

## ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0029 – Montopolis Acres Rezoning      DISTRICT: 3

ZONING FROM: SF-3-NP      TO: SF-6-NP

ADDRESS: 1013 and 1017 Montopolis Dr

SITE AREA: 3.12 acres

PROPERTY OWNER:  
Montopolis Acres LP (Danny Walker)

AGENT:  
Thrower Design (A. Ron Thrower)

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

### STAFF RECOMMENDATION:

**Staff recommends townhouse and condominium residence – neighborhood plan (SF-6-NP) combining district zoning.** *For a summary of the basis of staff's recommendation, see page 2.*

### PLANNING COMMISSION ACTION / RECOMMENDATION:

**June 23, 2020      Scheduled for Planning Commission**

### CITY COUNCIL ACTION:

**July 30, 2020      Planned to be scheduled for City Council**

### ORDINANCE NUMBER:

### ISSUES:

On May 26, 2020 the Montopolis Neighborhood Planning Contact Team (MNPCT) held their monthly meeting to discuss zoning cases in their area. They were not able to discuss this case at their meeting and have requested to postpone it to the next Planning Commission meeting on July 14<sup>th</sup>. Their postponement request is attached in *Exhibit C: MNPCT Postponement Request*.

### CASE MANAGER COMMENTS:

This property is approximately 3.12 acres and is located on the east side of Montopolis Drive. It is currently zoned SF-3-NP. Across Montopolis Drive to the west are properties zoned SF-3-NP with single-family residential buildings. Adjacent to the north is a property zoned LO-MU-CO-NP which is undeveloped. Adjacent to the east and south of the property are tracts zoned SF-3-NP with single-family residential (to the east) and religious assembly uses (to the south), see *Exhibit A: Zoning Map* and *Exhibit B: Aerial Map*.

**BASIS OF RECOMMENDATION:**

1. *The proposed zoning should be consistent with the purpose statement of the district sought. Zoning changes should promote compatibility with adjacent and nearby uses.*

The applicant is requesting a base zoning district of SF-6. This district is intended as an area for moderate density 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 streets, and in selected areas where a transition from single-family to multifamily use is appropriate. This property is adjacent to Montopolis Drive, a Level 3 Road classified by the Austin Strategic Mobility Plan (ASMP). It is also in between a property zoned LO-MU-CO-NP to the north and SF-3-NP to the south. Rezoning this property to SF-6-NP would provide a transition in use and site development standards between the two properties.

**EXISTING ZONING AND LAND USES:**

	Zoning	Land Uses
Site	SF-3-NP	Residential
North	LO-MU-CO-NP	Vacant
South	SF-3NP	Religious Assembly Building
East	SF-3-NP	Residential
West	SF-3-NP	Residential

**NEIGHBORHOOD PLANNING AREA:** Montopolis Neighborhood Plan (NP Ordinance No. 010927-05)

**TIA:** The TIA determination is deferred until site plan submittal as final land use mix and intensities will be available with the site development application.

**WATERSHED:** Carson Creek (suburban)

**OVERLAYS:** Airport Overlay (Controlled Compatible Land Use Area), Residential Design Standards.

**SCHOOLS:** Allison Elementary, Martin Middle and Eastside Memorial High Schools.

**NEIGHBORHOOD ORGANIZATIONS**

- |  |   |
|--|---|
| Austin Independent School District         | Larch Terrace Neighborhood Association    |
| Austin Neighborhoods Council               | Montopolis Community Alliance             |
| Bike Austin                                | Montopolis Neighborhood Plan Contact Team |
| Carson Ridge Neighborhood Association      | Montopolis Tributary Trail Association    |
| Crossing Gardenhome Owners Assn. (The)     | Neighborhood Empowerment Foundation       |
| Del Valle Community Coalition              | Pleasant Valley                           |
| Del Valle Independent School District      | Preservation Austin                       |
| East Austin Conservancy                    | SELTexas                                  |
| El Concilio Mexican-American Neighborhoods | Sierra Club, Austin Regional Group        |
| Friends of Austin Neighborhoods            | Vargas Neighborhood Association           |
| Homeless Neighborhood Association          | Vasquez Fields Neighborhood Association   |

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2019-0093 1411 Montopolis Drive	SF-3-NP to SF-6-NP	To grant SF-6-NP as recommended by Staff.	Approved SF-6-NP as Commission recommended. (11/14/19)
C14-2014-0127 / NPA-2014-0005.02 1007 & 1011 Montopolis Drive	LO-CO-NP to LO-MU-NP	To grant LO-MU-CO-NP, CO consisted of a set of prohibited uses, limiting vehicular trips per day, limiting height of buildings to 2-stories and requirement of a fence along the property line.	Approved LO-MU-CO-NP as Commission recommended. (12/11/14)
C814-97-0002.01 / NPA-2018-0005.02 Mary Vice Estates PUD, Lot 27 Amendment	The application is proposing an increase to maximum building square footage, reduce the building setbacks and allow townhouse, condo, and duplex residential uses to the existing use.	In review.	In review.

