



Travis County Commissioners Court Agenda Request

Meeting Date: January 22, 2013

Prepared By: Michael Hettenhausen **Phone #:** 854-7563

Division Director/Manager: Anna Bowlin, Division Director, Development Services and Long Range Planning AB

Department Head: Steven M. Manilla, P.E., County Executive-TNR

Sponsoring Court Member: Commissioner Gomez, Precinct Four

AGENDA LANGUAGE: Consider and take appropriate action on a plat for recording: Partition of the Ida Mae Burch Estate Resubdivision of a Portion of Lot 5-B (Resubdivision Final Plat - Two Total Lots - Burch Drive - City of Austin ETJ) in Precinct Four.

BACKGROUND/SUMMARY OF REQUEST:

This resubdivision final plat consists of two total commercial lots on 2.998 acres. There are no public or private streets proposed with this final plat. Parkland dedication or fees in lieu of dedication are not required for this non-residential subdivision. Fiscal surety is not required for this short form plat. Water service to be provided by Garfield Water Supply Corporation, and wastewater service to be provided by the on-site septic facilities.

STAFF RECOMMENDATIONS:

As this resubdivision final plat meets all Travis County standards and has been approved by the City of Austin Zoning and Platting Commission meeting on December 18, 2012, Single Office staff recommends approval of the resubdivision final plat.

ISSUES AND OPPORTUNITIES:

Notification

Notification of this resubdivision final plat's hearing at the City of Austin's Zoning and Platting Commission (ZAP) as well as Commissioners Court was mailed to all current owners of property and all registered neighborhood associations within 500 feet of the proposed subdivision. These addresses were obtained from the Travis Central Appraisal District current tax rolls. Single Office records show that all property owners that are required to be notified under Title 30 were notified. The Single Office has registered no interested parties for this application.

As part of the requirements for a plat resubdivision, a notice of public hearing sign was placed on the subject property on January 7, 2013, announcing the date, time,

and location of the public hearing. Staff has received one phone call as a result of the sign posting, and the caller requested more information about the public hearing but had no objections.

FISCAL IMPACT AND SOURCE OF FUNDING:

N/A

ATTACHMENTS/EXHIBITS:

- Precinct map
- Location map
- Existing final plat
- Proposed final plat
- Photo of Public Notice sign
- Affidavit of sign posting

REQUIRED AUTHORIZATIONS:

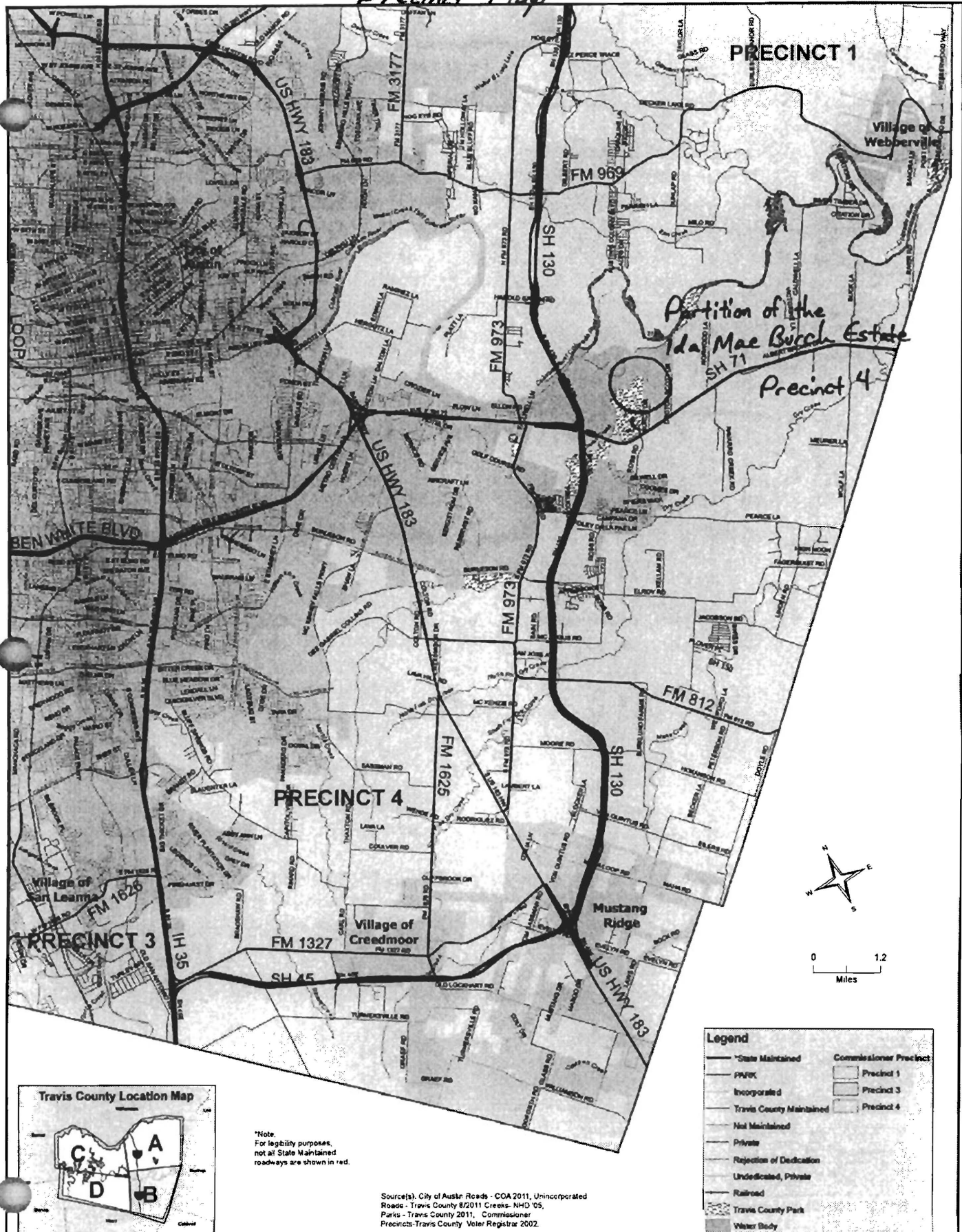
Cynthia McDonald	Financial Manager	TNR	854-4239
Steve Manilla	County Executive	TNR	854-9429

CC:

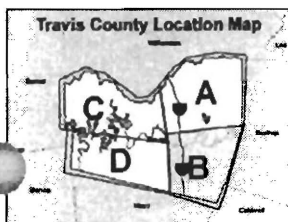
SM:AB:mh

1101 - Development Services - Partition of the Ida Mae Burch Estate Resubdivision of a Portion of Lot 5-B Final Plat

Precinct Map



Legend	
— State Maintained	Commissioner Precinct
— PARK	□ Precinct 1
— Incorporated	□ Precinct 3
— Travis County Maintained	□ Precinct 4
— Not Maintained	
— Private	
— Rejection of Dedication	
— Undedicated, Private	
— Railroad	
— Travis County Park	
— Water Body	



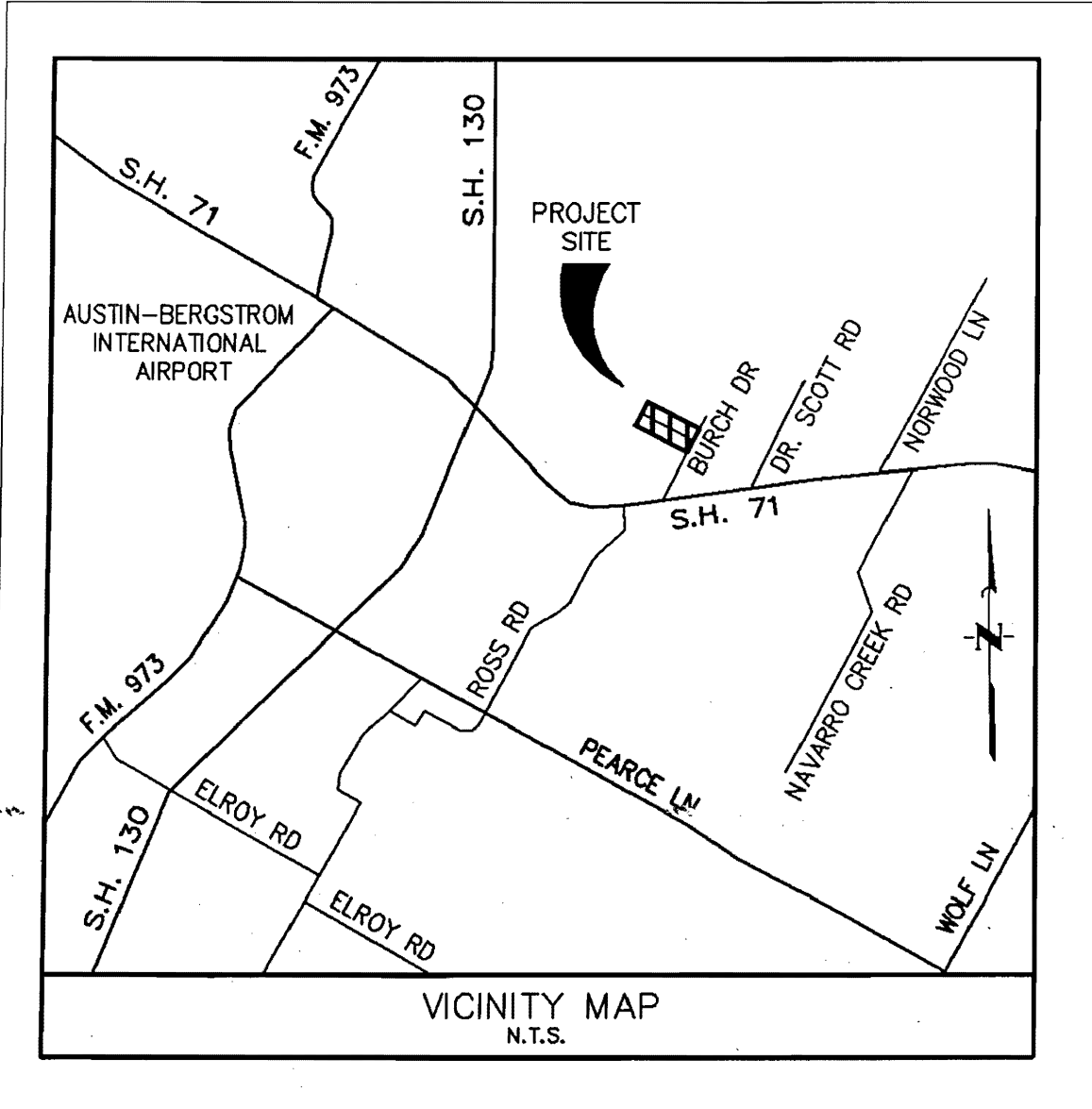
*Note:
For legibility purposes,
not all State Maintained
roadways are shown in red.

Source(s): City of Austin Roads - COA 2011, Unincorporated
Roads - Travis County 8/2011 Creeks - NHD '05,
Parks - Travis County 2011, Commissioner
Precincts - Travis County Voter Registrar 2002.

Map Disclaimer: This map was created
for the Travis County Road Maintenance to
identify Travis County maintained roadways.
The data is provided "as is" with no warranties
of any kind.

Travis County Roadways, Map B

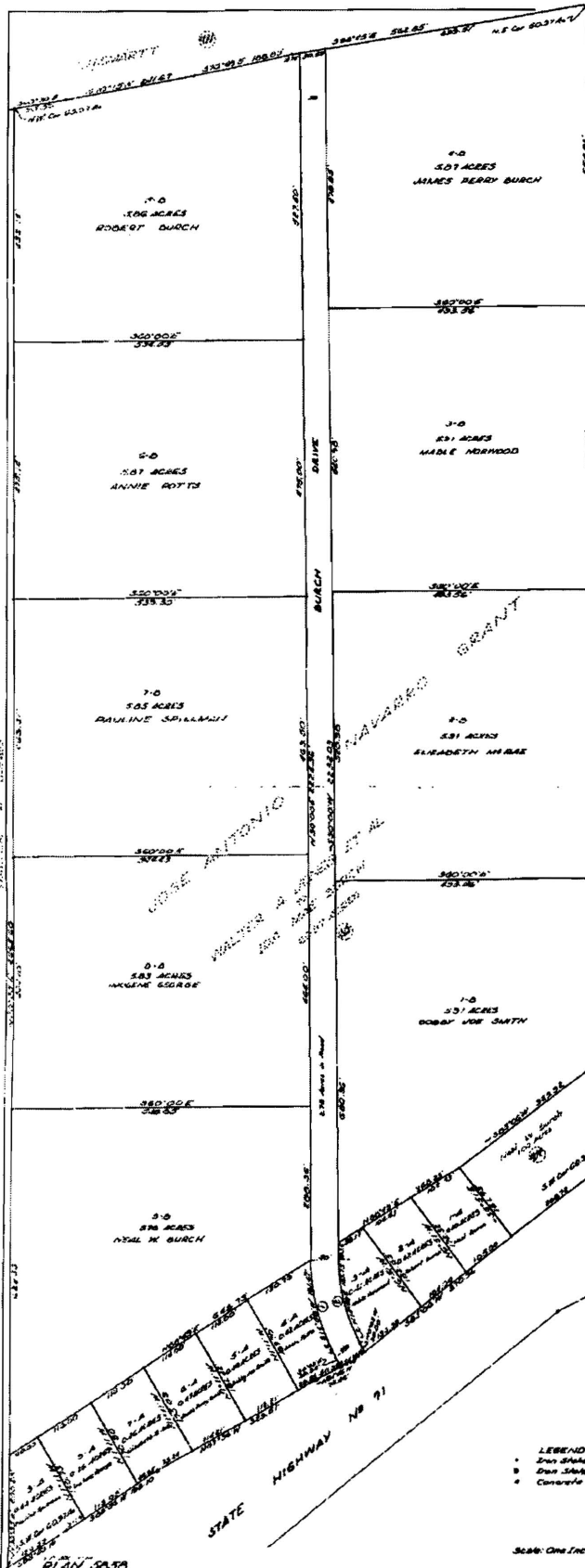
Map Prepared by: Travis County,
Dept. of Transportation & Natural
Resources Date: 8/9/2011



4002-4004 BURCH DRIVE
DEL VALLE, TEXAS

RECEIVED

Existing Plat



PARTITION OF IDA MAE BURCH ESTATE
A PORTION JOSE ANTONIO NABARRIO GRANT



CURVE DATA

Station	Chord	Angle	Radius
0+00	30'00"	45°	37.50'
1+00	30'00"	45°	37.50'
2+00	30'00"	45°	37.50'
3+00	30'00"	45°	37.50'

SEPTIC TANK NOTE
This plat is not subject to the provisions of the Septic Tank Act approved by the State Health Department.

ACRES
Total Area in Subdivision: 52.03 Acres
Total Area in Block: 30.75 Acres

THE STATE OF TEXAS
COUNTY OF TARRANT
I, J. R. Burch, Notary Public for the County of Tarrant, State of Texas, do hereby certify that the foregoing is a true and correct copy of the original plat as the same appears in my records.

J. R. Burch

THE STATE OF TEXAS
COUNTY OF TARRANT
I, J. R. Burch, Notary Public for the County of Tarrant, State of Texas, do hereby certify that the foregoing is a true and correct copy of the original plat as the same appears in my records.

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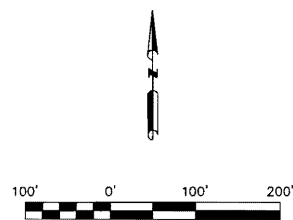
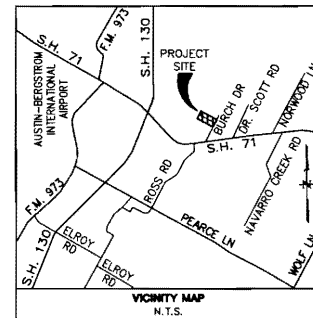
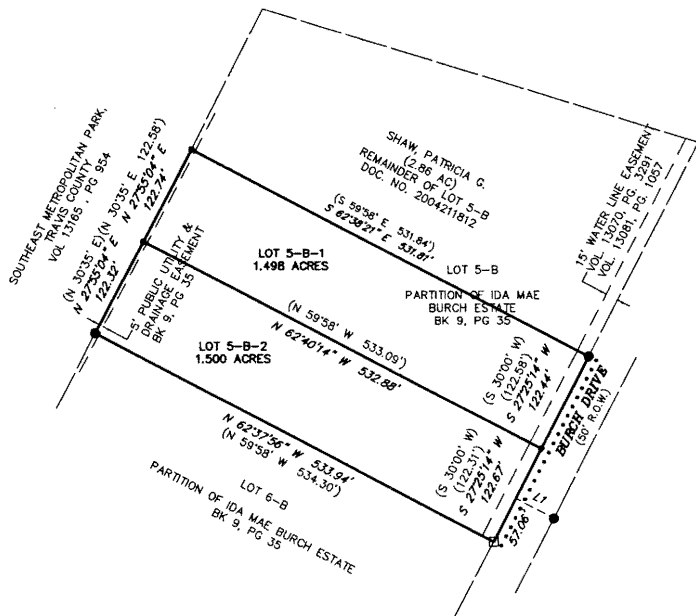
LEGEND
• Iron Stake Set
• Iron Stake Found
• Concrete Monument

Surveyed September 23, 1938
J. R. Burch, Notary Public for the County of Tarrant, State of Texas.

Proposed Plat

PARTITION OF THE IDA MAE BURCH ESTATE RESUBDIVISION OF A PORTION OF LOT 5-B

TRAVIS COUNTY, TEXAS



STATE OF TEXAS §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

That I, Steve Paul Newcomb, owner of a 1.498 acre portion of Lot 5-B, Partition of the Ida Mae Burch Estate, a subdivision as recorded in Book 9, Page 35, of the Plat Records of Travis County, as conveyed to me by warranty deed recorded in Document No. 2004121294 of the Official Public Records of Travis County, Texas, and that I, Isidro Garcia, Jr., owner of a 1.500 acre portion of Lot 5-B, Partition of the Ida Mae Burch Estate, a subdivision as recorded in Book 9, Page 35, of the Plat Records of Travis County, as conveyed to me by warranty deed recorded in Volume 13135, Page 2982 of the Real Property Records of Travis County, Texas, said portions of Lot 5-B being 2.998 acres of land out of the Jose Antonio Nivarro Grant, Travis County, Texas, the undersigned owners do hereby resubdivide 2.998 acres of land, pursuant to Section 212.014 of the Texas Local Government Code, in accordance with this plat, to be known as **PARTITION OF THE IDA MAE BURCH ESTATE RESUBDIVISION OF A PORTION OF LOT 5-B**, and hereby dedicates to the public the use of the easements shown hereon, subject to any easements, covenants or restrictions heretofore granted and not released.

WITNESS MY HAND, this the _____ day of _____, 20____, A.D.

Steve Paul Newcomb
4002 Burch Drive
Del Valle, TX 78617

WITNESS MY HAND, this the _____ day of _____, 20____, A.D.

Isidro Garcia, Jr.
4004 Burch Drive
Del Valle, TX 78617

STATE OF TEXAS §
COUNTY OF TRAVIS §

Before me, the undersigned authority on this day personally appeared Steve Paul Newcomb, known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

Notary Public, State of Texas

Print Notary's Name
My Commission Expires: _____

STATE OF TEXAS §
COUNTY OF TRAVIS §

Before me, the undersigned authority on this day personally appeared Isidro Garcia, Jr, known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

Notary Public, State of Texas

Print Notary's Name
My Commission Expires: _____

LEGEND

- 1/2" IRON ROD FOUND
- 3/4" IRON PIPE FOUND
- 1/2" IRON ROD SET W/CAP
- STAMPED "TERRA FIRMA"
- CONCRETE MONUMENT SET
- () RECORD INFORMATION
- ***** PROPOSED SIDEWALK

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 62°36'07" W	50.82'

LOT ID	LOT ACREAGE	TYPE
LOT 5-B-1	1.498 ACRES	NON-RESIDENTIAL
LOT 5-B-2	1.500 ACRES	NON-RESIDENTIAL
TOTAL	2.998 ACRES	

BEARING BASIS:

HORIZONTAL DATUM BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE. COORDINATES AND DISTANCES SHOWN ARE SURFACE VALUES. COMBINED SCALE FACTOR IS 1.00004.

SHEET 1 OF 2

FILE: J:\PROJECTS\A603\SURVEY\DRAWINGFILES\T001\PLAT.DWG	
J:\PROJECTS\A603\SURVEY\POINTFILES\A603-001-00-001.CRO	
JOB NO: 0603-001-00/001	DRAWN BY: MC
DATE: 04-26-2010	CHECKED BY: JON
SCALE: 1"=100'	REVISED: 06/26/12

**PARTITION OF THE IDA MAE
BURCH ESTATE RESUBDIVISION OF
A PORTION OF LOT 5-B**

**terra
firma** LAND SURVEYING

1701 Directors Boulevard, Suite 400 Austin, Texas 78744 512/328-8373 Fax 512/445-2286

COA CASE # C8J-2011-0148.0A

PARTITION OF THE IDA MAE BURCH ESTATE
RESUBDIVISION OF A PORTION OF LOT 5-B

TRAVIS COUNTY, TEXAS

FLOOD PLAIN NOTE:

No portion of this tract is within a special flood hazard area as identified by the Federal Emergency Management Agency as shown on the Federal Flood Insurance Rate Map No. 48453C0630H, Travis County, Texas, dated September 26, 2008.

I, George A. Gonzalez, am authorized under the laws of the State of Texas to practice the profession of engineering, and hereby certify that this plat is true and correct to the best of my knowledge.

GENESIS 1 ENGINEERING COMPANY,
2605 Jones Road, Suite E
Austin, Texas 78745

George A. Gonzalez
Registered Professional Engineer No. 78329
Date _____

I, Jonathan O. Nobles, am authorized under the laws of the State of Texas to practice the profession of surveying, and hereby certify that this plat, is true and correct to the best of my ability, and was prepared from an actual survey of the property made under my supervision on the ground.

TERRA FIRMA LAND SURVEYING
1701 Directors Boulevard, Suite 400
Austin, Texas 78744



Jonathan O. Nobles
Registered Professional Land Surveyor No. 5777
Date 11/14/2010

This subdivision is located within the 2-mile extraterritorial jurisdiction of the City of Austin, Texas, as of this the _____ day of _____, 20____ A.D.

ACCEPTED AND AUTHORIZED FOR RECORD by the Director, Planning and Development Review Department, City of Austin, Travis County, Texas, this the _____ day of _____, 20____ A.D.

Greg Guemsey, Director
Planning and Development Review Department

ACCEPTED AND AUTHORIZED FOR RECORD by the Zoning and Platting Commission of the City of Austin, Texas, this the _____ day of _____, 20____ A.D.

Chairperson _____ Secretary _____

COMMISSIONERS' COURT RESOLUTION

In approving this plat, the Commissioners Court of Travis County, Texas, assumes no obligation to build the streets, roads, and other public thoroughfares shown on this plat or any bridges or culverts in connection therewith. The building of all streets, roads, and other public thoroughfares shown on this plat, and all bridges and culverts necessary to be constructed or placed in such streets, roads, or other public thoroughfares or in connection therewith, is the responsibility of the owner and/or developer of the tract of land covered by this plat in accordance with plans and specifications prescribed by the Commissioners Court of Travis County, Texas.

The Owner(s) of the Subdivision shall construct the Subdivision's street and drainage improvements (the "improvements") to County Standards in order for the County to accept the public improvements for maintenance or to release fiscal security posted to secure private improvements. To secure this obligation, the Owner(s) must post fiscal security with the County in the amount of the estimated cost of the improvements. The Owner(s)' obligation to construct the improvements to County Standards and to post the fiscal security to secure such construction is a continuing obligation binding on the Owners and their successors and assigns until the public improvements have been accepted for maintenance by the County, or the private improvements have been constructed and are performing to County Standards.

The authorization of this plat by the Commissioners Court for filing or the subsequent acceptance for maintenance by Travis County, Texas, of roads and streets in the subdivision does not obligate the County to install street name signs or erect traffic control signs, such as speed limit, stop signs, and yield signs, which is considered to be a part of the developers' construction.

STATE OF TEXAS §
COUNTY OF TRAVIS §

I, Dana DeBeauvoir, Clerk of the County Court of Travis County, Texas, do hereby certify that on the _____ day of _____, 20____ A.D., the Commissioners' Court of Travis County, Texas passed an order authorizing the filing for record of this plat and that said order was duly entered in the minutes of said Court.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY COURT of said County, the _____ day of _____, 20____ A.D.

Dana DeBeauvoir, County Clerk, Travis County, Texas

Deputy _____

STATE OF TEXAS §
COUNTY OF TRAVIS §

I, Dana DeBeauvoir, Clerk of Travis County, Texas, do hereby certify that the foregoing instrument of Writing and its Certificate of Authentication was filed for record in my office on the _____ day of _____, 20____ A.D., at _____ o'clock _____ M., and duly recorded on the _____ day of _____, 20____ A.D., at _____ o'clock _____ M., of said County and State in Document No. _____, Official Public Records of Travis County.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, this _____ day of _____, 20____ A.D.

Dana DeBeauvoir, County Clerk, Travis County, Texas

Deputy _____

NOTES:

- 1) This subdivision is located in the Dry Creek East Watershed and is classified as suburban.
- 2) In a suburban watershed, water quality controls are required for new development in accordance with the environmental criteria manual of the City of Austin Land Development Code.
- 3) All streets, drainage, sidewalks, water and wastewater lines and erosion controls shall be constructed and installed to City of Austin standards.
- 4) Prior to construction on lots in this subdivision, drainage plans will be submitted to the City of Austin and Travis County for review. Rainfall runoff shall be held to the amount existing at undeveloped status by ponding or other approved method.
- 5) It shall be the responsibility of the Engineer to demonstrate through maps, schematics, calculations and supporting data that the proposed infrastructure, R.O.W. and drainage easements are adequate to convey the design flows in accordance with the City of Austin's Land Development Code. Additional dedication of drainage easement(s) may be required at the time of final platting or construction.
- 6) All drainage easements on private property shall be maintained by the property owner or assigns.
- 7) Property owner and/or his/her assigns shall provide for access to drainage easements as may be necessary and shall not prohibit access by Travis County or other governmental authorities for inspection or maintenance of said easement.
- 8) Enclosed storm sewer pipes will be located in drainage easements a minimum of 15 feet wide. Easements for open channels shall be a minimum of 25 feet wide.
- 9) No buildings, fences, landscaping or other obstructions are permitted in drainage easements except as approved by the City of Austin and Travis County (and other appropriate jurisdictions).
- 10) Erosion/Sedimentation controls are required for all construction on each lot pursuant to LDC section 30-5-181, and the Environmental Criteria Manual. It shall be the responsibility of the lot owner/builder to install and maintain temporary erosion controls (silt fence), revegetation and tree protection for all disturbed areas during the period of construction until disturbed areas are adequately stabilized against erosion pursuant to the City of Austin Land Development Code.
- 11) All disturbed areas within each phase of this project shall be revegetated and all permanent erosion/sedimentation controls completed prior to the issuance of occupancy permits for that phase. Temporary E/S controls shall be adjusted as needed prior to this release to ensure that subsequent phase disturbed areas are adequately covered. Additionally, any area within the limits of construction of the project which is not adequately revegetated shall be brought into compliance prior to the release of the final phase.
- 12) The owner/developer of this subdivision/lot is responsible for providing the subdivision infrastructure, including water and wastewater improvements, offsite main extensions, and system upgrades.
- 13) No lot shall be occupied until the structure is connected to Garfield Water Supply's water system and an on-site sewage facility approved by Travis County.
- 14) The water utility system serving this subdivision must be in accordance with the City of Austin utility design criteria. The water utility plan must be reviewed and approved by the Austin Water Utility. All water construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction.
- 15) The owner of this subdivision, and his or her successors and assigns, assumes responsibility for plans for construction of subdivision improvements which comply with applicable codes and requirements of the City of Austin. The owner understands and acknowledges that plat vacation or replatting may be required, at the owner's sole expense, if plans to construct this subdivision do not comply with such codes and requirements.
- 16) It will be the responsibility of the developers of the individual lots to include in their approved site plans the construction of sidewalks to City of Austin Standards.
- 17) No construction or placement of structures including buildings, sheds, pools, landscaping or gardens is allowed within a critical environmental feature buffer zone per the City of Austin's Land Development Code.
- 18) Maintenance of the water quality controls required above shall be according to City of Austin standards.
- 19) Water quality controls are required for all development with impervious cover in excess of 20% of the Net Site Area of each lot pursuant to Land Development Code Section 30-5-211.
- 20) This project is not located over the Edward's Aquifer Recharge Zone.
- 21) Travis County Development Permit is required prior to site development.
- 22) No objects, including but not limited to, buildings, fences or landscaping shall be allowed in a drainage easement except as approved by Travis County (and other appropriate jurisdiction).
- 23) Sidewalks along Burch Drive are required to be constructed by the property owner after the abutting roadway is improved and concrete curb and gutter is in place. Failure to construct the required sidewalks may result in withholding of certificates of occupancy, building permits, or utility connections by the governing body or utility company.
- 24) Electric provided by Bluebonnet Electric Cooperative, Phone provided by AT&T. Water Service is provided by Garfield Water Supply Corporation. There is no gas services provided to the site.
- 25) A Balance of Tract waiver was granted per Title 30-2-34(D) by staff.

Travis County On-site Wastewater Program Plat Notes

- 1) No structure in this subdivision shall be occupied until connected to a public sewer system or a private on-site wastewater (septic) system that has been approved and licensed for operation by the Travis County On-Site Wastewater Program.
- 2) No construction may begin on any lot in this subdivision until plans for the private on-site sewage disposal system are approved by the Travis County On-Site Wastewater Program.
- 3) Development on each lot in this subdivision shall be in compliance with the minimum requirements of the Title 30 of the Texas Administrative Code Chapter 285 and Travis County Code Chapter 48 that are in effect at the time of construction.
- 4) These restrictions are enforceable by the Travis County On-Site Wastewater Program.
- 5) Commercial use and one single family dwelling are allowed on each lot. If a single family dwelling is placed on a lot, the area of the commercial use shall not exceed 0.498 acres on Lot 5-B-1 or 0.500 acres on Lot 5-B-2.
- 6) No structure in this subdivision shall be occupied until connected to a potable water supply from an approved water system or a private well.

Stacey Scheffel D. R., Program Manager,
On-site Wastewater, Travis County TNR

Date _____

SHEET 2 OF 2

FILE: \\PROJECTS\A603\SURVEY\DRAWINGFILES\1001\PLAT.DWG	
J:\PROJECTS\A603\SURVEY\POINTFILES\A603-001-00-001.CRD	
JOB NO: 0603-001-00/001	DRAWN BY: JWC
DATE: 04-20-2010	CHECKED BY: JON
SCALE: 1"=100'	REVISED: 11/14/12

PARTITION OF THE IDA MAE
BURCH ESTATE RESUBDIVISION OF
A PORTION OF LOT 5-B



1701 Directors Boulevard, Suite 400 Austin, Texas 78744 512/328-8373 Fax 512/445-2286



NOTICE OF PUBLIC HEARING

JANUARY 22, 2013, AT 9:00 AM

**RESUBDIVISION OF A PORTION OF
LOT 5-B PARTITION OF THE
IDA MAE BURCH ESTATE
PRECINCT 4**

**AT THE TRAVIS COUNTY
COMMISSIONERS COURTROOM
700 LAVACA STREET
(FIRST FLOOR) AUSTIN**

FOR MORE INFORMATION CALL: 854-7563



TRANSPORTATION AND NATURAL RESOURCES

STEVEN M. MANILLA, P.E., COUNTY EXECUTIVE

700 Lavaca Street
Austin, Texas 78701
tel 512-854-9383
fax 512-854-4649

AFFIDAVIT OF POSTING

**TO: County Judge
County Commissioners
Travis County, Texas**

A Public Notice of a Plat Resubdivision was posted on January, 7, 2013, on a point as near as practical to the area being resubdivided, and was also posted at the Travis County Courthouse.

CERTIFIED THIS THE 7th DAY OF January, 2013.

SIGNATURE: 

NAME (PRINT): Kevin Brister

TITLE: Sign Tech

cc: Garcia (sign shop)

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