

W. AMON BURTON, JR.
C O U N S E L O R A T L A W
98 SAN JACINTO BLVD., SUITE 1200
A U S T I N , T E X A S 7 8 7 0 1
T E L E P H O N E (5 1 2) 4 7 3 - 8 9 0 3
C E L L (5 1 2) 6 9 8 - 7 2 7 2
E M A I L [REDACTED]

February 28, 2014

City of Austin
Office of Real Estate Services
505 Barton Springs Road, Ste. 1350
Austin, Tx

Re: Request by J. Segura of Urban Design Group, 1303 San Antonio LLC

I just returned from an out of town trip and received the above referenced Public Notice dated February 18, 2014 regarding proposed encroachment of public right-of-way.

We are the owners of the property at 1306 Guadalupe, which is registered as a Texas historic landmark building. This historic building is within 300 feet of the proposed encroachments and in the same block of property in the downtown area of Austin.

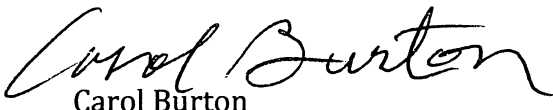
We do not object to the aerial encroachments of the overhead sidewalk cover and enclosed living space on the upper floors of the proposed building at 1303 San Antonio. However, we do OBJECT strenuously to any surface level encroachments to the public right-of-way consisting of proposed entry stairs and a ramp. The public right-of-way sidewalks are not wide on this block of property and pedestrian traffic in this area of downtown has been increasing significantly. The public right-of-way for sidewalks in this block should not be impeded or limited by any private development projects. We urge the City not to permit any surface level encroachments on the public right-of-way as proposed by 1303 San Antonio, LLC.

Please keep us informed of any developments in this matter.

Yours truly,



W. Amon Burton



Carol Burton



City of Austin

OFFICE OF REAL ESTATE SERVICES

Land Management Section: One Texas Center, 505 Barton Springs Road, Ste. 1350
Austin, Texas 78704; Telephone (512) 974-7090; Fax (512) 974-7088

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

No.: 7010 0290 0002 4910 9578

February 18, 2014

PUBLIC NOTICE FOR RIGHT-OF-WAY ENCROACHMENT

A request has been submitted by J. Segura of Urban Design Group, on behalf of the 1303 San Antonio, LLC. for:

F#9286-1310 – Aerial and surface level Encroachments of Right-of-Way abutting the east side of San Antonio Street and the north side of West 13th Street, generally located at 1303 San Antonio Street. The aerial encroachments consist of overhead sidewalk cover, as well as enclosed living space on the upper floors of the proposed building. The surface level encroachments consist of entry stairs and a ramp.

As one of the owners of the surrounding property the City of Austin is advising you of the proposed right-of-way encroachment. If you have any objection to the proposed encroachment, you have 10 days from the date of this letter to notify this Department in writing via Fax, Email or US Mail.

Please send your correspondence to:

Fax #: 974-7088 Email: landmanagement@austintexas.gov

US Mail:

City of Austin

Office of Real Estate Services Department

505 Barton Springs Road, Suite 1350

Austin, TX. 78704

Attn: Eric J. Hammack

If you have any questions concerning the proposal, you may contact me at 974-7079.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric J. Hammack'.

Eric J. Hammack, Property Agent Senior
Land Management Section

Office of Real Estate Services

Attachments

Glasscock, Amanda

From: CLMD Land Management
Sent: Thursday, May 08, 2014 3:26 PM
To: Glasscock, Amanda
Subject: FW: FW: Objection re Public Notice for Proposed Encroachments 1303 San Antonio

Eric J. Hammack
City of Austin
Office of Real Estate Services
(512) 974-7079

-----Original Message-----

From: Amon Burton [REDACTED]
Sent: Thursday, March 06, 2014 10:17 AM
To: J Segura
Cc: CLMD Land Management
Subject: Re: FW: Objection re Public Notice for Proposed Encroachments 1303 San Antonio

re: 1303 San Antonio

Mr. Segura,

Thanks for your note. No, my questions and concerns about the ground level encroachments at the proposed 1303 San Antonio project have not been satisfied and I still have objections. The drawings are difficult to understand how the encroachments actually are on the ground and impact the public right of way. If you want to have your architect come explain how they actually encroach the public right of way I will be glad to listen. I am tied up today and tomorrow but could visit sometime early next week.
Amon Burton

c: Land Management, City of Austin

On Thu, Mar 6, 2014 at 9:41 AM, J Segura <[REDACTED]> wrote:

> Good Morning Mr. Burton,

>

> I just wanted to check in to see if you had any more questions or
> concerns about the project at 1303 San Antonio and the ground level
> encroachments. If your concerns have been addressed and you no longer
> have any objections, please let Mr. Hammack (CC'd on this email) know,
> as that would help us in getting through the City approval process.
> Thank you for your consideration!

>

>

> ** Please note I will be out of the office starting March 12, and I'll
> be back on March 19. **

>

> J Segura, P.E.
> Urban Design Group
> 3660 Stoneridge Road, Suite E-101
> Austin, TX 78746
> Phone: 512-347-0040, ext. 130
> Fax: 512-347-1311
>
>
> On Fri, Feb 28, 2014 at 3:39 PM, J Segura <[REDACTED]> wrote:
>>
>> Good Afternoon,
>>
>> The City forwarded to us your concerns about the ground level
>> encroachments into the Right-of-Way, and I understand your concerns.
>> I have attached the site plan for this project, building elevations,
>> landscape plan, and stair and ramp details.
>>
>> The existing 5' wide sidewalk will be demolished and replaced
>> with a new 5' wide sidewalk. The ramps at the corner and alley will
>> also be demolished and replaced with ramps that meet the current ADA
>> and TDLR requirements. Street trees, in accordance to City of Austin
>> requirements, will be added along San Antonio to provide shade for
>> the sidewalk, as will the elevated awning.
>>
>> The ground level encroachments, namely the stairs and handicap
>> ramp, are to provide access to the ground level retail space at the
>> corner. These items are in the space between the sidewalk and the
>> building, and do not diminish the sidewalk width. Furthermore, as a
>> condition of the License Agreement with the City, if they ever become
>> a problem the City has the right to remove the items at no cost to the City.
>>
>> I hope that this explanation has alleviated your concerns, but
>> if you have additional concerns or questions, please let me know. I
>> have also CC'd on this email the architect, Mr. Byrnes, and the landscape architect, Mr.
>> Dawson.
>>
>> ** Please note I will be out of the office starting March 12, and
>> I'll be back on March 19. **
>>
>> J Segura, P.E.
>> Urban Design Group
>> 3660 Stoneridge Road, Suite E-101
>> Austin, TX 78746
>> Phone: 512-347-0040, ext. 130
>> Fax: 512-347-1311
>>
>>
>> On Fri, Feb 28, 2014 at 2:33 PM, CLMD Land Management
>> <LandManagement@austintexas.gov> wrote:
>>>
>>> Please see the attached objection letter. It is the applicant's
>>> responsibility to contact any objectors to discuss their concerns.

>>> Any unretracted objections will be included with RCA when this file
>>> goes to Council.
>>>
>>>
>>>
>>> Eric J. Hammack
>>> City of Austin
>>> Office of Real Estate Services
>>> (512) 974-7079
>>>
>>>
>>>
>>> _____
>>> From: Amon Burton [mailto:]
>>> Sent: Friday, February 28, 2014 1:31 PM
>>> To: CLMD Land Management
>>> Subject: Objection re Public Notice for Proposed Encroachments 1303
>>> San Antonio
>>>
>>> Re: 1303 San Antonio St
>>>
>>> Eric Hammack
>>> Property Agent Senior
>>> Land Management Section, City of Austin
>>>
>>> As owners of downtown real property within 300 feet of 1303 San
>>> Antonio St, Austin, Texas please accept and enter into the record
>>> our attached letter objecting to proposed right-of-way encroachments
>>> by the owner of 1303 San Antonio, Austin, Texas.
>>>
>>> Amon Burton
>>> Carol Burton
>>>
>>> --
>>>
>>>
>>> Amon Burton
>>> 98 San Jacinto Blvd. Suite 1200
>>> Austin, Texas 78701
>>> [REDACTED]
>>
>>
>

--

Amon Burton
98 San Jacinto Blvd. Suite 1200
Austin, Texas 78701

512 698 7272

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.