ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0039 – Clovis and Kemp Rezone DISTRICT: 3

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

ADDRESS: 6201 Clovis Street and 301 Kemp Street

SITE AREA: 1.167 acres

PROPERTY OWNER:
3SC Venture LLC (Gary O'Dell)

AGENT:
Thrower Design (A. Ron Thrower)

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

STAFF RECOMMENDATION:

Staff recommends townhouse and condominium residence – neighborhood plan (SF-6-NP) combining district zoning. *For a summary of the basis of staff's recommendation, see page 2.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

July 14, 2020	**Scheduled for Planning Commission**
June 23, 2020	Approved Neighborhood's request to postpone to July 14, 2020 on the consent agenda. 12-0 [J. Thompson, R. Schneider – 2nd; P. Seeger was off the dais].

CITY COUNCIL ACTION:

July 30, 2020	**Scheduled for City Council**

ORDINANCE NUMBER:

ISSUES

On May 26, 2020 the Montopolis Neighborhood Planning Contact Team (MNPCT) held their monthly meeting to discuss zoning cases in their area. They were not able to discuss this case at their meeting and have requested to postpone it to the next Planning Commission meeting on July 14th.

On June 18, 2020 staff received a letter of opposition from the MNPCT President for this rezoning case.

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

On June 22, 2020 staff received a petition in opposition to the rezoning of this property. Due to current events, staff accepted electronic signatures to start the verification process. The petition organizer was informed that original signatures are required to complete the validation process and was sent the case manager's mailing address. A current map and list of property owners of the petition area and the electronic signatures received to date are included in *Exhibit D: Formal Petition*. ***To date, the petition is not considered "valid" because staff has not received the original signatures.***

CASE MANAGER COMMENTS:

The subject property consists of two undeveloped lots approximately 1.167 acres in size. They are located at the southeast corner of Kemp Street and Clovis Street. Adjacent to the east and south of the subject property are tracts zoned SF-3-NP containing single-family residential buildings. Directly the north across Clovis Street and west across Kemp street are tracts zoned SF-3-NP and P-NP which are undeveloped. The P-NP zoned property is the northeast section of Roy Guerrero Metropolitan Park. Across Clovis Street to the northeast are tracts zoned SF-3-NP containing a mixture of single-family residential buildings. See attached *Exhibit A: Zoning Map* and *Exhibit B: Aerial Map*.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought. Zoning changes should promote compatibility with adjacent and nearby uses.*

The applicant is requesting a base zoning district of SF-6. This district is intended as an area for moderate density single family, duplex, two family, townhouse and condominium use. It is appropriate for areas in which unusually large lots predominate with access to other than minor residential streets, and in selected areas where a transition from single-family to multifamily use is appropriate. The subject property is over an acre in size and located on the periphery of the neighborhood. It is also half a block from the Bastrop Highway Montopolis Ramp and right-of-way of the US Highway 183. The majority of properties adjacent to this highway right-of-way are zoned with a commercial base district. Rezoning this property to SF-6-NP would provide a transition in use between the highway right-of-way to the east and residential zoning to the west and south.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	SF-3-NP	Undeveloped
North	SF-3-NP and P-NP	Undeveloped and Single-Family Residences
South	SF-3-NP	Single-Family Residences
East	SF-3-NP	Single-Family Residences
West	SF-3-NP and P-NP	Undeveloped and Single-Family Residences

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

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

WATERSHED: Country Club East (suburban)

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

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

NEIGHBORHOOD ORGANIZATIONS

Austin Independent School District
Austin Neighborhoods Council
Bike Austin
Bonnett Neighborhood Association
Carson Ridge Neighborhood Association
Crossing Gardenhome Owners Assn. (The)
Del Valle Community Coalition
Del Valle Independent School District
East Austin Conservancy
East Riverside/Oltorf Neighborhood Plan
El Concilio Mexican-American Neighborhoods
Friends of Austin Neighborhoods
Homeless Neighborhood Association
Montopolis Community Alliance
Montopolis Neighborhood Plan Contact Team
Montopolis Tributary Trail Association
Montopolis-Ponca Neighborhood Association
Neighborhood Empowerment Foundation
Pleasant Valley
Preservation Austin
River Bluff Neighborhood Assoc.
SELTexas
Sierra Club, Austin Regional Group
Southeast Austin Neighborhood Alliance
Vargas Neighborhood Association

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2020-0044 Saxon Acres Residential Zoning	SF-3-NP to SF-6-NP	In review	In review
C14-2020-0030 200 Montopolis Rezoning	SF-3-NP to SF-6-NP	In review	In review
C14-2020-0038 508 Kemp Street	SF-3-NP to SF-6-NP	Approved SF-6-NP	In review
C14H-2017-0055 NPA-2016-005.04 500 Montopolis	SF-3-NP to GR-MU-H-NP and GR-MU-NP	HLC: to grant GR-MU-H-CO-NP and GR-MU-CO-NP PC: to grant SF-3-H-NP	Granted an indefinite postponement request by staff on 6/20/19.
C14-2013-0107 600 Kemp Street Rezoning	SF-3-NP to SF-6-NP	Denied request	Denied request (3/20/14) (Valid petition)

RELATED CASES:

C14-01-0060: Montopolis Neighborhood Plan rezoning (Ordinance No. 010927-28). This property's base district zoning was rezoned from CS to SF-3-NP during this process.

EXISTING STREET CHARACTERISTICS:

Street	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Clovis St	53'	26'	Level 1	None	None	Yes
Kemp St	50' – 60'	28'	Level 1	None	None	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

This zoning case is located on the southeast corner of Kemp Street and Clovis Street and is situated on two vacant parcels that are approximately 1.167 acres in size and is located in the Montopolis Neighborhood Planning area. The subject property for this rezoning case is not located near or along an Activity Corridor or Center. Surrounding land uses include the Roy Guerrero Metropolitan Park to the north and west, and single family housing to the south and east. The proposed use is a 14-condo unit project.

