

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

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NEIGHBORHOOD PLAN: Montopolis

CASE#: NPA-2015-0005.01

DATE FILED: May 12, 2015 (Out-of-cycle)

PROJECT NAME: Montopolis Alcalá Family

PC DATE: July 14, 2015

ADDRESS: 1318 Montopolis Drive

DISTRICT AREA: 3

SITE AREA: 1.25 acres

APPLICANT/OWNER: Johnny Hyde

AGENT: Michael Jo Newman

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Commercial

To: Single Family

Base District Zoning Change

Related Zoning Case: C14-2015-0058*

From: GR-NP & CS-NP

To: SF-3-NP

*The zoning application includes 1318 Montopolis Dr. and 1306 Vargas Lane.
The property at 1306 Vargas Road did not need a FLUM change.

NEIGHBORHOOD PLAN ADOPTION DATE: September 27, 2001

PLANNING COMMISSION RECOMMENDATION: (Pending)

STAFF RECOMMENDATION: Recommended

BASIS FOR STAFF'S RECOMMENDATION: The applicant's request to change the land use from Commercial to Single Family is supported by staff because the property, although zoned Commercial Service, has a single family home on it where people have been living for 30 years. The request is to change the zoning and land use to match how the property is currently being used and which has been used for a long time. There are single family land uses and zoning to the east and south of the property and there are single family land uses

and zoning to the north, although there will be a small strip of commercial zoning and land uses remaining. Overall, the dominant land use and zoning for this area (absent the commercial uses fronting Montopolis Drive) is single family, so staff believes the request is compatible and consistent.

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The request meets the follow plan goals and recommendations:

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.

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 4: Enhance and protect existing single family housing.

Action 12: Preserve the existing Single Family uses and zoning in the older, established areas of Montopolis. (Please refer to the Proposed Future Land Use Map, for specific land uses and locations.)

Action 13: Preserve residential zoning in the interior of East Montopolis to allow for new homes to be built. (Please refer to the Figure 4: Future Land Use Map, for specific land uses and locations.)

Action 14: Preserve Single Family zoning in the interior of South Montopolis. (Please refer to the Proposed Future Land Use Map, for specific land uses and locations.)

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.

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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 - 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.

