

## ZONING CHANGE REVIEW SHEET

CASE: C14H-2017-0055  
500 Montopolis

H.L.C. DATE: June 26, 2017  
P.C. DATE: July 11, 2017

ADDRESS: 78 San Marcos Street

DISTRICT: 3

AREA: 1.76 ac. (76,808 s.f.)

OWNER: KEEP Investment Group, LLC (Austin Stowell)

AGENT: City of Austin (Jerry Rusthoven)

FROM: SF-3-NP

TO: Tract 1: GR-MU-NP  
Tract 2: GR-MU-H-NP

NEIGHBORHOOD PLAN AREA: Montopolis

WATERSHED: Country Club East (Suburban)  
*Please see Page 8 of 9 for Details*

DESIRED DEVELOPMENT ZONE: Yes

SUMMARY STAFF RECOMMENDATION:

Staff supports the proposed rezoning, with the following conditions on the property:

Entire rezoning area (Tracts 1 and 2):

1. Multifamily land use shall be prohibited.
2. The number of residential units permitted on the property shall be limited to 6 units.
3. The maximum building square footage shall be limited to 15,000 square feet.
4. The maximum square footage of retail and/or restaurant land uses shall be limited to 9,000 square feet.
5. The maximum building height shall be limited to 45 feet.

Tract 1:

1. An easement to be recorded concurrent with approval of a site development permit, and the construction (at time of site development) of a 16-foot wide paved path from Montopolis Drive to Kemp Street to provide future pedestrian and bicycle connectivity.
2. Commercial or office vehicular access to Kemp Street shall be prohibited.

Tract 2:

1. Staff recommends rezoning to add historic landmark (H) designation to Tract 2, with a 25-foot buffer around the original existing structure.

In summary, Staff supports a change from family residence-neighborhood plan (SF-3-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay-historic landmark-neighborhood plan (GR-MU-CO-H-NP) combining district zoning for Tract 2.

#### HISTORIC LANDMARK COMMISSION:

August 28, 2017:

July 24, 2017: *TO GRANT POSTPONEMENT AS REQUESTED BY STAFF TO AUGUST 28, 2017, ON CONSENT.*

June 26, 2017: *TO GRANT POSTPONEMENT AS REQUESTED BY STAFF TO JULY 24, 2017, ON CONSENT.*

#### PLANNING COMMISSION RECOMMENDATION:

August 8, 2017: *TO GRANT POSTPONEMENT AS REQUESTED BY STAFF TO SEPTEMBER 12, 2017, ON CONSENT. (10-0) [N. Zaragoza – 1<sup>st</sup>; P. Seegar – 2<sup>nd</sup>; K. McGraw, J. Vela, and T. White - Absent].*

July 11, 2017: *TO GRANT POSTPONEMENT AS REQUESTED BY STAFF TO AUGUST 8, 2017, ON CONSENT. (12-0) [J. Schissler – 1<sup>st</sup>; P. Seegar – 2<sup>nd</sup>; J. Thompson- Absent].*

#### ISSUES:

The property includes a building that previously served as the Montopolis Negro School from 1935 until 1962, and as the home of the Montopolis Church of Christ from 1967 until the 1990s-2000s. In the 1970s and 1980s, the City of Austin acquired significant portions of the property as right-of-way (ROW) so a connection could be made between Montopolis Drive and Kemp Street. The roadway connection was never constructed, and is no longer proposed by the City. The Office of Real Estate Services is currently processing the vacation of the ROW. The property owner has agreed to dedicate an easement and construct a pedestrian/bicycle trail through the property connecting Montopolis Drive to Kemp Street.

The current property owner purchased the property in 2015. In 2016, the owner requested a demolition permit for the abovementioned building (Montopolis Negro School), which triggered a hearing by the Historic Landmark Commission (HLC) on November 26, 2016. At that time, Staff recommended that a historic landmark (H) designation be added to the building/property. However, the HLC reached a vote of 7-1, when a supermajority vote of 8-0 was required to recommend the historic zoning designation over owner objections. The demolition permit was subsequently released.

In later discussions, the property owner agreed to support a historic designation for the structure, in lieu of pursuing the demolition permit, with the understanding that the City of Austin would file a rezoning request for the overall property to create two tracts, with GR-MU-H-NP for the structure, and GR-MU-NP for the remainder. *Please refer to Exhibit A (Request to Initiate Zoning Memorandum).*

For the purposes of this report, general information and discussion of the base zoning district change (from SF-3-NP to GR-MU-NP) are presented first, followed by the requested historic landmark (H) designation.

**DEPARTMENT COMMENTS:**

**Existing Conditions.** The proposed rezoning tract is located on the west side of Montopolis Drive, approximately 1,000 feet southwest of US 183, and is located in the Montopolis Neighborhood Plan Area. The property is currently designated Single Family on the Future Land Use Map, and a Neighborhood Plan Amendment (NPA) has been filed by the property owner to reclassify the property as Mixed Use.

