

Austin Neighborhoods Council
General Meeting
April 26, 2006
721 Barton Springs Rd.

Minutes

Prepared by Kevin Lewis, Secretary

Members Present:

Quorum was met.

[see sign-in sheet]

President Laura Morrison called the meeting to order at 7:05pm.

Program:

Property Taxes and Appraisals

- Property Appraisals in Austin and the Legislative session on property taxes—Art Cory, Chief Appraiser, Travis Central Appraisal District

Property values have increased greatly in Travis County. Business valuations have increased in many cases between 20-40%. Residential property valuations have increased from 10-40%. Lago Vista school district properties, for instance, have increased by 20%.

In many cases the value of the land has increased significantly while the value of the improvements (buildings) has decreased. TCAD intentionally changed the ratio of land vs. improvements valuations. This year the appraisers used a new computer program that examines comparable sales and calculates values for land and for improvements.

The legislature has passed a bill that would likely reduce school tax rates by 17 cents per \$100 valuation.

Appraisal statements must list the estimated taxes for the current year (2006). For the first time, this year's appraisal statement has a calculation based on the "effective rate", the rate at which revenues for each jurisdiction would stay the same as last year, while appraised values rise.

Twenty years ago schools were funded by 80% state funding vs. 20% local property taxes. Now, schools are funded by 40% state funding vs. 60% local property taxes.

Applications for protesting tax appraisals must be filed by May 31 with TCAD. If you want more information on what properties were used to determine values for your property, you can call TCAD to ask for comp sheets for both market and equity. If you file a protest application, you will receive a form on which you can request more information.

- Lowering the appraisal cap for homeowners—Council Member Brewster McCracken

The Austin City Council is seeking to have the state legislature change the limit on the increase in valuations so that valuations can only increase by 5 % per year. The current cap on year over year valuation increases is 10%.

Appraisal caps are different from revenue caps, which the council believes would be disastrous for local governments. Revenue caps would limit the amount of revenue that comes in.

- Protesting your appraisal: a neighbor’s perspective—Jeff Jack, ANC

Most homeowners have received an appraisal statement from the Travis Central Appraisal District. For anyone who gets an appraisal statement by May 1, the deadline for protest applications is May 31. If an appraisal statement is received after May 1, the deadline for protest applications is 30 days from the date of the notice.

After you mail in your application for protest (certified mail is best), hearings begin in June.

SEE APPENDIX following for Jeff Jack’s handout on this topic.

Discussion Items:

- Requests for zoning changes/height increases along Town Lake
Danette Chimenti and Jeff Jack spoke in favor of a resolution asking the City of Austin to recommit to protecting the Town Lake corridor and affirming that that public parkland will not be used for private purposes, and that new development along the river corridor will have to conform to the zoning and overlay ordinances which prohibit intrusive development along the waterfront and adjacent to parkland.

SEE APPENDIX FOLLOWING for complete text of resolution.

Danette Chimenti moved approval of the resolution. Motion seconded. There was discussion of the resolution. There was a vote on the motion. Motion passed.

- Fix 290 Coalition—Carol Cespedes and David Richardson
Residents in the Oak Hill area (as the Fix 290 Coalition) are working to change the current TxDOT plans for rebuilding the section of Highway 290 from its current freeway terminus at Joe Tanner to west of the intersection with Highway 71. The current plan is increase from 5 lanes to a total of 12 lanes, with an elevated toll road.

The Fix 290 Coalition proposes that the rebuilding of 290 would be 6 lanes, non-tolled, and at-grade. There is more information available at www.fix290.com .

- South River City Citizens resolution in favor of historic zoning for the ACC Riverside Golf Course.

Wayne Gronquist had presented a resolution at the February ANC meeting supporting historic zoning for the ACC Riverside Golf Course, the former Austin Country Club. The South River City Citizens passed a resolution supporting historic zoning for the Riverside Golf Course. Danette Chimenti moved approval of the resolution. Motion seconded. There was a vote on the motion. Motion passed.

SEE APPENDIX following for text of resolution.

- Bouldin Meadows subdivision proposed development—Kathryn Kawazoe, Galindo Elementary NA

A developer has proposed to build over 50 houses in a currently undeveloped area of Galindo neighborhood. The Galindo Elementary Neighborhood Association has opposed the plans based on concerns that the floodplain and drainage studies are inaccurate, and that more study of drainage is needed before plans would be approved. The Zoning and Platting Commission will vote on the preliminary subdivision plan next Tuesday May 2.

Kathryn Kawazoe moved approval of a resolution to support the Galindo neighborhood' position "that 100-yr flood plain and Critical Water Quality Zone should be mapped on any proposed development on the "Bouldin Meadows" site due to the actual contributing drainage area being more than 64 acres. If the above is not required, then the City should NOT approve the proposed subdivision until the COA Watershed Protection & Development Review Dept. completes its more intense drainage study of the area." Motion seconded. Motion passed.

Updates and Notices

- Central city school closures—Cory Walton, Bouldin Creek NA
AISD has, for now, withdrawn plans to close Becker and Oak Springs Elementary Schools. Neighbor groups are working to revive attendance and keep those schools open.

- McMansion Task Force—Laura Morrison, president
Developer reps and neighborhood reps continue to work to establish regulations on redevelopment in established neighborhoods.

- Green Water Treatment Plant—discussion of possible future of Green plant.

- Neighborhood Planning Workshop
Over 125 people attended the ANC-sponsored neighborhood planning workshop last Saturday.

- Arboretum Tower zoning case

The Raintree neighborhood in the Arboretum area is opposing a proposed tower development in that area. The City Council will consider this More information is available at www.notower.com

- Electric lawnmower rebate program—Scott Johnson 477-4595
- Trade-ins for
- Banff Mountain Film Festival, Sunday April 30
 - Austin Independent Business Alliance CLIC Trade Show May 12

Meeting adjourned at 9:20pm.

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Protesting Your Travis County Appraisal District 2006 Notice of Appraised Value

1. General information:
 - A. 2006 Notice of Appraised Value (NOAV) have been sent by TCAD
 - B. On back of notice is form to use if you want to protest valuations. Also included with NOAV is information flyer on protest procedure from State Controller's office
 - C. TCAD only set property evaluations; local jurisdictions set the tax rates. Tax rate Appraised Value X Tax Rate = Out of pocket taxes due each jurisdiction.
 - D. NOPV includes estimate of actual tax expense for each jurisdiction, but this is not a tax bill. TCAD will send out a tax notice later.
 - E. Check to make sure you get your entitled exemptions, either homestead or if you are over 65 years old.
 - F. Your homestead is protected by a 10% cap on the appraised value plus any home improvements.
 - G. TCAD is systematically shifting valuations more heavily on land value as opposed to value of the improvements

2. Filing your Notice of Protest 2006
 - A. Deadline for filing protest is May 31, 2006
 - B. Check pre-printed information on Notice of Protest form, steps 1 and 2
 - C. Check reasons for your protest, check one or more that apply in step #3
 - D. Provide details or facts to support your contention in step#4. Provide your estimate of the property value that you think is correct (Optional) but advise that you prepare this in advance.
 - E. If you want to receive additional information about the process check Step #5
 - F. Sign and date the form, step #6 and mail it in. (certified is best!)

3. Preparing for your protest, information related to what you checked in step #3
 - A. You can request the comparables used in establishing your values by calling TCAD at 834-9138, give them your account number (top right corner of NOAV).
 - B. TCAD will provide you with a summary of the Gross Rent Multipliers for your area if you have rent property.
 - C. Check out the comparables, are they really the same, if not note why your value should be different. Take pictures to show differences
 - D. Document any neighborhood conditions that set you apart from the comparables. (adjacent to commercial property, run down property or undesirable uses)
 - E. Document any improvement conditions that warrant consideration for a lesser value (Cracked concrete slab, tree damage, drainage issues, etc.)

4. Informal hearing, the first opportunity to adjust your appraised value
 - A. Meeting with TCAD staff, informal one on one, TCAD will send you an appointment date and time. If you have to miss it, then notify them and you can reschedule, if you miss it and do not notify them, then you can not use the informal review and have to go to the formal Appraisal Review Board (ARB).
 - B. TCAD staff has limited flexibility to adjust valuations but can often make significant adjustments that will satisfy your protest.
 - C. Stick to the facts of the case, they have to have documentation to support their decisions
 - D. If you get an adjustment and are satisfied with it, then the TCAD staff will make the change and you will be sent a notice of the adjustment
 - E. If you do not get what you want you may ask for a formal ARB hearing.

5. Appraisal Review Board formal hearing

- A. The ARB is made up of appointees from all the taxing jurisdictions
- B. The ARB decision is final and the only recourse you have is filing suit in court
- C. The ARB process is not as constrained as the TCAD staff's review but your protest should again stick to the facts of the case
- D. The ARB will send you a notice of the formal hearing and the ARB will begin hearings in June of this year.
- E. TCAD has to certify the tax rolls by the end of September in order to meet the taxing jurisdictions budget deadline. But protests may extend beyond that date. It is expected that more protest will be filed this year.

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Resolution: Reaffirmation of our communities commitment to protecting the Town Lake Corridor

Whereas The beautification of Town Lake, the legacy of Lady Bird Johnson and many other civic leaders, has resulted in a scenic river corridor that provides significant recreational, entertainment and leisure opportunities in central Austin, a beautiful water and green landscape in the heart of our city, and

Whereas The Town Lake Corridor also is a valuable economic asset drawing many people to the “River City” for the many events along its shores, and

Whereas The community has recognized that the qualities that make the Town Lake Corridor a special respite from the surrounding urbanizing areas and as an reflection of the Texas hill county are threaten by intrusive development on parkland and along the shores of Town Lake, and

Whereas In response to inappropriate development such as the Hyatt Hotel, the community over several years developed the Town Lake Corridor Study, The Town Lake Park Comprehensive Plan and South Shore Comprehensive plan to define how best to protect the tranquility and scenic vistas of Town Lake Park, and

Whereas In response to this community effort the Austin City Council has in the past adopted appropriate Base Zoning restrictions and the Waterfront Overlay ordinance in order to ensure the preservation of this wonderful park amenity for the entire community, and

Whereas State law requires that for dedicated parkland to be used for private purposes, a referendum of the community has to be passed first, and

Whereas In recent years we have seen many attempts to commercialize the Town Lake Corridor with inappropriate private uses proposed for public parkland, and development proposals that violate both the spirit and letter of zoning protections for the river front, and now therefore

Be it resolved that the Austin Neighborhoods Council strongly urges the Austin City Council to recommit to protecting the Town Lake corridor and Town Lake Park by affirming that public parkland will not be used for private purposes and that new development along the river corridor will have to conform to the zoning and overlay ordinances which prohibit intrusive development along the waterfront and adjacent to parkland.

Attested by
Laura Morrison
ANC President

Resolution supporting historic zoning for Perry Maxwell/Harvey Penick Golf Course

WHEREAS the Riverside Golf Course (“Golf Course”) is historic because it was designed by Perry Maxwell, the preeminent golf architect of the Classic Period of golf architecture; and

WHEREAS Perry Maxwell was a “minimalist” who worked with the land, creating literally hand-built “natural” golf courses, unlike most modern golf courses which are primarily built to be effluent irrigation fields; and

WHEREAS this Perry Maxwell natural Golf Course also provides vitally needed open space for Austin’s inner city; and

WHEREAS the Golf Course is historic because golf’s greatest teacher, Harvey Penick, lived and taught there for 33 years; and

WHEREAS the Golf Course is historic because dozens of renowned golfers, including Ben Crenshaw, Tom Kite, LPGA Hall of Famers Betsy Rawls, Kathy Whitworth, Sandra Palmer, and Austin’s own Sandra Haney learned the game from Harvey Penick at the Golf Course when it was still the Austin Country Club (1950-1984); and

WHEREAS Ben Crenshaw, Tom Kite, Tinsley Penick and other Austin golf notables have joined the Golf Advisory Board, former Austin mayors, and all nearby neighborhood associations in applying for historic zoning of the Golf Course; and

WHEREAS the Golf Course also serves an invaluable function as a flood plain for Country Club Creek, the largest drainage area in the Southeast quadrant; and

WHEREAS the Southeast Quadrant is Austin’s least developed quadrant which means that the Golf Course will be subjected to ever increasing flooding as the area continues to develop; and

WHEREAS the very essence of the East Riverside/Oltorf Combined Plan (“EROC” or “River Park Plan”) is the preservation of its green and open space, consisting of Country Club Creek Preserve (seeps and spring headwaters that provide life and a base flow for the Creek), the Creek itself, the 150 open space acres of the Golf Course, and the Guerrero Colorado River Park; and

WHEREAS the Southeast Quadrant is the most densely populated area in Austin and hence the area in greatest need of open space; NOW THEREFORE

BE IT RESOLVED that the ANC join the EROC neighborhood associations and the other applicants in requesting that the City of Austin zone the Riverside Golf Course historic.

