

**Zoning Ordinance Approval
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: 80
AGENDA DATE: Thu 07/28/2005
PAGE: 1 of 1**

SUBJECT: C14-05-0026 - Frontier Valley Drive - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1805 Frontier Valley Drive (Carson Creek Watershed) from single-family residence standard lot-neighborhood plan (SF-2-NP) combining district zoning to multi-family residence medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district zoning with conditions. First reading approved on June 23, 2005, Vote: 4-3 (Mayor Pro Tem Thomas, Alvarez and Kim - Nay). Property Owner: Marbella Corp. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.

**REQUESTING Neighborhood Planning DIRECTOR'S
DEPARTMENT: and Zoning AUTHORIZATION: Greg Guernsey**

SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-05-0026

REQUEST:

Approve second / third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1805 Frontier Valley (Carson Creek Watershed) from single family residence standard lot – neighborhood plan (SF-2-NP) combined district zoning to multi-family residence medium density-neighborhood plan-conditional overlay (MF-3-NP-CO) combining district.

The conditional overlay would limit the development to 225 residential limits and provide a 25 vegetated buffer strip along the north property line

DEPARTMENT COMMENTS:

There is no valid petition against this request. Several letters of opposition have been received.

The request is in accord with the Montopolis Neighborhood Plan Future Land Use Map. During the neighborhood planning process this tract, along with several adjacent tracts, were broken out for further discussion and consideration. These tracts were not rezoned, excepting to the Neighborhood Plan overlay, with the neighborhood planning rezoning. It was agreed that these tracts would be reserved for residential uses including all single family zoning and multi-family zoning up to MF-4, and including the infill options of Small Lot Amnesty, Cottage Lot Infill, and Secondary Apartment.

On May 24, a community meeting was held at the Ruiz Library to discuss this case. Notices in English and Spanish were mailed out the Neighborhood Planning Interest list. At the meeting the property owner presented his proposal to a small group of four community members. The four residents in attendance were not supportive of the rezoning request.

On June 16, a second community meeting was held at the Montopolis Recreation Center. Residents, property owners and the interest list were notified of the meeting in English and Spanish. Roughly 3200 notices were mailed out. Eleven stakeholders attended the meeting and although it was not unanimous (one commercial property owner supported the request for MF zoning) the general consensus was to oppose the rezoning and to support single family zoning up to SF-4A.

APPLICANT: City of Austin

AGENT: Neighborhood Planning and Zoning Department

OWNER: Marbella Corp (Mitchell and Jan Davis)

DATE OF FIRST READING: June 23, 2005 (4-3; Alvarez, Kim, Thomas opposed.)

FIRST READING ACTION: Approved MF-3-NP zoning.

CITY COUNCIL HEARING DATE: July 28, 2005.

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Robert Heil, e-mail: robert.heil@ci.austin.tx.us

Agenda Questions/Responses For Item (Serial # 8790)

1. Why was this case initiated by staff?

When the Montopolis Neighborhood Plan was completed, several tracts, including the property in question, were designated as "Residential" on the Future Land Use Map, specifically indicating that these properties were appropriate for zoning in a range from SF-3 to MF-4.

When the Montopolis Neighborhood Plan rezonings were passed, these tracts were rezoned to add the Neighborhood Planning combining district, but their base district zoning was not changed. In part, this was due to interest by the City in possibly purchasing some or all of these properties for housing projects.

Because these properties did not have their base district zoning changed at the time of the Montopolis Neighborhood Plan rezoning, the City stated its willingness to rezone these properties in the future if we received a request from the owners of these properties which was in accordance with the Montopolis Neighborhood Plan.

2. Regarding the SMART Housing project located on Montopolis Dr. just North of Riverside Dr., what levels of affordability did it achieve?

There are two projects nearby the subject tract.

There is an apartment project on Montopolis Drive north of Riverside Drive - "Riverside Meadows Apartments" - which provides 248 units affordable to families at 50% of Median Family Income. This is a tax-credit project as well as being S.M.A.R.T. housing certified.

The Centex project "Riverside Meadows" (zoned SF-4A) adjacent to the Frontier Valley site was certified at 40% units affordable to families at 80% of MFI. House prices on the project range from \$105-\$142, which will probably be more affordable than they are certified.

3. How many units per acre are allowed under SF-2 zoning? How many units per acre are allowed under SF-6 zoning?

The site is 10 acres.

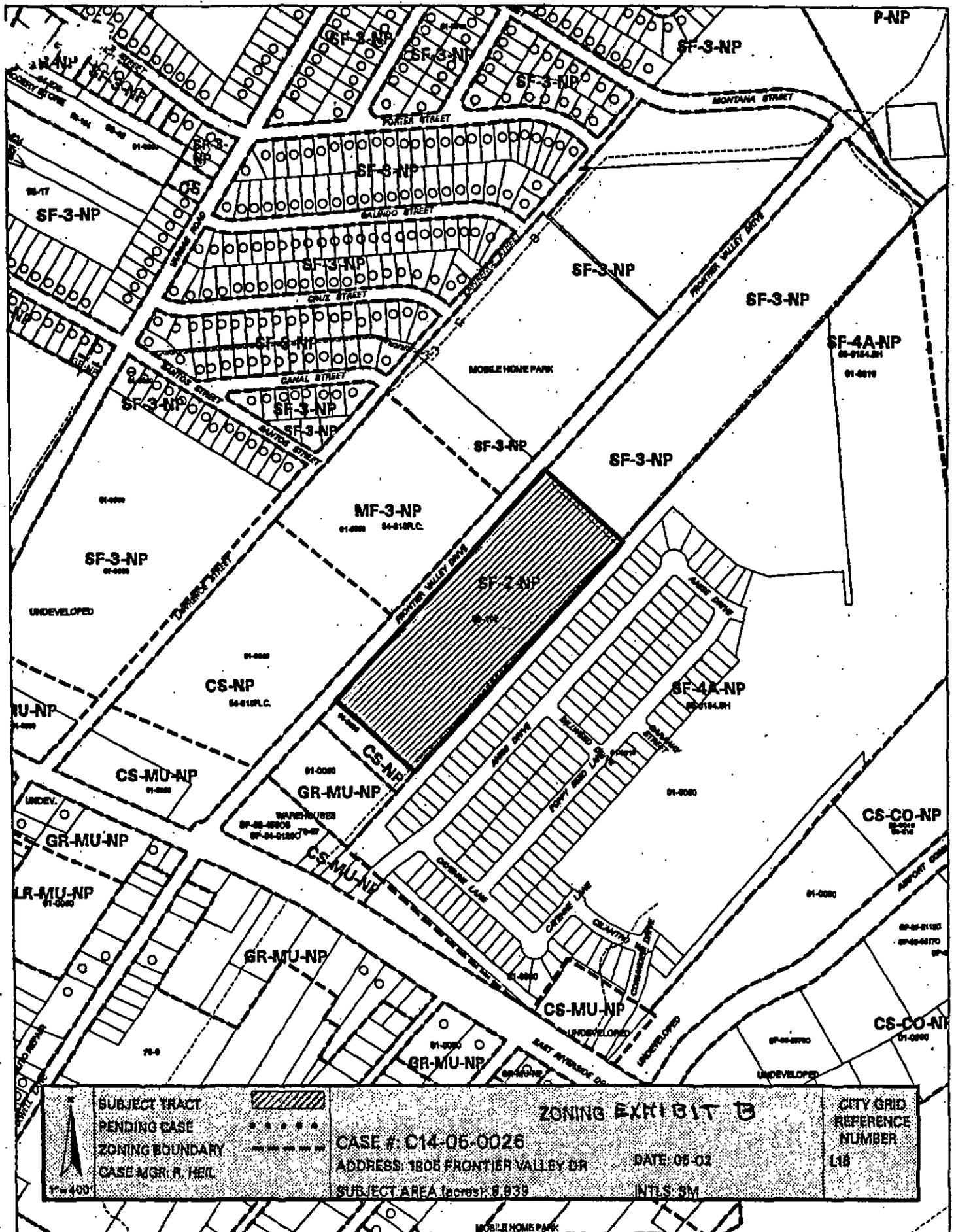
SF-2 zoning = 75 units (based on GROSS site area) 60 units based on net site area.

SF-6 zoning = 125 units (based on GROSS site area) 90 units based on net site area.

Note there are some other site constraints (mainly a drainage easement) which could lessen the amount of actual buildable acreage.

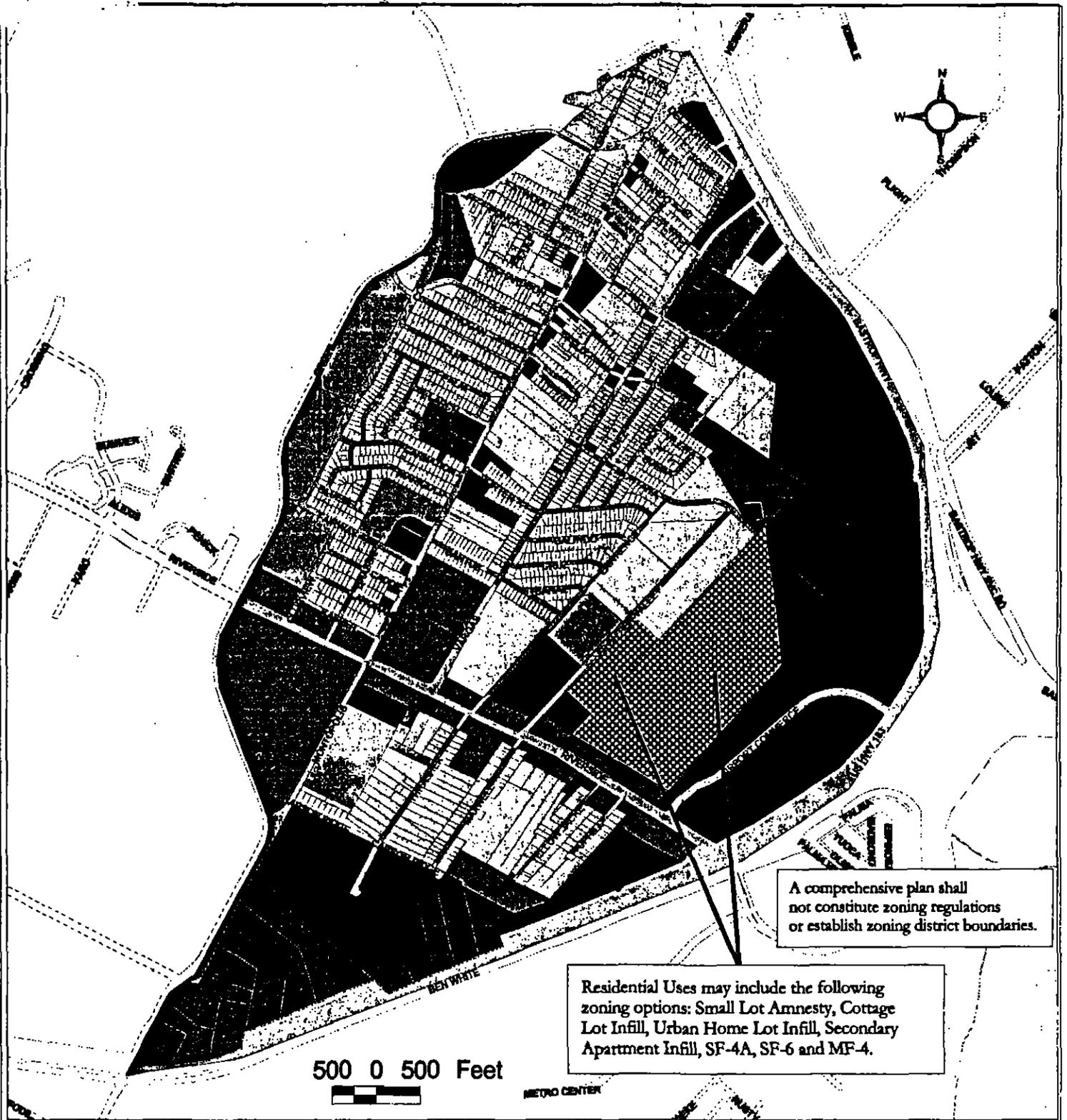
4. Why is the developer not proposing that this site be developed with single-family housing?

The owner/developer has stated that a combination of site constraints, and fixed costs for roads and water/waste water lines would prohibit the construction of single family housing that would be affordable by the standards of the City's S.M.A.R.T. Housing program.



	SUBJECT TRACT	ZONING EXHIBIT B	CITY GRID REFERENCE NUMBER
	PENDING CASE		L18
	ZONING BOUNDARY		CASE #: C14-05-0026
	CASE MGR: R. HEIL		ADDRESS: 1806 FRONTIER VALLEY DR
		DATE: 05-02	
		SUBJECT AREA (acres): 0.939	INTLS: 5M

MOBILE HOME PARK



Montopolis Neighborhood Planning Area

Future Land Use Map: Updated 2-10-03



Neighborhood Planning
& Zoning Department

	Single Family		Industry
	Multifamily		Civic
	Commercial		Open Space
	Office		Utilities
	Mixed Use		Residential Use

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 1805 FRONTIER VALLEY DRIVE IN THE
3 MONTOPOLIS NEIGHBORHOOD PLAN AREA FROM SINGLE FAMILY
4 RESIDENCE STANDARD LOT-NEIGHBORHOOD PLAN (SF-2-NP)
5 COMBINING DISTRICT TO MULTIFAMILY MEDIUM DENSITY RESIDENCE-
6 CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (MF-3-CO-NP)
7 COMBINING DISTRICT.

8
9 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

10
11 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to
12 change the base district from single family residence standard lot-neighborhood plan (SF-
13 2-NP) combining district to multifamily medium density residence-conditional overlay-
14 neighborhood plan (MF-3-CO-NP) combining district on the property described in Zoning
15 Case No. C14-05-0026, on file at the Neighborhood Planning and Zoning Department, as
16 follows:

17
18 A 9.939 acre tract of land, more or less, out of the Santiago Del Valle Grant,
19 Abstract No. 24, in Travis County, Texas, the tract being more particularly
20 described by metes and bounds in Exhibit "A", incorporated into this ordinance
21 (the "Property"),

22
23 locally known as 1805 Frontier Valley Drive, in the City of Austin, Travis County, Texas,
24 and generally identified in the map attached as Exhibit "B".

25
26 PART 2. Except as specifically provided in Part 3 and Part 4, the Property may be
27 developed and used in accordance with the regulations established for the multifamily
28 residence medium density (MF-3) base district and other applicable requirements of the
29 City Code.

30
31 PART 3. The Property within the boundaries of the conditional overlay combining district
32 established by this ordinance is subject to the following conditions:

- 33
34 1. Development of the Property may not exceed 225 residential units.
35

1 2. A 25 foot-wide vegetative buffer shall be provided and maintained along the north
2 property line adjacent to the mobile home residential properties. Improvements
3 permitted within the buffer zone are limited to drainage, underground utility
4 improvements or those improvements that may be otherwise required by the City of
5 Austin or specifically authorized in this ordinance.
6

7 **PART 4.** The Property is subject to Ordinance No. 010927-28 that established the
8 Montopolis neighborhood plan combining district.
9

10 **PART 5.** This ordinance takes effect on _____, 2005.
11

12 **PASSED AND APPROVED**
13

14
15
16
17 _____, 2005

18 Will Wynn
19 Mayor
20

21 **APPROVED:**

22 _____
23 David Allan Smith
24 City Attorney

ATTEST:

_____ Shirley A. Brown
City Clerk

FIELD NOTES
EXHIBIT A

Being 9.939 acres out of the Santiago Del Valle Grant, Abstract No. 24, in Travis County, Texas, a portion of that tract described in a deed to Tredeco, Inc., recorded in Volume 3569, Page 850, Deed Records, Travis County, Texas, as shown on accompanying survey plat and being more particularly described as follows:

BEGINNING at a 1/2" iron pin found in the southeast line of Frontier Valley Drive (60' R.O.W.), at the most westerly corner of Frontier Valley, a subdivision of record in Volume 66, Page 12, Plat Records, Travis County, Texas, for the most northerly corner of this tract.

THENCE, with the southeast line of Frontier Valley Drive and the northwest line of this tract, S 45°33'00" W, said course being the bearing base for this survey, 1133.81', to a 1/2" iron pin found at the most northerly corner of Frontier Valley Section 3, a subdivision of record in Volume 76, Page 182, Plat Records, Travis County, Texas, for the most westerly corner of this tract.

THENCE, with the northeast line of said subdivision and the southwest line of this tract, S 44°23'07" E, 383.43', to a 1/2" iron pin found in the northwest line of a tract called 99.12 acres in a deed to T. C. Steiner, et al, recorded in Volume 12896, Page 527, Real Property Records, Travis County, Texas, at the most easterly corner of said subdivision, for the most southerly corner of this tract, from said point, a 3/8" iron pin found bears, S 45°23'00" W, 373.48'.

THENCE, with the northwest line of said Steiner tract and the southeast line of this tract, N 45°23'00" E, 1134.36', to a 3/8" iron pin found at the most southerly corner of said Frontier Valley subdivision, for the most easterly corner of this tract.

THENCE, with the southwest line of said Frontier Valley subdivision and the northeast line of this tract, N 44°27'58" W, 380.13', to the **PLACE OF BEGINNING** and containing 9.939 acres of land, more or less.

Prepared from a survey made on the ground March 13, 2002, by:
Arpentours Professional Surveying
8906 Wall Street, Suite 302
Austin, Texas 78754
(512) 832-1232



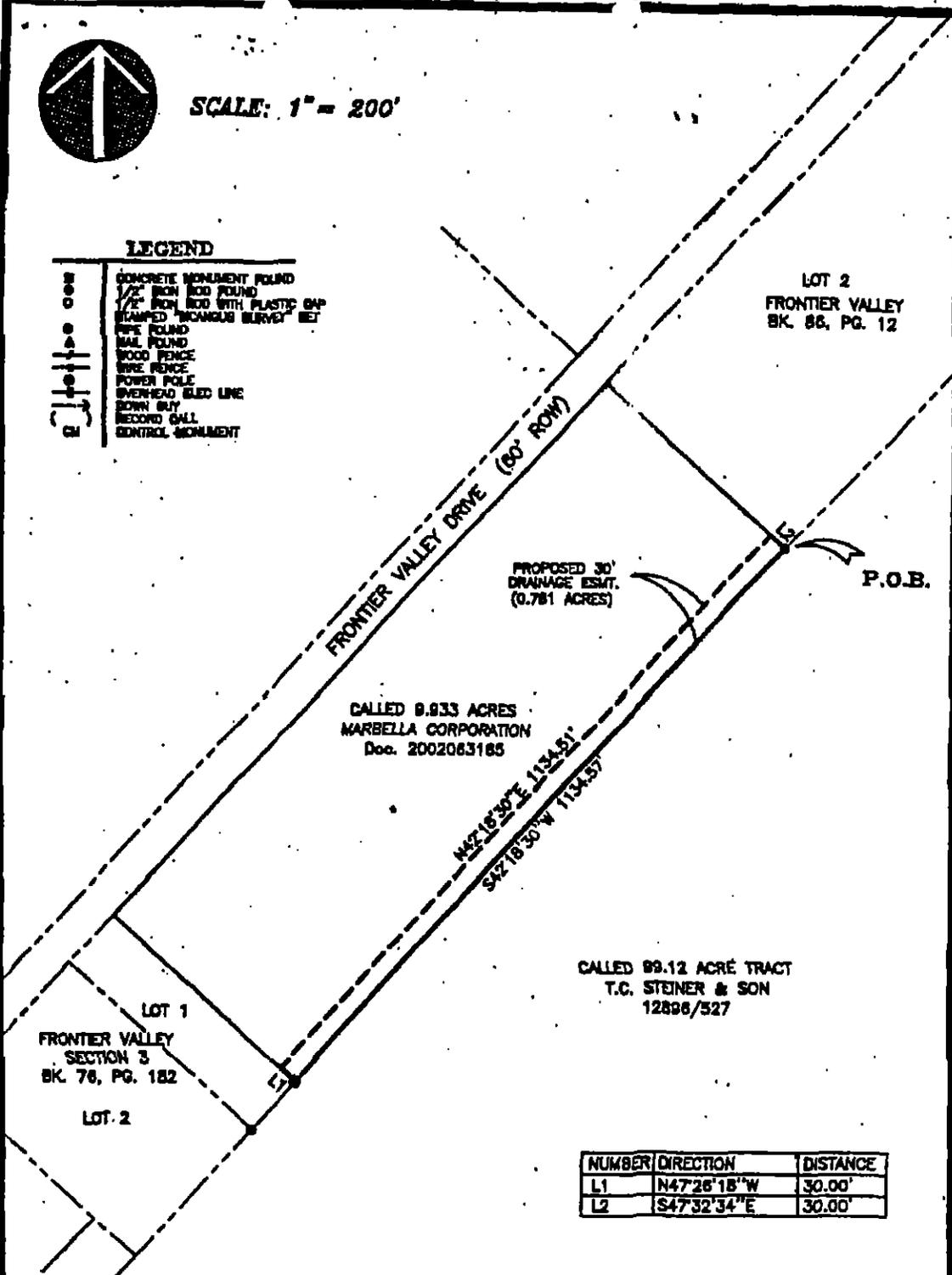
Robert M. Barcomb 03/20/02
Robert M. Barcomb
R.P.L.S. No 4772



SCALE: 1" = 200'

LEGEND

- CONCRETE MONUMENT FOUND
- 1/2" IRON ROD FOUND
- 1/2" IRON ROD WITH PLASTIC CAP
- STAMPED TRIANGULAR SURVEY NET
- PIPE FOUND
- WAL FOUND
- WOOD FENCE
- WIRE FENCE
- POWER POLE
- OVERHEAD CABLE LINE
- DOWN BUY
- RECORD CALL
- CONTROL MONUMENT



LOT 2
FRONTIER VALLEY
BK. 86, PG. 12

PROPOSED 30'
DRAINAGE ESMT.
(0.781 ACRES)

P.O.B.

CALLED 9.933 ACRES
MARBELLA CORPORATION
Doc. 2002083185

CALLED 89.12 ACRE TRACT
T.C. STEINER & SON
12896/527

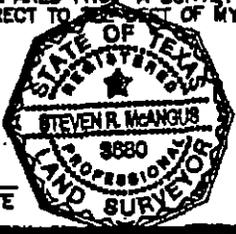
LOT 1
FRONTIER VALLEY
SECTION 3
BK. 76, PG. 182

LOT 2

NUMBER	DIRECTION	DISTANCE
L1	N47°28'18\"W	30.00'
L2	S47°32'34\"E	30.00'

I HEREBY CERTIFY THAT THIS MAP OR PLAT WAS PREPARED FROM A SURVEY PERFORMED ON THE GROUND UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

[Signature] 11/28/03
 STEVEN R. McANGUS, R.P.L.S. No. 3680 DATE



McAngus Surveying

"SKETCH TO ACCOMPANY EXHIBIT 'A'"

LEGAL DESCRIPTION PROPOSED 30' DRAINAGE EASEMENT
OUT OF A CALLED 9.933 ACRE TRACT (Doc. 2002083185) IN
THE SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24,
IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.
 JOB NO. 00-147 FIELD BOOK _____

1101 HWY. 360 SOUTH, H-100
AUSTIN, TEXAS 78748
(512) 928-9302

ZONING CHANGE REVIEW SHEET**CASE:** C14-05-0026**Planning Commission Date:** April 12, 2005**ADDRESS:** 1805 Frontier Valley Drive**OWNER:** Marbella Corp (Mitchell and Jan Davis)**APPLICANT:** City of Austin**AGENT:** Neighborhood Planning and Zoning Department**ZONING FROM:** SF-2-NP**TO:** MF-3-NP**AREA:** 9.939 acres**SUMMARY STAFF RECOMMENDATION:**

Staff recommends rezoning to Multi-Family Residence Medium Density-Neighborhood Plan (MF-3-NP) combining district zoning.

PLANNING COMMISSION RECOMMENDATION:

April 12, 2005: APPROVED STAFF'S RECOMMENDATION FOR MF-3-NP ZONING.
[JMC, D.S 2ND] (8-0)

DEPARTMENT COMMENTS:

The site is currently undeveloped. It has single family residence standard lot – neighborhood plan combining district zoning (SF-2-NP). The request was for Multi-Family Moderate-High Density district zoning (MF-4). Staff's recommendation is that Multi-family Medium Density (MF-3) is more appropriate. The applicant has amended their request to MF-3-NP.

The property is bounded by CS-NP and MF-3-NP zoned land to the west which is currently undeveloped. To the north lies a mobile home park on SF-3-NP zoned land. To the south is a self-storage facility zoned CS-NP and GR-MU-NP. To the east is a developing subdivision zoned SF-4A-NP for small lot single family residences.

A drainage easement runs along the eastern edge of the property, extending into the western boundary of the adjacent property. The total width of the drainage easement is 30 feet.

The request is in accord with the Montopolis Neighborhood Plan Future Land Use Map. During the neighborhood planning process this tract, along with several adjacent tracts, were broken out for further discussion and consideration. These tracts were not rezoned, excepting to the Neighborhood Plan overlay, with the neighborhood planning rezoning. It was agreed that these tracts would be reserved for residential uses including all single family zoning and multi-family zoning up to MF-4, and including the infill options of Small Lot Amnesty, Cottage Lot Infill, and Secondary Apartment.

This case is being initiated by the city as it was not included in the neighborhood plan rezoning. (Exhibit A)

The City has received a letter of opposition signed by six south east Austin neighborhood associations (Exhibit B).

On May 24, a community meeting was held at the Ruiz Library to discuss this case. Notices in English and Spanish were mailed out the Neighborhood Planning Interest list. At the meeting the property owner presented his proposal to a small group of four community members. The four residents in attendance were not supportive of the rezoning request.

On June 16, a second community meeting was held at the Montopolis Recreation Center. Residents, property owners and the interest list were notified of the meeting in English and Spanish. Roughly 3200 notices were mailed out. (Exhibit C) Eleven stakeholders attended the meeting and although it was not unanimous (one commercial property owner supported the request for MF zoning) the general consensus was to oppose the rezoning and to support single family zoning up to SF-4A.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2-NP	Undeveloped
<i>North</i>	SF-3-NP	Mobile Homes
<i>South</i>	SC and GR-MU-NP	Self-Storage and Undeveloped
<i>East</i>	SF-4A-NP	Small Lot Single Family
<i>West</i>	CS-NP and MF-3-NP	Undeveloped

AREA STUDY: Montopolis Neighborhood Planning Area

TIA: May be required at site plan approval.

WATERSHED: Carson Creek **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: No **HILL COUNTRY ROADWAY:** No

REGISTERED NEIGHBORHOOD ORGANIZATIONS:

- Southeast Austin Neighborhood Alliance
- The Crossing Gardenhome Owners' Association
- Terrell Lane Interceptor Association
- Barton Springs/ Edwards Aquifer Conservation District
- El Concilio
- Austin Neighborhood Council
- P.O.D.E.R.
- Montopolis Area Neighborhood Alliance

SCHOOLS: (Del Valle)

Smith or Hillcrest Elementary School – Ojeda Junior High School – Del Valle High School

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
Frontier Valley Dr.	65'	45'	Collector

Capital Metro bus service is available along Riverside Dr.

