

## NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

**NEIGHBORHOOD PLAN:** Montopolis

**CASE#:** NPA-2022-0005.01

**DATE FILED:** July 26, 2022

**PROJECT NAME:** Vargas Mixed Use

**PC DATE:** June 11, 2024  
May 28, 2024  
April 11, 2023  
March 28, 2023  
March 14, 2023  
February 28, 2023  
January 10, 2023

**ADDRESS/ES:** 400 Vargas Road and 6520 Lynch Lane

**DISTRICT AREA:** 3

**SITE AREA:** 4.3 acres

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

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

**CASE MANAGER:** Maureen Meredith

**PHONE:** (512) 974-2695

**STAFF EMAIL:** Meredith.Meredith@austintexas.gov

**TYPE OF AMENDMENT:**

**Change in Future Land Use Designation**

**From:** Commercial

**To:** Mixed Use

**Base District Zoning Change**

**Related Zoning Case:** C14-2022-0005.01

**From:** GR-NP and LR-NP

**To:** CS-DB90-NP and LR-DB90-NP (as amended)

**NEIGHBORHOOD PLAN ADOPTION DATE:** September 27, 2001

**CITY COUNCIL DATES:**

**July 20, 2023**

**ACTION:** Postponed to September 14, 2023 at the request of the Applicant [Qadri – 1<sup>st</sup>; Ellis – 2<sup>nd</sup>] Vote: 10-0 [Fuentes off the dais].

**September 14, 2023**

**ACTION:** The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only was approved on Council Member Ryan Alter's motion, Council Member Kelly's second on a 7-0 vote. Mayor Pro Tem Ellis was off the dais. Council Members Alison Alter, Harper-Madison, and Pool were absent

**October 19, 2023**

**ACTION:** A motion to approve the ordinance on second reading only was approved on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.

**November 30, 2023**

**ACTION:** Postponed to January 18, 2024 at the request of the applicant. [N. Harper-Madison – 1<sup>st</sup>; P. Ellis – 2<sup>nd</sup>] Vote: 10-0 [R. Alter absent].

**January 18, 2024**

**ACTION:** Postponed to February 29, 2024 at the request of the applicant. [Z. Qadri – 1<sup>st</sup>; P. Ellis 2<sup>nd</sup>] Vote: 11-0.

**February 29, 2024**

**ACTION:** Postponed to April 4, 2024 at the request of the applicant.

**April 4, 2024**

**ACTION:** Approved Applicant's request for an indefinite postponement. [Z. Qadri – 1<sup>st</sup>; N. Harper-Madison – 2<sup>nd</sup>] Vote: 10-0 [A. Alter off the dais].

**July 18, 2024**

**ACTION:** (action pending)

**PLANNING COMMISSION RECOMMENDATION:**

**June 11, 2024** – Approved applicant’s request for Mixed Use land use. [C. Hempel – 1<sup>st</sup>; A. Woods – 2<sup>nd</sup>] Vote: 8-0 [G. Anderson, A. Haynes, Jennifer Mushtaler off the dais. N. Barrera-Ramirez and G. Cox absent]

**May 28, 2024** – Postponed to June 11, 2024 on the consent agenda at the request of the Applicant.

**NOTE: The applicant amended their zoning application to CS-DB90-NP and LR-DB90-NP which requires the zoning case to return to the Planning Commission. There is no change in the future land use map request to Mixed Use land use.**

**April 11, 2023** – After discussion, approved for Staff’s recommendation and applicant’s request for Mixed Use land use. [G. Cox -1<sup>st</sup>; J. Mushtaler – 2<sup>nd</sup>] Vote: 12-0 [Y. Flores absent].

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

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

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

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

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

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

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



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

### **LAND USE**

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

**Objective 3:** Focus the highest intense commercial and industrial activities along Ben White Drive and U.S. Hwy 183. Airport-related businesses and services should be located at Austin-Bergstrom International Airport or along Ben White or U.S. 183.

**Action 11:** Zone the properties along 183 and Ben White to allow commercial or limited industrial uses along these major corridors. (Please refer to the Figure 4: Future Land Use Map, for specific land uses and locations.)

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

**Objective 5:** Create multiple housing types of varied intensities.

## **LAND USE DESCRIPTIONS**

### ***EXISTING LAND USE ON THE PROPERTY***

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

#### **Purpose**

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

#### **Application**

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

### ***PROPOSED LAND USE ON THE PROPERTY***

**Mixed Use** - An area that is appropriate for a mix of residential and non-residential uses.

#### **Purpose**

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non-residential to residential uses;
6. Provide flexibility in land use standards to anticipate changes in the marketplace;

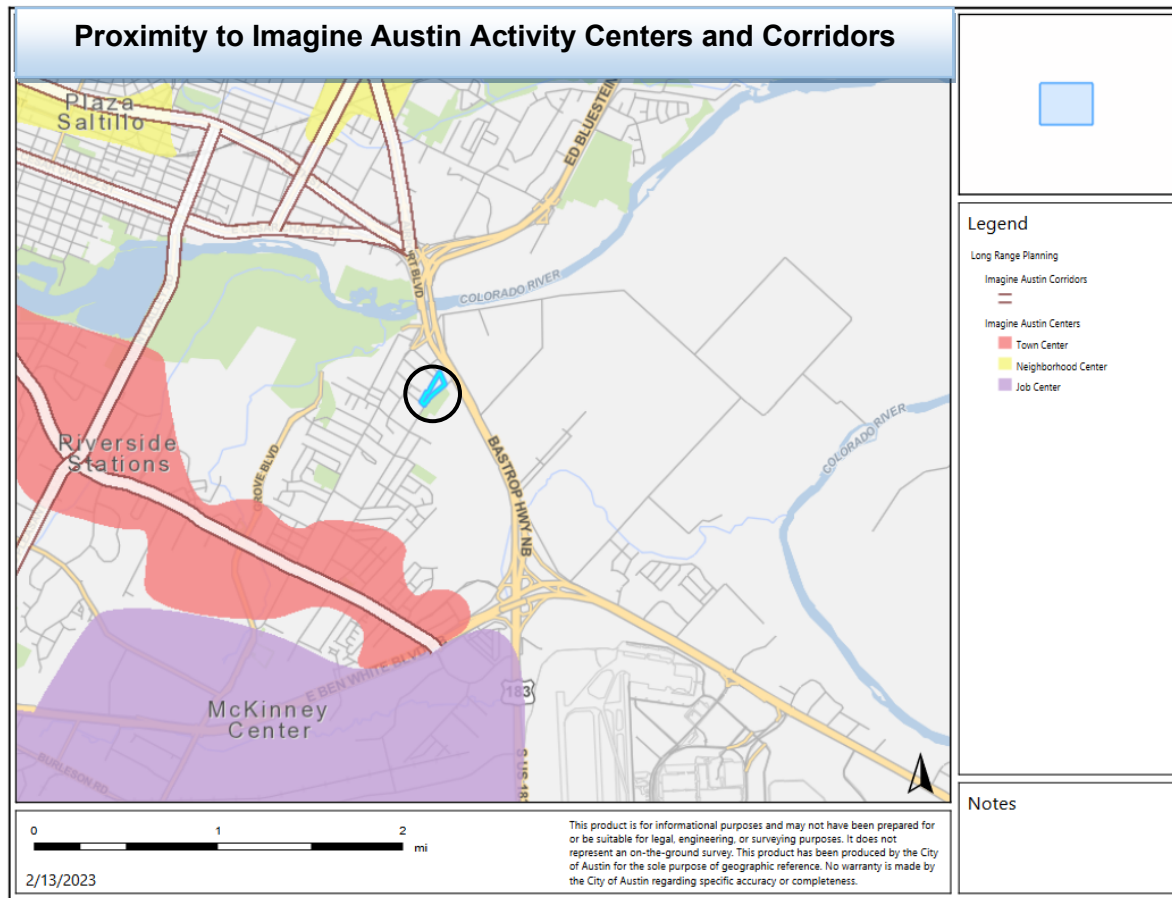
7. Create additional opportunities for the development of residential uses and affordable housing; and
8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