RELATED CASES:

C14-01-0060: Montopolis Neighborhood Plan rezoning (Ordinance No. 010927-28). This property was not rezoned during this process.

EXISTING STREET CHARACTERISTICS:

Street	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Montopolis Drive	70'	45'	Level 3	Yes	Shared Lane	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

The subject property for this rezoning case is located on the east side of Montopolis Drive and to the north of the Riverside Station Town Center. The property is approximately 3.12 acres in size and is located within the boundaries of the Montopolis Neighborhood Planning Area.

Surrounding land uses include a vacant lot and single-family development to the north, to the south are single-family residences and a religious assembly building, and to the east and west are single-family residences. The proposed use is 39-unit condominium project.

*Connectivity*

There are public sidewalks located on both sides of this portion of Montopolis Drive. A CapMetro Transit Stop is located approximately 200 feet from the subject property. The Montopolis Neighborhood Park is located approximately 500 feet south of the property. There are two family grocery stores within a quarter of a mile radius. The mobility and connectivity options are average.

*Montopolis Neighborhood Plan*

The Montopolis Future Land Use Map classifies this portion of Montopolis Drive as single family. For all plans adopted prior to January 2002 (the Montopolis Plan was adopted in 2001), the zoning district SF-6 is permitted in the “Single Family” land use designation. The following goal, objections and actions are taken from the Montopolis 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.
  - Objective 5: Create multiple housing types of varied intensities.

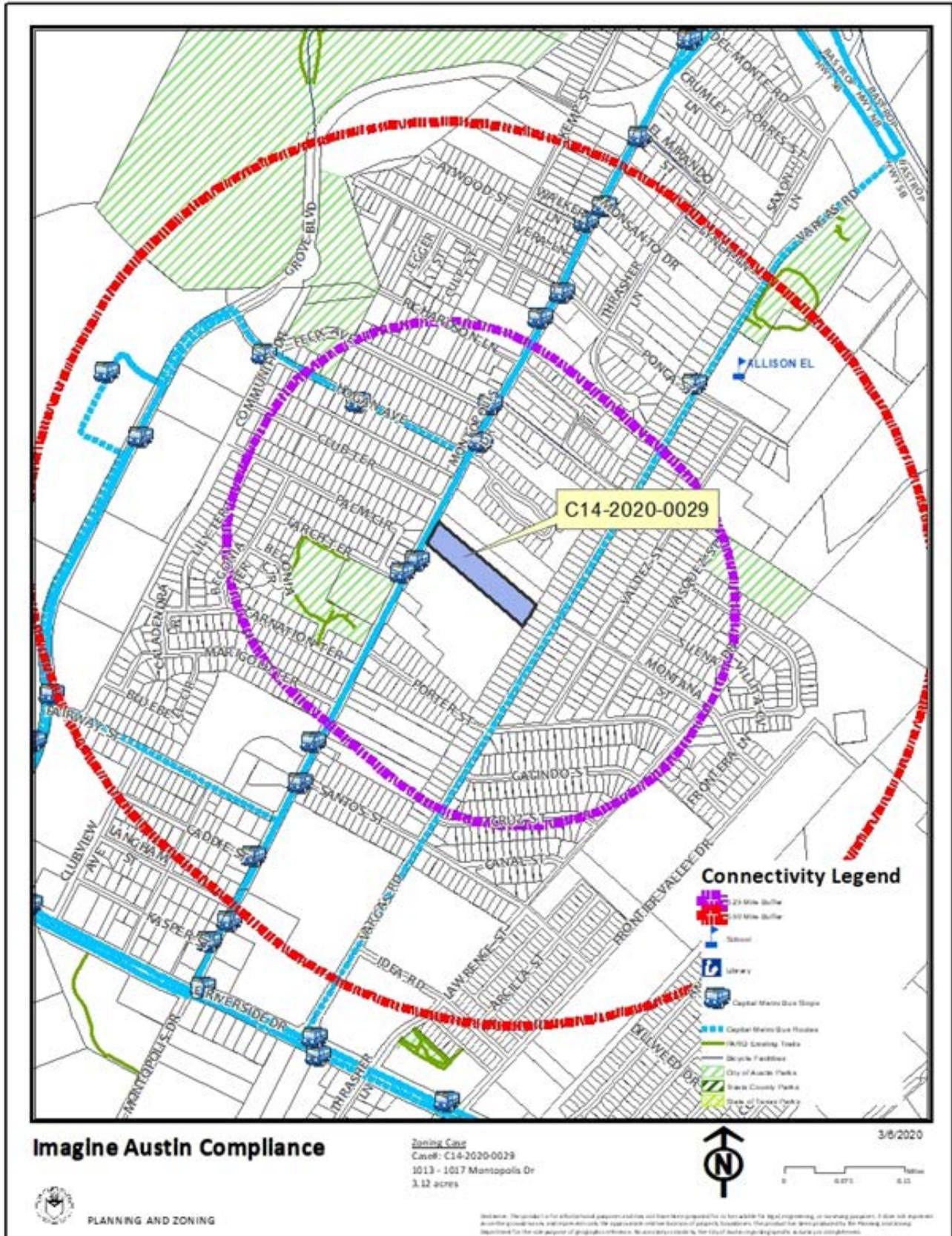
Based on the policies above, this proposed townhouse/condominium project supports the Montopolis Neighborhood Plan because it is providing new housing and housing choice of a varied intensity.

