

**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2014-0127  
1007 & 1011 Montopolis Drive (aka PRJ Development)

**P.C. DATE:** November 12, 2014;  
October 28, 2014

**ADDRESS:** 1007 & 1011 Montopolis Drive

**AREA:** 4.801 acres

**NEIGHBORHOOD PLAN AREA:** Montopolis Neighborhood Planning Area

**OWNER:** PRJ Development, LLC (Joe Stafford)

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

**ZONING FROM:** LO-CO-NP, Limited Office-Conditional Overlay-Neighborhood Plan

**ZONING TO:** LO-MU-CO-NP, Limited Office-Mixed Use-Conditional Overlay-Neighborhood Plan

**SUMMARY STAFF RECOMMENDATION:**

To grant LO-MU-CO-NP, Limited Office-Mixed Use-Conditional Overlay- Neighborhood Plan, with conditions. The conditions include:

- 1) Prohibition of all office uses except Administrative and Business Office uses, and Medical Office. Medical Office use shall be limited to a maximum of 1,500 square feet;
- 2) Vehicle trips per day shall remain limited to less than 2,000;
- 3) All structures on the property shall be limited to a maximum of 2 stories; and
- 4) A fence with a minimum height of 6' shall be constructed along the northern property line.

**PLANNING COMMISSION RECOMMENDATION:**

November 12, 2014 To Grant LO-MU-CO-NP, Limited Office-Mixed Use-Conditional Overlay-Neighborhood Plan, with conditions as recommended by Staff (Motion: A. Hernandez; Second: J. Nortey) 5-3-0 (Nays: B. Roark; J. Stevens; N. Zaragosa; Absent: L. Verghese).

To Deny LO-MU-CO-NP, Limited Office-Mixed Use-Conditional Overlay-Neighborhood Plan, with conditions as recommended by Staff (Motion: B. Roark; Second: J. Stevens) 3-5-0 (Nays: D. Chimenti; R. Hatfield; A. Hernandez, J. Nortey, S. Oliver; Absent: L. Verghese).

October 28, 2014 Postponed to November 12, 2014 at the Request of the Montopolis Neighborhood Plan Contact Team, with Applicant Concurrence (Consent Motion: J. Stevens; Second: A. Hernandez) 8-0 (Absent: B. Roark).

**PETITION:**

On November 17, 2014 a petition was submitted to staff. As of 11/26/2014, the petition stood at 8.92%, which is below the 20% threshold to be considered valid (see Exhibit P).

**DEPARTMENT COMMENTS:**

The subject tract is located on the east side of Montopolis Drive, approximately halfway between East Riverside Drive to the south and US Highway 183 to the north; it is outside the boundary of the East Riverside Corridor Plan (see Exhibits A).

The property was rezoned from SF-3-NP to LO-CO-NP in 2005 to facilitate construction of a 31,143 square foot church, along with associated parking and drainage facilities. Though allowed in the SF-3 zoning district, the parking requirements necessitated the rezoning (for increased impervious cover). A site plan (SP-04-0954C) was approved, and construction commenced. While initial site improvements were made, such as the parking area and detention ponds, the primary structure was never built. Remnants of that earlier work remain on site.

The existing CO prohibits a number of office uses, including communications services, professional office software development, and medical offices; it also limits vehicle trips per day to less than 2,000. The current proposal is to add the Mixed Use (MU) combining district to allow for development of the site under a residential option. The proposal would also modify the CO to allow medical offices up to a maximum of 1,500 square feet, but otherwise further prohibit office uses with the exception of administrative and business office uses. In addition, all structures would be limited to two (2) stories, and a fence six (6) feet or higher would be required along the northern property line (the fence requirement may need to be housed in a public restrictive covenant).

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

**ABUTTING STREETS & TRANSIT:**

Street Name	ROW Width	Pavement Width	Classification	Bicycle Route/Plan	Bus Service	Sidewalks
Montopolis Drive	Varies (~73')	Varies (40' - 44')	Arterial	Route 65	Yes	Yes

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
Site	LO-CO-NP	Vacant
North	PUD-NP; SF-3-NP; GR-NP	Single-family residential; Single-family residential; Restaurant & retail
East	SF-3-NP	Single-family residential; Vargas
South	SF-3-NP; LO-NP; GR-NP	Single-family residential, religious assembly; convent; convenience store and auto sales
West	SF-3; P-NP	Montopolis Drive; single-family residential; Montopolis Recreation and Community Center

**TIA:** Not Required

**WATERSHED:** Country Club East and Carson Creek (both urban)

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**NEIGHBORHOOD ASSOCIATIONS & COMMUNITY ORGANIZATIONS:**

## COMMUNITY REGISTRY NAME

## COMMUNITY REGISTRY ID

Crossing Garden Home Owners Association	299
El Concilio Mexican-American Neighborhoods	477
Austin Neighborhoods Council	511
Montopolis Area Neighborhood Alliance	634
Austin Independent School District	742
Del Valle Independent School District	774
PODER	972
Homeless Neighborhood Organization	1037
Bike Austin	1075
Carson Ridge Neighborhood Association	1145
Vargas Neighborhood Association	1179
Larch Terrace Neighborhood Association	1181
Super Duper Neighborhood Objectors and Appealers Organization	1200
Sierra Club, Austin Regional Group	1228
The Real Estate Council of Austin, Inc.	1236
Pleasant Valley	1255
Del Valle Community Coalition	1258
Vasquez Fields Neighborhood Association	1313
Montopolis Tributary Trail Association	1321
Montopolis Neighborhood Association	1339
Austin Heritage Tree Foundation	1340
Montopolis Neighborhood Association	1357
SEL Texas	1363
Montopolis Neighborhood Association – El Concilio	1394
Preservation Austin	1424
East Austin Conservancy	1444
Friends of the Emma Barrientos MACC	1447

**SCHOOLS:**

Austin Independent School District:

Allison Elementary      Martin Middle School      Eastside Memorial High School at Johnston

**ZONING CASE HISTORIES FOR THE TRACT:**

NUMBER	REQUEST	LAND USE COMMISSION	CITY COUNCIL
1007-1011 Block of Montopolis C14-87-144	SF-3 to GR & LI	Recommended; 09/29/1987	Approved First; 10/29/1987; Denied; 05/25/1989
1007 Montopolis C14-05-0095	SF-3-NP to LO-CO-NP	Recommended; 09/13/2005	Approved LO-CO-NP; 11/17/2005

**ZONING CASE HISTORIES IN THE AREA:**

The Montopolis Neighborhood Plan was adopted in September 2001. At the time, the property at the corner of Montopolis and Ponca (about 1200 to the north) was rezoned from one base district to another as were some tracts at Vargas and Felix (about 900 feet to the northeast), and one at Vargas and Montana (to the east).

NUMBER	REQUEST	LAND USE COMMISSION	CITY COUNCIL
EAST of MONTOPOLIS (south to north)			
805 Montopolis C14-03-0117	SF-3-NP to GR-MU-NP	Recommended; 12/09/2003	Approved; 01/15/2004
903 Montopolis C14-71-253	“A” Residence to “B” Residence (2260 sf footprint)		Approved; 01/20/1972
900 Block Montopolis C814-97-0002	SF-3 to PUD (Mary Vice Estates PUD aka Habitat for Humanity PUD)	Recommended; 10/28/1997	Approved; 11/20/1997
1207 Montopolis C14-79-250	“A” Residence to “O” 1 <sup>st</sup> H&A		Approved; 08/07/1980
Neighborhood Plan Rezonings			
Vargas & Felix 6506 & 6601 Felix 809 Vargas Avenue 900 Vargas Avenue	GR to GR-MU-NP LR to LR-MU-NP CS to CS-MU-NP	Recommended; 08/07/2001	Approved; 09/27/2001
6601 Felix 903 Vargas	SF-3; GR to GR-NP SF-3 to GR-NP		
6602 Montana (aka 1013 Vargas)	LR to LR-MU-NP		
WEST of MONTOPOLIS (south to north)			
1200 Montopolis C14-87-079 (Rec Center)	SF-3 to P		Approved 05/26/1988

As can be determined from the above, other than the rezonings associated with the Montopolis Neighborhood Plan in 2001, there have not been any recent rezoning applications within the area.

**CITY COUNCIL ACTION:** Scheduled for Consideration December 11, 2014

November 20, 2014 Postponed at the Request of the Montopolis Neighborhood Association to December 11, 2014; Applicant Concurred (Consent Motion: Council Member Spelman; Second: Mayor Pro Tem Cole) 7-0.

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

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

**PHONE:** 512-974-7604

## **SUMMARY STAFF RECOMMENDATION**

### **BACKGROUND/PURPOSE STATEMENTS**

The current base zoning is limited office-conditional overlay-neighborhood plan. Limited office (LO) district is the designation for an office use that serves neighborhood or community needs and that is located in or adjacent to residential neighborhoods. An office in an LO district may contain one or more different uses. Site development regulations and performance standards applicable to an LO district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

The current zoning also includes a conditional overlay (CO). COs are intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties. Lastly, the current and proposed zoning includes Neighborhood Plan (NP), which denotes a tract located within the boundaries of an adopted Neighborhood Plan and subject to requirements or allowances adopted with the Plan. The current CO prohibits a number of office uses, include communications services, professional office software development, and medical offices (large and small); it also limits vehicle trips per day to less than 2,000.

The proposal includes addition of Mixed Use (MU) combining district zoning. The purpose of a MU combining district is to allow office, retail, commercial, and residential uses to be combined in a single development. When combined with an office base district, the mixed use option would allow for vertical mixed use buildings, as well as townhouse, multifamily, single-family, duplex, condominium, and other forms of residential development, separate from any office development. Granting MU to a site means mixed use is an option; a mix of uses either within a building or across a site, not a requirement.

### **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.***

The property is currently zoned office (limited office). Office use along an arterial is entirely acceptable and expected. At the same time, there is residential zoning and land use to the north, east, south, and across the road west of Montopolis Drive. Office zoning, especially limited office, is generally accepted to be compatible with adjacent and nearby residential. The current proposal would not alter the office zoning district, but add Mixed Use, thereby allowing the property to be developed with either a mix of office and residential uses, or only one of those uses.

If developed entirely as residential, which is one current proposal, the minimum site standards would approximate an MF-2 style of development, in terms of density. However, the applicant's proposed 2-story limit on buildings, in contrast to the 3-stories or 40 feet height normally allowed under LO zoning, would help ensure the residential units are of a more residential, and thus compatible, scale. The PUD to the north has a similar height maximum of 35 feet, although most homes are currently single story.

At the same time, the fact LO-MU could provide for development more dense than varieties of single-family zoning, means that the project could provide an appropriate transition between Montopolis Drive and the single-family to the north or along Vargas Road to the east. If the property immediately to the south, currently zoned SF-3-NP, were to further develop as residential, the LO-MU style of residential would remain compatible.

Of note, the existing residential development to the north is zoned PUD, and would likely be considered multifamily development at the time of site planning for the current subject tract. Although developed as a Habitat For Humanity project with 25 individual lots, the PUD contains a land use plan depicting several open or common space lots. Site planning, rather than individual residential building permits, was required for development of that tract. The density of this PUD is also higher than that of traditional single-family. If the PUD is treated as multifamily, compatibility requirements would not be triggered by the PUD. Staff supports the applicant's proposal of a fence, of a minimum height of 6', to be provided along that property line to provide privacy and screening to the existing residents to the north. This proposal has been incorporated as a condition of staff's recommendation, along with the 2-story maximum height for structures.

