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MEMORANDUM

TO: **Planning Commission**

FROM: **Lee Heckman, AICP**
Planning and Development Review Department

DATE: **February 6, 2014**

SUBJECT: **600 Kemp Street / C14-2013-0107 / Item 4**

Dear Commissioners:

The applicant has requested a postponement of the public hearing on this item for 30 days, until March 11, 2014, tin order to continue discussions with neighboring property owners and other stakeholders. This is the applicant's second postponement request, and would be the third postponement overall if granted.

Representatives of the Montopolis-Ponca Neighborhood Association requested the first postponement of the public hearing on January 14, 2014, and did not oppose the applicant's first postponement request on January 28, 2014. They are, however, opposed to the current postponement request.

Consequently, staff currently expects this was be a discussion-postponement item at the February 11, 2014 Planning Commission meeting.

Lee Heckman
Planning and Development Review Department

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ZONING CHANGE REVIEW SHEET

CASE: C14-2013-0107 / 600 Kemp Street **P.C. DATE:** February 11, 2014
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 28, 2014	Postponed to February 11, 2014 at the request of the Applicant, with the Montopolis-Ponca Neighborhood Association Concurring (Consent Motion: R. Hatfield; Second: J. Stevens; 8-0; Absent: J. Nortey).
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; Second: A. Hernandez; 8-0; Absent: R. Hatfield).

POSTPONEMENT REQUEST:
On February 5, 2014 the applicant requested a 30-day postponement (to March 11, 2014) in order to continue discussions with neighbors including Ecology Action. Representatives of the Montopolis-Ponca Neighborhood Association oppose the postponement request. A discussion-postponement is expected at the February 11, 2014 Planning Commission meeting.

PETITION STATUS:
On January 21, 2014, petition forms were submitted to staff (see Exhibit P). These forms were forwarded to appropriate GIS staff for mapping and analysis. Additional petition forms have subsequently been submitted. As of February 6, 2014, the petition was valid at 30.78%.

Although a petition does not require a supermajority vote for approval of a request by the Planning Commission, it does so by the City Council. Planning Commissioners will be apprised of any change in petition status.

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:

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

COMMUNITY REGISTRY NAME	REGISTRY ID
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
North of site, from East to West			
202-204 Block of	SF-3 to CS	Recommended	Approved 11/17/1985;

Montopolis C14-85-161	(commercial services)	07/02/1985	
208-214 Montopolis; 211-215 Kemp; 6201-6215 Clovis C14-69-156	"A" Residence 1st H&A to "C" Commercial 1st H&A	Recommended	Approved 04/30/1970
321 Montopolis C14-82-086	"LR" on west 100'	Recommended	Approved "LR" 1st 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)
COA Parks at Montopolis Bridge (North & South of the Lake, 92 acres) C14-86-290	LI to P		Approved 01/07/1987
400-404 Block Kemp C14-72-094	"A" Residence, 1st H&A to "MH" Mobil Home, 1st 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" 1st H&A to "B" Residence, 3rd H&A, "BB" Residence, 1st H&A, 2nd H&A, "LR" 1st H&A and "GR" 1st H&A		Approved SF-3,MF-2, MF-3, MF-5, and LR for approximately 260 acres) 03/14/1985
South of site, from East to West			
C14-77-184	"A" Residence		Approved 02/09/1978

C14-95-0055 609 Thrasher Lane	to "MH"		
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 6th H&A to "C-2" Commercial 6th H&A		Approved 11/11/1971
801 Montopolis C14-72-028	"A" 1st H&A to "GR" 1st H&A		Approved 06/08/1972
803 Montopolis C14-72-033	Interim "A" 1st H&A to "GR" 1st H&A		Approved 07/06/1972
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" 1st H&A to "B" 1st H&A		Approved 01/20/1972
907 Montopolis C14-84-173	"A," "B" and "GR" 1st H&A to "O" & "O-2" 1st H&A	Recommended, as amended, O-1 & C-2 1st 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: 1st 2nd 3rd
ORDINANCE NUMBER:

CASE MANAGER: Lee Heckman **PHONE:** 974-7604
e-mail address: lee.heckman@austintexas.gov

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

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 to 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.

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.

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.

- **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:

Development Classification	*% of Net Site Area*	*% with Transfers*
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.

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)

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 25feet 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)

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 approximately42 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.

