

**NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET**

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**NEIGHBORHOOD PLAN:** Montopolis

**CASE#:** NPA-2014-0005.02

**DATE FILED:** July 30, 2014 (In-cycle)

**PROJECT NAME:** 1007 & 1011 Montopolis Drive

**PC DATE:** October 28, 2014

**ADDRESS:** 1007 & 1011 Montopolis Drive

**SITE AREA:** 4.79 acres

**OWNER/APPLICANT:** PRJ Development, L.L.C.

**AGENT:** Thrower Design (A. Ron Thrower)

**TYPE OF AMENDMENT:**

**Change in Future Land Use Designation**

**From:** Civic

**To:** Mixed Use

**Base District Zoning Change**

**Related Zoning Case:** C14-2014-0127

**From:** LO-NP

**To:** LO-MU-NP

**NEIGHBORHOOD PLAN ADOPTION DATE:** September 27, 2001

**PLANNING COMMISSION RECOMMENDATION:**

October 28, 2014 – Approved for postponement on the consent agenda to November 12, 2014 at the request of the neighborhood [J. Stevens; A. Hernandez – 2<sup>nd</sup>] Vote: 8-0-1 [B. Roark absent]

**STAFF RECOMMENDATION:** Recommended

**BASIS FOR STAFF'S RECOMMENDATION:** The applicant's request to change the land use on the future land use map from Civic to Mixed Use land use to build single family homes will bring additional housing choices to the area and provides infill development within the central city area. The request meets the following Goals and Objectives in the Montopolis Neighborhood Plan.

## LAND USE

C1/2

**Goal 1: Improve the Quality of Life in Montopolis through Land Use and Zoning Decisions.**

**Objective 1:** Support the role Montopolis Drive has historically played as the heart of the neighborhood, especially from Riverside Drive to the River.

**Action 1:** Preserve the existing mix of zoning along Montopolis Drive, which allows a for a variety of business and residential uses. (Please refer to the Proposed Future Land Use Map for the specific land uses and zoning.)

**Objective 2:** Continue to promote the existing neighborhood pattern of development with new and Smart Growth Infill development.

**Goal 2: Create Homes for all Stages of Life within Montopolis.**

**Objective 5:** Create multiple housing types of varied intensities.

## LAND USE DESCRIPTIONS

### *EXISTING LAND USE*

**Civic** - Any site for public or semi-public facilities, including governmental offices, police fire facilities, hospitals, and public and private schools. Includes major religious facilities and other religious activities that are of a different type and scale than surrounding uses.

### **Purpose**

1. Allow flexibility in development for major, multi-functional institutional uses that serve the greater community;
2. Manage the expansion of major institutional uses to prevent unnecessary impacts on established neighborhood areas;
3. Preserve the availability of sites for civic facilities to ensure that facilities are adequate for population growth;
4. Promote Civic uses that are accessible and useable for the neighborhood resident and maintain stability of types of public uses in the neighborhood;
5. May include housing facilities that are accessory to a civic use, such as student dormitories; and
6. Recognize suitable areas for public uses, such as hospitals and schools, that will minimize the impacts to residential areas.

C1/3

### **Application**

1. Any school, whether public or private;
2. Any campus-oriented civic facility, including all hospitals, colleges and universities, and major government administration facilities;
3. Any use that is always public in nature, such as fire and police stations, libraries, and museums;
4. Civic uses in a neighborhood setting that are of a significantly different scale than surrounding non-civic uses;
5. An existing civic use that is likely or encouraged to redevelop into a different land use should NOT be designated as civic; and
6. Civic uses that are permitted throughout the city, such as day care centers and religious assembly, should not be limited to only the civic land use designation.

