

BOA CASE REVIEW SHEET

CASE: c15-2019-0014**BOA DATE:** March 11, 2019**ADDRESS:** 411, 601 E. Powell and
410, 500, 502, 504, 508, 602 and 610 Wonsley**COUNCIL DISTRICT AREA:** 4**OWNER:** Ross Houston**AGENT:** Tracey Merino**ZONING:** MF-4-NP (North Lamar/Georgian Acres Combined)**AREA:** 1.635 Acres out of Abstract 789, Survey 57, Wallace JP**VARIANCE REQUEST:** 25-2-1063 (Height Limitations and Setbacks for Large Sites) setback from 25' to 15' and height from 2 stories and 30 feet to 3 stories and 31 feet.**SUMMARY:** In order to erect an apartment complex**ISSUES:** Affordable housing

	ZONING	LAND USES
<i>Site</i>	MF-4-NP	Multifamily residential
<i>North</i>	P-NP, CS-CO-NP	Day care, warehouse, undeveloped
<i>South</i>	MF-3-NP	Church
<i>East</i>	CS-CO-NP	Office, North IH 25 Service Road
<i>West</i>	SF-3-NP and LO-MU-NP	Multifamily and single family residential

NEIGHBORHOOD ORGANIZATIONS: Austin InnerCity Alliance; Austin Neighborhoods Council; Bike Austin; Friends of Austin Neighborhoods; Georgian Acres Neighborhood Association; Homeless Neighborhood Association; Neighborhood Empowerment Foundation; North Growth Corridor Alliance; North Lamar/Georgian Acres Combined; SEL Texas; Sierra Club, Austin Regional Group

I-5/2



 SUBJECT TRACT

 PENDING CASE

 ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2019-0014

LOCATION: 411 & 601 E POWELL LN &
410, 500, 502, 508, 602, 610 WONSLEY ST



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 333'



CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

Board of Adjustment General/Parking Variance Application

WARNING: Filing of this appeal stops all affected construction activity.

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. ***If more space is required, please complete Section 6 as needed.*** All information is required (if applicable).

For Office Use Only

Case # _____ ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 411 E Powell LN

Subdivision Legal Description:

ABS 789 SUR 57 WALLACE J P ACR 1.635

Lot(s): _____ Block(s): _____

Outlot: _____ Division: _____

Zoning District: MF-4

I/We Tracey Merino on behalf of myself/ourselves as
authorized agent for Granada Land LLC affirm that on
Month February, Day 12, Year 2019, hereby apply for a hearing before the
Board of Adjustment for consideration to (select appropriate option below):

☒ Erect ☐ Attach ☐ Complete ☐ Remodel ☐ Maintain ☐ Other: _____

Type of Structure: Affordable Housing Apartment Complex

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

25-2-1063 - HEIGHT LIMITATIONS AND SETBACKS FOR LARGE SITES, reducing setbacks from 25 ft (required) to 15 ft (requested), also to increase the height limitations for a structure that is 50 feet or less from a property on which a use permitted in an (SF-5) or more restricted zoning district is located from 2 stories and 30 ft (required) to 3 stories and 31 ft.

Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because:

Current zoning regulations coupled with the sites high number of heritage and protected trees limit the buildable area available. In order to preserve as many trees as possible there is necessity to encroach on current setback limitations, as well as go slightly higher than the current regulations allow in order to maximize the site. In addition when our re-zoning was approved one of the request from city council were the inclusion of three bedroom units, which result in larger building footprints and increased parking requirements.

Hardship

a) The hardship for which the variance is requested is unique to the property in that:

The unique hardship on this site is the abundance of heritage and protected trees present. There are 47 total heritage and protected trees spread across the property that limit buildable area. In order for us to meet city preservation standards and also accomodate city council requests, our buildings can only fit on to certain areas of the site.

b) The hardship is not general to the area in which the property is located because:

This is not a general hardship to the area based on the numerous heritage and protected trees found on site. It is unusual for such a high number of large trees to be found in an urban setting, and is not common to the area the property is located in.

