ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0029 – Montopolis Acres Rezoning DISTRICT: 3

ZONING FROM: SF-3-NP TO: MF-6-NP, as amended

ADDRESS: 1013 and 1017 Montopolis Dr

SITE AREA: 3.12 acres

PROPERTY OWNER:
Montopolis Acres LP

AGENT:
Thrower Design (A. Ron Thrower & Victoria Haase)

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

STAFF RECOMMENDATION:

Staff recommends multifamily residence (medium density) – neighborhood plan (MF-3-NP) combining district. *For a summary of the basis of staff's recommendation, see page 2.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

January 26, 2021	**Approved MF-4. Vote: 8-4. [A. Azhar, J. Shieh – 2nd; C. Llanes Pulido, R. Schneider, P. Seeger and T. Shaw voted nay].**
January 12, 2021	Approved neighborhood's request to postpone to January 26, 2021 on the consent agenda. Vote: 12-0. [J. Shieh, P. Seeger – 2nd].
December 22, 2020	Approved neighborhood's request to postpone to January 12, 2021 on the consent agenda. Vote: 11-0. [A. Azhar, P. Seeger – 2nd; J. Shieh was off the dais].
July 14, 2020	Approved an indefinite postponement request by staff. Vote: 13-0. [A. Azhar; J. Shieh – 2nd]
June 23, 2020	Approved neighborhood's request to postpone to July 14, 2020 on the consent agenda. Vote: 12-0. [J. Thompson, R. Schneider – 2nd; P. Seeger was off the dais].

CITY COUNCIL ACTION:

February 18, 2021	**Scheduled for City Council**
July 30, 2020	Approved staff's request for indefinite postponement. Vote: 11-0.

ORDINANCE NUMBER:

ISSUES:

On June 18, 2020 staff received a letter of opposition to rezone this property from SF-3-NP to SF-6-NP from the Montopolis Neighborhood Planning Contact Team (MNPCT).

On July 10, 2020 staff received a letter from the applicant requesting to amend their rezoning request from SF-6-NP to MF-6-NP, please see *Exhibit D Amended Rezoning Request.* The amended rezoning request requires a Neighborhood Plan Amendment (NPA) to change the Future Land Use Map (FLUM). Staff requested an indefinite postponement at Planning Commission on July 14, 2020 and City Council on July 30, 2020 to allow for the NPA process to be conducted and staff to consider the amended request.

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

At the Planning Commission meeting on January 26, 2021 the applicant informed the Commissioners that they are considering applying for the City's Affordability Unlocked program. Application to this program is voluntary and separate from the rezoning request and cannot be a part of the ordinance or within a public restrictive covenant.

CASE MANAGER COMMENTS:

This property is approximately 3.12 acres and is located on the east side of Montopolis Drive. It is currently zoned SF-3-NP. Across Montopolis Drive to the west are properties zoned SF-3-NP with single-family residential buildings. Adjacent to the north is a property zoned LO-MU-CO-NP which is undeveloped. Adjacent to the east and south of the subject property are properties zoned SF-3-NP with single-family residential (to the east) and religious assembly uses (to the south), see *Exhibit A: Zoning Map* and *Exhibit B: Aerial Map*.

From the applicant's application, they are requesting MF-6-NP and are proposing a maximum of 200 residential units with a proposed total of 64 units per acre. No specific details about the potential development or site plan layout were contained within their application. Due to the number of proposed residential units, staff provide AISD the Educational Impact Statement (EIS) forms provided in the application. Their response is included in *Exhibit E: EIS from AISD*.

BASIS OF RECOMMENDATION:

Staff recommends rezoning the property to MF-3-NP.

1. *Zoning changes should promote an orderly relationship among land uses.*

   The subject property is between a tract zoned LO-MU-CO-NP to the north and tracts zoned SF-3-NP to the south, east and across Montopolis Drive to the west, all of which have a maximum building height of 35'and many of which contain single family residential uses. Adjacent to the northern property further north along Montopolis Drive, is a tract zoned PUD-NP. The maximum building height allowed for that property is 40'. Rezoning this property to MF-3-NP would be compatible with its surrounding land uses and provide a

transition in site development standards and land uses between the commercial and residentially zoned properties.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	SF-3-NP	Residential
North	LO-MU-CO-NP	Vacant
South	SF-3-NP	Religious Assembly Building
East	SF-3-NP	Residential
West	SF-3-NP	Residential

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

TIA: The TIA determination is deferred until site plan submittal as final land use mix and intensities will be available with the site development application.

WATERSHED: Carson Creek (suburban)

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

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

NEIGHBORHOOD ORGANIZATIONS

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

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2019-0093 1411 Montopolis Drive	SF-3-NP to SF-6-NP	To grant SF-6-NP as recommended by Staff.	Approved SF-6-NP as Commission recommended. (11/14/19)
C14-2014-0127 / NPA-2014-0005.02 1007 & 1011 Montopolis Drive	LO-CO-NP to LO-MU-NP	To grant LO-MU-CO-NP, CO consisted of a set of prohibited uses, limiting vehicular trips per day, limiting height of buildings to 2-stories or 35 feet and requirement of a fence along the property line.	Approved LO-MU-CO-NP as Commission recommended. (12/11/14)
C814-97-0002.01 / NPA-2018-0005.02 Mary Vice Estates PUD, Lot 27 Amendment	The PUD amendment is proposing an increase to maximum building square footage, reduce the building setbacks and allow townhouse, condo, and duplex residential uses to the existing use.	In review.	In review.

RELATED CASES:

NPA-2020-0005.01: related Neighborhood Plan Amendment (NPA) case to this rezoning request.

