

# MEMORANDUM

**TO:** Gilda Powers, Urban Transportation Commission Coordinator  
Austin Transportation Department

**FROM:** Eric J. Hammack, Property Agent Senior  
Land Management Section  
Office of Real Estate Services

**DATE:** December 3, 2013

**SUBJECT:** F#8597-0804 - Vacation of a portion of Tillery Street.

Attached are the departmental comments and other information pertinent to the referenced right of way vacation. **A portion of the area being requested for vacation will be used for parking by the abutting landowners, and the remainder will remain in its natural state and accessible to City of Austin for any necessary utility maintenance.** All affected departments and private utility franchise holders have reviewed this request and recommend approval, **subject to area being retained as drainage easement and inundation easement, and the granting of a 15' public utility easement.**

The applicant has requested that this item be submitted for placement on the **December 10, 2013, Urban Transportation Commission Agenda** for their consideration.

Staff contact: Eric J. Hammack at 974-7079 or [landmanagement@ci.austin.tx.us](mailto:landmanagement@ci.austin.tx.us).

Applicant: Phil Moncada – Moncada Consulting

Property Owner: Daniel and Rose Baladez and Auspro Enterprises, L.P.

Mr. Phil Moncada or his representative will conduct a presentation at the meeting and will answer any questions regarding the project and vacation request.



Eric J. Hammack, Property Agent Senior  
Land Management Section  
**OFFICE OF REAL ESTATE SERVICES**

Attachments

DEPARTMENT COMMENTS FOR THE  
 VACATION OF A PORTION OF THE TILLERY STREET RIGHT-OF-WAY BETWEEN  
 CESAR CHAVEZ AND THE COLORADO RIVER

AT&T	APPROVE
AUSTIN TRANSPORTATION <i>Reviewed as Transportation Division</i>	APPROVE
AUSTIN ENERGY	APPROVE, SUBJECT TO DEDICATION OF A 15' PUBLIC UTILITY EASEMENT AT THE NORTH END OF THE VACATED ROW
AUSTIN WATER	APPROVE
CAPITAL METRO	APPROVE
CODE COMPLIANCE <i>Reviewed as Solid Waste / Code Enforcement</i>	APPROVE
EMS	APPROVE
FIRE	APPROVE
GRANDE COMMUNICATIONS	APPROVE, SUBJECT TO DEDICATION OF A 15' PUBLIC UTILITY EASEMENT AT THE NORTH END OF THE VACATED ROW
PLANNING & DEVELOPMENT REVIEW (Land Use Review - Engineering) <i>Reviewed as WPDR – LUR Engineering</i>	RETAIN THE ENTIRE AREA AS A DRAINAGE EASEMENT
PLANNING & DEVELOPMENT REVIEW (Land Use Review-Transportation) <i>Reviewed as WPDR - TASC</i>	APPROVE
PLANNING & DEVELOPMENT REVIEW (Neighborhood Planning)	REFER TO PLANNING COMMISSION
PLANNING & DEVELOPMENT REVIEW (Zoning Review) <i>Reviewed as NPZD – Zoning Review</i>	APPROVE
PARD	APPROVE
PUBLIC WORKS (CHIEF ENGINEER – Bill Gardner)	APPROVE
PUBLIC WORKS (STREET & BRIDGE)	APPROVE
PUBLIC WORKS DIRECTOR	APPROVE
TEXAS GAS SERVICES	APPROVE

TIME WARNER

APPROVE, SUBJECT TO DEDICATION  
OF A 15 ' PUBLIC UTILITY EASEMENT AT  
THE NORTH END OF THE VACATED  
ROW

WATERSHED PROTECTION  
(Engineering)  
*Reviewed as WPDR – Environmental;  
Floodplain; Engineering.*

RETAIN THE VACATED ROW AS A  
DRAINAGE EASEMENT AND AN  
INUNDATION EASEMENT  
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MEMORANDUM