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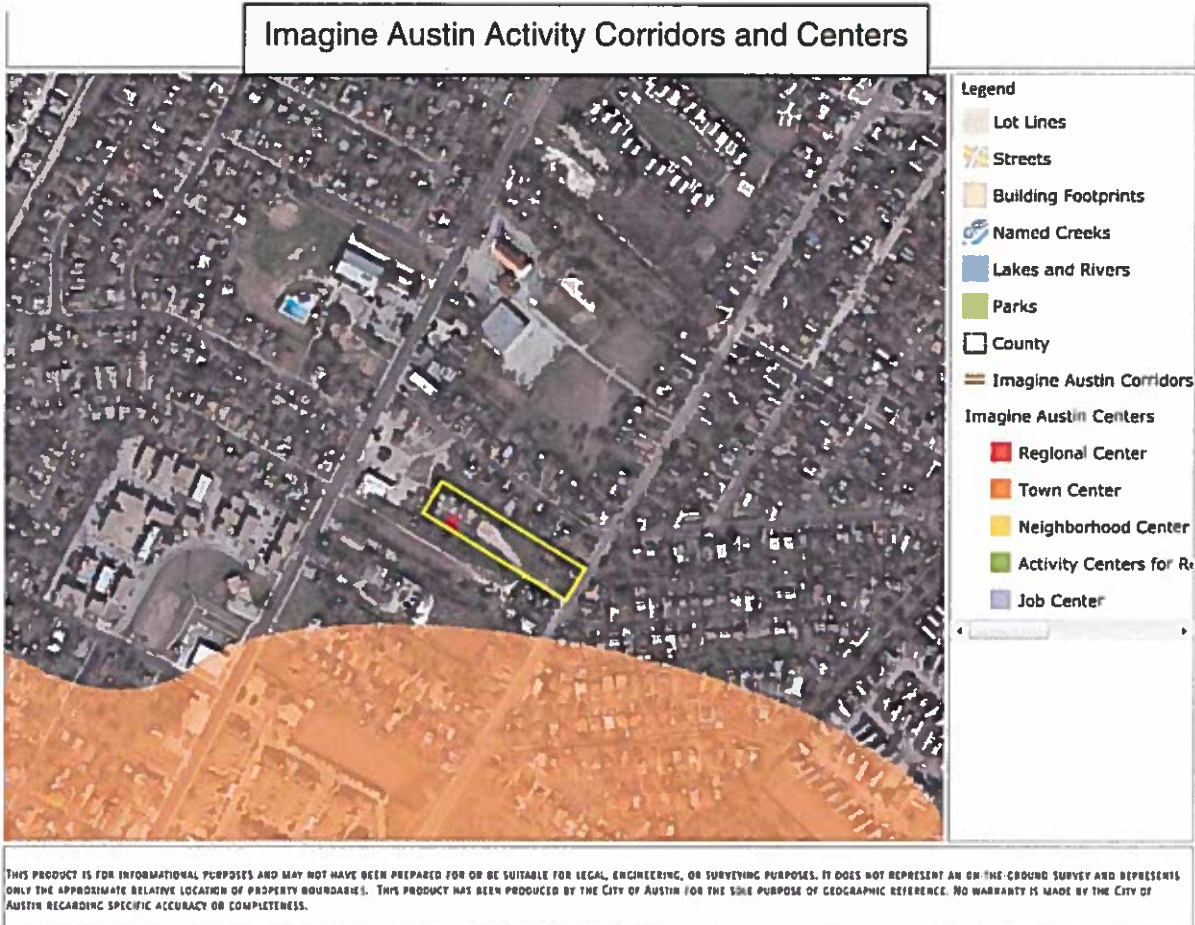
- ***The plan amendment and zoning change application is for one single family home, which is near Capital Metro bus routes on Montopolis Drive and Vargas Road. Along Montopolis Drive are numerous businesses and the Montopolis Recreation Center.***
2. Support the development of compact and connected 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.
 - ***The property is near a Town Center activity center.***
 3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
 - ***The request is to reduce the intensity from commercial to single family.***
 4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
 - ***The request will provide single family housing to the area.***
 5. Ensure harmonious transitions between adjacent land uses and development intensities.
 - ***The request for single family use is compatible because there are single family land uses to the east and south. To the north is single family land uses with a small strip of commercial land use and zoning in between.***
 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 within an environmentally sensitive area.***
 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.
 - ***Not applicable.***
 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.