### **PROPOSED LAND USE**

**Mixed Use** - An area that is appropriate for a mix of residential and non-residential uses.

#### **Purpose**

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non-residential to residential uses;
6. Provide flexibility in land use standards to anticipate changes in the marketplace;
7. Create additional opportunities for the development of residential uses and affordable housing; and
8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

#### **Application**

1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed-use corridors along the neighborhood's edge;
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining Districts);

C1  
4

4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;
5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and
6. Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

### **IMAGINE AUSTIN PLANNING PRINCIPLES**

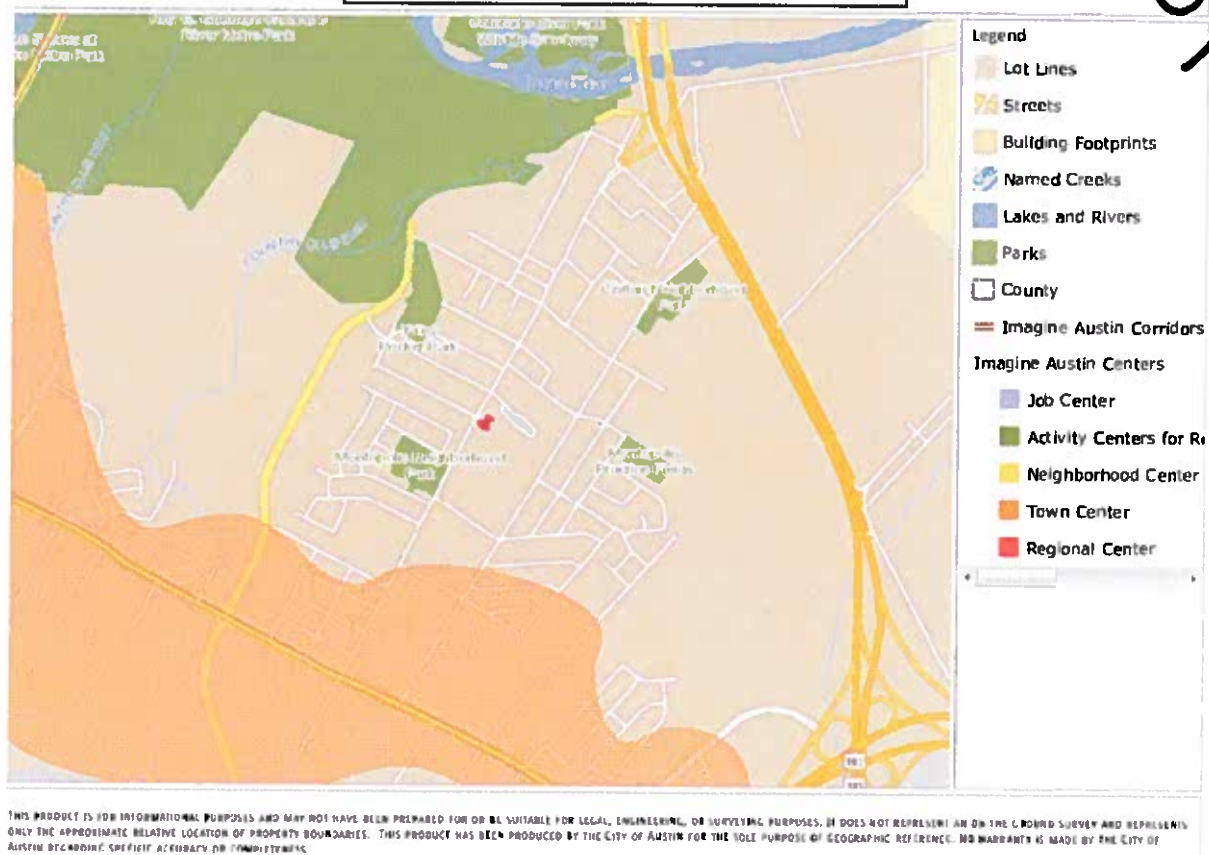
1. Create complete neighborhoods across Austin that provide a mix of housing types to suit a variety of household needs and incomes, offer a variety of transportation options, and have easy access to daily needs such as schools, retail, employment, community services, and parks and other recreation options.
  - *The proposed homes will add to the mix of housing types in the neighborhood. The property is located off Montopolis Drive which provides access to schools, retail, employment, community services, parks and is served by two Capital Metro bus routes.*
2. Support the development of compact and connected activity centers and corridors that are well-served by public transit and designed to promote walking and bicycling as a way of reducing household expenditures for housing and transportation.
  - *Montopolis Drive is not an activity corridor, but E. Riverside Drive located to the south is an activity corridor. Montopolis Drive is served by two bus routes.*
3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
  - *The proposed development is an infill development.*
4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
  - *The proposed development will expand the housing choices for Austin and the Montopolis area.*
5. Ensure harmonious transitions between adjacent land uses and development intensities.
  - *The proposed land use to Mixed Use is compatible with the surrounding land uses.*
6. Protect Austin's natural resources and environmental systems by limiting land use and transportation development over environmentally sensitive areas and preserve open space and protect the function of the resource.
  - *The property is not located in the Drinking Water Protection Zone.*