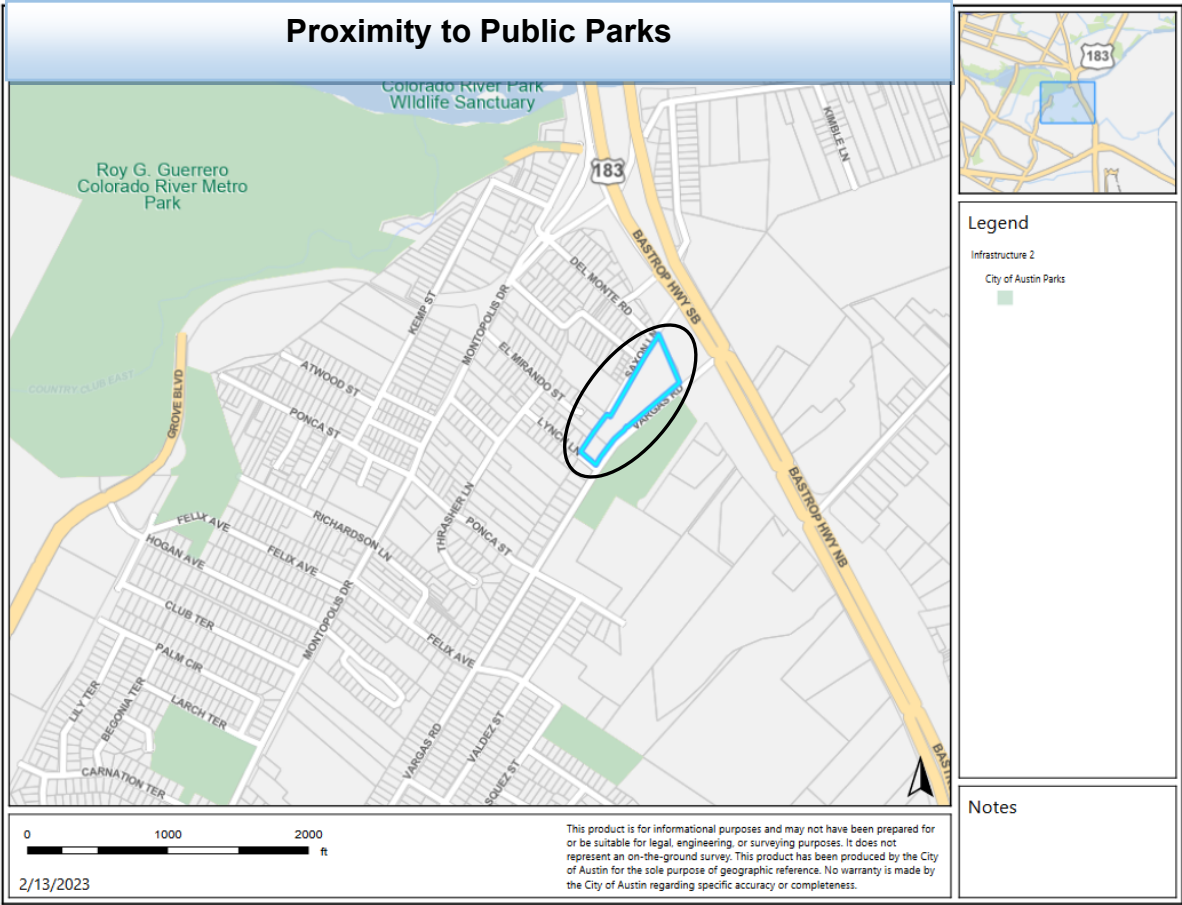
### Application

1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed-use corridors along the neighborhood's edge
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);
4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;
5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and
6. Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

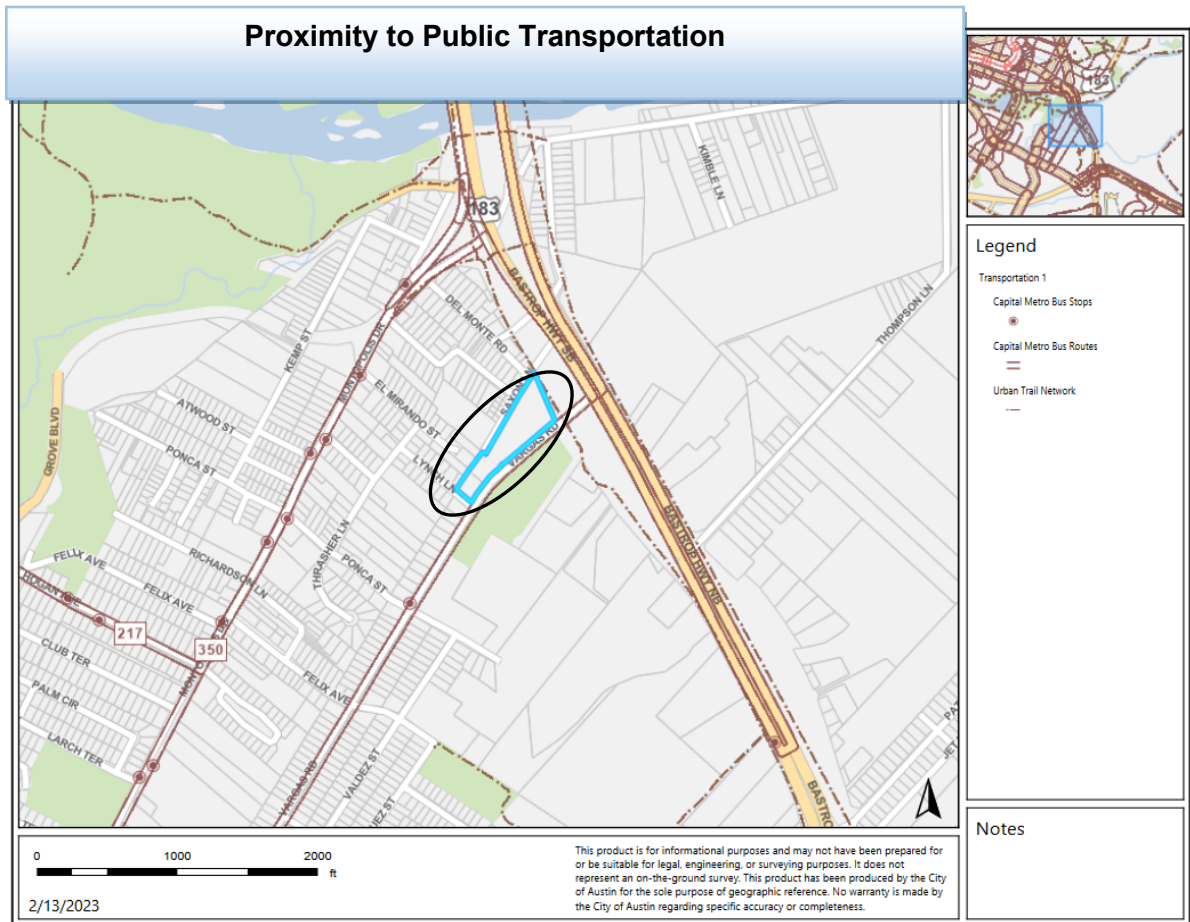
Yes	Imagine Austin Decision Guidelines
Complete Community Measures	
Yes	<b>Imagine Austin Growth Concept Map:</b> Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. <b>Name(s) of Activity Center/Activity Corridor/Job Center:</b> <ul style="list-style-type: none"> <li>Approx. 1 mile south of E. Cesar Chavez St., E. 7<sup>th</sup> Street and Airport Blvd. activity corridors</li> </ul>
Yes	<b>Mobility and Public Transit:</b> Located within 0.25 miles of public transit stop and/or light rail station. <ul style="list-style-type: none"> <li>Bus routes along U.S. Hwy 183, Vargas Road and Montopolis Drive.</li> </ul>
Yes	<b>Mobility and Bike/Ped Access:</b> Adjoins a public sidewalk, shared path, and/or bike lane. <ul style="list-style-type: none"> <li><b>Sidewalks on Vargas Road and south side of US Hwy 183</b></li> </ul>
Yes	<b>Connectivity, Good and Services, Employment:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center.
Yes	<b>Connectivity and Food Access:</b> Provides or is located within 0.50 miles of a grocery store/farmers market. <ul style="list-style-type: none"> <li><b>Vargas Food Store 0.4 miles south</b></li> <li><b>Tomgro Grocery 1.0 miles south</b></li> </ul>
Yes	<b>Connectivity and Education:</b> Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> <li>Alison Elementary School directly to the east</li> </ul>
Yes	<b>Connectivity and Healthy Living:</b> Provides or is located within 0.50 miles from a recreation area, park or walking trail. <ul style="list-style-type: none"> <li><b>Civitan Park directly east</b></li> <li><b>Montopolis Practice Fields 0.7 miles</b></li> </ul>

	<ul style="list-style-type: none"> <li>• <b>Urban Trail near property</b></li> </ul>
No	<b>Connectivity and Health:</b> Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
Yes	<b>Housing Affordability:</b> Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing. <ul style="list-style-type: none"> <li>• <b>DB90 zoning has affordable housing requirements</b></li> </ul>
Yes	<b>Housing Choice:</b> Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint. <ul style="list-style-type: none"> <li>• <b>Proposed mixed use development with residential uses.</b></li> </ul>
Yes	<b>Mixed use:</b> Provides a mix of residential and non-industrial uses.
No	<b>Culture and Creative Economy:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
No	<b>Culture and Historic Preservation:</b> Preserves or enhances a historically and/or culturally significant site.
Not known	<b>Creative Economy:</b> Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
Not known	<b>Workforce Development, the Economy and Education:</b> Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
No	<b>Industrial Land:</b> Preserves or enhances industrial land.
10	<b>Number of "Yes's"</b>









## IMAGINE AUSTIN GROWTH CONCEPT MAP

### Definitions

**Neighborhood Centers** - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

**Town Centers** - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

**Regional Centers** - Regional centers are the most urban places in the region. These centers are and will become the retail, cultural, recreational, and entertainment destinations for Central Texas. These are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. Housing in regional centers will mostly consist of low to high-rise apartments, mixed use buildings, row houses, and townhouses. However, other housing types, such as single-family units, may be included depending on the location and character of the center. The densities, buildings heights, and overall character of a center will depend on its location.

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

**Job Centers** - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

**Corridors** - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment

opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

**BACKGROUND:** The plan amendment application was filed on July 26, 2023.

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

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

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

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

***Q: Is an apartment complex or commercial proposed?***

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

***Q: What do you mean less-intense commercial?***

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

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

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

## Applicant Summary Letter from Application



July 26, 2022

Ms. Rosie Trulove  
Housing & Planning Department  
City of Austin  
1000 E 11<sup>th</sup> Street  
Austin, TX 78702

***Via Electronic Delivery***

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

Dear Ms. Trulove:

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

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

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

1. Creating complete neighborhoods across Austin that provide a mix of housing types to suit a variety of household needs and incomes, offering a variety of transportation options, and having easy

**P.O. BOX 41957, AUSTIN, TEXAS 78704**

access to daily needs such as schools, retail, employment, community services, and parks and recreations options.

