

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET**NEIGHBORHOOD PLAN:** Montopolis**CASE#:** NPA-2021-0005.02**DATE FILED:** July 27, 2021 (In-cycle)**PROJECT NAME:** Montopolis Multifamily**PC DATE:** March 22, 2022
February 22, 2022
February 8, 2022
January 11, 2022**ADDRESS/ES:** 2601 Montopolis Drive, 6700 & 6800 E. Ben White Blvd SVRD WB**DISTRICT AREA:** 3**SITE AREA:** 18.64 acres**OWNER/APPLICANT:** Montopolis QO2B, LLC**AGENT:** Thrower Design, LLC (Ron Thrower and Victoria Haase)**CASE MANAGER:** Maureen Meredith**PHONE:** (512) 974-2695**STAFF EMAIL:** Maureen.Meredith@austintexas.gov**TYPE OF AMENDMENT:****Change in Future Land Use Designation****From:** Industry**To:** Mixed Use**Base District Zoning Change****Related Zoning Case:** (No case filed)**From:** LI-NP**To:** (TBD)**NEIGHBORHOOD PLAN ADOPTION DATE:** September 27, 2001**CITY COUNCIL DATE:** Not scheduled**ACTION:****PLANNING COMMISSION RECOMMENDATION:**

March 22, 2022 –

February 22, 2022 – Postponed to March 22, 2022 on the consent agenda at the request of the applicant. [A. Azhar – 1st; J. Shieh – 2nd] Vote: 13-0.

February 8, 2022 – Postponed to February 22, 2022 on the consent agenda at the request of the neighborhood. [J. Shieh – 1st; G. Cox – 2nd] Vote: 11-0 [J.P. Connolly off the dais. S.R. Praxis absent].

January 11, 2022 – Postponed to February 8, 2022 on the consent agenda at the request of the applicant. [A. Azhar – 1st; J. P. Connelly -2nd] Vote: 11-0 [C. Hempel abstained on Items B-4 and B-5. P. Howard and J. Mushtaler absent].

STAFF RECOMMENDATION: To not support the applicant’s request for Mixed Use land use.

BASIS FOR STAFF’S RECOMMENDATION: The property is an 18.64 vacant tract of land sandwiched between East Ben White Boulevard and Montopolis Drive. The area is an industrial node with active industrial uses. The applicant has not submitted the associated zoning application at this time but proposes to build 1,200 multifamily units with 10% of the units being income restricted. Although a zoning case has not been filed, a review by the Austin Fire Department was made based on the information provided in the Summary Letter submitted by Thrower Design, the applicant’s agent. The Austin Fire Department does not support residential uses in this location because of the fire and toxicity hazards associated with the compressed and liquefied compressed gas stored in the vicinity, therefore staff does not support the applicant’s request for Mixed Use land use. The email from Scott Stookey from the Austin Fire Department is on page 14.

LAND USE DESCRIPTIONS***EXISTING LAND USE ON THE PROPERTY***

Industry - Areas reserved for manufacturing and related uses that provide employment but are generally not compatible with other areas with lower intensity use. Industry includes general warehousing, manufacturing, research and development, and storage of hazardous materials.

Purpose

1. To confine potentially hazardous or nuisance-creating activities to defined districts;
2. To preserve areas within the city to increase employment opportunities and increased tax base;
3. To protect the City’s strategic advantage as a high tech job center; and
4. To promote manufacturing and distribution activities in areas with access to major transportation systems.

Application

1. Make non-industrial properties in areas with a dominant industrial character compatible with the prevailing land use scheme;
2. Where needed, require a buffer area for industrial property that abuts residentially used land;
3. Industry should be applied to areas that are not appropriate for residential or mixed use development, such as land within the Airport Overlay; 4. In general, mixed use and permanent residential activities are not appropriate in industrial areas. An exception may be the edge of an industrial area along the interface with an area in which residential activities are appropriate. Such exceptions should be considered case by case, with careful attention to both land use compatibility and design;
5. Industry should not be either adjacent to or across the road from single family residential or schools;
6. Use roadways and/or commercial or office uses as a buffer between residential and industry; and
7. Smaller scale “local manufacturing” districts may be appropriate in some locations to preserve employment opportunities and cottage industries of local artisans. In these areas, hazardous industrial uses (i.e. basic industry, recycling centers, and scrap yards) should be prohibited.

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

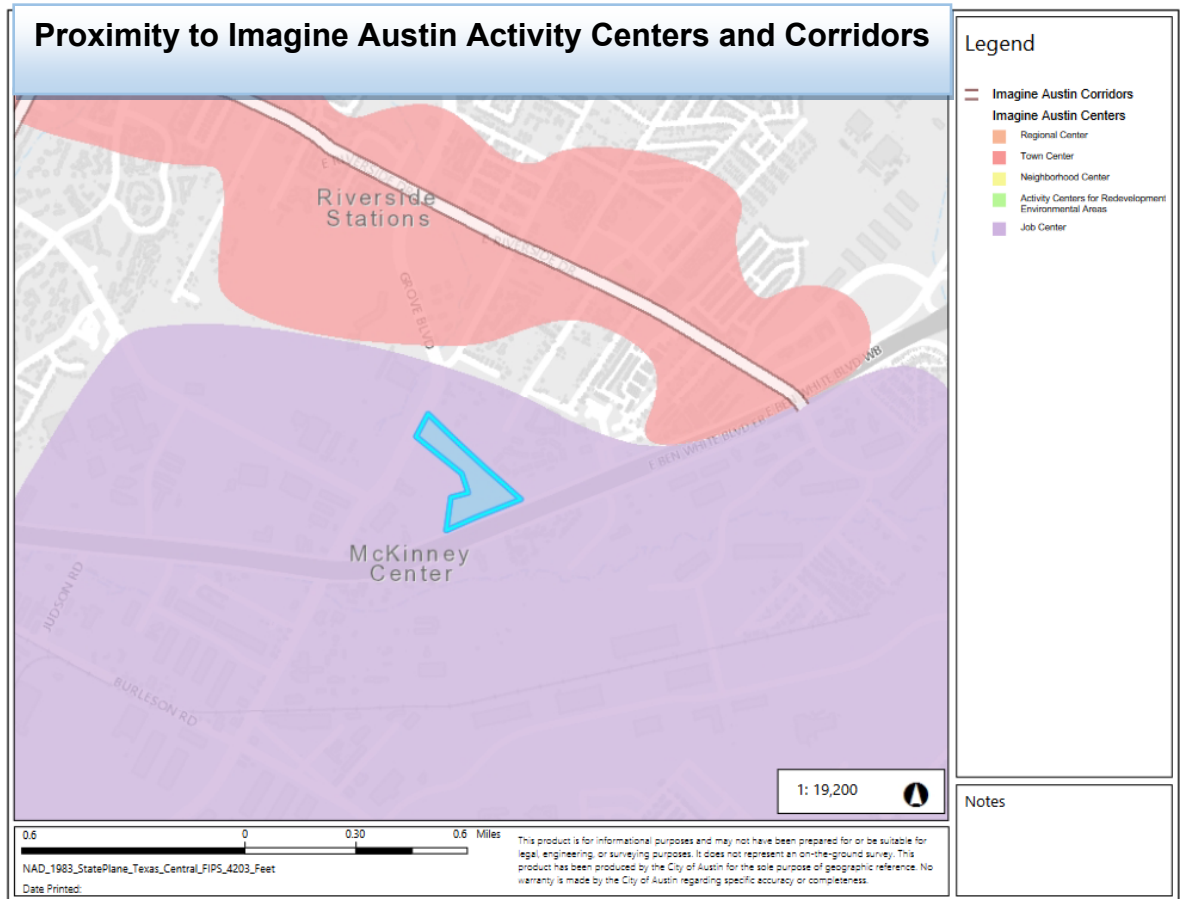
1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed-use corridors along the neighborhood’s edge
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);

