

Zoning Ordinance Approval

CITY OF AUSTIN

RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: 48

AGENDA DATE: Thu 03/11/2004

PAGE: 1 of 1

SUBJECT: C14-03-0141 - Bouldin Avenue Rezoning- Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1505 Bouldin Avenue (West Bouldin Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to single family residence small lot-conditional overlay-neighborhood plan (SF4-A-CO-NP) combining district zoning for Tract 1 and Tract 2. First reading on January 8, 2004. Vote: 7-0. Second reading on January 29, 2004. Vote: 5-0, Wynn of the dais, Thomas absent. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on second ordinance reading. Applicant: Mayhen, LLC. Agent: Vincent Gerard & Associates (Vincent Huebinger). City Staff: Annick Beaudet, 974-2975. Note: A valid petition has been filed in opposition to this rezoning request.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-03-0141

REQUEST:

Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code rezoning property locally known as 1505 Bouldin Avenue from family residence-neighborhood plan (SF-3-NP) combining district zoning to single family residence small lot-conditional overlay-neighborhood plan (SF-4A-CO-NP) combining district zoning. The conditions imposed by City Council on 2nd reading have been incorporated into the ordinance. The conditional overlay restricts Tract 1 to 50% impervious cover and Tract 2 to 45% impervious cover.

DEPARTMENT COMMENTS:

A valid petition of 32.32% has been filed in opposition to this rezoning request. Four of the petitioners (representing 21.14% of the valid petition) have agreed to remove their names from the petition, if the applicant agrees to comply with SF-3 impervious cover (max. 45%) limitations and SF-3 setbacks (10 ft. rear yard); and agrees to conform with the SF-3 overlay on any modification or replacement of structures on the SF-4A lots (Exhibits A-1 to A-4). According to the applicant's agent, the applicant disagrees to any further conditions beyond the existing conditional overlay that Council imposed at second ordinance reading that limits the maximum impervious cover on each lot.

OWNER/APPLICANT: Mayhen, LLC.

AGENT: Vincent Gerard & Associates (Vincent Huebinger)

DATE OF FIRST READING: January 8, 2004.

CITY COUNCIL ACTION: To approve SF-4A-NP. Vote: 7-0.

DATE OF SECOND READING: January 29, 2004.

CITY COUNCIL ACTION: To approve SF-4A-CO-NP making two tracts out of one lot. The conditional overlay would limit the maximum impervious cover on the Bouldin lot to 50% and on the Third Street lot to 45%. Vote: 5-0. (Wynn off dais, Thomas absent)

CITY COUNCIL DATE: March 11, 2004.

ASSIGNED STAFF: Annick Beaudet, 974-2975.



SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY
 CASE MGR: A.BEAUDET

CASE #: C14-03-0141
 ADDRESS: 1505 BOULDIN AVE
 SUBJECT AREA (acres): 0.179

ZONING

DATE: 04-02
 INTLS: SM

CITY GRID
 REFERENCE
 NUMBER
 H21

SURVEY PLAT OF

Local Address: 1505 Bouldin Ave. Re: _____
 Legal Description: Lot 3, Block 2, Monroe Heights
 a Subdivision of record in Volume 3 Page 219, of the Travis County, Texas
 Plat Records, situated in Travis County Texas.

Scale 1" = 20'

- OHE— Overhead Utilities
- = Power Pole
- X— Wire Fence
- X— Chain Link Fence
- //— Wood Fence
- = Iron Pin Found
- = Iron Pin Set
- = Iron Pipe
- (xxx) = Record Bearing/Distance
- = Cotton Spindle Set
- △ = PK Nail Set

Lot 4

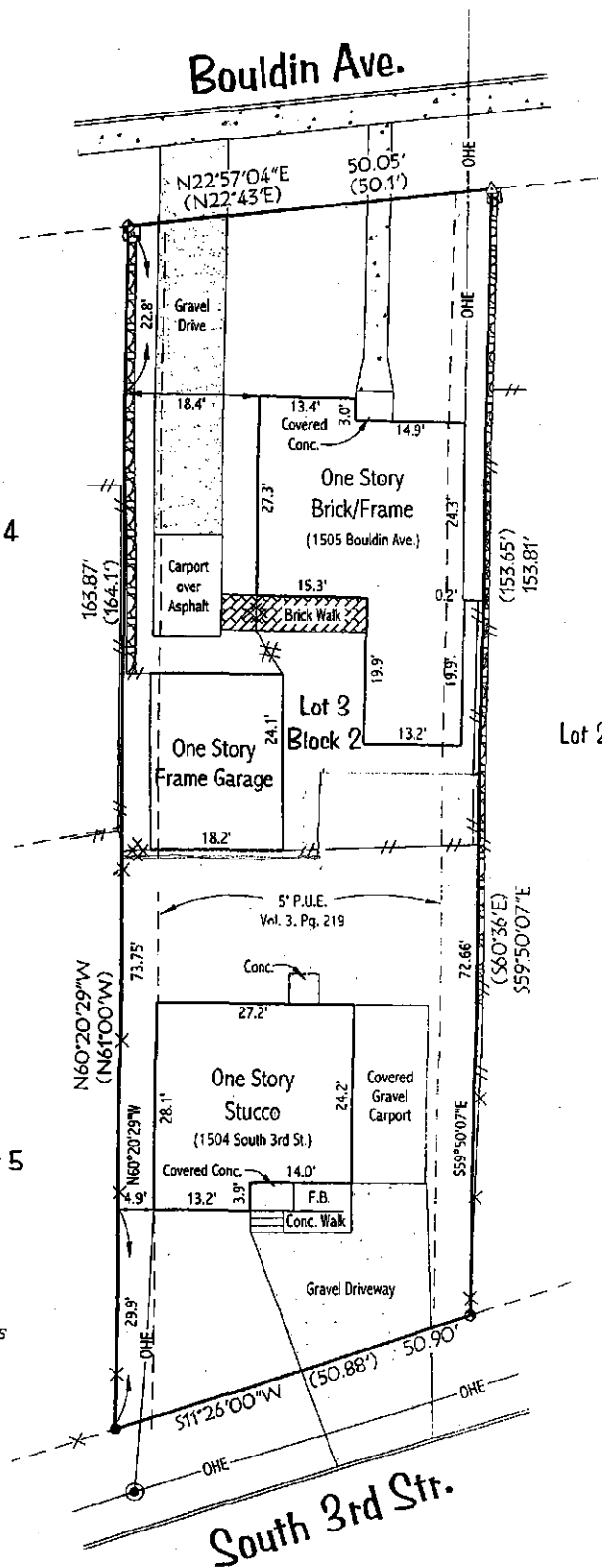
Lot 5

Lot 2

Note: Survey was made without the
Benefit of a Title Commitment.
 Note: Property may be subject to other
Easmts, Restrictions, and Building Lines
Not Shown on Plat.

Dated, this the _____ day of _____, 2003

STEVE H. BRYSON, R.P.L.S. NO. 4248
 STEVE H. BRYSON SURVEYING CO.
 2495 Capital of Texas Hwy. S, Bldg. A Ste. 205
 Austin, Texas 78746 (512) 347-9505



Date: 26 January 2004

Case Number : C14-03-0141

Address of

Rezoning Request: 1505 Bouldin

To: Austin City Council:

Under condition that:

1.If City Council approves the requested zoning change from SF-3 to SF-4A on the lots comprising the present 1505 Bouldin Avenue, these resulting lots be restricted to SF-3 zoning classification limits on impervious cover and setback and,

2. Both property owners submit to Council and the Bouldin Creek Neighborhood Association a written letter of commitment to follow the conditions of the SF-3 overlay on any modification to or replacement of the structures on the SF-4A lots comprising the present 1505 Bouldin Avenue lot.

I agree to withdraw my name from the protest petition restricting the Zoning at 1505 Bouldin Avenue to SF-3 in the case named above.

> P. Zavadić 1/27/04 PERU ZAVADIC
>> (Name) Date

EXHIBIT A-1

Date: 26 January 2004

Case Number : C14-03-0141

Address of

Rezoning Request: 1505 Bouldin

To: Austin City Council:

Under condition that:

1.If City Council approves the requested zoning change from SF-3 to SF-4A on the lots comprising the present 1505 Bouldin Avenue, these resulting lots be restricted to SF-3 zoning classification limits on impervious cover and setback and,

2. Both property owners submit to Council and the Bouldin Creek Neighborhood Association a written letter of commitment to follow the conditions of the SF-3 overlay on any modification to or replacement of the structures on the SF-4A lots comprising the present 1505 Bouldin Avenue lot.

I agree to withdraw my name from the protest petition restricting the Zoning at 1505 Bouldin Avenue to SF-3 in the case named above.

> *[Signature]* *26 Jan 2004*
> (Name) Date

EXHIBIT A-3

EXHIBIT A-4

PETITION

Case Number:

C14-03-0141

Date:

Jan. 5, 2004

Total Area within 200' of subject tract: (sq. ft.)

