

ZONING CHANGE REVIEW SHEET

CASE: C14-2019-0093 – 1411 Montopolis Rezoning DISTRICT: 3

ZONING FROM: SF-3-NP

TO: SF-6-NP, as amended

ADDRESS: 1411 Montopolis Drive

SITE AREA: 2.68 acres

PROPERTY OWNER:
UWSCO (Erasmo Benitez)

AGENT:
Moncada Enterprises, LLC (Phil Moncada)

CASE MANAGER: Kate Clark (512-974-1237, kate.clark@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends the applicant's request to rezone townhouse and condominium – neighborhood plan (SF-6-NP) combining district zoning. *For a summary of the basis of staff's recommendation, see case manager comments and basis of recommendations on pages 2 and 3.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

November 12, 2019 Scheduled for Planning Commission

October 8, 2019 Approved staff postponement to November 12, 2019.
Vote 13-0. [C. Lanes Pulido – 1st, G. Anderson – 2nd]

CITY COUNCIL ACTION:

November 14, 2019 Scheduled for City Council

ORDINANCE NUMBER:

ISSUES

This property was annexed into the city limits on or before December 31, 1951. The zoning district it was given upon annexation is unknown, but through records it can be confirmed that in 1978 it was zoned Residence (A), which was later converted to Family Residence (SF-3). Historic aerial imagery shows the site as undeveloped other than a single structure as of 1958 with increasing development and use of site to today, see *Exhibit C: Historic Aerial Maps*.

This property has had multiple code complaints and violations reported on it since 2015. These code violations include: land use, structure maintenance, property abatement, emergency board and secure and solid waste services. The land use violations from the most recent report include commercial construction performed without required permit(s) and conducting the following prohibited land uses on the property: mobile homes, recreational vehicles and construction services. The most recent code violation is included in this backup, see *Exhibit D: Code Violation-2019-011291*.

On September 12, 2019, the applicant's agent amended their rezoning request from community commercial – neighborhood plan (GR-NP) combining district zoning to community commercial – mixed use – neighborhood plan (GR-MU-NP) combining district zoning, see *Exhibit E: Requested Rezoning Amendment*. There is an existing single-family structure on the property. Adding MU to the zoning district would allow this use to continue if the rezoning request was granted.

On October 3, 2019 the applicant's agent amended their rezoning request from GR-MU-NP combining district zoning to townhouse and condominium – neighborhood plan (SF-6-NP) combining district zoning, see *Exhibit E: Requested Rezoning Amendment*. With the most recent rezoning amendment, this property no longer requires a neighborhood plan amendment (NPA). The Montopolis Neighborhood Plan was adopted prior to 2002 and does not need a Future Land Use Map (FLUM) change to go from single family to high density single family. The corresponding NPA case (NPA-2019-0005.03) was officially withdrawn by the applicant on October 10, 2019.

CASE MANAGER COMMENTS:

This property is located midblock between Santos Street and Porter Street on the eastside of Montopolis Drive. It is approximately 2.68 acres and spans almost the entire width of the block. The majority of this property is surrounded by family residence – neighborhood plan (SF-3-NP) combining district zoning. Existing properties that backup to the subject site fronting on to Santos Street and Vargas Road have existing single-family residential structures built on them. The SF-3-NP property adjacent to the north is primarily undeveloped. Also adjacent to the north of this property is a parcel zoned GR-NP, containing a single-story building being used as an office. Across the street to the west are properties zoned SF-3-NP, multifamily – low density – neighborhood plan (MF-2-NP) and public – neighborhood plan (P-NP), see *Exhibit A: Zoning Map* and *Exhibit B: Aerial Map*.

The applicant has told staff that the property is currently being leased and used for “commercial and residential purposes”. From the street, a single-story residential structure can be seen at the front of the property with a long driveway, fence and gate. Due to the location of the fence and gate, other existing uses being conducted on the property are not visible from the street. From aerial photography it appears that the property has multiple recreational vehicles (RVs) and other covered structures located on it and is being used as either storage of heavy equipment, construction sales and services, or automotive-related uses.

