

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET**NEIGHBORHOOD PLAN:** Montopolis**CASE#:** NPA-2021-0005.01**DATE FILED:** July 26, 2021 (In-cycle)**PROJECT NAME:** Alpha .95**PC DATE:** February 8, 2022
January 25, 2022
November 9, 2021
October 12, 2021
September 28, 2021**ADDRESS/ES:** 2404 Thrasher Lane**DISTRICT AREA:** 3**SITE AREA:** 0.95 acres**OWNER/APPLICANT:** Alpha Builders (Gino Shvetz)**AGENT:** *Husch Blackwell, LLP (Nikelle Meade)

*New agent as of November 9, 2021

CASE MANAGER: Maureen Meredith**PHONE:** (512) 974-2695**STAFF EMAIL:** Maureen.Meredith@austintexas.gov**TYPE OF AMENDMENT:****Change in Future Land Use Designation****From:** Single Family**To:** *Mixed Use**Revised on November 10, 2021 from Higher Density Single Family to Mixed Use land use.***Base District Zoning Change****Related Zoning Case:** C14-2021-0128**From:** CS-NP**To:** CS-MU-NP**Revised on November 10, 2021 from SF-6-NP to CS-MU-NP***NEIGHBORHOOD PLAN ADOPTION DATE:** September 27, 2001

CITY COUNCIL DATE: To be scheduled **ACTION:**

PLANNING COMMISSION RECOMMENDATION:

February 8, 2022 -

January 25, 2022 - Postponed to February 8, 2022 on the consent agenda by the Planning Commission. [J. Shieh – 1st; C. Hempel – 2nd] Vote: 10-0 [P. Howard, J. Mushtaler and S. R. Praxis absent].

November 9, 2021 – Approved the applicant’s request for an indefinite postponement on the consent agenda. [C. Hempel – 1st; G. Cox – 2nd] Vote: 9-0-1 [C. Llanes Pulido abstained. Y. Flores, S. R. Praxis and R. Schneider absent].

October 12, 2021- Postponed on the consent agenda to November 9, 2021 at the request of the neighborhood. [R. Schneider – 1st; J. Shieh – 2nd] Vote: 9-0 [A. Azhar, J. Paulo Connolly, and C. Hempel absent].

September 28, 2021- Postponed on the consent agenda to October 12, 2021 at the request of the neighborhood. [A. Azhar – 1st; R. Schneider – 2nd] Vote: 10-0 [G. Cox and J. Shieh absent. C. Hempel recused from Item B-10].

STAFF RECOMMENDATION: Recommended for applicant’s request for Mixed Use land use.

BASIS FOR STAFF’S RECOMMENDATION: The property is a 0.95-acre vacant tract of land with CS-NP zoning and Commercial future land use. To the north is a single-family home zoned SF-3-NP with primary frontage on Carson Ridge. The FLUM shows Transportation on the property to the north presumably because the plan supported the extension of Carson Ridge, an undeveloped road that has proposed right-of-way through this property. The property to the south is a single-family home zoned CS-NP with a future land use of Commercial.

Staff supports the applicant’s request for Mixed Use land use. The Mixed use land use and CS-MU-NP zoning would allow for the development of housing units which could provide additional housing units and types to the Montopolis planning area and the city. The Montopolis Plan supports creating homes for all stages of life and the creation of multiple housing types.

LAND USE

Goal 1: Improve the Quality of Life in Montopolis through Land Use and Zoning Decisions.

Goal 2: Create Homes for all Stages of Life within Montopolis.

Objective 4: Enhance and protect existing single family housing.

Objective 5: Create multiple housing types of varied intensities.

Action 16: Allow "**Small Lot Amnesty**" throughout the entire Montopolis neighborhood as described in the Smart Growth Infill proposals, permitting new single-family development on existing lots of 2,500 square feet or greater.

Action 17: Allow **garage apartments** and secondary residential units throughout the Montopolis neighborhood on lots of 5,750 square feet or greater with MF-6 or less restrictive zoning. Other site development standards would apply, as specified in the Smart Growth Infill "Secondary Apartment" option.

Action 18: Allow "**Cottage Lot**" development - single-family units on lots of 2,500 square feet or greater with MF-6 or less restrictive zoning. Other site development standards would apply, as specified in the Smart Growth Infill "Cottage Lot" option.

Action 19: Allow "**Urban Home**" development - single-family units on lots of 3,500 square feet or greater with MF-6 or less restrictive zoning. Other site

LAND USE DESCRIPTIONS

EXISTING LAND USE ON THE PROPERTY

Single family - Detached or two-family residential uses at typical urban and/or suburban densities.

Purpose

1. Preserve the land use pattern and future viability of existing neighborhoods;
2. Encourage new infill development that continues existing neighborhood patterns of development; and
3. Protect residential neighborhoods from incompatible business or industry and the loss of existing housing.

Application

1. Existing single-family areas should generally be designated as single family to preserve established neighborhoods; and

2. May include small lot options (Cottage, Urban Home, Small Lot Single Family) and two-family residential options (Duplex, Secondary Apartment, Single Family Attached, Two-Family Residential) in areas considered appropriate for this type of infill development.

PROPOSED LAND USE ON THE PROPERTY

Mixed Use - An area that is appropriate for a mix of residential and non-residential uses.

