

## M E M O R A N D U M

**TO:** Emily Smith, Urban Transportation Commission Coordinator  
Austin Transportation Department

**FROM:** Kim Vasquez, Property Agent Senior

**DATE:** September 27, 2017

**SUBJECT: F#9157-1301 Street Vacation Application of Viola St., aka Christopher St.**

Attached are the departmental comments and other information pertinent to the referenced street right of way vacation. The area being requested for vacation is an unconstructed street to be used for future residential development. It is currently subject to a re-plat, known as Bouldin Court. All affected departments and private utility franchise holders have reviewed this request and recommend approval, subject to the following conditions:

- (i) Retain a Water Line Easement for the existing 1-inch cast iron water line utility over the entire vacation area
- (ii) Implement the proposed resubdivision plat: Bouldin Court
- (iii) Dedicate a new Drainage Easement (4,095 SF)
- (iv) Dedicate a new Public Recreation Easement (5,186 SF)
- (v) All required utility relocation will be at the property owner's expense

The right of way vacation application was presented before the Urban Transportation Commission meeting on April 8, 2014; with the Commissioners supporting staff's recommendation. It is being brought forward again as the application has been revised to reflect the adjustment of the entire proposed vacation area to 8,470 square feet (previously 8,200 square feet) and the street name changed from Christopher Street to Viola Street.

The applicant has requested that this item be submitted for placement on the **October 10, 2017 Urban Transportation Commission Agenda.**

Staff contact	Kim Vasquez 512-974-9241, <a href="mailto:kim.vasquez@austintexas.gov">kim.vasquez@austintexas.gov</a>
Applicant	Jarred Corbell, PE Senior Project Manager, PSW Real Estate
Property Owner	1 <sup>st</sup> Street Highland, L.P.

The applicant and/or the property owner's representative will be present at the meeting to answer any questions regarding the development project and vacation request.

Kim Vasquez  
Land Management  
**OFFICE OF REAL ESTATE SERVICES**

Attachments

# SUMMARY OF REVIEW COMMENTS REPORT

## F#9157-1301 RIGHT OF WAY VACATION [VIOLA STREET]

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### CONDITIONAL APPROVAL COMMENTS

#### AUSTIN WATER

ASSESSMENT: "Austin Water (AW) has no objection the vacation of 8,470 sq. ft. of an unconstructed Viola Street, aka Christopher Street (previous request was 8,200 sq. ft. of Christopher Street) near the 900 block of the west side of South 2<sup>nd</sup> Street, between the south line of Block 2 and the north line of Block 3, dedicated per Oak Cliff Addition, a subdivision recoded in Volume 3, Page 81, PRTC, Texas.

AW is requesting a Water Line Easement (WLE) to be retained for the existing 1-inch cast iron water line. The WLE must be retained until the water line is properly abandoned and the as-built has been received and approved by AW Infrastructure Records. The requested WLE is the same size (8,200 sq. ft.) of previous request." – **Angela Baez, Austin Water**

#### TEXAS GAS SERVICE

ASSESSMENT: "Approved with requirements – continue to work with Linda Bargar 512-465-1134 for the retirement of the conflicting gas line." – **Rene Pena, Texas Gas Service**

#### CHARTER COMMUNICATIONS

ASSESSMENT: "Charter/Spectrum approves with conditions that the existing Charter/Spectrum facilities are preserved for future use, and that any required relocations and or adjustments be paid for the applicant/developer/owner." – **Doug Dixon, Charter/Spectrum**

#### WATERSHED PROTECTION DEPARTMENT

ASSESSMENT: "Watershed Protection Department has no objection to the ROW release as long as the drainage easement and plat are implemented." – **Annabell Ulary, Watershed Protection Department, Engineering**

