NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: Montopolis

CASE#: NPA-2022-0005.01 **DATE FILED**: July 26, 2022 (In-cycle)

PROJECT NAME: Vargas Mixed Use

PC DATE: March 28, 2023

March 14, 2023 February 28, 2023 January 10, 2023

ADDRESS/ES: 400 Vargas Road and 6520 Lynch Lane

DISTRICT AREA: 3

SITE AREA: 4.3 acres

OWNER/APPLICANT: Vargas Properties I LTD and Jayco Holdings ILTD

AGENT: Thrower Design, LLC (Ron Thrower and Victoria Haase)

CASE MANAGER: Maureen Meredith PHONE: (512) 974-2695

STAFF EMAIL: Meredith.Meredith@austintexas.gov

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Commercial To: Mixed Use

Base District Zoning Change

Related Zoning Case: C14-2022-0005.01

From: GR-NP and LR-NP

To: CS-MU-NP and LR-MU-NP

NEIGHBORHOOD PLAN ADOPTION DATE: September 27, 2001

<u>CITY COUNCIL DATE</u>: TBD <u>ACTION</u>:

PLANNING COMMISSION RECOMMENDATION:

April 11, 2023 -

March 28, 2023 – Postponed to April 11, 2023 on the consent agenda at the request of the neighborhood. [J. Thompson – 1^{st} ; C. Hempel – 2^{nd}] Vote: 13-0 (G. Anderson voted nay on Item #34].

March 14, 2023 – Postponed to March 28, 2023 on the consent agenda at the request of staff. [R. Schneider – 1st; C. Hempel -2nd] Vote: 9-0 [Y. Flores, J. Mushtaler, J. Shieh, and J. Thompson absent].

February 28, 2023- Postponed to March 14, 2023 on the consent agenda at the request of staff. [R. Schneider -1^{st} ; P. Howard -2^{nd}] Vote: 11-0 [Y. Flores absent. One vacancy on the dais].

January 24, 2023 - Postponed on the consent agenda to February 28, 2023 at the request of staff. [C. Hempel- 1^{st} ; J. Shieh -2^{nd}] Vote: 10-0 [A. Azhar, R. Schneider absent. One vacancy on the dais].

January 10, 2023 – Postponed on the consent agenda to January 24, 2023 at the request of staff. [A. Azhar – 2^{nd} ; J. Thompson – 2^{nd}] Vote: 11-0 [P. Howard absent. One vacancy on the dais].

STAFF RECOMMENDATION: Staff supports the applicant's request for Mixed Use land use.

BASIS FOR STAFF'S RECOMMENDATION: Staff supports the applicant's request for Mixed Use land use because the property is located along a major highway, US Hwy 183 near commercial uses and access to public transportation. The request is to build a mixed-use development with commercial and residential uses. The proposed residential uses will provide additional housing options for the City and the neighborhood.



Below are sections from the neighborhood plan staff believes supports the applicant's request.

LAND USE

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

- Objective 3: Focus the highest intense commercial and industrial activities along Ben White Drive and U.S. Hwy 183. Airport-related businesses and services should be located at Austin-Bergstrom International Airport or along Ben White or U.S. 183.
 - Action 11: Zone the properties along 183 and Ben White to allow commercial or limited industrial uses along these major corridors. (Please refer to the Figure 4: Future Land Use Map, for specific land uses and locations.)

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

Objective 5: Create multiple housing types of varied intensities.

LAND USE DESCRIPTIONS

EXISTING LAND USE ON THE PROPERTY

Commercial -Lots or parcels containing retail sales, services, hotel/motels and all recreational services that are predominantly privately owned and operated for profit (for example, theaters and bowling alleys). Included are private institutional uses (convalescent homes and rest homes in which medical or surgical services are not a main function of the institution), but not hospitals.

Purpose

- 1. Encourage employment centers, commercial activities, and other non- residential development to locate along major thoroughfares; and
- 2. Reserve limited areas for intense, auto-oriented commercial uses that are generally not compatible with residential or mixed use environments.