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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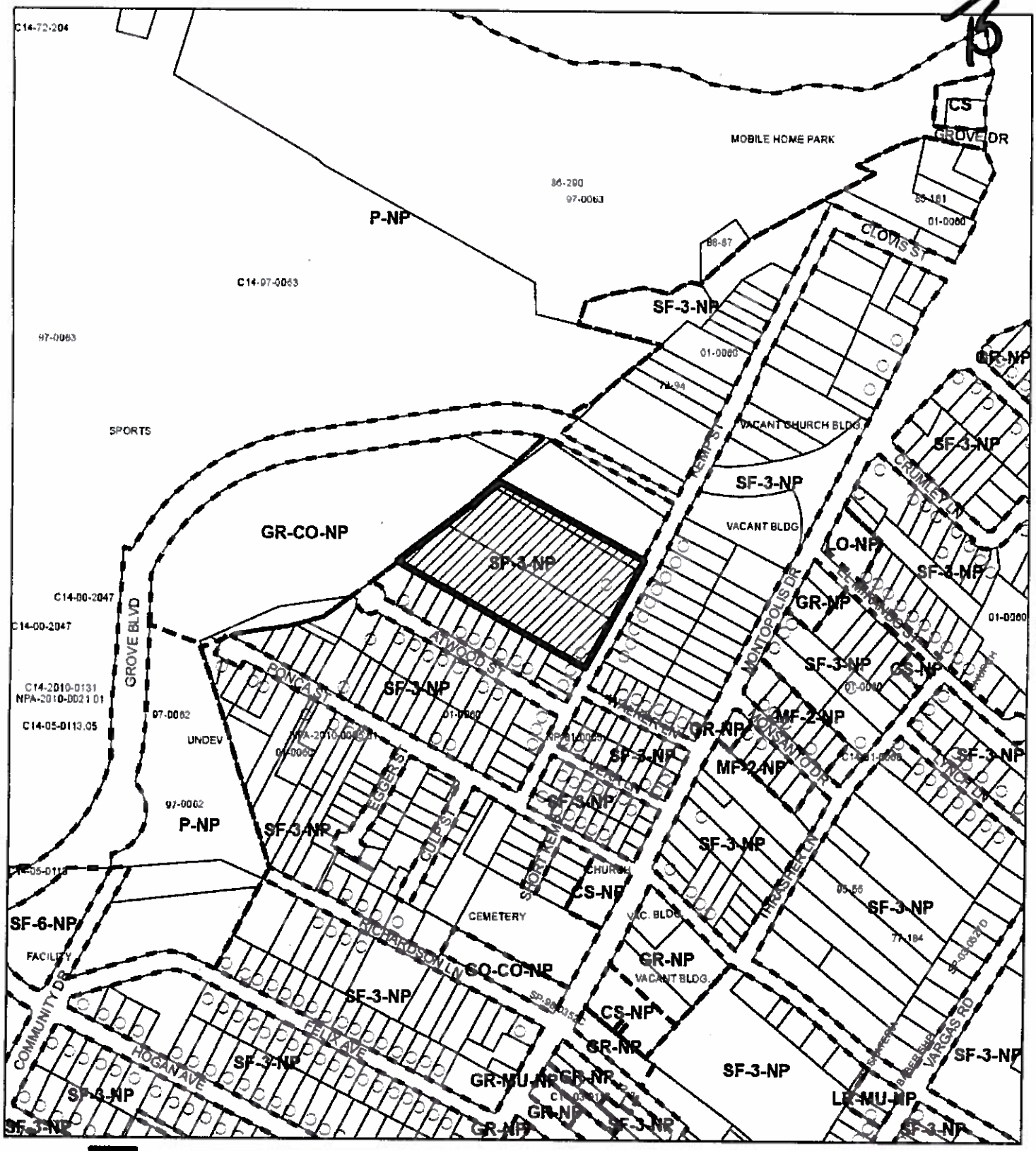
16



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SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

ZONNING

CASE#: C14-2013-0107

1 " = 400 '

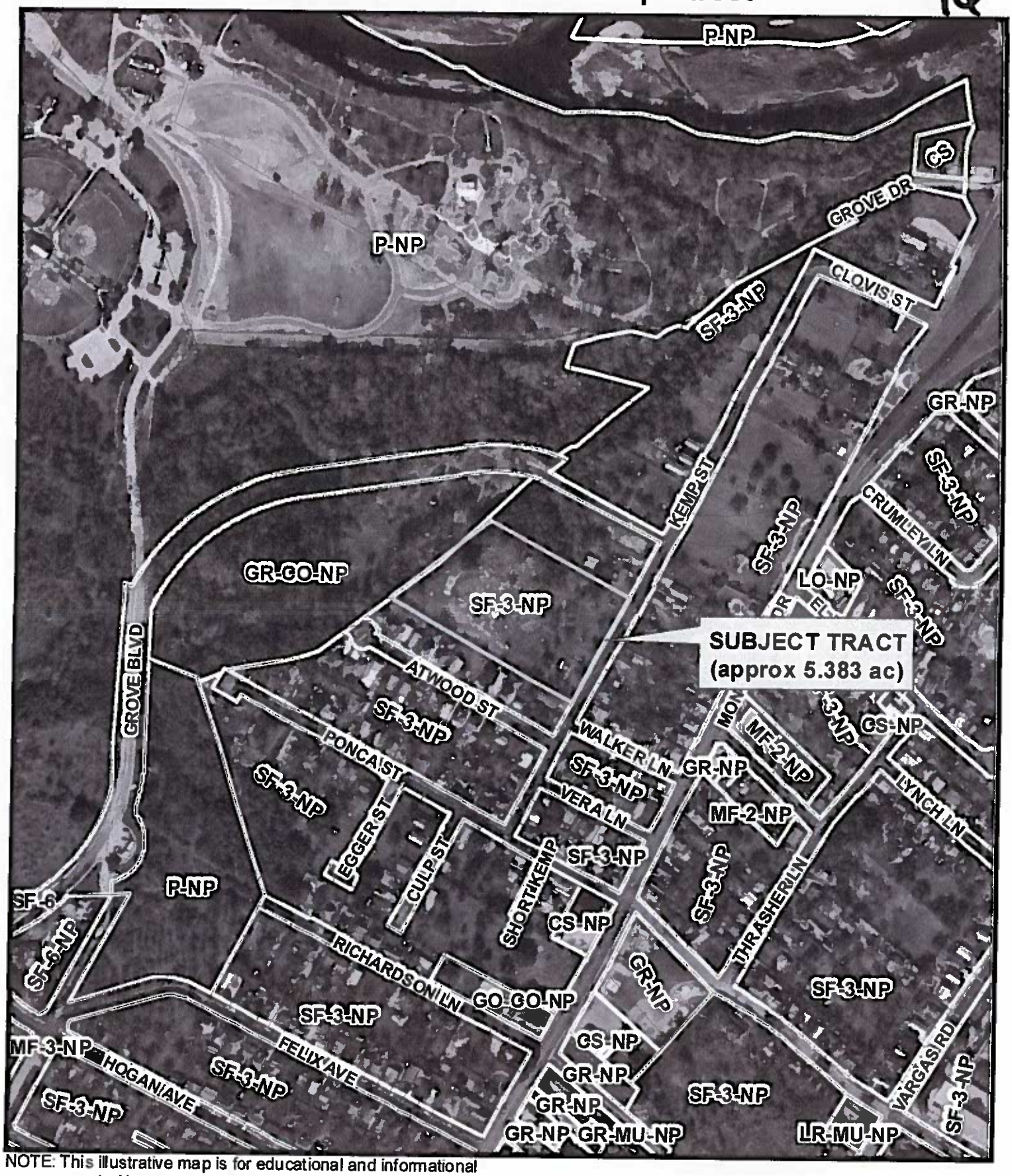
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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