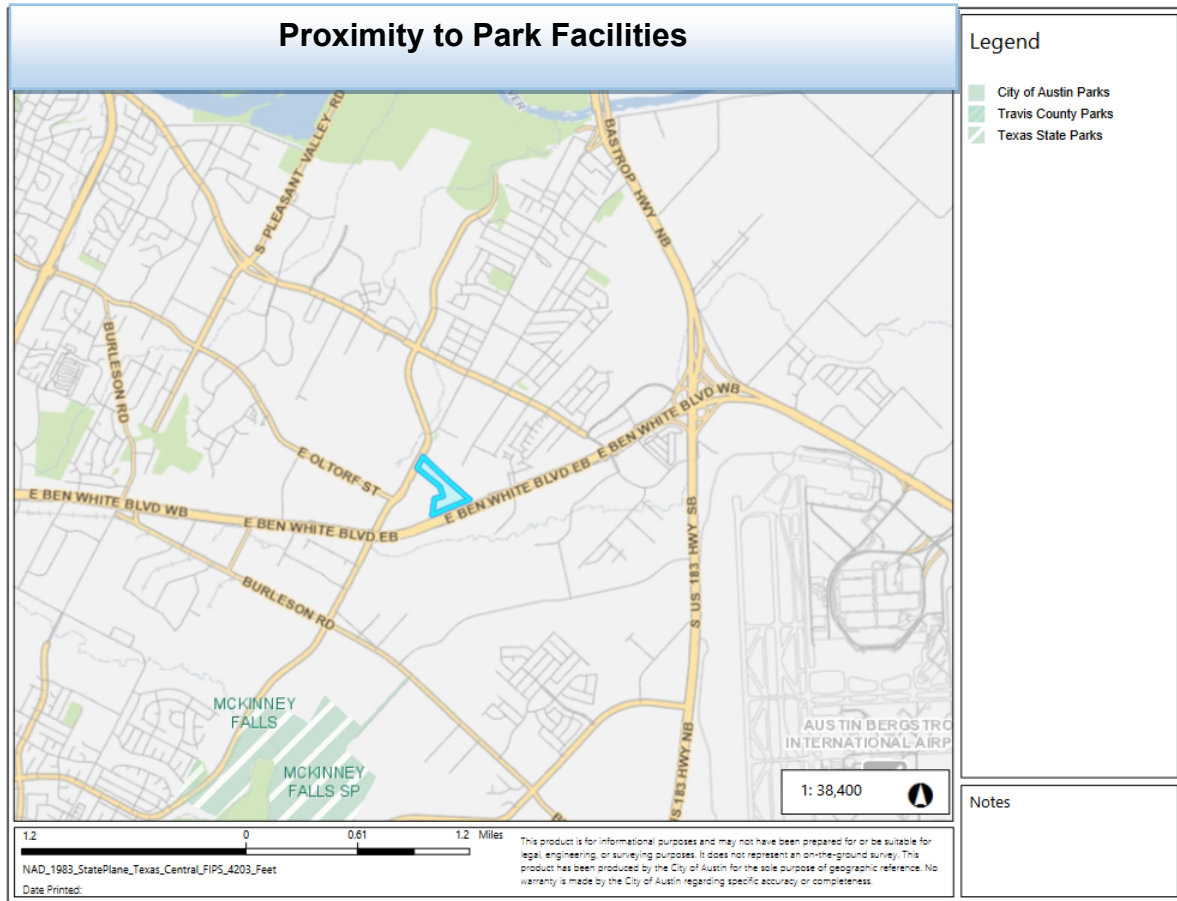
4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;
5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating 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.