208,207.10

| | | | | |
|----|--------------|-------------------|-----------|-------|
| 1 | 01-0003-1509 | NEWTON ADAM Z | 6,748.83 | 3.24% |
| | | ZAVADIL PETER A & | | |
| 2 | 01-0003-1510 | PENELOPE ART | 7,054.87 | 3.39% |
| 3 | 01-0003-1511 | FRANKS LAURA LEE | 7,165.75 | 3.44% |
| 4 | 01-0003-1512 | HALLER MARK | 11,275.39 | 5.42% |
| | | MCKAY MIMI M & | | |
| 5 | 01-0101-0201 | DAVID R PLUENNE | 8,991.10 | 4.32% |
| 6 | 01-0101-0208 | SIMS JUDITH ANN | 5,249.16 | 2.52% |
| | | GATTIS KERENSA & | | |
| 7 | 01-0101-0801 | GARY | 20,799.54 | 9.99% |
| 8 | | | | 0.00% |
| 9 | | | | 0.00% |
| 10 | | | | 0.00% |
| 11 | | | | 0.00% |
| 12 | | | | 0.00% |
| 13 | | | | 0.00% |
| 14 | | | | 0.00% |
| 15 | | | | 0.00% |
| 16 | | | | 0.00% |
| 17 | | | | 0.00% |
| 18 | | | | 0.00% |
| 19 | | | | 0.00% |
| 20 | | | | 0.00% |
| 21 | | | | 0.00% |
| 22 | | | | 0.00% |
| 23 | | | | 0.00% |
| 24 | | | | 0.00% |
| 25 | | | | 0.00% |
| 26 | | | | 0.00% |
| 27 | | | | 0.00% |
| 28 | | | | 0.00% |

Validated By:

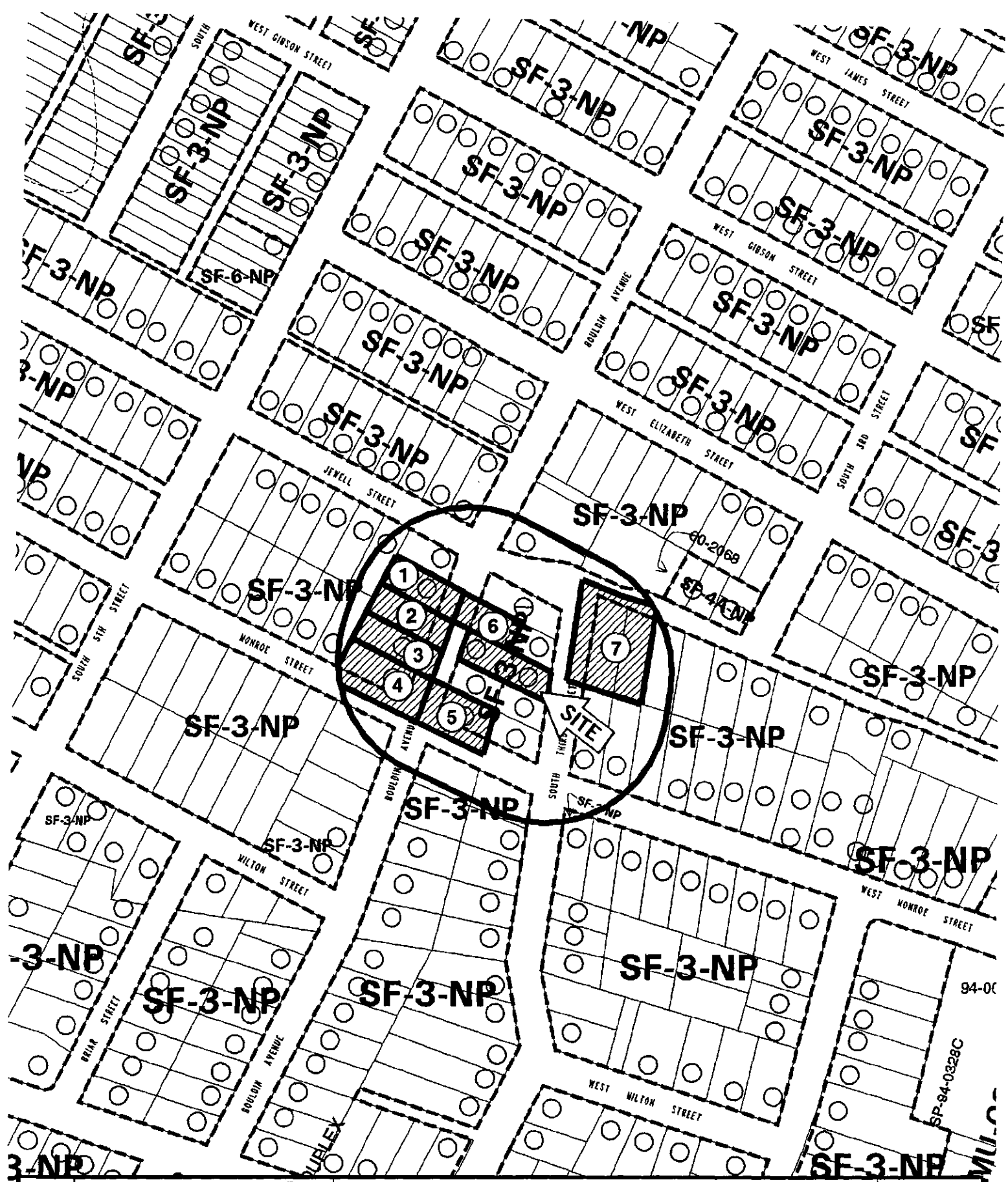
Stacy Meeks


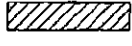


Total Area of Petitioner:

67,284.65

Total %

32.32%



| | | | | | |
|---|---|---|---|---------------------------|---|
|  1" = 200' | SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: A.BEAUDET |    | PETITIONS CASE #: C14-03-0141 ADDRESS: 1505 BOULDIN AVE. SUBJECT AREA (acres): 0.179 | DATE: 04-01 INTLS: TRC | CITY GRID REFERENCE NUMBER H21 |
|---|---|---|---|---------------------------|---|



C14-03-0141

2 January 2004

Annick Beaudet
City of Austin NPZD
505 Barton Springs Road
Austin, TX 78704

Hi, Annick,

Enclosed is our petition protesting the re-zoning at 1505 Bouldin Avenue (Case # C14-03-0141) I've also enclosed TCAD documents including parcel ID, property address and owner name and address for each signatory. They all correspond with the signatures, so I don't think validating the petition will take any additional work on staff's part.

Also, I've enclosed an outline illustrating what we believe is the petition area within 200 ft. of the applicant property. If our calculations are right, then I'm sure we have well over 20% of affected property owners' signatures. But we realize you'll need to verify this through your own calculation formula.

Please let me know, Annick, if you need anything else from me or BCNA in order to enable you to validate the petition for inclusion in council background information on this case for January 8 reading.

Thanks, and Happy New Year.

Cory Walton, President
Bouldin Creek Neighborhood Association
H: 462-1646 W: 418-7537 C: 762-3188
cory.walton@emersonprocess.com
coryography@hotmail.com

Received by Velia Mandy Friday 1/2/04
12:20pm

PETITION

Date: 7 December 2003
Case Number : C14-03-0141
Address of
Rezoning Request: 1505 Bouldin

To: Austin City Council:

We, the undersigned owners of property affected by the requested zoning change described in the reference file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3.

The Bouldin Creek Neighborhood Plan, approved by council in May 2002, rejected reduced SF-3 lot size comparable to the SF-4A zoning requested at 1505 Bouldin.

Smaller lot sizes and lot subdivision in our residential core create an undesirable increase in motor vehicle traffic, increased burden on our already strained water and wastewater infrastructure, and further degrade our urban watersheds, East and West Bouldin Creeks.

Based on TCAD appraisal values on similar neighboring small lots, subdivision would increase, rather than decrease, the appraisal and taxes on each lot, thus reducing affordable housing stock and threatening our neighborhood's unique economic and ethnic diversity.

(See following page for signatures)

P E T I T I O N

Date: 12-07-03

File Number: C14-03-0141

Address of

Rezoning Request: 1505 Bouldin

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF3.

(STATE REASONS FOR YOUR PROTEST)

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

| <u>Signature</u> | <u>Printed Name</u> | <u>Address</u> |
|------------------|---------------------|-------------------|
| Judith Sims | Judith Sims | 1503 Bouldin Ave |
| Mark Hall | Mark Hall | 1508 Bouldin Ave |
| Lauralee Franks | Lauralee Franks | 1506 Bouldin Ave. |
| PETER ZAVADIL | PETER ZAVADIL | 1504 BOUNDIN AVE |
| MARY M MCKAY | MARY M MCKAY | 1509 BOULDAIN AVE |
| Kerensa Gatti | Kerensa Gatti | 809 Jewell Ave |
| Adean Z Newton | Adean Z Newton | 1502 Bouldin Ave |

Date: 01/02/04

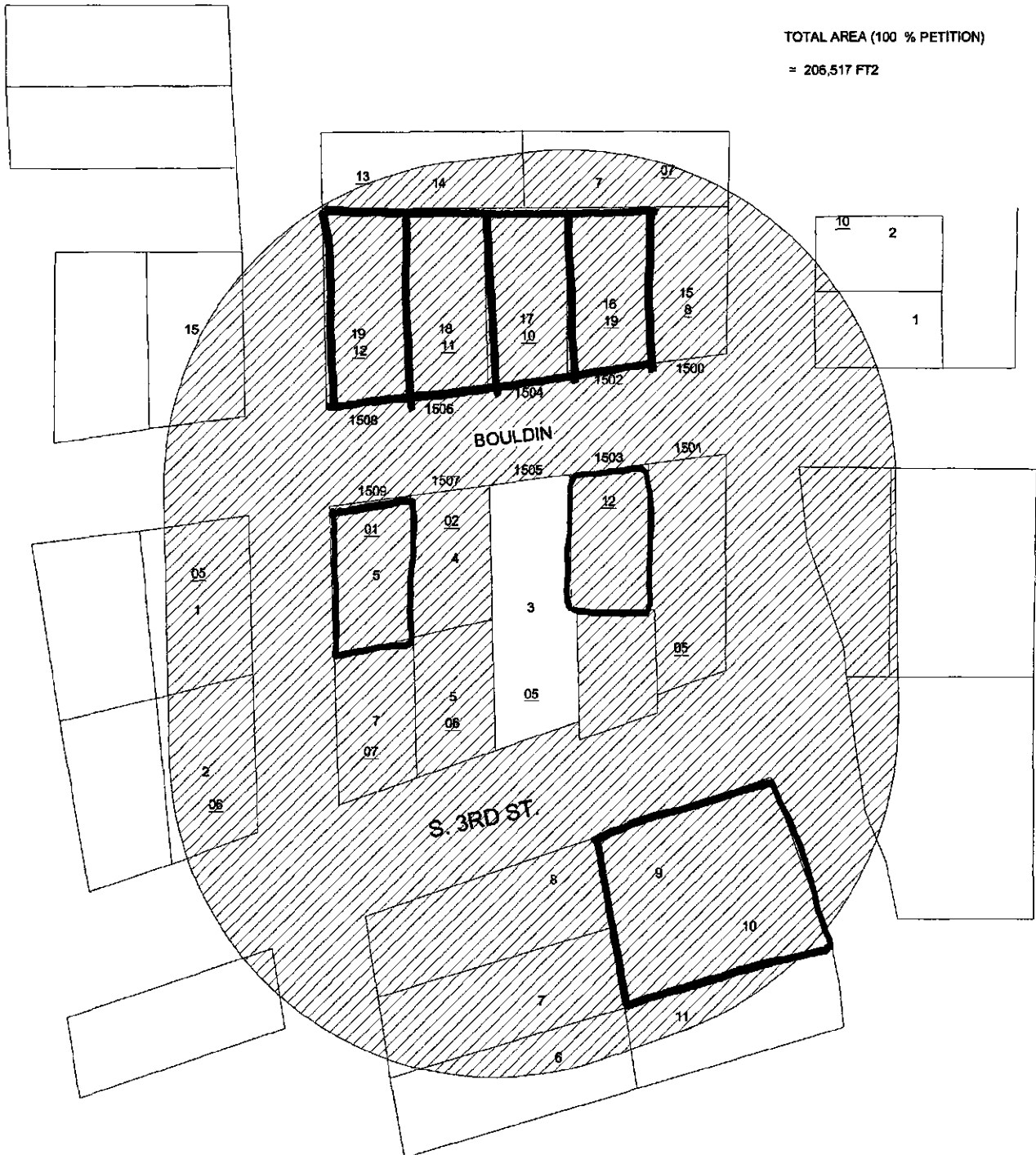
Contact Name: Cory Walton
Phone Number: H: 462-1646 W: 418-7537

BCNA PETITION TO OPPOSE ZONING CHANGE AT 1505 BOULDIN AVE.