Exhibit A

C4/16

C14-2013-0107 / 600 Kemp Street



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

0 200 400 800 1,200 Feet

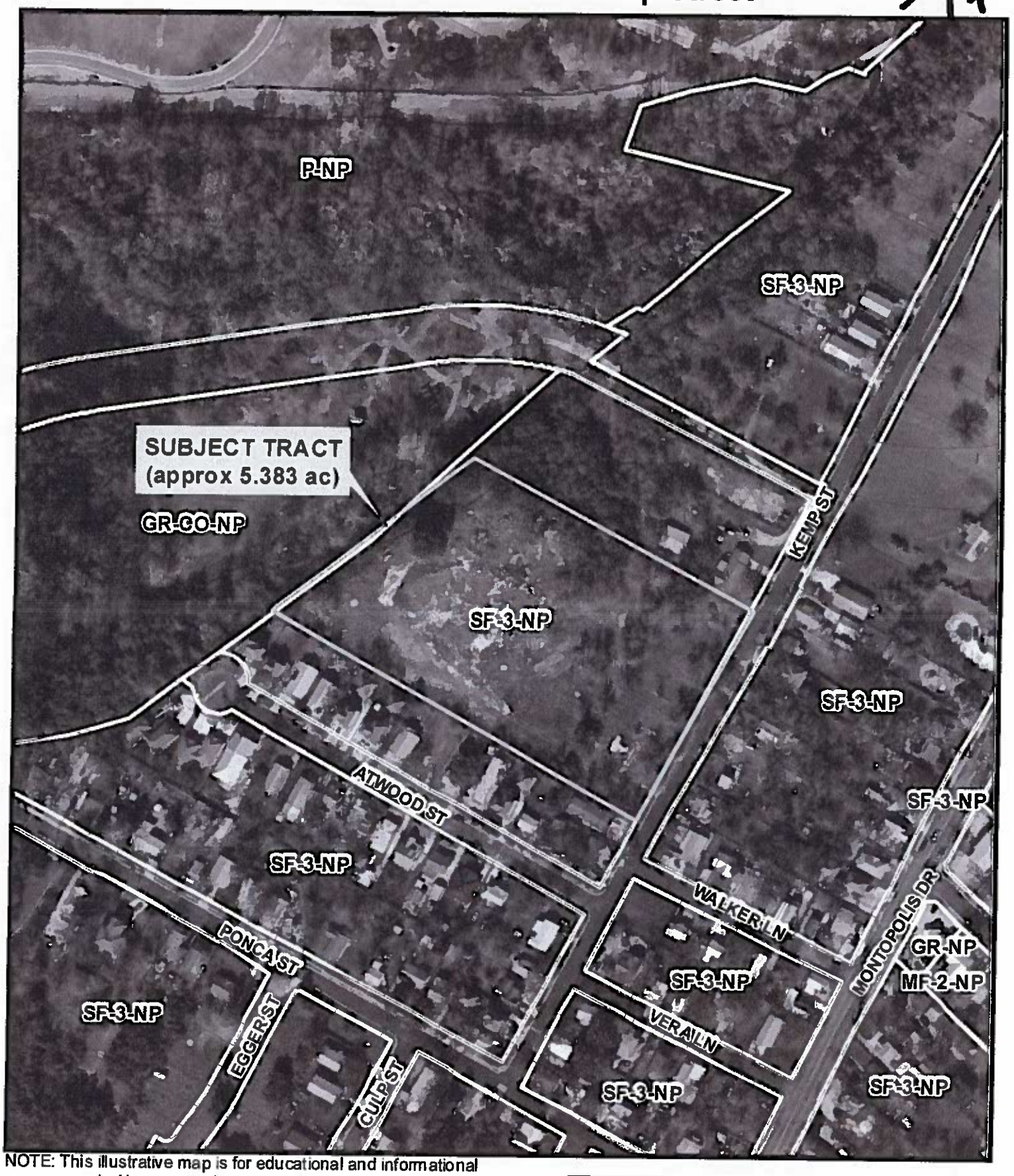
1 inch = 400 feet

N

Exhibit A - 1
Aerial & Zoning

C4/17

C14-2013-0107 / 600 Kemp Street



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

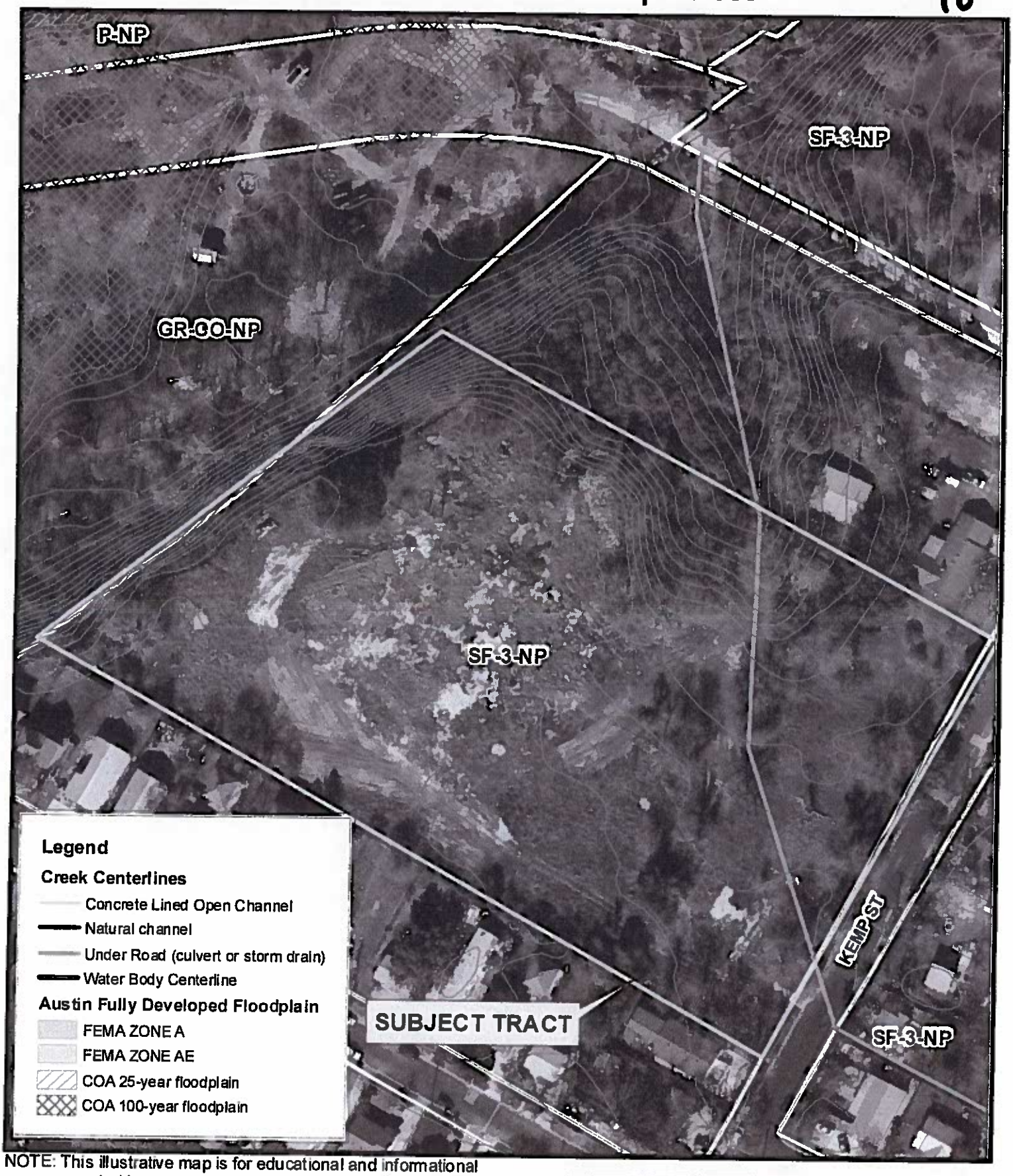
0 100 200 400 600 Feet

1 inch = 200 feet

N

Exhibit A - 2
Aerial & Zoning

C14-2013-0107 / 600 Kemp Street



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

0 50 100 200 300 Feet

1 inch = 100 feet

N

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: 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*

R 11/14/13

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

C4
6/3

INTERESTED PARTY INFORMATION

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R 11/14/13

Exhibit C - 2

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*

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

C14

INTERESTED PARTY INFORMATION

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Exhibit C - 3

R 11/14/13

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*

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

11/14

C4/22

Montopolis Neighborhood Contact Team

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 29th, 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

Exhibit C - 4

C4/23

From: Dr. Fred McGhee
Sent: Monday, January 06, 2014 12:14 PM
To: Heckman, Lee
Cc: 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
Subject: Case Number: C14-2013-0107, 600 Kemp St.

Good Morning Mr. Heckman,

Please accept this email in response to the City of Austin's public hearing information request in this zoning case. This submittal is on behalf of myself and my family, not on behalf of any neighborhood organizations with which I am affiliated.

I do not favor this zoning change for the following reasons:

1.) The Montopolis Neighborhood Planning Contact Team voted against it. The Montopolis Neighborhood Association is opposed as well.

2.) The developer's representative did not have answers when asked basic questions about his intentions and action plans for the property. No site plan has been produced for neighborhood inspection. When asked about the Montopolis Neighborhood Plan, it was clear the developer had not even read it, much less understood it.

3.) A question to staff about traffic impacts emailed to Caleb Gutshall (the contact person listed) on November 5, 2013 was never answered.

4.) Rezoning this property would be a violation of the Montopolis Neighborhood Plan. If this developer absolutely has to build in Montopolis, something which the neighborhood in my opinion may be willing to consider, there are other locations in the Montopolis planning area that would be better suited for townhome or condominium development.