This property is located within the Austin-Bergstrom Airport Controlled Compatible Land Use Area overlay. It is not located within one of the Airport Overlays which restricts residential uses. Potential restrictions include height limitations and if the land use could have a potential hazard to the operation of an aircraft. These are determined at site plan submittal.

BASIS OF RECOMMENDATION:

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

The SF-6 zoning district is intended as an area for moderate density of single family, duplex, two family, townhouse, and condominium use. It is appropriate for areas in which unusually large lots predominate with access to other than minor residential street, and in selected areas where a transition from single-family to multifamily use is appropriate. This property is approximately 2.68 acres and spans the majority of the block. It has access to Montopolis Drive which is considered a collector and is across the street from an existing MF-2 zoned property (Fairway Village) and the Montopolis Neighborhood Center.

2. *The proposed zoning should satisfy a real public need and not provide special privilege to the owner.*

This case was originally submitted for rezoning the base district from a SF-3 to GR zoning district. This is the second time this property has requested to rezone from SF-3 to GR. The first case was in 1993 and the rezoning request was denied. Later in 2001 the Montopolis Neighborhood went through the process of adopting a neighborhood plan and FLUM at which point the zoning districts of properties within the neighborhood boundary were considered. This property remained SF-3 and was not rezoned to commercial at that time. One of the objectives within the Montopolis Neighborhood Plan is to “enhance and protect existing single family housing”. The action items listed under this objective speak to preserving single family zoning in interior areas to allow for new homes to be built. In September the applicant attended both the NPA community meeting and the Montopolis neighborhood meeting. Attendees at both of these meetings emphasized their desire for this property to remain in a single-family zoning district. After receiving feedback from the surrounding neighbors, the applicant amended their rezoning request from GR-MU-NP to SF-6-NP. Based on the history and location of this property, and the Montopolis Neighborhood Plan, residential uses are needed and desired in this area more than commercial ones.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	SF-3-NP	Single-family residential; construction sales and services; and campground (recreation vehicle storage)
North	GR-NP and SF-3-NP	Law office; vacant land
South	SF-3-NP	Single-family residential
East	SF-3-NP	Single-family residential
West	SF-3-NP, MF-2-NP and P-NP	Single-family residential; Multi-family residential community (Fairway Village) and Community recreation (Montopolis Neighborhood Center)

NEIGHBORHOOD PLANNING AREA: MontopolisTIA: Deferred until site plan submittalWATERSHED: Carson CreekOVERLAYS: Airport Overlay (controlled compatible land use area), Residential Design StandardsSCHOOLS: Allison Elementary, Martin Middle and Eastside Memorial High SchoolsNEIGHBORHOOD ORGANIZATIONS

Austin Independent School District
 Austin Neighborhoods Council
 Bike Austin
 Carson Ridge Neighborhood Association
 Crossing Gardenhome Owners Association
 Del Valle Community Coalition
 Del Valle Independent School District
 East Austin Conservancy
 East Riverside Corridor Staff Liaison
 El Concilio Mexican-American
 Neighborhoods
 Erasmo Benitez
 Friends of Austin Neighborhoods

Homeless Neighborhood Association
 Larch Terrace Neighborhood Association
 Montopolis Community Alliance
 Montopolis Neighborhood Plan Contact
 Team
 Montopolis Tributary Trail Association
 Neighborhood Empowerment Foundation
 Pleasant Valley
 Preservation Austin
 Seltexas
 Sierra Club, Austin Regional Group
 Tejana Bilingual Community
 Vargas Neighborhood Association

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2015-0058	GR-NP to SF-3-NP	Planning Commission approved staff recommendation.	Case was withdrawn from further consideration.
C14-2012-0112	Various Zoning Districts to East Riverside Corridor (ERC)	Approved ERC zoning with conditions.	Approved ERC zoning with conditions.
C14-2011-0129	Various Zoning Districts to East Riverside Corridor (ERC)	Case expired per LDC 25-2-246(A)(2)	Case expired per LDC 25-2-246(A)(2)

RELATED CASES:

C14-93-0017: In 1993, Erasmo Benitez submitted a request to rezone the property from family residence (SF-3) to community commercial (GR). At the time of this request, the subject site had an illegal use (automotive-related services) on it and the applicant was requesting to rezone to legalize the existing use. The site was largely undeveloped at the time other than some shed-like structures being used for the automotive-related uses. Planning staff recommended to deny GR zoning, Planning Commission voted 6-0 to deny the request and City Council voted 7-0 to deny the request.

