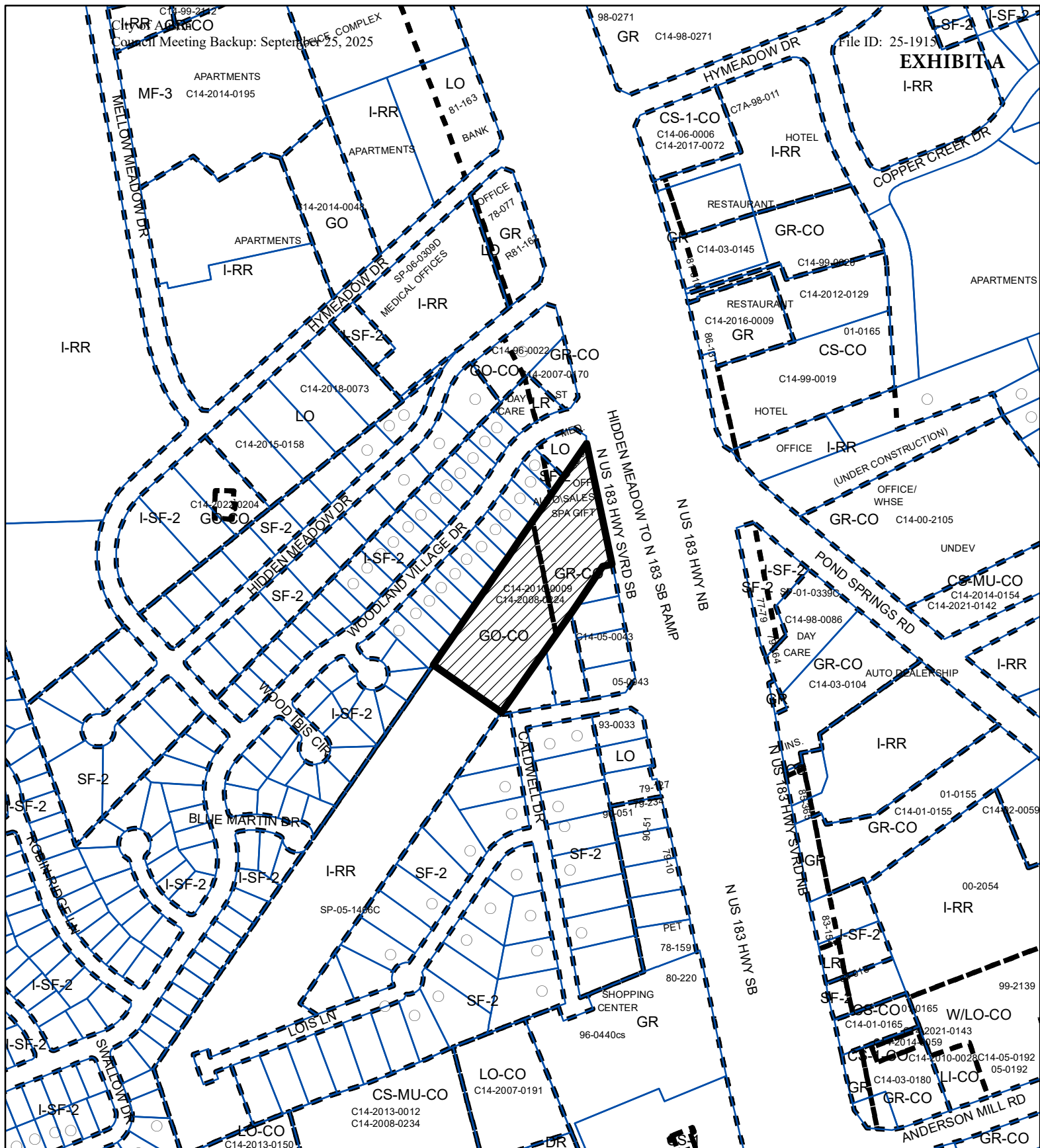
No comments.




Water Utility

No review required.

INDEX OF EXHIBITS TO FOLLOW

- A: Case Map
- B. Aerial Map
- C. Applicant's Request Letter
- D. Restrictive Covenant
- E. Correspondence Received



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

## Restrictive Covenant Termination

ZONING CASE#: C14-2008-0224(RCT)

1" = 400'

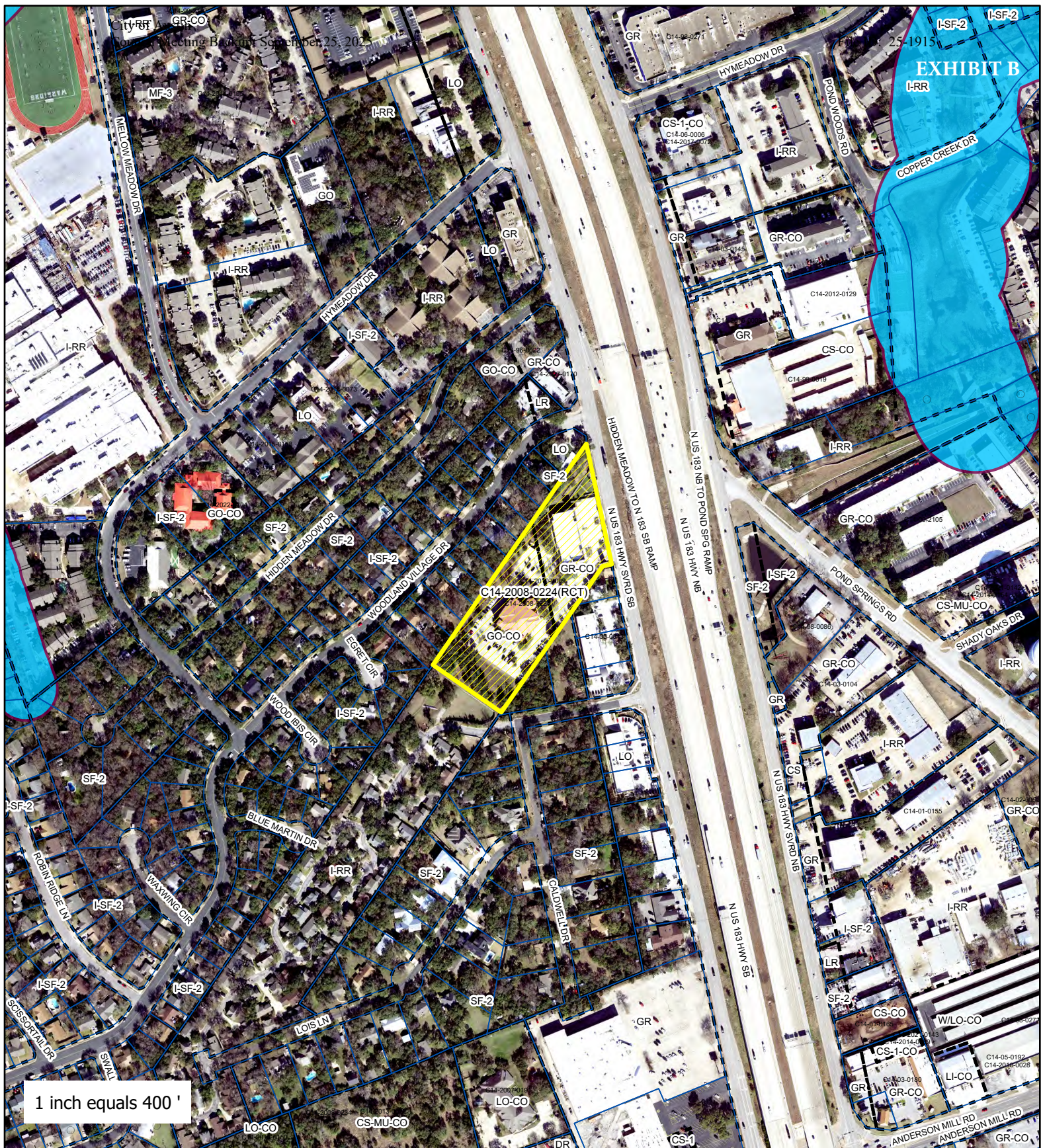
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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



Created: 5/7/2025





## AE MEDICAL & RETAIL ZONING AMENDMENT



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

ZONING CASE#: C14-2008-0224(RCT)  
 LOCATION: 13642 N US 183 Hwy Svrd SB  
 SUBJECT AREA: 4.37 Acres  
 MANAGER: Sherri Sirwaitis



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

Created: 5/14/2025



February 20, 2025

Ms. Lauren Middleton-Pratt, Planning Director  
City of Austin Planning Department  
Permitting and Development Center (PDC)  
6310 Wilhelmina Delco Drive  
Austin, TX 78752

Re: AE Medical & Retail - Zoning Amendment (Request for Restrictive Covenant Termination)

Dear Middleton-Pratt:

As the authorized agent for Austintatious Enterprises, LLC ("Owner"), I am submitting the enclosed Zoning Amendment application and supporting documentation for your review. The subject property, legally described as Lot 1 of the Cathyville Subdivision, consists of approximately 4.365 acres across two tracts, as recorded in the Plat Records of Williamson County. We are formally requesting the termination of the Restrictive Covenant recorded under Document No. 2010045795 in the Official Public Records of Williamson County, Texas. This covenant currently imposes two key restrictions on the property:

**1. Limitation on Business Hours**

The existing Restrictive Covenant limits operational hours to between 7:00 AM and 10:00 PM. We are requesting removal of this restriction to allow for extended business hours, accommodating uses such as private tutoring centers and sleep clinics that may require flexibility beyond the current limitations.

**2. Landscaped Vegetative Buffers**

The covenant also requires the installation of landscaped vegetative buffers along interior property lines adjacent to residential development.

All landscape and mitigation requirements from the previously approved Site Plan Permit (SP-2010-0027) have already been fulfilled during Phase 1 of construction for the 11 residential lots adjacent to the northeastern boundary of the site. Additionally, an updated landscape and mitigation plan has recently been approved under Site Plan Permit SP-2024-0215C to address the southwest abutting residential lots.

If the Land Use Commission prefers to retain this buffer requirement, we respectfully suggest incorporating it into the revised zoning ordinance, rather than maintaining it within a separate Restrictive Covenant. This approach will align the requirement with the current zoning framework and simplify future compliance and enforcement. A rezoning application has been submitted concurrently to modify the list of prohibited uses for this site, and the Owner is fully amenable to including the buffer requirement within the updated ordinance language.