The property is bounded on its east side by Montopolis Drive and by Kemp Street on the west side. The property is currently zoned SF-3-NP, and undeveloped except for the building proposed for historic zoning, which is currently vacant. Properties immediately to the north are also zoned SF-3-NP and are a combination of undeveloped lots and lots developed with single-family residences. Properties to the south are also zoned SF-3-NP, and are developed with single-family residences. Across Montopolis Drive to the east are properties zoned GR-NP and LO-NP, as well as a residential neighborhood that is primarily zoned SF-3-NP. The commercially zoned lots are located at the intersection of El Mirando Street and Montopolis Drive. The two lots at the southeast corner of El Mirando Street and Montopolis Drive that are zoned GR-NP are undeveloped; the lot at the northeast corner of El Mirando Street and Montopolis Drive that is zoned LO-NP is developed as religious assembly land use. The majority of the residential neighborhood is developed with single-family residences. West of the subject property, across Kemp Street, are properties zoned SF-3-NP which include single family residences and undeveloped lots.

*Please refer to Exhibits B and C (Zoning Map and Aerial Map).*

**HISTORIC LANDMARK REVIEW COMMENTS:**

**Architecture:** One-story, rectangular-plan, side-gabled wood-frame institutional building with multi-light wood-sash windows. The building has been boarded over with metal to protect it from vandalism.

**Research:** This building served as the Montopolis Negro School from 1935 until 1962, and as the home of the Montopolis Church of Christ from 1967 until a few years ago.

Education for African-American children in Montopolis dates from around 1891, when a school was established on the north side of the Bastrop Highway about a mile south of the Colorado River. That first school building was a small wood-frame building, said to be similar to a shotgun house. It was destroyed by a storm in 1935. Rev. J.H. Harrel of St. Edward's Baptist Church, the oldest African-American Baptist church in Travis County, donated 1.82 acres of land for the new school at its current site. A two-roof frame former Army barracks from Camp Swift in Bastrop County was moved to the site and renovated for school use. The school was operated by the Colorado Common School District of Travis County until 1952, when the area and the school were annexed by the City of Austin, and the school became part of the Austin Public School system.

A 1954 report of the Austin public schools shows that the Montopolis Elementary School had 43 pupils in grades 1-4. The report goes on to state, "Montopolis was established for the Negro children in the Colorado Common School District #36 in about 1891 (unable to obtain exact date). In 1952, it became a part of the Austin Public Schools. The land, 1.82 acres, was valued at \$2,184. The value of the frame building was set at \$651. The building has been renovated and supplied with new equipment at a cost of \$4,903. There are two new classrooms, lunchroom, and toilets and showers. The principal of Rosewood School is the supervising principal." *Austin's Schools, 1881 – 1954, published by the Austin Public Schools, 1954.*

Like their urban counterparts, country schools like Montopolis were segregated, although some Mexican children did attend schools for blacks. The schools functioned not only as places for education, but also as social and cultural centers for their communities. This was especially true in areas like rural Montopolis, where opportunities for socialization were limited due to distances between houses and the constant burdens of work. The teachers at these segregated schools earned only a fraction of the salaries of their counterparts in Anglo schools, and enrollment was typically low, due to the need for older children to participate in farm work. Attendance could therefore be sporadic, depending on the family's need for labor, which made school a luxury. School years in the country schools were typically shorter than those in towns so that students could help out on family farms or work with their families on the farms of others for income. Poverty, hunger, and health were also constant issues in some country schools. Teachers also had to supply books and other educational materials out of their meager earnings. Many teachers in these country schools taught several grades at the same time in the same room.

It is not surprising that a school such as this one in Montopolis became an important center for the community. Parents of the schoolchildren were perhaps only one generation removed from the plantations and cotton farms, and literacy among older African-Americans in the South was generally low. African-American communities put a premium on education, especially the ability to read and write. Schools like Montopolis provided this skill for their children or grandchildren.

There were 42 rural schools for black children in Travis County at one time. Montopolis is one of the few that survive. The Montopolis Negro School is very significant for its place in the educational history of Austin, Travis County, and Texas. It served as a community hub for the African-American settlement at Montopolis and was a segregated school until it closed in 1962. The school building, despite its current appearance, has significance for its historical associations and community value. The school building is not within the bounds of any City survey. Exhibits related to the property's history and uses are attached. *Please refer to Exhibit D (Historic Exhibits).*

Correspondence related to the rezoning request is also attached. *Please refer to Exhibit E (Correspondence).*

#### EXISTING ZONING AND LAND USES:

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3-NP	Vacant building, Undeveloped
<i>North</i>	SF-3-NP	Single family residences
<i>South</i>	SF-3-NP	Single family residences
<i>East</i>	GR-NP, LO-NP, SF-3-NP	Undeveloped, Religious assembly, Single family residences
<i>West</i>	SF-3-NP	Single family residences, Undeveloped

