

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHBORHOOD PLAN: Upper Boggy Creek Neighborhood Plan

CASE#: NPA-2010-0012.01 **DATE FILED:** July 23, 2010 (In-cycle)

PC DATE: November 8, 2011
December 14, 2010
November 9, 2010

ADDRESS/ES: 2001 & 2005 Chicon Street

SITE AREA: 0.4058 acres & 0.15.03 acres

APPLICANT/AGENT: Metcalfe Williams, LLP (Michele Rogerson Lynch)

OWNER: Youth and Family Alliance dba LifeWorks

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Single Family

To: Mixed Use/Office

Base District Zoning Change

Related Zoning Case: C14-2010-0127 (JH)

From: SF-3-NP

To: LO-MU-CO-NP

NEIGHBORHOOD PLAN ADOPTION DATE: August 1, 2002

PLANNING COMMISSION RECOMMENDATION: On November 8, 2011, the motion to approve staff's recommendation for Mixed Use/Office, was approved on the consent agenda by Commissioner Sandra Kirk's motion, Commissioner Mandy Dealey seconded the motion on a vote of 7-0; Commissioners Danette Chimenti and Donna Tiemann were absent.

STAFF RECOMMENDATION: Recommended. The recommendation meets the following Goals, Objectives, and Recommendations:

Goal One COMMUNITY CHARACTER

Preserve the character of each neighborhood in the Upper Boggy Creek Neighborhood Planning Area.

Objective 1.1: Commercial or institutional uses adjacent to residential uses in the Upper Boggy Creek Neighborhood Planning Area should be complementary and compatible in scale. For example, the University of Texas should be encouraged to meet with the affected neighborhood associations when designing or expanding their facilities.

Objective 1.3: The residential neighborhoods in the Upper Boggy Creek Neighborhood Planning Area should retain and enhance their character.

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.

Commercial development in the established residential areas is discouraged and new commercial development and redevelopment should be focussed on the planning area's commercial corridors. Property currently zoned for single or multi-family development should not be changed to allow for commercial uses unless those locations are designated as mixed-use. Commercial uses will remain along the existing commercial corridors. Those that are neighborhood-friendly and neighborhood-compatible, and offer convenient access to pedestrians and bicyclists are welcome along the less intensive commercial corridors in the planning area—Manor Road, East 38th ½ Street, and MLK Boulevard.

Commercial uses that serve a broader range than the adjacent neighborhoods will be located on the boundaries of the Upper Boggy Creek Neighborhood Planning Area. These locations include along Airport Boulevard south of Schieffer Avenue, the Delwood Shopping Center, and to a lesser degree along the IH-35 frontage road between 26th Street/Dean Keeton Street and East 38th ½ Street.

Staff Analysis: The property currently has two existing buildings located on it. One at 2001 Chicon Street (the original home) built in 1932 and an office building located at 2005 Chicon Street built in 1982. Both buildings face Chicon Street, which is a heavily used north-south street that connects E. MLK Jr. Boulevard to Manor Road to the north. It is reasonable to foresee the properties located along this street to eventually convert to a mixed use land use over time as the traffic increases on this street. The LO- Limited Office zoning district and the Mixed Use/Office land use is compatible with the surrounding uses.

BACKGROUND: The application was filed in-cycle on July 23, 2010, which is the open period for plan amendment applications located within neighborhood planning areas located on the east side of I.H. 35.

The property is owned by Youth and Family Alliance, dba Lifeworks. The property is being used as an administrative office and counseling center. The land use on the future land use map is Single Family. The proposed land use is Mixed Use/Office. The current zoning is SF-3-NP and the proposed zoning is LO-MU-CO-NP.

The building located at 2001 Chicon Street was a single family home built in 1932, about 2000 sq. feet in size. In 1982 a 4,950 sq. foot office building was built. Lifeworks has moved to their new building on Pleasant Valley Drive. They are now trying to sell the property.

The Upper Boggy Creek Neighborhood Planning Area is located in the east-central part of Austin's Urban Core. The boundaries for the planning area are Interstate Highway 35 (I-35), 26th Street, and Comal Street on the west, Martin Luther King Jr. Boulevard, Cedar Boulevard, Rogers Boulevard, Walnut Boulevard, and Manor Road to the south, and Airport Boulevard to the east and north.

PUBLIC MEETINGS: The plan amendment meeting was held on September 22, 2010. Approximately 236 notices were mailed to surrounding property owners and businesses. Nine people attended the meeting, including one city staff member.

Mitch Weynand, Chief Operating Office of Lifeworks, gave a brief presentation explaining that they had outgrown the buildings on Chicon Street, so they had built a larger building on Pleasant Valley Road. They now need to sell their properties on Chicon Street to pay for the new building.

Note: At the time of the meeting, Lifeworks had another plan amendment and zoning change application on a vacant lot directly to the north for property at 2007 Chicon (NPA-2010-0012.02) for which they wanted to use as parking. The neighborhood did not support that zoning change so the case was withdrawn. Most of the discussion at this meeting was about the 2007 Chicon Street property.

At the meeting was a prospective buyer of the property who said he wanted to open a multidiscipline healing center with yoga, Tai chi, a birthing center, counseling services, etc. He said there would be about 23 people working in the building.

Q. How many parking spaces do you have?

A. 24 space, but could add two more spaces for a total of 26 spaces.

Q. We are uneasy about turning the vacant lot into parking. Can't people just park on the west side of Chicon Street?

One planning contact team member said that Lifeworks has been a good neighbor and he has referred people to them for services.

Q. Are there current issues with parking?

A. Yes. Clients park all over the neighborhood.

Q. Do people take public transportation?

A. Yes and some people are dropped off.

Q. How old is the house?

A. It was built in the 1930's. The owner was an Italian Grocer whose original store was the Wheatsville Coop Store.

One planning contact team member said he want's residential on the 2007 Chicon Street property because they are losing too much housing in the neighborhood.

At the end of the meeting, the general consensus was that they were ok with the plan amendment and zoning change requests for the properties at 2001 and 2005 Chicon, but they did not support the zoning and plan amendment changes on 2007 Chicon on the vacant lot.

The Blackshear Neighborhood Association (which a sub-area within the Upper Boggy Creek Neighborhood Planning Area) submitted a letter in support of the proposed plan amendment and zoning change request for 2001 and 2005 Chicon Street. The letter is on page 5.

CITY COUNCIL DATE: December 8, 2011 **ACTION:** Pending.

CASE MANAGER: Maureen Meredith **PHONE:** 974-2695

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blackland neighborhood association
Meghan Griffiths, President

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November 28, 2011

Joi Harden

Development Review Department
One Texas Center, 5th fl
505 Barton Springs Road
Austin, Texas

Re: Notice of Public Hearing for Rezoning of 2001, 2005, 2007 Chicon St; case numbers C14-2010-0127; C14-2010-0136

Dear Joi Harden:

This letter is submitted by the Blackland Neighborhood Association (BNA) in response to the application by Youth and Family Alliance, dba LifeWorks, to rezone the lots at 2001, 2005 and 2007 Chicon Street from SF-3-NP to LO-MU-CO-NP. On May 4, 2010, after discussions with Life Works representative Mitch Weynand and consideration by the BNA Land Use Committee and the BNA general body, the BNA voted to approve rezoning for the lots at 2001 and 2005 Chicon Street from SF-3-NP to LO-MU-CO-NP. The BNA, therefore, does not oppose the requested rezoning for these two lots.

The BNA does, however, oppose the requested rezoning for the lot at 2007 Chicon Street. After discussion at its November 2 meeting, the BNA voted to submit this letter of opposition to the zoning change. Members of the neighborhood cited concerns that the variance would allow unwanted commercial encroachment into the interior of the neighborhood. In addition, the lot is currently used as a garden, and it is the association's understanding that the variance is sought primarily to build a parking lot to serve the buildings at 2001 and 2005 Chicon. The BNA requests that the city deny the zoning change for the lot at 2007 Chicon Street.

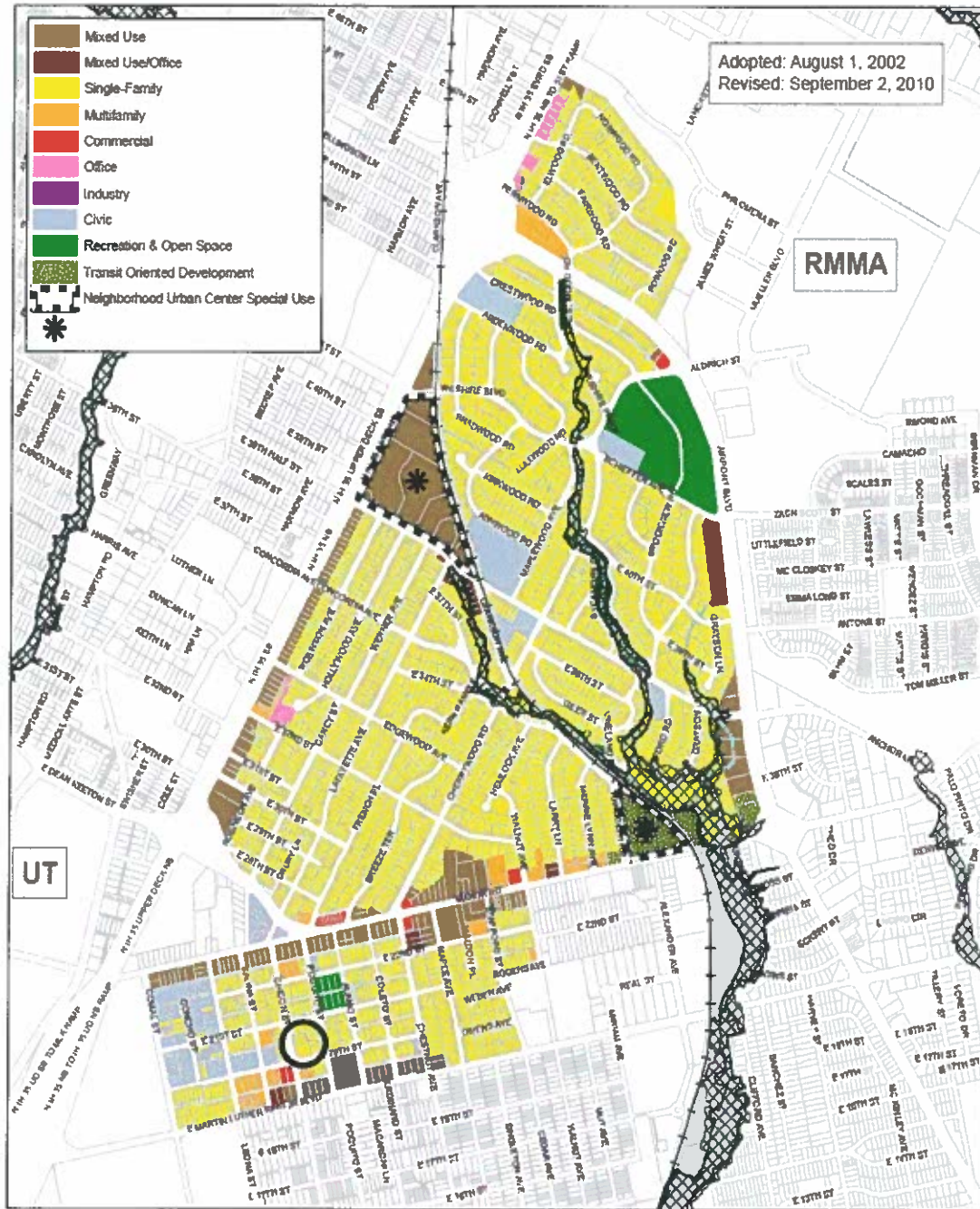
Thank you for your consideration of this matter.

Sincerely,

/s/ 

Meghan Griffiths, BNA President

Cc: Maureen Meredith



Upper Boggy Creek Neighborhood Planning Area: Future Land Use Map



PDRD
City of Austin

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.