Connectivity
There are no public sidewalks on Kemp Street. The only public sidewalk is located in front of the residences along Clovis Street. A CapMetro Transit Stop is located approximately 700 feet from the subject property. The Roy Guerrero Metropolitan Park is located immediately across the street, along with two bike trails. While there is park close by, the mobility and connectivity options are fair and lacks neighborhood serving goods and services in the area.

Montopolis Neighborhood Plan
The Montopolis Future Land Use Map classifies this portion of Montopolis Drive as Single Family. For all plans adopted prior to January 2002 (the Montopolis Plan was adopted in 2001), Zone SF-6 is permitted in the "Single Family" land use designation. The following goal, objections and actions are taken from the Montopolis Plan.

- Goal 2: Create Homes for all Stages of Life within Montopolis. (pg. 14)
    - Objective 4: Enhance and protect existing single family housing.
        - Action 12: Preserve the existing Single Family uses and zoning in the older, established areas of Montopolis.
        - Action 13: Preserve residential zoning in the interior of East Montopolis to allow for new homes to be built.
        - Action 14: Preserve Single Family zoning in the interior of South Montopolis.
    - Objective 5: Create multiple housing types of varied intensities.

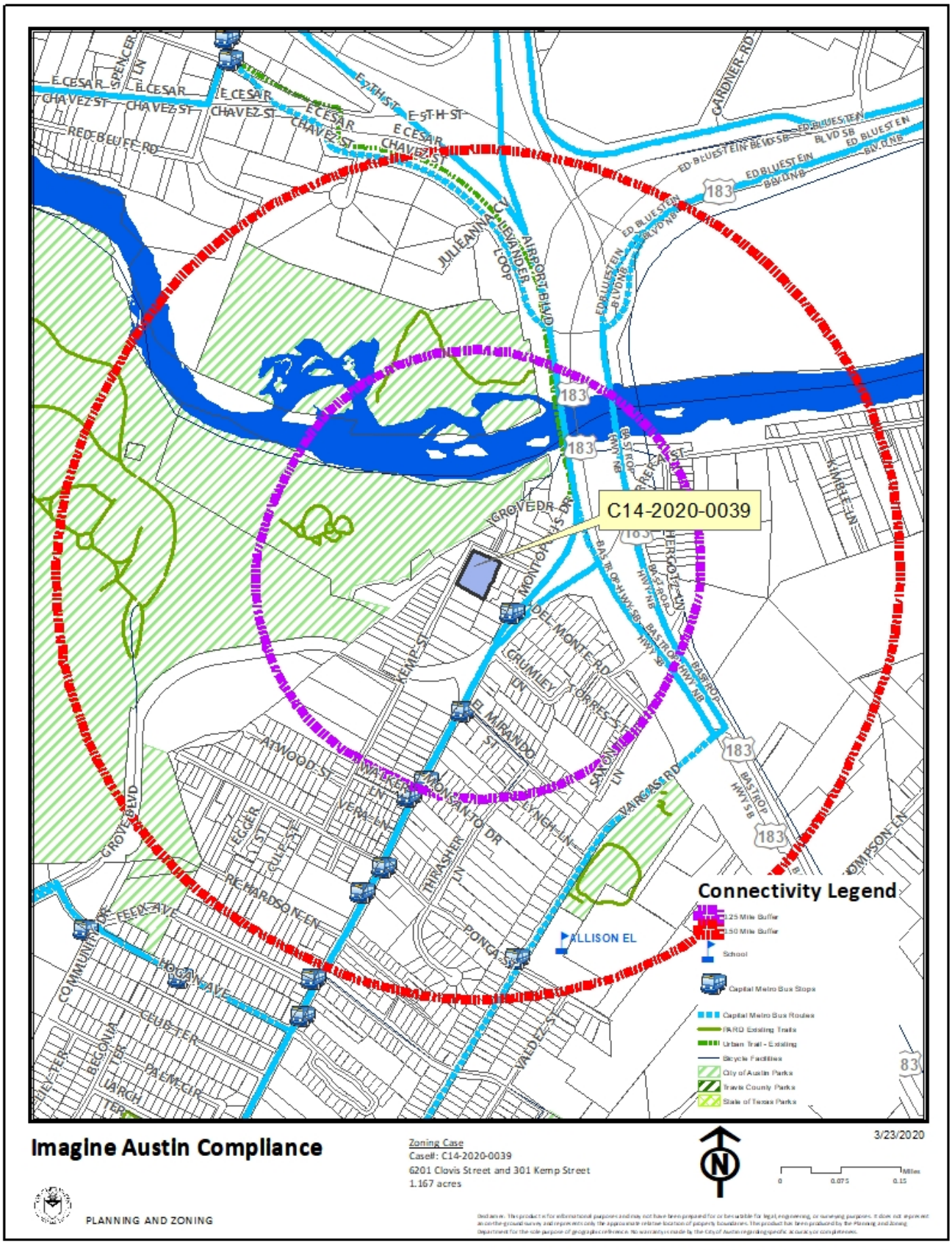
Based on the policies above, this proposed townhouse/condo project supports the Montopolis Neighborhood Plan because it provides new housing and housing choice of a varied intensity.

Imagine Austin
The following policies are relevant to this case:

- HN P1. Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.

- HN P10. Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

The Austin Strategic Housing Blueprint, which is an amendment to Imagine Austin, includes goals for affordable housing in every City Council district. While this applicant has not identified this as an affordable housing project, it will provide additional missing middle housing. Based on Imagine Austin and Montopolis Neighborhood Plan polices that supports a variety of housing types and new housing, this project supports the Imagine Austin Comprehensive Plan.