#### ABUTTING STREETS:

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bike Route</b>	<b>Capital Metro (within ¼ mile)</b>
Kemp Street	60 ft.	30 ft.	Local	No	No	Yes
Montopolis Drive	60 ft.	44 ft.	Collector	Yes	Yes, shared lane	Yes

NEIGHBORHOOD ORGANIZATIONS:

Austin Neighborhoods Council  
Friends of Austin Neighborhoods  
Southeast Austin Neighborhood Alliance  
East Austin Conservancy  
River Bluff Neighborhood Association  
Carson Ridge Neighborhood Association  
Montopolis-Ponca Neighborhood Association  
Montopolis Community Alliance  
Montopolis Area Neighborhood Alliance  
The Crossing Gardenhome Owners Association  
Montopolis Neighborhood Plan Contact Team  
Montopolis Tributary Trail Association  
Bonn timer Neighborhood Association  
Vargas Neighborhood Association  
East Riverside/Oltorf Neighborhood Plan Contact Team  
El Concilio Mexican-American Neighborhoods  
Sierra Club, Austin Regional Group  
AISD  
Del Valle Community Coalition  
SELTexas  
Homeless Neighborhood Association

CITY COUNCIL DATE/ACTION:

September 28, 2017:

August 10, 2017: *TO GRANT POSTPONEMENT AS REQUESTED BY STAFF TO SEPTEMBER 28, 2017, ON CONSENT.*

ORDINANCE READINGS:ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin

E-MAIL: [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov)

PHONE: 512-974-2122

STAFF RECOMMENDATION

Staff supports the proposed rezoning, with the following conditions on the property:

Entire rezoning area (Tracts 1 and 2):

6. Multifamily land use shall be prohibited.
7. The number of residential units permitted on the property shall be limited to 6 units.
8. The maximum building square footage shall be limited to 15,000 square feet.
9. The maximum square footage of retail and/or restaurant land uses shall be limited to 9,000 square feet.
10. The maximum building height shall be limited to 45 feet.

Tract 1:

1. An easement to be recorded concurrent with approval of a site development permit, and the construction (at time of site development) of a 16-foot wide paved path from Montopolis Drive to Kemp Street to provide future pedestrian and bicycle connectivity.
2. Commercial or office vehicular access to Kemp Street shall be prohibited.

Tract 2:

2. Staff recommends rezoning to add historic landmark (H) designation to Tract 2, with a 25-foot buffer around the original existing structure.

The existing building has great significance in the fields of African-American history, the history of Montopolis, and education in Austin and Texas. This building qualifies for landmark designation under the criteria for community value and historical associations. As a landmark, it could be eligible for tax benefits from the City and State to restore and preserve the building.

The priority to protect the existing building greatly impacts development scenarios for the remainder of the property. Establishing H zoning on Tract 2 reduces total developable acreage (Tract 1), and significantly alters the configuration of that area. The property is currently zoned for single-family or duplex residential, which would be difficult to configure in accordance with current Code requirements.

Staff's recommendation of GR-MU-CO-NP for Tract 1 would permit a mix of neighborhood-scale commercial and office land uses oriented toward Montopolis Drive that cannot access Kemp Street. Residential development of the property would be permitted to access Kemp Street and integrate into the residential neighborhood.

1. ***The recommended zoning should be consistent with the purpose statement of the district sought.***

City Code states that,

“Community commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.”

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

Establishing H zoning on Tract 2 impacts development of the vacant portions of the property. Staff's recommendation would promote appropriately scaled active use of the property on Tract 1 while preserving the historic building on Tract 2.

**SITE PLAN**

SP1. Site plans will be required for any new development other than single-family or duplex residential.

SP2. 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.

SP3. Any new development may be subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP4. The site is subject to compatibility standards. Along the west property line, 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.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.
- A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.
- Additional design regulations will be enforced at the time a site plan is submitted.

SP5. FYI- This site is located within the following overlays- Airport Overlay

SP 6. Additional comments may be generated during the site plan review process.

**TRANSPORTATION**

TR1. Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

TR2. Additional right-of-way maybe required at the time of subdivision and/or site plan in accordance with the Transportation Criteria Manual. LDC, 25-6-55; TCM, Tables 1-7, 1-12.

TR3. A Traffic Impact Analysis or Neighborhood Traffic Analysis shall be required at the time of site plan if triggered per LDC 25-6-113 or LDC 25-6-114. LDC, Sec. 25-6-113, LDC 25-6-114.

TR4. FYI: according to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is recommended for Montopolis Drive.

TR5. FYI: the existing sidewalks along Montopolis do not appear to be ADA compliant and do not comply with City of Austin sidewalks requirements per the LDC and TCM. The sidewalks shall be reconstructed at the time of site plan application.