C14-01-0060: Montopolis Neighborhood Plan rezoning (Ordinance No. 010927-28). This property's base zoning district was not rezoned (changed) during this process.

EXISTING STREET CHARACTERISTICS:

Street	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Montopolis Drive	70'	45'	Level 3	Yes	Shared Lane	Yes

OTHER STAFF COMMENTS:

Environmental

The property is not located over the Edwards Aquifer Recharge 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:

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

According to floodplain maps there is no floodplain within or adjacent to the project location. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

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

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

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

Site Plan

Site plans will be required for any new development other than single-family or duplex residential. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted. Additional design regulations will be enforced at the time a site plan is submitted.

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

Compatibility Standards

The site is subject to compatibility standards due to the adjacency of SF-3-NP zoning to the south, east, and the proximity of SF-3-NP zoning across Montopolis Drive to the west. The following standards apply:

- No structure may be built within 25 feet of the property line.

- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.

- Landscaping or screening is required along the south and east property lines in accordance with the screening requirements (Section 25-2-1006 and ECM 2.9.1.), Parking Design Standards (Section 25-6-563) and/or Screening Standards (Section 25.2.1066) to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from property in an SF-5 or more restrictive zoning district.

Airport Overlay
This site is located within the Austin-Bergstrom Airport Controlled Compatible Land Use Area Overlay. No use will be allowed that can create electrical interference with navigational signals or radio communications between airport and aircraft, make it difficult for pilots to distinguish between the airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. Height limitations and incompatible uses with each Airport Overlay zone are established in the Airport Overlay Ordinance. Airport Hazard Zoning Committee review may be required prior to Planning Commission Hearing. Additional comments may be generated during the site plan review process.

Demolition and Historic Resources
The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Residential Design Standards Overlay
The site is subject to 25-2 Subchapter F. Residential Design and Compatibility Standards.

Transportation
The traffic impact analysis (TIA) determination is deferred until site plan submittal as final land use mix and intensities will be available with the site development application. At the time of submittal of any site plan on the Property, a TIA is required if the proposed development or uses on the Property, considered cumulatively with all existing or previously authorized development and uses, generates traffic that exceeds 2,000 trips per day.

The Austin Strategic Mobility Plan (ASMP) adopted 04/11/2019, calls for 80 feet of right-of-way for Montopolis Drive. It is recommended that 40 feet of right-of-way from the existing

centerline should be dedicated for Montopolis Road according to the Transportation with the first site plan or subdivision application. [LDC 25-6-51 and 25-6-55].

Austin Water Utility

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

Based on current public infrastructure configurations, service extension requests (SER) will be required to provide suitable and sufficient service to this lot. For more information pertaining to the SER process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services located at 625 East 10th Street 7th floor or by phone at 512-972-0211.

