

ZONING CHANGE REVIEW SHEET

C9
1

CASE: C14-2012-0052 George Shia Zoning

P. C. DATE: 09/25/12, 10/09/12, 10/23/12

ADDRESS: 828 Houston Street &
5527 Sunshine Drive

AREA: 2.12 acres

APPLICANT: George Shia

AGENT: Coats, Rose, Yale, Ryman & Lee
(John Joseph)

NHOOD PLAN AREA: Brentwood/Highland Combined

CAPITOL VIEW: No

T.I.A.: Yes

HILL COUNTRY ROADWAY: No

WATERSHED: Waller Creek

DESIRED DEVELOPMENT ZONE: Yes

ZONING FROM: SF-6-NP, Townhouse & Condominium, Neighborhood Plan & LO-MU-NP, Limited Office, Mixed Use, Neighborhood Plan.

ZONING TO: MF-5-NP, Multifamily Residence (High Density), Neighborhood Plan.

SUMMARY STAFF RECOMMENDATION:

The staff recommends MF-5-CO-NP, Multifamily Residence (High Density), Conditional Overlay, Neighborhood Plan. The Conditional Overlay would limit the number of units to three hundred eighty five (385). The applicant will also enter into a Restrictive Covenant that will include transportation improvement identified in the Traffic Impact Analysis.

PLANNING COMMISSION RECOMMENDATION:

DEPARTMENT COMMENTS:

The site is currently developed with a one story building and associated parking on the property that is zoned LO and a single family residence on the property that is zoned SF-6. The applicant is proposing to construct a 385 unit multi-family apartment complex. The applicant is requesting a zone change to multi-family residence (high density) or MF-5. There is MF-4 and MF-3 zoning to the north of this property and both properties are developed with multi-family apartment complexes. When the applicant requested MF-5, the staff evaluated the existing conditions and zoning in the area as well as the site development regulations associated with the MF-5 zoning district. The MF-5 site development regulations as are identical to MF-4 with the exception of Maximum Floor-to-Area-Ratio (FAR). The FAR for MF-4 is point seven five to one (0.75:1) while the FAR for MF-5 is one to one (1:1). In addition, Compatibility Standards triggered by the SF-3 zoning to the South and West will limit the height on property. The applicant submitted a Traffic Impact Analysis which recommended that access to Sunshine Drive be limited to emergency vehicles only. The Educational Impact Statement has indicated that "the existing permanent capacity at the schools will be able to accommodate the additional student population". A petition has been filed in opposition to this zone change request. The petition is valid at 20.01%.

C9/2²

BASIS FOR RECOMMENDATION:

1. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.

Granting the requested zone change to MF-5-CO-NP is will be similar to the existing MF-4 and MF-3 in the area.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
SITE	LO-MU-NP & SF-6-NP	Single family residence
NORTH	MF-3-NP	Multi-family
SOUTH	SF-3-NP	Single family
EAST	CS-MU-CO-NP	Office building
WEST	SF-3-NP	School

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-05-0090	From P-NP to LR-MU-CO-NP	Approved LR-MU-CO-NP [Vote: 7-0]	Approved CS-1-CO-NP [Vote: 7-0]

NEIGHBORHOOD ORGANIZATION:

- North Austin Neighborhood Alliance
- Perry Neighborhood Assoc.
- Austin Neighborhoods Council
- Hancock Neighborhood Assn.

SCHOOLS:

Brentwood Elementary School, Lamar Middle School, McCallum High School

SITE PLAN:

Site plans will be required for any new development other than single-family or duplex residential.

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.

Compatibility Standards

The site is subject to compatibility standards. Along the South property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.

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- for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.

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

TRANSPORTATION:

TR1. A traffic impact analysis has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA [LDC, Sec. 25-6-142]. Comments will be provided in a separate memo.

TR2. If the requested zoning is recommended for this site, 30 feet of right-of-way should be dedicated from the centerline of Houston Street in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site. LDC, 25-6-55; TCM, Tables 1-7, 1-12.

TR.3 Existing Street Characteristics:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Houston Street	50	30	Local	Yes	No	No
Sunshine Drive	64	37	Collector	Yes	No	No

ENVIRONMENTAL:

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek and Waller Creek Watersheds of the Colorado River Basin, which are classified as Urban Watersheds by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. 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. 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.
4. According to flood plain maps, there is no flood plain within the project area.
5. Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

C9/4

6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

CITY COUNCIL DATE: November 1st, 2012

ACTION:

ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

CASE MANAGER: Clark Patterson
Clark.patterson@ci.austin.tx.us

PHONE: 974-7691



09/16

CITY OF AUSTIN
STREET LIGHT

W KOENIGSLEY

STARK ST

CS-MU-CO-NP

CS-MU-CO-NP

CS-MU-CO-NP

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SUBJECT TRACT

MEDICAL OFFICE

75-123

MF-35

GR-MU

SR-2-DS9C

MU-CO-NP

P77-16

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CS-MU-CO-NP

TELEPHONE
CS-MU-CO-NP
COMPANY

RETAIL OUTLET

ENDING

CS-MU-CO-NP

C9/7



Google earth

feet 10
meters 3



ca/b



Google earth

feet 10
meters 3

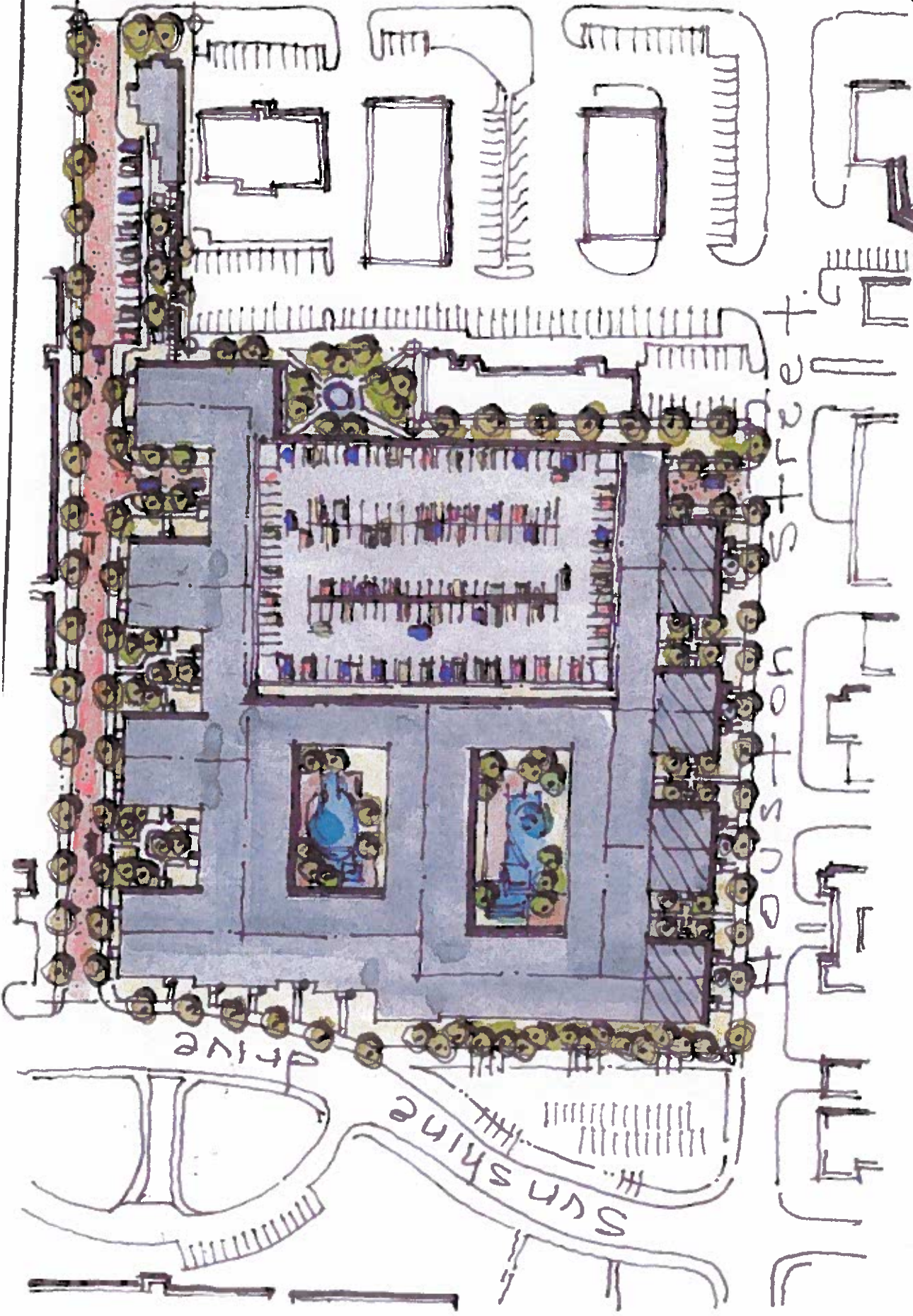


6/5/9

North Lamar Blvd.

1"=100'-0"

North



Conceptual Site Plan

ca/10

Conceptual Elevation --

Houston Street





ca/h

Date: October 9, 2012
To: Clark Patterson, Case Manager
CC: Colby Wright, P.E., Jones & Carter, Inc.
Reference: North Lamar Boulevard, C14-2012-0052 through -0054

The North Lamar Boulevard development is located on the northwest corner of North Lamar Boulevard and Houston Street, in Austin, Texas. The proposed development will consist of 385 apartment units and is anticipated to be completed by 2014. The existing property consists of two single-family residences, a 3,500 square feet medical office, and a 6,000 square feet law enforcement office.

Access to the development will be provided by three full purpose driveways: one on North Lamar Boulevard, one on Houston Street, and one on Sunshine Drive.

Transportation Review staff has reviewed the traffic impact analysis that was prepared for the North Lamar Boulevard site in May 2012 (amended September 2012), and offers the following comments:

TRIP GENERATION

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the proposed development will generate approximately 2,560 unadjusted daily weekday trips. Of these, 436 trips will occur during the weekday peak-hour.

Table 1 below shows the trip generation by land use for the proposed development:

Table 1. Unadjusted Weekday Peak Hour Trip Generation

Land Use	Size	Weekday 24-Hour Two-Way Volume	Weekday AM Peak Hour		Weekday PM Peak Hour	
			Enter	Exit	Enter	Exit
Apartments	385 units	2,560	39	158	154	85

ASSUMPTIONS

1. Traffic growth rates for the area were determined using traffic counts conducted by Gram Traffic Inc, and from TxDOT and CAMPO projected daily volumes. Based on the available information, a 2 percent annual growth rate was applied to the study area roadways.
2. A five percent transit reduction was assumed for all site-generated trips. No reductions were taken for internal or pass-by trips.

Table 2 below shows the adjusted trip generation by land use for the proposed development.

Table 2. Adjusted Weekday Peak Hour Trip Generation

Land Use	Size	Weekday 24-Hour Two-Way Volume	Weekday AM Peak Hour		Weekday PM Peak Hour	
			Enter	Exit	Enter	Exit
Apartments	385 units	2,432	37	150	146	81

Table 3 below provides a summary of the area transportation system:

Table 3. Existing and Planned Roadways

Roadway	Segment	Classification	Future Improvements	Bike Plan?
North Lamar Blvd.	Justin to Guadalupe	MAD 4	MAD 6	Yes
West Koenig Lane	Loop 1 to N. Lamar	MAD 4	MAD 4	Yes
Houston Street	Sunshine Drive to N. Lamar	Local	--	No
Sunshine Drive	Houston Street to Koenig Lane	Local	--	No
North Loop Boulevard	Burnet to N. Lamar	MNR 4	MNR	Yes
Grover Avenue	47 th to Koenig Lane	Local	--	No

TRAFFIC ANALYSIS

The impact of site development traffic on the existing area roadways was analyzed. Two time periods and three travel conditions were evaluated:

- 2012 Existing Conditions
- 2014 Forecasted Conditions
- 2014 Forecasted Conditions with Site Generated Traffic

c9/13

Intersection Level of Service (LOS)

The TIA analyzed 3 signalized intersections, 4 un-signalized intersections, and each of the site driveways. Table 4 shows the existing (2012) and projected (2014) levels of service results. The 2014 analysis assumes that all roadway and intersection improvement recommended in the TIA are constructed.

Table 4. Intersection Level of Service

Intersection	2012 Existing		2014 Forecasted		2014 Site + Forecasted	
	AM	PM	AM	PM	AM	PM
Signalized Intersections						
N. Lamar Blvd. at W. Loop Boulevard West	C	C	C	D	C	D
N. Lamar Blvd. at West Koenig Lane	E	E	E	F	E	F
West Koenig Lane at Grover Avenue	C	C	C	C	C	C
Un-Signalized Intersections						
N. Lamar Blvd. at Houston Street (EB)	B	B	B	B	B	B
West Koenig Lane at Sunshine Drive (NB)	C	B	C	B	C	B
Houston Street at Grover Avenue	B	B	B	B	B	B
Houston Street at Sunshine Avenue	B	A	B	A	B	A
N. Lamar Blvd. at Driveway 1 (EB)					D	C
Houston Street at Driveway 2 (SB)					B	B
Sunshine Drive at Driveway 3 (WB)					B	A

RECOMMENDATIONS

- 1) Prior to final reading of the zoning case, the applicant should post pro rata share for the estimated cost to install a traffic signal at the intersection of Houston Street and North Lamar Boulevard. The applicant should submit a cost estimate signed and sealed by an engineer to verify the amount required for posting. It is recommended that these improvements be implemented by the applicant to assure safer access and circulation for the apartment site.
- 2) To ensure safer access and circulation into the site, it is recommended that access to Sunshine Drive be restricted to emergency access only.
- 3) The owner will install stop signs and appropriate pavement markings for all site driveways.
- 4) All driveways shall comply with current City of Austin Type II Commercial Driveway standards and shall meet minimum requirements for driveway width; throat length,

driveway spacing, offset, and curb return radii. The owner will be responsible for obtaining permit approval for the driveways prior to site plan approval.

C9/14

- 5) Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.

If you have any questions or require additional information, please contact me at 974-2628.



Ms. Shandrian Jarvis
Senior Planner
Planning and Development Review Department

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent
School District



PROJECT NAME: Sunshine Drive

ADDRESS/LOCATION: 5527 Sunshine Dr.; 826-828 Houston St; 5536-5540 N. Lamar Blvd

CASE #: C14-2012-0052; 0053; 0054

CITY COUNCIL DATE: _____

☐ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY

☐ TAX CREDIT

SF UNITS: _____

STUDENTS PER UNIT ASSUMPTION: _____

MF UNITS: 385 (70% 1 bedroom and 30% 2 bedroom)

STUDENTS PER UNIT ASSUMPTION: 0.1

ELEMENTARY SCHOOL: Brentwood

RATING: Recognized

ADDRESS: 6700 Arroyo Seco

PERMANENT CAPACITY: 585

% QUALIFIED FOR FREE/REDUCED LUNCH: 41%

MOBILITY RATE: +9.0%

ELEMENTARY SCHOOL STUDENTS	Current Population	5-Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	476	517	536
% of Permanent Capacity	81%	88%	92%

☒ INCREASE

☐ DECREASE

☐ NO IMPACT

MIDDLE SCHOOL: Lamar

RATING: Academically Acceptable

ADDRESS: 6201 Wynona Ave

PERMANENT CAPACITY: 1,008

% QUALIFIED FOR FREE/REDUCED LUNCH: 44%

MOBILITY RATE: -2.8%

MIDDLE SCHOOL STUDENTS	Current Population	5-Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	581	659	668
% of Permanent Capacity	58%	65%	66%

☒ INCREASE

☐ DECREASE

☐ NO IMPACT

HIGH SCHOOL: McCallum

RATING: Academically Acceptable

ADDRESS: 5600 Sunshine Drive

PERMANENT CAPACITY: 1,596

% QUALIFIED FOR FREE/REDUCED LUNCH: 34%

MOBILITY RATE: +31.2%

HIGH SCHOOL STUDENTS	Current Population	5-Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	1,343	1,503	1,514
% of Permanent Capacity	84%	94%	95%

☒ INCREASE

☐ DECREASE

☐ NO IMPACT

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent
School District



IMPACT ON SCHOOLS

At the rate of 0.1 students per unit, the 385 unit multi-family development is projected to add approximately 39 students over all grade levels to the current projected student population. It is estimated that of the 39 students, 19 will be assigned to Brentwood Elementary School, nine to Lamar Middle School, and eleven to McCallum High School. The existing permanent capacity at the schools will be able to accommodate the additional student population.

Due to the high rate of transfers into McCallum, the school's current enrollment is 1,766 students, as compared with the current population of 1,343 students. Factoring in this migration rate onto the projected 5-year population with the proposed additional students from the development could bring the enrollment to 1,983 students, resulting in a percent of permanent capacity (by enrollment) to 124%. Assuming the school retains the number of portable classrooms currently on campus, the percent of functional capacity (by enrollment) would be 114%, which would accommodate the student enrollment increase.

TRANSPORTATION IMPACT

All three schools are within 2 miles of the proposed development; therefore students would not qualify for transportation unless a hazardous route condition was identified.

SAFETY IMPACT

There are no safety concerns identified at this time. Adequate sidewalks and bike paths are available in the area.

Date Prepared: September 11, 2012

Director's Signature: Paul Turner

Site Development Standards

Residential Zoning Districts

	LA	RR	SF-1	SF-2	SF-3	SF-4A	SF-4B	SF-5	SF-6	MF-1	MF-2	MF-3	MF-4	MF-5	MF-6	MH
Minimum Lot Size (Square Feet)	43,560	43,560	10,000	5,750	5,750	3,600**		** 5,750	5,750	8,000	8,000	8,000	8,000	8,000	8,000	-
Minimum Lot Width	100	100	60	50	50	40		** 50	50	50	50	50	50	50	50	-
Maximum Dwelling Units Per Lot	1	1	1	1	**	1		**	-	591 X	561	561	561	561	561	-
Maximum Height	35	35	35	35	35	35		** 35	35	40	40 or 3 stories	40	60	60	90	-
Minimum Setbacks																-
Front Yard	40	40	25	25	25	15		** 25	25	25	25	25	15	15	15	-
Street Side Yard	25	25	15	15	15	10		** 15	15	15	15	15	15	15	15	-
Interior Side Yard	10	10	5	5	5	**		10	5	5	5	5	5	5	5	-
Rear Yard	20	20	10	10	10	**		** 10	10	10	10	10	10	10	10	-
Maximum Building Coverage	-	20%	35%	40%	40%	55%		40%	40%	45%	50%	55%	60%	60%	70%	-
Maximum Impervious Cover	**	25%	40%	45%	45%	65%		60%	55%	55%	60%	65%	70%	70%	80%	-
Maximum Floor Area Ratio	-	-	-	-	-	-		-	-	-	-	0.75:1	0.75:1	1:1	-	-
Maximum Units Per Acre	-	-	-	-	-	-		-	-	17	23	36	36-54**	54	-	-

Commercial Zoning Districts

	NO	LO	GO	CR	LR	GR	L	CBD	DMU	W/O	CS	CS-1	CH	IP	MI	LI	R&D	DR	AV	AG	P
Minimum Lot Size (Square Feet)	5,750	5,750	5,750	20,000	5,750	5,750	5,750	-	-	43,560	5,750	5,750	20,000	43,560	50	5.75	**	10	**	10	**
Minimum Lot Width	50	50	50	100	50	50	50	-	-	100	50	50	100	100	250	50	100	100	**	-	**
Maximum Height	35 or 2 stories	40 or 3 stories	60	40	40 or 3 stories	60	200	**	120	25 or 1 story	60	60	**	60	120	60	45	35	**	60	**
Minimum Setbacks																					
Front Yard	25	25	15	50	25	10	10	-	-	25	10	10	50	25	-	-	75	25	**	100	**
Street Side Yard	15	15	15	50	15	10	10	-	-	25	10	10	50	25	-	-	**	25	**	100	**
Interior Side Yard	5	5	5	20	-	-	-	-	-	5	-	-	25	**	**	**	**	10	**	100	**
Rear Yard	5	5	5	20	-	-	-	-	-	25	-	-	25	**	**	**	**	10	**	100	**
Maximum Building Coverage	35%	50%	60%	25%	50%	75%	50%	100%	100%	-	95%	95%	85%	50%	75%	75%	40%	12,000	**	-	**
Maximum Impervious Cover	60%	70%	80%	60%	80%	90%	50%	100%	100%	70%	95%	95%	85%	80%	80%	80%	**15,000	**	**	-	**
Maximum Floor Area Ratio	0.35:1	0.7:1	1:1	0.25:1	0.5:1	1:1	8:1	8:1	5:1	0.25:1	2:1	2:1	3:1	1:1	1:1	1:1	**	-	**	-	**

** See Austin City Code Volume III (Land Development Code)

09/17

PUBLIC HEARING INFORMATION

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During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2012-0054

Contact: Clark Patterson, 512-974-7691

Public Hearing: Jun 26, 2012, Planning Commission

August 2, 2012, City Council

Jaqueline A. Bailey
Your Name (please print)

☐ I am in favor
☒ I am object

5607 Swanshire Dr.
Your address(es) affected by this application

Jaqueline A. Bailey
Signature

6-16-2012
Date

906-2709
Daytime Telephone:

Comments: Again - I object strenuously
to this alleged change. There is
enough "intensity" multi-family
housing in the area. Two major
development are within 1/2 mile
of these sites. I object to
further intensification of this
area. I would merely suggest to
create a buffer zone between more
intensive and less intensive areas.
If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

3918

PUBLIC HEARING INFORMATION

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Contact: Clark Patterson, 512-974-7691

Public Hearing: Jun 26, 2012, Planning Commission

August 2, 2012, City Council

Chardine Deh
Your Name (please print)

☐ I am in favor
☒ I object

5413 McCandless St

Your address(es) affected by this application

[Signature]

Signature

Daytime Telephone: 512-297-8799

6/21/12
Date

Comments:

- Does not fit neighbors

- Too big

- will cause fence

back rise on 1641st St.

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

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

ca/19

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Case Number: C14-2012-0054

Contact: Clark Patterson, 512-974-7691

Public Hearing: Jun 26, 2012, Planning Commission

August 2, 2012, City Council

Linda Barriault

Your Name (please print)

5408 Sunrise

Your address(es) affected by this application

Linda Barriault

Signature

Date

Daytime Telephone: 512-542-1029

Comments: Proposed change will adversely affect the character of the neighborhood

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

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

C9/20

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0052

Contact: Clark Patterson, 512-974-7691

Public Hearing: Sep 11, 2012, Planning Commission
Sep 27, 2012, City Council

Chardina Delph
Your Name (please print)

5413 McCandless St

Your address(es) affected by this application

[Signature]

Signature

Daytime Telephone: *512-294-8799*

9/10/12
Date

☐ I am in favor
☒ I object

Comments:

*Does not comply with
Neighborhood Plan*

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

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

9/21

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Case Number: C14-2012-0052

Contact: Clark Patterson, 512-974-7691

Public Hearing: Sep 11, 2012, Planning Commission

Sep 27, 2012, City Council

Your Name (please print) Colleen Myer

☐ I am in favor
☒ I object

5413 McConelley St

Your address(es) affected by this application

9/21

Date

Daytime Telephone: 512-963-6270

Signature

Comments:

Expected Neighborhood

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

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

9/22

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Case Number: C14-2012-0054

Contact: Clark Patterson, 512-974-7691

Public Hearing: Sep 11, 2012, Planning Commission

Sep 27, 2012, City Council

Your Name (please print) Charlene Dehphye

☐ I am in favor
☒ I object

5413 McLandless St

Your address(es) affected by this application

[Signature]

Signature

Date

Daytime Telephone: 512-294-8799

Comments:

Does not comply with
Neighborhood Plan

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

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

09/23

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0054

Contact: Clark Patterson, 512-974-7691

Public Hearing: Sep 11, 2012, Planning Commission
Sep 27, 2012, City Council

Your Name (please print)

Colleen Ayers

☐ I am in favor
☒ I object

Your address(es) affected by this application

5713 McCord Dr S1

9/10/12

Signature

Daytime Telephone: 512-953-6270

Comments:

Propose District
would use Neighborhood

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

City of Austin

Planning & Development Review Department

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Austin, TX 78767-8810

C9/24

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0052

Contact: Clark Patterson, 512-974-7691

Public Hearing: Sep 11, 2012, Planning Commission
Sep 27, 2012, City Council

Sharon Link
Your Name (please print)

☐ I am in favor
☒ I object

5214 Sunshive Dr.

Your address(es) affected by this application

Sharon Link
Signature

9/11/12
Date

Daytime Telephone: 210 857 5465

Comments: This development is not appropriate for that site

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

City of Austin
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Clark Patterson
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Austin, TX 78767-8810

09/25

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0052

Contact: Clark Patterson, 512-974-7691

Public Hearing: Sep 11, 2012, Planning Commission
Sep 27, 2012, City Council

Heather Curry, John Curry
Your Name (please print)

5312 Sunshine Dr

Your address(es) affected by this application

[Signature]
Signature

9/11/12
Date

Daytime Telephone: 512-587-8266

Comments: Our neighborhood cannot support high density residential use... We already have heavy equipment (C.O.A.) and schoolbusses traveling down Sunshine Drive, making our street heavily trafficked and dangerous. This use is better suited for a main road like Lamar or Burnet.

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

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9/26

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0052

Contact: Clark Patterson, 512-974-7691

Public Hearing: June 26, 2012, Planning Commission

August 2, 2012, City Council

Jacqueline A. Barley
Your Name (please print)

☐ I am in favor
☒ I object

5607 SunShine Drive
Your address(es) affected by this application

Jacqueline A. Barley 06-16-2012
Signature Date

Daytime Telephone: 906-2709

Comments:

There is enough so-called
"multi-family" housing in the area.
The triangle is within a mile of
this location - The Amli development
is also within a mile of this
location. I object. STENOUSLY
to give the sentiment in that
G.E. P.K.-i-f-i-c. n-t-i-o-n) that nearly
creates less affordable housing
as for the quality of
If you use this form to comment, it may be returned to:

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09/27

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Case Number: C14-2012-0052

Contact: Clark Patterson, 512-974-7691

Public Hearing: Sep 11, 2012, Planning Commission

Sep 27, 2012, City Council

Eva Rivera

Your Name (please print)

SJH McCallis

☐ I am in favor
☒ I object

Your address(es) affected by this application

9/1/12

Date

Signature

Daytime Telephone: *512-465-4656*

Comments: *MF-6 is too dense for this buffer area that affects SF-3.*

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09/28

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Case Number: C14-2012-0052

Contact: Clark Patterson, 512-974-7691

Public Hearing: June 26, 2012, Planning Commission

August 2, 2012, City Council

Your Name (please print) Colleen Ryan

5713 McCandless St

Your address(es) affected by this application

Paul

Signature

6/27/12

Date

Daytime Telephone: _____

Comments: _____

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09/29

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Case Number: C14-2012-0052

Contact: Clark Patterson, 512-974-7691

Public Hearing: June 26, 2012, Planning Commission
August 2, 2012, City Council

James Walker
Your Name (please print)

820 Houston St. #104
Your address(es) affected by this application

[Signature]
Signature

7-5-12
Date

(512) 577-0445
Daytime Telephone

☐ I am in favor
☒ I am against

Comments: The increase in traffic would lead to more crimes and accidents. As it is my parking lot is often the target of car burglaries (mine twice) and the kids from McCallum high school are constantly walking between the school and the McDonalds. This is UNSAFE!

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Clark Patterson

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Austin, TX 78767-8810

29/30

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Case Number: C14-2012-0052

Contact: Clark Patterson, 512-974-7691

Public Hearing: June 26, 2012, Planning Commission

August 2, 2012, City Council

GEORGE BOURIA NOFF
Your Name (please print)

☐ I am in favor
☒ I object

5408 Supreme

Your address(es) affected by this application

George Bouria Noff 6/20/12
Signature Date

Daytime Telephone: 512-771-4294

Comments: PROPOSED CHANGE
TOTALY OUT OF CHARACTER
WITH COMMUNITY
STANDARDS

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

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Austin, TX 78767-8810

C9/31

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Case Number: C14-2012-0052

Contact: Clark Patterson, 512-974-7691

Public Hearing: June 26, 2012, Planning Commission

August 2, 2012, City Council

Charles Sandel
Your Name (please print)

☐ I am in favor
☒ I object

5403 Aurora Drive
Your address(es) affected by this application

Charles Sandel
Signature

Date

Daytime Telephone: *512-458-8431*

Comments: *on an inappropriate zoning for this neighbor*

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

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Clark Patterson

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Austin, TX 78767-8810

7/9/32

C9/33

PETITION

Case Number: **C14-2012-0052**

Date: 9/27/2012

Total Square Footage of Buffer:	466343.39
Percentage of Square Footage Owned by Petitioners Within Buffer:	20.01%

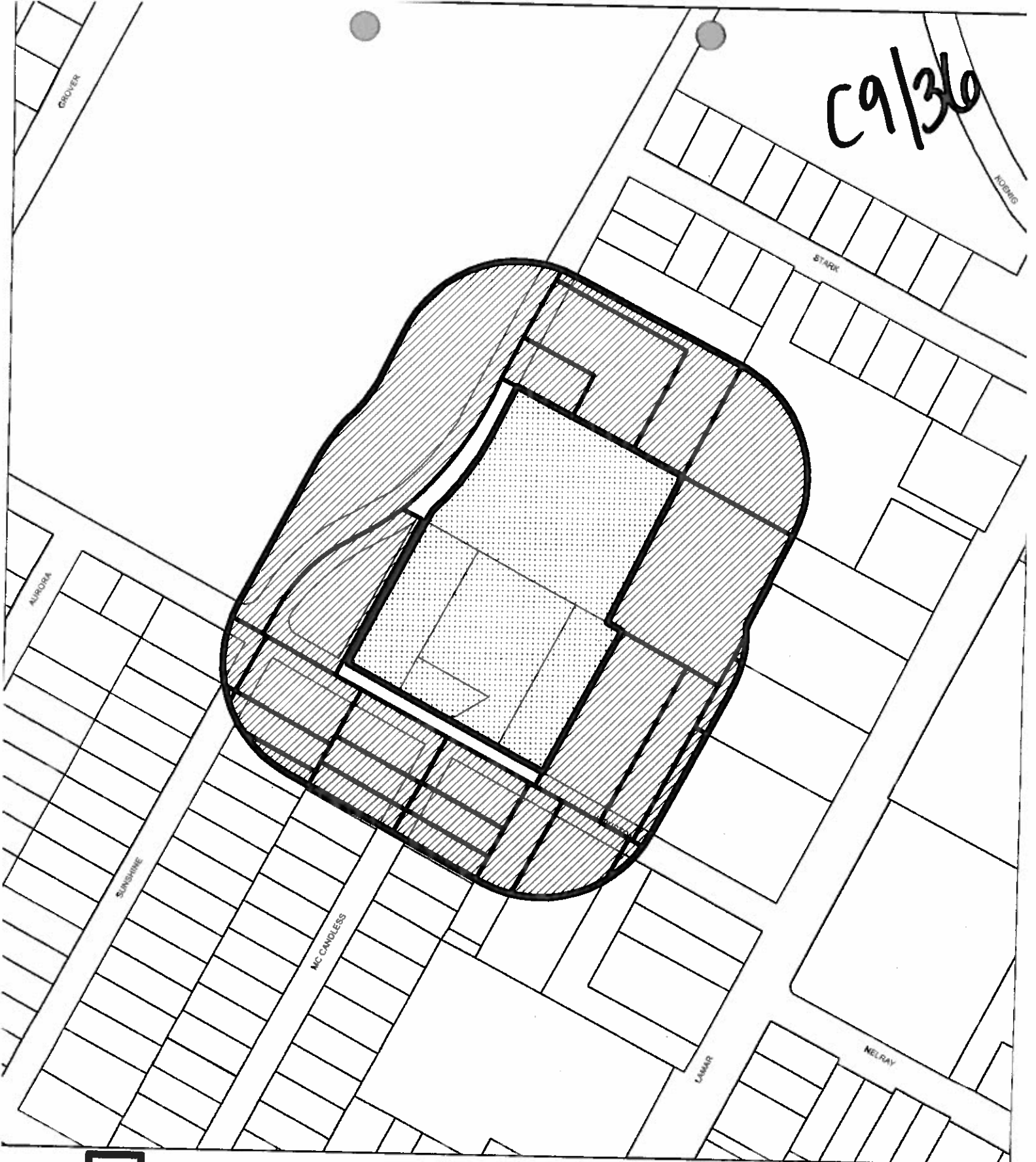


Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

C9/34

#	TCAD ID	Address	Owner	Signature	Petition Area	Percent
1	0228070418	5607 103 SUNSHINE DR 78756	5607 SUNSHINE LLC	no	22,664.28	0.00%
2	0226070112	820 HOUSTON ST 78756	820 HOUSTON ST LLC	no	16,673.82	0.00%
3	0228070417	5604 N LAMAR BLVD 78751	AUSTIN HIDDEN GARDENS APARTMENT LLC	no	31,385.02	0.00%
4	0226070107	5600 SUNSHINE DR 78756	AUSTIN PUBLIC SCHOOLS	no	28813.00	0.00%
5	0228060401	5600 SUNSHINE DR 78756	AUSTIN PUBLIC SCHOOLS	no	95,253.20	0.00%
6	0226070302	5410 SUNSHINE DR 78756	BENTON CYNTHIA ANN	no	228.68	0.00%
7	0226070528	819 HOUSTON ST	BERTRAND DAVID	yes	1,167.31	0.25%
8	0226070301	5412 SUNSHINE DR 78756	CLARKE NEAL H	yes	4787.16	1.03%
9	0226070524	5413 MC CANDLESS ST 78756	DEHIPITIYA CHANDIMA	yes	12618.48	2.71%
10	0226070525	833 HOUSTON ST 78756	G & C ELSASS ENTERPRISES L P	yes	10395.71	2.23%
11	0226070533	831 HOUSTON ST 78756	G & C ELSASS ENTERPRISES L P	yes	16448.42	3.53%
12	0228070419	5601 SUNSHINE DR 78756	GANNAWAY JINNY DBA SLIPWORKS	no	9,547.07	0.00%
13	0226070523	5411 MC CANDLESS ST 78756	HALASZ SOTT MURPHY	yes	7571.10	1.62%
14	0226070120	5528 N LAMAR BLVD 78751	JOSEPH JOHN PHILIP	no	391.00	0.00%
15	0226070117	5516 N LAMAR BLVD	JOSEPH WILLIAM J JR	no	4,315.57	0.00%
16	0226070104	5520 N LAMAR BLVD 78751	LAMAR-SCHLOSSER INC	no	2,661.80	0.00%
17	0226070402	5410 MC CANDLESS ST 78756	MASSEY LELA RUTH	yes	7,567.23	1.62%
18	0226070431	5413 SUNSHINE DR 78756	MORGAN GRANT B	yes	17500.44	3.75%
19	0226070901	5412 MC CANDLESS ST	MULTIPLE OWNERS	no	13171.01	0.00%

C9/36



-  BUFFER
-  PROPERTY_OWNER
-  SUBJECT_TRACT

PETITION

CASE#: C14-2012-0052



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.

C9/37

PETITION

Date: June 9, 2012

File Number: C14-2012-0052 (CP)

Address of Rezoning Request: 828, 836,
900 & 902 Houston Street

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 SF-6. The existing zoning allows for increased density and development while protecting single family housing as part of the Brentwood Neighborhood Plan.

Please Use Black Ink Below:

Signature	Printed Name	Address
	Nita Luvina Williams	5407 McCandless 78752
	Karen Wilcox	5314 McCandless 78756
	Evan Rivera	5314 McCandless 78756
	Walter Moreira	5403 McCandless 78756
	WAYNE A. GREGOIRE	5404 McCandless 78756
	Christina Dechy	5413 McCandless St.
	Martha Morgan	5413 Sunshine
	Grant Morgan	5413 Sunshine
	Mike Barnett	5404 Sunshine
	Elizabeth Barnett	5404 Sunshine
	MICHAEL WILSON	5317 SUNSHINE
	Kristie Taylor	5412 A McCandless 78756
	S. MURPHY	5411 McCandless St 78756
	M. Isabel Canette	5403 McCandless St
	John Mitchell	5405 Aurora
	Cynthia Sheehan	5405 Aurora
	John Thompson	5409 McCandless St
	Jon David Swann	5408 McCandless St
	JOHN DUGAN	5412 Anita McCandless St
	Robin L. Scott	5405 McCandless 78756
	Charlee Mooney	5409 McCandless 78756

Date: June 9, 2012

Contact Name: Bright Dornblaser
Phone Number: (512) 374-9506

C9/38

File Number: C14-2012-0052 (CP)

To: Austin City Council

Please Use Black Ink Below:

Address

Date: June 9, 2012

Contact Name: Bright Dornblaser
Phone Number: (512) 374-9506

ca/39

File Number: C14-2012-0052 (CP)

**Address of Rezoning Request: 828, 836,
900 & 902 Houston Street**

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 SF-6. The existing zoning allows for increased density and development while protecting single family housing as part of the Brentwood Neighborhood Plan.

Please Use Black Ink Below:

Address

[illegible]

Contact Name: Bright Dornblaser
Phone Number: (512) 374-9506

File Number: C14-2012-0052 (CP)

ca/40

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 SF-6. The existing zoning allows for increased density and development while protecting single family housing as part of the Brentwood Neighborhood Plan.

[illegible]

Contact Name: Bright Dornblaser
Phone Number: (512) 374-9506

CA/41

File Number: C14-2012-0052 (CP)

To: Austin City Council

Please Use Black Ink Below:

Contact Name: Bright Dornblaser
Phone Number: (512) 374-9506

ca/42

File Number: C14-2012-0052 (CP)

To: Austin City Council

Please Use Black Ink Below:

Address

Date: June 9, 2012

Contact Name: Bright Dornblaser
Phone Number: (512) 374-9506

C9/43

File Number: C14-2012-0052 (CP)

To: Austin City Council

Please Use Black Ink Below:

Date: June 9, 2012

RECIEVED

SEP 14 2012

ca/44

File Number: C14-2012-0052 (CP)

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 SF-6. The existing zoning allows for increased density and development while protecting single family housing as part of the Brentwood Neighborhood Plan.

Signature

Address

[illegible]

Contact Name: Bright Dornblaser
Phone Number: (512) 374-9506

C9145

TaxNetUSA: Travis County Property Information

Property ID Number: 741087 Ref ID2 Number: 02260709030000

Owner's Name **GASKAMP AUSTIN ALLEN**

Mailing Address
UNIT B
5412 MCCANDLESS ST
AUSTIN, TX 78756-2213

Location
5412 MC CANDLESS ST B 78756

Legal
UNT B 5412 MCCANDLESS TOWNHOMES PLUS 50.0 %
INT IN COM AREA

Property Details

Deed Date 07122011
Deed Volume
Deed Page
Exemptions
Freeze Exempt F
ARB Protest F
Agent Code 0
Land Acres 0.0866
Block
Tract or Lot B
Docket No. 2011101682TR
Abstract Code C01306
Neighborhood Code Y200A

Value Information

2012 Certified

Land Value 85,000.00
Improvement Value 210,982.00
AG Market Value 0.00
Timber Market Value 0.00
Market Value 295,982.00
AG Productivity Value 0.00
Timber Productivity Value 0.00
Appraised Value 295,982.00
10% Cap Loss 0.00
Assessed Value 295,982.00

Data up to date as of 2012-09-17

☐ AGRICULTURAL (1-D-1) ☐ APPOINTMENT OF AGENT FORM ☐ FREEPORT EXEMPTION ☐ HOMESTEAD EXEMPTION FORM
☐ PRINTER FRIENDLY REPORT ☐ PROTEST FORM ☐ RELIGIOUS EXEMPTION FORM ☐ PLAT MAP

Value By Jurisdiction

Entity Code	Entity Name	2011 Tax Rate	Assessed Value	Taxable Value	Market Value	Appraised Value
0A	TRAVIS CENTRAL APP DIST		295,982.00	295,982.00	295,982.00	295,982.00
01	AUSTIN ISD	1.242000	295,982.00	295,982.00	295,982.00	295,982.00
02	CITY OF AUSTIN	0.481100	295,982.00	295,982.00	295,982.00	295,982.00
03	TRAVIS COUNTY	0.485500	295,982.00	295,982.00	295,982.00	295,982.00
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.078900	295,982.00	295,982.00	295,982.00	295,982.00
68	AUSTIN COMM COLL DIST	0.094800	295,982.00	295,982.00	295,982.00	295,982.00

Improvement Information

Improvement ID 675512 State Category Description
TOWNHOMES/CONDOS

Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Effective Year Built	Area
675512	4128907	1ST	1st Floor	WW5	2006	647
675512	4128908	2ND	2nd Floor	WW5	2006	946
675512	4128909	011	PORCH OPEN 1ST F	'5	2006	35
675512	4128910	012	PORCH OPEN 2ND F	'5	2006	95
675512	4128911	041	GARAGE ATT 1ST F	WW5	2006	264
675512	4128912	251	BATHROOM	"	2006	3
675512	4128913	522	FIREPLACE	'5	2006	1
675512	4128914	095	HVAC RESIDENTIAL	"	2006	1,593
Total Living Area						1,593



Gil Elsass – G&C Elsass Enterprises, LP
5838 Balcones Drive, Suite A
Austin, Texas 78731
512-431-8996

C9/46

October 10, 2012

To Whom It May Concern:

I have attached a Certificate of Limited Partnership for G&C Elsass Enterprises, LP and a Corporate Authorization Resolution for Gil Can, Inc. Be it known that Gil Can, Inc. is the General Partner for G&C Elsass Enterprises, LP. I am the President of the Corporation that is the General Partner of the Limited Partnership. There are five partners which make up the Limited Partnership. My wife and I along with our three children.

G&C Elsass Enterprises, LP is a Limited Partnership that deals in Real Estate. One of our core holdings are the properties at 831 and 833 Houston Street, Austin, Tx 78756, where we lease to the business called Elsass Academy North Central which we also own.

Please let me know if you need anything else. I can be reached directly at 512-431-8996.

Sincerely,

Gilbert Elsass

Partner, G&C Elsass Enterprises, LP

President, Gil Can, Inc, General Partner of G&C Elsass Enterprises, LP.

CORPORATE AUTHORIZATION RESOLUTION for Gil Can, Inc.

C9/47

I, **Candace K Elsass**, the undersigned Secretary of **Gil Can, inc.** (the "Corporation"), hereby certify that:

The Corporation is duly organized and existing under the laws of the State of Texas, and the following is a true, accurate and compared transcript of the resolution contained in the minute book of the Corporation, duly adopted at a meeting of the Board of Directors of said Corporation duly held on the **Tenth day of October, 2012**, at which meeting there was present and acting throughout a quorum authorized to transact the business hereinafter described, and that the proceedings of said meeting were in accordance with the Charter and By-Laws of said Corporation and that said resolutions have not been amended or revoked and are in full force and effect.

Resolved, that **Gilbert R Elsass**, **President of the Corporation**, be and is hereby authorized and empowered to sign any and all documents, to take such steps, and do such other acts and things, on behalf of said Corporation, as in his judgment may be necessary, appropriate or desirable in connection with any Agreement entered into with the City of Austin affecting the following-described real property:

Address: 831 & 833 Houston Street, Austin, Tx 78756

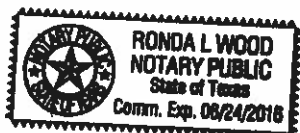
Resolved, that any and all transactions with the City of Austin involving any Agreement affecting the above-referenced real property by any of the officers or representatives of the Corporation, in its name and for its account, prior to the adoption of these resolutions be, and they are hereby, ratified and approved for all purposes.

Witness my hand and the seal of the Corporation this the Tenth Day of October, 2012.

Candace K. Elsass
(Printed Name) Secretary
Candace K. Elsen

NOTE: CORPORATE AUTHORIZATION RESOLUTION must be attested and dated by Secretary no earlier than three months before Agreement date.

This instrument was acknowledged before me on this Tenth day of October, 2012.



Notary Public's Signature Ronda L. Wood

Office of the
Secretary of State



DEC-1-99 4:04PM;

Page 3/3

Corporations Section
P.O. Box 13697
Austin, Texas 78711-3697

C9/48

CERTIFICATE OF LIMITED PARTNERSHIP

FILED
In the Office of the
Secretary of State of Texas

NOV 29 1999

1. The name of the limited partnership is G & C Elsass Enterprises, LP
2. The street address of its proposed registered office in Texas is (a P.O. Box is not sufficient)
4407 Medical Parkway, Austin, Texas 78756
and the name of its proposed registered agent in Texas at such address is
Gilbert R. Elsass
3. The address of the principal office in the United States where records of the partnership are to be kept or made available is 4407 Medical Parkway, Austin, Texas 78756
4. The name, the mailing address, and the street address of the business or residence of each general partner is as follows:

NAME	MAILING ADDRESS (include city, state, zip code)	STREET ADDRESS (include city, state, zip code)
<u>Gil Can Corporation</u> A Texas corporation	<u>4407 Medical Parkway</u> <u>Austin, Texas 78756</u>	<u>Same</u> <u>Same</u>

Date Signed: NOV 15, 1999

Gil Can Corporation

By: Gilbert R. Elsass, President
General Partner(s)

Gilbert Elsass

LETTERS TESTAMENTARY

C9/49

ESTATE OF
LELA R MASSEY
DECEASED

C-1-PB-09-001497
IN PROBATE COURT NUMBER ONE
TRAVIS COUNTY, TEXAS

THE STATE OF TEXAS *
COUNTY OF TRAVIS *

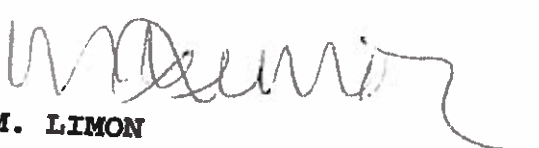
I, the undersigned Clerk of the Probate Court No. 1 of Travis County Texas, do hereby certify that on **January 26, 2010**, **BETTY RUTH MASSEY WEST AKA BETTY MASSEY WEST** was duly granted by said Court, Letters Testamentary of the Estate of **LELA R MASSEY** Deceased, and that **SHE** qualified as **Independent Executor** without bond of said estate on **January 26, 2010** as the law requires, said appointment is still in full force and effect.
Given under my hand and seal of office at Austin, Texas, on **January 26, 2010**.

Dana DeBeauvoir

County Clerk, Travis County, Texas

P.O. Box 149325 Austin, Texas 78714-9325

By Deputy


M. LIMON

C9/50

Judge Guy Herman

TRAVIS COUNTY PROBATE COURT No. 1

1000 Guadalupe Street - P.O. Box 1748

Travis County Courthouse, Room 217

Austin, Texas 78767

Phone: (512) 854-9258

Fax: (512) 854-4418



FOR: Betty Ruth Massey West, a/k/a Betty Massey West

A Guide for the Texas Independent Executor

CAUSE NO. C-1-PB-09 - 001497

Introduction:

This Court has appointed you to a position of great trust and confidence. It is a position that carries with it a considerable amount of responsibility. Your duties are not easy; however, you will find them less difficult if you are careful to heed the advice of your attorney. You should contact your attorney at any time you have questions concerning the handling of this estate. You should never attempt to handle the affairs of this estate without the guidance of your attorney. The following guide has been prepared by my office as a supplement to the information given to you by your attorney. It is only a supplement and not a substitute for his or her advice.


GUY HERMAN

Judge, Probate Court No. 1

Travis County, Texas

Administration:

The administration of an estate involves (1) gathering the assets of the person who died, (2) paying his or her debts, and (3) distributing the remaining assets to those entitled to them under the terms of the Will.

Your Qualifications:

You have been appointed to act on behalf of this estate. However, you are not qualified to act for this estate until you have taken the oath of office and filed any required bond. Your oath, if not taken at the hearing, should be taken no later than 20 days from the date the Court signed the order appointing you as Independent Executor. Generally, a bond is not required for an Independent Executor named in a Will. (A bond is an insurance policy that insures you meet your responsibilities under the Will and the Probate Code.) In the event either the Will or the Court requires a bond, the Court must approve the bond no later than 20 days from the date of the order appointing you. Your bond, if required, will have to be executed by an authorized corporate surety, and the amount of the bond will be that specified in the order making the appointment.