7. Integrate and expand green infrastructure—preserves and parks, community gardens, trails, stream corridors, green streets, greenways, and the trails system—into the urban environment and transportation network.
- *Not applicable.*
8. Protect, preserve and promote historically and culturally significant areas.
- *Not applicable.*
9. Encourage active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.
- *The property is within walking distance a city recreation center, community care health center, and a public library.*
10. Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.
- *Not applicable.*
11. Sustain and grow Austin’s live music, festivals, theater, film, digital media, and new creative art forms.
- *Not applicable.*
12. Provide public facilities and services that reduce greenhouse gas emissions, decrease water and energy usage, increase waste diversion, ensure the health and safety of the public, and support compact, connected, and complete communities.
- *Not applicable.*

C1/5

Imagine Austin Comprehensive Plan

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The property is less than half a mile north of a Town Center and less than a mile from Activity Corridor as shown on the Imagine Austin Growth Concept map. Below is a description of a Town Center and Corridor from the Imagine Austin Comprehensive Plan.

### Town Centers

Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system. The Mueller redevelopment in Central Austin is an example of an emerging town center. Presently at Mueller, there are local and regional-serving retail establishments, the Dell Children's Medical Center of Central Texas, and Seton Healthcare Family offices. Upon build-out, Mueller expects to include 4.2 million square feet of retail, offices, medical space, and film production, as well as 10,000 residents.

Town centers will range in size between approximately 10,000-30,000 people and 5,000-20,000 jobs.

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## Corridors

Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

**BACKGROUND:** The application was filed on July 28, 2014, which is in-cycle for neighborhood planning areas located on the east side of I.H.-35.

The property is located at the northeast corner of Montopolis Drive and Richardson Lane. The applicant proposes to change the land use on the future land use map from Commercial to Single Family. The zoning change request is to rezone the property from GR-NP to SF-3-NP to build approximately twelve single family homes. For more information on the proposed zoning request, please see the zoning case report C14-2014-0127.

**PUBLIC MEETINGS:** The ordinance-required plan amendment meeting was held on October 1, 2014. Approximately one hundred and twenty-six meeting notices were mailed to property and utility account holders within 500 feet of the property, in addition to neighborhood and environmental groups registered on the community registry. Eleven people signed-in at the meeting.

After staff gave a brief presentation about the applicant's request and the planning process in general, Ron Thrower made the following presentation.

Ron Thrower said his client has purchased the property associated with NPA-2014-0005.01 and NPA-2014-0005.02. F

For NPA-2014-0005.01, the applicant is proposing to change the land use from commercial to single family on the front half of the property. The proposed zoning is from GR-NP to SF-

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3-NP. The rear part of the property is already zoned SF-3-NP and the future land use map is Single Family, so it does not need to be rezoned or have the land use changed.

For NPA-2014-0005.02, it a 4.8 acre tract that is currently zoned LO-NP and we are proposing LO-MU-NP to build approximately 55 single family homes. When we met with the Montopolis Planning Contact Team to discuss the application, they desired having an office up front, which we might do but it wouldn't be more than 1,000 square feet in size.