DECEMBER 11, 2003

TOTAL AREA (100 % PETITION)

= 206,517 FT²



TRAVIS COUNTY

Interealty

Parcel ID: **01010102080000**
 Prop Address: **1503 BOULDIN AV**
 Prop City: **AUSTIN, TX 78704 C006**
 School Dist: **AUSTIN ISD**
 Elem Schl: **BECKER**

Mid Schl: **FULMORE**

Updated: **12/16/03**
 Primary Use: **1 FAM DWELLING**
 Apt/Unit Num:

High Schl: **TRAVIS****Owner Name & Address**

Owner Name: **SIMS JUDITH ANN**
 Owner Address: **1503 BOULDIN AV**
AUSTIN, TX 78704-3416 C006

Owner Phone:

Legal Description

Subdivision: **MONROE HEIGHTS**
 Legal Desc: **W 77 FT OF**
LOT 2 BLK 2
MONROE HEIGHTS

MAPSCO P: **614L** A: **MH** G: **20**Rand Mc P: **144** A: **H** G: **20**Block: **2** Lot: **2****Deed & Sales Information**

Deed Date: **09/08/82**
 Deed Bk/Pg: **7879/579**
 Lender:

Deed Type:
 Loan #:

Doc Number:
 Vndr Lein:
 Replace \$: **31123**

Deed & Sales Information

Year Built: **1926**
 Bldg Sqft: **756**
 Bathrooms: **1.0**

Zoning: **SF3**
 Stories:
 Firepls:

Acreage:
 Frontage: **50.00**
 Depth: **77.00**

| | | | | | |
|-----------------------|--------------|------------|----------------------|----------|------|
| Use | Floor | Sqft | Exterior | Quality | Wall |
| 1 FAM DWELLING | FIRST | 756 | WOOD/ASBESTOS | 3 | |

Improvement Details

| | | | | | |
|-------------------------|-----------|-------------------------|------------|-----------------|----------|
| PORCH OPEN 1ST F | 48 | HVAC RESIDENTIAL | 756 | BATHROOM | 1 |
| OBS FENCE | | | | | |

Assessed Values & Tax Information

| | Land | Improved | Ag/Tmb | Total |
|--------------------|-----------------|-----------------|--------|------------------|
| Tax Yr 2003 | \$ 80000 | \$ 40148 | | \$ 120148 |
| Tax Yr 2002 | \$ 80000 | \$ 53453 | | \$ 133453 |
| Tax Yr 2001 | \$ 80000 | \$ 35713 | | \$ 115713 |

| Code | Jurisdiction Name | Tax Rate | Tax Amount |
|------------|------------------------|---------------|------------------|
| J01 | AISD | 1.6137 | \$ 886.26 |
| J02 | AUSTIN | 0.4928 | \$ 344.57 |
| J03 | TRAVIS CO | 0.4918 | \$ 275.10 |
| J68 | AUSTIN COMM COL | 0.0771 | \$ 50.05 |

2001 Total Estimated Taxes **\$ 1555.98**
 Total Estimated Taxes Without Exemptions **\$ 3570.40**
 Exemptions: **HOMSTD ISD/CNTY, % HOMSTD**

Information Deemed Reliable But Not Guaranteed

TRAVIS COUNTY

Interealty

Parcel ID: **01000315090000**
 Prop Address: **1502 BOULDIN AV**
 Prop City: **AUSTIN, TX 78704 C006**
 School Dist: **AUSTIN ISD**
 Elem Schl: **BECKER**

Mid Schl: **FULMORE**

Updated: **12/16/03**
 Primary Use: **1 FAM DWELLING**
 Apt/Unit Num:

High Schl: **TRAVIS****Owner Name & Address**

Owner Name: **NEWTON ADAM Z**
 Owner Address: **1502 BOULDIN AV**
AUSTIN, TX 78704-3417 C006

Owner Phone:

Legal Description

Subdivision: **MONROE HEIGHTS**
 Legal Desc: **LOT 16 BLK 1**
MONROE HEIGHTS

MAPSCO P: **614L** A: **MH** G: **20**Rand Mc P: **144** A: **H** G: **20**Block: **1** Lot: **16****Deed & Sales Information**

Deed Date: **08/21/02** Deed Type: Doc Number:
 Deed Bk/Pg: Loan #: **122827322** Vndr Lein: **177200**
 Lender: **NETS ELECTRONIC TAX SVC** Replace \$: **58890**

Deed & Sales Information

Year Built: **1940** Zoning: **SF3** Acreage:
 Bldg Sqft: **1008** Stories: Frontage: **50.00**
 Bathrooms: **1.0** Firepls: Depth: **98.00**
 Use Floor Sqft Exterior Quality Wall
1 FAM DWELLING **FIRST** **1008** **WOOD SIDING** **4**

Improvement Details

PORCH OPEN 1ST F 40 **GARAGE DET 1ST F 422** **HVAC RESIDENTIAL 1008**
BATHROOM 1 **OBS FLOOR FURN 35**

Assessed Values & Tax Information

| Tax Yr | Land | Improved | Ag/Tmb | Total |
|--------|-----------|-----------|--------|-----------|
| 2003 | \$ 100000 | \$ 75969 | | \$ 175969 |
| 2002 | \$ 100000 | \$ 101145 | | \$ 201145 |
| 2001 | \$ 100000 | \$ 67577 | | \$ 167577 |

| Code | Jurisdiction Name | Tax Rate | Tax Amount |
|------|-------------------|----------|------------|
| J01 | AISD | 1.6137 | \$ 2597.56 |
| J02 | AUSTIN | 0.4928 | \$ 867.18 |
| J03 | TRAVIS CO | 0.4918 | \$ 692.33 |
| J68 | AUSTIN COMM COL | 0.0771 | \$ 131.82 |

2001 Total Estimated Taxes **\$ 4288.88**
 Total Estimated Taxes Without Exemptions **\$ 5381.43**
 Exemptions: **HOMSTD ISD/CNTY, % HOMSTD**

Information Deemed Reliable But Not Guaranteed

TRAVIS COUNTY

Interealty

Parcel ID: **01000315120000**
 Prop Address: **1508 BOULDIN AV**
 Prop City: **AUSTIN, TX 78704 C006**
 School Dist: **AUSTIN ISD**
 Elem Schl: **BECKER**

Mid Schl: **FULMORE**

Updated: **12/16/03**
 Primary Use: **1 FAM DWELLING**
 Apt/Unit Num:

High Schl: **TRAVIS****Owner Name & Address**

Owner Name: **HALLER MARK**
 Owner Address: **1508 BOULDIN AV**
AUSTIN, TX 78704-3417 C006

Owner Phone:

Legal Description

Subdivision: **MONROE HEIGHTS**
 Legal Desc: **LOT 19 BLK 1**
MONROE HEIGHTS

MAPSCO P: **614L** A: **MH** G: **20**Rand Mc P: **144** A: **H** G: **20**Block: **1** Lot: **19****Deed & Sales Information**

Deed Date: **04/26/01** Deed Type: Doc Number:
 Deed Bk/Pg: Loan #: **900017820** Vndr Lein: **161750**
 Lender: **UNIVERSITY FEDERAL C U** Replace \$: **55544**

Deed & Sales Information

Year Built: **1939** Zoning: **SF3** Acreage:
 Bldg Sqft: **919** Stories: Frontage: **50.00**
 Bathrooms: **1.0** Firepls: Depth: **118.00**
 Use Floor Sqft Exterior Quality Wall
1 FAM DWELLING **FIRST** **919** **WOOD/ASBESTOS** **4**

Improvement Details

PORCH OPEN 1ST F 72 **GARAGE DET 1ST F 324** **HVAC RESIDENTIAL 919**
BATHROOM 1 **PORCH CLOS UNFIN 40** **OBS WALL FURN 35**

Assessed Values & Tax Information

| Tax Yr | Land | Improved | Ag/Tmb | Total |
|--------|-----------|-----------|--------|-----------|
| 2003 | \$ 100000 | \$ 85983 | | \$ 185983 |
| 2002 | \$ 100000 | \$ 114477 | | \$ 214477 |
| 2001 | \$ 100000 | \$ 51917 | | \$ 151917 |

| Code | Jurisdiction Name | Tax Rate | Tax Amount |
|------|-------------------|----------|------------|
| J01 | AISD | 1.6137 | \$ 2759.15 |
| J02 | AUSTIN | 0.4928 | \$ 916.52 |
| J03 | TRAVIS CO | 0.4918 | \$ 731.73 |
| J68 | AUSTIN COMM COL | 0.0771 | \$ 139.54 |

2001 Total Estimated Taxes **\$ 4546.94**
 Total Estimated Taxes Without Exemptions **\$ 5738.12**
 Exemptions: **HOMSTD ISD/CNTY, % HOMESTD**

