SECOND/THIRD READINGS SUMMARY SHEET

CASE: C14-2020-0038 – 508 Kemp Street DISTRICT: 3

ADDRESS: 508 Kemp Street

SITE AREA: 2.16 acres

PROPERTY OWNER:
Johnny A. Steen

AGENT:
Drenner Group (Leah M. Bojo)

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

REQUEST: **Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 508 Kemp Street (Country Club East Watershed). Applicant Request: To rezone from family residence – neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence – neighborhood plan (SF-6-NP) combining district zoning. A valid petition has been filed in opposition to this rezoning request.**

PREVIOUS CITY COUNCIL ACTION:

August 27, 2020	**Approved Planning Commission's recommendation to rezone to SF-6-NP on first reading only. Vote: 7-2. [K. Tovo and A. Alter voted nay, L. Pool and A. Kitchen abstained].**
July 30, 2020	Approved applicant's request for postponement to August 27, 2020. Vote: 11-0.

ISSUES:

There are no new issues for this case.

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ISSUES:

There are no new issues for this case.

ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0038 – 508 Kemp Street DISTRICT: 3

ZONING FROM: SF-3-NP TO: SF-6-NP

ADDRESS: 508 Kemp Street

SITE AREA: 2.16 acres

PROPERTY OWNER:
Johnny A. Steen

AGENT:
Drenner Group (Leah M. Bojo)

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

STAFF RECOMMENDATION:

Staff recommends denial of the applicant's request for 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	**Approved the Applicant's request to rezone SF-6-NP. (8-3) [C. Hempel, G. Anderson – 2nd; A. Azhar, C. Llanes Pulido, T. Shaw voted nay; R. Schneider abstained].**

CITY COUNCIL ACTION:

October 1, 2020	**Scheduled for City Council**
August 27, 2020	Approved Planning Commission's recommendation to rezone to SF-6-NP on first reading only. Vote: 7-2. [K. Tovo and A. Alter voted nay, L. Pool and A. Kitchen abstained].
July 30, 2020	Approved applicant's request for postponement to August 27, 2020. Vote: 11-0.

ORDINANCE NUMBER:

ISSUES

On May 26, 2020 the Montopolis Neighborhood Planning Contact Team (MNPCT) met to discuss their recommendation of this rezoning case. They voted to oppose the rezoning request.

All communication received for this rezoning case can be found in *Exhibit C: Correspondence Received*.

A valid petition of 31.37% has been filed by the adjacent property owners in opposition to this rezoning request. A current map and list of property owners of the petition area and the electronic signatures received to date are included in *Exhibit D: Formal Petition*.

At the Planning Commission meeting on June 23, 2020 the applicant informed the Commission that they were willing to provide a minimum of one affordable unit at 60% MFI and public access to their planned playscape/open space. These provisions cannot be included in an ordinance. The applicant told the Planning Commission that these items could be included in their home owners association (HOA) documents and that they are open to discussing a private restrictive covenant with a partner group from the neighborhood.

CASE MANAGER COMMENTS:

This property is located on the west side of Kemp Street and is approximately 2.16 acres in size. It is currently developed with a single-family residential building. Adjacent to the north is right-of-way reserved for Grove Boulevard. This is a proposed road in the Austin Strategic Mobility Plan (ASMP) and is not currently built. Across the proposed right-of-way are tracts zoned SF-3-NP with single-family residential buildings on them. Across Kemp Street to the east are tracts zoned SF-3-NP with single family residential and religious assembly buildings. Adjacent to the south are tracts zoned SF-3-NP which are undeveloped. Adjacent to the west are tracts zoned GR-CO-NP which are undeveloped.

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 located midblock on a local residential street, is predominately surrounded by SF-3-NP zoning and is internal to the Montopolis Neighborhood. Kemp Street is classified as a Level 1 road in the Austin Strategic Mobility Plan (ASMP) and is not a through street. Additionally, *Housing and Neighborhood Policy 11* (HN P11) states: *Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites*.

Because this site is located internally to the neighborhood, is not located along a through street nor is it close to or have easy access to a major thoroughfare, Staff does not recommend rezoning this property to SF-6-NP. For this area of the Montopolis Neighborhood, the base zoning of SF-6 is more appropriate along major collectors/thoroughfares and/or towards the periphery of the neighborhood boundary.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	SF-3-NP	Single-family residential
North	GR-CO-NP, SF-3-NP, P-NP	Undeveloped, single-family residential and public park
South	SF-3-NP	Undeveloped
East	SF-3-NP	Single-family residential, religious assembly building
West	GR-CO-NP	Undeveloped (Ecology Action Circle Acres Nature Preserve)

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

TIA: A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC 25-6-113]

WATERSHED: Country Club East (suburban)

OVERLAYS: Airport Overlay (Controlled Compatible Land Use Area) and Residential Design Standards

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

NEIGHBORHOOD ORGANIZATIONS

Austin Independent School District
Austin Neighborhoods Council
Bike Austin
Bonnett Neighborhood Association
Carson Ridge Neighborhood Association
Crossing Gardenhome Owners Assn. (The)
Del Valle Community Coalition
Del Valle Independent School District
East Austin Conservancy
East Riverside/Oltorf Neighborhood Plan
El Concilio Mexican-American Neighborhoods
Friends of Austin Neighborhoods
Homeless Neighborhood Association
Montopolis Community Alliance
Montopolis Neighborhood Plan Contact Team
Montopolis Tributary Trail Association

Montopolis-Ponca Neighborhood Association
Neighborhood Empowerment Foundation
Pleasant Valley
Preservation Austin
River Bluff Neighborhood Assoc.
SELTexas
Sierra Club, Austin Regional Group
Southeast Austin Neighborhood Alliance
Vargas Neighborhood Association

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2020-0044 Saxon Acres Residential Zoning	SF-3-NP to SF-6-NP	Approved SF-6-NP.	In review
C14-2020-0030 200 Montopolis Rezoning	SF-3-NP to SF-6-NP	Denied request.	In review
C14-2020-0039 Clovis and Kemp Rezoning	SF-3-NP to SF-6-NP	Denied request.	In review
C14H-2017-0055 NPA-2016-005.04 500 Montopolis	SF-3-NP to GR-MU-H-NP and GR-MU-NP	HLC: to grant GR-MU-H-CO-NP and GR-MU-CO-NP PC: to grant SF-3-H-NP	Granted an indefinite postponement request by staff on 6/20/19. Withdrawn
C14-2013-0107 600 Kemp Street Rezoning	SF-3-NP to SF-6-NP	Denied request.	Denied request (3/20/14) (Valid petition)

RELATED CASES:

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

EXISTING STREET CHARACTERISTICS:

Street	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Kemp St	50’- 56’	28’	Level 1	None	None	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

This zoning case is located on the west side of Kemp Street, 500 feet north of Atwood Drive on vacant parcel that is approximately 2.158 acres in size, which contains a single-family house. The property does not abut nor is it close to an Activity Corridor or Center. This project is located within the boundaries of the Montopolis Neighborhood Planning Area. Surrounding land uses includes single family housing and vacant land to the north; to the south is vacant land and single-family housing; to the east is a church and single family housing; and to the west is the Ecology Action Circle Acres Nature Preserve, which is privately owned. The Roy Guerrero Metropolitan Park is located northwest of the private nature preserve.

Connectivity
A Cap Metro bus stop is located 800 feet from the subject property. There are no public sidewalks located along this street or along several streets that abut Kemp Street. While there is park close by, the mobility and connectivity options are fair and lacks neighborhood serving goods and services in the area.

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), zone SF-6 is permitted in the “Single Family” land use designation. The following goal, objections and actions are taken from the Montopolis Plan.

