

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET**NEIGHBORHOOD PLAN:** Montopolis**CASE#:** NPA-2016-0005.02**DATE FILED:** July 12, 2016 (In-cycle)**PROJECT NAME:** Montopolis – Ben White FLUM Amendment**PC DATE:** October 24, 2017
September 12, 2017
August 8, 2017
July 11, 2017
June 27, 2017
January 10, 2017
November 8, 2016
October 25, 2016**ADDRESSES:** 6700 and 6800 E. Ben White Blvd. & 2601 Montopolis Dr.**DISTRICT AREA:** 3**SITE AREA:** 18.61 acres**OWNER/APPLICANT:** Ocampo Partners, Lt.**AGENT:** Coats Rose (John M. Joseph)**TYPE OF AMENDMENT:****Change in Future Land Use Designation****From:** Industry**To:** *Mixed Use (Tract 1 & 2) and Commercial (Tract 3)**Application was amended by applicant on June 12, 2017. The original application was for Mixed Use on the entire tract.***Base District Zoning Change****Related Zoning Case:** C14-2016-0085**From:** LI-NP**To:** CS-MU-NP and CS-CO-NP**NEIGHBORHOOD PLAN ADOPTION DATE:** September 27, 2001**PLANNING COMMISSION RECOMMENDATION:***October 24, 2017 -*

September 12, 2017 – Postponed on the consent agenda to the October 24, 2017 hearing at the request of the Applicant. [J. Shieh – 1st; P. Seeger – 2nd] Vote: 13-0.

August 8, 2017 – Postponed on the consent agenda to the September 12, 2017 hearing date at the request of the applicant. [N. Zaragoza – 1st; P. Seeger – 2nd] Vote: 10-0 [K. McGraw, J. Vela, T. White absent. J. Schissler and F. Kazi recused from item C-21].

July 11, 2017 – Postponed to the August 8, 2017 hearing date on the consent agenda at the request of the applicant. [J. Schissler – 1st; P. Seeger – 2nd] Vote: 12-0 [J. Thompson absent]

June 27, 2017 – Postponed on the consent agenda at the request of Staff to the July 11, 2017 hearing. [J. Schissler – 1st; J. Shieh – 2nd] Vote: 7-0 [F. Kazi, A. De Hoyos Hart, P. Seeger, J. Vela, T. White, and N. Zaragoza absent]

January 10, 2017 – Postponed on the consent agenda for an indefinite postponement at the request of the applicant. [N. Zaragoza – 1st; F. Kazi – 2nd] Vote: 13-0.

November 8, 2016 - Postponed on the consent agenda to the January 10, 2017 hearing at the request of staff. [P. Seeger – 1st; J. Schissler-2nd] Vote: 12-0 [A. PineyroDeHoyos absent. J. Schissler recused from item C-9].

October 25, 2016 – Postponed to the November 8, 2016 hearing at the request of the Montopolis Neighborhood Planning Contact Team. [J. Schissler – 1st; N. Zaragoza-2nd] Vote: 12-0 [Commissioner J. Shieh absent].

STAFF RECOMMENDATION: Staff does not recommend the applicant's request to change the future land use map from Industry to Mixed Use.

BASIS FOR STAFF'S RECOMMENDATION: Staff does not support the applicant's request to change the land use on the future land use map from Industry to Mixed Use because staff believes the area, which is an industrial node, should be kept for industrial land uses and zoning. Changing the land use to Mixed Use with the proposed rezoning to CS-MU-NP would allow a large number of apartment dwelling units adjacent to industrial zoning and land use, which is not supported by staff. Please see the associated zoning case report C14-2016-0085 for the City of Austin Fire Department's letter regarding the Praxair gas distribution center which is located southwest of the property.

The property is located within an Imagine Austin Jobs Center as identified in the Comprehensive Plan Growth Concept Map. According to the Imagine Austin Comprehensive Plan, job centers are a generally not compatible with residential uses and are needed in the city to provide jobs and services. The location of the property along a highway and near the airport makes this Job Center node an ideal location for heavy commercial and industrial uses. See page 10 for a full description of Job Centers.

The Montopolis Neighborhood Plan recommends that intense commercial and industrial activities be located along Ben White Drive and U.S. Hwy 183. The plan also support complimentary and compatible land uses.

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.)

URBAN DESIGN

GOAL 7: Ensure Compatibility and Encourage a Complimentary Relationship Between Adjacent Land Uses.

In the Future Land Use Map, the neighborhood has expressed a preference for increasing or decreasing the occurrence of certain types of land uses in the neighborhood. The Guidelines show how these uses can be grouped together to create a complimentary mixture of uses while being designed so as to be compatible with each other.

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.