2. Supporting the development of compact and connected activity centers and corridors that are well-served by public transit and designed to promote walking and bicycling as a way of reducing household expenditures for housing and transportation.
3. Protecting neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers, corridors, redevelopment, and infill site.
4. Expanding the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
5. Ensuring harmonious transitions between adjacent land uses and development intensities.
6. Protecting Austin's natural resources and environmental systems by limiting land use and transportation development over environmentally sensitive areas and preserving open space and protecting the function of the resource.
7. Encouraging active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.

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

Kind regards,

A handwritten signature in black ink, appearing to read 'Victoria Haase', with a stylized, flowing script.

Victoria Haase

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

**Summary Letter Submitted with Revised Zoning Application**



March 29, 2024

Ms. Lauren Middleton-Pratt, Director  
Planning Department  
City of Austin  
1000 E. 11<sup>th</sup> Street  
Austin, Texas 78702

RE: C14-2022-0107 - Vargas Mixed Use Rezoning –  
Application amendment for DB90 Overlay & Postponement Request

Dear Ms. Middleton-Pratt,

Pursuant to Ordinance 20240229-073, adopted by the Austin City Council on February 29, 2024, with an effective date of March 11, 2024, the City of Austin is directing additional housing development in areas of Austin where appropriate through the DB90 Overlay. Our position is that this project meets the requirements to receive the DB90 Overlay and therefore, on behalf of the Landowners, we respectfully amend the application to request the addition of the DB90 Overlay. More specifically, the amended request is follows:

Tract 1 – From GR-NP (existing) to CS-DB90-NP (requested)

Tract 2 – From LR-NP (existing) to LR-DB90-NP (requested)

Further, under Section 25-2-652(F)(3) within the DB90 Ordinance, there is a Mix of Uses requirement related to DB90 projects. While a mix of uses certainly makes for an active street, not all properties can have a mix of uses for varying reasons. Pursuant to Section 25-2-652(F)(3)(e), the rezoning to add DB90 can modify Section 25-2-652(F)(3)(b) that requires the Pedestrian Oriented uses along certain Principal Streets. In this case, the project is located on 2 Urban Roadways – Vargas Road and Lynch Lane, both of which are qualifying Principal Roadways to waive the requirement. The justification to waive the requirement is that these roadways are interior to a single-family zoned subdivision where the level of commercial activation envisioned with DB90 may not be appropriate or successful. However, the Hwy 183 frontage is appropriate and therefore, we are not requesting to waive the requirement from this frontage.

**P.O. BOX 41957, AUSTIN, TEXAS 78704  
1507 INGLEWOOD ST., AUSTIN, TEXAS 78741**

For all the reasons here, we submit the amended request to add the DB90 Overlay and respectfully request to waive the requirement for the mix of uses for the Vargas Road and Lynch Lane frontages. Further, we are also requesting an indefinite postponement of the rezoning case to allow Staff and Planning Commission to review the amended rezoning request.

Please let us know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "A. Ron Thrower".

A. Ron Thrower



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

(No letter as of June 27, 2024)

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PC Postponement Request and Correspondence

**From:** Susana Almanza  
**Sent:** Monday, June 10, 2024 11:55 AM  
**To:** Estrada, Nancy <Nancy.Estrada@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>  
**Cc:** Middleton-Pratt, Lauren <Lauren.Middleton-Pratt@austintexas.gov>; Ramirez, Nadia - BC <BC-Nadia.Ramirez@austintexas.gov>; Velasquez, Jose <Jose.Velasquez@austintexas.gov>  
**Subject:** POSTPONEMENT Request C14-2022-0107

External Email - Exercise Caution

The Montopolis Neighborhood Contact Team (MNPCT) request a **postponement until July 9th on the above case**. This zoning case has not been reviewed by the MNPCT. The agent and/or developer needs to present their plan for the new zoning designation of GR-NP-toCS-DB90 and LR-NP-DB90.

The MNPCT meets the last Monday of each month. Our next scheduled meeting is MOnday, June 24th at 6 pm at the Montopolis Recreation Community Center.

Thank you, Susana Almanza, President MNPCT

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PODER  
P.O. Box 6237  
Austin, TX 78762-6237  
[www.poderaustin.org](http://www.poderaustin.org)

**From:** Susana Almanza <>  
**Sent:** Monday, June 10, 2024 1:05 PM  
**To:** Victoria <Victoria@throwerdesign.com>  
**Cc:** Ron Thrower <rnt@throwerdesign.com>; Estrada, Nancy <Nancy.Estrada@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Ramirez, Nadia - BC <BC-Nadia.Ramirez@austintexas.gov>; Velasquez, Jose <Jose.Velasquez@austintexas.gov>; Hall, Victoria <Victoria.Hall@austintexas.gov>; Middleton-Pratt, Lauren <Lauren.Middleton-

Pratt@austintexas.gov>

**Subject:** Re: Vargas Mixed Use

External Email - Exercise Caution

Hello Victoria- This is the first time we have heard about this new zoning request. It has never come before the MNPCT as CS-DB90. This a new zoning category request. The MNPCT requested a postponement to discuss this new zoning designation and what is your complete proposal for this tract.

PODER

P.O. Box 6237

Austin, TX 78762-6237

[www.poderaustin.org](http://www.poderaustin.org)

On Mon, Jun 10, 2024 at 12:34 PM Victoria <[Victoria@throwerdesign.com](mailto:Victoria@throwerdesign.com)> wrote:

Hello Susana,

We are aware that you have asked for a postponement of this case because the MNPCT has not had a chance to review the case.

Y'all have reviewed this case before. The request is the same except that the -MU- overlay has been replace by the -DB90- overlay which ensures income restricted/affordable units will be part of the development if it is to include residential use – something that the MNPCT desires. The previous request that included the - MU- overlay did not bring that level of assurance.

Nothing else has changed about this site or request and therefore meeting again is not likely to result in productive discussion.

I am happy to speak by phone with you if you would like to discuss the DB90 overlay aspects. To help, the DB90 overlay ordinance is attached. Please call my cell phone below.

Thank you!

Victoria Haase



[www.throwerdesign.com](http://www.throwerdesign.com)

**From:** Victoria <  
**Sent:** Monday, August 28, 2023 12:36 PM  
**To:** Susana Almanza <>  
**Cc:** Estrada, Nancy <Nancy.Estrada@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Fred McGhee <>; Jose Elias <>; Monica Allen <>; Anita Villalobos <>; Pedro Hernandez <>; Eric Paulus <>; Jonathan Davidson <>; YOLANDA N. PENA <>; Goddard Lisa <>; Corazon Renteria <>; Israel Lopez <>; Velasquez, Jose <Jose.Velasquez@austintexas.gov>  
**Subject:** FW: 400 Vargas Rd & 6520 Lynch -Meeting with Montopolis Contact Team

External Email - Exercise Caution

Hello Susana,

We are not able to attend the NPCT meeting this evening as we have prior commitments.

We attended the City hosted NPA meeting on September 19<sup>th</sup> and the separate NPCT on October 24, 2022, at the Montopolis Recreation & Community Center.

The information is the same that we provided last. To refresh memories, per the LDC maximum density allowances by zoning district, the density possible per each zoning district is as follows:

LR-MU – Maximum density, (efficiency units): 29  
Average density (1&2/3-bedroom units): 21

CS-MU – Maximum density (efficiency): 176.58  
Average density (1&2/3-bedroom units): 129

A typical multifamily development will have a unit split of 70%-1br, 25%-2br, 5%-3br. For the entire project, including land from both the LR zoned lot and the CS zoned lot, a development would produce, on average,

- 105x 1-bedroom units
- 37x 2-bedroom units
- 7x 3-bedroom units

This property was part of hundreds of acres of land owned by the Vargas/Chernosky family for several decades.

Over the years, the family has made land available for hundreds of single-family homes in this area and other parts of East Austin, including the Habitat for Humanity project the produced 11 single family homes on Vargas Road, just south of this rezoning and across the street from Allison Elementary School. Further, the Vargas family provided 10.5 acres for the Idea Public School that is on Vargas Lane. The family now wishes to provide opportunity for multifamily dwelling units and is the reason that the Mixed-Use overlay is requested.

The land is within an Opportunity Zone. The site is a greenfield and any development will be reviewed against the most current and strict City regulations, for impervious cover, stormwater, and detention requirements. The landowners are interested in creative and sustainable solutions for drainage infrastructure, but they have not partnered with a developer and therefore cannot commit to this level of detail right now. Such is the case for commitments to affordable housing.

Please be sure to include me on emails sent to Thrower Design and please reach out with additional questions, as needed. We will do our best to respond with the information that is available.

Thank you,

Victoria Haase



[www.throwerdesign.com](http://www.throwerdesign.com)

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

Mail: P.O. Box 41957  
Austin, Texas 78704

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**From:** Susana Almanza <>  
**Sent:** Sunday, August 27, 2023 5:26:32 PM  
**To:** Ron Thrower <  
**Cc:** Estrada, Nancy <[nancy.estrada@austintexas.gov](mailto:nancy.estrada@austintexas.gov)>; Meredith, Maureen <[Maureen.Meredith@austintexas.gov](mailto:Maureen.Meredith@austintexas.gov)>; Fred McGhee <>; Jose Elias < Monica Allen <>; Anita Villalobos <>; Pedro Hernandez <>; Eric Paulus < Jonathan Davidson <>; YOLANDA N. PENA <>; Goddard Lisa <>; Corazon Renteria <>; Israel Lopez <>  
**Subject:** 400 Vargas Rd & 6520 Lynch -Meeting with Montopolis Contact Team

Hello Ron Thrower - this email is to inform you that we will be meeting with you on **Monday, August 28th at 6 pm at our monthly scheduled Contact Team meeting.** The above case has been postponed because you have refused to meet with the Contact Team.

This month's Montopolis Contact Team will be a virtual zoom meeting. Your case will be the first case on the agenda.