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### APPROVED COMMENTS

- |                            |  |
|----------------------------|--|
| • AT&T                     | • GRANDE COMMUNICATIONS  |
| • AUSTIN ENERGY            | • PARKS & RECREATION (PARD)                                    |
| • AUSTIN RESOURCE RECOVERY | • DEVELOPMENT SERVICES <u>Land Use Review - Engineering</u>    |
| • AUSTIN TRANSPORTATION    | • DEVELOPMENT SERVICES <u>Land Use Review - Transportation</u> |
| • CAPITAL METRO            | • PLANNING & ZONING <u>Neighborhood Planning</u>               |
| • CODE COMPLIANCE          | • PLANNING & ZONING <u>Urban Design</u>                        |
| • CTM-GAATN                | • PLANNING & ZONING <u>Zoning Review</u>                       |
| • EMS                      | • PUBLIC WORKS <u>Sidewalks &amp; Special Projects</u>         |
| • FIRE                     | • PUBLIC WORKS <u>Street &amp; Bridge Operations</u>           |
| • GOOGLE                   |  |
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REVISED MEMORANDUM

Case No: 9157-1301
Date: July 13, 2017

SUBJECT: STREET VACATION

- ( ) Lucy Cabading AT&T
( ) Melody Giambruno Austin Energy
( ) Katrina Fenrick Austin Resource Recovery
( ) Rob Spillar Austin Transportation Director
( ) Angela Baez Austin Water
( ) Bruna Quinonez Code Compliance
( ) Carlos Dematos CTM - GAATN
( ) Milissa Warren EMS
( ) Roberto Gonzalez Capital Metro
( ) Scott Cunningham Google
( ) Daniel Pina Grande Communication
( ) Rolando Rodriguez Fire
( ) Jackie Chuter PARD
( ) Joydeep Goswami DSD (LUR-Engineering)
( ) Sangeeta Jain DSD (LUR-Transportation)
( ) Mark Walters P&Z (Comp. Planning)
( ) Humberto Rey P&Z (Urban Design)
( ) Wendy Rhoades P&Z (Zoning Review)
( ) David Boswell PWD (Office of City Engineer)
( ) Janae Ryan PWD (Connectivity)
( ) Christian Barraza Texas Gas
( ) Kevin Rooney Charter/Spectrum
( ) Annabell Ulary WPD (Engineering)

A revised request has been received for the vacation of 8,470 sq. ft. of an unconstructed Viola Street, aka Christopher Street, (previous request was 8,200 sq. ft. of Christopher Street) near the 900 block of the west side of South 2nd Street, between the south line of Block 2 and the north line of Block 3, dedicated per Oak Cliff Addition, a subdivision recorded in Vol. 3, Pg. 81, Plat Records, Travis County, Texas.

Please review this request and return your comments to Kim Vasquez (512) 974-9241, email address: landmanagement@austintexas.gov or Fax: 974-7088. Physical address: Office of Real Estate Services, 505 Barton Springs Road, Suite 1350.

Due Date: July 28, 2017

APPROVAL: YES Yes Subject to Requirement No

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

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

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

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

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

**PSW REAL ESTATE**  
SUSTAINABLE URBAN DEVELOPMENT

City of Austin – Office of Real Estate Services  
505 Barton Springs Road  
Austin, TX 78704

1<sup>st</sup> Street Highland LP is the titled owner of an assemblage of lots (Lot 1-7 Oak Cliff Addition Block 2 & Lot 1-2 & 5 on Block 3) where a 30' ROW on Christopher Street currently exists. PSW Real Estate is the general partner of 1<sup>st</sup> Street Highland LP. Please accept the following answers to the city's questions as a part of the application for right of way vacation of Tract C (see survey):

- This is a residential property.
- The existing ROW was all dedicated by Mr. OJ Hinton as detailed in the subdivision plat notes filed on Jan. 11, 1923. The subdivision plat has been included.
- The City did not purchase the dedicated ROW.
- Both the area to be vacated and the property are within the same subdivision.
- The area to be vacated does exist.
- There are currently water lines in the right of way. Our plan is to relocate them along with all other utility lines as part of the proposed subdivision site plan (included).
- The area to be vacated will be a part of a subdivided, single family residential development.
- A preliminary plan for the subdivision has been submitted and is under review. Subdivision case # is C8-2012-0148
- Our project is not a Unified Development.
- The project is not a SMART housing project.
- We anticipate beginning development in late 2013 or early 2014.
- All of the properties adjacent to our property are zoned SF-3 NP
- Residential
- No parking facilities exist on the property, with the exception of off-street residential.
- Our parking requirements will not increase with the project.
- N/A
- Our property engulfs the entire ROW and as such there is no need to contact other property owners.
- The property does not lie within the CBD or UT Boundaries.

Thank you,

Eduardo Garza  
PSW Real Estate  
2003 S. 1<sup>st</sup>  
Austin, Texas 78704

2003 South 1<sup>st</sup> Street  
Austin, Texas 78704  
O: 512.326.3905  
F: 888.866.8175

File No. 9157-1301  
Department Use Only

Application for Street or Alley Vacation  
DATE: 1/24/13  
Department Use Only

**TYPE OF VACATION**

Type of Vacation: Street:  Alley: ; ROW:  Hundred Block: \_\_\_\_\_  
Name of Street/Alley/ROW: Christopher/Viola Street north of 2<sup>nd</sup> Street  
Is it constructed: Yes No  
Property address: \_\_\_\_\_  
Purpose of vacation: Construction of Single Family Residential Development

**PROPERTY DESCRIPTION ADJACENT TO AREA TO BE VACATED**

Parcel #: **Block 3** - Lot 1 - 01020105030000; Lot 2 - 0102010040000; Lot 5- 01020105020000 **Block 2** - Lots 1-3 - 01020106130000; Lots 4-6 - 01020106140000  
Survey & Abstract No.: N/A  
Lot(s): 1-2 & 5 Block: 3 & Lot(s) 1-6 Block:2 Outlot: N/A  
Subdivision Name: Oak Cliff Addition  
Plat Book Vol 3 Page Number: 81 Document Number \_\_\_\_\_

Neighborhood Association Name: Bouldin Creek Neighborhood Association  
Address including zip code: \_\_\_\_\_

**RELATED CASES**

	<b>FILE NUMBERS</b>
Existing Site Plan (circle one): YES / <u>NO</u>	_____
Subdivision: Case (circle one): <u>YES</u> / NO	C8-2012-0148
Zoning Case (circle one): YES / <u>NO</u>	_____

**PROJECT NAME, if applicable:**

Name of Development Project: 1<sup>st</sup> Street Highland  
Is this a S.M.A.R.T. Housing Project (circle one): YES / NO

**OWNER INFORMATION**

Name: 1<sup>st</sup> Street Highland, L.P.  
Address: 2003 S. 1<sup>st</sup> Phone: (512) 326-3905 Fax No.: (888) 866-8175  
City: Austin County: Travis State: Texas Zip Code: 78704  
Contact Person/Title: Ryan Diepenbrock – Managing Partner **Cell Phone:** (480) 650-4501  
Email Address: [ryan@pswrealestate.com](mailto:ryan@pswrealestate.com)  
**(If multiple owners are joining in this request – complete names, addresses on each, must be attached.)**

**APPLICANT INFORMATION**

Name: Eduardo Garza  
Firm Name: PSW Real Estate – General Partner of 1<sup>st</sup> Street Highland, L.P.  
Address: 2003 S. 1<sup>st</sup>  
City: Austin State: Texas Zip Code: 78704  
Office No.: (512) 326-3905 **Cell No.:** (512) 736-2243 Fax No.: (888) 866-8175  
EMAIL ADDRESS: [eduardo@pswrealestate.com](mailto:eduardo@pswrealestate.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: [Signature]  
Landowner/Applicant





