

CITY OF AUSTIN - R.O.W. VACATION

MASTER COMMENT REPORT



As of: October 03, 2023

PROJECT NUMBER: 2023-033877 LM

PROJECT NAME: 2023-03387 LM (5403 Clay Avenue)

LOCATION: 5403 CLAY AVE, AUSTIN, TX 78756

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM Astound				
Approved	Carlos Delgado	(512) 974-7079	04/17/2023	<b>04/17/2023</b>

**Comments:** Astound doesn't have any aerial or underground plant at 5403 Clay Avenue. We have no objections and no conditions on the release of this easement. Carlos Delgado - carlos.delgado@astound.com

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LM AT&T (SWBT)

<b>Approved With Conditions</b>	Pamela Johnson	(512) 974-7079	05/15/2023	<b>05/15/2023</b>
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**Comments:** AT&T approves with the agreement that any damages or relocation of our facilities is paid for by the applicant/owner/contractor. If you need to relocate any lines please call to Initiate a CWO please call into the department voicemail box at 1-855-581-9891 and leave message. someone will return your call.  
Pamela Johnson pb9891@att.com

**Acknowledged, will comply.**

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LM ATD Review

**Rejected**

(512) 974-7614

04/19/2023

**Comments:** Information requested by TDS Division in ATD has not been provided

**Approved With Conditions**

(512) 974-7614

07/24/2023

**07/24/2023**

**Comments:** ROW vacation with conditions letter is in the attachments

Acknowledged, will comply.

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### LM Austin Resource Recovery Review

<b>Approved</b>	Michael Zavala	(512) 974-1837	04/15/2023	<b>04/15/2023</b>
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**Comments:** I approve of this vacation.

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**LM AW Infrastructure Management**

<b>Rejected</b>	Eli Pruitt	512-972-0493	04/11/2023	
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**Comments:** Austin Water (AW) does not recommend the requested Right of Way (R.O.W.) Vacation at this time. The request is better described as being 0.112 Acres (4,858 Square Feet), being a portion of that certain Clay Avenue (40-foot R.O.W.) adjacent to Block 3, Broadacres Subdivision, a Subdivision of Record in Volume 3, Page 135, of the Plat Records of Travis County, Texas, and with an address of 5401 Burnet Road, Austin, TX 78756.

There is an existing 6-inch Wastewater line, 6-inch Polyvinyl Chloride (PVC) water line, 8-inch PVC water line, and water valve within the requested Right of Way Vacation. The vacation can be reconsidered after the (1) AW Infrastructure has either been relocated or abandoned and accepted by Austin Water (AW). (2) As-built records documenting abandonment or relocation will need to be received and (3) as-built records approved by AW Infrastructure Records.

<b>Approved</b>	Eli Pruitt	512-972-0493	04/26/2023	<b>04/26/2023</b>
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**Comments:** Austin Water (AW) has no objections to the requested Right of Way (R.O.W.) Vacation. The request is better described as being 0.112 Acres (4,858 Square Feet) and 0.121 Acres (5,273 Square Feet) being a portion of that certain Clay Avenue (40-foot R.O.W.) adjacent to Block 3, and adjacent to Lots 1-4, Block 5 Broadacres Subdivision, a Subdivision of Record in Volume 3, Page 135, of the Plat Records of Travis County, Texas, and with an address of 5403 Clay Avenue, Austin, TX 78756.

Applicant has stated in application letter that they will end ROW Vacation process with an easement, then submit a D Permit to relocate all utilities, and then submit an easement release for said easement.

**Acknowledged, will comply.**



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LM Capital Metro

Approved	Ron Foster	(512) 974-7079	03/28/2023	<b>03/28/2023</b>
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**Comments:** Thank you for reaching out to Capitol Metro. I have reviewed the Encroachment Application and Capitol Metro approves this Encroachment Application with no exceptions. If you have any questions, please reach out to me.  
Thanks  
Ron Foster

Hi Ron,  
This is a right of way vacation - not an encroachment agreement. Is CapMetro ok with the street going away just in this small area? Buses would come off Burnet Road down Houston then turn on Clay. (Not sure if there is a route that goes down Clay or Houston). I want to add your comments, but want to make sure you realize the right of way will be vacated.  
Thank you,  
Mashell

Good afternoon ,  
I understand we do not have service that utilize Houston St .  
Ron Foster (pronouns:he/him)  
Transportation Planner I , CapMetro  
P: 512-389-7565 | M: 512-417-6387  
W: capmetro.org  
A: 2910 E 5th Street

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LM Drainage Engineering Review

<b>Rejected</b>			04/04/2023	
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**Comments:** LM DE1. There is an active 8 $\frac{1}{2}$ x8 $\frac{1}{2}$  drainage pipe that runs along Clay Ave that is used for upstream connectivity. There is no mention of this anywhere in the letter or plan. Please clarify and show the location of existing and proposed storm drain infrastructure located within the street/alley vacation area.