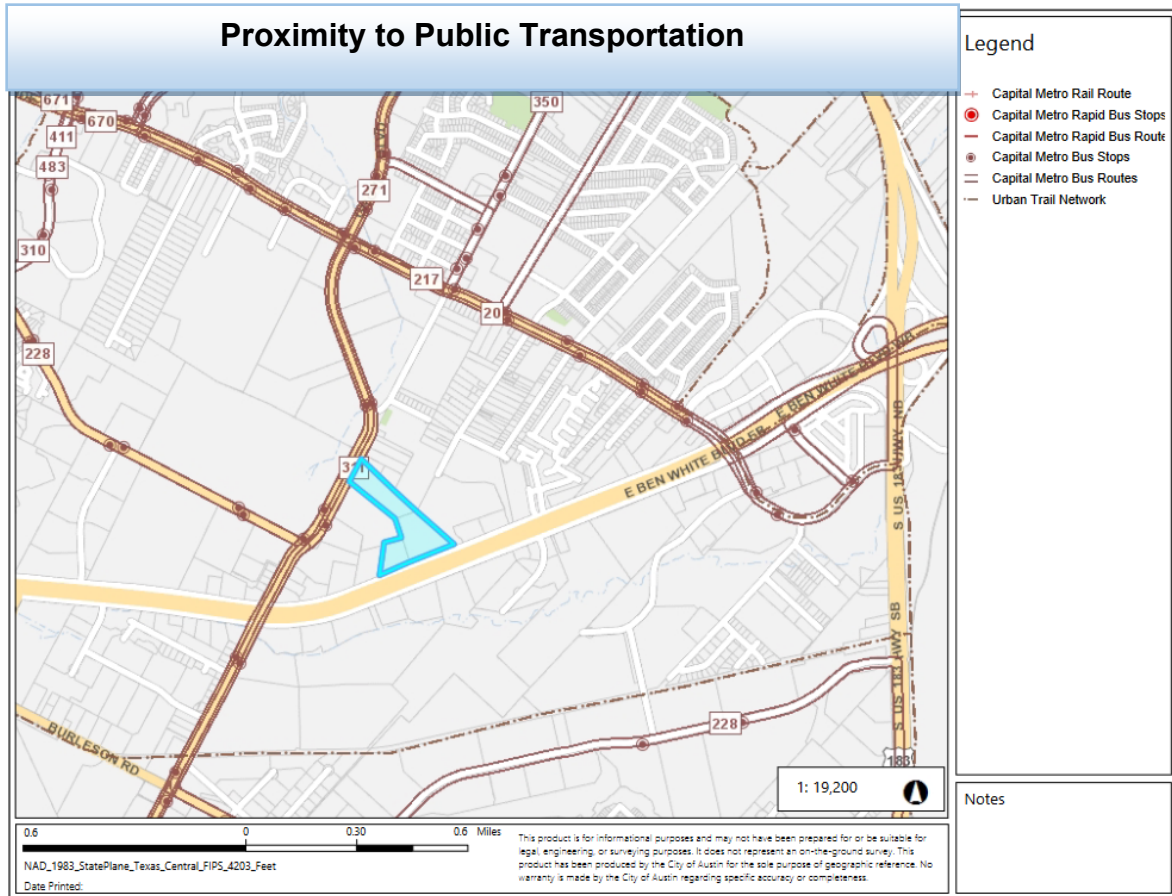
IMAGINE AUSTIN PLANNING PRINCIPLES

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 property is within the McKinney Jobs center as identified on the Imagine Austin Growth Concept Map where industrial uses are encouraged.***
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 not in an area that is considered very walkable, although there are numerous businesses approximately 0.50 miles to the north along E. Riverside Drive and there are bus routes on Montopolis Drive, E. Oltorf Street and East Riverside Drive.***
3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
 - ***Although Mixed Use land use is in this area, the property is within 1000 feet of the fire and toxicity hazards associated with the compressed and liquefied compressed gas stored in the vicinity.***
4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
 - ***The Austin Fire Department does not support the construction of residential units on this property because of proximity to hazardous materials.***
5. Ensure harmonious transitions between adjacent land uses and development intensities.
 - ***Although Mixed Use land use is in this area, the property is within 1000 feet of the fire and toxicity hazards associated with the compressed and liquefied compressed gas stored in the vicinity. (See Fire Dept. on letter page 14)***
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 not located in the Drinking Water Protection 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.
 - ***There are several parks in the vicinity. To the south is McKinney State Park and to the north is Montopolis Neighborhood Park and the Roy G. Guerrero Colorado River Metro park. The Country Club Greenbelt is to the west.***
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 in an area that is generally considered car-dependent and somewhat bikeable. To the north of the property along E. Riverside Drive is numerous businesses.***
10. Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.
 - ***Staff supports retaining the Industry land use on the property to preserve industrial base zoning.***
11. Sustain and grow Austin's live music, festivals, theater, film, digital media, and new creative art forms.
 - ***Not applicable.***
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.***







2601 Montopolis Drive

Montopolis, Austin, 78741

Commute to **Downtown Austin**

23 min
 47 min
 33 min
 60+ min
 [View Routes](#)

[Favorite](#)
[Map](#)
[Nearby Apartments](#)

[More about 2601 Montopolis Drive](#)

Walk Score

27

Car-Dependent

Most errands require a car.

Transit Score

38

Some Transit

A few nearby public transportation options.

Bike Score

39

Somewhat Bikeable

Mostly flat, minimal bike lanes.

[About your score](#)

[Add scores to your site](#)

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.

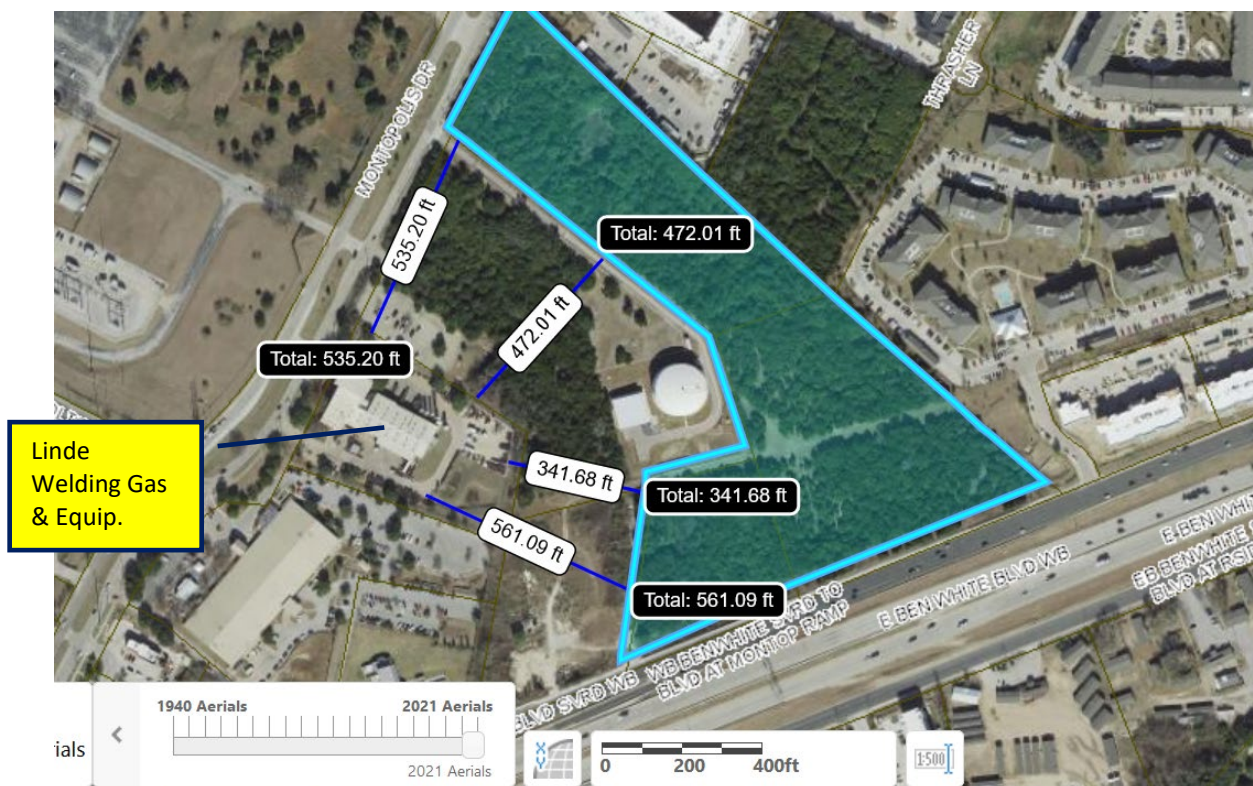
Corridors - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and 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 plan amendment application was filed on July 27, 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 Industry to Mixed use to build a 1,200-unit multifamily development with 10% of the units income restricted. The affordability levels have not been determined at this time.