TR6. FYI – It appears that the residential block (from Clovis Street to Walker Lane) is greater than 1,600 feet. Staff recommends providing a pedestrian access easement to provide connectivity between Kemp Street and Montopolis Drive in accordance with the Comprehensive Master Plan, Imagine Austin.

TR7. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Kemp Street	60 ft.	30 ft.	Local	No	No	Yes
Montopolis Drive	60 ft.	44 ft.	Collector	Yes	Yes, shared lane	Yes

## ENVIRONMENTAL

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Country Club East Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. 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.



**WATER UTILITY**

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. There are wastewater capacity problems in this area. Water and wastewater utility plans must be reviewed and approved by Austin Water 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 fees once the landowner makes an application for Austin Water utility tap permits.



## MEMORANDUM

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TO: Planning Commission Members

FROM: Andrew Moore, Case Manager  
Planning and Zoning Department

DATE: March 28, 2017

RE: 500 Montopolis Drive  
District 3  
Request to Initiate Rezoning

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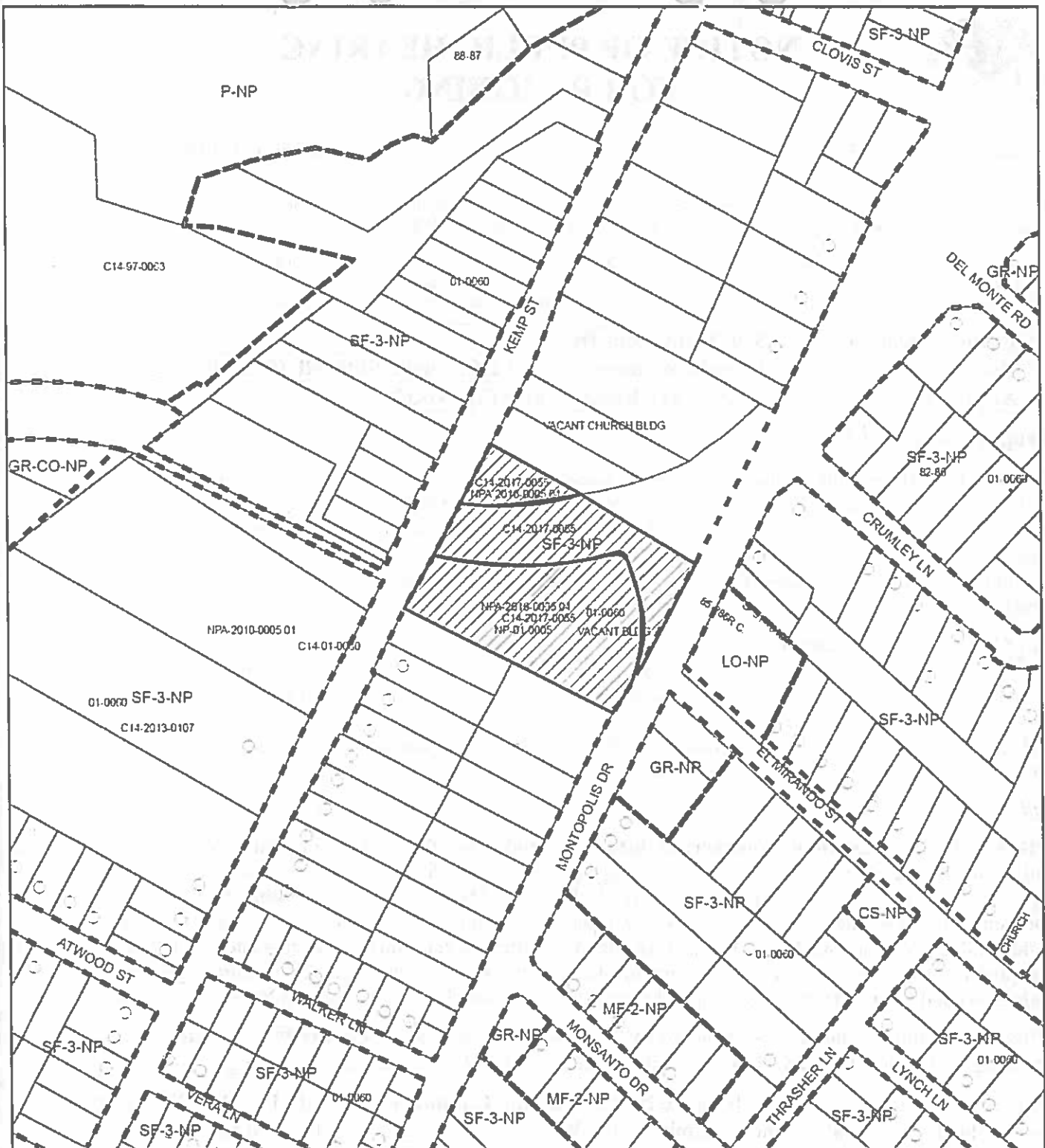
Planning and Zoning Staff is requesting that Planning Commission initiate rezoning for the property referenced above. Attached are maps showing the location of the subject property.

