

MEMORANDUM

C25/1

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

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

DATE: January 21, 2014

SUBJECT: F# 9249-1309 - Vacation of:

- 1) Whitis Avenue between West Martin Luther King Blvd. & West 20th Street .
- 2) Vacation of the Alley between Whitis Avenue & Guadalupe Street, and between West Martin Luther King Blvd. & West 20th Street .

Attached are the departmental comments and other information pertinent to the referenced street & alley vacation request in the U.T. area. All affected departments and private utility franchise holders have reviewed this request and recommend approval, **subject to area being retained as public utility easement, electric easement, and drainage easement, or relocation of existing utilities at developer's expense.**

The applicant has requested that this item be submitted for placement on the **January 28, 2014, Planning Commission Agenda** for their consideration.

Staff contact: Eric J. Hammack at 974-7079 or landmanagement@ci.austin.tx.us.

Applicant: M. Russell Davidson – Jose I. Guerra, Inc.

Property Owner: Board of Regents of the University of Texas System

Mr. M. Russell Davidson or his representative will be present at the meeting to answer any questions regarding the project, if needed.

Eric J. Hammack, Property Agent Senior
Land Management Section

OFFICE OF REAL ESTATE SERVICES

C25
/2

DEPARTMENT COMMENTS FOR:

- 1) VACATION OF WHITIS AVENUE BETWEEN WEST MARTIN LUTHER KING BLVD. AND WEST 20TH STREET, AND
- 2) VACATION OF THE ALLEY BETWEEN WHITIS AVENUE & GUADALUPE STREET, AND BETWEEN WEST MARTIN LUTHER KING BLVD AND WEST 20TH STREET.

AT&T	APPROVE, SUBJECT TO UTILITY RELOCATION AT DEVELOPER EXPENSE.
AUSTIN ENERGY	APPROVE, SUBJECT TO UTILITY RELOCATION OR RETENTION OF 5' ELECTRIC EASEMENT AROUND ANY REMAINING ELECTRIC UTILITIES AFTER ROW VACATION.
AUSTIN RESOURCE RECOVERY	AREA IS NOT SERVICED BY A.R.R. APPROVED BY 3 RD PARTY SERVICE PROVIDER – PROGRESSIVE WASTE SOLUTIONS.
AUSTIN TRANSPORTATION DIRECTOR	APPROVE
AUSTIN WATER	APPROVE, SUBJECT TO RETENTION OF EASEMENTS FOR EXISTING INFRASTRUCTURE, OR RELOCATION OF UTILITIES.
CAPITAL METRO	APPROVE
CODE COMPLIANCE	APPROVE
CTM – GAATN	APPROVE, SUBJECT TO APPROVED UTILITY RELOCATION AT DEVELOPER EXPENSE.
EMS	APPROVE
FIRE	APPROVE
GOOGLE	APPROVE
GRANDE COMMUNICATIONS	APPROVE
PARC	APPROVE
PLANNING & DEVELOPMENT REVIEW (Land Use Review-Engineering)	APPROVE. SUBJECT TO SITE PLAN SUBMITTAL SHOWING DRAINAGE / STORM SEWER RELOCATION PRIOR TO EASEMENTS RELEASE
PLANNING & DEVELOPMENT REVIEW (Land Use Review-Transportation)	APPROVE, SUBJECT TO RELOCATION OF UTILITIES OR RETENTION OF

C25
1/3

EASEMENTS FOR EXISTING UTILITIES.

PLANNING & DEVELOPMENT REVIEW (Neighborhood Planning)	REFER TO PLANNING COMMISSION
PLANNING & DEVELOPMENT REVIEW (Zoning Review)	APPROVE
PUBLIC WORKS	APPROVE
TEXAS GAS SERVICES	APPROVE, SUBJECT TO UTILITY RELOCATION AT DEVELOPER EXPENSE.
TIME WARNER	APPROVE, SUBJECT TO EASEMENT RETENTION UNTIL UTILITIES ARE RELOCATED AT DEVELOPER EXPENSE.
WATERSHED PROTECTION (Engineering)	APPROVE, SUBJECT TO RELOCATION OF STORMDRAIN INFRASTRUCTURE OR RETENTION OF 10' DRAINAGE EASEMENT AROUND ALL EXISTING STORMDRAIN INFRASTRUCTURE.

