

**TO:** Andrew Rivera, Planning and Zoning Department

**FROM:** Stephany Roy, Senior Property Agent, Land Management  
Development Services Department

**DATE:** January 29, 2021

**SUBJECT:** Street Right-of-Way Vacation Application for Chalmers  
Avenue (F#10245-2002)

Attached are the departmental comments and other information pertinent to the referenced right of way vacation. **The owner, Housing Authority City of Austin (HACA) is asking for the vacation to further enhance their affordable housing project, provide a more continuous play area for the children, and increase pedestrian and bicycle connectivity in the neighborhood. HACA is tearing down the older buildings and increasing their unit count from 158 to 398.** The proposed vacation tract is currently associated with an active site plan, # SP-2020-0004C.

All affected departments and private utility franchise stakeholders have reviewed the request and recommend approval, subject to the conditions on the Master Comment Report. A Public Utility Easement (PUE) and Access Easement will be retained over the entirety of the ROW vacation area.

Land Management is requesting that this item be submitted for placement on the **February 9, 2021 Planning Commission Agenda** for their consideration. The applicant and/or their representative will be at the meeting.

Staff contact: Mashell Smith 512-914-4455 and Stephany Roy at 404-357-1814 or [landmanagement@austintexas.gov](mailto:landmanagement@austintexas.gov)

Applicant: Meg Greenfield, Dunaway Associates 512-306-7240;  
mgreenfield@dunawayassociates.com

Property Owner: Housing Authority of Austin (HACA)

Stephany Roy, Senior Property Agent  
Land Management

#### **Development Services Department**

Attachment - Info Packet: Master Comment Report, Intro letter, Application, Survey, Location Map

MASTER COMMENT REPORT



As of: November 19, 2020

PROJECT NUMBER: 2020-084690 LM

PROJECT NAME: 10245-2002 Chalmers Ave (Previously File No. 10245-2001)

LOCATION: CHALMERS AVE, AUSTIN, TX

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM AT&T (SWBT)				

<b>Rejected</b>	Lucy Cabading	512-974-9241	07/14/2020	
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**Comments:** AT&T requires their facilities be relocated first before they can approve the vacation request.

"I can approve this after the AT&T facilities have been relocated, if I have a statement stating the vacation won't go into effect until after the facilities have been relocated."

& ENGRG DESIGN  
817 W. North Loop  
Austin, TX 78756  
737 255-4856

<b>Approved With Conditions</b>	Lucy Cabading	512-974-9241	10/09/2020	<b>10/09/2020</b>
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**Comments:** I accept the vacation of the ROW as long as we have a 10' easement in place to allow maintenance and placement of our facilities.

Thank you,

David A. Williams

LEAD OSP PLNG & ENGRG DESIGN  
817 W. North Loop  
Austin, TX 78756

737 255-4856

As of: November 19, 2020

**PROJECT NUMBER:** 2020-084690 LM

**PROJECT NAME:** 10245-2002 Chalmers Ave (Previously File No. 10245-2001)



**LOCATION:** CHALMERS AVE, AUSTIN, TX

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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**LM ATD Review**

<b>Approved</b>	Alison Mills	512-974-7166	09/30/2020	<b>09/30/2020</b>
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**Comments:** ATD agreed to the concept of this ROW vacation prior to application submittal and continues to support the vacation based on the site plan for affordable housing submitted with this case. The vacation will provide high-quality access for bicycles, pedestrians, and emergency services and the adjacent street network will provide adequate connectivity for motor vehicles in spite of the vacation. While ATD will approve the spacing and design of scrub zones on E 4th Street and E 3rd Street that AFD has requested as a condition for support of the Chalmers Avenue ROW vacation, ATD's support is not contingent upon the inclusion of the scrub zones.

**LM Austin Resource Recovery Review**

<b>Approved</b>	Heather Ketten	512-974-1954	06/30/2020	<b>06/30/2020</b>
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**Comments:** Approved - we do not have any customers or public cans on this portion of Chalmers, so our services will not be affected.

As of: November 19, 2020



PROJECT NUMBER: 2020-084690 LM  
PROJECT NAME: 10245-2002 Chalmers Ave (Previously File No. 10245-2001)

LOCATION: CHALMERS AVE, AUSTIN, TX

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
<b>LM AW Infrastructure Management</b>				

<b>Rejected</b>	Eric Sermeno	512-972-0497	06/26/2020	
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**Comments:** Austin Water (AW) does not recommend the requested Partial Right-of-Way (ROW) Vacation Request at this time and more particularly described as being a portion of Chalmers Avenue (60-foot ROW) of the Partition of Outlots #5 and #6, Division "O", as shown in District Court Case #3464, as recorded in minute book "K", page 564 of the District Court Records of Travis County, Texas with an address of 1600 E 3rd Street, Austin, Texas, 78702.

For release to be approved the following conditions must be met:

- Existing 6-inch Cast Iron & 6-inch Ductile Iron Water Lines and an existing 6-inch Concrete Wastewater Line and associated appurtenances to be Properly Abandoned and Relocated;
- New Water &/or Wastewater Lines and/or required Service Connection(s) to be built, tested, inspected, and as-built plans received and approved by AW Infrastructure Records; and, if applicable
- Dedication and Recordation of New Water Lines Easement(s) to the City of Austin.