Information Deemed Reliable But Not Guaranteed

TRAVIS COUNTY

Interealty

Parcel ID: **01000315110000**
 Prop Address: **1506 BOULDIN AV**
 Prop City: **AUSTIN, TX 78704 C006**
 School Dist: **AUSTIN ISD**
 Elem Schl: **BECKER**

Mid Schl: **FULMORE**

Updated: **12/16/03**
 Primary Use: **1 FAM DWELLING**
 Apt/Unit Num:

High Schl: **TRAVIS****Owner Name & Address**

Owner Name: **FRANKS LAURA LEE**
 Owner Address: **1506 BOULDIN AV**
AUSTIN, TX 78704-3417 C006

Owner Phone:

Legal Description

Subdivision: **MONROE HEIGHTS**
 Legal Desc: **LOT 18 BLK 1**
MONROE HEIGHTS

MAPSCO P: **614L** A: **MH** G: **20**Rand Mc P: **144** A: **H** G: **20**Block: **1** Lot: **18****Deed & Sales Information**

Deed Date: **03/28/92**
 Deed Bk/Pg: **11654/1572**
 Lender:

Deed Type:
 Loan #:

Doc Number:
 Vndr Lein: **67418**
 Replace \$: **52234**

Deed & Sales Information

Year Built: **1937**
 Bldg Sqft: **904**
 Bathrooms: **1.0**

Zoning: **SF3**
 Stories:
 Firepls: **1**

Acreage:
 Frontage: **50.00**
 Depth: **111.00**

Use
1 FAM DWELLING Floor
FIRST

Sqft
904 Exterior
WOOD SIDING

Quality
4 Wall

Improvement Details

PORCH OPEN 1ST F 50
BATHROOM 1

CARPORT DET 1ST 324
FIREPLACE

HVAC RESIDENTIAL 904
OBS FENCE

Assessed Values & Tax Information

| | | Land | Improved | Ag/Tmb | Total |
|--------|-------------|------------------|------------------|--------|------------------|
| Tax Yr | 2003 | \$ 100000 | \$ 76366 | | \$ 176366 |
| Tax Yr | 2002 | \$ 100000 | \$ 101674 | | \$ 201674 |
| Tax Yr | 2001 | \$ 100000 | \$ 67930 | | \$ 167930 |

| Code | Jurisdiction Name | Tax Rate | Tax Amount |
|------------|------------------------|---------------|-------------------|
| J01 | AISD | 1.6137 | \$ 2204.06 |
| J02 | AUSTIN | 0.4928 | \$ 747.01 |
| J03 | TRAVIS CO | 0.4918 | \$ 596.39 |
| J68 | AUSTIN COMM COL | 0.0771 | \$ 113.02 |

2001 Total Estimated Taxes **\$ 3660.47**
 Total Estimated Taxes Without Exemptions **\$ 5395.59**
 Exemptions: **HOMSTD ISD/CNTY, % HOMESTD**

Information Deemed Reliable But Not Guaranteed

TRAVIS COUNTY

Interealty

Parcel ID: **01000315100000**
 Prop Address: **1504 BOULDIN AV**
 Prop City: **AUSTIN, TX 78704 C006**
 School Dist: **AUSTIN ISD**
 Elem Schl: **BECKER**

Mid Schl: **FULMORE**

Updated: **12/16/03**
 Primary Use: **1 FAM DWELLING**
 Apt/Unit Num:

High Schl: **TRAVIS****Owner Name & Address**

Owner Name: **ZAVADIL PETER A**
 Owner Address: **1504 BOULDIN AV**
AUSTIN, TX 78704-3417 C006

Owner Phone:

Legal Description

Subdivision: **MONROE HEIGHTS**
 Legal Desc: **LOT 17 BLK 1**
MONROE HEIGHTS

MAPSCO P: **614L** A: **MH** G: **20**Rand Mc P: **144** A: **H** G: **20**Block: **1** Lot: **17****Deed & Sales Information**

Deed Date: **04/24/01** Deed Type: Doc Number:
 Deed Bk/Pg: Loan #: **1988435925** Vndr Lein: **176400**
 Lender: **CHASE MANHATTAN MTG CORP** Replace \$: **52896**

Deed & Sales Information

Year Built: **1941** Zoning: **SF3** Acreage:
 Bldg Sqft: **912** Stories: Frontage: **50.00**
 Bathrooms: **1.0** Firepls: Depth: **105.00**
 Use Floor Sqft Exterior Quality Wall
1 FAM DWELLING **FIRST** **912** **WOOD/ASBESTOS** **4-**

Improvement Details

PORCH OPEN 1ST F 36 **GARAGE DET 1ST F 360** **HVAC RESIDENTIAL 912**
BATHROOM 1 **OBS FENCE** **TERRACE UNCOVERD 72**

Assessed Values & Tax Information

| Tax Yr | Land | Improved | Ag/Tmb | Total |
|--------|-----------|----------|--------|-----------|
| 2003 | \$ 100000 | \$ 77335 | | \$ 177335 |
| 2002 | \$ 100000 | \$ 96000 | | \$ 196000 |
| 2001 | \$ 100000 | \$ 68792 | | \$ 168792 |

| Code | Jurisdiction Name | Tax Rate | Tax Amount |
|------|-------------------|----------|------------|
| J01 | AISD | 1.6137 | \$ 2619.60 |
| J02 | AUSTIN | 0.4928 | \$ 873.91 |
| J03 | TRAVIS CO | 0.4918 | \$ 697.71 |
| J68 | AUSTIN COMM COL | 0.0771 | \$ 132.87 |

2001 Total Estimated Taxes **\$ 4324.08**
 Total Estimated Taxes Without Exemptions **\$ 5243.78**
 Exemptions: **HOMSTD ISD/CNTY, % HOMSTD**

Information Deemed Reliable But Not Guaranteed

TRAVIS COUNTY

Interealty

Parcel ID: **01010102010000**
 Prop Address: **1509 BOULDIN AV**
 Prop City: **AUSTIN, TX 78704 C006**
 School Dist: **AUSTIN ISD**
 Elem Schl: **BECKER**

Mid Schl: **FULMORE**

Updated: **12/16/03**
 Primary Use: **1 FAM DWELLING**
 Apt/Unit Num:

High Schl: **TRAVIS****Owner Name & Address**

Owner Name: **MCKAY MIMI M**
 Owner Address: **1509 BOULDIN AV**
AUSTIN, TX 78704-3416 C006

Owner Phone:

Legal Description

Subdivision: **MONROE HEIGHTS**
 Legal Desc: **LOT 6 BLK 2**
MONROE HEIGHTS

MAPSCO P: **614L** A: **MH** G: **20**Rand Mc P: **144** A: **H** G: **20**Block: **2** Lot: **6****Deed & Sales Information**

Deed Date: **04/18/94** Deed Type: Doc Number:
 Deed Bk/Pg: **12168/1141** Loan #: **3008063** Vndr Lein: **117800**
 Lender: **COUNTRYWIDE HOME LOANS** Replace \$: **110611**

Deed & Sales Information

Year Built: **1955** Zoning: **SF3** Acreage:
 Bldg Sqft: **1996** Stories: Frontage: **50.00**
 Bathrooms: **2.0** Firepls: Depth: **89.00**
 Use Floor Sqft Exterior Quality Wall
1 FAM DWELLING **FIRST** **1382** **WOOD SIDING** **5-**
SECOND **614** **WOOD SIDING** **5-**

Improvement Details

PORCH OPEN 1ST F 40 HVAC RESIDENTIAL 1996 BATHROOM 2
DECK UNCOVERED 154 OBS FENCE STORAGE DET 100

Assessed Values & Tax Information

| | Land | Improved | Ag/Tmb | Total |
|--------------------|------------------|------------------|--------|------------------|
| Tax Yr 2003 | \$ 100000 | \$ 156294 | | \$ 256294 |
| Tax Yr 2002 | \$ 100000 | \$ 199100 | | \$ 299100 |
| Tax Yr 2001 | \$ 90000 | \$ 158285 | | \$ 248285 |

| Code | Jurisdiction Name | Tax Rate | Tax Amount |
|------------|------------------------|---------------|-------------------|
| J01 | AISD | 1.6137 | \$ 3252.28 |
| J02 | AUSTIN | 0.4928 | \$ 1067.12 |
| J03 | TRAVIS CO | 0.4918 | \$ 851.96 |
| J68 | AUSTIN COMM COL | 0.0771 | \$ 163.10 |

2001 Total Estimated Taxes **\$ 5334.47**
 Total Estimated Taxes Without Exemptions **\$ 8002.12**
 Exemptions: **HOMSTD ISD/CNTY, % HOMESTD**

Information Deemed Reliable But Not Guaranteed

TRAVIS COUNTY

Interealty

Parcel ID: **01010108010000**
 Prop Address: **809 JEWELL ST**
 Prop City: **AUSTIN, TX 78704 C006**
 School Dist: **AUSTIN ISD**
 Elem Schl:

Updated: **12/16/03**
 Primary Use: **1 FAM DWELLING**
 Apt/Unit Num:

Mid Schl:

High Schl:

Owner Name & Address

Owner Name: **GATTIS KERENSA & GARY**
 Owner Address: **809 JEWELL ST**
AUSTIN, TX 78704-3427 C006

Owner Phone:

Legal Description

Subdivision: **SMITH R G**
 Legal Desc: **LOT 9-10**
SMITH R G

MAPSCO P: A: G:

Rand Mc P: A: G:

Block: Lot: **9-10****Deed & Sales Information**

Deed Date: **01/24/01** Deed Type: Doc Number:
 Deed Bk/Pg: Loan #: Vndr Lein:
 Lender: Replace \$: **231688**

Deed & Sales Information

| | | |
|-------------------------|--------------------|-------------------------|
| Year Built: 1900 | Zoning: SF3 | Acreage: |
| Bldg Sqft: 4099 | Stories: | Frontage: 110.00 |
| Bathrooms: 2.0 | Firepls: | Depth: 120.00 |
| Use | Floor | Sqft |
| 1 FAM DWELLING | FIRST | 1695 |
| | SECOND | 2404 |
| | | Exterior |
| | | WOOD SIDING |
| | | WOOD SIDING |
| | | Quality |
| | | 5 |
| | | 5 |
| | | Wall |