Purpose

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non-residential to residential uses;
6. Provide flexibility in land use standards to anticipate changes in the marketplace;
7. Create additional opportunities for the development of residential uses and affordable housing; and
8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

Application

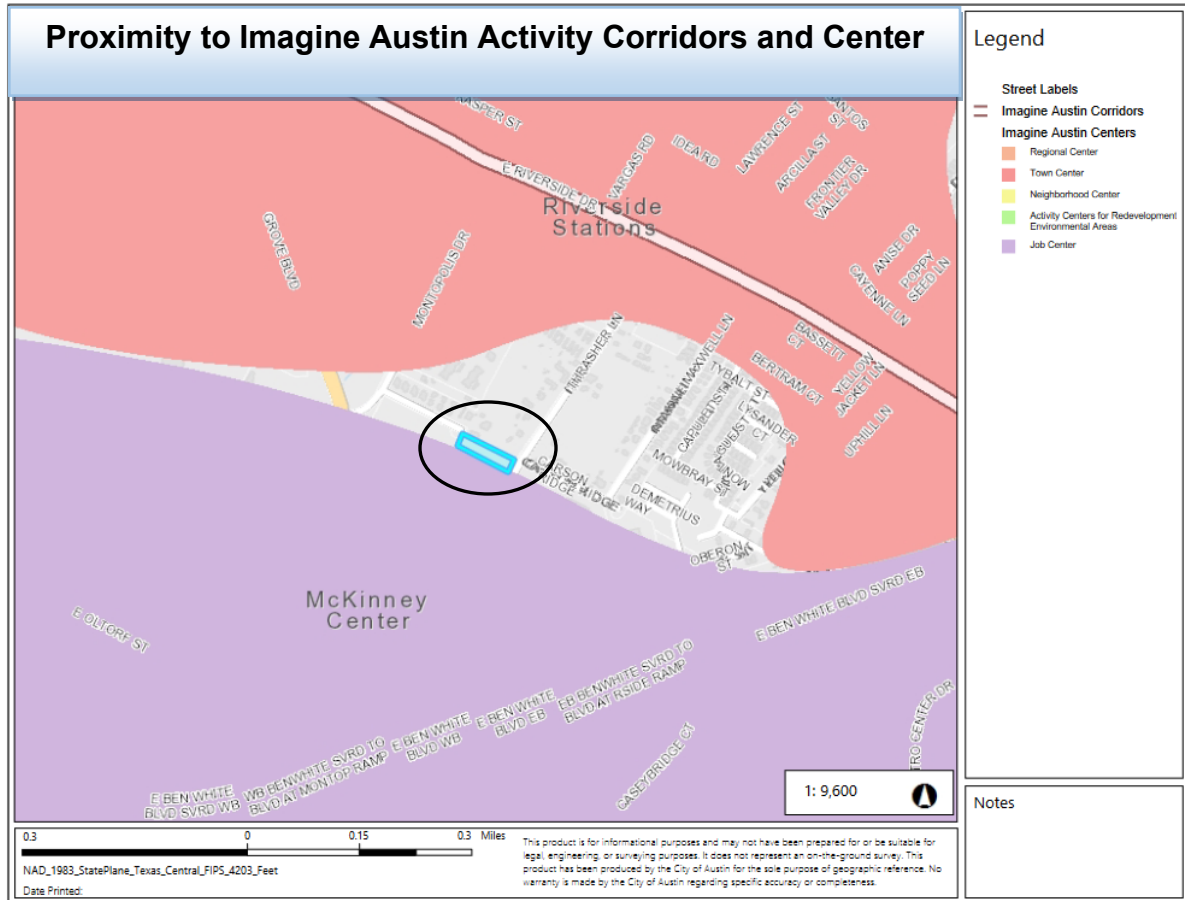
1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed-use corridors along the neighborhood's edge
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);
4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;

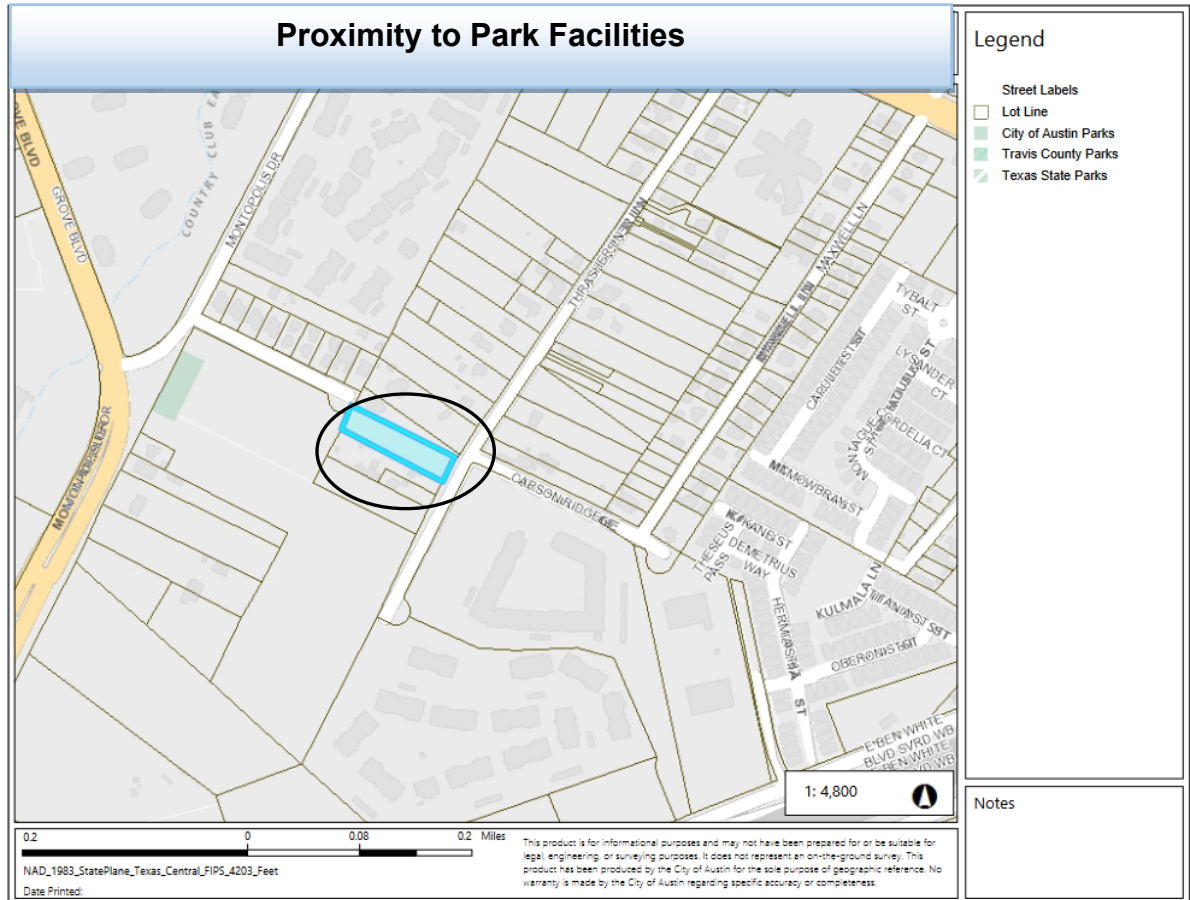
5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and
6. Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