Area Character

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The granted setback and height variances will only enhance the character of the area adjacent to the property. Currently next to the property there stands a MF property, a vacant lot which is in planning to become a park and play area, and a vacant single-family lot which will not be impaired in the slightest as it pertains to later development as the owner sees fit. We will also be constructing a path connecting Wonsley to Powell for pedestrians to access the city park which will further enhance the areas character.

Parking (additional criteria for parking variances only)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:

Not applicable.

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

Not Applicable.

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

Not Applicable.

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

Not Applicable.

Section 3: Applicant Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Applicant Signature: 739320ed-ffd4-42bf-85d5-52e494243e50 Digitally signed by: 739320ed-ffd4-42bf-85d5-52e494243e50
DN: CN = 739320ed-ffd4-42bf-85d5-52e494243e50
Date: 2019.02.12 12:33:43 -0600 Date: 02/12/2019

Applicant Name (typed or printed): Tracey Merino

Applicant Mailing Address: 1000 N Lamar #400

City: Austin State: TX Zip: 78703

Phone (will be public information): (512) 247-7000

Email (optional – will be public information): _____

Section 4: Owner Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature:  Date: 02/12/2019

Owner Name (typed or printed): Ross Hamilton

Owner Mailing Address: 1000 N Lamar #400

City: Austin State: TX Zip: 78703

Phone (will be public information): (512) 247-7000

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: _____

Agent Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

Section 2 Attachments: Tree & Topographic Survey, Site plan, Photos of current tree density, Elevations, City Arborist Report,



City of Austin

P.O. Box 1088, Austin, TX 78767
www.cityofaustin.org/housing

Neighborhood Housing and Community Development Department

October 29, 2018

S.M.A.R.T. Housing Certification-
Granada Land LLC – Granada – (Project ID 628)

TO WHOM IT MAY CONCERN:

Granada Land LLC (development contact: Tracey Merino: email: [REDACTED] phone: 512.247.7000) is planning to develop a **258 unit multi-family development** at 601 East Powell, Austin TX 78753. The project is subject to a minimum 5 year affordability period after issuance of certificate of occupancy, unless project funding requirements are longer.

Neighborhood Housing and Community Development (NHCD) certifies the proposed project meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since **90% (233)** of the units will serve households at or below **60% MFI** with the remaining **10% (25) units at market rate**, the development will be eligible for 100% waiver of all fees listed, in the City of Austin's Land Development Code, Chapter 25-1-704, as amended. **The 25 market rate units are not in accordance with the requirements under the Texas Local Government Code, Chapter 395.16(g) and 42 U.S.C. Section 12745 (A)(1) as it relates to how housing qualifies as affordable housing and therefore they will not be eligible to receive any CRF fee waivers under the S.M.A.R.T. Housing Ordinance.**

The expected fee waivers include, but are not limited to, the following fees:

Capital Recovery Fees
 Building Permit
 Concrete Permit
 Electrical Permit
 Mechanical Permit
 Plumbing Permit

Site Plan Review
 Misc. Site Plan Fee
 Construction Inspection
 Subdivision Plan Review
 Misc. Subdivision Fee
 Zoning Verification

Land Status Determination
 Building Plan Review
 Parkland Dedication (by
separate ordinance)

Prior to issuance of building permits and starting construction, the developer must:

- ◆ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Contact Austin Energy Green Building: 512-482-5300 or [REDACTED])
- ◆ Submit plans demonstrating compliance with the required accessibility or visitability standards.

Before a Certificate of Occupancy will be granted, the development must:

- ◆ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).

- ◆ Pass a final inspection to certify that the required accessibility or visitability standards have been met.
- ◆ An administrative hold will be placed on the building permit, until the following items have been completed:
1) the number of affordable units have been finalized and evidenced through a sealed letter from the project architect and/or engineer, 2) a Restrictive Covenant stating the affordability requirements and terms has been filed for record at the Travis County Clerk Office.

The applicant must demonstrate compliance with S.M.A.R.T. Housing standards after the after the certificate of occupancy has been issued or repay the City of Austin, in full, the fees waived for this S.M.A.R.T. Housing certification.

