

## MEMORANDUM

**TO:** Michael Knox, Staff Liaison, Downtown Commission  
Economic Growth & Redevelopment Services Office

**FROM:** Jennifer Grant, Property Agent  
Land Management Section  
Office of Real Estate Services

**DATE:** May 15, 2013

**SUBJECT:** F# 9141-1211 Vacation of a portion of the Alley between Rainey Street and East Avenue and Driskill and Red River Streets (Adjacent to: 705 & 709 Driskill Street, 89 to 95 Rainey Street, and 90 to 94 IH-35).

An alley vacation request in the downtown area has been submitted by Danae Falvo, on behalf of Austin Rainey Street D/E/P, LLC.

Attached are the departmental comments and other information pertinent to the referenced alley vacation. **The area being requested for vacation will be used for an 8-story vertical mixed use development with structured parking.** All affected departments and private utility franchise holders have reviewed this request and recommend approval, **subject to area being retained as a drainage and public utility easement.**



Jennifer Grant, Property Agent  
Land Management Section  
Office of Real Estate Services

Attachments

DEPARTMENT COMMENTS FOR THE VACATION OF THE ALLEY  
BETWEEN RAINEY STREET AND EAST AVENUE AND DRISKILL AND RED RIVER  
STREETS.

(Adjacent to: 705 & 709 Driskill Street, 89 to 95 Rainey Street, and 90 to 94 IH-  
35).

AT&T	RETAIN AS A PUBLIC UTILITY EASEMENT
AUSTIN ENERGY	RETAIN AS A PUBLIC UTILITY EASEMENT
AUSTIN TRANSPORTATION DIRECTOR	APPROVE
AUSTIN WATER	RETAIN AS A PUBLIC UTILITY EASEMENT
CODE COMPLIANCE	APPROVE
CTM – GAATN	RETAIN AS A PUBLIC UTILITY EASEMENT
EMS	APPROVE
FIRE	APPROVE
GRANDE COMMUNICATIONS	APPROVE
PLANNING & DEVELOPMENT REVIEW (Land Use Review-Engineering)	RETAIN AS A DRAINAGE EASEMENT
PLANNING & DEVELOPMENT REVIEW (Land Use Review-Transportation)	APPROVE
PLANNING & DEVELOPMENT REVIEW (Neighborhood Planning)	REFER TO PLANNING COMMISSION
PLANNING & DEVELOPMENT REVIEW (Urban Design)	APPROVE
PLANNING & DEVELOPMENT REVIEW (Zoning Review)	APPROVE
PUBLIC WORKS DIRECTOR	APPROVE
AUSTIN RESOURCE RECOVERY	APPROVE
TEXAS GAS SERVICES	APPROVE
TIME WARNER	RETAIN AS A PUBLIC UTILITY EASEMENT
WATERSHED PROTECTION	RETAIN AS A DRAINAGE EASEMENT



METCALFE WOLFF  
STUART & WILLIAMS, LLP

DANAE R. FALVO  
Senior Development Planner

(512) 404-2248  
dfalvo@mwswstexas.com

November 26, 2012

Ms. Jennifer Grant  
Property Agent  
City of Austin  
Office of Real Estate Services  
505 Barton Springs Road, Floor 13  
Austin, Texas 78704

Re: Request for Alley Vacation; Alley adjacent to 705 and 709 Driskill Street, 95 to 89 Rainey Street, and 90 to 94 Interstate Highway 35 (the "Property")

Ms. Grant:

As representatives of the prospective buyer of the Property referenced above, we respectfully submit the attached Application for Alley Vacation. A city-zoning map highlighting the proposed project area as well as the alley to be vacated is enclosed.

The area to be vacated and the adjacent properties are part of the Driskill & Rainey Subdivision (attached). As shown on the attached zoning map, the properties adjacent to the alley are currently zoned Central Business District (CBD). However, the property is not located within the CBD boundaries. The alley is currently open from Driskill Street to River Street and is in disrepair. The adjacent properties are developed with houses which have been converted for commercial uses. Preliminary research shows underground and overhead utilities are located within the alley. Once vacated, the utilities will be relocated and/or abandoned as appropriate.

An 8-story vertical mixed use development with structured parking is proposed for the alley and adjacent properties. The proposed project will not be a S.M.A.R.T. Housing project. A site plan has not yet been submitted for the proposed development. All parking and traffic related matters will be addressed during the site plan review.