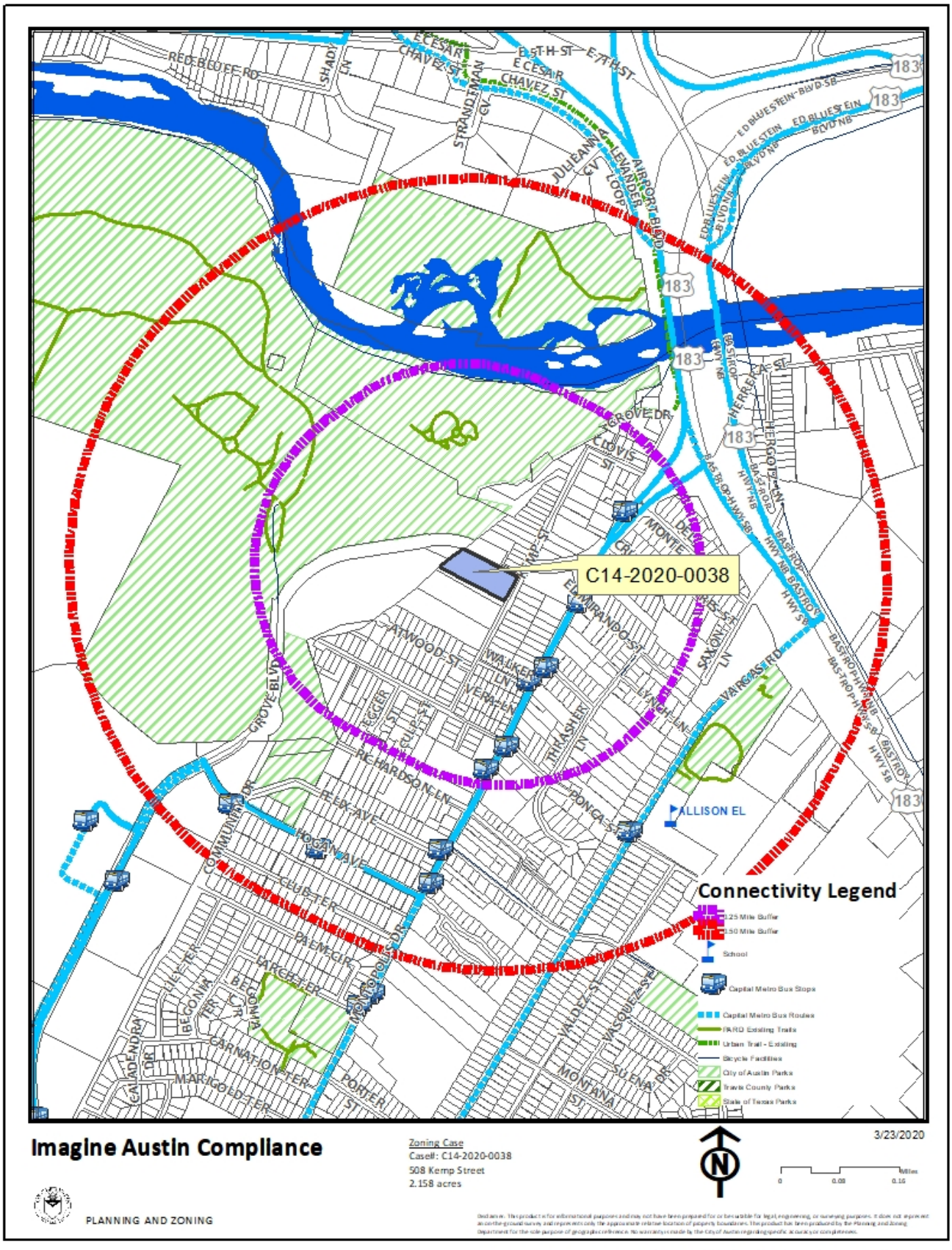
- Goal 2: Create Homes for all Stages of Life within Montopolis. (p 14)
    - Objective 4: Enhance and protect existing single family housing.
        - Action 12: Preserve the existing Single Family uses and zoning in the older, established areas of Montopolis.
        - Action 13: Preserve residential 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.

Imagine Austin
The Montopolis neighborhood has a mix of single-family houses and larger apartment complexes. The following Imagine Austin policies support the zoning change:

- LUT P5. Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- 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 healthy food, schools, retail, employment, community services, and parks and recreation options.

Based on a lack of connectivity and mobility options in the area, Imagine Austin is neutral on this project.


C14-2020-0038
Connectivity Legend
.25 Mile Buffer
.50 Mile Buffer
School
Capital Metro Bus Stops
Capital Metro Bus Routes
PARD Existing Trails
Urban Trail - Existing
Bicycle Facilities
City of Austin Parks
Travis County Parks
State of Texas Parks
Imagine Austin Compliance
Zoning Case
Case#: C14-2020-0038
508 Kemp Street
2.158 acres
3/23/2020
PLANNING AND ZONING

Environmental

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. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	*% of Gross Site Area*	*% of Gross Site Area with Transfers*
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 a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within 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 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 when the site plan is submitted. Additional design regulations will be enforced at the time a site plan is submitted.

Compatibility Standards
The site is subject to compatibility standards due to adjacency of SF-3-NP to the north and south and proximity of SF-3-NP to the east across Kemp St. 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.
- Landscaping or screening is required along the south and north property line 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.

Please note, the property is subject to any additional restrictions of the Neighborhood Plan Amendment Ordinance Number 010927-28 and the Neighborhood Plan Amendment Ordinance Number 20101209-059.

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 Austin Strategic Mobility Plan (ASMP) adopted 04/11/2019, calls for 60 feet of right-of-way for Grove Blvd. ATD Staff will coordinate a meeting with the applicant regarding this comment. [LDC 25-6-51 and 25-6-55].
04/14/2020: Staff reviewed the ASMP proposed alignment of Grove Blvd. and determined no right of way dedication would be required from this site at this time. This comment is cleared.

A Neighborhood Traffic Analysis is required and will be performed for this project by ATD staff. Results will be provided in a separate memo. LDC 25-6-114. NTA requires three (3) consecutive 24-hour tube counts, preferably on Tuesday, Wednesday, and Thursday, during a non-holiday week when school is in session. Staff will contact the applicant to discuss the location of the tube counts. Results will be provided in a separate memo. LDC 25-6-114. Please pay the NTA fees with the Intake staff on the 4th floor. This comment will be cleared once the Memo is approved and the fees are paid.
04/14/2020: Staff is recommending the NTA be deferred to site plan submittal.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC 25-6-113]

Austin Water Utility

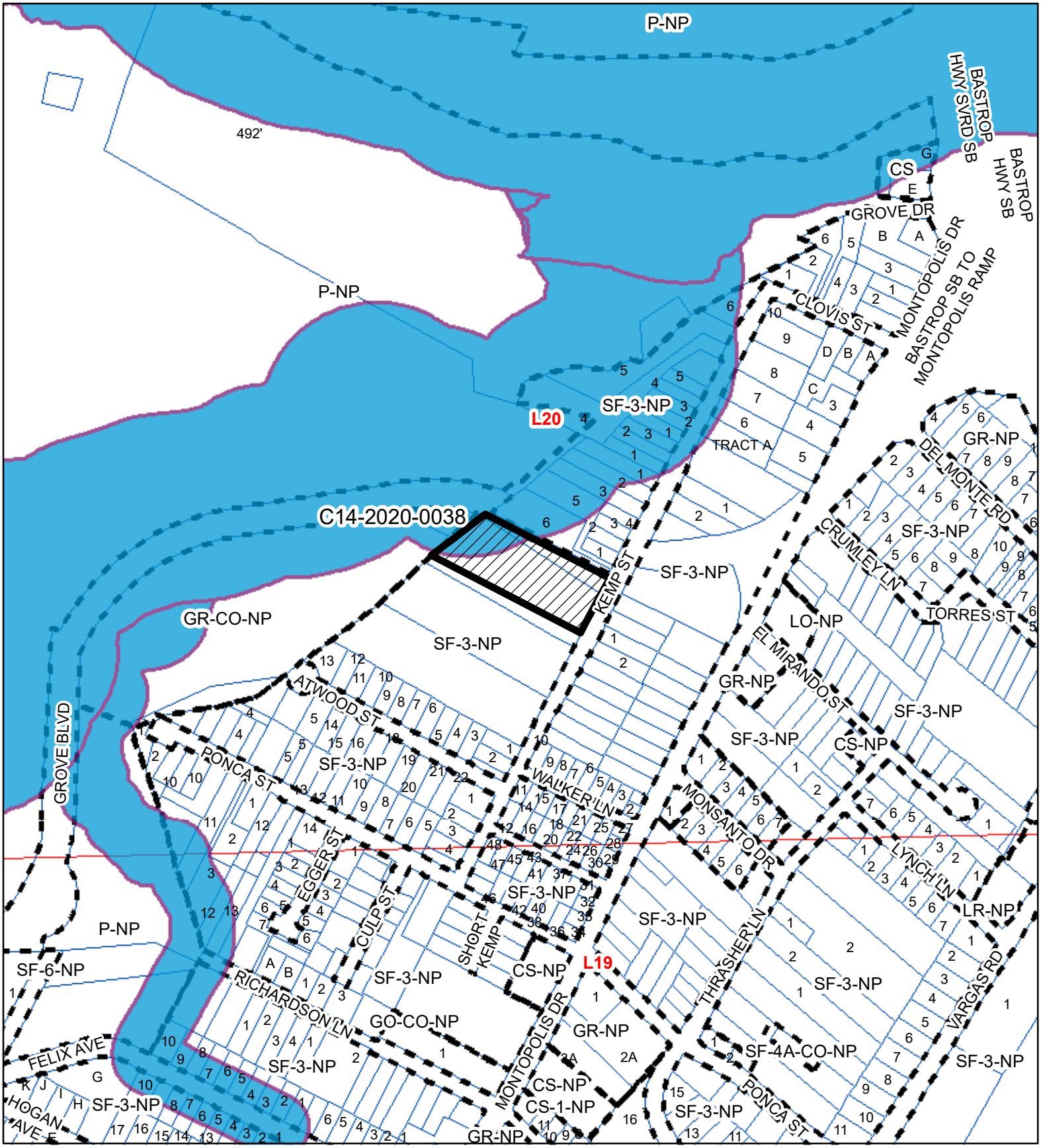
The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

