

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: Bouldin Creek Neighborhood Plan

CASE#: NPA-2008-0013.01

PC DATE: Tuesday, May 27, 2008

ADDRESS: 706 West Oltorf Street

SITE AREA: 5,916 square feet (0.136 acres)

APPLICANT: Mr. Scott Ogle

OWNER: Mr. Scott Ogle

AGENT: n/a

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: High-Density Single-Family

To: Mixed-Use Office

Base District Zoning Change

Related Zoning Case: N/A

From:

To:

NEIGHBORHOOD PLAN ADOPTION DATE: May 23, 2002

STAFF RECOMMENDATION: The staff recommendation is to **DENY** the requested change on the Future Land Use Map (FLUM) from High-Density Single-Family to Mixed-Use Office.

BASIS FOR RECOMMENDATION: The requested amendment is not consistent with the Future Land Use Map or the goals and objectives found in the Bouldin Creek Neighborhood Plan. The Bouldin Creek Neighborhood Planning Team has also recommended the denial of this plan amendment. The Galindo Elementary Neighborhood Association and the Dawson Neighborhood Association have also recommended the denial of the amendment.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommendation is to **DENY** the requested change on the Future Land Use Map (FLUM) from High-Density Single-Family to Mixed-Use Office. (7 - 1, with Commissioner Kirk absent)

BACKGROUND: The Bouldin Creek Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow

Comprehensive Plan on May 23, 2002. The boundaries of the planning area are: Lady Bird Lake to the north, the Union Pacific railroad tracks on the west, West Oltorf Street to the south, and South Congress Avenue to the east.

The subject tract located at 706 West Oltorf Street is a 0.136 acre lot currently occupied by a vacant single-family structure, and as part of the Bouldin Creek neighborhood planning process, the subject tract was zoned SF-6-NP. The applicant is requesting the plan amendment to change the future land use designation of his property so to allow the future construction of his law office there. The applicant plans to demolish the existing structure located on the site.

PUBLIC MEETINGS: A neighborhood meeting regarding this case was held on Thursday, April 24, 2008, at the South Austin Neighborhood Center. Notices for the meeting were sent to the Bouldin Creek Neighborhood Planning Team, area neighborhood associations, and to property owners and/or renters located within 300 feet of the subject tract.

The Bouldin Creek Neighborhood Planning Team denied the proposed plan amendment at this meeting. Attached to this report are the notes from this neighborhood meeting.

ANALYSIS: The Bouldin Creek Neighborhood's Future Land Use Map recommends *High-Density Single-Family* for the portion of West Oltorf Street on which the applicant's property is located.

Staff Comments: The proposed change from High-Density Single-Family to Mixed-Use Office along this portion of West Oltorf Street is in conflict with the Bouldin Creek Neighborhood Plan.

With Objective 3.2 (under Goal 3) of the Bouldin Creek Neighborhood Planning Team wishes to: "Encourage a mix of moderate-intensity commercial and residential on Oltorf Street, while increasing pedestrian safety." This objective expresses the specific locations for commercial development(s) along West Oltorf Street: "*A survey of homeowners on Oltorf determined that a majority did not support developing the street as a commercial corridor. However, the planning team recognizes that development pressure will continue to be a reality on Oltorf. The BCNPT recommends giving property owners the option to develop their properties as higher-density single-family uses such as townhouses and condominiums. Commercial development should only be accommodated at the major intersections with S. Congress, S. 1st, and S. 5th, and the Union Pacific Railroad Tracks. Additionally, new development on Oltorf should respect the recommendations in the adopted Dawson Neighborhood Plan*" (page 27).

Staff Comments: The applicant's property is not located in one of these potential commercial nodes along West Oltorf Street and, therefore, does not meet this objective's requirements.

Under Objective 3.2, the Plan also states that a "... majority of uses on Oltorf remain owner-occupied, single-family homes" (page 27).

Staff Comments: *The proposed plan amendment would disrupt the residential character currently found along this portion of West Oltorf Street.*

In short, staff feels that the proposed plan amendment conflicts with the goals and objectives set forth by the Bouldin Creek Neighborhood Plan because: 1) the subject tract is not located in one of the mentioned commercial nodes, and 2) the proposed mixed-use office usage will disrupt the existing residential character along West Oltorf Street.