I will be sending you the zoom invite. Susana Almanza, President Montopolis Neighborhood Plan Contact Team

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PODER  
P.O. Box 6237  
Austin, TX 78762-6237  
[www.poderaustin.org](http://www.poderaustin.org)

**From:** Susana Almanza  
**Sent:** Tuesday, June 27, 2023 1:03 PM  
**To:** Meredith, Maureen <Maureen.Meredith@austintexas.gov>  
**Subject:** Re: Montopolis NPCT Rec July 20 CC hrng- NPA-2022-0005.01\_Vargas Mixed Use

External Email - Exercise Caution

Hello Meredith - The applicant and his representatives have never told us what they plan to build at the site. I believe it was last year when they came to the contact team about a zoning change but had no plans. We have requested their presentation several times before the contact team but they have not showed up. I will send you the email request and the agendas where they were suppose to let us know what they planned to do at the site. They have been disrespectful to the contact team and don't feel that we need to know anything other than they want a zoning change. Susana Almnaza, President MOntopolis Neighborhood Plan Contact Team

I will send a request for postponement because it has not been reviewed by the Contact Team and several people are on vacation including myself in July. As you know, our contact team meets the last Monday of each month.

On Tue, Jun 27, 2023 at 12:37 PM Meredith, Maureen  
<[Maureen.Meredith@austintexas.gov](mailto:Maureen.Meredith@austintexas.gov)> wrote:

Hi, Susana:

Cases NPA-2022-0005.01 and C14-2022-0107 for 400 Vargas Road and 6520 Lynch Lane will be scheduled for the July 20, 2023 CC hearing date. If you'd like to have the Montopolis NPCT letter of recommendation included in staff case reports, please email it to me and Nancy **no later than 10:00 am on Friday, June 30<sup>th</sup>** which is when our reports are due. If we receive it after this date and time, we will submit it as late back up.

Thanks.

Maureen

.....

**From:** Meredith, Maureen

**Sent:** Monday, March 6, 2023 4:51 PM

**To:** mlallen14@[REDACTED]; Poder.austin@[REDACTED]; candacecar@[REDACTED];  
Delwingoss@aol.com; evasmic2@sbcglobal.net; mdjackson38@hotmail.com;  
corpezcontracting@[REDACTED]; pataym@[REDACTED]; fmcghee@[REDACTED];  
fmcghee@[REDACTED]; tmonrealmendoza@[REDACTED];  
florence.ponziano@[REDACTED]; Pam@[REDACTED]; stefan@[REDACTED];  
Frfmcghee@[REDACTED]; mrs.m.noyola@[REDACTED]; munizmillie@[REDACTED];  
agolden@[REDACTED]; crharrismoores@[REDACTED]; Serape2@[REDACTED];  
Corazon.renteria@[REDACTED]; Liberated512@[REDACTED]; liz\_brightwell@[REDACTED];  
mannyvcamero1@[REDACTED]; wayne.gerami@[REDACTED];  
paul.karagas@[REDACTED]; junior612ph@[REDACTED]; csebilias@[REDACTED];  
rjarmstrongatx@gmail.com; fmcghee@montopolis.org

**Cc:** Victoria <Victoria@throwerdesign.com>; Ron Thrower  
<ront@throwerdesign.com>; Estrada, Nancy <Nancy.Estrada@austintexas.gov>

**Subject:** FW: Montopolis NPCT Rec: March 14 PC - NPA-2022-0005.01\_Vargas  
Mixed Use

**Importance:** High

Dear Montopolis NPCT:

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

Thanks.

Maureen

**From:** Meredith, Maureen

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

**Cc:** Victoria <[Victoria@throwerdesign.com](mailto:Victoria@throwerdesign.com)>; Ron Thrower  
<[ront@throwerdesign.com](mailto:ront@throwerdesign.com)>; Estrada, Nancy <[Nancy.Estrada@austintexas.gov](mailto:Nancy.Estrada@austintexas.gov)>

**Subject:** Montopolis NPCT Rec: Feb 28 PC - NPA-2022-0005.01\_Vargas Mixed  
Use

**Importance:** High

Dear Montopolis NPCT:

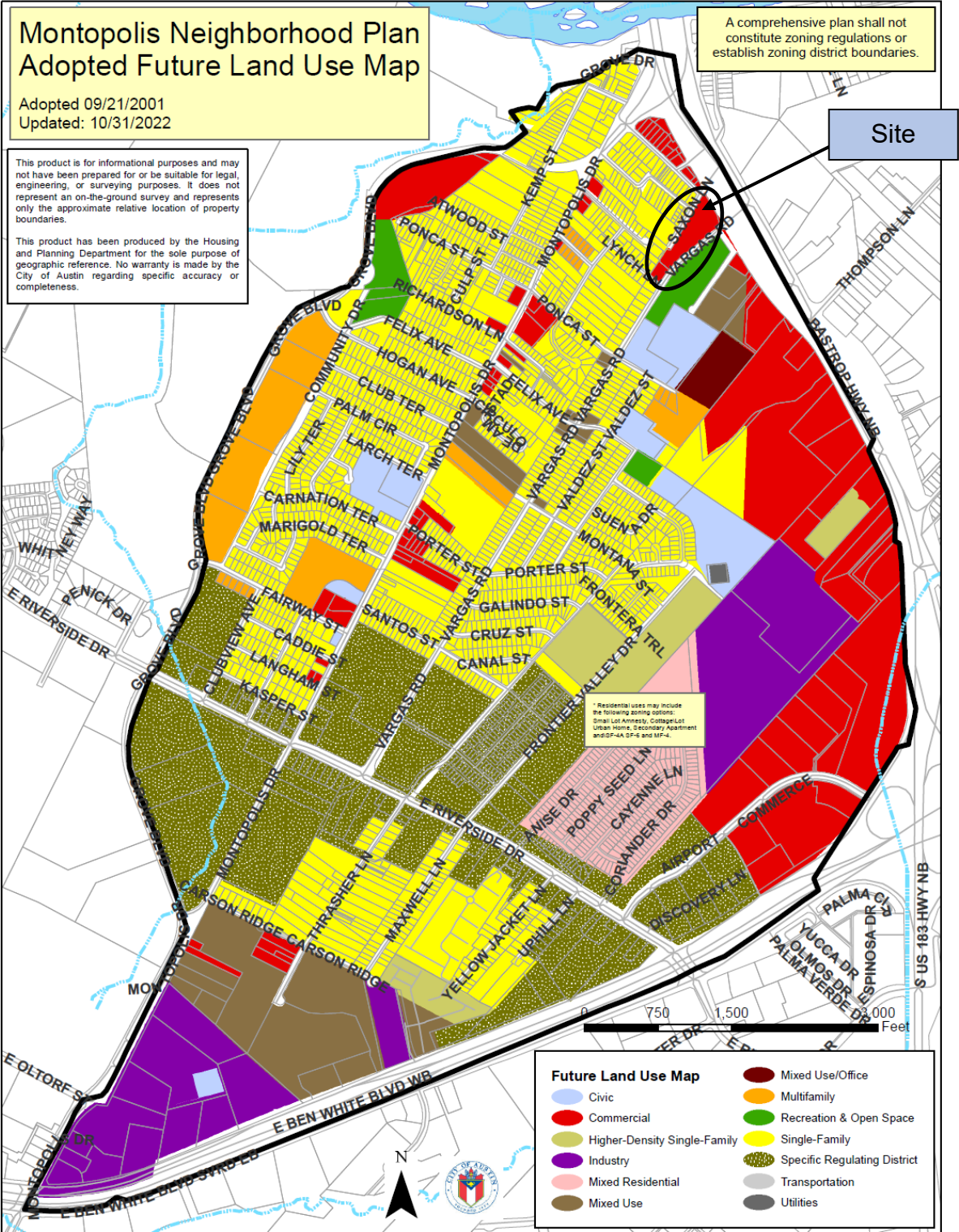
**NPA-2022-0005.01 and C14-2022-0107 for 400 Vargas Road and 6520 Lynch Ave (Vargas Mixed Use)** are scheduled for the February 28, 2023 Planning Commission hearing date. If you would like your Team's letter of recommendation

included in the staff case reports, please email it me and Nancy Estrada (the zoning planner) **no later than Tuesday, February 21, 2023 by 4:30 pm** when our staff reports are due. If we receive it after that date and time, we will submit it as late material to the Planning Commissioners.

Please let me know if you have any questions.