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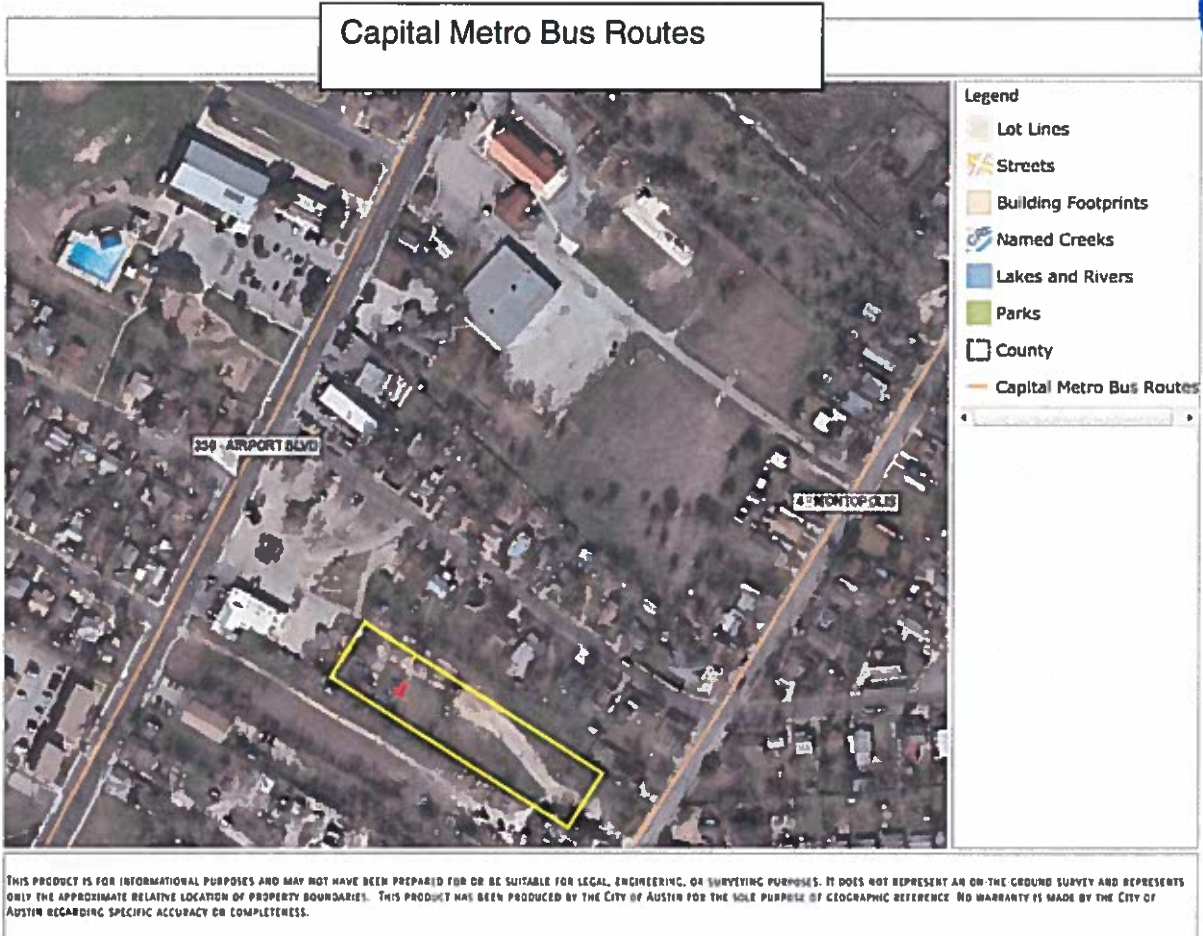
- *Not applicable.*

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.*



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BACKGROUND: The application was filed on May 12, 2015, which is out-of-cycle for neighborhood planning areas on the east side of I.H.-35. The application was filed out-of-cycle because the Montopolis Planning Contact Team supplied a letter allowing them to file. The in-cycle application period would have been July.

The request to change the land use on the future land use map is from Commercial to Single Family for property located at 1318 Montopolis Drive. The zoning change application is for 1318 Montopolis Drive and for 1306 Vargas Road. The zoning change request is from GR-NP (1318 Montopolis Drive) and CS-NP (1306 Vargas Drive) to SF-3-NP for a single family home.

Michael Jo Newman, the agent/applicant, has been renting the property for 30 years and is now in the process of purchasing the property from the owner (Johnny Hyde) and is seeking single family zoning to match the current use.

PUBLIC MEETINGS: The ordinance-required plan amendment meeting was held on May 27, 2015. Two hundred sixty-two meeting notices were mailed to property owners and renters within 500 feet of the property, in addition to neighborhood organizations and environmental groups who have requested notification for the area through the Community

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Registry. Two surrounding property owners attended the meeting, in addition to the agents/applicants, Michael Jo Newman and Monica Allen, and one city staff member.

After city staff made a brief presentation about the planning process, the agents/applicants made the following presentation: Michael Jo Newman said her family has been living in the single family home on the property for 30 years and now they want to purchase the property from Johnny Hyde, the owner. Because the property is zoned commercial, they are seeking single family zoning to match the use that is currently on the property.

