

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-2
AGENDA DATE: Thu 03/02/2006
PAGE: 1 of 1**

SUBJECT: C14-05-0204 - Boggy Creek Neighborhood Plan Area - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the Upper Boggy Creek Neighborhood Plan Area, bounded by Interstate Highway 35 on the west, the Robert Mueller Redevelopment site and Airport Boulevard on the north and east, and Manor Road, Walnut Avenue, Rogers Avenue, Cedar Avenue, and MLK Jr. Boulevard on the south (Waller and Boggy Creek Watersheds). The proposed zoning change will create subdistricts in the Upper Boggy Creek Neighborhood Planning Area in which the Parking Placement for New Single-Family Construction design tool, Garage Placement for New Single-Family Construction design tool, and Front Porches Extending into the Front Setback design tool may be permitted and parking in the front yard may be prohibited. Recommended by Planning Commission. Applicant: Upper Boggy Creek Neighborhood Planning Team. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

Neighborhood Plan Amendment Review Sheet

Neighborhood Plan: Upper Boggy Creek

Case #: NPA-05-0012.01 + C14-05-204

Address: Area within the Upper Boggy Creek Neighborhood Planning Area (IH-35 on the west, the RMMA redevelopment site and Airport Boulevard on the north and east, and generally Manor Road and MLK Boulevard on the south).

Applicant: Upper Boggy Creek Neighborhood Planning Team

Owner: N/A

Type of Amendment:

Change in Neighborhood Plan Text:

1. Add a recommendation to the plan:

"Downgrade the status of Manor Road from an "Arterial" to a "Neighborhood Collector" street in all regional and City Austin transportation plans."

The City Council and CAMPO have already taken this action; the planning team wanted this included to reflect these actions.

2. Remove language in the plan that recommends a mixed-use land use designation for the vacant tract located on Airport Boulevard between Schiefer Avenue and 40th Street.

This item was accidentally left in the plan and was overwhelmingly opposed by adjacent residents. On the plan's Future Land Use Map, the property is designated as office to reflect negotiations in the 1980s between the property owners and the residents. There is a restrictive covenant on the property that was negotiated between adjacent residential property owners and a property owner from the early 1980s that prohibits residential uses.

3. Change the subdistrict map to reflect the establishment of new subdistricts.

Zoning Changes:

To allow the following design tool zoning regulations and prohibiting parking for the following subdistricts:

Design Tools

Blackland Subdistrict

- Parking Placement for New Single-Family Construction
- Garage Placement for New Single-Family Construction

Rogers/Washington/Holy Cross Subdistrict

- Parking Placement for New Single-Family Construction
- Garage Placement for New Single-Family Construction

Cherrywood Subdistrict

- Parking Placement for New Single-Family Construction
- Garage Placement for New Single-Family Construction
- Front Porches Extending into the Front Setback

Wilshire Wood/Delwood I Subdistrict

- None

Delwood II Subdistrict

- Parking Placement for New Single-Family Construction
- Garage Placement for New Single-Family Construction
- Front Porches Extending into the Front Setback

Restrict Parking In the Following Subdistricts:

- (Yes) *Blackland Subdistrict*
- (Yes) *Rogers/Washington/Holy Cross Subdistrict*
- (Yes) *Cherrywood Subdistrict*
- (No) *Wilshire Wood/Delwood I*
- (No) *Delwood II Subdistrict*

Related Zoning Case #: C14-05-0204

Department Comments/Background Information

The Austin City Council adopted the Upper Boggy Creek Neighborhood Plan on August 1, 2002. The boundaries of the planning area are generally IH-35 on the west, the RMMA redevelopment site and Airport Boulevard on the north and east, and Manor Road and MLK Boulevard on the south. When the plan and rezoning were adopted, the design tool zoning regulations that can regulate the design of new single-family development were not available to the Upper Boggy Creek Neighborhood Planning Team. The planning team has submitted a plan amendment request to increase the number of subdistricts from three to five to reflect the distinct neighborhoods that are within the planning area. The new planning areas are Blackland, Rogers-Washington-Holy Cross, Delwood I/ Wilshire Wood, and Delwood II. The fifth subdistrict, Cherrywood, was established when the plan was adopted.

These design tools were primarily created to give neighborhoods the opportunity to choose options that would assure that new single-family construction would be more in character with the existing housing stock than would otherwise be the case if these regulations were not in place.

A neighborhood-wide meeting was held on September 20, 2006 to gain input from the community. There was overwhelming support for the proposed amendments.

Watershed: Waller, Boggy Creek

Staff Recommendation:

Staff is recommending these plan amendments.

Basis for Recommendation:

The adoption of these design tools would be in accordance with Goal One of the Upper Boggy Creek Neighborhood Plan:

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

Planning Commission Recommendation:

The Planning Commission unanimously recommended the plan amendments and associated rezoning move forward to City Council at their February 14, 2006 meeting.

Neighborhood Organizations:

Upper Boggy Creek Neighborhood Planning Team

Rogers-Washington-Holy Cross NA
Blackland NA
Blackland Community Development Corporation
Cherrywood NA
Wilshire Wood/Delwood I NA
Delwood II NA

Case Histories (Zoning or Neighborhood Plan Amendments)

Number	Request	City Council
NP-02-012	Upper Boggy Creek Neighborhood Plan	Approved 8-1-02
C14-02-0057	Upper Boggy Creek Neighborhood Plan Rezoning	Approved 8-1-02

City Council Date: March 2, 2006

Action:

Case Manager: Mark Walters (plan amendment)
Robert Heil (zoning case)

974-7695
974-2330

Email:

mark.walters@ci.austin.tx.us
robert.heil@ci.austin.tx.us

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PLANNING COMMISSION HEARING

DATE: February 14, 2006 TIME: 6:00 PM

LOCATION: Austin City Hall, 301 W. 2nd Street

CITY COUNCIL HEARING

DATE: March, 2006 TIME: 4:00PM

LOCATION: Austin City Hall, 301 W. 2nd Street

For questions regarding amending the Upper Boggy Creek Neighborhood Plan and proposed zoning regulations governing the design of new single-family construction and parking in the front yard, please call Mark Walters, Neighborhood Planning and Zoning Department, at 974-7695. Si Ud Necesita información en Español, favor de llamar a Katie Halloran al 974-3509. Office hours are 8:00 to 5:00 p.m Monday through Friday. Please be sure to refer to the File Number on the previous page when you call. See enclosed sheets for more information on public hearings.

PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File #

Planning Commission Hearing Date:

Name (please print) JAMES K GEORGE JR

☒ I am in favor
(Estoy de acuerdo)

Address 14721 Bear Creek Pass
AUSTIN, TX 78732

☐ I object
(No estoy de acuerdo)

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File # C14-15-0204 Planning Commission Hearing Date:

Name (please print) David & Stacy James

Address 3109 Robinson Avenue Austin TX 78722

☒ I am in favor
(Estoy de acuerdo)
☐ I object
(No estoy de acuerdo)

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PLANNING COMMISSION HEARING

DATE: January 24, 2006 **TIME:** 6:00 PM

LOCATION: Austin City Hall, 301 W. 2nd Street

CITY COUNCIL HEARING

DATE: February 9, 2006 **TIME:** 4:00PM

LOCATION: Austin City Hall, 301 W. 2nd Street

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File # C 14 05 02 04 **Planning Commission Hearing Date:**

Name (please print) Diana L. Chafin

Address 2902 Breeze Terrace

AUSTIN TX 78722

☒ I am in favor
(Estoy de acuerdo)
☐ I object
(No estoy de acuerdo)

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File # C 1405 0204 Planning Commission Hearing Date:

Name (please print) MAJOR CRADDOCK

Address POB 3037 AUSTIN TX 78764

- ☒ I am in favor
(Estoy de acuerdo)
☐ I object
(No estoy de acuerdo)

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File # C14-05-0204 Planning Commission Hearing Date: March 2, 2006

Name (please print) FAITH GAY

Address 1604 E. 32nd St 78722 and

2207 E. 18th St 78702

- ☒ I am in favor
(Estoy de acuerdo)
☐ I object
(No estoy de acuerdo)

PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # _____ Planning Commission Hearing Date: _____

Name (please print) Greg McGuire

Address 3306 French Place

- ☒ I am in favor
(Estoy de acuerdo)
☐ I object
(No estoy de acuerdo)

PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # _____ Planning Commission Hearing Date: _____

Name (please print) Emily McGuire

Address 3306 French Place

- ☒ I am in favor
(Estoy de acuerdo)
☐ I object
(No estoy de acuerdo)

PLANNING COMMISSION COMMENT FORM

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File #

Planning Commission Hearing Date:

Name (please print)

Mrs. Victoria Porfirio

Address

4333 Airport Blvd



I am in favor

(Estoy de acuerdo)



I object

(No estoy de acuerdo)

INFORMATION ON PUBLIC HEARINGS

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PLANNING COMMISSION COMMENT FORM

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File #

Planning Commission Hearing Date:

Name (please print)

Curtis Gleason

Address

5711 Robinson



I am in favor

(Estoy de acuerdo)



I object

(No estoy de acuerdo)

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File # C14-05-0204

Planning Commission Hearing Date: 2/14/06

Name (please print) Emily Bankston

☒ I am in favor
(Estoy de acuerdo)

Address 3510 Warner Avenue, Austin, TX 78722

☐ I object
(No estoy de acuerdo)

PLANNING COMMISSION COMMENT FORM

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File # C14-05-0204

Planning Commission Hearing Date:

Name (please print) Jamie Duke

☒ I am in favor
(Estoy de acuerdo)

Address 4002 Lullwood Road

☐ I object
(No estoy de acuerdo)

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LOCATION: Austin City Hall, 301 W. 2nd Street

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File #

Re: 3304 French Place,
Cherrywood Subdistrict
Planning Commission Hearing Date:
Austin, Texas

Name (please print) Gene M. Austin

☐ I am in favor
(Estoy de acuerdo)

Address 505 Westcott St. Unit 107
Houston, Texas 77007-5048

☒ I object
(No estoy de acuerdo)

I understand the proposed program - and I object
Suggest you all let it die.

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File #

Planning Commission Hearing Date:

Name (please print)

Tanner Rivers

☐

I am in favor

(Estoy de acuerdo)

Address

3403 Merrie Lynn Ave. 78722

☒

I object

(No estoy de acuerdo)

I am in favor of changes, but only to new construction, not to existing houses and yards

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File #

Planning Commission Hearing Date:

Name (please print)

WALTERS JOHN KNEETEN

Address

4813 RED RIVER AUSTIN, TX 78751



I am in favor

(Estoy de acuerdo)



I object

(No estoy de acuerdo)

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File #

Planning Commission Hearing Date:

Name (please print)

JEAN H. McDONALD

Address

3311 HOLLYWOOD AVE.
AUSTIN, TX 78722

- ☐ I am in favor
(Estoy de acuerdo)
☒ I object
(No estoy de acuerdo)

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File # C14-05-0204 Planning Commission Hearing Date:

Name (please print) PAUL MICHELE BAER

Address 2102 E MARTIN LUTHER KING

☐ I am in favor
(Estoy de acuerdo)
☒ I object
(No estoy de acuerdo)

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I AM OPPOSED TO THE "GARAGE PLACEMENT" AND "PROHIBITED PARKING IN THE FRONT YARD" RESTRICTIONS FOR THE BLACKLAND AND ROGERS/WASHINGTON/HOLY CROSS NEIGHBORHOODS. I FEEL THAT THESE ARE DICTATING PERSONAL TASTE RATHER THAN ADDRESSING A PROBLEM. STREET PARKING IS A REAL PROBLEM IN THESE NEIGHBORHOODS, BLACKLAND IN PARTICULAR, I WOULD RATHER PEOPLE PARK IN THEIR YARD IF THEY PREFER (PROVIDING THAT THE VEHICLE RUNS OF COURSE.) THERE ARE A LOT OF NARROW AND IRREGULAR SIZE LOTS, DESIGN CHOICES ARE ALREADY LIMITED AND A SIDE OR REAR GARAGE IS NOT ALWAYS THE MOST PRACTICAL CHOICE. I AM ALSO CONCERNED THAT WHEN IT COMES TO REMODELING EXISTING HOMES IF THE HOMEOWNERS ARE REQUIRED TO RECONFIGURE EXISTING PARKING THEY COULD RUN INTO FINANCIAL CHALLENGES. BOTTOM LINE IS I LIKE THE ~~FEEL~~ UNIQUE AND ECCENTRIC FEEL OF OUR NEIGHBORHOOD, PEOPLE SHOULD BE FREE TO EXPRESS THEIR PERSONALITY THROUGH THEIR PROPERTY, AND WE SHOULD EMBRACE IT.

lot lines of the properties on the north side Kirkwood Road, the rear lot lines of the properties on the west side of Maplewood Avenue, and Wilshire Boulevard on the north, by Airport Boulevard on the east, by Manor Road on the south, and by Dancy Street, Dean Keaton Street, and Interstate Highway 35 to the west.

"Garage Placement", "Impervious Cover and Parking Placement Restrictions", and "Front Porch Setback" are proposed for the Delwood II subdistrict. The Delwood II subdistrict is bounded by the Robert Mueller Airport redevelopment site on the north and east, Airport Boulevard on the south, and Interstate Highway 35 on the west.

PLANNING COMMISSION HEARING

DATE: February 14, 2006 TIME: 6:00 PM

LOCATION: Austin City Hall, 301 W. 2nd Street

CITY COUNCIL HEARING

DATE: March, 2006 TIME: 4:00PM

LOCATION: Austin City Hall, 301 W. 2nd Street

For questions regarding amending the Upper Boggy Creek Neighborhood Plan and proposed zoning regulations governing the design of new single-family construction and parking in the front yard, please call Mark Walters, Neighborhood Planning and Zoning Department, at 974-7695. Si Ud Necesita información en Español, favor de llamar a Katie Halloran al 974-3509. Office hours are 8:00 to 5:00 p.m Monday through Friday. Please be sure to refer to the File Number on the previous page when you call. See enclosed sheets for more information on public hearings.

PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File #

Planning Commission Hearing Date:

Name (please print) Jonathan Stofregen

☐ I am in favor
(Estoy de acuerdo)

Address 3307 Lafayette Ave, 78722

☒ I object
(No estoy de acuerdo)

INFORMATION ON PUBLIC HEARINGS

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PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14-05-0204 Planning Commission Hearing Date:

Name (please print) Evelyn Jones

☐ I am in favor
(Estoy de acuerdo)

Address 3400 Hollywood Austin

☒ I object
(No estoy de acuerdo)

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