Improvement Details

| | | | | | |
|-------------------------|------------|-------------------------|------------|-------------------------|-------------|
| PORCH OPEN 1ST F | 401 | GARAGE ATT 1ST F | 500 | HVAC RESIDENTIAL | 4099 |
| BATHROOM | 2 | DECK UNCOVERED | 252 | DECK UNCOVERED | 209 |
| PORCH CLOS UNFIN | 252 | | | | |

Assessed Values & Tax Information

| | | | | |
|--------------------|------------------|------------------|--------|------------------|
| | Land | Improved | Ag/Tmb | Total |
| Tax Yr 2003 | \$ 160000 | \$ 346142 | | \$ 506142 |
| Tax Yr 2002 | \$ 160000 | \$ 327711 | | \$ 487711 |
| Tax Yr 2001 | \$ 66000 | | | \$ 66000 |

| | | | |
|------------|------------------------|---------------|-------------------|
| Code | Jurisdiction Name | Tax Rate | Tax Amount |
| J01 | AISD | 1.6137 | \$ 7925.56 |
| J02 | AUSTIN | 0.4928 | \$ 2494.27 |
| J03 | TRAVIS CO | 0.4918 | \$ 1991.37 |
| J68 | AUSTIN COMM COL | 0.0771 | \$ 386.33 |

2001 Total Estimated Taxes **\$ 12797.53**
 Total Estimated Taxes Without Exemptions **\$ 13048.22**
 Exemptions: **HOMSTD ISD/CNTY, % HOMSTD**

Information Deemed Reliable But Not Guaranteed

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1505 BOULDIN AVENUE IN THE BOULDIN CREEK NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO SINGLE FAMILY RESIDENCE SMALL LOT-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (SF-4A-CO-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence-neighborhood plan (SF-3-NP) to single family residence small lot-conditional overlay-neighborhood plan (SF-4A-CO-NP) combining district on the property described in Zoning Case No.C14-03-0141, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: A 4,174 square foot tract of land, more or less, out of Lot 3, Block 2, Monroe Heights Subdivision in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: A 3,606 square foot tract of land, more or less, out of Lot 3, Block 2, Monroe Heights Subdivision in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance, (the "Property")

locally known as 1505 Bouldin Avenue, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

PART 2. The Property is subject to Ordinance No. 020523-33 that established the Bouldin Creek neighborhood plan combining district.

PART 3. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. The maximum impervious cover for Tract One is 50 percent.
2. The maximum impervious cover for Tract Two is 45 percent.

1
2 Except as specifically restricted under this ordinance, the Property may be developed and
3 used in accordance with the regulations established for the single family residence small lot
4 (SF-4A) base district and other applicable requirements of the City Code.
5

6 **PART 4.** This ordinance takes effect on _____, 2004.
7
8

9 **PASSED AND APPROVED**

10
11 §
12 §
13 §
14 _____, 2004

Will Wynn
Mayor

15
16
17
18 **APPROVED:** _____ **ATTEST:** _____
19 David Allan Smith Shirley A. Brown
20 City Attorney City Clerk

C14-03-0141
Bouldin - Tract 1

EXHIBIT A
FIELD NOTES
LOT 3-A

BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE ISAAC DECKER LEAGUE, SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT MORE PARTICULARLY DESCRIBED AS BEING A PORTION LOT 3, BLOCK 2, MONROE HEIGHTS, A SUBDIVISION RECORDED IN VOLUME 3, PAGE 219, PLAT RECORDS OF TRAVIS COUNTY TEXAS, SAID TRACT BEING 4174 SQUARE FEET OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a cotton spindle set in the Easterly right-of-way line of Bouldin Avenue, an existing 60' public right-of-way dedicated within said subdivision, at the Southwesterly corner of said Lot 3, same being the Northwesterly corner of Lot 4, Block 2 of said subdivision, for the Southwesterly corner and the POINT OF BEGINNING of the herein described,

THENCE, N22°57'04"E, following said right-of-way line, 50.05 feet to a pk nail set in rock at the Northwesterly corner of said Lot 3, same being the Southwesterly corner of Lot 2, Block 2 of said subdivision, for the Northwesterly corner of the herein described tract,

THENCE, S59°50'07"E, leaving said right-of-way line, following the common division line of said Lots 2 and 3, 81.15 feet to a pk nail set in rock, for the Northeasterly corner of the herein described tract,

THENCE, following a line over, upon, and across said Lot 3, the following three (3) courses and distances numbered 1 through 3,

1. S30°10'55"W, 21.90 feet to an iron pin set, for a ell corner,
2. S60°53'10"E, 11.76 feet to an iron pin set, for an ell corner,
3. S29°06'50"W, 27.20 feet to a cotton spindle set in the South line said Lot 3, same being the North line of Lot 5, Block 2 of said subdivision, for the Southeasterly corner of the herein described tract,

THENCE, N60°20'29"W, following the common division line of said Lot 5 and Lot 3, passing the common North corner of said Lot 5 and said Lot 4, a total distance of 87.12 feet to the POINT OF BEGINNING containing 4174 Square Feet Of Land.

Surveyed By:



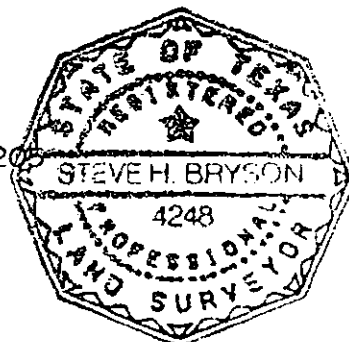
Steve H. Bryson - R.P.L.S. No. 4248

STEVE H. BRYSON SURVEYING CO.

2499 Capital of Texas Hwy., So., Bldg. A, Suite 200

Austin, Texas, 78746

Ph: (512) 347-9505 Fax: (512) 347-9510



C14-03-0141
3rd Street - Tract 2

EXHIBIT B
FIELD NOTES
LOT 3-B

BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE ISAAC DECKER LEAGUE, SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT MORE PARTICULARLY DESCRIBED AS BEING A PORTION LOT 3, BLOCK 2, MONROE HEIGHTS, A SUBDIVISION RECORDED IN VOLUME 3, PAGE 219, PLAT RECORDS OF TRAVIS COUNTY TEXAS, SAID TRACT BEING 3606 SQUARE FEET OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at an iron pipe found in the Westerly right-of-way line of 3rd St. South, an existing 60' public right-of-way dedicated within said subdivision, at the Northeasterly corner of said Lot 3, same being the Southeasterly corner of Lot 2, Block 2 of said subdivision, for the Northeast corner and the POINT OF BEGINNING of the herein described,

THENCE, S11°26'00"W, following said right-of-way line, 50.90 feet to an iron pin found at the Southeasterly corner of said Lot 3, same being the Northeasterly corner of Lot 5, Block 2 of said subdivision, for the Southeasterly corner of the herein described tract,

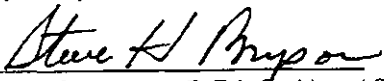
THENCE, N60°20'29"W, leaving said right-of-way line, following the common division line of said Lots 3 and 5, 76.76 feet to a cotton spindle set, for the Southwesterly corner of the herein described tract,

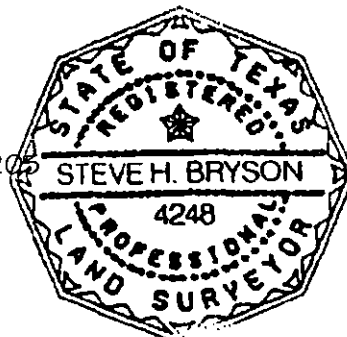
THENCE, following a line over, upon, and across said Lot 3, the following three (3) courses and distances numbered 1 through 3,

4. N29°06'50"E, 27.20 feet to an iron pin set, for a ell corner,
5. N60°53'10"W, 11.76 feet to an iron pin set, for an ell corner,
6. N30°10'55"E, 21.90 feet to a pk nail set in rock, in the North line said Lot 3, same being the South line of said Lot 2, Block 2, for the Northwesterly corner of the herein described tract,





THENCE, S59°50'07"E, following the common division line of said Lot 2 and Lot 3, 72.66 feet to the POINT OF BEGINNING containing 3606 Square Feet Of Land.

Surveyed By:


Steve H. Bryson ~ R.P.L.S. No. 4248
STEVE H. BRYSON SURVEYING CO.
2499 Capital of Texas Hwy., So., Bldg. A, Suite 205
Austin, Texas, 78746
Ph: (512) 347-9505 Fax: (512) 347-9510





| | | | | |
|---|---|--|--|--|
|  1" = 200' | SUBJECT TRACT  | ZONING EXHIBIT C | | CITY GRID REFERENCE NUMBER H21 |
| | PENDING CASE  | | | |
| | ZONING BOUNDARY  | CASE #: C14-03-0141 ADDRESS: 1505 BOULDIN AVE SUBJECT AREA (acres): 0.179 | DATE: 04-02 INTLS: SM | |
| | CASE MGR: A.BEAUDET | | | |

ZONING CHANGE REVIEW SHEET

CASE: C14-03-0141

PC DATE: October 8, 2003
November 11, 2003
November 19, 2003

ADDRESS: 1505 Bouldin Avenue

OWNER/APPLICANT: Mayhen, LLC(Mayo/Hendrix)

AGENT: Vincent Gerard & Associates, Inc. (Vincent Huebinger)

ZONING FROM: SF-3-NP

TO: SF-4A-NP

AREA: .179 acres

SUMMARY STAFF RECOMMENDATION:

Staff recommends single-family residence small lot-neighborhood plan combining district (SF-4A-NP) zoning.

PLANNING COMMISSION RECOMMENDATION:

10-8-03: Postponed to November 11, 2003. (Neighborhood request). Vote. 7-0.

11-11-03: Postponed to November 19, 2003. (Applicant's request). Vote. 5-0.

11-19-03: To grant the staff recommendation of SF-4A-NP. Vote: 7-0 (L.O.- on leave).

ISSUES:

There is a valid petition of 32.32% against this rezoning request.