The proposed rezoning tract is located on the west side of Montopolis Drive, approximately 1,000 feet southwest of US 183, and is located in the Montopolis Neighborhood Plan Area. The property is currently designated Single Family on the Future Land Use Map, and a Neighborhood Plan Amendment (NPA) has been filed by the property owner to reclassify the property as Mixed Use.

The property includes a structure that previously served as the Montopolis Negro School from 1935 until 1962, and as the home of the Montopolis Church of Christ from 1967 until the 1990s-2000s. In the 1970s and 1980s, the City of Austin acquired significant portions of the property as right-of-way (ROW) so a connection could be made between Montopolis Drive and Kemp Street. The connection was never constructed, and the alignment proposed by the City has been modified; consequently, the current property owner and City are currently working to establish the boundaries of the new ROW alignment within the proposed rezoning tract. The current property owner purchased the property in 2015, which is now a total of approximately 1.75 acres.

As part of the redevelopment process, the owner requested a demolition permit for the abovementioned structure, and this request triggered a hearing by the Historic Landmark Commission (HLC) on November 26, 2016. At that time, Staff recommended that a Historic (H-) designation be added to the structure/property. However, HLC reached a vote of 7-1, when a vote of 8-0 was required to recommend the Historic zoning designation. The demolition permit was granted to the property owner later that week.

The property owner has agreed to support a Historic designation for the structure, in lieu of pursuing the demolition permit, with the understanding that the City of Austin will file a request to rezone the overall property to create two tracts, with GR-MU-H-NP for the structure, and GR-MU-NP for the remainder. The NPA application is being postponed to allow the rezoning and NPA to be processed concurrently by City Staff.