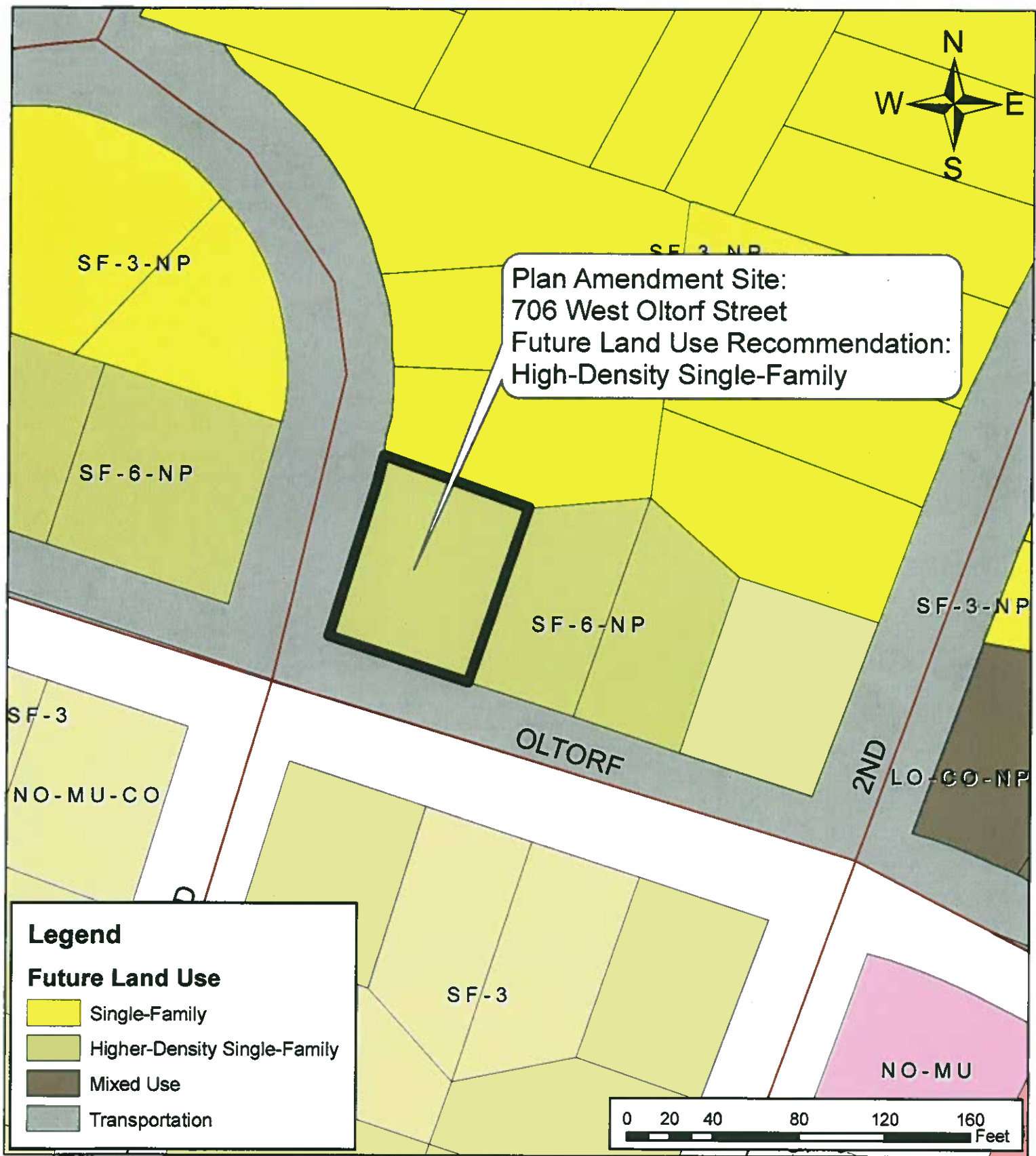
CITY COUNCIL DATE: As of September 23, 2008, this case has been postponed indefinitely.

ACTION:

CASE MANAGER: Jacob Browning

PHONE: (512) 974-7657

EMAIL: jacob.browning@ci.austin.tx.us



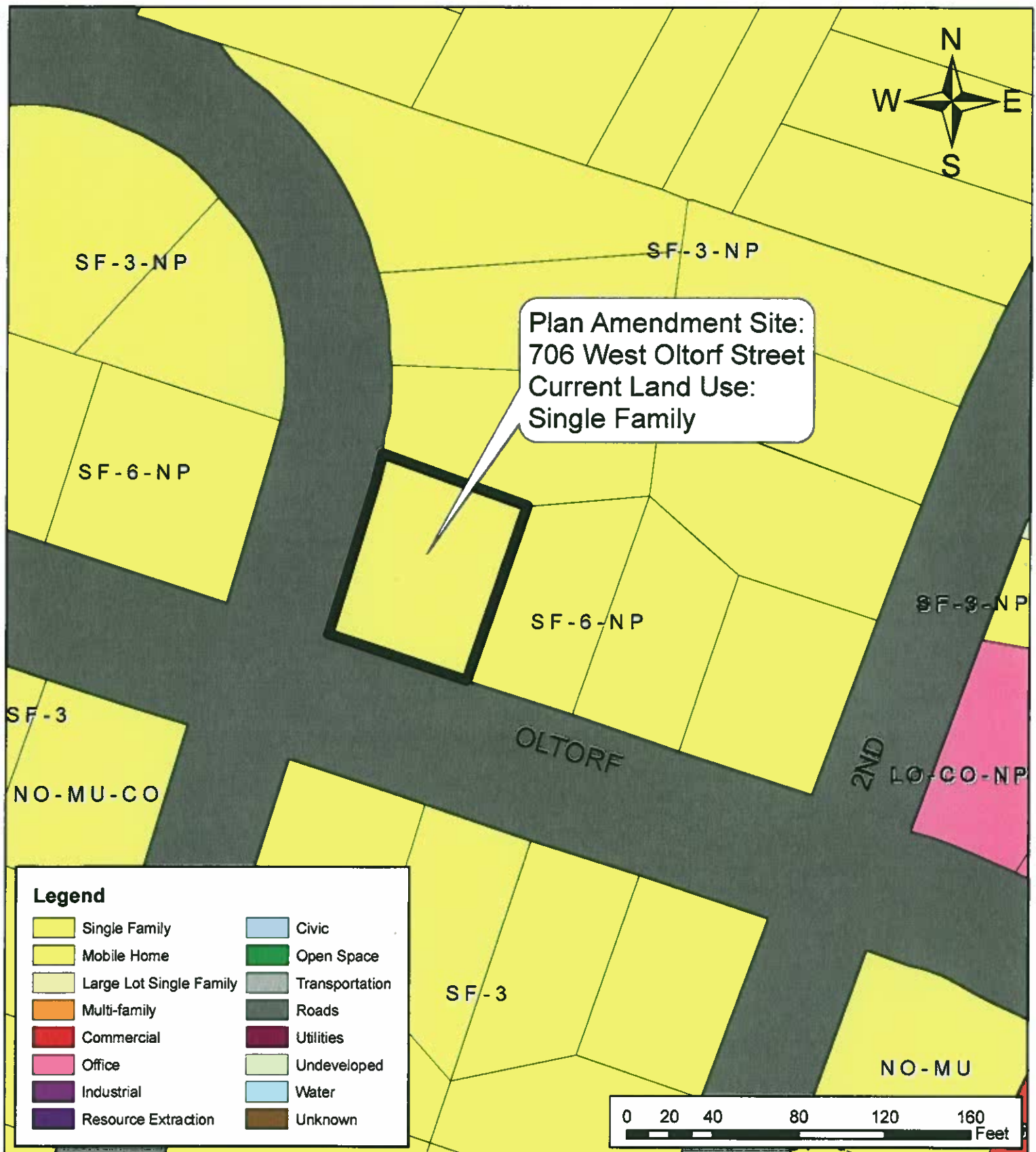
Bouldin Creek **Neighborhood Plan Amendment** **NPA-2008-0013.01**



City of Austin
Neighborhood Planning and Zoning Department

This map has been produced by the City of Austin Neighborhood Planning and Zoning Department for the sole purpose of assisting in neighborhood planning discussions and decisions and is not warranted for any other use. No warranty is made by the City regarding its accuracy and completeness.

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



Bouldin Creek **Neighborhood Plan Amendment** **NPA-2008-0013.01** **Current Land Use and Zoning**

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PUBLIC HEARING COMMENT FORM

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

City of Austin
Neighborhood Planning and Zoning Department
c/o Jacob Browning
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-2008-0013.01

Contact: Jacob Browning

Public Hearings:

Planning Commission: Tuesday, May 27, 2008

City Council: Wednesday, June 18, 2008

☐ I am in favor

☒ I object

LYDIA W. CORTES

Your Name (please print)

2407 Oak Crest Av

Your address(es) affected by this application

Lydia W. Cortes

Signature

6-6-08

Date

Comments:

Already too many offices
on a lot near
or mixed in with
residences. Cause
congestion and difficulty
accessing Oak Crest out
too much paving of
green areas.

PUBLIC HEARING INFORMATION

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Planning Commission: Tuesday, May 27, 2008

City Council: Wednesday, June 18, 2008

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

Your Name (please print)

JAN ADLER
2307 S 3RD ST

Your address(es) affected by this application

Signature: [Signature] Date: 5/27/08

Comments:

NO ZONING CHANGE!
NO CHANGE TO BCNP!
TRAFFIC WILL INCREASE ON
S 3RD ST & NO OFFICE IS
NOT COMPATIBLE WITH OUR
PADIOTAL FABRIC

May 27, 2008

This letter confirms that I live at 2313^{W.} 3rd St.,
Austin, Texas.

I support Scott P. Ogle in the rezoning of the property at
706 W. Oltorf from Residential to Office Use.

Diana Lugo
Signature

May 27, 2008

This letter confirms that I live at 800 W. OLTORF,
Austin, Texas.