The associated zoning change application has not been filed at this time. The owner requested to move forward to the public hearings without the zoning application. The Austin Fire Department does not support residential uses in this location because of the fire and toxicity hazards associated with the compressed and liquefied compressed gas stored in the vicinity. Linde Welding Gas and Equipment Center (formerly Praxair Distribution Center) is to the west of the subject tract and is within 1,000 feet of the property. See email from Scott Stookey, Austin Fire Department, on page 14.



PUBLIC MEETINGS: The ordinance-required community meeting was virtually held on November 30, 2021. The recorded community meeting can be found at <https://www.speakupaustin.org/npa>. Approximately 855 meeting notices were mailed to people who rent or own property within 500 feet of the subject tract, in addition to neighborhood and environmental groups who requested notification for the area on the

Community Registry. Two staff members attended the meeting, Maureen Meredith and Mark Walters. The property owner and the owner's agents from Thrower Design, Victoria Haase and Ron Thrower attended. Also in attendance was one person who owns property in the vicinity participated in the meeting.

After staff gave a brief presentation, Victoria Haase from Thrower Design provided the following information. Her presentation is at the back of the report.

- There are three tracts of land that are undeveloped totaling about 18 acres.
- The existing zoning is LI-NP and the existing future land use is Industry.
- The proposed change is to Mixed Use.
- The property is located between Montopolis Drive and E. Ben White Blvd.
- The zoning case will be filed sometime in the future. The zoning request will most probably be MF-6-NP zoning.
- The property is approximately ½ mile from the future Blue Line stop.
- In the last ten years several properties have transitioned from Commercial to Mixed Use land use.
- The two aerial photos show the land back in 2013 where there is a lot of undeveloped land and the second aerial photo is from 2021 that shows the pattern of change that is indicative of the need for housing we are seeing today.
- We are proposing 1,200 apartment-style rental units, 10% (120 units) being income restricted.
- We feel this area is suitable for housing because it's close to downtown.

Q: I own property near this tract. My wife and I have also developed The Mont Apartments to the north. There is a five-acre tract that I was not able to get the zoning for to develop with the other properties because the Fire Marshal has a 1,000-foot set-back on my southern part of my property from Praxair site that restricts me from building anything people live in. I want to know how this will restrict the development of this property.

A: We are generally aware of this. We are still in the neighborhood discussion part of this process. We haven't worked with the Fire Department on this yet.

Q: How long have you owned this property?

A: A couple years.

Q: Have you had discussions with the Montopolis Neighborhood Plan Contact Team?

A: Yes, we have. We have a good working relationship with them.

Applicant Summary Letter from Application

June 22, 2021

Ms. Maureen Meredith
Planner Senior
City of Austin, Housing & Planning Depart

RE: 2601 Montopolis Drive, 6700 & 6800 E Ben White Blvd – Neighborhood Plan Amendment

Dear Maureen,

On behalf of the property owners, we submit the Neighborhood Plan Amendment application herein. The properties are in the City of Austin full purpose jurisdiction and total 18.64 acres. The lands are legally platted as Lots 1, 2, and 3, Block A of the Montopolis-Ben White Subdivision (C8-99-2101.0A). The Montopolis Neighborhood Plan and Future Land Use Map applies and designates these properties for *Industrial* use. The properties have *Limited Industrial Services district (LI)* zoning.

The request is to amend the Future Land Use Map to *Mixed Use* with the intent of filing a rezoning application in the near future for a commercial-mixed use development. The requests will allow for the development of approximately 1,200 dwelling units within a half-mile of the Project Connect Blue Line and Montopolis Transit Station. Further, the area is currently served with frequent bus service and dedicated bike lanes on Montopolis Drive. The request is consistent with the multifamily use adjacent and to the north. While the property is within an Imagine Austin Job Center, which is less likely to accommodate this scale of housing, housing needs are dire and therefore, the request should be given great consideration to prioritizing residential opportunities over industrial uses for this area.

Praxair, a welding, and gas supply store is located withing 1,000 feet, south-west of the subject tract. The landowner/developer has engaged with experts in the field of fire protection engineering, and solutions have been identified ensure the safety and wellbeing of the future residents of this site. With this, there is a strong level of confidence to move the proposed project forward to the neighborhood plan amendment and rezoning processes.

The property is an opportunity to concentrate a greater number of people near transit and job opportunities both today and in the future. The proposed project is supported, by various Imagine Austin Planning Principles.

P.O. BOX 41957, AUSTIN, TEXAS 78704

1. Creating complete neighborhoods across Austin that provide a mix of housing types to suit a variety of household needs and incomes, offering a variety of transportation options, and having easy access to daily needs such as schools, retail, employment, community services, and parks and recreations options.
2. Supporting 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.
3. Protecting neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers, corridors, redevelopment, and infill site.
4. Expanding the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
5. Ensuring harmonious transitions between adjacent land uses and development intensities.
6. Protecting Austin's natural resources and environmental systems by limiting land use and transportation development over environmentally sensitive areas and preserving open space and protecting the function of the resource.
7. Encouraging active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.