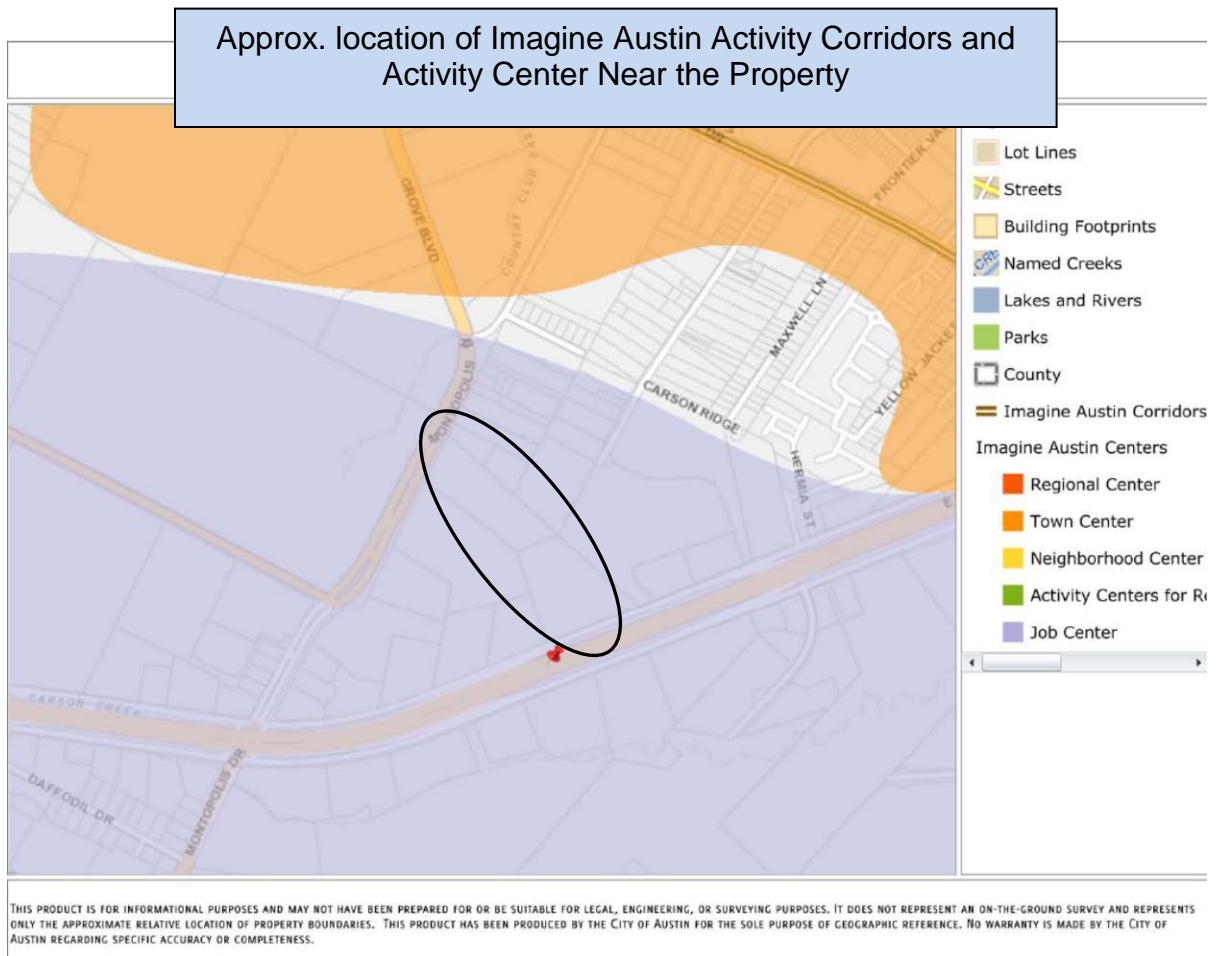
IMAGINE AUSTIN PLANNING PRINCIPLES

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 proposed rezoning could potentially put hundreds of apartments dwelling units within an industrial node that is not compatible with existing industrial***

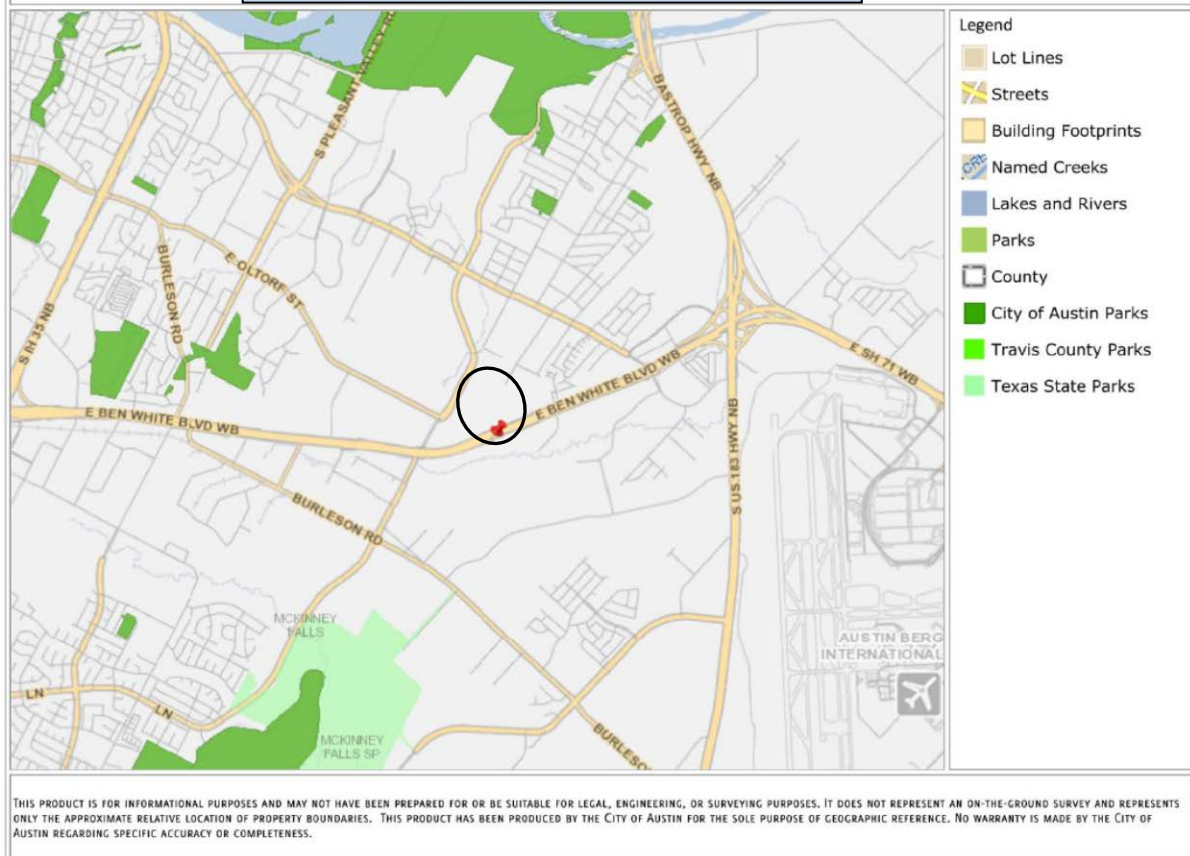
uses like Praxair to the south of the property or with potential industrial uses that could be built in the existing LI – Limited Industrial zoning district directly to the south which is currently vacant.

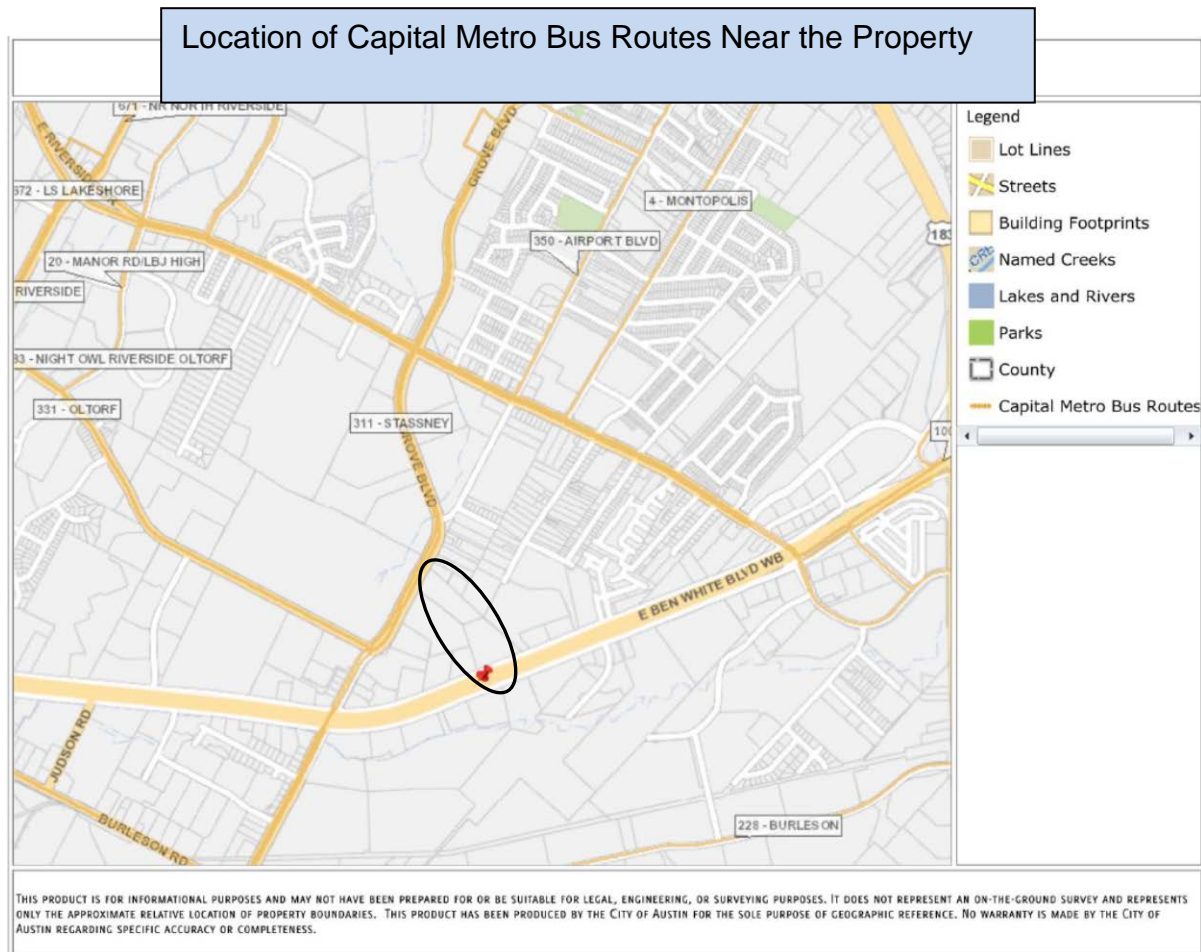
2. Support the development of compact and connected activity centers and corridors that are well-served by public transit and designed to promote walking and bicycling as a way of reducing household expenditures for housing and transportation.
 - ***The property is near two Capital Metro bus routes located along Montopolis Drive and E. Oltorf Street.***
3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
 - ***The property is located within an existing industrial node near a major highway and a major thoroughfare, which provides ideal access for industrial uses***
4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
 - ***Although the proposed zoning would allow for residential uses that would expand the number and variety of housing choices, this industrial area is not an appropriate location for residential uses.***
5. Ensure harmonious transitions between adjacent land uses and development intensities.
 - ***Allowing the opportunity for residential uses within an established industrial node with existing industrial uses would not ensure a harmonious transition between land uses and intensities. The property is better suited for a commercial or industrial use as the current zoning would allow.***
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 within an environmentally sensitive area, but is located with a Job Center as identified in the Imagine Austin Comprehensive Plan.***
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.
 - ***Not applicable.***
8. Protect, preserve and promote historically and culturally significant areas.
 - ***Not applicable.***
9. Encourage active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.
 - ***No directly applicable.***

10. Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.
 - *The property is located within a Job Center which is generally not compatible with residential uses.*
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.*



Location of Parks Near the Property





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.

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 12, 2016, 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. In the associated zoning case, C14-2016-0085, the applicant proposes to change the zoning from LI- NP (Limited Industrial District to Neighborhood Plan) to CS-MU-NP (Commercial Services District – Mixed Use – Neighborhood Plan). The proposed use stated

on the application is for a mixed use project, however, the MU zoning overlay could allow potentially hundreds of apartment dwelling units.

PUBLIC MEETINGS: The ordinance-required community meeting was held on September 20, 2016. Approximately sixty-six meeting notices were mailed to people who live or own property within 500 feet of the property, in addition to neighborhood and environmental groups on the Community Registry who requested notification for this area. One person from the neighborhood attended the meeting in addition to the applicant's agent and one city staff member.

Christopher Bradford an attorney from Coats Rose said that there are no specific projects planned for the property, although there have been multifamily developers interested in the property. The request for CS-MU is to remove the industrial uses that are currently allowed under the existing zoning of LI-NP.

The person who lives in the neighborhood who attended the meeting said his concerns are about residential uses encroaching into an industrial area. He said Praxair, a gas distribution center, is located near the property and that they off-gas and have night-shifts. He said this could cause noises adjacent to residential uses if residential uses would be allowed if the zoning was approved.

No other comments or questions were made at the meeting.

The Montopolis Neighborhood Plan Contact Team letter of recommendation is on page 14.

A citizen comment form and letter is provided on pages 21 and 22.

CITY COUNCIL DATE:

December 8, 2016

ACTION: Postponed to the January 26, 2017 hearing on the consent agenda at the request of staff. [E. Troxclair – 1st; D. Zimmerman – 2nd] Vote: 10-0 [Mayor Pro Tem absent].

January 26, 2017

ACTION: Approved for an indefinite postponement at the request of the applicant. [D. Garza-1st; P. Renteria – 2nd] Vote: 11-0

August 3, 2017

ACTION: Postponed to the August 31, 2017 hearing at the request of staff. [D. Garza-1st; G. Casar – 2nd] Vote: 11-0

August 31, 2017

ACTION: Postponed to September 28, 2017 at the request of staff.

September 28, 2017

ACTION:

CASE MANAGER: Maureen Meredith

PHONE: (512) 974-2695

EMAIL: maureen.meredith@austintexas.gov

Summary Letter Submitted by the Applicant

Page 13 of 16

Neighborhood Plan Amendment

SUMMARY LETTER

The Applicant would like to amend the FLUM from Industry to Mixed-Use to allow for a mixed-use development on the property. The change to the FLUM would be compatible with all of the property to the east and north of the subject property which are designated as Mixed-Use. The Applicant intends to amend the zoning from LI-NP to CS-MU and will be submitting a Zoning Application in the near future.

Letter from the Montopolis Neighborhood Planning
Contact Team

----- Forwarded message -----

From: **Susana Almanza**

Date: Mon, Nov 7, 2016 at 4:23 PM

Subject: Zoning & FLUM Change- 2601 Montopolis Dr. & 6700 E. Ben White Blvd

To: bc-Stephen.Oliver@austintexas.gov

Cc: "Moore, Andrew" <Andrew.Moore@austintexas.gov>

RE: C-14-2016-0085 – 2601 Montopolis Dr. & 6700 E. Ben White Blvd- from LI-
NP to CS-MU-NP

NPA-2016-0005.02 Montopolis-Ben White FLUM Amendment

Dear Planning Commission Chair Stephen Oliver & Planning Commissioners,

The Montopolis Neighborhood Plan Contact Team (MNPCT) has reviewed the above zoning change request and NPA for 2601 Montopolis Drive & 6700 E. Ben White Blvd. The MNPCT has the following concerns: 1) how this additional development might negatively impact residents living downstream from this and other proposed developments in the immediate area, due to past flooding, 2) No one has been able to tell us what size water line is in the area that will take in the overflow due to possible future flooding, and 3) the proximity of this property to Praxair, which stores some very dangerous chemicals (concerns for safety for residents). The MNPCT presently has three separate zoning request and they are all the same general area (see attached map), these cases if fully developed, could cause flooding for residents in the Montopolis community.

The MNPCT is open to a zoning change of Limited Industrial Services to Commercial Services. **However, We do not support a zoning and FLUM change from LI-NP to CS-MU-NP.** **Susana Almanza, President Montopolis Neighborhood Plan Contact Team**

--

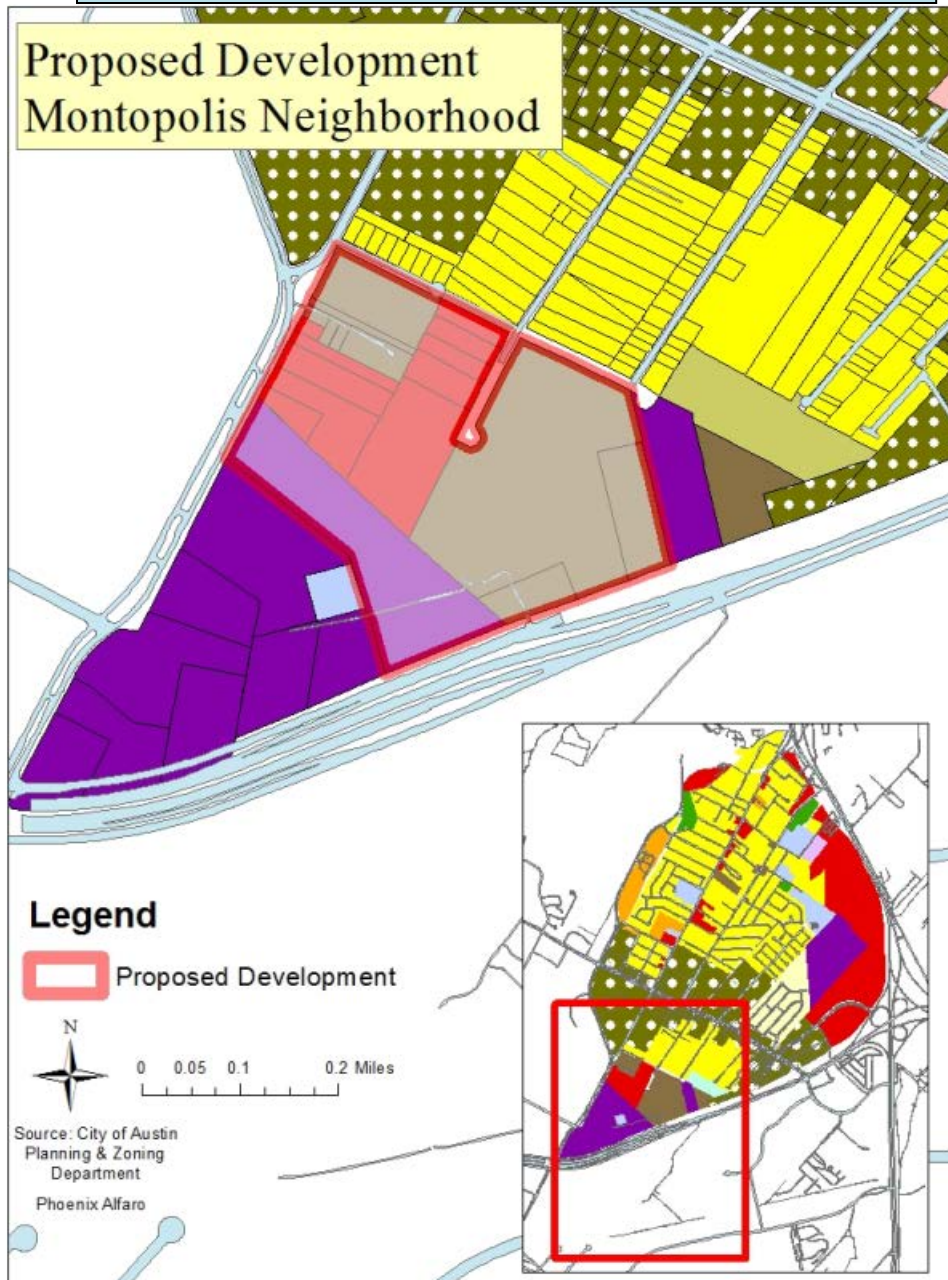
PODER

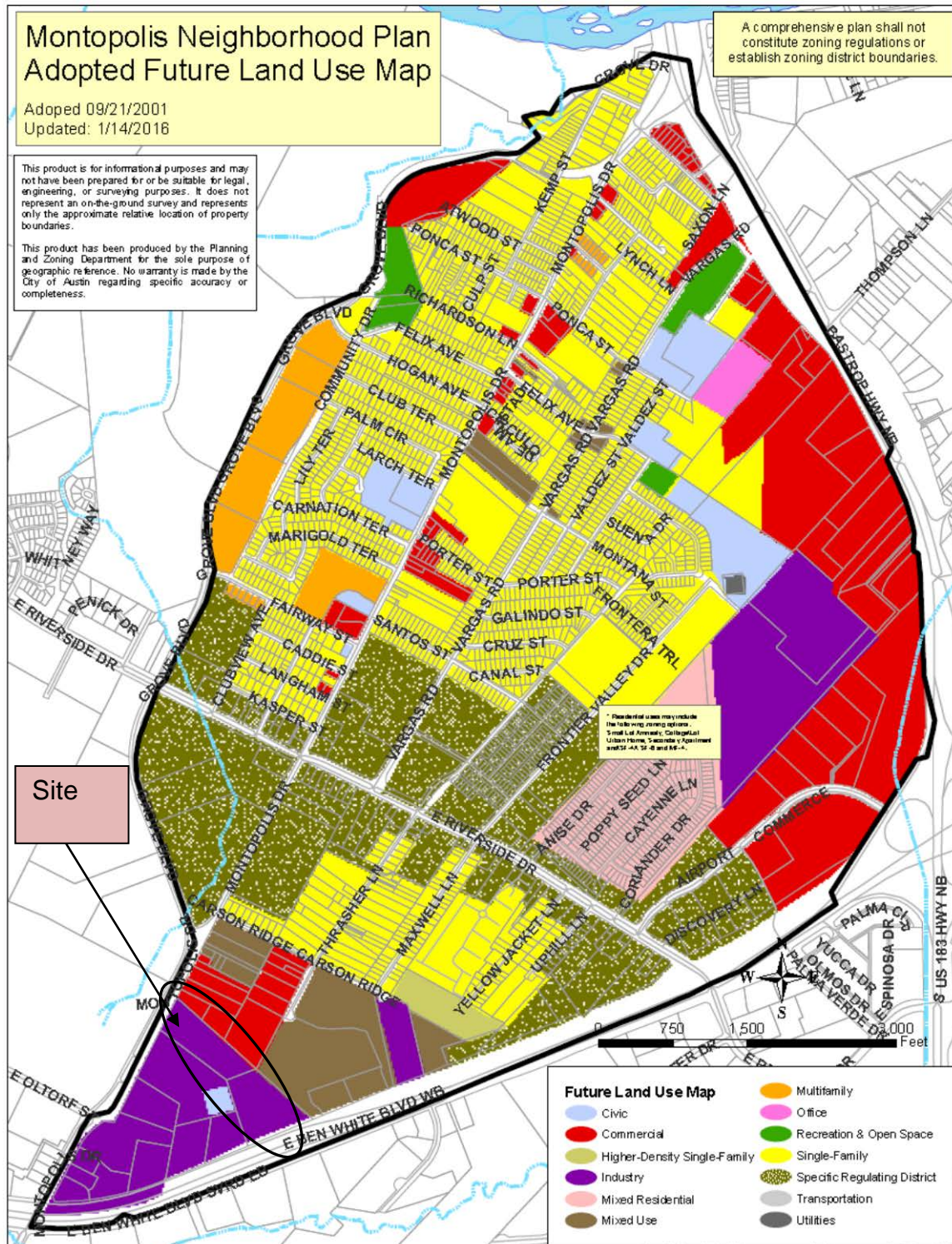