We have been working closely with the Rainey Neighbors Association on the proposed project. The Association is in full support of the proposed development. If you have any questions about the request or need additional information about the proposed project, please feel free to contact us.

Very Respectfully,

A handwritten signature in cursive script that reads "Danae R. Falvo".

Danae R. Falvo

Enclosure

File No. 9141-1211 Application for Street or Alley Vacation DATE: 11.28.12  
 Department Use Only Department Use Only

**TYPE OF VACATION**

Type of Vacation: Street: \_\_\_\_\_; Alley: X; ROW \_\_\_\_\_ Hundred Block: —  
 Name of Street/Alley/ROW: See attached field notes Is it constructed: (Yes) No  
 Property address: 705 & 709 DRISKILL; 95-89 RAINEY; 90-94 IH35  
 Purpose of vacation: PROPOSED DEVELOPMENT

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

Parcel #: SEE ATTACHED  
 Survey & Abstract No.: N/A  
 Lot(s): See below Block: 2 Outlot: —  
 Subdivision Name: DRISKILL & RAINEY  
 Plat Book 1 Page Number 22 Document Number —  
LOTS: 1-4, W 37.8 Ft of Lot 5, E 46.73 Ft of Lot 6, 7-9, and N 8 Ft of Lot 10  
 Neighborhood Association Name: RAINEY NEIGHBORS ASSOCIATION  
 Address including zip code: 603 DAVIS STREET #1406 AUSTIN 78701

**RELATED CASES**

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

**PROJECT NAME, if applicable:**

Name of Development Project: Millennium Rainey Street  
 Is this a S.M.A.R.T. Housing Project (circle one): YES / (NO)

**OWNER INFORMATION SEE ATTACHED**

Name: \_\_\_\_\_ (as shown on Deed)  
 Address: \_\_\_\_\_ Phone: ( ) \_\_\_\_\_ Fax No.: ( ) \_\_\_\_\_  
 City: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Contact Person/Title: \_\_\_\_\_ Cell Phone: ( ) \_\_\_\_\_  
 Email Address: \_\_\_\_\_  
 (If multiple owners are joining in this request – complete names, addresses on each, must be attached.)

**APPLICANT INFORMATION**

Name: DANAE R. FALVO  
 Firm Name: METCALPE WOLFF STUART & WILLIAMS  
 Address: 301 CONGRESS SUITE 1200 AUSTIN  
 City: AUSTIN State: TX Zip Code: 78701  
 Office No.: (512) 404 2248 Cell No.: (512) 529 5633 Fax No.: (512) 404 2244  
 EMAIL ADDRESS: dfalvo@mwswtexas.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: Danae R Falvo  
 Landowner/Applicant