While it is understood that the requested changes do not align with the Montopolis Neighborhood Plan, Austin has gone through significant change and growth since the plan was adopted in 2000 to suggest that the proposed development is urgently needed to bring more homes to the City and to do so without creating further sprawl in our rural lands.

Thrower Design respectfully requests a favorable recommendation, and we are available for questions or discussion as needed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Victoria Haase', with a stylized, flowing script.

Victoria Haase

Email from Scott Stookey Austin Fire Department

From: Stookey, Scott <Scott.Stookey@austintexas.gov>
Sent: Tuesday, January 4, 2022 2:22 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: Espinoza, Yvonne <Yvonne.Espinoza@austintexas.gov>; Vocke, Tom <Tom.Vocke@austintexas.gov>
Subject: RE: Case NPA-2021-0005.02_2601 Montopolis Dr.

Maureen:

Thank you for contacting Austin Fire Department. NPA-2021-0005.02 seeks to modify the Future Land Use Map (FLUM) with the desire to allow the construction of multi-family housing immediately adjacent to an industrial gas packaging and distribution facility. A Restrictive Covenant was established to prevent such a development because of the fire and toxicity hazards associated with the compressed and liquefied compressed gas stored at the Praxair Distribution Corporation facility located at 2801 Montopolis Drive. See Zoning Case C14-2016-0113, which was approved by the Austin City Council on June 22, 2017.

In reviewing the June 22, 2021 correspondence from Thrower Design LLC, the applicant states they have *engaged with experts in the field of fire protection engineering, and solutions have been identified ensure the safety and well-being of the future residents on this site*. AFD approved the Certificate of Occupancy for the building (formerly known as Wilson Oxygen Company) on July 13, 1990. We have a strong understanding of the storage and use processes at this facility. AFD should be given the opportunity to review the proposed solutions to the potential fire, explosion or toxic gas hazards at this facility.

Another issue associated with this proposed Neighborhood Plan Amendment is Skorpios Technologies located at 2706 Montopolis Drive. This is a semiconductor manufacturing facility that uses gases that can be supplied from the Praxair facility across the street. This property is zoned MI-NP, P-NP. The parcel is owned by the University of Texas. Given the MI-NP zoning, this site is allowed to store an unlimited volume of flammable/combustible liquids and flammable gases. If the facility wanted to add a manufacturing facility to generate and stored compressed hydrogen or package flammable liquids such as industrial solvents, AFD would approve such as use so long as the siting of the hazardous materials and associated processes complied with the 2021 International Fire Code and its adopted standards.

Austin Fire Department recommends Disapproval of the Plan Amendment based on it cited Restrictive Covenant in C14-2016-0013 and the proximity of the proposed multi-family housing in relation to the Skorpios Technologies facility.



Scott Stookey | Graduate Engineer A - Hazardous Materials, Fire Marshal's Office
6310 Wilhelmina Delco Dr. MS 3211.01, Austin, TX 78752 | D: 512.974.0157 |
www.austinfiredepartment.org
FB | AustinFireDepartment TW | @AustinFireDept IN | @austinfireddept

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

(No letter received as of March 15, 2022)

.....

From: Meredith, Maureen

Sent: Monday, January 31, 2022 5:48 PM

To: mlallen14@; Poder.austin@; candacecar@; Delwingoss@; evasmic2@;
mdjackson38@; corpezcontracting@; pataym@; flm@; tmonrealmendoza@;
florence.ponziano@; Pam@; stefan@; Fred McGhee <fmcghee@ mrs.m.noyola@;
munizmillie@; agolden@; crharrismore@; Serape2@; Corazon.renteria@;
Liberated512@; liz_brightwell@yahoo.com; mannyvcamero1@; wayne.gerami@;
paul.karagas@; junior612ph@yahoo.com; csebilial@; rjarmstrongatx@

Cc: Victoria <Victoria@throwerdesign.com>; A. Ron Thrower
(RonT@throwerdesign.com) <RonT@throwerdesign.com>

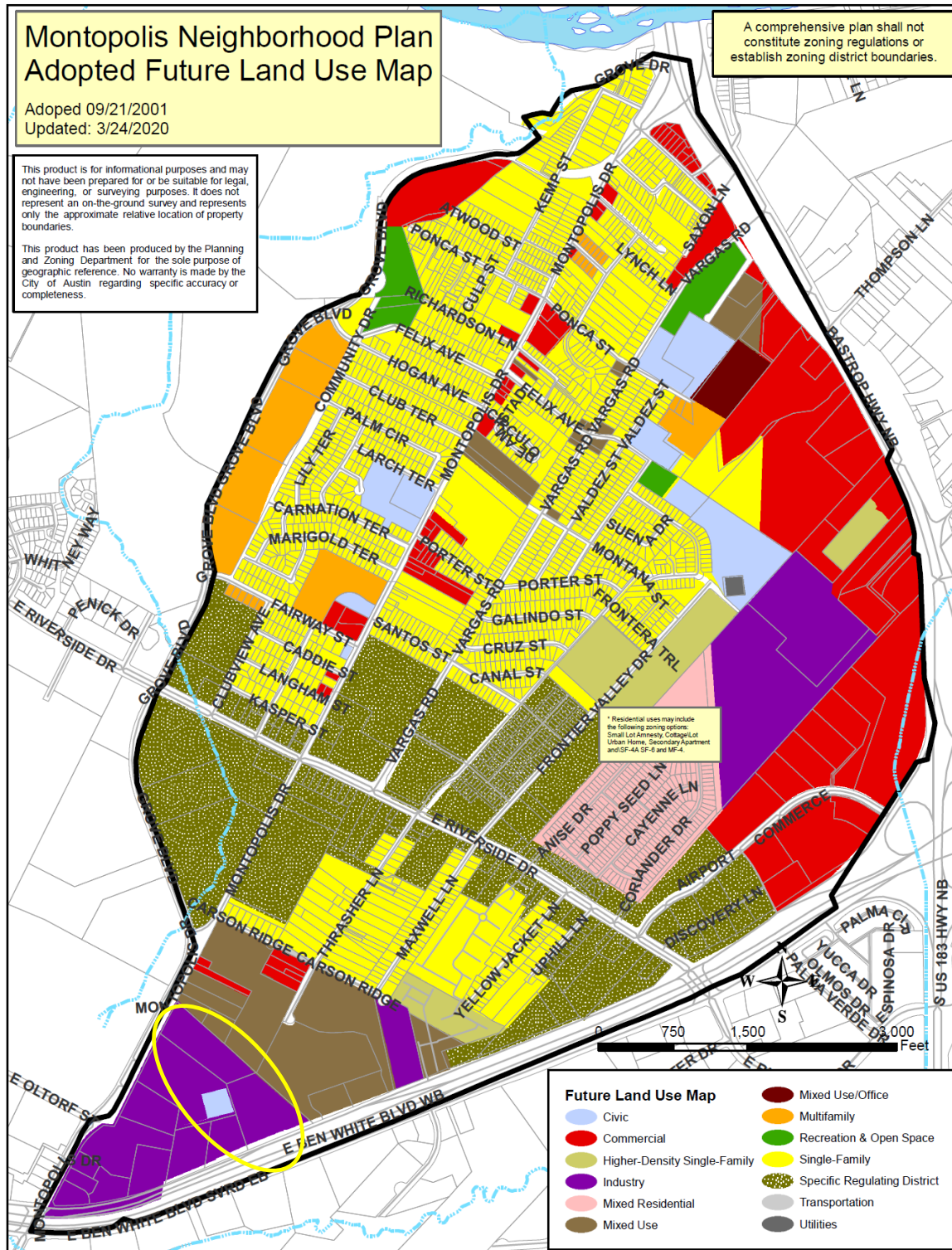
Subject: RE: Montopolis NPCT Rec: NPA-2021-0005.02_6700 E. Ben White Blvd