I support Scott P. Ogle in the rezoning of the property at
706 W. Oltorf from Residential to Office Use.

Yvonne Maule
Signature

Browning, Jacob

From: Holubeck, Andrew
Sent: Tuesday, May 27, 2008 3:38 PM
To: Browning, Jacob
Subject: FW: Residential Building - 706 W Oltorf st

Andrew Holubeck

Senior Planner
Neighborhood Planning & Zoning Department
City of Austin
505 Barton Springs Rd.
Austin, TX 78704

Phone 512-974-2054
Fax 512-974-6054
andrew.holubeck@ci.austin.tx.us

From: Johnson, Christopher
Sent: Tuesday, May 27, 2008 1:55 PM
To: 'ekmcgann@hotmail.com '
Cc: Benavidez, Sylvia; Holubeck, Andrew
Subject: RE: Residential Building - 706 W Oltorf st

Erin:

The notice you received is for a proposed amendment to the Neighborhood Plan to allow for a rezoning of this property to a office or commercial use. Questions about the proposed neighborhood plan amendment may be directed to Andrew Holubeck in the Neighborhood Planning & Zoning Department.

Christopher Johnson

City of Austin - Development Assistance Center
505 Barton Springs Road, 1st floor
Ph 512/974-2769
Fax 512/974-2934

From: Benavidez, Sylvia
Sent: Tuesday, May 27, 2008 1:39 PM
To: Johnson, Christopher
Cc: 'ekmcgann@hotmail.com '
Subject: FW: Residential Building - 706 W Oltorf st

Chirs, can you please on this commercial question

From: ekmcgann@hotmail.com [mailto:ekmcgann@hotmail.com]
Sent: Sunday, May 25, 2008 5:55 PM
To: WPDR Residential Building; Benavidez, Sylvia
Subject: Residential Building - 706 W Oltorf st

Date/Time Submitted: Sunday, 5/25/08, 1754 hours

5/28/2008

From: Erin McGann

E-mail address: ekmcgann@hotmail.com

Subject: 706 W Oltorf st

Comments:

Hi- I want to comment on the request to put a commercial building at 706 W Oltorf Permi/case 2008-014401 NP; file name NPA-2008-0013.01. How do I do this? I am in support of this move, and live in the neighborhood (I got a letter about this) Thank you

5/28/2008

Browning, Jacob

From: Mark Cathcart [m_cathcart@yahoo.co.uk]
Sent: Tuesday, May 27, 2008 12:05 PM
To: Browning, Jacob
Subject: 706 W Oltorf St. Change of Zoning

Importance: High

I have just learned of this proposal, as a resident in the neighborhood, I object to granting MU status to this property.

Mark Cathcart
605 W Johanna St
Austin, 78704

Browning, Jacob

From: drgintexasus@yahoo.com
Sent: Tuesday, May 27, 2008 10:09 AM
To: Browning, Jacob
Subject: [Released] I oppose any zoning change for 706 W Oltorf

Be advised that many neighbors oppose any zoning change for this property and for others that intend to encroach on established and agreed-upon zoning plans overlays.

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Case Number: NPA-2008-0013.01

Contact: Jacob Browning

Public Hearings:

Planning Commission: Tuesday, May 27, 2008

City Council: Wednesday, June 18, 2008

☐ I am in favor
☒ I object

Anina Moore

Your Name (please print)

2309 S. 3rd Street 78704

Your address(es) affected by this application

AMose

Signature

5/25/08

Date

Comments: I am against amending the neighborhood plan. The plan was developed fairly by all interested stakeholders. Granting a zoning change in this case weakens the plan altogether, and privileges an individual over all other stakeholders. I agree with the plan that businesses do not belong in residential areas of Olton.

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Planning Commission: Tuesday, May 27, 2008

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☐ I am in favor
☒ I object

Debra Winder (TRH) (C)

Your Name (please print)

2312 South 2nd St 78704

Your address(es) affected by this application

Signature: Debra Winder Date: 5/21/08

Comments:

The design development
the owner is requesting is
not in compliance with the
neighborhood plan (it specifically
addressed that issue on one of
points), also the city has
already decided that it is
NOT a major road

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to: Agenda #9
City of Austin
Neighborhood Planning and Zoning Department
c/o Jacob Browning
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: NPA-2008-0013.01

Contact: Jacob Browning

Public Hearings:

Planning Commission: Tuesday, May 27, 2008

City Council: Wednesday, June 18, 2008

☒ I am in favor
☐ I object

DIANA LUGO

Your Name (please print)

2313 S 3rd Street

Your address(es) affected by this application

Diana Lugo

Signature

5-20-08

Date

Comments:

I do favor this
plan

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Austin, TX 78767-8810

Agenda #9

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Case Number: NPA-2008-0013.01

Contact: Jacob Browning

Public Hearings:

Planning Commission: Tuesday, May 27, 2008

City Council: Wednesday, June 18, 2008

☐ I am in favor
☒ I object

CYNTHIA SCHIEBEL

Your Name (please print)

2313 S. 2nd St.

Your address(es) affected by this application

Cynthia Schiebel

Signature

5-19-08

Date

Comments:

• The Neighborhood Plan specifically addresses -
"No" to denser developments along Olmsted -

• Olmsted is NOT designated major arterial - no VML

• Existing zoning can meet applicant needs -
This type of piecemeal alterations to NP's
defeat purpose & need for long range planning

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Case Number: NPA-2008-0013.01

Contact: Jacob Browning

Public Hearings:

Planning Commission: Tuesday, May 27, 2008

City Council: Wednesday, June 18, 2008

☒ I am in favor
☐ I object

Diana Seidel & Jim Thatcher
Your Name (please print)

709 Fletcher Street
Your address(es) affected by this application

Comments:

Signature

Date

We have no objection
to this use of the
property.

Galindo *Neighborhood Association*
E l e m e n t a r y www.main.org/gena/

May 2, 2008

Re: Item # 9. Neighborhood Plan Amendment: NPA-2008-0013.01
Law Office of Scott Ogle- 706 West Oltorf Street

Dear Commissioners,

The Galindo Elementary Neighborhood Association voted unanimously at our May 19, 2008 general membership meeting to support the Bouldin Creek Neighborhood Association's position to deny a neighborhood plan amendment request from high -density single family to mixed use.

Galindo feels the existing plan should be honored and that the applicant has not shown serious hardship or the need for a mixed- use designation. We encourage you to support Bouldin Creek's Neighborhood Plan and to respect the thought and process that went into crafting this plan and its vision for the neighborhood.

Sincerely,

Patty Sprinkle
GENA President

Hampton, Stuart

From: Hampton, Stuart
Sent: Wednesday, April 23, 2008 12:49 PM
To: 'jacob.browning@Ci.autin'
Cc: 'bradfordpatterson04@yahoo.com'
Subject: Case # NPA- 2008-0013.01 706 W. Oltorf

Jacob,

This is FYI regarding tomorrow night's meeting.

In sum, the Bouldin Creek Neighborhood Planning Team opposes the proposed zoning change.

Here's the background and the reasoning.

Regards

Stuart Hampton,
BCNPT Chair

Case # NPA- 2008-0013.01

706 West Oltorf:

Current Zoning: SF-6 NP (Townhouse & Condominium Residence)

Zoning Prior to NP adoption: SF-3 (Family Residence)

The current owner, Scott Ogle desires to rezone the property to accommodate a law office. He does not wish to operate a home office by living on the property which would not require a zoning change or amendment to the NP. The proposed land use description is mixed use office. (This will of course allow but not require a mix of uses.) It is unclear what the specific zoning classification would be.

Bouldin Neighborhood Plan: Objective 3.2 Encourage a mix of moderate-intensity commercial and residential on Oltorf Street, while increasing pedestrian safety.

"Oltorf Street, while one of the major corridors serving the neighborhood, does not have the commercial development found on S. Congress, S. 1st., and Barton Springs. A majority of the uses on Oltorf remain owner-occupied, single-family homes.

A survey of homeowners on Oltorf determined that a majority did not support developing the street as a commercial corridor. However, the planning team recognizes that development pressure will continue to be a reality on Oltorf. The BCNPT recommends giving property owners an option to develop their properties as higher-density single-family issues such as townhouses and condominiums. Commercial development should only be accommodated at the major intersections with S. Congress, S. 1st. and S. 5th and the Union Pacific Railroad Tracks. Additionally, new development on Oltorf should respect the recommendations in the

adopted Dawson Neighborhood Plan. "

The owner of 706 West Oltorf at the time of NP adoption elected to rezone the parcel to SF-6 NP in conformance with the NP.

The current owner, Scott Ogle approached the BCNA in late October 2007. He was advised by the BCNA Zoning Chair Brad Patterson that converting the residential zoning to commercial was contrary to the adopted NP and was likely to face opposition.

The applicant went ahead with the purchase of the property in October of 2007 and informed the BCNA Zoning Chair that he would likely move forward with the rezoning request.

On October 24, 2007 the applicant (now owner) presented his plans to the BCNA Zoning Committee. The ZC recommended against the intention to re-zone the property as commercial. In 2005 an applicant on the south side of Oltorf requested a change in zoning from residential to commercial and was ultimately successful over the opposition of residents on both sides of Oltorf. Some of the residents on the north, or BCNA side of the street were strongly opposed to the introduction of commercial to this portion of Oltorf that is overwhelmingly residential.

In February of 2008, the applicant presented to the BCNA Steering Committee. No formal vote was taken due to the lack of a quorum and no formal application pending with the city. The discussion did however reaffirm the recommendations of the Zoning Committee to not support the application.