CITY COUNCIL DATE:**ACTION:**

May 12, 2005:

Postponed until May 26, 2005

May 26, 2005:

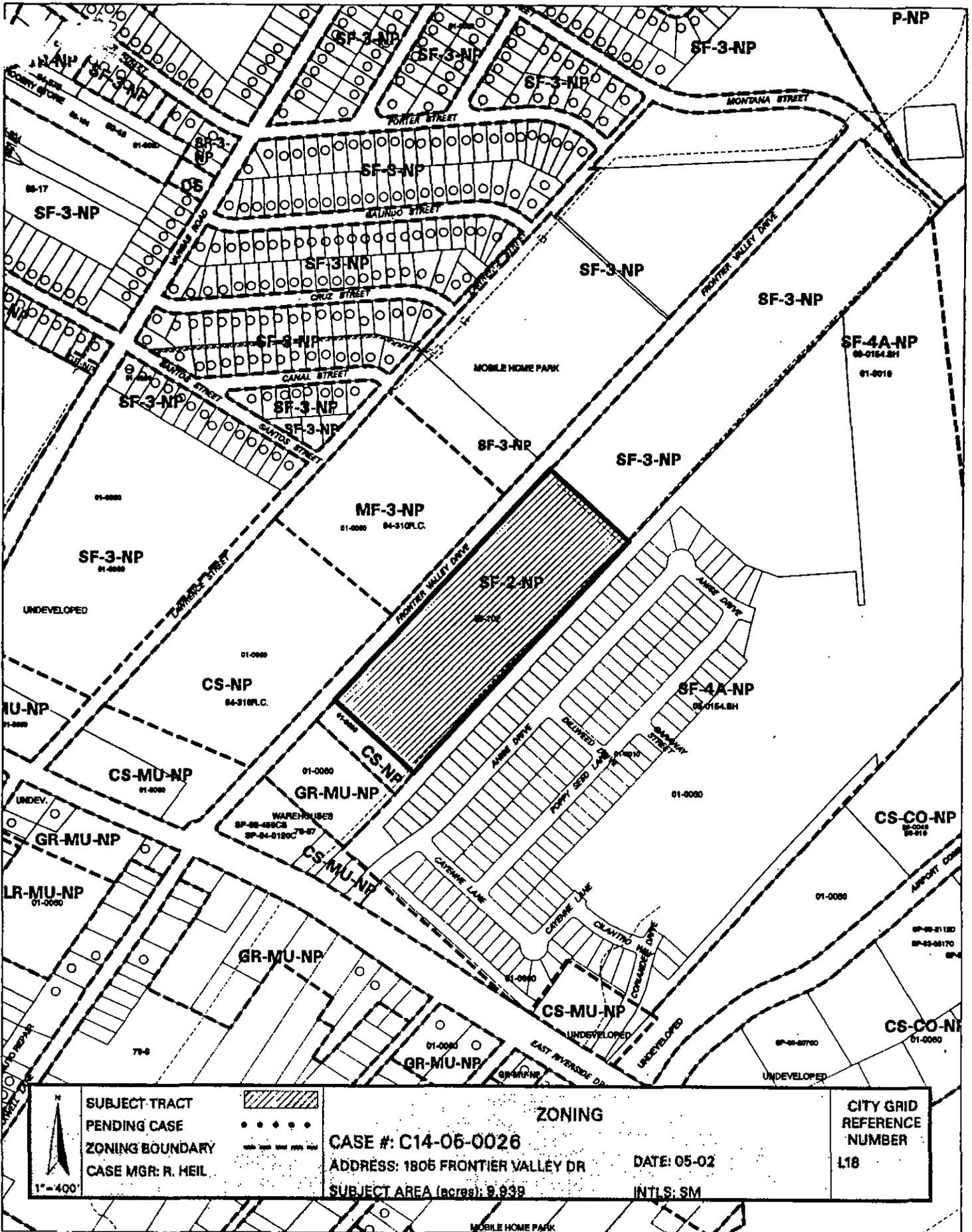
Postponed until June 23, 2005

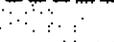
June 23, 2005

Approved MF-3-NP-CO on first reading(4-3; Alvarez, Kim, Thomas opposed.)

July 28, 2005:

ORDINANCE READINGS: 1st 6/23/052nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Robert Heil
e-mail address: robert.heil@ci.austin.tx.us**PHONE:** 974-2330



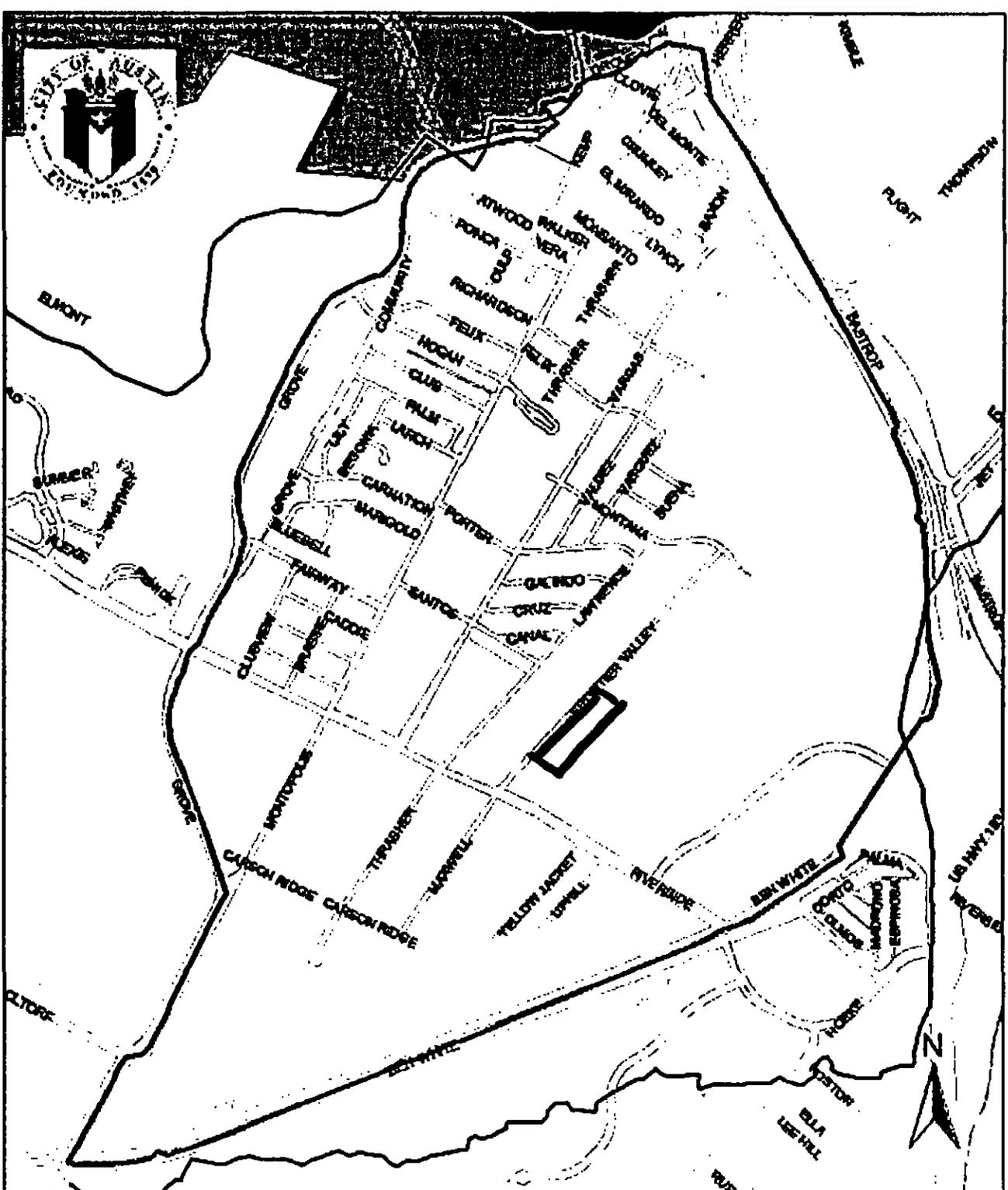
 1" = 400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: R. HEIL	  	ZONING CASE #: C14-06-0026 ADDRESS: 1805 FRONTIER VALLEY DR SUBJECT AREA (acres): 9.938	DATE: 05-02 INTLS: SM	CITY GRID REFERENCE NUMBER L18
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MOBILE HOME PARK

A7-5

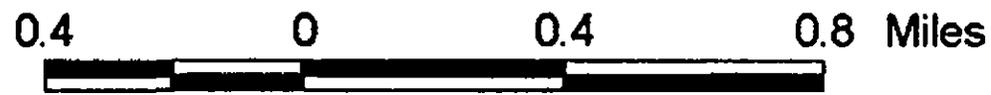
24





Montopolis Neighborhood Planning Area

 Parks



SUMMARY STAFF RECOMMENDATION**C14-05-0126**

Staff recommends rezoning to Multi-Family Residence Medium Density-Neighborhood Plan (MF-3-NP) combining district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *Zoning should promote a transition between adjacent and nearby zoning districts, land uses and development intensities.*

MF-3 zoning on the subject tract would provide a transition from the CS zoning to the west and southwest, and the SF-4A zoned neighborhood to the east.

2. *Granting of the request should result in an equal treatment of similarly-situated properties.*

The granting of MF-3 zoning for the subject tract is consistent with the MF-3 zoning granted to the similarly situated tracts to the west, across Frontier Valley.

EXISTING CONDITIONS**Site Characteristics**

The site is currently undeveloped. A drainage easement runs along the eastern edge of the property, extending into the western boundary of the adjacent property. The total width of the drainage easement is 30 feet.

Site Plan

This site is within the South Lamar at La Casa Drive Capitol View Corridor. Height restrictions will be strictly enforced within the corridor at the time a site plan is submitted.

There is a site plan currently approved for this property (SP- 03-0244C is on lots 6&7) which provides for 34,934 square feet of single family and condo uses, along with associated parking and drainage facilities.

Compatibility Standards

The site is subject to compatibility standards. Along the north and east property line, the following standards apply:

- No structure may be built within 25 feet of the single family property lines.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the single family property lines.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the single family property lines.
- No parking or driveways are allowed within 25 feet of the single family property lines.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

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

This site is located in the Montopolis Neighborhood Plan. Site plan will should comply with the recommended design guidelines.

This site is within the Controlled Compatible Land Use Area of Austin-Bergstrom International Airport, but outside the Airport Overlay Zones. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Sections 25-13-23, are prohibited.

Transportation

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 2,187 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics). A Traffic Impact Analysis (TIA) will be required during the site plan review stage for any proposed land use that would generate over 2,000 vehicle trips per day. Additional ROW, participation in roadway improvements, and/or limitation on development intensity may also be recommended based on review of the TIA.

Capital Metro bus service is available along Riverside Dr.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION
Frontier Valley Dr.	65'	45'	Collector

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustment are required, the landowner will be responsible for all costs and providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City of Austin utility design criteria and specifications.

The landowner must pay all required water and wastewater utility tap permit, impact, construction inspection, and utility plan review fees.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Carson Creek 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:

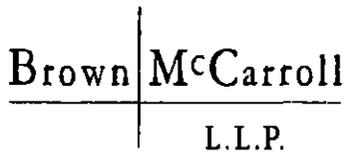
<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

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

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.



111 Congress Avenue, Suite 1400, Austin, Texas 78701-4043
512-472-5456 fax 512-479-1101

December 23, 2004

VIA REGULAR MAIL AND E-MAIL

Greg Guernsey, Manager NPZD
Ricardo Soliz, Manager NPZD
505 Barton Springs Rd.
Austin, TX 78704

Re: Jan & Mitchell Davis-Rezoning of property located on Frontier Valley Drive in Austin, Texas within the Montopolis Neighborhood Planning Area

Dear Greg and Ricardo:

The purpose of this letter is to request that the rezoning case to be initiated by the City of Austin, as part of the Montopolis Neighborhood Plan rezonings, be initiated for multifamily residence moderate-high density (MF-4) district designation. While we understand that your Department has not yet made a final zoning recommendation for the site, we wanted to verify the information that Ricardo provided this past Monday. That being that these particular neighborhood stakeholders (Jan and Mitchell Davis), and City Staff, Planning Commission, and City Council were to be afforded the opportunity to explore all the zoning options listed per the approved Montopolis Future Land Use Map (FLUM). Within the Mixed Residential (Blue) designation that was approved for this site zoning up to the intensity of MF-4 is permitted. At this time, the owner is requesting MF-4 zoning for the property (see Enclosure of Montopolis FLUM).

The zoning directly west of this site is CS-NP and MF-3-NP and is undeveloped. The zoning to the east is SF-4-NP and is undeveloped. The zoning to the north is SF-3 and used as a mobile home park. The zoning to the south is CS-MU-NP and GR-MU-NP. The CS portion is undeveloped and the GR portion is used as warehousing. Please note that if the GR-MU portion adjacent to the subject tract is redeveloped as apartments, the density permitted via the GR-MU designation is that of MF-4 or MF-3 zoning, depending on unit size. We believe that the request for multifamily zoning at this location will serve as a buffer, or transition of zoning, between the commercial zoning to the west and the small lot single family to the east (see Zoning Map enclosure).

As you know, the Montopolis Neighborhood Planning Team, in September 2001, recommended zoning of this tract within the range of SF-3 to MF-4 based on the team's desire for the development of a mix of residential uses and to also provide home ownership

Greg Guernsey, Manager NPZD

December 23, 2004

Page 2

opportunities. Consistent with the team's vision, the conditions in the area since 2001 have certainly progressed toward mixed residential development while also providing home ownership opportunities. Specifically, the adjacent land was rezoned to MF-3-CO and SF-6-CO on January 30, 2003, then rezoned to SF-4A-CO on March 4, 2004. Evident by the recent zoning approvals on the adjacent properties, the area is appropriate for at least SF-4 through MF-3 district zoning. In addition, since the adoption of the Montopolis neighborhood plan a major planning initiative took place in Austin (Envision Central Texas), and the end result vision for Austin per that process was more density within the urban core to accommodate growth within the Austin area. We believe that the owner's request for MF-4 for this site is reasonable and ask that you consider the change in conditions, the Envision Central Texas results, and planning principals such as transition of zoning intensity and like treatment of similarly situated property upon forming your recommendation. Lastly, we also understand that a major outcome of the Montopolis neighborhood planning process was the desire for home ownership opportunities and would like to point out that single family residential as well as townhouse and condominium residential would also be permitted in an MF-4 district designation.

Respectfully submitted,



Nikelle Meade

Enclosures

cc: Sonya Lopez, Senior Planner

Hell, Robert

From: LindaJWatkins@netscape.net
Sent: Tuesday, June 14, 2005 9:53 AM
To: Hell, Robert
Cc: poder@austin.rr.com
Subject: C14-05-0026

June 9, 2005

Robert Hell, Case Manager
Neighborhood Planning & Zoning Dept.
505 Barton Springs Road
P. O. Box 1088
Austin, TX 78767

Re: C14-05-0026
1805 Frontier Valley Drive

Dear Robert:

We, the undersigned neighborhood groups in the Southeast part of the City, wish to register our opposition to the above referenced case. We support the efforts of other neighborhood groups in the Montopolis Neighborhood Planning area in their opposition to this proposed change in zoning. There should not be arbitrary changes to an adopted neighborhood plan? The Montopolis Neighborhood worked hard on this plan and wanted SF zoning for this tract for very valid reasons, and we agree with them.

As residents of this area in Southeast Austin, we are very concerned about the current density and proposed increases in Multi-family projects in our area. We have dense areas of multi-family developments stretching from IH-35, east past Pleasant Valley, Wickersham, and on past Montopolis. This tract is designated Single Family in the Montopolis Neighborhood Plan and should remain so. Additional residential density and increased traffic are primary concerns to all of us living in the southeast area of Austin.

This area does not need more MF zoning. To those of us who actually live in the area this is apparent every day, as we try to go to work, to the grocery store, to the gas station, etc.

Therefore, we oppose the rezoning of this application. Thank you for your consideration.

Regards,

Riverside Farms Road Neighborhood Assoc.
Linda Watkins
2407 Riverside Farms Road, Austin, TX 78741
512-385-5959

Southeast Austin Neighborhood Alliance
Jan Long
2411 Riverside Farms Road, Austin, TX 78741
512-385-0473

The Crossing Garden Homeowners Association
Barb Fox, Civic Representative
1615 Whitney Way, Austin, TX 78741
512-389-1615

Sunridge Neighborhood Association
Malcolm Yeatts
4811 Allison Cove, Austin, TX 78741
512-385-1958

Burleson Heights Neighborhood Association

Carl Braun
2506 Douglas, Austin, TX 78741
512-444-8761

South River City Citizens
Toni House, Vice President
1503 Inglewood Street, Austin, Texas 78741

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Neighborhood Planning & Zoning Department

505 Barton Springs Road
P.O. Box 1088
Austin, TX 78767

There has been a request for rezoning of the property located at **1805 Frontier Valley Drive**. You are invited to a meeting to discuss this case:

**Thursday, June 16, 2005
6:00-7:00pm
at Montopolis Recreation Center
1200 Montopolis Dr.**

At this meeting the property owner will make a presentation and answer questions about the rezoning request. City of Austin staff will also be present to answer questions.

The site is currently undeveloped and is zoned single family residence standard lot –neighborhood plan combining district zoning (**SF-2-NP**). The request is for multi-family medium density neighborhood plan combining district zoning (**MF-3-NP**).

After this meeting, the case will proceed to City Council for public hearing and final consideration.

For more information please call 974-2330, or email
Robert.Heil@ci.austin.tx.us.

Se ha hecho una petición para rezonificar la propiedad localizada en el **1805 Frontier Valley Drive**. Usted esta invitado(a) a una junta para discutir este caso:

**Jueves, Junio 16 del 2005
6:00 – 7:00 PM
Centro de Recreación Montopolis
1200 Montopolis Dr.**

En esta junta, el propietario hará una presentación y discutirá preguntas sobre la petición de rezonificación. Oficiales de la ciudad también estarán presentes para discutir cualquier pregunta.

El sitio actualmente no esta desarrollado y esta zonificado para residencia unifamiliar con lotificación común – zona con distrito combinado y plan de vecindad (**SF-2-NP**). La petición es para densidad media – zona con distrito combinado y plan de vecindad (**MF-3-NP**).

Después de esta junta, el caso procederá al Cabildo Municipal para una audiencia pública y consideración final.

Para mas informacion favor llámeme al 974-3524, o puede mandar correo electrónico a
Ricardo.Soliz@ci.austin.tx.us

Walsh, Wendy

From: Heil, Robert
Sent: Wednesday, June 22, 2005 4:10 PM
To: Walsh, Wendy; Sirwaitis, Sherri
Subject: FW: 1805 Frontier Valley



Minutes.doc

-----Original Message-----

From: Annick Beudet [mailto:ABeudet@mailbmc.com]
Sent: Wednesday, June 22, 2005 4:05 PM
To: Alvarez, Raul
Cc: Mormon, Andy; Aguilera, Gloria; Rusthoven, Jerry; Bailey, Rich;
Heil, Robert; Briseno, Veronica
Subject: 1805 Frontier Valley

Good Afternoon Council Member Alvarez:

Thank you for your time yesterday. As we discussed, the following is a conditional overlay that the property owner will impose on this property in an effort to come to consensus for a rezoning for this property.

The request is MF-3-CO, the CO would:

- 1) limit units to no more than 225
- 2) require a 25 foot vegetative buffer at the north property line
- 3) and require that 40% of all units be priced at 60% MFI (as opposed to 80% which is the normal threshold for SMART Housing Approval)

I called Ms. Susana Almanza of PODER this afternoon and she was not willing to hear any of the above three offerings and only wants single family housing. It is unfortunate that she is unwilling to work with us they way she and her organization worked with John Joseph and Mr. Steiner upon the rezoning of the adjacent 65 acres to MF-3 and SF-6 in 2002.

I have attached the August 6th, 2002 minutes (see page 6) of the ZAP Commission in which Ms. Almanza spoke in favor of 28 acres of MF-3 in exchange for some single family housing on the 65 acre tract adjacent to 1805 Frontier Valley. It is very clear that her support of the MF-3 was contingent on the guarantee of single family to provide a mix of housing choices.

The 65 acres are now all single family (ground is breaking on 278 units), rezoning this tract to MF-3-CO will accomplish the same mix of housing that John Joseph proposed 2+ years ago, with the mix actually providing more single family as orbitally approved by City Council.

I agree with your perspective and concern about how the long of Frontier Valley will develop; we have an opportunity to fine tune the neighborhood plan and re-look at this area. Perhaps directing staff to initiate zoning on some other tracts along Frontier Valley is the answer, so that the area can be a "master plan" for the greater good of the community; a plan which would include multifamily, single family and supporting retail services.

Thank you again and I am available to answer any additional questions that you have. As you know, while PODER and Ms. Susan Almanza do not support this rezoning request, we do have the support of the adjacent property owner across the street and many others in the community, including the U.S. Hispanic Contractors Association de Austin, Mr. Johnny Limon, Mr. Frank Fuentes and Mr. Andy Ramirez.

Walsh, Wendy

From: Sirwaitis, Sherri
Sent: Thursday, June 23, 2005 11:11 AM
To: Walsh, Wendy
Subject: FW: RE: 1805 Frontier Valley (Case C14-05-0026)

-----Original Message-----

From: Agullera, Gloria
Sent: Thursday, June 23, 2005 11:09 AM
To: Soliz, Ricardo; Heil, Robert; Glasco, Alice; Sirwaitis, Sherri
Subject: RE: RE: 1805 Frontier Valley (Case C14-05-0026)

Ricardo,

I appreciate the information. This information will help a great deal.

Gloria

From: Soliz, Ricardo
Sent: Thursday, June 23, 2005 9:21 AM
To: Heil, Robert; Glasco, Alice; Sirwaitis, Sherri; Agullera, Gloria
Subject: RE: RE: 1805 Frontier Valley (Case C14-05-0026)

The interest list for the Montopolis Planning area is 88 persons. These are folks that attended meetings during the planning of the plan. The number of mailings that went out inviting people to the neighborhood meeting to discuss the zoning case at 1805 Frontier Valley was 3,333. This includes non-resident property owners, and property owners that were notified of this meeting. I hope this helps.

If you have further questions, please let me know.

Thanks,

Ricardo Soliz

-----Original Message-----

From: Heil, Robert
Sent: Wednesday, June 22, 2005 4:12 PM
To: Glasco, Alice; Sirwaitis, Sherri
Cc: Soliz, Ricardo
Subject: RE: RE: 1805 Frontier Valley (Case C14-05-0026)

Roughly 200, but this is a pretty broad estimate. I'll check with Ricardo to get a firm number.

-----Original Message-----

From: Glasco, Alice
Sent: Wednesday, June 22, 2005 4:08 PM
To: Sirwaitis, Sherri
Cc: Heil, Robert
Subject: RE: RE: 1805 Frontier Valley (Case C14-05-0026)

How many notices did we mail out for the May 24th meeting?

-----Original Message-----

From: Sirwaitis, Sherri
Sent: Wednesday, June 22, 2005 1:26 PM
To: Glasco, Alice
Subject: FW: RE: 1805 Frontier Valley (Case C14-05-0026)

Hi Alice,

I will incorporate the revised comments concerning this case (please see below) into Greg's Guesses.

Please let me know if you have any other questions regarding this case.

Thank you,

Sherri

-----Original Message-----

From: Heil, Robert
Sent: Wednesday, June 22, 2005 1:14 PM
To: Sirwaitis, Sherri
Subject: RE: RE: 1805 Frontier Valley (Case C14-05-0026)

This is from the updated staff report.

The City has received a letter of opposition signed by six south east Austin neighborhood associations (Exhibit B).

On May 24, a community meeting was held at the Ruiz Library to discuss this case. Notices in English and Spanish were mailed out the Neighborhood Planning Interest list. At the meeting the property owner presented his proposal to a small group of four community members. The four residents in attendance were not supportive of the rezoning request.

On June 16, a second community meeting was held at the Montopolis Recreation Center. Residents, property owners and the interest list were notified of the meeting in English and Spanish. Roughly 3200 notices were mailed out. (Exhibit C) Eleven stakeholders attended the meeting and although it was not unanimous (one commercial property owner supported the request for MF zoning) the general consensus was to oppose the rezoning and to support single family zoning up to SF-4A.

-----Original Message-----

From: Sirwaitis, Sherri
Sent: Wednesday, June 22, 2005 1:09 PM
To: Heil, Robert
Subject: RE: 1805 Frontier Valley (Case C14-05-0026)

Hi Robert,

Alice has requested an update on the Frontier Valley case. She would like to know how many people were in attendance at the public/neighborhood meeting last Thursday, July 16, 2005. What was the outcome of the discussions? I think you said that they were still in disagreement at this time.

Please send me an update for this case so that I can add this information to "Greg's Guesses".

Thanks!

Sherri

Sherri Sirwaitis
City of Austin
Neighborhood Planning & Zoning Department
sherri.sirwaitis@ci.austin.tx.us
512-974-3057

Walsh, Wendy

From: Soliz, Ricardo
Sent: Thursday, June 23, 2005 10:09 AM
To: Walsh, Wendy
Subject: FW: 1805 Frontier Valley Zoning Case



Montopolis Interest
List.xls

FYI-

Ricardo

-----Original Message-----

From: Soliz, Ricardo
Sent: Thursday, June 23, 2005 10:06 AM
To: Aguilera, Gloria
Cc: Sirwaitis, Sherri; Heil, Robert
Subject: 1805 Frontier Valley Zoning Case

Gloria,

Attached please find the interest list for the Montopolis Planning area. I would like to clarify with you that the interest list is only the people that we have in our data base that attended meetings during the planning of the plan. A contact Team or planning team has NOT been established in this area. This is an area that staff still needs to organize a formal contact team/planning team. I hope this is clear. Call or I will be at the Council meeting today, if you need to speak to me.

Thanks. Hope all is well with you.