We appreciate your time and consideration of this request. Please feel free to reach out if any questions arise or if additional information is needed. We look forward to working with you throughout this process.

Respectfully, Tisha Ritta



Tisha Ritta  
Central Texas Permit Partners  
[Tisha@permitpartnerstx.com](mailto:Tisha@permitpartnerstx.com)  
512.937.0073



**Zoning Case No. C14-2008-0224**

**RESTRICTIVE COVENANT**

OWNER: Cathyville, Ltd., a Texas limited partnership

ADDRESS: P.O. Box 341329, Lakeway, Texas 78734

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

PROPERTY: A 1.813 acre tract of land, more or less, out of the William Frampton Survey, Abstract No. 230, in Williamson County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this covenant; and

A 2.550 acre tract of land, more or less, out of the William Frampton Survey, Abstract No. 230, in Williamson County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this covenant.

WHEREAS, the Owner (the "Owner", whether one or more), of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions;

NOW, THEREFORE, it is declared that the Owner of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant ("Agreement"). These covenants and restrictions shall run with the land, and shall be binding on the Owner of the Property, its heirs, successors, and assigns.

1. Hours of operation for a commercial or business use are from 7:00 a.m. to 10:00 p.m. daily.
2. Landscaped vegetative buffers along internal property lines abutting residentially developed property, as generally depicted on Exhibit "C" (Landscape Plan) will be provided and maintained on the Property.
3. If any person or entity shall violate or attempt to violate this Agreement, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such Agreement, to prevent the person or entity from such actions, and to collect damages for such actions.
4. If any part of this Agreement is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this Agreement, and such remaining portion of this Agreement shall remain in full effect.

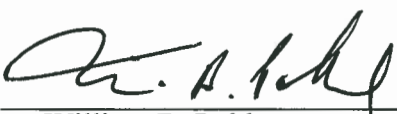
6-24-10 RE 107

5. If at any time the City of Austin fails to enforce this Agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
6. This Agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, and (b) by the owner(s) of the Property, or a portion of the Property, subject to the modification, amendment or termination at the time of such modification, amendment or termination.

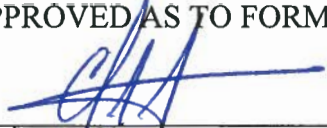
EXECUTED this the 24<sup>th</sup> day of June, 2010.

**OWNER:**

**Cathyville, Ltd.,  
a Texas limited partnership**

By:   
William B. Pohl,  
its General Partner

APPROVED AS TO FORM:

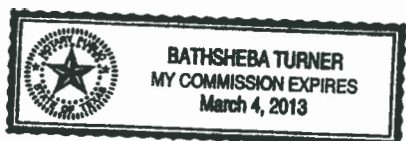
  
Assistant City Attorney  
City of Austin

**THE STATE OF TEXAS**

**COUNTY OF TRAVIS**

§  
§  
§

This instrument was acknowledged before me on this the 24<sup>th</sup> day of June, 2010, by William B. Pohl, General Partner, of Cathyville, Ltd., a Texas limited partnership, on behalf of the limited partnership.



  
Notary Public, State of Texas



**3DS**  
THREE DIMENSIONAL SERVICES  
SHIPPING ADDRESS:  
10703 Sierra Oaks  
Austin, Texas 78759

**3DS, Inc.**  
**Land Surveyors**  
G.P.S. Services  
Subdivisions • Topographic  
Construction • Commercial • Boundaries

**MAILING ADDRESS:**  
P.O. Box 202816  
Austin, Texas 78720  
(512) 919-4140  
Fax (512) 919-4142  
www.3DSinc.com

*EXHIBIT A*  
**METES AND BOUNDS DESCRIPTION**

**1.813 ACRES OF LAND BEING THE RESIDUAL OF 16.053 ACRES AS  
RECORDED IN VOLUME 870 PAGE 1 OFFICIAL PUBLIC RECORDS OF  
WILLIAMSON COUNTY, TEXAS, ALSO DESCRIBED AS WOODLANDS  
AT LAKE CREEK AS RECORDED IN CABINET BB SLIDE 96 IN THE  
PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 1.813  
ACRES BEING MORE PARTICULARLY DESCRIBED AS METES AND  
BOUNDS AS FOLLOWS;**

**BEGINNING** at an iron rod found at the most Northern corner of the said 4.770 acres, point being on the Western right-of-way of Highway 183, point being the most Southeast corner of that certain Lot 1, The Woods of Anderson Mill, a Subdivision in Williamson County, Texas, point being the **POINT-OF-BEGINNING** of the herein described tract of land;


**Thence** S11°46'12"E following the said Western right-of-way of Highway 183 for a distance of 387.94 feet to an iron rod found for the most eastern corner of the said 4.770 acres, point being the Northern corner of Lot 25 of Acres West, a subdivision recorded in cabinet B slide 45 in the official public records of Williamson County, Texas;

**Thence** S78°17'46"W following the common property line of the said Acres West Subdivision for a distance of 29.75 feet to an iron pipe found;

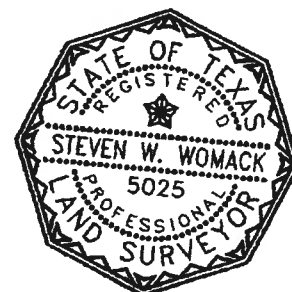
**Thence** S34°53'00"W for a distance of 259.24 feet to a point on the northeast line of Lot 21 of the said Acres West Subdivision;

**Thence** N11°46'12"W traversing across the referenced "residual" tract a distance of 360.03 feet to a point on the southeast line of Lot 4, in the said Woods of Anderson Mill Subdivision, for the northwest corner of the herein described tract;

**Thence** N34°54'44"E for a distance of 300.00 feet to the **POINT OF BEGINNING** containing 1.813 acres of land, more or less.

  
Steven W. Womack  
Registered Professional Surveyor  
No. 5025, State of Texas

01-27-2010  
Date



**SCANNED**

**3DS**  
THREE DIMENSIONAL SERVICES  
SHIPPING ADDRESS:  
10703 Sierra Oaks  
Austin, Texas 78759

**3DS, Inc.**  
**Land Surveyors**  
G.P.S. Services  
Subdivisions • Topographic  
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**MAILING ADDRESS:**  
P.O. Box 202816  
Austin, Texas 78720  
(512) 919-4140  
Fax (512) 919-4142  
www.3DSinc.com

*EXHIBIT B*  
**METES AND BOUNDS DESCRIPTION**

**2.550 ACRES OF LAND BEING THE RESIDUAL OF 16.053 ACRES AS RECORDED IN VOLUME 870 PAGE 1 OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, ALSO DESCRIBED AS WOODLANDS AT LAKE CREEK AS RECORDED IN CABINET BB SLIDE 96 IN THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 2.550 ACRES BEING MORE PARTICULARLY DESCRIBED AS METES AND BOUNDS AS FOLLOWS;**

**BEGINNING** at a calculated point on a rock fence column at the northeast corner of Lot 1, Woodlands at Lakecreek Subdivision, point being also the southwest corner of the above referenced tract and the **POINT-OF-BEGINNING** of the herein described tract of land;

**Thence** N55°07'49"W for a distance of 262.19 feet to an iron rod found on the southeast line of Lot 13, in the Woods of Anderson Mill Subdivision, for the northwest corner of the herein described tract;

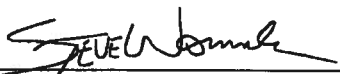
**Thence** N34°51'51"E for a distance of 337.31 feet to an iron pipe found;

**Thence** N34°54'44"E for a distance of 210.26 feet to a calculated point, for the northeast corner of the herein described tract;

**Thence** S11°46'12"E traversing across the referenced "residual" tract a distance of 360.03 feet to a point on the northeast line of Lot 21 of the said Acres West Subdivision;

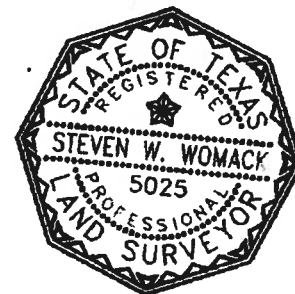
**Thence** S34°53'00"W for a distance of 56.46 feet to an iron rod found at the northeast corner of Lot 20 of the said Acres West Subdivision;

**Thence** S34°47'44"W for a distance of 243.92 feet to the **POINT OF BEGINNING** containing 2.550 acres of land, more or less.

