

C12  
1**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2013-0107 / 600 Kemp Street **P.C. DATE:** January 28, 2014  
January 14, 2014

**ADDRESS:** 600 Kemp Street **AREA:** 5.383 acres

**OWNER:** Kemp Street Properties, LLC

**APPLICANT:** Thrower Design (Ron Thrower)

**ZONING FROM:** SF-3-NP; Family Residential – Neighborhood Plan

**ZONING TO:** SF-6-NP; Townhouse and Condominium Residential – Neighborhood Plan

**NEIGHBORHOOD PLAN AREA:** Montopolis Neighborhood (Montopolis Neighborhood Plan)

**SUMMARY STAFF RECOMMENDATION**

To grant SF-6-CO-NP; Townhouse and Condominium Residence – Conditional Overlay – Neighborhood Plan, subject to the following conditions:

- 1) Development of the site shall be limited to 45 residential units (at 45 residential units, this is the mathematical equivalent of about 8.36 units per acre);
- 2) Development of the site shall not generate more than 321 vehicle trips per day; and
- 3) Right-of-way dedication along Kemp Street shall be required at the site planning stage.

These conditions stem from approval of the associated Neighborhood Traffic Analysis. Staff recommends a Restrictive Covenant to include all recommendations listed in the Neighborhood Traffic Analysis memorandum, dated November 20, 2013 (see Exhibit T).

**PLANNING COMMISSION RECOMMENDATION:**

January 14, 2014 Postponed to January 28, 2014 at the request of the Montopolis-Ponca Neighborhood Association, with the Applicant Concurring (Consent Motion: J. Stevens; Seconded: A. Hernandez; 8-0; Absent: R. Hatfield).

**PETITION:**

On January 21, 2014, petition forms were submitted to staff (see Exhibit P). These forms have been forwarded to appropriate GIS staff for mapping and analysis. At this time, the validity of the petition is unknown. If the status of the petition is known prior to the Commission meeting, staff will advise Commissioners of such.

**DEPARTMENT COMMENTS:**

The subject tract, at just under 5.5 acres, sits between Grove Boulevard to the west and Montopolis Drive to east; it is approximately 1,500 feet south of the banks of the Colorado River (see Exhibits A). A single-family home was housed on the southeast corner of the tract from the early 1950's through the early to mid-2000s, before it was vacated and removed. A site plan for removing underbrush and dumped materials, grading, and smoothing with fill was approved in 2008, but the tract remains undeveloped.

A mix of single-family, duplex-residential, community and religious assembly uses abut the property to the south and north, and across Kemp Street to the east. The property to the west is currently undeveloped, but is planned to become an environmental educational center under the ownership of a local non-profit organization. For decades that site has been used for illegal dumping, after formerly, and formally, serving as a municipal landfill in the late 1960s. The non-profit intends to develop the site as a model of how to remediate a Brownfield as well as recycle contaminated and wasted land into an ecological safe haven and a community resource.

The rezoning request for the subject tract is currently driven by the stated desire to develop the property as a residential infill project, with several dozen, detached residences that would further homeownership in the area. The tract is outside the Montopolis River Terrace subdistrict of the Waterfront Conditional Overlay, but within the Airport Overlay Zone. However, given the site's distance from the airport, redevelopment of the property should easily be in compliance with any of the Overlay's conditions.

Correspondence from stakeholders has been attached (see Exhibit C).

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

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3-NP	Undeveloped (previous single-family residence)
<b>West</b>	GR-CO-NP	Undeveloped (planned remediation and educational site)
<b>East</b>	SF-3-NP	Religious Assembly; Single-family and Duplex Residential; Florence's Comfort House
<b>North</b>	SF-3-NP; P-NP	Single-family Residential; Parkland
<b>South</b>	SF-3-NP	Single-family and Duplex Residential;

**AREA STUDY:** Montopolis Neighborhood Plan

**DESIRED DEVELOPMENT ZONE:** Yes

**WATERSHED:** Country Club West

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**TIA:** Not required; an NTA was required, and a staff Memo regarding this has been attached (see Exhibit T)

#### **NEIGHBORHOOD ORGANIZATIONS:**

<b>COMMUNITY REGISTRY NAME</b>	<b>REGISTRY ID</b>
Southeast Austin Neighborhood Alliance	189
Crossing Gardenhome Owners Assn. (The)	299
El Concilio, Coalition of Mexican American Neigh. Assn.	477
Austin Neighborhoods Council	511
River Bluff Neighborhood Association	626
Montopolis Area Neighborhood Alliance	634
Austin Independent School District	742
East Riverside/Oltorf Neighborhood Plan Contact Team	763
Del Valle Independent School District	774
PODER People Organized in Defense of Earth & Her R	972
Save Town Lake.org	1004
Homeless Neighborhood Assn.	1037
Bike Austin	1075
Carson Ridge Neighborhood Association	1145

Vargas Neighborhood Association	1179
Austin Monorail Project	1224
Sierra Club, Austin Regional Group	1228
The Real Estate Council of Austin, Inc.	1236
Pleasant Valley	1255
Del Valle Community Coalition	1258
Bonnett Neighborhood Association	1314
Montopolis Neighborhood Association 2008	1339
Austin Heritage Tree Foundation	1340
Montopolis Community Alliance	1357
SEL Texas	1363
Montopolis-Ponca Neighborhood Association	1365
Montopolis Neighborhood Association El Concilio	1394
Preservation Austin	1424

**SCHOOLS:**

Austin Independent School District

Allison Elementary School

Martin Middle School

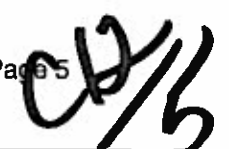
Eastside Memorial High  
School at Johnston**ABUTTING STREETS & TRANSIT:**

Name	ROW	Pavement	Class	Average Daily Trips	Side- walks	Bike Route/Plan	Bus Service
Kemp Street	42 feet	25 feet	Local	N/A	No	No	On Montopolis (No. 350)

**AREA CASE HISTORIES:**

NUMBER	REQUEST	LAND USE COMMISSION	CITY COUNCIL
<b>North of site, from East to West</b>			
202-204 Block of Montopolis C14-85-161	SF-3 to CS (commercial services)	Recommended 07/02/1985	Approved 11/17/1985;
208-214 Montopolis; 211-215 Kemp; 6201- 6215 Clovis C14-69-156	"A" Residence 1 <sup>st</sup> H&A to "C" Commercial 1 <sup>st</sup> H&A	Recommended	Approved 04/30/1970
321 Montopolis C14-82-086	"LR" on west 100'	Recommended	Approved "LR" 1 <sup>st</sup> H&A on First Reading 08/05/1982; Extended 11/03/1983; Expired
415 Montopolis C14-85-286	SF-3 to LO	Recommended LO w/conditions 01/14/1986	Approved LO w/conditions 09/04/1986 (Public RC limits height; Street

