

## **NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET**

**NEIGHORHOOD PLAN:** Upper Boggy Creek (UBC) Neighborhood Plan

**CASE#:** NPA-2007-0012-05

**PC PUBLIC HEARING DATE:**

**ADDRESS:** 4701 North IH-35

**AREA:** N/A

**APPLICANT:** Center Assembly of God Church (Michael Fizzell)

**AGENT:** Dallas Properties (Mike Dallas)

**OWNER:** Center Assembly of God Church (Michael Fizzell)

**TYPE OF AMENDMENT:** Future Land Use Map Designation

The proposed amendment would change the land use designation on the Upper Boggy Creek Neighborhood Plan future land use map (FLUM) from SINGLE-FAMILY and CIVIC to MIXED USE.

**PLAN ADOPTION DATE:** August 1, 2002

**NPCD ADOPTION DATE:** August 1, 2002

**STAFF RECOMMENDATION:** MIXED USE

### **BASIS FOR RECOMMENDATION**

The proposed FLUM amendment is not contrary to the adopted UBC plan. The UBC plan text listed below states that exiting residential uses should not be converted to other more intense ones:

*Commercial development in the established residential areas is discouraged and new commercial development and redevelopment should be focused on the planning area's commercial corridors...Commercial uses will remain along the existing commercial corridors (UBC Neighborhood Plan, p. 33).*

The tract under consideration for the FLUM amendment is comprised of two lots. It should be noted that the two lots are for sale and the proposed FLUM amendment and related zoning change are to increase the marketability of the site. The first lot has frontage on the IH-35 frontage road (a commercial corridor) and is used as a church. The second lot has two uses—a long-used, unpaved parking lot for the church and a single-family house used as the parsonage. The proposal is to subdivide the second lot to create a new legal lot for the house and a new one for the parking lot. The proposal recognizes that the second lot has historically had two uses and offers a solution meeting the needs of a new user for the church

site as well as a solution that is sensitive to the neighborhood's concerns while not creating a new non-residential use from an existing one.

**BACKGROUND:** The Upper Boggy Creek Neighborhood Plan was created through the City of Austin's neighborhood planning process and was adopted by the City Council on August 1, 2002. The boundaries of the planning area are IH-35 on the west, RMMA redevelopment site on the north, Airport Boulevard on the east, and MLK Jr. Boulevard on the south.

The site, 4701 North IH-35 is the current location for the Center Assembly of God Church. The church is planning to move to another location and is seeking to sell the current location. They are seeking to change the FLUM designation and the zoning to create a more marketable location. The church is located immediately to the south of the Mueller redevelopment.

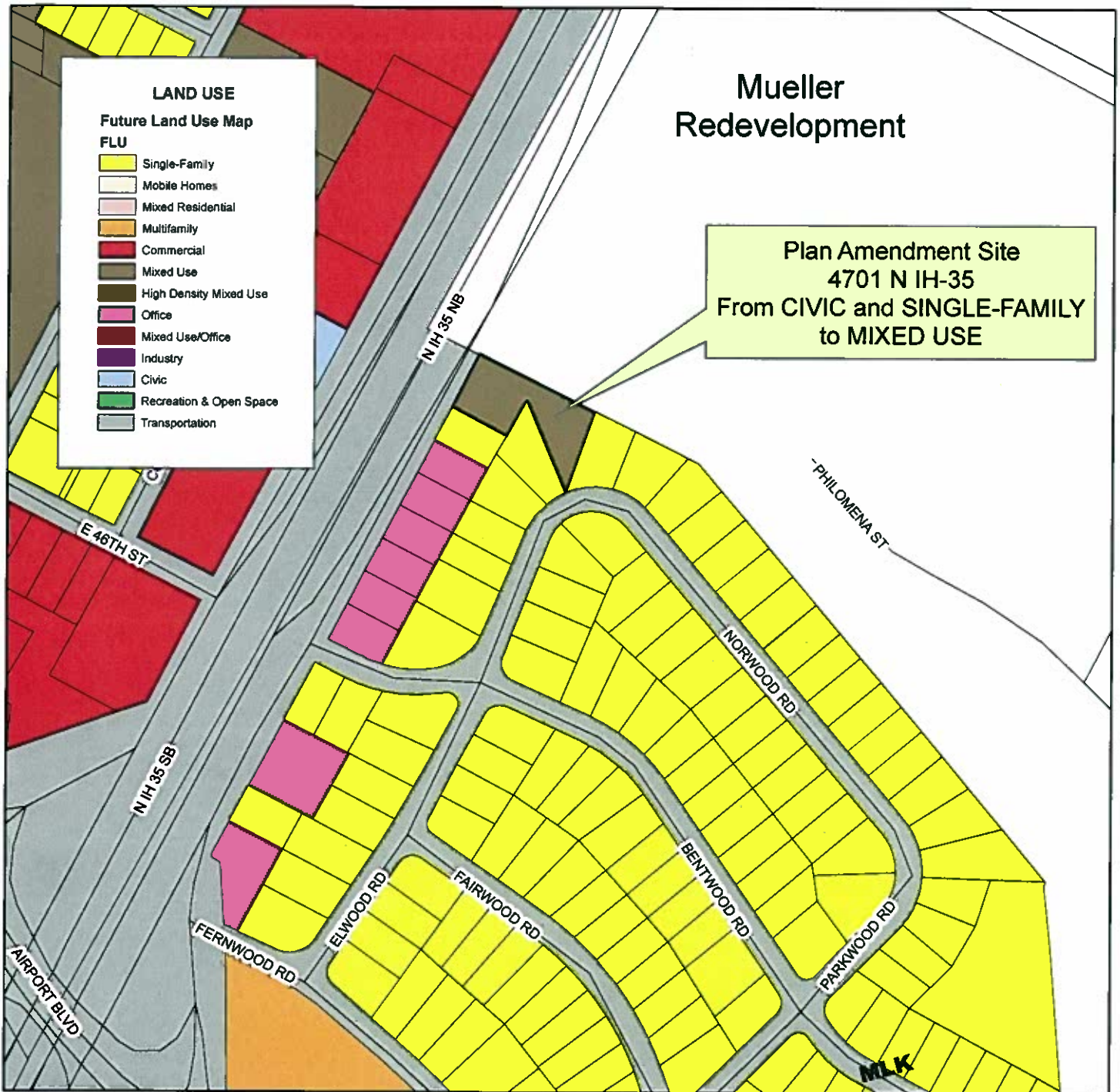
The UBC planning team's policy regarding neighborhood-specific issues (the UBC Neighborhood Planning Area is composed of five different neighborhoods) is to defer to the position of the specific neighborhood. The applicant's agent met with the Delwood II neighborhood on numerous occasions over many months. After lengthy discussions, the neighborhood decided to support the change in the FLUM designation and the change in zoning. Through these negotiations the neighborhood and the church and its agent have agreed to the following:

- The existing house with access to Norwood Road associated with the church will be subdivided from the property in question and preserved and sold as a single-family house,
- Provide pedestrian access to the Mueller redevelopment directly from the neighborhood,
- Prohibit vehicular access to the neighborhood,
- A conditional overlay prohibiting a number of uses allowed in Community Retail (GR) zoning (the plan amendment case is related to zoning case, C14-2007-0251).

**PLANNING COMMISSION ACTION:** The Planning Commission recommended they land use designation be changed from CIVIC and SINGLE-FAMILY to MIXED USE on the consent agenda at their January 18, 2008 meeting.

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# Upper Boggy Creek Neighborhood Plan Amendment NPA-2007-0012.05



Future Land Use