*Imagine Austin*

The Imagine Austin Growth Concept Map found in the Imagine Austin Comprehensive Plan (IACP) identifies this project as being north of the Riverside Station Town Center. 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. While this applicant has not identified this as an affordable housing project, it will provide additional missing middle housing near a Town Center. Based on Imagine Austin and Montopolis Neighborhood Plan policies that support a variety of housing types and the policies above, this project supports the Imagine Austin Comprehensive Plan.



Environmental

The property 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 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%

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.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site.

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.

Site Plan

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

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.

*Compatibility Standards*

The site is subject to compatibility standards due to the adjacency of SF-3-NP zoning to the south, east, and the proximity of SF-3-NP zoning across Montopolis Drive to the west. 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.
- Landscaping or screening is required along the south and east property lines 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. Airport Hazard Zoning Committee review may be required prior to Planning Commission Hearing. 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

The traffic impact analysis (TIA) determination is deferred until site plan submittal as final land use mix and intensities will be available with the site development application. At the time of submittal of any site plan on the Property, a TIA is required if the proposed development or uses on the Property, considered cumulatively with all existing or previously authorized development and uses, generates traffic that exceeds 2,000 trips per day.

The Austin Strategic Mobility Plan (ASMP) adopted 04/11/2019, calls for 80 feet of right-of-way for Montopolis Drive. It is recommended that 40 feet of right-of-way from the existing

centerline should be dedicated for Montopolis Road according to the Transportation with the first site plan or subdivision application. [LDC 25-6-51 and 25-6-55].

#### 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, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

Based on current public infrastructure configurations, service extension requests (SER) will be required to provide suitable and sufficient service to this lot. For more information pertaining to the SER process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services located at 625 East 10th Street 7th floor or by phone at 512-972-0211.