Please contact me by phone 512.974.3128 or by email at Sandra.harkins@austintexas.gov if you need additional information.

Sincerely,



Sandra Harkins, Project Coordinator
Neighborhood Housing and Community Development

Cc: Rosa Gonzales, AE
Jonathan Orenstein, AWU

Gina Copic, NHCD
Melanie Montez, ORS

Ellis Morgan, NHCD
Mashell Smith, ORS



To the Members of the Board-

I would like to present for your review the following application for both a height and setback variance for our proposed affordable housing project located at 411, 601 E Powell Lane and 410, 500, 502, 504, 508, 602 and 610 Wonsley. JCI Residential is partnering with the Housing Authority of the City of Austin to build a 258-unit affordable apartment complex. The variances are being pursued in order to bring much needed affordable housing to the city of Austin, while maximizing the developable space on site.

The 8-acre site has an unusual amount of heritage and protected trees for being in such an urban location. There are 23 heritage trees and 24 protected trees for a combined total of 47 trees, which is uncharacteristically high for the area the site is located in. The trees are not located in one general area of the site that would allow us to avoid them, they are spread across much of the site limiting the buildable area available while trying to adhere to the city's preservation standards. In addition to the limited buildable area, when our zoning was approved it was a recommendation by council that we add three-bedroom units to the mix. These units result in a bigger foot print for the buildings they are apart of and limit the locations in where they can be placed. Hence, we are requesting a variance to Section 25-2-1063- *Height Limitations and Setbacks for Large Sites* to allow a 15'-0" setback for our building along the NW corner of the property, as well as an increased height limitation to allow for three stories and 31 feet.

The attached application and additional documentation will illustrate the current conditions of the site as well as the physical constraints that are uncharacteristic of a site in this area. Additionally, it will show that our development will not alter the character of the area nor impair our neighbors use of their property or ability to further develop. The variances being pursued will allow JCI Residential to maximize the developable area and deliver a substantial number of affordable residential units to an area that desperately needs newer and affordable housing options.

Respectfully,

Tracey Merino

Development Manager

M: 512.988.0282 O: 512.247.7000

[Redacted signature line]

JCI Residential

1000 N. Lamar Blvd., Suite 400
Austin, TX 78703
512-247-7000



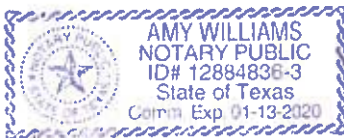
To Austin City Council Members-

I am writing this letter in support of the Granada apartments that are going to be developed in the vacant land next to my lot at 405 E Powell Lane, Austin, TX 78753. I understand that there will need to be a compatibility setback height variance granted for JCI Residential to develop the proposed attached site plan. I Juana M. Gonzales support this variance, and the overall development of this project.

Respectfully,

Juana M. Gonzales

A handwritten signature in blue ink, appearing to read "Juana M. Gonzales", written over a horizontal line.