After his presentation, the following questions were asked:

Q. There are many homes on this small lot. (NPA-2014-0005.01)

A. This is a style of development all over Austin now, similar to the Milestone homes on E. Riverside Drive.

Q. How large will the homes be?

A. 800-900 sq. feet to 1, 500 square feet.

Q. Is this space between the homes on your concept plan? (NPA-2014-0005.02)

A. The gray area is the driveway with 1 to 2 car garage.

Q. Will these homes have security cameras and security staff? (NPA-2014-0005.02)

A. We haven't gotten that far, but these are individually-owned homes and not a condo regime. (NPA-2014-0005.01)

Q. We would like an 8 feet solid fence between our subdivision (to the north) and yours. (NPA-2014-0005.02)

A. The Land Development Code allows a 6 foot solid screen fence unless there is a hazard such as a deep detention pond, but a there is not height requirement on chain link fences. To do an 8 foot solid screen fence, we would need to get a variance. We can work with you on this request.

Q. How will this affect our property taxes?

A. This is really a question for Travis County Appraisal District, but they are supposed to evaluate homes based on similar homes in the area.

Q. What else do you propose to build? (NPA-2014-0005.02)

A. Just residential.

Q. Why only residential? (NPA-2014-0005.02)

A. The Montopolis Planning Contact Team had a desire for some commercial on the front of the lot as a buffer, but office would only be allowed, not retail in LO zoning. We could have a conditional overlay that would limit the office use to no more than 1,000 square feet.

Q. How long ago did you buy the property?

A. Six months ago.

C/9

Q. Will save the palm trees on the property? (NPA-2014-0005.02)

A. I don't know, but they could be moved.

Q. If you get the zoning, how long would it take to build the homes?

A. About 1 year.

Q. Do you have any site plans in reviews right now?

A. No.

Q. We wanted a traffic light in front of our subdivision. Will you have a traffic light in front of your subdivision?

A. That depends on the City because it has to meet certain number of warrants.

Q. Do you plan to build a recreation center?

A. No plans at this time.

Q. What will the home prices be?

A. We won't know until we create building plans.

Q. Can people buy multiple homes then rent them out?

A. For FHA loans, no more than 70% of the homes can be rentals, so there will be limitations to the amount of homes that can be rented. Also, we will have a private deed restrictions that will require people to live in their homes for one year before they can rent them out.

Q. Will there be affordable homes?

A. No, these will be market rates.

Q. Can people use their homes for short-term rentals?

A. As far as the city is concerned, yes, but we can have HOA rules that prohibit that.

**CITY COUNCIL DATE:** November 20, 2014      **ACTION:** Pending.

**CASE MANAGER:** Maureen Meredith      **PHONE:** (512) 974-2695

**EMAIL:** Maureen.meredith@austintexas.gov

Letter from the Montopolis Planning Contact Team

C1/10

**From:** PODER Austin, Texas  
**Sent:** Wednesday, October 01, 2014 5:24 PM  
**To:** Meredith, Maureen  
**Cc:** Anita Villalobos; A Noyola; Corazon Renteria; Israel Lopez; Librado A; Monica Allen; Eusebia Ulloa; ATX\_STREETMINISTRY@; Dave Cortez; Fred McGhee  
**Subject:** Susana Almanza, MNPCT President

Hello Mureen Meredith- Several members of the Contact Team and area residents will not be able to attend tonight's meeting. Several members are out of town. Also, we just had the Ethics Commission & League of Women's Voters Candidate Forum for District 3 at the Montopolis Recreation Center last night. This was a major event for the community.

The MNPCT is in support of the zoning change for 737 Montopolis Drive from GR-NP to SF-3-NP, even though we are concerned about the gentrification in the heart of the Montopolis community.

The MNPCT is not in agreement with the zoning change for 1007 & 1011 Montopolis Drive from Civic to Mix Use. We want the Civic Use zoning to stay on the present property. Again, we will be opposing the zoning change for 1007 & 1011 Montopolis Drive.