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

INDEX OF EXHIBITS TO FOLLOW

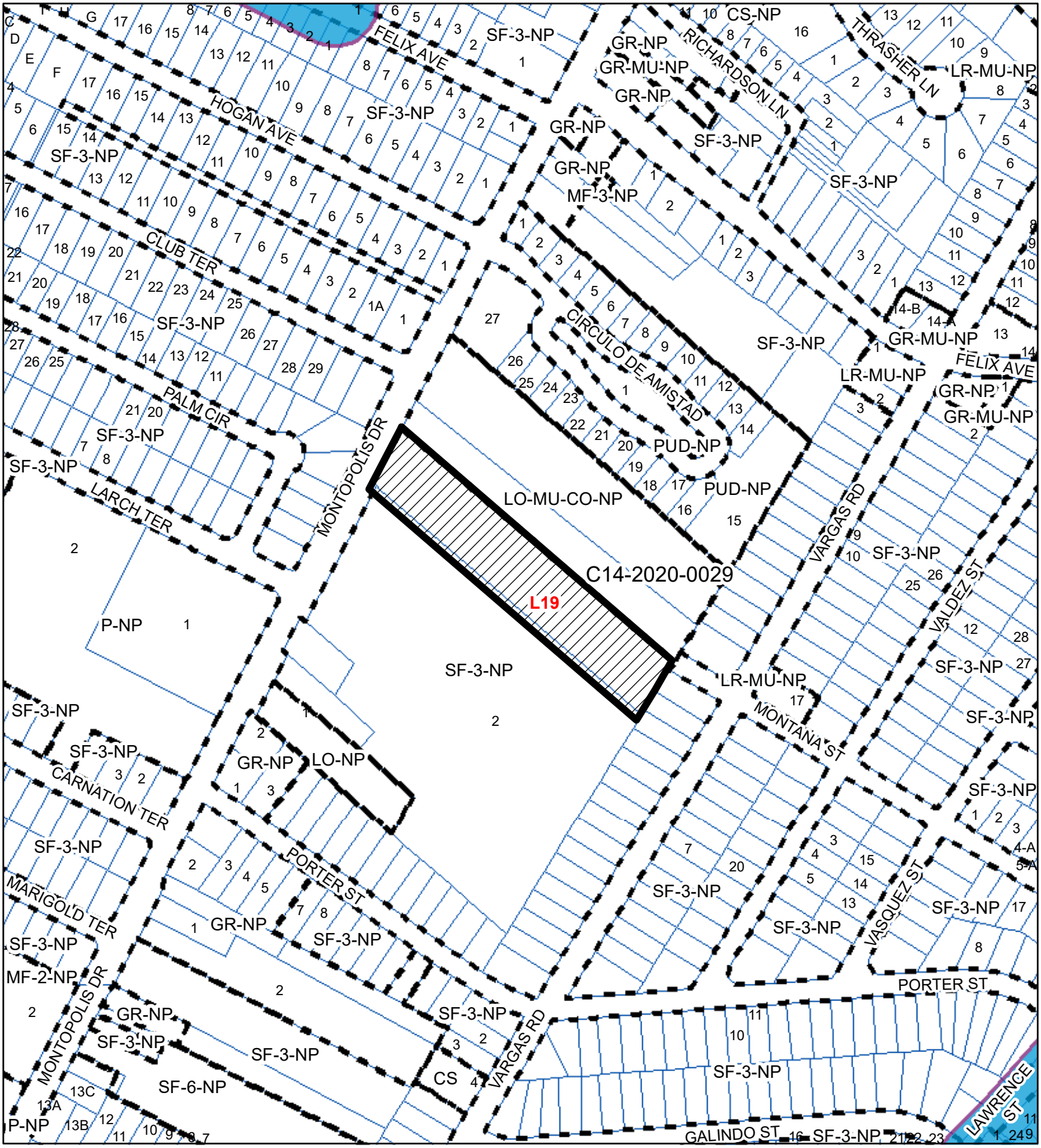
Exhibit A: Zoning Map

Exhibit B: Aerial Map

Exhibit C: Correspondence Received

Exhibit D: Amended Rezoning Request

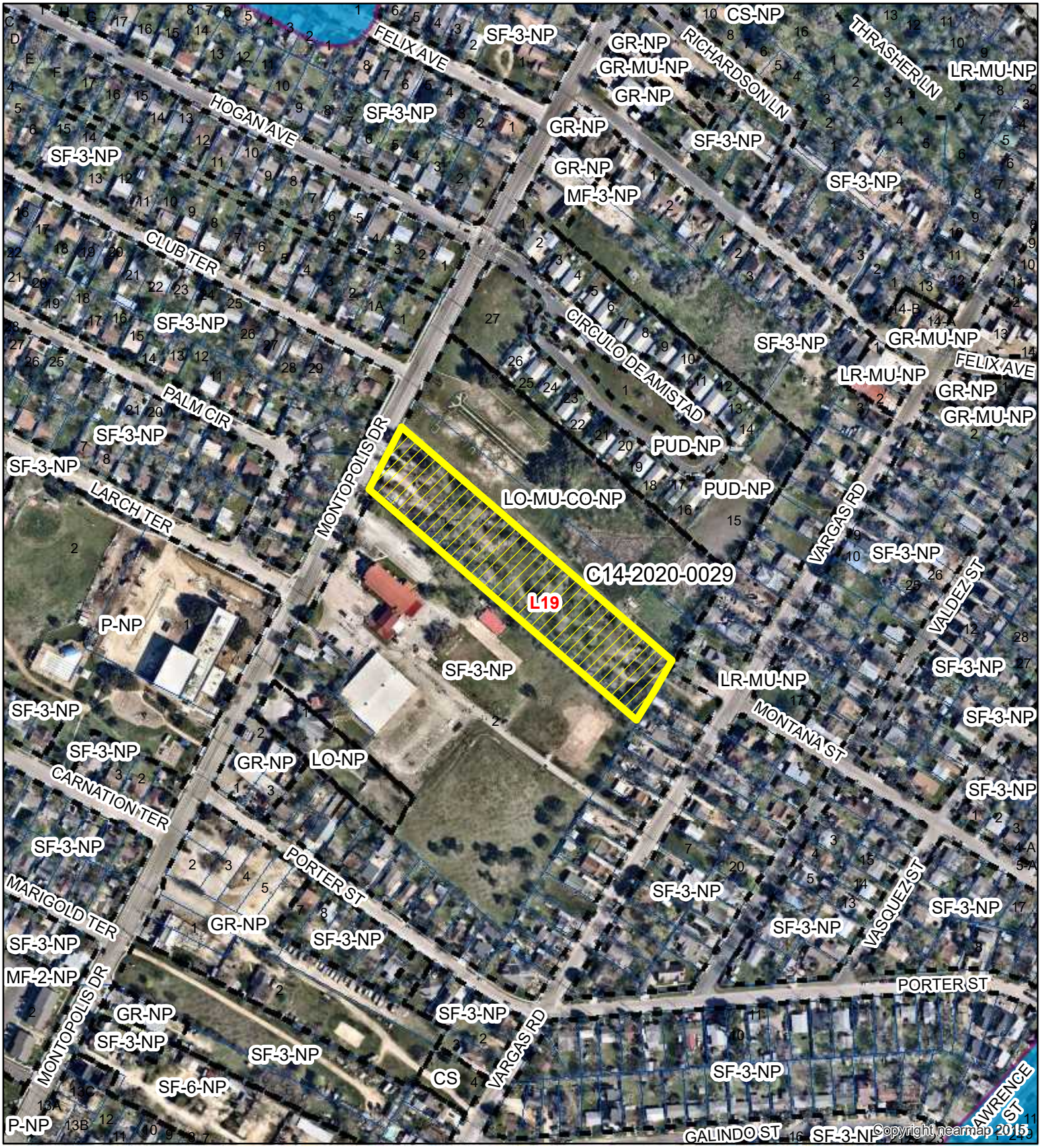
Exhibit E: EIS from AISD



MONTOPOLIS ACRES REZONING

Exhibit A

ZONING CASE#: C14-2020-0029
LOCATION: 1013-1017 Montopolis Dr
SUBJECT AREA: 3.12 ACRES
GRID: L19
MANAGER: KATE CLARK



N

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

CREEK BUFFER

1" = 300'

MONTOPOLIS ACRES REZONING

Exhibit B

ZONING CASE#: C14-2020-0029
LOCATION: 1013-1017 Montopolis Dr
SUBJECT AREA: 3.12 ACRES
GRID: L19
MANAGER: KATE CLARK

CITY OF AUSTIN FOUNDED 1839

Exhibit C

Clark, Kate

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

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

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

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

Sincerely, Susana Almanza, President MNPCT

PODER
P.O. Box 6237
Austin, TX 78762-6237
www.poder-texas.org

June 18, 2020

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

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

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

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

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

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

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

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

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

Clark, Kate

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

Dear Ms. Clark,

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

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

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

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

Clark, Kate

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

Dear Planning Commission Members,

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

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

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

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

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

Please do your part.