C8I-92-0041: the property owner filed for a legal tract determination in May 1992 and it was not granted.

EXISTING STREET CHARACTERISTICS:

Street	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Montopolis Dr.	69 FT	42 FT	ASMP Level 3	yes	Yes	yes

OTHER STAFF COMMENTS:Comprehensive Planning

The property for this rezoning case is located on the east side of Montopolis Drive, which is partially within the Riverside Station Town Center. It is 2.68 acres in size and is within the boundaries of the Montopolis Neighborhood Planning Area. The proposed use is a townhouse or condominium project.

Connectivity

There are public sidewalks located on both sides of this portion of Montopolis Drive. A CapMetro Transit Stop is located across the street from the property. The mobility and connectivity options for this property are fair.

Montopolis Neighborhood Plan

The Montopolis FLUM classifies this portion of Montopolis Drive as single family. For all plans adopted prior to January 2002 (the Montopolis Plan was adopted in 2001), zone SF-6 is permitted in the “Single Family” land use designation. The following goal, objections and actions are taken from the Montopolis Neighborhood Plan:

- Goal 2: Create Homes for all Stages of Life within Montopolis. (p 14)
 - 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.
 - Action 13: Preserve residential zoning in the interior of East Montopolis to allow for new homes to be built.
 - Action 14: Preserve Single Family zoning in the interior of South Montopolis.
 - Objective 5: Create multiple housing types of varied intensities.

Based on the goal, objectives and actions above, the proposed townhouse/condominium project appears to support the Montopolis Neighborhood Plan because it is providing new housing and housing choice of a varied intensity.

Imagine Austin

The Imagine Austin Growth Concept Map found in the Imagine Austin Comprehensive Plan (IACP) identifies this project as being partially located within the Riverside Station Town Center. However, the Town Center’s actual boundaries would need to be clarified through a small area planning process. These types of centers are intended to have a variety of housing types and range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to

low-to midrise apartments, mixed use buildings, and office buildings. The following policies are relevant to this case:

- HN P10. Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.
- HN P1. Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.

The Austin Strategic Housing Blueprint, which is an amendment to Imagine Austin, includes goals for affordable housing in every City Council district. Some of these goals include preventing households from being priced out of the Austin; providing an affordable housing choice; and protecting diverse communities. While this applicant has not identified this as an affordable housing project, it will provide additional housing in or near a Town Center. Based on the Imagine Austin Comprehensive Plan and Montopolis Neighborhood Plan policies that supports a variety of housing types, this project appear to support the Imagine Austin Comprehensive Plan.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Carson Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site. Development or redevelopment on this site will be subject to the following impervious cover limits under current watershed regulations:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (min. lot size 5,750 SF)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Site Plan

Site plans will be required for any new development other than single-family or duplex residential. 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. Any new development is subject to Subchapter E Design Standards and Mixed Use. Additional comments will be made, and design regulations will be enforced at the time a site plan is submitted.

The site is subject to compatibility standards due to adjacency to SF-3-NP zoning to the north, east, south, and west. The following standards apply in these directions:

- 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 parking or driveways are allowed within 25 feet of the property line.
- Landscaping or screening is required along all property lines that are adjacent to SF-3-NP zoning in accordance with the screening requirements (Section 25-2-1006 and ECM 2.9.1.), Parking Design Standards (Section 25-6-563) and/or Screening Standards (Section 25.2.1066) to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from property in an SF-5 or more restrictive zoning district.