Sincerely,

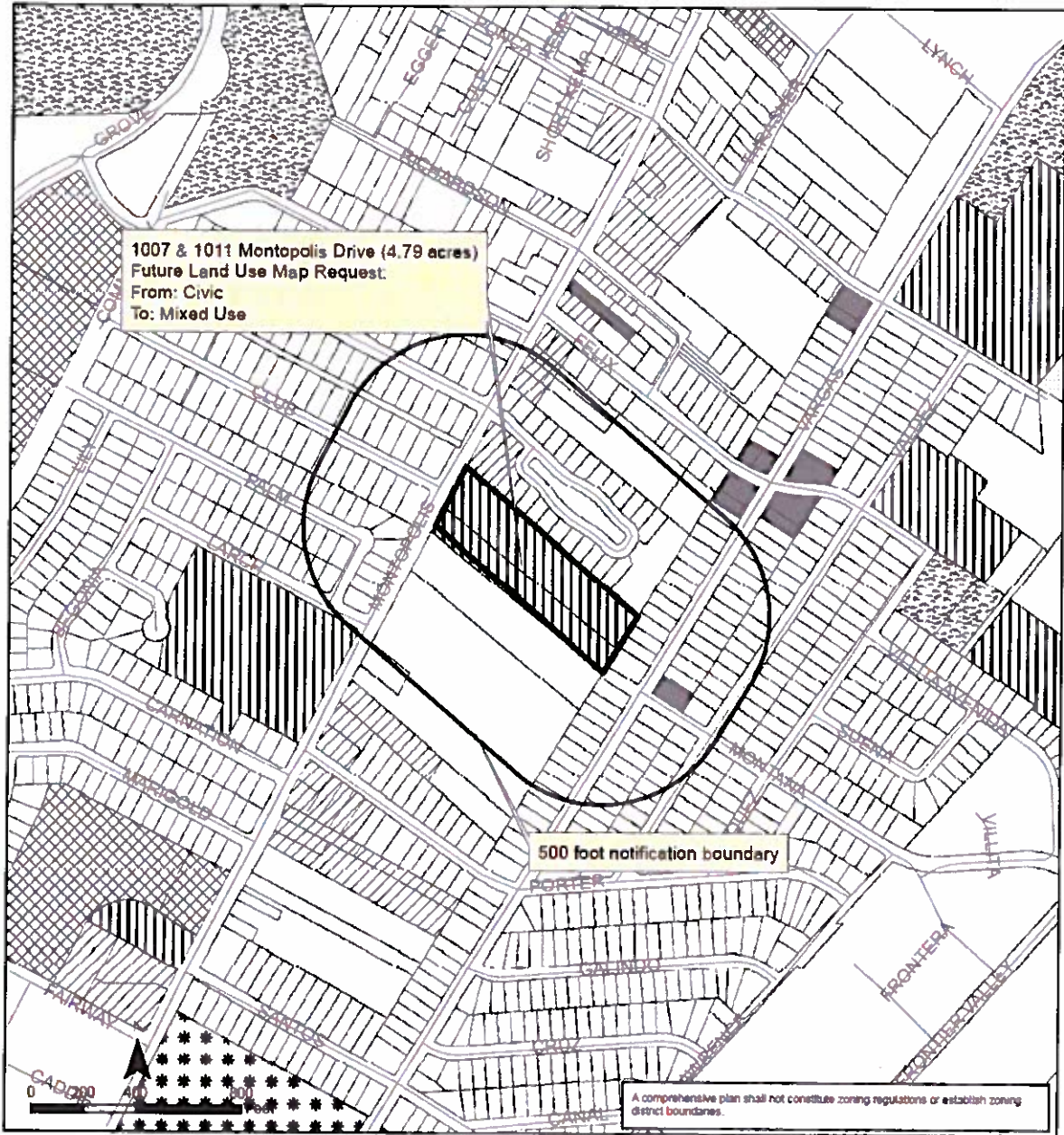
Susana Almanza, President  
Montopolis Neighborhood Plan Contact Team

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PODER  
P.O. Box 6237  
Austin, TX 78762-6237  
[www.poder-texas.org](http://www.poder-texas.org)