We are counting on you,

Hedda and Noe Elias
304 Kemp Street

July 10, 2020
Dear Austin Planning Commission and Austin City Council,

I am writing to oppose the zoning change requests across Montopolis (case numbers below) and to support my neighbors and community leaders who also strongly oppose them.

(C14-2020-0030 - 200 Montopolis Rezoning)
(C14-2020-0029 - Montopolis Acres Rezoning, 1013/1017 Montopolis)
(C14-2020-0039 - Clovis and Kemp Rezone, 301 Kemp)
(C14-2020-0044 - Saxon Acres Residential Zoning, El Mirando St.)

Please help fight racial inequality and irreversible harm to our neighborhood by listening to its residents community leaders who continue to speak clearly against these entitlements and zoning changes as well as Austin's history of racial inequity in land-use.

Montopolis is a mostly black and minority family-owned neighborhood fighting to protect its SF-3 zoning and green spaces. We're asking for your support in opposing these changes. There are currently valid petitions against all of these cases.

The Montopolis Neighborhood Plan already allows for more density, commercial, multi-family, and mixed-use, than any other part of Austin and specifically designates areas for this type of development. There is no need to destroy existing SF-3 neighborhood streets when there are plenty of empty SF-6 lots along appropriate traffic corridors that have yet to be developed.

The developers who are asking for these entitlements (all white) have lawyers who use language like "underutilized" and "neglected" to describe these neighborhoods. This language devalues the thriving community who already lives here and overlooks black and minority homeownership.

The developers' lawyers argue that your giving them entitlements will somehow make things more affordable through supply-side trickle-down reasoning. This is an extremely limited view that completely discounts all the negative effects that will occur to the ecology, community, and history of this vulnerable area.

We know these new developments won't be affordable for the current residents of this neighborhood or attract more diversity in any way, and the developers make no enforceable promise to do so.

These changes would overcrowd our peaceful residential streets with cars,

and add more pavement and flooding throughout an ecologically sensitive preserve and the Colorado River.

Adding this much density will accelerate gentrification and rapidly dilute diversity in this important and vulnerable part of town. The city's own statistics show how this has happened throughout Rainey, Holly, and the rest of East Austin. Up-zoning to SF-6 is like putting gasoline on the fire.

Our community leaders have built into their plan an allowance for SF-3 so that a current culture of single family dwellings can continue to thrive and grow well into the future. While growth is inevitable, it can still be done thoughtfully and deliberately, which is why the Montopolis Neighborhood Plan has allowed for special infill options such as "cottage lots" and "small lot amnesty" as well as the use of ADUs. These are already welcome compromises currently in place to address density. No more compromises are needed.

Developers could instead add density to the proposed SF-3 lots by re-platting using the tools already agreed to within the Montopolis Neighborhood Plan.

You are likely already familiar with the history of inequity in land-use in Austin. Please help protect Montopolis by voting against these entitlements, and encouraging developers to use the tools already available or to seek out lots in areas already zoned for this use.

I invite all of you to come take a walk down Kemp Street in the coming weeks. Here you'll find families with young children playing, neighbors taking long walks and chatting in the streets and supporting one another. You'll find our neighbor Miss Annie, who is 105 years old, out in her front yard every day. A colony of whitetail deer graze in the meadows at dawn and dusk, and rare birds migrate through our nature preserve. Call us. We would be happy to show you around with

Our community has come together time and time again to protect our peacefully thriving neighborhood from big development which would cause irreversible harm. It's time to listen to them.

Sincerely,
Peter Simonite
621 Kemp St.
Austin, Texas 78741
5126332928

PUBLIC HEARING INFORMATION

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

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

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

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

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

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

Case Number: C14-2020-0029
Contact: Kate Clark, 512-974-1237
Public Hearing: December 22, 2020, Planning Commission

SUSIE DUARTE
Your Name (please print)

☐ **I am in favor**
☑ **I object**

6420 Circulo De Amistad 78741
Your address(es) affected by this application

Signature _____ Date _____

Daytime Telephone: 512-851-3811

Comments: _____

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

Or email to:
Kate.Clark@austintexas.gov

Clark, Kate

From: Hedda Elias
Sent: Monday, January 25, 2021 8:00 AM
To: Clark, Kate
Subject: Montopolis Acres C14-2020-0029

C14-2020-0029
I am writing to oppose MF-6 Zoning at the Montopolis Acres site because it will change the character of our neighborhood without providing housing that long-time neighborhood residents can afford.

Currently, the tallest building on Montopolis or East Riverside is 4 stories. Montopolis Drive is a mix of 3-story apartment complexes, 1-story businesses and single-family houses. With MF-6 zoning, the developers could build a 9-story building. We are also concerned because a building of this size could exacerbate existing flooding issues.

Yet, I want to make it clear that I am not against multi-family housing. I would gladly welcome housing that supports the right for long-time residents to stay in or return to Montopolis, as outlined in the People's Plan.