Maureen







**From:** Susana Almanza <poder.austin@gmail.com>  
**Sent:** Tuesday, July 18, 2023 5:57 PM  
**To:** Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Velasquez, Jose <Jose.Velasquez@austintexas.gov>; Fuentes, Vanessa <Vanessa.Fuentes@austintexas.gov>; Alter, Alison <Alison.Alter@austintexas.gov>; Pool, Leslie <Leslie.Pool@austintexas.gov>; Watson, Kirk <Kirk.Watson@austintexas.gov>; Harper-Madison, Natasha <Natasha.Madison@austintexas.gov>; Vela, Jose "Chito" <Chito.Vela@austintexas.gov>; Alter, Ryan <Ryan.Alter@austintexas.gov>  
**Subject:** Postponement Request for 400 Vargas Rd by Montopolis Contact Team

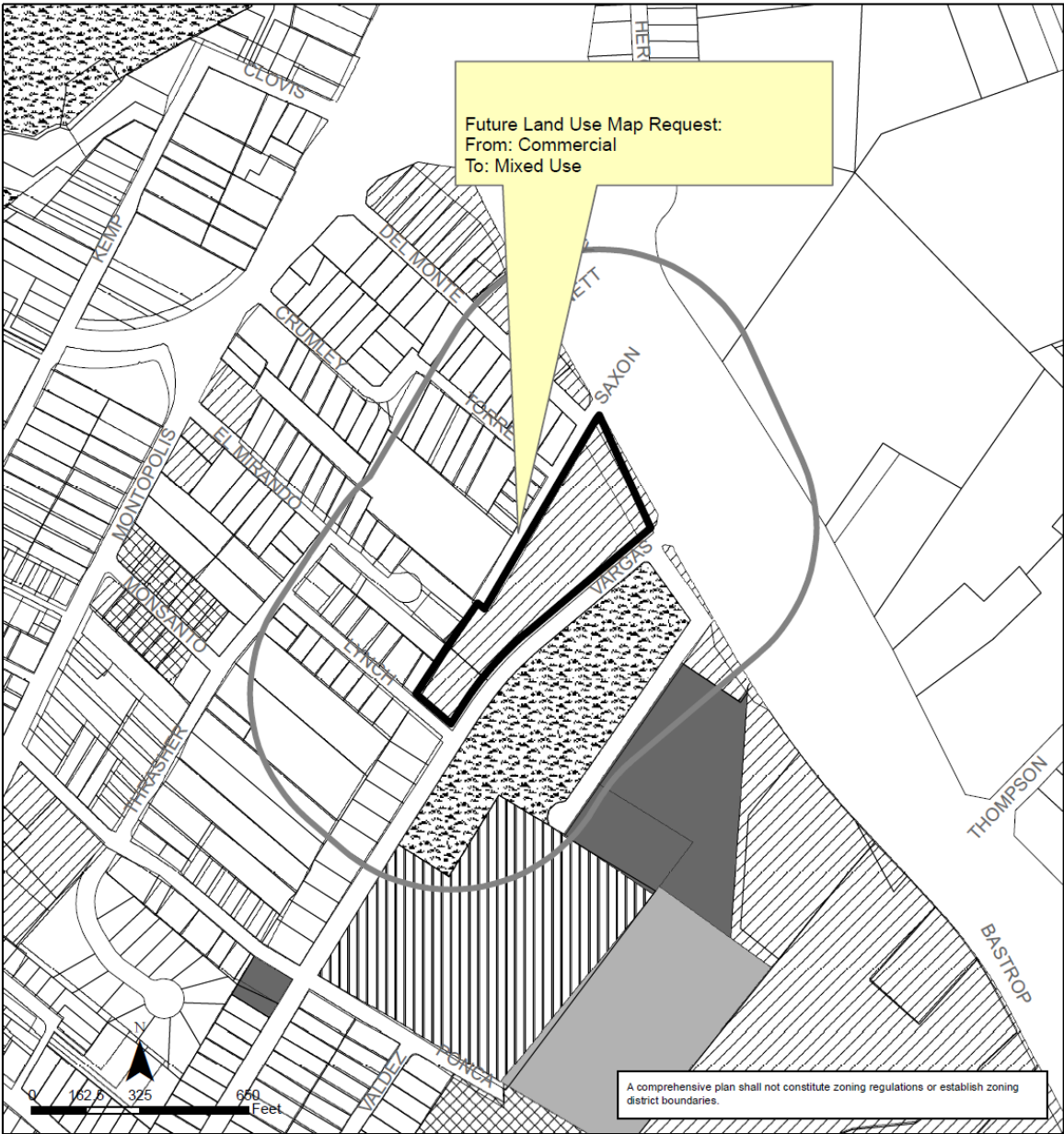
External Email - Exercise Caution

Hello Mauren Meredith, Councilman Jose Velasquez and City Council Members:  
The Montopolis Neighborhood Plan Contact Team is requesting a postponement for 400 Vargas Road and 6520 Lynch Lane zoning case C14-2022-0107. This case is currently scheduled for July 20th. The Contact Team meets the last Monday of each month. The next scheduled meeting is Monday, July 31st at 6 pm.

The Applicant and/or agent have not met with the Montopolis Contact Team. The Contact Team has no idea what is being proposed to be built on the site. The Contact Team is requesting that an environmental review take place regarding this property. At the current time the property has zero percent impervious cover. Montopolis is in a climate crisis. We continue to lose our precious green space. Montopolis is experiencing the heat island effect due to the loss of green space and excessive impervious cover.

Again, we are requesting a postponement in this case.


Thank you in advance for your assistance. Susana Almanza, President Montopolis Neighborhood Plan Contact Team












**Montopolis Neighborhood Planning Area**  
**NPA-2022-0005.01**

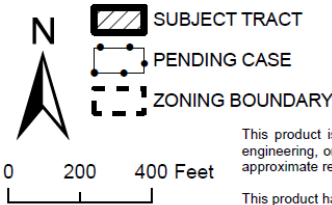
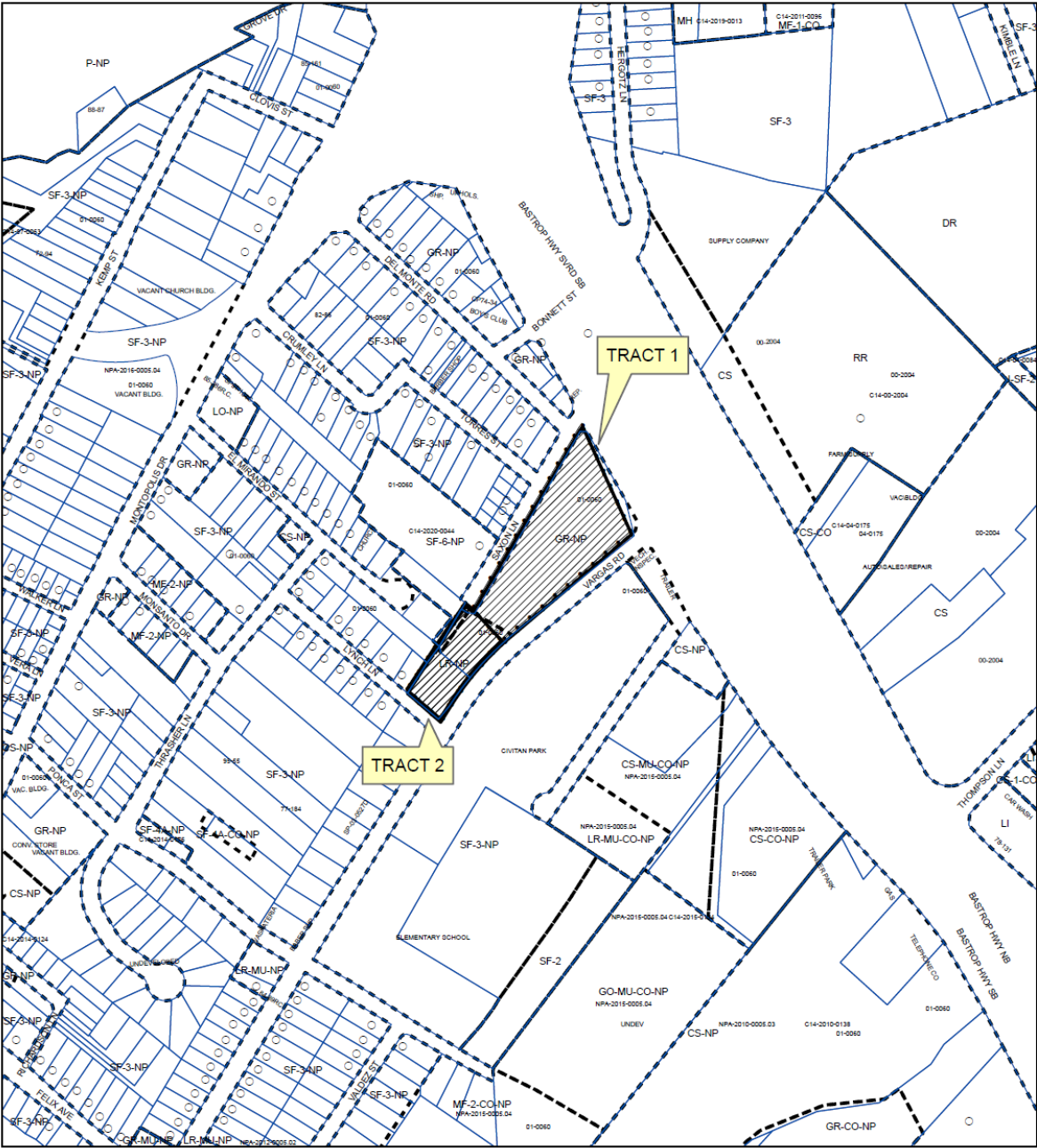
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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

 City of Austin  
Housing and Planning Department  
Created on 8/16/2022, by: meekss

**Future Land Use**

 Subject Tract	 Mixed Use/Office
 500 ft. notif. boundary	 Multi-Family
 Civic	 Recreation & Open Space
 Commercial	 Single-Family
 Mixed Use	