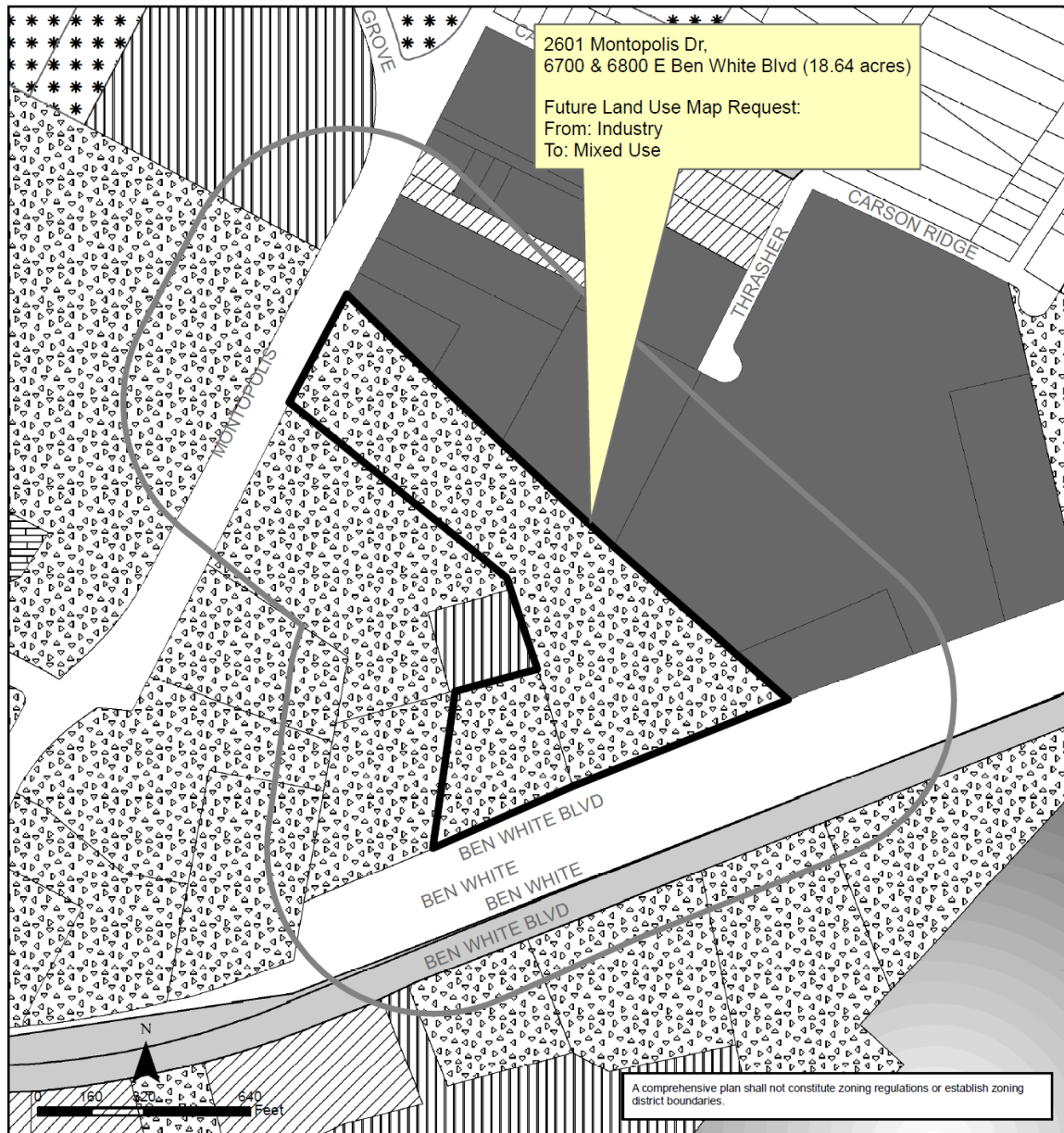
Dear Montopolis NPCT:

This case was postponed from the Jan. 11 PC hearing date to the Feb. 8 hearing date. If you have a letter of recommendation to be added to my staff report, please email it to me no later than tomorrow, **Tuesday, Feb. 1, 2022 by 4:30 pm**. If I get it after that date and time, it will be submitted as late back up.

Thanks.