We want affordable housing for families. And let's get real about affordable housing. The MFI of Montopolis is 40%. If new housing is offered at 60% MFI, it may as well be offered at market rates. Longtime residents will not be able to afford it, even if it is "affordable." If it's not 40% MFI, it will raise property taxes for the city and school district employees are already struggling to afford to stay on my street. If it's not 40% MFI, their children in their twenties will still not be able to move out of the house unless they want to leave Austin.

We want these developers to partner with our CDC and another organization to create legitimately affordable family housing. The developers will still be able to make a profit. We also want to be asked what community benefits we want from projects in our neighborhood. My neighbors will be on the phone lines. Ask them.

As you consider zoning cases like this one, you do have the power to promote legitimately affordable housing in Austin. Demand it.

Thank you for your consideration,

Hedda Elias

PUBLIC HEARING INFORMATION

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

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

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

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

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

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

Case Number: C14-2020-0029
Contact: Kate Clark, 512-974-1237
Public Hearing: February 18, 2021, City Council

Jose Costa
Your Name (please print)

☐ I am in favor
☑ I object

6109 Felix Ave Austin Tx 787[illegible]
Your address(es) affected by this application

Jose Costa — 1/17/21
Signature — *Date*

Daytime Telephone: 737-218-9521

Comments: NO Condos

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

Or email to:
Kate.Clark@austintexas.gov

PUBLIC HEARING INFORMATION

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

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

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

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

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

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

Case Number: C14-2020-0029
Contact: Kate Clark, 512-974-1237
Public Hearing: February 18, 2021, City Council

Uchenna Ossai
Your Name (please print)

☐ **I am in favor**
☒ **I object**

202 Montopolis Dr. Unit B
Your address(es) affected by this application

Signature

1/18/2021
Date

Daytime Telephone: 617-792-1386

Comments:

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

Or email to:
Kate.Clark@austintexas.gov

PUBLIC HEARING INFORMATION

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

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

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

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

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

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

Case Number: C14-2020-0029
Contact: Kate Clark, 512-974-1237
Public Hearing: February 18, 2021, City Council

Vickie Smith
Your Name (please print)

☐ I am in favor
☒ I object

~~Vickie Smith~~ 2310 ~~Grove A~~ Clovis St
Your address(es) affected by this application 7874

Vickie Smith
Signature

1/18/21
Date

Daytime Telephone: 740-708-1087

Comments: Residential area
Oppose increase traffic

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

Or email to:
Kate.Clark@austintexas.gov

PUBLIC HEARING INFORMATION

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

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

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

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

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

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

Case Number: C14-2020-0029
Contact: Kate Clark, 512-974-1237
Public Hearing: February 18, 2021, City Council

Terrance Smith
Your Name (please print)

☐ I am in favor
☒ I object

1101 Grove Blvd apt 106
Your address(es) affected by this application

Terrance Smith — 1-18-2020
Signature — *Date*

Daytime Telephone: 740-705-2940

Comments: Building will be out of place for the area

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

Or email to:
Kate.Clark@austintexas.gov

INFORMACIÓN DE AUDIENCIA PÚBLICA

Esta petición de zonificación / rezonificación será revisada y se tomarán medidas en dos reuniones públicas diferentes antes de la Comisión de Usos Urbanos y el Consejo municipal. Aunque se espera que solicitantes y/o sus agentes se presenten en la audiencia pública, usted no está obligado de atender. Esta reunión se llevará a cabo en línea a través de internet y tiene la oportunidad de hablar A FAVOR o EN CONTRA del propuesto desarrollo o cambio. Póngase en contacto con el administrador de casos para información sobre cómo participar en la audiencia pública en línea a través de internet. Usted también puede contactar organizaciones ambientales o asociaciones de vecinos que han expresado interés en la aplicación que afecta a su vecindario.

Durante la audiencia pública, la comisión podría posteriormente o continuar su audiencia del caso en una fecha futura, o puede evaluar la recomendación de los oficiales municipales y las del público al mismo tiempo mandando su recomendación al cabildo municipal. Si la comisión anuncia una fecha y hora específica para posteriormente o continuar discusión, y no se extiende más de 60 días, no tendrá obligación de otra notificación pública.

El cabildo municipal, durante su audiencia pública, puede otorgar o negar una petición de zonificación, rezonificar el terreno a una clasificación de zonificación menos intensiva que la que es pedida. En ningún caso se otorgará una clasificación de zonificación más intensiva de la petición.

Para otorgar un desarrollo de usos urbanos mixtos, el cabildo municipal puede agregar la designación USO MIXTO (MU) DISTRITO COMBINADO *Mixed-Use (MU) Combining District*, a ciertos usos urbanos de comercio. La designación *MU*- Distrito Combinado simplemente permite usos urbanos residenciales en adición a los usos ya permitidos en los siete distritos con zonificación para comercio. Como resultado, la designación *MU*- Distrito Combinado otorga a combinación de oficinas, comercio y usos urbanos residenciales en el mismo sitio.

Para más información acerca del proceso de desarrollo urbano de la ciudad de Austin, por favor visite nuestra página de la *Internet*: www.austintexas.gov/planning

Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la noticia oficial) antes de la audiencia pública. Sus comentarios deben incluir el nombre de la comisión, la fecha de la audiencia pública, y el número de caso de la persona designada en la noticia oficial.

