



BOARD/COMMISSION RECOMMENDATION

URBAN TRANSPORTATION COMMISSION

Recommendation Number: (20140812-03A):

Regarding the proposed vacation of a portion of unconstructed alley between East 3rd Street and East 4th Street, and between East Avenue and Waller Creek.

WHEREAS, LION OUTDOOR, LLC, OWNS REAL PROPERTY ABUTTING BOTH SIDES OF AN UNCONSTRUCTED ALLEY LOCATED BETWEEN EAST 3RD STREET & EAST 4TH STREET, AND BETWEEN EAST AVENUE AND WALLER CREEK; and

WHEREAS, LION OUTDOOR, LLC, HAS SUBMITTED AN APPLICATION FOR THE VACATION OF THE UNCONSTRUCTED ALLEY; and

WHEREAS, THE CITY OF AUSTIN DEPARTMENTS AND UTILITY FRANCHISE STAKEHOLDERS HAVE REVIEWED THE APPLICATION AND HAVE APPROVED THE REQUEST, SUBJECT TO RETAINING PUBLIC UTILITY AND DRAINAGE EASEMENTS; and

WHEREAS, ON AUGUST 7TH, 2014, THE AUSTIN CITY COUNCIL APPROVED RESOLUTION NO. 20140807-092, DIRECTING THE CITY MANAGER TO CONSIDER THE RELEVANT IMAGINE AUSTIN COMPREHENSIVE PLAN PRIORITY PROGRAMS WHEN MAKING RECOMMENDATIONS TO THE CITY COUNCIL OR TO BOARDS AND COMMISSIONS REGARDING RIGHT-OF-WAY VACATION AND ENCROACHMENT APPLICATIONS; and

WHEREAS, TO SATISFY THE REQUIREMENT SET FORTH BY THE RESOLUTION, CITY STAFF ALSO REQUESTS THAT THE COMMISSION CONSIDER THE PRIORITY PROGRAMS OF THE IMAGINE AUSTIN COMPREHENSIVE PLAN AS IT CONSIDERS THIS APPLICATION FOR AN ALLEY VACATION.

NOW, THEREFORE, BE IT RESOLVED THAT THE URBAN TRANSPORTATION COMMISSION RECOMMENDS THAT THE AUSTIN CITY COUNCIL APPROVE THE APPLICATION TO VACATE THE UNCONSTRUCTED PORTION OF ALLEY BETWEEN EAST 3RD STREET & EAST 4TH STREET, AND BETWEEN EAST AVENUE AND WALLER CREEK, SUBJECT TO THE RETAINING OF A PUBIC UTILITY EASEMENT AND A DRAINAGE EASEMENT, AND FURTHER SUBJECT TO ANY CONSIDERATIONS OF THE COMMISSION REGARDING THE PRIORITY PROGRAMS OF THE IMAGINE AUSTIN COMPREHENSIVE PLAN.

Date of Approval: August 12, 2014

Record of the vote: 6/0/0/1

Attest: W. Gordon Owen 8/21/2014

(Staff or board member can sign)