The neighborhood representatives were not present at the November 19, 2003 Planning Commission meeting due to a misunderstanding as to what date the case had been postponed to when it was postponed at the November 11, 2003 Planning Commission meeting (they were present at the October 8, 2003, and November 11 Planning Commission hearings).

Also, it appears that two letters of correspondence were inadvertently left out of the Planning Commission back up submitted for the case. However, staff did report on the contents of that correspondence as part of the staff presentation made to the Commission and staff did hand out that correspondence to the Planning Commission at the hearing on November 19, 2003. The neighborhood is to contact staff by Monday, December 8, 2003 as to whether they intend to request that the City Council send the rezoning case back to the Planning Commission or whether to simply discuss the merits of the case with the City Council on December 11, 2003. Because the neighborhood did not attend the Planning Commission meeting, and because their correspondence could not be reviewed by commissioners before the case hearing, they feel that their view was not heard.

The neighborhood association/planning team has met with staff regarding the interpretation that SF-4A zoning does not require an amendment to the Bouldin Neighborhood Plan (they feel that if the Future Land Use Map is yellow then anything more intensive than SF-3 should require a plan amendment to "higher density single family" however that is not staff's current policy). Current staff policy is to allow the following zoning districts to locate within a designated single-family residential land use (yellow) area: RR, SF-1, SF-2, SF-3, SF-4A.

DEPARTMENT COMMENTS:

There are currently two single-family homes on the subject tract. The applicant proposes to subdivide the land so that each homes occupies a single lot. The property is approximately 7,797 square feet. The minimum lot size in the SF-4A zoning district is 3, 600 square feet therefore making two lots possible on this tract if that zoning is granted (if each lot equally had 3, 898 square feet or a variation there of keeping with the 3,600 square foot minimum). The SF-3 zoning district minimum lot size is 5, 750 square feet.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|---------------|------------------------|
| <i>Site</i> | SF-3-NP | Two family residential |
| <i>North</i> | SF-3-NP | Single family homes |
| <i>South</i> | SF-3-NP | Single family homes |
| <i>East</i> | SF-3-NP | Single family homes |
| <i>West</i> | SF-3-NP | Single family homes |

AREA STUDY: Bouldin Neighborhood Plan **TIA:** Not required.

WATERSHED: West Bouldin Creek **DESIRED DEVELOPMENT ZONE:** Yes.

CAPITOL VIEW CORRIDOR: No. **HILL COUNTRY ROADWAY:** No.

NEIGHBORHOOD ORGANIZATIONS:

Bouldin Creek Neighborhood Association
Terrell Lane Interceptor Association
Barton Springs/Edwards Aquifer Conservation District
South Central Coalition
Austin Neighborhoods Council

CASE HISTORIES:

| NUMBER | REQUEST | ZONING AND PLATTING COMMISSION | CITY COUNCIL |
|---------------|-----------------------------------|--|-------------------------------|
| C14-00-2068 | SF-3 to SF-4A | 5-16-03: Approved staff recommendation of SF-4A. 9-0 | 6-22-00: Approved SF-4A. 7-0. |
| C14-02-0031 | Various land use recommendations. | 3-27-02: Recommend plan w/conditions. | 5-23-02: Approved Plan. |

RELATED CASES:

There are no subdivision or site plan cases currently under review by the City of Austin.

ABUTTING STREETS:


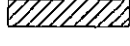


| NAME | ROW | PAVEMENT | CLASSIFICATION | DAILY TRAFFIC |
|------------------------------|-----|----------|----------------|---------------|
| Bouldin Lane | 60' | 30' | Collector | N/A |
| South 3 rd Street | 56' | Varies | Local | N/A |

CITY COUNCIL DATE: March 11, 2004

ACTION: November 6, 2003: Postponed to 11-20-03 at staff's request (7-0)
November 20, 2004: Pulled from agenda (re-notification required)
December 11, 2003: Postponed to January 8, 2003 (neighborhood's request).
Vote: (6-0-goodman off the dais)
January 8, 2004: To approve single family residence small lot-neighborhood plan combining district (SF-4A-NP) zoning on first reading only. Vote: 7-0.
January 29, 2004: Approved 2nd reading with 50% impervious cover for lot on Bouldin St. and 45% impervious cover for lot on 3rd St. (5-0-Wynn off dais and Thomas absent)
note
staff provide analysis of sf-3 vs. sf-4 setbacks, especially what can be included in conditional overlay

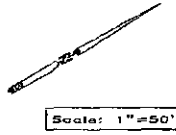
ORDINANCE READINGS: 1st 1-8-04 2nd 1-29-04 3rd**ORDINANCE NUMBER:****CASE MANAGER:** Annick Beaudet**PHONE:** 974-2975



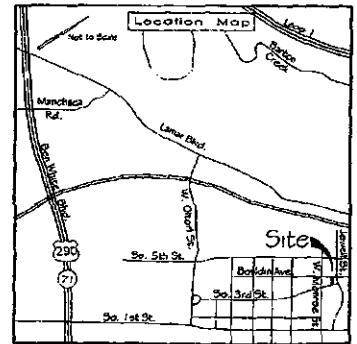
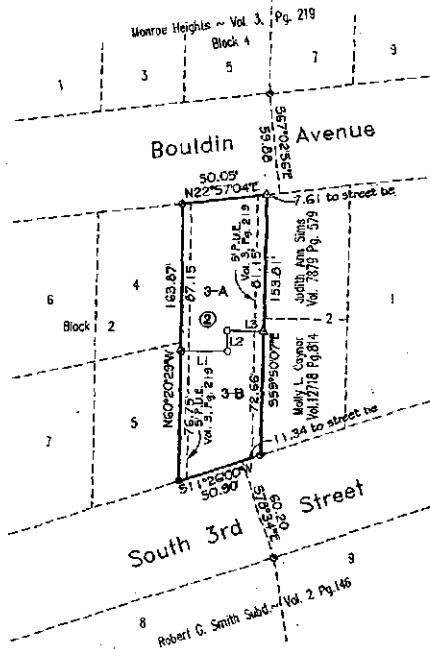
| | | | | |
|---|---|---|---|--|
|  1" = 200' | SUBJECT TRACT  | ZONING | | CITY GRID REFERENCE NUMBER H21 |
| | PENDING CASE  | | | |
| | ZONING BOUNDARY  | CASE #: C14-03-0141 ADDRESS: 1505 BOULDIN AVE. SUBJECT AREA (acres): 0.179 | DATE: 03-09 INTLS: TRC | |
| | CASE MGR: A.BEAUDET | | | |



Resubdivision of Lot 3, Block 2, Monroe Heights



| Line Table | | |
|------------|-------------|-------|
| L1 | S29°06'50"W | 27.20 |
| L2 | S60°53'10"W | 11.76 |
| L3 | S30°10'58"W | 21.90 |



Legend

- ▲ FK Nail Set in Rock
- Iron Pin Set
- Iron Pin Found
- Iron Pipe Found
- Coddle Spindle Set
- Lot Number
- ② Block Number
- P.U.E. Public Utility Easement
- OWNER: Mayhen, L.L.C.
- ACREAGE: 0.178 Acres
- SURVEY: Isaac Decker Leagus
- F.E.M.A. MAP NO. 48453C-0205C
- TRAVIS CO., TEXAS DATED: 6-16-93
- DATE: October 20, 2003

STATE OF TEXAS:
COUNTY OF TRAVIS:
KNOW ALL MEN BY THESE PRESENTS:

THAT MAYHEN L.L.C., ACTING HEREIN BY AND THROUGH STEVE MAYO, ITS PRESIDENT, BEING OWNER(S) OF LOT 3, BLOCK 2, MONROE HEIGHTS, A SUBDIVISION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, RECORDED IN VOLUME 3, PAGE 219, TRAVIS COUNTY PLAT RECORDS, SAID PROPERTY BEING 0.178 OF AN ACRE OF LAND, MORE OR LESS, AND CONVEYED BY WARRANTY DEED RECORDED IN DOCUMENT NO. 2000049702, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID SUBDIVISION HAVING BEEN APPROVED FOR A RESUBDIVISION PURSUANT TO THE PUBLIC NOTIFICATION AND HEARING PROVISION OF CHAPTER 212.014 OF THE LOCAL GOVERNMENT CODE, DO HEREBY RESUBDIVIDE SAID PROPERTY IN ACCORDANCE WITH THE MAP OR PLAT SHOWN HEREON, TO BE KNOWN AS:

* RESUBDIVISION OF LOT 3, BLOCK 2, MONROE HEIGHTS *

SUBJECT TO ANY EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT YET RELEASED, AND WE DO HEREBY DEDICATE TO THE USE OF THE PUBLIC THE STREETS AND EASEMENTS SHOWN HEREON.

WITNESS OUR HANDS THIS THE _____ DAY OF _____, 2003.

MARK HENDRIX
708 COUNTRY LANE
HOUSTON, TEXAS 77024

STATE OF TEXAS:
COUNTY OF TRAVIS:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2003, A.D., BY MARK HENDRIX, FOR THE PURPOSES AND CONSIDERATIONS STATED HEREON.

SIGNATURE OF NOTARY _____

PRINTED NAME OF NOTARY _____

THIS SUBDIVISION IS LOCATED IN THE FULL PURPOSE JURISDICTION OF THE CITY OF AUSTIN ON THIS THE _____ DAY OF _____, 2003.

CITY CERTIFICATION

ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR OF THE DEVELOPMENT REVIEW & INSPECTION DEPARTMENT, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

JOSEPH G. PANTALONI, PE
ACTING DIRECTOR
WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT

ACCEPTED AND AUTHORIZED FOR RECORD BY THE ZONING AND PLATTING COMMISSION OF THE CITY OF AUSTIN, TEXAS, ON THIS THE _____ DAY OF _____, 2003, A.D.

CHAIRMAN _____

SECRETARY _____

FLOOD INSURANCE RATE MAP DETERMINATION

NO PORTION OF THIS TRACT IS WITHIN THE DESIGNATED FLOOD HAZARD AREA AS SHOWN ON THE FEDERAL FLOOD INSURANCE ADMINISTRATION RATE MAP PANEL NO. 48453C-0205C, TRAVIS COUNTY, TEXAS, DATED JUNE 16, 1993.

I, TROY R. ULMANN, TEXAS LICENSED ENGINEER NO. 45927, HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE ENGINEERING RELATED PORTIONS OF THIS PLAT ARE TRUE AND CORRECT.