Número de caso: C14-2020-0029
Persona designada: Kate Clark, 512-974-1237
Audiencia Pública: February 18, 2021, Cabildo municipal

Yolanda Perez
Su nombre (en letra de molde)

☐ I am in favor
☒ I object

404 Kemp st Austin TX 78741
Su domicilio(s) afectado(s) por esta solicitud

Yolanda S Perez 1/18/21
Firma *Fecha*

Daytime Telephone: 512 739 1229

Comments: esto me puede aumentar mis taxas y nosotros ya estamos muy bajos Jose y Yolanda perez

Si usted usa esta forma para proveer comentarios, puede retornarlos:
City of Austin, Housing & Planning Department
Kate Clark
P. O. Box 1088, Austin, TX 78767

O por correo electrónico a:
Kate.Clark@austintexas.gov

PUBLIC HEARING INFORMATION

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

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

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

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

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

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

Case Number: C14-2020-0029
Contact: Kate Clark, 512-974-1237
Public Hearing: February 18, 2021, City Council

Andrea Simpson-Jones
Your Name (please print)

☐ **I am in favor**
☒ **I object**

402 Kemp St 78741
Your address(es) affected by this application

Signature

1-18-2021
Date

Daytime Telephone: _____

Comments: NO

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

Or email to:
Kate.Clark@austintexas.gov

INFORMACIÓN DE AUDIENCIA PÚBLICA

Esta petición de zonificación / rezonificación será revisada y se tomarán medidas en dos reuniones públicas diferentes: antes de la Comisión de Usos Urbanos y el consejo municipal. Aunque se espera que solicitantes y/o su(s) agente(s) se presenten en una audiencia pública, usted no esta obligado de atender. Esta reunión se llevará a cabo en línea a través de internet y tiene la oportunidad de hablar A FAVOR o EN CONTRA del propuesto desarrollo o cambio. Póngase en contacto con el administrador de casos para información sobre cómo participar en la audiencia pública en línea a través de internet. Usted también puede contactar organizaciones ambientales o asociaciones de vecinos que han expresado interés en una aplicación que afecta a su vecindario.

Durante la audiencia pública, la comisión podría postergar o continuar audiencia del caso en una fecha futura, o puede evaluar la recomendación de los oficiales municipales y las del público al mismo tiempo mandando su recomendación al cabildo municipal. Si la comisión anuncia una fecha y hora específica para postergar o continuar discusión, y no se extiende más de 60 dias, no tendrá obligación de otra notificación pública.

El cabildo municipal, durante su audiencia pública, puede otorgar o negar una petición de zonificación, rezonificar el terreno a una clasificación de zonificación menos intensiva que lo que es pedida. En ningún caso se otorgara una clasificación de zonificación más intensiva de la petición.

Para otorgar un desarrollo de usos urbanos mixtos, el cabildo municipal puede agregar la designación USO MIXTO (MU) DISTRITO COMBINADO, *Mixed-use (MU) Combining District*, a ciertos usos urbanos de comercio. La designación *MU-* Distrito Combinado simplemente permite usos urbanos residenciales en adición a los usos ya permitidos el los siete distritos con zonificación para comercio. Como resultado, la designación *MU-* Distrito Combinado, otorga la combinación de oficinas, comercio, y usos urbanos residenciales en el mismo sitio.

Para más información acerca del proceso de desarrollo urbano de la ciudad de Austin, por favor visite muestra página de la *Internet*: www.austintexas.gov/planning.

Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la noticia oficial) antes de la audiencia pública. Sus comentarios deben incluir el nombre de la comisión, la fecha de la audiencia pública, y el número de caso de la persona designada en la noticia oficial.

Numero de caso: C14-2020-0029
Persona designada: Kate Clark, 512-974-1237
Audiencia Publica: February 18, 2021, Cabildo municipal

Hedda Rose Nué Elias
Su nombre (en letra de molde)

☐ I am in favor
☑ I object

304 Kemp St 78741
Su domicilio(s) afectado(s) por esta solicitud

1-18-2021
Firma *Fecha*

Daytime Telephone: 512-569-6465 512-228-4382

Comments: We oppose the construction of condos that will not be affordable to people in our community. Racial justice and economic justice requires us to make investments in improving the quality of life of those communities that have been oppressed by the City of Austin. We need to invest in community-built public housing that will help working families remain in their community

Si usted usa esta forma para proveer comentarios, puede retornarlos:
City of Austin, Housing & Planning Department
Kate Clark
P. O. Box 1088, Austin, TX 78767

O por correo electrónico a:
Kate.Clark @austintexas.gov

Clark, Kate

From: Colin Ross
Sent: Monday, January 25, 2021 11:48 AM
To: Clark, Kate
Subject: Opposition to Monopolis Acres

*** External Email - Exercise Caution ***

Good Morning,

Please register my family's opposition to the rezoning of the Montopolis Acres project.

My name is Colin P. Ross and my wife is Kate R. Bero. We live at 204b Montopolis Drive. We are both in healthcare and unfortunately cannot speak on this matter.

Thrower Designs applied to rezone 1013 and 1017 Montopolis from SF3 to MF6. MF6 would allow them to build a 90 foot building with a greater percentage of impervious cover.

A 90 foot building is about the height of the Southfield Building (Austin ISD) located at the NW corner of I35 and Ben White. The property is located next to Dolores Catholic Church and across the street from single family homes. This building would be taller than anything on Riverside Dr. and would drastically affect our community.

Thrower Designs met with the Montopolis Neighborhood Association last week and informed us that there is no plan to include affordable housing. They were also not committed to working with the Montopolis community to include affordable housing at less than 50% MFI.