5.) This property abuts a former Brownfield currently owned and being remediated by Ecology Action. High intensity residential development at this location may conflict with plans the neighborhood, working in conjunction with Ecology Action, may have for this area.

In short, to date the developer has not worked well with the neighborhood. The surrounding neighbors I have talked to are all opposed. Staff has been unresponsive. Consequently we do not have the necessary information to reasonably analyze the potential impacts--traffic, environmental or otherwise—in order for us to furnish an endorsement. Most importantly, however, upzoning this property would be a violation of the Montopolis Neighborhood Plan, which like most plans, seeks to maintain the family character and human scale of our neighborhood. There are locations south of Riverside that would be better suited for this type of development.

Regards,
flm

Fred L. McGhee, Ph.D., LEED Green Assoc.
Carson Ridge Neighborhood Association
Past President, Montopolis Neighborhood Association

Exhibit C - 5

C4/24

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; Leffingwell, 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

C4/25

On Jan 6, 2014, at 12:58 PM, Heckman, Lee <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

C4/26

will look at current traffic counts, existing roadway conditions, and the anticipated trips caused by the rezoning to verify that the desirable operating levels will not be exceeded per LDC 25-6-116.

I hope this helps clarify the TIA vs NTA process. Please let me know if you have any additional concerns/questions.

Thanks for the inquiry,

Caleb Gutshall
Senior Planner
City of Austin
Planning and Development Review Department
505 Barton Springs Rd, 4th floor
Austin, TX 78704
Tel 512-974-6420
Fax 512-974-3010
caleb.gutshall@austintexas.gov

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,

I have a quick question:

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,
Flm

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

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

Tahra and Jeff Dickey
Your Name (please print)

☑ I am in favor
☐ I object

6101 Atwood, Austin, TX 78741
Your address(es) affected by this application

Signature

1.12.14
Date

Daytime Telephone: 512 1013 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

C14

Exhibit C - 9

PUBLIC HEARING INFORMATION

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R 1/22/14

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.

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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)

☐ I am in favor
☒ I object

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

Exhibit C - 10

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.