Q. I'm not sure how the SF-3-NP zoning you're requesting will affect the CS-NP zoning, which is the zoning on my property. (This person owns the small grocery store adjacent to the property to the west.)

A. That's an understandable concern.

Q. Why rezone now?

A. We didn't know it was commercially zoned. Once we discovered this, we moved forward with a zoning case and plan amendment application.

The Montopolis Planning Contact Team supports the change in FLUM and zoning. See letter on page 8.

CITY COUNCIL DATE: August 13, 2015 **ACTION:** (Pending)

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

EMAIL: Maureen.meredith@austintexas.gov

Out-of-Cycle Letter from Montopolis PCT and
Letter of Support

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Montopolis Neighborhood Plan Contact Team (MNPCT)

May 3RD, 2015

Ms. Maureen Meredith
Neighborhood Planning & Zoning Department
P O Box 1088
Austin, TX 78767

RE: Zoning request for properties 1318 Montopolis Driver & 1306 Vargas Road to Single Family (SF-3). Plan Amendment for property at 1318 Montopolis Drive to Single Family.

Dear Ms. Meredith,

The Montopolis Neighborhood Plan Contact Team (MNPCT) held its meeting on May 2nd, to review several zoning request and Plan Amendment Request for out-of-cycle. The MNPCT reviewed Michael Jo Newman and Johnny Hyde's request to rezone properties located at 1318 Montopolis Drive and 1306 Vargas Road from Commercial Service to Single Family. The MNPCT also reviewed request for Plan Amendment from Commercial Service to Single Family for property located at 1318 Montopolis Drive. After a lengthy discussion the MNPCT voted to approve the rezoning and Plan Amendment for out-of-cycle request. The MNPCT supports zoning change from Commerical Service to Single Familiy for properties located at 1318 Montopolis Drive and 1306 Vargas Road and approved Plan Amendment for property located at 1318 Montopolis Drive.