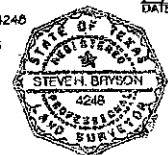
TROY R. ULMANN, P.E. #45927
ULMANN ENGINEERING, INC.
7525 HIGHWAY 71 WEST
AUSTIN, TEXAS 78735
PH: (512) 892-4755 FAX: (512) 892-3305



10/28/03
DATE:

I, STEVE H. BRYSON, R.P.L.S. NO. 4248, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING, AND DO HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH TITLE 25 OF THE AUSTIN CITY CODE OF 1988, AS AMENDED, IS TRUE AND CORRECT, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND UNDER MY SUPERVISION.

STEVE H. BRYSON
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4248
STEVE H. BRYSON SURVEYING CO.
2499 CAPITAL OF TEX. HWY. SO., BLDG. A, STE. 205
AUSTIN, TEXAS 78746
PH: (512) 347-9505 FAX: (512) 347-9510



10/28/03
DATE:

PROPOSED SUBDIVISION

STAFF RECOMMENDATION

C14-03-0141

Staff recommends single-family residence small lot-neighborhood plan combining district (SF-4A-NP) zoning.

BASIS FOR RECOMMENDATION (Revised 1-21-04)

1. Zoning should be consistent with an adopted area study or neighborhood plan.

The requested zoning district complies with the adopted Bouldin Neighborhood Plan which designates the property for single family residential uses (See attached Exhibit A, Future Land Use Map). In addition, the plan speaks to maintaining "the Single Family Residential Character of the Neighborhood Interior" (Goal 1, Objective 1.1, pg. 14). The request for SF-4A zoning district designation complies with this Plan objective by allowing single family-small lot development.

2. The proposed zoning should be consistent with the purpose statement of the district sought.

The single-family residence small lot district is the designation for a moderate density single-family residential use on a lot that is a minimum of 3, 600 square feet. An SF-4A district use is subject to development standards that maintain single-family neighborhood characteristics.

The subject tract is developed with two single family homes which, if subdivided, would meet the 3, 600 square foot minimum lot size requirement of the SF-4A zoning district. The property is located in the desired development zone and close to the central business district therefore making the SF-4A, a moderate density single family district, reasonable at this location.

3. Granting of the request should result in equal treatment of similarly-situated properties.

Within the same block as the subject property six of the existing eight lots (two abutting lots to the north and four lots abutting to the south) are already less than the minimum SF-3 lot size of 5,750 square feet. All other single family homes within the same block, excluding the subject property are located on non-thought lots that face either Bouldin Avenue or South Third Street.

There is small area of SF-4A district zoning to the northeast of this property.

4. The rezoning request will allow for a reasonable use of the property in that there already exists two single family dwellings on the property and the rezoning would allow each to sit on a legal lot if the land is subdivided. Also, the density for a SF-4A district is actually less than that of a SF-3 district in that in order to have two units in a SF-4A district you need 7,200 square feet of land (3,600 square feet for each unit) whereas one can develop two units by way of a duplex in an SF-3 district and only need 7,000 square feet of land.

EXISTING CONDITIONS

Site Characteristics

The site is developed with two single-family homes.

Impervious Cover

The maximum impervious cover allowed by the SF-4A zoning district would be 65%. The site is located in the West Bouldin Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone. Impervious cover is not limited in this watershed class, therefore the zoning district impervious cover regulation applies.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm.

According to flood plain maps, there is no flood plain within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

Transportation

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 21 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

There are existing sidewalks along Bouldin Lane

Bouldin Lane is classified in the Bicycle Plan as a Priority 1 bike route. (Route #31)

Capital Metro bus service is available along Bouldin Lane. (Route #16)

Existing Street Characteristics:

| NAME | ROW | PAVEMENT | CLASSIFICATION | DAILY TRAFFIC |
|------------------------------|-----|----------|----------------|---------------|
| Bouldin Lane | 60' | 30' | Collector | N/A |
| South 3 rd Street | 56' | Varies | Local | N/A |

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustment are required, the landowner will be responsible for all costs and providing. Also, the utility plan must be reviewed and approved by the City of Austin Water and Wastewater Utility. The plan must be in accordance with the City's utility design criteria.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Compatibility Standards

This site is located in the Bouldin Neighborhood Plan. Please contact this reviewer for a copy of the recommended design guidelines.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Additional design regulations will be enforced at the time a site plan is submitted.

DEPARTMENT COMMENTS

There are currently two single-family homes on the subject tract. The applicant proposes to subdivide the land so that each homes occupies a single lot. The property is approximately 7,797 square feet. The minimum lot size in the SF-4A zoning district is 3, 600 square feet therefore making two lots possible on this tract if that zoning is granted (if each lot equally had 3, 898 square feet or a variation there of keeping with the 3,600 square foot minimum). The SF-3 zoning district minimum lot size is 5, 750 square feet.

Bouldin Creek Neighborhood Plan Future Land Use Map

 Subject Tract

 Single Family

 Higher Density Single Family

 Multifamily

 Commercial

 Mixed Use

 Civic

 Parks

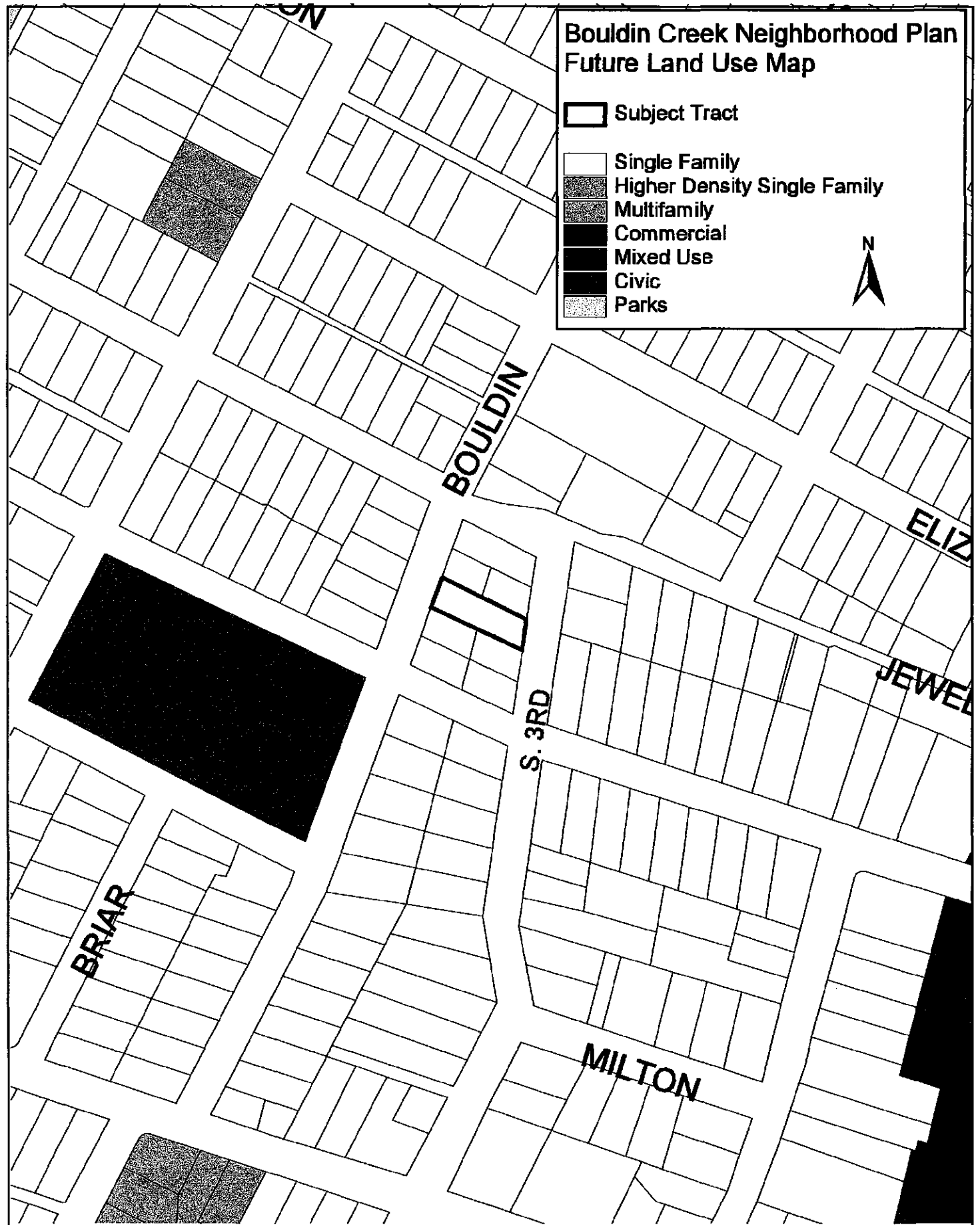


Exhibit A



Date: 7 November 2003
To: City of Austin Planning Commission
From: Bouldin Creek Neighborhood Association
Re: Case #C14-03-0141 1505 Bouldin Avenue

Commissioners:

The Bouldin Creek Neighborhood Association (BCNA) wishes to register its objection to this proposed zoning change as it runs counter to the letter and intent of the Bouldin Creek Neighborhood Plan. The Plan states as its primary goal: "Maintain established neighborhood character and assets. Objective 1.1 Maintain single family residential character of the neighborhood interior."

During the planning process a survey distributed throughout the neighborhood offered various choices for densification. One of these was choices was to decrease the minimum lot size for SF-3 lots to 3,500 square feet (the "Urban Home" densification option), in effect the same size and buildout as an SF-4A lot.

Residents resoundingly rejected this densification option. A total of 72% of those surveyed disagreed with the 3,500 square foot option, with 54% strongly disagreeing with the change. Fully 78% of residents desired no change in residential lot size. (See attached survey results) There were several reasons for this response.

One was the fear that anyone with a lot 7,000 square feet in size or greater would be able to subdivide the lot, doubling the attendant noise, traffic pressures, utility requirements, etc. This would degrade rather than maintain the established neighborhood character. Another reason was that increased density would further damage the two vital urban watersheds that run through the neighborhood- East and West Bouldin Creeks. The Plan calls for limiting future impervious cover in the neighborhood.

A third reason was the belief that splitting large lots into small lots would decrease the affordability of the overall housing stock in Bouldin. This belief has proven to be the case (See attached example).

Given the above information, BCNA wishes to state its concern regarding planning department process in arriving at its recommendation to the Commission in support of this requested change.

Since the change is incremental and remains within the single-family residential classification, staff deemed it unnecessary to consult the BCNA's Zoning Committee, a body created to serve as custodian of the Plan, and staffed by several of the Plan's architects and writers.

Staff also deemed it unnecessary to invoke the amendment process to make a change which allows a doubling of lot density. The Neighborhood association respectfully disagrees with both of these procedural judgments, and hopes to work with staff to revise these procedures.

Since an amendment process is outlined for review and change to Neighborhood Plans, the Neighborhood Association sees in this case a potential threat to the integrity of all Neighborhood Plans, and the Neighborhood Planning Department which guides their creation. If the documents, and the instruments for their amendment can be circumvented or simply disregarded on a case-by-case basis, then adopted Plans will be stripped of any relevance.

With regard to this specific case, a single family has owned the lot, with its two separate residences--each with separate street-facing address, separate city utilities, and separate certificates of occupancy for over 50 years. However, given the lot's size (over 7,000 s.f.), the two separate residences may legally exist under SF-3 zoning designation. Improvements to the residences within regular building restrictions are also allowable.

Essentially, then, the only option not permitted to the owner under the existing zoning but allowable under the requested SF-4A zoning, is the ability to sell the two residences to two separate buyers.

The Neighborhood Association does not believe this creates any undue financial hardship on the owner, given the robust market for lots in this neighborhood. Further, the association sees creation of a likely scenario in which a future property owner might dwell in one residence, while leasing the second residence, thus contributing to a neighborhood plan goal of maintaining a diversity of income level housing stock in the neighborhood.

In conclusion, we believe that granting a financial convenience to this applicant in the first zoning change request against a neighborhood plan unanimously approved by the Planning Commission, and unanimously approved for adoption by City Council, exacts far too great a cost on the validity of the neighborhood planning process in general, and on the Bouldin Creek Neighborhood Plan in particular.

Sincerely,

A handwritten signature in dark ink, appearing to read "Aaric Eisenstein", with a stylized flourish at the end.

Aaric Eisenstein, President
Bouldin Creek Neighborhood Association

- 3. Rezoning: C14-03-0141 - 1505 Bouldin Rezoning**
Location: 1505 Bouldin Avenue, West Bouldin Creek Watershed, not required NPA
Owner/Applicant: Mahen, LLC (Steve & Shannon Mayo, Mark Hendrix)
Agent: Vincent Gerard & Associates, Inc. (Vincent Huebinger)
Request: From SF-3-NP to SF-4A-NP
Staff Rec.: **Recommended**
Staff: Annick Beaudet, , annick.beaudet@ci.austin.tx.us
974-2975
Neighborhood Planning & Zoning Department

Annick Beaudet, NPZ staff presented the staff recommendation. The rezoning request is actually for less density. There is SF-4A zoning to the northeast of the tract.

Commissioner Medlin asked if a unit is gained with the rezoning. Ms. Beaudet explained that no residential unit would be gained.

Commissioner Casias asked about the adjacent property and whether it is split. Ms. Beaudet said that the lots to the south are substandard lots. They do not meet the current minimum size for SF-3 lots.

PUBLIC HEARING

Vincent Huebinger, representing the owners, said the owners inherited the two houses from their grandfather. The first house was built in 1940 and the second in 1949 with city permits. The bank requires that in order to improve the South 3rd house, the house must be a legal lot. The owner decided to pursue SF-4A zoning because of the setbacks and impervious cover allowed. This is not a purchase for redevelopment. The owners were confused with the neighborhood association's opposition to the project and their concern it would set a precedent. He said the Bouldin neighborhood plan states two goals. The first is to continue single-family housing in the neighborhood, and the second is to have affordable, diverse housing. This proposed project meets both those goals. In the immediate area, the lots are less than 5,000 square feet. The two houses exist and so traffic will not increase. The owners should be encouraged to make improvements to the home.

Shannon Mayo, owner of the house, said their parents went to Becker, she and her brother were born in the South 3rd Street house. The houses need improvement. The houses are part of the family's past.

AGAINST

No speakers against.

MOTION: Close public hearing.

VOTE: 7-0 (NS-1st, DS-2nd)

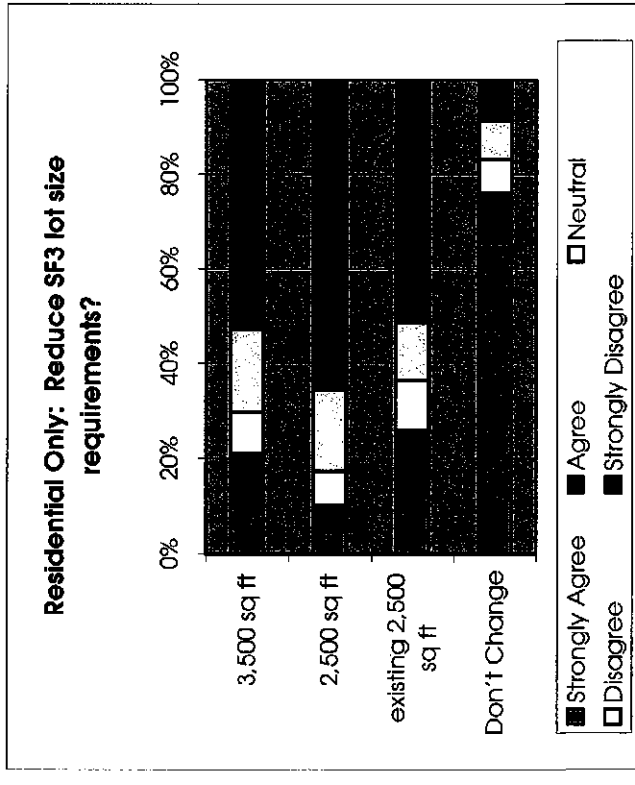
MOTION: Approve staff recommendation.

VOTE: 7-0 (NS-1st, DS-2nd)

Question 2: Should the required lot size for new single family houses be reduced to:

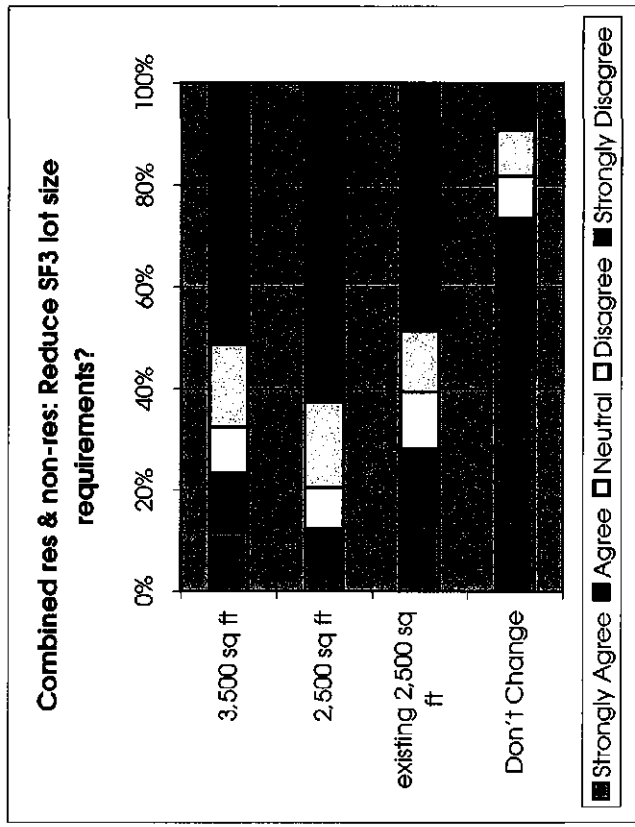
Residential only

| Should the required lot size for new single home family houses be reduced? | | | | |
|--|-------------|-------------|----------------------|--------------|
| | 3,500 sq ft | 2,500 sq ft | existing 2,500 sq ft | Don't Change |
| Strongly Agree | 36 | 16 | 42 | 273 |
| Agree | 39 | 20 | 51 | 44 |
| Neutral | 30 | 25 | 37 | 30 |
| Disagree | 62 | 60 | 43 | 34 |
| Strongly Disagree | 186 | 230 | 183 | 36 |
| Total | 353 | 351 | 356 | 417 |



Combined Residential and Non-Residential

| Should the required lot size for new single home family houses be reduced? | | | | |
|--|-------------|-------------|----------------------|--------------|
| | 3,500 sq ft | 2,500 sq ft | existing 2,500 sq ft | Don't Change |
| Strongly Agree | 48 | 26 | 55 | 307 |
| Agree | 50 | 26 | 65 | 51 |
| Neutral | 38 | 34 | 48 | 40 |
| Disagree | 69 | 71 | 51 | 44 |
| Strongly Disagree | 214 | 262 | 207 | 44 |
| Total | 419 | 419 | 426 | 486 |



Lot Valuation and Neighborhood Affordable Housing Stock

During the planning process a survey was distributed throughout the neighborhood offering various choices for densification, including the option to decrease SF-3 lot size to 3,500 square feet (The "Urban Home" densification option).

One reason for residents' overwhelming rejection of the option was the belief that splitting large lots into small lots would decrease the affordability of the overall housing stock in Bouldin.

A review of adjacent properties shows that this is indeed the case. (It should be noted that the Plan grandfathered existing substandard SF lots. This was called "small lot amnesty").

Immediately west of the applicant's property are two lots: each approximately 4,150 square feet--considerably smaller than their SF-3 designation's standard 5,750 s.f. A review of TCAD records indicates that each lot is appraised at \$100,000, absent improvements.

Splitting the applicant's lot, which is presently appraised at only \$120,000 would result in similar valuation to each lot of approximately 3,950 s.f., approaching \$100,000 each based on the precedent cited above.

Thus, each house would have to absorb an additional tax load of \$40,000 ($\$120,000/2 = \$60,000 + \$40,000 = \$100,000$) with the result being a decrease in the affordability of both lots.