## ZONING

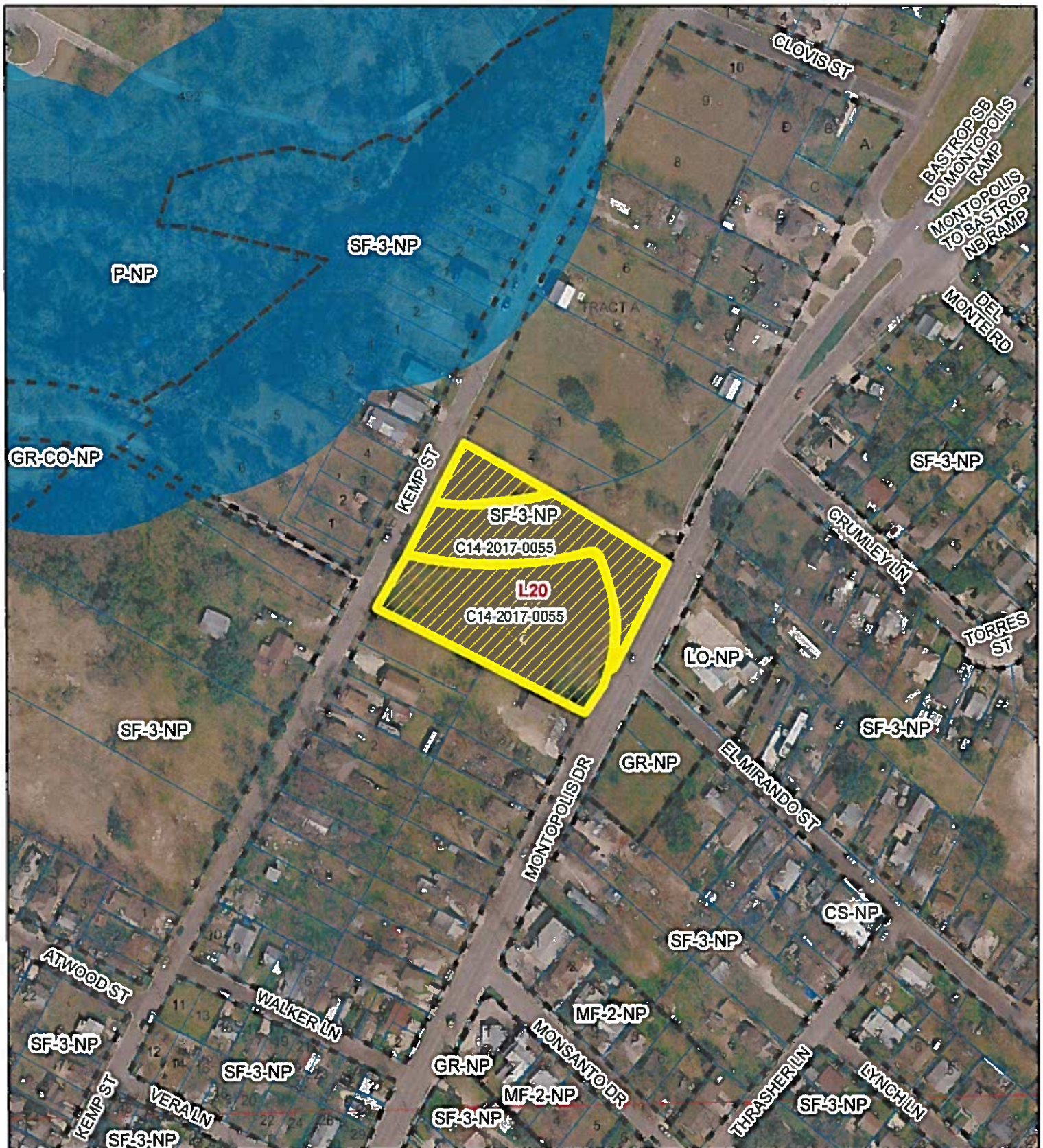
Zoning Case: C14H-2017-0055



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.





N



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY
-  CREEK BUFFER

### 500 MONTOPOLIS ZONING

ZONING CASE#: C14H-2017-0055  
 LOCATION: 500 MONTOPOLIS DR  
 SUBJECT AREA: 1.76 ACRES  
 GRID: L20  
 MANAGER: HEATHER CHAFFIN



1" = 200'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



MONTOPOLIS SCHOOL Around 1891, the Montopolis School was established in the Colorado School District as school No. 34. The original location was on the Bastrop Highway, north side, about one mile south of the river, according to Artie Brown and James Edwards, who were both in their 90s, and were students at the school. The first school building was similar to a shotgun house, and was used until 1935, when it was destroyed by a storm. In 1935, the St. Edward's Baptist Church, under the leadership of the Rev. J. H. Harrel, donated 1.82 acres off Montopolis Road for the new school site. A two-room Army Barrack was moved from Camp Swift and renovated to serve as a school. Some of the schools notable teachers were Mrs. M. E. Smith, Mrs. Madalyn Moore Strong, Ms. Delores Merriweather, Mrs. Charles Henderson, and Mrs. U. V. Underwood. Students of Montopolis School had fond memories of their teachers and school's spacious tree covered campus. Holidays and school closing programs were great productions. The annual May Pole Dance was a spectacle. Annual Juneteenth picnics were held on the school grounds with a baseball game with the rival Lamar School. In J. Mason Brewer's *Online of the History of the Negro in Travis County*, he noted that the school had 43 students in 1951, and covered grades 1 through 8. In 1952, the school became part of the Austin Independent School District. The land, 1.82 acres, was valued at \$2,184.00, and the value of the frame building at \$641.00. The building was renovated and supplied with new equipment at a cost of \$4,908.00. A new room was added that served as a classroom and lunchroom, toilets and showers. In 1953, Madelyn Strong was transferred due to declining enrollment. In 1962, due to the inadequacy of the physical plant, John Bell, supervising teacher, recommended that the school be closed and students transfer to Sims Elementary. On March 30, 1962, Montopolis School officially closed.

TEACHERS: Mrs. M. E. Smith Mrs. Madalyn Moore Strong Ms. Delores Merriweather  
Mr. Charles Henderson Mrs. U. V. Underwood

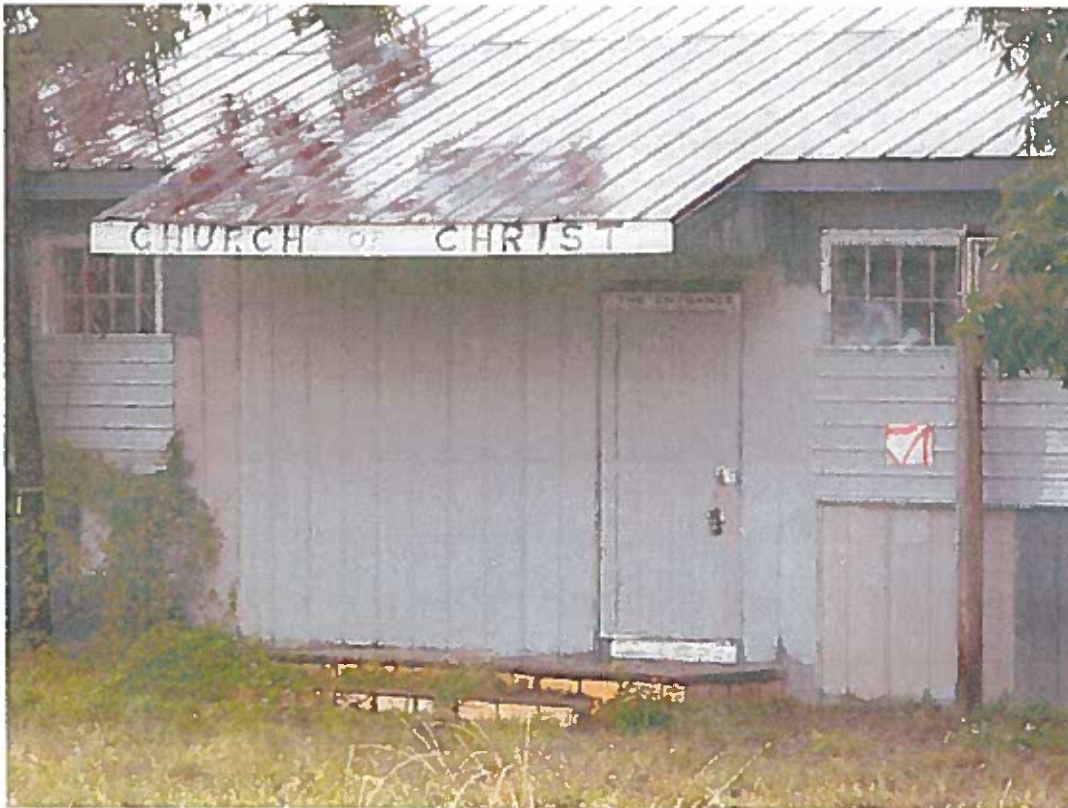
LIST OF STUDENTS: Artie Brown James Edwards

