M E M O R A N D U M

TO: Andrew Rivera, Planning and Zoning Department

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

DATE: November 10, 2020

SUBJECT: F#10285-2006, 10286-2006 and 10287-2006 Partial Aerial Right-of-Way Vacation Applications for 60 East Avenue, 61 Rainey Street, and 69 Rainey Street

Attached are the departmental comments and other information pertinent to the three joint referenced right of way vacation applications requesting to vacate aerial rights. **The area being requested for vacation will be used for Mixed use high-rise with ground floor pedestrian oriented uses (retail) outdoor seating and multi-family housing. Buildings to span over the alley above 18'.** All affected departments and private utility franchise holders have reviewed this request and recommend approval subject to the following conditions:

AT&T (SWBT) – *Only applies to F#10285-2006*

- Approved contingent on the stipulation all AT&T facilities have been removed from said aerial ROW.

ATD

- Approved contingent upon 1. A public access easement will be provided for an additional 3 feet of width on each side of the alley - 6 feet in total. 2. The aerial vacation will be 20 feet in height at the building face and will transition down to 18 feet at the lowest point.

Electric

- Approved contingent upon retention of a public utility easement to cover aerial utility lines. Once the lines/poles are relocated/removed, the PUE can be vacated. Be advised that poles will not be removed until all utilities have been removed from them. If there are comms located on the poles in this area, applicant should begin conversations now with comm companies regarding relocations. Continue to work with Rudy Vela at Austin Energy regarding relocation of electric facilities.

Google Fiber – *Only applies to F#10285-2006*

- Approved contingent upon any relocations and with the understanding that an alternate underground pathway will be provided for the relocation of our existing aerial fiber optics cables. All expenses will be the responsibility of the Developer.

Grande Communications

- Approved contingent upon full reimbursement for the cost of constructions if Grande will need to relocate.

PARD / Planning and Design Review

- Approved contingent upon “See comment document”.

Time Warner Cable / Charter

- Approved contingent upon any relocations and/or adjustments of Charter/Spectrum facilities will be paid for by the applicant/developer/owner.

Urban Design Review

- Approved contingent upon the vacation retain connectivity and public access per Transportation requirements.

Land Management, with Development Services Department, is requesting the applications be submitted for placement on the **November 24, 2020 Planning Commission Agenda** for their consideration. The applicant and/or landowner adjoining the alleys, or their representative will be present at the meeting.

Staff: Stephany Roy, Senior Property Agent, Land Management Development Services Department, 404-357-1814; landmanagement@austintexas.gov

Applicant: James M. Schissler, Civilitude, LLC, 512-761-6161; jim@civilitude.com

Adjoining Landowner: River Street Partners, LLC, 61 Rainey Street, LLC, 69 Rainey Street, LLC

Stephany Roy**,** Senior Property Agent
Land Management

Development Services Department

Attachment - PC Packet: Comment Document from PARD conditional approval, Intro letter, Application (3), Surveys (3), 3D Surveys (3), Location Maps (3), Site Plan

Project Name: 10285-2006 ROW Vacation - Rainey St Alley
Address: 60 East Ave

LM PARD / Planning & Design Review - Robynne Heymans - 512-974-9549

06/22/2020
Update 0:

PR 1: Approved on the condition that requirements from ATD, Urban Design and PWD are met with regards to retaining function as a ROW and vertical clearance.

CIVILITUDE
ENGINEERS & PLANNERS

5110 Lancaster Court
Austin, Texas 78723
Firm Registration

Phone 512 761 6161
Fax 512 761 6167
info@civilitude.co
www.civilitude.com

November 4, 2020

Ms. Stephany Roy
City of Austin Office of Real Estate Services
505 Barton Spring Road, 13th Floor
Austin, Texas 78704

Re: Partial Alley Vacation Application for 60 East Avenue, 61 and 69 Rainey Street
River Street Residences
700 River Street
Austin, Texas 78701

Dear Stephany,

Enclosed is the alley vacation application package for the River Street Hotel & Market project. The project proposes to vacate the alley between the three tracts that make up the development to allow construction of a 48-story mixed use building with structured parking and ancillary improvements. The building will have first floor retail uses, multiple levels of structured parking, and multi-family residential units and amenity space above the parking levels. The three lots are portions of lots that were platted in the Driskell's and Rainey's Subdivision recorded in Plat Book 1, Page 22 filled on July 11, 1885. Subsequent to this plat, River Street was moved south per Volume 85, Page 62. The three tracts have received legal lot status from the City.