Sincerely,

Susana Almanza

Susana Almanza

President- Montopolis Neighborhood Plan Contact Team

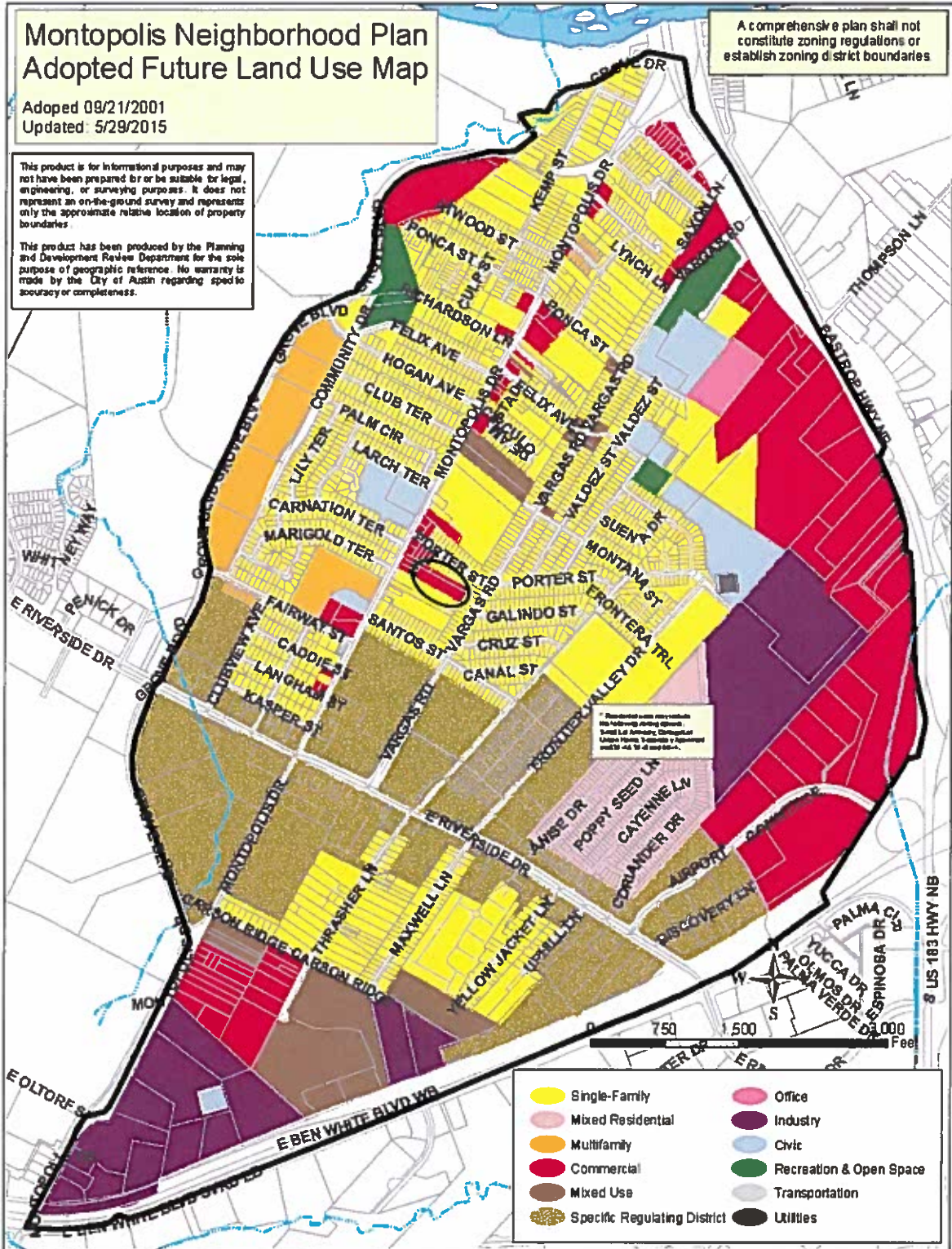
6103 Larch Terrace

Austin, TX 78741