C25
/4

MEMORANDUM

Case No.: 9249-1309

Date: Sept. 9, 2013

SUBJECT: STREET & ALLEY VACATION

- | | | | |
|-----------------------|--------------------------------|----------------------|---------------------------|
| () Patti Moore | AT&T | () Marilyn Shashoua | PARC |
| () Melody Giambruno | Austin Energy | () Danielle Guevara | PDRD (LUR-Engineering) |
| () Rob Spillar | Austin Transportation Director | () Joe Almazan | PDRD (LUR-Transportation) |
| () Angela Baez | Austin Water | () Mark Walters | PDRD (N'borhood Planning) |
| () Vincent Sandoval | Capital Metro | () Wendy Rhoades | PDRD (Zoning Review) |
| () Brent Bright | CTM - GAATN | () Cuong Tran | City Engineer |
| () Millissa Warren | EMS | () Larissa Prince | Texas Gas |
| () David Brietzke | Fire | () Scott Wratten | Time Warner |
| () Fabien Villeneuve | Google | () Pam Kearfott | WPD (Engineering) |
| () Luis Mata | Grande Communication | () Bruna Quinonez | Code Compliance |
| () Ann Hargrove | Austin Resource Recovery | | |

A request has been received for the following:

- 1) Vacation of Whitis Street, between West Martin Luther King Jr. Blvd and West 20th Street.
- 2) Vacation of the Guadalupe Street alley, which is immediately to the west of Whitis Street, also between West Martin Luther King Blvd. and West 20th Street,

Please review this request and return your comments to Eric Hammack (974-7079), email address: landmanagement@austintexas.gov or Fax: 974-7088. Physical address: Office of Real Estate Services, 505 Barton Springs Road, Suite 1350. Due Date: **September 23, 2013.**

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

Comments: _____

Prepared by: _____

Reviewed by: _____

Telephone: _____

Date: _____



Engineering Excellence Since 1975

C25
1/5

September 4, 2013

City of Austin
Office of Real Estate Services
505 Barton Springs Road, Suite "1350"
Austin, Texas 78704
Attn: Jennifer Grant or Chris Muraida

Re: Right-of-Way Vacation for Robert B. Rowling Hall at the University of Texas Graduate Business School

In accordance with the "Policies and Procedures for Requesting Street or Alley Vacations", we are transmitting a Vacation Application and supporting documents and requesting a preliminary meeting to discuss vacation of Whitis Avenue from Martin Luther King Jr. Boulevard to 20th Street, and the mid block alley immediately west running between the same streets. Please refer to the attached R/W Vacation Plan prepared by Jose I Guerra.

The purpose of the Street and Alley vacations are to allow a full block development as described in the "Policies and Procedures for Requesting Street or Alley Vacations". The University of Texas now owns the full block from Martin Luther King Jr. Boulevard to 20th Street from Guadalupe Avenue to Whitis Avenue and intends to develop it as part of their Graduate Business School expansion. They also own the full block east of Whitis Avenue, which was developed as the AT&T Executive Training and Conference Center (AT&T-ETCC). The vacation of Whitis Avenue is necessary to integrate this block development with the AT&T-ETCC development for both building and underground parking connections.

