

## NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

**NEIGHBORHOOD PLAN:** Montopolis

**CASE#:** NPA-2014-0005.01

**DATE FILED:** July 28, 2014 (In-cycle)

**PROJECT NAME:** 737 Montopolis Rezoning

**PC DATE:** October 28, 2014

**ADDRESS:** 737 Montopolis Drive

**SITE AREA:** Approx. 0.536 acres

**OWNER/APPLICANT:** Jose and Gloria Perez

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

**TYPE OF AMENDMENT:**

**Change in Future Land Use Designation**

**From:** Commercial

**To:** Single Family

**Base District Zoning Change**

**Related Zoning Case:** C14-2014-0124

**From:** GR-NP

**To:** SF-3-NP

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

**PLANNING COMMISSION RECOMMENDATION:** October 28, 2014 – Approved on the consent agenda for Single Family land use [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 Commercial to Single Family 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**

**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***

**Commercial** - Lots or parcels containing retail sales, services, hotel/motels and all recreational services that are predominantly privately owned and operated for profit (for example, theaters and bowling alleys). Included are private institutional uses (convalescent homes and rest homes in which medical or surgical services are not a main function of the institution), but not hospitals.

### **Purpose**

1. Encourage employment centers, commercial activities, and other non- residential development to locate along major thoroughfares; and
2. Reserve limited areas for intense, auto-oriented commercial uses that are generally not compatible with residential or mixed use environments.

### **Application**

1. Focus the highest intensity commercial and industrial activities along freeways and major highways; and
2. Should be used in areas with good transportation access such as frontage roads and arterial roadways, which are generally not suitable for residential development.

### **PROPOSED LAND USE**

**Single family** - Detached or two family residential uses at typical urban and/or suburban densities

#### **Purpose**

1. Preserve the land use pattern and future viability of existing neighborhoods;
2. Encourage new infill development that continues existing neighborhood patterns of development; and
3. Protect residential neighborhoods from incompatible business or industry and the loss of existing housing.

#### **Application**

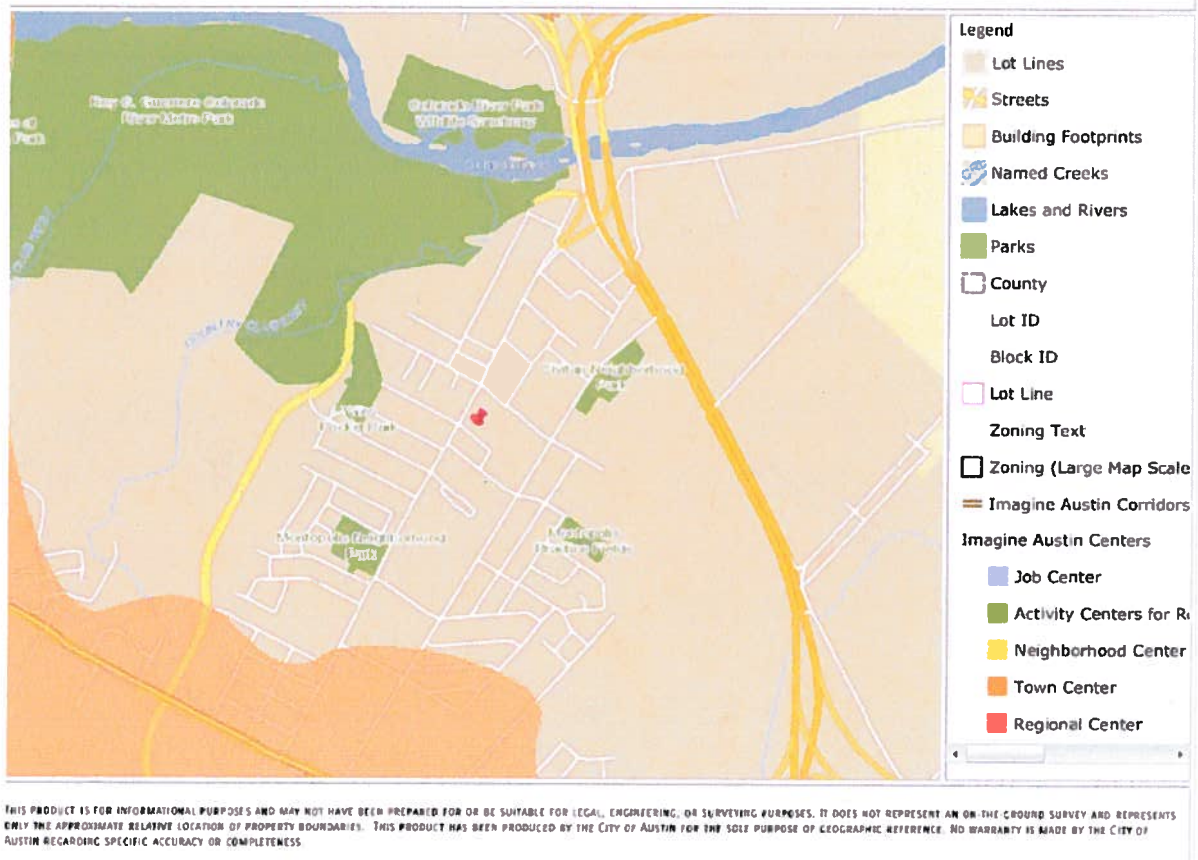
1. Existing single-family areas should generally be designated as single family to preserve established neighborhoods; and
2. May include small lot options (Cottage, Urban Home, Small Lot Single Family) and two-family residential options (Duplex, Secondary Apartment, Single Family Attached, Two-Family Residential) in areas considered appropriate for this type of infill development.