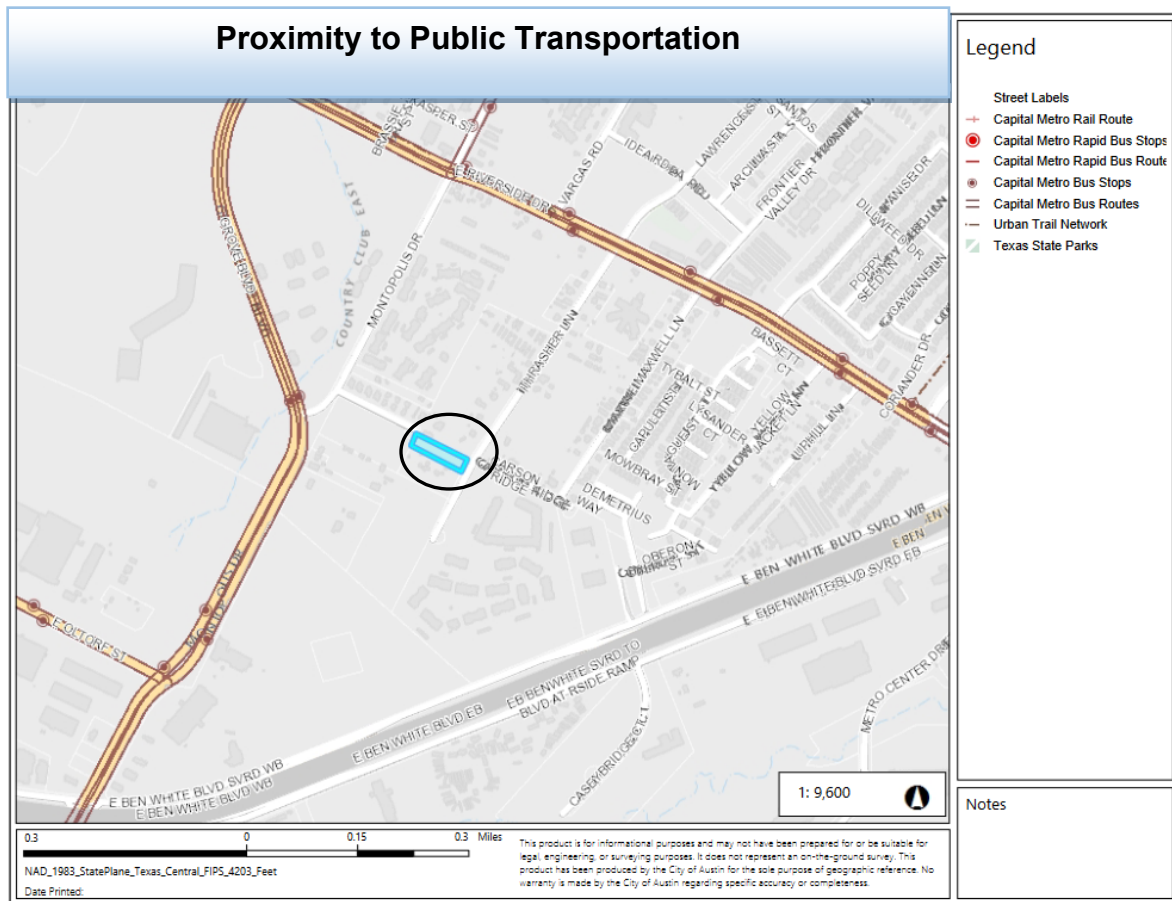
IMAGINE AUSTIN PLANNING PRINCIPLES

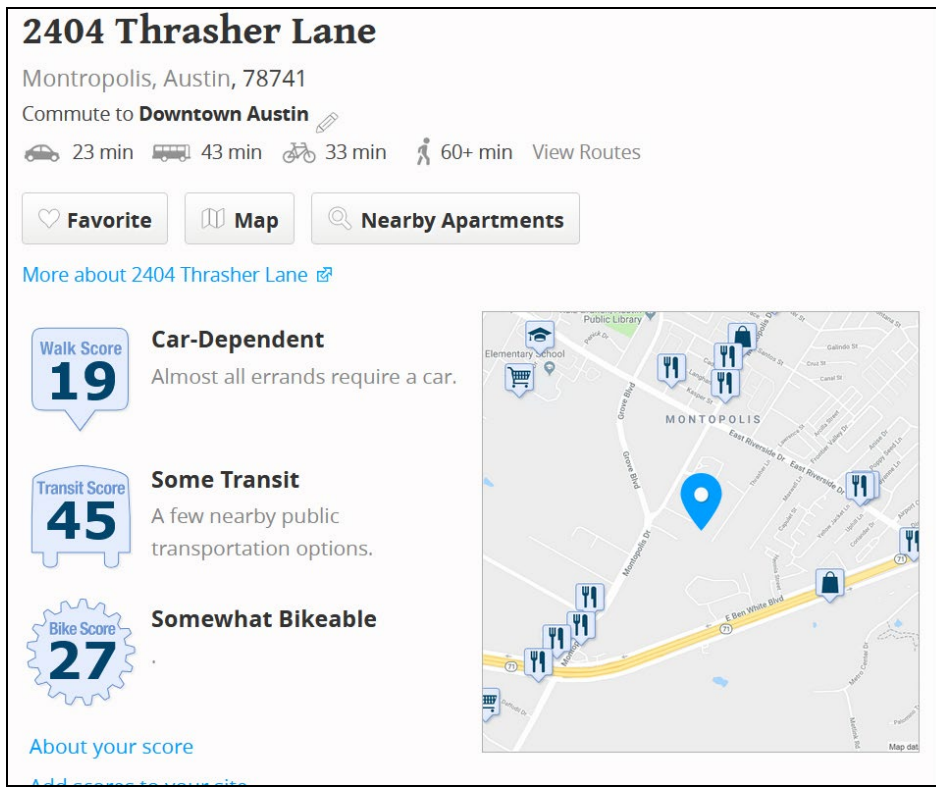
1. Create complete neighborhoods across Austin that provide a mix of housing types to suit a variety of household needs and incomes, offer a variety of transportation options, and have easy access to daily needs such as schools, retail, employment, community services, and parks and other recreation options.
 - ***The proposed land use and zoning could allow for the development of residential uses that could add to the variety of housing types in the City and the planning area. There are bus routes on E. Riverside Drive to the north and along Grove Boulevard to west. There are numerous businesses located along E. Riverside Drive.***
2. Support the development of compact and connected activity centers and corridors that are well-served by public transit and designed to promote walking and bicycling as a way of reducing household expenditures for housing and transportation.
 - ***The property is located between the McKinney Jobs Center to the south of the property and the Riverside Station Town Center to the north of the property. E. Riverside Drive is an activity corridor.***
3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
 - ***Mixed Use land use appropriate between the commercial zoning and land uses to the south and the single family residential to the north.***
4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
 - ***The proposed zoning and land use could allow for residential development that could expand the number and variety of housing choices.***
5. Ensure harmonious transitions between adjacent land uses and development intensities.
 - ***The proposed Mixed Use land use will provide a transition between the single-family use to the north and the commercial land use to the south.***
6. Protect Austin's natural resources and environmental systems by limiting land use and transportation development over environmentally sensitive areas and preserve open space and protect the function of the resource.
 - ***The property is in the Desired Development Zone.***