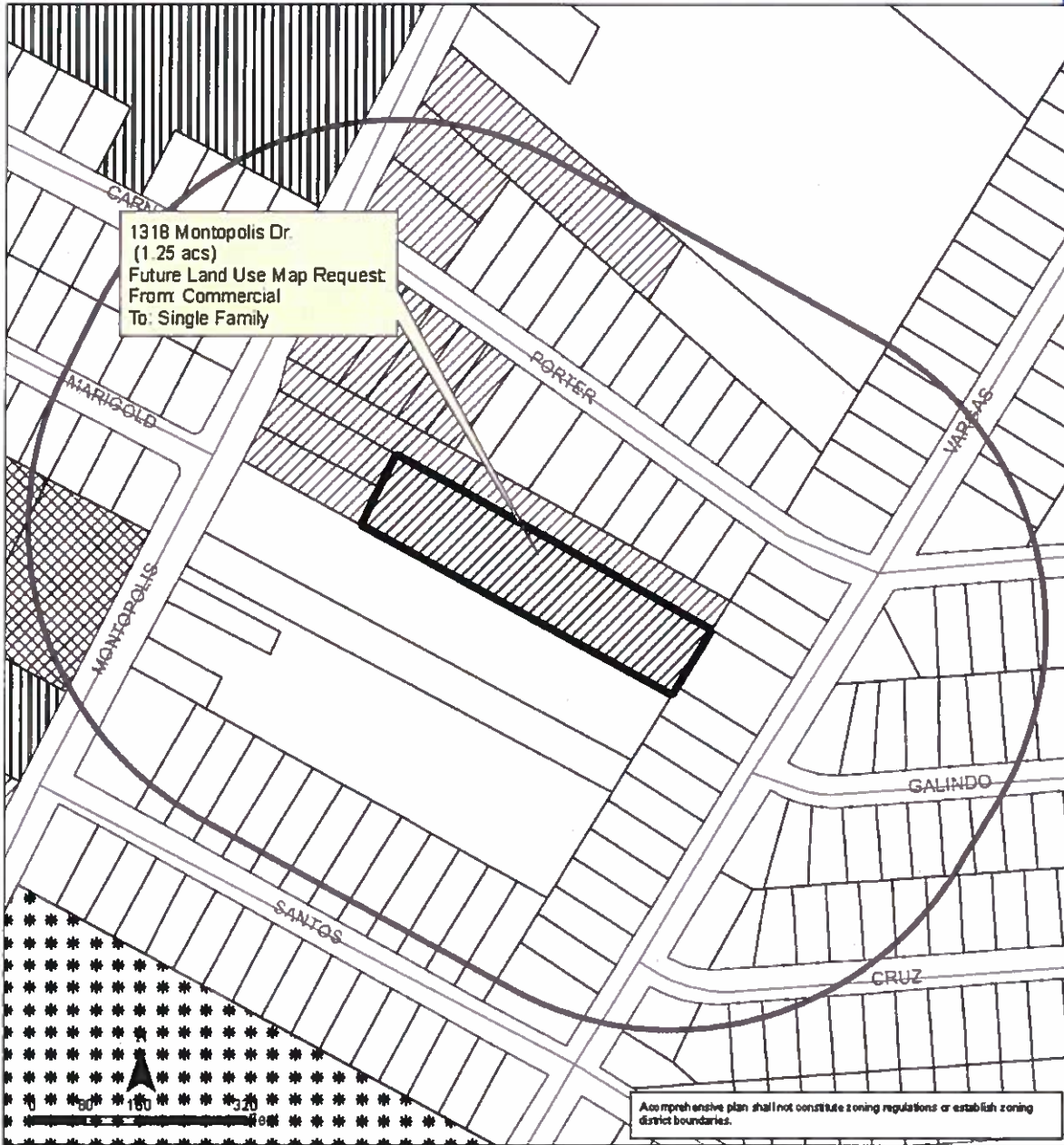
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Cc: MNPCT

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**Montopolis Neighborhood Planning Area
NPA-2015-0005.01**