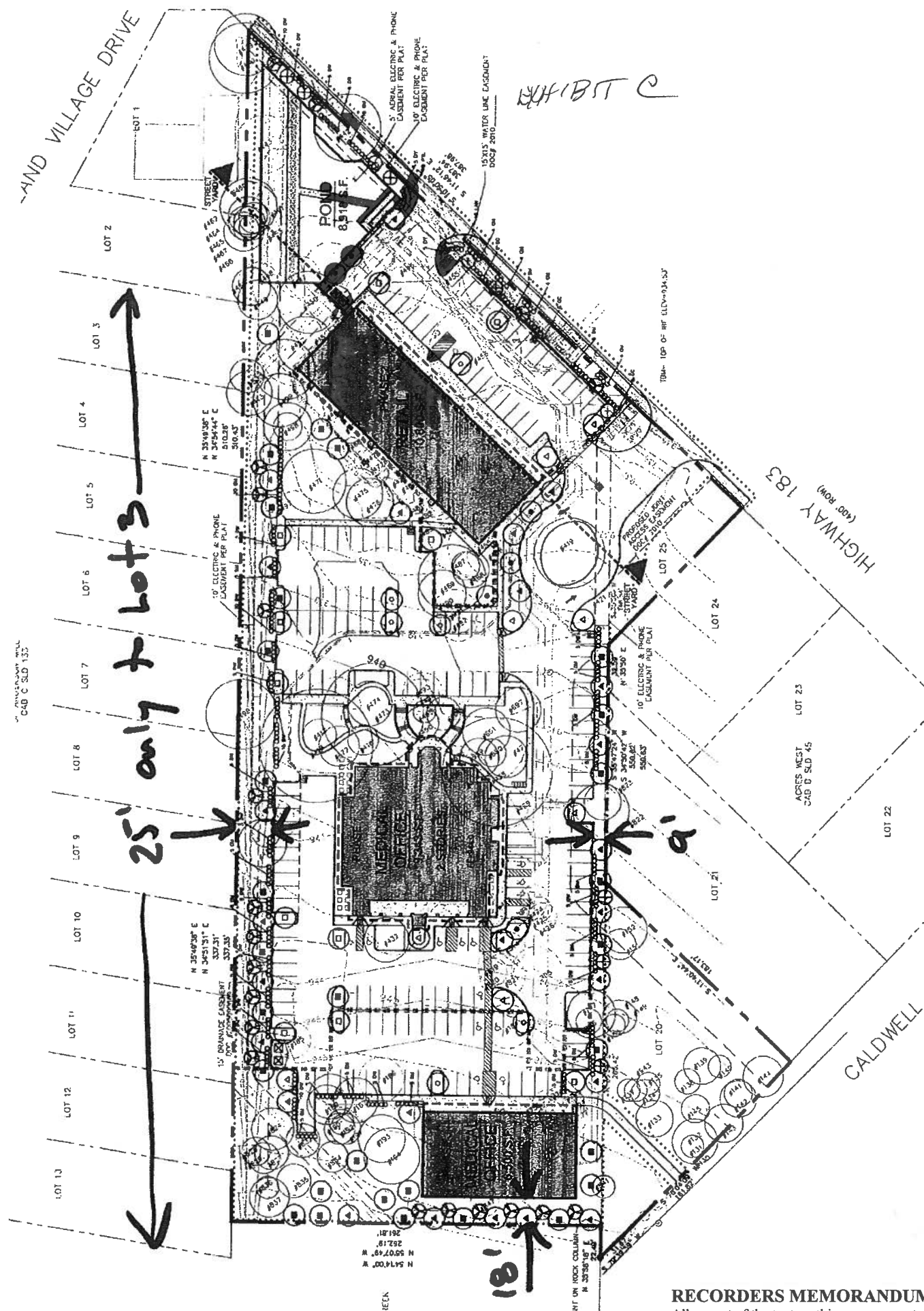
  
Steven W. Womack  
Registered Professional Surveyor  
No. 5025, State of Texas

01-27-2010

Date



**SCANNED**



All or part of the text on this page was not clearly legible for satisfactory recordation.



①  
**After Recording, Please Return to:**  
**City of Austin**  
**Department of Law**  
**P. O. Box 1088**  
**Austin, Texas 78767-1088**  
**Attention: Diana Minter, Paralegal**

**FILED AND RECORDED**  
**OFFICIAL PUBLIC RECORDS 2010045795**

*Nancy E. Rister*

07/12/2010 12:42 PM

MARIA \$36.00

NANCY E. RISTER, COUNTY CLERK  
WILLIAMSON COUNTY, TEXAS

Restrictive Covenant-Cathyville-Research Blvd

**From:** [Michael Stark](#)  
**To:** [Sirwaitis, Sherri](#)  
**Subject:** C14-2008-0224(RCT) Comments  
**Date:** Tuesday, July 8, 2025 12:17:21 PM

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External Email - Exercise Caution

Sherri- Regarding C14-2008-0224(RCT), we are against the termination/amendment of the restrictive covenant regarding Document No. 2010045795.

Our neighborhood does not want a business, medical office, commercial space, etc. operating outside of the 7:00am-10:00pm business hours. We are a residential neighborhood and we do not need additional parking, lighting pollution, noise, etc. affecting our Acres West neighborhood. Also, we do not want an entryway along Caldwell Drive into any new development. Any entry to any business, etc. should be from the US183 Southbound frontage road.

Additionally, we are opposed to removing any vegetation along Caldwell Drive. We want to enforce the current covenant of requiring the installation of landscaped vegetative buffers along interior property lines adjacent to a residential development, i.e. Acres West.

We do not want to turn our quiet residential neighborhood into a business/office area. The current covenant in place is there because of our Acres West neighborhood. The applicant making the change request should know what zoning and covenants were in place when he originally purchased the property. He should not change the rules in the middle of the game so that he can monetize his land to the detriment of others. He knew the risks when he purchased the land. That is the nature of the private sector. The neighborhood concerns regarding the environment of where we live should take precedence. Thank you.

Regards,  
Mike & Cecelia Stark

## 13517 Caldwell Drive

**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  
"cybersecurity@austintexas.gov".



**From:** [Ligia Aragon](#)  
**To:** [Sirwaitis, Sherri](#)  
**Subject:** Case # C14-2008-0224  
**Date:** Saturday, July 12, 2025 11:58:46 AM

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## External Email - Exercise Caution

### Letter of Opposition: C14-2008-0224 (RCT)

July 12, 2025

Dear Sherri,

I am writing to express strong opposition to the applicant's request C14-2008-0224 (RCT) regarding the termination of the public restrictive covenant recorded under Document No. 2010045795. This covenant was established to serve the best interests of the surrounding community, and its provisions are both reasonable and essential for the ongoing protection and quality of life of nearby residents.

#### Preservation of Vegetative Buffers

The requirement for landscaped vegetative buffers along interior property lines adjacent to residential development was not an arbitrary stipulation. These buffers serve a vital function in mitigating the impacts of commercial activity on neighboring homes. The vegetative barriers help to:

- Reduce noise pollution from daily operations, especially during evening and nighttime hours when residents expect tranquility;
- Minimize light trespass from vehicle headlights, exterior lighting, and signage, which can otherwise disrupt the privacy and comfort of residential properties;
- Deter trespassers and promote a safer environment by creating a natural boundary between commercial and residential spaces;
- Enhance the neighborhood's aesthetic value and contribute to overall environmental quality.

Removing the requirement for these vegetative buffers would directly undermine the protections thoughtfully put in place to shield residents from the negative effects of adjacent commercial activities. It is unclear why we would favor the removal of such a crucial safeguard, which was specifically designed to benefit the community.

#### Operational Hour Restrictions

Equally concerning is the applicant's request to terminate the restriction on operational hours, currently limited to 7:00 a.m. to 10:00 p.m. These limitations were adopted as a reasonable compromise between commercial interests and residential well-being. Allowing operations to proceed at all hours would likely result in:

- Increased noise and traffic during late-night and early-morning hours, disrupting the peace and rest of nearby residents;
- Greater risk of nuisance activities and public safety concerns associated with 24-hour operations;

- Degradation of the residential character of the surrounding neighborhood.

It is difficult to identify any compelling public interest in approving unrestricted, around-the-clock activity on this property, especially at the expense of residential quality of life.

## Conclusion

The original restrictions were established through careful community planning and engagement. They remain just as relevant and necessary today as when they were first adopted. Removing these protections would set a troubling precedent and expose residents to avoidable harm.

For these reasons, I urge you to reject the request C14-2008-0224 (RCT) in its entirety, and to uphold the public restrictive covenant in Document No. 2010045795 for the benefit of the community and the integrity of our neighborhood.

Thank you for your attention to this important matter.

Sincerely,

Ligia & Andres Aragon  
13412 Lois Ln  
Austin, Tx 78750  
915-329-9093

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**From:** [Janet Taborn](#)  
**To:** [Sirwaitis, Sherri](#)  
**Subject:** Letter of Opposition: C14-2008-0224 (RCT)  
**Date:** Friday, July 11, 2025 3:18:52 PM

---

External Email - Exercise Caution

July 11, 2025

Dear Sherri,

I am writing to express strong opposition to the applicant's request C14-2008-0224 (RCT) regarding the termination of the public restrictive covenant recorded under Document No. 2010045795. This covenant was established to serve the best interests of the surrounding community, and its provisions are both reasonable and essential for the ongoing protection and quality of life of nearby residents.

#### Preservation of Vegetative Buffers

The requirement for landscaped vegetative buffers along interior property lines adjacent to residential development was not an arbitrary stipulation. These buffers serve a vital function in mitigating the impacts of commercial activity on neighboring homes. The vegetative barriers help to:

- Reduce noise pollution from daily operations, especially during evening and nighttime hours when residents expect tranquility;
- Minimize light trespass from vehicle headlights, exterior lighting, and signage, which can otherwise disrupt the privacy and comfort of residential properties;
- Deter trespassers and promote a safer environment by creating a natural boundary between commercial and residential spaces;
- Enhance the neighborhood's aesthetic value and contribute to overall environmental quality.

Removing the requirement for these vegetative buffers would directly undermine the protections thoughtfully put in place to shield residents from the negative effects of adjacent commercial activities. It is unclear why we would favor the removal of such a crucial safeguard, which was specifically designed to benefit the community.

#### Operational Hour Restrictions

Equally concerning is the applicant's request to terminate the restriction on operational hours, currently limited to 7:00 a.m. to 10:00 p.m. These limitations were adopted as a

reasonable compromise between commercial interests and residential well-being.

Allowing operations to proceed at all hours would likely result in:

- Increased noise and traffic during late-night and early-morning hours, disrupting the peace and rest of nearby residents;
- Greater risk of nuisance activities and public safety concerns associated with 24-hour operations;
- Degradation of the residential character of the surrounding neighborhood.

It is difficult to identify any compelling public interest in approving unrestricted, around-the-clock activity on this property, especially at the expense of residential quality of life.

### Conclusion

The original restrictions were established through careful community planning and engagement. They remain just as relevant and necessary today as when they were first adopted. Removing these protections would set a troubling precedent and expose residents to avoidable harm.

For these reasons, I urge you to reject the request C14-2008-0224 (RCT) in its entirety, and to uphold the public restrictive covenant in Document No. 2010045795 for the benefit of the community and the integrity of our neighborhood.

Thank you for your attention to this important matter.

Sincerely,  
Janet Taborn  
13512 Lois Ln  
Austin, Tx 78750  
512-497-4010

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**From:** [CarlosyNancy](#)  
**To:** [Sirwaitis, Sherri](#)  
**Subject:** C14-2008-0224 (RCT) - Opposition  
**Date:** Friday, July 11, 2025 4:46:19 PM

---

External Email - Exercise Caution

Dear Ms. Sirwaitis,,

I am writing to express strong opposition to the applicant's request C14-2008-0224 (RCT) regarding the termination of the public restrictive covenant recorded under Document No. 2010045795. This covenant was established to serve the best interests of the surrounding community, and its provisions are both reasonable and essential for the ongoing protection and quality of life of nearby residents.

## Preservation of Vegetative Buffers

The requirement for landscaped vegetative buffers along interior property lines adjacent to residential development was not an arbitrary stipulation. These buffers serve a vital function in mitigating the impacts of commercial activity on neighboring homes. The vegetative barriers help to:

- Reduce noise pollution from daily operations, especially during evening and nighttime hours when residents expect tranquility;
- Minimize light trespass from vehicle headlights, exterior lighting, and signage, which can otherwise disrupt the privacy and comfort of residential properties;
- Deter trespassers and promote a safer environment by creating a natural boundary between commercial and residential spaces;
- Enhance the neighborhood's aesthetic value and contribute to overall environmental quality.

