

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHBORHOOD PLAN: Upper Boggy Creek Neighborhood Plan

CASE#: NPA-2009-0012.03(PART)

PC DATE: February 9, 2010

ADDRESSES: 4020 Airport Boulevard and ABS 346 SUR 9 HAWKINS T ACR .05 (Tract 3)

SITE AREA: 1 tract on 2.90 acres

APPLICANT: City of Austin, Planning and Development Review Department (PDRD)

AGENT: City of Austin, Planning and Development Review Department (PDRD);
Jacob Browning, Neighborhood Planner

TYPE OF AMENDMENT:

Change in Future Land Use Designation

Tract #	Land Use Change	
	FROM	TO
3	Office	Mixed Use / Office

Base District Zoning Change

Related Zoning Case: C14-2009-0102

Adding the Vertical Mixed Uses Building (V) designation to the existing zoning

NEIGHBORHOOD PLAN ADOPTION DATE: August 1, 2002

PLANNING COMMISSION RECOMMENDATION: Approved Mixed Use on Tract 1 and for portions of Tracts 16 and 18; Approved Mixed Use/Office for Tracts 3 and 109; Approved the exclusion of Tract 2 from the VMU Overlay District. Motion made by Commissioner Clint Small, Commissioner Mandy Dealey seconded the motion on a vote of 8-0, with Commissioner Jay Reddy absent.

ISSUES: At first reading, the City Council voted to exclude Tract 3 from the Vertical Mixed Use Overlay District; therefore, the tract did not receive vertical mixed use building (V) zoning nor did it receive its Mixed Use/Office future land use designation. Since then, staff from the Planning and Development Review and Law Departments have arrived at the conclusion that a Future Land Use Map change to Mixed Use/Office is needed should the City Council approve "V" zoning on the property.

A restrictive covenant is in place for a portion of Tract 3 (4020 Airport Boulevard). The future land use change will not affect the regulations set forth in the restrictive covenant. The restrictive covenant is included as Attachment 8 in the back-up for case C14-2009-0102, the associated VMU zoning case to this neighborhood plan amendment.

BACKGROUND: The proposed plan amendment was initiated by the City of Austin's Planning and Development Review Department in conjunction with the Vertical Mixed Use (VMU) Opt-In/Opt-Out application process. The Upper Boggy Creek Neighborhood Planning Contact Team recommends applying the vertical mixed use building (V) zoning to several properties in the VMU Overlay District and to several that have been opted-into the Overlay District. However, the VMU zoning (V) can only be applied to those properties with future land use designations of Mixed Use or Mixed Use / Office. Tracts 1 - 3, 16, 18, and 109 have different future land use designations than required and are the subjects of this Neighborhood Plan Amendment to change their designations to allow the application of the V zoning. In total, the six tracts are 6.26 acres.

The Upper Boggy Creek Future Land Use Map (FLUM) designates two tracts (Tract 1 and Tract 2) as Commercial; two tracts (Tract 3 and Tract 109) as office; a portion of Tract 16 as single-family; and a portion of Tract 18 as multifamily. The Contact Team's recommendations for Tracts 1 - 3, 16, 18, and 109 are not consistent with the Upper Boggy Creek FLUM as these properties are not designated as Mixed Use or Mixed Use / Office, and therefore, a change in their future land use designation is necessary. Staff recommends a future land use designation change to Mixed Use for Tracts 1, 2, 16, and 18 and Mixed Use / Office for Tracts 3 and 109 so to stay consistent with the requirements of the VMU (V) zoning.

The Upper Boggy 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 August 1, 2002. The boundaries of the planning area are: IH 35, 26th Street and Comal Street to the west, Airport Boulevard to the north and east, and Martin Luther King, Jr. Boulevard, Cedar Boulevard, Rogers Boulevard, Walnut Boulevard and Manor Road to the south.

CITY COUNCIL DATE & ACTION:

March 11, 2010: Ordinance No. 20100311-061 approving a future land use designation of Mixed Use for Tract 1 and portions of 16 and 18 and Mixed Use/Office for Tract 109 was approved on Council Member Morrison's motion, Council Member Spelman's second on a 5-1 vote. Mayor Pro Tem Martinez voted nay. Council Member Shade abstained.