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

***Zoning should allow for a reasonable use of the property.***

Office zoning along an arterial is reasonable, and as noted above, is thought to be compatible with adjacent and nearby residential. A mixed-use option, to develop all or a portion of the site as residential, is also appropriate and reasonable, especially given the existing residential on all sides.

At the same time, Austin as a city is facing a need for additional housing. The demand for more and affordable housing has translated into residential infill proposals, and their associated rezoning requests are becoming commonplace. While each rezoning request has and will be considered on the basis of its own merits, staff thinks a request for residential uses of (some or all of) this property is reasonable. Furthermore, if there are similarly situated properties elsewhere in the neighborhood or throughout the City that are surrounded by residential uses and have easy access to transit options, staff would likely recommend considering them for residential infill too.

***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 Montopolis Neighborhood Plan, adopted in 2001. That document's Future Land Use Map (FLUM) designates this property civic, and so this rezoning request is accompanied by a neighborhood plan amendment to designate the property mixed use. The recommendation to rezone the property from is contingent on the FLUM amendment (NPA-2014-0005.02).

It is thought that the Imagine Austin Comprehensive Plan (IACP), generally, and specifically as regards housing policies, would support this mixed use or, more likely, residential development. One of the overall goals of the Plan to is to achieve compact and connected 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. Montopolis Drive is a high transit roadway with multiple bus routes serving the neighborhood. The site is within ½ mile of the ACC Riverside campus, and though outside the boundary of the East Riverside Corridor, it is within ¾ mile of an identified Hub boundary (the boundary around proposed transit stops).

This site could work well for office, residential, or a mix thereof. One current proposal, for residential condominiums, involves some 50 units dispersed throughout the site. Such an infill project, on a major roadway, serves both the compact and connected goals of the IACP. A project with detached residential units, as proposed, also reflects the IACP's goal of providing various and diverse options of housing styles and price points throughout the city. Additionally, as part of the development of the site, the owner is responsible for improvements in the existing right-of-way extending from the property's east property line to Vargas. Given that the property would not be gated, these improvements and the driveway traversing the site would provide another connection between Vargas and Montopolis.

The Montopolis Neighborhood Plan lists several objectives and action items related to residential development, redevelopment, and the preservation of existing residences. As relates to the current proposal, one of the Plan's objectives cites the creation of multiple housing types of varied intensities. The objective follows from the goal of creating affordable homes for all stages of life within Montopolis.

Unlike a recent proposal for residential condominium development, which was thought too interior to existing single-family neighborhoods to have neighborhood stakeholder or Planning Commission support, the current request, which could result in residential units fronting and accessing Montopolis Drive, is thought by staff to support the Neighborhood Plan's intent of protecting existing single-family housing. Consequently, staff thinks the current LO-MU request, with conditions, satisfies the goals and objectives of both the Imagine Austin and Montopolis Neighborhood Plans.



## EXISTING SITE CHARACTERISTICS AND REVIEW COMMENTS

### Site Characteristics

Construction activities on the site in 2005 included improvements for a planned church, parking facilities, and detention ponds. The construction was incomplete and the site contains the remains of a detention pond on the east end, and parking areas on the west end. The site is relatively flat, has few trees, and has no floodplain or other environmental features. Further redevelopment should not be constrained by environmental features. Although the site is within the Controlled Compatible Land Use Area of Austin-Bergstrom International Airport, it is outside the Airport Overlay Zones; as such, redevelopment will likely not be impacted by regulations for land uses, height limits, or other hazard limitations.

### PDRD Environmental Review (08/08/2014) MM)

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Carson Creek and Country Club East Watersheds of the Colorado River Basin, which are classified as Suburban Watersheds by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.
2. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. 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 512-974-1876. 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.
6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.
7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

**PDRD Site Plan Review (08/13/2014) (RA)**

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1. Site plans will be required for any new development other than single-family or duplex residential.
2. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.
3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
4. The site is subject to compatibility standards. Along the all property lines, the following standards apply:
  - No structure may be built within 25 feet of the property line.
  - No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
  - No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
  - No parking or driveways are allowed within 25 feet of the property line.
  - A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
5. Additional design regulations will be enforced at the time a site plan is submitted.
6. 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.

**PDRD Transportation Review (08/14/2014) (AC)**

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1. If the requested zoning is granted, it is recommended that joint access be provided for the 2 lots along Montopolis Drive.
2. A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]
3. In line with Imaging Austin land use and transportation policies (LUT P1& LUT P3), and Complete Street Ordinance (# 20140612-119 exhibit 1, A, 2.), dedicate frontage of adjacent ROW (extending from Montana Street) along the southwestern edge of the property for future connection of Montana Street to Montopolis Drive.
4. Chad Crager in the Public Works Department and Eric Bollich in the Austin Transportation Department may have additional comments regarding multi-modal facility enhancements. (note further comments issued)

## 5. Existing Street Characteristics:




Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Montopolis Drive	Varies (~ 73')	40'	Arterial	Yes	Yes	Yes

**Water Utility Review (08/01/2014) (NK)**

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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, water or wastewater easements, 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. Be advised that there are existing wastewater capacity issues with this area and an SER will most likely be required for wastewater service and should be submitted as soon as possible to avoid delays in the formal review process once development plans are submitted. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. 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.



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

### ZONING CASE C14-2014-0127

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.