C14-2020-0039
Connectivity Legend
.125 Mile Buffer
.50 Mile Buffer
School
Capital Metro Bus Stops
Capital Metro Bus Routes
PARD Existing Trails
Urban Trail - Existing
Bicycle Facilities
City of Austin Parks
Travis County Parks
State of Texas Parks
Imagine Austin Compliance
Zoning Case
Case#: C14-2020-0039
6201 Clovis Street and 301 Kemp Street
1.167 acres
3/23/2020
PLANNING AND ZONING

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Country Club East Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	*% of Gross Site Area*	*% of Gross Site Area with Transfers*
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is no floodplain within the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Subchapter E
Any new development is subject to Subchapter E Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted. This site is located on two Urban Roadways, corner lot standards.

Compatibility Standards
Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

The site is subject to compatibility standards along the all property lines.

- No structure may be built within 25 feet of the trigger SF property lines.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

Additional design regulations will be enforced at the time a site plan is submitted.

Transportation

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

Austin Water Utility

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

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

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

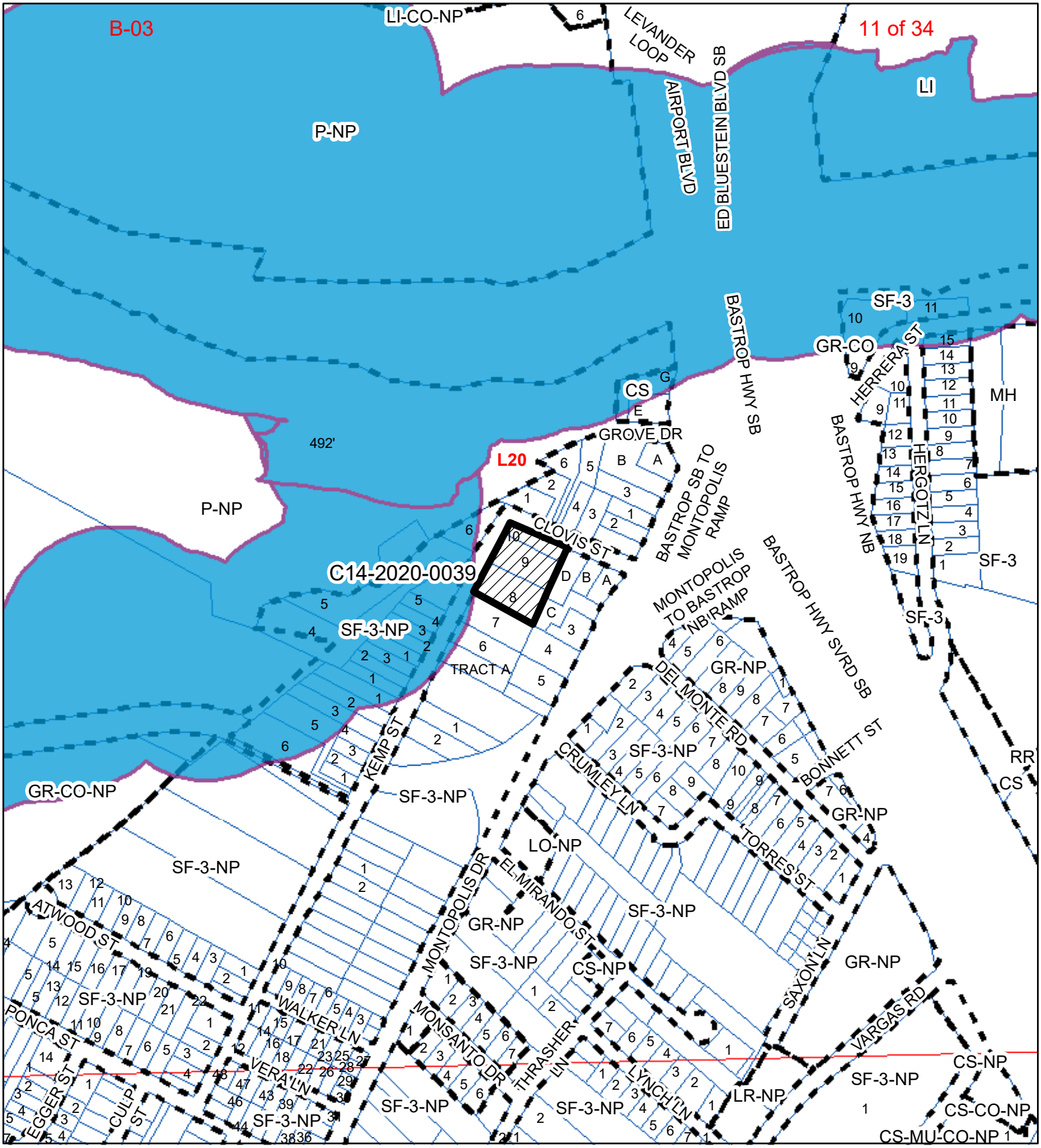
INDEX OF EXHIBITS TO FOLLOW

Exhibit A: Zoning Map

Exhibit B: Aerial Map

Exhibit C: Correspondence Received

Exhibit D: Formal Petition



N

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

CREEK BUFFER

1" = 400'

CLOVIS AND KEMP REZONING

Exhibit A

ZONING CASE#: C14-2020-0039
LOCATION: 6201 Clovis St and 301 Kemp St
SUBJECT AREA: 1.167 ACRES
GRID: L20
MANAGER: KATE CLARK

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



N

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

CREEK BUFFER

1" = 400'

CLOVIS AND KEMP REZONING

Exhibit B

ZONING CASE#: C14-2020-0039
LOCATION: 6201 Clovis St and 301 Kemp St
SUBJECT AREA: 1.167 ACRES
GRID: L20
MANAGER: KATE CLARK

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Clark, Kate

From: Susana Almanza
Sent: Wednesday, June 10, 2020 9:59 AM
To: Clark, Kate
Subject: MNPCT Postponement Request

*** External Email - Exercise Caution ***

Hello Kate Clarek: The Montopolis Neighborhood Plan Contact Team is requesting a postponement for the following Cases. These case will be reviewed at our next scheduled MNPCT meeting scheduled for June 29th, 2020 at 6 pm at the Southeast Health and Wellness Center.