P.O. Box 6237

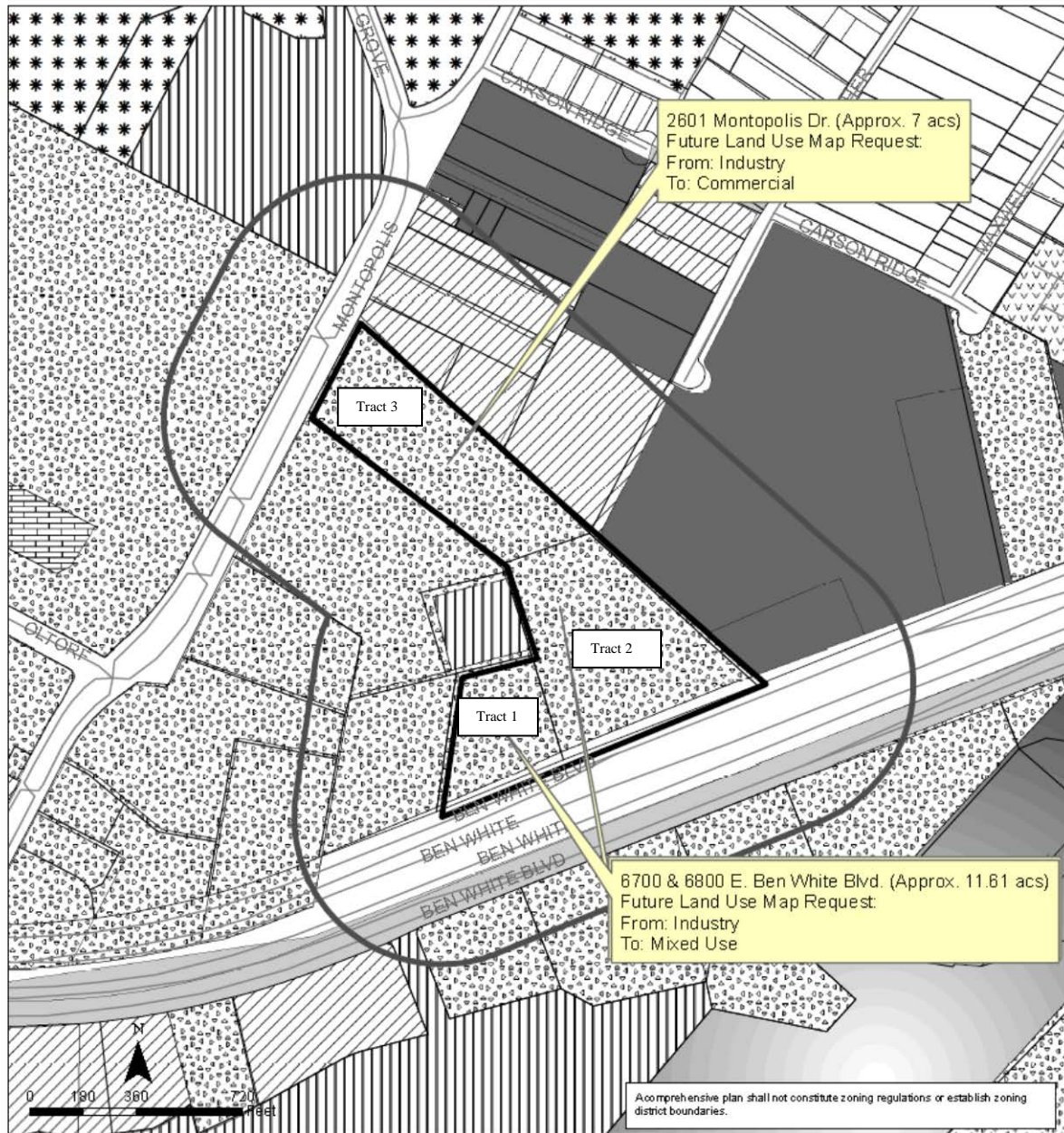
Austin, TX 78762-6237

www.poder-texas.org

Map attached to Susana Almanza's email







Montopolis Neighborhood Planning Area NPA-2016-0005.02

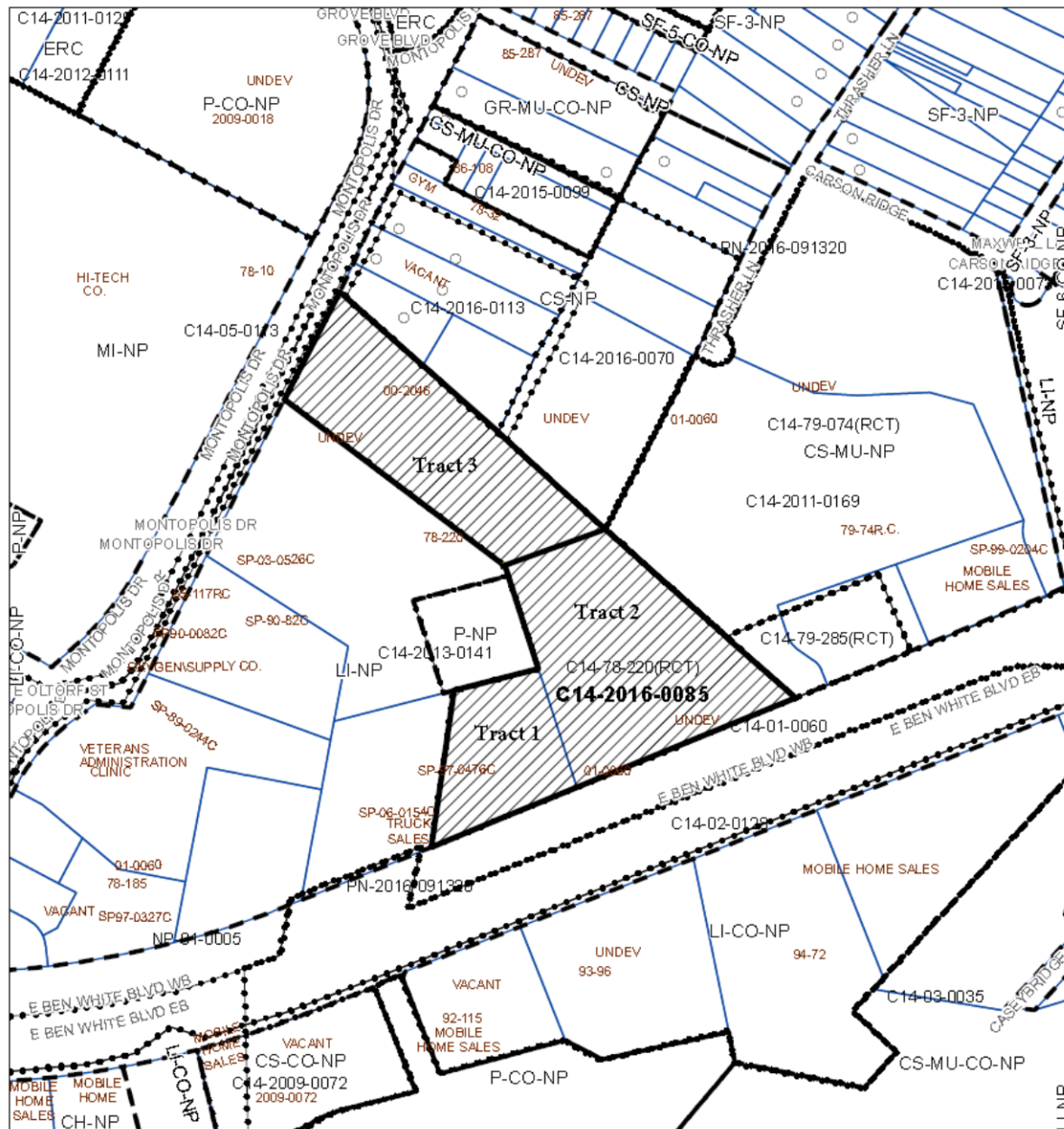
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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