## Utilities

C1/12



## Montopolis Neighborhood Planning Area NPA-2014-0005.02

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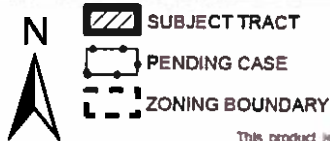


City of Austin  
Planning and Development Review Department  
Created on 8/4/2014, by: meredithm



Future Land Use	
	Single-Family
	Multi-Family
	Commercial
	Mixed Use
	Specific Regulating District
	Office
	Civic
	Recreation & Open Space
	Subject Property

C1  
13



**ZONING CASE**  
**C14-2014-0127**

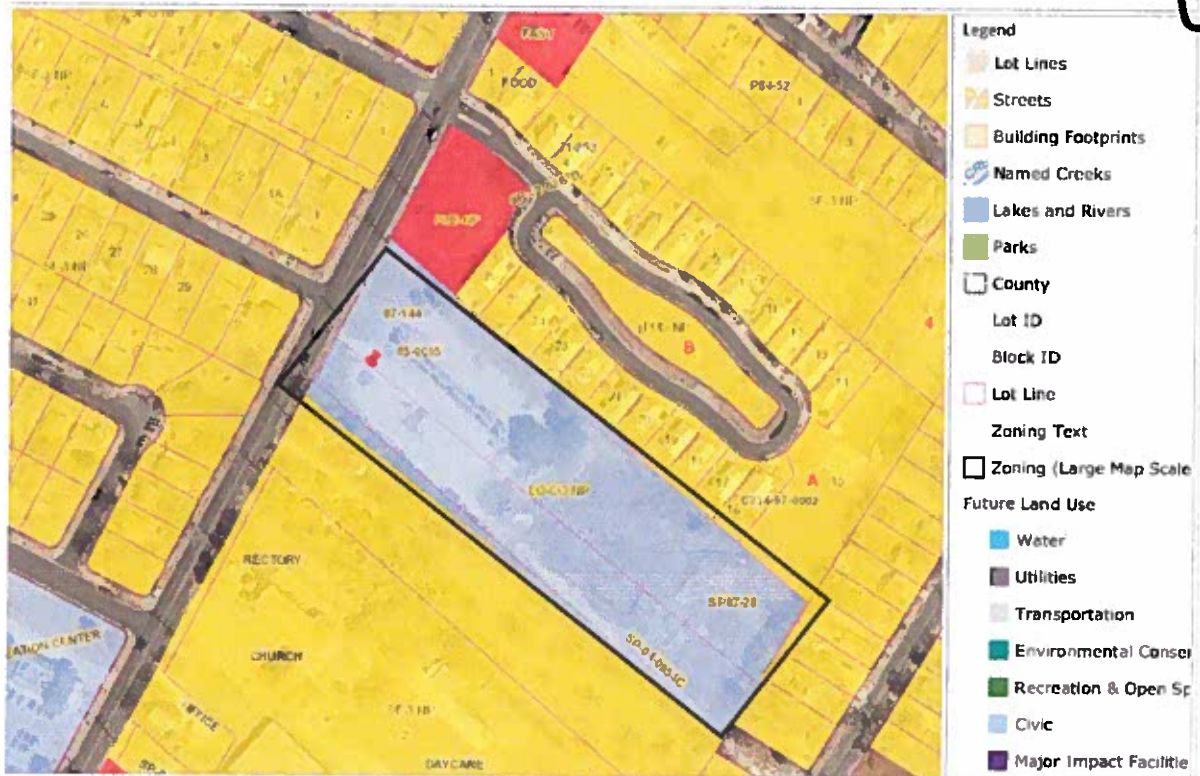
1" = 400'