The following is in response to the itemized information request of the "Policies and Procedures for Requesting Street or Alley Vacations":

- 1) This is a commercial project.
- 2) It is unclear from the old plat whether the Street and Alley to be vacated were created by Plat, but it is the opinion of the project surveyor that they most likely were.
- 3) We have no indication that the City purchased the areas to be vacated.
- 4) The development lands and the Alley are all within the same Plat.
- 5) The areas to be vacated exist as paved street and alley, with utilities.
- 6) There are utilities in the areas to be vacated and it is the intent to relocate them at the applicant's expense.
- 7) The areas to be vacated are to be developed as the Robert B. Rowling Hall addition to the University of Texas Graduate Business School. This will be a multi-story building with several levels of underground parking. It is intended to connect the building and

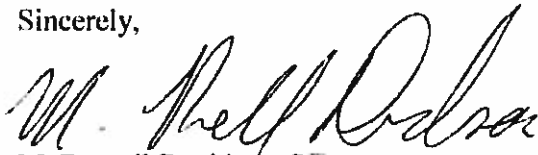
25/6

underground parking to the adjacent University of Texas AT&T Executive Training and Conference Center.

- 8) A site plan has not been submitted.
- 9) The project is part of the University of Texas, but is not considered a unified development under City jurisdiction.
- 10) The project is not a S.M.A.R.T. Housing Project.
- 11) The project is anticipated for development in the next two years.
- 12) The current zoning on the adjacent properties is CS-NP.
- 13) The adjacent properties are currently developed.
- 14) There are currently surface parking lots on portions of the property proposed for development.
- 15) The parking requirements will increase with the proposed development.
- 16) Underground structured parking is proposed on the development site.
- 17) No agreements or easements have been executed with adjacent landowner(s) or in draft form. All properties adjacent to the areas to be vacated are owned by the applicant.
- 18) The areas to be vacated do not lie within the Austin Downtown Plan (DAP).
- 19) The areas to be vacated lie within UT boundaries: E. of Lamar Blvd., W. of I-35, N. of Martin Luther King Jr. Blvd and S. of 45th Street.

Please contact Russell Davidson, with Jose I. Guerra, Inc. (Cell 407-467-9537) if you have any questions and to schedule pre-application meeting.

Sincerely,



M. Russell Davidson, PE
Jose I. Guerra, Inc.

C25
/7

File No. 9249-1309 Application for Street or Alley Vacation
Department Use Only DATE: 9-9-13
Department Use Only

TYPE OF VACATION

Type of Vacation: Street: X ; Alley: X ; ROW NA Hundred Block: NA
Name of Street/Alley/ROW: Whitis Ave & mid block alley to west Is it constructed: (Yes) No
Property address: 1902 Whitis Ave, Austin, Tx 78705
Purpose of vacation: Building Construction

PROPERTY DESCRIPTION ADJACENT TO AREA TO BE VACATED

Parcel #: 203848, 203850-203854, 203880-203883
Survey & Abstract No.: NA
Lot(s): 7-14, 27-31 Block: NA Outlot: Division D & E
Subdivision Name: Louis Horst's Subdivision
Plat Book Vol Z Page Number 594&613 Document Number NA

Neighborhood Association Name: University Area Partners
Address including zip code: 2026 Guadalupe Street, No. 303B
Austin, Texas 78705-5609

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: University of Texas Robert B. Rowling Hall
Is this a S.M.A.R.T. Housing Project (circle one): YES (NO)
Is this within the Downtown Austin Plan Boundaries (circle one): YES (NO)

OWNER INFORMATION

Name: Board of Regents of the University of Texas System (as shown on Deed)
Address: 201 West 7th Street Phone: (512) 499-4517 Fax No.: (512) 499-4523
City: Austin County: Travis State: Texas Zip Code: 78701
Contact Person/Title: Florence Mayne Executive Director of Real Estate Cell Phone: (512) 499-4333
Email Address: FMAYNE@utsystem.edu
(If multiple owners are joining in this request - complete names, addresses on each, must be attached.)

APPLICANT INFORMATION

Name: M. Russell Davidson, PE
Firm Name: Jose I. Guerra, Inc.
Address: 2401 South IH-35
City: Austin State: Texas Zip Code: 78741
Office No.: (512) 445-2090 Cell No.: (407) 467-9537 Fax No.: (512) 445-2099
EMAIL ADDRESS: rdavidson@guerra.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.

Board of Regents of The Univ. of TX System
Signed By: Florence P. Mayne
Executive Director, Real Estate Office
The University of Texas System

C25
/9

DESCRIPTION

FOR A 0.442 ACRE TRACT OF LAND OUT OF OUTLOT 20, DIVISION D, LOUIS HORST'S SUBDIVISION OF OUTLOTS IN DIVISION D AND E, A SUBDIVISION RECORDED IN VOLUME Z, PAGES 594 AND 613 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.442 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an "X" found in concrete for the southeast corner of Lot 11, of said Louis Horst's Subdivision, being on the intersection of the north right-of-way line of West Martin Luther King, Jr. Blvd. and the west right-of-way line of Whitis Avenue, for the southwest corner and **POINT OF BEGINNING** hereof;

THENCE with the west right-of-way line of said Whitis Avenue, same being in part with the east line of said Lot 11 and Lots 12, 13, and 14 of said Louis Horst's Subdivision, **N 03° 46' 38" E** for a distance of **313.78** feet to a mag nail found for the northeast corner of said Lot 14, same being on the intersection of the west right-of-way line of said Whitis Avenue and the south right-of-way line of West 20th Street, for the northwest corner hereof;

THENCE with the south right-of-way line of said West 20th Street, **S 86° 27' 39" E** for a distance of **59.83** feet to the northwest corner of Lot 27, same being the intersection of the east right-of-way line of said Whitis Avenue and the south right-of-way line of said West 20th Street, for the northeast corner hereof;

THENCE with the east right-of-way line of said Whitis Avenue, same being in part with the west line of said Lot 27 and Lots 28, 29, 30, and 31, of said Louis Horst's Subdivision, **S 03° 46' 00" W** for a distance of **329.97** feet to the southwest corner of said Lot 31, same being

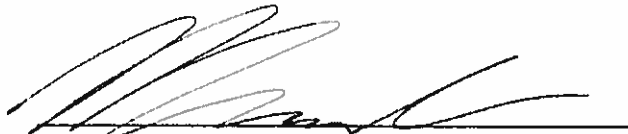
C25
/10

the intersection of the east right-of-way line of said Whitis Avenue and the north right-of-way line of said Martin Luther King, Jr. Blvd., for the southeast corner hereof;

THENCE with the north right-of-way line of said Martin Luther King, Jr. Blvd., **N 71° 18' 46" W** for a distance of **61.97** feet to the **POINT OF BEGINNING** hereof and containing 0.442 acre of land.

Basis of bearings is based on Texas State Plane Coordinate System, Central Zone, NAD '83.

Surveyed under the direct supervision of the undersigned during March, 2013.



Margaret A. Nolen
Registered Professional Land Surveyor No. 5589
BAKER-AICKLEN & ASSOCIATES, INC.
507 West Liberty Avenue
Round Rock, TX 78664
(512) 244-9620



Job No.: 2147-3-001

Filename:

K:\PROJECTS\2147-3-001_UT McCombs Grad School of Business\BA-Survey\EASEMENTS\METES AND BOUNDS\UT Whitis Vacation 01.DOC

C25
12

DESCRIPTION

FOR A 0.129 ACRE TRACT OF LAND OUT OF A 20-FOOT WIDE ALLEY OUT OF OUTLOT 20, DIVISION D, LOUIS HORST'S SUBDIVISION OF OUTLOTS IN DIVISION D AND E, A SUBDIVISION RECORDED IN VOLUME Z, PAGES 594 AND 613 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.129 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found for the northeast corner of Lot 7, of said Louis Horst's Subdivision, same being the intersection of the south right-of-way line of West 20th Street and the west line of said 20-foot wide alley, for the northwest corner and **POINT OF BEGINNING** hereof;

THENCE with the south right-of-way line of said West 20th Street, **S 87° 10' 57" E** for a distance of **19.90** feet to a ½" iron rod found for the northwest corner of Lot 14, of said Louis Horst's Subdivision, same being the intersection of the south right-of-way line of said West 20th Street and the east line of said 20-foot wide alley, for the northeast corner hereof;

THENCE with the east line of said 20-foot wide alley, same being in part with the west line of said Lot 14 and Lots 11 – 13 of said Louis Horst's Subdivision, the following two (2) courses and distances:

- 1) **S 03° 47' 45" W** for a distance of **139.90** feet to a calculated point for the southwest corner of said Lot 13, same being the northwest corner of said Lot 12, for an angle point hereof, and
- 2) **S 03° 39' 55" W** for a distance of **144.74** feet to a cotton gin spindle found on the north right-of-way line of Martin Luther King, Jr. Blvd., for the southeast corner hereof;

THENCE with north right-of-way line said Martin Luther King, Jr. Blvd., **N 73° 09' 49" W** for a distance of **20.39** feet to a ½" iron rod found on the east line Lot 10, of said Louis Horst's Subdivision, for the southwest corner hereof;

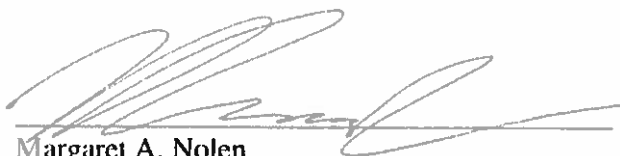
C25
13

THENCE with west line said 20-foot wide alley, same being in part with the east line of said Lots 10 and 7 and Lots 8 and 9, of said Louis Horst's Subdivision, the following two (2) courses and distances:

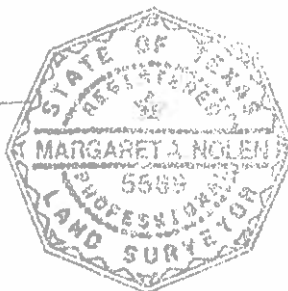
- 1) **N 03° 34' 23" E** for a distance of **140.51** feet to a $\frac{1}{2}$ " iron rod found for the northeast corner of said Lot 9, same being the southeast corner of said Lot 8, for an angle point hereof, and
- 2) **N 03° 52' 19" E** for a distance of **139.19** feet to the **POINT OF BEGINNING** hereof and containing 0.129 acre of land.

Basis of bearings is based on Texas State Plane Coordinate System, Central Zone, NAD '83.

Surveyed under the direct supervision of the undersigned during March, 2013.



Margaret A. Nolen
Registered Professional Land Surveyor No. 5589
BAKER-AICKLEN & ASSOCIATES, INC.
507 West Liberty Avenue
Round Rock, TX 78664
(512) 244-9620

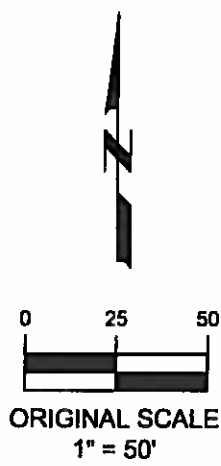
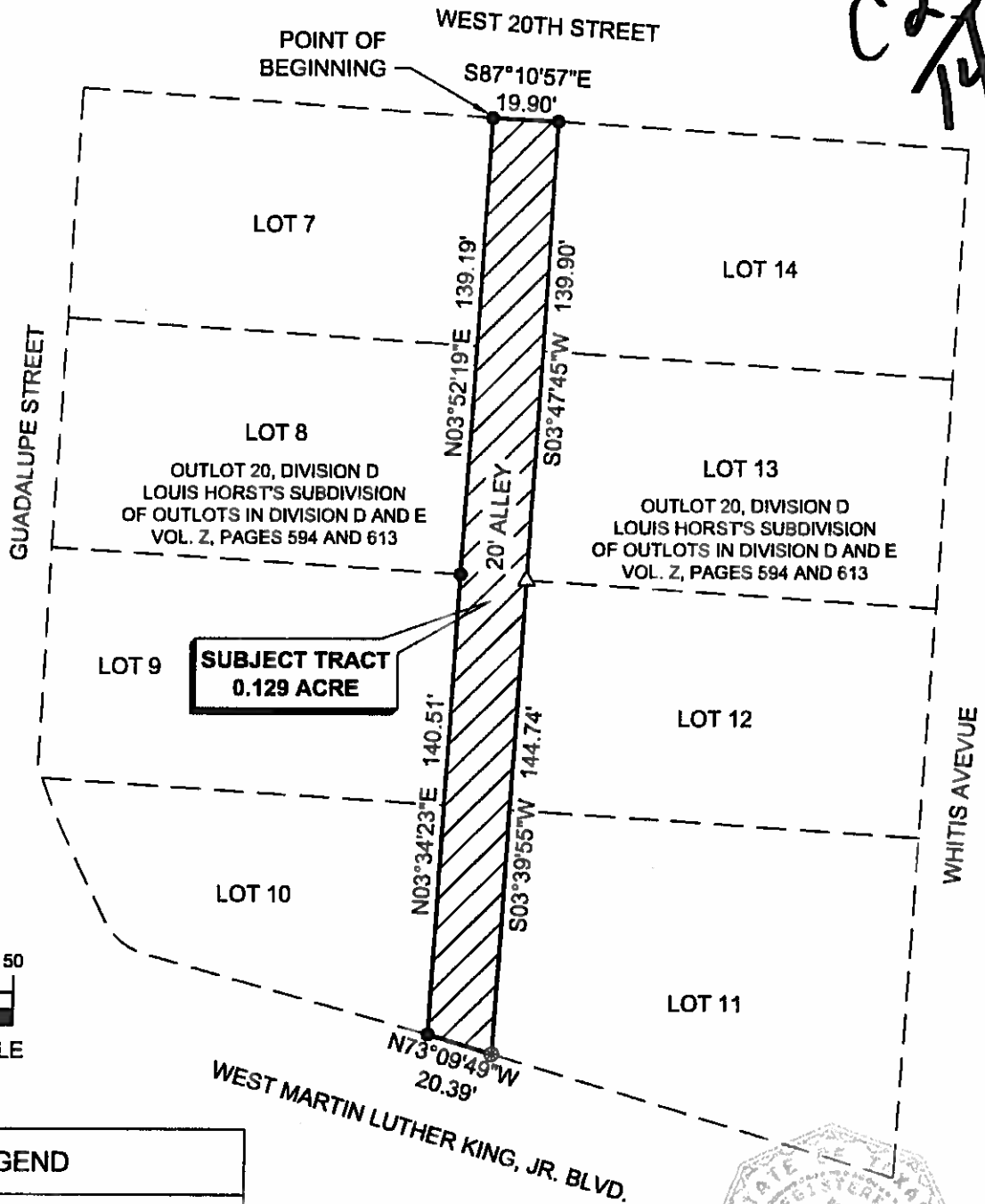


Job No.: 2147-3-001

Filename:

K:\PROJECTS\2147-3-001_UT McCombs Grad School of Business\B/A-Survey\DESCRIPTIONS\METES AND BOUNDS\UT Alley Vacation.DOC