Airport Overlay

This site is located within the Austin-Bergstrom Airport Controlled Compatible Land Use Area Overlay. No use will be allowed that can create electrical interference with navigational signals or radio communications between airport and aircraft, make it difficult for pilots to distinguish between the airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. Height limitations and incompatible uses with each Airport Overlay zone are established in the Airport Overlay Ordinance. Additional comments may be generated during the site plan review process.

Demolition and Historic Resources

The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Residential Design Standards Overlay

The site is subject to 25-2 Subchapter F. Residential Design and Compatibility Standards.

Transportation

Additional right-of-way maybe required at the time of subdivision and/or site plan. A Traffic Impact Analysis has been deferred until the time of site plan if triggered per LDC 25-6-113.

Austin Water Utility

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. 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.

INDEX OF EXHIBITS TO FOLLOW

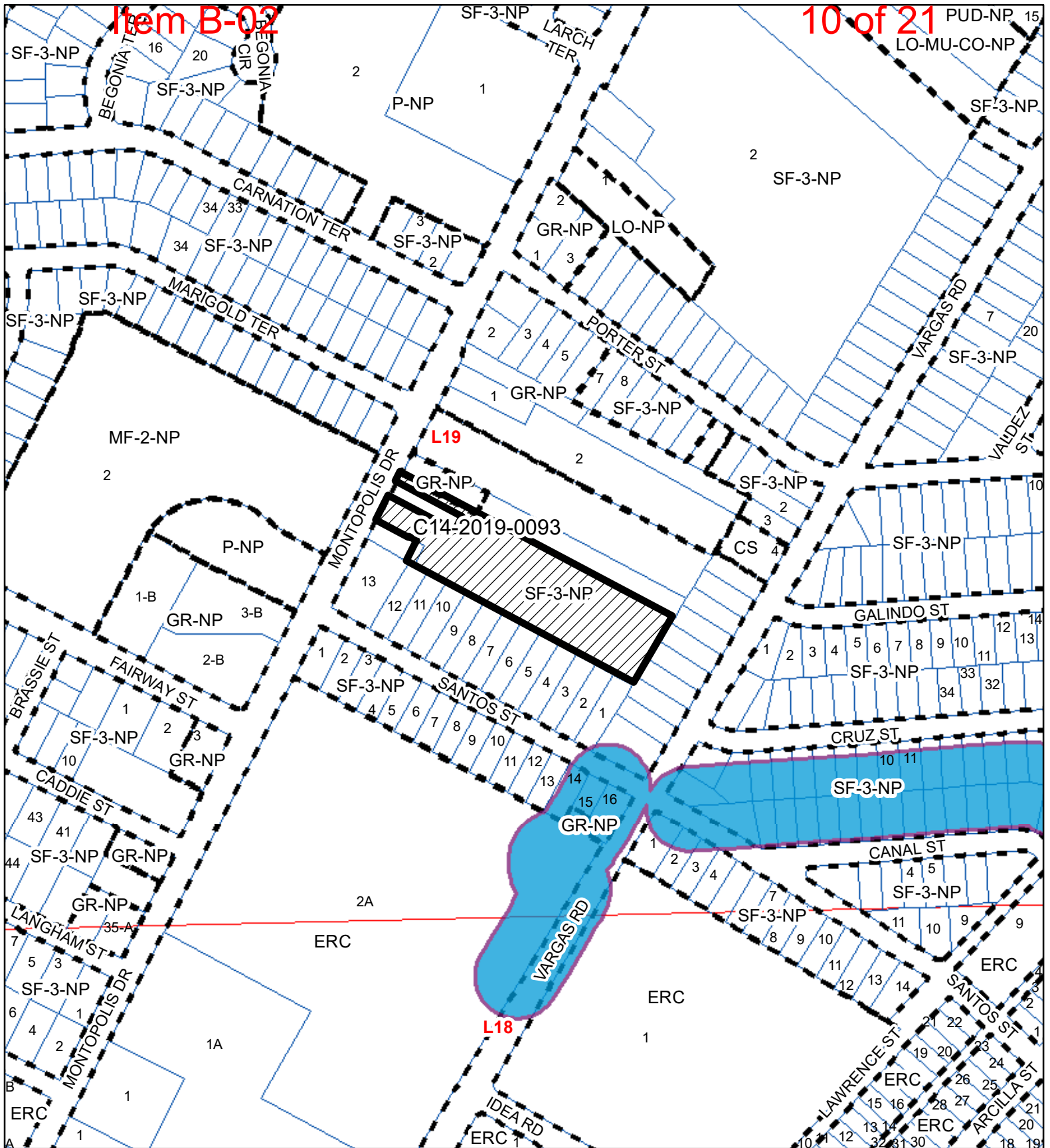
Exhibit A: Zoning Map

Exhibit B: Aerial Map

Exhibit C: Historic Aerial Maps

Exhibit D: Code Violation-2019-011291

Exhibit E: Requested Rezoning Amendment



1411 MONTOPOLIS REZONING

Exhibit A

ZONING CASE#: C14-2019-0093
LOCATION: 1411 MONTOPOLIS DRIVE
SUBJECT AREA: 2.68 ACRES
GRID: L19
MANAGER: KATE CLARK



1" = 300'

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

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.



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1" = 300'