**ZONING**  
ZONING CASE#: C14-2022-0107

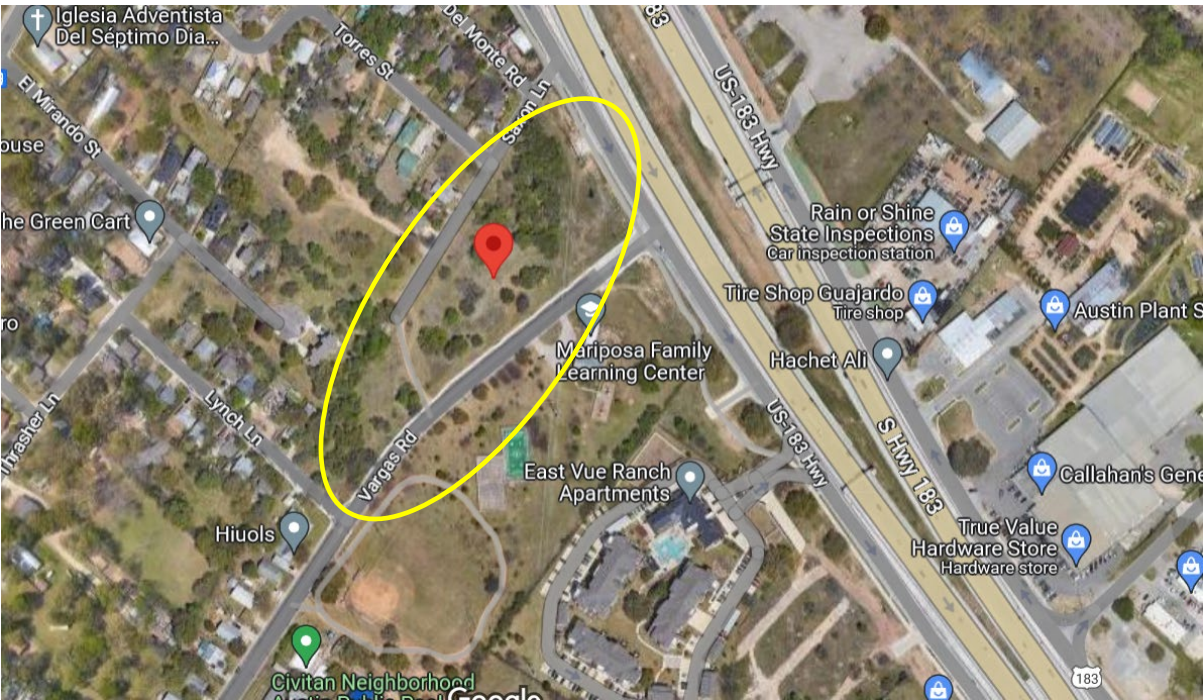
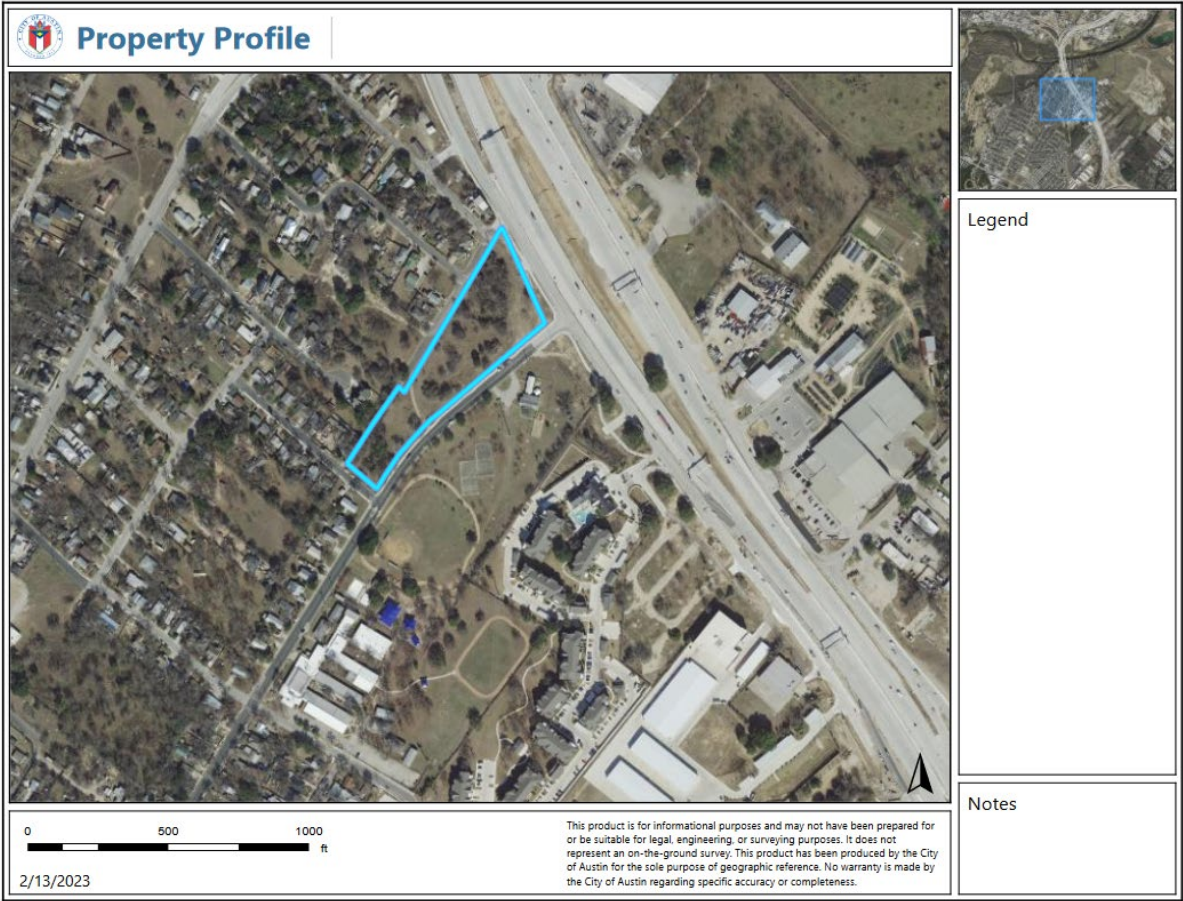
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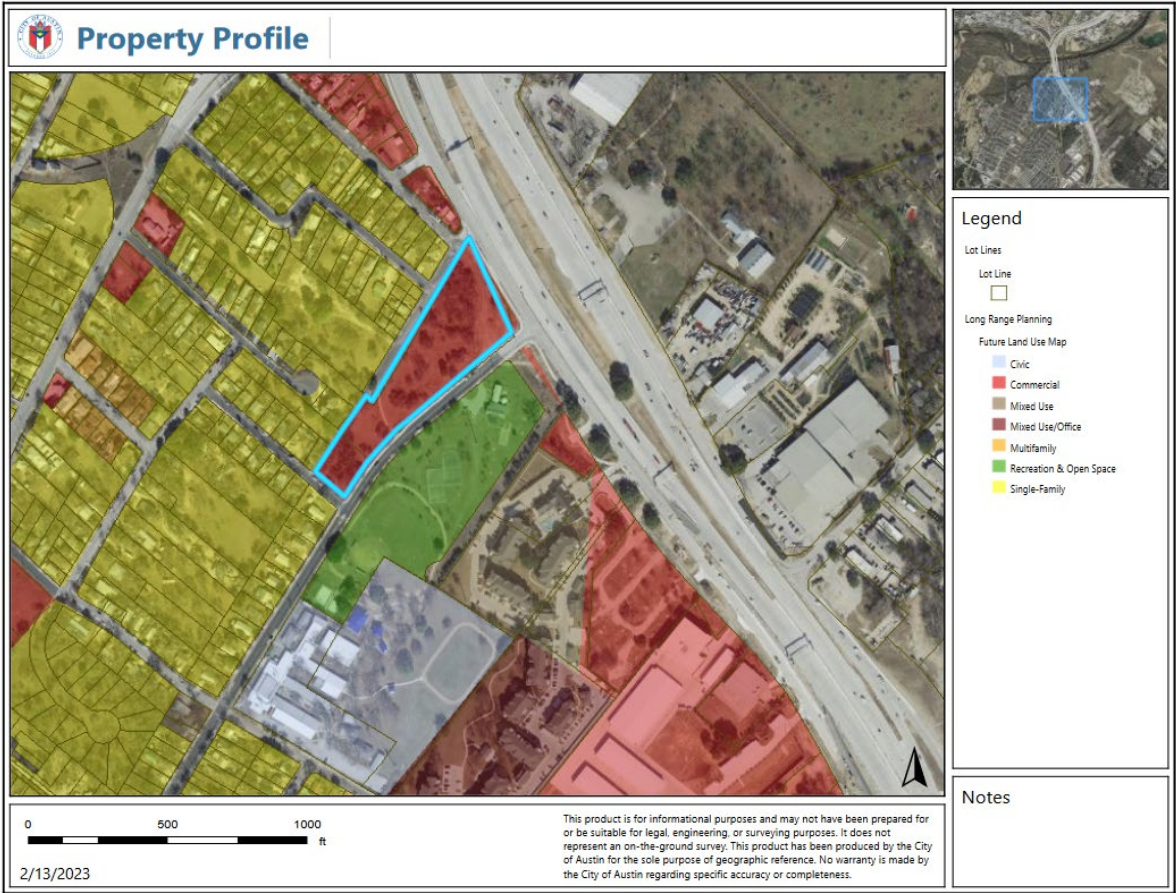