Case No.: 8597-0804

Date: April 16, 2008

SUBJECT: ROW VACATION

- |  |                              |   |                                |
|--|------------------------------|---|--------------------------------|
| <input type="checkbox"/> Louis Salm      | AT&T                         | <input type="checkbox"/> Bruna Quinonez   | Solid Waste (Code Enforcement) |
| <input type="checkbox"/> Norma Clark     | Austin Energy                | <input type="checkbox"/> Binaya Sharma    | Street & Bridge                |
| <input type="checkbox"/> Dedurie Kirk    | Austin Water (Water)         | <input type="checkbox"/> Chris Landgraf   | Texas Gas                      |
| <input type="checkbox"/> John Hodges     | Capital Metro                | <input type="checkbox"/> Laurie Schumpert | Time Warner                    |
| <input type="checkbox"/> Bill Gardner    | Chief Engineer               | <input type="checkbox"/> Alan Hughes      | Transportation                 |
| <input type="checkbox"/> Milissa Warren  | EMS                          | <input type="checkbox"/> Craig Weatherbee | TXU Energy – Electric          |
| <input type="checkbox"/> Capt. Joe Limon | Fire                         | <input type="checkbox"/> Martin Perez     | TXU Gas Co.                    |
| <input type="checkbox"/> Luis Mata       | Grande Comm                  | <input type="checkbox"/> Javad Oskouipour | WPDR (Engineering)             |
| <input type="checkbox"/> Minal Bhakta    | NPZD (Neighborhood Planning) | <input type="checkbox"/> Lynn Chaumont    | WPDR (Environmental)           |
| <input type="checkbox"/> Humberto Rey    | NPZD (Urban Design)          | <input type="checkbox"/> Todd Pankey      | WPDR (Floodplain)              |
| <input type="checkbox"/> Jerry Rusthoven | NPZD (Zoning Review)         | <input type="checkbox"/> Jonathan Janek   | WPDR (Stormwater)              |
| <input type="checkbox"/> Jenna Neal      | PARD                         | <input type="checkbox"/> Joe Almazan      | WPDR (TASC)                    |

A request has been received for vacation of a 19,202 square foot portion of right of way at the 10<sup>th</sup> Block of Tillery Street. (Adjacent to 3109 and 3201 Cesar Chavez.)

Please review this request and return your comments to Alex Papavasiliou (974-7087) email address: [Alex.Papavasiliou@ci.austin.tx.us](mailto:Alex.Papavasiliou@ci.austin.tx.us), or Fax No. 974-7088. Physical address: Public Works/Real Estate Services, 505 Barton Springs Road, Suite 1350. Due Date: **April 30, 2008**

APPROVAL: \_\_\_\_\_ YES \_\_\_\_\_ Yes, Subj. to Reqm't \_\_\_\_\_ No

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Prepared by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

Telephone: \_\_\_\_\_

Date: \_\_\_\_\_

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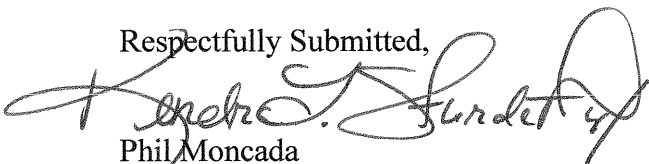
Phone: (512) 474-7377 Cell: (512) 627-8815

April 2, 2008

**Tillery Street  
Transmittal Letter**

1. **Reason for the vacation?**  
(a) We are requesting the vacation for Tillery Street because the City of Austin will not build out this roadway due to topography of site. We can use this area for parking.
2. **Is this S.M.A.R.T. Housing Project?**  
(a) No
3. **Future development plans for vacated area?**  
(a) Yes
4. **What is currently there?**  
(a) There is a concrete pad and asphalt parking.
5. **What kind of parking facilities is currently there?**  
(a) Owner's of both lot park in current Right of Way.
6. **What will be your increase in parking requirements with the expansion?**  
(a) Owners of adjacent property owners has not decided the size of the proposed development. No building proposed at this time. We are unsure of parking requirements for future development.
7. **How do you plan to handle the increase?**  
(a) Site Plan proposed.
8. **Does the area to be vacated lie within the Central Business District or UT areas?**  
(a) No

Respectfully Submitted,



Phil Moncada

Cc: Daniel Baladez  
Cc: Matt & Matthew Kleinman

Owner Information  
Tillery St. Vacation

Name: Aus Pro Enterprises, L.P.  
Attn: Matthew Kleinman  
P.O. Box 13459  
Austin, Texas 78711

APPLICATION FOR STREET OR ALLEY VACATION

File No. 8597-0804  
Department Use Only

DATE: \_\_\_\_\_  
Department Use Only

TYPE OF VACATION

Vacation of a: Street:  or Alley: \_\_\_\_\_ Hundred Block: \_\_\_\_\_  
Name of Street/Alley: Tillery St.  
Adjoins property at the following street address: 3109 E. Cesar Chavez St + 3201 E. Cesar Chavez  
Purpose: \_\_\_\_\_

PROPERTY DESCRIPTION OF AREA TO BE VACATED

Parcel #: 02-0012-0103 ; 02-0013-0225, 0226  
Survey & Abstract No.: Survey 29, Abstract 22 JC Tannehill  
Lot(s): \_\_\_\_\_ Block: \_\_\_\_\_ Outlot: 65 DIVISION 0 / OUTLOT 15-16 DIV. 0  
Subdivision Name: \_\_\_\_\_  
Plat Book \_\_\_\_\_ Page Number \_\_\_\_\_ Document Number \_\_\_\_\_

RELATED CASES

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

PROJECT NAME, if applicable:

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

OWNER INFORMATION

Name: Daniel + Rose Baladez (as shown on Deed)  
Address: 8708 United Kingdom Dr Phone: (512) 529-9976 Fax No.: ( ) \_\_\_\_\_  
City: Austin County: Travis State: TX Zip Code: 78748  
Email Address: danielbaladez@sbcglobal.net  
(If multiple owners are joining in this request - complete names, addresses on each, must be attached.)

APPLICANT INFORMATION

Name: Phil Moncada  
Firm Name: A.E.C., Inc.  
Address: 1301 S. I-435 Suite #204 Phone: (512) 627-8815 Fax No.: (512) 474-4923  
City: Austin State: TX Zip Code: 78741  
EMAIL ADDRESS: MoncadaTaz@sbcglobal.net

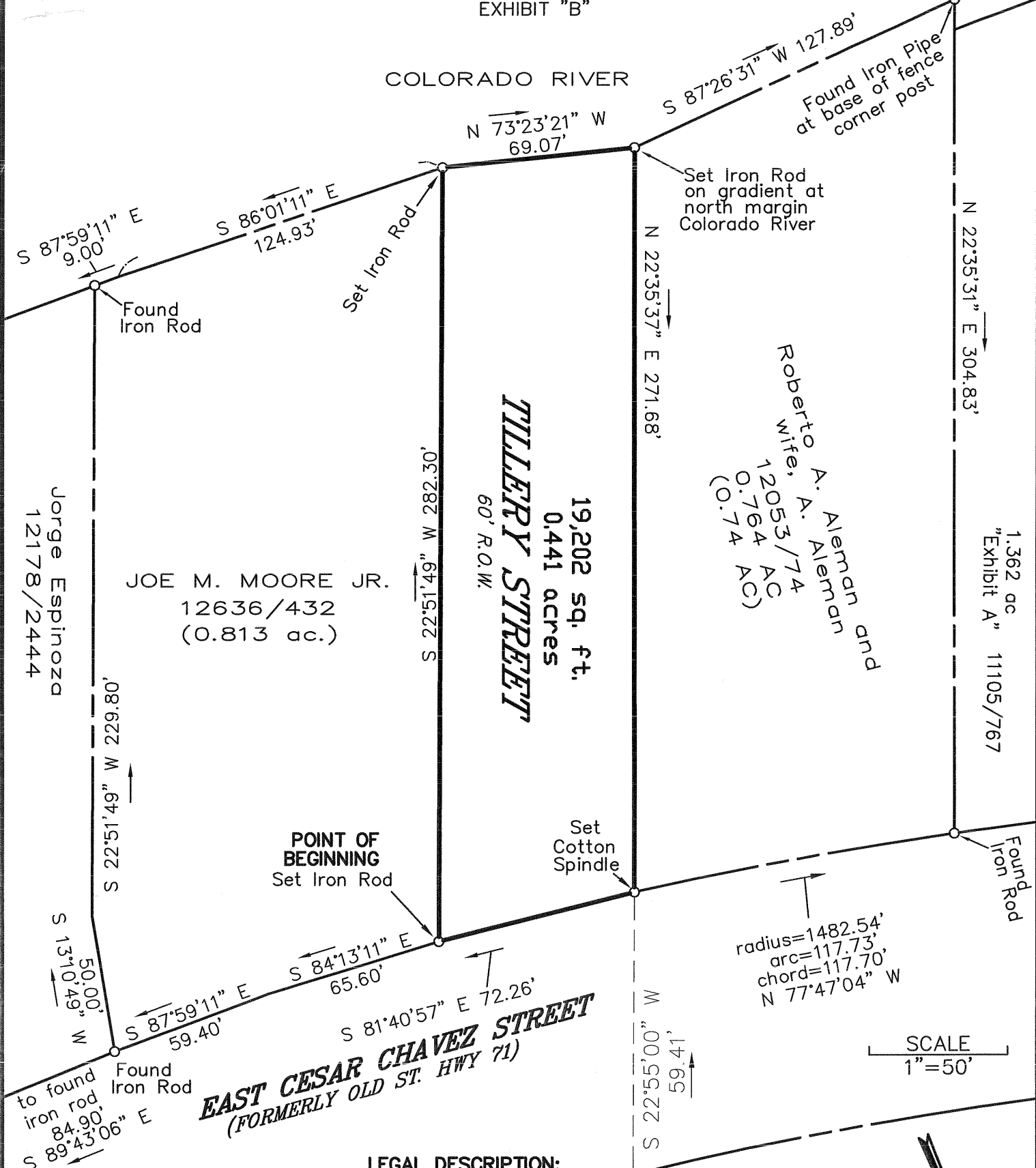
The undersigned Landowner/Applicant understands: 1) The application will be handled in accordance with the Policies and Procedures. 2) No action will be taken without payment of the non-refundable application fee or necessary documentation. 3) The application and fee in no way obligates the City to vacate 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

SKETCH TO ACCOMPANY FIELD NOTES  
EXHIBIT "B"

J11501B1

COLORADO RIVER



JOE M. MOORE JR.  
12636/432  
(0.813 ac.)

**TILLERY STREET**  
19,202 sq. ft.  
0.441 acres  
60' R.O.W.

Roberto A. Aleman and  
Wife, A. Aleman  
12053/74  
0.764 AC  
(0.74)

1.362 ac  
"Exhibit A" 11105/767

**EAST CESAR CHAVEZ STREET**  
(FORMERLY OLD ST. HWY 71)

radius=1482.54'  
arc=117.73'  
chord=117.70'  
N 77°47'04" W

SCALE  
1"=50'

LOT 2  
J.B.P. ADDITION  
BK 83/PG 190D

**LEGAL DESCRIPTION:**  
0.441 ACRES OF LAND,  
MORE OR LESS, BEING  
ALL OF TILLERY STREET  
SOUTH OF EAST CESAR  
CHAVEZ STEET AND  
NORTH OF THE COLORADO  
RIVER.

WATERLOO SURVEYORS INC.  
625 INDUSTRIAL BOULEVARD  
AUSTIN, TEXAS 78745  
Ph: 512.481.9602





ROW requested to be released