1. Is this a residential or commercial project? MIXED USE WITH RETAIL, GENENRAL RESTAURANT AND MULTI-FAMILY.
2. How was the area to be vacated dedicated? By plat or by separate instrument? BY PLAT, ATTACHED.
3. Did the City purchase the area to be vacated? (i.e., by Street Deed) NO.
4. Are both the area to be vacated and your property in the same "subdivision"? (They must both be in the same subdivision to be eligible.) YES, DRISKELL'S AND RAINEY'S SUBDIVISION.
5. Is the area to be vacated functional right-of-way, or is it only dedicated on paper? FUNCTIONAL, UNPAVED ALLEY.
6. Are there any utility lines within the area to be vacated? If yes, what are your plans for the utilities? Applicants should be advised that easements will be retained to protect existing utilities, even if utility relocation is proposed. Also be advised that no structures may be built on, over or under the easements without a license agreement, insurance, and annual fee. YES, OVERHEAD UTILITIES WILL BE BURIED.
7. How do you plan to develop the area to be vacated? A 48-STORY MIXED USE BLDG. WILL EXTEND OVER THE ALLEY.
8. Has a site plan been submitted on your project? YES, SP-2019-0435C.
9. Is your project a Unified Development? YES, ALLEY VACATION WILL ALLOW THREE TRACTS TO TIE TOOGETHER.
10. Is your project a S.M.A.R.T. Housing Project? NOT SMART HOUSING, BUT DENSITY BONUS REQUIRESHAVE AFFORDABLE UNITS.
11. When do you anticipate starting construction of the development? SPRING, 2021.
12. What is the current zoning on the adjacent properties? ALL PROPERTIES ARE ZONED CBD.
13. What is the current status of the adjacent properties? RAINEY PROPERTIES ARE DEVELOPED, EAST AVE CLEARED.
14. What type of parking facilities currently exist? MINIMAL ONSTREET SURFACE PARKING

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15. Will your parking requirements increase with the expansion? THERE ARE NO PARKING REQUIREMENTS IN CBD BUT PARKING WILL BE PROVIDED.
16. How will the increase be handled? STRUCTURED PARKING IN THE BUILDING.
17. Have any agreements or easements been executed with adjacent landowner(s) or in draft form? If yes, please include this in your letter and provide us with a copy. RAINEY ST TRACTS ARE UNDER CONTRACT WITH DEVELOPER.
18. Does the area to be vacated lie within the Austin Downtown Plan (DAP)? YES Does it meet DAP criteria? YES
19. Does the area to be vacated lie within UT boundaries: East of Lamar Boulevard, west of IH-35, north of Martin Luther King Boulevard, and south of 45th Street? IT DOES NOT.
20. Does the proposed vacation support the Priority Programs and policy directives set forth in the Imagine Austin Comprehensive Plan? If so, how? VACATION WOULD ALLOW MAXIMUM RESIDENTIAL DENSITY OF URBAN TRACTS AND REDUCE PRESSURE FOR SUBURBAN SPRAWL.

The overhead electric and telecommunication lines will be relocated underground.

If you have any questions, please do not hesitate to contact us and inquire at 512-761-6161.