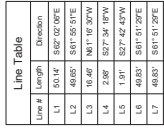


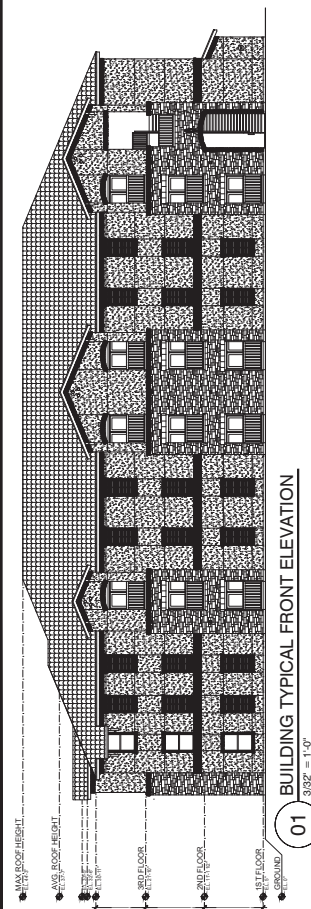
Amy Williams 1/17/19



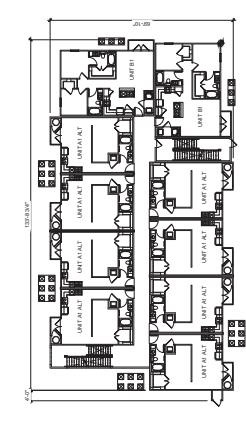
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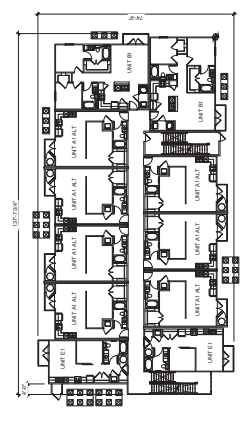




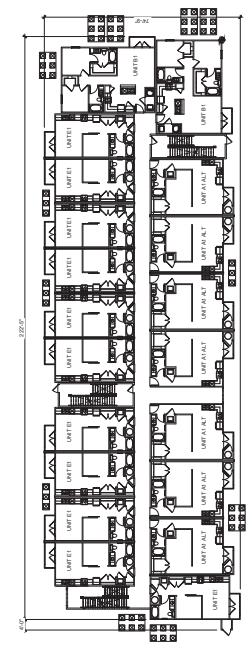
01 BUILDING TYPICAL FRONT ELEVATION
3/32" = 1'-0"



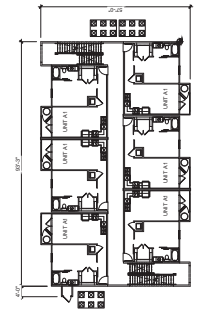
02 BUILDING 'A' 1ST FLOOR PLAN
NOT TO SCALE



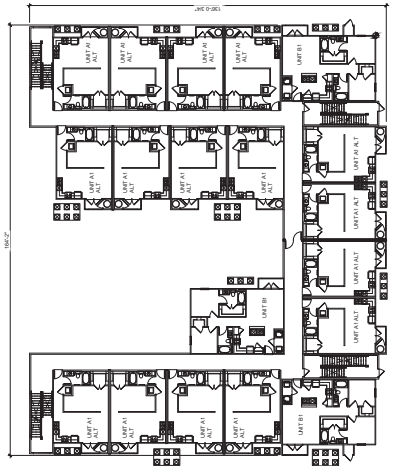
03 BUILDING 'B' 1ST FLOOR PLAN
NOT TO SCALE



04 BUILDING 'C' 1ST FLOOR PLAN
NOT TO SCALE



05 BUILDING 'D' 1ST FLOOR PLAN
NOT TO SCALE



07 BUILDING 'F' 1ST FLOOR PLAN
NOT TO SCALE

[illegible]

Unit Type	Square Footage	Quantity	Percentage	Total Net SF
E1	810	30	15.12%	19,800
A1	600	21	8.41%	12,600
B1	900	28	13.96%	25,200
C1	1,050	3	1.58%	3,150
Totals	Average SF 634	Quantity 258	Percentage 100.00%	Net SF 183,540

Total Percentage of One Bedroom Units	84.88%	219
Total Percentage of Two Bedroom Units	13.95%	36
Total Percentage of Three Bedroom Units	1.16%	29

Legal Description Graham, Luckhown, Duff, #	SITE PLAN APPROVAL APPROVED ON <u>3/26/2018</u> APPROVED BY <u>30000</u> EXPIRATION DATE <u>12/25/2018</u> UNDER SECTION <u>112.5</u> OF CHAPTER <u>22</u> OF THE CITY OF AUSTIN CODE APPLICATION DATE <u>Feb 2018</u> SHEET <u>1</u> OF <u>2</u> CASE NUMBER <u>XX</u>
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The location of all existing utilities shown on these plans has been based upon recent identified utility records and may not match locations as constructed. The contractor shall contact Towns of RI for assistance in determining existing utility locations to beginning of construction. Contractor shall field verify locations of utility crossings prior to beginning construction.