Ricardo G. Soliz
Neighborhood Planning Manager
Neighborhood Planning & Zoning
Department, 505 Barton Springs Rd. 5th fl.
(512) 974-3524
fax (512) 974-6054
ricardo.soliz@ci.austin.tx.us

Last	First	Address	City	State	Zip	Phone
Brock	Misha	1007 Robert E. Lee	Austin	TX	78741	328-9989
Raisedonna	Farshad	10903 Runningbuck Ln.	Austin	TX	78750-1127	928-4550/219-9694
Canada	Tessie	1103 Lily Terrace	Austin	TX	78741	385-5933
Fabian	Estela	1111 Montopolis Dr.	Austin	TX	78741	385-4238
Korcsmar	Fr. John	1111 Montopolis Dr.	Austin	TX	78741	385-4333
Costilla	Jessica	11404 Darrin Ln.	Austin	TX	78617	247-5194
Russell	Clyde	1313 Montopolis	Austin	TX	78741	282-5619
Ortiz	Roland & Joel	1401 Montopolis	Austin	TX	78741	385-3033
Almanza	Librado	1406 Vargas Rd	Austin	TX	78741	386-6843
Medrano	Geneva	1408 Vargas Rd.	Austin	TX	78741	385-4292
Baker	Suzanne	1601 Faro Dr. #2501	Austin	TX	78741	386-9989
Mims	Clemintine	1608 Montopolis Dr.	Austin	TX	78741	385-9070
Rodriguez	Joe A.	164 Scarlet Harts Ln.	Dale	TX	78616	971-0502
Garza	Margie	2010 Yellow Jacket Ln.	Austin	TX	78741	389-2366
Wunneburger	Carolyn	2107 Montopolis	Austin	TX	78741	385-3527
Bashara	Myrtle	2110 Arpdale	Austin	TX	78704	
Mellenberger	Mike	2110 Thrasher Ln. #5	Austin	TX	78741	389-2919
Perez	Jose	2212 Riverview St.	Austin	TX	78702	554-8643
Almanza	Susana	2217 Garden St.	Austin	TX	78702	386-6844
Wright	Jackie Kelley	2325 Williamson Rd.	Lockhart	TX	78644	() 376-3662
Watkins	Linda	2407 Riverside Farms Rd.	Austin	TX	78741	385-5959
Long	Jan	2411 Riverside Farms	Austin	TX	78741	385-0473
Gonzales	Jeff	256 Bastrop Hwy	Austin	TX	78741	385-6545
Hanrahan	Larry	2701 Montopolis Dr.	Austin	TX	78741	658-5244
Faustad	Bob	2706 Montopolis Dr.	Austin	TX	78741	338-4093
Hoffman	Jim	2801 Montopolis	Austin	TX	78741	369-1840
Lee	Bill	2901 Bee Caves Rd	Austin	TX	78746	328-0457
Rodriguez	Rebecca	309 Montopolis Dr.	Austin	TX	78741	601-1603
Smith	Kenneth	3317 Graybuck	Austin	TX	78748	282-3752
Morena	Jesus	406 Terrace	Austin	TX	78704	
Perez	David	4500 E. Oltorf #117	Austin	TX	78741	326-4029
Martinez	Cruzita	4605 Lyons Rd.	Austin	TX	78702	385-7516
Lucio	Bea	4700 Imperial Dr	Austin	TX	78725	933-1645
Yeatts	Malcolm	4811 Allison Cove	Austin	TX	78741	385-1958
Moncivais	Richard	4902 Creeklime	Austin	TX	78745	444-1475
Wagner	Andy	4951 CR 124	Georgetown	TX	78626	

Gonzalez	Martin	505 Barton Springs Rd. #600	Austin	TX	78704	499-3103
Gonzalez	Dominic	512 Riverside Dr. #212	Austin	TX	78741	804-1633
Ponziano	Florence	515 Kemp	Austin	TX	78741	385-8672
Castillo	Elia	515 Vargas	Austin	TX	78741	841-1859
Castillo	Richard	515 Vargas	Austin	TX	78741	841-1860
Blood	Michele	5204 E. Ben White M5529	Austin	TX	78741	
Kelly	Tessie Mae	600 Kemp St.	Austin	TX	78741	385-6143
		6019 Atwood St.				
White	Mae N.	51 PR 922	Jarrell	TX	76537	784-4444
Pena	Stephanie	6021 Camation Terr.	Austin	TX	78741	385-0654
Secretst	Ola M.	610 Kemp St.	Austin	TX	78741	385-8677
Jones	Sheila	6101 Palm Circle	Austin	TX	78741	386-7363
Rodriguez	Griselda	6103 Fairway St.	Austin	TX	78741	389-2542/892-5890
Guerrero	Gustavo	6104 Fairway	Austin	TX	78741	385-8260
Garcia	Domingo	6108 Caddie	Austin	TX	78741	
	Ambrosio &					
Jaimes	Guadalupe	6108 Riverside Dr.	Austin	TX	78741	385-6843
Costilla	Albert	6113 Club Terrace	Austin	TX	78741	748-8397
Monreal	Marie	6113 Fairway	Austin	TX	78741	385-1248
Guerrero	Isidro	6114 Larch Tree	Austin	TX	78741	385-7474
Herrera	Margaret	6307 Santos St.	Austin	TX	78741	385-5596
Massey	Michael	6503 Riverside	Austin	TX	78741	385-3393
Green	Bobby	6211 Walker Ln.	Austin	TX	78741	389-1472
Massey	Vivian	6503 Riverside	Austin	TX	78741	385-3393
Manor	Clifford D. Rev.	6503 Santos St.	Austin	TX	78741	389-1776
Hatcher	Kimberle	6507 E. Riverside Dr.	Austin	TX	78741	353-8307
Joiner	Brad	6507 E. Riverside Dr.	Austin	TX	78741	385-8469
Flores	Magarita	6607 Porter	Austin	TX	78741	385-4541
Landers	Olivia	6610 Cruz	Austin	TX	78741	385-5141
Flores	Rolando	6611 Cruz St.	Austin	TX	78741	385-2317
Lillie	Dick	6806 Canyon Wren Dr.	Austin	TX	78746	329-8260
Dempsey	Dawn	6934 Ben White Blvd	Austin	TX	78741	385-9700
Meece	Frank	7320 E. Ben White	Austin	TX	78741	385-4777
Gonzalez	Mary Ellen	7415 Poinsetta Ln.	Austin	TX	78744	385-1209
Gillette	Sally	811 Barton Springs Dr. 8th	Austin	TX	78704	478-1075
Rivera	Veronica	811 Barton Springs Rd. Ste. 800	Austin	TX	78704	478-1075

Hailey	Trey	8711 Burnet Rd. #F70	Austin	TX	78757	467-7767
Perez	Veronica	901 Vargas, Coronado Studio	Austin	TX	78741	385-3591
Martinez	Alejandro	912 Vargas Rd	Austin	TX	78741	442-7575
Duncan-Hall	Tyra	ACC East View Riverside Campus 3401 Webberville Rd.	Austin	TX	78702	223-5104
Taylor	Franklin	ACC East View Riverside	Austin	TX	78702	
Buchanan	David	1020 Campus Grove	Austin	TX	78760	385-9700
Crockett	Jim	P.O. Box 17347	Austin	TX	78760	633-9683
McGiffert	Maggy	P.O. Box 17844	Austin	TX	78760	356-1597
Crozler	Jim	P.O. Box 19454	Austin	TX	78741	474-2209
Stratton	John	P.O. Box 216	Austin	TX	78768	445-6262
Eichner	Mary	P.O. Box 2232	Austin	TX	78741	636-6321
Pena	Gus	P.O. Box 4039	Austin	TX	78762-6577	482-8373
Anderson	Emmett	PO Box 6577	Austin	TX	78741	376-6597
Mendez	Maria	Thrasher Street	Austin	TX		
Llanes	Daniel					
Botha	Zelda-Rina					
Jones	Janet	1304 Vargas Rd.	Austin	TX	78741	

E-mail: E-mail_2

loboinc2@aol.com
poder_br@sbcglobal.net

cgrodriguez@casey.org

klhatcher@msn.com

jrstratton@strattonlawfirm.com
meichner@austin.rr.com

dllanesrb@earthlink.net zelda_rinausa2003@yahoo.com
botha@qbronline.com
thejanetor@hotmail.com

PETITION

Case Number:

C14-05-0026

Date:

July 7, 2005

Total Area within 200' of subject tract: (sq. ft.)

731,410.97

1				0.00%
2				0.00%
3				0.00%
4				0.00%
5				0.00%
6				0.00%
7				0.00%
8				0.00%
9				0.00%
10				0.00%
11				0.00%
12				0.00%
13				0.00%
14				0.00%
15				0.00%
16				0.00%
17				0.00%
18				0.00%
19				0.00%
20				0.00%
21				0.00%
22				0.00%
23				0.00%
24				0.00%
25				0.00%
26				0.00%
27				0.00%
28				0.00%

Validated By:

Stacy Meeks

Total Area of Petitioner:

0.00

Total %

0.00%

SF-3-NP

MOBILE HOME PARK

CANAL STREET

SF-3-NP

SF-3-NP

SANTOS STREET

SF-3-NP

SF-3-NP

MF-3-NP

01-0060 84-310R.C.

FRONTIER VALLEY DRIVE

SF-2-NP

85-102

0060

R.C.

SF-4A-NP

01-0080

CS-NP

01-0080

GR-MU NP

SF-4A-NP

01-0010

01-0060

HILLTOP DRIVE

MULE DRIVE

POPPY SEED LANE

SARATOGA STREET

04-0120C
1-67 WAREHOUSES
12-459CS

CS-NP

 1" = 200'	SUBJECT TRACT 	PETITIONS CASE #: C14-05-0026 ADDRESS: 1805 FRONTIER VALLEY DR SUBJECT AREA (acres): 9.939		CITY GRID REFERENCE NUMBER L18
	PENDING CASE 			
	ZONING BOUNDARY 	DATE: 05-07		
	CASE MGR: R. HEIL	INTLS: SM		

Valid Petition

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a 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: C14-05-0026

Contact: Robert Heil, (512) 974-2330

Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 I object

Betty Fisher
Your Name (please print)

1430 Frontier Valley Rd #34
Your address(es) affected by this application

Betty from Judy 5-30-05
Signature Date

Comments: Too many Duplexes
not enough store jobs
in this area over
developed getting cluttered
Bligs in unnecessary character
into UELWA
over development ~~of~~ CoSas
proceeds extensive of
council's nature here-

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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 attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. 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.ci.austin.tx.us/development

Valid Petition

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a 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: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 I object

JUAN LEAL
Your Name (please print)

Frontier Valley #152
Your address(es) affected by this application

JUAN LEAL
Signature
S-30-05
Date

Comments:

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

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 I am object

Your Name (please print)
R. Roberto Guerrero

Your address(es) affected by this application
Frontier Valley #133

Signature
R. Roberto Guerrero Date
5-30-05

Comments:

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

PUBLIC HEARING INFORMATION

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www.ci.austin.tx.us/development

PUBLIC HEARING INFORMATION

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 Object

Your Name (please print) Heilberto Leal

1430 Frontier Valley A 134

Your address(es) affected by this application

Robert Heilberto Leal Signature

Date

5/30

Comments:

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

Valid Petition

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Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 I object

Your Name (please print) maria Robles

Your address(es) affected by this application 1430 Frontier Valley #147

Signature maria Robles Date 5-30-05

Comments: _____

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

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Case Number: C14-05-0026

Contact: Robert Heil, (512) 974-2330

Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

Joe C. Ybarra
Your Name (please print)

I am in favor
 Object

1430 Frontier Valley Dr H 149
Your address(es) affected by this application

Joe C. Ybarra
Signature

5-30-05
Date

Comments:

If you use this form to comment, it may be returned to:

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Neighborhood Planning and Zoning Department
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Austin, TX 78767-8810

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Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 I object

Your Name (please print) Secilio De la Cruz

1430 Frontier Valley
Your address(es) affected by this application

Secilio de la Cruz 5/30/05
Signature Date

Comments: _____

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City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026

Contact: Robert Heil, (512) 974-2330

Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

Your Name (please print)
Jose Contreras

Your address(es) affected by this application
Frontier Valley or H 14

Your Signature
Jose Contreras

Date

Comments:

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026

Contact: Robert Heil, (512) 974-2330

Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 I object

Maria Vega
Your Name (please print)

Frontier Valley Dr 18
Your address(es) affected by this application

Maria Vega _____
Signature Date

Comments: _____

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

Your Name (please print) OSCAR RODRIGES
1430 Monticello Dr A 31
Your address(es) affected by this application

OSCAR RODRIGES _____
Signature Date

Comments: _____

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

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Case Number: C14-05-0026

Contact: Robert Heil, (512) 974-2330

Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

Item in favor
 Object

Jos Martinez
Your Name (please print)

1130 Frontier Valley, # 32
Your address(es) affected by this application

Jos Martinez Signature
5-30-05 Date

Comments:

If you use this form to comment, it may be returned to:

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Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026

Contact: Robert Heil, (512) 974-2330

Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 Object

Rodiles Bojars
Your Name (please print)

Frontier Valley Orth 35
Your address(es) affected by this application

Raul Bridges 5-30-05
Signature Date

Comments:

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 Object

Martina Martinez
Your Name (please print)

Frontier Valley Dr # 39
Your address(es) affected by this application

Martina Martinez 5-30-05
Signature Date

Comments:

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 I object

Elizabeth Rodriguez
Your Name (please print)

Frontier Valley Dr. #45
Your address(es) affected by this application

Signature

05/30/05
Date

Comments:

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

Your Name (please print)

Frankie Valley H. 22

Your address(es) affected by this application

530-00

Date

Signature

Comments:

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026

Contact: Robert Heil, (512) 974-2330

Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

Lam in favor
 I object

Your Name (please print) Alicia Trejo

Flower Valley or A57

Your address(es) affected by this application

Alicia Trejo Signature 5/30/04 Date

Comments:

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026

Contact: Robert Heil, (512) 974-2330

Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 I object

Blanca Valencia
Your Name (please print)

1430 Frontier Valley #98 Austin TX 78741
Your address(es) affected by this application

Blanca Valencia Signature
5/30/05 Date

Comments: _____

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

Valid Petition

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a 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: C14-05-0026

Contact: Robert Heil, (512) 974-2330

Public Hearing: May 12, 2005 Austin City Council

April 12, 2005 Planning Commission

Paul Ramos
Your Name (please print)

I am in favor
 I object

1430 Frontier Valley Dr # 101

Your address(es) affected by this application

Paul P.

Signature

5-30-05

Date

Comments:

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Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

<input checked="" type="checkbox"/> I am in favor
<input type="checkbox"/> I object

Maria Graciela Veliz
Your Name (please print)

1430 Feather Valley # 104
Your address(es) affected by this application

Maria Graciela Veliz 5-30-05
Signature Date

Comments:

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Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

TERESA MORALES

Your Name (please print)

1430 Frontier Valley # 105B

Your address(es) affected by this application

Teresa Morales

Signature

Date

5-30-05

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> object

Comments:

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Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 I object

Seraina Alfaro
Your Name (please print)

1430 Frontiz Valley #106
Your address(es) affected by this application

Seraina Alfaro 5-30-06
Signature Date

Comments:

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

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Case Number: C14-05-0026

Contact: Robert Heil, (512) 974-2330

Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 object

Bartolo Sanchez
Your Name (please print)

1430 Frontier Valley #108
Your address(es) affected by this application

BSS 5-30-05
Signature Date

Comments:

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Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 object

Angie Rodriguez
Your Name (please print)

1430 Frontier Valley #112
Your address(es) affected by this application

Angie Rodriguez 5-30-05
Signature Date

Comments:

If you use this form to comment, it may be returned to:
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Neighborhood Planning and Zoning Department
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P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

Your Name (please print) Antonio Resendiz I am in favor I object

1430 Frontier Valley Dr 113
Your address(es) affected by this application

Antonio Resendiz 5-30-05
Signature Date

Comments: _____

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Neighborhood Planning and Zoning Department
Robert Heil
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Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 I object

MARY F. LAVERGOS
Your Name (please print)

1430 Frontier Valley H 114
Your address(es) affected by this application

Mary F. Lavergos
Signature

5-30-05
Date

Comments:

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Contact: Robert Heil, (512) 974-2330

Public Hearing: May 12, 2005 Austin City Council

April 12, 2005 Planning Commission

Araceli Mendez
Your Name (please print)

I am in favor
 I object

1430 Frontline Valley Dr #115

Your address(es) affected by this application

Araceli Mendez 5-30-05
Signature Date

Comments:

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Robert Heil
P. O. Box 1088
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Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 I object

SHARNA L. WILCOX
Your Name (please print)

Frontier Valley #121
Your address(es) affected by this application

Sherifford 5-20-05
Signature Date

Comments:

If you use this form to comment, it may be returned to:

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Case Number: C14-05-0026

Contact: Robert Heil, (512) 974-2330

Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

Carlo De Leon
Your Name (please print)

I am in favor
 Object

Franiel Valley Pk 124
Your address(es) affected by this application

CARLOS DE LEON 5-30-05
Signature Date

Comments:

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Robert Heil
P. O. Box 1088
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Case Number: C14-05-0026

Contact: Robert Heil, (512) 974-2330

Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 I object

Trime Vasquez
Your Name (please print)

1430 Fratiser Valley #128
Your address(es) affected by this application

[Signature]
Signature

5-30-05
Date

Comments:

If you use this form to comment, it may be returned to:
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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

Your Name (please print) Stanley Rose Jr

Frontier Valley # 129

Your address(es) affected by this application

[Signature] Date 5-30-05

Signature

Comments:

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City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026

Contact: Robert Heil, (512) 974-2330

Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

Rob Heil
Your Name (please print)

I am in favor
 I object

Frontier Valley Dr # 997
Your address(es) affected by this application

Diosana Chavez Date
Signature

Comments:

If you use this form to comment, it may be returned to:

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Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Valid Petition

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a 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: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 I object

Your Name (please print) Antonio Baskista

Your address(es) affected by this application Foster Valley # 131

Signature Antonio Baskista Date 5-30-05

Comments: _____

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 I object

Your Name *Rebecca Mendoza*

Your address(es) affected by this application
Frontier Valley Dr # 169

Signature *[Signature]*

Date

Comments:

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026

Contact: Robert Heil, (512) 974-2330

Public Hearing: May 12, 2005 Austin City Council

April 12, 2005 Planning Commission

I am in favor
 I object

Juan Torres
Your Name (please print)

1430 Frontera Valley Dr #60
Your address(es) affected by this application

[Signature]
Signature

Date

Comments:

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 Object

Your Name (please print) Gloria Perez

Your address(es) affected by this application Frontier Valley Dr # 141

Signature Blairie Perry Date 05-30-05

Comments: They should build houses, not Apartments.

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

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Case Number: C14-05-0026

Contact: Robert Heil, (512) 974-2330

Public Hearing: May 12, 2005 Austin City Council

April 12, 2005 Planning Commission

I am in favor of the object

Ernesto Garcia
our Name (please print)

Frontier Valley Dr A65
Your address(es) affected by this application

Ernesto Garcia
Signature

Date

Comments:

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026

Contact: Robert Heil, (512) 974-2330

Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 I object

~~Jose Mata~~ Jose Mata
Your Name (please print)

Frontier Valley Dr #166
Your address(es) affected by this application

~~Jose Mata~~ Jose Mata
Signature

Date

Comments:

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 object

O/GA Martin et
Your Name (please print)

Fentice Welley # 76
Your address(es) affected by this application

[Signature]
Signature

Date

Comments:

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

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Case Number: C14-05-0026

Contact: Robert Heil, (512) 974-2330

Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 Object

Maria Rodriguez
Your Name (please print)

Frontier Valley Dr A # 95
Your address(es) affected by this application

Jorge Rodriguez _____
Signature Date

Comments: _____

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City of Austin
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Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

Your Name (please print) Elias Jaramillo Sanchez I am in favor I object

Your address(es) affected by this application Frontier Valley Or H 74

Signature Elias Jaramillo Sanchez Date _____

Comments: _____

If you use this form to comment, it may be returned to:
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Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 I object

Andrew A. Saldana
Your Name (please print)

Frontier Walkway Dr # 75
Your address(es) affected by this application

[Signature]
Signature

5-30-05
Date

Comments:

*If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 Object

WILLIAM R. TURPIN

Your Name (please print)

William R. Turpin

94

Your address(es) affected by this application

Signature _____ Date _____

Comments: _____

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

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 Subject

Christina Cervantes
Your Name (please print)

Fruitier Valley Dr # 93
Your address(es) affected by this application

Charlene Ovi _____ Date
Signature

Comments: _____

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
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P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

Xyolanda Perez Flores
Your Name (please print)

Frick Valley Dr #84
Your address(es) affected by this application

[Signature]
Signature

Date

Comments:

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

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

I am in favor
 I object

Your Name (please print) Teresa Samples

Your address(es) affected by this application Aerose Samples #85

Signature _____ Date _____

Comments: _____

If you use this form to comment, it may be returned to:
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Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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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.ci.austin.tx.us/development

Valid Petition

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a 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: C14-05-0026

Contact: Robert Heil, (512) 974-2330

Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

ASLD

Your Name (please print)

Fowler Valley ex #88

Your address(es) affected by this application

Jose Luis Prado

Signature

Date

I am in favor
 I object

Comments:

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Robert Heil
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-05-0026
Contact: Robert Heil, (512) 974-2330
Public Hearing: May 12, 2005 Austin City Council
April 12, 2005 Planning Commission

Roberto Chavez
Your Name (please print)

I am in favor
 I object

Frontier Valley #90
Your address(es) affected by this application

Robert Chavez _____ Date
Signature

Comments: _____

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

Closed Caption Log, Council Meeting, 05/26/05 [Exerpt]

Note: Since these log files are derived from the Closed Captions created during the Channel 6 live cablecasts, there are occasional spelling and grammatical errors. **These Closed Caption logs are not official records of Council Meetings and cannot be relied on for official purposes.** For official records or transcripts, please contact the City Clerk at 974-2210.

Mayor Wynn: THANK YOU VERY MUCH. WE'VE GOT A BUNCH OF FOLKS WAITING AND WE HAVE ONE MORE ZONING CASE, WITH ONLY THREE PEOPLE SIGNED UP WISHING TO SPEAK. WE'LL BE THROUGH WITH ZONING. I'D LIKE TO ANNOUNCE NOW, JUST TO GIVE PEOPLE SOME HEAD'S UP, COUNCIL, THAT MY RECOMMENDATION WOULD BE THAT WE THEN TAKE SOME OF OUR LATER EVENING ITEMS OUT OF SEQUENCE. AND I WOULD RECOMMEND AND PREFER THAT WE DIDN'T TAKE UP ITEM NUMBER 35, WHICH IS OUR PRESENTATION OF THE GROUP SOLUTION REPORT IMMEDIATELY AFTER ZONING AND THEN COME BACK AND TAKE UP THE REST OF THOSE PUBLIC HEARINGS. WE HAVE A BIG CROWD HERE TONIGHT. FRANKLY, I'D LIKE TO SEE AS MUCH OF THIS PRESENTATION AS POSSIBLE. SO WITH THAT LET'S TAKE UP OUR LAST ZONING CASE, ITEM Z-2. MISS GLASGO, WELCOME.

THANK YOU, MAYOR, COUNCILMEMBERS. ITEM NUMBER Z- 2 IS CASE NUMBER C-14-05-0026. THIS IS A CASE THAT PERTAINS TO THE MONTOPOLIS NEIGHBORHOOD PLAN. I'M STANDING HERE CLOSER TO THE MAP BECAUSE THIS PLAN WAS ADOPTED IN SEPTEMBER OF 2001, SO I NEED TO TAKE YOU BACK TO 2001 TO GIVE YOU A LITTLE BACKGROUND SO YOU KNOW WHAT HAPPENED. THE MONTOPOLIS NEIGHBORHOOD PLAN WAS OUR FIRST PLAN WHERE WE COMBINED ZONING WITH A PLAN, WITH A PLAN THAT ADOPTED TODAY. AT THAT TIME IN FRONT OF YOU YOU HAD THE JOCKEY TRACT. IT WAS A TRACT I'M POINTING OUT HERE. THE BLUE SHOWN IN HERE THAT EXTENDS INTO THE RED AND ALL THE WAY UP TO ED BLUESTEIN COMPRISED THE JOCKEY TRACT. THE JOCKEY TRACT REZONING APPLICATION WAS FILED AT A TIME WHEN THE NEIGHBORHOOD PLAN WAS IN PROGRESS AND AT THE TIME THERE WAS OPPOSITION TO UP ZONING THAT PROPERTY TO COMMERCIAL TO ALLOW THE JOCKEY TRACT PROCESS TO PROCEED TO ALLOW HORSE RACING. GIVEN THAT POSITION, THE NEIGHBORHOOD HOUSING DEPARTMENT CONSIDERED PURCHASING THE PROPERTY, BUT THOSE NEGOTIATIONS DID NOT WORK OUT AND AS A RESULT WE NEGOTIATED ON HOW TO HANDLE THE PROPERTY THAT WAS REFERRED TO AS THE JOCKEY TRACT. THE COMPROMISE WAS THAT THE PROPERTY THAT'S REFERRED TO AS THE JOCKEY TRACT WOULD BE DESIGNATED ON THE FUTURE LAND USE MAP IN THIS BLUE COLOR SIMPLY BECAUSE WE WANTED A VARIETY OF RESIDENTIAL USES TO BE CONSIDERED. THE NEIGHBORHOOD HAD EXPRESSED AN INTEREST THROUGH THE NEIGHBORHOOD PLANNING PROCESS TO HAVE RESIDENTIAL USES, SPECIFICALLY AT THAT TIME MORE DETACHED HOUSING, HENCE WHY THE NEIGHBORHOOD HOUSING DEPARTMENT WAS CONSIDERING ACQUIRING THE PROPERTY TO DEVELOP SMART HOUSING. SINCE THE NEGOTIATIONS DID NOT ALLOW THE CITY TO ACQUIRE THE PROPERTY, THE OWNERS AT THAT TIME ASKED THAT WE DESIGNATE THE PROPERTY WITHOUT CHANGING THE ZONING TO ALLOW FOR FLEXIBILITY AT A TIME WHEN THE OWNERS KNEW EXACTLY WHAT TO DO AND THAT THE STAFF WOULD INITIATE

APPROPRIATE ZONING. WE ADDED A NOTE TO THE FUTURE LAND USE MAP WHICH READS AS FOLLOWS: THE MAP -- NOTE UP THERE IS RATHER SMALL, SO I AM GOING TO READ IT TO YOU FROM THE MAP. THE NOTE WHICH WE ATTACHED AND WHICH YOU ADOPTED IN SEPTEMBER OF 2001 READS AS FOLLOWS: RESIDENTIAL USES MAY INCLUDE THE FOLLOWING ZONING OPTIONS, SMALL LOT AMNESTY, LOT INFILL, SECONDARY APARTMENT INFILL, SINGLE-FAMILY 4-A, WHICH IS THE SMALLEST LOTS, SINGLE-FAMILY 6, AND MULTI-FAMILY 4. THOSE WERE THE OPTIONS THAT COULD BE CONSIDERED FOR REZONING. WE HAVE SINCE THEN -- I AM GOING TO CHANGE FROM THIS MAP AND SHOW YOU THE ZONING THAT EXISTS TODAY. SINCE YOU ADOPTED THE PLAN YOU HAVE REZONED SEVERAL TRACTS. THE JOCKEY TRACT SINCE THEN HAS BEEN REZONED. TO THE SOUTH YOU HAVE SINGLE-FAMILY 4-A, WHICH WAS REZONED AFTER A RESIDENTIAL DEVELOPER ACQUIRED THIS PROPERTY. TO THE NORTH YOU HAVE THE SUBJECT TRACT THAT IS CURRENTLY ZONED SINGLE-FAMILY 2 WITH A NEIGHBORHOOD PLAN COMBINING DISTRICT. THE OWNER OF THE PROPERTY WOULD LIKE TO BUILD APARTMENTS. HE IS SEEKING MULTI-FAMILY 4. STAFF AND THE PLANNING COMMISSION HAVE RECOMMENDED MULTI-FAMILY 3. THE APPLICANT'S REQUEST IS CONSISTENT WITH A NOTE WE ATTACHED TO THE PLAN, WHICH WAS TO ALLOW ANY OF THOSE OPTIONS. SO COUNCIL MAY CONSIDER ANY ZONING DISTRICT THAT WAS CALLED UP ON THIS PLAN. THIS IS THE REASON WHY WE HAVE NOT PROPOSED A PLAN AMEND SIMPLY BECAUSE THE PLAN OUTLINES WHAT OUGHT TO BE SOUGHT AT THE TIME WHEN THE OWNERS WERE WILLING TO SEEK ZONING CHANGES. I WILL BRIEFLY JUST HIGHLIGHT THE DIFFERENCES IN THE STAFF RECOMMENDATION AS FAR AS DENSITY GOES. IF YOU WERE TO GRANT MULTI-FAMILY 3 ZONING, THE PROPERTY CAN BE DEVELOPED FOR MULTI-FAMILY USES OR FOR SINGLE-FAMILY IF THE OWNER CHOOSES TO DO THAT; HOWEVER, MULTI-FAMILY 3 ZONING WOULD ALLOW A NET DENSITY OF 286 UNITS. THAT'S WHAT THE APPLICANT CAN NET ONCE PARKING IS CONSIDERED, DETENTION, LANDSCAPING AND ALL OTHER ON SITE REQUIREMENTS. THAT'S THE NET DENSITY. I WILL PAUSE HERE AND ANSWER YOUR QUESTIONS AFTER YOU HEAR FROM SPEAKERS.

Mayor Wynn: THANK YOU, MS. GLASGO. SO TECHNICALLY THE APPLICANT -- IS THE APPLICANT OR AGENT HERE?