Sincerely,

James M Schissler

James M. Schissler, P.E.
Vice President

APPLICATION FOR STREET OR ALLEY VACATION

File No. _____ DATE: _____
Department Use Only Department Use Only

TYPE OF VACATION

Type of Vacation: Street: _____; Alley: _X___; ROW _____ Hundred Block: _____
Name of Street/Alley/ROW: Rainey Street Alley Is it constructed: Yes ~~No~~
Property address: 60 East Avenue
Purpose of vacation: Aerial Vacatoin to allow mixed use high-rise crossing alley

PROPERTY DESCRIPTION ADJACENT TO AREA TO BE VACATED

Parcel #: 02 03031039
Survey & Abstract No.: _____
Lot(s): 0, 1 Block: 1 Outlot: _____
Subdivision Name: Driskill and Rainey Subdivision
Plat Book 1 Page Number 22 Document Number _____

Neighborhood Association Name: _____
Address including zip code: _____

RELATED CASES

	FILE NUMBERS
Existing Site Plan (circle one): YES / ~~NO~~	SP-2019-0465C
Subdivision: Case (circle one): ~~YES~~ / NO	
Zoning Case (circle one): ~~YES~~ / NO	

PROJECT NAME, if applicable:

Name of Development Project: River Street Hotel & Homes
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: River Street Partners, LLC (as shown on Deed)
Address: 906 Rio Grande St Phone: (512) 333-4892 Fax No.: (___) _____
City: Austin County: Travis State: TX Zip Code: 78701
Contact Person/Title: Jon Rioux Cell Phone: (512) 333-4892
Email Address: jon@additionre.com
(If multiple owners are joining in this request, complete names and addresses for each must be attached.)

APPLICANT INFORMATION

Name: James M. Schissler, PE
Firm Name: Civilitude, LLC
Address: 5110 Lancaster Ct
City: Austin State: TX Zip Code: 78723
Office No.: (512) 761-6161 Cell No.: **(**512**)** 569-9830 Fax No.: (___) _____
EMAIL ADDRESS: jim@civilitude.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

OWNER INFORMATION:

Name: 61 Rainey Street, LLC (as shown on Deed)

Address: 1900 Newton St, Unit A Phone: (___) _____ Fax No.: (___) _____
City: Austin County: Travis State: TX Zip Code: 78704
Contact Person/Title: Jon Rioux, Developer Cell Phone: (512) 333-4892
Email Address: jon@additionre.com

Name: 69 Rainey Street, LLC (as shown on Deed)

Address: 1900 Newton Street, Unit A Phone: (___) _____ Fax No.: (___) _____
City: Austin County: Travis State: TX Zip Code: 78704
Contact Person/Title: Jon Rioux, Developer Cell Phone: (512) 333-4892

Email Address: jon@additionre.com

APPLICATION FOR STREET OR ALLEY VACATION

File No. _____ DATE: _____
Department Use Only Department Use Only

TYPE OF VACATION

Type of Vacation: Street: _____; Alley: _X___; ROW _____ Hundred Block: _____
Name of Street/Alley/ROW: Rainey Street Alley Is it constructed: Yes ~~No~~
Property address: 69 Rainey Street
Purpose of vacation: Aerial Vacation to allow mixed use high-rise crossing alley

PROPERTY DESCRIPTION ADJACENT TO AREA TO BE VACATED

Parcel #: 02 03031001, 02
Survey & Abstract No.: _____
Lot(s) _____ Block: 1 Outlot: _____
Subdivision Name: Driskill and Rainey Subdivision
Plat Book 1 Page Number 22 Document Number _____

Neighborhood Association Name: _____
Address including zip code: _____

RELATED CASES

	FILE NUMBERS
Existing Site Plan (circle one): YES / ~~NO~~	SP-2019-0465C
Subdivision: Case (circle one): ~~YES~~ / NO	_____
Zoning Case (circle one): ~~YES~~ / NO	_____

PROJECT NAME, if applicable:

Name of Development Project: River Street Market & Hotel
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: 69 Rainey Street, LLC (as shown on Deed)
Address: 1900 Newton St, Unit A Phone: (512) 333-4892 Fax No.: (___) _____
City: Austin County: Travis State: TX Zip Code: 78704
Contact Person/Title: Jon Rioux Cell Phone: (512) 333-4892
Email Address: jon@additionre.com
(If multiple owners are joining in this request, complete names and addresses for each must be attached.)