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

INDEX OF EXHIBITS TO FOLLOW

Exhibit A: Zoning Map
Exhibit B: Aerial Map
Exhibit C: Correspondence Received
Exhibit D: Formal Petition



N

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

CREEK BUFFER

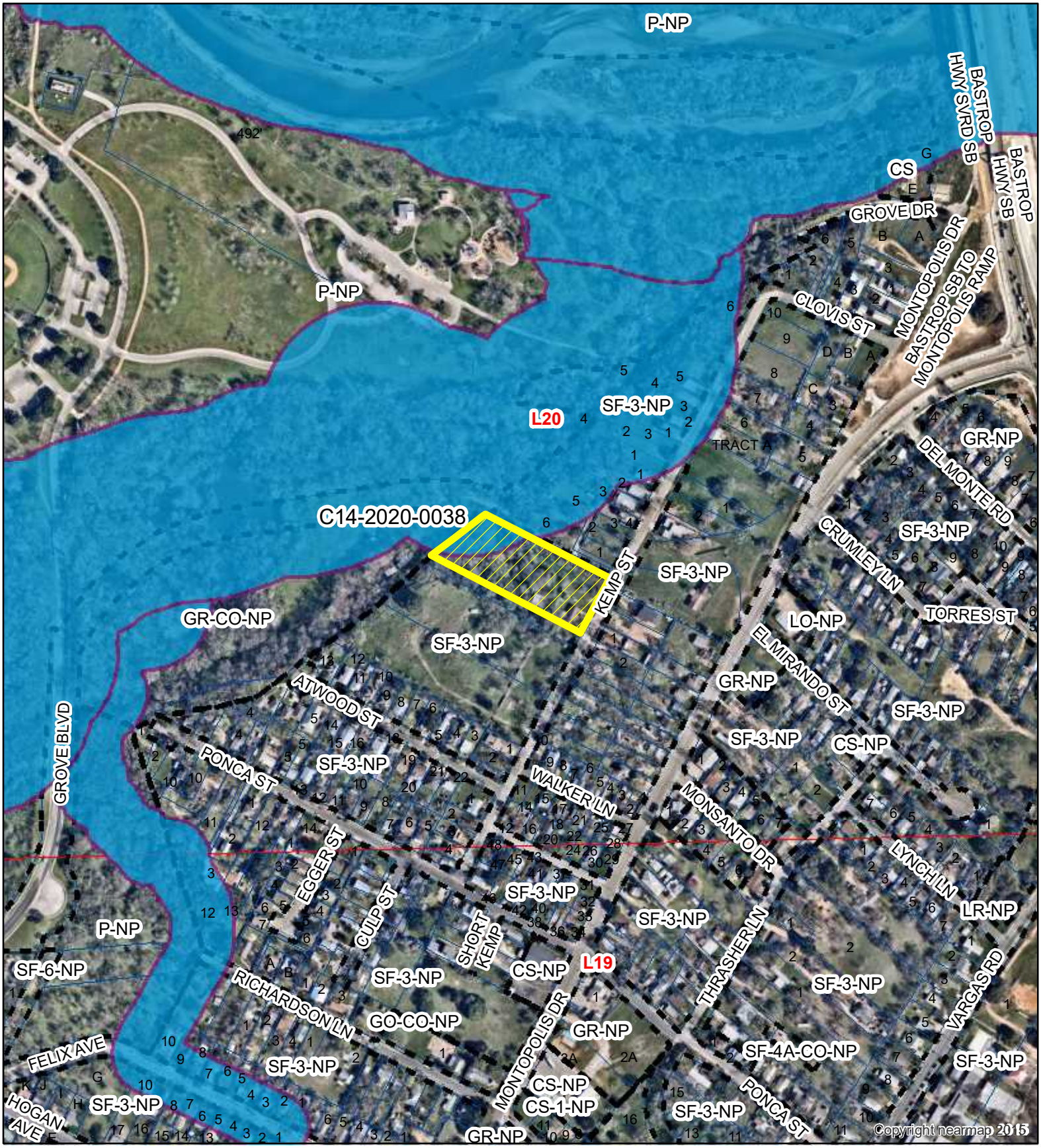
1" = 400'

508 KEMP STREET

Exhibit A

ZONING CASE#: C14-2020-0038
LOCATION: 508 KEMP STREET
SUBJECT AREA: 2.16 ACRES
GRID: L20
MANAGER: KATE CLARK

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

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

CREEK BUFFER

1" = 400'

508 KEMP STREET

Exhibit B

ZONING CASE#: C14-2020-0038
LOCATION: 508 KEMP STREET
SUBJECT AREA: 2.16 ACRES
GRID: L20
MANAGER: KATE CLARK

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Exhibit C

June 15, 2020

To: Kare Clark, Planning Commissioners & Austin City Council Members

From: Montopolis Neighborhood Plan Contact Team
Susana Almanza, President MNPCT

Re: 508 Kemp Street/C14-2020-0038/ SF-3-NP to SF-6

The Montopolis Neighborhood Plan Contact Team met on May 26th, 2020 at the Southeast Health and Wellness Center. The Contact Team reviewed Leah Bojo's presentation regarding the property at 508 Kemp Street (C14-2020-0038) and had additional questions. Leah Bojo responded to the Contact Teams additional questions on June 8th, 2020.

The Montopolis Neighborhood Plan Contact Team **opposes** the zoning change for the property located at 508 Kemp Street.

The Montopolis Neighborhood Plan was completed under City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on September 27th, 2001. The property at 508 Kemp was approved as SF-3-NP. We ask that the Austin City Council respect the adopted Montopolis Neighborhood Plan.

After emerging successful against the forces of rapacious development at the Montopolis Negro School in 2018, the Montopolis community is once again being besieged by profit-seeking real estate developers with little to no regard for the community's fragile natural and cultural environment, or it iconic history.

Montopolis, also known as "Poverty Island," has a per capita income of $16,226, a Median Family Income of $31,875, and a poverty rate of 33% according to 2018 American Community Survey data. Accordingly, we guard our existing SF-3 owned property jealously, as we are a community of families.

The Austin Human Rights Commission has declared gentrification to be a human rights violation. We call upon the Planning Commission and Austin City Council to reject this gentrifying up zoning in the name of racial justice and reconciliation. Montopolis has too much history and culture to be sliced up by the forces of unscrupulous real estate development in this fashion. The highest and best use of our land is protection, not speculation.

Clark, Kate

From: Andrew Ashmore
Sent: Wednesday, July 22, 2020 10:27 AM
To: Clark, Kate; Leah Bojo
Subject: 508 Kemp St Petition

*** External Email - Exercise Caution ***

Kate and Leah,

Upon further discussions with my partners in our property at 600 Kemp st, we would like to rescind our valid petition in opposition of the 508 Kemp Zoning Change and conversely offer our full support to change from Sf3-Sf6.

Please let me know if you need anything further from us to ensure this is handled properly with such a short timeline before the council hearing.

Respectfully,

Andrew

Andrew Ashmore
A.R.E.A. GROUP
4826 E. Cesar Chavez
Austin, Texas 78702
512.222.9233
CAUTION: This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to CSIRT@austintexas.gov.