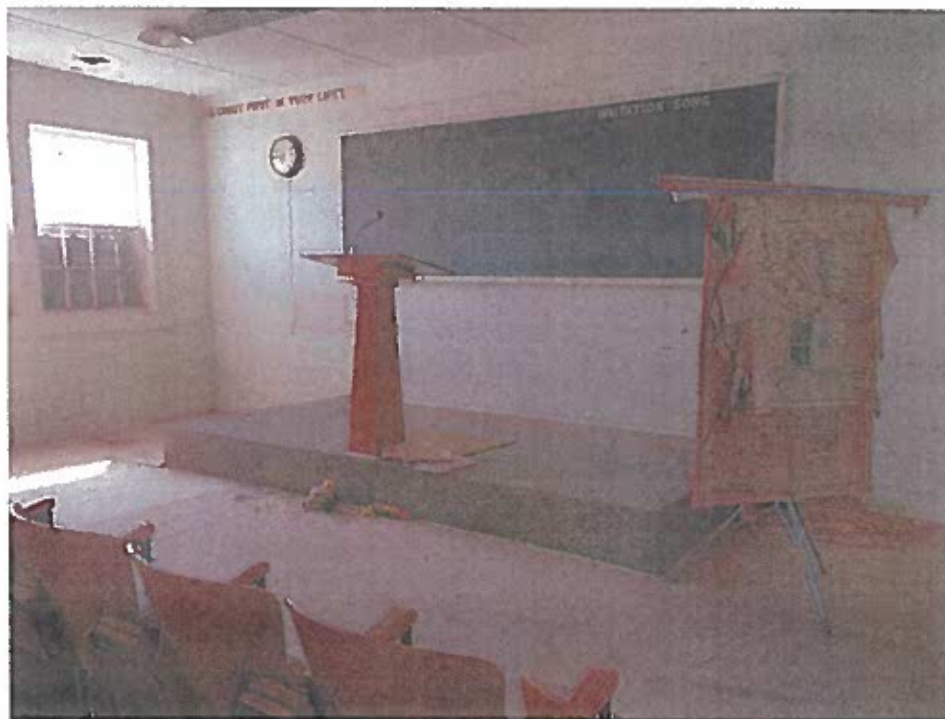
INTERVIEWS: ARTIE BROWN AND JAMES EDWARDS contributed to the information about the school. They could not provide other names of students:

From African-American Rural Schools of Travis County, Travis County Historical Commission, 2014.













Interior photographs courtesy of Dr. Fred L. McGhee

Case Number C1411-2017-0055  
Contact: Heather Chaffin, 512-974-2122  
Public Hearing:  
June 26, 2017, Historic Landmark Commission  
July 11, 2017, Planning Commission  
August 10, 2017, City Council

Hedda Elias

Your Name (please print)

304 Kemp St.

Your address(es) affected by this application

Hedda Elias

Signature

Daytime Telephone: 512-569-6465

06/28/17

Date

Comments: As a parent, living on a quiet street is very important to me. Especially since said street does not have sidewalks. At least five families with children live on our street. These children are used to being able to play in the street & walk to the park (with parent supervision). Connecting 9,000+ sq. ft. of office space & 15 new houses would greatly change the character of Kemp St and make it unsafe for the children that live here, and visit Florence's. Comfort If you use this form to comment, it may be returned to: House,

City of Austin

Planning & Zoning Department

Heather Chaffin

P. O. Box 1088

Austin, TX 78767-8810

Referencing: C1411-2017-0055

Planning Commission  
July 11, 2017

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak **FOR** or **AGAINST** the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: [www.austintexas.gov/planning](http://www.austintexas.gov/planning).