7. Integrate and expand green infrastructure—preserves and parks, community gardens, trails, stream corridors, green streets, greenways, and the trails system—into the urban environment and transportation network.
 - ***The nearest park is to the west of the property that appears to be associated with The Mont apartment complex.***
8. Protect, preserve and promote historically and culturally significant areas.
 - ***To staff's knowledge there is no historic or cultural significance to this property.***
9. Encourage active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.
 - ***The property is not the most walkable environment.***
10. Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.
 - ***Not directly applicable.***
11. Sustain and grow Austin's live music, festivals, theater, film, digital media, and new creative art forms.
 - ***There are several music venues along E. Riverside Drive to the north of the property.***
12. Provide public facilities and services that reduce greenhouse gas emissions, decrease water and energy usage, increase waste diversion, ensure the health and safety of the public, and support compact, connected, and complete communities.
 - ***Not applicable.***









IMAGINE AUSTIN GROWTH CONCEPT MAP

Definitions

Neighborhood Centers - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

Town Centers - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes,

townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

Regional Centers - Regional centers are the most urban places in the region. These centers are and will become the retail, cultural, recreational, and entertainment destinations for Central Texas. These are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. Housing in regional centers will mostly consist of low to high-rise apartments, mixed use buildings, row houses, and townhouses. However, other housing types, such as single-family units, may be included depending on the location and character of the center. The densities, buildings heights, and overall character of a center will depend on its location.

Job Centers - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

Corridors - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

BACKGROUND: The application was filed on July 26, 2021 which is in-cycle for neighborhood planning areas located on the east side of I.H.-35.

The applicant proposes to change the land use on the future land use map from Commercial to Mixed Use land use.

The applicant proposes to change the zoning from CS-NP (General Commercial Services district – Neighborhood Plan) to CS-MU-NP (General Commercial Services district-Mixed Use Combining district-Neighborhood Plan). For more information on the proposed zoning, see case report C14-2021-0128.

PUBLIC MEETINGS: The ordinance-required virtual community meeting was held on August 30, 2021 and can be found at <https://www.speakupaustin.org/npa>. Approximately 1,500 meeting notices were mailed to people who have a utility account or own property within 500 feet of the property, in addition to neighborhood and environmental groups who requested notification for the area on the Community Registry.

Two staff members, Maureen Meredith and Mark Walters, attended the meeting and two people from the neighborhood. The applicant's agent did not attend the meeting because he thought the start time was 7:30 p.m. instead of the actual start time of 6:00 p.m. One attendee asked questions about the process which staff provided information. Staff received Rodney Bennett's presentation and uploaded it to <https://www.speakupaustin.org/npa>.

Revised Application Letter**HUSCH BLACKWELL**

Micah J. King
111 Congress Avenue, Suite 1400
Austin, Texas 78701-4043
Direct: 512.479.3468
micah.king@huschblackwell.com

November 10, 2021

Maureen Meredith, Senior Planner
Kate Clark, Senior Planner
City of Austin Housing and Planning Department
1000 E. 11th Street, Suite 200
Austin, TX 78702

Via Email To: Kate.Clark@austintexas.gov and Maureen.Meredith@austintexas.gov

RE: Amendment to the Rezoning and Plan Amendment Applications for Case Numbers NPA-2021-0005.01 and C14-2021-0128 (the "Cases") for Property Located at 2404 Thrasher Lane (the "Property")

Dear Maureen and Kate:

I am writing on behalf of our clients, Marina and Gino Shvetz (Alpha Builders Group), the applicants in the above-referenced Cases. By this letter, we respectfully amend the applications as follows to:

- a. Rezone the Property from CS-NP to CS-MU-NP; and
- b. Amend the Future Land Use Map the ("FLUM") designation of the Property from "Commercial" to "Mixed Use".

Thank you for your assistance and consideration.