			Deed conveyed ROW) Approved 01/07/1987
COA Parks at Montopolis Bridge (North & South of the Lake, 92 acres) C14- 86-290	LI to P		
400-404 Block Kemp C14-72-094	"A" Residence, 1 <sup>st</sup> H&A to "MH" Mobil Home, 1 <sup>st</sup> H&A	Not Recommended	Denied 06/01/1972
6100 Grove Blvd (Montopolis Lift Station) C14-88-0087	SF-3 to P		Approved 09/29/1988
Pleasant Valley at Grove (212 acres) C14-97-0063	RR, SF-3, MF- 2, MF-3, MF-5, GO-MU, and LR to P	Recommended 07/22/1997	Approved 09/04/1997
900 Grove (Roy G. Guerrero Colorado River Park) C14-2010- 0131	RR-CO-NP & GO-MU-CO- NP to P-NP	Recommended 01/11/2011	Approved 01/27/2011
0 Grove Boulevard C14-05-0113.05	GO-CO to GO- MU-CO	Recommended 10/25/2005	Approved 03/02/2006 (CO limits sq feet of admin offices)
Riverside at Pleasant Valley (Pleasant Valley Student Housing; approx. 497 acres) C14-72-204	Interim "A" 1 <sup>st</sup> H&A to "B" Residence, 3 <sup>rd</sup> H&A, "BB" Residence, 1 <sup>st</sup> H&A, 2 <sup>nd</sup> H&A, "LR" 1 <sup>st</sup> H&A and "GR" 1 <sup>st</sup> H&A		Approved SF-3, MF-2, MF-3, MF-5, and LR for approximately 260 acres) 03/14/1985
<b>South of site, from East to West</b>			
C14-77-184	"A" Residence to "MH"		Approved 02/09/1978
C14-95-0055 609 Thrasher Lane			
716 Montopolis C14-97-0068	SF-3 to GO- CO	Recommended GO- CO w/conditions 07/22/1997	Approved 06/11/1998 (CO limits uses)
745 Montopolis C14-71-241	"C" Commercial 6 <sup>th</sup> H&A to "C-2" Commercial 6 <sup>th</sup> H&A		Approved 11/11/1971
801 Montopolis C14-72-028	"A" 1 <sup>st</sup> H&A to "GR" 1 <sup>st</sup> H&A		Approved 06/08/1972
803 Montopolis	Interim "A" 1 <sup>st</sup>		Approved 07/06/1972



C14-72-033	H&A to "GR" 1 <sup>st</sup> H&A		
805 Montopolis C14-03-0117	SF-3-NP to GR-MU-NP	Approved 12/09/2003	Approved 01/15/2004
903 Montopolis C14-71-253	"A" 1 <sup>st</sup> H&A to "B" 1 <sup>st</sup> H&A		Approved 01/20/1972
907 Montopolis C14-84-173	"A," "B" and "GR" 1 <sup>st</sup> H&A to "O" & "O-2" 1 <sup>st</sup> H&A	Recommended, as amended, O-1 & C-2 1 <sup>st</sup> H&A w/conditions 07/10/1984	Denied 08/02/1984
1007-1011 Montopolis C14-87-144	SF-3 to GR & LI	Recommended 09/29/1987	Approved on First Reading 10/29/1987; Denied 05/29/1989
1007 Montopolis C14-05-0095	SF-3-NP to LO-CO-NP	Recommended 09/13/2005	Approved 10/17/2005 (CO limits uses and to 2000 vtd)
Felix at Grove C14-97-0062	MF-2 & SF-6 to P	Recommended 07/22/1997	Approved 9/4/1997
900 Grove C14-00-2047	SF-3 to GO & RR	Recommended MF-1- CO and RR 7/11/2000	Approved GO-CO & RR-CO 10/12/2000 (CO limits imp. cover, office sq. feet, and to 2000 vtd)

As might be discerned from the above, there has been relatively little recent zoning activity in this part of the neighborhood, and not one along Kemp or other close-in streets such as Atwood, Walker, Vera or Ponca, since the early-1970s.

There has been some consolidation of Public district zoning around Grove Boulevard and the Roy G. Guerrero Colorado River Park (some dating from the 1980s; one case as recently as 2011). There have also been some commercial rezoning applications along Montopolis, but these are not recent cases. Of the two cases in the Vargas/Felix area, one (C14-01-0126, from SF-3-NP to LR-MU-NP) was approved in 2001, whereas a second (C14-2012-0069, from SF-3-NP LR-MU-NP) was denied in 2012.

In addition to any base district rezonings noted above, this area is covered by the Montopolis Neighborhood Plan. Properties within the area were appended with the NP (Neighborhood Plan) designation in 2001 (C14-01-0060).

**PREVIOUS CASE HISTORIES (THIS TRACT):**

None of note, with the exception of the Neighborhood Plan (C14-01-0060) in 2001.

**CITY COUNCIL DATE:** Scheduled for consideration February 13, 2014.

**CITY COUNCIL ACTION:**

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

**ORDINANCE NUMBER:**

**CASE MANAGER:** Lee Heckman  
e-mail address: lee.heckman@austintexas.gov

**PHONE:** 974-7604

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**STAFF RECOMMENDATION**

C14-2013-0107

**BACKGROUND**

The current base zoning is family residence (SF-3), which is the designation for a moderate density single-family residential use and a duplex use on a lot that is a minimum of 5,750 square feet. An SF-3 district designation may be applied to a use in an existing single-family neighborhood with moderate sized lots or to new development of family housing on lots that are 5,750 square feet or more. A duplex use that is designated as an SF-3 district is subject to development standards that maintain single-family neighborhood characteristics.

The proposed base zoning of townhouse and condominium residence (SF-6) district is the designation for a moderate density single family, duplex, two-family, townhouse, and condominium use that is not subject to the spacing and location requirements for townhouse and condominium use in an SF-5 district. An SF-6 district designation may be applied to a use in an area with large lots that have access to streets other than minor residential streets. An SF-6 district may be used as a transition between a single family and multifamily residential use.

**SUMMARY STAFF RECOMMENDATION**

To grant SF-6-CO-NP; Townhouse and Condominium Residence – Conditional Overlay – Neighborhood Plan, subject to the following conditions:

- 1) Development of the site shall be limited to 45 residential units;
- 2) Development of the site shall not generate more than 321 vehicle trips per day; and
- 3) Right-of-way dedication along Kemp Street shall be required at the site planning stage.

These conditions stem from approval of the associated Neighborhood Traffic Analysis (see Exhibit T for staff memo), and will be incorporated into the zoning ordinance or public restrictive covenant. At 45 residential units, this is the equivalent of about 8.36 units per acre.

**BASIS FOR RECOMMENDATION**

***Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character; and***

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

This is a classic case of residential infill in a predominantly residential neighborhood; the recommended zoning will allow more residential development in an existing residential neighborhood. The surrounding residential is predominately single-family detached and duplex residential. The proposed SF-6 is compatible with adjacent and nearby uses, can serve as a transition between the single-family/duplex residential to the east and south and the proposed environmental educational and remediation site and public park to the west and north, while still promoting single-family character of the surrounding neighborhood.