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Name: James M. Schissler, PE
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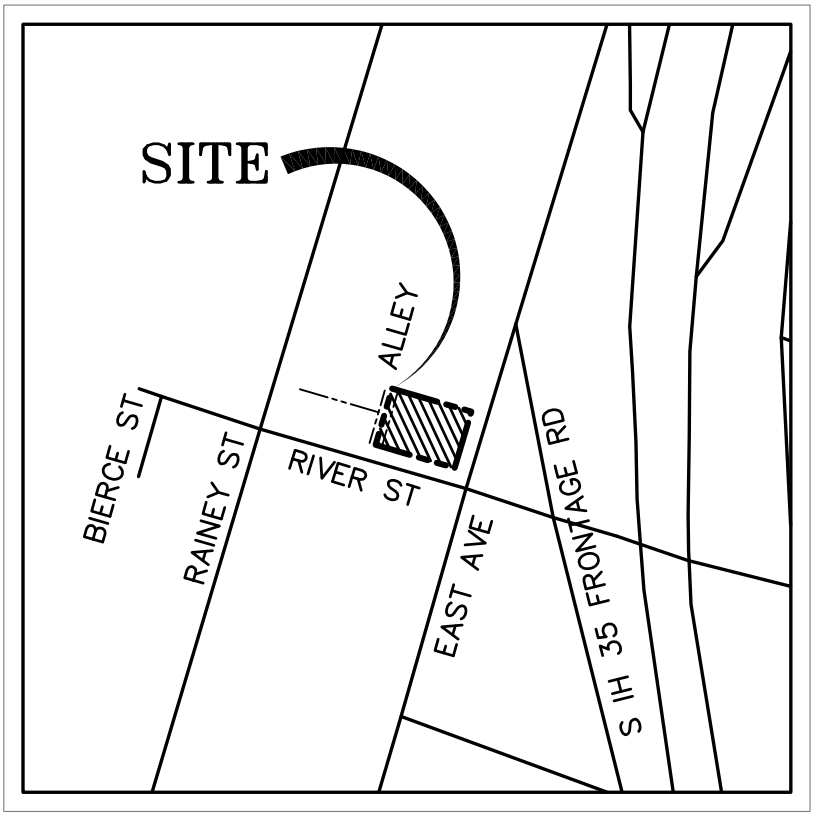
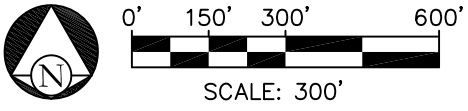
Signed By: *James M Schissler*
Landowner/Applicant