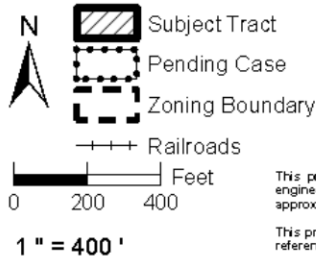
City of Austin
Planning and Zoning Department
Created on 6/12/2017 by: maradithm

Future Land Use

	500 ft. Notif. Boundary		Specific Regulating District
	Subject Property		Major Planned Development
	Single-Family		Industry
	Higher-Density Single-Family		Civic
	Commercial		Transportation
	Mixed Use		Utilities

**ZONING**

Case#: C14-2016-0085

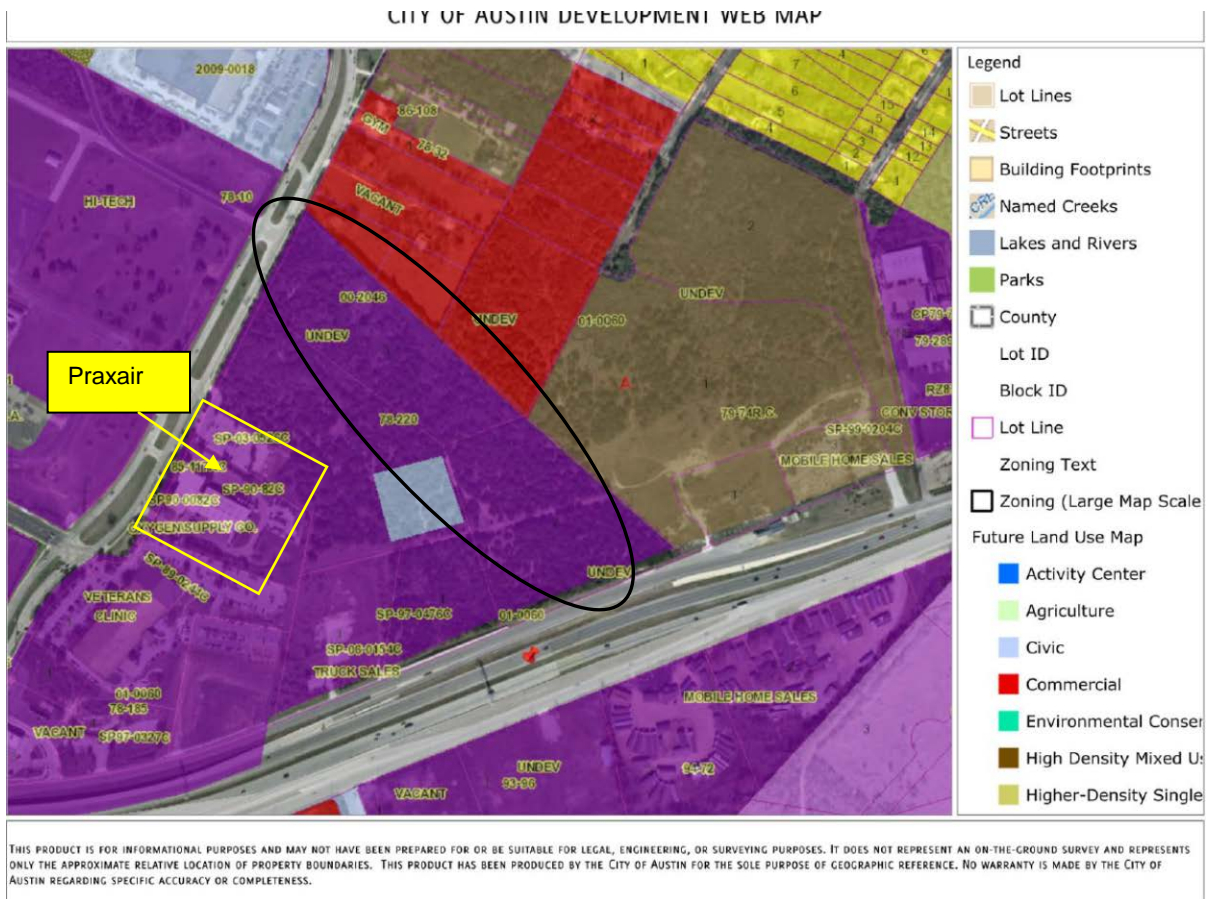


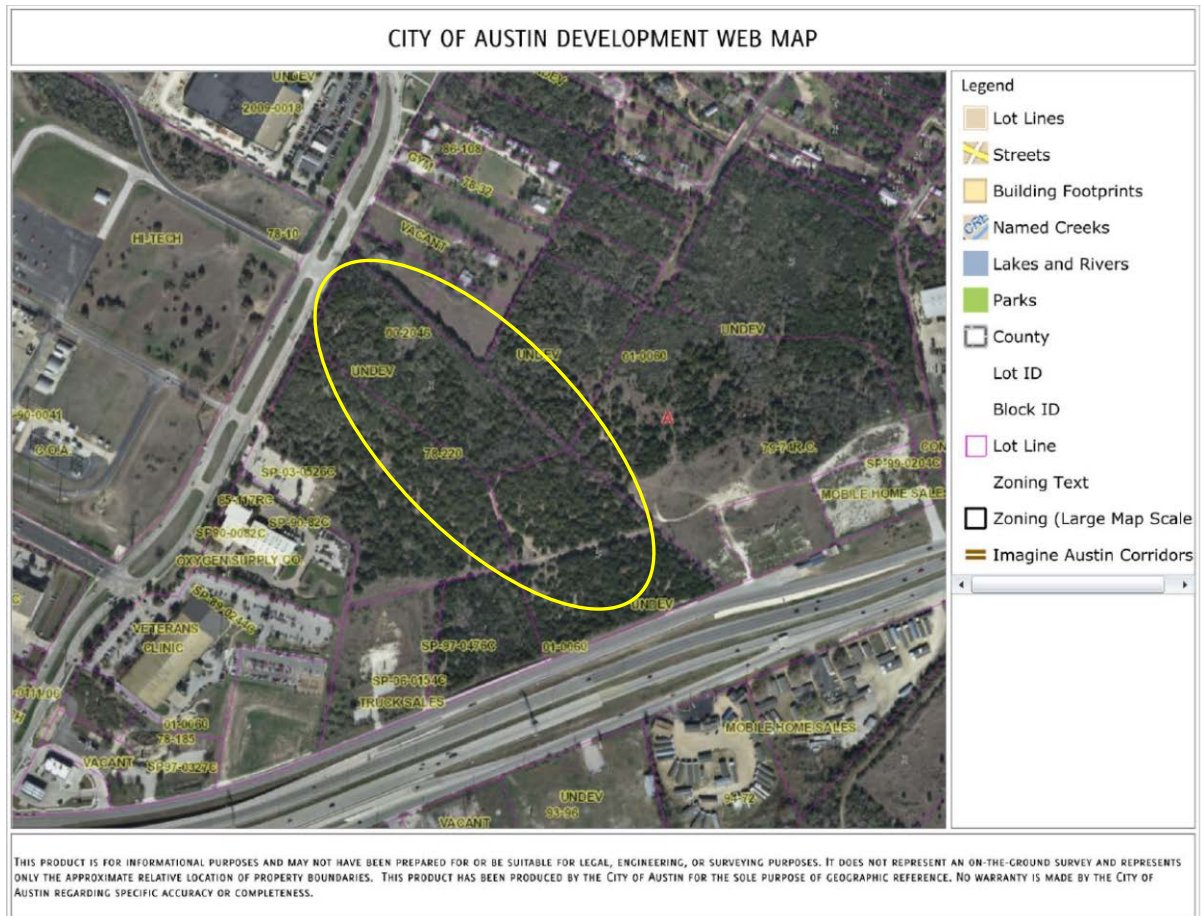
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

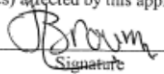
This product has been produced by the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 3/22/2017





PUBLIC HEARING COMMENT FORM	
If you use this form to comment, it may be submitted to: City of Austin Planning and Zoning 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-2016-0005.01 Contact: Maureen Meredith, phone: 512-974-2695 Public Hearings: Oct 25, 2016, Planning Commission Dec 8, 2016, City Council	
JAMES L. BROWN Your Name (please print)	<input type="checkbox"/> I am in favor <input checked="" type="checkbox"/> I object
2601 MONTOPOLIS DR AUSTIN 78741 Your address(es) affected by this application	
 Signature	20, OCTOBER 2016 Date
Comments:	
PLEASE SEE LETTER ATTACHED	

20, October 2016

RECEIVED
10/25/16

James L Brown
2501 Montopolis Dr. Austin, Texas 78741

Maureen Meredith
PO Box 1088 Austin, Texas 78767-8810

I own the property at 2501 Montopolis Drive, and at this point in time, I object to any and all "mixed-use" amendments broadening the scope of the existing commercial and industrial sites between my property and the Praxair Company location. In essence, these developers are proposing to include housing units within these commercial and industrial sites, when within a 1,000 feet sits the industrial site, Praxair. To the best of my hearing, Praxair maintains an ongoing, and outdoor, graveyard shift beginning at about 2:00 A.M. each day. It is a noisy work shift and I am awakened by it regularly. My location is more like 2,000 feet away from Praxair, not at a 1,000'.

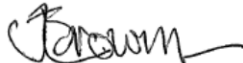
Praxair also off gasses on a regular bases. What they off-gas, I have no idea, but it certainly needs to be a part of any discussion in allowing residential to encroach on the Praxair industrial site. Hopefully, the off gassing is only air pressure.

I attended briefly the neighborhood hearings for these proposed "mixed-use" amendment changes when Maureen Meredith presented them to the local community. As it turns out, I was the only one representing the neighborhood. More importantly, Praxair was not represented. Just off hand, has anyone reading this letter taken the time to contact Praxair to get their input on the subject of encroaching residential? Can anyone on the Land Use Commission inform me what Praxair actually does off gas? This information is fundamental to any good decision making brought about by this particular zoning determination process.

I spoke to the regional manager at Praxair over the phone just a couple of weeks ago. I encouraged him to get involved in these zoning proceedings. He's a nice enough guy, but I received little or no feedback, or interest from him to be involved. In my opinion, he needs to be involved, especially on the subjects of off gassing, and the after hours noise pollution.

Lastly, about 15 years ago all of the zoning for this area was established after a development company proposed building multi-family housing next to, or close to the Praxair site. One of the arguments presented against the multi-family housing at the time was that the City of Austin had "learned it's lesson" from the Holly Street energy plant after it became engulfed by residential neighborhoods. The neighborhoods then organized in opposition to the plant's location. In the instance of Praxair fifteen years ago, the Land Use Commission and the City Council made some good zoning decisions to buffer the Praxair industrial site from residential development. If these undeveloped commercial and industrial sites in question are allowed the multi-use designation, the sites need to be atmospherically safe and reasonably quiet enough to allow for nighttime sleep. Right now, there is not adequate information in front of me to assure such a result. Therefore, I oppose these mixed-use rezoning proposals.

Respectfully,
James L Brown



Applicant Criteria Worksheet Submitted by the Applicant

NPA-2016-0005.02

6700 & 6800 E. Ben White Blvd.
2601 Montopolis Drive
Austin, TX 78741

Provide this information with your plan amendment application.

Taken From: Article 16: Neighborhood Plan Amendment Ordinance

§ 25-1-810 - RECOMMENDATION CRITERIA.

(A) The director may not recommend approval of a neighborhood plan amendment unless the requirements of Subsections (B) and (C) are satisfied.

(B) The applicant must demonstrate that:

- (1) the proposed amendment is appropriate because of a mapping or textual error or omission made when the original plan was adopted or during subsequent amendments;

Does this criterion apply to your proposed plan amendment application? ___ Yes X No

If there was a mapping error, explain here and provide documentation: _____

- (2) the denial of the proposed amendment would jeopardize public health, safety, or welfare;

Does this criterion apply to your application? ___ Yes X No

If this condition applies, explain here _____

- (3) the proposed amendment is appropriate:

(a) because of a material change in circumstances since the adoption of the plan; and

(b) denial would result in a hardship to the applicant;

Does this criteria apply to your application? X Yes ___ No

If yes, explain here The neighborhood plan was adopted in 2001. Since that time, there has been substantial increase in demand for housing along Ben White, in part due to the improvements to Ben White itself, which have increased accessibility to both downtown and the airport. The neighboring property to the east has been rezoned to allow multi-family, the construction of which was recently completed. Restricting the property to LI would cause a material hardship to the owner given that the preponderance of current demand is for residential/mixed-use.