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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

Annie P. Johnson
Your Name (please print)

☐ I am in favor
☒ I object

614 Kemp Street, Austin, TX 78744
Your address(es) affected by this application

Annie Pearl Johnson — 1/10/2013
Signature — *Date*

Daytime Telephone: 512 385-4687

Comments:

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

Exhibit C - 11

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.

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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

Johnny A Steen
Your Name (please print)

☐ I am in favor
☒ I object

508 Kemp St.
Your address(es) affected by this application

Johnny A Steen
Signature

1-25-14
Date

Daytime Telephone: 512 385-4842

Comments: The proposed zoning change from SF-3 to SF-6 does not ensure compatibility and does not encourage a complimentary relationship between adjacent land uses and will cause an increase of property taxes for the elderly established elderly residents of Monts Pole and Kemp Street residents.

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

C4
30

Exhibit C - 12

C4/31

From: Joaquin Mariel
Sent: Tuesday, January 28, 2014 2:10 PM
To: Heckman, Lee
Subject: Concerning the rezoning application # C14-2013-0107 at 600 Kemp Street

Mr. Heckman,

I understand that this application is going before the Planning Commission this evening, assuming the weather does not cause a cancellation. I did want to bring some specific and concrete concerns to your attention as this process moves forward. I am attaching a letter here outlining some issues in addition to a Stormwater Management Concept Plan, a photograph of some referenced damage, and a link here

[http://www.ecology-action.org/sites/default/files/EA%20Circle%20Acres%20EcoBalance%20Master%20Plan_REVISED%20FINAL%20130902_small.pdf]

to the complete Master Plan for the site. I want to be sure you understand that we do not support or oppose the rezoning application and only wish to monitor any environmental impact of all upstream development over the Country Club Creek Watershed, especially as it affects our site and the health of the Colorado River. We are interested in working with all parties including the developer and the neighborhood association to protect the health and integrity of the surrounding watershed and would appreciate any guidance that you might offer in achieving that goal. To date, we have spoken with the developer's representative, Ron Thrower, as well as the Neighborhood Contact Team and were asked to submit letters of support for both of the parties which we have declined doing. If there is any way that your office could facilitate the inclusion of our environmental protection goals and our participation in this process to the benefit of coming to a resolution that is good for nature and good for all of the people involved, we would greatly appreciate it.

Best,

Joaquin Mariel
Co-Director

Ecology Action of Texas
707 E. 9th Street, Austin, TX 78701
Office: 512-322-0000
Mobile: 512-709-5108
Fax: 512-322-0625

Exhibit C - 13

C4/32

January 28th, 2014

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,

I am contacting you again in regards to the rezoning application for the property at 600 Kemp Street in Montopolis that will be going before the Planning Commission this evening. As I had mentioned in my previous correspondence with you, Ecology Action of Texas is not supporting or opposing the rezoning request and is primarily interested in the environmental impact of any proposed new development in the area. To that end, we do have some concerns that we would ask the Planning and Development Review Department to take into account when considering this rezoning request specifically as they relate to the our site at 420 Kemp Street and the surrounding watershed.

According to a Stormwater Management Concept Plan drafted by Glenrose Engineering Inc. in May 2013, our site receives stormwater flow from a total of 1034.4 acres of adjacent area with 202.32 acres of it over impervious cover. The majority of that flow is from the upstream watershed of East Country Club Creek that flows directly into a roughly 3 acre wetland on the property, but the area of most significant concern is an unnamed tributary on the western side of the site. This tributary currently drains 33.8 acres with an imperviousness of 19% primarily from single family homes and associated streets, driveways, and sidewalks. The tributary is designed to flow just passed the site and to the west, under Grove Blvd. and through two culverts. Instead, a significant volume of the runoff flows onto and through our site and falls into the wetland from a an elevation of 442 feet mean sea level to 424 feet mean sea level. This drastic grade difference creates a steep energy gradient that results in serious headward erosion of the site.

As of now, we have lost more than 8 feet of soil across roughly 1000 square feet of space in the growing channel between the tributary and the wetland. We have attempted to work through watershed protection to address the erosion issue caused by the overland flow of stormwater onto our property from the surrounding area and have so far not had any success in getting city support for a solution. Our concern, in the context of the proposed development and any other expanded growth in the area, is that we will continue to receive increasing amounts of unchecked stormwater flow onto the site which will create additional and more severe damage to our property.

C4/33

We believe that this developing issue, although effecting specific area of private property, should be addressed in the planning and development phase of this and any other additional growth in the area because our intent for the site is to serve as a publicly available Urban Nature Preserve and Sustainability Education Center for the surrounding community. We are currently in the process of coordinating with multiple city departments to make this site and the educational goals stemming from it more accessible to the people of Austin and to create a model for re-purposing neglected lots like it and turning them into public green spaces. Furthermore, this site is home to a well-functioning wetland that is currently capturing and treating almost all of the stormwater runoff from the surrounding watershed before it reaches the highly sensitive Lower Colorado River Corridor. I have attached with this message a copy of the Stormwater Management Concept Plan, and include a link to the full site Maser Plan so that you can get a better idea for what our goals are for the park.

Again, Ecology Action of Texas does not aim to support or oppose the zoning change for the property located at 600 Kemp Street from Sf-3 to SF-6 but we do request that this issue and the issue of any further degradation to the site and the surrounding watershed be addressed in the process of moving forward.