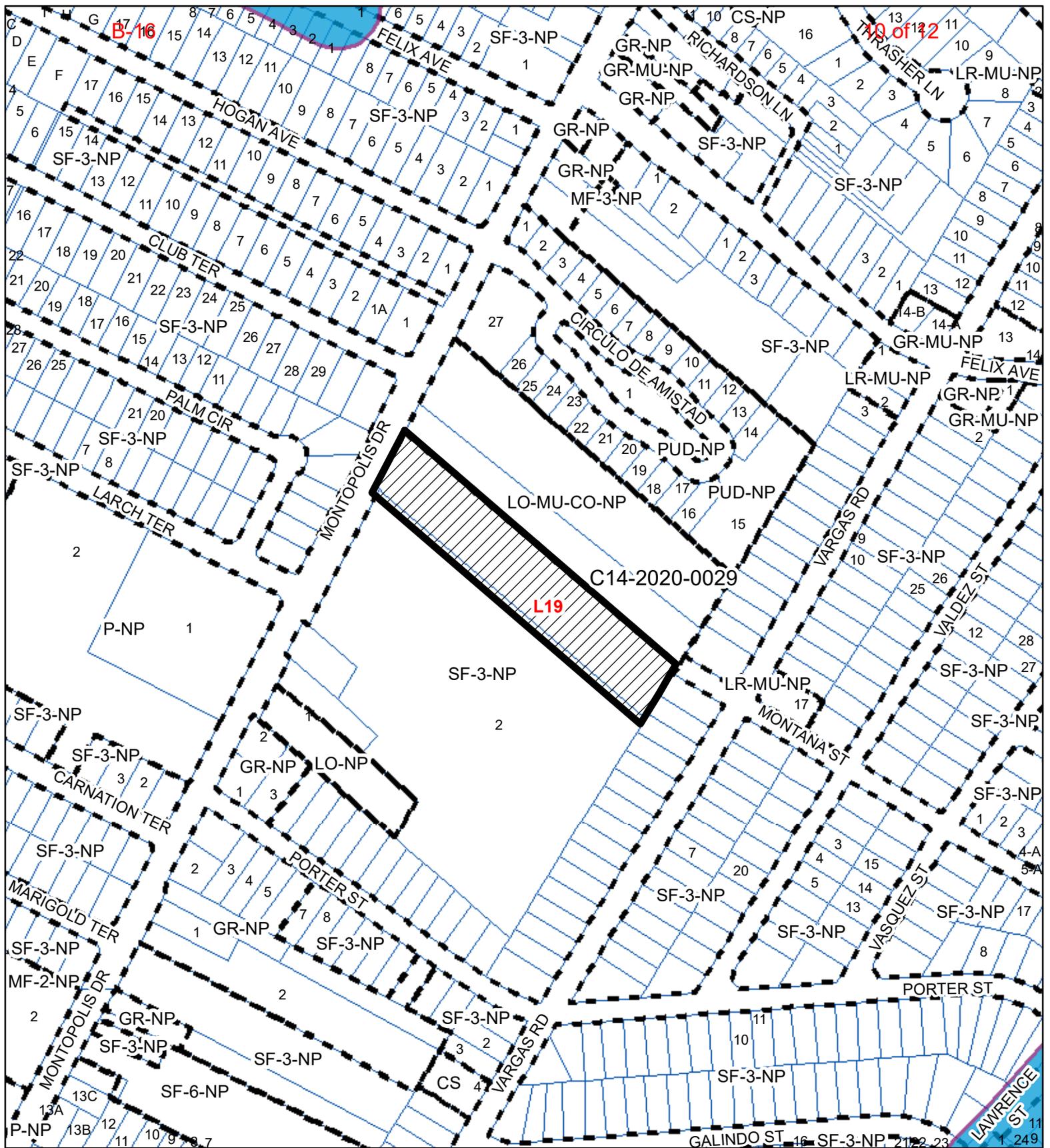
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

#### INDEX OF EXHIBITS TO FOLLOW

Exhibit A: Zoning Map

Exhibit B: Aerial Map

Exhibit C: MNPCT Postponement Request



**N**

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

CREEK BUFFER

1" = 300'

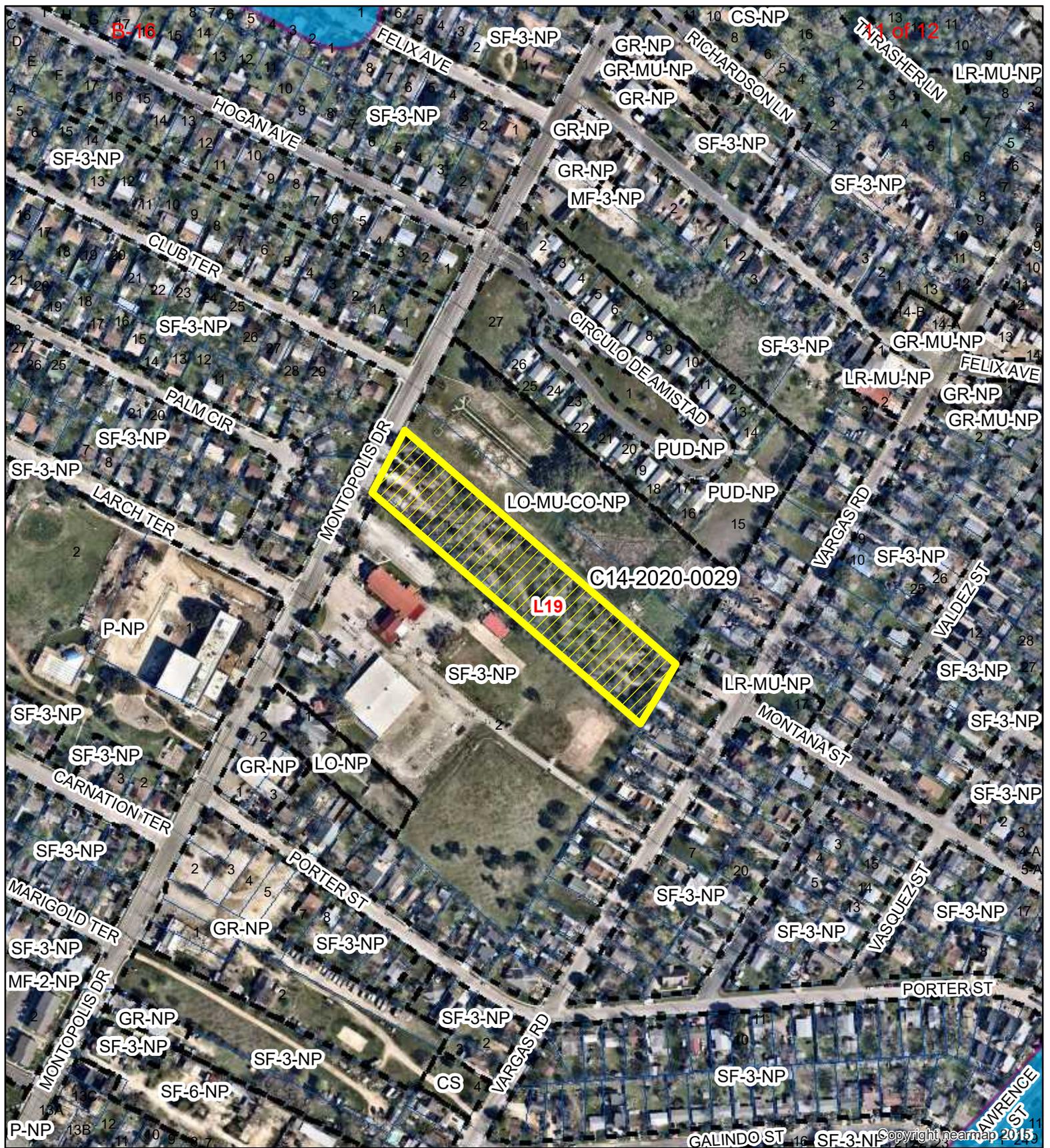
**MONTOPOLIS ACRES REZONING**

ZONING CASE#: C14-2020-0029  
 LOCATION: 1013-1017 Montopolis Dr  
 SUBJECT AREA: 3.12 ACRES  
 GRID: L19  
 MANAGER: KATE CLARK

Exhibit A



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.



**N**

**1" = 300'**

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

**MONTOPOLIS ACRES REZONING**

ZONING CASE#: C14-2020-0029  
 LOCATION: 1013-1017 Montopolis Dr  
 SUBJECT AREA: 3.12 ACRES  
 GRID: L19  
 MANAGER: KATE CLARK

**Exhibit B**



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.

**Clark, Kate**

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**From:** Susana Almanza  
**Sent:** Wednesday, June 10, 2020 9:59 AM  
**To:** Clark, Kate  
**Subject:** MNPCT Postponement Request

\*\*\* External Email - Exercise Caution \*\*\*

Hello Kate Clark: The Montopolis Neighborhood Plan Contact Team is requesting a postponement for the following Cases. These case will be reviewed at our next scheduled MNPCT meeting scheduled for June 29th, 2020 at 6 pm at the Southeast Health and Wellness Center.

1. 6328 El Mirando Street from SF-3 to SF-6 Applicant Ron Thrower
2. 200 Montopolis Dr. from SF-3 to SF-6 Applicant Ron Thrower
3. 1013 Montopolis Dr. from SF-3 to SF-6 Applicant Ron Thrower
4. 6201 Clovis & 301 Kemp St. from SF-3 to SF-6 Applicant Ron Thrower

I had a series of email discussions with Ron Thrower's representative, Victoria Hasse. She did not want to come to Montopolis due to COVID-19. On May 18th, I requested that she email the materials of the zoning cases so that the MNPCT could review them and have a discussion at the May 26th scheduled meeting, and then send questions. I didn't receive the materials until the day of the meeting on May 26th at 4:13 pm.

I was in meetings in the afternoon that day, and didn't see her email to late a night. Sending the materials a couple of hours before our meeting is not acceptable.

Sincerely, Susana Almanza, President MNPCT

PODER  
P.O. Box 6237  
Austin, TX 78762-6237  
[www.poder-texas.org](http://www.poder-texas.org)

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