(4) the proposed project:

(a) provides environmental protection that is superior to the protection that would otherwise be achieved under existing zoning and development regulations;

Does this criterion apply to your application? X Yes ___ No

If yes, explain here The existing zoning (LI) allows for "resource extraction" (mining, gravel pits, and the like), as well as manufacturing and general warehouses. The proposed rezoning would eliminate these as permitted uses.

_____ or

(b) promotes the recruitment or retention of an employment center with 100 or more employees;

Does either one of these criterion apply to your application? ___ Yes X No

If yes, explain here N/A. The land is currently undeveloped and not an existing job center.

(5) the proposed amendment is consistent with the goals and objectives of the neighborhood plan;

List the goals and objectives from the plan that you feel support your plan amendment request, along with your rationale for why it meets these goals/objectives. Use separate document if necessary:

The proposed zoning change and plan amendment are consistent with the Montopolis Neighborhood Plan. The proposal is consistent with (i) Objective 2, in that it continues to promote the existing neighborhood pattern of infill development; (ii) Objective 3, Action 11, in that it focuses more intense development along Ben White Drive; and (iii) Objective 5, Action 20, in that it increases the variety of housing types and permits neighborhood mixed-use buildings.

(You can find the plan document here: <http://austintexas.gov/page/adopted-neighborhood-planning-areas-0>)

or

(6) the proposed amendment promotes additional S.M.A.R.T. Housing opportunities.

Is this a S.M.A.R.T. Housing project? ___ Yes ___ No

If yes, explain here and provide the letter from Neighborhood Housing and Community Development No specific residential project has been proposed, but the owner will consider S.M.A.R.T. housing incentives at the time of a housing project is proposed.

(C) The applicant must demonstrate that:

(1) the proposed amendment complies with applicable regulations and standards established by Title 25 (Land Development), the objectives of Chapter 25-2 (Zoning), and the purposes of the zoning district proposed for the subject property;

https://www.municode.com/library/tx/austin/codes/code_of_ordinances?nodeId=TIT25LADE

The applicant has submitted a concurrent zoning application from LI-NP to CS-MU-NP. The requested neighborhood plan amendment would be consistent with the proposed zoning change.

and

- (2) the proposed amendment is consistent with sound planning principles. (See attached)

LAND USE PLANNING PRINCIPLES

You can find the Guide to Land Use Standards here:

<http://www.austintexas.gov/department/neighborhood-planning-resources>

Please **DESCRIBE** how your proposed plan amendment request will meet these principles. If you believe a principle does not apply to your proposed plan amendment application, write "Not applicable".

1. Ensure that the decision will not create an arbitrary development pattern;

Provide your analysis here: The properties to the east are zoned CS and mixed-use commercial. The property to the west is zoned LI and civic (to allow construction of a water reclamation plant). The proposed zoning provides an appropriate transition between these zoning districts.

2. Ensure an adequate and diverse supply of housing for all income levels;

Provide your analysis here: The neighborhood plan amendment and zoning change are being requested specifically to allow for the development of multi-family housing in addition to permitted commercial uses. Any housing constructed on this site will provide a less-expensive alternative to the high-priced housing being constructed along E. Riverside, in downtown, and west of I-35.

3. Minimize negative effects between incompatible land uses;

Provide your analysis here: The properties to the east are zoned CS-MU-NP or CS-NP, so the requested zoning and plan amendment are completely compatible with those uses. The properties to the west, like the tract at issue, are zoned LI-NP, except for one tract which has been zoned for civic uses to allow for the construction of a water reclamation plant. The proposed mixed use zoning is not incompatible with the zoning on either side of the tract.

4. Recognize suitable areas for public uses, such as hospitals and schools that will minimize the impacts to residential areas;

Provide your analysis here: N/A

5. Discourage intense uses within or adjacent to residential areas;

Provide your analysis here: The proposed plan amendment and zoning change will reduce the intensity of uses adjacent to the multi-family units to the east. The properties to the west are zoned for industrial or civic uses.

6. Ensure neighborhood businesses are planned to minimize adverse effects to the neighborhood;

Provide your analysis here: There are no neighborhood businesses on the site or in the immediate vicinity. Due to its location along Ben White and the southern portion of Montopolis Drive, it will have no adverse effects on the surrounding neighborhood.

7. Minimize development in floodplains and environmentally sensitive areas;

Provide your analysis here: The tracts do not contain floodplains or environmentally sensitive features.

8. Promote goals that provide additional environmental protection;

Provide your analysis here: The requested plan amendment and zoning change enhance environmental protection by eliminating certain industrial uses as permitted uses. In particular, the existing zoning would allow resource extraction – mining and gravel pit operations – as well as manufacturing and warehousing operations.

9. Consider regulations that address public safety as they pertain to future developments (e.g. overlay zones, pipeline ordinances that limit residential development);

Provide your analysis here: The applicant has volunteered to hold trips to below 2,000 TPD in order to minimize impact on surrounding streets.

10. Ensure adequate transition between adjacent land uses and development intensities;

Provide your analysis here: The requested zoning (CS-MU-NP) will provide an appropriate transition from the CS-NP and CS-MU-NP districts to the east and the LI-NP and civic uses to the west.

11. Protect and promote historically and culturally significant areas;

Provide your analysis here: N/A. The site is undeveloped and has no historically or culturally significance.

12. Recognize current City Council priorities; (Look at the Imagine Austin Comprehensive Plan Document found here: <http://austintexas.gov/department/imagine-austin-download-center>. Appendix E. Framework for Decision Making, pages A-57 through A-58.)

Provide your analysis here: The proposed plan amendment and zoning furthers a number of Imagine Austin goals. Among others, the proposal increases the variety of housing types available in the neighborhood; and housing on the site would have connections to multiple modes of transportation, including the 311 bus route which along Montopolis Drive.

13. Avoid creating undesirable precedents;

Provide your analysis here: This is consistent with existing precedents. The tracts to the east have recently been rezoned to CS-MU-NP (the requested zoning here) and CS-NP.

14. Promote expansion of the economic base and create job opportunities;

Provide your analysis here: The requested zoning will preserve the flexibility of locating a job center on the site while also providing the opportunity of locating housing accessible both to the downtown and ABIA job centers.

15. Ensure similar treatment of land use decisions on similar properties;

Provide your analysis here: The properties immediately to the east have been zoned CS-MU-NP and CS-NP. The requested plan amendment and zoning change would treat the tract at issue similarly to these tracts.

16. Balance individual property rights with community interests and goals;

Provide your analysis here: The requested plan amendment and zoning change will align the owner's property rights and the community interests and goals.

17. Consider infrastructure when making land use decisions;

Provide your analysis here: The property is bounded on the south by Ben White Boulevard, which has been upgraded as a limited access, high-capacity highway. Montopolis Boulevard to the north is a fully improved, four-lane street with medians and sidewalks.

18. Promote development that serves the needs of a diverse population.

Provide your analysis here: The proposed zoning change will support the needs of a diverse population because it will allow the addition of housing options in an area with good access to both downtown and the airport while preserving the option of developing business and job centers to serve residents in the surrounding neighborhood.