In addition, if the limitations of the Neighborhood Traffic Analysis (NTA) are adopted, staff thinks this furthers compatibility for abutting neighbors and promotes the single-family character of the neighborhood. The new condominium project, if limited to 45 units, has a mathematical density of approximately 8.35 units per acre; the actual number would be less, as compatibility requirements triggered by existing surrounding residential zoning would limit development with

setback and height constraints. Even so, such a level of development also nearly approximates standard SF-3 density of up to 7.5 units/acre (not accounting for infrastructure, topographic, or environmental constraints). Under a duplex scenario, which requires lots of 7,000 square feet, the hypothetical density would be approximately 33 units, again, without accounting for utilities and other infrastructure to serve the lots.

Obviously there will be an impact on transportation. However, given that the number of residential units and vehicle trips per day, if capped as proposed, is comparable to what could be developed under the existing zoning with duplex development, the difference in impact is likely marginal, any differences in vehicle ownership rates between renters and owners notwithstanding. Furthermore, as indicated in the NTA, even if traffic on Kemp more than doubles because of this project, the roadway is still well under its capacity limits.

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

***Granting a request for zoning should result in an equal treatment of similarly situated properties; and***

***Granting of the zoning should not in any way set an undesirable precedent for other properties in the neighborhood or within other areas of the city.***

These principles are related, if one considers the site in the context of the neighborhood, and the site in the context of a growing and redeveloping Austin. If Austin is to grow and evolve as a compact and connected city, as envisioned in the recently adopted Imagine Austin Comprehensive Plan (IACP), then residential infill that provides additional housing units is necessary. Indeed, one of the primary mechanisms for achieving compact growth will be development, or redevelopment, of larger tracts such as this into higher density residential. That this tract is located near a roadway that may, in the future, have dedicated bike lanes furthers the connectivity goals of this recently adopted IACP. Bike lanes along Montopolis (Route 65) would parallel those anticipated on Grove (Route 63), and connect with several neighborhood east-west routes. Likewise, bus service along Montopolis and Riverside is a relatively short distance away.

If Austin is to develop a diversity of housing types and choices under the policy of creating complete communities that recognize diverse financial and lifestyle needs, then this type of residential construction is an appropriate addition in this and nearly every other neighborhood. At the same time, the single-family style development allowed in SF-6 may further the IACP's goal of family-friendly communities in which existing neighborhood character is protected.

In the broader city-wide context, SF-6 is a reasonable option for multiple-acre parcels developed or redeveloped as residential infill. As indicated in the purpose statement of the district, SF-6 can be a transition to single-family residential – reflecting it is an appropriate and compatible use. Given a large lot surrounded by existing SF-3, and nearby transportation options, SF-6 zoning is considered appropriate and therefore would be supported by staff for similarly situated properties elsewhere in the city, or even elsewhere in this neighborhood, all other things being equal. Site-specific contextual variables will, of course, factor in to any staff recommendation.

In the local context, the subject tract abuts already zoned and developed SF-3 properties that also were once larger parcels. They just happened to have been subdivided into individual lots

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over the past 50 to 60 years. Properties to the north, on larger tracts west of Kemp or between Kemp and Montopolis, may be subdivided for duplex development, or may be rezoned to a higher level of single-family zoning in the future. The undeveloped properties along Kemp will have additional environmental constraints, however, as they are close to Country Club East Creek and will likely have setback, water quality, or flood plain challenges. Similarly, properties between Kemp and Montopolis have been split and reconfigured because of right-of-way previously acquired and set aside for the extension of Grove Boulevard (which is not identified for funding). So, while SF-6 might be appropriate as a land use for these areas, others in the neighborhood, or similar tracts elsewhere in the Austin community, each tract must be considered on the basis of its own merits. Granting SF-6 zoning to this subject tract hardly sets a undesirable precedent or inevitable pattern for other properties in this neighborhood.

Consequently, the request for rezoning to SF-6, if granted, would result in treating this property the same as similarly-situated, larger lots, have been treated elsewhere in the City, does not set an undesirable precedent, and in fact, serves the public need for additional housing and housing options.

***Zoning should be consistent with an adopted study, the Future Land Use Map (FLUM) or an adopted neighborhood plan; and***

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

This property is covered by the adopted Montopolis Neighborhood Plan. That document's Future Land Use Map (FLUM) designates this property "single-family" residential. Unlike subsequent neighborhood plans, this 2001 neighborhood plan did not differentiate between density levels on single-family land use (e.g., higher-density single-family). As such, the proposed rezoning to SF-6 is consistent with the FLUM and a neighborhood plan amendment is not required.

It is further thought that the IACP, generally, and specifically as regards housing policies, would support this residential development. One of the overall goals of the Plan is to achieve complete communities across Austin, where housing, services, retail, jobs, entertainment, health care, schools, parks, and other daily needs are within a convenient walk or bicycle ride of one another. The IACP notes that development will happen not just along corridors and centers, but in other areas within the city limits to serve neighborhood needs and create complete communities. Infill development can occur as redevelopment of obsolete office, retail, or residential sites or as new development on vacant land within largely developed areas.

This is such a site. Moreover, the Plan's policies regarding a promotion of different housing types throughout Austin are relevant to this SF-6 proposal. Specifically, the Plan calls for:

- Creating healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children; and
- Creating complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

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Given the site's location in close proximity to a signature park, institutions of higher education, and transportation options along Montopolis or the nearby US Hwy 183 and Riverside Drive, this site seems ideally situated to help further such goals. At the same time, the IACP calls for protection of neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites. Staff is of the opinion that townhouse and condominium residential, while denser, perhaps, then redevelopment of the site as duplexes (which is allowed under current zoning), affords more protection of the neighborhood character than multifamily or even mixed-use zoning with an office base.

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## EXISTING CONDITIONS & REVIEW COMMENTS

### Current Conditions

The site is currently undeveloped. The property is relatively flat, although there is general sloping to the east and north (see Exhibit A-3), and a relatively sharp drop along the western property line. Because of the Roy G. Guerrero Colorado River Park to the west, there is an unobstructed view over the river and towards the downtown area. There are trees on site, some of which are thought to be protected, and possibly one heritage tree on the property line to the west. The tract is located outside the Montopolis River Terrace subdistrict of the Waterfront Conditional Overlay, but within the Airport Overlay Zone. However, given the site's distance from the airport, redevelopment of the property should not be impacted.

### NPZ Comprehensive Planning Review

September 10, 2013 (KF)  
SF-3-NP to SF-6-NP

This zoning case is located on the west side of Kemp Street, 200 ft. north of Atwood Drive, and is situated on vacant parcel that is approximately 5.3 acres in size. This project is located within the boundaries of the Montopolis Neighborhood Planning Area. Surrounding land uses includes a single family house and vacant land to the north, single family houses to the south and east, and vacant land to the west. The proposed use is a townhouse/condo project.

#### Montopolis Neighborhood Plan

The Montopolis Future Land Use Map classifies this portion of Kemp Road as single family. For all plans adopted prior to January 2002, zones SF-5 and SF-6 are permitted in the "Single Family" land use designation. The Montopolis Plan was approved in 2001. The following objectives and actions are taken from the Montopolis Plan.

#### **Objective 4:** Enhance and protect existing single family housing. (p 14)

- **Action 12:** Preserve the existing Single Family uses and zoning in the older, established areas of Montopolis.
- **Action 13:** Preserve residential zoning in the interior of East Montopolis to allow for new homes to be built.

Based on the objectives and actions above, this project appears to be consistent with the Montopolis Neighborhood Plan because it promotes new housing.

#### Imagine Austin

The Montopolis neighborhood has a mix of single-family houses and larger apartment complexes. The addition of townhouses allowed under the SF-6 (Townhouse & Condominium Residence) increases housing options in the Montopolis neighborhood. The following Imagine Austin policies support the zoning change:

- **H P1.** Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.

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- **H P5.** Promote a diversity of land uses throughout Austin to allow a variety of housing types including rental and ownership opportunities for singles, families with and without children, seniors, persons with disabilities, and multi-generational families.
- **N P1.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

The proposed zoning change is supported by Imagine Austin.

## **NPZ Environmental Planning Review**

September 5, 2013 (MM)

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Country Club East Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. 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 Net Site Area</i>	<i>% 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%

2. According to flood plain maps there is a floodplain within or adjacent to the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone should be limited to 30%.
3. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
4. Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
5. Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:
  - Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

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6. At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

### **PDR Site Plan Review**

September 9, 2013 (CBH)

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#### **SITE PLAN REVIEW OF ZONING CASES**

SP 1. 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 2. This site is within the Montopolis Planning Area.

SP 3. The site is subject to compatibility standards. Along the north, south, and east property lines, the following standards apply:

- a. No structure may be built within 25 feet of the property line.
- b. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- c. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- d. No parking or driveways are allowed within 25 feet of the property line.
- e. 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.

SP 4. Additional design regulations will be enforced at the time a site plan is submitted.

SP 5. This property is within the Controlled Compatible Land Use Area defined by Chapter 241 of the Local Government Code. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Sections 25-13-23, are prohibited. For more information, contact Joe Medici, Noise Abatement Officer at (512) 530-6652.

### **PDR Transportation Review**

September 11, 2013 (CG)

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- TR1. If the requested zoning is recommended for this site, 25 feet of right-of-way should be dedicated from the existing centerline of Kemp Street in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site. LDC, 25-6-55; TCM, Tables 1-7, 1-12. Currently Kemp Street has approximately 42 feet of right-of-way and 50 feet is required per the TCM.
- TR2. A Neighborhood Traffic Analysis is required and will be performed for this project by the Transportation Review staff. Results will be provided in a separate memo. LDC, Sec. 25-6-114. Please provide current traffic counts for Kemp Street to the Transportation Reviewer. Staff will complete the NTA once counts are submitted.

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TR3. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

TR4. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic
Kemp Street	42'	25'	Local	Not Available

TR5. Sidewalks do not exist along Kemp Street.

TR6. According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on Kemp Street.

TR7. Eric Dusza with the Neighborhood Connectivity Department may have additional comments regarding multi-modal mobility enhancements and facilities.

**Update 9/17/2013:** No additional NCD comments.

TR8. Capital Metro bus service (route no. 350) is available along Montopolis Drive 0.08 miles from the site.

### **PDR Austin Water Utility Review**

August 29, 2013 (NK)

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit



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NOTE: This illustrative map is for educational and informational purposes only. No warranty is made regarding the completeness and accuracy of any data depicted or represented hereon. Drafted by LAH on 10/09/2013. Imagery: 2012

**Exhibit A - 1**  
**Aerial & Zoning**

0 200 400 800 1,200 Feet

1 inch = 400 feet



~~C12/16~~



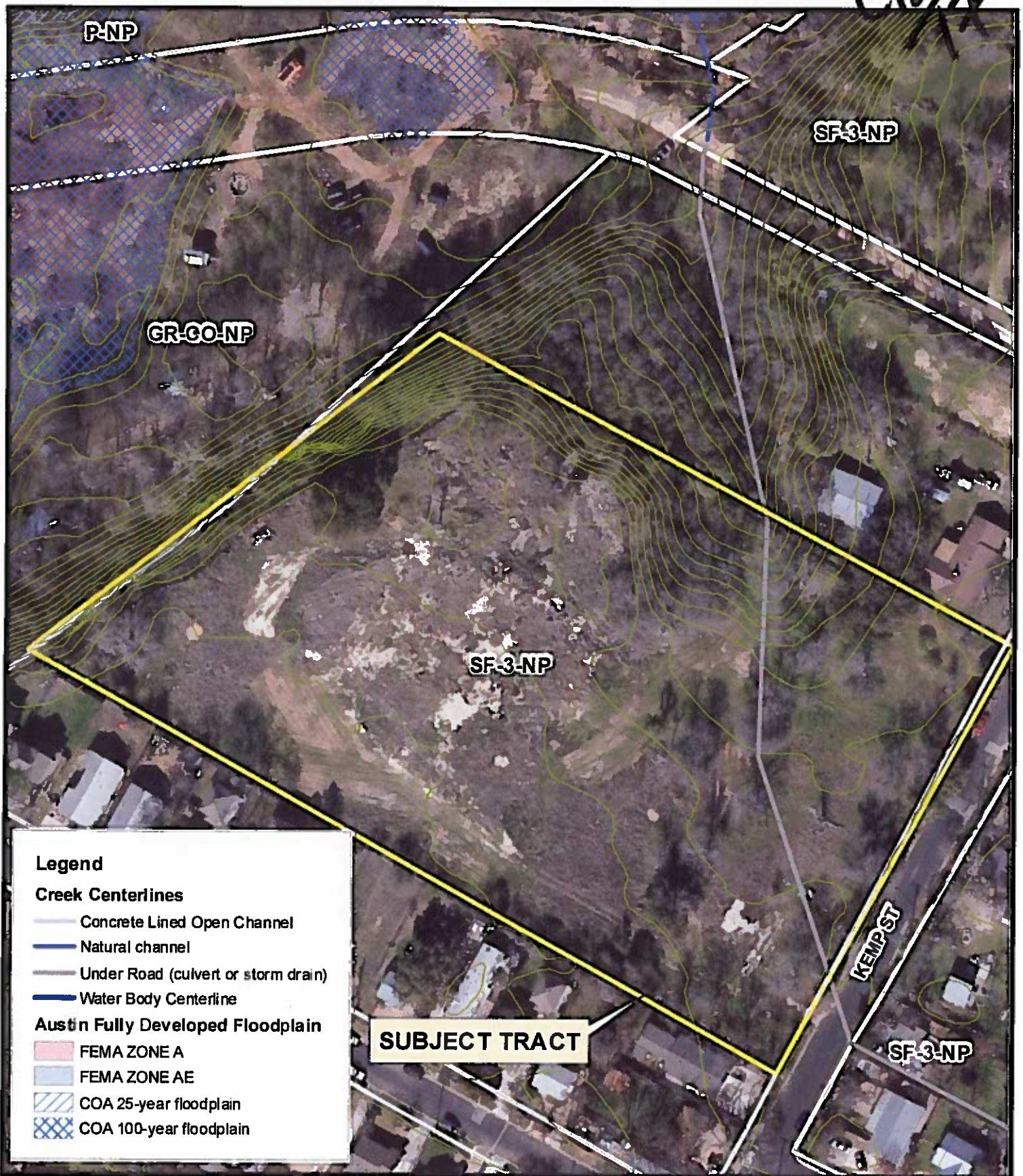
NOTE: This illustrative map is for educational and informational purposes only. No warranty is made regarding the completeness and accuracy of any data depicted or represented hereon.  
Drafted by LAH on 10/09/2013.  
Imagery: 2012

**Exhibit A - 2**  
**Aerial & Zoning**



1 inch = 200 feet

C12/A



NOTE: This illustrative map is for educational and informational purposes only. No warranty is made regarding the completeness and accuracy of any data depicted or represented hereon.

Drafted by LAH on 10/09/2013.  
Imagery: 2012 / Contours: 2003

**Exhibit A - 3**  
**Contours and Drainage**

## INTERESTED PARTY INFORMATION

Interested parties are specifically defined in section 25-1-131 of the City Code. To view the Code on-line, go to this link:  
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Exhibit C - 1

Written comments concerning the site plan application may be submitted to the case manager on this form. Comments on a separate form should include the case number and the contact person listed on the notice.

Case Number: C14-2013-0107

Contact: Lee Heckman 512-974-7604

☒ We Oppose Zoning Change.

☒ I meet the requirements for and request to be an interested party

Note: All contact information is mandatory.

Bobby Green (512) 653-1876  
 Name (please print) Telephone number

6211 Walker Lane Austin, TX 78741  
 Address(es) affected by this application (Street City, ZIP Code)

6211 Walker Lane Austin, TX 78741  
 Mailing address (Street, City, ZIP Code)

Signature

Date

Comments: The adopted Montopolis Neighborhood Plan works to keep single family (SF-3) inside the heart of the Montopolis community. Up zoning the property at 600 Kemp will bring gentrification to a poor and working class community. Up zoning will raise the property taxes for those who have lived in a poor and working class community for decades and some for generations. We need to keep the Montopolis community affordable and a place where people will not be taxed out of their homes. We oppose the change of single family zoned land (SF-3) to Townhouse and Condominium Residence district (SF-6).

Mail comment forms to:

City of Austin

Planning and Development Review Department

Attn: Lee Heckman

P.O. Box 1088

Austin, TX 78767-1088

C14-2013-0107

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R 11/14/13

Exhibit C - 2

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Contact: Lee Heckman 512-974-7604

☒ We Oppose Zoning Change.

☒ I meet the requirements for and request to be an interested party.

Note: All contact information is mandatory.

Bobby Green

(512) 653-1876  
Name (please print) Telephone number

6209 Walker Lane Austin, Texas 78741

Address(es) affected by this application (Street, City, ZIP Code)

6211 Walker Lane Austin, Texas 78741

Mailing address (Street, City, ZIP Code)

Signature

Date

Comments: The adopted Montopolis Neighborhood Plan works to keep single family (SF-3) inside the heart of the Montopolis community. Up zoning the property at 600 Kemp will bring gentrification to a poor and working class community. Up zoning will raise the property taxes for those who have lived in a poor and working class community for decades and some for generations. We need to keep the Montopolis community affordable and a place where people will not be taxed out of their homes. We oppose the change of single family zoned land (SF-3) to Townhouse and Condominium Residence district (SF-6).

Mail comment forms to:

City of Austin

Planning and Development Review Department

Attn: Lee Heckman

P. O. Box 1088

Austin, TX 78767-1088

C12  
19

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R 11/14/13

Exhibit C - 3

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Case Number: C14-2013-0107  
 Contact: Lee Heckman 512-974-7604

☒ We Oppose Zoning Change.

☒ I meet the requirements for and request to be an interested party

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Bobby Green (512) 653-1876  
 Name (please print) telephone number

6207 Walker Lane Austin, Texas 78741  
 Address(es) affected by this application (Street, City, ZIP Code)

6211 Walker Lane Austin, Texas 78741  
 Mailing address (Street, City, ZIP Code)

Signature

Date

Comments: The adopted Montopolis Neighborhood Plan works to keep single family (SF-3) inside the heart of the Montopolis community. Up zoning the property at 600 Kemp will bring gentrification to a poor and working class community. Up zoning will raise the property taxes for those who have lived in a poor and working class community for decades and some for generations. We need to keep the Montopolis community affordable and a place where people will not be taxed out of their homes. We oppose the change of single family zoned land (SF-3) to Townhouse and Condominium Residence district (SF-6).

Mail comment forms to:

City of Austin  
 Planning and Development Review Department  
 Attn: Lee Heckman  
 P. O. Box 1088  
 Austin TX 78767-1088

CJ2  
 20

**Montopolis Neighborhood Contact Team**

C12/21

November 18, 2013

Lee Heckman  
City of Austin  
Planning & Development Review Department  
P O Box 1088  
Austin, TX 78767-1088

RE: C14-2013-0107 - 600 Kemp Street

Dear Mr. Heckman,

The Montopolis Neighborhood Plan Contact Team met on October 29<sup>th</sup>, to review C14-2013-0107, 600 Kemp Street. Mr. Ron Thrower gave a presentation concerning the property located at 600 Kemp Street. The contact team and area residents had numerous questions. After a lengthy discussion, the MNPCT voted to oppose the zoning change from SF-3 (Family Residence district) to SF-6 (Townhouse & Condominium Residence district).

We object to the zoning change due to the following reasons:

1. The new proposed SF-6 doesn't respect the diverse character of the Montopolis neighborhood,
2. The new proposed SF-6 zoning change does not ensure compatibility and doesn't encourage a complimentary relationship between adjacent land uses,
3. The proposed SF-6 zoning change doesn't provide affordable housing,
4. The proposed SF-6 zoning change doesn't work to preserve the existing single family use and zoning of this older, established area of Montopolis, and
5. The proposed SF-6 zoning will cause an increase of property taxes for the older established Montopolis property owners.

Again, the Montopolis Neighborhood Plan Contact Team opposes the zoning change for the property located at 600 Kemp Street from Sf-3 to SF-6.

Sincerely,  
Susana Almanza  
Susana Almanza, President  
Montopolis Neighborhood Contact Team  
1406 Vargas Road  
Austin, Texas  
512/428-6990

17/2

C12  
23

**From:** Dr. Fred McGhee

**Sent:** Tuesday, January 07, 2014 8:39 AM

**To:** Heckman, Lee

**Cc:** Meredith, Maureen; Gutshall, Caleb; Jackson Marilyn; Gross Larry; Margaret Malangalila; Allen Monica; Eva Hernandez; Angelica Hernandez; Carpenter Candace; Gabriel Vega; Georgia Steen; Lopez Israel; Joey Rodriguez; Joshua Collier; Librado; Mendoza Theresa; Yannis Tassovlas; Eusebia Ulloa; Corazon Renteria; Diana Gomez; Noyola Angelica; millie muniz; [redacted]; Goddard Lisa; Almanza Susana; Ott, Marc; [redacted] Mariel; Nortey James; Tovo, Kathie; Morrison, Laura; Spelman, William; Martinez, Mike [Council Member]; Riley, Chris; Lettingwell, Lee

**Subject:** Re: Case Number: C14-2013-0107, 600 Kemp St.

Good Morning Mr. Heckman,

Thanks for getting back. I do not have a record of Mr. Gutshall's email ever being sent to me, but it is of course entirely possible that it was lost in the electronic ether. His response answers my question.

Regarding staff's interpretation of this zoning case, that raises some additional red flags.

1.) In order to make intelligent planning decisions one needs to do more than look at a map. It is the TEXT of the Montopolis neighborhood plan that needs to be read and understood as well. If all staff is doing is looking at the FLUM that is a violation of not just the neighborhood plan, but the entire spirit and intent of the neighborhood planning process. This especially applies in neighborhoods such as Montopolis, a neighborhood once known as "Poverty Island" with major environmental and other challenges as well.

2.) Neighborhood planning in Montopolis has an interesting history. The boundaries of the neighborhood have shifted considerably over the years, among many other things. I document some of that history in my forthcoming book about Montopolis, which will be published later this year. It helps to explain why "unlike some neighborhood plans, this 2001 plan did not differentiate between density levels on single-family land use." If you are not familiar with some of this history, in my opinion you should be. It will make you a better planner. Needless to say, there is a reason why this distinction was not made at the time: city staff did not want the distinction to be placed in writing, and the neighborhood, acting on incomplete information, passively accepted.

City real estate transactions in Montopolis reflect a similar thought process. One noteworthy example is the transfer of city property (the Montopolis Brownfield) to the Rhizome Collective, and most recently to Ecology Action. The deed restrictions placed in that document are rather instructive.

Bottom line: the neighborhood's opposition to this zoning change request is based upon our understanding of the foreseeable consequences of this action on the ground, not in some office. That said, if recent precedent is any guide, our neighborhood is prepared to accept increased development in Montopolis, but not at the expense of our community character and longstanding traditions. I need hardly remind you, I'm sure, that the history of Montopolis pre-dates that of Austin, a fact of which many of us are rather proud.

flm

C12/24

On Jan 6, 2014, at 12:58 PM, Heckman, Lee <[Lee.Heckman@austintexas.gov](mailto:Lee.Heckman@austintexas.gov)> wrote:

Dr. McGhee:

Thank you for your correspondence regarding the proposed rezoning. This will be included in the materials submitted to the Planning Commission and City Council for their review and consideration.

I have been made aware of the Contact Team's opposition to the proposed change. Zoning staff is aware that the Montopolis Future Land Use Map (FLUM) designates this property "single-family" residential. Unlike some neighborhood plans, this 2001 neighborhood plan did not differentiate between density levels on single-family land use (e.g., higher-density single-family). As such, zoning staff has been informed the proposed rezoning to SF-6 is consistent with the FLUM and a neighborhood plan amendment is not required. If a neighborhood plan amendment were part of this proposal, any staff recommendation on the zoning case would be contingent on the associated plan amendment. You may, of course, ask the Planning Commission and City Council to consider whether the zoning proposed is appropriate, regardless of whether it is deemed in conformance with the neighborhood plan.

Below is an email from Caleb Gutshall of PDR staff in response to your email of November 5. If this did not provide you with the information you were looking for, please contact Caleb and me again, or further, because it is among our goals to be responsive to stakeholder questions.

If I can be of further assistance, please don't hesitate to contact me.

Lee

---

**From:** Gutshall, Caleb  
**Sent:** Tuesday, November 05, 2013 1:51 PM  
**To:** Fred McGhee  
**Cc:** Heckman, Lee  
**Subject:** RE: 600 Kemp Street

Good afternoon, Mr. McGhee.

As you have noted, the LDC 25-6-113 requires an applicant to complete a traffic impact analysis (TIA) if a proposed project produces over 2,000 vehicle trips per day. TIAs can be required at either the zoning or site plan stage of a project. At the zoning stage, the trip calculation is based on the requested zoning and the overall acreage of the site (this even includes any easements located on the property). Using current Institute of Transportation Engineer (ITE) trip data, staff calculates the anticipated trips created by the requested zoning. In this case, ITE calculations indicate that SF-6 zoning would produce 87 trips per acre based on the zoning density/permitted uses/etc. Therefore the 5.383 acre site could produce approximately 468 trips if the requested zoning is granted. Since this does not exceed 2,000 trips, it does not trigger a TIA. However, it is over the 300 trip threshold required for a Neighborhood Traffic Analysis described in LDC 25-6-114. We have requested that the applicant provide current traffic counts for Kemp Street. The NTA

CA/25

Thanks for the inquiry.

**From:** Fred McGhee  
**Sent:** Tuesday, November 05, 2013 11:40 AM  
**To:** Gutshall, Caleb  
**Cc:** Almanza Susana; Heckman, Lee  
**Subject:** Re: 600 Kemp Street  
Good Morning Mr. Gutshall.

Given the requirements stated in LDC § 25-6-113 which require a traffic impact analysis in zoning change request situations, what is staff's basis for reaching the conclusion it does in the applicant's traffic impact analysis determination worksheet? Or let me restate the question: has staff reached a conclusion about traffic impacts?

The applicant states that his proposed development will not exceed 2,000 vehicle trips per day. Given that we do not even have a site plan or other information that would allow us to empirically assess the accuracy of this claim, what procedure will staff follow to verify whether the applicant's claim is accurate?

For instance will the applicant be required to furnish the traffic counts mentioned in § 25-6-114 as well as other provisions of the LDC?

**Much appreciated,**

## Film

**Fred L. McGhee, Ph.D.**  
**President, Carson Ridge, HOA**  
**Precinct Chair, Precinct 407**  
**Travis County Democratic Party**  
**Member, City of Austin Board of Adjustment**

## 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.

R 1/14/14

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](http://www.austintexas.gov)

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: C14-2013-0107

Contact: Lee Heckman, 512-974-7604

Public Hearing: Jan 14, 2014, Planning Commission

Feb 13, 2014, City Council

Tahva and Jeff Dickey

Your Name (please print)

6061 Atwood, Austin, TX 78741

Your address(es) affected by this application

☒ I am in favor  
☐ I object

1.12.14

Date

Signature

Daytime Telephone: 512 4603 9125

Comments: NA

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

C12  
26

## PUBLIC HEARING INFORMATION

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R 1/22/14

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Case Number: C14-2013-0107

Contact: Lee Heckman, 512-974-7604

Public Hearing: Jan 14, 2014, Planning Commission  
Feb 13, 2014, City Council

FRANK T. MONREAL  
Your Name (please print)

209 BONNETT ST

Your address(es) affected by this application

Frank T. Monreal

Signature

1-9-14

Date

Daytime Telephone: 512-636-6807

Comments: This Project Does Not  
Fit well with the neighbors  
that I have spoke with. NO  
ONE has been in FAVOR of  
this zoning change. This  
PROJECT is NOT AFFORDABLE  
AND will INCREASE to much  
TRAFFIC

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

C14-2013-0107

P E T I T I O N

Date: January 19, 2014

Case Number: C14-2013-0107

Address: 600 Kemp Austin, TX 78741

Rezoning Request: From SF-3-NP to SF-6-NP

To: Austin City Council & Austin Planning Commission

We, the undersigned owners of property affected by the requested zoning change described in the above referenced case, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3-NP. We object to the zoning change due to the following reasons:

1. The new proposed SF-6 doesn't respect the diverse character of the Montopolis neighborhood,
2. The new proposed SF-6 zoning change does not ensure compatibility and doesn't encourage a complimentary relationship between adjacent land uses,
3. SF-6 zoning change doesn't provide affordable housing,
4. SF-6 zoning change doesn't work to preserve the existing single family use and zoning of this older established neighborhood of Montopolis and
5. SF-6 zoning will cause an increase of property taxes for the older established Montopolis property owners.

<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
<u>Joe R. Villarreal</u>	<u>JOE R. VILLARREAL</u>	<u>305 KEMP ST</u>
<u>Mary Ellen Villarreal</u>	<u>MARY ELLEN VILLARREAL</u>	<u>305 KEMP ST</u>
<u>Joe R. Villarreal</u>	<u>JOE R. VILLARREAL</u>	<u>300 KEMP ST</u>
<u>Joe R. Villarreal</u>	<u>JOE R. VILLARREAL</u>	<u>307 KEMP</u>
<u>Joe R. Villarreal</u>	<u>JOE R. VILLARREAL</u>	<u>6204 VERA</u>
<u>Mary Ellen Villarreal</u>	<u>MARY E VILLARREAL</u>	<u>5921 PONCA</u>
<u>Mary Ellen Villarreal</u>	<u>MARY E. VILLARREAL</u>	<u>6001 PONCA</u>
<u>Joe R. Villarreal &amp; Mary Villarreal</u>		<u>6217 CLOVIS</u>
<u>Mary E Villarreal</u>	<u>MARY E VILLARREAL</u>	<u>6217 CLOVIS</u>
<u>Roy Miles</u>	<u>Roy Miles</u>	<u>311 Kemp</u>
<u>JOSE LUIS &amp; Yolanda Perez</u>		<u>404 KEMP ST</u>

Contact Name: Susana Almanza, President Montopolis Neighborhood Contact Team  
Phone: 512/428-6990

C14/29

P E T I T I O N

Date: January 19, 2014

Case Number: C14-2013-0107

Address: 600 Kemp Austin, TX 78741

Rezoning Request: From SF-3-NP to SF-6-NP

To: Austin City Council & Austin Planning Commission

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<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
	Louis Guerra Jr	6200 Walker Ln.
	William & Myrtle Robinson	6204 Walker Lane
	William & Myrtle Robinson	6206 Walker Ln
	Amado Trujillo Hernandez	6210 Walker Ln
	Aaron Trujillo Hernandez	6212 Walker Ln
	Benito Soltero	604 Kemp st. Austin TX 78741
	LE Swist	6119 Atwood Austin TX 78741

Contact Name: Susana Almanza, President Montopolis Neighborhood Contact Team  
Phone: 512/428-6990

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Case Number: C14-2013-0107  
 Contact: Lee Heckman 512-974-7604

☒ We Oppose Zoning Change.

☒ I meet the requirements for and request to be an interested party  
 Note: All contact information is mandatory.

Name (please print) Adam SWEITA Telephone number 512-709-9657

Address(es) affected by this application (Street, City, ZIP Code) 5114 Kemp ST Austin, Texas 78741

Mailing address (Street, City, ZIP Code)

A. SWEITA Signature Date

Comments: The adopted Montopolis Neighborhood Plan works to keep single family (SF-3) inside the heart of the Montopolis community. Up zoning the property at 600 Kemp will bring gentrification to a poor and working class community. Up zoning will raise the property taxes for those who have lived in a poor and working class community for decades and some for generations. We need to keep the Montopolis community affordable and a place where people will not be taxed out of their homes. We oppose the change of single family zoned land (SF-3) to Townhouse and Condominium Residence district (SF-6).

Mail comment forms to:

City of Austin  
 Planning and Development Review Department

Attn: Lee Heckman  
 P. O. Box 1088

Austin TX 78767 1088

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Case Number: C14-2013-0107  
 Contact: Lee Heckman 512-974-7604

☒ We Oppose Zoning Change.

☒ I meet the requirements for and request to be an interested party  
 Note: All contact information is mandatory.

Name (please print) José Perez Telephone number 512 386 838

Address(es) affected by this application (Street, City, ZIP Code) 404 Kemp St 78741

Mailing address (Street, City, ZIP Code)

José L Perez Signature 10-7-13 Date

Comments: The adopted Montopolis Neighborhood Plan works to keep single family (SF-3) inside the heart of the Montopolis community. Up zoning the property at 600 Kemp will bring gentrification to a poor and working class community. Up zoning will raise the property taxes for those who have lived in a poor and working class community for decades and some for generations. We need to keep the Montopolis community affordable and a place where people will not be taxed out of their homes. We oppose the change of single family zoned land (SF-3) to Townhouse and Condominium Residence district (SF-6).

Mail comment forms to:

City of Austin

Planning and Development Review Department

Attn: Lee Heckman

P. O. Box 1088

Austin TX 78767.1088

## INTERESTED PARTY INFORMATION

Interested parties are specifically defined in section 25-1-131 of the City Code. To view the Code on-line, go to this link:  
[http://www.amlegal.com/austin\\_tx/](http://www.amlegal.com/austin_tx/).

Besides the applicant or owner listed in an application, a person can become an interested party if they communicate an interest to the City through the Case Manager and if they satisfy at least one of the following criteria: 1) they occupy a primary residence that is within 500 feet of the site of the proposed development; 2) they are the record owner of property within 500 feet of the site of the proposed development; or 3) they are an officer of an environmental or neighborhood organization that has an interest in the site of the proposed development or whose declared boundaries are within 500 feet of the site of the proposed development.