Thank you,

Colin P. Ross

Clark, Kate

From: Kate Bero
Sent: Monday, January 25, 2021 12:34 PM
To: Clark, Kate
Subject: Opposition to the rezoning of Montopolis Acres

*** External Email - Exercise Caution ***

Dear Ms. Clark,

I am writing to voice my opposition to the rezoning of Montopolis Acres (Case# C14-2020-0029). I will be unable to speak at the planning commission meeting tomorrow due to work, but would like it noted that I am opposed to the developer's plans. The Montopolis neighborhood association is against this development as it does not offer affordable housing and would drastically change the neighborhood and negatively affect its residents.

Thank you,
Kate Bero

Date: 26 January 2021

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

To: Austin City Council

Subj: SF-3 to MF-6 zoning change request at 1013 and 1017 Montopolis Drive
Case Number: C14-2020-0029

"Neutral action in a world of severe inequality reproduces that inequality."
Norman Krumholz (1927-2019)

Montopolis does not support this excessive zoning change request. We urge you to reject it in favor of something at a more family scale that is not as contemptuous of our ways of life. As presently constituted, this proposal marks nothing less than an effort to ethnically cleanse our community. There are also significant equity issues at play here; why is this mega development not being steered into high opportunity areas west of IH-35?

It is important for you to understand that in "Poverty Island" we have always believed that zoning decisions should not be based on the commercial value of land but upon a full public discussion about the relationship between land, people, nature, history and the environment. We reject simplistic and self-serving formulations focusing on units, bedrooms, square footages and affordability levels that conspicuously shirk proper discussion of environmental justice, open space, historic and cultural resources, infrastructure, energy, air quality, noise, public health, construction,and neighborhood character impacts.

Consider the following:

1. This property is located next to Dolores Catholic Church. Is it wise to construct a five story 200 unit housing 3 acre housing development next to a historic church? The shadows that would be cast by the new structures would alone dramatically alter the growth cycle and sustainability of natural features and the architectural significance of the church and the surrounding properties.
2. What are the predictable impacts upon the socioeconomic and environmental justice conditions of the Montopolis community if this zoning change request is granted? How would this square with your well-publicized statements and commitments regarding diversity, equity and inclusion? What are the predictable direct and indirect residential and business displacement impacts caused by rising property taxes and rising rents?
3. Why has the Montopolis CDC not been identified as a potential non-profit partner by the developer?
4. The present impervious coverage at this site is close to zero. Montopolis is a well-known flood prone community. While we applaud the city's recent tightening of its floodplain regulations, experience and documented environmental racism in both data formulation and collection tell us that this development will at best over-stress our limited existing infrastructure, and at worst will worsen our already troublesome flooding challenges. Our water and sewer infrastructure dictate a "slow and go" approach, not something as dramatic as this project.
5. It should go without saying that this project will adversely impact our neighborhood character. If recent actions are any guide, the council clearly believes that the socioeconomic impacts may be mitigated by incentivizing "affordable" housing for displaced residents, but if the residents move out of the neighborhood, the significant impact on the neighborhood's character still occurs. Y'all need to be honest about that. Is the neighborhood character of Montopolis, founded before

Austin, less important than the neighborhood character of Old West Austin, Rosedale, or Hyde Park? So much for diversity, equity and inclusion.

6. It cannot be stressed enough: the median family income for Montopolis is not the same as the MFI for Travis County. According to 2019 ACS data, the per capita income for Montopolis is $20,859 and the median household income is $42,344. Our overall poverty rate is 26.4%, our childhood poverty rate (under 18) stands at 30%, and the poverty rate for seniors (over 65) is 32%. These stubborn numbers persist and will continue to persist for the foreseeable future; it is foolish to believe that Austin can gentrify itself to equity.
7. What will be the direct and indirect impacts upon our community facilities and services, particularly our schools and our informal childcare networks? The presumptions underlying the proposed housing go to the heart of debates about the impacts of "density" on the capacity of families and communities to properly parent their children.
8. What are the open space and recreational impacts? What will be the neighborhood impacts of the increases in dogs, cats, and other pets on our family community? These are questions that are rarely asked in a formal way but ought to be. Even the newly constructed Montopolis Recreation Center did not envision this level of densification.
9. Have an environmental baseline survey and other studies been conducted? Why have they not been shared with the community? Why has the developer rejected signing a benefits agreement with the community? We deserve answers to these questions.
10. What will be the air quality and hazardous materials impact of this project, both during construction and afterwards? What will be the ground level ozone impacts of the dramatic increase in the number of POV's accompanying this project? The city's supposed monitoring regime does NOT operate proactively. At the equally large development located at 6507 Riverside Drive it took a neighborhood complaint to bring the developer and property owner into compliance after weeks of flagrant flaunting of the city's existing development regulations. This property is located in an even more sensitive area.
11. How much additional solid waste will this project produce? What are its impacts on the community not just on the developer? Why not address the Montopolis community's illegal dumping issues first? That would be the environmentally just thing to do.
12. What will be the greenhouse gas impacts if this project proceeds as planned? Or are "affordable units" the only and supremely over-arching and reified solution? In order to answer this question intelligently, we must have operational energy consumption calculations, which should be shared with the community in advance.
13. What will be the impacts on transportation? How will traffic flow, operating conditions, the proposed rail, bus service, pedestrian and bicycle infrastructure, goods delivery (a major issue during this pandemic), and parking conditions be affected? These matters should be independently assessed, not based on self-serving assertions by the applicant.
14. What will be the impacts of increased noise from mobile, stationary, and construction sources? How will this impact the church next door and its ability to conduct services, charitable operations, as well as discharge its other responsibilities? How will it impact schools and the neighborhood more generally?
15. Montopolis is a historic low income and minority community that is considered a "sensitive and vulnerable population" under federal Health and Human Services guidelines. What are the public health impacts of this proposed zoning change and the development it will facilitate? What will it do to our community's already high asthma and morbidity rates, our disproportionate rate of COVID-19 infections, our higher exposure pathways, environmental hazards, and mortality?