May 27, 2010: Approved a Postponement to June 10, 2010 (6-0, Spelman off the dais).

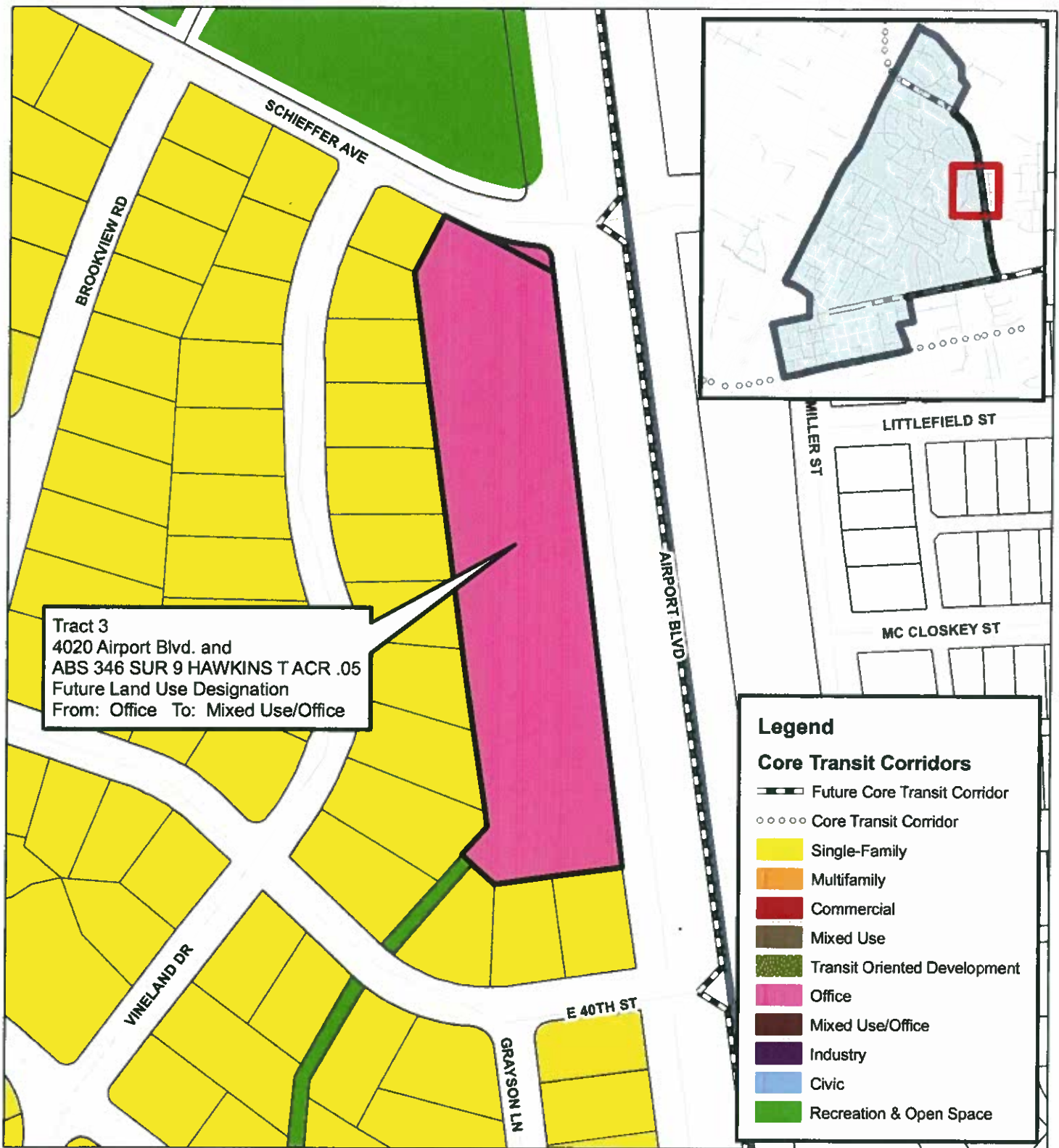
June 10, 2010: Approved a Postponement to June 24, 2010 (7-0).

June 24, 2010:

CASE MANAGER: Jacob Browning

PHONE: (512) 974-7657

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



**Upper Boggy Creek Neighborhood Planning Area
 Neighborhood Plan Amendment
 NPA-2009-0012.03(PART)**

0 80 160 320 Feet



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Produced by City of Austin
 Planning & Development Review Dept.
 May 10, 2010



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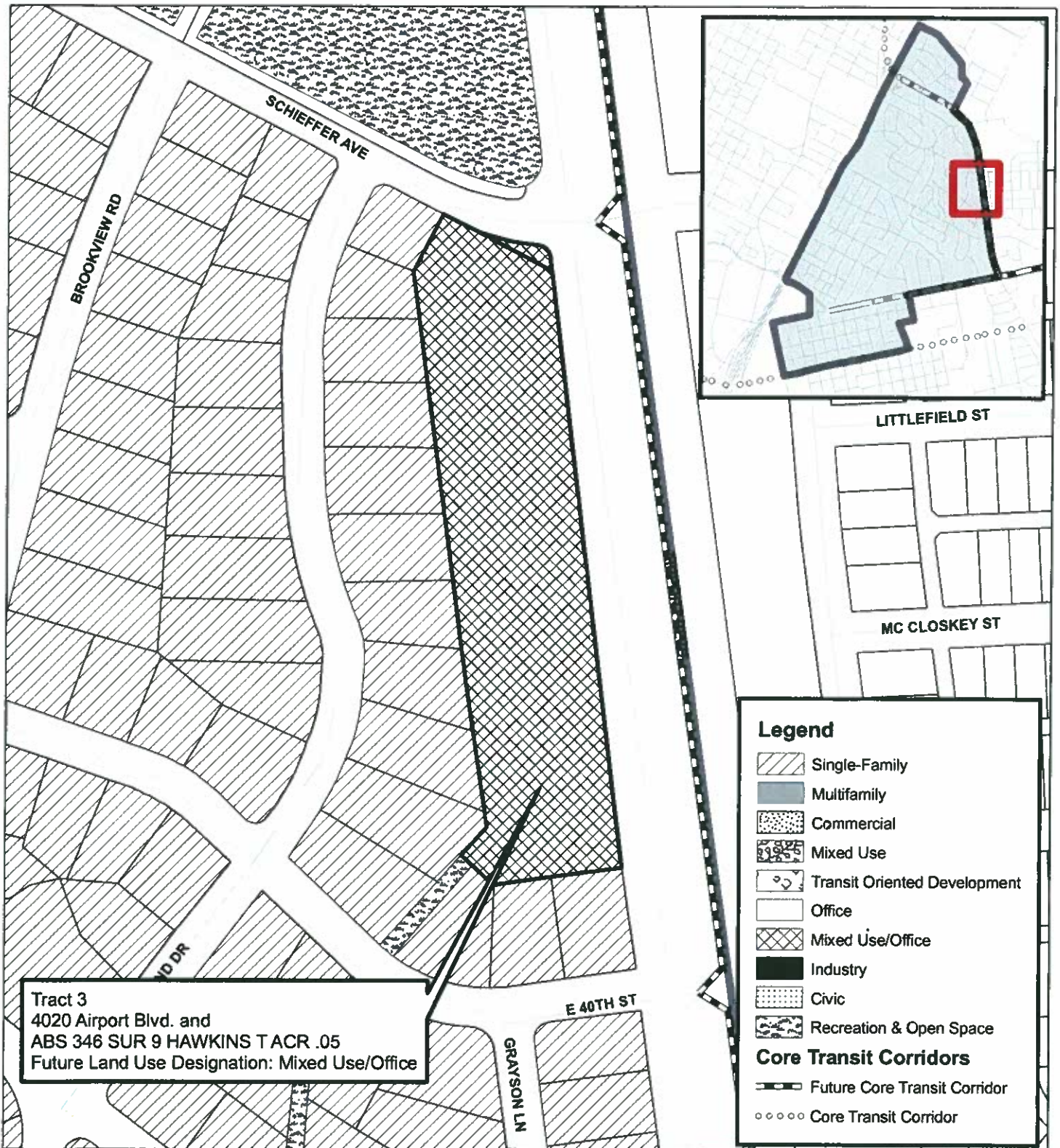


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May 10, 2010



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Upper Boggy Creek Neighborhood Planning Area **Neighborhood Plan Amendment** **NPA-2009-0012.03(PART)**



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- by attending the Public Hearing and conveying your concerns at that meeting
- by submitting the Public Hearing Comment Form
- by writing to the city contact listed on the previous page

For additional information on Neighborhood Plans, visit the website: www.ci.austin.tx.us/zoning/

PUBLIC HEARING COMMENT FORM

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

City of Austin
Planning and Development Review 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-2009-0012.03

Contact: Jacob Browning, PDRD

Public Hearings:

Planning Commission: Tuesday, February 9, 2010

City Council: Thursday, March 11, 2010

☒ I am in favor
☐ I object

IRA L. POOLE

Your Name (please print)

2400 E. MLK JR BLVD.

Your address(es) affected by this application

IRA L. POOLE

Signature

2-1-10

Date

Comments:

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☐ I am in favor
☒ I object

CARLOS M. RIVERO

Your Name (please print)

1809 MANOR RD / 1917 MANOR RD

Your address(es) affected by this application

2209 Manor Rd
2209 Manor Rd
21110

Signature

Date

Comments:

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☐ I am in favor
☒ I object

EARL BURG

Your Name (please print)

4007 VIELAND DR

Your address(es) affected by this application

Earl Burg

Signature

2/2/10

Date

Comments: Comments are in effect

add as recorded with City Please

check, object to right of

3 stories + many others.

#3

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☐ I am in favor
☒ I object

RAYMOND S. JOSEPH
Your Name (please print)

1816 E. 40TH ST.

Your address(es) affected by this application

Raymond S. Joseph Feb 10-2010
Signature Date

Comments: Property can be developed as it is zoned now, with no change. Commercial use and three (3) story building will not be suitable for the neighborhood. There are homes that are around the property except for the side that is the field area across from Patterson Park.

The prop. does have a restricted consent that is recorded.

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☒ I am in favor
☐ I object

RAMONA HERNANDEZ

Your Name (please print)

3500 GRAMSON LN 78722

Your address(es) affected by this application

Ramona Hernandez

Signature

Date

02-02-10
CLEAN BOGGY CREEK

Comments:

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☒ I am in favor
☐ I object

BRYANT C. NELSON

Your Name (please print)

2107 WILSON STREET

Your address(es) affected by this application

Bryant C. Nelson 301-482-1046 02/11/2010

Date

Signature

Comments:

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☒ I am in favor
☐ I object

Axel Gerolam

Your Name (please print)

2204 Chestnut Ave

Your address(es) affected by this application

Axel Gerolam *02-10-10*

Signature

Date

Comments:

*We need mixed use
density in this town
and create affordable
housing.*

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☒ I am in favor
☐ I object

Justin Clemons

Your Name (please print)

711 E 43rd Austin TX 78751

Your address(es) affected by this application

[Signature]

Signature

Date

2/3/10

Comments:

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☒ I am in favor!
☐ I object

Chad Ballentine

Your Name (please print)

2204 Chestnut Ave

Your address(es) affected by this application

Chad Ballentine

Signature

1-29-10

Date

Comments:

Pls call if you have questions
or need assistance.

673-2105

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☒ I am in favor
☐ I object

JAMES KOCUREK

Your Name (please print)

3406 ROBINSON AVENUE

Your address(es) affected by this application

James Kocurek

Signature

1-31-2010

Date

Comments:

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☒ I am in favor
☐ I object

DEBORAH McELFISH

Your Name (please print)

4309 Airport Blvd, Austin Tx

Your address(es) affected by this application

Deborah McElfish

Signature

2/13/10

Date

78722

Comments: Austin is growing and changing
and to be a progressive City we
need to flow with the evolution
of this fine City. I am absolutely
in favor of positive change &
upgrading of especially our
aging inner core areas.

Yes!

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☐ I am in favor
☒ I object

Your Name (please print)

2109 East 21st

Your address(es) affected by this application

Signature

Date

Comments:

This is a nice neighborhood
with a good mix of people.
Do not over-run this area,
like the west side of U.T. is.

Guy L. Obernig
Call me if you want to hear more
512 431-5218