Application

- 1. Focus the highest intensity commercial and industrial activities along freeways and major highways; and
- 2. Should be used in areas with good transportation access such as frontage roads and arterial roadways, which are generally not suitable for residential 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;

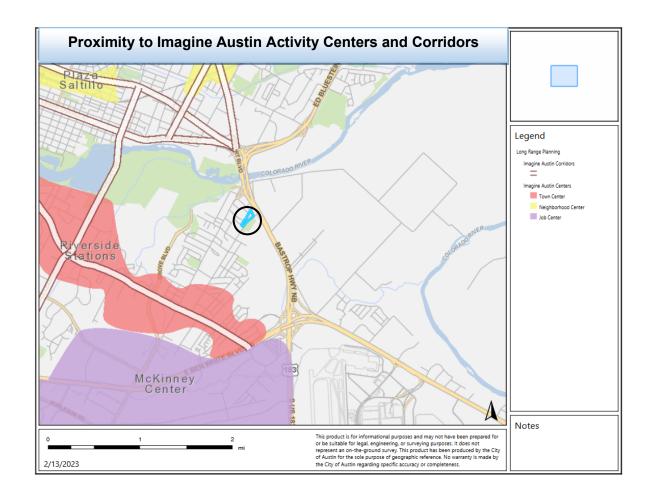
- 7. Create additional opportunities for the development of residential uses and affordable housing; and
- 8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

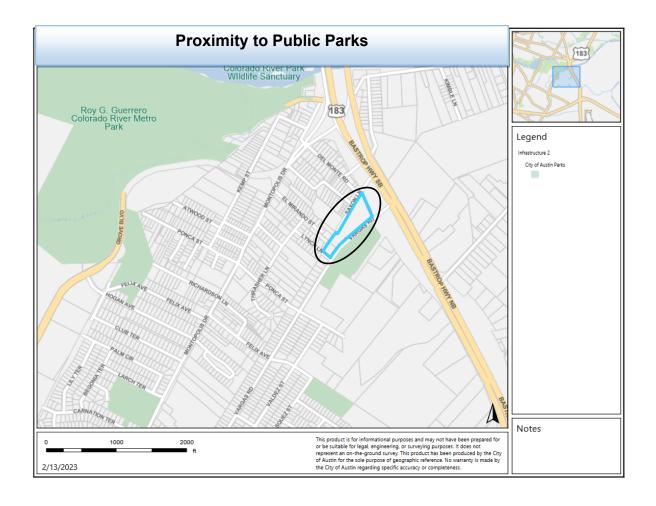
Application

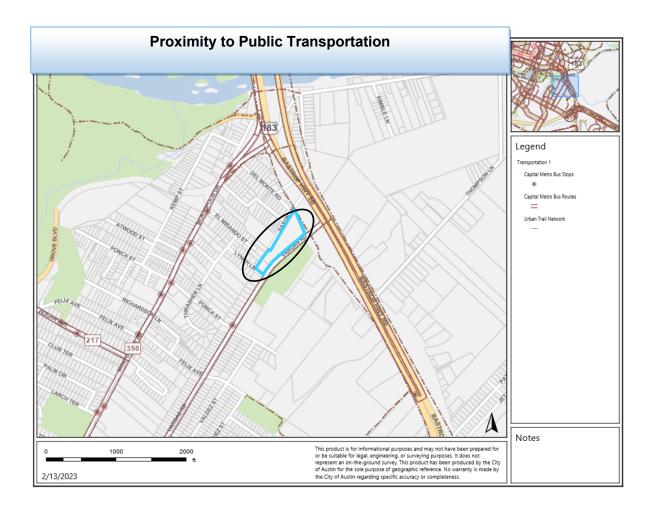
- 1. Allow mixed use development along major corridors and intersections;
- 2. Establish compatible mixed-use corridors along the neighborhood's edge
- 3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood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

Yes	Imagine Austin Decision Guidelines									
	Complete Community Measures									
Yes	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center,									
	Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map.									
	Name(s) of Activity Center/Activity Corridor/Job Center:									
	 Approx. 1 mile south of E. Cesar Chavez St., E. 7th Street and Airport Blvd. activity corridors 									
Yes	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.									
	 Bus routes along U.S. Hwy 183, Vargas Road and Montopolis Drive. 									
Yes	s Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.									
Sidewalks on Vargas Road and south side of US Hwy 183										
Yes	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and									
	services, and/or employment center.									
Yes	Connectivity and Food Access : Provides or is located within 0.50 miles of a grocery store/farmers market.									
	Vargas Food Store 0.4 miles south									
	Tomgro Grocery 1.0 miles south									
Yes	Connectivity and Education: Located within 0.50 miles from a public school or university.									
	Alison Elementary School directly to the east									
Yes	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or									
	walking trail.									
	Civitan Park directly east									
	Montopolis Practice Fields 0.7 miles									
	Urban Trail near property									

	Connectivity and Health : Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or
	fee in lieu for affordable housing.
Yes	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint. • Proposed mixed use development with residential uses.
Yes	Mixed use: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: Expands the economic base by creating
	permanent jobs, especially in industries that are currently not represented in particular area or that promotes
	a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
9	Number of "Yes's"
	Imagine Austin Priority Program PUD Specific Bonus Features
n/a	Public Space Features and Public Art : Incorporates public space features and/or public art into project (Ex: plazas, streetscapes, gardens, and other people-friendly spaces where different ages can socially interact).
n/a	Integrates and/or Expands Green Infrastructure : Preserves or expands Austin's green infrastructure (ex: parkland, community gardens, green streets, creeks, stormwater features that mimic natural hydrology) into the urban environment and transportation network.
n/a	Protects the Environment : Reduces greenhouse gas emissions, water, energy usage, and/or increases waste diversion.
n/a	Protects Environmentally Sensitive Lands : Protects Austin's natural resources and environmental systems by limiting land use and transportation development over or near environmentally sensitive areas, preserves open space, and protects natural resources more than ordinance requirements.
n/a	Water/Wastewater Infrastructure : Sustainably manages Austin's water resources and stream corridors through on-site use of storm water, effective landscaping, flood mitigation, and other low-impact development techniques more than ordinance requirements.
n/a	Total Number of "Yes's"







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.

Activity Centers for Redevelopment in Sensitive Environmental Areas - Five centers are located over the recharge or contributing zones of the Barton Springs Zone of the Edwards Aquifer or within water-supply watersheds. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context.

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 26, 2023, which is incycle for neighborhood planning areas located on the east side of IH-35.

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

The applicant proposes to change the zoning from GR-NP (Community Commercial district-Neighborhood Plan) and LR-NP (Neighborhood Commercial district-Neighborhood Plan) to CS-MU-NP (General Commercial Services district-Mixed Use combining district – Neighborhood Plan) and LR-MU-NP (Neighborhood Commercial district – Mixed Use – Neighborhood Plan) for a mixed-use project with commercial and residential uses. For more information on the proposed zoning, see case report C14-2022-0107.

<u>PUBLIC MEETINGS</u>: The ordinance required community meeting was virtually held on September 19, 2022. Approximately 170 community meeting notices were mailed to people who rent or own property within 500 feet of the subject tracts. Two city staff members from the Housing and Planning Department attended, Maureen Meredith and Mark Walters. Two agents representing the property owners were in attendance, Victoria Haase and Ron Thrower from Thrower Design and two members from the neighborhood.

- The property is two tracts that total 4.3 acres. The land is undeveloped.
- The larger tract is 3.24 acres has frontage on Vargas Road and the smaller tract is 1.06 acres has frontage on Lynch Lane.
- The current land use is Commercial, and the proposed land use is Mixed Use.
- The larger tract is zoned GR-NP and the smaller tract is zoned LR-NP.
- The proposed zoning is CS-MU-NP on the larger tract and LR-MU-NP on the smaller tract.
- Adding MU to the LR-zoned property would allow maximum 22 one- and two-bedroom units.
- Adding MU to the CS-zoned property allow maximum 40 units per acre, which is the same as it would be now.
- At the most you would see about 150 units, but more likely less than that after compatibility constraints.
- This would be a true mixed-use development with commercial component as well.

Q: Is an apartment complex or commercial proposed?

A: Right now, the owners don't have specific plans, but want the ability to build either residential or commercial by adding mixed use on the property.

Q: What do you mean less-intense commercial?

A: LR allows commercial type uses that are smaller. The smaller type uses such as a coffee shop, hair salon that are more appropriate next to residential, not like a Home Depot use.

Q: What would be the traffic next to the school?

A: When the use is determined, number of units, or types of uses, this would be submitted to the City in a site plan and the Transportation Department will look at the proposed development and determine if a study needs to be done or if an impact fee needs to be paid to mitigate traffic impacts. The property has frontage on a major highway, so I suspect the access will be from there.

Applicant Summary Letter from Application



July 26, 2022

Ms. Rosie Trulove Housing & Planning Department City of Austin 1000 E 11th Street Austin, TX 78702 Via Electronic Delivery

Re: Rezoning of 4300 Vargas Rd. & 6520 Lynch Lane, Austin, 78741 - Vargas Mixed Use

Dear Ms. Trulove:

On behalf of the Owner(s) of the property referenced above, we respectfully submit the enclosed package including Neighborhood Plan Amendment and Rezoning applications. The subject lands are comprised of Tract 1 at 4300 Vargas Road & Tract 2 at 6520 Lynch Lane – both are un-platted and undeveloped. The Tracts are located within Council District 3, represented by "Pio" Renteria and are within the Montopolis Neighborhood Planning Area.

Both Tract 1 & 2 are designated as Commercial on the Future Land Use Map (FLUM). Tract 1 is zoned GR-NP (Community Commercial – Neighborhood Plan) and Tract 2 is zoned LR-NP (Neighborhood Commercial – Neighborhood Plan). The request is to amend the FLUM to Mixed Use for Tracts 1 & 2 and to rezone Tract 1 to CS-MU-NP (General Commercial Services – Mixed Use – Neighborhood Plan) and to rezone Tract 2 to LR-MU-NP (Neighborhood Commercial – Mixed Use – Neighborhood Plan). The site is contemplating a mixed-use development that could accommodate up to 149 multifamily dwelling units.

With frontage on three roadways, Saxon Lane, Vargas Road and Hwy 183, the site offers a good opportunity for a mixed-use development that could bring variety of dwelling types as well as neighborhood serving commercial uses, within in walking or biking distance. Vargas Lane has existing bus service with a stop that is less than a ¼ mile south. Montopolis Drive, an ASMP Transit Priority Network, is within a ¼ mile, by walking path. The request for infill density at this location is supported by several Imagine Austin Principles:

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

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- access to daily needs such as schools, retail, employment, community services, and parks and recreations options.
- Supporting the development of compact and connected activity centers and corridors that are wellserved 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.
- 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.
- Encouraging active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.

Please contact our office or me directly should you have need for additional information. Thank you for your time and attention to this application.

Kind regards,

Victoria Haase

cc: Heather Chaffin, Housing & Planning Department (via electronic delivery)

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

(No letter received as of March 7, 2022)

From: Meredith, Maureen **Sent:** Monday, March 6, 2023 4:51 PM To: mlallen14@ ; candacecar@ ; Poder.austin@ Delwingoss@aol.com; evasmic2@sbcglobal.net; mdjackson38@hotmail.com; corpezcontracting@ ; pataym@ ; fmcghee@ fmcghee@ ; tmonrealmendoza@ florence.ponziano@ ; Pam@ ; stefan@ Frfmcghee@ ; mrs.m.noyola@ ; munizmillie@ agolden@ ; crharrismoore@ ; Serape2@ ; Liberated512@ ; liz brightwell@ Corazon.renteria@ mannyvcamero1@ ; wayne.gerami@ paul.karagas@ ; junior612ph@ ; csebilia@ rjarmstrongatx@gmail.com; fmcghee@montopolis.org **Cc:** Victoria < Victoria@throwerdesign.com>; Ron Thrower <ront@throwerdesign.com>; Estrada, Nancy <Nancy.Estrada@austintexas.gov> Subject: FW: Montopolis NPCT Rec: March 14 PC - NPA-2022-0005.01 Vargas Mixed Use Importance: High

Dear Montopolis NPCT:

I'm following up with you on my email from February 13th. See below. The cases were postponed from the February 28 PC hearing to the March 14th PC hearing. If you would like your letter of recommendation included in the staff case reports for March 14th, please email it to me and Nancy Estrada, the zoning planner, by <u>4:30</u> pm tomorrow, Tuesday, March 7th. If we receive it after that date and time we will submit it as late material to be submitted to the Planning Commissioners. Thanks.

Maureen

From: Meredith, Maureen

Sent: Monday, February 13, 2023 4:30 PM

Cc: Victoria < Victoria @throwerdesign.com >; Ron Thrower

<ront@throwerdesign.com</pre>; Estrada, Nancy <<u>Nancy.Estrada@austintexas.gov</u>> **Subject:** Montopolis NPCT Rec: Feb 28 PC - NPA-2022-0005.01_Vargas Mixed

Use

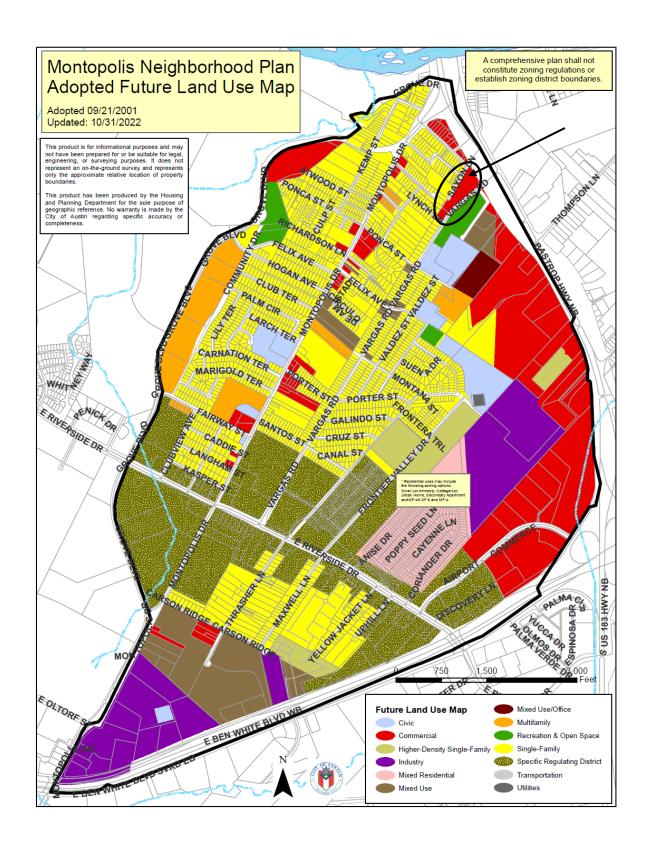
Importance: High

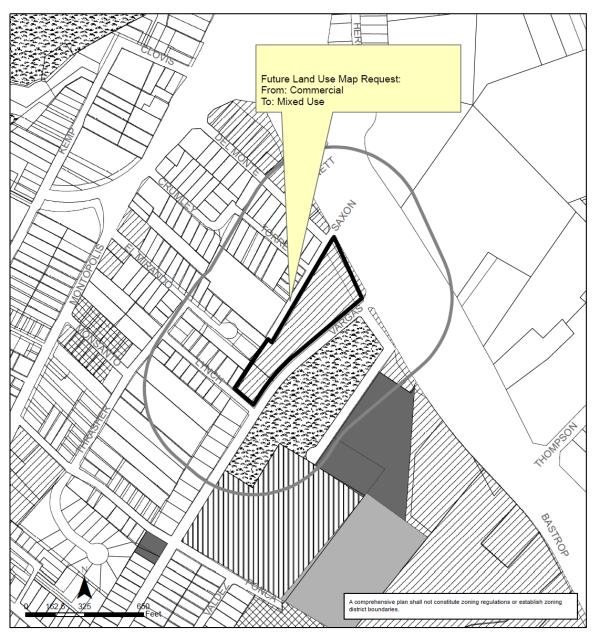
Dear Montopolis NPCT:

NPA-2022-0005.01 and C14-2022-0107 for 400 Vargas Road and 6520 Lynch Ave (Vargas Mixed Use) are scheduled for the February 28, 2023 Planning Commission hearing date. If you would like your Team's letter of recommendation included in the staff case reports, please email it me and Nancy Estrada (the zoning planner) no later than Tuesday, February 21, 2023 by 4:30 pm when our staff reports are due. If we receive it after that date and time, we will submit it as late material to the Planning Commissioners.

Please let me know if you have any questions.