This portion of residential property on Oltorf continues to be one of the more affordable residential locations in the neighborhood.

Bouldin Neighborhood Plan: Objective 1.5 Encourage developments to incorporate units for low income persons.

"The BCNPT strongly supports the continued economic diversity of residents in the neighborhood. Providing a variety of housing options is important to counteract the effects of gentrification. "

Oltorf was not included in the City's VMU planning. The BCNP team accepted VMU on all of the eligible properties along Barton Springs, South Congress, South First. Oltorf was not included as an eligible candidate for this denser development opportunity. This matches the Plan's intent for this arterial.

Finally, the applicant's request meets no City criteria (such as hardship or a material change in circumstances) required for the City to approve a zoning change on this property

In conclusion, the Bouldin Creek Neighborhood Planning Team stands behind the clear articulation in the Plan itself, and opposes the applicant's rezoning request.

Sincerely,

Stuart Hampton
Chairman, Bouldin Creek Neighborhood Planning Team
4/23/08

4/23/2008

Galindo Neighborhood Association

Elementary www.main.org/gena/

24 April 2008

Re: NPA-2008-0013.01

Request for amendment to Bouldin Creek Neighborhood Plan at 706 W. Oltorf

The Galindo Elementary Neighborhood Association (GENA) Executive Committee voted on 21 April 2008 to support maintaining the existing Bouldin Creek Neighborhood Plan (BCNP), where commercial services are to be located at only specific nodes along Oltorf: the intersections with S. Congress, S. First St, S. Fifth St., and the Union Pacific Railroad Tracks. The GENA Executive Committee therefore supports the Bouldin Creek Neighborhood Association in its opposition to the 706 W. Oltorf application for amendment to the BCNP.

The current position of GENA's General Membership is to oppose any rezoning of properties along Oltorf from residential until the Galindo Neighborhood's Neighborhood Plan is in place. At the heart of this position is concern for respect of existing Neighborhood Plans (BCNP and Dawson NP), for maintenance of already limited more-affordable Single Family housing found along Oltorf, and for circulation problems if commercial zonings and uses replace residential zonings and uses along an already overburdened road with *many* curbcuts/ingresses/egresses.

Oltorf is not a Core Transit Corridor, and current community positions reflect the priority of guarding SF residential with commercial services only at the above-mentioned nodes along Oltorf.

Sincerely,

Kathryn Kawazoe

Vice-President
Galindo Elementary Neighborhood Association
512.448.9475

24 April 2008

Re: NPA-2008-0013.01

Request for amendment to Bouldin Creek Neighborhood Plan at
706 W. Oltorf

The Dawson Neighborhood Association (DNA) supports maintaining the existing Bouldin Creek Neighborhood Plan (BCNP), where commercial services are to be located at only specific nodes along Oltorf: the intersections with S. Congress, S. First St, S. Fifth St., and the Union Pacific Railroad Tracks. The Dawson NA and the Dawson Neighborhood Planning Team therefore supports the Bouldin Creek Neighborhood Association in its opposition to the 706 W. Oltorf application for amendment to the BCNP.

The current position of Dawson's General Membership is to oppose any rezoning of properties along Oltorf from existing residential. At the heart of this position is concern for respect both the existing Neighborhood Plans (BCNP and Dawson NP), for maintenance of already limited more-affordable Single Family housing found along Oltorf, and for circulation problems if commercial zonings and uses replace residential zonings and uses along an already overburdened road with many curbcuts, ingresses and egresses.

Oltorf is not a Core Transit Corridor, and current community positions reflect the priority of guarding SF residential with commercial services only at the above-mentioned nodes along Oltorf.

Sincerely,

A handwritten signature in black ink, appearing to read "Cheryl Fillekes, PhD". The signature is stylized and cursive.

Cheryl Fillekes, Secretary of DNA, member of the DNPT

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soglelaw@peoplepc.com

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From: Bradford Patterson <bradfordpatterson04@yahoo.com> [Add to Address Book]

To: Scott Ogle <soglelaw@peoplepc.com>

Cc: Cory Walton <coryellwalton@yahoo.com>, Kathie Tovo <kbtovo@earthlink.net>, Jody Zemel <nonalignedgeek@gmail.com>

Subject: Re: Fw: 706 W Oltorf, Zoning Committee meeting

Date: Oct 29, 2007 9:39 AM

Scott,

Sorry it has taken me a few days to get back to you about the Zoning Committee recommendation. I will be out of pocket for the next two weeks but I have also cc'd three of our officers. Kathie is our President, Cory one of the VPs and Jody is a member of the steering committee and was present at the zoning committee meeting.