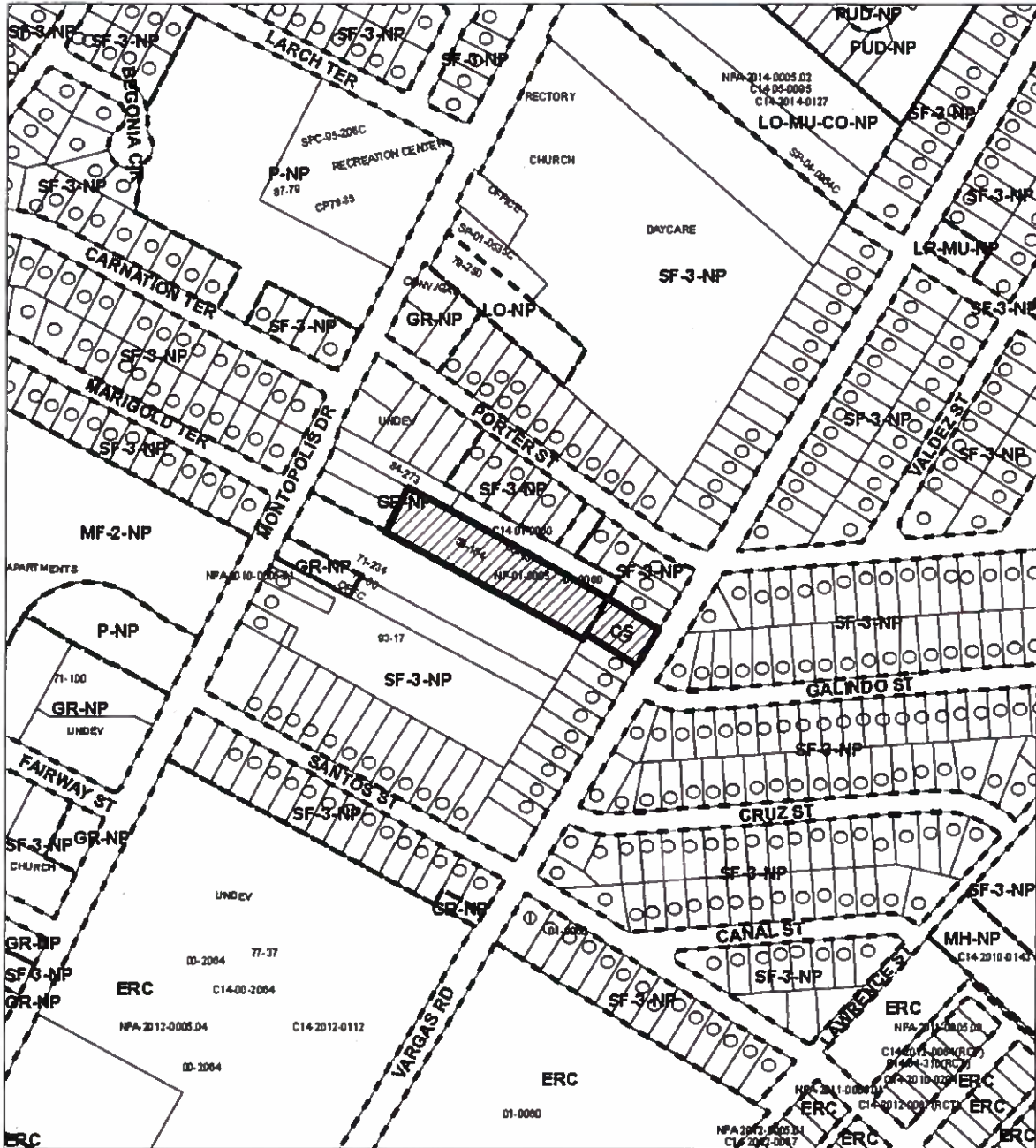
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| Future Land Use | | | |
|-----------------|-------------------------------|--|------------------------------|
| | 500 ft. notification boundary | | Mixed Use |
| | Single-Family | | Specific Regulating District |
| | Multi-Family | | Civic |
| | Commercial | | Subject Property |

City of Austin
Planning and Development Review Department
Created on 5/13/2015, by: meredithm

CTM



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING
CASE#: C14-2015-0058



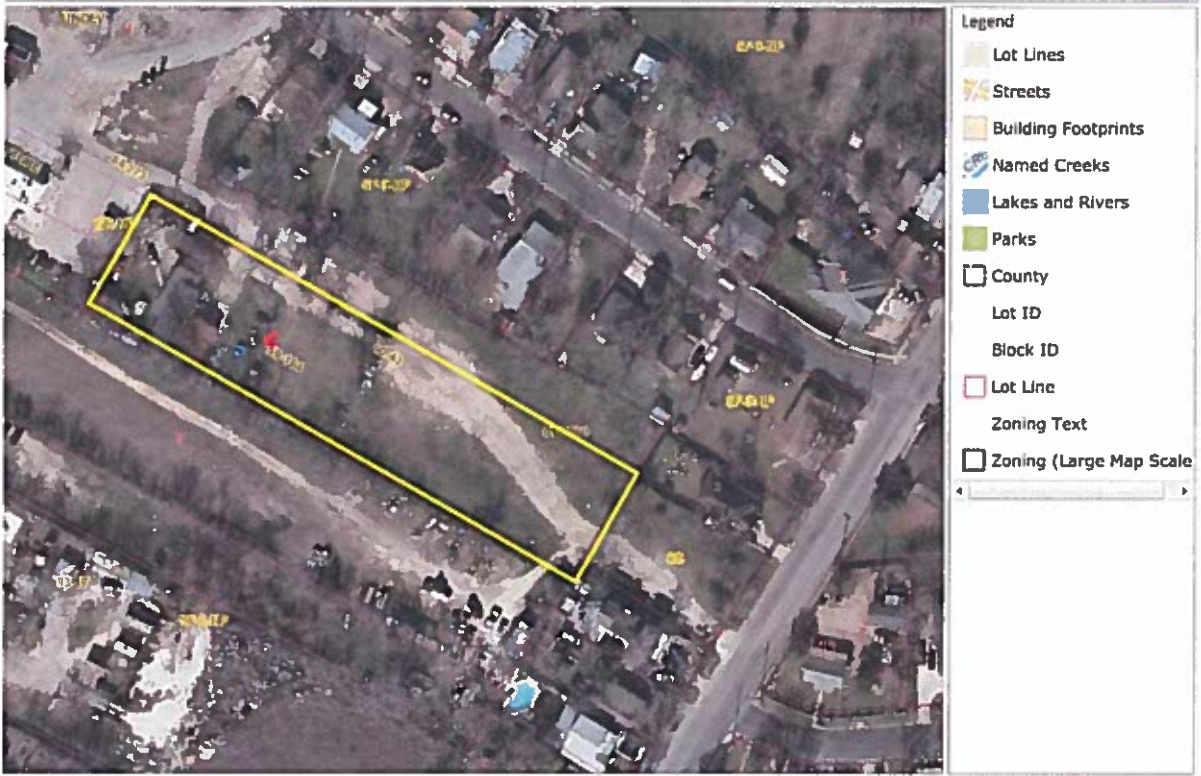
1" = 300'

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CITY OF AUSTIN DEVELOPMENT WEB MAP



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CITY OF AUSTIN DEVELOPMENT WEB MAP



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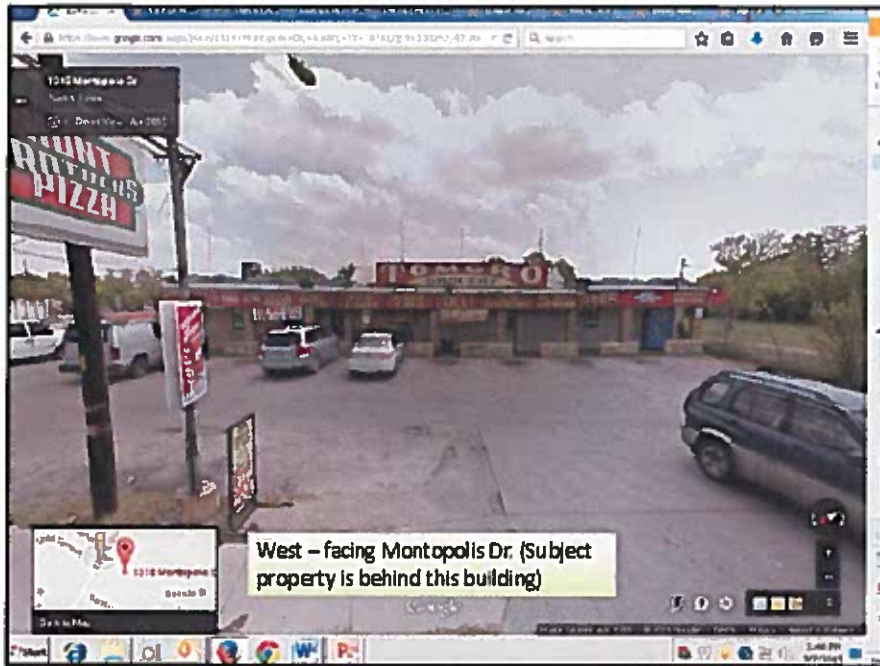


East – across from Vargas Rd.



South – facing Vargas Road

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Vargas Road – view north