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

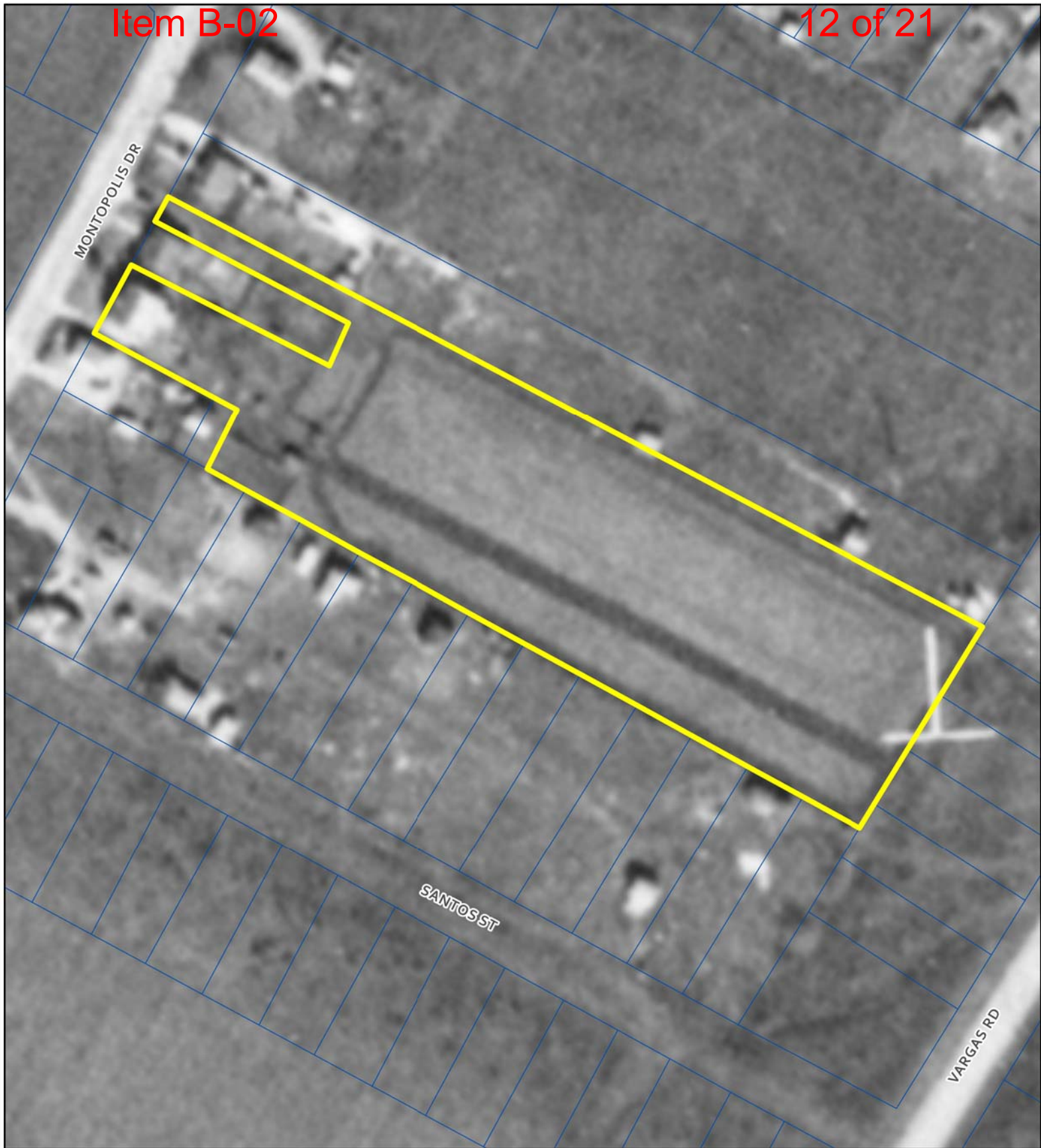
1411 MONTOPOLIS REZONING

Exhibit B

ZONING CASE#: C14-2019-0093
LOCATION: 1411 MONTOPOLIS DRIVE
SUBJECT AREA: 2.68 ACRES
GRID: L19
MANAGER: KATE CLARK



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Historic Aerial Maps (1958)

Exhibit C

 SUBJECT TRACT

ZONING CASE#: C14-2019-0093
LOCATION: 1411 Montopolis Drive
SUBJECT AREA: 2.68 ACRES

1" = 100' 


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



**Historic Aerial Maps (1997)** SUBJECT TRACT

ZONING CASE#: C14-2019-0093
LOCATION: 1411 Montopolis Drive
SUBJECT AREA: 2.68 ACRES

1" = 100'




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



**Historic Aerial Maps (2014)** SUBJECT TRACT

ZONING CASE#: C14-2019-0093
LOCATION: 1411 Montopolis Drive
SUBJECT AREA: 2.68 ACRES

1" = 100'



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






Historic Aerial Maps (2019)

 SUBJECT TRACT

ZONING CASE#: C14-2019-0093
LOCATION: 1411 Montopolis Drive
SUBJECT AREA: 2.68 ACRES



1" = 100'



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



City of Austin

P.O. Box 1088, Austin, TX, 78767

AUSTIN CODE DEPARTMENT

NOTICE OF VIOLATION

Case Number: CV-2019-011291