Sincerely,

Joaquin Mariel, Co-Director
Ecology Action of Texas
707 E. 9th Street
Austin, Texas 78701
[redacted]
(512) 709-5108

C4/34

Case Number:

C14-2013-0107

PETITION

Date: 2/6/2014

Total Square Footage of Buffer: 529875.1646

Percentage of Square Footage Owned by Petitioners Within Buffer: **30.78%**

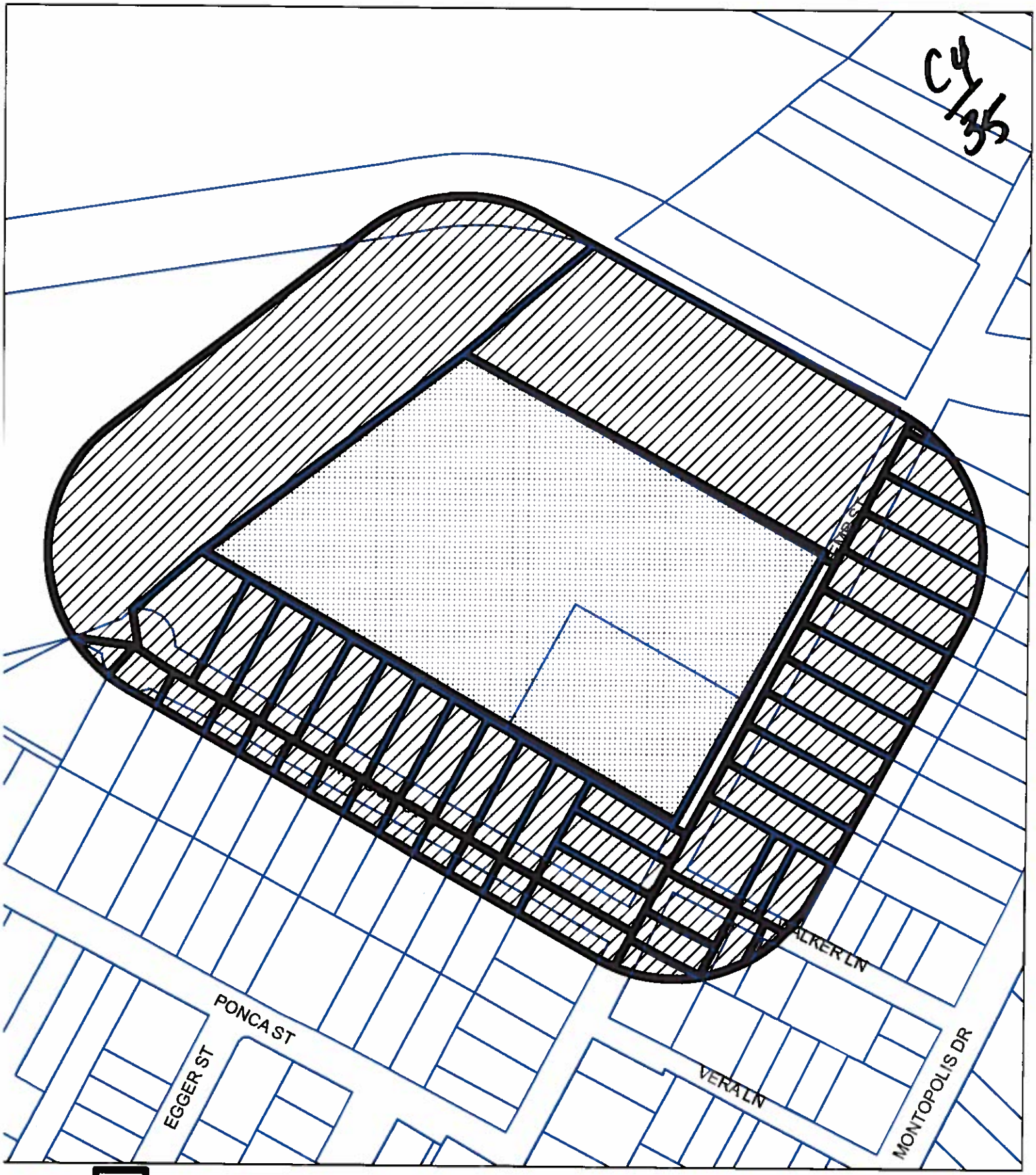
Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation.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