<b>Approved</b>			04/12/2023	<b>04/12/2023</b>
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**Comments:** None

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**LM Electric Review**

<b>Approved With Conditions</b>		512-322-6754	04/25/2023	<b>04/25/2023</b>
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**Comments:** Google Fiber will repair their own facilities, and back charge the entity that damaged if possible. Google Fiber does not charge the City crews. sferguson@entrustsol.com - Samantha Ferguson

Acknowledged, will comply.

<b>Approved With Conditions</b>		512-322-6754	04/14/2023	<b>04/25/2023</b>
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**Comments:** AE will release the ROW if the applicant retains the ROW as an Electric Easement on Clay Ave until the facilities are removed. Once removal of facilities is completed, the easement may be released.

Acknowledged, will comply.

**LM EMS Review**

<b>Approved</b>	Milissa Warren	(512)972-7234	04/15/2023	<b>04/15/2023</b>
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**Comments:** EMS will support staff recommendations on this request.

Acknowledged, will comply.

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**LM Fire For Site Plan Review**

<b>Rejected</b>	Tom Migl	512-974-0164	04/28/2023	
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**Comments:** Based on the plan provided the ROW vacation will support a midrise development as such the boundary shall be improved in accordance with TCM standards that are commensurate with the proposed structure. Please coordinate with ATD for ROW dedication with this vacation in support of the attached level 1 - 64' ROW street. Please confirm with a circulation plan to AFD and ATD.

<b>Approved With Conditions</b>	Tom Migl	512-974-0164	09/06/2023	<b>09/06/2023</b>
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**Comments:** Please see sent document for conditions

Acknowledged, will comply.

**LM GAATN Review**

<b>Approved</b>		(512) 974-6513	04/10/2023	<b>04/10/2023</b>
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**Comments:** None

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LM Google Fiber Texas

<b>Approved With Conditions</b>	Samantha Ferguson	(512) 974-7079	04/28/2023	<b>05/01/2023</b>
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**Comments:** Approved with conditions (Google Fiber will repair their own facilities, and back charge the entity that damaged if possible. Google Fiber does not charge the City crews.) Samantha Ferguson (sferguson@entrustsol.com)

Acknowledged, will comply.

<b>Approved With Conditions</b>	Samantha Ferguson	(512) 974-7079	05/01/2023	<b>05/01/2023</b>
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**Comments:** AT&T approves with the agreement that any damages or relocation of our facilities is paid for by the applicant/owner/contractor. If you need to relocate any lines please call to Initiate a CWO please call into the department voicemail box at 1-855-581-9891 and leave message. someone will return your call. Pamela Johnson (pb9891@att.com)

Acknowledged, will comply.

LM Mobility Bond Review

<b>Approved</b>	CPO Mobility Reviewers		04/11/2023	<b>04/11/2023</b>
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**Comments:** This has been cleared by CPO. This does not fall within the Corridor Construction Program Limits



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**LM PARD / Planning & Design Review**

Approved		512-974-9549	04/13/2023	<b>04/13/2023</b>
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Comments: None

**LM PAZ Long Range Planning Review**

Approved	Kathleen Fox	512-974-7877	03/27/2023	<b>03/27/2023</b>
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Comments: The R.O.W. vacation proposal of this section of Clay Avenue supports the Strategic Housing Blueprint, an amendment to the Imagine Austin Comprehensive Plan.

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**LM PAZ Zoning Review**

Approved		(512) 974-2953	04/05/2023	<b>04/05/2023</b>
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**Comments:** Request related to C14-2022-0140. Approved.

**LM PWD Sidewalks & Special Projects Review**

Approved With Conditions	Hyunsuk Kim		04/17/2023	<b>04/17/2023</b>
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**Comments:** Development should provide ADA ramps at SW and NW corners of Houston and Clay Ave. -per COA Engineer Hyunsuk Kim

Acknowledged, will comply.