Maureen

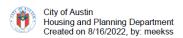


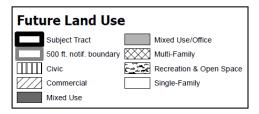


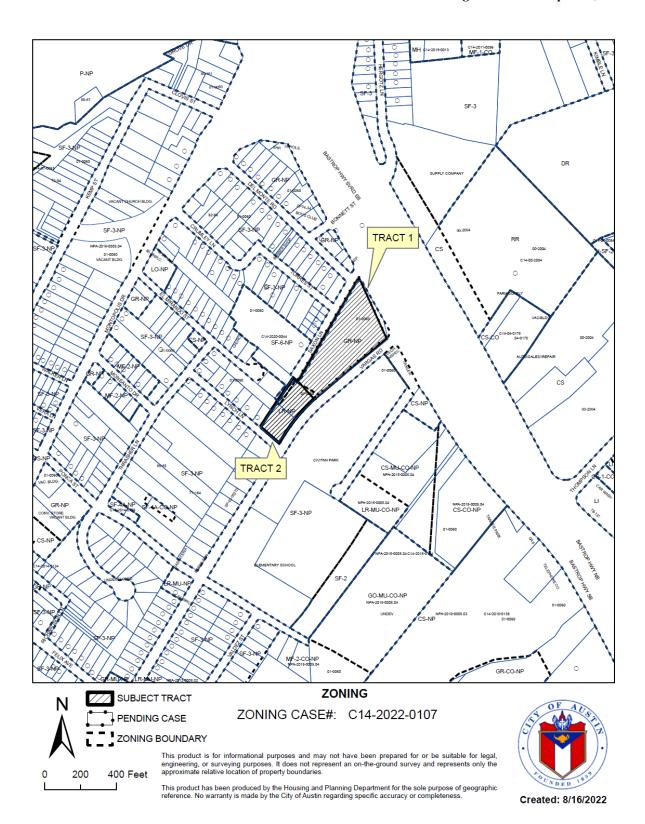
Montopolis Neighborhood Planning Area NPA-2022-0005.01

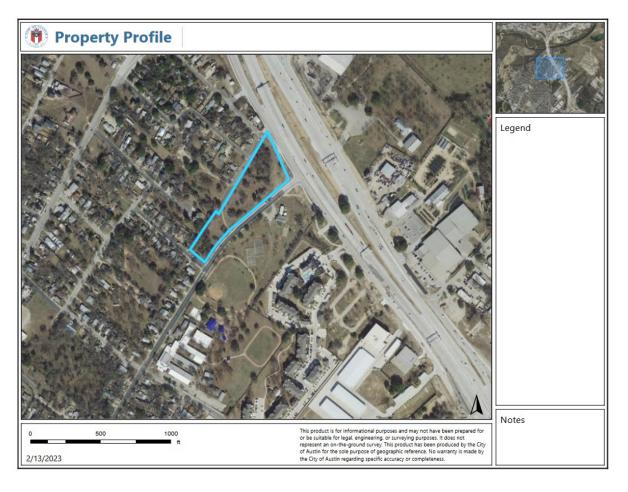
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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.