If a person satisfies the criteria to become an interested party, they must communicate an interest by delivering a written statement to the Case Manager. The communication must: 1) generally identify the issues of concern; 2) include the person's name, telephone phone number, and mailing address; 3) be delivered before the earliest date on which action on the application may occur; and 4) if the communication is by telephone, be confirmed in writing not later than seven days after the earliest date on which action on the application may occur.

Written comments concerning the site plan application may be submitted to the case manager on this form. Comments on a separate form should include the case number and the contact person listed on the notice.

Case Number: C14-2013-0107  
 Contact: Lee Heckman 512-974-7604

☒ We Oppose Zoning Change.

☒ I meet the requirements for and request to be an interested party.  
 Note: All contact information is mandatory.

Name (please print) Luonne Garza Guajardo Telephone number (512) 653-0753

Address(es) affected by this application (Street, City, ZIP Code) 511 B Kemp Street, Austin, TX 78741

(Please print) Same as above  
 Mailing address (Street, City, ZIP Code)

Signature [Signature] Date 10/7/13

Comments: The adopted Montopolis Neighborhood Plan works to keep single family (SF-3) inside the heart of the Montopolis community. Up zoning the property at 600 Kemp will bring gentrification to a poor and working class community. Up zoning will raise the property taxes for those who have lived in a poor and working class community for decades and some for generations. We need to keep the Montopolis community affordable and a place where people will not be taxed out of their homes. We oppose the change of single family zoned land (SF-3) to Townhouse and Condominium Residence district (SF-6).

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 Contact: Lee Heckman 512-974-7604

☒ We Oppose Zoning Change.

☒ I meet the requirements for and request to be an interested party  
 Note: All contact information is mandatory.

Name (please print) Baethic Amendes Telephone number 512-430-8085

Address(es) affected by this application (Street, City, ZIP Code) 440 Kemp St. Austin, TX 78741

Mailing address (Street, City, ZIP Code)

B Amendes Signature 10/7/2013 Date

Comments: The adopted Montopolis Neighborhood Plan works to keep single family (SF-3) inside the heart of the Montopolis community. Up zoning the property at 600 Kemp will bring gentrification to a poor and working class community. Up zoning will raise the property taxes for those who have lived in a poor and working class community for decades and some for generations. We need to keep the Montopolis community affordable and a place where people will not be taxed out of their homes. We oppose the change of single family zoned land (SF-3) to Townhouse and Condominium Residence district (SF-6).

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 Contact: Lee Heckman 512-974-7604

☒ We Oppose Zoning Change.

☒ I meet the requirements for and request to be an interested party  
 Note: All contact information is mandatory.

Name (please print) Yolanda Perez Telephone number 512 386 9385

Address(es) affected by this application (Street, City, ZIP Code) 404 Kemp St 78741

Mailing address (Street, City, ZIP Code)

Yolanda S Perez Signature 10-7-13 Date

Comments: The adopted Montopolis Neighborhood Plan works to keep single family (SF-3) inside the heart of the Montopolis community. Up zoning the property at 600 Kemp will bring gentrification to a poor and working class community. Up zoning will raise the property taxes for those who have lived in a poor and working class community for decades and some for generations. We need to keep the Montopolis community affordable and a place where people will not be taxed out of their homes. We oppose the change of single family zoned land (SF-3) to Townhouse and Condominium Residence district (SF-6).

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 Planning and Development Review Department  
 Attn: Lee Heckman  
 P. O. Box 1088  
 Austin TX 78767-1088



C14/35

## MEMORANDUM

**TO:** Lee Heckman, Case Manager  
**CC:** Ron Thrower, Thrower Design  
**FROM:** Caleb Gutshall, Transportation Planner  
**DATE:** November 20<sup>th</sup>, 2013  
**SUBJECT:** Neighborhood Traffic Analysis for 600 Kemp Street Rezoning  
Zoning Case No. C14-2013-0107

Section 25-6-114 of the Land Development Code requires that a neighborhood traffic analysis be conducted for a project proposed with a zoning application if:

- (1) the project has access to a residential local or collector street; *and*
- (2) the projected number of vehicle trips generated by the project exceeds the vehicle trips per day generated by existing uses by at least 300 vehicle trips per day.

The 5.383 acres tract is located at 600 Kemp Street in the Montopolis Neighborhood Planning Area. The site is currently zoned SF-3 NP. The applicant's rezoning request is SF-6 to accommodate condominium development. The applicant is planning to develop 45 condominium units, which is estimated to generate approximately 321 vehicle trips per day.

### Roadways

Kemp Street is a residential local street with right-of-way varying from 42-50 feet and 27 feet of pavement. There are currently no sidewalks and the roadway is not identified as a bicycle route in the 2009 Bicycle Plan Update. Traffic counts were obtained on November 5<sup>th</sup>, 2013 along Kemp Street just north of Walker Lane. Existing 24-hour traffic counts indicate 205 vehicles per day.

### Trip Generation and Traffic Analysis

Based on the Institute of Transportation Engineer's publication Trip Generation, 8<sup>th</sup> Edition, the 45 condominium dwelling units proposed with this development will generate 321 vehicle trips per day (vpd). 100% of the site traffic will be directed onto Kemp Street. Trip generation for the proposed site is summarized in Table 1.

Table 1.		
Land Use	Size	Trip Generation
Residential Condo/Townhouse	45 d.u.	321

Table 2 represents the expected distribution of the 321 trips:

Table 2.	
Street	Traffic Distribution by Percent
Kemp Street	100%

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Table 3 represents a breakdown of existing traffic, proposed site traffic, total traffic after development.

Table 3.					
Street	Pavement Width (ft)	Maximum Desirable Volume (vpd)	Existing Traffic (vpd)	Proposed New Site Traffic	Overall Traffic
Kemp Street	27'	1,200	205	321	526

According to Section 25-6-116 of the Land Development Code, streets which are less than 30 feet in pavement width are considered to be operating at an undesirable traffic level if the average daily traffic volume for such roadways exceeds 1,200 vehicle trips per day. The existing average daily traffic volume for Kemp Street combined with the site generated traffic is 526 vehicles per day and does not exceed the desirable threshold.

#### **Recommendations/Conclusions**

1. The traffic along Kemp Street does not exceed the requirements established in Section 25-6-116.
2. As a condition of site plan approval and release, the applicant should coordinate with Austin Transportation Department and Planning and Development Review Department to dedicate additional right-of-way along Kemp Street to make the roadway compliant with the geometric design criteria identified in the Transportation Criteria Manual.
3. Development of this site shall be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the NTA, including peak hour trip characteristics, traffic distributions, roadway conditions, and other traffic related characteristics.

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If you have any questions or require additional information, please contact me 974-6420.



**Caleb Gutshall**  
Senior Planner, City of Austin  
Planning and Development Review Department