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**LM PWD Urban Trails Review**

<b>Rejected</b>	Ann DeSanctis	(512) 974-3102	05/09/2023	
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**Comments:** Removing the grid at at new PHB crossing that connects people to the Shoal Creek trail does not support the "compact and connected" priority program outlined in Imagine Austin nor does it help Austinites stay healthy. Can a pedestrian/bike cut through be created through the building without vacating the ROW but still allowing the building to rise above? (See [https://www.google.com/maps/@30.2604771,-97.7252974,3a,75y,22.46h,92.16t/data=!3m7!1e1!3m5!1sU92MVwdAvbKhXFSWY2pbcg!2e0!6shttps:%2F%2Fstreetviewpixels-pa.googleapis.com%2Fv1%2Fthumbnail%3Fpanoid%3DU92MVwdAvbKhXFSWY2pbcg%26cb\\_client%3Dmaps\\_sv.tactile.gps%26w%3D203%26h%3D100%26yaw%3D25.994884%26pitch%3D0%26thumbfov%3D100!7i16384!8i8192](https://www.google.com/maps/@30.2604771,-97.7252974,3a,75y,22.46h,92.16t/data=!3m7!1e1!3m5!1sU92MVwdAvbKhXFSWY2pbcg!2e0!6shttps:%2F%2Fstreetviewpixels-pa.googleapis.com%2Fv1%2Fthumbnail%3Fpanoid%3DU92MVwdAvbKhXFSWY2pbcg%26cb_client%3Dmaps_sv.tactile.gps%26w%3D203%26h%3D100%26yaw%3D25.994884%26pitch%3D0%26thumbfov%3D100!7i16384!8i8192))

<b>Approved With Conditions</b>	Ann DeSanctis	(512) 974-3102	07/25/2023	<b>07/25/2023</b>
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**Comments:** Condition: Must confer with Urban Trails during Site Plan.

Acknowledged, will comply.

**LM PWD-OCE Review**

<b>Approved</b>		512-974-7029	04/14/2023	<b>04/14/2023</b>
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**Comments:** None

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LM Texas Gas Services

<b>Approved With Conditions</b>	Eduardo Gonzalez	(512) 974-7079	04/17/2023	<b>04/17/2023</b>
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**Comments:** Previous comments uploaded to Texas Gas in error - Texas Gas correct comments below.

Approved w/requirements - TGS has 3" and 4" gas main within the referenced area; the main will require to be relocated based on the concept map provided in the application. Please contact [newbusiness@onegas.com](mailto:newbusiness@onegas.com) to further coordinate for this relocation. I have attached system maps for this location for your reference.

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

Thank you,

**Acknowledged, will comply.**

Eduardo J. Gonzalez  
Engineer I  
W: 512-407-1596  
[eduardo.gonzalezhernandez@onegas.com](mailto:eduardo.gonzalezhernandez@onegas.com)

<b>Approved</b>	Eduardo Gonzalez	(512) 974-7079	03/28/2023	<b>04/17/2023</b>
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**Comments:** Astound doesn't have any aerial or underground plant at 5403 Clay Avenue. We have no objections and no conditions on the release of this easement.  
Carlos Delgado -[carlos.delgado@astound.com](mailto:carlos.delgado@astound.com)

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LM Time Warner Cable / Charter

<b>Approved With Conditions</b>	Charter Communications	(512) 974-7079	05/26/2023	<b>05/26/2023</b>
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**Comments:** Charter Spectrum approves this right of way vacation with the stipulation that the City of Austin retain a Public Utility easement over the envelope of the vacated area.  
 Bryan Galpin  
 Construction Supervisor  
 512.393.9882

**Acknowledged, will comply.**

**LM Urban Design Review**

No Comment		(512) 974-9363	03/29/2023	<b>03/29/2023</b>
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**Comments:** No review required

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LM Watershed Engineering Review

<b>Rejected</b>		512-974-2328	04/14/2023	
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**Comments:** Our records indicate there is existing storm drain infrastructure within the area of the requested ROW vacation. Please provide plans and documentation on existing and proposed stormwater infrastructure for the project.

<b>Rejected</b>		512-974-2328	09/29/2023	
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**Comments:** Rejecting again due to incorrect/accidental change to "approved with conditions". Original comment: Please provide plans and documentation on existing and proposed stormwater infrastructure for the project.

<b>Approved With Conditions</b>		512-974-2328	04/17/2023	<b>10/03/2023</b>
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**Comments:** Development should still provide ADA ramps for Southwest and Northwest corners of Houston and Clay Avenue per COA Engineer Hyunsuk Kim

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Approved With Conditions		512-974-2328	10/03/2023	10/03/2023

**Comments:** Approved under the condition that the required easements are dedicated and recorded. This easement will not be released until the existing storm system has been decommissioned or removed and any proposed storm drain associated with the site plan has been installed, inspected, and accepted by the city.

Acknowledged, will comply.