THE CITY OF AUSTIN IS THE APPLICANT, SO THE OWNER OF THE PROPERTY WOULD BE SPEAKING AS AN OWNER, BUT NOT -- SIMILAR TO THE OTHER CASE. SO WE ARE THE APPLICANT IN THIS PARTICULAR CASE, MAYOR.

Alvarez: MAYOR? CAN YOU EXPLAIN THAT TO US, PLEASE, WHY THE CITY IS THE APPLICANT?

WE ARE THE APPLICANT BECAUSE THE COMMITMENT WE MADE WHEN THE PLAN WAS ADOPTED IS THAT FOR WHAT WAS CALLED THEN THE JOCKEY TRACT. SINCE WE INITIATED ZONING FOR ALL THE OTHER TRACTS, THAT WE WOULD THEN COME IN AND INITIATE THE ZONING AS STAFF IN ORDER TO IMPLEMENT THE OTHER TRACTS AS PART OF THE AGREEMENT FOR -- AS PART OF THE AGREEMENT FOR PUTTING IN ABAY ENS OF THE REZONING AT THE TIME WHEN WE REZONED EVERYTHING ELSE IN 2001.

Alvarez: AND I HAVE IN MY FILE FOR THIS NEIGHBORHOOD PLANNING AREA THE ZONING CHANGE THAT WAS APPROVED IN OCTOBER OF 2002, ABOUT A YEAR OR MORE LATER. AND SO -- WHICH THE CITY INITIATED. AND I THOUGHT WE HAD KIND OF LAID SOME OF THESE ISSUES TO REST AT THAT TIME. I WAS KIND OF SURPRISED TO SEE THAT THE CITY WAS THE APPLICANT HERE, BUT I'LL GET TO SOME OF THE SPECIFICS ABOUT THE HISTORY OF THIS. FROM THE INFORMATION I HAVE IN MY FILES, I'LL LET THE APPLICANT AND COMMUNITY MEMBERS SPEAK TO THE ISSUE FIRST.

Mayor Wynn: THEN COUNCIL, WITHOUT OBJECTION, WHY DON'T WE HEAR FROM THE PERSON HERE IN FAVOR OF THIS CASE, MS. ANNETTE BODAY. IS JAN DAVIS HERE? WELCOME. I THINK YOU WILL HAVE UP TO SIX MINUTES IF YOU NEED IT. THEN YOU WILL BE FOLLOWED BY SUSANA ALMANZA.

GOOD EVENING, COUNCIL, COUNCILMEMBERS, AND MAYOR. I'M REPRESENTING THE PROPERTY OWNERS OF THIS PROPERTY. AND ALICE DID A GREAT JOB ON RECAPING THE HISTORY OF THIS SITE AND I'M GOING TO TRY TO GIVE ANOTHER OVERVIEW, ANOTHER PERSPECTIVE. IT'S QUITE COMPLICATED, BUT HOPEFULLY THIS WILL HELP ANSWER COUNCILMEMBER ALVAREZ'S QUESTION AS TO WHY THE CITY IS THE APPLICANT. THIS TRACT WAS -- THERE WAS AN ACTIVE ZONING CASE ON THIS TRACT, WHICH IS THE ENTIRE BLUE AREA. AND IF YOU LOOK AT THE SITE I THINK YOU CAN SEE IT ON YOUR SCREEN, THERE'S A RECTANGULAR PIECE TO THE WEST. THAT IS THE SUBJECT TRACT THAT'S BEFORE YOU TONIGHT. AND THAT WHOLE BLUE AREA, THE RECTANGULAR PIECE AND THE BIGGER BLUE PIECE, WAS WHAT WAS KNOWN AS THE JOCKEY TRACT. WHEN THE PLANS FELL THROUGH FOR THE HORSE RACING TRACT VENUE, THERE WAS ALWAYS TWO OWNERS. THERE WAS A SEPARATE OWN FOUR THE RECTANGULAR TRACT AND THE BIGGER TRACT. TC STEINER OWNED THE BIGGER TRACT AND A MR. WAGNER OWNED THE SMALLER REC TANK GAW LAR TRACT. MR. WAGNER SOLD THE SUBJECT TRACT THAT'S BEFORE YOU TONIGHT, THE SMALLER RECTANGULAR TRACT TO MY CLIENT, JAN DAVIS. SO IN 2003 THE BIGGER PORTION, THE CITY INITIATED ZONING ON THE BIGGER PORTION ON BEHALF OF MR. STEINER TO COMPLETE THE NEIGHBORHOOD PLANNING PROCESS FOR MONTOPOLIS. AND WHAT WAS APPROVED IN 2003 WAS -- OOPS, EXCUSE ME. WAS MF 3, WHICH IS THE ORANGE PORTION, AND SF 6, WHICH IS THE DARK YELLOW PORTION. THAT WAS DONE IN 2003. TC STEINER THOUGHT THAT WAS A REASONABLE MIXED RESIDENTIAL, IT CONFORMED WITH THE NEIGHBORHOOD PLAN, FUTURE LAND USE MAP THAT WAS DESIGNATED FOR THE TRACT. SOON AFTER THIS ZONING WAS APPROVED -- KEEP IN MIND THAT BECAUSE OF THE SEPARATE OWNERSHIP, OUR SMALL TRACT WAS NOT INCLUDED AS PART OF THIS ZONING CASE. IT WAS GOING TO COME BACK LATER, WHICH IS HERE TONIGHT. THE CITY WAS GOING TO INITIATE ON THE SMALLER PIECE. SOON AFTER THIS WAS ZONED MF-3, I'LL POINT OUT THAT THE ORANGE PORTION IS 28 ACRES AND THE YELLOW PORTION IS 37 ACRES. SO YOU HAVE 28 ACRES OF MF-3 AND 30 ACRES OF MF-6. SOON AFTER THIS WAS DONE TC STEINER WAS APPROACHED BY CENTEX HOMES AND THEY HAD A PRODUCT THAT WAS A SINGLE-FAMILY DETACHED PRODUCT THAT FIT IN SINGLE-FAMILY 4-A ZONING. THEY INITIATED A DOWN ZONING ON THEIR OWN THAT WAS APPROVED BY BY COUNCIL. SO THIS IS WHAT YOU HAVE THERE

TODAY, GROUND IS BREAKING ON 278 DETACHED SMALL LOT SINGLE-FAMILY HOMES. IT'S ON THE WAY TO THE AIRPORT. THEY'LL PROBABLY BE FINISHED OUT WITHIN THE YEAR. SO WHAT WE'RE ASKING FOR, THIS AREA WAS APPROPRIATE FOR 28 ACRES OF MF-3 LESS THAN TWO YEARS AGO. WE'D LIKE TO MOVE 10 ACRES OF THAT PREVIOUSLY APPROVED 28 ACRES TO THE WEST. OUR TRACT IS THERE IN THE ORANGE. 500 FEET AND PROVIDE 10 ACRES OF MULTI-FAMILY HOUSING, WHICH IS CONSISTENT WITH THE FUTURE LAND USE MAP. AND THE NEIGHBORHOOD STILL GAINS A NET OF 18 ACRES OF SINGLE-FAMILY BECAUSE THEY'RE GETTING THAT WHOLE AREA NOW, THAT 65 ACRES, THE 37 PLUS THE 28, OF SF-4-A, AND OUR CLIENT SEES A NEED FOR MULTI-FAMILY THERE. THERE'S BEEN A BRAND NEW MULTI-FAMILY PROJECT THAT JUST BROKE GROUND ON GROVE AVENUE. THERE WAS A RIBBON CUTTING ABOUT TWO MONTHS AGO FOR SOME SMART HOUSING DOWN THE ROAD, AND OUR CLIENT SEES A MIX OF HOUSING HERE JUST LIKE THE FUTURE LAND USE MAP DESIGNATED. THERE WAS CONSENSUS FOR THE MF-3 IN 2003. MS. ALMANZA AND PODER DID SUPPORT THE SF-6 AND MF-3. AND IN FEBRUARY I DID APPROACH PODER AND MS. ALMANZA, KNOWING THAT SHE LIVES IN THE AREA, TO DISCUSS THIS PROPOSAL FOR MF-3. AND I GAVE HER MAPS AND SOME INFORMATION AND LETTING HER KNOW THE CITY WAS GOING TO INITIATE THIS CASE AND ASKED HER TO PLEASE GET BACK WITH ME WITH MY CONCERNS OR QUESTIONS THAT SHE MIGHT HAVE. SHE DIDN'T. I THEN CALLED HER FEBRUARY 24TH AND SHE HAD SAID SHE HADN'T HAD TIME, SHE WAS OUT OF TOWN, TO POLL THE NEIGHBORHOOD AND SHE WOULD GET BACK TO ME. SHE DIDN'T. QUITE FRANKLY I WAS SURPRISED TO HEAR THERE WAS OPPOSITION. MAYBE I'M NAIVE, BUT I THOUGHT THAT BECAUSE SHE DIDN'T CONTACT ME BACK AND BECAUSE SHE SUPPORTED THE MF-3 PREVIOUSLY THAT THERE WAS NO OPPOSITION. I FEEL LIKE -- WE AGREE WITH THE STAFF RECOMMENDATION OF MF-3. WE FEEL LIKE WE CAN MAKE THAT WORK. BECAUSE IT'S ACROSS THE STREET FROM MF-3 LIKE ZONING AND LIKE USAGE THAT FACE EACH OTHER. IT PROVIDES A TEXTBOOK BUFFER BETWEEN THE STRAIGHT COMMERCIAL AND MIXED USE ON RIVERSIDE AND THE SINGLE-FAMILY NORTH ON FRONTIER VALLEY. SO WE ARE IN AGREEMENT WITH THE STAFF RECOMMENDATION. WE HAD A UNANIMOUS VOTE BY THE PLANNING COMMISSION FOR MF-3. AND WE HOPE FOR YOUR SUPPORT TONIGHT TO HELP PROVIDE A -- SOME MORE MIX OF HOUSING IN THIS AREA, WHICH, YOU KNOW, IT'S GREAT TO SEE THAT THE AREA IS BUILDING OUT AS THE NEIGHBORHOOD PLAN FUTURE LAND USE PLAN DESIGNATED, A MIXED USE RESIDENTIAL. THE NEIGHBORHOOD PLAN WAS VERY SUCCESSFUL IN NOT GETTING A HORSE RACING TRACK VENUE AND PROVIDING QUALITY HOUSING IN THIS AREA, AND THAT'S WHAT IS HAPPENING AND THEY SHOULD BE APPLAUDD FOR THAT. AND WE WOULD LIKE TO ADD TO THAT MIX. WITH THAT I'LL BE HAPPY TO ANSWER ANY QUESTIONS YOU MIGHT HAVE. THE NEXT SLIDE I HAVE ACTUALLY IS A PROGRESSION OF WHAT'S HAPPENED. 2003, COUNCIL APPROVED MF-3. 2004 THEY APPROVED SF-4-A. AND THEN THE SCENARIO, THE LAST SCENARIO IS THE LAND USE PATTERN THAT WOULD OCCUR WITH THE APPROVAL OF MF-3 TODAY AND IT'S A TEXTBOOK EXAMPLE OF GOOD PLANNING. THANK YOU.

Mayor Wynn: THANK YOU. SO THAT'S THE SPEAKER IN FAVOR OF THE ZONING CASE. WE NOW GO TO A COUPLE OF FOLKS WHO WISH TO SPEAK IN OPPOSITION. SUSANA ALMANZA, WELCOME. IS CORAZEN --

[INAUDIBLE - NO MIC].

Mayor Wynn: SO YOU WILL HAVE UP TO SIX MINUTES, SUSANA. AND YOU WILL BE FOLLOWED BY PAT JOHNSON.

GOOD EVENING, MAYOR AND CITY COUNCILMEMBERS, I'M SUSANA ALMANZA WITH THE VARGAS NEIGHBORHOOD ASSOCIATION. AND I JUST WANT TO SAY, TOO, I DID MEET WITH HER AND I TOLD HER, WE'LL FIGHT YOU ALL THE WAY IF YOU TRY TO DO MULTI-FAMILY ZONING TO UP ZONE FROM SINGLE-FAMILY TO MULTI-FAMILY BECAUSE WHEN WE HAD THE NEIGHBORHOOD PLAN, REGARDLESS OF WHAT SHE'S PUT IN AT THE END, YOU ALWAYS SNEAK THESE LITTLE THINGS AT THE END, THE COMMUNITY SAID WHAT THEY WANTED WAS THEY WANTED TO RETAIN THE INNER CORE OF MONTOPOLIS, THE SINGLE-FAMILY RESIDENTIAL. AND AROUND IT COULD BE THE MULTI-FAMILY HOUSING PUT IN THERE. THE OTHER THING I WANTED TO SAY IS THAT THE PROCESS OF THE NEIGHBORHOOD PLAN WAS NOT ADHERED TO. THE FIRST THING YOU DO IF YOU'RE GOING TO DO A ZONING CHANGE, I DON'T CARE WHAT KIND OF AGREEMENT YOU MADE IN THE PAST, THE FACT IS THIS IS A ZONING CHANGE. THIS CASE HAD TO GO TO THE COMMUNITY FIRST FOR THE MEETING, THEN PROCEED TO THE PLANNING COMMISSION AND THEN THE CITY COUNCIL. THAT IS NOT WHAT HAPPENED IN THE PROCESS. I CALLED WHEN I GOT THE NOTICE AND TOLD THEM, HEY, WHAT'S GOING ON, THIS HASN'T COME BEFORE THE COMMUNITY PLAN. HE SAID I'D GET BACK TO YOU. YES, I WAS OUT OF TOWN. I'VE BEEN DOING A LOT OF TRAVELLING. I TOOK IT FOR GRANTED THAT THE CASE WOULD BE PULLED BECAUSE IT HADN'T COME BEFORE THE COMMUNITY. THE NEXT THING I KNOW, THERE IS SET FOR CITY COUNCIL. AND OF COURSE I BEGAN THE PROCESS. WE DID HAVE A COMMUNITY MEETING WITH THE COMMUNITY. THEY ALL STATED THEY DIDN'T WANT THE MULTI-FAMILY. YOU HAD A LOT OF VALID PETITIONS WITH YOU WHICH ARE NOT VALID IN YOUR TERM BECAUSE WE DON'T OWN THE LAND SURROUNDING IT, BUT THE PEOPLE WHO LIVE IN THE NEIGHBORHOOD PLAN DON'T WANT THE MULTIPLE FAMILY ZONING. AND I'M GOING TO GO NOW -- I DIDN'T KNOW IT WAS ALREADY ON THE ZONING CASE, SO LET ME JUST SHOW YOU. ON THE GROVE PLACE THAT YOU JUST SAW HER TALK ABOUT, THERE'S 184 UNITS DONE. THAT YOU CAN SEE, 184. SAFE PLACE HAS 25 UNITS ON GROVE BOULEVARD. THE BOULEVARD HAS BUILT 20 AND IS GOING TO BUILD 120. THE COUNTRY CLUB TOWNHOMES HAS 40 UNITS ON GROVE BOULEVARD. THE FAIRWAY APARTMENTS HAS 128 UNITS. RIVERSIDE MEDICINE ALS HAS 240 UNITS ON MONTOPOLIS DRIVE. TOWN VISTA APARTMENT HAS 280 UNITS. AND THIS IS A SITE OF 1805 FRONTIER VALLEY DRIVE, ZONED SINGLE-FAMILY 2, AND IF YOU LOOK DIRECTLY DOWN THERE, YOU CAN SEE THE HOUSING BACK THERE. I DON'T KNOW IF -- RIGHT HERE IS THE CENTEX HOMES. IT'S GOING TO BE ADJACENT -- IF YOU LOOK, THERE'S A CEMENT TRUCK THERE ADJACENT TO THIS PARTICULAR PROPERTY. SHE SAYS WE NEED MIXED HOUSING IN THE AREA. WELL, HELLO, WE HAVE 1,517 UNITS OF MULTI-FAMILY HOUSING IN OUR COMMUNITY. CAN YOU UNDERSTAND WHY OUR COMMUNITY

SAYS WE WANT TO SUSTAIN OURSELVES, WE WANT TO MAKE SURE THAT WE BUILD OUR COMMUNITY AND NOT HAVE SO MUCH TRANSITION, THAT WE GET TO KNOW EACH OTHER AND WE KEEP IT THAT WAY WHEN WE ALREADY HAVE 1,017 UNITS, WE NEED TO MAKE SURE THAT WE KEEP THAT SINGLE-FAMILY ZONING IN OUR COMMUNITY. THAT'S WHY WE FOUGHT THE HORSE RACE TRACK. AND WHEN SHE SAYS WE AGREED TO MULTI-FAMILY 3, YOU KNOW WHAT, IF YOU'VE GOT YOUR BACK AGAINST THE WALL, YOU WANT SINGLE-FAMILY HOUSING, BUT HELL, YOU DON'T OWN THE PROPERTY, DO YOU? YOU HAVE TO THEN SAY, OKAY, WE'VE GOT TO MAKE A EXROPTION. I THANK THE CREATOR BECAUSE THE CREATOR BOUGHT 17 TOX HOMES AND AT LEAST WE'RE HAVING SINGLE-FAMILY DETACHED HOUSING, BUT I THINK IT WOULD BE WRONG FOR US TO UP ZONE SINGLE-FAMILY HOUSING. THE OTHER THING I WANT TO SAY IS IF YOU GO BACK TO THAT MAP THAT ALICE GLASGO WAS PUTTING ON, THIS ONE RIGHT HERE, THE OTHER COLOR MAP. ALSO, SHE TALKED ABOUT WHAT'S ADJACENT TO THIS PARTICULAR PROPERTY. WELL, THIS PARTICULAR PROPERTY WERE TWO SEPARATE PROPERTIES FROM THE HORSE RACE TRACK. BUT IF YOU LOOK TO THAT YELLOW, THAT SINGLE-FAMILY ZONING NEXT TO IT. ALL THAT BLUE IS YELLOW NOW. ALL OF IT IS YELLOW. THE THING IS THAT THAT WAS SINGLE-FAMILY ZONING BEFORE WE WENT IN TO THE NEIGHBORHOOD PLAN PROCESS. IT WAS ALREADY SINGLE-FAMILY ZONING. SO THAT IS A CHANGE THAT IS HAPPENING. THERE'S SINGLE-FAMILY ADJACENT TO IT, SINGLE-FAMILY ACROSS, AND -- OKAY. AND IF YOU LOOK, RIGHT HERE, DOWN HERE WHERE THE CITY IS GOING TO -- WAS SUPPOSED TO BUILD THE ENERGY EFFICIENT HOMES AND THE MOBILE HOMES ARE DOWN HERE. SO IT'S NOT AS IF WE DON'T HAVE -- ALREADY GOING TO HAVE MORE SINGLE-FAMILY HOMES. AND IT ONLY MAKES SENSE IF WE HAVE 1,017 MULTI-FAMILY UNITS, WE DON'T NEED ANOTHER UNIT. THAT PARTICULAR PROPERTY COULD DEVELOP 60 MORE HOUSES IN THE AREA, AND THAT'S WHAT THE NEIGHBORHOOD PLAN, THE PEOPLE WHO LIVE THERE, NOT THE PEOPLE WHO OWN THE PROPERTY, NOT THE PEOPLE WHO ARE ABSENT LANDLORDS WHO DON'T GIVE A DAMN ABOUT WHAT GOES THERE, BUT THE PEOPLE THAT LIVE THERE EVERYDAY, THEY WANTED SINGLE-FAMILY HOUSING IN THAT PARTICULAR AREA, AND THAT'S WHY WE AGREED WITH THIS. SO WHAT I'M ASKING YOU TODAY IS NOT TO UPZONE THIS AREA. WE HAVE 1,017 MULTI-FAMILY. WE'VE GOT OUR SHARE. DOWN THE STREET THERE'S MORE OF A SHARE, THERE'S APARTMENT CITY. I THINK ALL OF YOU KNOW THAT. WE HAVE OUR SHARE. SO I'M ASKING DO NOT UPZONE THIS PROPERTY. THANK YOU.

Mayor Wynn: THANK YOU. PAT JOHNSON? WELCOME. YOU WILL HAVE THREE MINUTES. YOU'RE OUR LAST SPEAKER.

THE YOUNG LADY WAS UP HERE THE FIRST TIME AROUND, SHE WORKED IN THE PLANNING DEPARTMENT FOR SEVERAL YEARS. I GUESS THIS IS THE GOING AWAY PRESENT THE CITY GIVES HER, REZONES HER PROPERTY FOR WHAT SHE WANTS. YOU KNOW, I GOT INVOLVED IN THIS WHEN THE FIRST NOTICE WENT OUT FOR THE PUBLIC HEARING. WITHIN THE 300 FEET OR THE 900 FEET, THE MOST IMMEDIATE PEOPLE THAT THIS REZONING AFFECTS DON'T SPEAK ENGLISH, DON'T UNDERSTAND ENGLISH AND DON'T READ ENGLISH, BUT YET THE NOTICE FOR THE PUBLIC HEARING WAS IN ENGLISH. AND NOTHING ON THERE SAID ANYTHING ABOUT SPANISH. NOW, IF

THAT ISN'T A VIOLATION OF SOMEONE'S CIVIL RIGHTS OF NOTIFYING THEM OF A PUBLIC HEARING THAT AFFECTS THEM DIRECTLY, I DON'T KNOW WHAT IS? WE DON'T WANT AN APARTMENT COMPLEX ON FRONTIER VALLEY, PERIOD. CAN YOU IMAGINE CENTEX SELLING THOSE BRAND NEW HOMES OVER THERE UNDER DEVELOPMENT WITH A THREE-STORY APARTMENT COMPLEX LOOKING DOWN THOSE PEOPLE'S BACKYARDS? WOULD YOU WANT THAT IN YOUR BACKYARD, MAYOR, TO HAVE AN APARTMENT COMPLEX BACKED UP TO YOUR HOME? NO. WE DON'T WANT THE EXTRA TRAFFIC. WE DON'T WANT THE EXTRA CRIME. I DON'T CARE IF YOU PUT SENIOR CITIZENS IN THOSE PLACES. THE CRIME IS GOING TO COME TO THOSE PEOPLE. THAT'S HOW IT IS WITH CRIME. WE DON'T WANT THE TRAFFIC, DON'T WANT THE EXTRA CRIME, AND THIS LADY OVER HERE WHEN I CALL HER HUSBAND WHEN I GOT THAT FIRST ZONING NOTICE, WHEN I IDENTIFIED MYSELF TO HIM, HE SAID, OH, I'VE ALREADY HEARD ABOUT YOU FROM THE CITY MANAGER. YOU'VE GOT AN AXE TO GRIND. YES, I DO, TOBY, I GOT AN AXE TO GRIND WHEN THE CITIZENS ARE BEING ABUSED. ASK MR. DAVIS. HE'S THE ONE WHO SAID THAT. AND I SAID, WELL, I GET ALONG REAL WELL WITH THE CITY MANAGER. WHAT MAKES YOU THINK THAT SHE THINKS I HAVE AN AXE TO GRIND? IS IT CONSIDERING ME HAVING AN AXE TO GRIND WHEN I COME UP HERE AND ADDRESS MY COUNCIL DURING GENERAL CITIZEN COMMUNICATION ON ISSUES THAT AFFECT OUR CITIZENS.

Mayor Wynn: WE WERE DISAPPOINTED YOU DIDN'T SHOW UP TODAY ACTUALLY.

I KNOW. I COME UP HERE ALL THE TIME. [LAUGHTER] BUT THE ISSUE HERE IS NOTIFYING THE PEOPLE. YOU'VE GOT TO SEND THE NOTICE OUT IN SPANISH AND ENGLISH. I WENT TO THAT -- I WENT TO THE PLANNING COMMISSION AND I GAVE THEM A GOOD EARFUL AND I TOLD THEM DURING THAT COMMITTEE MEETING, I SAID, HOW IS PEOPLE IN SPANISH SUPPOSED TO KNOW THERE'S A PUBLIC HEARING? WELL, THERE'S A LINE DOWN ON THE BOTTOM, THE DOCUMENT WAS TYPED IN 12 FONTS AND THE LITTLE LINE ON THE BOTTOM WAS IN FOUR FONTS. SPANISH PEOPLE GET IT, THEY OPEN IT, DON'T UNDERSTAND IT, THEY DON'T LOOK AT THE BOTTOM AND THEY THROW IT AWAY. SO THE PEOPLE THAT THIS ZONING AFFECTS DIDN'T EVEN RECEIVE PROPER NOTIFICATION OF THE PUBLIC HEARING IN THE FIRST PLACE. IF THIS HAD BEEN A CUT AND DRIED DEAL BECAUSE THIS WOMAN WORKED IN THE PLANNING COMMISSION, THEY DIDN'T PAY NO FEES LIKE EVERYBODY ELSE, AND APARTMENT COMPLEXES ON FRONTIER VALLEY IS NOT WHAT WE WANT. THANK YOU.

Mayor Wynn: THANK YOU, MR. JOHNSON. COUNCIL, THAT'S ALL OF OUR SPEAKERS. LET'S SEE, FERNANDEZ SIGNED UP NOT WISHING TO SPEAK, ALSO IN OPPOSITION. COMMENTS, QUESTIONS? COUNCILMEMBER ALVAREZ. YOU KNOW IT'S SERIOUS WHEN THE COUNCILMEMBER GOES DOWN TO THE FLOOR.