via Certified Mail #7017 2400 0001 0759 6641

May 17, 2019

EBC CONSTRUCTION LLC
13342 OLD KIMBRO RD
MANOR, TX 78653 4511

RE: 1411 MONTOPOLIS DR AUSTIN TX 78741
Locally known as 1411 MONTOPOLIS DR AUSTIN TX 78741
Legally described as ABS 24 DELVALLE S ACR 2.68
Zoned as SF-3-NP
Parcel Number 0307150246

Dear EBC CONSTRUCTION LLC:

The City of Austin Code Department investigated the property described above. Austin City Code violations were found that require your immediate attention. A description of the violation(s) and compliance timeframe(s) are provided in the attached violation report.

After receipt of this Notice, and until compliance is attained, the Austin City Code prohibits the sale, lease, or transfer of this property unless:

- You provide the buyer, lessee, or other transferee a copy of this Notice of Violation; and
- You provide the name and address of the buyer, lessee, or other transferee to the Code Official.

For additional information, I can be reached at 512-974-3048 or alicia.tovar@austintexas.gov. Please reference **case number** CV-2019-011291. Hours of operation are: Monday – Friday, 7:30 a.m. - 4:00 p.m. If I am unavailable, contact the Code Connect line at (512) 974-CODE (2633) or codeconnect@austintexas.gov.