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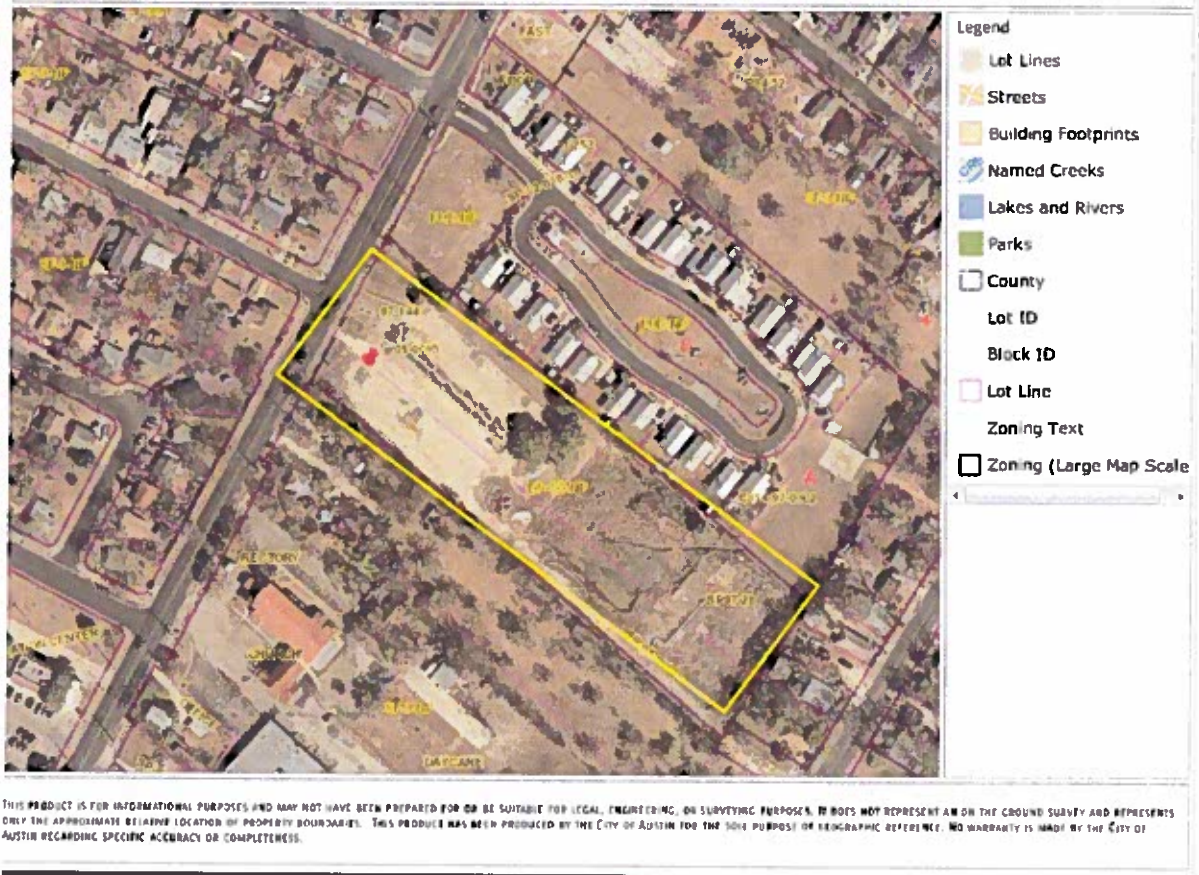
CITY OF AUSTIN DEVELOPMENT WEB MAP



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C1/15

CITY OF AUSTIN DEVELOPMENT WEB MAP





CL  
17

**From:** Dr. Fred McGhee  
**Sent:** Sunday, September 07, 2014 9:11 AM  
**To:** Meredith, Maureen  
**Cc:** A. Ron Thrower (RonT@  
**Subject:** 737, 1007 & 1011 Montopolis Drive

Hello Maureen,

Since I am on the campaign trail I will not be able to attend the meeting on Thursday, September 18 2014. But I would like to register my organization's (the Carson Ridge NA) and my personal support for these zoning changes. I look forward to working with Mr. Thrower's client to produce high quality, greenbuilt mixed use real estate in this part of our neighborhood.

Regards,

flm