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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

C10V-2011-03

DATE: September 20, 2011

SUBJECT: F# 8938-1107 Vacation of the Alley between Nueces and San Antonio Streets, from West 22nd Street, 250' South.

Attached are the departmental comments and other information pertinent to the referenced alley vacation. **The alley is adjacent to a multi-level student housing development.** All affected departments and private utility franchise holders have reviewed this request and recommend approval, subject to area being retained as public utility, drainage and access easement.

The applicant has requested that this item be submitted for placement on the **September 27, 2011, Planning Commission Agenda** for their consideration.

Staff contact: Jennifer Grant at 974-7991 or landmanagement@ci.austin.tx.us.

Applicant: Travis Flake, Bury & Partners

Property Owner: University Baptist Church of Austin & University Lutheran Student Center, Inc.

Mr. Flake (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

DEPARTMENT COMMENTS FOR THE PARTIAL VACATION OF THE ALLEY
BETWEEN NUECES STREET & SAN ANTONIO, FROM W. 22ND STREET, 250'
SOUTH.

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AT&T	APPROVE
AUSTIN ENERGY	RETAIN AS A PUBLIC UTILITY EASEMENT
AUSTIN TRANSPORTATION DIRECTOR	APPROVE
AUSTIN WATER	WATER AND WASTEWATER LINES MUST BE BUILT AND ACCEPTED BY CITY BEFORE VACATION WILL BE APPROVED. QUITCLAIM DEED & APPRAISED VALUE WILL BE HELD IN ESCROW AT A TITLE COMPANY UNTIL REQUIREMENTS HAVE BEEN MET.
CODE COMPLIANCE	APPROVE
CTM – GAATN	APPROVE
EMS	APPROVE
FIRE	APPROVE
GRANDE COMMUNICATIONS	APPROVE
PLANNING & DEVELOPMENT REVIEW (Land Use Review-Engineering)	APPROVE
PLANNING & DEVELOPMENT REVIEW (Land Use Review-Transportation)	RETAIN AS PUBLIC UTILITY AND ACCESS EASEMENT
PLANNING & DEVELOPMENT REVIEW (Neighborhood Planning)	REFER TO PLANNING COMMISSION
PLANNING & DEVELOPMENT REVIEW (Urban Design)	APPROVE
PLANNING & DEVELOPMENT REVIEW (Zoning Review)	APPROVE
PUBLIC WORKS (Chief Eng, City Eng, Neighborhood Connectivity, Street & Bridge)	APPROVE
TEXAS GAS SERVICES	APPROVE
TIME WARNER	APPROVE, SUBJECT TO PAYMENT FOR RELOCATION OF UTILITIES
WATERSHED PROTECTION (Engineering)	RETAIN AS DRAINAGE EASEMENT



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July 22, 2011

Ms. Chris Muraida
City of Austin
505 Barton Springs Road
Austin, Texas 78704

Re: ACC OP (West Campus) Development

Dear Ms. Muraida:

On behalf of American Campus Communities (the Developer), we are submitting this request for Alley Vacation for the alley running north-south between Nueces Street and San Antonio Street from 22nd Street approximately 250' south. The site consists of Lots 13-16 and 22-24 of Louis Horst's Subdivision Book Z, Page 613.

The Developer is entering into a ground lease agreement with the owner of the property, the University Baptist Church of Austin for Lots 13-16 on the west side and Lots 22-24 on the east side. This includes both sides of the section of the alley proposed to be vacated except for the area opposite Lot 16. This is owned by the University Lutheran Student Center who has agreed with the Owner's & Developer's plans to vacate the alley.

They would like to vacate the alley in order to fully build out their property. This would be a multilevel student housing facility which would qualify as a S.M.A.R.T Housing Project. The proposed development would begin January 2012 with an anticipated completion date in 2013.

The site is currently a parking lot on each side of the alley. The alley is serving as access to these lots which would be removed for the student housing. The remainder of the alley serves as supplemental access to the three remaining sites in this block.

We are requesting a vacation of this portion of the alley, the portion which is adjacent to the site, with the City retaining 20' P.U.E. and Access Easement. These easements cover the entire area to be vacated.

The access easement will allow the remaining portion of the alley to continue to function. These lots will continue to have supplemental access as well as solid waste pick up, delivery area, etc. via the access easement. The existing water and wastewater lines are proposed to be removed.

BURY+PARTNERS, INC.
221 West Sixth Street, Suite 600
Austin, Texas 78701

(512) 328-0011
(512) 328-0325

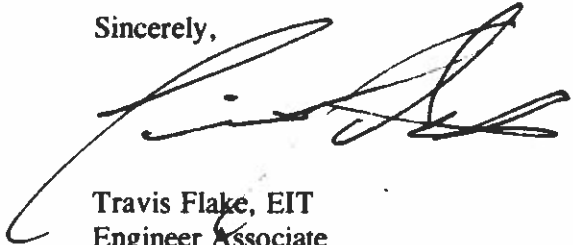
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Improvements will be made to the water and wastewater infrastructure in 21st Street and 22nd Street as defined in the Service Extension Request response from Austin Water Utility. The existing overhead lines in the alley will be rerouted through an underground duct bank through the vacated alley. A minimum 14'-6" clear space will be maintained through these easements to allow maintenance access to any utilities as it is required.

This area will be quitclaimed to two separate entities, the University Baptist Church and the University Lutheran Student Center, with this vacation. Separate field notes will be provided for each section prior to ordering appraisal.

Please call me if you have any questions or need any additional information.

Sincerely,



Travis Flake, EIT
Engineer Associate

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APPLICATION FOR STREET OR ALLEY VACATION

File No. 8438-1107
Department Use Only

DATE: 7-26-11
Department Use Only

TYPE OF VACATION

Vacation of a: Street: _____ or Alley: X Hundred Block: N/A
Name of Street/Alley: ALLEY BETWEEN MURCES ST. & SAN ANTONIO ST, FROM W 22ND ST 250' SOUTH
Property address: N/A
Purpose of vacation: CONSTRUCTION OF NEW STUDENT HOUSING DEVELOPMENT

PROPERTY DESCRIPTION OF AREA TO BE VACATED

Parcel #: N/A
Survey & Abstract No.: ABSTRACT 506489
Lot(s): N/A Block: N/A Outlot: N/A
Subdivision Name: LOUIS HORST'S SUBDIVISION
Plat Book 2 Page Number 613 Document Number N/A

RELATED CASES

	FILE NUMBERS
Existing Site Plan (circle one): YES / <u>NO</u>	<u>N/A</u>
Subdivision: Case (circle one): YES / <u>NO</u>	<u>N/A</u>
Zoning Case (circle one): YES / <u>NO</u>	<u>N/A</u>

PROJECT NAME, if applicable:

Name of Development Project: ACC OP (WEST CAMPUS) DEVELOPMENT
Is this a S.M.A.R.T. Housing Project (circle one): YES / NO

OWNER INFORMATION

Name: UNIVERSITY BAPTIST CHURCH OF AUSTIN (as shown on Deed)
Address: 2130 GUADALUPE ST Phone: (512) 478-8559 Fax No.: () _____
City: AUSTIN County: TRAVIS State: TX Zip Code: 78705
Email Address: STAFF@UBCAUSTIN.ORG
(If multiple owners are joining in this request - complete names, addresses on each, must be attached.)
SECOND OWNER ON REVERSE

APPLICANT INFORMATION

Name: TRAVIS FLAKE
Firm Name: BURY + PARTNERS
Address: 221 WEST SIXTH ST. Phone: (512) 328-0011 Fax No.: (512) 328-0325
City: AUSTIN State: TX Zip Code: 78701
EMAIL ADDRESS: TFLAKE@BURYPARTNERS.COM

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.

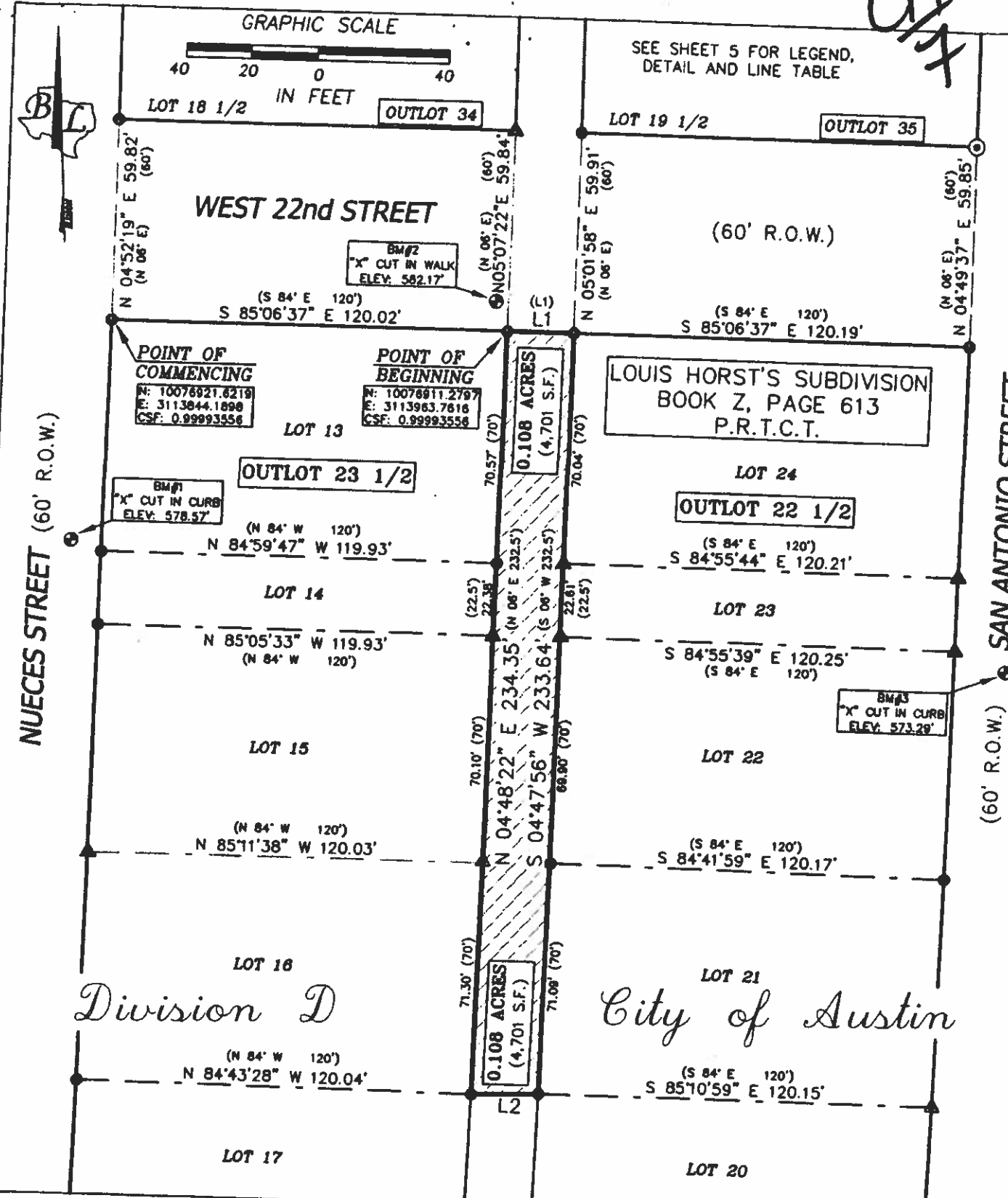
Signed By: 
Landowner/Applicant

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APPLICANT INFORMATION

NAME:	UNIVERSITY LUTHERAN STUDENT CENTER, INC.	(AS SHOWN ON DEED)
ADDRESS:	2100 SAN ANTONIO ST.	PHONE: (512) 472-5461 FAX NO. (512)
CITY:	AUSTIN	COUNTY: TRAVIS STATE: TX ZIP: 78705
EMAIL ADDRESS:	INFO@LCMUT.ORG	

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SKETCH TO ACCOMPANY FIELD NOTES OF 0.108 OF ONE ACRE (4,701 S.F.) OF LAND IN DIVISION D OF THE CITY OF AUSTIN AND BEING A PORTION OF A TWENTY FOOT WIDE ALLEY BETWEEN OUTLOT 22 1/2 AND OUTLOT 23 1/2, AS DEDICATED BY LOUIS HORST'S SUBDIVISION; A SUBDIVISION OF RECORD IN BOOK Z, PAGE 613 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS

BASELINE LAND SURVEYORS, INC.
PROFESSIONAL LAND SURVEYING SERVICES
8333 CROSS PARK DRIVE
AUSTIN, TEXAS 78754
OFFICE: 512.374.9722 FAX: 512.873.9743
scott-baseline@austin.tx.com

File: \Projects\22nd @ Nueces\Draw\Revised Alley Vacation.dwg
Job No. _____ Snapshot _____
Scale (Hor.): 1"=40' Scale (Vert.): _____

SHEET

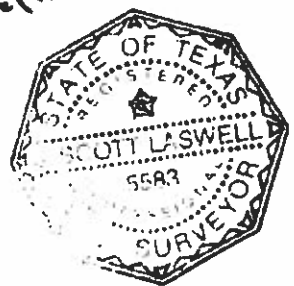
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LEGEND

- 1/2" REBAR FOUND
- ⊙ IRON PIPE FOUND
- ▲ NAIL FOUND
- ▲ CALCULATED POINT
- ⊕ BENCHMARK
- S.F. SQUARE FEET
- R.O.W. RIGHT OF WAY
- () RECORD INFO. PER BK. Z. PG. 594
- P.R.T.C.T. PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- C.S.F. COMBINED SCALE FACTOR

LINE TABLE		
LINE	BEARING	LENGTH
L1	S 85°06'37" E	20.07'
(L1)	S 84° E	20'
L2	N 87°07'44" W	20.11'
(L2)	N 84° W	20'

S. Horst
7/22/11



BEARING BASIS: TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (4203), NAD 83/96 CORS.
 CONVERGENCE: 01'20'01"
 COMBINED SCALE FACTOR: 0.99993556

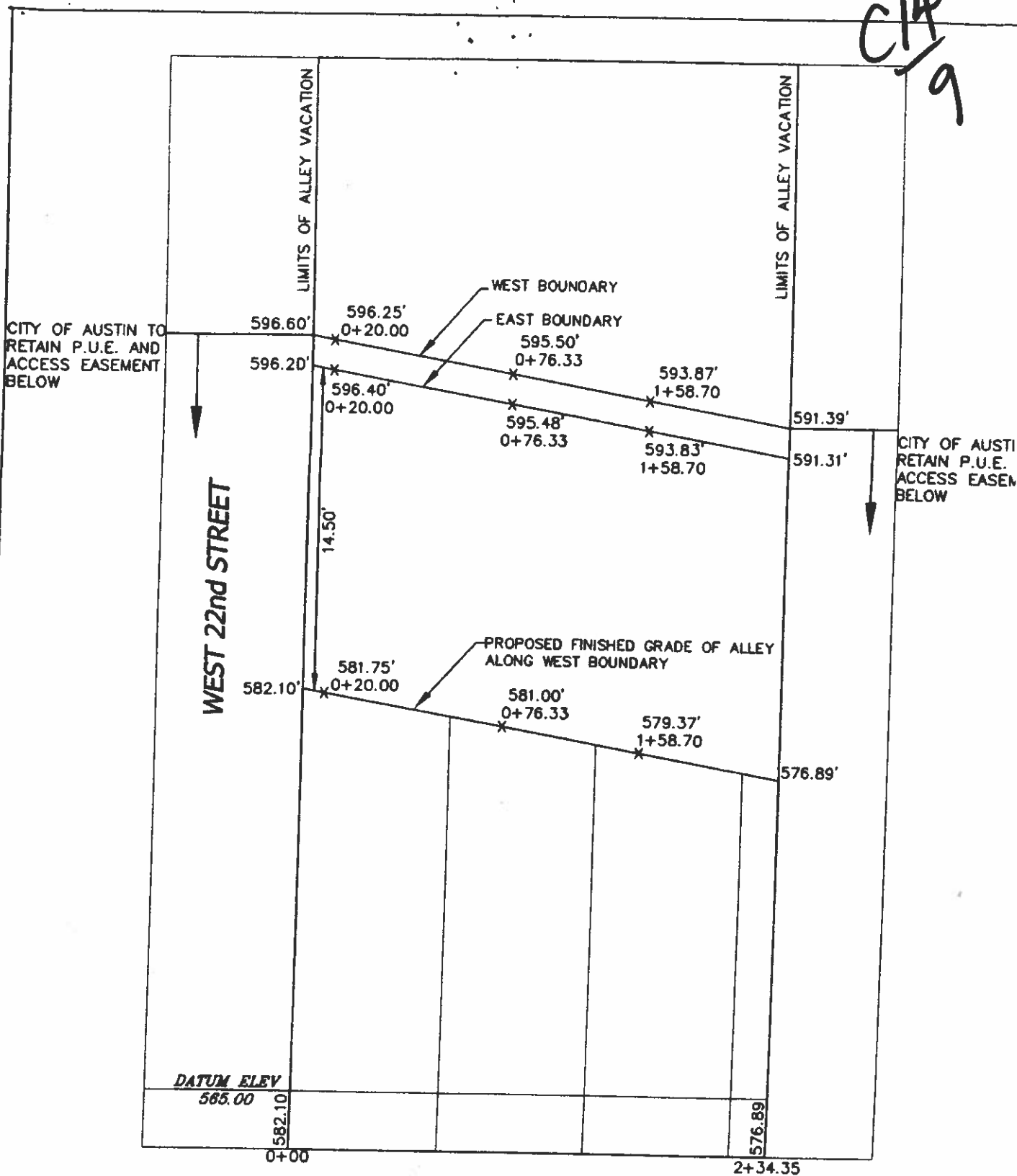
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File: I:\Projects\22nd @ Nucoas\Drawg\Revised Alley Vacation.dwg	
Job No.	Snapshot:
Scale (Hor.): 1"=40'	Scale (Vert.): 1"=10'

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SKETCH TO ACCOMPANY FIELD NOTES OF 0.108 OF ONE ACRE (4,701 S.F.) OF LAND IN DIVISION D OF THE CITY OF AUSTIN AND BEING A PORTION OF A TWENTY FOOT WIDE ALLEY BETWEEN OUTLOT 22 1/2 AND OUTLOT 23 1/2, AS DEDICATED BY LOUIS HORST'S SUBDIVISION; A SUBDIVISION OF RECORD IN BOOK Z, PAGE 613 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS

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File: [Projects\22nd @ Nueces\Draw\Revised Alley Vacation.dwg]	Snapshot:
Job No.	Scale (Hor.): Not to Scale
Scale (Vert.): Not to Scale	SHEET 06 of 06

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Subject

W 21st St

Google

Point: 30°17'04.12" N 97°44'36.56" W Streaming 100% EyeAlt: 547 ft

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CONTINUED ON MAP 585



CONTINUED ON MAP 584

CONTINUED ON MAP 615

CONTINUED ON MAP 586



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that this play-field be enlarged and developed to provide for a modern play-field. We also recommend that other play-fields be established in various part of the city. If it is the intention of the school board to provide additional high schools, such play-fields should preferably be located at, or adjacent to, these high schools.

There has been considerable talk in Austin, as well as other cities, in regard to the race segregation problem. This problem cannot be solved legally under any zoning law known to us at present. Practically all attempts of such have been proven unconstitutional.

In our studies in Austin we have found that the negroes are present in small numbers, in practically all sections of the city, excepting the area just east of East Avenue and south of the City Cemetery. This area seems to be all negro population. It is our recommendation that the nearest approach to the solution of the race segregation problem will be the recommendation of this district as a negro district; and that all the facilities and conveniences be provided the negroes in this district, as an incentive to draw the negro population to this area. This will eliminate the necessity of duplication of white and black schools, white and black parks, and other duplicate facilities for this area. We are recommending that sufficient area be acquired adjoining the negro high school to provide adequate space for a complete negro play-field in connection with the negro high school. We further recommend that the negro schools in this area be provided with ample and adequate play ground space and facilities similar to the white schools of the city.