



Item #50

**Zoning Ordinances/Restrictive Covenants  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA DATE: 4/6/2006**

**Subject: NPA-05-0012.01 - Boggy Creek Neighborhood Plan - Approve second/third readings of an Ordinance amending Ordinance No. 020801-91, the Boggy Creek Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to create five subdistricts: Blackland, Rogers-Washington-Holy Cross, Cherrywood, Delwood I/Wilshire Woods, and Delwood II and to amend portions of the plan text. The Blackland and Rogers-Washington-Holy Cross subdistricts will allow the design tool zoning regulations that regulate Parking Placement for New Single-Family Construction and Garage Placement for New Single-Family Construction zoning regulations. The Cherrywood subdistrict will allow the design tool regulations that regulate Parking Placement for New Single-Family Construction, Garage Placement for New Single-Family Construction, and Front Porches Extending into the Front Setback. The Delwood II subdistrict will allow Parking Placement for New Single-Family Construction, Garage Placement for New Single-Family Construction and Front Porches Extending into the Front Setback zoning regulations. The Delwood I/Wilshire Woods subdistrict will have no changes at this time. The existing Cherrywood subdistrict will allow Parking Placement for New Single-Family Construction, Garage Placement for New Single-Family Construction and Front Porches Extending into the Front Setback zoning regulations. The Blackland, Rogers-Washington-Holy Cross, and Cherrywood subdistricts will prohibit parking in the front yard. First reading approved on March 2, 2006. Vote: 7-0. City Staff: Mark Walters, 974-7695. (Related to item #51)**

**Requesting Department: NPZD**

**For More Information: Mark Walters, 974-7695**

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## **Neighborhood Plan Amendment Review Sheet**

**Neighborhood Plan:** Upper Boggy Creek

**Case #:** NPA-05-0012.01

**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 Schlefer Avenue and 40<sup>th</sup> 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***

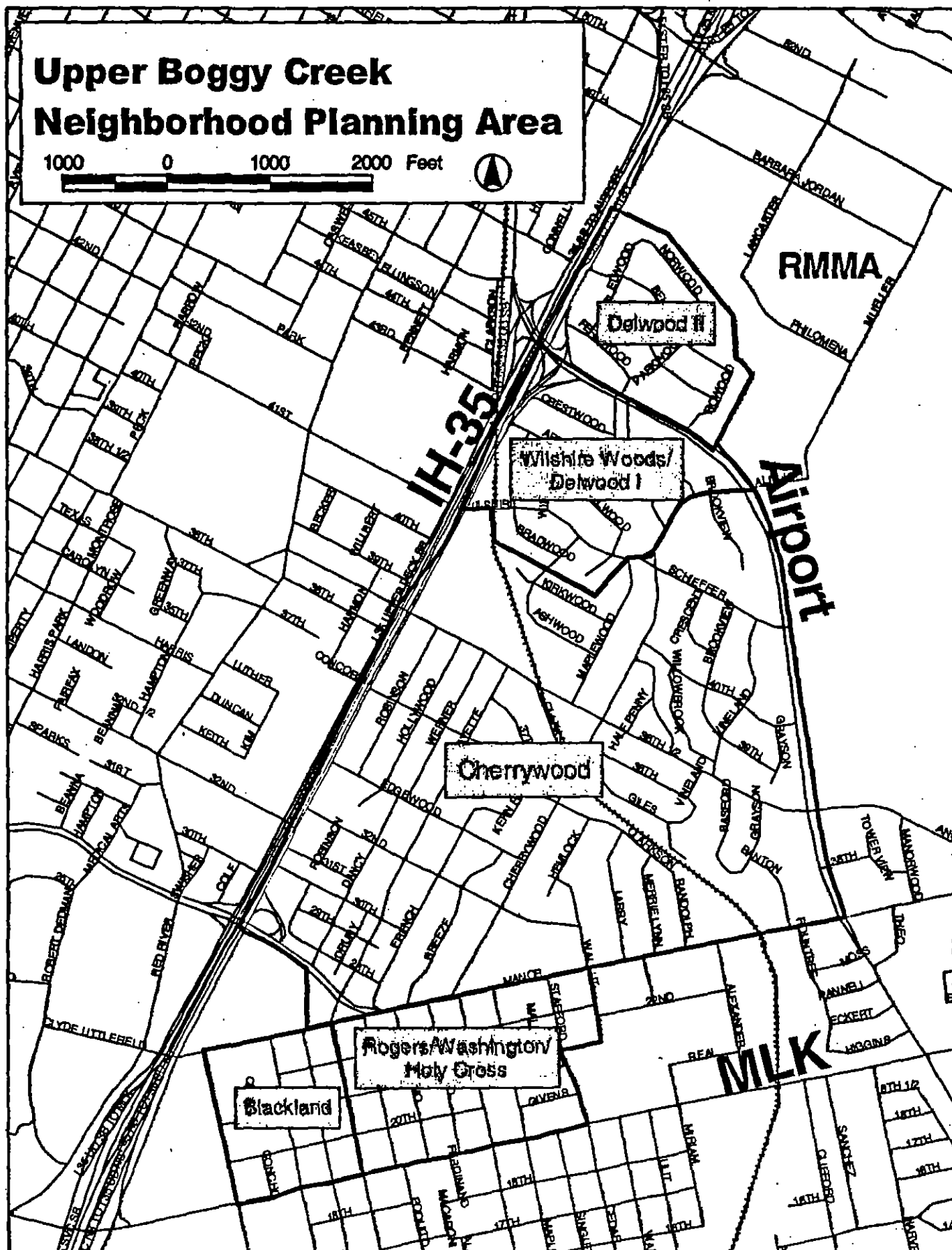
- Parking Placement for New Single-Family Construction
- Garage Placement for New Single-Family Construction
- Front Porches Extending into the Front Setback

**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