Received 6/22/2017

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number C14H-2017-0055

Contact: Heather Chaffin, 512-974-2122

Public Hearing:

June 26, 2017, Historic Landmark Commission

July 11, 2017, Planning Commission

August 10, 2017, City Council

*Reynard J. Mitchell*  
Your Name (please print)

*513 Kemp at Austin*

Your address(es) affected by this application *TX*

☐ I am in favor  
☒ I object

*4/19/17*  
Date

Signature

Daytime Telephone: *254-368-1477*

Comments: *Share project is only to*

*change the community and*

*to speed up Montopolis*

*redevelopment Please fund*

*another area to speed up*

*money*

*Thank you*

*Reynard Mitchell*

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

City of Austin

Planning & Zoning Department

Heather Chaffin

P. O. Box 1088

Austin, TX 78767-8810

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: [www.austintexas.gov/planning](http://www.austintexas.gov/planning).

received  
7/2-7

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number C14H-2017-0055

Contact: Heather Chaffin, 512-974-2122

Public Hearing:

June 26, 2017, Historic Landmark Commission

July 11, 2017, Planning Commission

August 10, 2017, City Council

Peter M. Simanite

Your Name (please print)

314 Kemp St. Austin, TX 78741

621 Kemp St. Austin, TX 78741

Your address(es) affected by this application

Peter Simanite

7/20/17

Date

Signature

Daytime Telephone: (512) 633-2928

Comments: I oppose re-zoning of 500 Montopolis Drive.

There are plenty of available properties that could be developed for mixed use that are already zoned commercial along Montopolis Drive, and would not threaten the historic cultural landscape and structures at this particular site.

My understanding based on the large number of neighbors and community members I've spoken with, is that the community does not want to see mixed use at this location.

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

City of Austin  
Planning & Zoning Department  
Heather Chaffin  
P. O. Box 1088  
Austin, TX 78767-8810

## Chaffin, Heather

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**Subject:** FW: Support the Montopolis neighborhood in saying NO to gentrification

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**From:** Moore, Andrew  
**Sent:** Tuesday, July 25, 2017 9:26 AM  
**To:** Meredith, Maureen; Chaffin, Heather  
**Subject:** FW: Support the Montopolis neighborhood in saying NO to gentrification

FYI

Andrew Moore  
Senior Planner  
City of Austin – Planning & Zoning Dept  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, TX 78704  
512-974-7604  
[www.austintexas.gov](http://www.austintexas.gov)

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**From:** Undoing White Supremacy Austin via ActionNetwork.org  
**Sent:** Monday, July 24, 2017 5:49 PM  
**To:** Moore, Andrew  
**Subject:** Support the Montopolis neighborhood in saying NO to gentrification

Dear UWSA network,

We are asking you to show up this week to speak out against the re-zoning of a critical piece of Black Austin's history: the Negro School and Church of Christ, located at 500 Montopolis Blvd. Undoing White Supremacy Austin members will be there to support the community's request that the land be preserved as a park, not high-rise condominiums.

The zoning meeting will take place this week, on **July 26th, 2017 at 6:30 pm** at the Dan Ruiz Library on Grove Blvd.

Some [background from the organizers:](#)

Developers run this town and the people of Montopolis know it, they've lived it, and they're not backing down in a fight to preserve their history and neighborhood.

Montopolis community members have been organizing for almost a year now to resist developer Austin Stowell's plans to build high dollar condos & a mixed-use development on the site of the old Montopolis Negro School and Church of Christ (500 Montopolis).

Residents in the area, including many who attended school in the building more than 60 years ago, have asked & failed to receive historic designation from the Austin Historical Commission, but have received unanimous support from the Community Development Commission.

Residents are asking for the entire acreage to be turned into a park or preserve managed either by the City of Austin, area neighborhood association(s), or an area nonprofit. Citing the land's deep historic value as a cultural landscape, residents are steadfastly opposed to the development of the land and the erasure of their history all so another developer can profit off what will be a far-from-affordable development.

We hope to see you there.

In solidarity,

Undoing White Supremacy Austin



Sent via Action Network, a free online toolset anyone can use to organize. [Click here to sign up](#) and get started building an email list and creating online actions today.

Action Network is an open platform that empowers individuals and groups to organize for progressive causes. We encourage responsible activism, and do not support using the platform to take unlawful or other improper action. We do not control or endorse the conduct of users and make no representations of any kind about them.

You can unsubscribe or update your email address by [changing your subscription preferences here](#).

**Chaffin, Heather**

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**Subject:** FW: Deny zoning & NPA for 500 Montopolis Drive

On Jul 25, 2017, at 18:22, Susana Almanza wrote:

Hello Maureen Meredith- Attached is the Monopolis Neighborhood Plan Contact Teams' Position on the property located at 500 Montopolis Drive. We are against a zoning and NPA change for this location. Thank you, Susana Almanza, President MNPCT

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PODER

P.O. Box 6237

Austin, TX 78762-6237

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

<Deny zoning & NPA for 500 Montopolis Drive 7 26 2017.docx>