

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



**AGENDA ITEM NO.: Z-1
AGENDA DATE: Thu 12/02/2004
PAGE: 1 of 1**

SUBJECT: C14H-89-0002 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the Willie Wells House, 1705 Newton Street (East Bouldin Creek Watershed) from Family Residence, Neighborhood Plan (SF-3-NP) district zoning to Family Residence, Neighborhood Plan-Historic (SF-3-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant Family Residence, Neighborhood Plan-Historic (SF-3-H-NP) combining district zoning. Planning Commission Recommendation: To grant Family Residence, Neighborhood Plan-Historic (SF-3-H-NP) combining district zoning. Applicant: Danny Bingham, owner. City Staff: Steve Sadowsky, Historic Preservation Office, Neighborhood Planning and Zoning Department, 974-6454.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Alice Glasco

ZONING CHANGE REVIEW SHEET

CASE NUMBER: C14H-89-0002

H.L.C. DATE:

September 13, 2004

P.C. DATE:

October 26, 2004.

AREA: 881 square feet

APPLICANT: Danny Bingham

AGENT: NA

HISTORIC NAME: Willie Wells House

WATERSHED: East Bouldin Creek

ADDRESS OF PROPOSED ZONING CHANGE: 1705 Newton Street

ZONING FROM: SF-3-NP

ZONING TO: SF-3-H-NP

SUMMARY STAFF RECOMMENDATION: Staff recommends the proposed zoning change for an 881-square foot strip of land adjacent to the existing historic house, which is traditionally associated with the property and recently purchased by the owner from family residence, neighborhood plan (SF-3-NP) district to family residence, neighborhood plan – Historic (SF-3-H-NP) combining district zoning.

HISTORIC LANDMARK COMMISSION ACTION: Recommended the proposed zoning change from family residence, neighborhood plan (SF-3-NP) district to family residence, neighborhood plan – Historic (SF-3-H-NP) combining district zoning. Vote: 6-0 (Fowler, Hooper, and Mather absent).

PLANNING COMMISSION ACTION: Recommended the proposed zoning change from family residence, neighborhood plan (SF-3-NP) district to family residence, neighborhood plan – Historic (SF-3-H-NP) combining district zoning. Vote: 8-0.

DEPARTMENT COMMENTS: The additional strip of land is traditionally associated with the house, and part of the house sits on the strip proposed for rezoning. The owner recently purchased the strip of land so that the house is now completely on land that he owns.

CITY COUNCIL DATE: December 2, 2004

ACTION:

ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

CASE MANAGER: Steve Sadowsky

PHONE: 974-6454

NEIGHBORHOOD ORGANIZATION:

Old West Austin Neighborhood Association

BASIS FOR RECOMMENDATION:

The additional strip of land contains part of the house already zoned historic and corrects a boundary issue of the property.

PARCEL NO.: 04000007040000

DEED RECORD: Unknown

ANNUAL TAX ABATEMENT: N/A

APPRAISED VALUE: N/A

PRESENT USE: N/A

PRESENT OWNER

Danny Bingham
1705 Newton Street
Austin, Texas 78704

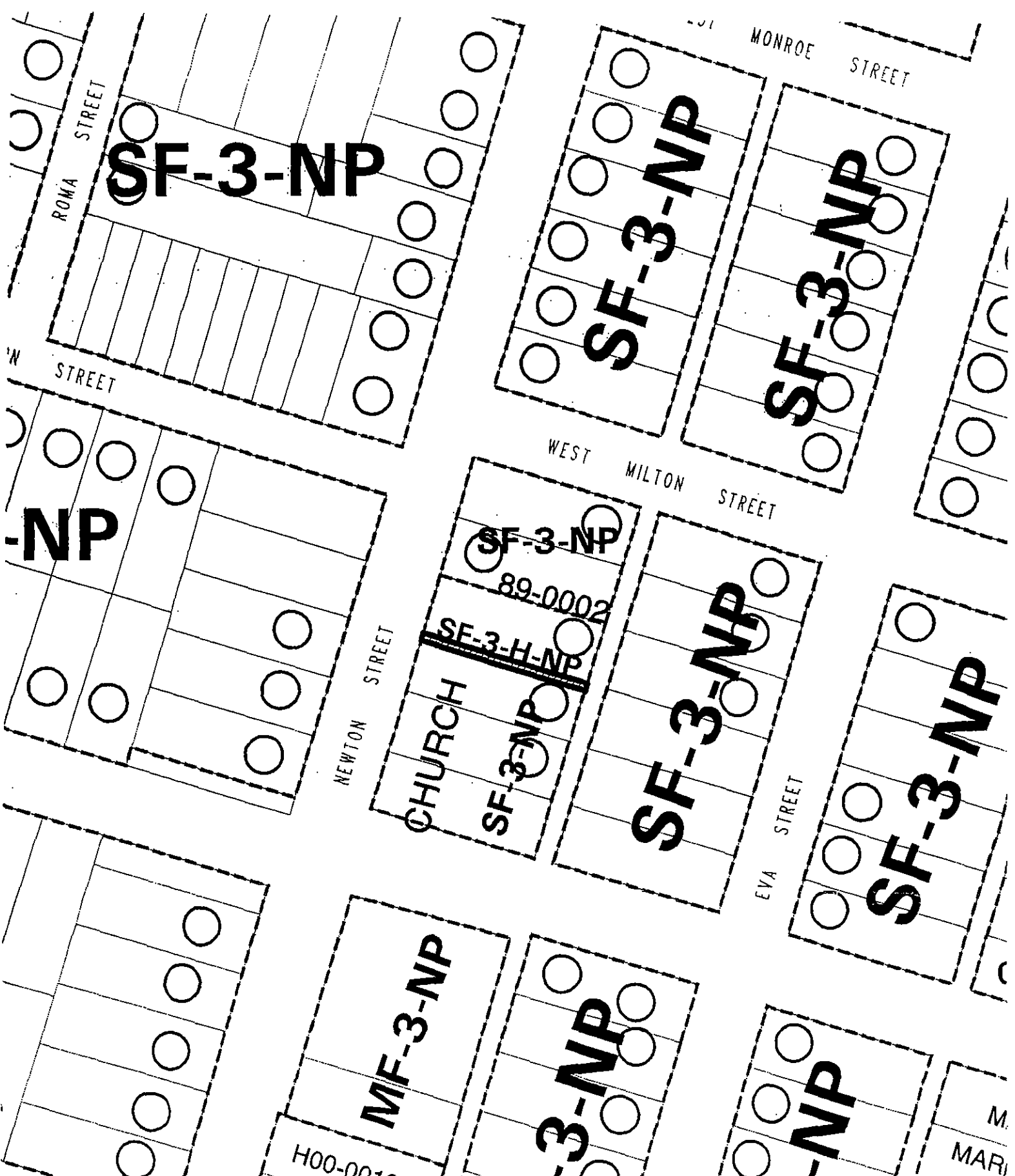
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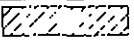


ALTERATIONS/ADDITIONS: N/A

ORIGINAL OWNER(S): N/A

OTHER HISTORICAL DESIGNATIONS:

N/A



 1" = 100'	SUBJECT TRACT		HISTORIC ZONING		CITY GRID REFERENCE NUMBER H20
	PENDING CASE		CASE #: C14H-89-0002		
	ZONING BOUNDARY		ADDRESS: 1705 NEWTON ST		
	CASE MGR: S. SADOWSKY	SUBJECT AREA (acres): N/A		DATE: 04-06	
			INTLS: SM		

FIELD NOTES DESCRIPTION

DESCRIPTION OF 881 SQUARE FEET OF LAND IN THE ISAAC DECKER LEAGUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; BEING A PORTION OF LOT 9, BLOCK 28, SWISHER ADDITION, A SUBDIVISION ACCORDING TO THE PLAT OF RECORD IN PLAT BOOK VOLUME 2, PAGE 158, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 9 DESCRIBED IN A DEED TO PAUL KENNETH JOHNSON OF RECORD IN VOLUME 11639, PAGE 1437, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 881 SQUARE FEET TRACT OF LAND, AS SURVEYED BY LOOMIS AUSTIN, INC. AND SHOWN ON THE ACCOMPANYING PLAT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a ½-inch iron rod with plastic cap stamped "J.E.GARON RPLS 4303" found at the intersection of the east right-of-way line of Newton Street with the north line of West Annie Street for the southwest corner of said Block 28, Swisher Addition;

THENCE N 18° 58' 32" E, with the east right-of-way line of said Newton Street, same being the west line of said Block 28, at a distance of 49.38 feet pass a calculated point for the common west corner of Lots 7 and 8, from which an iron pipe with a pinched top found bears S 83° 32' 32" W, a distance of 0.25 feet; at a distance of 98.76 feet pass a calculated point for the common west corner of Lots 8 and 9 from which a ½-inch iron rod with plastic cap stamped "J.E.GARON RPLS 4303" found bears N 36° 46' 14" E, a distance of 0.14 feet; and continuing with the west line of said Lot 9, Block 28, for a total distance of 148.14 feet to a ½-inch iron rod with plastic cap stamped "LAI" set for the common west corner of said Lot 9 and Lot 10, said Block 28 for the northwest corner and **POINT OF BEGINNING** of the tract described herein, from which a ½-inch iron rod with plastic cap stamped "J.E.GARON RPLS 4303" found bears S 03° 37' 19" W, a distance of 0.32 feet;

THENCE S 70° 44' 00" E, leaving the east right-of-way line of said Newton Street, with the common line of said Lots 9 and 10, a distance of 139.80 feet to a ½-inch iron rod with plastic cap stamped "LAI" set in the west line of a 16-ft wide alley for the common east corner of said Lots 9 and 10, being the northeast corner of the tract described herein, from which a ¾-inch iron pipe found for the common east corner of said Lot 10 and Lot 11, said Block 28, bears N 18° 53' 36" E a distance of 48.97 feet, and a ½-inch iron rod with plastic cap stamped "J.E.GARON RPLS 4303" found bears N 28° 41' 02" E, a distance of 0.86 feet;

THENCE S 18° 53' 36" W, with the west line of said alley, same being the east line of said Lot 9, a distance of 6.30 feet to a ½-inch iron rod with plastic cap stamped "LAI" set for the southeast corner of the tract described herein;

THENCE N 70° 44' 00" W, leaving the west line of said alley and crossing said Lot 9 with a line being 6.3-ft south of and parallel to the north line of said Lot 9, a distance of 139.81 feet to a ½-inch iron rod with plastic cap stamped "LAI" set in east right-of-way line of said Newton Street, same being the west line of said Lot 9, and being the southwest corner of the tract described herein;

THENCE N 18° 58' 32" E, with the east right-of-way line of said Newton Street, same being the west line of said Lot 9, a distance of 6.30 feet to the **POINT OF BEGINNING** and containing 881 square feet of land, more or less.

881 Sq. Ft.
Isaac Decker Lg. Sur. No. 18
City of Austin, Travis County, Texas

LAI Job No.040108
FN0469(wdo)
Page 2 of 5

BEARING BASIS: Centerline of Newton Street, as shown on the City of Austin District Map No. 26 and as found marked on the ground; bearing of N 19° 00' E.

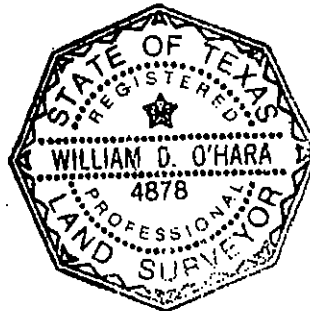
LAI WORD FILE: FN0469(wdo)

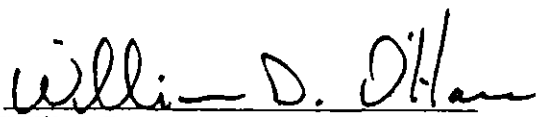
THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS §

That I, William D. O'Hara, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying plat is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during the months of January, February and May 2004, under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 23 of May 2004 A.D.

Loomis Austin, Inc.
Austin, Texas 78746




William D. O'Hara
Registered Professional Land Surveyor No. 4878
State of Texas



MAY, 2004
CITY OF AUSTIN
TRAVIS COUNTY, TEXAS

NUMBER	BEARING	DISTANCE
L1	S 18°53'36" W	6.30'
L2	N 18°58'32" E	6.30'

PAGE 3 OF 5

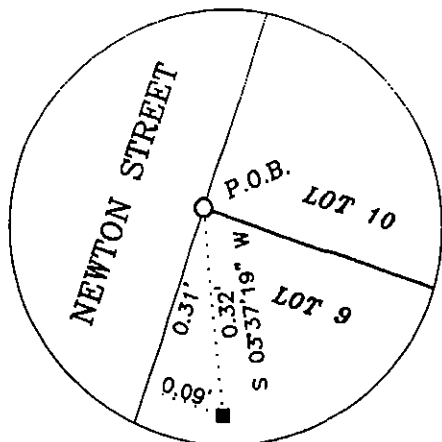
LOOMIS
AUSTIN

LAND • WATER • PROPERTY

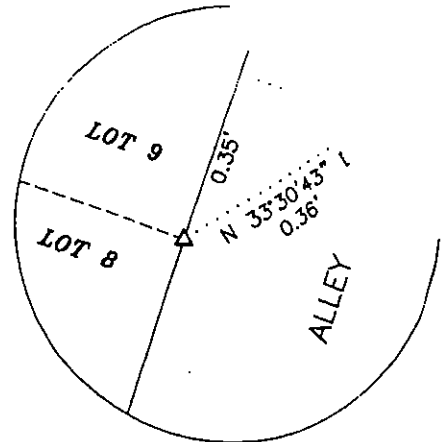
3103 Bee Caves Road, Suite 225; Austin Texas 78746
Phone: (512) 327-1180; Fax: (512) 327-4062; www.loomis-austin.com

U.S. Patent & Trademark Office

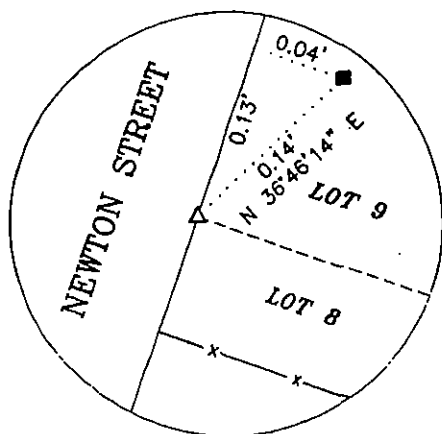
SURVEY PLAT
881 SQ. FT. PORTION OF LOT 9
BLOCK 28, SWISHER ADDITION
CITY OF AUSTIN, TRAVIS CO., TEXAS
(FN0469)wdo



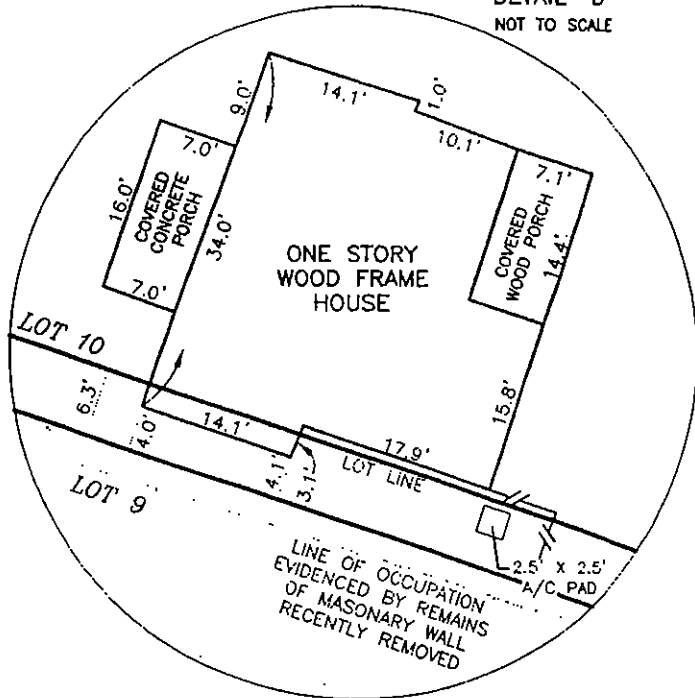
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NOT TO SCALE



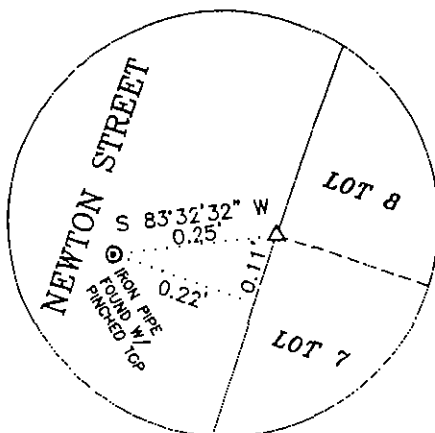
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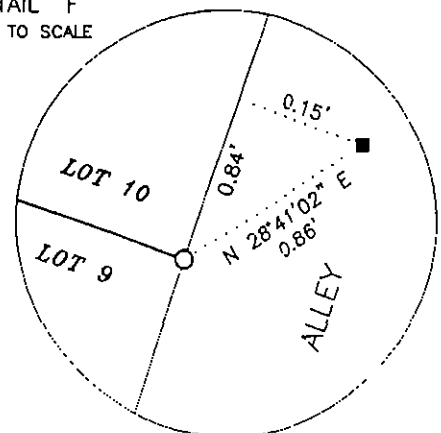
DETAIL "B"
NOT TO SCALE



DETAIL "F"
NOT TO SCALE



DETAIL "C"
NOT TO SCALE



DETAIL "E"
NOT TO SCALE

**LOOMIS
AUSTIN**

LAND • WATER • PROPERTY

3103 Bee Coves Road, Suite 225, Austin Texas 78746
Phone: (512) 327-1180; Fax: (512) 327-4062; www.loomisaustin.com

SURVEY PLAT

881 SQ. FT. PORTION OF LOT 9
BLOCK 28, SWISHER ADDITION
CITY OF AUSTIN, TRAVIS CO., TEXAS
(FN0489)wdo



Date: 23 July 2004

To: Austin Historic Landmark Commission
Transportation, Planning & Sustainability Department
505 Barton Springs Road
Austin, Texas 78767

Re: File Number C14H-89-0002 (1705 Newton Street, Willie Wells House)

Commission Members,

The Bouldin Creek Neighborhood Association (BCNA) strongly supports this proposed zoning change of Willie Wells' former home to historic single-family residence.

We encourage the commission to further study historic structures in the former Brackenridge neighborhood, one of Austin's earliest predominately African-American residential communities. Further, we encourage commission study of the entire Bouldin Creek neighborhood for consideration for historic neighborhood designation.

Thank you, commission members, for your valued public service.

Sincerely,

Cory Walton, President
Bouldin Creek Neighborhood Association