Para obtener más información, llame al 512-974-3048 o envíe un correo electrónico a alicia.tovar@austintexas.gov. Por favor, consulte **caso número** CV-2019-011291. El horario de atención es: lunes a viernes, 7:30 a.m. - 4:00 p.m. Si no estoy disponible, comuníquese con Code Connect marcando al (512) 974-CODE (2633) o por correo electrónico codeconnect@austintexas.gov.

Sincerely,

Alicia Tovar, Austin Code Officer
City of Austin Code Department



VIOLATION REPORT

Date of Notice: May 17, 2019

Code Officer: Alicia Tovar

Case Number: CV-2019-011291

Property Address: 1411 MONTOPOLIS DR AUSTIN TX 78741
Locally known as 1411 MONTOPOLIS DR AUSTIN TX 78741
Zoned as SF-3-NP

The items listed below are violations of the Austin City Code, and require your immediate attention. If the violations are not brought into compliance within the timeframes listed in this report, enforcement action may be taken. Timeframes start from the Date of Notice.

Violation Type: STRUCTURE MAINTENANCE

Austin City Code Section: Grading and Drainage (§302.2)

Description of Violation: All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Date Observed: 01/19/2019

Timeframe to Comply: 30 Day(s)

Recommended Resolution: Maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Notes: If the corrective action requires a permit or demolition, please contact the Development Services Department at 311. You can also visit <http://www.austintexas.gov/department/development-services> for more information.

In order to close the above code violation(s), an inspection will need to be conducted. Please contact Austin Code Department Officer Alicia Tovar at 512-974-3048 or alicia.tovar@austintexas.gov to schedule an inspection.

Si no puede leer esta notificación en inglés, pida una traducción en español.

Appeal: Any structure maintenance issue indicated in this report may be appealed to the Building and Standards Commission. The appeal must be filed no later than **20 days** after the date of this notice and contain **all** of the following information:

- a brief statement as to why the violation is being appealed
- any facts that support the appeal
- a description of the relief sought
- the reasons why the appealed notice or action should be reversed, changed, or set aside
- the name and address of the appellant

An appeal may be delivered in person to our office located at 1520 Rutherford Lane or mailed to:
Building and Standards Commission, c/o Austin Code Department, P.O. Box 1088 Austin, Texas 78767.

Violation Type: LAND USE

Austin City Code Section: Permitted, Conditional, and Prohibited Uses (§25-2-491)

Description of Violation: Mobile homes, recreational vehicles and construction services are prohibited in a SF3 zoning district.

Date Observed: 05/16/2019

Timeframe to Comply: 7 Day(s)

Recommended Resolution: Remove all mobile homes and RV's from the entire property. Cease commercial construction services on the SF3 zoned property or rezone the entire property. .

Austin City Code Section: Building Permit Requirement (§25-11-32)

Description of Violation: Commercial construction performed without required permit(s).

Date Observed: 05/16/2019

Timeframe to Comply: 20 Day(s)

Recommended Resolution: Obtain all required trade permits for the existing structures.

Notes: Permit violations require the permit(s) to be issued and all required inspections to be completed to attain compliance. For questions concerning land use violations, please contact the Development Services Department at 311. You can also visit <http://www.austintexas.gov/department/development-services> for more information.

Violation Type: PROPERTY ABATEMENT

Austin City Code Section: Duty to Maintain Property in Sanitary Condition (§10-5-21)

Description of Violation: An owner, tenant, resident or person in charge of any property within the City of Austin must maintain said property free of grass and weeds over 12 inches tall, brush, garbage, rubbish, trash, debris, standing water or other objectionable, unsightly or unsanitary matter.

Date Observed: 01/19/2019

Timeframe to Comply: 7 Day(s)

Recommended Resolution: Remove all trash debris and rubbish from the front back and sides of the property and along the fence lines.