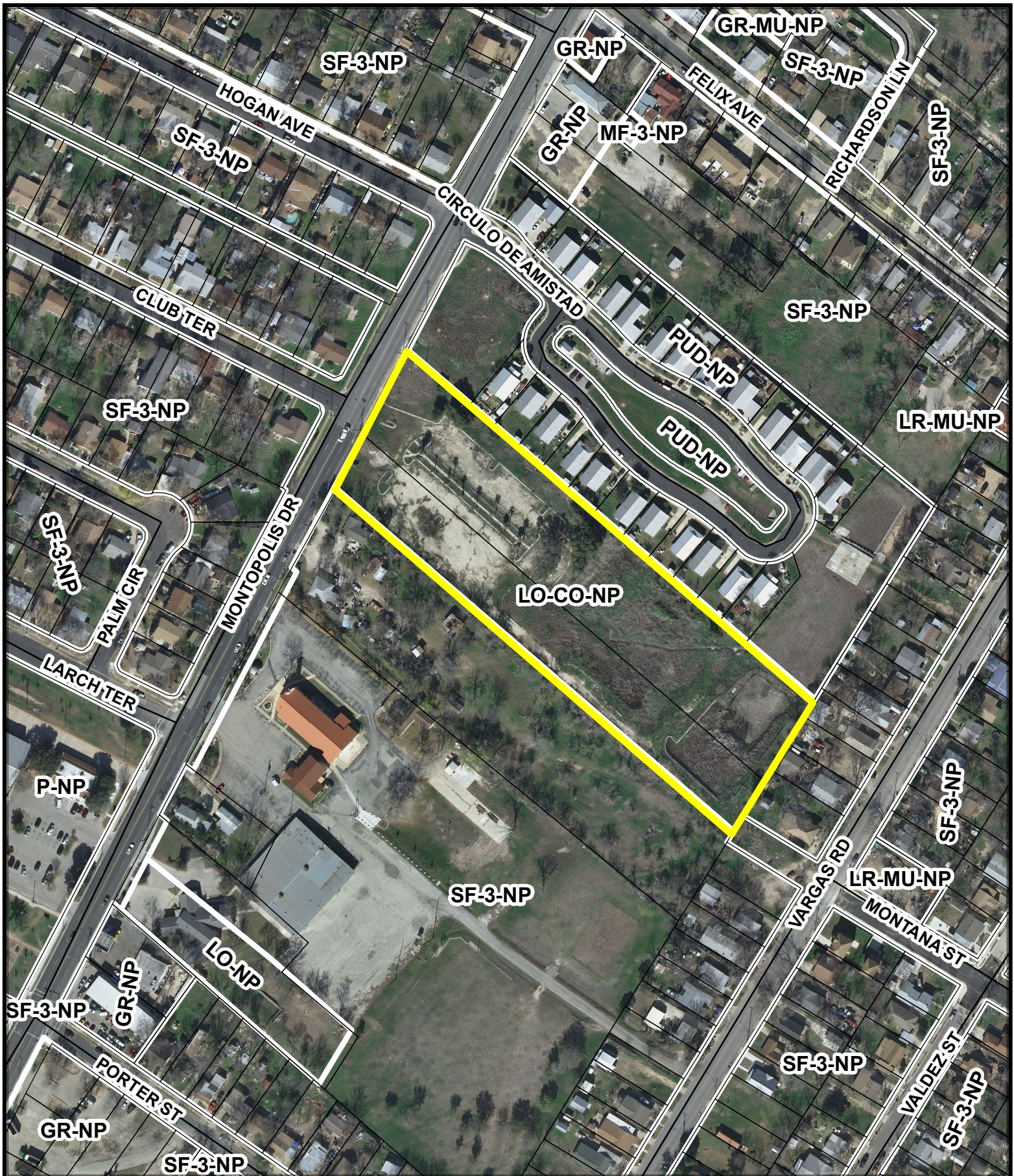
This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



**Exhibit A - Zoning Map**

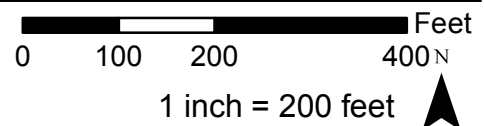


# C14-2014-0127 / 1007 & 1011 Montopolis Resoning



Aerial: 2012-01

## Exhibit A - 1 Aerial & Zoning





**From:** Dr. Fred McGhee  
**Sent:** Sunday, September 07, 2014 9:11 AM  
**To:** Meredith, Maureen  
**Cc:** Ron Thrower  
**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



**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; 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)

**From:** Martin Guajardo

**Sent:** Wednesday, November 12, 2014 1:30 PM

**To:** Anguiano, Dora

**Subject:** C14-2014-0127 - PRJ Development, LLC & Plan Amendment: NPA-2014-0005.02

This message is from Martin Guajardo.

Dear Planning Commission Members, In regards to Plan Amendment: NPA-2014-0005.02 : 1007 & 1011 Montopolis Drive I am opposed to any change in Future Land Use Designation from Civic to Mixed Use. In regards to the Zoning Case: C14-2014-0127 from LO-NP to LO-MU-NP, I am opposed any change to the current zoning. I do not want my property taxes to go up. The developer has plans to build expensive townhomes if he gets the changes. Montopolis is one of the few places left that are affordable to homeowners as well as renters. You have the power to ensure it stays that way. Thank you for your time. Martin Guajardo Montopolis Resident

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**From:** Micky Moreno

**Sent:** Wednesday, November 12, 2014 1:27 PM

**To:** Anguiano, Dora

**Subject:** Zoning case- C14-2014-0127 - PRJ Development, LLC & Plan Amendment: NPA-2014-0005.02

This message is from Micky Moreno.

Dear Planning Commission Members, I own 2 homes in Montopolis and In regards to Plan Amendment: NPA-2014-0005.02 : 1007 & 1011 Montopolis Drive I am opposed to any change in Future Land Use Designation from Civic to Mixed Use. In regards to the Zoning Case: C14-2014-0127 from LO-NP to LO-MU-NP, I am opposed any change to the current zoning. I do not want my property taxes to go up. The developer has plans to build expensive townhomes if he gets the changes. Montopolis is one of the few places left that are affordable to homeowners as well as renters. You have the power to ensure it stays that way. Thank you for your time. Micky Moreno and John Moreno



**From:** Angelica Noyola

**Sent:** Wednesday, November 12, 2014 1:21 PM

**To:** Anguiano, Dora

**Cc:**

**Subject:** Zoning Case C14-2014-0127 - PRJ Development, LLC & Plan Amendment: NPA-2014-0005.02

This message is from Angelica Noyola.