After discussion, the Zoning Committee believes that the section of Oltorf in question remains viable for residential use, and most importantly the residents in that area still believe this to be true. Therefore, although your proposed use may have limited direct impacts and some of those could be controlled through covenants, the committee could not find enough justification to alter the zoning and go against the adopted neighborhood plan. The neighborhood plan is the result of almost two years of neighborhood planning with much consideration given to the properties like yours. Therefore our recommendation to the Steering Committee is to oppose the zoning change if one were to come up. It is possible the Steering Committee which will meet the first Wed of the month could come to a different conclusion. Thank you for taking the time to meet with us. I am sorry that the outcome is not the one you hoped for. -Brad Patterson, Chair, BCNA Zoning Committee.

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

From: Scott Ogle <soglelaw@peoplepc.com>

To: Bradford Patterson <bradfordpatterson04@yahoo.com>

Sent: Thursday, October 25, 2007 3:28:59 PM

Subject: Re: Fw: 706 W Oltorf, Zoning Committee meeting

Hi Brad, I am curious as to the outcome, if any yet, regarding the vote of the meeting last night regarding my zoning change

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**Bouldin Creek Neighborhood Planning Area
Neighborhood Plan Amendment Meeting Notes
Thursday, April 24, 2008, 6:00 pm to 7:00 pm
South Austin Neighborhood Center**

The neighborhood plan amendment meeting began at 6:00 p.m. at the South Austin Neighborhood Center with eleven people in attendance, including Jacob Browning of the Neighborhood Planning and Zoning Department and Mr. Scott Ogle, the owner of the property seeking the plan amendment. A large future land use map was displayed and an agenda, a smaller future land use map, a picture of the property, and recommendation excerpts from the Bouldin Creek Neighborhood Plan were available to all attendees.

Mr. Browning began the meeting by welcoming all attendees and by stating that the purpose of the night's meeting was to discuss the proposed plan amendment to change the future land use designation of the applicant's property at 706 W. Oltorf Street from high-density single-family to mixed-use office. To do so, Mr. Browning explained, an amendment to the future land use map of the Bouldin Creek Plan is needed. He also informed the attendees that a zoning application had not been filed with the City, yet included information on the agenda regarding the potential zoning classifications and their development standards as allowed under the proposed future land use designation (mixed-use office). Mr. Browning, then, introduced Mr. Scott Ogle to explain the reasoning for his plan amendment application.

Mr. Ogle stated that he plans to relocate his law firm to the property on Oltorf Street and mentioned that he had previously proposed this amendment to the Bouldin Creek Neighborhood Planning Team's (BCNPT) zoning and steering committees. In doing so, Mr. Ogle mentioned that he had never received a decision from the steering committee to which a member of the audience responded that there was no quorum to allow a vote at that particular meeting and that a recommendation to deny Mr. Ogle's proposal was decided at a later date.

Mr. Ogle then discussed the full support he has received by an adjacent property owner regarding this plan amendment. This property owner was not in attendance, but Mr. Ogle cited several reasons for their support including the limited hours of occupancy (and traffic) at the law firm; the already high volume of traffic along Oltorf Street; and, their past support of land use and zoning changes in the area, including the law firm across Oltorf from Mr. Ogle's property. Also, according to Mr. Ogle, this property owner had expressed interest in selling their property because they feel that Oltorf Street is not conducive to family or residential living. The property owner had also discussed the possibility of applying for land use or zoning changes with Mr. Ogle. Mr. Ogle said that he only talked to his adjacent neighbors and not to those across 3rd Street or Oltorf Street.

Discussion Items and Questions

Mr. Ogle cited his plans to build an approximately 2,000 square foot building on one or two stories. He said that he was open to suggestions regarding the square footage of the

proposed building. The current building on the property is an eyesore and Mr. Ogle felt that placing his law firm there would be an acceptable change of aesthetics. Mr. Ogle mentioned that he was a solo practitioner of personal injury cases with 2 staff members.

A meeting attendee wanted more information regarding the parameters of the potential zoning for the site. Mr. Browning mentioned that the zoning classifications permitted for the mixed-use office land use designation are NO-MU, LO-MU, and GO-MU. The following matrix was provided to attendees outlining development requirements for each classification:

Potential Zoning	Building Height	Minimum Setback	Parking Requirements
NO-MU (neighborhood office mixed-use)	2 stories or 35 feet	25 feet (front yard)	1 space for each 275 ft ²
LO-MU (limited office mixed-use)	40 feet	25 feet (front yard)	1 space for each 275 ft ²
GO-MU (general office mixed-use)	60 feet	15 feet (front yard)	1 space for each 275 ft ²

It was also mentioned that a 25 foot buffer would be needed along the property lines that abut single-family residential properties. It was discussed that a buffer would be needed along the rear and side property lines of Mr. Ogle's property. A residential component would be allowed under all potential zoning classifications; however, Mr. Ogle expressed no desire to live in the same building shared by his office. He stated that the home-office use is not viable for his office, citing the 20% maximum requirement for the office component of the building as not being feasible for a law firm.

