

Glasscock, Amanda

From: William [REDACTED]
Sent: Friday, April 18, 2014 3:43 PM
To: CLMD Land Management
Subject: Proposed Alley and Street Vacations, F#9156-1301 and F#9157-1301

Eric J. Hammack, Property Agent Senior
Land Management Section
Office of Real Estate Services

Mr. Hammack,

Pursuant to the response period requirements in the attached notification letter, I hereby object to the proposed Alley and Street Vacations, F#9156-1301 and F#9157-1301.

Please let me know if you have any questions.

Cordially,

William Burkhardt
802 Christopher St.
Parcel ID 0102010202

William Burkhardt AIA
brkartstudio
ph. 512-448-9573
mob. 512-750-6580
[REDACTED]

Glasscock, Amanda

From: Bruce Hammond [REDACTED]
Sent: Saturday, April 19, 2014 9:38 AM
To: CLMD Land Management
Subject: F#9156-1301 and F#9157-1301 - alley & street vacation

Attn: Eric J Hammock, Property Agent Senior

Dear Mr Hammock,

As one of the owners of the surrounding property, I strongly object to the proposed alley & street vacation requested by Eduardo Garza of PSW Real Estate, on behalf of 1st Street Highland, L.P.

Sincerely,

Richard Bruce Hammond
1005 S. 3rd St
Austin, TX 78704

Glasscock, Amanda

From: Tom Hurt [REDACTED]
Sent: Sunday, April 20, 2014 11:56 PM
To: CLMD Land Management
Subject: FW: F#9157-1301 F#9157-1301 , proposed Vacations of portions of Christopher Street, S 2nd Street and Copeland Street
Attachments: Scan 1.pdf

To : The City of Austin
Office of Real Estate Services
Eric J. Hammack, Property Agent Senior
505 Barton Springs Road , STE 1350
Austin, TX 78704

RE: F#9156-1301 Vacation of a portion of South 2nd Street and portions of an Alley north of Copeland as requested by Eduardo Garza of PSW Real Estate;

RE: F#9157-1301 Proposed Vacation of a portion of Christopher Street as requested by Eduardo Garza of PSW Real Estate;

Dear City of Austin, Office of Real Estate Services,

My wife and I manage and own all interests in an LLC company that owns the property at 800 Christopher Street, Austin (78704). We are affected neighbors regarding the proposed vacation of the portions of Christopher Street (F#9157-1301) , south 2nd Street and Copeland Streets (F#9157-1301). We would like to, with this letter, clearly state **our objection** to these R.O.W. Vacations F#9157-1301 and F#9157-1301 , and we ask that the City not proceed with or grant the Vacations.

Please see attached scan of signed letter for your reference as well as a scan of the notice that the City sent to us regarding this matter.

Respectfully, Tom Hurt
Manager, Cumberland Fifth LLC

A Texas Limited Liability Company which owns the property at 800 Christopher Street, Austin Texas 78704.

CUMBERLAND FIFTH, LLC

PO Box 1427
Austin, Texas 78767
p 512_473-0123

To: The City of Austin
Office of Real Estate Services
505 Barton Springs Road , STE 1350
Austin, TX 78704

April 20, 2014

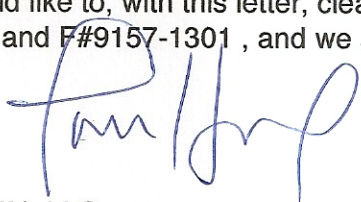
RE: F#9156-1301 Vacation of a portion of South 2nd Street and portions of an Alley north of Copeland as requested by Eduardo Garza of PSW Real Estate;

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Respectfully, Tom Hurt
Manager, Cumberland Fifth LLC



A Texas Limited Liability Company which owns the property at 800 Christopher Street, Austin Texas 78704.



City of Austin

OFFICE OF REAL ESTATE SERVICES

Land Management Section: One Texas Center, 505 Barton Springs Road, Ste. 1350
Austin, Texas 78704; Telephone (512) 974-7090; Fax (512) 974-7088

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

No.: 7010 0290 0002 4911 0802

April 11, 2014

PUBLIC NOTICE FOR ALLEY & STREET VACATION

A request has been submitted by Eduardo Garza of PSW Real Estate, on behalf of 1st Street Highland, L.P. for:

F#9156-1301 – Vacation of a 4,646 sq. ft. portion of South 2nd Street; and a 5,996 sq. ft. portion of South 2nd Street; and a 2,184 sq. ft. portion of an Alley north of Copeland, between South 1st & South 2nd. (Adjacent to 900 S. 1st Street). The areas to be vacated will be re-subdivided and re-developed for single family residential and condominium purposes.

F#9157-1301 – Vacation of a 8,200 sq. ft. portion of Christopher Street, between the south line of Block 2 and the North line of Block 3, Oak Cliff Addition Subdivision, recorded in Vol. 3, Pg. 81, TCPR. The area to be vacated will be re-subdivided and re-developed for single family residential and condominium purposes.

As one of the owners of the surrounding property, the City of Austin is advising you of the proposed street and alley vacations. If you have any objection to the proposed vacation, you have 10 days from the date of this letter to notify this Department in writing via Fax, Email or US Mail.

Please send your correspondence to:

Fax #: 974-7088 Email: landmanagement@austintexas.gov

US Mail:
City of Austin
Office of Real Estate Services Department
505 Barton Springs Road, Suite 1350
Austin, TX. 78704
Attn: Eric J. Hammack

If you have any questions concerning the proposal, you may contact me at 974-7079.

Sincerely,

Eric J. Hammack, Property Agent Senior
Land Management Section
Office of Real Estate Services

Glasscock, Amanda

From: Scott McNearney [REDACTED]
Sent: Monday, April 21, 2014 7:38 PM
To: CLMD Land Management; Hammack, Eric; eric.j.hammack@austintexas.gov
Cc: Melanie McNearney; [REDACTED]; William; Kevin Lewis; Zavala, Cesar; Shashoua, Marilyn; Scott, Randy
Subject: OBJECTION to partial vacation of Christopher St by PSW developer
Attachments: Christopher St vacation request PSW 4.11.14.pdf
Importance: High

Mr Hammack,

I object to the partial vacation of Christopher St by PSW. This is directly adjacent to my property at 1001 S 3rd St. Please record this objection and notify us of any following hearings, changes, etc. This vacation SHOULD NOT move forward as proposed.

Reasons for my objection include:

1. This vacation request has PSW trying to vacate more than 50% of the Christopher St easement which they are not allowed to do by code.
2. The Austin Parks Dept (PARD) have requested (as they are allowed to do by code) that PSW donate a portion of land for a trail through PSW's property for parkland connectivity and that portion should be relative to the property that PSW controls now. The land donation should be completed to all interested parties satisfaction before any easement vacation consideration should take place. Interested parties include adjacent residents, Austin PARD and the Bouldin Creek Neighborhood Association.
3. I am almost certain that the land they show in their vacation request runs well into the center of East Bouldin Creek and therefor SHOULD NOT be shown as a portion "given back to Austin PARD" after it might be vacated and likely is partially in the creek bed (which is a bad bad deal for PARD).
4. As a property owner immediately across the easement, I should have an option to consider purchasing on the other 50% of the creek easement. My 50% option includes some of the land that PSW is including in their vacation notice which is wrong. PSW cannot be granted an easement vacation and buyout for more than 50% of the easement!

Note also that we didn't receive a notice on this, a neighbor told us about it and sent us the attached scan.

Please file this objection and let me know what next steps are to stop this errant request by PSW.

Best Wishes,

Scott McNearney
1001 S 3rd St
512-769-1536



City of Austin

OFFICE OF REAL ESTATE SERVICES

Land Management Section: One Texas Center, 505 Barton Springs Road, Ste. 1350
Austin, Texas 78704; Telephone (512) 974-7090; Fax (512) 974-7088

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

No.: 7010 0290 0002 4911 1748

April 11, 2014

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Please send your correspondence to:

Fax #: 974-7088 Email: landmanagement@austintexas.gov

US Mail:
City of Austin
Office of Real Estate Services Department
505 Barton Springs Road, Suite 1350
Austin, TX. 78704
Attn: Eric J. Hammack

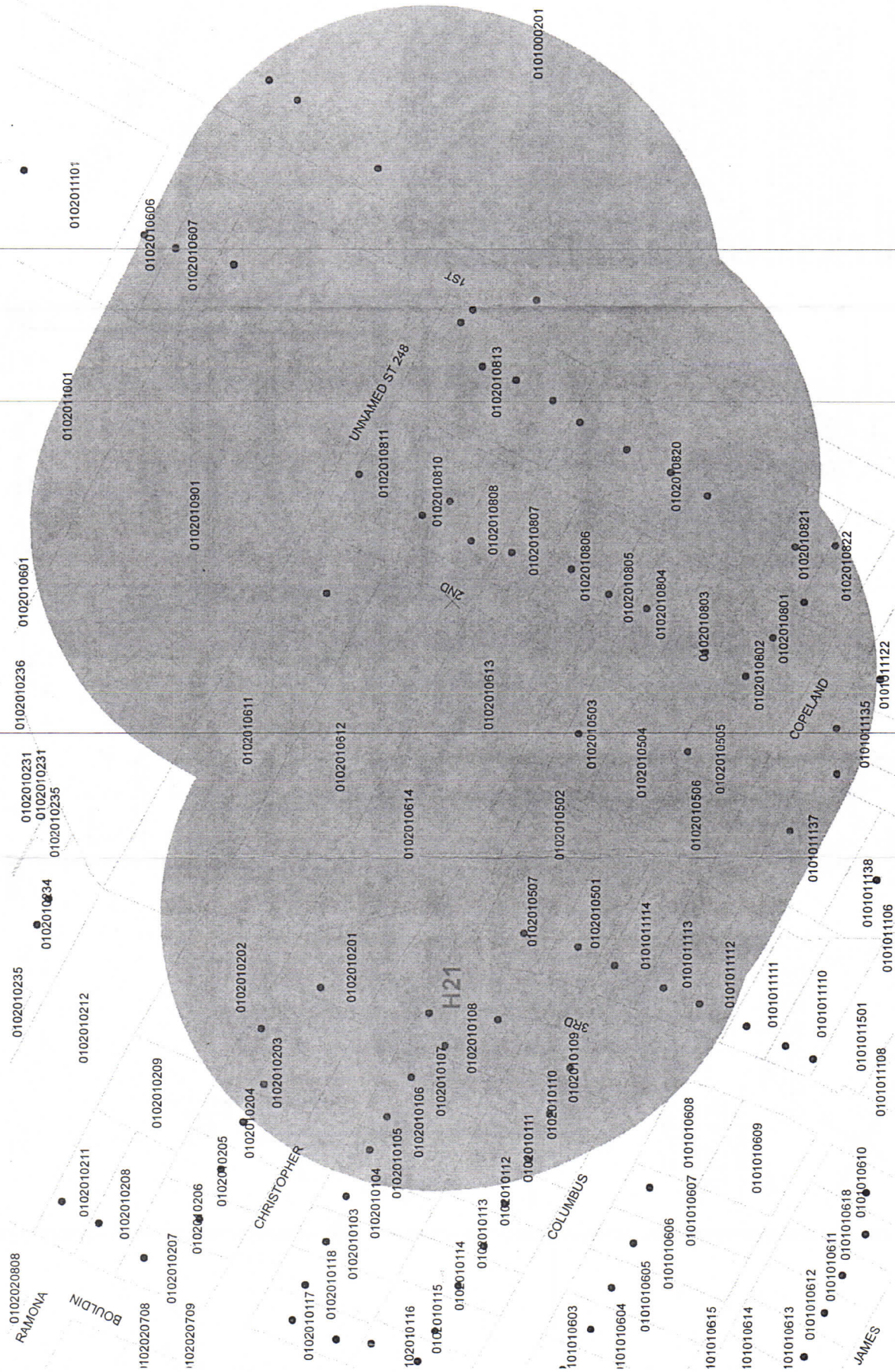
If you have any questions concerning the proposal, you may contact me at 974-7079.

Sincerely,

Eric J. Hammack, Property Agent Senior
Land Management Section
Office of Real Estate Services

SURVEY MAP TO ACCOMPANY FIELD NOTE
FILED IN THE PUBLIC RECORDS OF THE
COUNTY OF TRAVIS, TEXAS
ABSTRACT NO. 8 IN TRAVIS COUNTY, TEXAS
AS FOLLOWS:

TRACT A:
 4,646 SQUARE FEET OF LAND BEING AN
 EIGHTEEN FEET (18') WIDE STRIP OF
 LAND LYING ALONG THE NORTH LINE
 OF THE ABE WILLIAMS SUBDIVISION,
 7.7, AND THE EAST LINES OF
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Glasscock, Amanda

From: Melanie McNearney [REDACTED]
Sent: Monday, April 21, 2014 7:47 PM
To: Scott McNearney
Cc: CLMD Land Management; Hammack, Eric; eric.j.hammack@austintexas.gov; Nolan McNearney; William; Kevin Lewis; Zavala, Cesar; Shashoua, Marilyn; Scott, Randy
Subject: Re: OBJECTION to partial vacation of Christopher St by PSW developer

Mr. Hammack,

This is very concerning to the adjacent neighbors and seeing that we, who are immediately adjacent to the easement were not notified, leaves me concerned that others were not as well.

I feel all neighbors within boundaries should be notified and given the full 10 days to respond as we were just told about this 3 days ago while we were out of town. The neighbor who notified us had only received his notice on the 16th of April.

I have talked with neighbors nearby and they would also like a chance to weigh in on this and have their voices be heard.

I'd like to see a new deadline with notices sent out to everyone.

Please note that I too highly object to this as per the reasons listed below and would like to be notified of any other request from PSW to the city as we are within the boundaries to be notified.

Thank you for your time,

On Mon, Apr 21, 2014 at 7:38 PM, Scott McNearney [REDACTED] wrote:
Mr Hammack,

I object to the partial vacation of Christopher St by PSW. This is directly adjacent to my property at 1001 S 3rd St. Please record this objection and notify us of any following hearings, changes, etc. This vacation SHOULD NOT move forward as proposed.

Reasons for my objection include:

1. This vacation request has PSW trying to vacate more than 50% of the Christopher St easement which they are not allowed to do by code.
2. The Austin Parks Dept (PARD) have requested (as they are allowed to do by code) that PSW donate a

portion of land for a trail through PSW's property for parkland connectivity and that portion should be relative to the property that PSW controls now. The land donation should be completed to all interested parties satisfaction before any easement vacation consideration should take place. Interested parties include adjacent residents, Austin PARD and the Bouldin Creek Neighborhood Association.

3. I am almost certain that the land they show in their vacation request runs well into the center of East Bouldin Creek and therefor **SHOULD NOT** be shown as a portion "given back to Austin PARD" after it might be vacated and likely is partially in the creek bed (which is a bad bad deal for PARD).

4. As a property owner immediately across the easement, I should have an option to consider purchasing on the other 50% of the creek easement. My 50% option includes some of the land that PSW is including in their vacation notice which is wrong. PSW cannot be granted an easement vacation and buyout for more than 50% of the easement!

Note also that we didn't receive a notice on this, a neighbor told us about it and sent us the attached scan.

Please file this objection and let me know what next steps are to stop this errant request by PSW.

Best Wishes,

Scott McNearney
1001 S 3rd St
512-769-1536

--

Melanie McNearney
Realtor, **Eco Broker**
e3 Properties
512.657.5996c


Glasscock, Amanda

From: Nolan McNearney [REDACTED]
Sent: Monday, April 21, 2014 7:51 PM
To: CLMD Land Management
Cc: Hammack, Eric; eric.j.hammack@austintexas.gov; Melanie McNearney; William; Kevin Lewis; Zavala, Cesar; Shashoua, Marilyn; Scott, Randy; [REDACTED]
Subject: Re: OBJECTION to partial vacation of Christopher St by PSW developer

Mr Hammack,

I concur with this objection. These are all valid points that should be addressed.

Thanks,
Nolan McNearney

On Monday, April 21, 2014, Scott McNearney [REDACTED] wrote:
Mr Hammack,

I object to the partial vacation of Christopher St by PSW. This is directly adjacent to my property at 1001 S 3rd St. Please record this objection and notify us of any following hearings, changes, etc. This vacation SHOULD NOT move forward as proposed.