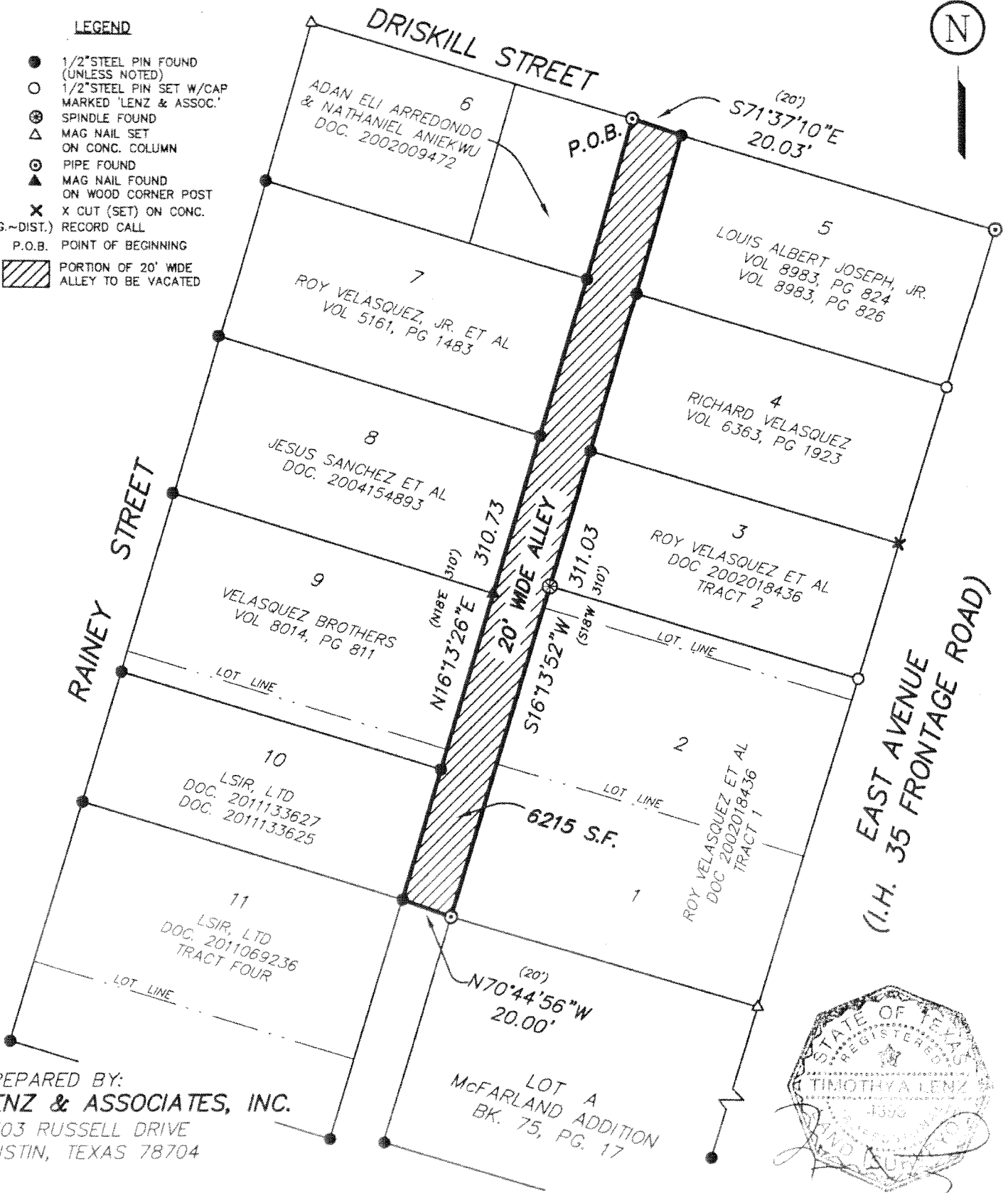
# MAP TO ACCOMPANY FIELD NOTES

PORTION OF A 20 FOOT WIDE ALLEY  
 BLOCK 2, DRISKILL'S AND RAINEY'S SUBDIVISION OF PART OF OUTLOTS 72 AND 73,  
 DIVISION E, AUSTIN, TEXAS, KNOWN AS "SOUTH EAST END", BOOK 1, PAGE 22,  
 PLAT RECORDS OF TRAVIS COUNTY, TEXAS

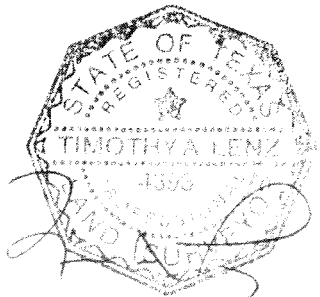


## LEGEND

- 1/2" STEEL PIN FOUND (UNLESS NOTED)
- 1/2" STEEL PIN SET W/CAP MARKED 'LENZ & ASSOC.'
- ⊙ SPINDLE FOUND
- △ MAG NAIL SET ON CONC. COLUMN
- ⊙ PIPE FOUND
- ▲ MAG NAIL FOUND ON WOOD CORNER POST
- ✕ X CUT (SET) ON CONC. RECORD CALL (BRG.~DIST.)
- P.O.B. POINT OF BEGINNING
- PORTION OF 20' WIDE ALLEY TO BE VACATED