C25
14



LEGEND	
●	1/2" IRON ROD FOUND
⊙	COTTON GIN SPINDLE FOUND
△	CALCULATED POINT

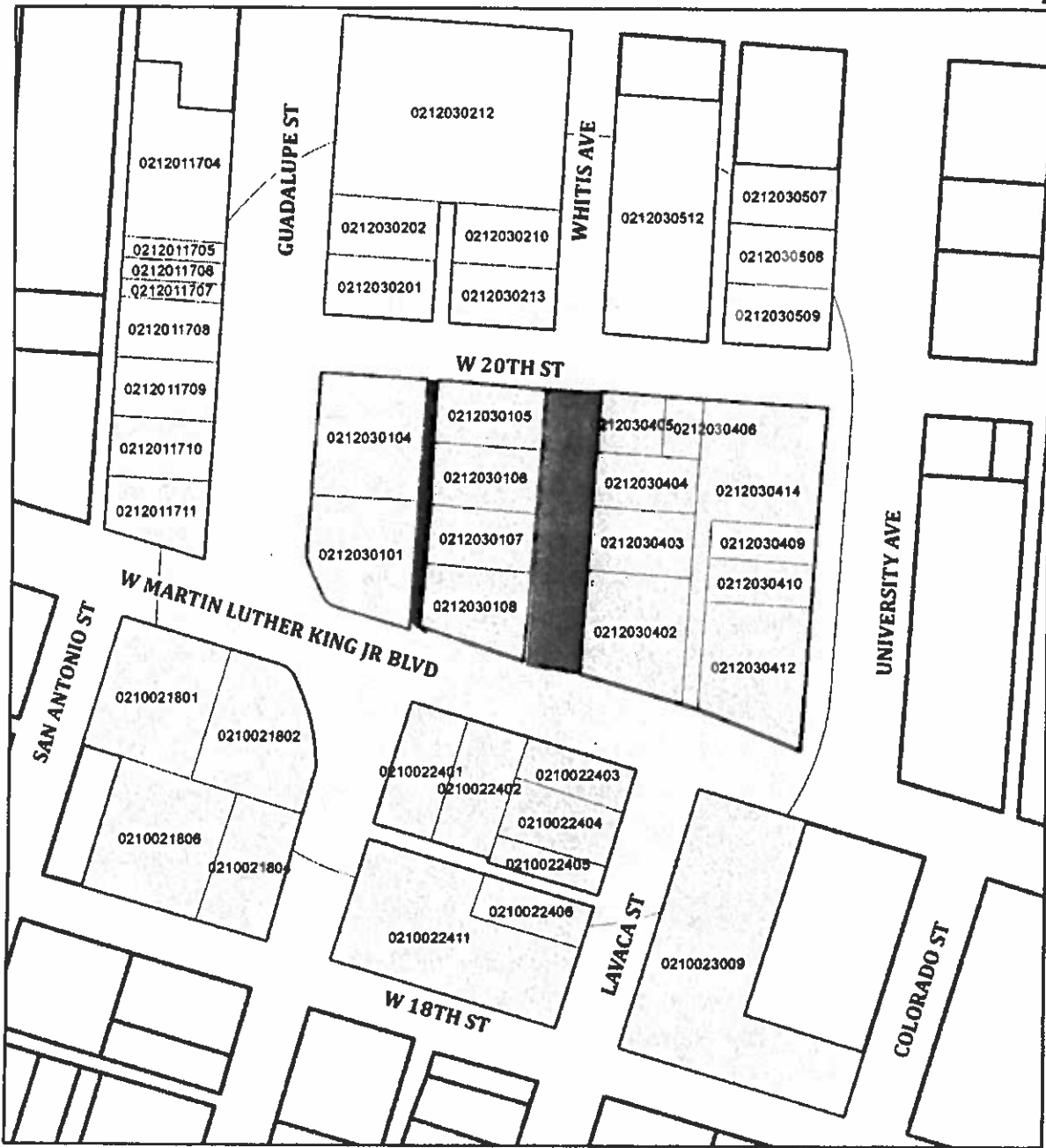
[Handwritten signature]



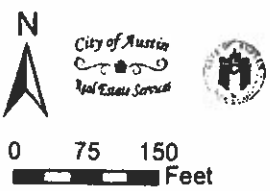
BAKER-AICKLEN & ASSOCIATES, INC.
 507 WEST LIBERTY AVE.
 ROUND ROCK, TEXAS 78664
 (512) 244-9620
 ENGINEERING FIRM # F-45
 SURVEY FIRM # 100231-C
 ROUND ROCK TEXAS #1787

20-FOOT WIDE ALLEY
 UNIVERSITY OF TEXAS
 MARCH, 2013

C25
13



Parcels within 300' of Whitis Ave vacation and adjacent alley vacation, Whitis at W 20th St



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Office of Real Estate Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Produced by CBoas, 11/18/2013