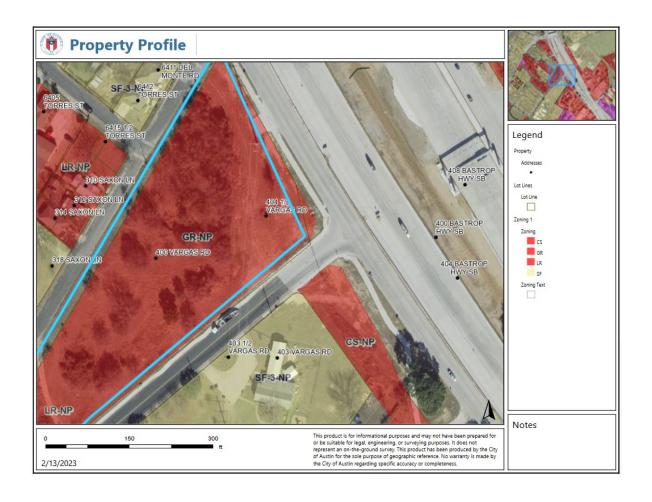


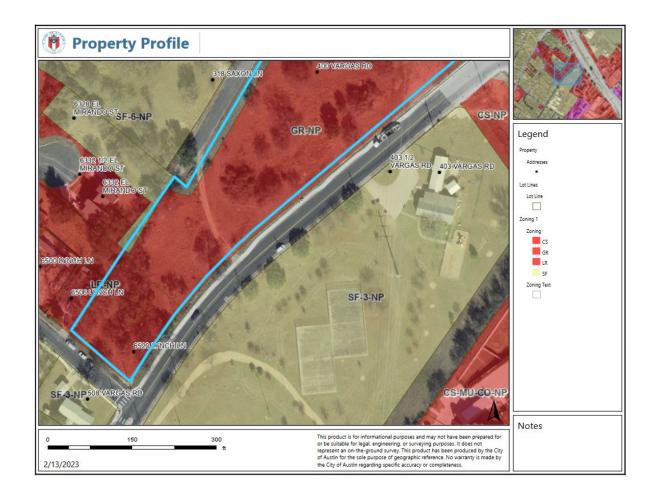




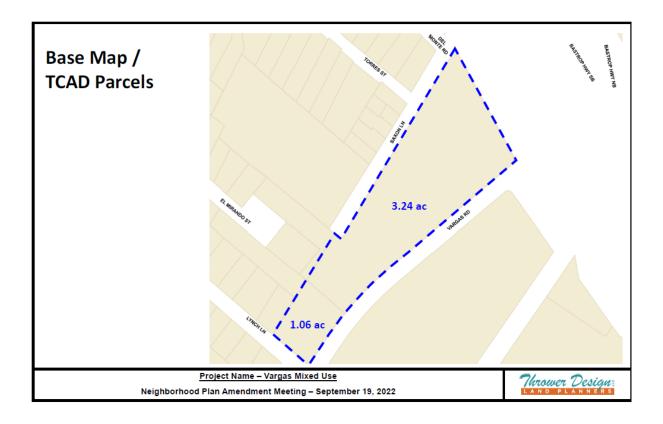


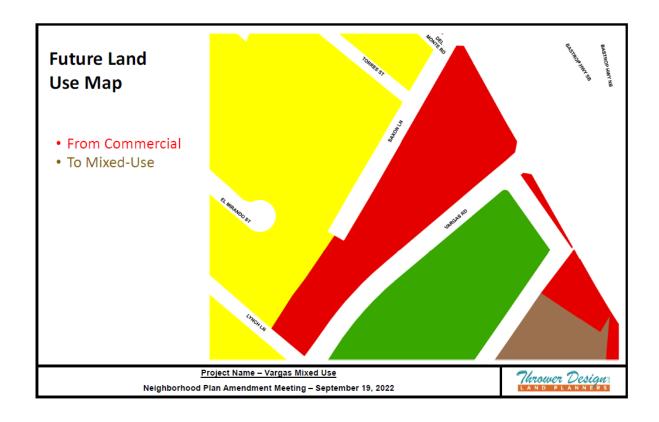


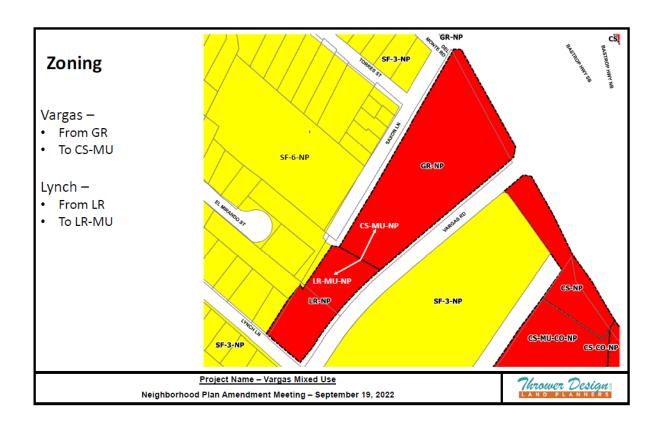












Site Development Regulations				MU Density	Eff.	1BR	2+BR	Avg. (1+2BR)
	LR	GR	CS	LR-MU	27.2	21.8	18.2	20
Max Lot Size (sf):	5,750	5,750	5,750	GR-MU	54.5	43.6	36.3	40
Min. Lot Width:	50	50	50	CS-MU	54.5	43.6	36.3	40
Max. Height:	40 or 3 flrs	60	60					
Min. Setbacks:								
Front:	25	10	10					
Street Side:	15	10	10					
Interior Side:	_	_	_					
Rear:		_	_					
Coverage:	50%	75%	95%					
Cover:	80%	90%	95%					
Max. F.A.R.	0.5:1	1:1	2:1					

Correspondence Received

Planning Commission: April 11, 2023

PUBLIC HEARING COMMENT FORM If you use this form to comment, it may be submitted to: City of Austin Housing and Planning Department Maureen Meredith P. O. Box 1088 Austin, TX 78767-8810 If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission. Case Number: NPA-2022-0005.01 Contact: Maureen Meredith, 512-974-2695 or Maureen.Meredith@austintexas.gov Public Hearing: Jan 10, 2023 - Planning Commission ☐ I am in favor 1 object 1715E. Th Your address(es) affected by this application Signature Comments:

Additional backup may be found at the following link:

Meetings of the Planning Commission - Page 1 | AustinTexas.gov