Clark, Kate

From: Eric Dillaman
Sent: Tuesday, June 16, 2020 10:10 AM
To: Clark, Kate
Subject: Re: Case Number C14-2020-0039

I am writing in ***opposition*** to C14-2020-0030 (200 Montopolis Rezoning), C14-2020-0038 (508 Kemp Street), and C14-2020-0039 (Clovis and Kemp Rezone).

I am somewhat shocked to learn of the scope of the proposed zoning changes for our neighborhood; it feels like a concerted and coordinated effort by developers to shred the very fabric of our community in order to maximize their return on investment. Those of us who bought homes or land in the area, investing a life's worth of savings, did so knowing that this would be an SF-3 zoned residential neighborhood. The three streets in question: Kemp St, Clovis St, and the small offshoot of Montopolis apart from the main thoroughfare of the same name are narrow, have no city sidewalks, and I already worry about the safety of pedestrians and bikers. There is a blind hill that exists right next to C14-2020-0039 which was almost the scene of a serious accident a year ago when a car came over the top when my young son and I were walking back to our house and almost hit us (again, no continuous sidewalks). By increasing the density of these lots, we will be substantially increasing the vehicle traffic on infrastructure that is not designed to handle it.

I realize that the staff has recommended rezoning of C14-2020-0030 and C14-2020-0039, but I wonder if they have come out and understood what this neighborhood is like, short of looking at it on paper. This type of dense development is extremely out of character with the reality on the ground. I think it would only take a quick drive around the neighborhood to see that this type of zoning is not in the character, design, and function of this neighborhood.

Additionally, the new construction on Montopolis & 183 was conceived poorly for those of us on the west side of Montopolis Dr. We used to be able to turn north onto Montopolis Dr. towards 183 from the Clovis/Montopolis intersection. However, the new design has put a median in the way to block a left turn. That means the only way out of the neighborhood to go north of the river is through Clovis and Kemp Sts. All of the traffic from these new dense condo builds would, therefore, be routed onto our streets. In morning traffic, it is already very difficult to turn north onto Montopolis from the streets that feed out of our neighborhood. There is one long light that backs up (Ponca), but has no protected left turn. Frequently only one car can make the turn out of our neighborhood in a light cycle. There are some mornings when it takes about *ten minutes* just to turn out of the neighborhood when traffic is heavy! This is without the added density that this new zoning would inflict upon us.

Lastly, this type of development is out of touch and character with the socioeconomics of the neighborhood. Montopolis is one of the last places in Austin where there is real ethnic and socioeconomic diversity. That is because people have not yet been priced out of their homes by large developments such as this, and the increasing tax burdens that they bring. In a time where we are beginning, as a city, to come to grips with some of the racist policy and zoning decisions that have plagued the city's development decisions in the past (think Clarksville & the East of I-35 plan), this type of development is anathema to real community need, desire, want, or benefit. A development that would spring from a zoning change like this benefits few people-- the owner and developer-- at the expense of all other people in the neighborhood.

I sincerely hope that you take Staff's recommendation to deny the zoning change to C14-2020-0038 , and break with Staff's recommendation by denying the change to C14-2020-0030 (200 Montopolis Rezoning) and C14-2020-0039 (Clovis and Kemp Rezone).

Thanks for you time,

Eric Dillaman

On Mon, Jun 15, 2020 at 11:46 AM Clark, Kate <Kate.Clark@austintexas.gov> wrote:

> Good Afternoon Mr. Dillaman,
>
> Below is a list of cases that are within the Montopolis Neighborhood Area that are planned to be heard next Tuesday, June 23rd at Planning Commission and their status. I have also included a PDF of the maps for each case for your reference. If you would like to oppose the rezoning of any of these cases, please send me an email (can be one email, doesn't have to be separate ones) stating the case number and your opposition. My case backup is due tomorrow and I would like to include it in my backup.
>
> - C14-2020-0029 (Montopolis Acres Rezoning)
> - Applicant Request: SF-3-NP to SF-6-NP;
> - Staff Recommendation: To recommend the rezoning request;
> - Montopolis Neighborhood Plan Contact Team Recommendation: Pending, requested a postponement of this case to July 14th; and
> - City Council Meeting: Planned to be scheduled for July 30th.
> - C14-2020-0030 (200 Montopolis Rezoning)
> - Applicant Request: SF-3-NP to SF-6-NP;
> - Staff Recommendation: To recommend the rezoning request;
> - Montopolis Neighborhood Plan Contact Team Recommendation: Pending, requested a postponement of this case to July 14th; and
> - City Council Meeting: Planned to be scheduled for July 30th.
> - C14-2020-0038 (508 Kemp Street)
> - Applicant Request: SF-3-NP to SF-6-NP;
> - Staff Recommendation: To recommend denial of the rezoning request;
> - Montopolis Neighborhood Plan Contact Team Recommendation: Pending; and
> - City Council Meeting: Planned to be scheduled for July 30th.
> - C14-2020-0039 (Clovis and Kemp Rezone)
> - Applicant Request: SF-3-NP to SF-6-NP;
> - Staff Recommendation: To recommend the rezoning request;
> - Montopolis Neighborhood Plan Contact Team Recommendation: Pending, requested a postponement of this case to July 14th;
> - City Council Meeting: Planned to be scheduled for July 30th.
> - C14-2020-0044 (Saxon Acres Residential Zoning)
> - Applicant Request: SF-3-NP to SF-6-NP;
> - Staff Recommendation: To recommend the rezoning request;
> - Montopolis Neighborhood Plan Contact Team Recommendation: Pending, requested a postponement of this case to July 14th; and
> - City Council Meeting: Planned to be scheduled for July 30th.
>
> I verified with staff that you cannot sign up to speak on an item for next week's Commission meeting until the agenda is posted. This should be sometime on Friday morning, usually around 10:00 AM. **You must register to speak by noon on Monday, June 22nd**. I will send you information on how to sign up on Friday after the agenda is posted.

As for the statistics you requested, we do not track how often Council approves a rezoning case when there is a valid petition, nor do we track how often Planning Commission recommends something different than Staff. We do track the approval of Council cases to the number of cases Staff recommends. This fiscal year (started October 1, 2019) Council has approved 92.6% of the cases that Staff has recommended. For the last fiscal year, the percentage of Council approved cases to Staff recommended cases was 88.89%.

I have also attached some information on Zoning Petitions. If you wish to start one I suggest contacting Susana Almanza ([redacted]) prior to doing so. She requested this same information from me last week. These petitions can sometimes take time and effort to coordinate, I wouldn't want you to duplicate the effort if she has already started one.

I understand that this is a lot of information. If you would like to have another call later this week if you have any questions after reading through it, please let me know.

Kate Clark, AICP, LEED AP

Senior Planner

City of Austin | Planning and Zoning Department

Mailing Address: P.O.Box 1088, Austin, Texas 78767

Physical Address: 505 Barton Springs Rd, 5th floor, Austin, Texas 78704

Tel: 512-974-1237

Email: kate.clark@austintexas.gov

PUBLIC HEARING INFORMATION

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Case Number: C14-2020-0038
Contact: Kate Clark, 512-974-1237
Public Hearing: June 23, 2020, Planning Commission

Regina L. Whitehead
Your Name (please print)

☐ I am in favor
☑ I object

3508 Levy Ln Killeen, TX 76542
Your address(es) affected by this application

Regina L. Whitehead 6/17/2020
Signature *Date*

Daytime Telephone: 254-368-1477

Comments: I object to this Rezoning. This is My families Homestead.

Thanks,
Regina L Whitehead

If you use this form to comment, it may be returned to:
City of Austin, Planning & Zoning Department
Kate Clark
P. O. Box 1088, Austin, TX 78767-8810

Or email to:
Kate.Clark@austintexas.gov

Clark, Kate

From: Bezner, Janet R
Sent: Thursday, June 18, 2020 1:45 PM
To: Clark, Kate
Subject: Rezoning Concern

*** External Email - Exercise Caution ***

Dear Ms. Clark,

I am writing to provide input for the Planning Commission meeting next week about the following properties, which are adjacent and near a property I own at 204 Montopolis:

B-15 (C14-2020-0030 - 200 Montopolis Rezoning, District 3)
B-16 (C14-2020-0029 - Montopolis Acres Rezoning, District 3)
B-17 (C14-2020-0039 - Clovis and Kemp Rezone, District 3)
B-18 (C14-2020-0044 - Saxon Acres Residential Zoning, District 3)
B-19 (C14-2020-0038 - 508 Kemp Street, District 3)

As you are probably aware, a developer has applied to rezone these lots to an SF-6 designation, which we oppose. The lots are currently zoned SF-3, which we believe is appropriate to preserve single family housing in the neighborhood. We are concerned if the lots are rezoned it will lead to increased traffic, increased property taxes, and greater density and crowding, further stressing our natural resources.

Thank you,
Janet Bezner and Nancy Lesch
204A Montopolis
Austin, TX 78741
571-234-2841

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Clark, Kate

From: Hedda Elias
Sent: Friday, June 19, 2020 12:07 PM
To: Clark, Kate
Subject: Zoning Montopolis Neighborhood

*** External Email - Exercise Caution ***

Dear Planning Commission Members,

In reference to: B-15, B-16, B-17, B-18, B-19

Part of being the anti-racist city that Austin claims to be is to seek out and listen to the voices of the people who live in the neighborhoods affected by development. Listen to how they are struggling to pay the taxes. Listen to how their children cannot afford to keep the house they grew up in. Listen to the Montopolis Contact team. Listen to their plan. Listen to our neighbors who took time out of their days to sign these petitions.

If you are really committed to the ideals of being equitable and anti-racist, you will ask this community how we want to develop and not pay it lip service. Because we do have a plan to keep the people in their homes who have lived here for generations. We do have a plan to help each other repair our houses. We do have a plan to build more affordable housing.

Help us. Don't help the developers who in their proposal will sell this new housing for $400 a square foot. That is not something I can afford. That is definitely not something my neighbors, with a median income of $35,000 can afford. We are surrounded by 3 petitions to build townhomes all on the route my daughter practices riding her bicycle on each day. On our tiny street with no sidewalks. These developers did not come speak to the Montopolis Contact team.

We are talking about the gentrification that is happening right now. My husband grew up 2 blocks from where we built our house. Our house is built on land we bought in 2012 for $65,000. Our property taxes are $9000 a year. As 2 teachers, we have an income more that most of our neighbors, yet it is difficult for us to pay our taxes. This will make it impossible for us to protest our property values. Impossible to build affordable housing on our street, as we have planned.

Please do your part.

We are counting on you,

Hedda and Noe Elias
304 Kemp Street

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Clark, Kate

From: Eric Paulus
Sent: Friday, June 19, 2020 12:20 PM
To: Clark, Kate
Subject: Opposition to rezoning at 508 Kemp st

*** External Email - Exercise Caution ***

Hello,

I am writing on behalf of Ecology Action of Texas, owner of the Circle Acres Nature Preserve at 420 Kemp St. Our property borders 508 Kemp. We are opposed to the rezoning of 508 from sf3 to sf6. We have spent 15 years converting the most polluted tract in Montopolis to a thriving nature preserve that we leave open to the public to use for recreation and environmental education. We also host school groups and volunteer activities to clean up the preserve and surrounding parkland. Allowing for a major development on the property above us will do real and lasting harm to our project, endanger a poorly designed and constructed landfill cap (the former Grove Landfill), and force us to close our road access to the preserve, cutting off the community from this valuable resource. We ask that the planning commission honor the existing neighborhood plan and the wishes of the immediate neighbors and oppose this rezoning.

Also, the city has failed to do the proper and required notification about this process and we are very disappointed with how this process is being conducted by the city.

Thank
You for your considerations,
Eric Paulus, director of Ecology Action of Texas (Austin's oldest environmental organization)

--
Eric Paulus
Director -- Ecology Action of Texas
cell# 443-878-2984

Please Consider Supporting Our Work!
https://donatenow.networkforgood.org/ecology-action

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Clark, Kate

From: Isaiah
Sent: Tuesday, June 23, 2020 5:08 PM
To: Clark, Kate
Subject: RE: Case Number C14-2020-0039

Kate,

Thanks so much for keeping us updated. For the record, I also OPPOSE the rezoning of 508 Kemp St to SF-6. It does not meet the city's criteria for rezoning to establish a "transition" to single-family residences, as it is directly in the middle of the street. Additionally, the property sits directly above an Ecology Action preserve and would be disastrous environmentally.

Thanks,
Isaiah Harp

Sent with ProtonMail Secure Email.

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Case Number: C14-2020-0038
Contact: Kate Clark, 512-974-1237
Public Hearing: July 30, 2020, City Council

Your Name (please print)
Regina L. Mitchell

☐ **I am in favor**
☑ **I object**

Your address(es) affected by this application

Regina L. Mitchell — 7/8/2020
Signature — *Date*

Daytime Telephone: 254-368-1477

Comments: I oppose the SF3-NP-SF-3 development. A NO GO for this area! Heneficiaries

ATTN: Ms. Clark,
I wish to speak at Conference.

Thank you Regina Mitchell

If you use this form to comment, it may be returned to:
City of Austin, Planning & Zoning Department
Kate Clark
P. O. Box 1088, Austin, TX 78767

Or email to:
Kate.Clark@austintexas.gov

INFORMACIÓN DE AUDIENCIA PÚBLICA

Esta petición de zonificación / rezonificación será revisada y se tomarán medidas en dos reuniones públicas diferentes: antes de la Comisión de Usos Urbanos y el consejo municipal. Aunque se espera que solicitantes y/o su(s) agente(s) se presenten en una audiencia pública, usted no esta obligado de atender. Esta reunión se llevará a cabo en línea a través de internet y tiene la oportunidad de hablar A FAVOR o EN CONTRA del propuesto desarrollo o cambio. Póngase en contacto con el administrador de casos para información sobre cómo participar en la audiencia pública en línea a través de internet. Usted también puede contactar organizaciones ambientales o asociaciones de vecinos que han expresado interés en una aplicación que afecta a su vecindario.

Durante la audiencia pública, la comisión podría postergar o continuar audiencia del caso en una fecha futura, o puede evaluar la recomendación de los oficiales municipales y las del público al mismo tiempo mandando su recomendación al cabildo municipal. Si la comisión anuncia una fecha y hora específica para postergar o continuar discusión, y no se extiende más de 60 días, no tendrá obligación de otra notificación pública.

El cabildo municipal, durante su audiencia pública, puede otorgar o negar una petición de zonificación, rézonificar el terreno a una clasificación de zonificación menos intensiva que lo que es pedida. En ningún caso se otorgara una clasificación de zonificación más intensiva de la petición.

Para otorgar un desarrollo de usos urbanos mixtos, el cabildo municipal puede agregar la designación USO MIXTO (MU) DISTRITO COMBINADO, *Mixed-use (MU) Combining District,* a ciertos usos urbanos de comercio. La designación *MU-* Distrito Combinado simplemente permite usos urbanos residenciales en adición a los usos ya permitidos el los siete distritos con zonificación para comercio. Como resultado, la designación *MU-* Distrito Combinado, otorga la combinación de oficinas, comercio, y usos urbanos residenciales en el mismo sitio.

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Numero de caso: C14-2020-0038
Persona designada: Kate Clark, 512-974-1237
Audiencia Publica: July 30, 2020, Cabildo municipal

Tomas Solis
Su nombre (en letra de molde)

☐ **I am in favor**
☑ **I object**

505 Kemp St.
Su domicilio(s) afectado(s) por esta solicitud

Firma

06/30/20
Fecha

Daytime Telephone: 512-970-8913

Comments:

Si usted usa esta forma para proveer comentarios, puede retornarlos:
City of Austin, Planning & Zoning Department
Kate Clark
P. O. Box 1088, Austin, TX 78767

O por correo electrónico a:
Kate.Clark @austintexas.gov

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Case Number: C14-2020-0038
Contact: Kate Clark, 512-974-1237
Public Hearing: July 30, 2020, City Council

Jesse Lunsford
Your Name (please print)

☐ **I am in favor**
☑ **I object**

418 Kemp
Your address(es) affected by this application

Signature 6-30-20 *Date*

Daytime Telephone: 512-415-5475

Comments: Even though these lots are large there are only a few of the large lots. all other lots are much smaller. also, Kemp St. is too small to handle it.
There is nowhere to transition to — from single family to multi family areas.