TCAD ID	Address	Owner	Signature	Petition Area	Percent
0303170204	500 MONTOPOLIS DR	WILLHOITE ROSS R & DAVID E TRUSTEES FOR MONTOPOLIS	no	555.22	0.00%
0304160223	503 KEMP ST 78741	PARKS MARY L	no	6269.97	0.00%
0304160222	**505 KEMP ST 78741**	**BURNS MEMORIAL TEMPLE CHURCH**	**yes**	**8494.82**	**1.60%**
0304160229	**507 KEMP ST 78741**	**CONTI REGIS G**	**yes**	**9655.43**	**1.82%**
0304160101	**508 KEMP ST 78741**	**STEEN JOHNNY A**	**yes**	**100629.37**	**18.99%**
0304160228	**509 KEMP ST 78741**	**CONTI JEFF & REGIS G**	**yes**	**10179.08**	**1.92%**
0304160220	511 KEMP ST 78741	LEI KENDALL Y K & STEPHANIE P MAK & DANIEL W LEI	no	9072.72	0.00%
0304160219	513 KEMP ST 78741	HOWARD JAMES JR & EUGENE & DON &DONALD & CAROL & MARIAN	no	9041.28	0.00%
0304160218	515 KEMP ST 78741	PONZIANO FLORENCE LIFE ESTATE	no	9030.83	0.00%
0304160217	517 KEMP ST 78741	FLORENCES COMFORT HOUSE INC ATTN HOLLY VATTER	no	8692.66	0.00%
0304160216	601 KEMP ST 78741	FLORENCES COMFORT HOUSE INC ATTN HOLLY VATTER	no	9844.00	0.00%
0304150211	6017 ATWOOD ST 78741	MOSS-FEMRITE JACLYN	no	1757.68	0.00%
0304160116	6018 ATWOOD ST 78741	MOSS-FEMRITE JACLYN	no	13705.93	0.00%
0304150205	6019 ATWOOD ST 78741	FEMRITE ERIC	no	3226.28	0.00%
0304150206	6021 ATWOOD ST 78741	LOPEZ ROBERTO JR & MARIA G	no	3318.43	0.00%
0304160215	603 KEMP ST 78741	GUZMAN EUGENE E ETAL	no	8983.05	0.00%
0304160104	604 KEMP ST 78741	SOTELO BENITO & ROSEMARIE & BENNY SOTELO	yes	5917.35	1.12%
0304160117	606 KEMP ST 78741	HARDIN WILLIE MAY	no	6918.98	0.00%
0304160118	608 KEMP ST 78741	MORENO EUSEBIO RUIZ	no	7242.16	0.00%
0304160510	610 KEMP ST 78741	HUDSON OLA MAE	no	7131.86	0.00%
0304160115	6100 ATWOOD ST 78741	KASZA KAREN GILMORE	no	7510.25	0.00%
0304160501	6101 ATWOOD ST 78741	DICKEY JEFFREY W & TAHRA P	no	2417.87	0.00%
0304160416	**6101 WALKER LN 78741**	**ULLOA GEORGE**	**yes**	**4222.77**	**0.80%**
0304160114	6102 ATWOOD ST 78741	VELA LINDA	no	7564.74	0.00%
0304160113	6104 ATWOOD ST 78741	FEMRITE ERIC	no	7490.19	0.00%
0304160502	6105 ATWOOD ST 78741	ROCHA JUAN ANTONIO & IRMA CERV IRMA CERVANTES ROCHA	no	2440.59	0.00%
0304160417	**6105 WALKER LN 78741**	**ULLOA GEORGE**	**yes**	**5697.38**	**1.08%**
0304160112	6106 ATWOOD ST 78628	FEMRITE ERIC	no	7432.12	0.00%
0304160503	6107 ATWOOD ST 78741	TORRES TOMASA	no	2510.60	0.00%
0304160111	6108 ATWOOD ST 78741	VERONICO JUANA	no	7441.31	0.00%
0304160504	6109 ATWOOD ST 78741	VALADEZ HENRY & GLORIA	no	2473.47	0.00%
0304160110	6110 ATWOOD ST 78741	PINEDA EMILIO & BEATRICE PINED BEATRICE PINEDA	no	7310.90	0.00%
0304160505	6111 ATWOOD ST 78741	JOSEY ANDRE	no	2522.93	0.00%
0304160109	6112 ATWOOD ST 78741	GAMEZ JOHN PETE IRREVOCABLE TRUST	no	7369.76	0.00%
0304160506	6113 ATWOOD ST 78741	LEE LAVERNE	no	2540.29	0.00%
0304160108	6114 ATWOOD ST 78741	GAMEZ JOHN PETE IRREVOCABLE TRUST	no	7323.05	0.00%
0304160507	6115 ATWOOD ST 78741	IBARRA CARMEN	no	2551.20	0.00%
0304160107	6116 ATWOOD ST 78741	FEMRITE ERIC	no	7248.85	0.00%
0304160508	6117 ATWOOD ST 78741	HERNANDEZ ANASTACIO & PATRISIA LEIJA	no	2539.61	0.00%
0304160106	6118 ATWOOD ST 78741	MAXWELL LOLA MAE %OPAL MAXWELL (DGHTR)	no	7186.18	0.00%
0304160509	**6119 ATWOOD ST 78741**	**SWIST L E**	**yes**	**2573.60**	**0.49%**
0304160233	**6200 WALKER LN 78741**	**GUERRA LOUIS JR**	**yes**	**10635.98**	**2.01%**
0304160414	6202 VERA LN 78741	DEGOLLADO DOMINGO	no	2643.35	0.00%
0304160232	6202 WALKER LN 78741	ESTRADA MARIO	no	3191.34	0.00%
0304160401	6203 WALKER LN 78741	CHANDLER JOHN N	no	3420.66	0.00%
0304160413	**6204 VERA LN 78741**	**VILLAREAL JOE R & MARY ELLEN**	**yes**	**2.36**	**0.00%**
0304160212	**6204 WALKER LN 78741**	**ROBINSON WILLIAM & MYRTLE ROBI MYRTLE ROBINSON**	**yes**	**5109.01**	**0.96%**
0304160402	6205 WALKER LN 78741	CHANDLER JOHN N	no	941.72	0.00%
0302160201	E RIVERSIDE DR 78741	ECOLOGY ACTION OF TEXAS	no	146066.35	0.00%
Total				**518045.54**	**30.78%**

Exhibit P - 1 / Petitioners Within 200' Eligible Area

Data as of February 6, 2014

C4-35



N

BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

CASE#: C14-2013-0107

" = 160 '