Sincerely,



Micah J. King

New Agent Designation Letter

Alpha A Builders Group, Inc.
8100 Magnolia Ridge Cove
Austin, Texas 78738

AGENT DESIGNATION LETTER

November 9, 2021

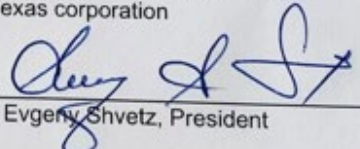
City of Austin
Housing and Planning Department
P.O. Box 1088
Austin, Texas 78767-1088

Re: Agents in connection with Rezoning and Neighborhood Plan Amendment Case Nos. C14-2021-0128 and NPA-2021-0005.01, and any related matters for the property located at 2404 Thrasher Lane in Austin, Travis County, Texas (the "**Property**")

To Whom It May Concern:

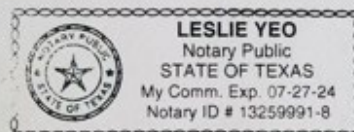
The undersigned, as the owner of the above-described Property, hereby appoints Husch Blackwell LLP (Nikelle Meade) to act as agent in connection with the rezoning, neighborhood plan amendment and any related matters with the City of Austin. Husch Blackwell shall serve as dual/co agent with our existing agent, Bennett Consulting (Rodney K. Bennett).

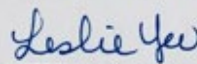
Alpha A Builders Group, Inc.,
a Texas corporation

By: 
Evgeny Shvetz, President

THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 9th day of November, 2021, by Evgeny Shvetz, President of Alpha A Builders Group, Inc., a Texas corporation, on behalf of said corporation.




Notary Public, State of Texas

My Commission Expires: 07-27-2024

Neighborhood Plan Amendment

SUMMARY LETTER

TO MODIFY THE FLUM TO SHOW RESIDENTIAL LAND USE

**Letter of Recommendation from the Neighborhood
Plan Contact Team (NPCT)**

To: Kate Clare, Housing & Planning Department

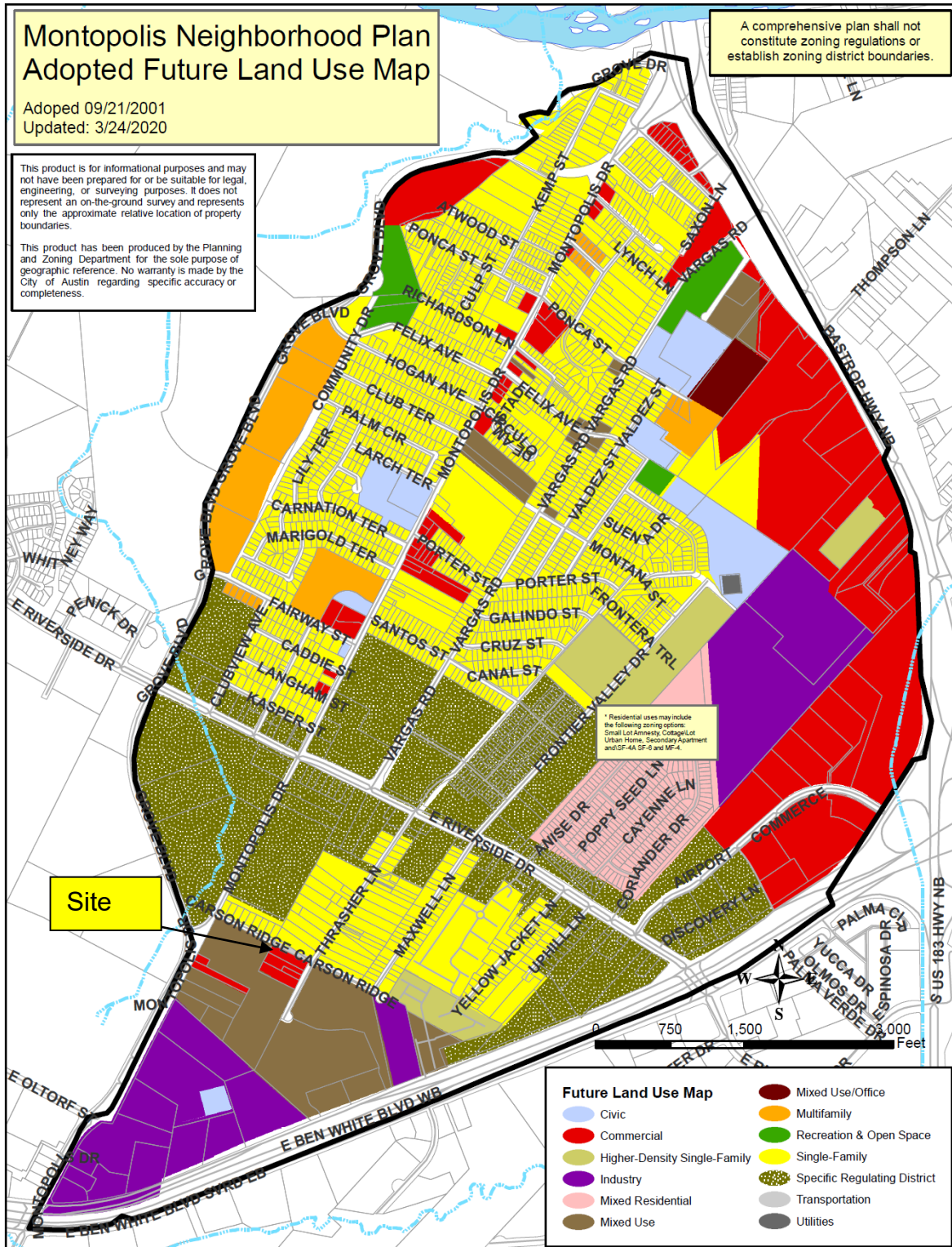
From: Susana Almanza, President-Montopolis Neighborhood Plan Contact Team