What we are prepared to work on:

The Contact Team can **support appropriate development at this site**. The applicant initially applied for SF-6 zoning; we are prepared to work with the applicant's original zoning change request. We believe base zoning to be appropriate in scale and do not believe that overlays or density bonus programs such as Affordability Unlocked should be granted by the city council. Lastly, we believe that any non-profit involvement should first be sought from the Montopolis CDC, not other organizations.

Exhibit D

Clark, Kate

From: Victoria <Victoria@throwerdesign.com>
Sent: Friday, July 10, 2020 9:46 AM
To: Clark, Kate; Rhoades, Wendy
Cc: Meredith, Maureen; Rivera, Andrew; Ron Thrower
Subject: Montopolis Acres - C14-2020-0029

Kate and Wendy,

This is notice that we are formally amending this rezoning application to request MF-6-NP instead of SF-6-NP.
I will send an updated application soon. This will require a Neighborhood Plan Amendment application to be filed. We will do so with Maureen within the next week.

This will be one less case to discuss this evening.
Please let me know if you have any questions.

Thank you,

Victoria Haase
Thrower Design
www.throwerdesign.com
510 South Congress Avenue, Suite 207
Mail: P.O. Box 41957
Austin, Texas 78704

512-998-5900 Cell
512-476-4456 Office

Exhibit E

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District

PROJECT NAME: **Montopolis Acres Rezoning**
ADDRESS/LOCATION: 1013 and 1017 Montopolis Dr.
CASE #: C14-2020-0029

☐ NEW SINGLE FAMILY
☒ NEW MULTIFAMILY
☐ DEMOLITION OF MULTIFAMILY
☒ TAX CREDIT (100 units)

SF UNITS: _____ STUDENTS PER UNIT ASSUMPTION
Elementary School: _____ Middle School: _____ High School: _____

MF UNITS: 200 STUDENTS PER UNIT ASSUMPTION
Elementary School: 0.25 Middle School: 0.09 High School: 0.13

IMPACT ON SCHOOLS

The student yield factor of 0.47 (across all grade levels) for apartment homes was used to determine the number of projected students. This factor, provided by the district's demographer, is based on mixed income apartment complexes in the area built after 2000.

The proposed multifamily development consists of 200 units, 100 of which are certified affordable units. The residential units are projected to add approximately 94 students across all grade levels to the projected student population. It is estimated that of the 94 students, 50 will be assigned to Allison Elementary School, 18 to Martin Middle School, and 26 to Eastside Memorial Early College High School.

The percent of permanent capacity by enrollment for School Year 2025-26, including the additional students projected with this development, would be below the target range of 85-110% for Martin MS (29%), and the current Eastside Memorial ECHS (40%), and slightly above the target range at Allison ES (115%). A new Eastside, with a reduced capacity, is currently under construction, and is scheduled to open in SY 2021-22. It is anticipated the projected enrollment with the additional students will be within the target range of the new Eastside.

TRANSPORTATION IMPACT

Students within the proposed development attending Martin MS or Eastside Memorial ECHS will qualify for transportation due to the distance of the schools from the proposed development. One additional bus would be required for the Eastside students. Allison ES is located within 2 miles of the proposed development, and will not qualify for transportation unless a hazardous route condition is identified.

SAFETY IMPACT

At this time, there are not any known safety impacts.

Date Prepared: **01/22/2021** **Executive Director:** Beth Wilson

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District

DATA ANALYSIS WORKSHEET

ELEMENTARY SCHOOL: Allison

ADDRESS: 515 Vargas Road

PERMANENT CAPACITY: 486
MOBILITY RATE: +26.6%

POPULATION (without mobility rate)

ELEMENTARY SCHOOL STUDENTS	2020-21 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	323	417	467
% of Permanent Capacity	67%	86%	96%

ENROLLMENT (with mobility rate)

ELEMENTARY SCHOOL STUDENTS	2020-21 Enrollment	5- Year Projected Enrollment (without proposed development)	5-Year Projected Enrollment (with proposed development)
Number	409	507	557
% of Permanent Capacity	84%	104%	115%

MIDDLE SCHOOL: Martin

ADDRESS: 1601 Haskell St.

PERMANENT CAPACITY: 805
MOBILITY RATE: -43.0%

POPULATION (without mobility rate)

MIDDLE SCHOOL STUDENTS	2020-21 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	882	604	622
% of Permanent Capacity	110%	75%	78%

ENROLLMENT (with mobility rate)

MIDDLE SCHOOL STUDENTS	2020-21 Enrollment	5- Year Projected Enrollment (without proposed development)	5-Year Projected Enrollment (with proposed development)
Number	503	218	236
% of Permanent Capacity	62%	27%	29%

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District

HIGH SCHOOL: Eastside Memorial

ADDRESS: 1012 Arthur Stiles Road

PERMANENT CAPACITY: 1,156
MOBILITY RATE: -36.0%

POPULATION (without mobility rate)

HIGH SCHOOL STUDENTS	2020-21 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	761	626	652
% of Permanent Capacity	66%	55%	57%

ENROLLMENT (with mobility rate)

HIGH SCHOOL STUDENTS	2020-21 Enrollment	5- Year Projected Enrollment (without proposed development)	5-Year Projected Enrollment (with proposed development)
Number	487	436	462
% of Permanent Capacity	42%	38%	40%