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1. This vacation request has PSW trying to vacate more than 50% of the Christopher St easement which they are not allowed to do by code.
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3. I am almost certain that the land they show in their vacation request runs well into the center of East Bouldin Creek and therefor SHOULD NOT be shown as a portion "given back to Austin PARD" after it might be vacated and likely is partially in the creek bed (which is a bad bad deal for PARD).
4. As a property owner immediately across the easement, I should have an option to consider purchasing on the other 50% of the creek easement. My 50% option includes some of the land that PSW is including in their vacation notice which is wrong. PSW cannot be granted an easement vacation and buyout for more than 50% of the easement!

Note also that we didn't receive a notice on this, a neighbor told us about it and sent us the attached scan.

Please file this objection and let me know what next steps are to stop this errant request by PSW.

Best Wishes,

Scott McNearney
1001 S 3rd St
512-769-1536

Glasscock, Amanda

From: Bert McIlwain [REDACTED]
Sent: Thursday, April 24, 2014 9:17 AM
To: CLMD Land Management
Subject: F#9156-1301 and F#9157-1301 - alley & street vacation

Attn: Eric J Hammock, Property Agent Senior

Dear Mr Hammock,

I am one of the owners of property adjacent to the proposed development, and I have several serious concerns about the proposed alley & street vacation requested by Eduardo Garza of PSW Real Estate, on behalf of 1st Street Highland, L.P. I also have concerns about aspects of their recent resubdivision plan

Sincerely,

Robert McIlwain
700 Copeland St.
Austin, TX 78704

Glasscock, Amanda

From: Magdalena Rood [REDACTED]
Sent: Tuesday, April 29, 2014 8:51 AM
To: CLMD Land Management
Cc: Leslie Moore
Subject: F#9156-1301

Greetings,

I'm writing in response to the public notice for alley & street vacation received yesterday, April 28, 2014. I reside at 1003 S. 2nd Street and object to the proposed vacation of any portion of S. 2nd street and any portion of the street titled "unnamed" on the COA plat, both listed under item F#1956-1301. Closing these streets to public access would rob us of critical access to, and from S. 1st street. The "unnamed" street offers the better visibility of traffic on S. 1st and is truly the safest route out.

Many non-residents use S. 2nd Street to park on their way to festivals on Lady Bird Lake. Currently these visitors come in from Copeland and are able to exit the street in the direction they are facing through the "unnamed street" at the north end of our block. The flow of traffic with Copeland and the "unnamed" streets at either end of the block provides residents with continued ability to come home or leave during festivals. Cutting the street, making it a dead end, will worsen the festival parking hazard to residents and non-residents alike as there will be no room to turn around or maneuver on busy festival parking days.

S. 2nd Street is a small street. It has barely enough room for simultaneous use by a south bound car and a north bound car on the best of days. Emergency vehicles such as ambulances and fire trucks cannot turn around on this street. A dead end in the middle of the block will cause these vehicles to have to back out of the street. Three years ago own life was saved in an ambulance taking the fastest possible way out using the "unnamed" street. Had S 2nd been a dead end street, my outcome could have been disastrous.

Sincerely,
Magdalena Rood

Glasscock, Amanda

From: Hampton, Stuart [REDACTED]
Sent: Tuesday, April 29, 2014 9:30 AM
To: CLMD Land Management
Subject: Strret and Alley Vacation F#9156-1301 and F#9157-1301

To: Erick Hammack, Property Senior Agent
Office of Real Estate Service Department

Subject: Street and Alley Vacation F#9156-1301 and F#9157-1301

Mr. Hammack,

Apologies for the delay in sending this to you.

I am a person of interest in this case (S. First neighbor and chair of the Bouldin Creek Neighborhood Plan Contact Team).

Having reviewed the proposed notice for alley and street vacation I have two concerns.

The first is safety. The removal of S. Second and the alley that connects it to S. First basically restricts access to the proposed development to a single road. I believe this creates a dangerous situation, should first responders need immediate access and egress routes, especially given the substandard (narrow) state of Copeland.

The second is compatibility. The Bouldin Creek Neighborhood Plan addresses the future development of this location in very specific terms regarding height and setbacks and on complying with compatibility standards regarding adjacent SF-3 lots. I am not sure the current site plans by PSW for its developments on S. First or S. Second meet these standards. They need to.

See Bouldin Creek Neighborhood Plan Objective 1.2 Action Item 8 (B) (Action Item 8 A and footnotes on pages 15 and 16 are also useful for context).

<ftp://ftp.ci.austin.tx.us/npzd/Austingo/bouldin-np.pdf>

Please take safety and the specific information in the Plan into account while reviewing these site plans and street and alley vacation requests.

Regards,

Stuart Hampton
Chair, Bouldin Creek Neighborhood Plan Contact Team
1006 S. First St., Austin, TX 78704

From: [Hammack, Eric](#)
To: [Glasscock, Amanda](#)
Subject: FW: BCNA Opposition to ROW vacation cases F#9156-1301 & F#9157-1301
Date: Thursday, March 12, 2015 1:15:55 PM
Attachments: [BCNA Opposition to ROW vacation cases F#9156-1301 F#9157-1301 .pdf](#)

Eric J. Hammack
Property Agent Supervisor
Land Management Section
Office of Real Estate Services
City of Austin
(512) 974-7079

From: Kevin Lewis [REDACTED]
Sent: Thursday, March 12, 2015 1:12 PM
To: Hammack, Eric
Subject: BCNA Opposition to ROW vacation cases F#9156-1301 & F#9157-1301

Dear Mr. Hammack,

On behalf of the Bouldin Creek Neighborhood Association (BCNA), I am requesting to place on the record our group's opposition to the two Right Of Way vacation cases F#9156-1301 and F#9157-1301.

Attached please see our letter of opposition, which I would ask be forwarded to City Council in advance of the Council consideration of these matters.

Please confirm that Council will have access to this letter of opposition. Thanks very much for your assistance in understanding this process.

Sincerely,

Kevin Lewis
President
Bouldin Creek Neighborhood Association
[REDACTED]
512-627-6898



BCNA Opposition to Right Of Way Vacations

Cases: F#9156-1301
F#9157-1301

March 4, 2015

The Bouldin Creek Neighborhood Association (BCNA) stands opposed to the two above referenced Right Of Way (ROW) vacations related to two proposed PSW Real Estate developments: condominiums at 900 S. 1st St. and the Bouldin Court subdivision at 900 S. 2nd St. BCNA joins the undersigned 43 nearby neighbors in asking that you deny these two ROW vacation requests.

The ROW vacation request cases include Case F9156-1301:

- the Unnamed Street that runs east-west on the north end of 900 S. 1st St. (referred to in the backup materials as "a 4646 sq. ft. portion of S. 2nd St.")
- the northern section of S. 2nd St. (5996 sq. ft.) adjacent to 900 S. 2nd St.
- an alley that runs north-south between S. 1st St. & S. 2nd St. (2,184 sq. ft.)

And case F#9157-1301

- the currently unconnected Christopher St. ROW (8,200 sq. ft) west of S. 2nd St.

BCNA supports well-planned development and a cooperative approach. We have a longstanding and recent record of encouraging the development of new housing that fits within our city-adopted Bouldin Creek Neighborhood Plan. Our neighborhood plan envisions a compact and connected city. In doing so it was a precursor to the Imagine Austin comprehensive plan. Granting these vacations would be at odds with our neighborhood plan's emphasis on good pedestrian, car and bicycle safety and connectivity.

We oppose the ROW vacation of the Unnamed Street (just north of 900 S. 1st St.) and the north end of S. 2nd St. because we are convinced that the proposed new subdivision requires two east-west access roads from S. 2nd St. to S. 1st St. for safety and connectivity.

PSW's current plan creates a new subdivision west of S. 2nd St. centered on a cul-de-sac, with only one way in and one way out. This plan would funnel all existing and all future traffic onto east-west Copeland St. for access to S. 1st St. Note that both S. 2nd St. and Copeland St. are narrow and substandard, and may not be able to be widened (even if that were desirable) due to heritage trees within the ROW of each. There would be absolutely no alternate way in or out of this enlarged neighborhood.