Persons of this application shall be responsible for the completeness, accuracy and adequacy of the information provided in this application. The applicant, the engineer of record is solely responsible for the completeness, accuracy and adequacy of the information provided in this application.

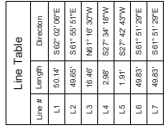
Benchmarks	
BM 1425	Elevation: 730.29'
BM 1426	Elevation: 730.29'
BM 1427	Elevation: 730.29'
BM 1428	Elevation: 730.29'











SCALE: 1" = 40'

LEGEND

NOTES:

[illegible]

BENCHMARK NOTE:

B.M. #50

DESCRIPTION: CHIPPED OFF ROAD WITH PLASTIC CAP, T-MARKED "ECL" ALONG THE SOUTHERN, RIGHT-OF-WAY LINE OF WONSLEY DRIVE, 4.50' NORTHEAST OF AN EXISTING POWER POLE ALONG S&B RIGHT-OF-WAY AND 14' NORTH OF THE COMMON CORNER OF LOT 19A AND 8 OF THE WONSLEY DRIVE SUBDIVISION, RECORDED IN VOLUME 17 PAGE 103, BOTH RECORDED IN THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

GRID COORDINATES: NORTHING: 1098822 7309, EASTING: 120849 0150, ELEVATION: 73553

B.M. #51

DESCRIPTION: CHIPPED OFF ROAD WITH PLASTIC CAP, T-MARKED "ECL" ALONG THE SOUTHERN, RIGHT-OF-WAY LINE OF WONSLEY DRIVE, 4.50' NORTHEAST OF THE COMMON CORNER OF LOT 19A AND 8 OF THE WONSLEY DRIVE SUBDIVISION, RECORDED IN VOLUME 17 PAGE 103, BOTH RECORDED IN THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

GRID COORDINATES: NORTHING: 1098822 7309, EASTING: 120849 0150, ELEVATION: 73553

LOT 1-6
I.T. LTD. SUBDIVISION No. 3

CHIPPED OFF ROAD WITH PLASTIC CAP
T-MARKED "ECL"

DESCRIPTION: MAG. NAIL SET IN THE EXISTING BACK OF CURB ALONG THE SOUTHWESTERLY CORNER OF THE INTERSECTION OF THE WANSLEY DRIVE SUBDIVISION, 22' NORTHWEST OF THE CENTERLINE OF THE WANSLEY DRIVE SUBDIVISION, ALONG THE NORTHEASTLY LOT LINE OF LOT B, OF THE WANSLEY DRIVE SUBDIVISION, RECORDED IN VOLUME 19, PAGE 7 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

SURVIVOR'S CERTIFICATE:
CERTIFIED TO: GAZDAS LAND, LLC
PROPERTY ADDRESS: 410, 500, 820 & 904 E. WONSLEY DRIVE
AUSTIN, TEXAS 78758
JULY 15, 2018
JLT LTD REGISTRATION NO. 3

ATTACHMENTS NOTE

I hereby certify that a survey of the property shown herein was actually made upon the ground under my direction and supervision on the date shown, and that to the best of my professional knowledge and belief there are no omissions, concealings, overlooking of improvements, discrepancies, defects, conflicts, visible errors or omissions in place, except as shown herein, and that this property has access to a dedicated road right-of-way or ocean easement, criteria noted herein.

This survey was made substantially in accordance with the standards and conditions set forth for a Category II, Conditional, Title and Topographic Aerial Survey, based on the Manual of Practices for Land Surveying in Texas, revised 11th edition, dated 06-02-2007 prepared by the Texas Society of Professional Surveyors.

Charles M. Benson
Registered Professional Land Surveyor
State of Texas No. 4983

1/20/2018



[illegible]

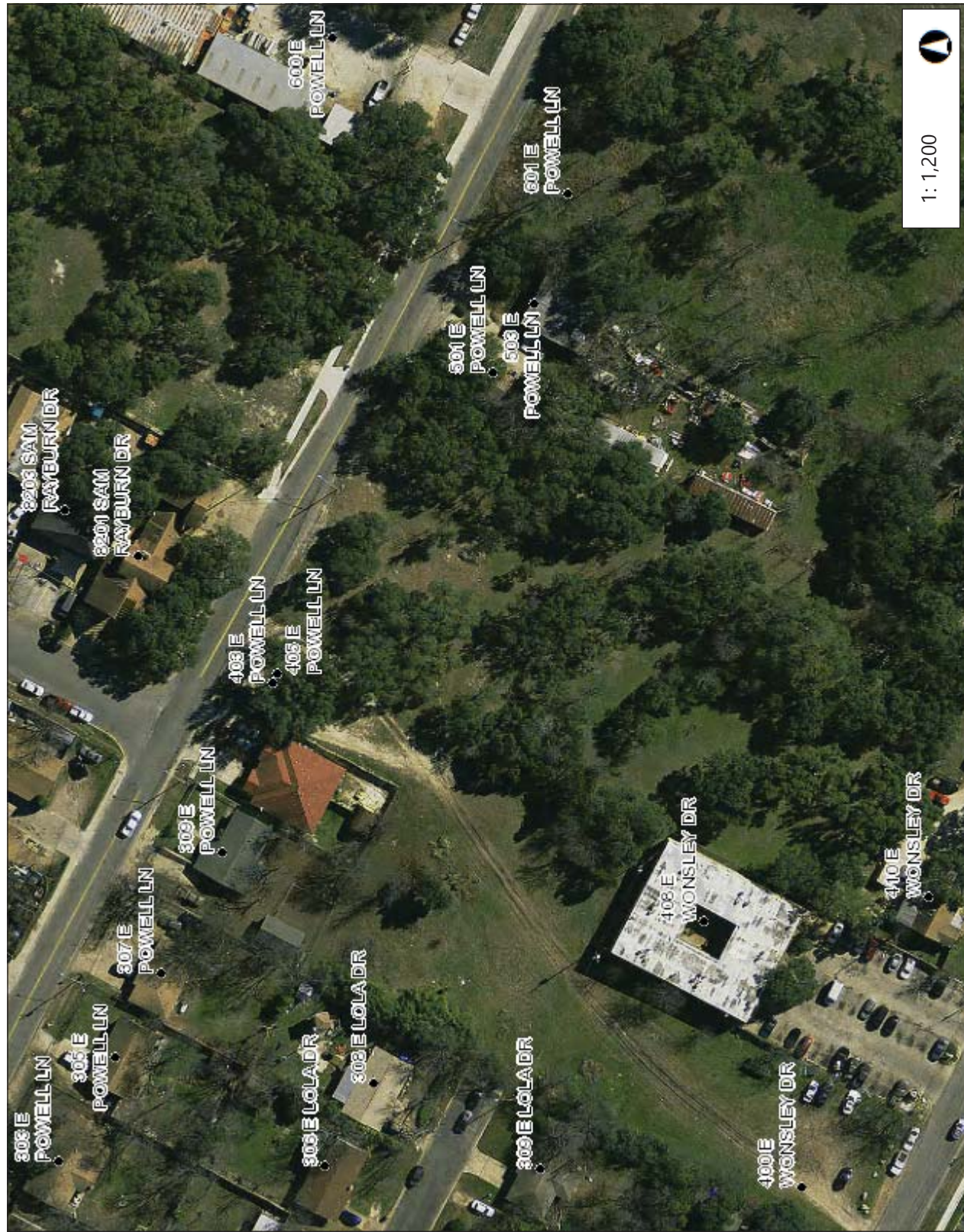
GARRETT-IHNEN
CIVIL ENGINEERS
TBE FIRM NO. F-630

Property Profile

Legend

- Addresses
- Jurisdiction
 - FULL PURPOSE
 - LIMITED PURPOSE
 - EXTRATERRITORIAL JURISDICTION
 - 2 MILE ETJ AGRICULTURAL AGR
 - OTHER CITY LIMITS
 - OTHER CITIES ETJ

Notes



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey. This product has been produced by the City of Austin for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

0.0	0	0.02	0.0 Miles
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NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

Date Printed: