

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: December 27, 2012

SUBJECT: F#9132-1210 Vacation of Right-of-Way adjacent to 921
Luther Lane.

cg

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 expand the lot for development.** All affected departments and private utility franchise holders have reviewed this request and recommend approval.

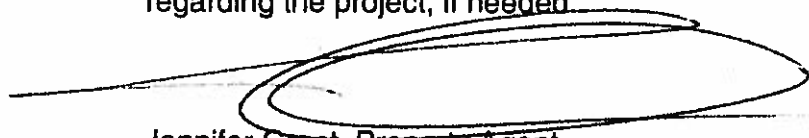
The applicant has requested that this item be submitted for placement on the **January 8, 2013, Planning Commission Agenda** for their consideration.

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

Applicant: Gemsong Perry

Property Owner: UP-32nd Street Hospitality, LLC

Ms. Perry (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
VACATION OF A PORTION OF RIGHT OF WAY ADJACENT TO 921 LUTHER LANE

AT&T	APPROVE
AUSTIN ENERGY	APPROVE
AUSTIN TRANSPORTATION DIRECTOR	APPROVE
AUSTIN WATER	APPROVE
CAPITAL METRO	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

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October 24, 2013

Ms. Jennifer Grant
City of Austin Real Estate Services
505 Barton Springs Road, Suite 1350
Austin, Texas 78704

Re: ROW Vacation Application
Lot 5, East Avenue Subdivision
921 Luther Lane
Austin, TX

Dear Ms. Grant:

On behalf of our client, UP 32ND STREET, LLC, Jones & Carter, Inc. is requesting the release of a portion of the City of Austin ROW adjacent to Lot 5 in the East Avenue Subdivision located at 921 Luther Lane for a proposed commercial use. There are currently two portions of the ROW in question. One portion is the Kim Lane ROW dedicated by plat in 1947 in Book 4, Page 345 of the records of Travis County. The other portion was granted by a street deed and recorded in Volume 9547, Page 959 of the Real Property Records of Travis County. The ROW was originally dedicated for Kim Lane and for a cul-de-sac at the intersection of Kim Lane and Luther Lane. Lot 5 was previously a part of the Concordia University site and most of the Kim Lane ROW on Lot 5 was released through City of Austin Ordinance No. 86 0515-A. The portion of the Kim Lane that remains was part of the cul-de-sac area. The cul-de-sac for Luther Lane no longer exists as it was demolished during the East Avenue Subdivision construction. The East Avenue Subdivision Plat (Doc No. 200800152) extends Luther Lane past the cul-de-sac, rendering the ROW area on Lot 5 unnecessary. There are no existing facilities located inside the proposed ROW vacation area.

There is an existing site plan for Lot 5 (SP-2008-0097C) currently part of a proposed Managed Growth Agreement for East Avenue Subdivision, which is currently under City legal review. The proposed use for Lot 5 is a 248 room hotel with 169 multi-family units included. The client plans on submitting a correction to the site plan with an updated building footprint. The proposed ROW vacation area will include a portion of the new building footprint and driveway. Lot 5 is part of the East Avenue PUD (Ordinance No. 20070326-002) and the Hancock Neighborhood Plan. This is not a S.M.A.R.T. Housing Project. The updated building footprint and site plan is currently under design and the correction will be submitted in early 2013. Construction is estimated to commence in the middle 2013.

The zoning designation around Lot 5 includes portions of the East Avenue Subdivision to the north, east, and south of the project zoned PU-D-NP. The areas surrounding Lot 5 include the private streets of the East Avenue Subdivision and public ROW (Duncan Lane to the south and Luther Lane to the north). The adjacent property to the west is zoned MF-4-NP with private condominiums and a parking lot. There is currently no development on Lot 5 and the additional 0.05 acres added to the project will not affect the parking requirements. The proposed building will have a two floor parking garage with one floor below ground. The ROW vacation area is surrounded by Lot 5 so no adjacent landowners will need to be part of the vacation process. The location of the ROW vacation is inside the UT Area.

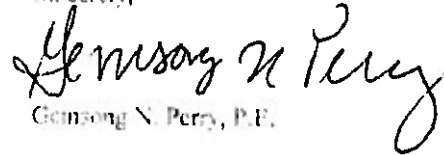
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JC JONES & CARTER, LLC
1000 E. 13th Ave. • 2nd Floor • 2nd Floor
Fort Worth, Texas 76102 • Phone: (817) 339-2200

Ms. Jennifer Grant
October 24, 2012
Page 2

We appreciate your consideration of this ROW vacation request and its administrative approval. If you have any questions or require additional information, please contact me at (512) 441-0493.

Sincerely,


Gensong N. Perry, P.E.

GNP:jwm
C:\Projects\A613-005\general\letters\ROW Vacation Letter.doc
Enclosures

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File No. 9132-1210 Application for Street or Alley Vacation
Department Use Only DATE 10-25-12
Department Use Only

TYPE OF VACATION

Type of Vacation: Street ☒ Alley ☐ ROW ☐ Hatched Block ☐
Name of Street-Alley ROW: Summer Lane Is it constructed: ☒ Yes ☐ No
Property address: 321 Summer Lane
Purpose of vacation: Release old cul-de-sac ROW back to lot for lot development

PROPERTY DESCRIPTION ADJACENT TO AREA TO BE VACATED

Parcel #: 02150801640039
Survey & Abstract No.: N/A
Lots: 5 Block: A Outlot: N/A
Subdivision Name: East Avenue Subdivision
Plat Book: N/A Page Number: N/A Document Number: 200300152

Neighborhood Association Name: Hancock Neighborhood
Address including zip code: 321 Summer Lane Austin, TX 78701

RELATED CASES

Existing Site Plan (circle one): YES / NO
Subdivision Case (circle one): YES / NO
Zoning Case (circle one): YES / NO

FILE NUMBERS

SP-2006-0027C
CS-2007-0201-6A

PROJECT NAME, if applicable:

Name of Development Project: East Avenue Parcel 5
Is this a S.M.A.R.T. Housing Project (circle one): YES / NO

OWNER INFORMATION

Name: UP-32nd Street Hospitality LLC (as shown on Deed)
Address: 331 Congress Ave., Suite 500 Phone: (512) 494-8510 Fax No.: ()
City: Austin County: Travis State: TX Zip Code: 78701-3746
Contact Person/Title: Dudley Simmons Cell Phone: ()
Email Address: dsimmons@cypress-advisors.com
(If multiple owners are joining in this request - complete names, addresses on each, must be attached.)

APPLICANT INFORMATION

Name: Genseng H. Perry
Firm Name: Genseng & Partners, Inc.
Address: 1101 Directors Blvd., Suite 400
City: Austin State: TX Zip Code: 78704-1004
Office No: (512) 447-2424 Cell No: () Fax No: (512) 447-2424
EMAIL ADDRESS: GPerry@gensengpartners.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 certified 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.

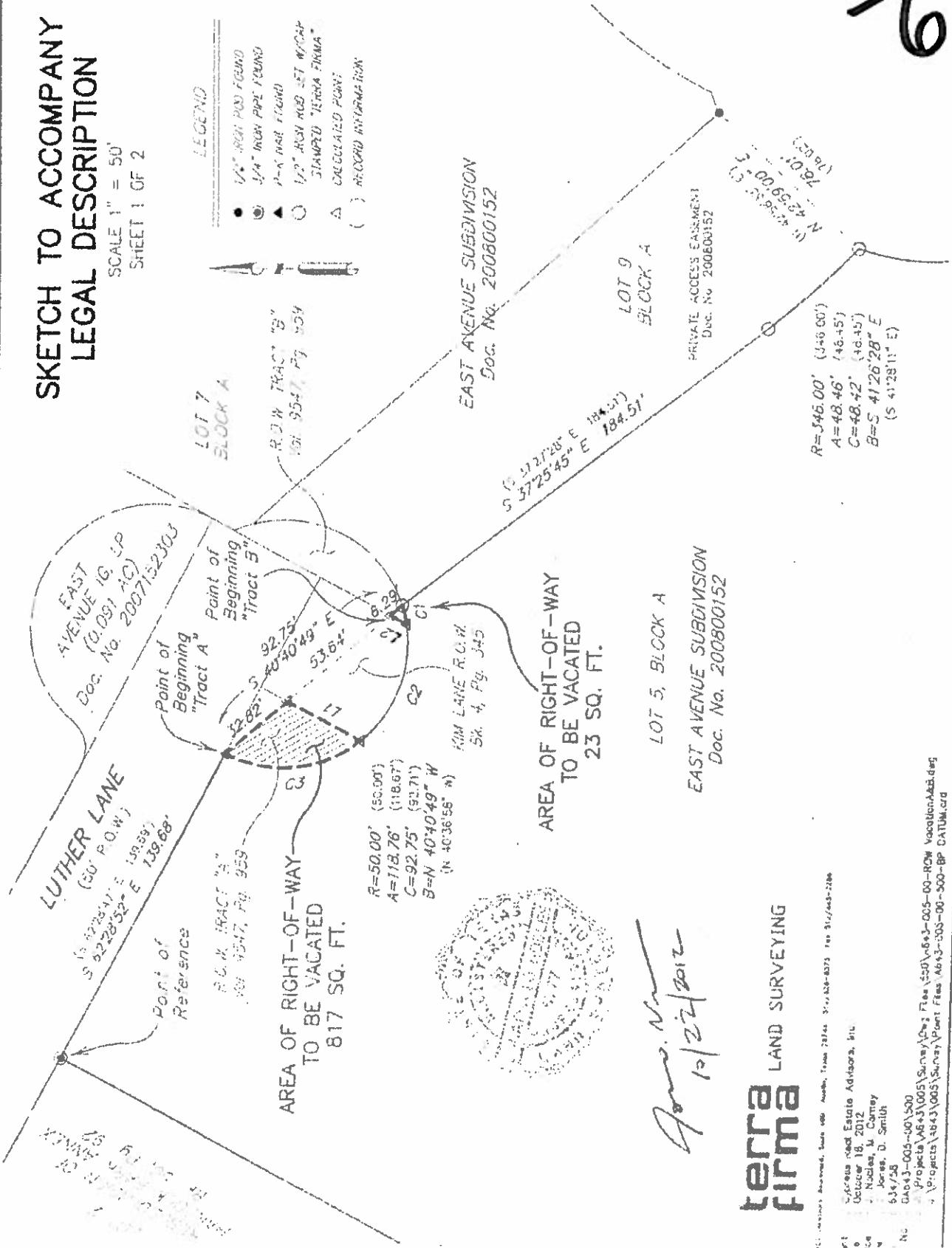
Signed by: Genseng Perry
Landowner/Applicant

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

SCALE 1" = 50'
SHEET 1 OF 2

LEGEND

- 1/2" IRON ROD FOUND
- 3/4" IRON PIPE FOUND
- ▲ 1/2" IRON ROD FOUND
- 1/2" IRON ROD SET W/CAP
STAMPED "TERRA FIRMA"
- △ CALCULATED POINT
- () RECORD INFORMATION



James N. Smith
12/22/2012

terra firma
LAND SURVEYING

1111 Highway 100, Suite 100, Auburn, Maine 04212 207.542-8375 Fax 207.542-2208

Client: Cylrena Road Estate Advisors, Inc.
Date: October 18, 2012
Office: Portland, ME
Drawn by: James N. Smith
Scale: 1" = 50'
Job No: 04043-005-001500
File: Projects\04043\005\Survey\Point Files\04043-005-001500-BP CATUM.dwg

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SHEET 2 OF 2

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 28°05'33" W (S 30°29' W)	33.56'
L2	N 28°05'33" E (N 30°29' E)	7.61'

CURVE TABLE			
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH
C1	50.00' (50.00')	7.93'	7.92'
			CHORD BEARING S 75°49'22" W
C2	50.00' (50.00')	52.85' (52.75')	50.42' (50.34')
			N 69°21'01" W (N 69°09'30" W)
C3	50.00' (50.00')	57.97' (57.52')	54.78' (54.40')
			N 65°51'12" W (N 65°58'30" W)

BEARING BASIS NOTE:

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 1.000068275.

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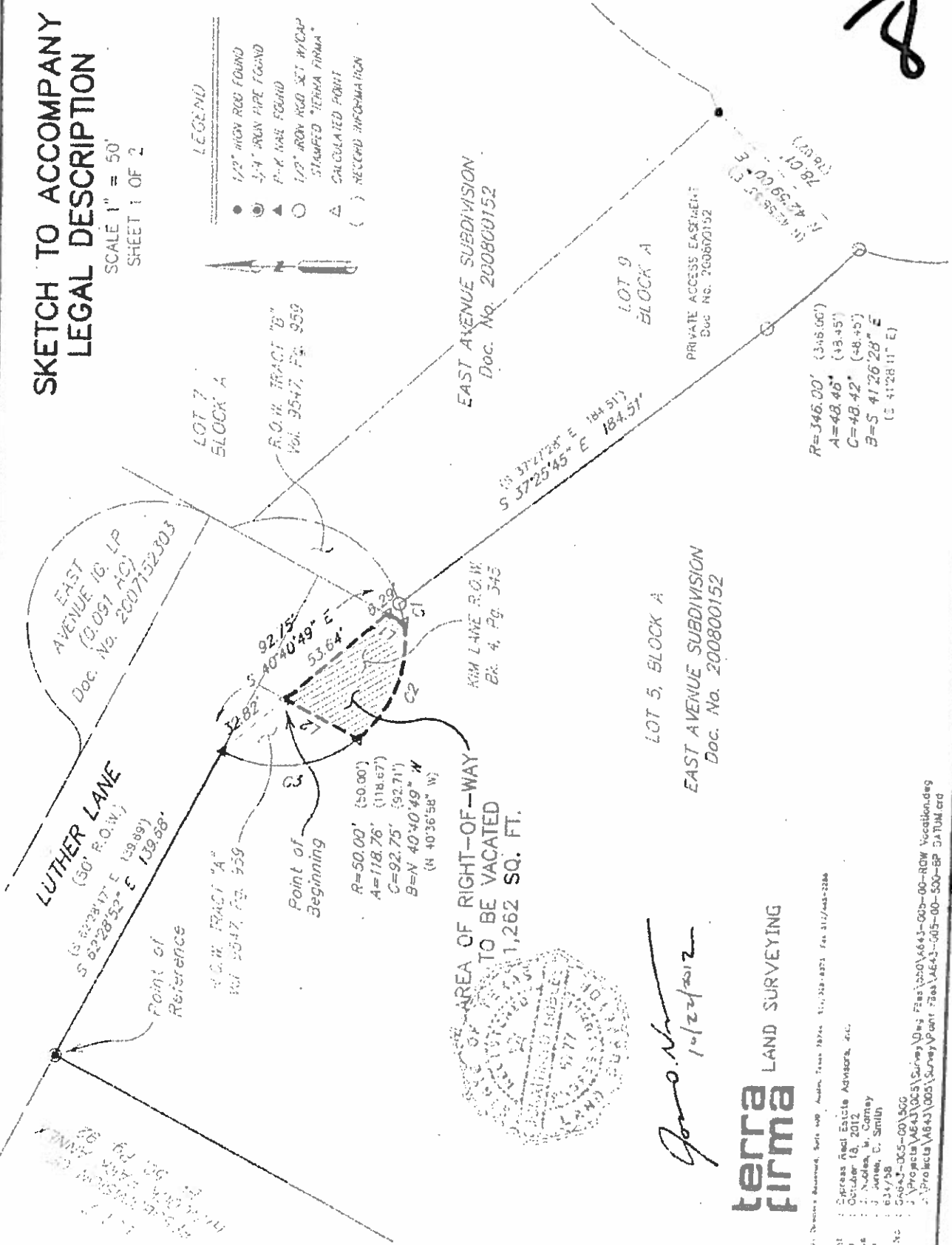
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SKETCH TO ACCOMPANY LEGAL DESCRIPTION

SCALE 1" = 50'
SHEET 1 OF 2

- LEGEND**
- 1/2" HIGH ROD FOUND
 - 3/4" IRON PIPE FOUND
 - P-K NAIL FOUND
 - 1/2" IRON ROD SET W/ CAP STAMPED "TERRA FIRMA"
 - CALCULATED POINT
 - () RECORD INFORMATION



Client: [Redacted]
Date: [Redacted]
Office: [Redacted]
Drawn: [Redacted]
Checked: [Redacted]
Scale: [Redacted]
Project: [Redacted]
Sheet: [Redacted]

terra firma
LAND SURVEYING

Client: [Redacted]
Date: [Redacted]
Office: [Redacted]
Drawn: [Redacted]
Checked: [Redacted]
Scale: [Redacted]
Project: [Redacted]
Sheet: [Redacted]

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SKETCH TO ACCOMPANY LEGAL DESCRIPTION

SHEET 2 OF 2

LINE TABLE		
LINE	BEARING	DISTANCE
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L2	(S 30°29' W)	
L3	N 28°05'33" E	33.56'
	(N 30°29' E)	

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C3	50.00' (50.00')	57.97' (57.52')	N 05°51'12" W (N 02°58'30" W)

BEARING BASIS NOTE:

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 1.00006868275.

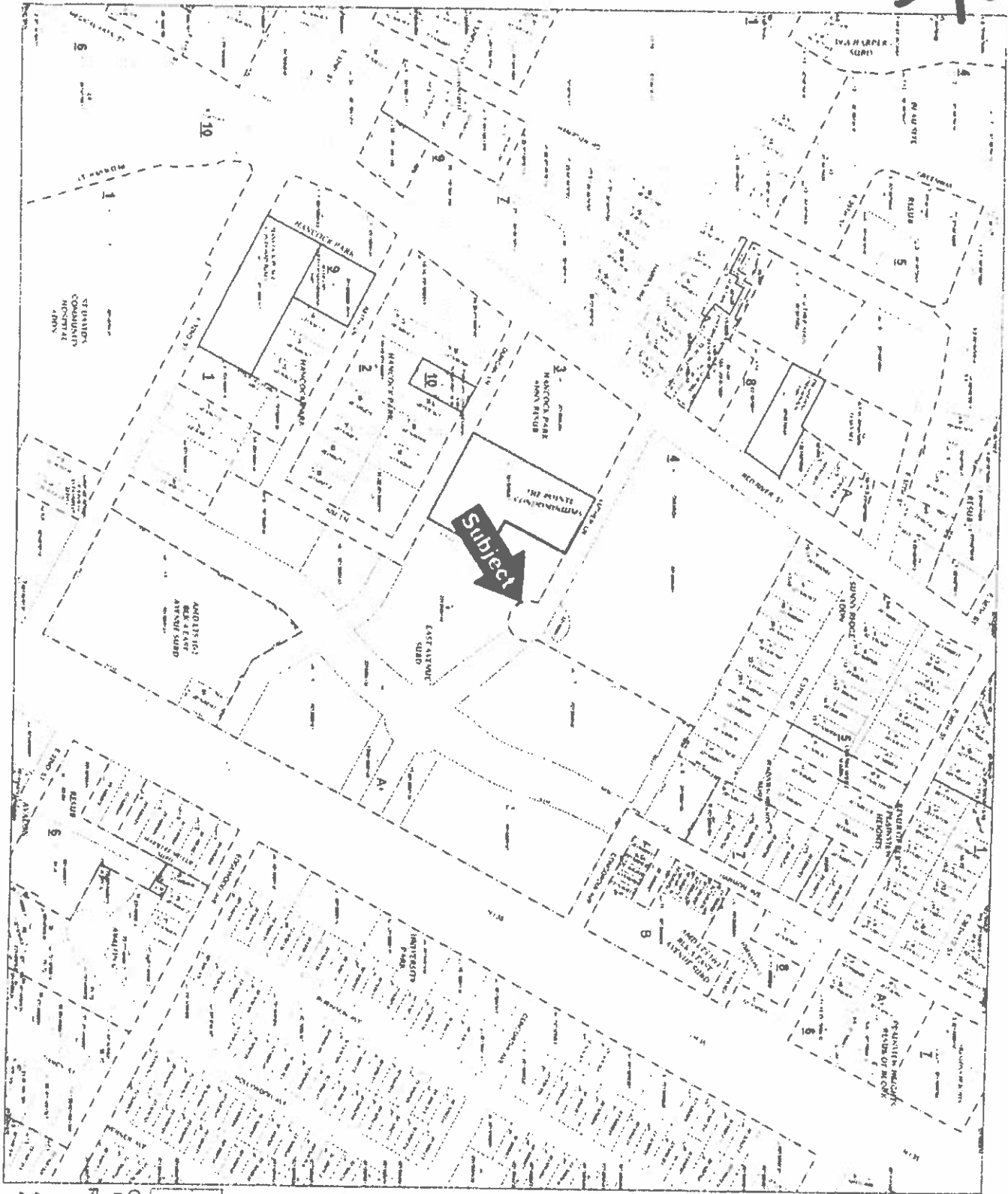
Client: Cypress Real Estate Advisors, Inc.
 Date: October 18, 2012
 Office: Houston, TX
 Project: Jones, D. Smith
 File: 634/38
 Job: 605-001560
 Project: 605-001560
 Project: 605-001560
 Project: 605-001560

terra firma
 LAND SURVEYING

1701 Decker Boulevard, Suite 402 Austin, Texas 78744 512/318-4332 Fax 512/318-4333

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21508

0 120 Feet
Revision Date 7/5/2012

NAD 1983 StatePlane
Texas Central FIPS 4203 Feet
Projection Lambert Conformal Conic



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Travis Central Appraisal District

8314 Chisholm Park Drive
Austin, Texas 78754

P.O. Box 49012
Austin, Texas 78714

Internet Address: www.traviscad.org

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Appraisal Telephone (512) 454-4312
Fax (512) 454-4312