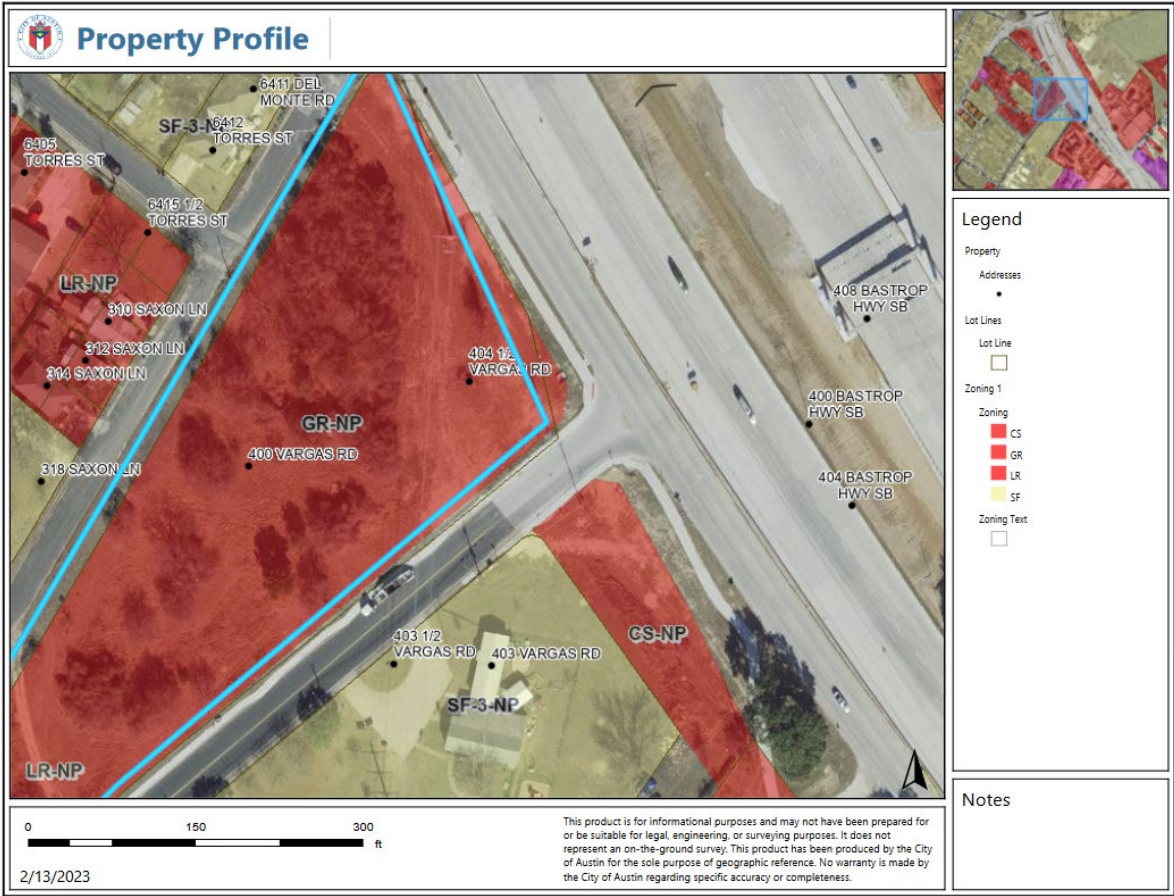
Created: 8/16/2022

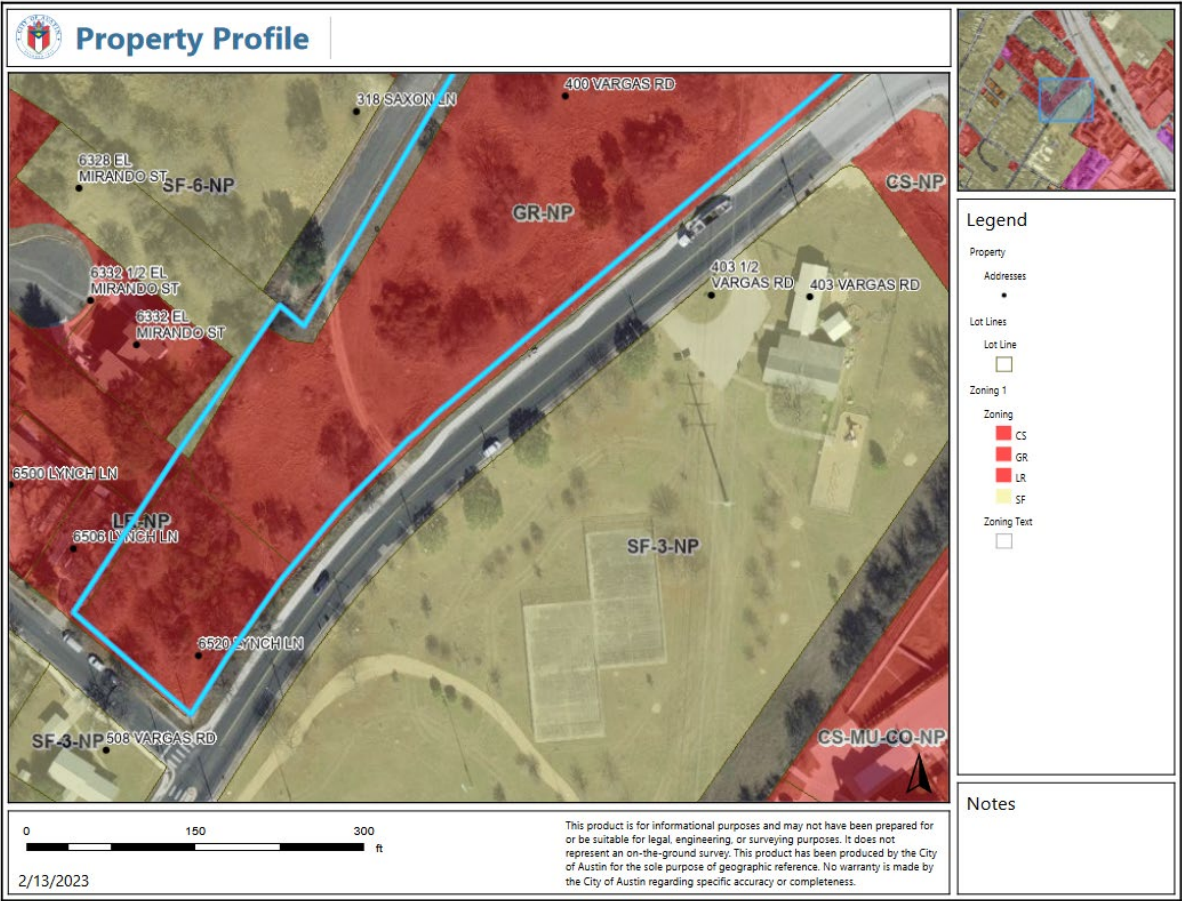














## Applicant's Presentation from the September 19, 2022 Virtual Community Meeting

- 4.31 acres
- Undeveloped

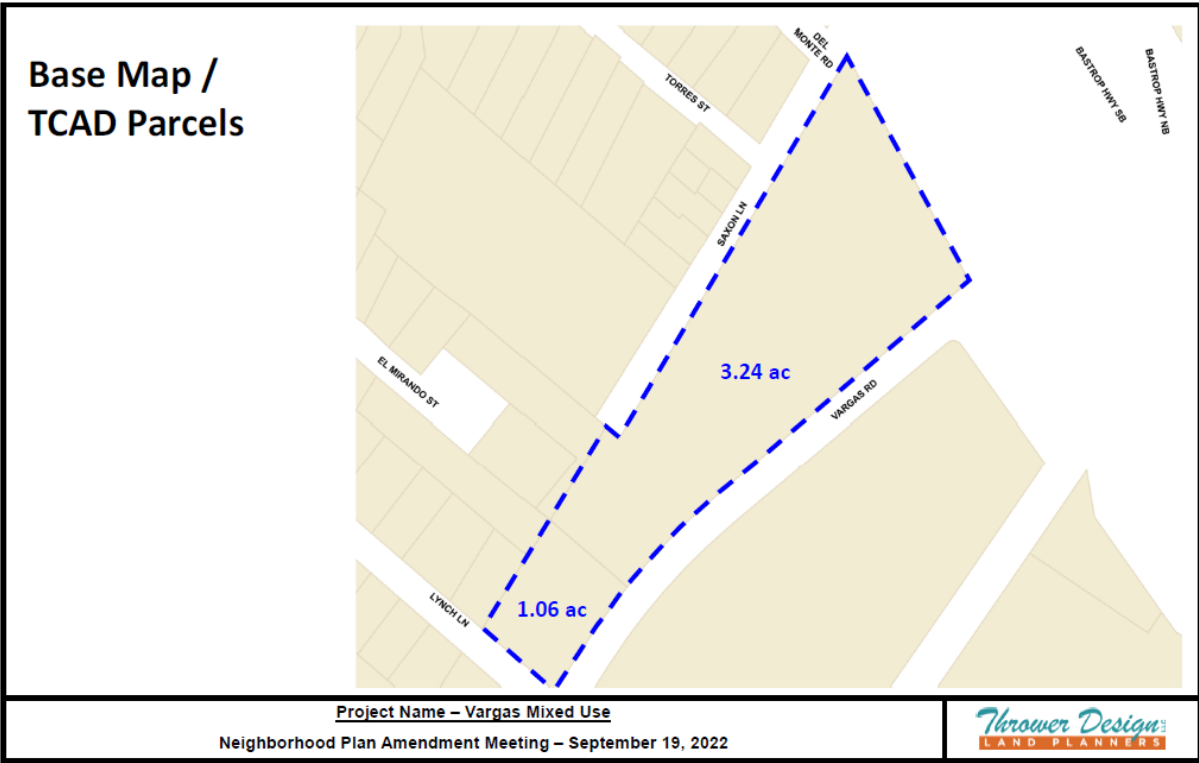


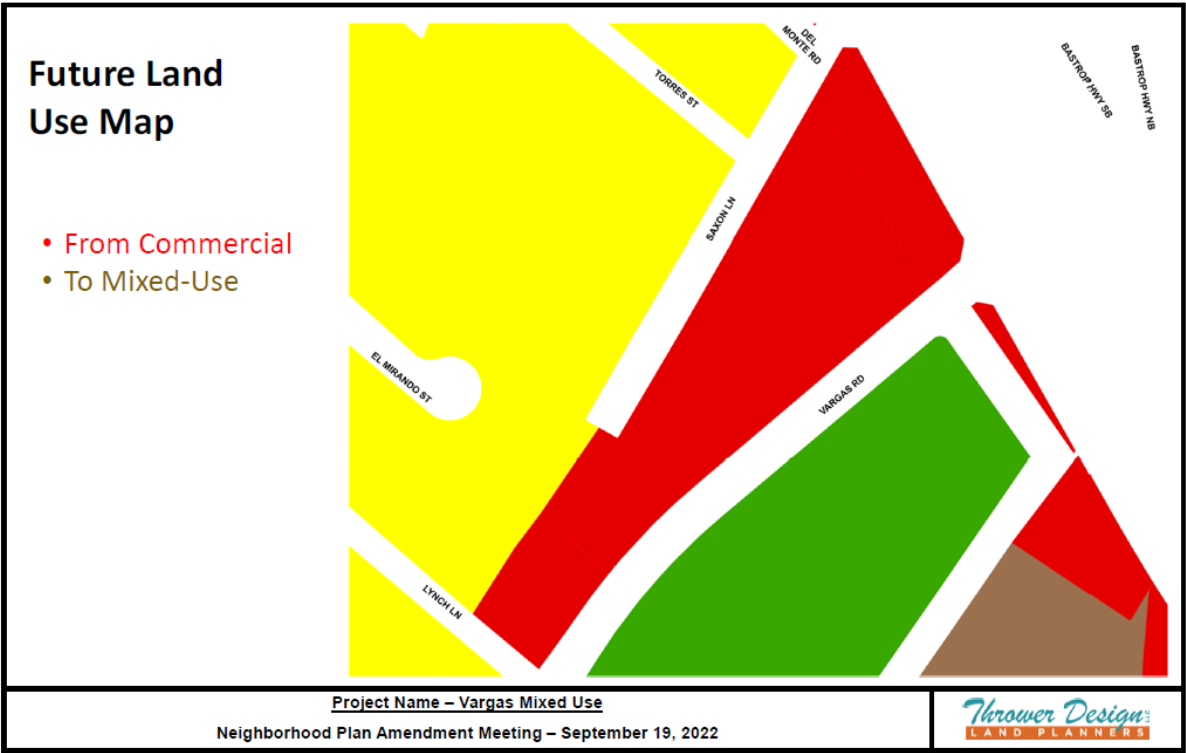
Project Name – Vargas Mixed Use

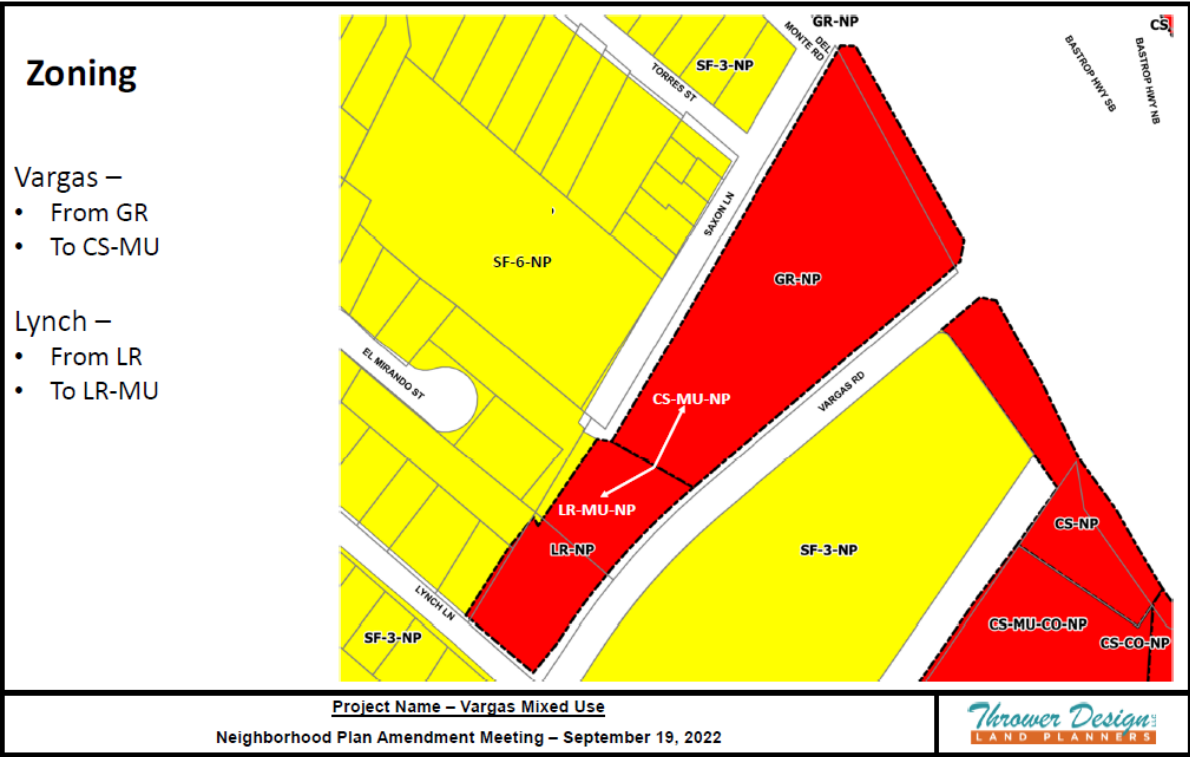
**Neighborhood Plan Amendment Meeting – September 19, 2022**











**Zoning**

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

Project Name – Vargas Mixed Use

Neighborhood Plan Amendment Meeting – September 19, 2022

Thruway Design  
LAND PLANNERS

Correspondence Received

**PUBLIC HEARING COMMENT FORM**

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

City of Austin  
Housing and Planning Department  
Maureen Meredith  
P. O. Box 1088  
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2022-0005.01  
Contact: Maureen Meredith, 512-974-2695 or  
Maureen.Meredith@austintexas.gov  
Public Hearing: Jan 10, 2023 - Planning Commission

☐ I am in favor  
☒ Object

Marion Sanchez  
Your Name (please print)  
1000 East Cesar Chavez 1715 E. Th  
1002 East Cesar Chavez  
Your address(es) affected by this application  
Jan 3/2023  
Signature Date

Comments:





## PUBLIC HEARING INFORMATION

The proposed amendment will be reviewed and acted upon at two public hearings: first, before the Planning Commission and then before 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 amendment. You may also contact a registered neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a 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 plan amendment request or approve an alternative to the amendment requested.

If you have any questions concerning this notice, please contact the City of Austin Housing and Planning Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

- by attending the Public Hearing and conveying your concerns at that meeting
- by submitting the Public Hearing Comment Form
- by writing to the city contact listed on the previous page.

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. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and may be published online.

Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la notificación) 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 notificación. La correspondencia y la información enviada a la Ciudad de Austin están sujetas a la Ley de Información Pública de Texas (Capítulo 552) y pueden ser publicadas en línea.

## PUBLIC HEARING COMMENT FORM

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

Maureen Meredith  
City of Austin  
Street Jones Bldg.  
Planning Department  
P. O. Box 1088  
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2022-0005.01

Contact: Maureen Meredith, 512-974-2695 or  
Maureen.Meredith@austintexas.gov

Public Hearing: July 20, 2023 - City Council

☐ I am in favor  
☒ I object

Angelia Rodriguez  
Your Name (please print)

600 Vargas Rd. Asha, TX 78741  
Your address(es) affected by this application

Angelia Rodriguez  
Signature

3/16/2023  
Date

Comments: I object to the rezoning for three reasons. The first reason is the parking and traffic situation that would result from rezoning. A retail and condos are brought together will not be sufficient parking this will spill over into the surrounding. The second reason is that the shops/retail will not cater to the community that is already there. Unless it is a supermarket, we will not benefit from it. The third most important reason is that there will be no sense of community if condos/retail developments are brought in. The homes on Vargas Rd. and surrounding areas are simple family homes. This would put a foreigner with all upcoming

To whom it may concern:

I am writing to object to zoning case number C14-2022-0107 for the commercial, mixed use, and **industrial** CS-MU-NP for tract 1 activity services. I am objecting to Vargas/Jayco Holdings Ltd. combining industrial custom manufacturing and warehouse distribution. These types of manufacturing industries will not be safe with traffic, and hazardous storage materials will pollute our neighborhood, Elementary school, COA Civitan Park, swimming pool, and after-school care. This is not compatible with or safe for our residential neighborhood.

The conditional overlay should also prohibit the use of big trucks, certain vehicles, and include safe pedestrian crossings and traffic light/signs.

Large companies always say they are here to support the communities they are moving into but make gentrification a real threat for the families and longtime residents who live in the area.

I am concerned because these types of industries will bring large semi-trucks, hazardous material, and 18-wheelers that will transport day and night. This will cause interference with the resident's sleep pattern, restlessness, fatigue, and work ethic.

The safety of pedestrians and traffic lights would be an issue once this type of development is established. There will be lots of heavy traffic and activity. The safety of children crossing streets, neighborhood residents getting in and out of their driveways, and consumers parking on the street. Parents with elementary children dropping or picking up from school are at risk because there are no safety crossings or traffic lights. This could have a great safety impact on the neighborhood.

I encourage growth in our neighborhood. But this is our quiet neighborhood, and it is where we live.

Thank you,

*Marybelén Verastegui*

**PUBLIC HEARING COMMENT FORM**

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

Maureen Meredith  
City of Austin  
Street Jones Bldg.  
Planning Department  
P. O. Box 1088  
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

**Case Number:** NPA-2022-0005.01  
**Contact:** Maureen Meredith, 512-974-2695 or  
Maureen.Meredith@austintexas.gov  
**Public Hearing:** July 20, 2023 - City Council

☐ I am in favor  
☒ I object

*Maureen Sanchez*  
Your Name (please print)  
1000 E. Dean Chavez St. 1715 E. 7th St  
1002 E. Dean Chavez St.  
Your address(es) affected by this application

*Maureen Sanchez* Signature  
July 15/2023 Date

Comments: