

C15  
1

**MEMORANDUM**

**TO:** Dora Anguiano, Planning Commission Coordinator  
Planning and Development Review Department

**FROM:** Jennifer Grant, Property Agent  
Land Management Section  
Office of Real Estate Services

**DATE:** August 16, 2011

**SUBJECT:** F#8918-1105 Vacation of a portion of Right-of-Way at the  
5000 Block of Woodrow Avenue.

C10V-2011-02

Attached are the departmental comments and other information pertinent to the referenced right of way vacation. **The area being requested for vacation will be used to extend the lot line so that the ROW aligns with other residential lots along the street.** All affected departments and private utility franchise holders have reviewed this request and recommend approval.

The applicant has requested that this item be submitted for placement on the **August 23, 2011, Planning Commission Agenda** for their consideration.

Staff contact: Jennifer Grant at 974-7991 or [landmanagement@ci.austin.tx.us](mailto:landmanagement@ci.austin.tx.us).

Applicant: Hector Avila

Property Owner: EP Austin Properties, L.P.

Mr. Avila (Applicant) will be present at the meeting to answer any questions regarding the project, if needed.



Jennifer Grant, Property Agent  
Land Management Section

**OFFICE OF REAL ESTATE SERVICES**

Attachments

C15  
1/2

DEPARTMENT COMMENTS FOR THE  
VACATION OF A PORTION OF RIGHT OF WAY  
AT THE 5000 BLOCK OF WOODROW AVENUE

AT&T	APPROVE
AUSTIN ENERGY	APPROVE
AUSTIN TRANSPORTATION DIRECTOR	APPROVE
AUSTIN WATER	APPROVE
CAPITAL METRO	APPROVE
CODE COMPLIANCE	APPROVE
CTM - GAATN	APPROVE
EMS	APPROVE
FIRE	APPROVE
GRANDE COMMUNICATIONS	APPROVE
PARD	APPROVE
PLANNING & DEVELOPMENT REVIEW (Land Use Review-Engineering)	APPROVE
PLANNING & DEVELOPMENT REVIEW (Land Use Review-Transportation)	APPROVE
PLANNING & DEVELOPMENT REVIEW (Neighborhood Planning)	REFER TO PLANNING COMMISSION
PLANNING & DEVELOPMENT REVIEW (Zoning Review)	APPROVE
PUBLIC WORKS DIRECTOR	APPROVE
TEXAS GAS SERVICES	APPROVE
TIME WARNER	APPROVE
WATERSHED PROTECTION (Engineering)	APPROVE

RECEIVED

JUN 13 2011

C15  
/3

**ARMBRUST & BROWN, PLLC**

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300  
AUSTIN, TEXAS 78701-2744  
512-435-2300

FACSIMILE 512-435-2380  
FACSIMILE 512-435-2399

LYNN ANN CARLEY, P.E.  
(512) 435-2378  
lcarley@abaustin.com

June 13, 2011

VIA EMAIL AND HAND DELIVERY

Jennifer Grant  
Public Works/Real Estate Services Division  
City of Austin  
505 Barton Springs Road, Suite 1350  
Austin, TX 78704

Re: ROW Vacation Request for Woodrow Avenue (the "Application")

Dear Ms. Grant:

This firm represents and this letter is submitted on behalf of the applicant in the above referenced Application. The purpose of this Application is to vacate a portion of right-of-way (ROW) for a residential lot that will be located along Woodrow Avenue, so that the ROW aligns with the other residential lots along the street. This is not a SMART Housing project.

Currently, this property is zoned a combination of SF-3-NP and GO-MU-CO-NP. There is a driveway on this property, which leads to an existing medical office building that is located on an adjacent commercially zoned site to the west. In conjunction with a recent rezoning case (C14-2010-0025) and neighborhood plan amendment (NPA-2010-0018.03), it was agreed that this driveway would be removed so that access could no longer be provided to the adjacent commercial site from Woodrow Avenue. Please see the attached conceptual plan which shows the driveway to be removed, as well as the proposed residential lots along Woodrow Avenue.

The SF-3-NP zoned portion of this property is being reconfigured through the subdivision process into a residential lot that fronts Woodrow Avenue. Parking for the residential lot will be provided on the SF-3-NP lot. Therefore, the parking requirements for the residential lot will not increase.

All access to the adjacent commercial property will be provided off of Burnet Road, and the parking required for the commercial property will be located on the commercially zoned property. Sufficient parking facilities will be provided and approved through the site plan process for the new commercial building.

**ARMBRUST & BROWN, PLLC**

Page 2

C15  
1/4

A subdivision has been submitted for the residential lots fronting Woodrow Avenue and a site plan has been submitted for the commercial building fronting Burnet Road. We anticipate completion of the commercial building within approximately two to three years.

The area to be vacated is not located in either the UT or CBD boundary areas.

Thank you for your time and consideration in this matter. We respectfully request approval of this ROW vacation, so that the residential lot fronting on Woodrow Avenue will have ROW, front yard, and building setbacks that match all other properties along Woodrow Avenue.

If you have any questions, comments, or need additional information, please do not hesitate to contact me.

Sincerely,



Lynn Ann Carley, P.E.  
Senior Land Development Consultant

cc: Teri Deabler  
Bill Lawson  
Richard T. Suttle, Jr.

C15  
1/5

### APPLICATION FOR STREET OR ALLEY VACATION

File No. 8918-1105  
Department Use Only

DATE: 5-27-11  
Department Use Only

#### TYPE OF VACATION

Vacation of a: Street: ROW or Alley: \_\_\_\_\_ Hundred Block: \_\_\_\_\_  
 Name of Street/Alley: Woodrow Ave  
 Property address: 5009 Woodrow Ave (5000)  
 Purpose of vacation: \_\_\_\_\_

#### PROPERTY DESCRIPTION OF AREA TO BE VACATED

Parcel #: 0226040118  
 Survey & Abstract No.: \_\_\_\_\_  
 Lot(s): \_\_\_\_\_ Block: 27 Outlot: \_\_\_\_\_  
 Subdivision Name: Wallace Place  
 Plat Book \_\_\_\_\_ Page Number \_\_\_\_\_ Document Number \_\_\_\_\_

#### RELATED CASES

Proposed Existing Site Plan (circle one): <u>YES</u> / <del>NO</del>	FILE NUMBERS <u>SP-2011-0142 C</u> <u>C8-2011-0059.0A</u> <u>C14-2010-0025</u>
Subdivision: Case (circle one): <u>YES</u> / NO	
Zoning Case (circle one): <u>YES</u> / NO	

#### PROJECT NAME, if applicable:

Name of Development Project: EP Austin Properties  
 Is this a S.M.A.R.T. Housing Project (circle one): YES / NO

#### OWNER INFORMATION

Name: E.P. Austin Properties (as shown on Deed)  
 Address: 5011 Burnet Rd Phone: ( ) Fax No.: ( )  
 City: Austin County: Travis State: Tex Zip Code: 78756  
 Email Address: \_\_\_\_\_  
 (If multiple owners are joining in this request - complete names, addresses on each, must be attached.)

#### APPLICANT INFORMATION

Name: Hector Avila  
 Firm Name: \_\_\_\_\_  
 Address: 1008 SouthCent Phone: (512) 791-0517 Fax No.: ( )  
 City: Austin State: Tex Zip Code: 78704  
 EMAIL ADDRESS: \_\_\_\_\_

The undersigned Landowner/Applicant understands: 1) The application will be handled in accordance with the Policies and Procedures. 2) No action will be taken without payment of the non-refundable application fee or necessary documentation. 3) The application and fee in no way obligates the City to vacate the subject area. 4) It is further understood that all documents related to this transaction and a check for the "appraised value" must be delivered to the City of Austin prior to placing the item on the Council Agenda for final approval.

Signed By: Hector Avila  
 Landowner/Applicant

NOTE :  
Orientation for this survey is based upon a bearing of S30°00'00"W  
between monuments A and B as shown hereon.

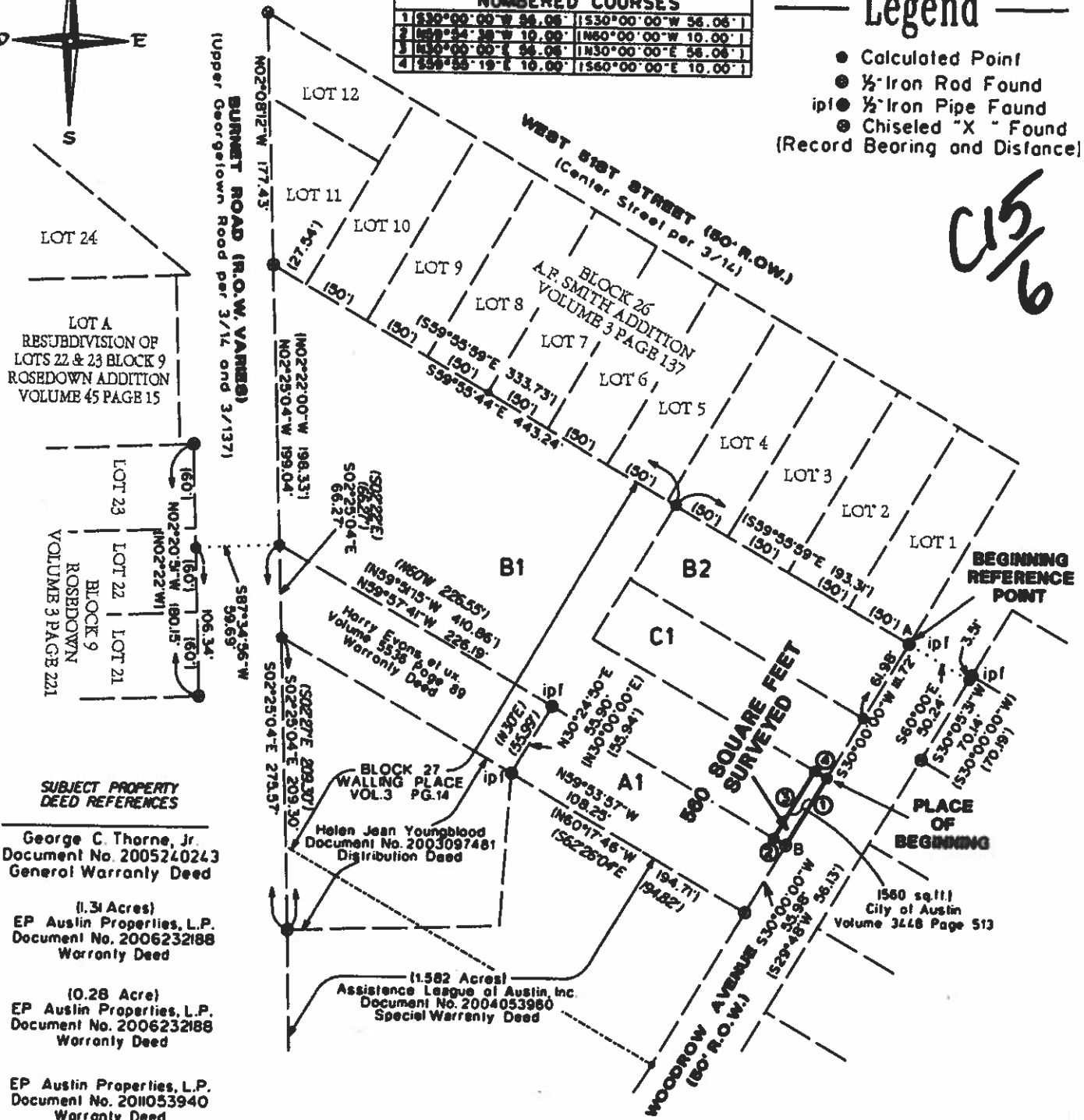
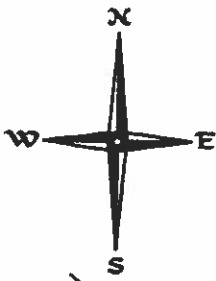
SCALE: 1" = 100'

# Legend

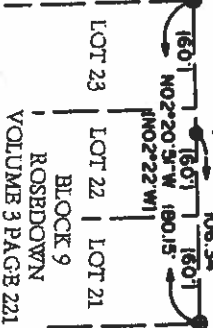
- Calculated Point
  - ⊙ ½" Iron Rod Found
  - ip⊙ ½" Iron Pipe Found
  - ⊗ Chiseled "X" Found
- (Record Bearing and Distance)

C15/6

NUMBERED COURSES			
1	S30°00'00"W 56.06'		S30°00'00"W 56.06'
2	S89°54'38"W 10.00'		N60°00'00"W 10.00'
3	S30°00'00"E 56.06'		N30°00'00"E 56.06'
4	S89°55'19"E 10.00'		S60°00'00"E 10.00'



LOT A  
RESUBDIVISION OF  
LOTS 22 & 23 BLOCK 9  
ROSEDOWN ADDITION  
VOLUME 45 PAGE 15



**SUBJECT PROPERTY DEED REFERENCES**

- A1 George C. Thorne, Jr.  
Document No. 2005240243  
General Warranty Deed
- B1 (1.31 Acres)  
EP Austin Properties, L.P.  
Document No. 2006232188  
Warranty Deed
- B2 (10.28 Acre)  
EP Austin Properties, L.P.  
Document No. 2006232188  
Warranty Deed
- C1 EP Austin Properties, L.P.  
Document No. 2011053940  
Warranty Deed

SKETCH TO ACCOMPANY FIELD NOTE DESCRIPTION OF  
560 SQUARE FEET OF LAND OUT OF THE GEORGE W. SPEAR LEAGUE, ABSTRACT NO. 397, IN TRAVIS COUNTY, TEXAS,  
AND BEING ALL OF THAT CERTAIN 1560 SQUARE FEET TRACT OF LAND AS CONVEYED TO THE CITY OF AUSTIN  
BY DEED RECORDED IN VOLUME 3448, PAGE 513 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS  
LOCATED ON WOODROW AVENUE.

SURVEYED: FEBRUARY 10, 2011  
MAP PREPARED MAY 17, 2011  
BY

*Holt Carson*  
Holt Carson

Registered Professional Land Surveyor No. 5168

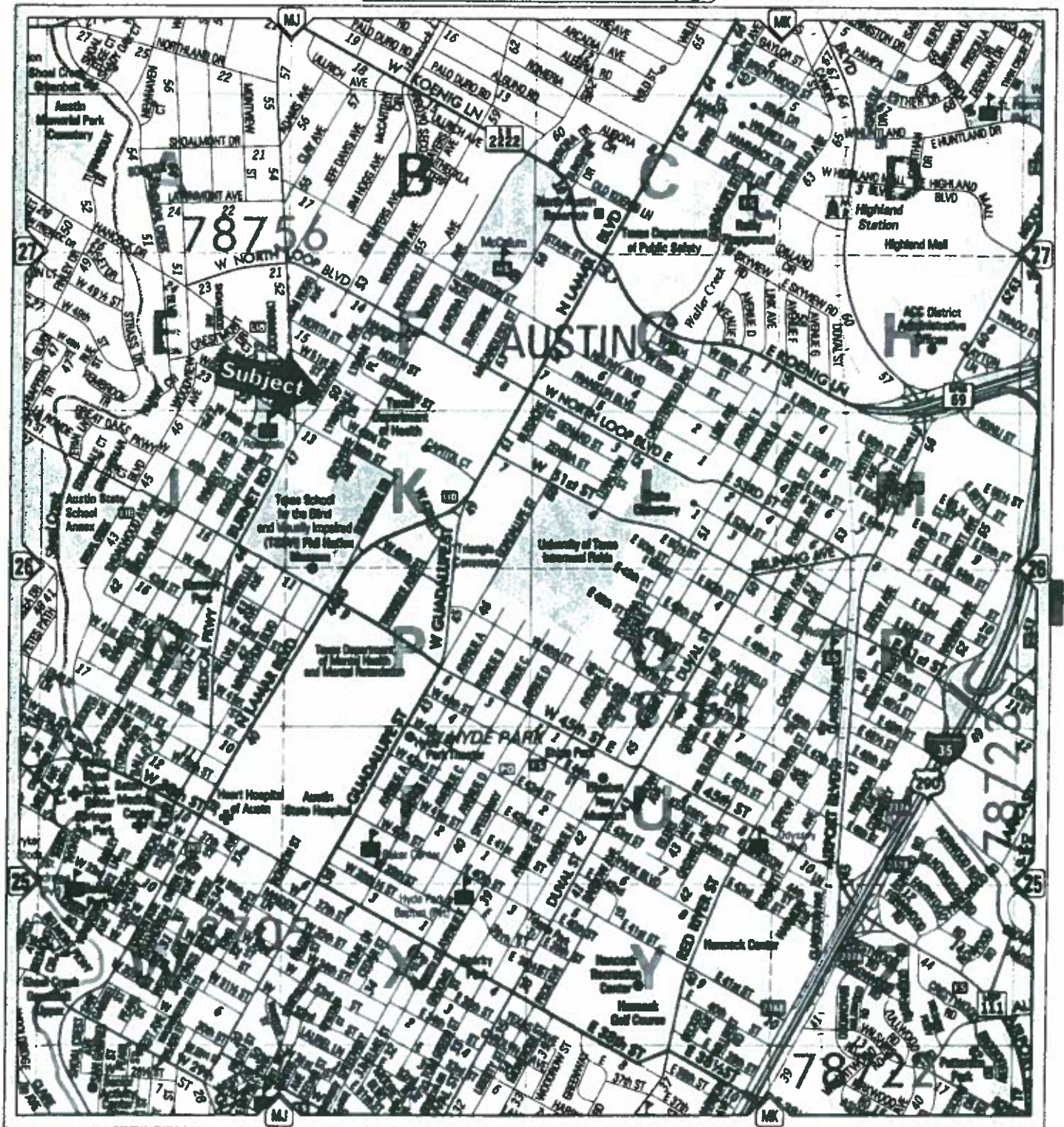
**HOLT CARSON, INCORPORATED**  
PROFESSIONAL LAND SURVEYORS  
1904 FORTVIEW ROAD  
AUSTIN, TX 78704  
(512) 442-0980

C15/14

555



CONTINUED ON MAP 525



CONTINUED ON MAP 554

CONTINUED ON MAP 585

CONTINUED ON MAP 556