<b>Approved With Conditions</b>	Eric Sermeno	512-972-0497	11/19/2020	<b>11/19/2020</b>
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**Comments:** Austin Water (AW) has no objections to the requested Partial Right-of-Way (ROW) Vacation Request but with conditions which must first be met in-order for vacation of the ROW area described as being a portion of Chalmers Avenue (60-foot ROW) of the Partition of Outlots #5 and #6, Division "O", as shown in District Court Case #3464, as recorded in minute book "K", page 564 of the District Court Records of Travis County, Texas with an address of 1600 E 3rd Street, Austin, Texas, 78702.

The conditions to be met are below:

- A Dedicated and Recorded Public Utility Easement (PUE) must be recorded before the vacation/recordation of the requested Partial Right-of-Way (ROW) Vacation for a portion of Chalmers Avenue (60-foot ROW), which will provide AW the land rights for the existing 6-inch Cast Iron & 6-inch Ductile Iron Water Lines and an existing 6-inch Concrete Wastewater Line (which is proposed to be abandoned) and their associated appurtenances;
- The Site Plan needs to be sure all sheets showing the proposed trees match horizontal distances from existing AW infrastructure throughout the plan set. Especially, the landscape sheets the contractor will build from and must obtain waivers from Utility Criteria Manual Section 2.9.2.B.20 for the proposed trees not meeting 9-foot horizontal separation from the existing 6-inch Cast Iron &/or 6-inch Ductile Iron Water Lines down the requested Chalmers Avenue to be vacated.



As of: November 19, 2020

PROJECT NUMBER: 2020-084690 LM

PROJECT NAME: 10245-2002 Chalmers Ave (Previously File No. 10245-2001)

LOCATION: CHALMERS AVE, AUSTIN, TX

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM Capital Metro				
Approved	Roberto Gonzalez	512-974-9241	06/11/2020	<b>06/11/2020</b>

**Comments:** Cap Metro do not have service in the area.

**LM Drainage Engineering Review**

No Comment	Sona Singh	512-974-7632	06/09/2020	<b>06/09/2020</b>
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**Comments:** Not related to an active LUR application; defer to WED.

As of: November 19, 2020



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**PROJECT NAME:** 10245-2002 Chalmers Ave (Previously File No. 10245-2001)

**LOCATION:** CHALMERS AVE, AUSTIN, TX

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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LM Electric Review

<b>Rejected</b>	Rosario Navarro	512-322-6754	06/09/2020	
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**Comments:** Denied, until overhead facilities are removed. Any questions please contact Wendi Henson at 512 322-6237 or Wendi.Henson@austinenergy.com.

<b>Approved With Conditions</b>	Rosario Navarro	512-322-6754	11/13/2020	<b>11/13/2020</b>
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**Comments:** Approved with the following condition - AE request the whole vacated area be retained for a PUE and Access easement.

As of: November 19, 2020



**PROJECT NUMBER:** 2020-084690 LM  
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**LOCATION:** CHALMERS AVE, AUSTIN, TX

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM EMS Review				

<b>Rejected</b>	Milissa Warren	(512)972-7234	06/16/2020	
<b>Comments:</b>	Can you please tell me if the proposed green space will be fenced or will it be open for unrestricted ingress and egress?			

<b>Email Notice</b>	Milissa Warren	(512)972-7234	06/15/2020	<b>06/16/2020</b>
<b>Comments:</b>	Can you please tell me if the proposed green space will be fenced or will it be open for unrestricted ingress and egress?			

<b>Approved</b>	Milissa Warren	(512)972-7234	06/16/2020	<b>06/16/2020</b>
<b>Comments:</b>	EMS will support staff recommendation on this request.			

As of: November 19, 2020



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<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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**LM Fire For Site Plan Review**

<b>Rejected</b>	Tom Migl	512-974-0164	06/23/2020	
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**Comments:** Provide location of FDC for B1 building. FDC must be within 100 feet of hydrant and face or can be easily seen from and an approved fire access route.

<b>Approved With Conditions</b>	Tom Migl	512-974-0164	10/09/2020	<b>10/09/2020</b>
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**Comments:** Per email as letter of intent

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**LM GAATN Review**

<b>Approved</b>	Carlos DeMatos	(512) 974-6513	06/22/2020	<b>06/22/2020</b>
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**Comments:** None



As of: November 19, 2020



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**LOCATION:** CHALMERS AVE, AUSTIN, TX

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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**LM Google Fiber Texas**

<b>Rejected</b>	Fredric Ritter	512-974-9241	06/30/2020	
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**Comments:** Google Fiber denies this ROW Vacation. Google Fiber has existing facilities within the ROW that will need to be relocated prior to agreement of vacation.

Thank you,

Lorena Veldanez  
Engineering Technician  
(Provided by Adecco Staffing)  
veldanezgaspar@google.com  
(512) 230-2385

<b>Approved With Conditions</b>	Fredric Ritter	512-974-9241	07/07/2020	<b>07/07/2020</b>
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**Comments:** Google Fiber conditionally approves with ROW Vacation request as long as PUE is granted prior to the release of the ROW.