Dear Planning Commission Members, My name is Angelica Noyola. I am the President of the Montopolis-Ponca Neighborhood Association. In regards to Plan Amendment: NPA-2014-0005.02 : 1007 & 1011 Montopolis Drive we are opposed to any change in Future Land Use Designation from Civic to Mixed Use. In regards to the Zoning Case: C14-2014-0127 from LO-NP to LO-MU-NP we are opposing any change to the current zoning. Thank you, Angelica Noyola President Montopolis-Ponca N.A.

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**From:** louis guerra jr

**Sent:** Wednesday, November 12, 2014 2:04 PM

**To:** Anguiano, Dora

**Cc:**

**Subject:** zoning changes in Montopolis Drive..

This message is from Louis Guerra Jr.

Dear Planning Commission Members, In regards to Plan Amendment: NPA-2014-0005.02 : 1007 & 1011 Montopolis Drive I am opposed to any change in Future Land Use Designation from Civic to Mixed Use. In regards to the Zoning Case: C14-2014-0127 from LO-NP to LO-MU-NP, I am opposed any change to the current zoning. I do not want my property taxes to go up. The developer has plans to build expensive townhomes if he gets the changes. Montopolis is one of the few places left that are affordable to homeowners as well as renters. You have the power to ensure it stays that way. Thank you for your time. Louis Guerra jr

**From:** Christine Castilleja  
**Sent:** Wednesday, November 12, 2014 2:03 PM  
**To:** Anguiano, Dora  
**Cc:**  
**Subject:** Opposed changes to the current zoning Montoplois Dr.

This message is from Christine Castilleja.

In regards to Plan Amendment: NPA-2014-0005.02 : 1007 & 1011 Montopolis Drive I am opposed to any change in Future Land Use Designation from Civic to Mixed Use. In regards to the Zoning Case: C14-2014-0127 from LO-NP to LO-MU-NP, I am opposed any change to the current zoning. I do not want my property taxes to go up

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**From:** Jacqueline Gonzales  
**Sent:** Wednesday, November 12, 2014 2:14 PM  
**To:** Anguiano, Dora  
**Cc:**  
**Subject:** Plan Amendment: NPA-2014-0005.02

This message is from Jacqueline Gonzales.

Dear Planning Commission Members, In regards to Plan Amendment: NPA-2014-0005.02 : 1007 & 1011 Montopolis Drive I am opposed to any change in Future Land Use Designation from Civic to Mixed Use. In regards to the Zoning Case: C14-2014-0127 from LO-NP to LO-MU-NP, I am opposed any change to the current zoning. I do not want my property taxes to go up. The developer has plans to build expensive townhomes if he gets the changes. Montopolis is one of the few places left that are affordable to homeowners as well as renters. You have the power to ensure it stays that way. Thank you for your time. Jackie Gonzales

**From:** Anita Villalobos  
**Sent:** Wednesday, November 12, 2014 3:22 PM  
**To:** Anguiano, Dora  
**Cc:**  
**Subject:** Opposition to NPA-2014-0005.02 : 1007 & 1011 Montopolis Drive

This message is from Anita Villalobos.

Dear Planning Commission Members, In regards to Plan Amendment: NPA-2014-0005.02 : 1007 & 1011 Montopolis Drive I am opposed to any change in Future Land Use Designation from Civic to Mixed Use. In regards to the Zoning Case: C14-2014-0127 from LO-NP to LO-MU-NP, I am opposed any change to the current zoning. I do not want my property taxes to go up. The developer has plans to build expensive town homes if he gets the changes. Montopolis is one of the few places left that are affordable to homeowners as well as renters. You have the power to ensure it stays that way. Thank you for your time. Anita Villalobos

---

**From:** Rochelle  
**Sent:** Wednesday, November 12, 2014 3:40 PM  
**To:** Anguiano, Dora  
**Cc:**  
**Subject:** Montopolis

This message is from Rochelle.

Dear Planning Commission Members, In regards to Plan Amendment: NPA-2014-0005.02 : 1007 & 1011 Montopolis Drive I am opposed to any change in Future Land Use Designation from Civic to Mixed Use. In regards to the Zoning Case: C14-2014-0127 from LO-NP to LO-MU-NP, I am opposed any change to the current zoning. I do not want my property taxes to go up. The developer has plans to build expensive townhomes if he gets the changes. Montopolis is one of the few places left that are affordable to homeowners as well as renters. You have the power to ensure it stays that way. Thank you for your time.

Mr. Greg Guernsey, Director  
[Greg.guernsey@austintexas.gov](mailto:Greg.guernsey@austintexas.gov)  
Planning & Development Review Department  
City of Austin  
P.O. Box 1088  
Austin, Texas 78767

RE: 1007 & 1011 Montopolis Drive Rezoning & FLUM Amendment  
C14-2014-0127 & NPA-2014-0005.02

Dear Mr. Guernsey,

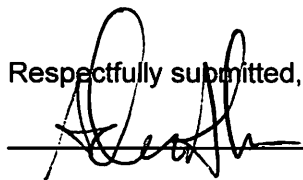
I have met with the owner for the above referenced project and have learned more about the rezoning for that property to "LO-MU-NP" and change the Future Land Use Map to Office / Mixed-use. This zoning will allow for the property to be developed as a condominium development with residential homes that would be for sale units.

Conditions for approval will include the following:

- 1) A maximum of 1,000 s.f. of office space that could be located along the Montopolis Drive frontage.
- 2) A connection to Montana Street will be provided.

I support the rezoning of the property to LO-MU-NP and the change to the FLUM to Office / Mixed-use.