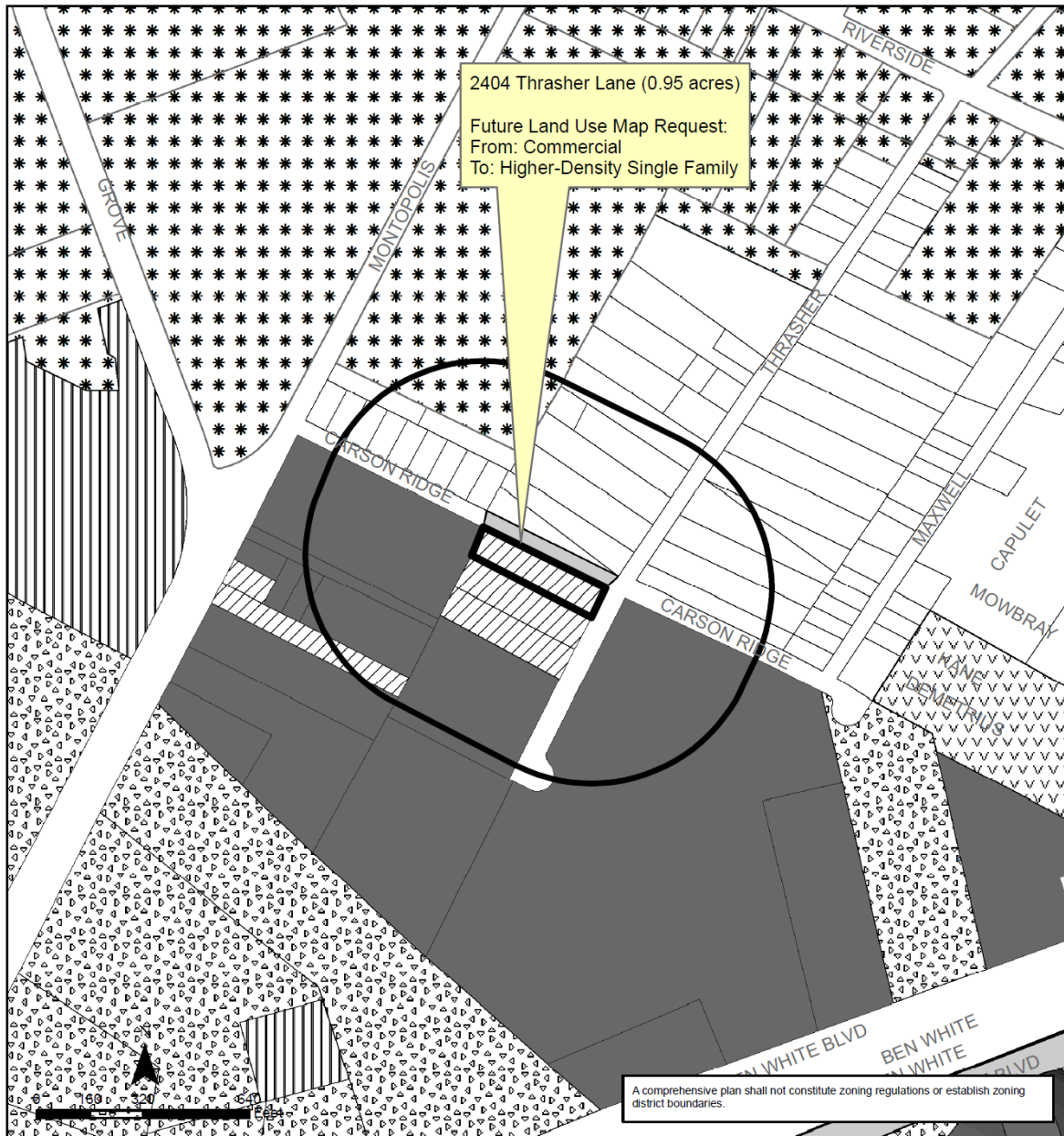
Date: November 2, 2021

Subject: Opposition Zoning & Plan Amendment of 2404 Thrasher Lane, Case #C14-2021-0128 & NPA-2021-0128

The Montopolis Neighborhood Plan Contact Team met on September 27, 2021. The Montopolis Neighborhood Plan Contact Team opposes the re-zoning and Neighborhood Plan Amendment (NPA) for the property located at 2404 Thrasher Lane. This development will bring more gentrification to a poverty area with most people of color. The Montopolis neighborhood plan area falls within the area that Project Connect Anti-Displacement area calls for protection. The University of Texas Uprooted Report (2018) also calls for the protection of the Montopolis community.

We request that the Planning Commission and the Austin City Council deny the NPA and re-zoning for 2404 Thrasher Lane.





Montopolis Neighborhood Planning Area NPA-2021-0005.01

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.

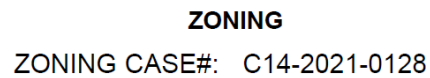
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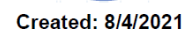
City of Austin
Housing and Planning Department
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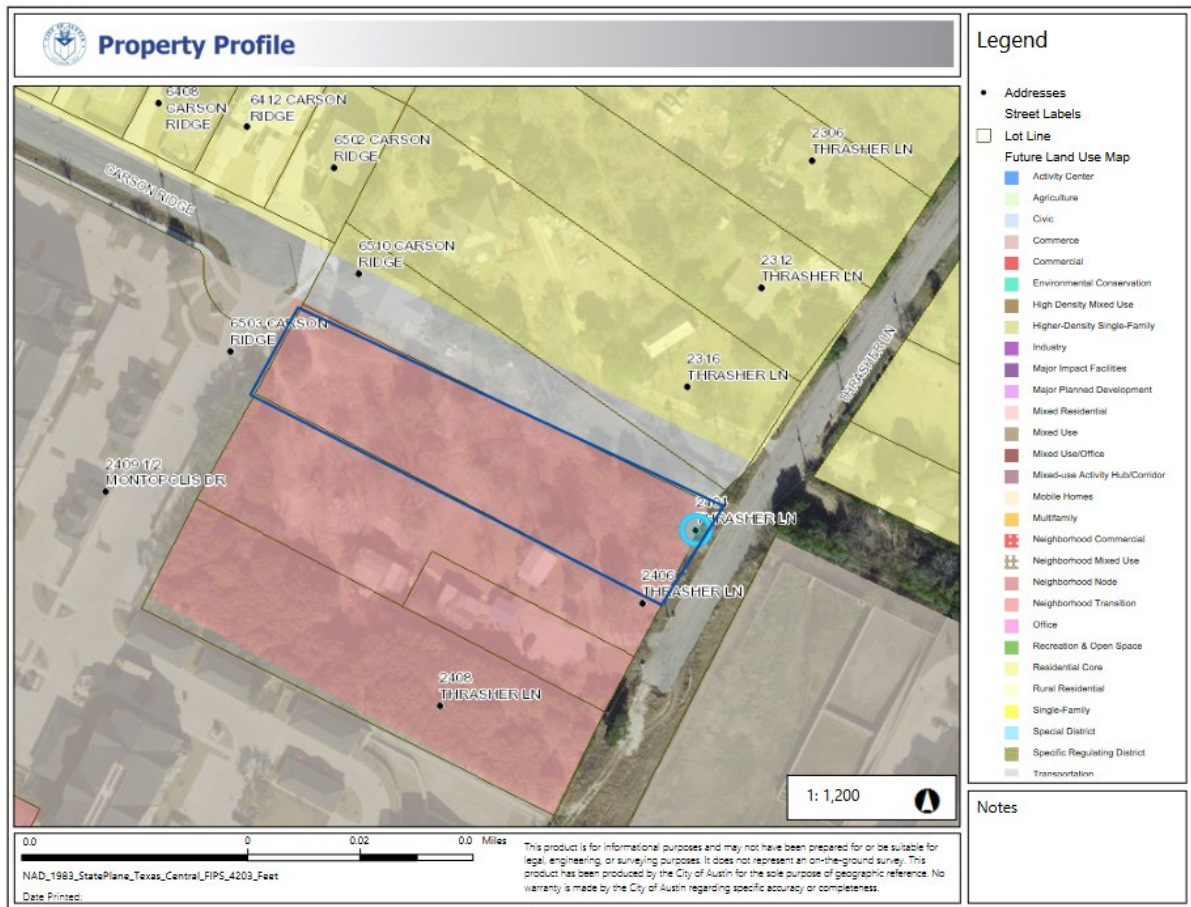
Future Land Use