### **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, and City park. Montopolis Drive 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.***

## Imagine Austin Comprehensive Plan



The property is less than one mile north of a Town Center and 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.

### 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.

**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. The following questions and answers related to both cases.

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

A. This is a style of development all over Austin now, these homes are 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?

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

Q. Will these homes have security cameras and security staff?

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.

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?

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.

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 one 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. There are 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

**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

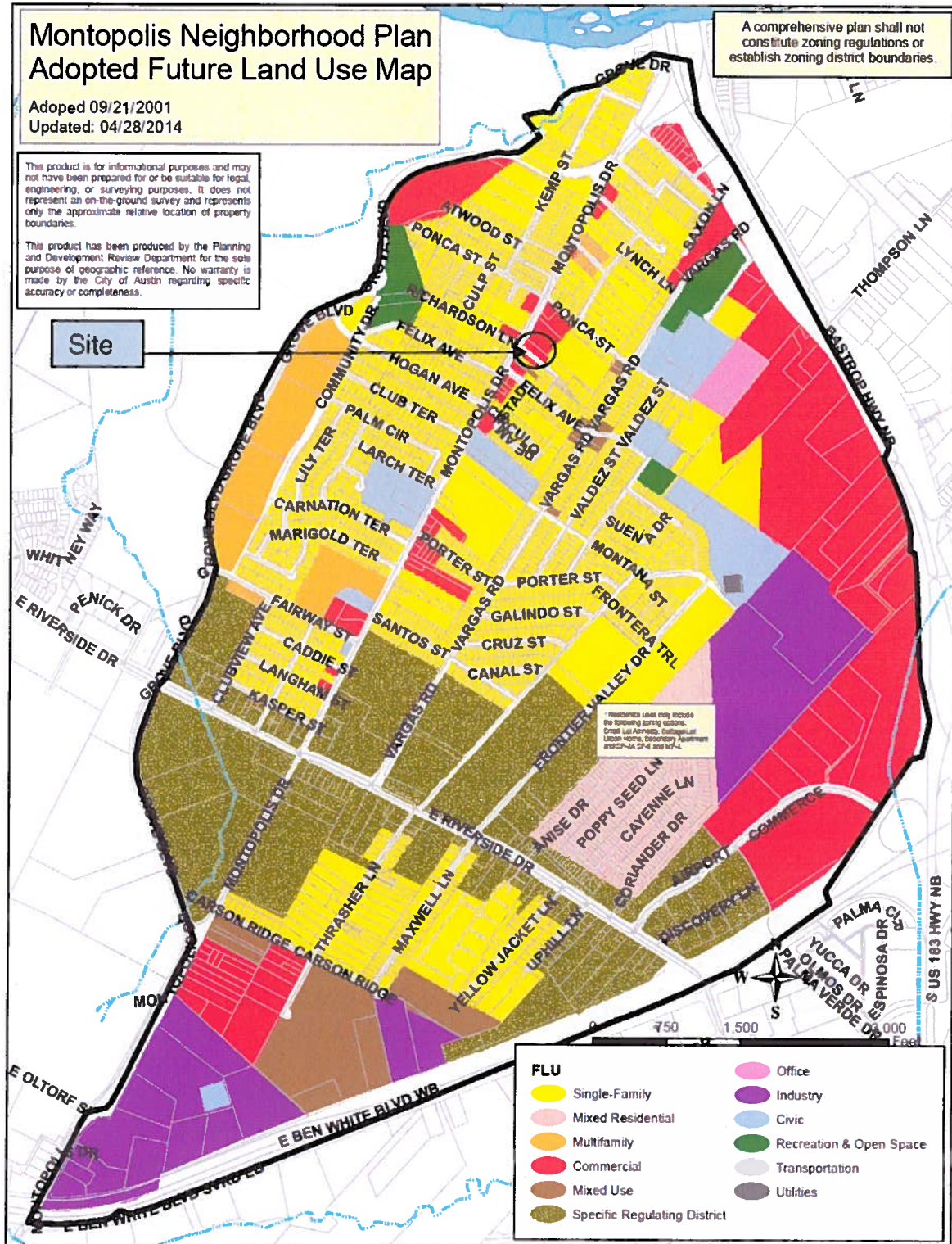
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PODER

P.O. Box 6237

Austin, TX 78762-6237

[www.poder-texas.org](http://www.poder-texas.org)







## Montopolis Neighborhood Planning Area NPA-2014-0005.01

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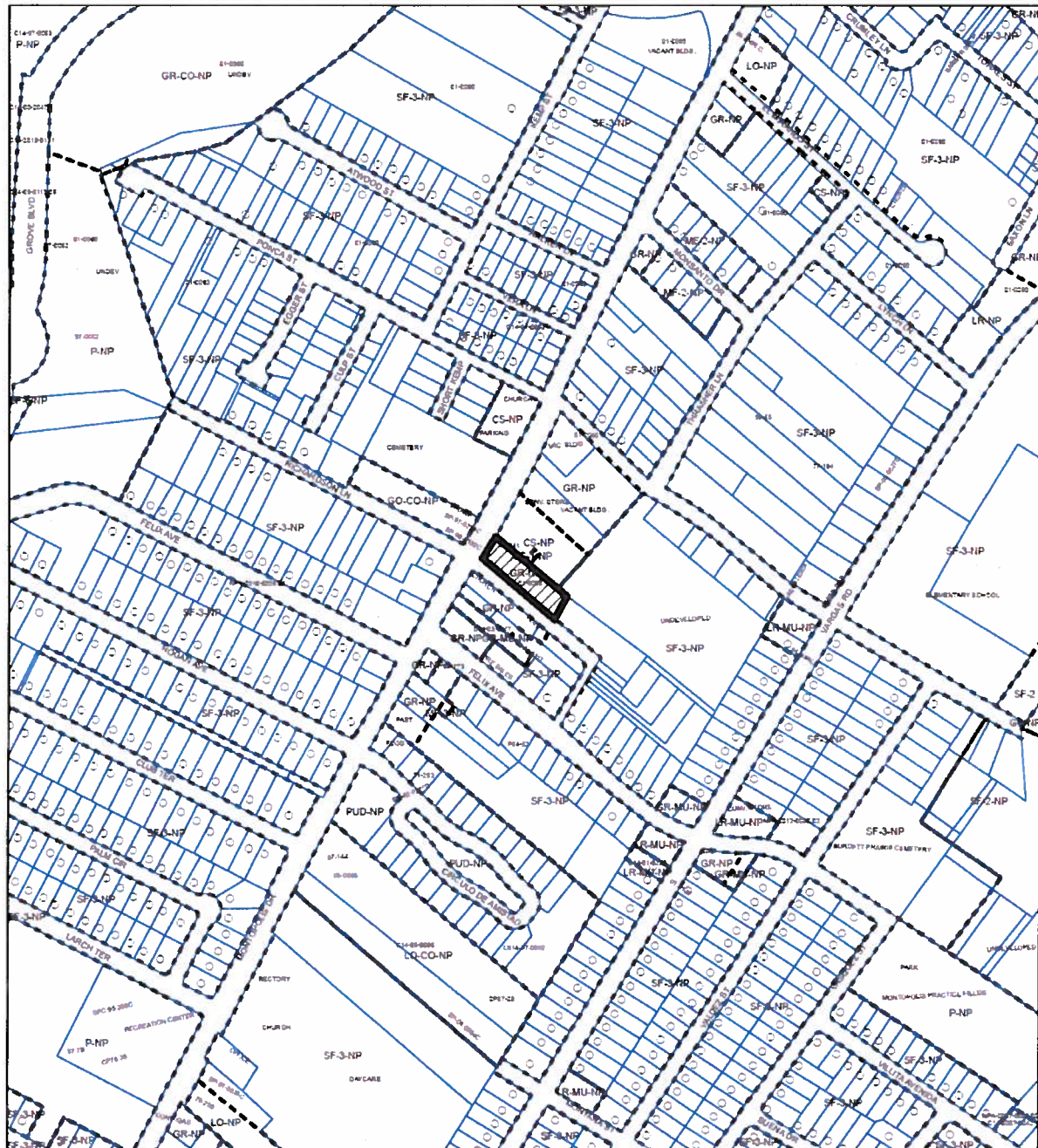


City of Austin  
Planning and Development Review Department  
Created on 8/27/2014, by: meredithm



### Future Land Use

Single-Family	Office
Multi-Family	Civic
Commercial	Recreation & Open Space
Mixed Use	Subject Tract



- N**
- SUBJECT TRACT
  - PENDING CASE
  - ZONING BOUNDARY

**ZONING**  
ZONING CASE#: C14-2014-0124

1" = 400'

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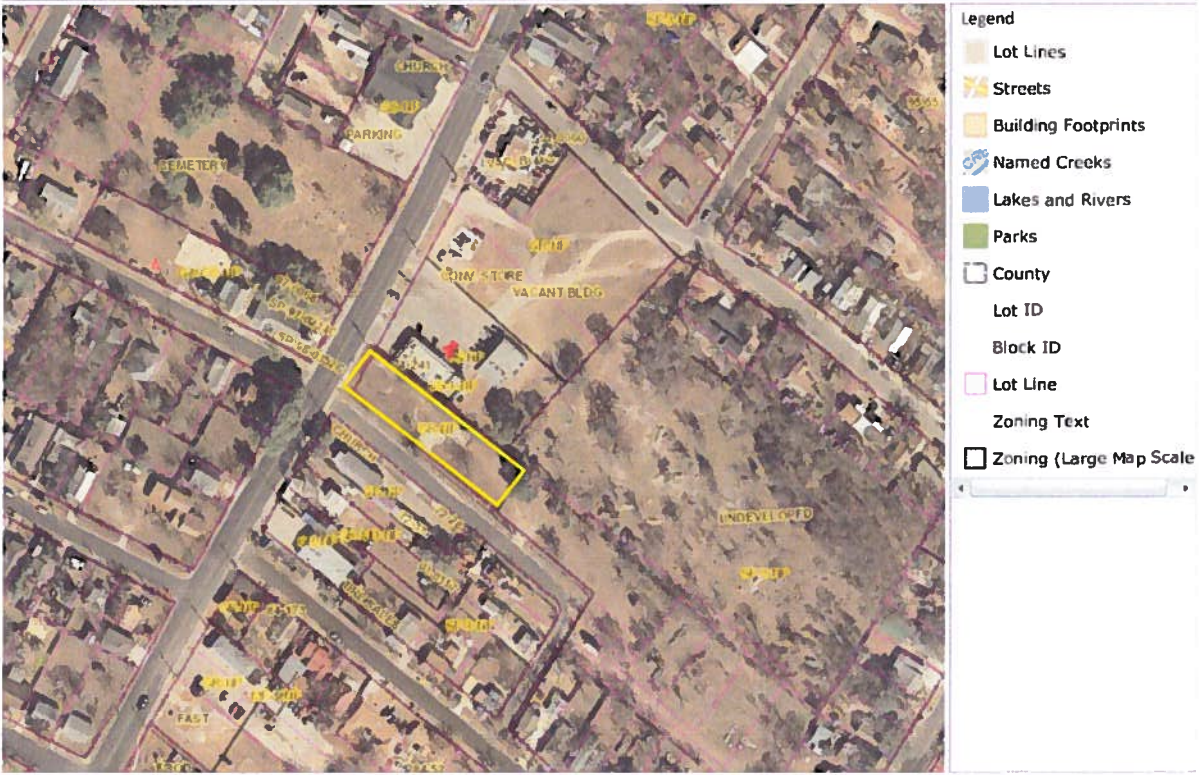


CITY OF AUSTIN DEVELOPMENT WEB MAP



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CITY OF AUSTIN DEVELOPMENT WEB MAP



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**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,

film



# PUBLIC HEARING COMMENT FORM

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

City of Austin  
Planning and Development Review Department  
Maureen Meredith  
P. O. Box 1088  
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2014-0005.01  
Contact: Maureen Meredith, 512-974-2695  
Public Hearing: Oct 28, 2014, Planning Commission  
Nov 20, 2014, City Council

☒ I am in favor  
☐ I object

Your Name (please print)

Min Ou

706 Short Kemp, Austin, TX 78741

Your address(es) affected by this application

10-18-14

Signature

Date

Comments: I am totally in favor of this.  
This is infusion of capital into a poor area. This will alleviate a bit of the pent up need for housing choices, create jobs, and generate tax revenue for the city. This will beautify the area and stabilize families. Please do not block this developer/builder, but instead facilitate them with their vision. I can only see good thing coming out of it. Thank-you.