If you use this form to comment, it may be returned to:
City of Austin, Planning & Zoning Department
Kate Clark
P. O. Box 1088, Austin, TX 78767

Or email to:
Kate.Clark@austintexas.gov

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Numero de caso: C14-2020-0038
Persona designada: Kate Clark, 512-974-1237
Audiencia Publica: July 30, 2020, Cabildo municipal

Yolanda y Jose Perez
Su nombre (en letra de molde)

☐ I am in favor
☐ I object

Yolanda Perez
Su domicilio(s) afectado(s) por esta solicitud 404 Kemp St 78741

Yolanda S Perez 6/26/20
Firma *Fecha*

Daytime Telephone: 512 739 1229

Comments: no estoy de acuerdo con el con el plan razon yo vivo aqui desde 1995 y no me gustaria que mis taxes se aumenten demasiado soy pobre solo con mi trabajo y estoy enferma de diabetes atentamente Yolanda S Perez

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City of Austin, Planning & Zoning Department
Kate Clark
P. O. Box 1088, Austin, TX 78767

O por correo electrónico a:
Kate.Clark @austintexas.gov

26 2020 no estamos de acuerdo con este plan

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Case Number: C14-2020-0038
Contact: Kate Clark, 512-974-1237
Public Hearing: July 30, 2020, City Council

FRANK T. MONREAL

Your Name (please print)

☐ **I am in favor**
☒ **I object**

209 BONNETT ST AUSTIN, TX 78741

Your address(es) affected by this application

Frank T. Monreal — 7-1-20

Signature — *Date*

Daytime Telephone: 512-636-6807

Comments:

BONNETT NEIGHBORHOOD ASSOC.
PRESIDENT
FRANK T. MONREAL

If you use this form to comment, it may be returned to:
City of Austin, Planning & Zoning Department
Kate Clark
P. O. Box 1088, Austin, TX 78767

Or email to:
Kate.Clark@austintexas.gov

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Case Number: C14-2020-0038
Contact: Kate Clark, 512-974-1237
Public Hearing: June 23, 2020, Planning Commission

FRANK T. MONREAL
Your Name (please print)

☐ I am in favor
☒ I object

209 BONNETTS AUSTIN TX 78741
Your address(es) affected by this application

Frank T. Monreal
Signature

6-15-20
Date

Daytime Telephone:

Comments: This ZONING IS AGAINST the MONTOPOLIS FLUM MAP AND does NOTHING FOR the AFFORDABLE home PROBLEM IN this CITY OR MONTOP-OLIS

THANKS
Frank T. Monreal

If you use this form to comment, it may be returned to:
City of Austin, Planning & Zoning Department
Kate Clark
P. O. Box 1088, Austin, TX 78767-8810

Or email to:
Kate.Clark@austintexas.gov

Clark, Kate

From: Matt Aquizap
Sent: Monday, July 20, 2020 10:42 AM
To: Clark, Kate
Subject: 508 kemp rezoning

*** External Email - Exercise Caution ***

Hello Kate. I am emailing you in regards to the rezoning of 508 kemp street. I am in opposition in the rezoning of this property. The rezoning will be detrimental to the landscape and rapid gentrification of this community.

The excavation of this lot will create greater erosion into the country club water shed and increased urban run off into the Colorado River. This section of woods is a essential habitat to many wildlife and and would further displace and lessen this habitat. The property that 508 backs down to (circle acres) ran by ecology action, has been an essential part of this community. The development of 508 would drastically impact the progress that has been made To restore this land, that has been polluted over generations of illegal dumping.

This proposal also goes against the recommendation of the city planning and zoning committee and overwhelming opposition of community. The commission ruled against the staff and overwhelming opposition of the community because of the non binding promise of a single "affordable" unit, which would still be valued well above the median home value in the area. Several rezoning plans near this property are in the works with an anticipated addition of over 200 hundred units on this small street. This lot is in the middle of the street and there simply is not space to add an additional 30 more units.

Montopolis was singled out as an area to protect in the City of Austin and UT's Uprooted study on gentrification.
This would be a slap in the face to rezone this street and accelerate gentrification in the area.

Pleas take this point into consideration when voting on the rezoning of this property.

Thank you, Matt aquizap
Sent from my iPhone
CAUTION: This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to CSIRT@austintexas.gov.

Clark, Kate

From: Mark Hall
Sent: Monday, July 20, 2020 12:03 PM
To: Clark, Kate
Subject: 508 Kemp Rezoning

*** External Email - Exercise Caution ***

Hello Kate. I am emailing you in regards to the rezoning of 508 kemp street. I am in opposition in the rezoning of this property. The rezoning will be detrimental to the landscape and rapid gentrification of this community.

The excavation of this lot will create greater erosion into the country club water shed and increased urban run off into the Colorado River. This section of woods is an essential habitat to many wildlife and and would further displace and lessen this habitat. The property that 508 backs down to (circle acres) ran by ecology action, has been an essential part of this community. The development of 508 would drastically impact the progress that has been made to restore this land, that has been polluted over generations of illegal dumping.

This proposal also goes against the recommendation of the city planning and zoning committee and overwhelming opposition of the community. The commission ruled against the staff and overwhelming opposition of the community because of the non binding promise of a single "affordable" unit, which would still be valued well above the median home value in the area. Several rezoning plans near this property are in the works with an anticipated addition of over 200 hundred units on this small street. This lot is in the middle of the street and there simply is not space to add an additional 30 more units.

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Please take this point into consideration when voting on the rezoning of this property.

Thank you, Mark Hall.

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Clark, Kate

From: Emily Wright
Sent: Monday, July 20, 2020 7:35 PM
To: Clark, Kate
Subject: Feedback for rezoning case: 508 Kemp St.

*** External Email - Exercise Caution ***

Hi Kate,

I am emailing you in regards to the rezoning of 508 Kemp Street. I am in opposition of the rezoning of this property as the rezoning will be detrimental to the landscape and rapid gentrification of this community.

This proposal goes squarely against the recommendation of the City Planning and Zoning Committee alongside an overwhelming opposition from the neighboring community. The commission ruled against the staff and overwhelming opposition of the community because of the non-binding promise of a single "affordable" unit, which would still be valued well above the median home value in the area. A single, potentially "affordable" unit is not enough to reverse the zoning recommendation of the city committee.

Additionally, Montopolis has been singled out as an area to protect in the City of Austin and UT's Uprooted study on gentrification. To go against the recommendation of the City's zoning committee and to go against an academic study on how to further prevent displacement of Austin communities would be devastating for the community.

On top of displacement and gentrification issues, the excavation of this lot will create greater erosion into the Country Club Creek Watershed and increased urban runoff into the Colorado River. This wooded section is an essential habitat to many native wildlife and would further displace and lessen their ever disappearing habitats. The neighboring property to this proposed development is run by Ecology Action, a 501(c)3 nonprofit that accelerates ecosystem recovery through biodiversity enhancement, water quality improvements and regenerative land stewardship - and an essential part of this community. The development of 508 Kemp would drastically impact the progress that has been made to restore this land that has been polluted over generations of illegal dumping.

Thank you for considering these points when voting on the rezoning of this property. I am not interested in speaking at the upcoming hearing, but I would be interested in attending.

Best,
Emily

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Clark, Kate

From: Amy Schweiss
Sent: Tuesday, July 21, 2020 11:23 AM
To: Clark, Kate; District 1
Subject: Rezoning of 508 Kemp Street

*** External Email - Exercise Caution ***

Hello,

I'm writing in opposition of rezoning 508 Kemp Street. The commission ruled against the recommendation of the City Planning & Zoning Committee staff and the overwhelming opposition of the community to support this rezoning. Among their reasons for supporting the rezoning was the promise of a single "affordable" unit, which would still be valued well above the median home value in the area, and there is no way of ensuring the developers will make good on their non-binding promise.

I am generally pro-housing and pro-density but Montopolis has been singled out by the City of Austin and UT's Uprooted study on gentrification as one of the city's most vulnerable areas. It would be a slap in the face to rezone this street and accelerate gentrification in the area without taking serious steps to ensure the affordability and character of the neighborhood are preserved, which the current proposal does not do.

Regards,
Amy Schweiss

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Clark, Kate

From: Cody Martz
Sent: Tuesday, July 21, 2020 5:24 PM
To: Clark, Kate
Subject: Opposition of 508 Kemp street rezoning

*** External Email - Exercise Caution ***

Hello Kate,

I am emailing you in regards to the rezoning of 508 Kemp street. I am in opposition of the rezoning of this property. The potential rezoning will be detrimental to the landscape and contribute to the rapid gentrification of this community.

The excavation of this lot will create greater erosion into the country club water shed and increase urban run off into the Colorado River. This section of woods is an essential habitat to many wildlife and would further displace and lessen their presence. The property that 508 Kemp backs down to is Circle Acres, run by Ecology Action, and it has been an essential part of the community. The development of 508 Kemp would drastically impact the progress that has been made to restore this land after generations of illegal dumping.

This proposal also goes against the recommendation of the CitAustin Planning and Zoning Committee and ignores the overwhelming opposition from the community. The commission ruled against the staff and the community because of the non binding promise of a single "affordable" unit, which would be valued well above the median home value in the area. Several rezoning plans near this property are in the works with an anticipated addition of over two hundred units on this small street. This lot is in the middle of the street and there is simply not space to add an additional 30 units.

Montopolis was singled out as an area to protect in the City of Austin and UT's uprooted study on gentrification. Supporting the rezoning would be a slap in the face to this street and the community that surrounds it.

Please take this point into consideration when voting on the rezoning of this property.

Thank you,

Cody Martz

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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 participate in a public hearing, you are not required to participate. This meeting will be conducted online and you have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for information on how to participate in the public hearings online. 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.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the 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: C14-2020-0038
Contact: Kate Clark, 512-974-1237
Public Hearing: July 30, 2020, City Council

Eric Shoneberg
Your Name (please print)

☑ **I am in favor**
☐ **I object**

618 Kemp St
Your address(es) affected by this application

Signature

7/22/20
Date

Daytime Telephone: 512-361-8098

Comments: I support cleaning up the neighborhood with a nice development. Currently these vacant fields attract crime & drug users.

We support this!

If you use this form to comment, it may be returned to:
City of Austin, Planning & Zoning Department
Kate Clark
P. O. Box 1088, Austin, TX 78767

Or email to:
Kate.Clark@austintexas.gov

Clark, Kate

From: Jonny Clarke
Sent: Monday, July 27, 2020 5:19 PM
To: Clark, Kate
Subject: 508 Kemp Rezoning

*** External Email - Exercise Caution ***

Hello Kate.

I am emailing you in regards to the proposed rezoning of 508 Kemp Street. I am in opposition of the rezoning of this property. The rezoning will be detrimental to the landscape and rapid gentrification of this community.

Please seriously consider these points when voting:

- The excavation of this lot will create greater erosion into the country club water shed and increased urban run off into the Colorado River. This section of woods is an essential habitat to a variety of wildlife, and construction would further displace and lessen this habitat.

- The property that 508 backs on to (circle acres) run by Non-profit 'Ecology Action', has been an essential part of this community, and they have spent years repairing the landscape here, after years of pollution from illegal dumping. The development of 508 would drastically impact the progress that has been made to restore this land.

- This proposal also goes against the recommendation of the city planning and zoning committee and overwhelming opposition of the local community. The commission ruled against the staff and overwhelming opposition of the community because of the non-binding promise of a single "affordable" unit, which would still be valued well above the median home value in the area.

- Several rezoning plans near this property are in the works with an anticipated addition of over 200 hundred units on this small street. This lot is in the middle of the street and there simply is not space to add an additional 30 more units.

- Montopolis was singled out as an area to protect in the City of Austin and UT's Uprooted study on gentrification.

- The rezoning of this lot would be a slap in the face to the local community.

Thank you for your time and consideration,

Jonny Clarke

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Clark, Kate

From: Ryan Greene
Sent: Thursday, July 30, 2020 4:46 PM
To: Clark, Kate
Subject: 508 Kemp St rezoning

*** External Email - Exercise Caution ***

Hello Kate

I am emailing you in regards to the rezoning of 508 Kemp St. I am in opposition in the rezoning of this property. The rezoning will be detrimental to the landscape and rapid gentrification of this community.

The excavation of this lot will create greater erosion into the country club water shed and increased urban run off into the Colorado River. This section of woods is a essential habitat to many wildlife and and would further displace and lessen this habitat. The property that 508 backs down to (circle acres) ran by Ecology Action, has been an essential part of this community. The development of 508 would drastically impact the progress that has been made to restore this land, that has been polluted over generations of illegal dumping.
This proposal also goes against the recommendation of the city planning and zoning committee and overwhelming opposition of community. The commission ruled against the staff and overwhelming opposition of the community because of the non binding promise of a single "affordable" unit, which would still be valued well above the median home value in the area. Several rezoning plans near this property are in the works with an anticipated addition of over 200 hundred units on this small street. This lot is in the middle of the street and there simply is not space to add an additional 30 more units.

Montopolis was singled out as an area to protect in the City of Austin and UT's Uprooted study on gentrification.

This would be a slap in the face to rezone this street and accelerate gentrification in the area.
Please take this point into consideration when voting on the rezoning of this property.

I suggest visiting the nature trails at 508 Kemp St. to see for yourself what a beautiful area it is, how much work people have invested in keeping it wild, and what a tragic idea rezoning would be.

Thanks, Ryan Greene
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August 20, 2020

Dear Council Members,

I live on Kemp street with my partner and baby a few blocks from the other lots at risk of being up-zoned in Montopolis.

I'm writing to oppose the zoning changes and asking you to support my neighbors and the community leaders who continue to strongly oppose these rezoning measures.

Item 94 (200 Montopolis)
Item 95 (301 Kemp)
Item 96 (Saxon/El Mirando)
Item 97 (508 Kemp)

There are currently valid petitions against each of these cases. The Planning Commission voted to oppose re-zoning 200 Montopolis and 301 Kemp and City Staff recommended against rezoning 508 Kemp.

We agree with their reasons.

There are a lot of valid issues to consider and reasons to oppose the re-zonings listed. I'd like to focus on some details you might not know about.

The developer who is pushing for upzoning 508 Kemp doesn't appear to own the property. He's indicated (through his representatives) that he doesn't intend to follow through with his purchase unless he gets his way with these entitlements.

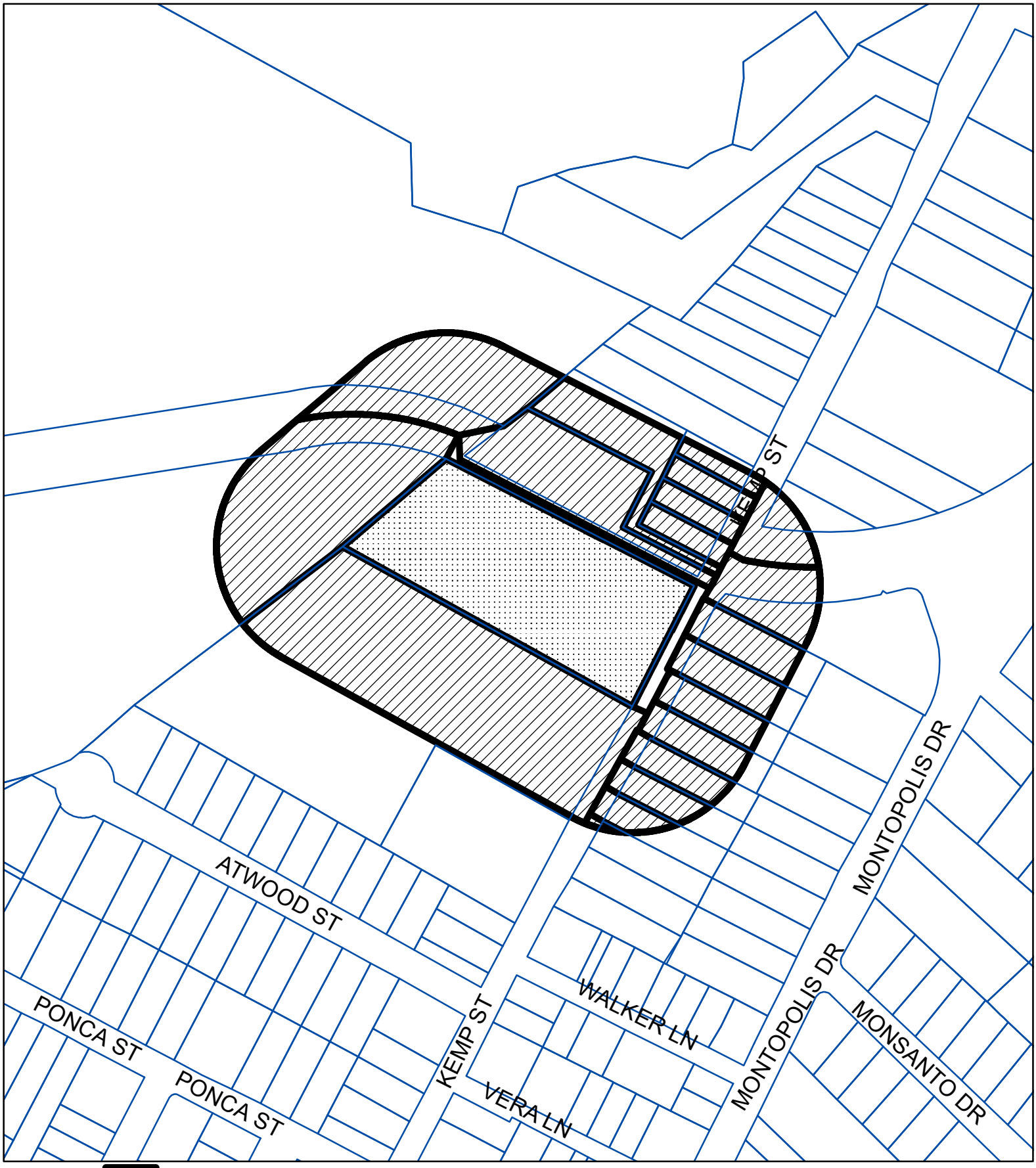
Please don't reward this type of speculative arrangement by guaranteeing a windfall of profits. This will set fire to gentrification and displacement that's already begun throughout this neighborhood. Speculators will see a green-light to snap up single-family properties and flip them to condos.

Georgia and Johnny Steen are valuable community members who have lived at 508 Kemp since the 70s. They would be displaced, but they've expressed to us an interest in staying.

If the city is interested in enacting anti-displacement strategies recommended in its Uprooted study, please consider this as an opportunity.

I hope the city will explore the possibility of working with the Montopolis Community, Contact Team, and the Steens to subdivide and develop their property instead, in a way that would allow for genuinely affordable housing while allowing them to stay in their home.

Kind regards,
Peter Simonite



N

BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

Case#: C14-2020-0038

Exhibit D

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.

1 " = 200 '

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.

CITY OF AUSTIN FOUNDED 1839

Case Number:

C14-2020-0038

PETITION

Date: 7/29/2020

Total Square Footage of Buffer: 404932.3006

Percentage of Square Footage Owned by Petitioners Within Buffer: 31.37%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Precent
0302160104	E RIVERSIDE DR 78741	CITY OF AUSTIN	no	39757.31	0.00%
0303170204	500 MONTOPOLIS DR	CITY OF AUSTIN	no	17072.05	0.00%
0303170132	416 KEMP ST AUSTIN 78741	CLOVIS PARKLAND FAMILY TRUST	yes	19886.52	4.91%
0304160228	509 KEMP ST AUSTIN 78741	CONTI JEFF & REGIS G	yes	9516.98	2.35%
0304160229	507 KEMP ST AUSTIN 78741	CONTI REGIS G	no	9521.65	0.00%
0302160201	E RIVERSIDE DR 78741	ECOLOGY ACTION OF TEXAS	yes	67854.44	16.76%
0303170131	414 KEMP ST 78741	FERNANDEZ SCOTT	no	6122.02	0.00%
0304160217	517 KEMP ST 78741	FLORENCES COMFORT HOUSE INC	no	612.21	0.00%
0304160103	600 KEMP ST 78741	HOME TREES LLC	no	118090.53	0.00%
0304160219	513 KEMP ST 78741	HOWARD JAMES JR & EUGENE & REGINA MITCHELL&	yes	7311.61	1.81%
0303170130	412 KEMP ST 78741	LABOSSIERE CECILE	no	6137.82	0.00%
0304160220	511 KEMP ST 78741	LEI KENDALL Y K & STEPHANIE P MAK &	no	8649.40	0.00%
0303170133	418 KEMP ST 78741	LUNSFORD JESSE &	no	35814.49	0.00%
0303170129	410 KEMP ST 78741	MCKENZIE ADRIEN	no	6151.23	0.00%
0304160218	515 KEMP ST AUSTIN 78741	PONZIANO FLORENCE LIFE ESTATE	no	5004.92	0.00%
0304160222	505 KEMP ST 78741	SOLIS TOMAS	yes	10894.57	2.69%
0303170128	408 KEMP ST AUSTIN 78741	STROSS TREY J	no	4346.77	0.00%
0304160801					
0304160802	503 KEMP ST A	BRAZIL COHL R & LONDON			
0304160803	503 KEMP ST B	FENTON RYAN M	yes	11550.26	2.85%
0303170228	KEMP ST	BLACK DOT BUILDERS LLC	no	11348.04	0.00%
Total				**395642.80**	**31.37%**

PETITION

Date: 6/19/2020

File Number: C14-2020-0038

Address of Rezoning Request: 508 Kemp

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than **SF-3-NP Family Residence district**.

The Montopolis Neighborhood Plan was completed under City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on September 27th, 2001. The property at 508 Kemp was approved as SF-3-NP. We ask that the Austin City Council respect the adopted Montopolis Neighborhood Plan.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
	Seth Harp	416 Kemp St
	Eric Paulus Ecology Action of Texas	420 Kemp St
	Cohl Brazil	503 Kemp St.
Adam Surita	Adam Surita	511 Kemp St #A
Adam Surita	Adam Surita	511 Kemp St. #B

Contact Name: Noé Elías Phone Number: 512-228-4382

PETITION

Date: 6/20/2020

File Number: C14-2020-0038

Address of Rezoning Request: 508 Kemp

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than **SF-3-NP Family Residence district**.

The Montopolis Neighborhood Plan was completed under City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on September 27th, 2001. The property at 508 Kemp was approved as SF-3-NP. We ask that the Austin City Council respect the adopted Montopolis Neighborhood Plan.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
Jeff Conti	Jeff Conti	509 Kemp St.

Contact Name: Jeff Conti Phone Number: 512-698-7001

Noé Elias 512-228-4382

PETITION

Date: 6/20/2020

File Number: C14-2020-0038

Address of Rezoning Request: 508 Kemp

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than **SF-3-NP Family Residence district**.

The Montopolis Neighborhood Plan was completed under City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on September 27th, 2001. The property at 508 Kemp was approved as SF-3-NP. We ask that the Austin City Council respect the adopted Montopolis Neighborhood Plan.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
Regina L. Mitchell	Regina L. Mitchell	513 Kemp st. Austin, Tx

Contact Name: Regina Mitchell / Noe Elias Phone Number: 254-368-1477 / 512-228-4382

PETITION

Date: June 25th, 2020

File Number: C14-2020-0038

Address of Rezoning Request: 508 Kemp

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than **SF-3-NP Family Residence district**.

The Montopolis Neighborhood Plan was completed under City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on September 27th, 2001. The property at 508 Kemp was approved as SF-3-NP. We ask that the Austin City Council respect the adopted Montopolis Neighborhood Plan.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
	Wilson Bryant	600 KEMP st · 5.383 ac.
Home Trees LLC		600 Kemp st. 5.383 ac

Contact Name: Susana Almanza/ Susana Almanza Phone Number:512/770-7896

PETITION

Date: 7/1/2020

File Number: C14-2020-0038

Address of Rezoning Request: 508 Kemp

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than **SF-3-NP Family Residence district**.

The Montopolis Neighborhood Plan was completed under City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on September 27th, 2001. The property at 508 Kemp was approved as SF-3-NP. We ask that the Austin City Council respect the adopted Montopolis Neighborhood Plan.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
	Tomas Solis	505 Kemp St.

Contact Name: Noé Elias Phone Number: 512-228-4382

PETITION

Date: June 25th, 2020

File Number: C14-2020-0038

Address of Rezoning Request: 508 Kemp

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than **SF-3-NP Family Residence district**.

The Montopolis Neighborhood Plan was completed under City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on September 27th, 2001. The property at 508 Kemp was approved as SF-3-NP. We ask that the Austin City Council respect the adopted Montopolis Neighborhood Plan.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
Marion Sanchez	Marion Sanchez	405 Kemp, Austin, Tx 78741
Marion Sanchez	Marion Sanchez	401 Kemp, Austin, Tx 78741

Contact Name: Susana Almanza/ Susana Almanza Phone Number:512/770-7896