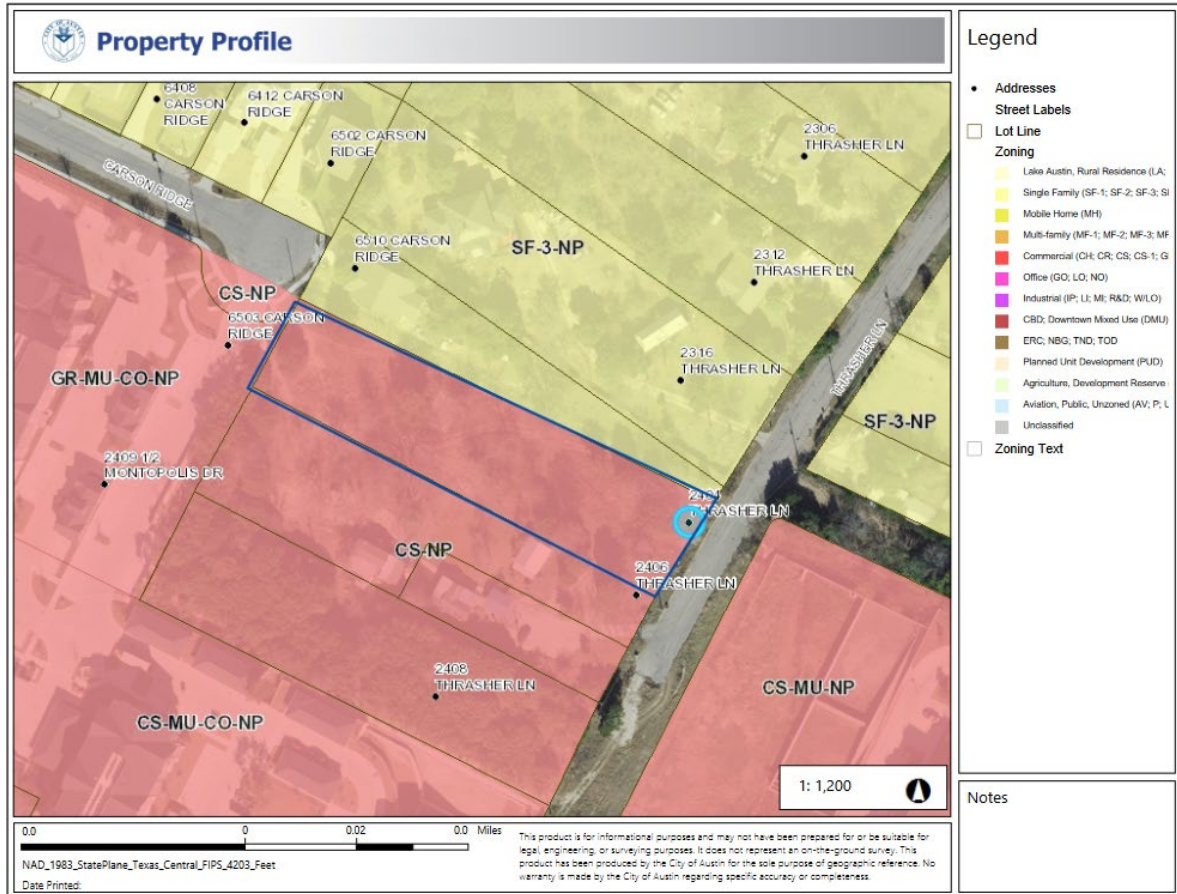
	500 ft. notif. boundary		Major Planned Development
	Subject Tract		Mixed Use
	Civic		Multi-Family
	Commercial		Single-Family
	Higher-Density Single-Family		Specific Regulating District
	Industry		Transportation