Lorena Veldanez  
Engineering Technician  
(Provided by Adecco Staffing)  
veldanezgaspar@google.com  
(512) 230-2385



As of: November 19, 2020

PROJECT NUMBER: 2020-084690 LM

PROJECT NAME: 10245-2002 Chalmers Ave (Previously File No. 10245-2001)

LOCATION: CHALMERS AVE, AUSTIN, TX

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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**LM Grande Communications**

<b>Approved With Conditions</b>	Daniel Pina	512-974-9241	06/16/2020	<b>06/16/2020</b>
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**Comments:** Grande has no objections but with conditions of full reimbursement for the cost of construction if Grande will need to relocate.

Daniel Piña  
 Utility Coordinator- Austin/San Marcos  
 Grande Communications®  
 Cell:737-346-7155  
 daniel.pina@mygrande.com

**LM PARD / Planning & Design Review**

<b>Approved</b>	Robynne Heymans	512-974-9549	07/01/2020	<b>07/01/2020</b>
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**Comments:** None

As of: November 19, 2020



**PROJECT NUMBER:** 2020-084690 LM

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**LOCATION:** CHALMERS AVE, AUSTIN, TX

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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**LM PAZ Long Range Planning Review**

Approved	Jeffrey Engstrom	512.974.1621	06/12/2020	<b>06/12/2020</b>
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**Comments:** None

**LM PAZ Zoning Review**

Approved	Wendy Rhoades	512-974-7719	06/09/2020	<b>06/09/2020</b>
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**Comments:** No comments; Approved



As of: November 19, 2020

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LOCATION: CHALMERS AVE, AUSTIN, TX

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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**LM PWD Sidewalks & Special Projects Review**

Approved	Eric Dusza	512-974-6504	06/15/2020	<b>06/15/2020</b>
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Comments: None

**LM PWD Urban Trails Review**

Approved	Katie Wettick	512-974-3529	06/11/2020	<b>06/11/2020</b>
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Comments: None



As of: November 19, 2020



**PROJECT NUMBER:** 2020-084690 LM

**PROJECT NAME:** 10245-2002 Chalmers Ave (Previously File No. 10245-2001)

**LOCATION:** CHALMERS AVE, AUSTIN, TX

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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**LM Time Warner Cable / Charter**

<b>Approved With Conditions</b>	Timothy White	512-974-9241	07/07/2020	<b>07/07/2020</b>
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**Comments:** Charter/Spectrum approves provided any relocations and or adjustments of any Charter/Spectrum facilities will be paid for by the applicant/developer/owner.

Troy Smith  
Troy.Smith1@charter.com

**LM Transportation Planning**

<b>Rejected</b>	Adam Fiss	512-974-1684	06/29/2020	
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**Comments:** Submit sidewalk with maintenance document for review and recordation.

<b>Approved With Conditions</b>	Adam Fiss	512-974-1684	11/04/2020	<b>11/04/2020</b>
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**Comments:** Public Access Easement to be retained with vacation. LA and ultimately SP to follow

As of: November 19, 2020



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**LOCATION:** CHALMERS AVE, AUSTIN, TX

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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**LM Urban Design Review**

<b>No Comment</b>	Aaron Jenkins	512-974-1243	06/11/2020	<b>06/11/2020</b>
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**Comments:** No comments from Urban Design as this property is located just outside of the Plaza Saltillo Regulating District

**LM Watershed Engineering Review**

<b>Approved</b>	Annabell Ulary	512-974-3486	06/29/2020	<b>06/29/2020</b>
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**Comments:** No objections



As of: November 19, 2020

**PROJECT NUMBER:** 2020-084690 LM

**PROJECT NAME:** 10245-2002 Chalmers Ave (Previously File No. 10245-2001)

**LOCATION:** CHALMERS AVE, AUSTIN, TX

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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**Mobility Bond Review**

<b>No Review Required</b>	Gregory Pepper	512-974-7282	06/09/2020	<b>06/09/2020</b>
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**Comments:** This does not fall within the Corridor Construction Program Limits.





February 6, 2020

Office of Real Estate Services  
City of Austin  
505 Barton Springs Road, Suite 1350  
Austin, TX 78704

Re: Pathways at Chalmers Court West (SP-2020-0004C.SH)  
Vacation of Chalmers Avenue Right-of Way  
between East 3<sup>rd</sup> and East 4<sup>th</sup> Street

Good Day,

The *Pathways at Chalmers Court West* project (SP-2020-0004C.SH, in permitting), and its sister projects *Pathways at Chalmers Courts East* (SP-2018-0541C.SH, under construction) and *Pathways at Chalmers Courts South* (SP-2017-0362C.SH, complete) are affordable housing projects operated by the Housing Authority of the City of Austin (HACA). Together these projects provide nearly 400 affordable housing units.