Respectfully submitted,



Signature

600 Kemp St.

Address



Printed Name

11-6-14

Date

Mr. Greg Guernsey, Director  
[Greg.guernsey@austintexas.gov](mailto:Greg.guernsey@austintexas.gov)  
Planning & Development Review Department  
City of Austin  
P.O. Box 1088  
Austin, Texas 78767

RE: 1007 & 1011 Montopolis Drive Rezoning & FLUM Amendment  
C14-2014-0127 & NPA-2014-0005.02

Dear Mr. Guernsey,

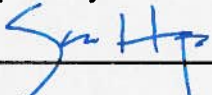
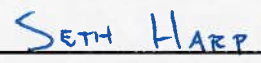
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I support the rezoning of the property to LO-MU-NP and the change to the FLUM to Office / Mixed-use.

Respectfully submitted,

	
Signature	Printed Name
<u>410 KEMP STREET</u>	<u>7 NOV 2014</u>
Address	Date

Mr. Greg Guernsey, Director  
Planning & Development Review Department  
City of Austin  
P.O. Box 1088  
Austin, Texas 78767

RE: 1007 & 1011 Montopolis Drive Rezoning & FLUM Amendment  
C14-2014-0127 & NPA-2014-0005.02

Dear Mr. Guernsey,

I have met with the owner for the above referenced project and have learned more about the rezoning for that property to "LO-MU-NP" and change the Future Land Use Map to Office / Mixed-use. This zoning will allow for the property to be developed as a condominium development with residential homes that would be for sale units.

Conditions for approval will include the following:

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I support the rezoning of the property to LO-MU-NP and the change to the FLUM to Office / Mixed-use.

Respectfully submitted,

Signature

Printed Name

Address

Date

Mr. Greg Guernsey, Director  
Planning & Development Review Department  
City of Austin  
P.O. Box 1088  
Austin, Texas 78767

RE: 1007 & 1011 Montopolis Drive Rezoning & FLUM Amendment  
C14-2014-0127 & NPA-2014-0005.02

Dear Mr. Guernsey,

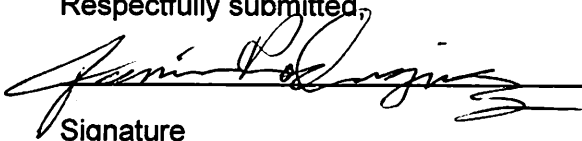
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Conditions for approval will include the following:

- 1) A maximum of 1,000 s.f. of office space that could be located along the Montopolis Drive frontage.
- 2) A connection to Montana Street will be provided.

I support the rezoning of the property to LO-MU-NP and the change to the FLUM to Office / Mixed-use.

Respectfully submitted,



Signature

Janie F. Rodriguez

Printed Name

123 Crossroads Dr.  
Dale, Texas 78616

Address

10-27-14

Date

November 19, 2014

City of Austin  
Mayor & City Council Members  
*Via e-mail*

Re: Zoning Case # C142014-0127, 1007 & 1011 Montopolis Drive

Dear Mayor and City Council Members:

I am writing to voice concern about Zoning Case # C142014-0127, 1007 & 1011 Montopolis Drive. This change in zoning from LO-CO-NP to LO-MU-NP, to accommodate a market-rate condominium development, will impact low-income homeowners in the area, including Austin Habitat homeowners who live directly adjacent to this property.

Increasing land values and property taxes are the number one barrier Austin Habitat faces in building affordable homes. We are able to offer hard-working families homes priced below \$100,000 with a 0% interest mortgage, but increasing property taxes are pricing our Habitat families out of Austin.

I encourage Council to look for sustainable solutions to create and preserve affordable housing opportunities, especially in neighborhoods like Montopolis where displacement of long-term residents is a real concern due to increasing property values and taxes. Further, our community must work together to mitigate the negative impacts of growth in our neighborhoods.

The Montopolis neighborhood adopted a plan that includes areas along the Riverside Corridor that are zoned to accommodate growth with denser, market-rate housing development. I ask that City Council consider the Montopolis neighborhood's concerns and the concerns of Austin Habitat about preserving affordable homeownership for hard-working, low-income residents.

Respectfully,



Kelly Weiss



Affiliate of  
Distinction  
2013-2015

Board Members:

Everett Plante, Chair

Mark Hutcheson, Vice Chair

Robbi Millest, Secretary

Sarah Stasney-Chun, Treasurer

Ross Buhrdorf

Dilum Chandrasoma

Ken Corby

Mildred Davis

Chip Dart

George Gau

Mark Masten

Nikelle Meade

Lana Morris

Estrella Posey

Representative  
Eddie Rodriguez

Mike Rovner

Jeff Serra

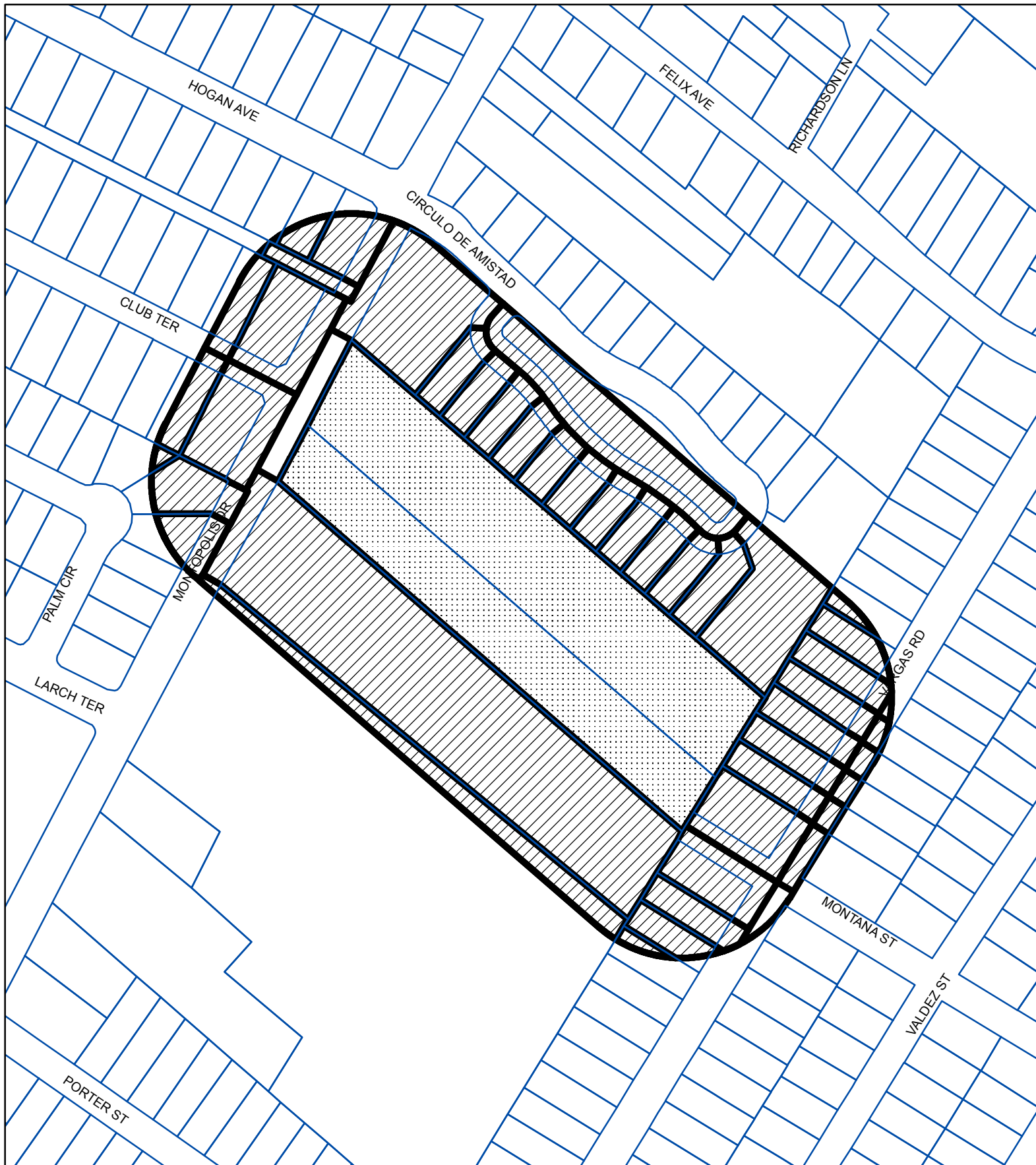
Eric Smith

Suzanne Weinert

Meredith Young

Kelly Weiss, President & CEO





N



BUFFER

PROPERTY\_OWNER

SUBJECT\_TRACT

## PETITION

CASE#: C14-2014-0127

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 P - 1 Petition Area

1" = 200'

Case Number:  
**C14-2014-0127**

## PETITION

Date: 11/26/2014  
Total Square Footage of Buffer: 567012.2103  
Percentage of Square Footage Owned by Petitioners Within Buffer: 8.92%