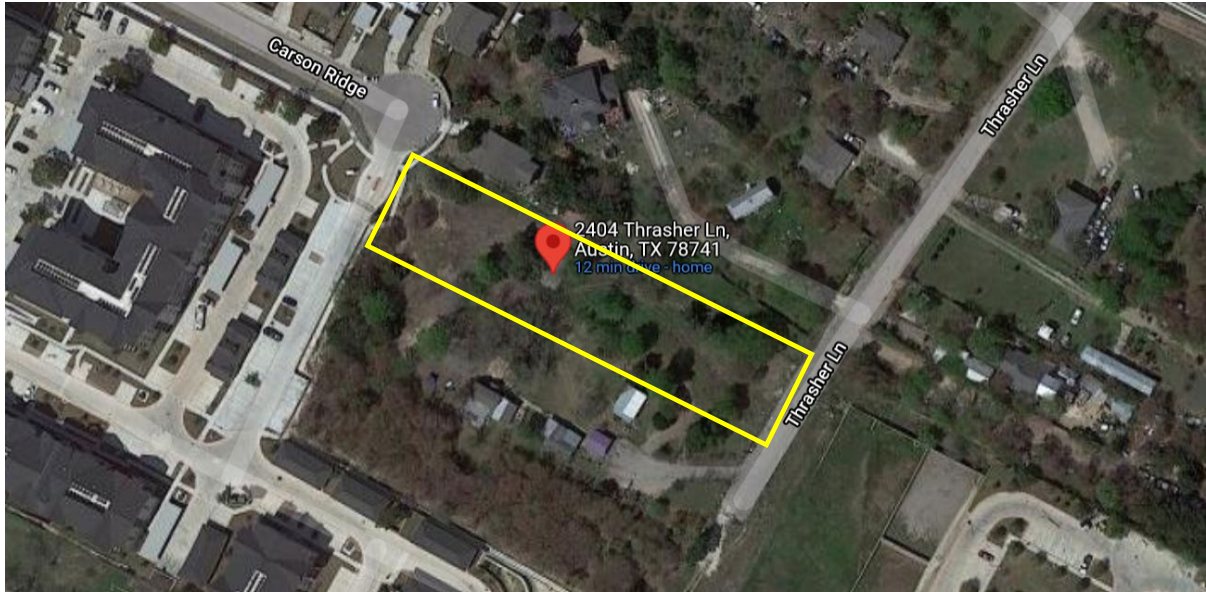


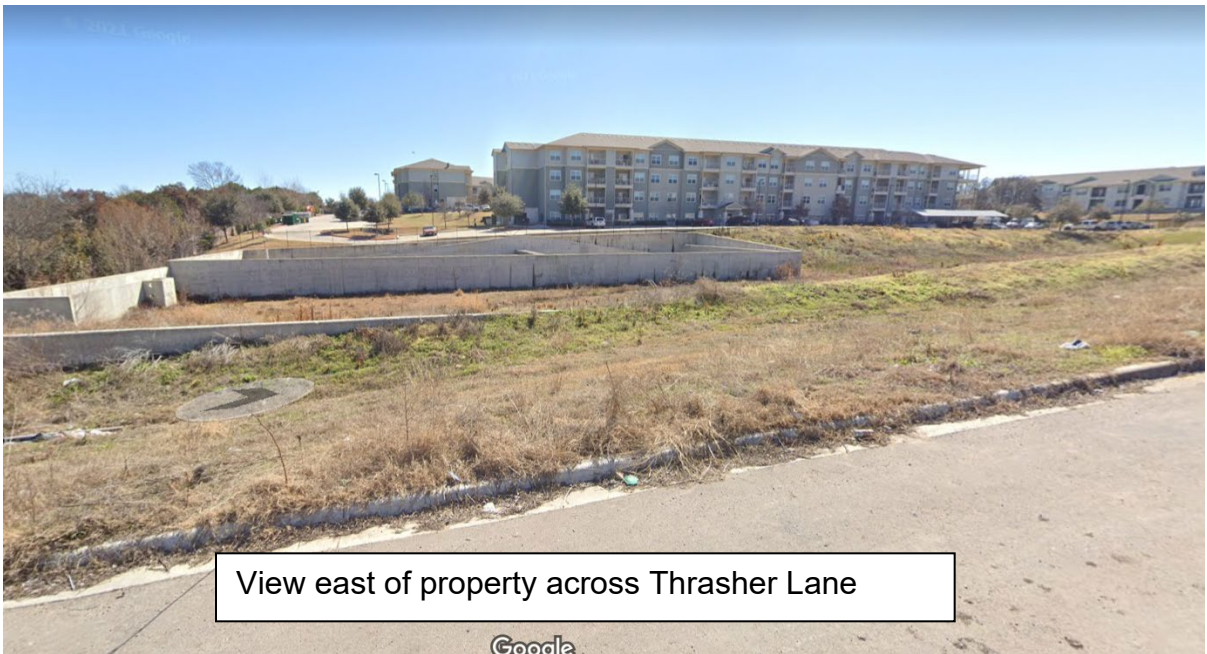
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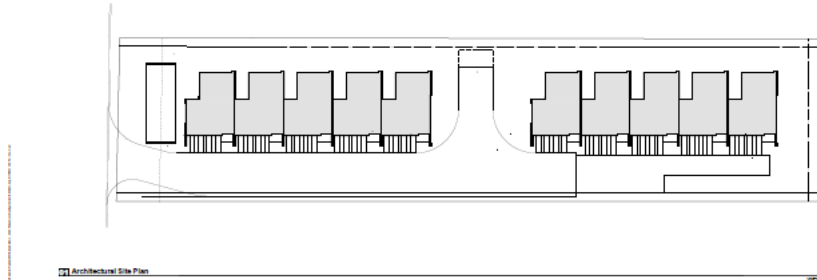




View south on Thrasher Lane

Applicant's Proposed Development Drawings

Not for regulatory approval, permitting, or construction



A040



Not for regulatory approval, permitting, or construction



A400

Exterior Renderings

August 31, 2021

RE: 2104 Thrasher LN.

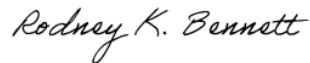
To whom it may concern,

Hello, my name is Rodney Bennett, I am the agent of the local property owner for the vacant .96-acre lot located at 2104 Thrasher Lane. Mr. Gino Shvetz (owner) and I are requesting the tract have it's zoning changed from CSNP (one of the highest commercial zonings) to SF6NP. The change would allow for the construction of TEN townhomes. Along with this request is a mandatory request to change the FLUM (Future Land Use MAP) to match the requested land use of single family.

Please see the included drawings. They are an example of what the owner wishes to build at this location.

If you have any questions, please do not hesitate to contact me via email at:
Jb.rbconsulting@yahoo.com

Respectfully,



Rodney K. Bennett
Bennett Consulting