To further enhance the project, provide a more contiguous play area for the children, expand the City's green infrastructure network, increase the City's urban forest, improve the City's water quality by reducing impervious cover, and increase pedestrian and bicycle connectivity in the neighborhood, the portion of Chalmers Avenue between East 3<sup>rd</sup> Street and East 4<sup>th</sup> street is requested to be vacated. This would connect *Chalmers West* with *Chalmers East* and children living within those projects would only need to cross a single street (Chicon) in order to reach Zavala Elementary.

1. *Is this a residential or commercial project?* Residential, although City code classifies multi-family residential as a commercial use.

2. *How was the area to be vacated dedicated? By plat or separate instrument?* This portion of the City dates back to the City's founding. Outlots 5 and 6, Division O were created by an Act of Congress on January 5<sup>th</sup>, 1840. Chalmers Avenue, which lies between these Outlots, was dedicated sometime before 1880.

3. *Did the City purchase the area to be vacated?* No

4. *Are both the area to be vacated and your property in the same subdivision?* Yes, the Outlots created by an Act of Congress on January 5<sup>th</sup>, 1840.

5. *Is the area to be vacated functional right-of-way, or is it only dedicated on paper?* The ROW is functional and is currently a paved street.

6. *Are there any utility lines within the area to be vacated?* Yes, a water line which shall be preserved within an easement, and a wastewater line and overhead utilities which shall be removed.

7. *How do you plan to develop the area to be vacated?* It will be a green space that provides



pedestrian and bicycle connectivity between Chalmers West and East, and East 3<sup>rd</sup> Street to East 4<sup>th</sup> Street.

8. *Has a site plan been submitted on your project?* Yes, SP-2020-0004C.SH.
9. *Is your project a Unified Development?* Per the City of Austin DAC staff, the Chalmers West project site does not require a UDA.
10. *Is your project a SMART Housing Project?* Yes
11. *When do you anticipate starting construction of the development?* October 2020.
12. *What is the current zoning on the adjacent properties?* TOD-NP, TOD-CURE-NP, P-NP, LR-NP, P-NP, MF-4-NP, GR-MU-CO-NP.
13. *What is the current status of the adjacent properties?* Chalmers East (300 Chicon) is under construction as is the project located at 1600 East 4t Street (SP-2017-0418C). All other tracts are developed.
14. *What type of parking facilities currently exist?* For the Chalmers West site there is currently two small parking lots with most parking being on the street. Once redeveloped *Chalmers West* will provide much more surface parking, as does *Chalmers East* and *Chalmers South*.
15. *Will your parking requirements increase with the expansion?* The parking requirements will decrease due to the parking provisions of the Affordability Unlocked Ordinance (20190509-027); the parking demand on the street is also expected to decrease due to the significant increase in surface parking provided by the *Chalmers* projects.
16. *How will the increase be handled?* No increase.
17. *Have any agreements or easements been executed with the adjacent landowners or in draft form?* No, HACA owns the abutting *Chalmers East* project.
18. *Does the area to be vacated lie within the Austin Downtown Plan (DAP)?* No
19. *Does the area to be vacated lie within UT boundaries?* No
20. *Does the proposed vacation support the Priority Programs and policy directives set forth in the Imagine Austin Comprehensive Plan?* Yes, please see the second paragraph on page 1 of this letter.

If you have any questions or concerns, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "J Segura", written over a light blue horizontal line.

J Segura, PE  
Senior Technical Engineer



# Housing Authority of the City of Austin

*Established in 1937*

**Board of Commissioners**  
Carl S. Richie, Jr., Chairman  
Charles Bailey  
Tyra Duncan-Hall  
Edwina Carrington  
Mary Apostolou

**President & CEO**  
Michael G. Gerber

October 30, 2019

Development Services Department  
City of Austin  
505 Barton Springs Road, 4<sup>th</sup> Floor  
Austin, TX

Re: LETTER OF AGENT AUTHORIZATION TO OBTAIN A SITE DEVELOPMENT PERMIT  
Chalmers Court West, 1600 E 3<sup>rd</sup> Street

To Whom It May Concern,

I, the undersigned, hereby authorize **Vanessa Mendez of Dunaway|UDG** to act on behalf of the Housing Authority of the City of Austin for all purposes related to the filing and processing of an application for a Site Development Permit for the sites located at 1600 E. 3<sup>rd</sup> St., Austin, Texas 78702.

This authorization will expire one year from the date of this letter.

Sincerely,

Michael Gerber, President  
Housing Authority of the City of Austin  
1124 S IH 35  
Austin, TX 78704

*"We envision neighborhoods where poverty is alleviated,  
communities are healthy and safe, and all people can achieve their full potential"*

1124 S. IH35, Austin, Tx. 78704 • (512) 477-4488 • Fax (512) 477-0953



File No. 10245-2002  
Department Use Only

DATE: 06/05/2020  
Department Use Only

**TYPE OF VACATION**

Type of Vacation: Street: \_\_\_\_\_; Alley: \_\_\_\_\_; ROW X Hundred Block: \_\_\_\_\_  
Name of Street/Alley/ROW: Chalmers Is it constructed:  Yes  No  
Property address: 1600 E. 3rd Austin, Texas 78702  
Purpose of vacation: To connect Chalmers East and West into a cohesive development and create green space. Also to increase pedestrian connectivity between East 3rd & East 4th streets.

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

Parcel #: 0204080701  
Survey & Abstract No.: \_\_\_\_\_  
Lot(s): \_\_\_\_\_ Block: 3 & 4 Outlot: 5, Division O  
Subdivision Name: Original City of Austin  
Plat Book 853 Page Number 1 Document Number \_\_\_\_\_

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

**RELATED CASES**

	FILE NUMBERS
Existing Site Plan (circle one): <input checked="" type="radio"/> YES <input type="radio"/> NO	<u>SP-2020-0004C</u>
Subdivision: Case (circle one): YES <input checked="" type="radio"/> NO	_____
Zoning Case (circle one): <input checked="" type="radio"/> YES <input type="radio"/> NO	<u>C14-2018-0051.SH</u>

**PROJECT NAME, if applicable:**

Name of Development Project: Pathways at Chalmers Court West  
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: Housing Authority of Austin (as shown on Deed)  
Address: 1124 S IH-35 Phone: (512)477 4488 Fax No.: ( ) \_\_\_\_\_  
City: Austin County: Travis State: TX Zip Code: 78704  
Contact Person/Title: Michael Gerber Cell Phone: ( ) \_\_\_\_\_  
Email Address: michaelgerber@hacanet.org  
**(If multiple owners are joining in this request, complete names and addresses for each must be attached.)**

**APPLICANT INFORMATION**

Name: Meg Greenfield  
Firm Name: Dunaway Associates  
Address: 5707 Southwest Pkwy Bldg 2 Ste 250  
City: Austin State: TX Zip Code: 78735  
Office No.: (512)306 7240 Cell No.: (425) 802 9063 Fax No.: ( ) \_\_\_\_\_  
EMAIL ADDRESS: mgreenfield@dunawayassociates.com

The undersigned Landowner/Applicant understands: 1) This application will be handled in accordance with standard City policies and procedures. 2) No action will be taken without (a) payment of the nonrefundable application fee, or (b) necessary documentation. 3) The application and fee in no way obligate the City to vacate the subject area. 4) **All documents** related to this transaction and a **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:   
Landowner/Applicant



# City of Austin

P.O. Box 1088, Austin, TX 78767  
[www.cityofaustin.org/housing](http://www.cityofaustin.org/housing)

## Neighborhood Housing and Community Development Department

January 23, 2020 (Revision to letter dated February 5, 2019)

### S.M.A.R.T. Housing- Certification

Housing Authority of the City of Austin – Pathways at Chalmers Courts West  
(Project ID # 595)

#### TO WHOM IT MAY CONCERN:

Housing Authority of the City of Austin (development contact: John Mcquage, 512.767.7750 or [johnm@hacanet.org](mailto:johnm@hacanet.org)) has submitted a S.M.A.R.T. Housing application to construction the Pathways of Chalmers Court West, a 156-unit multi-family residential development located at 1600 East 3<sup>rd</sup> Street, Austin TX 78702. The applicant has agreed to a minimum 5-year affordability period after issuance of a certificate of occupancy, unless project funding requirements are longer.

This revision changes the total unit count from 152 to 156 and changes the unit breakdown as follows: From 11% of the units (14 units) serving households at or below 30% MFI to 9% of the units (14 Units); from 36% of the units (55 units) serving households at or below 50% MFI to 36% of the units (56 units); from 44% of the units (67 units) serving households at or below 60% MFI to 45% of the units (70 units); and the remaining 16 units at market rate remains unchanged.

The applicant has submitted evidence that concerns of the neighborhood residents are being addressed therefore the project is eligible to receive fee waivers associated with the zoning application.

NHCD certifies the proposed project meets the S.M.A.R.T. Housing requirements at the pre-submittal stage. Since 9% of the units (14 units) will serve households at or below 30% Median Family Income (MFI); 36% of the units (56 units) will serve households at or below 50% MFI; 45% of the units (70 units) will serve households at or below 60% MFI and the remaining 16 units are at market rate, the development will be eligible for 100% waiver of fees listed in Land Development Code, Chapter 25-1-704, as amended or other fees waived under a separate ordinance except for Austin Water Utility (AWU) Capital Recovery Fees. This development is not 100% in accordance with the requirements under the Texas Local Government Code, Chapter 395.16(g) and 42 U.S.C. Section 12745 (A)(1) as it relates to how housing qualifies as affordable housing and therefore the 16 market rate units are not eligible to receive AWU Capital Recovery Fee (CRF) waivers under the S.M.A.R.T. Housing Ordinance all other fees are still eligible to be waived. The expected fee waivers include, but are not limited to, the following fees:

AWU Capital Recovery Fees  
Building Permit  
Concrete Permit  
Electrical Permit  
Mechanical Permit  
Plumbing Permit

Site Plan Review  
Misc. Site Plan Fee  
Construction Inspection  
Subdivision Plan Review  
Misc. Subdivision Fee  
Zoning Verification

Land Status Determination  
Building Plan Review  
Parkland Dedication (*by separate ordinance*)

**Prior to issuance of building permits and starting construction, the developer must:**

- ◆ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Contact Austin Energy Green Building: 512-482-5300 or [greenbuilding@austinenergy.com](mailto:greenbuilding@austinenergy.com)).
- ◆ Submit plans demonstrating compliance with the required accessibility and adaptability standards.

**Before a Certificate of Occupancy will be granted, the development must:**

- ◆ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).
- ◆ Pass a final inspection to certify that the required accessibility and adaptability standards have been met.
- ◆ An administrative hold may be placed on the building permit, until the following items have been completed: 1) the number of affordable units have been finalized and evidenced through a sealed letter from project architect and/or engineer, 2) a Restrictive Covenant stating the affordability requirements and terms has been filed for record at the Travis County Clerk Office.

The applicant must demonstrate compliance with the reasonably-priced standard after the completion of the units or repay the City of Austin in full the fees waived for this S.M.A.R.T. Housing certification.

Please contact me by phone 512.974.3128 or by email at [Sandra.harkins@austintexas.gov](mailto:Sandra.harkins@austintexas.gov) if you need additional information.

Sincerely,



Sandra Harkins, Project Coordinator  
Neighborhood Housing and Community Development

Cc: Kristin Martinez, AE      Ellis Morgan, NHCD      Jonathan Orenstein, AWU  
Mashell Smith, ORS

PARTIAL RELEASE DESCRIPTION

DESCRIBING A TRACT OF LAND CONTAINING 0.39 OF AN ACRE IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF CHALMERS AVENUE (60' R.O.W.) OF THE PARTITION OF OUTLOTS #5 AND #6, DIVISION "O", AS SHOWN IN DISTRICT COURT CAUSE #3464, AS RECORDED IN MINUTE BOOK "K", PAGE 564, DISTRICT COURT RECORDS OF TRAVIS COUNTY, TEXAS, ADJOINING THE FOLLOWING TWO TRACTS OF LAND:

- 1) THE WEST LINE OF THAT CERTAIN 4.033 ACRE TRACT OF LAND DESCRIBED AS BEING A PORTION OF OUTLOT 6, DIVISION "O" OF THE TOPOGRAPHICAL MAP OF THE GOVERNMENT TRACT ADJOINING THE CITY OF AUSTIN, DATED 1840, OF RECORD IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAID 4.033 ACRE TRACT BEING FURTHER DESCRIBED AS BEING A PORTION OF THAT CERTAIN TRACT DESCRIBED AS TEX-1-1 IN AMENDED DECLARATION OF TRUST RECORDED IN VOLUME 853, PAGE 1, DEED RECORDS OF SAID COUNTY AND STATE,
- 2) THE EAST LINE OF THAT CERTAIN 4.037 ACRE TRACT OF LAND DESCRIBED AS BEING A PORTION OF OUTLOT 5, DIVISION "O" OF THE TOPOGRAPHICAL MAP OF THE GOVERNMENT TRACT ADJOINING THE CITY OF AUSTIN, DATED 1840, OF RECORD IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAID 4.037 ACRE TRACT BEING FURTHER DESCRIBED AS BEING A PORTION OF THAT CERTAIN TRACT DESCRIBED AS TEX-1-1A IN AMENDED DECLARATION OF TRUST RECORDED IN VOLUME 853, PAGE 1, DEED RECORDS OF SAID COUNTY AND STATE,

SAID 0.39 OF AN ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 5/8" iron rod with plastic cap marked "RL SURVEYING" at the southeast corner of said 4.037 acre tract, as shown on a survey map by Clifton Seward, dated June 6, 2017, same being in the west right-of-way line of said Chalmers Avenue and in the north right-of-way line of East 3<sup>rd</sup> Street (60' R.O.W.);

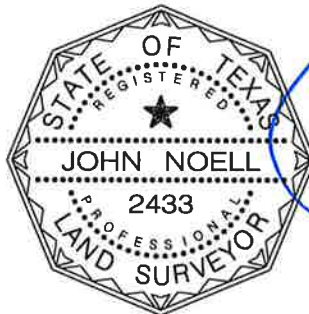
THENCE, with the west line of said Chalmers Avenue, same being the east line of said 4.037 acre tract, N20°38'16"E, 282.03 feet to a 5/8" iron rod with plastic cap marked "RL SURVEYING" at the northeast corner of said 4.037 acre tract, as shown on said survey map, same being in the south right-of-way line of East 4<sup>th</sup> Street (R.O.W. varies);

THENCE, crossing said Chalmers Avenue and with the south line of said East 4<sup>th</sup> Street, S69°40'51"E, 60.00 feet to a 5/8" iron rod with plastic cap marked "RL SURVEYING" at the northwest corner of said 4.033 acre tract, as shown on said survey map, same being in the east line of said Chalmers Avenue;

THENCE, with the east line of said Chalmers Avenue, same being the west line of said 4.033 acre tract, S20°38'16"W, 282.04 feet to a calculated point at the southwest corner of said 4.033 acre tract, as shown on said survey map, same being in the north right-of-way line of said East 3<sup>rd</sup> Street;

THENCE, crossing said Chalmers Avenue and with the north line of said East 3<sup>rd</sup> Street, N69°40'35"W, 60.00 feet to the POINT OF BEGINNING and containing 0.39 of an acre of land.

Field Notes Prepared by:  
Dunaway/UDG  
5707 Southwest Parkway  
Building 2, Suite 250  
Austin, Texas 78735  
(512) 306-8252  
TBPLS 10065900



  
John Noell, R.P.L.S. #2433

January 30, 2020  
Date

Map attached.

Basis of Bearings: The bearing shown are based on the Texas State Plane Coordinate System, Central Zone (4203) NAD83, as shown on a survey map by Clifton Seward, dated June 6, 2017.

References: TCAD: 02 0408  
Austin Grid: K-21



EAST 4TH STREET  
(R.O.W. VARIES)

S69°40'51"E  
60.00'

CHALMERS AVENUE PROPOSED  
TO BE VACATED; P.U.E. AND  
ACCESS EASEMENT TO BE  
RETAINED BY THE CITY OF  
AUSTIN

DISTRICT COURT CAUSE #3464  
MINUTE BOOK "K", PAGE 564  
D.C.R.T.C.T.

4.037 ACRES  
A PORTION OF OUTLOT 5  
DIVISION "O"  
TEX.-1-1  
VOL. 853, PG. 1  
D.R.T.C.T.

LEGEND

● 5/8" IRON ROD WITH PLASTIC  
CAP MARKED "RL SURVEYING"

▲ CALCULATED POINT

D.C.R.T.C.T. DISTRICT COURT RECORDS OF  
TRAVIS COUNTY, TEXAS

D.R.T.C.T. DEED RECORDS OF TRAVIS  
COUNTY, TEXAS

THE HOUSING AUTHORITY  
OF THE CITY OF AUSTIN  
1600 EAST 3RD STREET

N20°38'16"E  
282.03'

CHALMERS AVENUE  
(60' R.O.W.)

S20°38'16"W  
282.04'

4.033 ACRES  
A PORTION OF OUTLOT 6  
DIVISION "O"  
TEX.-1-1A  
VOL. 853, PG. 1  
D.R.T.C.T.

POINT OF  
BEGINNING  
F.N. #1550  
0.39 OF AN AC.

THE HOUSING AUTHORITY  
OF THE CITY OF AUSTIN  
300 CHICON STREET

N69°40'35"W  
60.00'

EAST 3RD STREET  
(60' R.O.W.)

CHALMERS STREET  
(60' R.O.W.)

*John Noell*

DATE 1-30-2020



TX Registered Engineering Firm #F-1114  
5707 SOUTHWEST PARKWAY  
BUILDING 2, SUITE 250  
AUSTIN, TX 78735  
PHONE: 512-306-8252  
TBPLS 10065900

DUNAWAY / UDG  
TBPLS 10065900

SCALE: 1"=50'

S:\Projects\Chalmers Court West-Site C - 18-979\CAD\Fld Note Sketches\Release-Vacate Chalmers Street.dwg

TOD-NP

TOD-NP

CONCHO ST

E 4TH ST

MF-4-NP

MF-4-NP

This portion of Chalmers.

E 3RD ST

MF-4-NP

GR-MU-CO-NP

SF-3-NP

SF-3-NP

CS-MU-CO-NP

SF-3-NP

COMAL ST

P-NP

CHALMERS AVE

CS

SF-3-NP

SALINA ST

CS-MU-CO-NP

CS-MU-CO-NP

CHICON ST

CS-NP

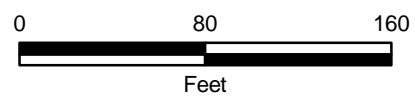
E 2ND ST

CS-MU-CO-NP

CS-MU-CO-NP

P-NP

SF-3-NP



Chalmers Court  
Tract B and C



Texas Registered Engineering Firm #E-1843  
3660 Stoneridge Rd., Suite E101  
Austin TX 78746  
Tel: 512.347.0040  
www.udg.com

# SITE PLAN FOR PATHWAYS AT CHALMERS COURTS WEST

## 1600 EAST 3RD AUSTIN, TX 78702

### LEGAL DESCRIPTION

*4.425 ACRES*

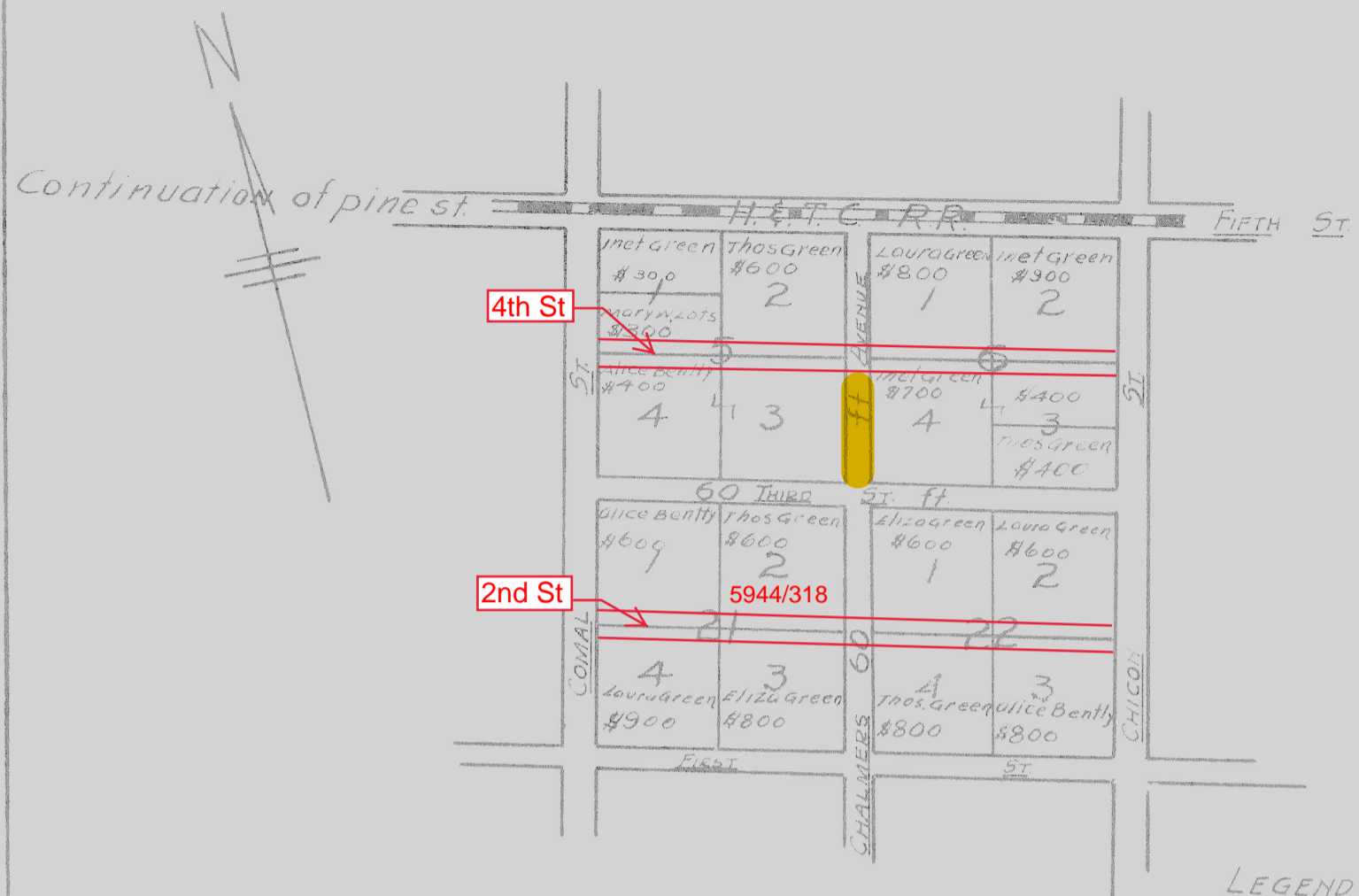
*BLOCKS 3 & 4  
OUTLOT 5, DIVISION "O"  
ORIGINAL CITY OF AUSTIN*

MAPSCO GRID K-21, PAGE 615C  
VICINITY MAP (NTS)



LADY BIRD LAKE WATERSHED  
URBAN WATERSHED

SUBDIVISION OF OUTLOTS 5-6-21 & 22 DIV. 'O' OF GOVT OUTLOTS AS COPIED FROM TRAVIS COUNTY DISTRICT COURT RECORDS EXHIBIT 'A'



LEGEND: - CHALMERS AVENUE - Street names as used in 1934.

TRACERS NOTE  
Traced from Travis county District Court Records Minute Book K. Page 565 for City of Austin Engineering Dept By J.M. Mitchell Feb. 26<sup>th</sup> 1934

November 6th, 1897

K. N. Lane and Wife vs. Eliza Chalmers Green Et. al. for Partition of Estate of Thomas & Mary Green. To the District Court of Travis Co. Your Commissionere who were appointed at the last term of your honorable court, to pition and divide the property mentioned on the decree belonging to the estate of Thomas Green & his wife Mary W. Green among the heirs of Thomas and Mary they leave to report, that they have proceeded to partition said property named among said heirs but in order that they might make the division thereof more equil, as authorized by the said decree. They ran through the forty acre Block adjoinnt the City of Austin on the East the same being 10 acre lots No.s 5 & 6 & 21 & 22 in Division "O" of the Outlot adjoining said City Two Streets sixty ft wide the same running through the center of said 40 acre Block from its Northern & Southern & Eastern & Western Sides at right angle with the line of said survey or lots And that throun the center of each of these subdivisions Made by the said streets they ran lines from the North & south & East & West sides of the same at right angle with the Outer lines of said subdivision This making in each of said subdivisions four smaller subdivisions Which they numbered in each as one two three & four and containing each near two and one half acres all of which is shown by the Plat thereof and of the Surrounding St Marked A and attached hereto and Made a part hereof

Cause No 7464

Book K, Civil Minutes Page 566