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

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

Exhibit B - 2 / CTM/GIS Map

C14-2013-0107 / 600 Kemp Street / Petition Map

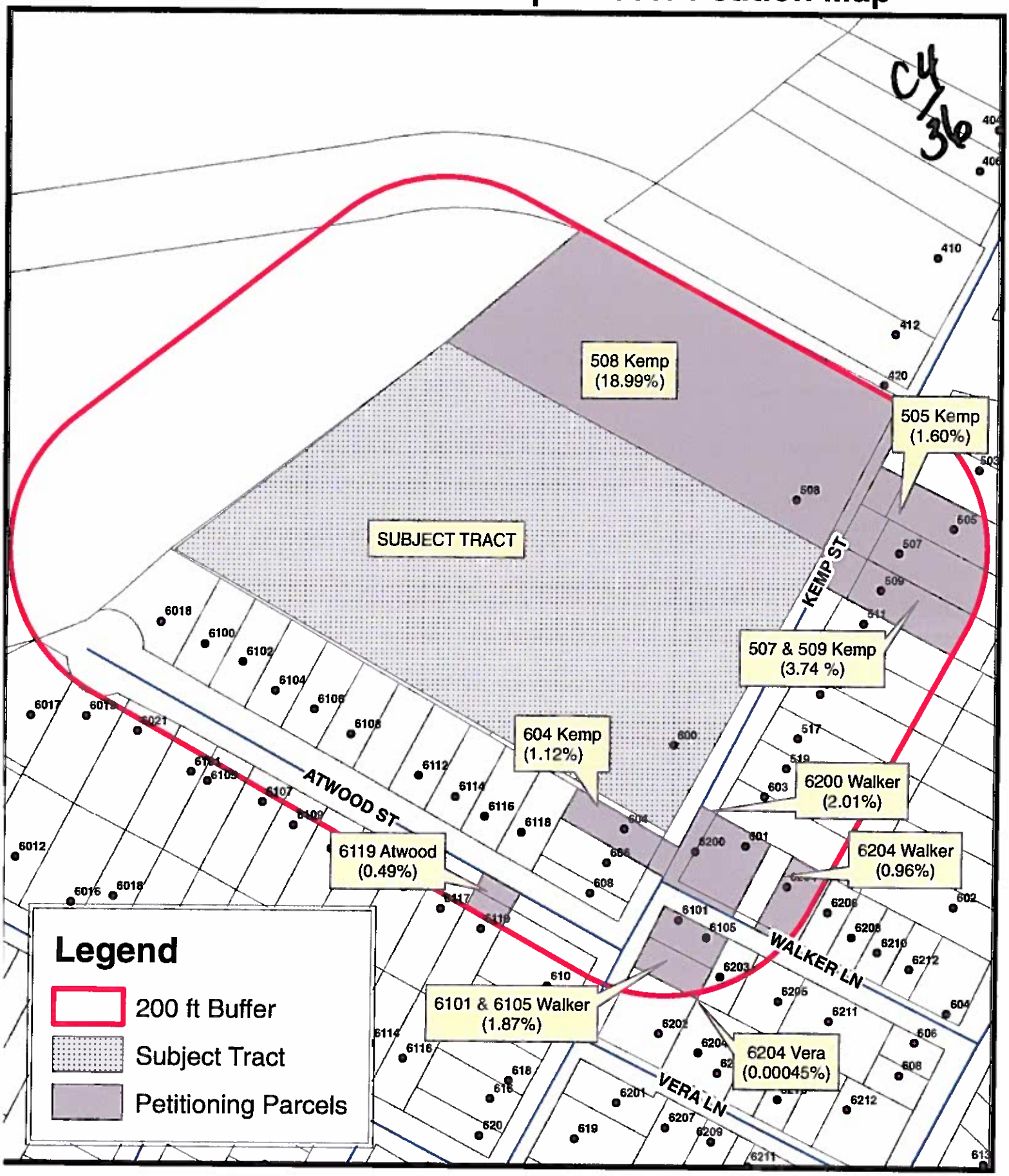


Exhibit P - 3 / Annotated PDR Map
(Petition Status: 2014-02-06)

Feet
0 50 100 200 300
1 inch = 150 feet
N

C4/37

PETITION

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.

Signature	Printed Name	Address
Joe R. Villarreal	JOE R. VILLARREAL	305 KEMP ST
Mary Ellen Villarreal	MARY ELLEN Villarreal	305 Kemp ST
Joe R. Villarreal	JOE R. VILLARREAL	300 KEMP ST
Joe R. Villarreal	JOE R. VILLARREAL	307 KEMP
Joe R. Villarreal	JOE R. VILLARREAL	6204 VERA
Mary Ellen Villarreal	MARY E Villarreal	5921 PONCA
Mary Ellen Villarreal	MARY E. Villarreal	6001 PONCA
Joe R. Villarreal & mary Villarreal		6217 CLOVIS
Mary E Villarreal	MARY E Villarreal	6217 Clovis
Roy Miles	Roy Miles	34 Kemp
Jose Luis & Yolanda Perez		404 Kemp st
Jose L Perez	Yolanda Perez	

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

Exhibit P - 4

C4
38

PETITION

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.

Signature	Printed Name	Address
Louis Guerra Jr	Louis Guerra Jr	6200 Walker Ln.
William and Myrtle Robinson	William & Myrtle Robinson	6204 Walker Lane
William and Myrtle Robinson	William & Myrtle Robinson	6206 Walker Ln
	Amado Trujillo Hernandez	6210 WALKER LN
	Aaron Trujillo Hernandez	6212 walker / 6212-walk
Benito Sotelo	Benito Sotelo Elvira Lopez	604 Kemp st. Austin TX 78741
LE Swist	Lt. Swist	6119 Atwood Austin TX 78741

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

Exhibit P - 5

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/.

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.

Adam Surita — *Name (please print)*
512-709-9657 — *Telephone number*

511 A Kemp St Austin, Texas 78741 — *Address(es) affected by this application (Street, City, ZIP Code)*

Mailing address (Street, City, ZIP Code)

A. Surita — *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

Exhibit P - 6

CA/4D

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/.

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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.

Jose Perez 512 386 [illegible]
Name (please print) *Telephone number*

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

Mailing address (Street, City, ZIP Code)

Jose L Perez 10-7-13
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

Exhibit P-7

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/.

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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.

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

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

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

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

Exhibit P - 8

C14 132

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/.

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.

Beatrice Almendarez 512-436-8685
Name (please print) *Telephone number*

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

Mailing address (Street, City, ZIP Code)

B Almendarez 10/7/2013
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

Exhibit P - 9

C14 133

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/.

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.

Yolanda Perez — *Name (please print)*
512 386 93[illegible] — *Telephone number*

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

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).

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

Exhibit P - 10

C4/44

PETITION

Date: January 21, 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.

Signature	Printed Name	Address
Tommy A. Steen	Tommy A. Steen	508 Kemp St. Austin Tx. 78741
Annie Page Johnson	ANNIE P. JOHNSON	614 Kemp St Austin, TX 78741
Jeff Leath	Jeff Conti	507+509 Kemp St. 78741
Clarence Albert	Clarence Albert (Burns Memorial Temple)	505 Kemp St 78141

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

Exhibit P - 11

To: Lee Heckman

C4
45

PETITION

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.

Signature	Printed Name	Address 1/27/14
[signature]	George Wilson	6501 6501 Walker Lane
[signature]	George Wilson	6101 Walker Lane

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

Exhibit P - 12

C4
46

MEMORANDUM

TO: Lee Heckman, Case Manager
CC: Ron Thrower, Thrower Design
FROM: Caleb Gutshall, Transportation Planner
DATE: November 20th, 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 5th, 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, 8th 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

Exhibit T - 1

C4/47

Table 2 represents the expected distribution of the 321 trips:

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

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.

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