1. 6328 El Mirando Street from SF-3 to SF-6 Applicant Ron Thrower
2. 200 Montopolis Dr. from SF-3 to SF-6 Applicant Ron Thrower
3. 1013 Montopolis Dr. from SF-3 to SF-6 Applicant Ron Thrower
4. 6201 Clovis & 301 Kemp St. from SF-3 to SF-6 Applicant Ron Thrower

I had a series of email discussions with Ron Thrower's representative, Victoria Hasse. She did not want to come to Montopolis due to COVID-19. On May 18th, I requested that she email the materials of the zoning cases so that the MNPCT could review them and have a discussion at the May 26th scheduled meeting.and then send questions. I didn't receive the materials until the day of the meeting on May 26th at 4:13 pm.
I was in meetings in the afternoon that day, and didn't see her email to late a night. Sending the materials a couple of hours before our meeting is not acceptable.

Sincerely, Susana Almanza, President MNPCT

PODER
P.O. Box 6237
Austin, TX 78762-6237
www.poder-texas.org
CAUTION: This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to CSIRT@austintexas.gov.

June 18, 2020

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

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

Re: Opposition to upzoning for the following properties: 1013 & 1017 Montopolis/C-14-2020-0029; 200 Montopolis/C-14-2020-0030; 6201 Clovis & 301 Kemp St/C-14-2020-0039; 200 Montopolis/C-14-2020-0030; 316 Saxon Lane and 6328 El Mirando Street/C-14-2020-0044.

The Montopolis Neighborhood Plan Contact Team met on May 26th, 2020 at the Southeast Health and Wellness Center. No representative from Ron Thrower, of the Thrower Design Group appeared at the meeting, who are the representatives for all the above zoning cases. They refused to attend the Contact meeting because they were not comfortable coming to the Montopolis community. The meeting was being held at one of the most sanitized locations, Southeast Health and Wellness Center and the room was huge enough to have social distance. They sent backup material on the day of meeting at 4:13pm.

The Montopolis Neighborhood Plan Contact Team **opposes** the zoning change for all the above listed properties!

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

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

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

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

Clark, Kate

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

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

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

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

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

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

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

Thanks for you time,

Eric Dillaman

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

Good Afternoon Mr. Dillaman,

Below is a list of cases that are within the Montopolis Neighborhood Area that are planned to be heard next Tuesday, June 23rd at Planning Commission and their status. I have also included a PDF of the maps for each case for your reference. If you would like to oppose the rezoning of any of these cases, please send me an email (can be one email, doesn't have to be separate ones) stating the case number and your opposition. My case backup is due tomorrow and I would like to include it in my backup.

- C14-2020-0029 (Montopolis Acres Rezoning)
  - Applicant Request: SF-3-NP to SF-6-NP;
  - Staff Recommendation: To recommend the rezoning request;
  - Montopolis Neighborhood Plan Contact Team Recommendation: Pending, requested a postponement of this case to July 14th; and
  - City Council Meeting: Planned to be scheduled for July 30th.
- C14-2020-0030 (200 Montopolis Rezoning)
  - Applicant Request: SF-3-NP to SF-6-NP;
  - Staff Recommendation: To recommend the rezoning request;
  - Montopolis Neighborhood Plan Contact Team Recommendation: Pending, requested a postponement of this case to July 14th; and
  - City Council Meeting: Planned to be scheduled for July 30th.
- C14-2020-0038 (508 Kemp Street)
  - Applicant Request: SF-3-NP to SF-6-NP;
  - Staff Recommendation: To recommend denial of the rezoning request;
  - Montopolis Neighborhood Plan Contact Team Recommendation: Pending; and
  - City Council Meeting: Planned to be scheduled for July 30th.
- C14-2020-0039 (Clovis and Kemp Rezone)
  - Applicant Request: SF-3-NP to SF-6-NP;
  - Staff Recommendation: To recommend the rezoning request;
  - Montopolis Neighborhood Plan Contact Team Recommendation: Pending, requested a postponement of this case to July 14th;
  - City Council Meeting: Planned to be scheduled for July 30th.
- C14-2020-0044 (Saxon Acres Residential Zoning)
  - Applicant Request: SF-3-NP to SF-6-NP;
  - Staff Recommendation: To recommend the rezoning request;
  - Montopolis Neighborhood Plan Contact Team Recommendation: Pending, requested a postponement of this case to July 14th; and
  - City Council Meeting: Planned to be scheduled for July 30th.

I verified with staff that you cannot sign up to speak on an item for next week's Commission meeting until the agenda is posted. This should be sometime on Friday morning, usually around 10:00 AM. **You must register to speak by noon on Monday, June 22nd**. I will send you information on how to sign up on Friday after the agenda is posted.

