

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHBORHOOD PLAN: Upper Boggy Creek Neighborhood Plan

CASE#: NPA-2009-0012.02 **ZONING CASE#:** C14-2009-0082 (JH)

PC DATE: November 10, 2009

ADDRESS/ES: 2500, 2502, 2504, & 2506 Manor Road & E. 32nd Street (0.344 acres)

SITE AREA: Approx. 2.38 acres

OWNER/APPLICANT: Archways Apts., L.P.

AGENT: Jim Wittliff (Land Answers)

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Mixed Use/Office and Multifamily **To:** Mixed Use

Base District Zoning Change

Related Zoning Case: C14-2009-0082

From: SF-3-NP (Tract 5), LO-MU-CO-NP (Tracts 1 & 2) and MF-4-NP (Tracts 3 & 4)

To: GO-CO-NP (Tract 5), LR-MU-CO-NP (Tracts 1, 2, 3, & 4), & CS-1-CO-NP (footprint of building on Tract 2)
(Application amended by agent on 9/15/09)

NEIGHBORHOOD PLAN ADOPTION DATE: August 1, 2002

STAFF RECOMMENDATION : The staff recommendation is to **APPROVE** the requested change from MIXED USE/OFFICE and MULTIFAMILY on the Future Land Use Map (FLUM) to MIXED USE land use designation.

PLANNING COMMISSION RECOMMENDATION: At the November 10, 2009 hearing, the motion to approve staff's recommendation for Mixed Use; was approved on the Consent Agenda by Commissioner Jay Reddy's motion, Commissioner Mandy Dealey second the motion on a vote of 8-0; 1 vacancy on the Commission.

BASIS FOR STAFF’S RECOMMENDATION: The applicant’s request meets the following goals and objectives of the Upper Boggy Creek Neighborhood Plan.

- Goal 1 – Preserve Community Character
 - Preserve the character of each neighborhood in the Upper Boggy Creek Neighborhood Planning Area
 - Objective 1.3: The residential neighborhoods in the Upper Boggy Creek Neighborhood Planning Area should retain and enhance their character.
- Goal 2 – Land Use
 - Ensure that the new businesses and commercial development within the Upper Boggy Creek Neighborhood Planning Area is neighborhood-appropriate, neighborhood-scaled, neighborhood-friendly, and serves the nearby neighborhoods.
 - Objective 2.2: The Manor Road Corridor – Manor Road from the frontage road to IH-35 to Airport Boulevard- will become a vibrant, mixed –use transit-oriented corridor that provides existing and new housing opportunities for mixed-income households, entertainment, services, employment opportunities, and commercial opportunities in a neighborhood-friendly fashion.
- Goal 3 – Housing
 - Promote the rehabilitation of existing housing and construction of new housing to be compatible with the surrounding neighborhood and architecture for a variety of income levels.
- Goal 4 – Transportation
 - Improve the quality of residential streets and commercial corridors to make them safe, accessible, and attractive to all forms of transportation.
 - Objective 4.4: The Manor Road Corridor should become an alternative transportation corridor that places emphasis on the priorities of pedestrians, bicyclist, and bus transit users over those of motorist while still addressing the requirements of people and their cars.

Analysis: The proposed development will be a mix of residential and commercial/office uses providing services for the community. It will be subject to the compatibility standards, because of the residential zoning and land uses to the north. The plan proposes mixed use developments along Manor Road, encouraging transit-friendly development.

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 applicant requests a change in the future land use map from Mixed Use/Office and Multifamily to Mixed Use. The proposed zoning change is GO-CO-NP (Tract 5), LR-MU-CO-NP (Tracts 1, 2, 3, & 4), & CS-1-CO-NP (footprint of building on Tract 2) to build a mixed use development. The owner agreed to a conditional overlay prohibiting uses and also limiting commercial and/or office uses to no more than 40% of the development, with the

remaining 60% residential. There will also be a restrictive covenant to prohibit single-can alcoholic drinks from being sold on the properties.

The land uses surrounding the site on the future land use map is single family to the north, single family and commercial to the east, mixed use to the south, and mixed use to the west.

The application was filed on July 29, 2009, which is the open month to file for plan amendments in plans approved on the east side of IH-35.

PUBLIC MEETINGS: One hundred and ninety-six notices were mailed to property owners, utility account holders and other interested parties located within 500 feet of the properties for the neighborhood plan amendment meeting held on October 15 2009. Approximately 11 people attended the meeting, including city staff.

Jim Wittliff, the applicant's agent, provided an overview of the proposed development and also read a list of proposed prohibited uses, one of which is a Residential Treatment use. One attendee felt that residential treatment centers have been good neighbors in the community and he did not want this case to set a pattern of prohibiting them in future zoning cases within the neighborhood planning area. A home-owner who lives adjacent to the development said he did not support the residential treatment use because it would back up next to his home. There was no final resolution at the meeting, although the agent said he would amend his application to prohibit the use, which would leave the debate between the people in the community.

Another person felt that proposing a new a bar/lounge within close proximity to an existing residential treatment facility was in bad taste. A neighborhood leader responded to this concern by stating that he received many e-mails from members of the community supporting a neighborhood bar. If there are others in the community who do not want a bar/lounge, he would like to hear from them.

The Upper Boggy Creek Planning Contact Team supports the plan amendment a zoning change. Support letter is provided with this report.

CITY COUNCIL DATE: Dec. 10, 2009 **ACTION:** (pending)

CASE MANAGER: Maureen Meredith, Senior Planner **PHONE:** 974-2695

EMAIL: maureen.meredith@ci.austin.tx.us



**UPPER BOGGY CREEK
NEIGHBORHOOD PLANNING
CONTACT TEAM**

Kathleen Houlihan, Chair
1716 East 34th Street
Austin, Texas 78722

T (512) 600-4811
Email: kkhoulihan@gmail.com

<http://groups.yahoo.com/group/ubc-npt/>

SENT VIA EMAIL

November 3, 2009
Maureen Meredith, Senior Planner
City of Austin, Planning & Development Review Department,
505 Barton Springs Road, 5th Floor
Austin, TX 78704

RE: Land Answers Plan Amendment Request for properties at 2500, 2502, 2504, and 2506 Manor
Case No. NPA-2009-0012.0A

Dear Ms. Meredith,

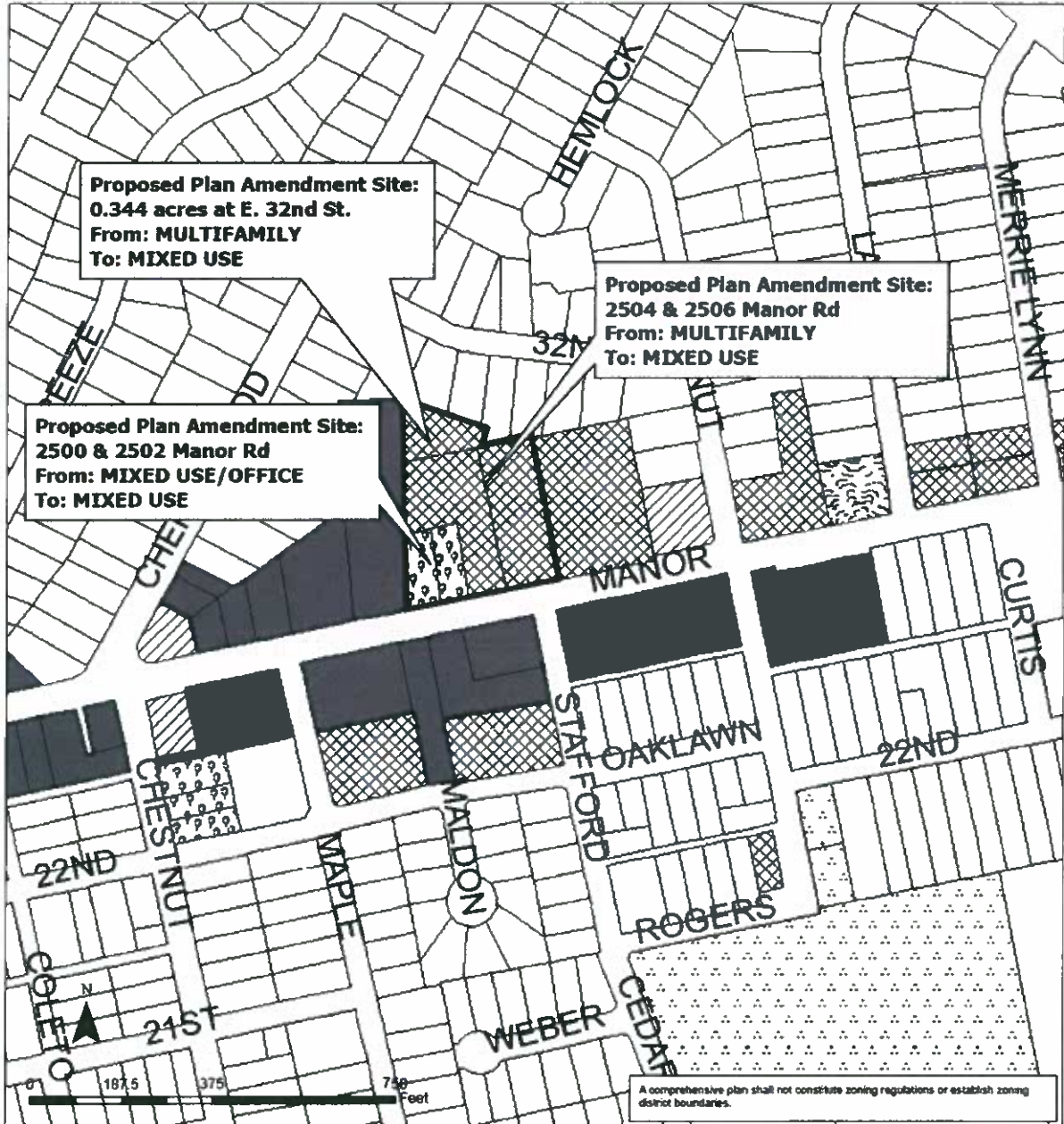
This letter is sent to inform you that the Upper Boggy Creek Planning Team, having served due notice to its members and with a full quorum present, has voted to support the request by the Land Answers to amend the Upper Boggy Creek Neighborhood Plan and rezone 2500, 2502, 2504, and 2506 Manor Rd. from Multi-Family & Mixed Use to MF-2 and we support the change in the future land use map from mixed use/office and multifamily to mixed use as well.

If you have any questions, or need any clarification on this information, please feel free to contact me.

Sincerely,

Kathleen Houlihan

Kathleen Houlihan
UBC-PT Chair, 2009-2011



Upper Boggy Creek Neighborhood Plan NPA-2009-0012.02

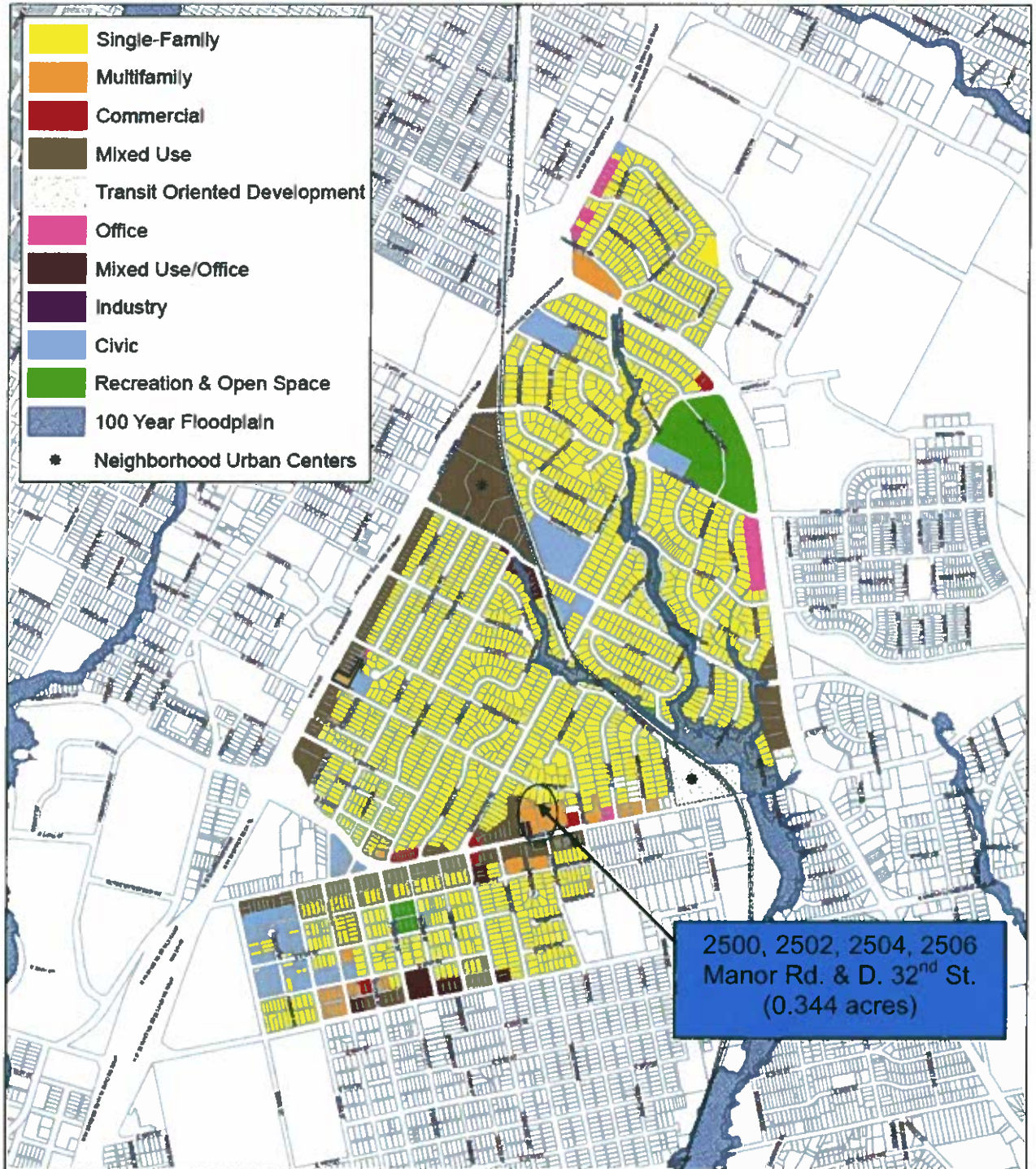
This map has been produced by the City of Austin Planning & Development Review Department for the sole purpose of assisting in neighborhood planning discussions and decisions and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness.



Updated on Oct. 26, 2009_MM

Future Land Use

	Civic		Industry
	Recreation & Open Space		Mixed Residential
	Mixed Use/Office		Mixed Use
	Office		Multi-Family
	Commercial		Single-Family



Upper Boggy Creek Neighborhood Planning Area: Future Land Use Map



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

A comprehensive plan shall not constitute zoning regulations or
establish zoning district boundaries. This map is for informational
purposes only. No guarantee can be made as to its accuracy.

Tract 5 – E. 32nd St. (0.344 ac)

December 10, 2009 – City Council Hearing



Tracts 1 & 2
2500 & 2502 Manor Rd.

Tracts 3 & 4
2504 & 2506 Manor Rd

Tract 1 – 2500 Manor Rd.

December 10, 2009 – City Council Hearing



Tract 2 – 2502 Manor Rd.

Tract 3 – 2504 Manor Rod.

009 – City Council Hearing



Tract 4 – 2506 Manor Rd.

Tract 5 – E. 32nd Street (0.344 acres)



E. 32nd Street – north of site

Property east of site



Property south of site

Property west of Tract 1



View west on Manor Road



View east on Manor Road