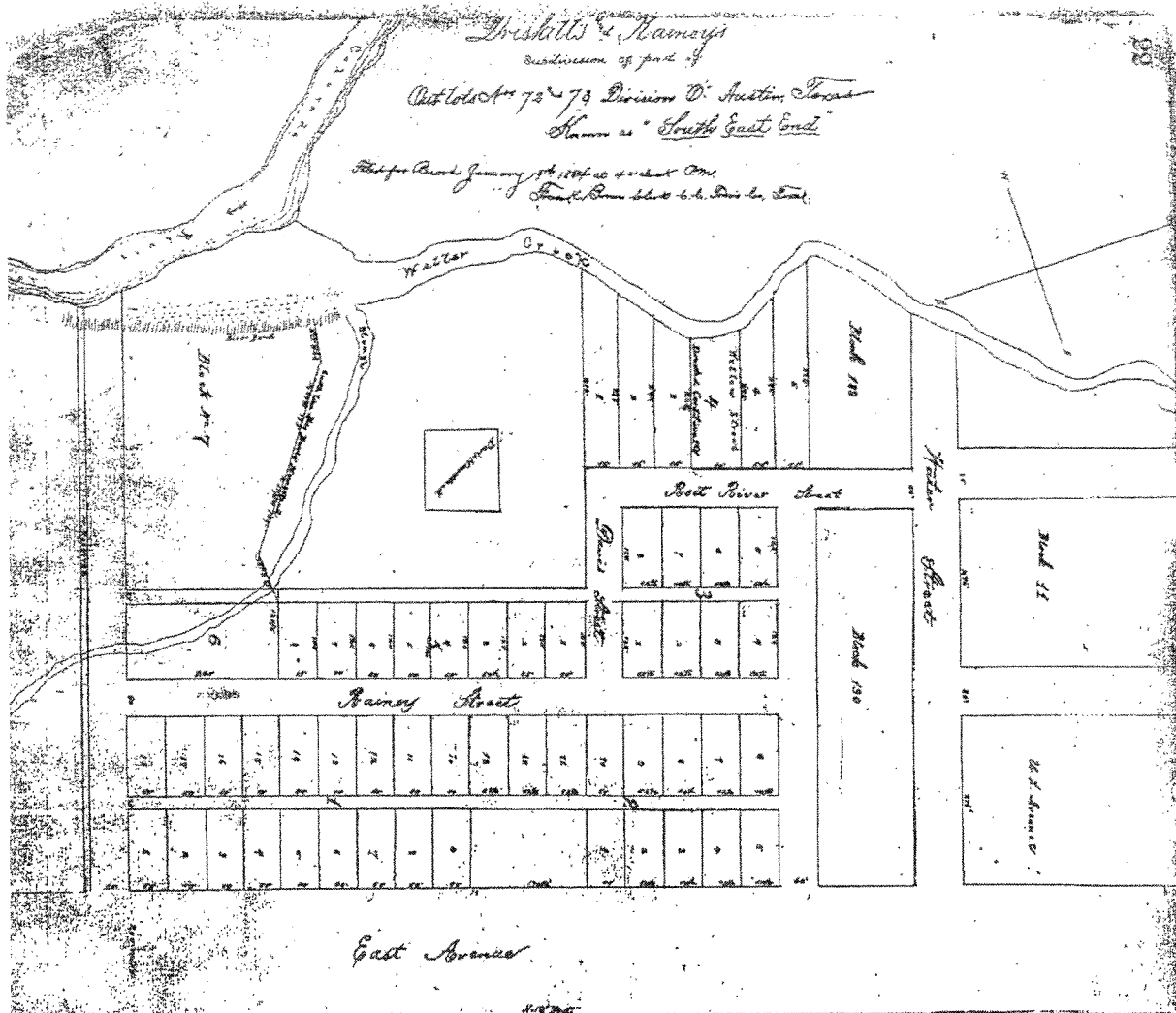


PREPARED BY:  
**LENZ & ASSOCIATES, INC.**  
 4303 RUSSELL DRIVE  
 AUSTIN, TEXAS 78704



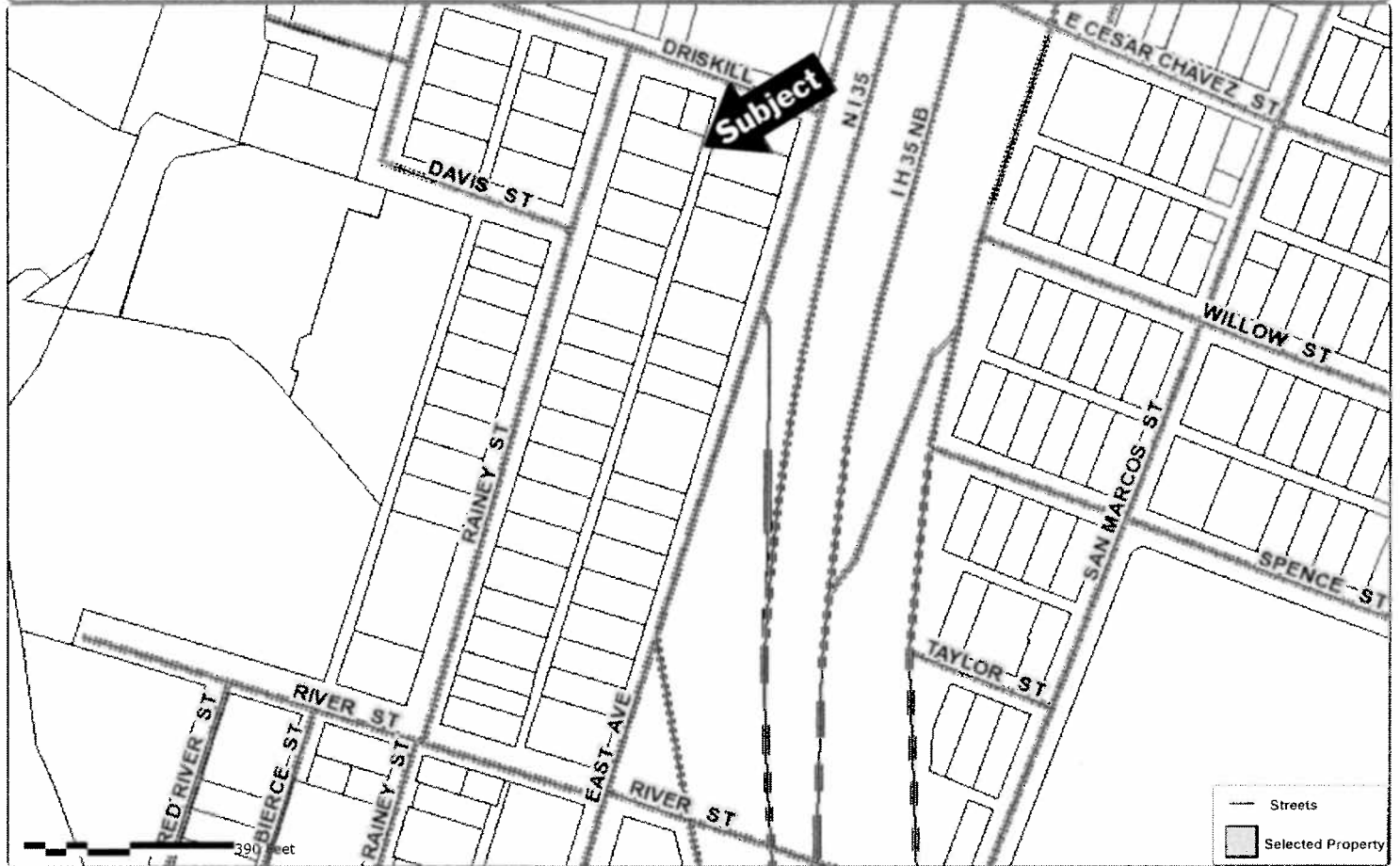
2-27-12

Austin Data Inc. GR ADI12648 TR 10022.001



Vol. 1  
 Austin, Texas, June 24, 1885  
 I do hereby certify that the above  
 and upon of the State of Texas as being  
 with them appears from the books  
 of the office that occurring to the books  
 in the office of the County Clerk  
 and accuracy of the same was ascertained  
 and returned to me by the City Clerk  
 in witness whereof I have hereunto set  
 my hand and official seal this 24th day of  
 June 1885.  
 Frank B. ...  
 City Clerk

## Travis CAD - Map of Property ID 190902 for Year 2013



### Property Details

#### Account

Property ID: 190902

Geo ID: 0203031021

Type: Real

Legal Description: W 37.8FT OF LOT 5 BLK 2 OLT 72-73 DIV E DRISKILL & RAINEY SUBD

#### Location

Situs Address: 709 DRISKILL ST TX 78701

Neighborhood: #CBD

Mapsco: 615B

Jurisdictions: 0A, 01, 02, 03, 2J, 68, 3L

#### Owner

Owner Name: AUSTIN RAINEY ST D/E/P LLC

Mailing Address: , 3411 RICHMOND AVE STE 200, HOUSTON, TX 77046-3412

#### Property

Appraised Value: \$318,921.00

<http://propaccess.traviscad.org/Map/View/Map/1/190902/2013>

powered by:  
**PropertyACCESS**  
www.trustatinformation.com

Map Disclaimer: This tax map was compiled solely for the use of TCAD. Areas depicted by these digital products are approximate, and are not necessarily accurate to mapping, surveying or engineering standards. Conclusions drawn from this information are the responsibility of the user. The TCAD makes no claims, promises or guarantees about the accuracy, completeness or adequacy of this information and expressly disclaims liability for any errors and omissions. The mapped data does not constitute a legal document.