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

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

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

Kate Clark, AICP, LEED AP

Senior Planner

City of Austin | Planning and Zoning Department

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

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

Tel: 512-974-1237

Email: kate.clark@austintexas.gov

Clark, Kate

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

*** External Email - Exercise Caution ***

Dear Ms. Clark,

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

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

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

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

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

Jonathan Davidson

6218 Clovis Street
Austin, TX 78741
512-699-5656
[redacted]

June 19, 2020

To Kate Clark
Planning and Zoning Department
and all members of
Austin City Council

Kate,

I am writing in opposition to the rezoning cases in the Montopolis Neighborhood. In particular I would like to clarify some characteristics of the area directly affected by Case #s C14-2020-0030 (200 Montopolis Dr; 6206 Clovis St) and C14-2020-0039 (Kemp and Clovis). I would also like to respond to your staff's Basis of Recommendations.

First, I wanted to draw some attention to some amendments to the adopted Montopolis Neighborhood Plan. Ordinance No.010927-28 took effect on 8 October 2001. This ordinance rezoned all of the lots in the Montopolis Drive/Clovis Street/Kemp Street connections from CS to SF-3-NP. The intention of this rezoning was to preserve the character of Montopolis as a residential neighborhood, and to limit the environmental impact on the adjacent Parkland and Watershed. This was less than 20 years ago.

Also, Ordinance No.20101209-056 took effect on 20 December 2010. This ordinance states intent to: "Expand oppurtunities for the enjoyment of Park, Trails, and Open Space." Also to "provide open space in Montopolis." "Increase availability of Parkland." "Aquire additional land to be managed by the Parks Department." This was less than 10 years ago. These two ordinaces highlight the continued focus to maintain a lack of density in this immediate area, due to proximity to vulnerable environmental concerns as well as economic ones. "Openness" is essential to the physical and metaphorical character of Montopolis.

In your Case Manager Comments for C14-2020-0030 (200 Montopolis Dr; 6206 Clovis St), you have described the zoning of the surrounding lots. The lot to the north is indeed zoned CS. There is, however, a conditional residential overlay on this lot. The owners of this lot, Dale and Natalie Glover, are currently in contact with the City of Austin to build a single family residence on this lot. Further, the lot zoned CS has no frontage on a City of Austin street, and instead has a nebulous access agreement through the lot to the east, currently owned by the State of Texas. There have been numerous proposals to convert

all of these lots north of the Grove Drive Bike Path into a natural extension of the Roy Guerrero Park. It remains to be seen if the CS lot is buildable at all.

You also state that the "tracts to the west are zoned SF-3-NP and are undeveloped." This overstates the conditions: the "tracts" you mentioned are, in fact, legally platted SF-3-NP lots. There are only three undeveloped lots west of the area requesting rezoning. Their addresses are 6202, 6204, and 6206 Clovis Street. This brings up the fact that zoning case #C14-2020-0030 (200 Montopolis Dr; 6206 Clovis St) has incorrectly listed the address on Clovis they hope to rezone. 200 Montopolis is adjacent to the flag lot that is **6208 Clovis Street**. 6208 was sold to 9 Banded Holdings by Seth Harp. He has a written agreement of a 'shared driveway' between 6206 and 6208. This would eliminate the possibility of establishing a 'private road' as proposed by the developer to access 200 Montopolis Drive via 6208 Clovis Street. 6206 Clovis Street is owned by Isaiah Harp, Seth's brother, who has applied for a building permit (Permit/Case # 2019-166492PR) for a single family residence with ADU. 6204 Clovis is owned by Isaiah's mother Cynthia, who intends to build a SFR with no ADU. Cynthia also owns 6202 Clovis. This lot may prove to be unbuildable as their is a 100' Critical Environmental Feature Setback as visible on the Travis County GIS 'Easements and Setbacks' layer. This radius setback also stresses the sensitive nature of the zoning case number C14-2020-0039 (Kemp and Clovis) as it reaches through the streets to affect these properties as well. 6217 Clovis Street, adjacent to the east of the Kemp and Clovis case, has also applied for a building permit: a single family residence on a SF-3-NP lot.

The Staff's Basis of Recommendation for these cases states that "It is appropriate for areas in which unusually large lots predominate with access to other than minor residential streets, and in selected areas where a transition from single-family to multifamily use is appropriate." Clovis Street is one block long. With no traffic signals and one stop sign. The definition of a "minor residential street." 200 Montopolis Drive is on a dogleg extension of Montopolis Drive that dead ends at a pedestrian trail and a pedestrian bridge, also the definition of a "minor residential street." Additionally, this dogleg extension of Montopolis Drive has no traffic signal, only a stop sign. The stop sign is at the corner of Montopolis Drive and Montopolis Drive! This highlights the fact that the Montopolis Drive Dogleg, as I will call it, should be considered a completely seperate street than the Montopolis Drive that has traffic lights and bus routes. Worth mentioning as well is that no left turn is permitted north onto Montopolis Drive from the Montopolis Drive Dogleg, rerouting commuter traffic from the proposed development through a network of "minor residential streets:" Clovis, Kemp, Walker, Vera, and Ponca. This commuter traffic (could be more than 100 cars per day) will pose significant risk to pedestrians and wildlife (there is a city-installed deer crossing sign on Kemp) alike.

The Staff's Basis of Recommendations also states that it considers the 200 Montopolis lots to be a transition in use between the SF-3-NP lots to the south and the commercial property to the north. As I stated before, the owners of 6218-20 Grove Drive (the land zoned CS) are proposing a single family residence on this lot. Because the street this lot

used to be on has long ago been converted to pedestrian use only, the CS zoning is antiquated. I would argue that the only appropriate zoning for this lot is P-NP. The fact is that this transition should be from SF-3-NP to a **less dense** zoning if anything. It is essential for these SF-3-NP lots to remain as such for all of the reasons stated.

Developers are a fact of life in Austin. We ask that they simply abide by the existing zoning in the area. Agents for these developers have spread rumors in the area that if you will oppose them they will reoprt you to code enforcement andcompel residents to "bring their property up to code." This type of intimidation is racist and classist. Victoria Haase of Thrower Design, the land planner employed on these Montopolis cases, send me a letter. It told me how great the zoning would be for **me**. No metion of how great it would be for **them** and their bottom line. She concluded by telling me that the case will go to the Planning Commission for a public hearing on Tuesday, June 24th. We all know that the hearing in question is on Monday, June 23. Yet another dishonest tactic by an industry motivated by greed.

Thank you for considering these facts and my opinions as a homesteader in this amazing neighborhood. It is essential for Austin as a city to prevent any more damage to the few multi-ethnic and mixed socio-economic communites left in the City.

Jonathan Davidson

Michelle Teague (wife)

Jack Davidson (son)

Clark, Kate

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

*** External Email - Exercise Caution ***

Dear Planning Commission Members,

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

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

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

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

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

Please do your part.

We are counting on you,

Hedda and Noe Elias
304 Kemp Street

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

Clark, Kate

From: Isaiah
Sent: Friday, June 19, 2020 2:20 PM
To: Clark, Kate
Subject: RE: Case Number C14-2020-0039

Hello Kate,

Thank you for the prompt reply. To clarify: I oppose the re-zoning.

Clovis and Kemp street have developed over the past 5 years as a close-knit community of modest residences designed by boutique architecture firms, with detached secondary dwellings to increase density. The proposed rezoning would adversely affect property values, increase traffic congestion, and negatively impact the quality of life of this small, but growing community.

I'm not sure you needed my reasons for opposition, but I thought I'd summarize them in case they were included as part of my stance. I will also email Andrew Rivera according to your instructions. Thanks again --

v/r
Isaiah Harp

Sent with ProtonMail Secure Email.

------- Original Message -------
On Friday, June 19, 2020 12:07 PM, Clark, Kate <Kate.Clark@austintexas.gov> wrote:

> Dear Isaiah Harp,
>
> Thank you for your email. Attached is the agenda for next week's Planning Commission meeting, there is speaker signup information at the beginning of the agenda. Generally, you will need to email the board liaison at andrew.rivera@austintexas.gov to register to speak with the information below. **In order to sign up to speak, you must do so by noon on Monday, June 22nd.** There is other information in provided PDF about the process.
>
> Please send to the board liaison:
>
> 1. Your name;
> 2. The item number(s) you wish to speak on;
> 3. Whether you are for/against/neutral on the case;
> 4. Your physical address; and
> 5. The telephone number you will be using to call into the meeting with.

From your email, I could not tell whether you were taking a stance in favor, opposition or were neutral on the rezoning. If you are taking a position and would like me to include it in my case backup, please send me an email telling me your stance.

Thank you,

Kate

Kate Clark, AICP, LEED AP
Senior Planner
City of Austin | Planning and Zoning Department
Mailing Address: P.O.Box 1088, Austin, Texas 78767
Physical Address: 505 Barton Springs Rd, 5th floor, Austin, Texas 78704
Tel: 512-974-1237
Email: kate.clark@austintexas.gov

From: Isaiah
Sent: Friday, June 19, 2020 1:54 PM
To: Clark, Kate <Kate.Clark@austintexas.gov>
Subject: Case Number C14-2020-0039

*** External Email - Exercise Caution ***

Hello Kate,

I was grateful to receive your notice of public hearing for Case Number C14-2020-0039 and I would love to participate in the meeting if that is possible.

My family actually sold the owner the property that he has requested to rezone. In fact my family still owns 3 lots adjacent to his; I personally own the lot directly next-door to his. So obviously I care deeply about any zoning changes that might dramatically affect our modest family parcel.

While I'm stating my reasons for wanting to participate, I should also mention that the flag driveway that extends from Clovis to Mr O'Dell's Clovis St lot is governed by a Joint Use Access Easement (JUAE) filed with the City of Austin and which was an explicit condition of sale. I am the other party bound to this JUAE, since I own the other half of the flag. Thus, in a sense, any re-zoning of Mr O'Dell's property re-zones my own land by proxy.

I do hope I can have a small speaking role in the meeting next Tuesday. Thank you for keeping the community involved in such matters, and please let me know what I need to do in order to participate.

v/r
D. Isaiah Harp
6206 Clovis St.
Austin, TX 78741
(512) 585-5985
Sent with ProtonMail Secure Email.

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

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2020-0039
Contact: Kate Clark, 512-974-1237
Public Hearing: June 23, 2020, Planning Commission

Joe R. Villarreal
Your Name (please print)

☐ I am in favor
☒ I object

305 Kemp St. Austin TX 78741
Your address(es) affected by this application

Joe R. Villa
Signature

6/19/20
Date

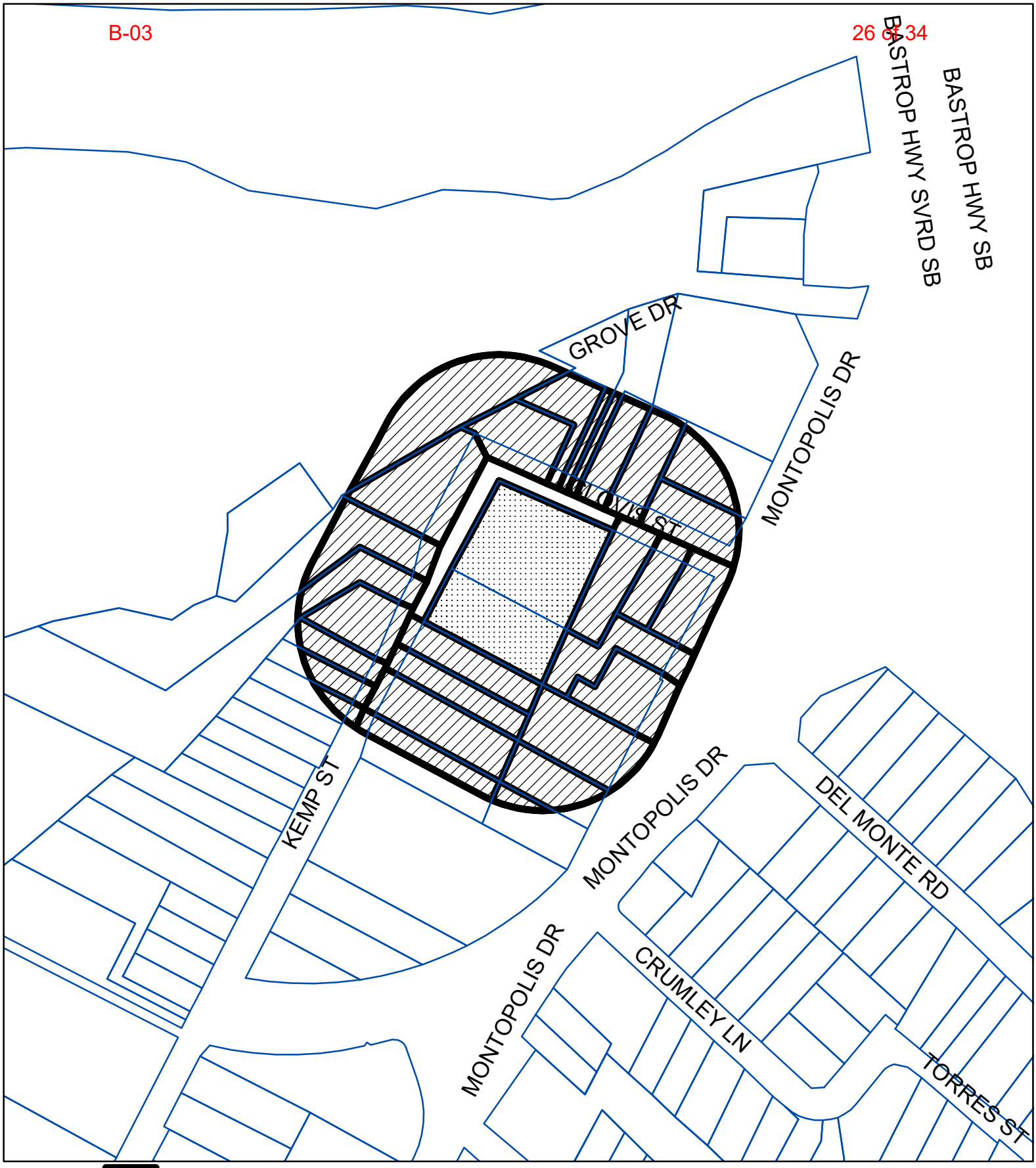
Daytime Telephone: 512-385-6133

Comments: No Condos !!.

300 Kemp St Austin TX 78741
307 Kemp St. Austin TX 78741

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

Or email to:
Kate.Clark@austintexas.gov



N

BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

Case#: C14-2020-0039

Exhibit D

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

1 " = 200 '

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

Case Number:

C14-2020-0039

PETITION

Date: 6/30/2020

Total Square Footage of Buffer: 311753.7033

Percentage of Square Footage Owned by Petitioners Within Buffer: 36.85%

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

TCAD ID	Address	Owner	Signature	Petition Area	Precent
0302170313	6200 GROVE DR 78741	CITY OF AUSTIN	no	25088.55	0.00%
0303170221	6225 CLOVIS ST 78741	CLOVISELLIOTT6225 LLC	no	7984.57	0.00%
0302170316	CLOVIS ST 78741	DAVIDSON JONATHAN A & MICHELLE E TEAGUE	yes	10453.35	3.35%
0303170124	KEMP ST 78741	DURAN CHRISTOPHER DAVID &	no	10063.30	0.00%
0303170117	304 KEMP ST 78741	ELIAS HEDDA ROSE &	yes	6048.20	1.94%
0303170119	308 KEMP ST 78741	ESQUIVEL TANYA & ANTHONY ESQUIVEL	yes	1908.20	0.61%
0303170227	302 MONTOPOLIS DR 78741	GONZALEZ JORGE	no	13733.11	0.00%
0303170226	212 MONTOPOLIS DR 78741	GONZALEZ JORGE	no	13776.22	0.00%
0302170303	206 MONTOPOLIS DR AUSTIN 78741	GUESS SEAN C & CYBIL L	yes	12106.56	3.88%
0302170321	6202 CLOVIS ST 78741	HARP CYNTHIA A & DANIEL I HARP	yes	13030.44	4.18%
0302170320	6204 CLOVIS ST 78741	HARP CYNTHIA A & DANIEL I HARP	no	8737.47	0.00%
0302170319	208 KEMP ST 78741	HARP CYNTHIA A & DANIEL I HARP	no	2609.96	0.00%
0303170208	304 MONTOPOLIS DR	HO IAT KEI	no	18487.07	0.00%
0303170118	306 KEMP ST 78741	JOHNSON DON	yes	4449.31	1.43%
0303170210	KEMP ST 78741	JOHNSON DON	yes	17338.04	5.56%
0303170123	214 KEMP ST 78741	KEATING ELIZABETH J	no	13311.10	0.00%
0303170122	208 KEMP ST 78741	KEATING ELIZABETH J	no	20854.00	0.00%
0303170216	311 KEMP ST AUSTIN 78741	MILES ROY JR	yes	7990.84	2.56%
0302170318	KEMP ST 78741	NINE BANDED HOLDINGS LLC	no	2611.40	0.00%
0303170222	6229 CLOVIS ST 78741	PATEL BHAVESH & HEMANGINI	no	11739.14	0.00%
0303170209	310 MONTOPOLIS DR AUSTIN 78741	ROBERTS OLIVER & ELVING	no	9542.57	0.00%
0302170317	KEMP ST 78741	SMITH TERRANCE & VICKIE	yes	8715.18	2.80%

0303170215	312 MONTOPOLIS DR	TUNG INVESTMENTS LLC SERIES 1	no	1886.18	0.00%
0303170102	300 KEMP ST 78741	VILLAREAL JOE R & MARY	yes	11865.75	3.81%
0303170217	307 KEMP ST 78741	VILLARREAL JOE & HELEN	no	10526.60	0.00%
0303170220	6217 CLOVIS ST 78741	VILLARREAL JOE & MARY ELLEN	yes	12899.00	4.14%
0303170218	305 KEMP ST AUSTIN 78741	VILLARREAL JOE R	no	12261.33	0.00%
0302170501					
0302170502	202 MONTOPOLIS UNIT A	HALE JENNIFER L & CATHERINE LAUREN SZOT			
0302170503	202 MONTOPOLIS DR UNT B	OSSAI UCHENNA			
0302170504	204 MONTOPOLIS DR 204A	BEZNER JANET R & NANCY K LESCH			
0302170505	204 MONTOPOLIS DR 204B	ROSS COLIN P & KATE R BERO	yes	8068.47	2.59%
Total				**298085.91**	**36.85%**

PETITION

Date: 6/19/2020

File Number: C14-2020-0039

Address of Rezoning Request: 6201 Clovis St. & 301 Kemp St.

To: Austin City Council

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

The Montopolis Neighborhood Plan was completed under City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on September 27th, 2001. The property at 6201 Clovis St. & 301 Kemp St. was approved as SF-3-NP. We ask that the Austin City Council respect the adopted Montopolis Neighborhood Plan.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
	JONATHAN DAVIDSON	6218 CLOVIS
	Roy Miles	311 KEMP ST.
	JENNIFER HALE	202 MONTOPOLIS UNIT A
	KATE BERG	204 Montopolis Unit B
	SEAN GUESS	206 MONTOPOLIS DR
	MERCE Villarreal	6217 Clovis Dr.
	M.E. Villarreal	300 Kemp st.
	Mary E. Villarreal	305 Kemp st.
	MARY Villarreal	307 Kemp st

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

PETITION

Date: 6/19/2020

File Number: C14-2020-0039

Address of Rezoning Request: 6201 Clovis St. & 301 Kemp St.

To: Austin City Council

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

The Montopolis Neighborhood Plan was completed under City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on September 27th, 2001. The property at 6201 Clovis St. & 301 Kemp St. was approved as SF-3-NP. We ask that the Austin City Council respect the adopted Montopolis Neighborhood Plan.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
	[illegible]	308 Kemp St.
Hedda Elias	Hedda Elras	304 Kemp St.
Terrance Smith	Terrance Smith	6210 Clovis St.
	Uchenna Ossai	202 Montopolis Dr. Unit B
	Isaiah Harp by P.O.A.	6204 Clovis St
	Cynthia Harp by P.O.A.	6202 Clovis St
	DON JOHNSON	306 + 309 KEMP ST.

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

PETITION

Date: 6-19-2020

File Number: C14-2020-0039

Address of Rezoning Request: 6201 Clovis St. & 301 Kemp St.

To: Austin City Council

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

The Montopolis Neighborhood Plan was completed under City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on September 27th, 2001. The property at 6201 Clovis St. & 301 Kemp St. was approved as SF-3-NP. We ask that the Austin City Council respect the adopted Montopolis Neighborhood Plan.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
Janet R Bezner	Janet R Bezner	204A Montopolis
Nancy K Lesch	NANCY K LESCH	204A MONTOPOLIS

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

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted online and you have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for information on how to participate in the public hearings online. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2020-0039
Contact: Kate Clark, 512-974-1237
Public Hearing: July 30, 2020, City Council

Joe R. Villarreal
Your Name (please print)

☐ **I am in favor**
☒ **I object**

305 Kemp St. Austin TX 78741
Your address(es) affected by this application

Joe R. Villa
Signature

6/30/20
Date

Daytime Telephone: 512-385-6133

Comments: No Condos.

→ 300 Kemp St. Austin TX 78741
307 Kemp St. Austin, TX 78741

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

Or email to:
Kate.Clark@austintexas.gov

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted online and you have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for information on how to participate in the public hearings online. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2020-0039
Contact: Kate Clark, 512-974-1237
Public Hearing: July 30, 2020, City Council

404 Kemp St Austin Tx 78741
Your Name (please print)

☐ I am in favor
☐ I object

Yolanda y Jose Perez
Your address(es) affected by this application

Yolanda S Perez
Signature

6 26 20
Date

Daytime Telephone: 512 739 1229

Comments: nosotros tenemos mucho años viviendo aqui y ya somos viejos no estamos de acuerdo con el plan porque no queremos que las taxas nos aumenten mucho somos persona que dependemos de nuestros trabajos y estamos enfermos no estamos de acuerdo con este plan 20200039

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

Or email to:
Kate.Clark@austintexas.gov

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2020-0039
Contact: Kate Clark, 512-974-1237
Public Hearing: July 30, 2020, City Council

FRANK T. MONREAL
Your Name (please print)

☐ **I am in favor**
☒ **I object**

AUSTIN, TX
209 BONNETT ST. 78741
Your address(es) affected by this application

Frank T. Monreal
Signature

7-1-20
Date

Daytime Telephone: 512-636-6807

Comments:

BONNETT NEIGHBORHOOD ASSOC.
PRESIDENT
Frank T. Monreal

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

Or email to:
Kate.Clark@austintexas.gov