The proposed PSW design would increase daily traffic generation greatly while reducing access
(Page 1 – CONTINUES NEXT PAGE)




capacity by half. Reducing ingress and egress capacity while increasing traffic from a new subdivision is unsafe and represents poor urban planning. In addition to creating an obvious traffic bottleneck, it interferes with effective access by emergency vehicles.

To put it starkly, the proposed removal of the Unnamed Street puts lives at risk. It is unsafe, unwise, and this ROW vacation should be rejected unless PSW can provide a second access route to S. 2nd St., replacing the one they wish to remove.

Regarding the currently unpaved Christopher St. ROW, we believe it is premature to vacate this ROW without a thorough and careful consideration of the best possible future street configuration for that subdivision. Instead of the proposed cul-de-sac design, a similar number of residences could be arranged along a circuit-style design, e.g. a "C"-shape, that would incorporate some of the Christopher St. ROW. This would add multi-directional connectivity to the subdivision design instead of creating a dead-end.


Please know that we are not opposed to PSW's being able to successfully develop these properties and add housing opportunities to our neighborhood. We want them to succeed in creating a valuable addition to our neighborhood. We believe that PSW's current plan seeks to gain from the proposed vacations without offering commensurate benefit to the community. Moreover we feel this and adjacent future development would benefit greatly from City Council direction to all parties, including city development review staff, to deal comprehensively with the ROW vacations in context of the overall area design. This area and the way this development is guided (or left unguided) is precedent-setting for the broader CodeNext infill and densification discussions. We ask that you deny these requested vacations in the hope that good planning and cooperation can prevail.

Sincerely,


Kevin Lewis

President

Bouldin Creek Neighborhood Association (BCNA)

512-627-6898


William Burkhardt, 802 Christopher St., Chair, BCNA Zoning Committee

Stuart Hampton 1006 S. 1st St., Chair, Bouldin Creek Neighborhood Plan Contact Team;

BCNA VP for External Affairs

Magdalena Rood, 1003 S. 2nd St, Vice Chair, Bouldin Creek Neighborhood Plan Contact Team

Mary Hampton, 1006 S. 1st St.

Leslie Moore, 1003 S. 2nd St.

Robert McIlwain, 700 Copeland St.

(Page 2 – CONTINUES NEXT PAGE)



Thomas Esparza, 606 Copeland St.
Brian Derby, 1100 S. 2nd St.
Terry Clotiaux, 1100 S. 2nd St.
Philip Conor Jensen, 911A S. 2nd St.
Chris Duncan, 911A S. 2nd St.
Cori Darbonne, 911B S. 2nd St.
Suzanne Bellamy, 911B S. 2nd St.
Aaron Gregg, 915 S 2nd St.
Bruce Hammond, 1005 S. 3rd St.
Marie Morrissey, 1005 S. 3rd St.
Melanie McNearney, 1001 S. 3rd St
Scott McNearney, 1001 S. 3rd St
Mark Murrell, 1003 S. 3rd St
Kara Murrell, 1003 S. 3rd St
Kevin Tubb, 604 Copeland
Joycelyn Barlow, 604 Copeland
Heather Christensen, 909 S. 2nd St.
Ivan Alonso, 909 S. 2nd St.
Julianne Wooten, 909 S 2nd St.
Jeremy Jaramillo, 908 S. 1st St.
Jan Wallace, 803 Christopher St.
Jay Wallace, 803 Christopher St.
Sherri Crespín, 802 South 1st St.
Cindy Fisher, 802 South 1st St.
Lori Williams, 802 South 1st St.
Doug Williams, 802 South 1st St.
John Shakarisaz, 802 South 1st St.
Blake Armstrong, 802 South 1st St.
Barbara Clooney, 802 South 1st St.
Pat Ruhling, 802 South 1st St.
Carol Lancet, 802 South 1st St.
Andrew Smith, 802 South 1st St.
Rhonda Peters, 802 South 1st St.
Greg Ko, 802 South 1st St.
Philip Dhingra, 802 South 1st St.
Steven Alloway, 802 South 1st St.
Jaqui Alloway, 802 South 1st St.