Maureen





Montopolis Neighborhood Planning Area NPA-2021-0005.02

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

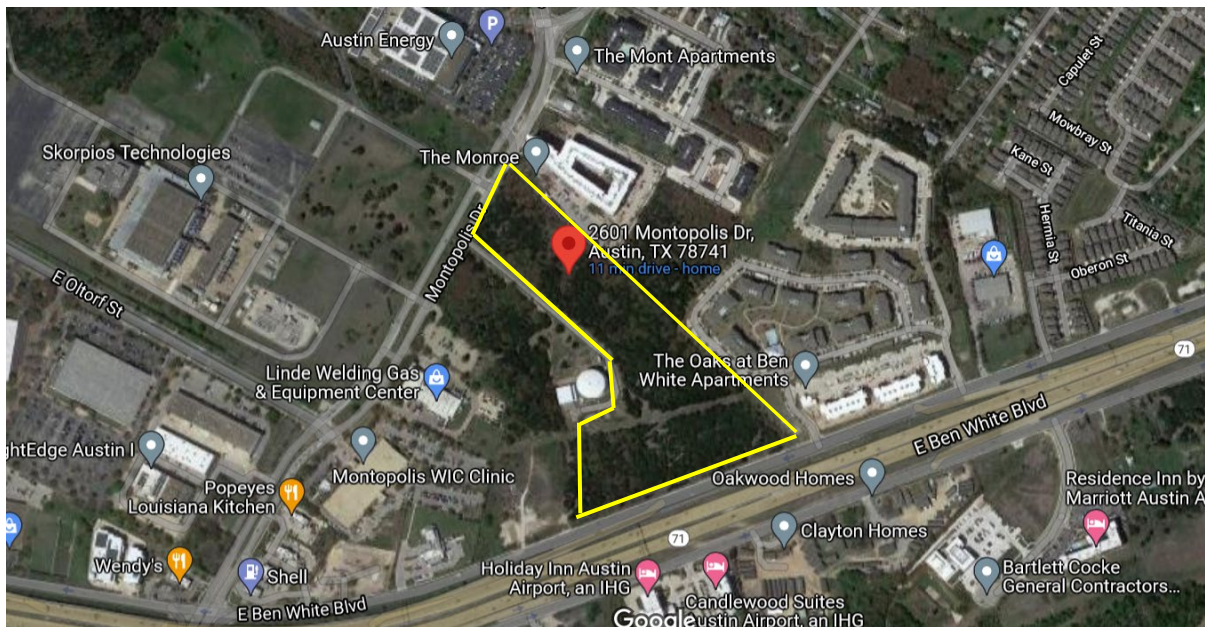
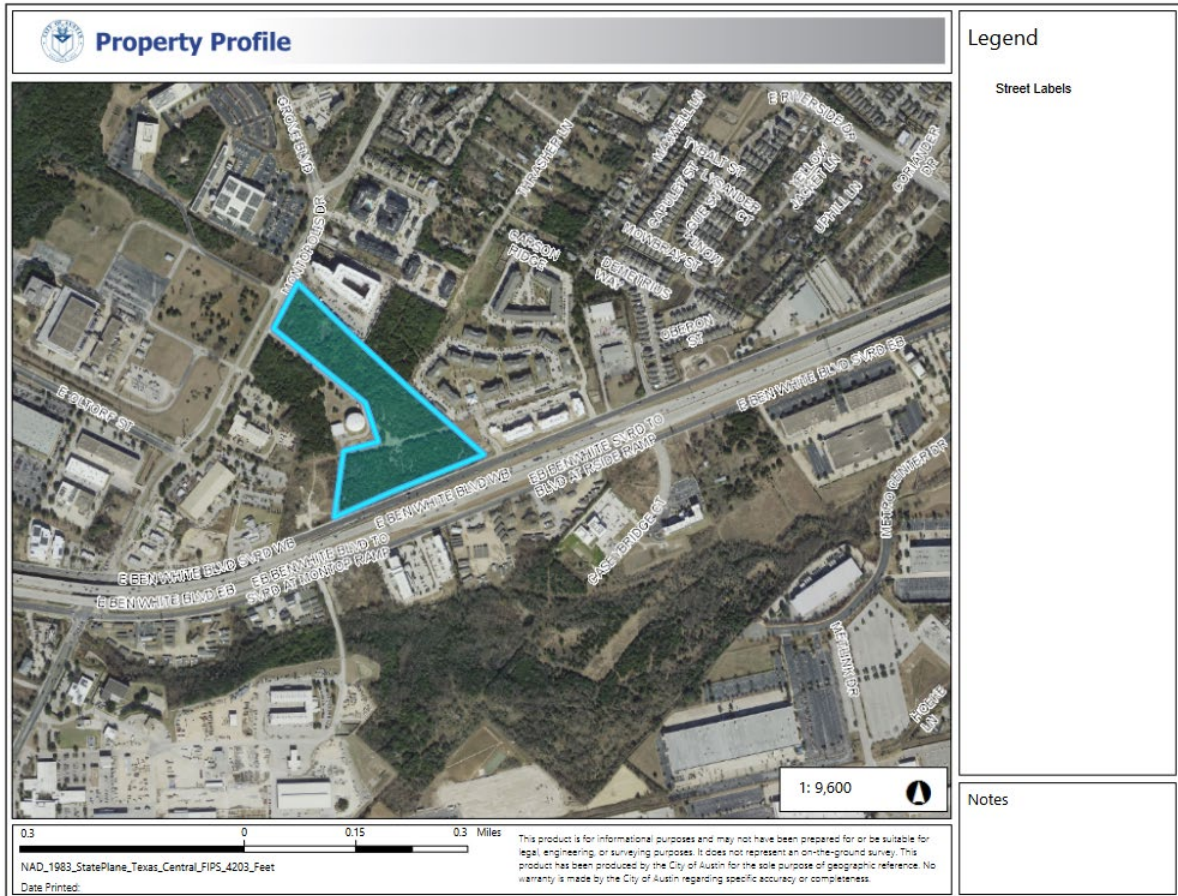
This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