Another attendee mentioned that homeowners along the south side of Oltorf Street (in the Galindo neighborhood, across from Mr. Ogle's property) are not ready to give up the residential character of the street to commercial entities like Mr. Ogle's. He stated that the amendment would alter the Bouldin Creek Neighborhood Plan and undermine the efforts of those stakeholders involved in its development. It was felt that Mr. Ogle would set a poor precedent of commercial redevelopment along Oltorf Street.

Citing the full parking lot at the nearby law firm, a meeting attendee was concerned with the traffic increase that Mr. Ogle's firm may cause along 3rd Street. Mr. Ogle mentioned that he was open to conversation and suggestions with the neighborhood regarding the placement of his office's entrance (either on Oltorf or 3rd). It was also discussed that cut-through traffic may increase along 3rd Street through the Bouldin neighborhood; this traffic could be caused by the firm's patrons choosing the path of least resistance, as it may be difficult to turn onto Oltorf Street from Mr. Ogle's property.

Mr. Ogle mentioned the correlation between traffic flow along Oltorf Street and the apparent traffic problems and dangers there. However, it was stated by an audience member that the attitude of Oltorf Street as being a dangerous route should not matter in the discussion of the plan amendment.

A BCNPT representative wished to discuss the context of the night's meeting and to discuss certain aspects of the neighborhood plan in regard to the proposed amendment.

He mentioned that during the planning process, the BCNPT and stakeholders expressed the desire for and the path of preferred development in Bouldin Creek. It was also stated that the Oltorf Street corridor was heavily studied during this process.

The representative went on to highlight Objective 3.2 of the neighborhood plan and mentioned that consensus was reached to include it in the plan. Commercial development is to be located only at specific areas along Oltorf Street as defined in this objective, none of which include Mr. Ogle's property.

A second objective, Objective 1.5, was also presented as going against Mr. Ogle's proposal. This objective encourages developments to incorporate units for low-income persons. According to the BCNPT, Oltorf Street poses an opportunity to achieve affordability in the neighborhood. It was discussed that traffic along Oltorf Street makes residential properties along it less desirable than in other parts of Bouldin Creek. However, higher-density residences (as is designated on the future land use map) may be more conducive to this corridor. Current lot sizes prevent the development of townhomes or condominiums (as allowed under the current zoning of SF-6-NP); but, with the joining of adjacent properties--as envisioned during the planning process--this can be achieved.

It was expressed that the intent of the Bouldin Creek Neighborhood Plan was to not create a commercial corridor along Oltorf Street and to not allow piecemeal development within its boundaries.

Other comments made by meeting attendees include:

- The City of Austin should stringently adhere to its neighborhood plans.
- We should never write streets off as not being a "livable" street.
- The neighborhood planning process is for naught if development is to occur on a piecemeal basis.
- If the City of Austin goes against the Bouldin Creek Neighborhood Plan, it will be a huge mistake.
- Councilmember Brewster McCracken had congratulated the BNPT for the chosen density for the neighborhood, especially along Oltorf Street, and for the prevention of development "creep" into the neighborhood.
- Living near Mr. Ogle's office will have the same drawbacks as living near any other commercial business.
- Many of the residents living near Mr. Ogle's property are entrenched in their neighborhood, having lived there for over 20 years. The "newest" neighbors arrived in the area nearly 10 years ago.

No one spoke in favor of the proposed change to the future land use map. Mr. Browning received three letters of opposition regarding Mr. Ogle's proposal, one each from the BCNPT, the Galindo Elementary Neighborhood Association, and the Dawson Neighborhood Association.

The meeting adjourned at 7:00 p.m.

Bouldin Creek Neighborhood Planning Area
Neighborhood Plan Amendment Meeting
April 24, 2008

Sign-in Sheet

Please place your name in the space provided.

- | | |
|--|-----------|
| 1. <u>STUART HAMPTON</u> | 21. _____ |
| 2. <u>Jody Zemel</u> | 22. _____ |
| 3. <u>Nick Mollberg - nickmollberg@gmail.com</u> | 23. _____ |
| 4. <u>Scott Giza</u> | 24. _____ |
| 5. <u>Mueli Orellana</u> | 25. _____ |
| 6. <u>Eric Radjef</u> | 26. _____ |
| 7. <u>JAH ADUSR</u> | 27. _____ |
| 8. <u>Cory WALTON</u> | 28. _____ |
| 9. <u>Anina Moore</u> | 29. _____ |
| 10. <u>Kathleen Fox - NP20</u> | 30. _____ |
| 11. <u>Jacob Browning - NP20</u> | 31. _____ |
| 12. _____ | 32. _____ |
| 13. _____ | 33. _____ |
| 14. _____ | 34. _____ |
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