Alvarez: THANK YOU, MAYOR. IT SEEMS LIKE EVERYBODY HAS GOT THEIR OWN MAPS, SO I BROUGHT MY OWN TO DESCRIBE AT LEAST, AGAIN, THE -- TO DESCRIBE MY RECOLLECTION OF THE EVENTS OR THE VARIOUS CASES WE HAVE. AND SO THIS IS WHAT MS. GLASGO SHOWED EARLIER AS THE CURRENT FUTURE LAND USE MAP. AND I WANTED TO PLACE HERE, JUST FOR COMPARATIVE PURPOSES, AND COUNCIL, YOU

HAVE A COPY OF THAT ONE DATED MAY 5TH, 2005. AND THIS IS A DRAFT, FUTURE LAND USE MAP FROM 2001. AND YOU'LL NOTICE THAT THIS IS VERY DIFFERENT COLOR SCHEME HERE, AND I WON'T SAY THIS WAS THE FIRST MAP BECAUSE THAT WAS DEVELOPED THROUGH THE NEIGHBORHOOD PLANNING PROCESS BECAUSE THE AREA ON RIVERSIDE DRIVE IS A BROWN SHADE, FORMERLY WAS JUST COMMERCIAL, BUT IT WAS CHANGED TO COMMERCIAL MIXED USE AS IT MOVED THROUGH THE NEIGHBORHOOD PLANNING PROCESS. BUT YOU SEE THAT THE INTENT OR THE RECOMMENDATION, HAVING GONE THROUGH THE NEIGHBORHOOD PLANNING PROCESS, WAS TO TRY TO PRESERVE AS MUCH OF THAT LAND AS POSSIBLE AS A SINGLE-FAMILY -- FOR SINGLE-FAMILY DEVELOPMENT. NOW, YOU'LL NOTICE THE SHADED AREA IN BLUE, WHICH WAS SOMETHING THAT WAS PROVIDED BY OUR AVIATION DEPARTMENT TOWARD THE END OF THE NEIGHBORHOOD PLANNING PROCESS, AND SO THEY RAISED CONCERNS THAT THESE WERE THEIR LONG RANGE PROJECTIONS FOR NOISE, SO THEY DIDN'T WANT SINGLE-FAMILY HOUSING DEVELOPED IN THAT SHADED AREA. AND SO -- THE NEXT MAP. YOU'LL NOTE IN THAT SHADED AREA, ALL THE LAND COLORED YELLOW FOR SINGLE-FAMILY DEVELOPMENT WAS CHANGED TO RED FOR COMMERCIAL DEVELOPMENT BECAUSE, AGAIN, WE DIDN'T WANT TO HAVE A SITUATION WHERE WE DEVELOPED SINGLE-FAMILY PROPERTY OR SINGLE-FAMILY HOMES AND THEN AT SOME POINT IN THE FUTURE HAD TO BUY THEM OUT BECAUSE OF NOISE PROBLEMS ASSOCIATED WITH THE AIRPORT. SO YOU SEE, AT LEAST A THIRD, IF NOT MORE OF THE LAND THAT WAS RECOMMENDED INITIALLY FOR SINGLE-FAMILY DEVELOPMENT WAS CHANGED ALMOST INSTANTANEOUSLY. AND THEN YOU'LL NOTICE THE BLUE PORTION, WHICH FORMERLY WAS YELLOW AND WHICH WAS THE LAND ASSOCIATED WITH THE AUSTIN JOCKEY CLUB TRACT -- AND AGAIN AS MS. GLASGO MENTIONED, THIS WAS -- WHEN THIS CASE FIRST STARTED, THIS WAS PLANNED FOR A HORSE RACE TRACK RIGHT IN THE MIDDLE OF MONTOPOLIS. AND SO THE NEIGHBORHOOD REALLY MOBILIZED AGAINST THAT PROPOSAL AND REALLY GOT BEHIND THE IDEA OF SINGLE-FAMILY DEVELOPMENT. AND WHEN WE STARTED DISCUSSING THE POSSIBILITY RIGHT HERE OF MOVING OR CHANGING THAT FROM YELLOW TO BLUE TO HAVE DIFFERENT HOUSING OPTIONS, THEN THE APPLICANT HAD PROVIDED A MAP FOR THE PURPOSE OF DEMONSTRATING WHAT THEIR INTENT WAS. I'LL TRY TO GET AS MUCH OF THIS ON THE SCREEN AS POSSIBLE. BUT HERE WOULD BE RIVERSIDE DRIVE ON THE LEFT-HAND SIDE. AND YOU'LL NOTICE THAT THAT NOTE ON THE NEIGHBORHOOD FUTURE LAND USE MAP THAT SAID WE WANTED THESE TYPES OF RESIDENTIAL USES WAS ACTUALLY PREMISED ON THIS MAP RIGHT HERE. AND WHAT IT SHOWED WAS WE WANT TO TRY TO RESPECT THE CORE OF THE NEIGHBORHOOD OR RESPECT THE DEVELOPMENT OF THAT AS SINGLE-FAMILY DEVELOPMENT AND MAYBE IN ORDER TO MAKE THE PROJECT WORK IN TERMS OF PROVIDING AFFORDABLE HOUSING, THEY ON THE EDGES WANTED TO PROVIDE THE MULTI-FAMILY. SO YOU SEE AT THE VERY TOP THAT TRACT THAT'S SHOWN IN SF-4-A IS ACTUALLY ZONED SF-4-A, I BELIEVE, AND THAT'S ACTUALLY THE TRACT THAT WE'RE TALKING ABOUT. SO IT REALLY -- AGAIN, THE INTENT OF -- THE REASON THAT WE HAD INCLUDED THIS BLUE AREA IN THE FUTURE LAND USE MAP, WHICH I THINK IS AN ANOMALY BECAUSE I DON'T THINK WE DID THAT IN ANY OTHER NEIGHBORHOOD PLAN. IT WAS SUPPOSED TO BE A TEMPORARY THING THAT WAS NEVER RECTIFIED, BUT THE INTENT WAS TO TRY TO

MAXIMIZE SINGLE-FAMILY DEVELOPMENT AND THEN HAVE MULTI-FAMILY, IF THERE WAS GOING TO BE ANY, ON THE PERIPHERY. AND SO I THINK THAT THAT'S STILL THE INTENT OR SHOULD BE THE GOAL THAT WE TRY TO ACHIEVE. AND IF YOU TAKE INTO ACCOUNT THE FACT THAT THE AREA TO THE EAST OF THE TRACT IN QUESTION IS GOING TO BE SINGLE-FAMILY DEVELOPMENT, IT REALLY DOESN'T SEEM LIKE ZONING THAT ADJACENT TRACT OR THE SUBJECT TRACT TO MULTI-FAMILY WOULD REALLY WORK VERY WELL IN THAT SITUATION. AND SO I WANTED TO JUST KIND OF RUN THROUGH THAT BECAUSE THERE WAS -- I DON'T KNOW. THERE'S A LOT OF HISTORY HERE, AS EVERYONE SAID, AND THIS IS AT LEAST MY RECOLLECTION OF THE HISTORY. AND I REALLY THINK THAT WE SHOULD TRY TO PRESERVE THE SINGLE-FAMILY PROPERTIES IN THIS NEIGHBORHOOD PLANNING AREA. AND AS MS. ALMANZA HAD STATED, YOU CAN'T TRAVEL DOWN RIVERSIDE DRIVE WITHOUT NOTICING THAT THERE IS AN ABUNDANCE OF MULTI-FAMILY DEVELOPMENT DEVELOPMENT, AND ACTUALLY IN THAT -- ONE OF THE GOALS IN THE PLAN WAS TO -- THE PLAN DID SPEAK TO MULTI-FAMILY DEVELOPMENT IN IS SENSE OF WANT TO FOCUS SINGLE-FAMILY DEVELOPMENT IN THIS CORE AREA OF MONTOPOLIS AND HAVE THE MULTI-FAMILY ON THE PERIPHERY SOUTH OF RIVERSIDE ESSENTIALLY. AND SO THE LAST THING I WOULD NOTE IS THAT RIGHT AT MONTOPOLIS DRIVE AND RIVERSIDE DRIVE, THIS TRACT RIGHT HERE, IN THE ORIGINAL MAP THAT I SHOWED FROM 2001 WAS ZONED YELLOW. BECAUSE AGAIN THAT'S IN THE CORE OF THE MONTOPOLIS NEIGHBORHOOD AND THAT WAS PROPOSED AS -- FOR SINGLE-FAMILY DEVELOPMENT IN THE NEIGHBORHOOD PLAN. I BELIEVE THAT LITERALLY ON THE DAY WE APPROVED THE NEIGHBORHOOD PLAN, WE ALSO APPROVED A CHANGE OF THAT SINGLE-FAMILY TRACT TO MULTI-FAMILY, AND NOW WE HAVE A PRETTY SIGNIFICANT MULTI-FAMILY DEVELOPMENT ON THAT TRACT. SO WE ALREADY SEE HOW THIS ONE DECISION HERE WENT AGAINST THE INTENT OR SPIRIT OF THE NEIGHBORHOOD, AND THAT WAS THE SMART HOUSING, AFFORDABLE HOUSING PROJECT THAT DID GET APPROVED. AND SO I SEE THIS AS ANOTHER THING THAT WOULD CHANGE THE SPIRIT OF WHAT THE NEIGHBORHOOD WAS TRYING TO ACCOMPLISH. SO MAYOR, I PERSONALLY WON'T BE SUPPORTIVE OF THE CHANGE, BUT I'LL OPEN IT UP TO QUESTIONS OR COMMENTS FROM OTHER FOLKS.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS, QUESTIONS, COUNCIL? COUNCILMEMBER THOMAS.

Thomas: QUESTION FROM STAFF. SOME OF THE ALLEGATIONS ABOUT THE MEETINGS, CAN YOU EXPLAIN WHAT HAPPENED? YOU MET WITH THE COMMUNITY AFTER YOU CAME BACK WITH THE PROPOSAL TO DO THE MF?

YES, I'LL BE GLAD TO EXPLAIN THAT.

Futrell: ALICE, ALSO, BECAUSE I WANT TO GET THE QUESTION ANSWERED ALSO, WOULD YOU GIVE AN EXPLANATION ON THE SPANISH LANGUAGE AND THE ERROR THAT OCCURRED THERE AND WHAT WE'VE DONE TO CORRECT THAT?

YES. I'LL BE GLAD TO. COUNCILMEMBER THOMAS, THIS IS A ZONING CHANGE IN OUR NEIGHBORHOOD PLAN AMENDMENT. YOU MAY REMEMBER THAT TWO YEARS AGO COUNCIL ADOPTED AN ORDINANCE THAT PRESCRIBES HOW A NEIGHBORHOOD PLAN AMENDMENT OCCURS. THAT'S THE PROCESS BY WHICH BEFORE YOU COME TO THE PUBLIC HEARING PROCESS THAT AN OWNER GOES TO THE NEIGHBORHOOD CONTACT TEAM ON A NEIGHBORHOOD PLAN AMENDMENT. WHEN IT'S A REZONING THAT IS CONSISTENT WITH THE NEIGHBORHOOD PLAN, THAT PROCESS DOES NOT APPLY; HOWEVER, IN RETROSPECT, GIVEN THE AGE OF THIS CASE, WE SHOULD HAVE DONE THAT, AND THAT'S WHY WE HAD THE SECOND MEETING. SO TECHNICALLY UNDER THE ORDINANCE THERE IS NO PLAN AMENDMENT BEFORE YOU, WHICH HAS A SEPARATE PROCEDURE AS FAR AS GOING TO THE CONTACT TEAM, BUT JUST FOR INFORMATIONAL PURPOSES, THAT SHOULD HAVE OCCURRED AND SO I AGREE WITH MS. ALMANZA THAT GIVEN THE AGE OF THE CASE, JUST AS A COURTESY THAT SHOULD HAVE OCCURRED, AND THAT OCCURRED LATER. NOW, BACK TO THE NOTICE. WHEN WE DO NEIGHBORHOOD PLANS, WE OBVIOUSLY, ALL OUR DOCUMENTATIONS ARE TRANSFERRED INTO SPANISH. THE REZONING PROCESS, WE HAVE INDIVIDUAL ZONING CASES LIKE THIS ONE THAT DO NOT COVER A LARGER AREA. THE NOTICE ITSELF HAS A STATEMENT AT THE BOTTOM, AT LEAST IT DID. NOW WE'VE REVERSED IT TO THE TOP SO WHEN YOU OPEN YOUR MAIL THE FIRST THING YOU SEE IS IN SPANISH AND IT TELLS YOU IN SPANISH TO CALL A NUMBER TO EXPLAIN WHAT IS BEING CHANGED. WE ARE ALSO GOING TO SINCE THEN WE REALIZED THAT WE DID HAVE A TRANSLATION THAT SOMEHOW GOT THROUGH SOME CHANGES. SO WE HAVE REINSTITUTED THAT PROCESS, AND SO THAT WAS ANOTHER ADJUSTMENT IN OUR STREAMLINING PROCESS THAT HAS BEEN CORRECTED.

Thomas: AFTER THE FIRST READING IF THIS PASSES ON THE FIRST READING, HAD YOU PLANNED TO GO BACK WITH THE COMMUNITY?

STAFF HAD A MEETING THIS MONDAY.

Thomas: THIS PAST MONDAY?

YES, THIS PAST MONDAY. AND THERE WERE ABOUT THREE PEOPLE IN ATTENDANCE ACCORDING TO THE REPORT STAFF.

Thomas: COULD THAT BE BECAUSE OF THE NOTICES? I DON'T KNOW WHY THE LOW TURNOUT, WHETHER IT WAS THE NOTICE OR NOT. I CAN'T GIVE AN ANSWER AS TO WHY THERE WAS A LOWER TURNOUT.

Thomas: OKAY. I WOULD FEEL COMFORTABLE IF WE WOULD GO BACK AND COMMUNICATE BETTER THAN WE DID BEFORE I WOULD BE ABLE TO -- I DON'T THINK I CAN SUPPORT THE MF-3. I WOULD STILL CONSIDER IT BECAUSE OF THE NEIGHBORHOOD PLAN -- SORRY, I'M LOOKING AT THE WRONG CASE. LIKE COUNCILMEMBER ALVAREZ SAID, SINGLE-FAMILY. I STILL FEEL MORE COMFORTABLE IF WE WOULD GO BACK AND COMMUNICATE WITH THE COMMUNITY A LITTLE BIT BETTER BEFORE I WOULD BE WILLING TO SUPPORT ANYTHING BEFORE WE COME TO

COUNCIL AGAIN. THAT'S WHERE I'M AT. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

Mayor Wynn: COUNCILMEMBER ALVAREZ?

Alvarez: I WILL SECOND IT FOR THE POSTPONEMENT. I DON'T THINK THAT I COULD VOTE FOR IT ON EVENING FIRST READING. BUT WHAT I WOULD ASK IS -- IS THAT WE HOWEVER THIS IS GOING TO GET RESOLVED IS THAT WE GO BACK, WE ACTUALLY CHANGE THIS LAND USE MAP, SO THAT WE DON'T HAVE THIS BLUE RESIDENTIAL DESIGNATION BECAUSE THAT WAS SUPPOSED TO BE A TEMPORARY DESIGNATION. WE HAVE BEEN FAR ENOUGH ALONG NOW THAT WE KNOW WHAT THESE ZONING CATEGORIES SHOULD BE, WE HAVE ALREADY REZONED THE VAST MAJORITY OF THIS TRACT SO I THINK WE SHOULD ALSO THEN GO BACK AND MAKE SURE THAT THE -- THAT THE LAND USE MAP REFLECTS THE ZONING AND BE CONSISTENT WITH THE ZONING THAT WE CURRENTLY HAVE. AND SO THEN WE INITIATE THAT PROCESS TO -- TO MAKE THE -- THE LAND USE MAP CONSISTENT WITH THE CURRENT ZONING. BECAUSE AGAIN YOU CAN CORRECT ME IF I'M WRONG, BUT I REALLY DON'T THINK THAT WE HAVE THIS BLUE DESIGNATION, RESIDENTIAL DESIGNATION ON ANY OTHER FUTURE LAND USE MAP. BUT I COULD -- I COULD BE CORRECTED AT SOME POINT IN THE FUTURE. BUT, YOU KNOW, THAT -- BUT THIS WAS, I THINK, INTENDED TO BE A TEMPORARY DESIGNATION ONCE WE WERE ABLE TO WORK THROUGH SOME ISSUES WITH THE OWNERS OF THE STEINER TRACT AND I THINK WE ARE WELL BEYOND THAT NOW. WE SHOULD HAVE A FUTURE LAND USE MAP THAT REFLECTS THE EXISTING ZONING AND WHAT SEEMS TO BE DEVELOPING NATURALLY WHICH I THINK, YOU KNOW, IS ACTUALLY FAIRLY CONSISTENT WITH THE -- WITH THE NEIGHBORHOOD VISION AS ORIGINALLY ARTICULATED. THANKS, MAYOR.

COUNCILMEMBERS, WE ARE -- IF YOU ARE GOING TO POSTPONE THIS CASE, OUR INTENT WAS OBVIOUSLY ONCE YOU CONCLUDED ON REZONING OF EVERYTHING IN BLUE, THEN THAT WOULD HAVE US COME BACK TO YOU WITH A PLAN TO CLEAN IT UP. SO DEPENDING ON HOW LONG YOU WANT TO POSTPONE THIS ITEM, WE CAN COME BACK WITH THE FUTURE LAND USE MAP THAT REFLECTS WHAT YOU HAVE ALREADY ZONED THUS FAR AND WHATEVER YOU PLAN TO DO ON THE SUBJECT TRACT, TOO. SO WE CAN ACCOMPLISH THAT.

THANK YOU, MS. GLASGO. COUNCILMEMBER ALVAREZ, COUNCILMEMBER THOMAS' SUGGESTION I THINK WAS ABOUT A MONTH.

30 DAYS ON THE POSTPONEMENT.

Mayor Wynn: WHICH WOULD TAKE US TO A JUNE 23rd MEETING. WOULD YOU -- WOULD YOU THINK AS WELL? COUPLE, MY RECOMMENDATION WOULD BE THAT WE NOT CLOSE THE PUBLIC HEARING, LEAVE THE PUBLIC HEARING OPEN. THEN WE HAD THREE OR FOUR SPEAKERS -- WE ONLY HAD THREE OR FOUR SPEAKERS AS IT WAS. MOTION BY COUNCILMEMBER THOMAS, SECONDED BY COUNCILMEMBER ALVAREZ TO

POSTPONE OR CONTINUE THIS CASE ON JUNE 23rd, 2005. FURTHER COMMENTS?
MAYOR PRO TEM?

Goodman: JUST BECAUSE I WON'T BE HERE IN A MONTH, I DO WANT TO SAY ONE OF THE VERY FIRST PLANNING IMPLEMENTATION STUDIES THAT WE DID WAS THE SOUTH AUSTIN STUDY. IT WAS OF A PROLIFERATION OF MULTI-FAMILY. THAT WAS BACK IN THE REAL ESTATE BOOM. THE ONLY THING APPARENTLY THEY COULD THINK OF TO DEVELOP IN SOUTH AUSTIN WAS APARTMENTS AND SO THEY DID. SO WE HAD A STEADY -- COUNCILMEMBER ROGER DUNCAN SPONSORED THAT STUDY FOR US. WE WERE RIGHT. THOSE NUMBERS WERE JUST ABOUT THE SAME AS THE ONES WE ARE SEEING HERE. IT IS TOO MUCH. SO IF I WAS HERE TO VOTE, SUZANNA, [LAUGHTER], I WOULD GO FOR SF. THANKS, MAYOR.

Mayor Wynn: THANK YOU, MAYOR PRO TEM. MOTION AND SECOND ON THE TABLE TO CONTINUE THIS CASE ON JUNE 23rd, 2005. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH.

Closed Caption Log, Council Meeting, 6/23/05

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THAT TAKES US TO OUR FIRST DISCUSSION ITEM, WHICH IS ITEM NUMBER Z-1, CASE C-14-05-0026. THIS PROPERTY IS LOCATED AT 1805 FRONTIER VALLEY DRIVE. AND THE EXISTING ZONING IS SINGLE-FAMILY 2 NP. THE APPLICANT IS REQUESTING MULTI-FAMILY 4 NEIGHBORHOOD COMBINING DISTRICT. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT MULTI-FAMILY 3 WITH THE NEIGHBORHOOD PLAN COMBINING DISTRICT. THIS PROPERTY WAS PART OF THE MONTOPOLIS NEIGHBORHOOD PLAN, AND THE SUBJECT TRACT WAS PART OF A SITE CALLED THE JOCKEY TRACT AND -- WE CALL IT A TRACT, BUT THERE WERE SEPARATE OWNERS THAT COVERED THAT TRACT. THE DEPARTMENT OF NEIGHBORHOOD HOUSING AT THE TIME WAS CONSIDERING ACQUIRING THE PROPERTY, BUT WE WERE UNABLE TO DO IT BECAUSE WE DIDN'T HAVE SUFFICIENT FUNDS TO PURCHASE THE PROPERTY. HOWEVER, THE -- AND COUNCILMEMBER DUNKERLEY MIGHT REMEMBER THIS BECAUSE SHE WAS THE ASSISTANT CITY MANAGER OVER THAT DEPARTMENT AND WORKED WITH US IN ADDRESSING THE NEEDS FOR HOUSING IN THE FUTURE. WE WERE ASKED TO CREATE A NOTE AND ADD IT TO THE PLAN WHICH COUNCIL THEN APPROVED TO SHOW THAT SINCE THERE WAS UNCERTAINTY OF WHAT KIND OF SPECIFIC LAND USE COULD GO THERE, WE DESIGNATED THAT IN THE FUTURE WHEN THE OWNERS SEEK A ZONING CHANGE, INDIVIDUALS OF THE CITY WOULD THEN HELP FILE THOSE APPLICATIONS BECAUSE IT'S PART OF A NEIGHBORHOOD PLAN AND THIS IS ONLY A PORTION OF THE PLAN THAT WAS NOT FINALIZED THROUGH ZONING WHEN THE REST OF THE PLAN WAS. SO THIS PARTICULAR CASE HAS NOW COME FORWARD. THERE'S A REQUEST FOR MULTI-FAMILY, ALTHOUGH THERE'S SOME OPPOSITION BY REZ DMENTS THE AREA. AT YOUR LAST MEETING YOU ASKED US TO GO OUT AND RENOTIFY JUST ABOUT EVERYBODY IN THE NEIGHBORHOOD PLANNING AREA, YOU JUST SAID GO NOTIFY IN SPANISH AND IN ENGLISH. WHAT WE DID IS WE WENT AHEAD AND NOTIFIED THE SAME PEOPLE WE WOULD HAVE WHEN WE DID THE NEIGHBORHOOD PLAN, THAT IS APPROXIMATELY I THINK THE 3500 NOTICES THAT WENT OUT. AND ONLY 11 PEOPLE SHOWED UP TO THAT MEETING. THE NOTICES WENT OUT IN SPANISH AND IN ENGLISH, AND THERE WAS OPPOSITION TO MULTI-FAMILY ZONING FROM 10 PEOPLE. ONE PRONE HER WAS -- PROPERTY OWNER WAS IN SUPPORT OF THE ZONING. SO THAT'S

WHERE WE ARE AT TODAY. AND I CAN JUST PAUSE HERE AND LET YOU HEAR FROM THE APPLICANT AND THOSE OPPOSED, AND THEN I CAN RESPOND TO QUESTIONS AS THEY MIGHT ARISE. THANK YOU, MAYOR.

Mayor Wynn: THANK YOU, MS. GLASGO. TECHNICALLY, I GUESS, THE CITY IS THE APPLICANT ON THIS, I GUESS?

YES, THE CITY IS THE APPLICANT.

Mayor Wynn: WE COULD GIVE THE OWNER/AGENT A FIVE-MINUTE PRESENTATION IF THEY SO DESIRE.

MS. BEABET IS MAKING HER WAY TO THE DAIS.

GOOD EVENING OR EARLY AFTERNOON FOR A CHANGE, COUNCILMEMBERS, AND WELCOME NEW COUNCILMEMBERS. MY NAME IS MO UNIQUE BEAUDET AND I'M A PLANNER WITH BROWN MCCARROLL. I HAD THE JOB OF RECAPPING THIS CASE FOR YOU AND I'LL JUST GIVE ADDITIONAL BACKGROUND MOSTLY FOR THE NEW COUNCILMEMBERS AND TO REFRESH COUNCILMEMBERS' MEMORY ON WHAT WAS PREVIOUSLY APPROVED ON THE LARGER 65-ACRE TRACT WHICH IS ADJACENT TO OUR 10-ACRE TRACT WHICH WAS BEFORE YOU TONIGHT FOR REZONING REQUEST. THIS CASE IS A CITY-INITIATED CASE. IT'S THE LAST PARCEL TO BE REZONED AS PART OF THE MONTOPOLIS NEIGHBORHOOD PLANNING PROCESS. AND IT IS RECOMMENDED FOR MF-3 BY STAFF AND HAS UNANIMOUS SUPPORT BY THE PLANNING COMMISSION FOR MF-3 ZONING. AS ALICE MENTIONED, THE LARGER TRACT, WHICH I THINK IS ON YOUR SCREEN, THE LARGER BLUE TRACT IS 65 ACRES, AND IN 2003 NEGOTIATIONS WERE MADE TO ZONE -- TO SPLIT THAT PROPERTY IN HALF AND ZONE 30 ACRES OF IT MF-3 AND 35 ACRES OF IT AS SF-6. SO THE LAND USE PATTERN LOOKED LIKE THIS. THERE WE GO. THE BOMB HALF WAS ZONED N -- BOTTOM HALF WAS ZONED MF-6 CO. THAT WAS IN 2003. THE PROPERTY OWNER WAS THEN ABOUT SIX MONTHS LATER APPROACHED BY 17 CENTEX HOMES AND CENTEX HAS A PRODUCT THAT FITS IN SF 4-A ZONING. AND ALL THE STAKEHOLDERS THEN CAME TO THE TABLE AGAIN TO ASK FOR A REZONING, DOWN ZONING FROM SF-6 TO SF-4 A. ALL STAKEHOLDERS WERE IN FAVOR, I WILL SAY, OF THE MF 3, MFS 6, INCLUDING MS. ALMANZA, PODER, STAFF, AND THE PLANNING COMMISSION. AND OF COURSE EVERYBODY WAS IN FAVOR OF THE DOWN ZONING TO SF-4-A. THE LAND USE ZONING THERE NOW LOOKS LIKE THIS. IT'S ALL SINGLE-FAMILY. AND AS WE SPEAK, 278 HOMES ARE CURRENTLY BEING BUILT ON THIS TRACT. WITH OUR REQUEST THE LAND USE PATTERN WILL LOOK LIKE THIS, SINGLE-FAMILY ON TRACTS 1, 2 AND 3. OUR TRACT IS THE ORANGE TRACT DIRECTLY ADJACENT TO TRACT 1. AND THE LIGHT YELLOW TO THE NORTH IS A MOBILE HOME PARK, WHICH IS SF-3

ZONING. AND IN OUR CONVERSATIONS IN THE LAST MONTH WITH COUNCILMEMBER ALVAREZ AND OTHERS, IT IS OUR HOPE THAT SF-3 ZONING IS IT'S JUST TOO PRIME OF A LOCATION AND A GATEWAY TO THE CITY COMING IN FROM THE AIRPORT TO STAY MOBILE HOME. IT WILL MOST LIKELY BE A SINGLE-FAMILY SUBDIVISION. AND WE FEEL LIKE THAT THIS WILL BE A GOOD MIX OF HOUSING FOR THE AREA, MULTI-FAMILY WITH THE SF-4-A AND HOPEFULLY AN SF-3 SUBDIVISION TUCKED IN THERE ON FRONTIER VALLEY. SO WITH THAT SAID, WE'RE SIMPLY ASKING TO MOVE A FORMER ENTITLEMENT, 30 ACHE ERDZ OF MF-3, 500 FEET TO THE WEST ON TO THIS 10 ACRES, SO THE NET GAIN IS STILL GOING TO BE MORE SINGLE-FAMILY THAN MULTI-FAMILY. WE TOOK THE CONCERNS OF COUNCIL A MONTH AGO AND WE OFFER THE FOLLOWING CONDITIONAL OVERLAY, WHICH IS TO LIMIT OUR UNITS TO 2 225 UNITS, PROVIDE A 25-FOOT VEGETATIVE BUFFER BETWEEN US AND THE SF-3 TO THE NORTH TO PRESERVE AND HOPEFULLY ENHANCE THE ATTRACTABILITY OF THAT BECOMING A SINGLE-FAMILY SUBDIVISION, AND MOST IMPORTANTLY AFFORDABILITY. WE HEARD FROM THE COMMUNITY. WE WENT OUT TO THE COMMUNITY PER THE REQUEST OF COUNCIL AND AFFORDABILITY PER MR. JOHNNIE LIMON IS ONE OF THE MAIN CONCERNS IN EAST AUSTIN. WE ARE COMMITTED THROUGH A RESTRICTIVE COVENANT OR THROUGH THE ORDINANCE TO DO 40% OF THE UNITS AT 60% MFI, MEDIAN FAMILY INCOME. MOST SMART HOUSING IN THIS TOWN IS DONE AT 40%, AT 80% MFI. WE'RE WILLING TO EXCEED THAT AND DO 60 PERCENT MFI FOR OUR 225 UNITS. WITH THAT I WANTED TO SPEAK TO DENSITY BECAUSE THAT WAS ALSO A CONCERN AT THE LAST MEETING. I HANDED OUT A CHART DONE BY RYAN ROBINSON, THE CITY DEMOGRAPHER THAT SHOWS COMPARISONS OF MONTOPOLIS AS OPPOSED TO THE EAST RIVERSIDE PLANNING AREA, WHICH IS THE NEXT PLANNING AREA TO THE WEST. AND THEN I RANDOMLY PICKED NORTHWEST HILLS AND ANOTHER AREA TO LOOK AT THAT HAS ABOUT THE SAME ACREAGE AS MONTOPOLIS. AND AS YOU CAN SEE, THE UNITS PER ACRE AT MONTOPOLIS ARE MUCH, MUCH SMALLER THAN THAT OF NORTHWEST HILLS. AND OF COURSE, MUCH SMALLER THAN EAST RIVERSIDE OLTORF BECAUSE THEY'VE GOT APARTMENT CITY. SO I ASK YOU TO APPROVE THIS MF-3 ZONING WITH THE CONDITIONS THAT WE HAVE BROUGHT TO YOU TONIGHT. WE FEEL LIKE WE HAVE SPOKEN TO THE CONCERNS RAISED BY THE COUNCIL AND SPECIFICALLY BY COUNCILMEMBER ALVAREZ AND HIS WARRANTED CONCERNS ABOUT HOW FRONTIER VALLEY WILL DEVELOP IN THE FUTURE. AND I'M HOPING THAT WE CAN LOOK AT THIS FROM A MASTER PLANNING STANDPOINT AND LOOK AT THAT SF-3 MOBILE HOME PARK AND SEE ITS FUTURE, SEE THE NEED FOR A MIX OF RESIDENTIAL, AND BE HAPPY AND WELCOME THE SF-4-A, 278 UNITS THAT'S COMING IN RIGHT THERE AT THE GATEWAY TO THE CITY. AND THAT WAS PERFECT TIMING. I'LL BE AVAILABLE TO ANSWER ANY QUESTIONS YOU MIGHT HAVE, AND I THANK YOU.