Notes: Failure to correct this condition by the above deadline may result in City action to clean the property at your expense. **Should another violation occur within one year of the date of this notice, the City may take action to clean the property without further notice to you and at your expense.**

Appeal: An owner may appeal a notice of violation issued under this article by filing a written statement with the director of the designated department not later than the seventh day after the notice is given. An owner may only appeal on the following grounds:

- (1) The notice was not properly served; or
- (2) A violation did not exist on the property on the date the notice was issued.

An appeal may be delivered in person to the Austin Code Department located at 1520 Rutherford Lane or mailed to: **City of Austin Code Department, ATTN: Code Official, P.O. Box 1088, Austin, Texas 78767.**

IMPORTANT INFORMATION

Failure to Correct

If the violations are not brought into compliance within the timeframes listed in the violation report, enforcement action may include:

- Criminal charges in the City of Austin Municipal Court subjecting you to fines of up to \$2,000 per violation, per day.
- Civil penalties in an Administrative Hearing subjecting you to fines of up to \$1,000 per violation, per day, along with additional fees.
- Suspension or cancellation of existing site plan, permit or certificate of occupancy. If the site plan, permit or certificate of occupancy is suspended or revoked, the utility service to this property may be disconnected.
- Civil injunctions or penalties in State court.
- For dangerous or substandard buildings, the City of Austin may also take action with the Building and Standards Commission (BSC) to order the vacation, relocation of occupants, securing, repair, removal or demolition of a building, and civil penalties.

Ownership Information

According to the records of the County, you own the property described in this notice. If this property has other owners, please provide me with this information. If you no longer own this property, you must execute an affidavit form provided by our office. This form should state that you no longer own the property, the name of the new owner, and their last known address. The affidavit must be delivered in person or by certified mail, with return receipt requested, to the Austin Code Department office no later than 20 days after you receive this notice. If you do not submit an affidavit, it will be presumed that you own the property described in this notice.

An affidavit form is available at www.austintexas.gov/code-resources, or at the office at 1520 Rutherford Lane. The completed affidavit should be mailed to: **City of Austin Code Department, P.O. Box 1088, Austin, Texas 78767.**

Complaints

You may file a written complaint or commendation regarding an Austin Code Department Officer no later than 3 days after you receive this notice. Please reference your case number. The complaint or commendation should be mailed to: **City of Austin Code Department, ATTN: Code Official, P.O. Box 1088, Austin, Texas 78767.**

Moncada Enterprises, LLC

Phil Moncada

1301 S. I-H 35 Suite # 204
Austin, Texas 78741

512-627-8815 cell

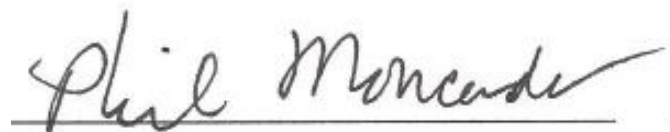
September 12, 2019

Ref:
1411 Montopolis Zoning

Good Afternoon Kate,

We are requesting to amend our original zoning application for the subject tract located at 1411 Montopolis Dr. in Austin Texas. Where are meeting on September 11, 2019 at the Cepeda public library it was determined that our client is requesting to rezone the property from SF3 -NP to GR-MU- NP. This revised zoning request falls in line with the neighborhood FLUM objectives. The MU would allow the existing residence at the front of the property. We would hope to provide additional retail uses and a small restaurant that would serve the local and surrounding neighborhoods. Thank you in advance and we look forward to moving this project through the zoning process in a timely manner. Thank you in advance. Please let us know if you need any additional information at this time.

Respectfully,

A handwritten signature in dark ink, reading "Phil Moncada", written over a horizontal line.

Phil Moncada

Moncada Enterprises, LLC

Phil Moncada

1301 S. I-H 35 Suite # 204
Austin, Texas 78741

512-627-8815 cell

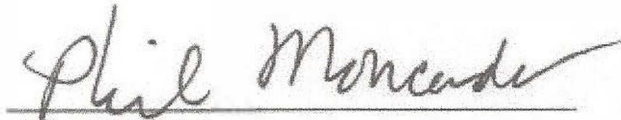
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