Removing the requirement for these vegetative buffers would directly undermine the protections thoughtfully put in place to shield residents from the negative effects of adjacent commercial activities. It is unclear why we would favor the removal of such a crucial safeguard, which was specifically designed to benefit the community.

## Operational Hour Restrictions

Equally concerning is the applicant's request to terminate the restriction on



operational hours, currently limited to 7:00 a.m. to 10:00 p.m. These limitations were adopted as a reasonable compromise between commercial interests and residential well-being. Allowing operations to proceed at all hours would likely result in:

- Increased noise and traffic during late-night and early-morning hours, disrupting the peace and rest of nearby residents;
- Greater risk of nuisance activities and public safety concerns associated with 24-hour operations;
- Degradation of the residential character of the surrounding neighborhood.

It is difficult to identify any compelling public interest in approving unrestricted, around-the-clock activity on this property, especially at the expense of residential quality of life.

## Conclusion

The original restrictions were established through careful community planning and engagement. They remain just as relevant and necessary today as when they were first adopted. Removing these protections would set a troubling precedent and expose residents to avoidable harm.

For these reasons, I urge you to reject the request C14-2008-0224 (RCT) in its entirety, and to uphold the public restrictive covenant in Document No. 2010045795 for the benefit of the community and the integrity of our neighborhood.

Thank you for your attention to this important matter.

Sincerely,

Carlos Canedo  
13513 Caldwell Drive  
Austin, TX 78750  
281-599-3311

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**From:** [Cindy Barron](#)  
**To:** [Sirwaitis, Sherri](#)  
**Subject:** C14-2008-0224(RCT)  
**Date:** Monday, July 14, 2025 2:09:57 PM

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### External Email - Exercise Caution

The neighborhood of Acres West objects to the applicant's request to terminate the Restrictive Covenants associated with the property at 13642 North US 183 Highway Service Road South Bound.

***Request to terminate hours of operation from 7:00 AM to 10:00 PM.***

*Removal of this item will result in increased noise and traffic and will have a negative impact on all three adjacent residential neighborhoods surrounding this site. This Restrictive Covenant was negotiated as mitigation for those very impacts.*

***Request to terminate Landscaping Plan***

*Please note that the Landscaping Plan referenced in the Restrictive Covenant has already been replaced by SP-2014-0215C so the request to terminate this portion of the RCT has already been overlooked by the applicant and City reviewers. The new replacement site plan does not address screening and buffering compatibility for the two residential properties abutting the site to the south.*

Cindy Barron  
Acres West  
13602 Caldwell Drive  
Austin, TX 78750  
(H)512/258-2142 (M)512/567-3928

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**From:** [Lynne Harrison-David](#)  
**To:** [Sirwaitis, Sherri](#)  
**Subject:** Opposition to Zoning Case C14-2025-0060 and Termination Request C14-2008-0224(RCT)  
**Date:** Monday, July 14, 2025 2:14:27 PM

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External Email - Exercise Caution

Thank Sherri for your response to my objection to C14-2025-0032.

Although I know that the above is separate (but related, by being the adjacent property) it appears to be the same owner looking for further concessions. With this in mind, I am submitting my Opposition to Zoning Case C14-2025-0060 and Termination Request C14-2008-0224(RCT)

-----  
Location: 13642 N US 183 Hwy NB, Austin, TX

Dear Zoning and Platting Commission Members,

I am writing to express strong opposition to the requests in zoning case C14-2025-0060 and the related request to terminate restrictive covenants under C14-2008-0224(RCT).

These combined changes would substantially weaken the land-use controls currently in place and open the property to uses that are incompatible with the surrounding area. While the applicant claims that the zoning districts (GR-CO and GO-CO) will remain unchanged, the proposed removal of conditional overlay restrictions and termination of recorded covenants represents a major shift that should not be approved without detailed impact analysis and broader public input.

Objections:

1. Elimination of Key Restrictions without Justification

The applicant seeks to reintroduce uses previously removed through zoning and recorded covenants, including:

- Drive-through restaurants
- Group homes (Class I & II)
- Residential treatment centers
- Indoor entertainment facilities
- Guidance services and private schools

And the removing the ability to restrict business hours from 7am - 10pm.

These uses were restricted in 2009 for valid reasons: to protect the area from over-

intensification, traffic congestion, and incompatible commercial activity. Neither the staff report nor the applicant has provided sufficient public interest rationale for reinstating these uses or terminating covenants designed to run with the land.

## 2. Attempt to Terminate a Binding Legal Agreement (C14-2008-0224(RCT))

The restrictive covenant that the applicant now seeks to void was recorded as part of a negotiated compromise with the city and community stakeholders. Allowing its termination undermines the credibility of these planning tools and signals to future applicants that even formal covenants can be discarded for convenience.

## 3. Community Impact and Precedent

Approving both the CO modifications and covenant termination would set a harmful precedent: that zoning conditions and covenants can be weakened years later to serve future redevelopment interests. This undermines neighborhood stability and the integrity of zoning commitments made to the public and the city.

## 4. Compatibility Concerns Remain

Even with a vehicle trip cap and US 183-only access, the uses proposed—such as treatment facilities or 24-hour restaurants—would significantly alter the traffic, noise, and safety character of the area. These impacts are not mitigated by the access restrictions alone.

Conclusion:

Please deny both the zoning case C14-2025-0060 as submitted and the companion request to terminate the restrictive covenant C14-2008-0224(RCT).

Zoning and covenant protections are in place for a reason: to ensure predictable, compatible, and equitable development. Weakening both at once, without strong justification or meaningful mitigation, is not in the public interest.

Additionally, we are concerned that this application (C14-2025-0060) is part of a broader trend in our subdivision. A nearby case, C14-2025-0032, proposes changing ½ acre from IRR to multifamily—within our residential area. These cases suggest a coordinated effort to upzone and intensify land use in and around our subdivision. We urge the Commission to consider the cumulative impact on neighborhood character, infrastructure, and traffic, and not review these rezonings in isolation.

Thank you for your time and consideration.

Sincerely,  
Lynne Harrison-David  
13412 Lois Ln,  
Austin, 78750

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From: [Paul Casper](#)  
To: [Gerrit Stier](#)  
Subject: Against Reasoning C4-2020-0224 (RCT)  
Date: Monday, July 14, 2025 2:22:00 PM

[You don't often get email from pcooper@owebell.net. Learn why this is important at <https://aka.ms/learnaboutborderidentification>]

Dear Austin Zoning  
I oppose the rezoning request for C14-2008-0224.  
Sincerely,  
Paul Cooper

[illegible]

**From:** [kaysart@sbcglobal.net](mailto:kaysart@sbcglobal.net)  
**To:** [Sirwaitis, Sherri](#)  
**Subject:** C14-2008-0224 Opposition  
**Date:** Tuesday, July 15, 2025 12:18:53 PM

---

External Email - Exercise Caution

July 11, 2025

Dear Sherri,

I am writing to express strong opposition to the applicant's request C14-2008-0224 (RCT) regarding the termination of the public restrictive covenant recorded under Document No. 2010045795. This covenant was established to serve the best interests of the surrounding community, and its provisions are both reasonable and essential for the ongoing protection and quality of life of nearby residents.

#### Preservation of Vegetative Buffers

The requirement for landscaped vegetative buffers along interior property lines adjacent to residential development was not an arbitrary stipulation. These buffers serve a vital function in mitigating the impacts of commercial activity on neighboring homes. The vegetative barriers help to:

- Reduce noise pollution from daily operations, especially during evening and nighttime hours when residents expect tranquility;
- Minimize light trespass from vehicle headlights, exterior lighting, and signage, which can otherwise disrupt the privacy and comfort of residential properties;
- Deter trespassers and promote a safer environment by creating a natural boundary between commercial and residential spaces;
- Enhance the neighborhood's aesthetic value and contribute to overall environmental quality.

Removing the requirement for these vegetative buffers would directly undermine the protections thoughtfully put in place to shield residents from the negative effects of adjacent commercial activities. It is unclear why we would favor the removal of such a crucial safeguard, which was specifically designed to benefit the community.

#### Operational Hour Restrictions

Equally concerning is the applicant's request to terminate the restriction on operational hours, currently limited to 7:00 a.m. to 10:00 p.m. These limitations were adopted as a

reasonable compromise between commercial interests and residential well-being.

Allowing operations to proceed at all hours would likely result in:

- Increased noise and traffic during late-night and early-morning hours, disrupting the peace and rest of nearby residents;
- Greater risk of nuisance activities and public safety concerns associated with 24-hour operations;
- Degradation of the residential character of the surrounding neighborhood.

It is difficult to identify any compelling public interest in approving unrestricted, around-the-clock activity on this property, especially at the expense of residential quality of life.

### Conclusion

The original restrictions were established through careful community planning and engagement. They remain just as relevant and necessary today as when they were first adopted. Removing these protections would set a troubling precedent and expose residents to avoidable harm.

For these reasons, I urge you to reject the request C14-2008-0224 (RCT) in its entirety, and to uphold the public restrictive covenant in Document No. 2010045795 for the benefit of the community and the integrity of our neighborhood.

Thank you for your attention to this important matter.

Sincerely,

Kay Martin

13604 Caldwell Dr #74

Austin, Tx 78750

512-656-4796

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**From:** [Rosie Johnson](#)  
**To:** [Sirwaitis, Sherri](#)  
**Cc:** [Rosie Johnson](#)  
**Subject:** Stepping Stone School's Opposition to Zoning Cases C14-2025-0060 and C14-2008-0224 (RCT)  
**Date:** Tuesday, July 15, 2025 9:43:30 AM

---

External Email - Exercise Caution

7/15/2025

Dear Ms. Sirwaitis,

I am writing to express strong opposition to zoning case **C14-2025-0060** and the proposed termination of the public restrictive covenant under **C14-2008-0224 (RCT)**. On behalf of **Stepping Stone School**, a respected early childcare and education organization that has served families in Austin for 45 years, I urge the City of Austin and the Planning Commission to **deny these requests**.

Stepping Stone School has maintained a presence in this neighborhood for more than 35 years, operating two schools nearby, one on Hymeadow and the other on Woodland Village, that care for and educate young children daily. Our families rely on us to provide a safe, peaceful, and stable environment for their children, and they rely on this neighborhood to support that mission.

The proposed changes raise serious concerns for our schools, the families we serve, and the surrounding residential area:

- The removal of the conditional overlay and restrictive covenant is deeply concerning. It would allow disruptive commercial uses—such as 24-hour operations, group homes, indoor entertainment venues, and general restaurants—to operate directly next to our schools and the homes of the families we serve. These types of businesses are not compatible with the daily needs of young children. At Stepping Stone School, we work to create an environment rooted in consistency, safety, and calm conditions that are essential for healthy child development. Introducing late-night operations or adult-focused businesses near our schools would compromise the peaceful environment our families and children rely on every day.
- The proposed elimination of the vegetative buffer requirement would remove a vital safeguard that currently protects our school environments. These buffers are not just decorative—they serve as a physical and visual shield from the noise, traffic, and disruptions of surrounding commercial activity. Children in our care play outside

daily, walk to and from our buildings with their parents, and thrive best in spaces that feel safe and separated from external chaos. Removing this barrier would expose children to unnecessary distractions and risks, and shows a disregard for the well-being of the youngest and most vulnerable members of the community.

- The inclusion of uses like group homes, residential treatment facilities, and guidance services may increase transient activity and attract individuals experiencing homelessness or instability near our schools. This raises serious safety concerns for the children in our care and the families who trust us to protect them. As a childcare provider who has long served this neighborhood, I can say with certainty that these changes are not in the best interest of children or families. They directly undermine the sense of safety, trust, and routine that is essential to early education and child development.

Furthermore, our neighborhood is already facing challenges—such as increased incidents of people working on vehicles in residential areas—that contribute to noise, traffic, and safety concerns. As a childcare provider, I see firsthand how these disruptions affect children’s ability to feel secure and focused. Approving these zoning changes would only worsen those conditions, further disrupting the calm, family-friendly environment that young children need for healthy development. These disruptions are not just inconvenient—they are harmful to the daily routines, emotional security, and overall well-being of the children and families we serve.

The current zoning and protections were established through meaningful community engagement and were put in place to safeguard the character and safety of this neighborhood. There is no justifiable reason to reverse them now—especially when the proposed changes bring no tangible benefit to the surrounding community, only added risk and disruption.

As an educational provider with deep roots in this community, I respectfully ask that the City uphold the existing restrictions and protect the integrity of the neighborhood we’ve called home for more than three decades.

Thank you for your time and consideration.

Warm regards,

**Rosie Johnson**

Business & Operations Associate



[www.steppingstoneschool.com](http://www.steppingstoneschool.com)

1910 Justin Lane | Austin, TX 78757



O: 512-459-0258 F: 512-467-1824

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**From:** [Starr West](#)  
**To:** [Sirwaitis, Sherri](#)  
**Subject:** Letter of Opposition: C14-2008-0224 (RCT)  
**Date:** Friday, July 18, 2025 3:04:57 PM

---

External Email - Exercise Caution

Dear Sherri,

I am writing to express strong opposition to the applicant's request C14-2008-0224 (RCT) regarding the termination of the public restrictive covenant recorded under Document No. 2010045795. This covenant was established to serve the best interests of the surrounding community, and its provisions are both reasonable and essential for the ongoing protection and quality of life of nearby residents.

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Increased noise and traffic during late-night and early-morning hours, disrupting the peace and rest of nearby residents

- Greater risk of nuisance activities and public safety concerns associated with 24-hour operations
- Degradation of the residential character of the surrounding neighborhood

It is difficult to identify any compelling public interest in approving unrestricted, around-the-clock activity on this property, especially at the expense of residential quality of life.

#### Conclusion

The original restrictions were established through careful community planning and engagement. They remain just as relevant and necessary today as when they were first adopted. Removing these protections would set a troubling precedent and expose residents to avoidable harm.

For these reasons, I urge you to reject the request C14-2008-0224 (RCT) in its entirety, and to uphold the public restrictive covenant in Document No. 2010045795 for the benefit of the community and the integrity of our neighborhood.

Thank you for your attention to this important matter.

Sincerely,  
Starr West  
Cottages at Lake Creek  
13604 Caldwell Dr, #35  
Austin, TX 78750  
512-565-8044

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**From:** Janis Brown  
**To:** [Sirwaitis, Sherri](#)  
**Subject:** C14-2008-0224 (RCT) request  
**Date:** Tuesday, July 15, 2025 2:51:22 PM

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External Email - Exercise Caution

Hi please let it be known that i am not in favor of the upcoming zoning change and expect you and the council will consider the wishes of current residents. I will be watching the results of the vote today! Thank you, Janis Brown

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**From:** [Cindy Barron](#)  
**To:** [Alejandra Flores](#); [Lonny Stern](#); [Hank Smith](#); [Scott Boone](#); [Betsy Greenberg](#); [Ryan Puzycki](#); [David Fouts](#); [Christian Tschoepe](#); [Luis Ostalugo](#); [Taylor Major](#)  
**Cc:** [Sirwaitis, Sherri](#); [Garcia, Ella](#)  
**Subject:** Zoning Cases C14-2025-0032, C14-2008-0224(RCT), C14-2025-0060 all scheduled for public hearing August 19, 2025  
**Date:** Thursday, August 14, 2025 3:18:23 PM

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## External Email - Exercise Caution

**C14-2025-0032** Processes for notification and signage were flawed. Posting of signage was placed on the wrong lot. Notices were not sent to all appropriate property owners. Procedures for identifying zoning designation for this lot were not consistent with how the rest of the legally platted residential lots in Acres West were treated. Designated zoning of I-RR for this lot should have been SF-2. Since I-RR is ‘interim’ zoning, the neighborhood was not afforded the option to submit a valid petition. The applicant/owner/agent are aware of the Acres West Deed Restrictions and should understand SF-6 zoning does not adhere to the deed restrictions for that legally platted residential Acres West lot. The neighborhood requests the Commission to recommend SF-2 for permanent zoning for this Lot 20, Blk A, to be consistent with the rest of the Acres West residential lots. SF-6 zoning could be considered ‘spot zoning’ in this case.

**C14-2008-0224(RCT)** Restrictive Covenant was violated by submission of a new site plan (SP-2024-0215C) that did not comply with the landscaping plan attached to the RC. The agent for the owner originally explained the purchase of the residential lot (Lot 20, Blk A) was to allow them to not impose compatibility on themselves (their commercial development)...hence, the landscaping plan that varied in compromising the rules of compatibility. The landscaping plan and limiting hours of operation (7AM to 10PM) were negotiated with the neighborhood and now the applicant wants to go back on his promise to have those restrictions removed. The neighborhood would prefer those restrictions be considered as additional conditions (CO) to be included under the new zoning case (C14-2025-0060) and request the Commission to recommend that to Council.

**C14-2025-0060** Prohibited uses were approved by Council with zoning case from 2010. At that time, applicant/agent claimed they did not have time to do a TIA because they wanted to move forward with their development. ZAP questioned their promise to limit trips to 2000/day and wondered if additional uses were added back in as permitted, what would trigger a requirement for a TIA to be conducted? Now, with their request to add uses that could put them over that threshold of 2000 trips, they are still not willing to or are required to do a TIA. We are requesting Council to at least recommend a Zoning Transportation Analysis be submitted. The neighborhood objects to any changes to the prohibited use list and would like the Commission to support our objection.



We have initiated and made repeated attempts to meet with the applicant but have had trouble coordinating a time and place. Our last offer last week was ignored.

Respectfully,

Cindy Barron

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**From:** [Tisha Ritta](#)  
**To:** [Janet Taborn](#); [Cindy Barron](#); [CarlosyNancy](#); [Michael Stark](#); [Gema Lane](#); [Lori Humphrey](#); [Marshall Allman](#); [april.dykman](#); [Charlotte Rotthoff](#); [Peggy Shaw](#); [Aragon Andres & Ligia](#); [Austin Mitchell](#); [Bill Allen](#); [Carl Snow](#); [Jim Santora](#); [Joann & Angelo Baylon](#); [Kerri Adams](#); [L. M. "Mac" Holder III](#); [Lynne & Dario David](#); [Carolyn & Joe Pils](#); [benhur](#); [wes](#); [maldonadov](#); [Lan & Steve Nguyen](#); [Joe Joseph](#); [mrj](#); [vicki.mccoy](#); [Mahir Khan](#); [Asher Khan](#)  
**Cc:** [Sirwaitis, Sherri](#)  
**Subject:** Re: C14-2025-0032, C14-2025-0060, C14-2008-0224(RCT)  
**Date:** Friday, August 15, 2025 6:06:47 PM  
**Attachments:** [Outlook-pu52lgjx.png](#)  
[Outlook-pr121zjy.png](#)  
[Outlook-f4fwpzm0.png](#)  
[Outlook-4dy2m3aq.png](#)  
[image.png](#)  
[image.png](#)  
[SPICEWOOD-LOT-SITE PLAN OPTION 1.pdf](#)  
[SPICEWOOD-LOT-SITE PLAN OPTION 2.pdf](#)  
**Importance:** High

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### External Email - Exercise Caution

Hello Residents of Acres West,

Thank you to those who have taken the time to share your thoughts regarding our three pending zoning applications. I have reviewed all letters and statements submitted to the City's public portal and wanted to follow up with you ahead of our hearing next week. My goal is to acknowledge the concerns raised, share additional information that may not have been previously communicated, and invite you to meet with me for an open conversation.

Since late June, I have provided details on each case, requested feedback, and attempted to coordinate a meeting with the neighborhood. Unfortunately, I did not receive any responses until last week. To ensure everyone is included moving forward, I've copied all residents so you may contact me directly if you wish.

Below, I've included some clarification and details for each case for your review. I understand weekday schedules can be challenging, so please let me know if this Sunday or Monday would work better for a meeting. While we don't have a conference room available, I'm happy to coordinate a location that's convenient for everyone. I look forward to hearing your thoughts and receiving any feedback from the neighborhood.

#### **Acres West Lot 20 Rezone (C14-2025-0032) - Rezone from DR to SF6**

Attached are two early layout ideas for the vacant lot at 13608 Caldwell Dr. Since the property doesn't yet have a zoning designation, it wouldn't make sense to invest in detailed plans just yet but zoning will be required before anything can move forward. Due to the lot's unusual shape and its location next to a commercial property, we feel a small townhome or condominium development would be the most compatible and thoughtful use of the space. We understand the concerns raised about traffic, drainage, neighborhood character, and property values.

SF-6 zoning is consistent with other nearby communities and supports much-needed housing in our city. In many cases, well-designed, high-quality infill housing has helped strengthen property values and foster community investment. The owner will need to meet today's stricter City requirements for stormwater, impervious cover, and mitigation measures. We're also open to ideas like wildlife-friendly landscaping and thoughtful driveway placement/design to help address concerns.

At the end of the day, our goal is to work with the neighborhood so this property is developed in a way that's responsible, attractive, and beneficial to the community.

### **AE Medical & Retail Rezone (C14-2025-0060) - Modify Prohibited Uses**

Over the years, the owner has found it challenging to lease this property because of outdated use restrictions set more than 15 years ago. We're asking to update the conditional overlay so it better fits today's market and allows certain uses that are already common under the base zoning. Some uses currently restricted, like *Group Homes*, *Residential Treatment*, and *Guidance Services* are no longer considered appropriate to prohibit under the Fair Housing Act and per the legal department, City staff advised us to include them in the request.

We understand the neighborhood's concerns about adding certain uses and the potential for increased traffic. Please know that the current zoning ordinance for this property (Ordinance No. 20100624-107) already prohibits vehicular access to adjacent residential areas and we are not seeking to change that restriction.

We've also heard concerns about uses such as gaming rooms, 24-hour restaurants, and drive-thru food establishments. The owner would like to reassure you that these are not part of his vision for the property and he has no interest in leasing to those types of businesses. In fact, none of the existing buildings are designed to accommodate drive-thru uses. Any new uses permitted as a result of this request would be located entirely within the existing buildings. No additional exterior lighting is planned and the owner is not seeking tenants whose operations would generate noise that could disturb the neighborhood.

Below is a list of the specific prohibited uses we're requesting to amend in the Conditional Overlay. To help us better address any concerns, could you please share which of these uses are of particular concern to the neighborhood?

#### **Tract One (GR-CO Zoning)**

Indoor Sports & Recreation  
Indoor Entertainment  
Private Secondary Educational Facilities  
Private Primary Educational Facilities  
Restaurant (General)

#### **Tract Two (GO-CO Zoning)**

Private Secondary Educational Facilities  
Private Primary Educational Facilities

### **AE Medical & Retail Zoning Amendment C14-2008-0224(RCT) - Terminate Restrictive Covenant**

The current restrictive covenant places two main limitations on the property:

#### **1. Business Hours**

Currently, operations are limited to 7 a.m. – 10 p.m. We are requesting the removal of this restriction to allow more flexible hours for certain types of businesses, such as private tutoring centers, sleep clinics, and coffee shops that may need to operate outside of that timeframe. These types of tenants can provide valuable services to the community and fit well with the character of the existing commercial center. Unfortunately, the current limitation has led the

owner to turn away many potential tenants over the years who would have otherwise been a good match for the property.

## 2. Landscaped Buffers


The covenant also requires vegetative buffers along interior property lines next to residential areas. These landscape and mitigation measures were addressed during Phase 1 construction for the 11 residential lots along the northeastern boundary. More recently, an updated plan was approved for the southwest side of the site, which includes only one residential property, as you all aware is owned by the same property owner. The owner fully intends to maintain these buffers, as they will protect and add value for the future owners of Lot 20 (13608 Caldwell Dr). It would make little sense to develop the residential lot without providing a buffer from the adjacent commercial property. We've told the City know that, we're happy to have this requirement written into the updated zoning ordinance for case C14-2025-0060. In any case, these landscape requirements will still be enforced during the site plan process.

With that in mind, are the neighborhood's concerns focused only on the request to extend business hours, or are there concerns about both of the restrictions mentioned in the covenant?



### Tisha Ritta

Permit & Land Development Consultant  
2880 Donnell Dr #2802, Round Rock, Tx 78664  
Permitpartnertx.com 512.937.0073

 Central Texas Permit Partners

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**From:** Cindy Barron

**Sent:** Wednesday, August 6, 2025 11:17 AM

**To:** Tisha Ritta <tisha@permitpartnerstx.com>

**Cc:** Sherri Sirwaitis <Sherri.Sirwaitis@austintexas.gov>; Asher Khan

**Subject:** Re: C14-2025-0032, C14-2025-0060, C14-2008-0224(RCT)

Good morning Tisha.

Most of our concerns have already been posted on the portal for all three cases. We are available Friday (8/8) afternoon if you would like to meet with us.

Please let me know if that works for you. cindy

Cindy Barron  
Acres West  
13602 Caldwell Drive

Austin, TX 78750  
(H)512/258-2142 (M)512/567-3928

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**From:** Tisha Ritta  
**Sent:** Tuesday, August 5, 2025 12:28 PM  
**To:** Cindy Barron  
**Cc:** Asher Khan  
**Subject:** Re: C14-2025-0032, C14-2025-0060, C14-2008-0224(RCT)

Hello Cindy & Asher,


We've now approached two weeks until the August 19<sup>th</sup> Zoning and Platting Commission hearing. Can you please contact me to discuss the neighborhoods concerns at your earliest convenience.



**Tisha Ritta**

Permit & Land Development Consultant  
2880 Donnell Dr #2802, Round Rock, Tx 78664  
Permitpartnertx.com 512.937.0073

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 Central Texas Permit Partners

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**From:** Tisha Ritta  
**Sent:** Tuesday, July 29, 2025 7:07 PM  
**To:** Cindy Barron  
**Cc:** Asher Khan  
**Subject:** Re: C14-2025-0032, C14-2025-0060, C14-2008-0224(RCT)

Hello Cindy and Asher,


I wanted to follow up to see if the neighborhood has had an opportunity to provide any input on the zoning cases since the information I shared two weeks ago. As we approach August, we're starting to grow concerned about the lack of progress since agreeing to the postponement request.

We're doing our best to be considerate of the neighborhood's concerns, but we'd really appreciate it if we could keep the process moving to respect everyone's time and effort. We look forward to hearing from you soon.



**Tisha Ritta**

Permit & Land Development Consultant  
2880 Donnell Dr #2802, Round Rock, Tx 78664  
Permitpartnertx.com 512.937.0073

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**From:** Tisha Ritta

**Sent:** Wednesday, July 16, 2025 6:21 PM

**To:** Cindy Barron

**Cc:** Asher Khan

**Subject:** Re: C14-2025-0032, C14-2025-0060, C14-2008-0224(RCT)

Hi Cindy,

I'll reach out to the owner to see if there's a conference room available for a potential meeting. That said, I don't believe we have enough information at this stage to justify a formal presentation. I imagine many of the neighborhood's questions or concerns can likely be addressed via email before moving forward with an in-person discussion. Below, I've included some clarification and details related to each case for your review. I look forward to hearing your thoughts and any feedback from the neighborhood.

**Acres West Lot 20 Rezone (C14-2025-0032) - Rezone from DR to SF6**

The preliminary site layout I shared on July 1st is the only conceptual material we have at this time for the 13608 Caldwell Dr zoning case, I've reattached it here for easy reference. Since the property doesn't yet have an approved zoning designation, it wouldn't be practical for the owner to invest in detailed architectural or engineering plans just yet. The unique shape of the lot does present some design limitations, and because it directly borders a commercially zoned property, we felt a townhome or condominium layout would be the most compatible and thoughtful use of the space.

Nonetheless, we want to be as collaborative and transparent as possible. Can you share more specifics on the neighborhood's concerns with this zoning request?

**AE Medical & Retail Rezone (C14-2025-0060) - Modify Prohibited Uses**

Over the years, the owner has faced challenges securing tenants for the property due to outdated use restrictions that were put in place over 15 years ago. To better align with current market demands and attract a wider range of potential tenants, we're requesting updates to the conditional overlay to allow certain uses that are typically permitted under the base zoning district. During our initial discussions with City planning staff, we were advised that some of the currently restricted uses, such as \*Group Homes, Residential Treatment, and Guidance Services\* are no longer considered appropriate to prohibit, based on legal guidance from the City Law Department. These uses support protected classes and are regulated under the Fair Housing Act. As a result, we've included them in our request.

I understand that the neighborhood has expressed concerns regarding the addition of certain uses and traffic access. I'd like to clarify that the existing zoning ordinance for this property (Ordinance No.



20100624-107) already prohibits vehicular access to adjacent residential areas. This condition is outlined in Part 2.B of the attached ordinance and is not proposed to change as part of the current rezoning request. Below, I've outlined the specific prohibited uses we're requesting to amend in the Conditional Overlay. To help us better address any concerns, could you please share which of these uses are of particular concern to the neighborhood?

**Tract One (GR-CO Zoning)**

Indoor Sports & Recreation  
Indoor Entertainment  
Private Secondary Educational Facilities  
Private Primary Educational Facilities  
Restaurant (General)  
Group Home\*

**Tract Two (GO-CO Zoning)**

Private Secondary Educational Facilities  
Private Primary Educational Facilities  
Group Home\*  
Guidance Services\*  
Residential Treatment\*  
Guidance Services\*

**AE Medical & Retail Zoning Amendment C14-2008-0224(RCT) - Terminate Restrictive Covenant**

The current restrictive covenant places two main limitations on the property:

**1. Business Hours**

Operations are currently limited to 7am–10pm. We're requesting the removal of this restriction to allow for more flexible hours, especially for uses like private tutoring centers or sleep clinics that may need to operate outside of that window.

**2. Landscaped Buffers**

The covenant also requires vegetative buffers along interior property lines next to residential areas. These landscape and mitigation requirements were already addressed in Phase 1 construction for the 11 residential lots along the northeastern boundary. More recently, an updated landscape and mitigation plan was approved under Site Plan Permit SP-2024-0215C to cover the southwest side of the site. We've also let the city know that if they'd prefer this buffer requirement be incorporated into the updated zoning ordinance for case C14-2025-0060, the owner is happy to agree.

With that in mind, are the neighborhood's concerns focused only on the request to extend business hours, or are there concerns about both of the restrictions mentioned in the covenant?



**Tisha Ritta**

Permit & Land Development Consultant  
2880 Donnell Dr #2802, Round Rock, Tx 78664  
Permitpartnertx.com 512.937.0073

 Central Texas Permit Partners

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**From:** Cindy Barron  
**Sent:** Wednesday, July 16, 2025 11:02 AM  
**To:** Tisha Ritta  
**Subject:** Re: C14-2025-0032, C14-2025-0060, C14-2008-0224(RCT)

Good morning, Tisha,

Sorry about the delay in getting back to you, but we wanted to get all three cases on the same public hearing schedule (August 19th) since they're all related to your client's site and plans. It would be most welcome if you could be prepared to present to us your client's plans, then we can follow-up with a Q & A session for all three cases.

If you could come up with some options for dates and times that would be convenient to meet, I can let folks know and we can get back to you with our best choice. Also, does Spicewood Dermatology have a conference room in their building where we could meet? That would be so convenient. If not, we'll figure out something else close to or in our neighborhood.

Thanks,

Cindy Barron  
Acres West  
13602 Caldwell Drive  
Austin, TX 78750  
(H)512/258-2142 (M)512/567-3928

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**From:** Tisha Ritta  
**Sent:** Monday, July 14, 2025 2:02 PM  
**To:** Cindy Barron  
**Cc:** Sherri Sirwaitis <sherri.sirwaitis@austintexas.gov>  
**Subject:** Re: C14-2025-0032

Hi Cindy,

I hope you had a nice weekend. I'm following up on my email from two weeks ago regarding the proposed zoning for 13608 Caldwell Dr. I wanted to check in to see if the neighborhood has any questions or concerns that we can begin to address.

I was also recently informed that you submitted a request to postpone both zoning cases C14-2025-0060 and C14-2008-0224(RCT), which were originally scheduled for the July 15th Zoning and Platting Commission hearing. I've agreed to the neighborhood's request to postpone to August 19th, but I would appreciate the opportunity to actively collaborate on the concerns that led to this request.

We've been working diligently to meet the City's requirements and move these cases forward. I'm available and more than willing to open a dialogue so we can begin addressing any outstanding issues. Please feel free to reach out at your earliest convenience so we can keep the process moving and be respectful of everyone's time and effort.



**Tisha Ritta**  
Permit & Land Development Consultant

📞 512-937-0073  
✉ Tisha@permitpartnerstx.com  
📍 2880 Donnell Dr, Ste 2802  
Round Rock, Tx 78664  
🌐 PermitPartnersTx.com

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**From:** Tisha Ritta  
**Sent:** Tuesday, July 1, 2025 10:49 AM  
**To:** Cindy Barron  
**Cc:** Sherri Sirwaitis <sherri.sirwaitis@austintexas.gov>  
**Subject:** Re: C14-2025-0032

Good morning Cindy,

Thank you for your message and for sharing your concerns.

I completely understand your need for additional time to coordinate with the Acres West members, and I support your request for a postponement. I agree that ensuring adequate time for meaningful discussion is important, and I appreciate your efforts to facilitate community engagement. I also recognize the frustration caused by the issues with the notification list, signage placement, and delays in communication from the City. These complications certainly created confusion, and I agree that they impacted the community's ability to fully participate in the process.

To help ensure communication remains clear and efficient moving forward, I kindly request that we work through a single point of contact who can serve as a liaison for the neighborhood. Based on past experience, having one representative helps streamline communication and avoid misunderstandings in what can often be a complex process.

With that in mind, I'd like to schedule a meeting at your earliest availability. It would be very helpful if you could compile a list of the neighborhood's concerns and any specific questions you or the community have for the property owner or myself, so we can come prepared and make the best use of everyone's time.

For context, this property has remained vacant for some time, and the goal of the current zoning request is to assign a zoning designation that would allow for development to occur. We're still in the very early stages of design, and the owner was hesitant to invest further until there was more clarity on the zoning outcome. The unique shape of the lot presents certain design challenges and

given that it directly borders a commercially zoned property, we felt that a townhome/condominium layout is a more appropriate fit. The proposed SF-6 zoning designation is intended to support that concept in a way that aligns with the lot's constraints and surrounding context. For visual reference, I've attached a very preliminary site plan layout reflecting the current concept.

Please let me know your availability, and I'll be happy to coordinate the meeting.



**Tisha Ritta**  
Permit & Land Development Consultant

📞 512-937-0073  
✉ Tisha@permitpartnerstx.com  
📍 2880 Donnell Dr, Ste 2802  
Round Rock, Tx 78664  
🌐 PermitPartnersTx.com

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**From:** Cindy Barron  
**Sent:** Monday, June 30, 2025 5:49 PM  
**To:** Tisha Ritta  
**Cc:** Sherri Sirwaitis <sherri.sirwaitis@austintexas.gov>  
**Subject:** C14-2025-0032

Hi Tisha,

Thank you for your response.

Unfortunately, the timeframe you've proposed to meet and discuss your plans for the property is too short for us to coordinate a meaningful meeting with the Acres West members prior to the ZAP Public Hearing. As a result, we will proceed with our request for a postponement to allow more time to schedule a suitable date, time, and location.

Additionally, the notification of the address verification was dated April 14, 2025—over two months ago. We also encountered issues with the notification list you provided, which excluded numerous properties within the 500-foot radius that should have been included. We had to request a correction ourselves and did not receive the updated list until June 11, 2025.

Furthermore, the original public hearing signage was not placed on the correct lot by the City, which created considerable confusion among property owners in Acres West. The public hearing notice for the ZAP meeting **dated** June 20, 2025, was not received by most recipients until Tuesday, June 24, or Wednesday, June 25, due to standard mailing delays. Compounding the confusion, there was no date or time for the ZAP Public Hearing posted on the AB+C Portal.

These oversights and delays significantly hindered the community's ability to respond appropriately and could have been avoided.

Red font = correction. Should've proofed better.

Cindy Barron  
Acres West  
13602 Caldwell Drive  
Austin, TX 78750  
(H)512/258-2142 (M)512/567-3928

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For any additional questions or concerns, contact CSIRT at  
"cybersecurity@austintexas.gov".



THE PLAN LAYOUTS, BUILDING FEATURES,  
DEMISING WALLS AND AREA TOTALS HEREIN  
SHOULD BE CONSIDERED APPROXIMATE.  
SPECIFIC ITEM LOCATIONS AND CRITICAL  
DIMENSIONS SHOULD BE FIELD VERIFIED.

SUMMARY: SF-6 ZONING 7,828.4713 SF

MIN. LOT: 5,750 SF

MIN. WIDTH: 50'

MAX. UNITS: 5 ?

MAX. HT.: 35'

FRONT SETBACK: 15'

SIDE SETBACK: 5'

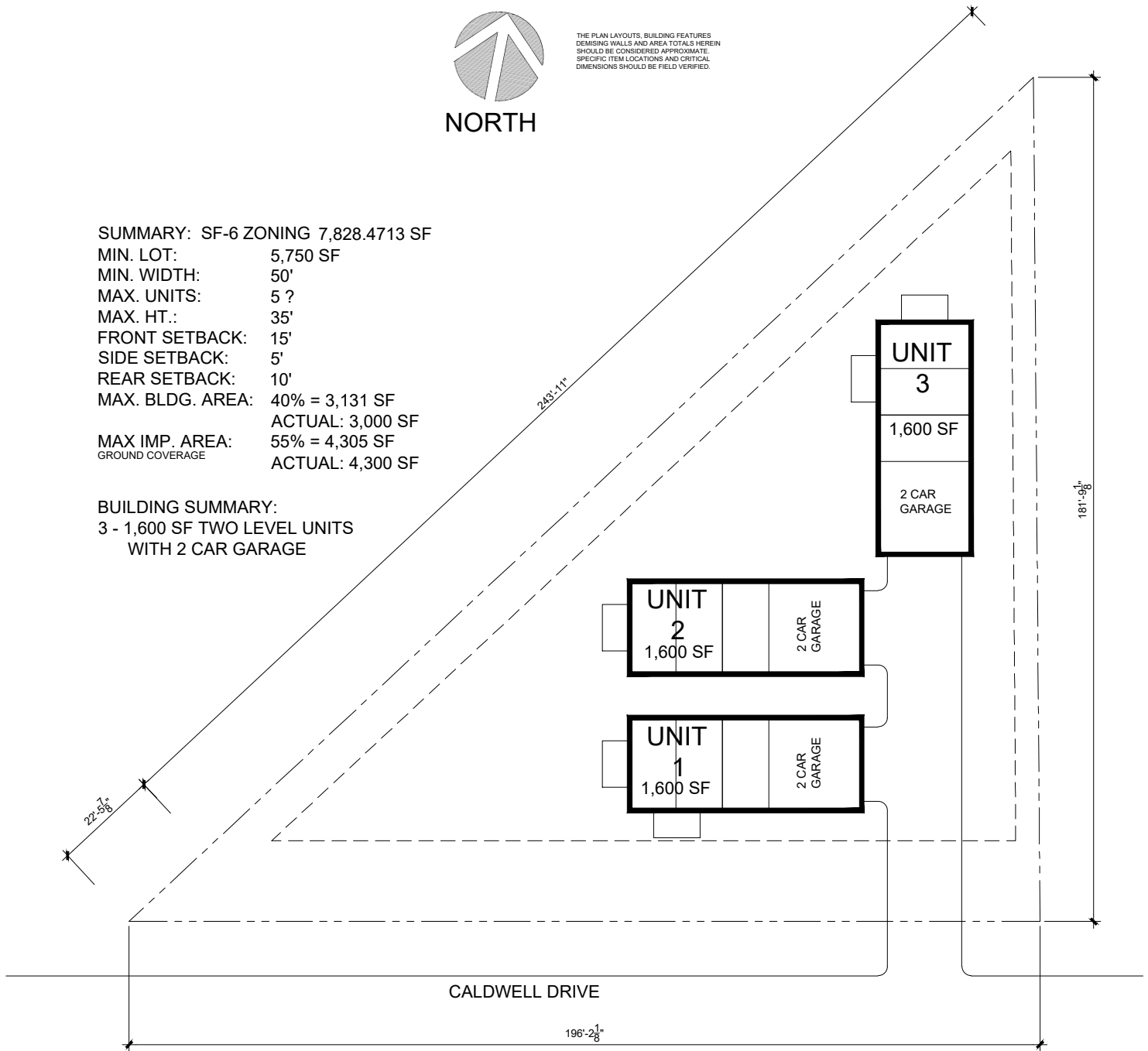
REAR SETBACK: 10'

MAX. BLDG. AREA: 40% = 3,131 SF  
ACTUAL: 3,000 SF

MAX IMP. AREA: 55% = 4,305 SF  
GROUND COVERAGE ACTUAL: 4,300 SF

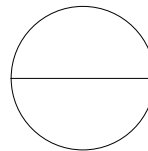
BUILDING SUMMARY:

3 - 1,600 SF TWO LEVEL UNITS  
WITH 2 CAR GARAGE

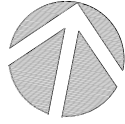


SPICEWOOD ADJACENT LOT  
TEST STUDY  
9-27-23

7,828.4713 SF  
.4092853 ACRE



PLAN OPTION C  
SITE PLAN  
SCALE: NONE



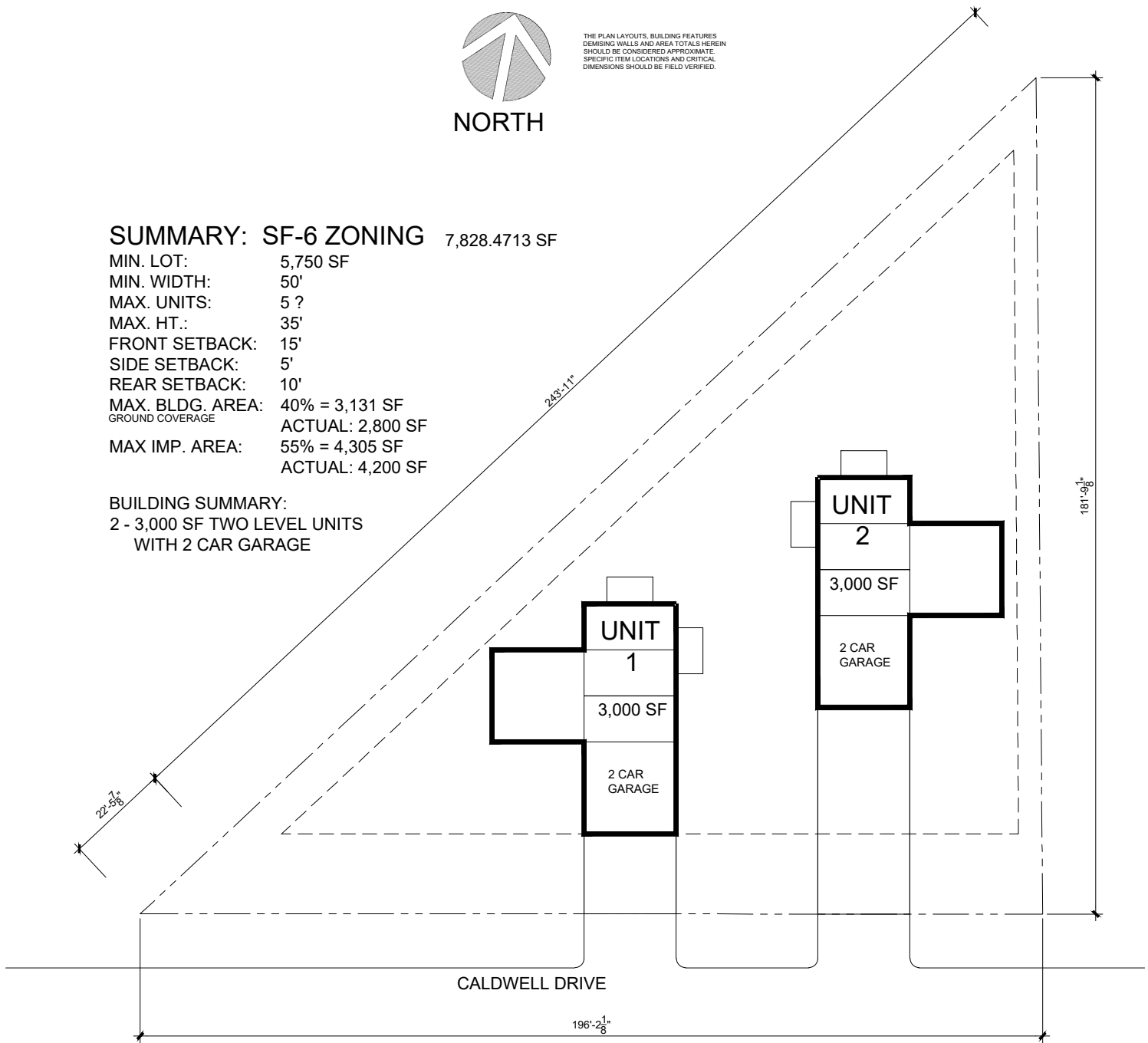
NORTH

THE PLAN LAYOUTS, BUILDING FEATURES  
DEMISING WALLS AND AREA TOTALS HEREIN  
SHOULD BE CONSIDERED APPROXIMATE.  
SPECIFIC ITEM LOCATIONS AND CRITICAL  
DIMENSIONS SHOULD BE FIELD VERIFIED.

**SUMMARY: SF-6 ZONING** 7,828.4713 SF

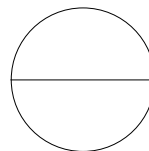
MIN. LOT: 5,750 SF  
MIN. WIDTH: 50'  
MAX. UNITS: 5 ?  
MAX. HT.: 35'  
FRONT SETBACK: 15'  
SIDE SETBACK: 5'  
REAR SETBACK: 10'  
MAX. BLDG. AREA: 40% = 3,131 SF  
GROUND COVERAGE: ACTUAL: 2,800 SF  
MAX IMP. AREA: 55% = 4,305 SF  
ACTUAL: 4,200 SF

**BUILDING SUMMARY:**  
2 - 3,000 SF TWO LEVEL UNITS  
WITH 2 CAR GARAGE



**SPICEWOOD ADJACENT LOT  
TEST STUDY  
9-27-23**

7,828.4713 SF  
.4092853 ACRE



**PLAN OPTION A  
SITE PLAN  
SCALE: NONE**



August 18, 2025

Dear Members of the Planning Commission,

I am writing **as Principal of Stepping Stone School Lakeline to express strong opposition to zoning case C14-2025-0060 and the proposed termination of the public restrictive covenant under C14-2008-0224 (RCT)**. Stepping Stone School has proudly served families in Austin for 45 years, and our presence in this neighborhood for more than 35 years has been central to our mission of providing a safe, stable, and nurturing environment for young children. **I urge the City of Austin and the Planning Commission to deny these requests.**

Our school located on Hymeadow educates and cares for children daily, and our families depend on the surrounding neighborhood to support that mission. The proposed changes raise serious concerns:

- **Effort to void a legally binding agreement:** The restrictive covenant in question was created through a negotiated agreement with the city and community stakeholders. Allowing it to be voided would weaken the reliability of such legal protections and suggest that even formally established covenants can be disregarded for convenience, setting a concerning precedent for future developments.
- **Removal of existing zoning safeguards:** This would allow disruptive commercial uses, such as 24-hour operations, group homes, indoor entertainment venues, and general restaurants, next to our schools and homes of families we serve. These businesses are incompatible with the environment necessary for young children to thrive.
- **Elimination of the protective green buffer:** The buffer is a vital safeguard, providing a physical and visual shield from noise, traffic, and other disruptions. Children play outside daily and walk to and from school with their families, and removing this protection would expose them to unnecessary risks and distractions.
- **Introduction of uses like group homes and residential treatment facilities:** These could increase transient activity near our schools, raising serious safety concerns for children and families who trust us to provide a secure environment.

The neighborhood already faces challenges—including increased incidents of people working on vehicles in residential areas—that impact safety, noise, and traffic. Approving these zoning changes would only exacerbate these issues, disrupting the calm, family-friendly environment essential for early childhood development.

These zoning protections were established through meaningful community engagement to safeguard the neighborhood's character and safety. **There is no compelling reason to reverse them now. As a principal who cares deeply for the children, families, and staff of Stepping Stone School, I respectfully ask that the City uphold the existing restrictions and protect the integrity of our neighborhood.**

Thank you for your attention to this important matter.

Sincerely,

Brandi Graham

Principal, Stepping Stone School Lakeline

August 18, 2025

Dear Members of the Planning Commission,

I am writing in my capacity as **Principal of Stepping Stone School to formally oppose zoning case C14-2025-0060 and the proposed termination of the public restrictive covenant under C14-2008-0224 (RCT)**. Our school has proudly served Austin families for 45 years, and the two campuses in this neighborhood have been providing a stable, safe, and nurturing environment for children for more than three decades.

**I am deeply concerned about the proposed changes, which I cannot support due to their direct impact on our children, families, and the surrounding community.** My primary concerns include:

1. **Incompatible commercial activity nearby:** Allowing 24-hour businesses, group homes, indoor entertainment, and restaurants adjacent to our schools would disrupt the quiet, secure environment essential to early childhood education.
2. **Removal of protective vegetation buffers:** These buffers currently shield our students from traffic, noise, and other distractions. Children play outdoors, walk with parents to and from school, and rely on these buffers for a sense of safety. Eliminating them would increase risk and disrupt daily routines.
3. **Potential increase in transient activity:** Uses like group homes and residential treatment facilities near our schools could lead to unpredictable activity, creating safety concerns for children and families.
4. **Attempt to terminate a binding legal agreement:** The restrictive covenant that the applicant seeks to void was established as part of a negotiated compromise with the city and community stakeholders. **Allowing its termination undermines the credibility of these planning tools and signals that even formal covenants can be discarded for convenience, setting a concerning precedent for the future.**

Our neighborhood already faces challenges, such as noise, traffic, and occasional unsafe activities in residential areas. These proposed changes would exacerbate these issues and compromise the peaceful, family-friendly environment that supports our children's learning and well-being.

As Principal, I respectfully urge the Commission to carefully consider the impact on children and families and to preserve the protections that help keep our schools and community safe. Thank you for your consideration.

Sincerely,

Stephanie Rosas

Stepping Stone School Northwest Austin

**From:** [Joe Joseph](#)  
**To:** [Sirwaitis, Sherri](#)  
**Subject:** Zoning Case Number: C14-2008-0224(RCT)  
**Date:** Thursday, August 28, 2025 9:00:08 AM

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### External Email - Exercise Caution

Dear Sherri,

I just received in Monday's mail, July 7, 2025, a Notice of Public Hearing, dated July 3, 2025, C14-2008-0224, with a request to terminate the public restrictive covenant recorded under Document No. 2010045795 that imposes restrictions on the property that limit the operational hours to between 7:00 a.m. and 10:00 p.m, and requires the installation of landscaped vegetative buffers along interior property lines adjacent to residential development. The tract in question has residential development on both sides: Caldwell Dr. and Woodland Village Dr. and the removal of the restriction would affect both neighborhoods, and should not be allowed. Our neighborhoods receive enough noise from Hwy 183, and do not want to have another source to disturb us, especially after 10:00 p.m.

Joe L Joseph  
13600 Caldwell Dr.  
Austin, Texas 78750  
Phone: 512-442-8467

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