Mayor Wynn: COUNCILMEMBER ALVAREZ.

Alvarez: YEAH, MS. BEAUDET, YOUR COMPARISON TO NORTHWEST HILLS, YOU WERE COMPARING THE NUMBER OF UNITS OR WHAT EXACTLY WERE YOU COMPARING?

UNITS PER ACRE OF MULTI-FAMILY UNITS. AND I RANDOMLY PICKED AN AREA OF THE CITY THAT WAS ABOUT THE SAME ACREAGE. IF YOU LOOK AT THE HANDOUT THAT I HANDED OUT, THE TOTAL ACRES WITHIN THAT AREA IS 1,254. THE TOTAL AREAS WITHIN THE MONTOPOLIS NEIGHBORHOOD PLANNING AREA IS 1,421. MULTI-FAMILY UNITS THAT EXIST IN MONTOPOLIS AS COMPARED TO THOSE IN NORTHWEST HILLS ARE A HALF A UNIT PER ACRE, WHEREAS NORTHWEST HILLS HAS 2.61. AND IN COMPARISON, MS. ALMANZA IN HER PRESENTATION AT THE LAST HEARING, SHE POINTED OUT THAT SHE DID NOT WANT APARTMENT CITY COMING INTO MONTOPOLIS, AND I WHOLEHEARTEDLY AGREE WITH HER. APARTMENT CITY WAS SOMETHING THAT WAS DONE IN THE 80'S AND THERE'S A LOT OF APARTMENTS IN THE NEIGHBORHOOD, THAT'S THE NEIGHBORING NEIGHBORHOOD TO MONTOPOLIS. AND THAT'S TOO MUCH, BUT I THINK THAT THE HALF AN ACRE OR THE HALF A UNIT PER ACRE IS VERY FAR AWAY FROM THE 4.5. AND I THINK IT'S SOMETHING THAT SHOULD BE WATCHED AND I THINK THE CITY DOES WATCH THAT, THEY DO A GROWTH WATCH, OR THEY USED TO, TO MAKE SURE THAT WE HAVE AN EQUILIBRIUM IN OUR UNITS PER ACRE THROUGHOUT THE CITY, EAST, NORTH, SOUTH, WEST. SO IT'S A MULTI-FAMILY UNITS PER ACRE COUNT SO THAT YOU CAN COMPARE APPLES TO APPLES WHEN COMPARING DENSITY THROUGHOUT THE CITY. AND I WISH WE HAD MORE TIME TO DO COMPARISONS TO OTHER NEIGHBORHOODS THROUGHOUT THE CITY, BUT THOSE ARE THE ONES THAT WE'RE ABLE TO DO IN THIS SHORT AMOUNT OF TIME.

Alvarez: SURE, I JUST THINK OBVIOUSLY IF YOU TRAVEL DOWN RIVERSIDE DRIVE YOU SEE THAT THERE ARE A LOT OF APARTMENTS. AND MAYBE THE WAY WE DEFINE THESE NEIGHBORHOOD PLANNING AREAS, WHAT'S DEFINED AS MONTOPOLIS HAS MAYBE A LOW NUMBER, ALTHOUGH I NEED TO LOOK AT IT A LITTLE MORE CLOSELY, BUT ANYONE WHO DRIVES RIVERSIDE DRIVE IS GOING TO SEE A PREPONDERANCE OF MULTI-FAMILY DEVELOPMENT. AND SO -- AND AGAIN, PART OF WHAT THIS PLANNING AREA WAS TRYING TO DO IS SAY IF -- WE'RE NOT SAYING NO TO ANY MULTI-FAMILY, BUT IF WE ARE GOING TO HAVE IT, WE WANT IT ON THE PERIPHERY, YOU KNOW, AND THERE WAS SOME THAT OCCURRED NORTH OF -- I MEAN SOUTH OF RIVERSIDE AND THEN ALONG GROVE BOULEVARD AND EVEN ON THE EDGES OF THE JOCKEY CLUB TRACT AS WELL. SO I THINK THE

NEIGHBORHOOD WAS THINKING ABOUT MULTI-FAMILY WHEN IT ADOPTED OR MADE ITS RECOMMENDATIONS. BUT THE MAP COULD BE A LITTLE MISLEADING IN TERMS OF ACCOUNTING FOR THE VAST AMOUNT OF MULTI-FAMILY JUST NEXT DOOR IN THE RIVERSIDE-OLTORF AREA.

Mayor Wynn: THANK YOU, COUNCILMEMBER. SO AGAIN THIS REMINDER, THIS WILL BE OUR FIVE-MINUTE OWNER-APPLICANT PRESENTATION. WE NOW HEAR FROM FOLKS IN FAVOR OF THE ZONING CASE THREE MINUTES AT THE TIME AND THEN FOLKS IN OPPOSITION AND THEN THE OWNER-APPLICANT WILL HAVE A THREE-MINUTE REBUTTAL. SO WE NOW GO TO FOLKS WISHING TO SPEAK IN FAVOR OF THE ZONING CASE. WE'LL START WITH JAN DAVIS. WELCOME, JAN. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY JOHNNIE LIMONE.

THANK YOU. I'M JAN DAVIS, ONE OF THE OWNERS OF THE FRONTIER VALLEY PROPERTY. AND FOR EVERYONE'S SAKE I'M JUST GOING TO READ WHAT I'VE WRITTEN HERE. THERE'S NOTHING THAT WE CAN REALLY ADD TO WHAT THE SUPPORTERS OF THIS REZONING CASE HAVE SAID OTHER THAN TO ASK YOU TO LOOK AT THE FUTURE OF WHAT THIS PROPERTY IS GOING TO LOOK LIKE. WHEN WE BOUGHT THIS PROPERTY IT WAS SCHEDULED FOR A CITY INITIATED ZONING CHANGE. WHEN THE CITY OF AUSTIN CONTACTED US REGARDING THE CHANGE, WE LOOKED INTO WHAT MIGHT BE THE BEST USE OF THE PROPERTY BASED ON THE OPTIONS AS ADOPTED BY THE MONTOPOLIS FUTURE LAND USE PLAN. THE PROPERTY IS ADJOINED BY A MOBILE HOME PARK ON ONE SIDE, A SELF-STORAGE FACILITY ON ANOTHER, AND A MULTI-FAMILY-3 PARCEL AND COMMERCIAL LOT DIRECTLY ACROSS THE STREET. DUE TO THE FACT THAT OUR PROPERTY IS LONG AND NARROW, THERE WOULD BE NO WAY TO INSULATE IT FROM THE SURROUNDING PROPERTIES IF WE WERE TO BUILD A SMALL SINGLE-FAMILY SUBDIVISION. IN VISITING WITH THE CITY PLANNERS WE AGREED THAT AN APARTMENT COMPLEX COULD OFFER A QUALITY, SELF-CONTAINED ENVIRONMENT THAT COULD PROVIDE AFFORDABLE HOUSING TO THOSE PEOPLE WHO CURRENTLY LIVE IN EAST AUSTIN AND WHO ARE WORKING THEIR WAY TOWARD HOME OWNERSHIP. IN THE LATE '70'S I WAS IN MY LAST YEAR OF HIGH SCHOOL AND LIVING IN A RENTED DUPLEX ON 39TH AND A HALF STREET WITH MY MOTHER AND STEPFATHER DOWNSTAIRS AND MY BROTHER AND I UPSTAIRS. THE LANDLORD ASKED THAT WE VACATE THE UPSTAIRS SO HIS DAUGHTER COULD LIVE THERE. JOHN AND I MOVED INTO OUR FIRST APARTMENT IN EAST AUSTIN ON WHEELLESS LANE. WE FOUND A TWO BEDROOM, TWO BATH APARTMENT FOR \$250 A MONTH. WE COULD NOT AFFORD TO LIVE IN NORTHWEST HILLS OR ON CAMPUS WHERE AT THAT TIME SEEMED TO BE THE ONLY OTHER CHOICE OF APARTMENTS, MOST OF THEM FOR UNIVERSITY STUDENTS. WE LIVED IN EAST AUSTIN TOGETHER FOR THREE YEARS AND IT WAS A GREAT EXPERIENCE. I'M NOT SURE WHAT

WE WOULD HAVE DONE IF WE HAD NOT HAD AN AFFORDABLE PLACE TO GO. THIS COMPLEX WILL PROVIDE HOUSING TO THOSE WHO MIGHT OTHERWISE MOVE TO OTHER AREAS AND NOT RETURN TO EAST AUSTIN. WE ALSO CONSIDERED THE FACT THAT THE AIRPORT COMMERCE PARK DOWN THE STREET WILL PROVIDE MANY JOBS IN THE FUTURE AND MANY OF THESE PEOPLE WILL WANT TO LIVE CLOSER TO THEIR PLACE OF WORK. AGAIN, SOME OF THESE PEOPLE MAY NOT BE READY FOR HOME OWNERSHIP YET. THE PLANNERS AT THE CITY AND THE PLANNING COMMISSION WHO VOTED UNANIMOUSLY ON THIS ZONING HAVE NO SELF-INTEREST IN THIS PROJECT, AND AS I UNDERSTAND IT, THEY ARE EDUCATED AND EXPERIENCED IN MAKING THESE RECOMMENDATIONS. THEY WOULD NOT HAVE MADE THIS RECOMMENDATION IF THEY DID NOT BELIEVE THAT THIS ZONING WAS IN KEEPING WITH THE NEIGHBORHOOD PLAN AND WAS THE BEST USE OF THIS PROPERTY FOR THE NEIGHBORHOOD AND FOR THE CITY. WE RESPECT THE CONCERNS OF SUSANA AND ESPECIALLY COUNCILMEMBER ALVAREZ REGARDING THIS ISSUE. WE BELIEVE OUR GOALS ARE THE SAME AND AFTER FURTHER CONSIDERATION OUR HOPE IS THAT THEY SEE THAT THIS IS TRUE. AS WE SHARED WITH COUNCILMEMBER ALVAREZ RECENTLY, WE ARE DEVELOPING A PROPERTY IMMEDIATELY ACROSS RIVERSIDE DRIVE THAT WILL BE CALLED THE SAN PEDRO SUBDIVISION. IT WILL BE COMPRISED OF 46 SINGLE-FAMILY RESIDENTIAL LOTS, MOST OF WHICH WILL BE IN EXCESS OF 6,000 SQUARE FEET. IN ADDITION, IT WILL HAVE A THREE ACRE PORTION FACING RIVERSIDE WHICH WILL BE DEVELOPED FOR SMALL LOCALLY OWNED BUSINESSES AND HOPEFULLY A RESTAURANT. [BUZZER SOUNDS] WE RESPECTFULLY ASK THAT COUNCILMEMBER ALVAREZ AND THE REST OF THE COUNCIL CONSIDER THIS CASE A PART OF A MASTER PLAN FOR THIS AREA THAT WILL INCORPORATE THE REZONING OF THE PROPERTY ON FRONTIER VALLEY. THANK YOU.

Mayor Wynn: THANK YOU. JOHNNIE LIMONN. THANK YOU. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY JAMES CROCKETT.

MAYOR WYNN AND THE CITY COUNCILMEMBERS, WHEN I WAS APPROACHED BY THE DAVIS, THEY WERE PRETTY MUCH ASKING ME WHAT I THOUGHT, GIVE MY OPINION, YOU KNOW, ON THIS PARTICULAR MULTI-FAMILY PROJECT. AND I PRETTY MUCH HAD TO, YOU KNOW, BASE MY OPINIONS ON THE LAST FEW MONTHS THAT I'VE BEEN GOING TO MANY OF THE MEETINGS THAT HAVE BEEN HELD IN AUSTIN DEALING WITH HOUSING. AND ONE OF THE THINGS THAT HAS STOOD OUT THE MOST IN MOST OF THOSE MEETINGS THAT I'VE GONE TO HAS BEEN -- WHAT'S BEEN SAID, IT'S BEEN SAID THAT MANY PEOPLE WHO GET DISPLACED FIRST IN THE COMMUNITY ARE PEOPLE THAT RENT. AND I KNOW THAT'S PROBABLY WHY THE PROJECT, THE MULTI-FAMILY PROJECT THAT IS CURRENTLY RIGHT NOW BEING BUILT ON SIXTH

STREET CALLED THE VILLAS ON SIXTH STREET IS BECAUSE THEY'RE NEEDED. BECAUSE THE LAST THING THAT I WOULD WANT -- AND I'VE LIVED IN EAST AUSTIN MY WHOLE LIFE -- IS TO SEE PEOPLE THAT LIVE IN EAST AUSTIN, BUT HAVE NEVER BEEN ABLE TO AFFORD A HOME HAVE TO LEAVE EAST AUSTIN BECAUSE THEY HAVE NO OTHER PLACE TO GO. SO THAT'S WHY THERE WAS NEVER KNOW -- NOBODY OPPOSING THIS DEVELOPMENT. AND IN LOOKING AT THAT IS ONE REASON WHY I SAY, DO YOU KNOW WHAT? IF WE'RE REALLY SERIOUS ABOUT PROTECTING OUR EAST AUSTIN RESIDENTS, ESPECIALLY THE RENTERS, FROM BEING MOVED OUT AS GENTRIFICATION MOVES INTO THE EAST SIDE, THEN WE'RE GOING TO -- I WOULD LOVE TO HAVE A PLACE. IT WOULD BE GREAT TO HAVE A PLACE TO WHERE THEY COULD GO OVER THERE AND STILL STAY IN EAST AUSTIN. AND THAT IS MY REASON FOR BEING HERE IS BECAUSE I'M HOPING THAT WE CAN PROTECT THOSE PEOPLE, BUT ALSO PROVIDE SINGLE-FAMILY HOMES IN EAST AUSTIN SO THAT FAMILIES CAN STAY HERE OR FAMILIES CAN EVEN MOVE BACK INTO AUSTIN. PEOPLE MOVED OUT BECAUSE THEY PROBABLY COULDN'T FIND A NICE HOME IN EAST AUSTIN. AND SO I'M TAKING THIS AS LOOKING AT IT FROM THE HOUSING END OF IT IS THAT I WOULD LOVE TO MAKE SURE THAT EAST AUSTIN IT'S CONTINUE TO HAVE A PLACE TO STAY IF THEY WANT TO IN EAST AUSTIN. STU VERY MUCH. -- THANK YOU VERY MUCH.

THANK YOU.

Mayor Wynn: JAMES CROCKETT. WELCOME, MR. CROCKETT. YOU WILL HAVE THREE MINUTES. YOU WILL BE FOLLOWED BY PAT JOHNSON.

I'M A REAL ESTATE INVESTOR. I OWN THE 22 ACRES ACROSS THE STREET FROM THE SUBJECT PROPERTY, HAVE 15 ACRES CS IN THE FRONT AND SEVEN MF-3 IN THE BACK, SO A GREATER DENSITY IN THE AREA WORKS TO MY ADVANTAGE FOR FUTURE DEVELOPMENT OF THE CS PROPERTY. SO AS THE AREA GENERAL TRAFFIC AND FILLS IN WITH THE 217,000, 4 STORY 160 ROOM HOTEL DOWN THE STREET ARKS NEW INTERCHANGE COMING AND RIVERSIDE BEING A BRIDGE GOING ACROSS, IN DUE COURSE WE NEED A BANK, WE NEED A GROCERY STORE, WE NEED SOME RETAIL THAT ISN'T THERE NOW. SO I THINK THIS WILL BE A STEP IN THE RIGHT DIRECTION. THANK YOU.

Mayor Wynn: THANK YOU, MR. CROCKETT. SO COUNCIL, THAT'S ALL THE FOLKS SIGNED UP IN FAVOR OF THE ZONING CASE. WE'LL NOW GO TO FOLKS IN OPPOSITION. WE'LL GO TO MR. PAT JOHNSON AND PAT WILL BE FOLLOWED BY MS. SUSANA ALMANZA.

GOOD AFTERNOON, COUNCIL, I WOULD LIKE TO WELCOME THE NEW COUNCILMEMBERS. YOU GET USED TO SEEING ME UP HERE ON ISSUES.

FIRST OF ALL, STAFF SAID THEY SENT OUT 3200 NOTICES. NOBODY ON FRONTIER NOTICE GOT THAT NOTICE, THE SECOND NOTICE. NOBODY. I CONTACTED CENTEX HOMES THIS MORNING, KEITH PETERSON, THEY DIDN'T EVEN RECEIVE THE NOTICE FOR THE SECOND MEETING. I HAVE 47 VALID PETITIONS RIGHT HERE THAT I TURNED INTO THE CITY CLERK'S OFFICE EARLIER THAT ARE AGAINST THE REZONING OF THAT PROPERTY. I LIVE ON THAT STREET. I KNOW WHAT IT'S LIKE OVER THERE. AND WE DON'T WANT ANY MORE ADDITIONAL CRIME. THE PEOPLE THAT OWN THAT PROPERTY, THEY HAVE NO INTENTIONS OF LIVING THERE. THEY WANT THIS REZONED SO THEY CAN SELL IT TO A DEVELOPER AND MAKE A PROFIT. THEY'LL PUT APARTMENT COMPLEXES IN THERE. I DON'T CARE IF YOU PUT SENIOR CITIZENS IN THERE WITH WHEELCHAIRS, THE CRIME IS GOING TO COME TO THAT NEIGHBORHOOD. LISTEN TO THE PEOPLE THAT LIVE THERE ON THAT STREET, LISTEN TO THE PEOPLE THAT LIVE OUT THERE IN THAT NEIGHBORHOOD. WE DON'T WANT ANY MORE APARTMENT COMPLEXES. YOU WERE ELECTED TO SERVE THE PEOPLE AND DO WHAT'S BEST FOR THE PEOPLE, AND APARTMENT COMPLEXES ON FRONT FRONTIER VALLEY IS NOT WHAT'S BEST. HOW DO YOU EXPECT CENTEX HOMES TO FILL THAT NEW SUBDIVISION WITH NEW HOME OWNERSHIP OVER THERE WHEN YOU'VE GOT A THREE STORY APARTMENT COMPLEX WITH RESIDENTS ON THE SECOND AND THIRD FLOORS OUT THERE ON THEIR BALCONIES YOU ARE INNATING OFF THEIR BALCONIES. HOW WOULD YOU LIKE TO HAVE A FAMILY HE 81 ON IN YOUR BRAND NEW HOME AND PUT UP WITH THAT? WE DON'T WANT THAT CRIME OUT THERE. NOW, COUNCIL, YOU KNOW, TAKING US OUT OF THE LOOP OUT THERE ON FRONTIER VALLEY ON THIS ZONING CASE, NOT BEING GIVEN AMPLE NOTIFICATION, WE WOULD HAVE BEEN THERE, JUST LIKE WHEN THE POLICE, WHEN WE WERE HAVING ALL THE CRIME OUT THERE ON FRONTIER VALLEY, THE POLICE DEPARTMENT TOOK THE ISSUE IN HAND, THEY WENT OUT THERE AND PROVIDED NOTICES AND PUT THEM ON EVERYONE'S DOOR OUT THERE. WE HAD OVER 200 PEOPLE SHOW UP FOR THAT COMMUNITY FORUM AND THEN STAFF SAYS THEY SENT OUT A NOTICE TO EVERYBODY THAT WE'RE GOING TO HAVE A PUBLIC HEARING ON THIS ISSUE, AND THEY SAY ONLY 11 PEOPLE SHOWED UP. IT'S BECAUSE WE WERE NOT NOTIFIED. I DID NOT EVEN SEE THE NOTICE UNTIL I READ IT IN THE PDF ON THE WEBSITE. IT'S JUST NOT FAIR. DO WHAT'S RIGHT FOR THE CITIZENS THAT LIVE OVER THERE. THESE PEOPLE UP HERE GIVING TESTIMONY FOR THIS, THEY DON'T LIVE OVER THERE. DO WHAT'S RIGHT FOR US, PLEASE. MAYOR, YOU HAVE THE -- THE CITY CLERK HAS THIS PETITION. I WOULD HOPE THAT THIS WOULD TAKE INTO ACCOUNT THERE'S 47 PEOPLE HERE THAT ARE AGAINST THAT REZONING. THEY WANT TO THREATEN US WITH PUTTING SECTION 8 OUT THERE. WE'RE USED TO LIVING IN SECTION 8 BECAUSE THOSE PEOPLE OUT THERE AT THAT PARK, 155 TAXPAYERS, THOSE ARE WORKING FAMILIES THAT PAY TO SUPPORT THEIR KIDS, PUT THEIR

KIDS TO SCHOOL AND PUT MONEY INTO OUR ECONOMY. DON'T DO US A MISFORTUNE AND PUT AN APARTMENT COMPLEX THERE ON FRONTIER VALLEY. THANK YOU.

Mayor Wynn: THANK YOU, MR. JOHNSON. AND IF MR. GURNSEY OR MS. GLASGO COULD HELP US ALSO VERIFY THE PETITION ISSUE WE WILL HAVE A FEW QUESTIONS LATER WHEN WE HAVE DISCUSSION. THANK YOU. SUSANA ALMANZA, WELCOME. YOU HAVE A COUPLE OF FOLKS WANTING TO DONATE THEIR TIME TO YOU. IS CARMEN (INDISCERNIBLE) HERE?

SHE'S NOT HERE, BUT AUGUSTINE IS.

Mayor Wynn: HOW ABOUT AUGUSTINE ARRELLANO? YOU WILL HAVE SIX MINUTES IF YOU NEED IT.

GOOD EVENING, MAYOR AND CITY COUNCILMEMBERS. I'M SUSANA ALMANZA AND I'M WITH THE VARGAS NEIGHBORHOOD ASSOCIATION. FIRST OF ALL, I WANT TO SAY OUR RALLYING CRY WAS HOMES, NOT HORSES WHEN WE FOUGHT THE JOCKEY TRACT. WE WEREN'T SAYING NOT MULTI-FAMILY, WE SAID HOMES, NOT HORSES. AND THIS PARTICULAR TRACT WAS ZONED SINGLE-FAMILY BEFORE THE NEIGHBORHOOD PLAN WAS EVEN IMPLEMENTED, IT WAS ALREADY ZONED SINGLE-FAMILY. AND THE CURRENT OWNER WHO HAD IT AS SINGLE-FAMILY IS NOT THE SAME ONE. THE DAVIS ARE NEW OWNERS. THEY BOUGHT THE LAND AND THEY BOUGHT IT KNOWING THAT IT WAS SINGLE-FAMILY ZONING AT THE TIME. IF THEY WOULD AGREE TO DO SINGLE-FAMILY ZONING FOR A, THEY COULD BUILD 65 ADDITIONAL HOUSES OUT THERE AND THAT WOULD BE THE REAL WIN-WIN SITUATION FOR OUR COMMUNITY. AND TO LET THE NEW COUNCILMEMBERS AND ALSO WELCOME THEM, LET THEM KNOW THAT IN THE MONTOPOLIS NEIGHBORHOOD PLAN, WE HAD AGREED THAT THE INNER CORE OF THE NEIGHBORHOOD ASSOCIATION WOULD REMAIN SINGLE-FAMILY AND THAT THE OUTER CORE, THE PERIPHERY, WOULD BE -- WE WOULD THEN AGREE TO MULTI-FAMILY. SO IT'S NOT THAT WE DIDN'T WANT MULTI-FAMILY OR AFFORDABLE APARTMENTS. AND SO I'M GOING TO GO TO THE SLIDES FOR THOSE. I DON'T HAVE THE LITTLE -- JUST FOR THOSE WHO DON'T KNOW MONTOPOLIS, IN MONTOPOLIS A GROVE PLACE HAS 184 UNITS. THAT'S GROVE. SAFE PLACE HAS 25 UNITS. THE BOULEVARD HAS 20 BUILT UNITS ALREADY AND IS TO FINISH UP WITH 120 UNITS. THE COUNTRY CLUB TOWNHOMES HAS 40 UNITS. FAIRWAY APARTMENTS HAS 128 UNITS. RIVERSIDE MEADOWS HAS 240 UNITS. TOWN VISTA APARTMENTS HAS 280 UNITS. AND THIS IS THE LAND AT 1805 FRONTIER VALLEY DRIVE THAT EVERYONE'S TALKING ABOUT SINGLE-FAMILY. IT'S ALSO ADJACENT TO SINGLE-FAMILY AND CAT CORNER TO -- CATTY-CORNER TO SINGLE-FAMILY, SO DON'T BE

MISLEAD THAT IT'S SINGLE-FAMILY. THAT'S A CENTEX DEVELOPMENT THAT'S ADJACENT IF YOU GO DOWN FRONTIER VALLEY, THAT WOULD BE THE BACK THAT'S GOING TO BE ADJACENT TO THIS SUBDIVISION. AND SO RIGHT NOW WE HAVE 1,017 APARTMENT UNITS IN MONTOPOLIS. YOU KNOW, WE HAVE OUR FAIR SHARE OF UNITS IN MONTOPOLIS, AND TO SAY THAT WE DON'T HAVE THEM IS AN OUT RIGHT LIE. THE FACT IS THAT THIS IS SINGLE-FAMILY ZONING, HAS BEEN SINGLE-FAMILY AND JUST BECAUSE SOMEONE THROWS INTO THE MIX THAT THEY'RE GOING TO DO A CERTAIN AMOUNT OF UNITS AT 60 PERCENT MEDIAN FAMILY INCOME, AND FOR THOSE OF YOU THAT WONDER WHERE, MONTOPOLIS IS ONE OF THE POOREST NEIGHBORHOODS IN THE AREA, SO IT'S NOT -- IF YOU WERE GOING TO RENT APARTMENTS AT 60 60% MEDIAN FAMILY INCOME, THEY WOULD NOT BE ABLE TO AFFORD, THE PEOPLE LIVING THERE, TO RENT THOSE PARTICULAR HOMES IN THE MONTOPOLIS AREA. NOW, WE WANT TO KEEP -- LIKE I SAID, IN OUR NEIGHBORHOOD PLAN WE WANT TO KEEP THE SINGLE-FAMILY ZONING THAT WE CURRENTLY HAVE AND THAT WE HAVE HAD BEFORE THE NEIGHBORHOOD PLAN EVEN CAME INTO PLACE. WE KEPT IT SINGLE-FAMILY ZONED. AND WE'RE SORRY THAT WE MISSED THE WHOLE PLANNING COMMISSION HEARING OR WE WOULD HAVE TOLD THEM THEN WE DON'T WANT MULTI-FAMILY, AND THEY WOULD HAVE HEARD FROM THE PEOPLE WHO ARE LIVING THERE AND HAVE BEEN THERE FOR GENERATIONS THAT WE DON'T NEED ANY MORE MULTI-FAMILY ZONING. WE HAVE ANOTHER BIG TRIANGLE THERE ON RIVERSIDE DRIVE BY MONTOPOLIS DRIVE AND GROVE WHICH ALSO HAS THE POTENTIAL FOR A MULTI-FAMILY APARTMENT ZONING IN THE AREA. SO IT'S NOT THAT WE'RE AGAINST MULTI-FAMILY ZONING OF APARTMENTS OR AFFORDABLE HOUSING, BUT WE THINK THAT THEY SHOULD BE STRATEGICALLY PLANNED. THAT THEY SHOULD BE PUT STRATEGICALLY. AND WE HAVE OUR SHARE. THE MAJORITY OF THOSE UNITS THAT I SHOWED YOU ARE AFFORDABLE HOUSING UNITS. GROVE PLACE, 184, THOSE ARE AFFORDABLE HOUSING UNITS. I CAN'T GET IT TO GO FORWARD. SAFE PLACE, THAT'S AFFORDABLE TOO. FAIRWAY, THAT IS ALSO AFFORDABLE AND PROBABLY THE ONLY LOW INCOME UNITS. AND THE NEW ONES THAT WERE BUILT ON MONTOPOLIS DRIVE, THOSE ARE ALSO AFFORDABLE HOUSING UNITS. IT'S NOT WORKING APPROPRIATELY. RIVER MEADOWS, 240, THOSE ARE AFFORDABLE APARTMENTS. AND SO IS THE TOWN VISTA, 280. SO APPARENTLY SOMEONE DOESN'T HAVE THEIR FACTS STRAIGHT. WE KNOW WHAT WE HAVE IN OUR COMMUNITY BECAUSE WE LIVE THERE AND WE GO THROUGH THERE EVERYDAY. WE DON'T COME THERE JUST TO WORK, WE DON'T COME THERE JUST BECAUSE WE OWN PROPERTY AND BECAUSE WE WANT TO MAKE A PROFIT, BUT WE LIVE THERE AND WE WANT TO KEEP THE INNER CORE, WE WANT TO SUSTAIN THE NEIGHBORHOOD. I'M SURE THAT JOHNNIE WOULD NOT WANT APARTMENTS ON (INDISCERNIBLE). HE WANT WANT TO RETAIN THE

INNER CORE OF SINGLE-FAMILY, AND THAT'S WHAT WE WANT. LET US KEEP SINGLE-FAMILY ZONING THERE. THANK YOU.

Mayor Wynn: THANK YOU. THE NEXT SPEAKER IS MARY ARRELLIO. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY FRANK MONARELLO.

HOW ARE Y'ALL TODAY. MY NAME IS MARY, I LIVE AT 6006 PALM CIRCLE AND I'M ONE OF THE PERSONS THAT HAVE BEEN MISSING THE MEETINGS. I WORK WITH MR. AL ALVAREZ WHEN THE RACE TRACK WAS HERE. I'VE HAD CANCER FOR THREE YEARS AND I HAVEN'T BEEN ATTENDING THE MEETINGS LIKE I SHOULD, BUT THIS IS A VERY IMPORTANT MEETING FOR ME. I LIVE RIGHT THERE ON THE CORNER FROM GROVE STREET AND RIVERSIDE DRIVE. I LIVE THREE HOUSES FROM WHERE THEY'RE BUILDING ALL THESE APARTMENTS ON GROVE. THE PEOPLE THAT LIVE RIGHT THERE, THE PEOPLE THAT ARE GOING TO LIVE RIGHT THERE ON GROVE STREET APARTMENTS, THEY'RE GOING TO BE LOOKING INTO MY BACKYARD. I'M A HOMEOWNER THERE. I'VE BEEN THERE FOR 35 YEARS. I'M CORNERED THERE BY THE RIVERSIDE APARTMENTS, BY THE MONTOPOLIS APARTMENTS, AND I'M GOING TO BE CORNERED FROM ANOTHER SIDE WITH APARTMENTS. I THINK THAT WE HAVE THE RIGHT TO NOT WANT NO MORE APARTMENTS THERE, SIR, BECAUSE WE NEED OUR SPACE. PEOPLE ARE GOING TO BE LOOKING INTO MY BACKYARD AND MY FRONT YARD. I'M NOT GOING TO BE ABLE TO BE -- HAVING MY KIDS OVER BECAUSE I'M CORNERED BY APARTMENTS. I'M THREE HOUSES FROM -- ALSO APARTMENTS ALL THE WAY FROM RIVERSIDE DRIVE TO HOGAN STREET IS APARTMENTS. MONTOPOLIS DRIVE IS FULL OF APARTMENTS. WE HAVE TO THE BACK OF OURS ON -- FROM PLEASANT VALLEY TO MONTOPOLIS DRIVE AND GROVE, WE HAVE THE PARADISE APARTMENTS. IT'S NOTHING BUT APARTMENTS. WE WANT SINGLE-FAMILIES, WE WANT FAMILIES LIVING THERE. WE DON'T HAVE NO RENTERS THERE, IT'S ALL OWNERS. AND WE CAN'T GET AWAY FROM ALL THOSE PEOPLE LOOKING INTO OUR A YARD. AND I DON'T THINK MR. LIMON WOULD LIKE TO LIVE WHERE I'M LIVING RIGHT NOW BECAUSE THE PEOPLE FROM UPSTAIRS WOULD BE LOOKING INTO HIS YARD. AND I WOULD LIKE TO HAVE SOME PRIVACY AROUND MY NEIGHBORHOOD TOO. AND I'M SURE THAT ALL THE OLDER PEOPLE THAT LIVE AROUND THERE WOULD LIKE TO HAVE THE PRIVACY TOO. AND IF YOU WOULD GO AND VISIT ME AND SEE ALL THESE APARTMENTS COMING UP RIGHT THERE ON THE SIDE OF YOUR -- OF A DEAD-END STREET AND YOU WOULD SIT IN MY BACKYARD OR MY FRONT YARD, YOU WOULD NOT LIKE TO SEE THESE PEOPLE LOOKING INTO YOUR YARD. AND I'M SURE THAT THE PEOPLE IN FRONTIER VALLEY WOULD NOT LIKE THAT TOO. AND WE CANNOT AFFORD TO MOVE ANY OTHER PLACE BECAUSE WE ALREADY OWN THOSE PROPERTIES. SO THAT'S ALL. AND I APPRECIATE IT IF YOU WOULD

RECONSIDER THIS. AND YOU CAN VISIT ME ANY TIME YOU WANT TO TO SEE WHAT I'M TALKING ABOUT. THANK Y'ALL.

Mayor Wynn: THANK YOU, MARY. FRANK VILLA REAL. WELCOME. FRANK. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY LORI PERSON.

GOOD AFTERNOON, MAYOR, COUNCIL. MY NAME IS FRANK. I'VE BEEN LIVING IN MONTOPOLIS FOR 46 YEARS. GOD WILLING, ANOTHER 46 YEARS. LONG AGO THEY WANTED TO BUILD THAT HORSE RACING TRACK OUT THERE, SPEEDWAY MONTOPOLIS. WE DIDN'T WANT IT THERE BECAUSE THEY WEREN'T GOING TO LET US PLAY WITH OUR HORSES OVER THERE. OUR HORSES DON'T RUN AS FAST AS THOSE THOROUGHBREDS. BUT CHANGING THE ZONING ON THIS PROPERTY IS NOT WHAT THE PEOPLE WANT. IT'S CLEAR WE'VE HAD MEETINGS OUT THERE, NOT TOO MANY PEOPLE ARE GOING TO COME TO THEET THESE MEETINGS WHEN YOU HOLD THEM AT 4:00 O'CLOCK WHEN THEY'RE PICKING UP THEIR KIDS. IT'S NOT A CONVENIENT TIME EVER FOR ANYBODY. BUT AS FAR AS NOTIFYING THE PEOPLE, YOU KNOW WHY 11 PEOPLE SHOWED UP AT THE LAST MEETING, PROBABLY THE SAME MEETING BECAUSE WHEN Y'ALL SENT ME THE NOTICE FOR THIS MEETING TODAY, I GOT AN ENVELOPE THAT INVITED ME HERE, BUT THERE WAS NOTHING IN IT, IT WAS EMPTY. THERE WAS NOTHING IN THE ENVELOPE. SO THE REASON I FOUND OUT ABOUT IT WAS BECAUSE I GOT A LETTER FROM PODER STATING, YOU KNOW, MENTIONING ABOUT THIS MEETING. THAT'S HOW I FOUND OUT ABOUT IT. A BLANK ENVELOPE DOESN'T TELL ME NOTHING. THERE'S GOING TO BE A LOT OF PEOPLE PAINTING YOU A PRETTY PICTURE ABOUT THIS THING, BUT THAT'S NOT WHAT THEY WANT. IT'S PRETTY CLEAR. WE WANT TO KEEP FRONTIER VALLEY AS SINGLE-FAMILY ZONING. OUR SCHOOL THERE IS WAY OVERCROWDED. WE DON'T HAVE ENOUGH TEACHERS OVER THERE FOR THE STUDENTS. BRINGING IN MORE APARTMENTS IS JUST GOING TO BRING -OVER BURDEN THESE SCHOOLS THAT ALREADY CAN'T HOLD THE KIDS THAT WE'RE TRYING TO TEACH OVER THERE. YOU'RE CUTTING OUT OUR TEACHERS, NOT EXPANDING OUR SCHOOLS, NOT DOING ANYTHING ABOUT THAT. AND BRINGING IN MORE APARTMENTS IS JUST GOING TO BRING MORE AND MORE STUDENTS FOR THESE TEACHERS. THEY CAN'T HOUSE THEM RIGHT NOW AS IT IS. AND I THINK IT'S IMPORTANT FOR THEM KIDS TO GET AN EDUCATION. BUT IT'S NOT GOING TO HAPPEN THIS WAY. SO WITHOUT FURTHER ADIEU SO OTHER PEOPLE CAN SPEAK, I'M GOING TO LEAVE IT AT THAT. AND ONCE AGAIN, I WOULD LIKE TO KEEP THAT FAMILY ZONING. SINGLE-FAMILY. THANK YOU.

Mayor Wynn: THANK YOU. LORI PERSON.

I'M LORI PERSON, I HAVE PROPERTY ON YELLOW JACKET LANE CLOSE TO THE PROPERTY THAT'S UNDER DISCUSSION TODAY. I OWN TWO LOTS THAT I AM TRYING TO BUILD MY HOME ON. I INTEND TO LIVE THERE. I HAVE ARCHITECTURAL PLANS, I HAVE SOME ENGINEERING PLANS, AND BEFORE I BOUGHT THAT PROPERTY, I DID SOME RESEARCH AND I LOOKED AT ALL THE ZONING AND I DO NOT WANT TO BE SURROUNDED BY APARTMENTS. I THINK WE SHOULD SUPPORT RESIDENCES, WE SHOULD SUPPORT HOMES, WE SHOULD SUPPORT FOLKS LIKE ME WHO WANT TO BUILD HOMES. WE HAVE A WONDERFUL PARTNER IN CENTEX HOMES. JUST WHAT GREAT OPPORTUNITY FOR US TO HAVE THOSE FOLKS COME IN THERE AND BUILD ON THOSE 300 SINGLE-FAMILY DWELLINGS FOR US. LET'S LET THAT WORK. LET'S GIVE THAT A LITTLE BIT OF TIME. LET'S LET THE FOLKS GET IN THERE, LET THEM SELL THOSE PROPERTIES, BUILD THOSE PROPERTIES. LET'S NOT PUT AN APARTMENT COMPLEX IN THOSE BACKYARDS. WHAT ARE WE DOING TO THE PROPERTY VALUES OF THOSE HOMES THAT HAVE NOT YET BEEN BUILT? AND WHAT ARE WE DOING TO OUR NEW PARTNER, CENTEX HOME? THOSE ARE MY THOUGHTS. THANKS FOR YOUR TIME.

Mayor Wynn: THANK YOU, MS. PERSON. SO COUNCIL, THAT'S ALL THE FOLKS WHO SIGNED UP WISHING TO SPEAK IN OPPOSITION. A NUMBER OF FOLKS SIGNED UP NOT WISHING TO SPEAK, ALSO IN OPPOSITION. I'LL READ THESE NAMES INTO THE RECORD. AND I'M SURE I'LL MISPRONOUNCE MOST OF THEM. MAGAZINEMAGALI FERNANDEZ, ELISE BETH RINCON. MELODY SERRANO, ANDREW SERRANO. MICHAEL JOHNSON. YVETTE RODRIGUEZ. ORLANDO RENTER REI CAN'T. TONY LOPEZ, ROXANNE CAMPOS. TIMOTHY VASQUEZ. MARY IKENER ALL FIND UP NOT WISHING TO SPEAK, IN OPPOSITION. SO NOW OUR OWNER-AGENT HAS ONE THREE-MINUTE REBUTTAL TO ANY TESTIMONY THAT WE MAY HAVE HEARD. WELCOME BACK.

THANK YOU, COUNCILMEMBERS. I'LL JUST QUICKLY ON SOME OF THE POINTS THAT WERE MADE, I'LL RESPECTFULLY DISAGREE THAT APARTMENTS ARE NOT HOMES. APARTMENTS ARE HOMES. I GREW UP IN APARTMENTS. MY PARENTS COULD NOT AFFORD A HOUSE UNTIL THEY WERE IN THEIR 40'S AND I WOULD JUST ARGUE THAT APARTMENTS ARE HOMES. WE HAVE SUPPORT FROM THE COMMUNITY. WE HAVE THE SUPPORT OF CERTAIN INDIVIDUALS WHO COULDN'T BE HERE TONIGHT, FRANK FIEWN FUETNES AND ALSO THE CONTRACTOR ASSOCIATION, OF WHICH MR. JOHNNIE LIMON IS THE COMMUNITY CHAIR OF THEIR ADVISORY COMMITTEE. I AGREE WITH COUNCILMEMBER ALVAREZ AND SUSANA THAT THE GOALS OF THE MONTOPOLIS PLAN WERE TO KEEP MULTI-FAMILY ON THE PERIPHERY, I WOULD ARGUE THAT THIS IS THE PERIPHERY. THE 30 ACRES THAT WERE APPROVED FOR MF-3 WERE SIMPLY ABOUT 500 FEET TO THE EAST OF THIS. IT'S JUST THAT CENTEX CAME THROUGH AND THEY SAID

WE DON'T HAVE MF-3, WE NEED SF-4-A, WE'RE SIMPLY FLIPPING IT 500 FEET TO THE EAST AND I WOULD HOPE THAT THIS WILL STILL BE LOOKED AT AS THE PERIPHERY OF THE MONTOPOLIS PLAN. SAYING THAT THE OWNERS BOUGHT THE PROPERTY KNOWING IT WAS SF-2 IS INCORRECT. THEY BOUGHT IT KNOWING THAT IT WAS DUE FOR A REZONING AS PART OF THE PLAN. THAT WAS HOW IT WAS MARKETED TO THEM ACTUALLY. THEY SAW SF-2 ZONING THERE, THEM BEING SMALL TIME DEVELOPERS, THEY ONLY DEVELOPED TO THIS POINT PROPERTIES THAT ARE FIVE TO 10 ACRES, NOT BIG PROPERTIES, AND THEY HAVE AN EYE FOR THESE TYPE OF PROPERTIES AND THEY KNEW THAT SF-2 WAS PROBABLY NOT THE HIGHEST AND BEST USE FOR THIS PROPERTY AND THE FACT THAT THE CITY WAS DUE TO INITIATE ZONING ON THIS PROPERTY WITHIN THE YEAR OR WITHIN TWO YEARS, THEY BANKED ON THAT. IT WASN'T AS IF THEY BOUGHT IT THINKING THAT THEY WOULD DO SINGLE-FAMILY THERE BECAUSE IT IS A LITTLE BIT TOO NARROW FOR A SINGLE-FAMILY DEVELOPMENT. AS FAR AS APARTMENTS LOOKING INTO SINGLE-FAMILY, I THINK WE GET THAT WITH SINGLE-FAMILY UPON SINGLE-FAMILY. MY NEIGHBOR JUST PUT A SECOND STORY ON THEIR HOUSE AND AS FAR AS LOOKING INTO THE BACKYARD, IT'S NOT A PROBLEM. I DON'T THINK IT'S AN ISSUE NOT TO APPROVE MULTI-FAMILY HERE, ESPECIALLY SINCE THE DENSITIES ARE SUCH AS POINTED OUT HERE, BUT I DO AGREE WITH COUNCILMEMBER ALVAREZ THAT STATISTICS ARE STATISTICS AND IF YOU REDREW THE LINES IN ANOTHER WAY, THE NUMBERS MIGHT COME OUT DIFFERENTLY, BUT THAT'S WHAT WE HAVE TO WORK WITH. SO THANK YOU.

Mayor Wynn: THAT'S ALL THE PEOPLE TO SPEAK ON ITEM Z-1. I'LL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING. MOTION TO CLOSE THE PUBLIC HEARING. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION TO CLOSE THE PUBLIC HEARING PASSES ON A VOTE OF SEVEN TO ZERO. COMMENTS, QUESTIONS? COUNCILMEMBER KIM.

Kim: I WANTED TO ASK STAFF WHAT THE POSSIBILITY WAS OF ZONING THIS AS SF-6 FOR CONDOS AND WHAT THE DEVELOPER'S INTEREST WAS IN WORKING WITH THE NEIGHBORHOOD TO LOOK AT SF-6, IF ANY?

COUNCILMEMBER, YOU CAN CONSIDER OR YOU CAN ZONE THIS PROPERTY ANYWHERE FROM -- YOUR OPTIONS WOULD BE KEEPING THE ZONING AS IT IS TODAY ZONED SINGLE-FAMILY 2 AND IT ALLOWS FOR DETACHED SINGLE-FAMILY WHERE THEY CAN HAVE UP TO 60

SINGLE-FAMILY HOMES. OR YOU COULD ZONE IT TO SINGLE-FAMILY TO SF-3, WHICH IS FAMILY RESIDENCE ALLOWS DUPLEXES, SO IF DUPLEX DEVELOPMENT, THIS PROJECT COULD NET ABOUT 49 DUPLEXES OR TWICE AS MANY -- OR ONE OF TWO UNITS ON ONE SITE. FOR THE NEXT LEVEL OF ZONING WOULD BE SINGLE-FAMILY 4-A, SIMILAR TO WHAT IS SOUTH OF THE SUBJECT TRACT, AND THAT WOULD BE 96 HOMES. SF-6 WHICH ALLOWS FOR TOWNHOMES AND CONIUMS, THE DENSITY WOULD BE ANYWHERE FROM 90 TO 98. SO THOSE ARE YOUR OPTIONS FOR REZONING AND UP TO MF-1, MF-2. BUT THE APPLICANT IS REALLY CONSIDERING BUILDING APARTMENTS WHILE SINGLE-FAMILY 6 6 REALLY THE LOOK OF THE PROJECT WOULD BE SIMILAR TO APARTMENTS. SO THE NEIGHBORHOOD WOULD STILL PREFER SINGLE-FAMILY DETACHED, SO THE NEIGHBORHOOD'S PREFERENCE AND MS. ALMANZA DID INDICATE THE NEIGHBORHOOD'S DESIRE THROUGH THE NEIGHBORHOOD PLANNING PROCESS WAS FOR DETACHED SINGLE-FAMILY, WHICH WOULD BE SF-2, SF-3 OR SF-4-A. >>

Kim: OKAY. SO DID MS. ALMANZA INDICATE A PREFERENCE OR AN OBJECTION TO SF-6 DURING THE PROCESS?

YES.

Kim: OBJECTION TO SF-6.

SHE SAID YES.

Mayor Wynn: FURTHER COMMENTS? AT THIS TIME I'LL RECOGNIZE COUNCILMEMBER ALVAREZ AS SOON AS HE GETS DOWN HERE ON THE FLOOR HERE.

COUNCILMEMBER ALVAREZ, BEFORE YOU EMBARK ON YOUR PRESENTATION, MAY I JUST ANSWER A QUESTION THE MAYOR ASKED EARLIER ABOUT THE DOCUMENTS? I'D LIKE TO USE MY WORDS CAREFULLY. MR. JOHNSON HANDED THE CITY CLERK EARLIER THIS AFTERNOON A PACKET OF SIKTS AND THAT'S -- SIGNATURES AND THAT'S ALL THEY ARE. TYPICALLY WE HAVE TO REVIEW EACH SIGNATURE AND COMPARE THAT WITH THE TRAVIS COUNTY APPRAISAL DISTRICT TO VERIFY OWNERSHIP AND THEN WE CALCULATE WHETHER WE HAVE A PETITION AND WHETHER IT'S VALID. SO THAT PROCESS HAS NOT OCCURRED SIMPLY BECAUSE THE DOCUMENTS WERE TURNED INTO THE CITY CLERK EARLIER THIS AFTERNOON AND NOT TO THE CITY STAFF FOR VALIDATION. SO DEPENDING ON WHAT YOU DO TODAY, WE CAN THEN RUN THIS THROUGH THE PROCESS AND BY SECOND AND THIRD READINGS WE'LL HAVE A REPORT BACK TO YOU.

GREAT, THANK YOU. WELCOME, COUNCILMEMBER ALVAREZ.

Alvarez: THANK YOU, MAYOR. AND DEJA VU OVER AGAIN WITH THE CASE HERE, BUT WE'VE HEARD FROM MORE FOLKS AND I WILL TRY TO KEEP THIS REALLY BRIEF SINCE I GUESS FIVE OF Y'ALL HAVE ALREADY HEARD IT. BASICALLY YOU HEAR THE DIFFERENCE OF OPINION IN TERMS OF WHAT WAS INITIALLY INTENDED THROUGH THE NEIGHBORHOOD PLANNING PROCESS AND WHAT'S APPROPRIATE FOR THIS TRACT OF LAND, AND SO LIKE I DID LAST TIME, I WANTED TO SHOW THE ORIGINAL LAND USE MAP VERY EARLY ON IN THE NEIGHBORHOOD PLANNING PROCESS. AND YOU SEE THIS AREA HERE, WHICH IS THE CORE OF MONTOPOLIS, AND HOW MUCH YELLOW CATEGORIZED THE LAND THEY ARE, AND THAT'S THE SINGLE-FAMILY ZONED LAND. AND SO THAT'S WHERE WE STARTED. BY THE TIME IT WAS OVER, I'LL SHOW THE CURRENT MAP THAT'S IN THE PLAN, BUT YOU SEE THIS AREA HERE IS THE NOISE CONTOURS FOR THE AIRPORT, AND SO EVEN THOUGH WHILE WE WERE WORKING -- WHILE THE NEIGHBORHOOD WAS WORKING WITH CITY STAFF THROUGH THE NEIGHBORHOOD PLANNING PROCESS AND ACTUALLY WAS BRINGING FORWARD THE MAP SHOWING THIS AREA AS YELLOW AND THIS FOR RESIDENTIAL, THEN WHEN IT CAME TIME FOR US TO CONSIDER IT AT THE CITY COUNCIL LEVEL, THEN OUR AIRPORT DEPARTMENT, AVIATION DEPARTMENT CAME FORWARD AND SAID YOU CAN'T SONY OF THIS FOR SINGLE-FAMILY BECAUSE IT'S IN THE NOISE CONTOUR AND WE DON'T HAVE TO IN THE FUTURE AS THE AIRPORT EXPANDS HAVE TO BUY THOSE HOMES OUT DUE TO NOISE. SO THIS AREA HERE TURNED INTO A COMMERCIAL ZONING. AND RIGHT HERE, THIS AREA RIGHT HERE THAT WAS ALSO SLATED FOR SINGLE-FAMILY ZONING LITERALLY ON THE DAY THAT WE APPROVED THE NEIGHBORHOOD PLAN, THE CITY COUNCIL ALSO APPROVED A MULTI-FAMILY PROJECT ON THAT TRACT OF LAND RIGHT THERE, 248 UNITS, AND THAT WAS A TAX CREDIT PROJECT AND ALL OF THE UNITS IN THAT COMPLEX SERVE FAMILIES OF 50% OF MFI OR LESS, AND THAT WAS A REAL PROJECT SERVING, YOU KNOW, VERY -- FAMILIES AT 50% MFI OR LESS. ALL OF THE UNITS IN THAT COMPLEX. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

Alvarez: YOU SEE, WHEN YOU ACTUALLY LOOK AT THE MAP THAT'S CURRENT CURRENTLY PART OF THE PLAN, ALL OF THIS AREA THAT WAS ZONED FOR SINGLE FAMILY, THIS TRACT HERE, DIDN'T END UP BEING ZONED FOR SINGLE FAMILY. THEN WHEN CENTEX HOMES CAME FORWARD AND SAID WE ARE GOING TO DEVELOP THE BULK OF THIS TRACT FOR SINGLE FAMILY, THEN IT SEEMED LIKE THE TREND WAS THAT IT WAS GOING TO GO BACK TO WHAT THE NEIGHBORHOOD ORIGINALLY ASKED FOR IN TERMS OF REINSTATING A LOT OF THE YELLOW COLOR, THE SINGLE FAMILY ZONED TRACTS OF LAND. SO THE OTHER MAP I SHOWED LAST TIME WAS WHEN WE WERE CONSIDERING THE -- YOU KNOW HOW TO ZONE THAT BLUE TRACT OF LAND THAT HAD

THE -- THE VARIOUS HOUSING OPTIONS. THIS BEING FRONTIER VALLEY, THIS BEING RIVERSIDE DRIVE. YOU WOULD SEE THAT THE MULTI-FAMILY WAS KIND OF SEEN RIGHT HERE OR SLATED TO BE ON THE -- ON THE EDGES OF THE PROPERTY AND THIS -- THIS REMAINED AS SINGLE FAMILY ZONING BECAUSE AGAIN THIS IS WHERE THE SINGLE FAMILY CORE OF THE NEIGHBORHOOD IS, THE IDEA WAS THAT THAT WOULD CONTINUE AS MUCH AS POSSIBLE OVER HERE INTO THIS AREA AND SO YOU SEE THAT THIS IS THE TRACT THAT WOULD REZONED TO MF 3, ON THIS MAP IT WAS SHOWN TO SF 4 A. YOU SEE THERE WAS SOME SINGLE FAMILY 6 AS WELL. SO -- SO REALLY I THINK THE -- JUST A FINAL POINT THAT I WOULD MAKE IS I DID MEET WITH THE -- WITH THE PROPERTY OWNER AND SHARED WITH THEM MY CONCERNS ABOUT REZONING THIS -- THIS PROPERTY RIGHT HERE, TO MULTI-FAMILY. BECAUSE, YOU KNOW, THIS PIECE RIGHT HERE IS CURRENTLY ZONED MULTI-FAMILY ALTHOUGH I BELIEVE THE OWNER WHO WAS HERE TODAY SAID THAT HE'S TRYING TO DEVELOP THAT WHOLE AREA AS -- AS COMMERCIAL, THOSE TWO TRACTS OF LAND. BUT IF YOU REZONE THIS MULTI-FAMILY, THEN -- THIS IS THE -- THE MOBILE HOME PARK RIGHT HERE, THIS IS THE CITY-OWNED PROPERTY THAT WE ARE LOOKING TO DEVELOP, THEN IF THIS TURNS MULTI-FAMILY, WHAT DOES THAT MEAN IN TERMS OF THE TREND? THE LONG -- ALONG FRONTIER VALLEY IN THIS DIRECTION. SO YOU MIGHT LOSE -- BEGIN TO LOSE SOME OF THAT SINGLE FAMILY ZONED PROPERTY AS WELL. AND SO -- SO I'M OPEN TO - - TO MAYBE LOOKING TO -- TO CHANGE THIS PARTICULAR TRACT FROM SF 2 TO A HIGHER INTENSITY SF 4 A OR SF 6. BUT THE OWNER, YOU KNOW, WASN'T AM AMENABLE TO THAT. THEY PREFERRED THE MF 3 BECAUSE THEY WERE TRYING TO GET 225, 250 UNITS, SO WE COULDN'T COME TO AN AGREEMENT ON THAT. BUT THE -- THE SLIDE I SHOWED, WHICH -- WHICH LAID OUT THE ORIGINAL PLAN THAT THE REASON THAT WAS ZONED BLUE AND NOT YELLOW FOR SF IS, THE KINDS OF HOUSING THAT HOUSING CATEGORIES THAT WERE ILLUSTRATED WAS SF 4 A AND SF 6. I THINK THERE IS SOME JUSTIFICATION FOR HOW YOU MIGHT UTILIZE THAT TYPE OF ZONING, BUT I HAVE PERSONALLY I STILL HAVE SOME RESERVATIONS ABOUT MOVING FROM THE SF CATEGORY TO THE MF CATEGORY. THANKS AGAIN MAYOR FOR LETTING ME REDO THE PRESENTATION.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS, QUESTIONS? COUNCILMEMBER KIM?

[INDISCERNIBLE]

Kim: GOT IT? OKAY, GOOD. I THINK IT'S REALLY IMPORTANT THAT WE HAVE MORE HOME OWNERSHIP OPPORTUNITIES THAT ARE AFFORDABLE FOR EAST AUSTIN. AND MULTI-FAMILY APARTMENTS ISN'T REALLY THE WAY TO GO IF WE ARE GOING TO MAKE SURE THAT

PEOPLE ARE STAYING IN THEIR NEIGHBORHOOD AND ARE REALLY INVESTED THERE AND ALSO HAVE THE AMENITIES THAT WILL BE ATTRACTIVE FOR THE ENTIRE AREA. SO I AM NOT INCLINED TO SUPPORT THE MF ZONING. FOR THAT REASON.

Dunkerly: MAYOR?

Mayor Wynn: COUNCILMEMBER DUNKERLY?

Dunkerly: COULD I ASK THE STAFF ONE QUESTION?

YES.

Mayor Wynn: MS. GLASGO.

Dunkerly: CAN YOU DISCUSS OR THE PLANNING COMMISSION RECOMMENDATION.

Glasgo: THE PLANNING COMMISSION RECOMMENDATION IS TO GRANT THE APPLICANT'S REQUEST OF MULTI-FAMILY 3, MF 3 ZONING IS WHAT THE COMMISSION RECOMMENDED.

Dunkerly: WHY WAS THAT?

Glasgo: THE STAFF RECOMMENDATION WAS MF 3. MF 3.

Dunkerly: SO STAFF AND PLANNING COMMISSION ARE RECOMMENDING MF 3.

Glasgo: THAT'S CORRECT.

Dunkerly: ONE OTHER QUESTION. IF WE WERE TO POSTPONE THIS TO THE NEXT MEETING, THAT WOULD GIVE YOU AN OPPORTUNITY TO CHECK ON THE VALID PETITION; IS THAT CORRECT?

Glasgo: WE CAN -- YOU ARE BOUND BY THE PETITION IF IT'S AT LEAST 20% OF THE TOTAL LAND AREA. ALL THE WAY UP TO THIRD READING, SO YOU DO NOT NEED TO HAVE THAT INFORMATION AT FIRST READING.

Dunkerly: ALL RIGHT.

Glasgo: CORRECT.

Mayor Wynn: ALSO, MS. GLASGO, WE HAVE HEARD A NUMBER OF COMPLAINTS ABOUT THE NOTIFICATION. CAN JUST REAL BRIEFLY WALK US THROUGH WHAT IS OUR TYPICAL NOTIFICATION PROCESS AND

THEN FOR OUR FIRST HEARING OF THIS, YOU KNOW, WE ASKED FOR AN ADDITIONAL ROUND. CAN YOU TELL US HOW THAT WAS ACCOMPLISHED?

Glasgo: TYPICALLY, FOR THE FIRST TIME WHAT HAPPENS ONCE AN APPLICATION IS FILED, WE SEND OUT A NOTICE JUST INFORMING PEOPLE THAT AN APPLICATION HAS BEEN FILED AND A SUBSEQUENT NOTICE WILL GO OUT FOR -- TO DESIGNATE A PUBLIC HEARING DATE. SO THAT'S THE FIRST ONE, JUST FYI AN APPLICATION HAS BEEN FILED. THEN WE NOTIFY PROPERTY OWNERS WITHIN 300 FEET OF THE SUBJECT TRACT. SO IT'S NOT EVERYBODY. AND EVERY REGISTERED NEIGHBORHOOD ASSOCIATION. WHEN WHERE HE CAME TO THE CITY COUNCIL AND FOUND OUT THE ENTIRE NOTICE WAS NOT IN SPANISH, OTHER THAN A STATEMENT INDICATING IN SPANISH TO CALL FOR INFORMATION, WE WENT AHEAD AND HAD A MEETING THAT INCLUDED AN EXPANDED LIST THAT WENT BEYOND THE 300-FOOT RADIUS, INCLUDED THOSE WHO WERE ON A LIST OF INTERESTED PARTIES THAT WERE PART OF THE NEIGHBORHOOD PLANNING PROCESS, THAT WAS SENT OUT IN ENGLISH AND IN SPANISH AND SO THAT'S -- THAT WAS THAT MEETING. THEN A LARGER MEETING IN JUNE WHERE WE SENT OUT THE -- THE NOTICE UNFORTUNATELY THE GENTLEMAN RECEIVED AN EMPTY ENVELOPE, THE MACHINE WE HAVE A MACHINE THAT STUFFS THE ENVELOPES, MUST NOT HAVE BEEN SORTED. THAT'S THE ONLY EXPLANATION THAT I CAN ADD THAT THE NOTICE DID NOT GET INSERTED IN THE ENVELOPE. SO THAT'S TYPICALLY WE WENT ABOVE AND BEYOND AND I CANNOT EXPLAIN WHETHER THEY JUST DID NOT RECEIVE THE NOTICE OR WHAT. YOU KNOW, ONCE WE MAIL THEM, WE DON'T TRACK THEM.

Mayor Wynn: ALL RIGHT. NOW THE PLANNING COMMISSION, THOUGH, WE HEARD SOMEBODY -- I THINK I HEARD SOMEBODY TESTIFY THAT THE PLANNING COMMISSION VOTE WAS UNANIMOUS? CAN YOU CONFIRM THAT?

Glasgo: THE PLANNING COMMISSION VOTE WAS 8-0. SO THAT -- 8 PEOPLE PRESENT THAT NIGHT AND THEY ALL VOTED FOR IT.

Mayor Wynn: THANK YOU. FURTHER COMMENTS, QUESTIONS? IF NOT CLOSE THE PUBLIC HEARING, I WILL ENTERTAIN A MOTION ON Z-1. COUNCILMEMBER MCCRACKEN?

McCracken: [INDISCERNIBLE] CAN YOU TELL ME -- I'M LOOKING AT THE MULTI-FAMILY UNITS AND ACREAGE COMPARISON CHART THAT YOU PREPARED. YOU -- THE AREA THAT'S BOUNDED BY THE MONTOPOLIS NEIGHBORHOOD PLANNING ASSOCIATION, PLANNING AREA EXCUSE ME, WHAT IS THAT AREA.

WHAT STREETS ARE THEY? PERHAPS STAFF COULD HELP ME ON THAT. IT'S -- IF WE COULD GET THE MAP UP -- MY -- MY PRESENTATION, IT WILL SHOW -- WELL, YEAH, ON THE FIRST SLIDE OF MY PRESENTATION IT WILL SHOW THE BOUNDARIES. I DON'T WANT TO QUOTE THEM UNTIL I HAVE IT UP THERE.

Glasgo: THE MAP, FRONTIER VALLEY DRIVE, RIVERSIDE DRIVE, VARGAS ROAD AND THEN AS YOU GO FURTHER SOUTH OF THE RIVERSIDE DRIVE YOU HIT HIGHWAY 71 ON YOUR WAY TO THE AIRPORT.

BUT YOU ARE ASKING THE ACTUAL BOUNDARIES OF THE NEIGHBORHOOD PLANNING AREA.

I'M TRYING TO GET A SENSE BECAUSE I KNOW THAT THERE ARE QUITE A FEW APARTMENTS ON RIVERSIDE. I WAS CURIOUS ABOUT --

I BELIEVE RIVERSIDE IS THE BOUNDARY, IF WE COULD PULL UP THAT SLIDE. LET ME WALK OVER THERE.

I HAVE -- THERE ARE THE BOUNDARIES OF THE AREA UP ON THE SCREEN. LOOKS LIKE IT'S BEN WHITE, AND I CAN'T -- GROVE ON THE WEST, THANKS, GROVE ON THE WEST, WHICH BECOMES MONTOPOLIS DRIVE AND THEN IT INTERSECTS WITH BEN WHITE/71 WHICH BECOMES 83 AS IT GOES NORTH, 183 AS IT GOES NORTH THEN CONNECTS WITH GROVE BOULEVARD. DOES THAT ANSWER YOUR QUESTION? SORRY FOR THE TECHNICAL DIFFICULTY.

THAT'S FINE. I GUESS I'M TRYING TO GET SOME SENSE OF THE FACT THAT THE PLANNING COMMISSION VOTED FOR THIS UNANIMOUSLY, IS -- I THINK SHOULD BE VERY MEANINGFUL TO THIS COUNCIL. I DO WANT TO KNOW IN CONTEXT, THOUGH, ARE WE -- YOU ARE TAKING A DISCRETE AREA AND JUST BEYOND THESE BOUNDARIES THERE'S A TON OF APARTMENTS OR HOW CLOSELY ASSOCIATED IS THIS WITH THE -- THE HEAVY CONCENTRATION OF APARTMENTS?

YES. I WILL SAY THAT THE IMMEDIATE NEIGHBORHOOD PLANNING AREA THAT'S NEIGHBORS WITH THIS PLANNING AREA IS THE EAST OLTORF RIVERSIDE PLANNING AREA WHICH IS CURRENTLY COMPLETING ITS PLANNING PROCESS AND WILL BE BEFORE THE COUNCIL WITHIN THE NEXT COUPLE OF MONTHS. THEY HAVE, OF THE HIGHEST UNIT PER ACRE MULTI-FAMILY IN THE CITY. SO THAT IS CORRECT TO SAY THAT THE FEEL OF COMING DOWN RIVERSIDE WHEN YOU COME FROM DOWNTOWN AS YOU GO OUT TO THE AIRPORT, IF YOU LOOK, ONCE YOU GET PAST ALL OF THE COMMERCIAL, CLOSER TO I-35, YOU START COMING OUT TO BEN WHITE ON THE LEFT, ON THE RIGHT IS ALL SINGLE

FAMILY. THERE'S ESTABLISHED SINGLE FAMILY NEIGHBORHOODS ALL ON THE SOUTH SIDE. ON THE OTHER SIDE, THERE'S APARTMENT CITY AND APARTMENT CITY WAS DONE IN THE '80S TO -- ON PURPOSE ACTUALLY TO CREATE AN APARTMENT AREA TO SERVE THE UNIVERSITY STUDENTS, WHICH IT DOES BEAUTIFULLY ACTUALLY. I WOULD ARGUE THAT THE DEMOGRAPHIC THERE FOR APARTMENT CITY IS MOSTLY 25 AND UNDER. SO IT SERVES A NEED IN OUR CITY BECAUSE WE ARE A COLLEGE TOWN. BUT IT'S CORRECT TO SAY THAT THERE ARE A LOT OF UNITS THERE. BUT IT'S QUITE A WAYS, I WOULD SAY IT'S TWO MILES FROM THIS LOCATION. SO AS YOU START MOVING TOWARDS BEN WHITE, IT BECOMES MORE RURAL AND MORE NOT URBAN SO TO SPEAK. AND AGAIN THAT SOUTH SIDE DOES RETAIN SINGLE FAMILY AND ESTABLISHED SINGLE FAMILY NEIGHBORHOODS.

McCracken: IS THIS SLATED TO BE A GATED APARTMENT COMPLEX OR NON-GATED?

NON-GATED AS I UNDERSTAND IT.

McCracken: THAT IS VERY MEANINGFUL, I HAVE LIVED NEXT TO A GATED COMMUNITY AND IT REALLY WALLS OFF YOUR NEIGHBORHOOD.

WE WOULD BE OPEN TO A RESTRICTION TO NOT HAVE THAT IF -- AND I AGREE WITH THAT STATEMENT AS WELL.

McCracken: IN FACT I LIVE IN THE NORTHWEST HILLS NEIGHBORHOOD WHICH IS ONE OF THOSE YOU CITE AND MY EXPERIENCE IS THAT IT'S UNIFORMLY POSITIVE TO HAVE THIS MIX TO GET BETTER SERVICES, IT ADDS A LOT OF FOLKS ON THE STREET, MAKES US ALL FEEL SAFER BECAUSE THERE'S ALWAYS PEOPLE GOING FOR RUNS, WALKING THEIR BABIES AROUND STUFF. SO I -- MY PERSONAL EXPERIENCE HAS BEEN VERY POSITIVE TO HAVE MULTI-FAMILY THERE AND THE FACT THAT IT'S NOT GOING TO BE GATED, THE PLANNING COMMISSION RECOMMENDATION, THOSE ARE ALL VERY POWERFUL STATEMENTS INDICATING THIS COULD WOULD BE A GOOD PLANNING DECISION.

THANK YOU.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS? COUNCILMEMBER LEFFINGWELL?

Leffingwell: THIS IS ALSO FOR MS. BODET. EARLIER YOU WENT THROUGH A LIST OF RESTRICTIVE COVENANT YOU PROPOSED. WHERE IS THE LIST? IS THERE A LIST SOMEWHERE OR CAN YOU MAKE THEM AVAILABLE AS PART OF YOUR APPLICATION?

ACTUALLY THAT LIST CAME UPON A MONTH AGO WHEN THIS CASE WAS BEFORE COUNCIL AND AFTER WE HEARD THE CONCERNS OF THE COUNCIL WE WENT TO THE DRAWING BOARD TO SEE WHAT WE COULD DO THAT WOULD CREATE A WIN-WIN SITUATION AND THAT'S WHEN WE CAME UP. IN THE LAST TWO WEEKS WE CAME UP WITH THE CONDITIONAL OVERLAY AND I DID E-MAIL IT TO COUNCILMEMBER ALVAREZ AS I FELT THAT WAS -- WE REALLY TRIED HARD TO ADDRESS HIS CONCERNS. HE DID MEET WITH US FOR ABOUT TWO HOURS AND WE APPRECIATE HIS TIME ON THAT. I DON'T HAVE THAT WRITTEN OUT, BUT I COULD MAKE THAT AVAILABLE TO THE COUNCIL, TO REITERATE IT WAS A LIMIT OF 225 UNITS BECAUSE -- THANK YOU -- BECAUSE THAT IS THE NUMBER WHERE THE AFFORDABLE HOUSING BREAKS FOR US. THE MAXIMUM PERMITTED ON THAT SITE THAT YOU COULD GET AFTER ALL ENVIRONMENTAL CONSTRAINTS, ALL OF THAT WOULD BE ABOUT 280. WE COULD GET AS LOW AS 225 STILL MAKE THE PROJECT WORK WITH SMART HOUSING. SO WE WOULD COMMIT TO THE ORDINANCE OF LIMITING UNITS TO 225. WE WOULD COMMIT TO A 25-FOOT VEGETATIVE BUFFER ON THE NORTH SIDE, BUFFERING FROM THE MOBILE HOMES. AND A COMMITMENT TO THE 8 -- 40% OF UNITS BEING AT 60% MEDIAN FAMILY INCOME. THOSE WERE THE THREE CONDITIONS THAT WE WERE WILLING TO IMPOSE ON THE LAND.

Leffingwell: THANKS. MAYOR, I WOULD LIKE TO MOVE APPROVAL ON FIRST READING OF THE PLANNING COMMISSION RECOMMENDATION WITH ALL OF THE RESTRICTIVE COVENANTS THAT WERE NAMED AND I HOPE THERE WILL BE A LIST OF THOSE AT THE NEXT READING AND ALSO INCLUDING COUNCILMEMBER MCCRACKEN'S NO GATES ON THE APARTMENTS.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER LEFFINGWELL. SECONDED BY COUNCILMEMBER MCCRACKEN.

I HAVE A QUESTION.

Mayor Wynn: LET ME GET THE MOTIONS OUT TO APPROVE ON FIRST READING ONLY PLANNING COMMISSION RECOMMENDATION WITH ADDITIONAL RESTRICTIONS AS OUTLINED. COUNCILMEMBER KIM?

Kim: MS. BODET, WHAT WAS I GUESS THE APPLICANT IS MARABELLA CORPORATION, RIGHT? WHAT WAS THE FEASIBILITY IN TERMS OF LOOKING AT A HIGHER DEPOSITION COMMUNITY FOR SINGLE FAMILY VERSUS MULTI-FAMILY AND WHY DID THEY NOT LOOK AT THAT OPTION AS THAT WOULD HAVE BEEN MORE APPROPRIATE OR ACCEPTABLE TO THE NEIGHBORHOOD?

PART OF IT IS THE -- HOW THE SITE IS SITUATED. IT'S A THIN, LONG SITE AS OPPOSED TO A MORE SQUARE SITE WHICH MAKES -- ONCE YOU PUT IN YOUR DRAINAGE DETENTION FOR THE ENGINEERING FOR THE SUBDIVISION, IT MAKES IT HARD TO FIT ALL OF THE STREETS AND LOTS AND SO THE MULTI-FAMILY BECAUSE YOU CAN GO UP HIGHER, ALLOWS FOR THE DETENTION, JUST THE LAY OF THE LAND SEEMED TO SPEAK MORE TO MULTI-FAMILY THAN SINGLE FAMILY. THAT WAS ONE OF THE MAIN DECISIONS, ALSO THE AFFORDABILITY. WE HEARD FROM JOHNNY LEMON ABOUT AFFORDATE. THE UNIT COUNT WHAT WE HEAR OVER AND OVER AGAIN UNFORTUNATELY THE DENSITY IS NEEDED IN ORDER TO GET THE MIX OF THE AFFORDABLE UNITS. SO THOSE WERE THE TWO MAIN THINGS THAT WERE LOOKED AT WHEN LOOKING AT WHAT WAS THE HIGHEST AND BEST USE OF THIS LOCATION AND WANTING TO PROVIDE A MIX OF HOUSING. JOHNNY LEMON POINTED OUT TO US A LOT OF TIMES PROPERTY TAXES ARE WHAT DRIVES PEOPLE OUT OF EAST AUSTIN BECAUSE THE TAXES KEEP GOING UP AND THEY END UP MOVING TO BUDA OR OTHER PLACES BECAUSE THERE'S NOT AFFORDABLE APARTMENTS OR OTHER SINGLE FAMILY HOMES IN THE AREA. AND SO HE FELT THAT HE COULD SUPPORT THIS PROJECT BECAUSE OF THAT REASON AND I THOUGHT -- WE THOUGHT HE MADE A GOOD POINT ON THAT. THOSE WERE THE THREE MAIN REASONS.

Kim: HOW AFFORDABLE WOULD BE THE UNITS BE IF THEY WERE SF 6:00 AND YOU HAD CONDOS INSTEAD?

I THINK IT WOULD BE HARD TO GET THE 40% AT 60%. YOU MIGHT GET MAYBE 10% AT 80% OF M.F.I., MEDIAN FAMILY INCOME, IT'S QUITE SIGNIFICANT BECAUSE THE UNIT COUNT WOULD BE AS ALICE MENTIONED A LITTLE OVER 100 AS OPPOSED TO 225.

Kim: THANK YOU.

YOU'RE WELCOME.

Mayor Wynn: WE HAVE A MOTION AND A SECOND ON THE TABLE TO APPROVE PLANNING COMMISSION RECOMMENDATION WITH ADDITIONAL RESTRICTIONS. FURTHER COMMENTS? COUNCILMEMBER ALVAREZ?

Alvarez: THANKS, MAYOR. I'M NOT GOING TO BE SUPPORTING THIS MOTION. I THINK IT'S ABSOLUTELY RIDICULOUS THAT WE ARE CONSIDERING GOING AGAINST THIS NEIGHBORHOOD PLAN AGAIN. I ALREADY OUTLINED HOW THIS NEIGHBORHOOD WAS MISTREATED, I THOUGHT, ON THE DAY OF THE NEIGHBORHOOD PLAN WAS ADOPTED WHERE A LARGE TRACT THAT WAS SUPPOSED TO BE SINGLE FAMILY WAS ZONED BY THE CITY COUNCIL, I DIDN'T VOTE FOR IT, FOR MULTI-

FAMILY. BUT THAT WAS A CASE THAT HAD TAX CREDITS AND EVERY SINGLE UNIT WAS AT 50% OF MEDIAN FAMILY INCOME. IF YOU ARE GOING TO HAVE A STANDARD FOR WHEN YOU GO AGAINST THE NEIGHBORHOOD PLAN, THAT'S THE STANDARD. WE DON'T HAVE THAT HERE. WE DON'T HAVE A TAX CREDIT PROJECT. WE HAVE THEM SAYING THEY MIGHT DO 40% AT 60% M.F.I. BUT THAT MEANS ALL OF THE OTHER UNITS WON'T EVEN BE AFFORDABLE TO THE PEOPLE WHO LIVE THERE. SO I THINK THIS IS A TRAVESTY, A REAL BREAK DOWN OF THE INSPECT INSPECTING PROCESS AND IT SENDS A VERY BAD MESSAGE TO FOLKS WHO GO THROUGH THE NEIGHBORHOOD PLANNING PROCESS BECAUSE HERE WE ARE THROWING OUT THE LAND USE RECOMMENDATIONS THAT CAME OUT OF THAT PROCESS. AND THE REASON AGAIN MULTI-FAMILY IS TREATED THE WAY IT IS HERE IS BECAUSE THEY RAN OUT OF SPACE, NOW THEY ARE GOING FURTHER EAST, LOOKING FOR ANY LAND IF THEY CAN TO DEVELOP MORE MULTI-FAMILY, THIS NEIGHBORHOOD PLAN SAYS IF THERE'S MULTI-FAMILY, THIS IS WHERE IT SHOULD GO. AND SO I'M JUST VERY CONCERNED THAT THIS SENDS A MESSAGE THAT SOME OF THESE OTHER TRACTS ALSO THAT ARE IN THE CENTER OF MONTOPOLIS ARE NOW FAIR GAME TO CHANGE TO MULTI-FAMILY AND AGAIN WE ARE NOT EVEN SAYING THAT IF IT'S A TAX CREDIT PROJECT, THAT PROVIDES REAL AFFORDABLE HOUSING FOR THIS NEIGHBORHOOD, WE ARE SAYING JUST, YOU KNOW, ANY MULTI-FAMILY PROJECT.

SO I'M VERY CONCERNED ABOUT THAT. REALLY THIS IS A CITY INITIATED PROCESS. I TAKE ISSUE WITH THAT, THERE'S SOME UNDERSTANDING THAT THE CITY WAS SUPPOSED TO INITIATE THE PROCESS FOR THIS PROPERTY OWNER, BUT AGAIN IT ZOO SHOULD HAVE BEEN FOR SOMETHING IN LINE WITH THE -- WHAT THE NEIGHBORHOOD WANTED. HERE WE HAVE A PROCESS THAT THE CITY INITIATED A PROCESS THAT THE NEIGHBORHOOD DOESN'T SUPPORT AND THAT FOLKS WHO LIVE IN THE NEIGHBORHOOD THAT WE HAVE HEARD FROM THAT ARE HERE SAY WE DON'T WANT THIS. AND SO -- SO THAT'S WHY I THINK WELL, YOU KNOW, THE CITY SHOULDN'T BE GOING AGAINST ITS OWN NEIGHBORHOOD PLAN, WE INITIATED THIS CASE. IF THE PROPERTY OWNER WANTS TO FILE AN APPLICATION AND -- TO MULTI-FAMILY THEN LET ME FILE THEIR APPLICATION AND WE CAN HAVE THIS DEBATE ABOUT THEIR PROJECT AND MAYBE BY THAT TIME THEY HAVE TAX CREDITS AND THEY ARE GOING TO PROVIDE AFFORDABLY, REAL AFFORDABLY HOUSING FOR THIS NEIGHBORHOOD BUT, YOU KNOW, AGAIN THIS IS A CASE WHERE THE CITY IS GOING AGAINST ITS OWN NEIGHBORHOOD PLAN WITH A CASE IT ITSELF INITIATED. FOR ME THERE'S ABSOLUTELY NO JUSTIFICATION FOR THIS. AND I REALLY PLEAD WITH Y'ALL TO LISTEN TO THE NEIGHBORS, THE FOLKS WHO LIVE THERE IN THAT COMMUNITY AND MAINTAIN THIS AS SINGLE FAMILY PROPERTY.

THANK YOU, COUNCILMEMBER. FURTHER COMMENTS, QUESTIONS?
MAYOR PRO TEM?

Thomas: I HAVE TO REALLY AGREE WITH COUNCILMEMBER ALVAREZ. I KNOW SOMETIMES WE -- VOTE THE SAME WHEN IT COMES TO DIFFERENT HOUSING PROJECT. WE HAVE HEARD FROM THE NEIGHBORS. WE'VE HAD TOO MANY COMMUNICATION PROBLEMS. WE'VE ALSO HAD NEIGHBORS TODAY THAT SAID THEY REALLY WANTED IT TO STAY SINGLE FAMILY. THERE'S NO LACK OF MULTI-FAMILY IN THE AREA THAT WE ARE TALKING ABOUT. SO I THINK WE REALLY HOPEFULLY YOU ALL, I WILL NOT SUPPORT THIS. BUT THE SECOND AND THIRD READING THAT YOU ALL WILL REALLY CONCERN THE NEIGHBORS BECAUSE THEY HAVE SAID THAT. I THINK WE HAVE ALL CONSIDERED NEIGHBORS WHEN IT COMES DOWN TO DIFFERENT CASES. THIS IS A CASE THAT IS VERY IMPORTANT AND I WOULD LIKE STAFF TO GIVE ME MORE INFORMATION ABOUT IS IT POSSIBLE THAT THEY CAN PUT SINGLE FAMILY -- CAN'T PUT SINGLE FAMILY IN THAT AREA SHE WAS EXPLAINING. I KNOW IT'S A SMALL AREA, IT APPEARS THAT IT MIGHT NOT HAPPEN, BUT IF STAFF CAN GIVE ME INFORMATION ON THAT ON THE SECOND AND THIRD READING, BUT I WOULD NOT SUPPORT THIS AT ALL.

Mayor Wynn: THANK YOU MAYOR PRO TEM. AGAIN IN ADDITION TO THE RESTRICTIONS THAT WERE ADDED AS PART OF THIS MOTION, I WOULD LIKE -- OBVIOUSLY ANYWAY, BUT HAVE STAFF CONFIRM THE -- THE PETITIONS IN THE NEIGHBORING PROPERTY OWNERS. MOTION AND SECOND ON THE TABLE TO APPROVE ON FIRST READING ONLY. PLANNING COMMISSION RECOMMENDATION WITH ADDITIONAL RESTRICTIONS. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED?

NO.

MOTION PASSES ON A VOTE OF 4-3 WITH THE MAYOR PRO TEM,
COUNCILMEMBERS ALVAREZ AND KIM VOTING NO.