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
0307170213	1011 VARGAS RD 78741	ACOSTA MARGARITO ESTATE % JOE ACOSTA	no	1562.54	0.00%
0307170106	1002 VARGAS RD 78741	ALBA THERESA ANN	no	8280.16	0.00%
0305160615	6213 HOGAN AVE 78741	ARELLANO ROBERTO F & JUANITA A	no	66.21	0.00%
0305160423	6301 CIRCULO DE AMISTAD 78741	AUSTIN HABITAT FOR HUMANITY INC	no	37727.25	0.00%
0305160433	6516 CIRCULO DE AMISTAD 78741	AUSTIN HABITAT FOR HUMANITY INC	no	6783.68	0.00%
0307170603	1104 VARGAS RD 78741	CARDENAS BERTHA S & PEDRO G	no	6362.14	0.00%
0305160434	6512 CIRCULO DE AMISTAD 78741	CASSITY DARLENE M (JOHNNIE)	yes	8909.23	1.57%
0307170604	1106 VARGAS RD 78741	CASTLES MIKELLA M	no	1600.77	0.00%
0306150120	CLUB TER 78741	CITY OF AUSTIN	no	54.40	0.00%
0306150103	920 MONTOPOLIS DR 78741	CITY OF AUSTIN	no	4173.31	0.00%
0305160617	6215 HOGAN AVE 78741	DEMPS COLENE	no	3106.90	0.00%
0306150329	6212 PALM CIR 78741	ESPARZA JOSIE	no	899.55	0.00%
0306150225	1013 MONTOPOLIS DR 78741	FABIAN GEORGE R & VIRGINIA FABIAN LIFE ESTATE ETAL	no	150663.76	0.00%
0307170107	1004 VARGAS RD 78741	FLORES FRANK	no	8195.93	0.00%
0306150328	6214 PALM CIR 78741	GARY GEORGE A	no	10203.20	0.00%
0307170601	1100 VARGAS RD 78741	GARZA MIGUEL JR	no	14652.50	0.00%
0307170109	1008 VARGAS RD 78741	GAYTAN ERNESTINE O	no	8463.09	0.00%
0305160424	6620 CIRCULO DE AMISTAD 78741	GONZALEZ JOSE & MARIA ESPINO	yes	7300.05	1.29%
0307170216	1005 VARGAS RD 78741	GONZALEZ REYNALDO & ADRIANA	no	1349.27	0.00%
0307170214	1009 VARGAS RD 78741	GUZMAN AURELIO & ALICIA	no	1581.29	0.00%
0305160431	6524 CIRCULO DE AMISTAD 78741	HENDERSON JUDITH	yes	6744.43	1.19%
0305160429	6600 CIRCULO DE AMISTAD 78741	HERNANDEZ CYNTHIA	yes	6846.35	1.21%
0307170602	1102 VARGAS RD 78741	LUCIO DORA	no	8361.49	0.00%
0307170215	1007 VARGAS RD 78741	MARTELL PORFIRIO	no	1640.06	0.00%
0307170212	6602 MONTANA ST 78741	MARTINEZ IRINEO	no	3247.29	0.00%
0306150233	1111 MONTOPOLIS DR 78741	MCCARTHY JOHN BISHOP	no	24105.06	0.00%
0307170105	1000 VARGAS RD 78741	MONCADA DOLORES	no	6709.49	0.00%
0307170110	1010 VARGAS RD 78741	OJEDA ALVINO	no	8452.96	0.00%
0306150327	6216 PALM CIR 78741	PARRISH JOYCE	no	7211.91	0.00%
0305160427	6608 CIRCULO DE AMISTAD 78741	PRUNEDA SAN JUANA	no	6685.18	0.00%
0305160618	6217 HOGAN AVE 78741	QUIROZ JOSEPHINE	no	9356.29	0.00%
0307170104	916 VARGAS RD 78741	RAMIREZ JOHN C/O VICTOR RAMIREZ	no	1788.79	0.00%
0306150122	6212 CLUB TER 78741	REYES RUBEN JR & BARBARA ANN BARBARA ANN REYES	no	6773.15	0.00%
0306150121	6214 CLUB TER 78741	RODRIGUEZ BERNARDO & PATRICIA	no	20834.91	0.00%
0306150319	6213 CLUB TER 78741	RODRIGUEZ DEMETRIO & JUANITA	no	7061.52	0.00%
0305160428	6604 CIRCULO DE AMISTAD 78741	RUIZ ROSE	no	6717.87	0.00%
0305160425	6616 CIRCULO DE AMISTAD 78741	SEDQY MARY	yes	6960.25	1.23%
0305160430	6528 CIRCULO DE AMISTAD 78741	SEGURA MAGDALENA	no	6725.07	0.00%
0307170108	1006 VARGAS RD 78741	THUROW DAVID C & CONCEPCION	no	8694.93	0.00%
0306150320	6215 CLUB TER 78741	TREVINO MAGDALENA	no	20436.33	0.00%
0305160701	6401 CIRCULO DE AMISTAD 78741	VICE MARY ESTATES HOMEOWNERS A ASSOCIATION INC %AUSTIN HABITAT FOR HUMANITY	no	36122.59	0.00%
0305160435	6506 CIRCULO DE AMISTAD 78741	VICE MARY ESTATES HOMEOWNERS A ASSOCIATION INC %AUSTIN HABITAT FOR HUMANITY	no	28753.05	0.00%
0305160432	6520 CIRCULO DE AMISTAD 78741	VILLALPANDO JUDY	yes	6869.36	1.21%
0305160426	6612 CIRCULO DE AMISTAD 78741	ZAMARRON MARY JANE	yes	6947.76	1.23%
0307170111	1012 VARGAS RD 78741	ZAMORA ROSAURO L	no	18698.64	0.00%
<b>Total</b>				<b>554679.97</b>	<b>8.92%</b>

## Exhibit P - 2 Eligible Petition Signatures

## VALID PETITION

We the undersigned are **OPPOSED** to the proposed changes for:

Plan amendment Case # NPA-2014-0005.02  
1007 & 1011 Montopolis Drive. From Civic to Mixed Use

And

Zoning Case # C142014-0127  
1007 & 1011 Montopolis Drive change zoning from LO-CO-NP to LO-MU-NP.

Name (print)

Signature

Address

Judy Villalpando Judy Villalpando 6520 Circulo De Amistad

Jose Gonzalez Maria Espino Jose Gonzalez Maria Espino 6620 Circulo de Amistad

Emelia James Emelia James Aguirre 6304 Circulo de Amistad

Rochele Jackson Rochele Jackson 6329 Circulo De Amistad

Roman Guerra Ramon Guerra 6412 Circulo De Amistad

Julian Rosalinda Fuentes Julian Rosalinda Fuentes 6416 Circulo de Amistad

Cynthia Hernandez Cynthia Hernandez 6600 Circulo De Amistad

November 2014

VALID PETITION

RECIEVED

We the undersigned are **OPPOSED** to the proposed changes for:

NOV 17 2014

Planning & Development Review

Plan amendment Case # NPA-2014-0005.02  
1007 & 1011 Montopolis Drive. From Civic to Mixed Use

And

Zoning Case # C142014-0127  
1007 & 1011 Montopolis Drive change zoning from LO-CO-NP to LO-MU-NP.

<u>Name (print)</u>	<u>Signature</u>	<u>Address</u>
MARY Sedoy	<i>Mary Sedoy</i>	6616 Circulo de Amistad
Linda Curry	<i>Linda Curry</i>	6308 Circulo de Amistad
Funice Velazquez	<i>Funice Velazquez</i>	6317 Circulo de Amistad
Ana G Rodriguez	<i>Ana Rodriguez</i>	6320 Circulo de Amistad
Susie Duarte	<i>Susie Duarte</i>	6420 Circulo de Amistad
Al Duarte	<i>Al Duarte</i>	6420 Circulo de Amistad
Jesse Mendez	<i>Jesse Mendez</i>	6500 Circulo de Amistad
Rosa Ramirez	<i>Rosa Ramirez</i>	6500 Circulo de Amistad
Johanne Cassin	<i>Johanne Cassin</i>	6512 Circulo de Amistad
Judith Henderson	<i>Judith Henderson</i>	6524 Circulo de Amistad
Maggie Fonseca	<i>Maggie Fonseca</i>	6558 Circulo de Amistad
Mary Jane Zamarron	<i>Mary Jane Zamarron</i>	6612 Circulo de Amistad

November 2014