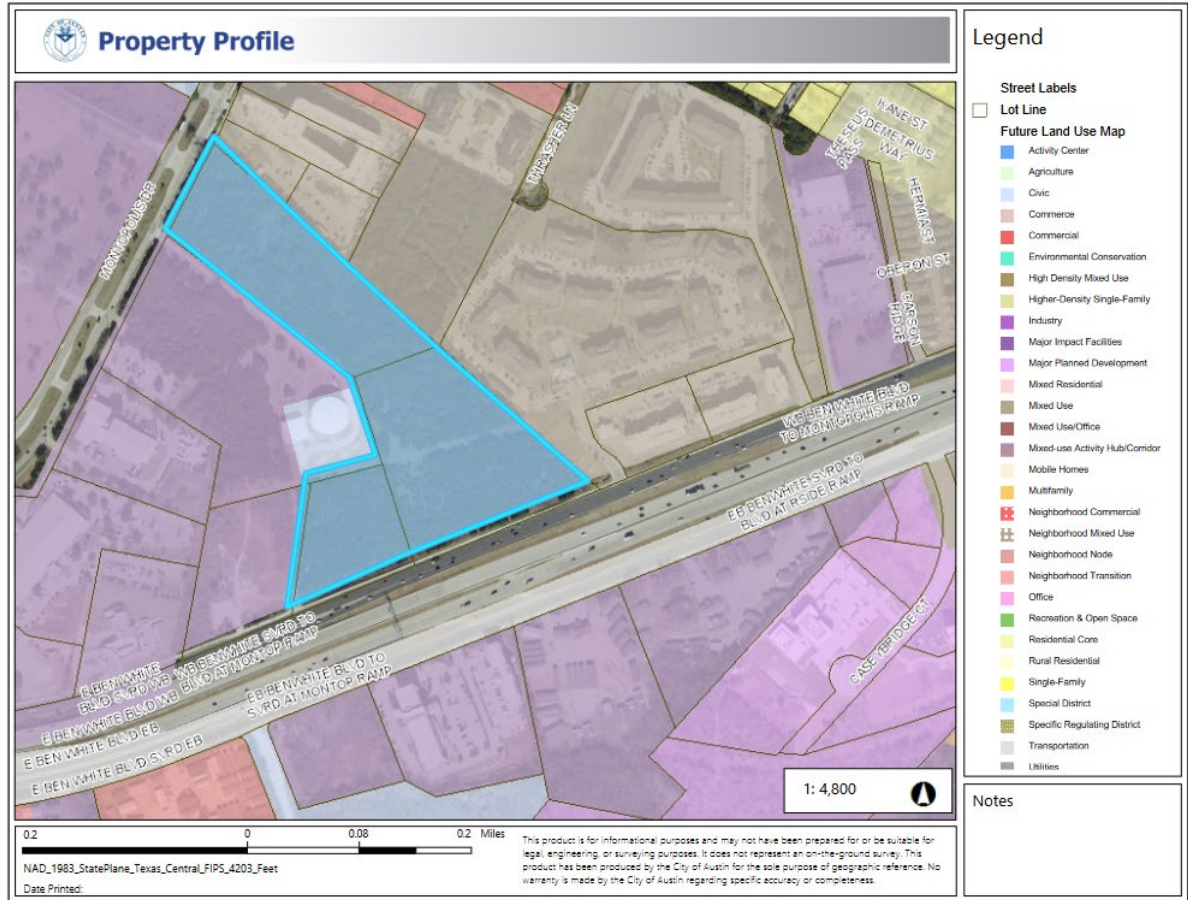


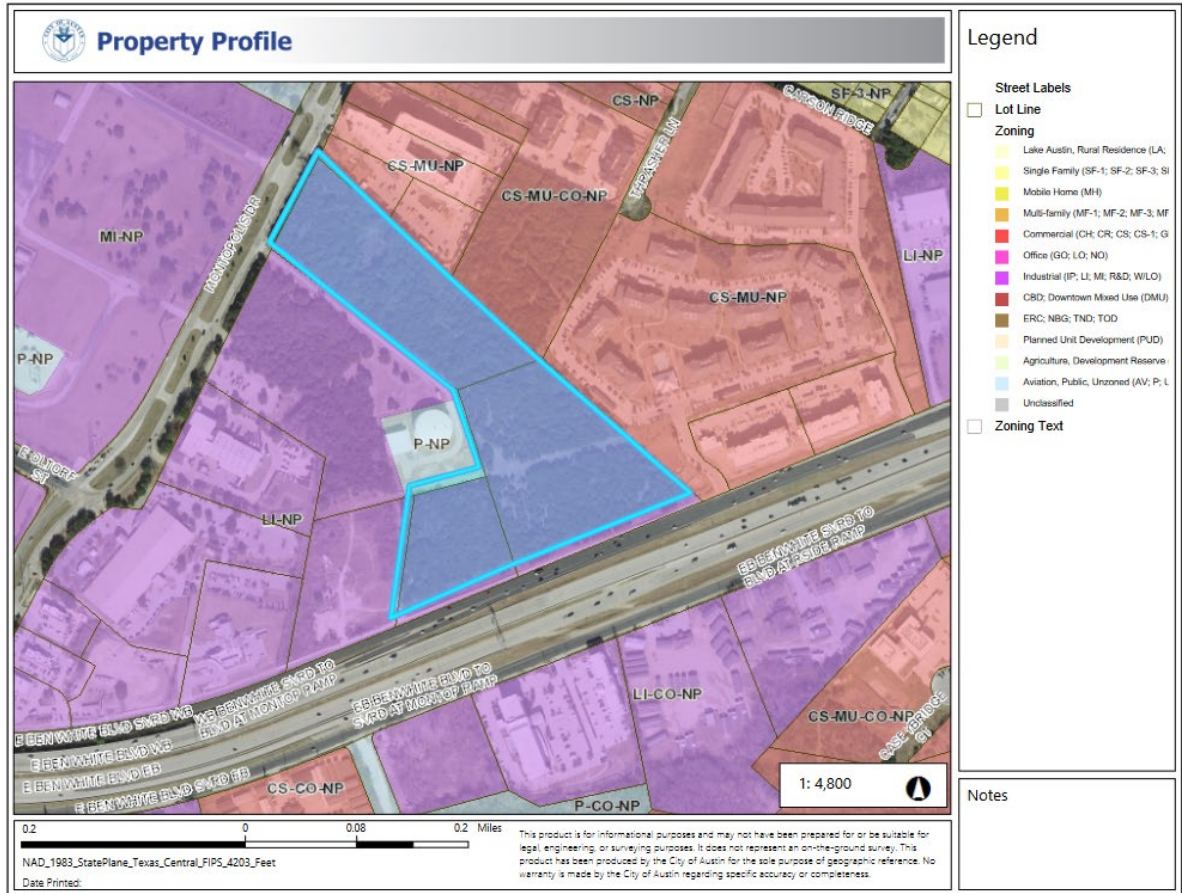
City of Austin
Housing and Planning Department
Created on 12/21/2021, by: MeeksS

Future Land Use

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







Applicant's Presentation at the November 30, 2021 Community Meeting