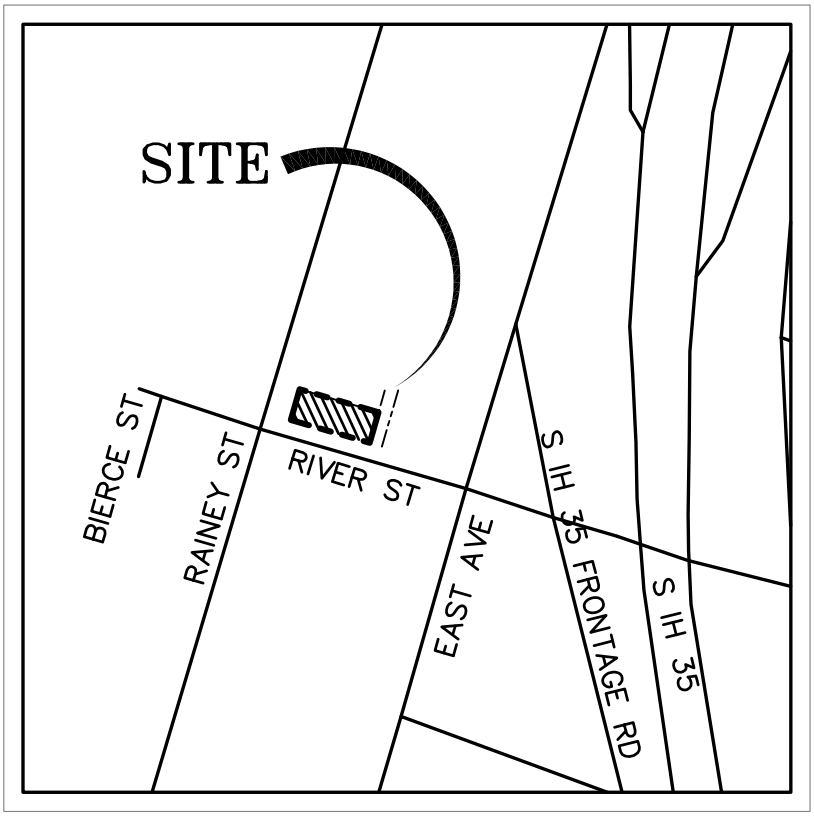


60 EAST AVENUE



LOCATION MAP

GRID: J21
MAPSCO: 615B



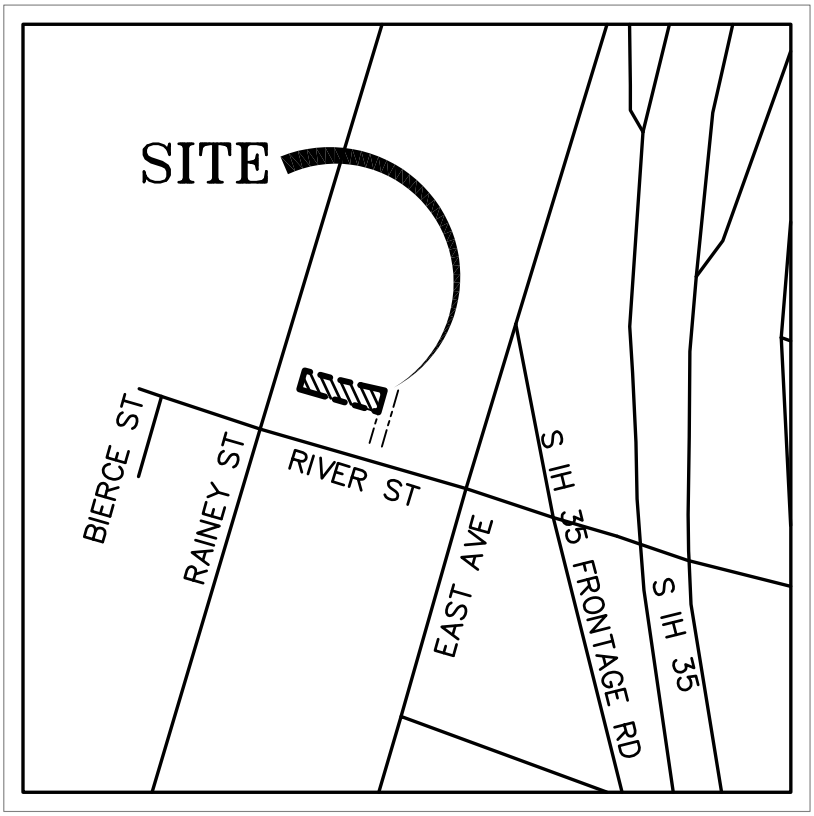
61 RAINEY STREET

0' 150' 300' 600'

SCALE: 300'

LOCATION MAP

GRID: J21
MAPSCO: 615B



69 RAINEY STREET

0' 150' 300' 600'

SCALE: 300'

LOCATION MAP

GRID: J21
MAPSCO: 615B

EXHIBIT "___"

PAGE 3 OF 4
SKETCH TO ACCOMPANY
LEGAL DESCRIPTION

LEGEND OF ABBREVIATIONS

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AC./S.F.	Acres/Square feet
INST.#	Instrument Number

MONUMENTS / BEARING BASIS

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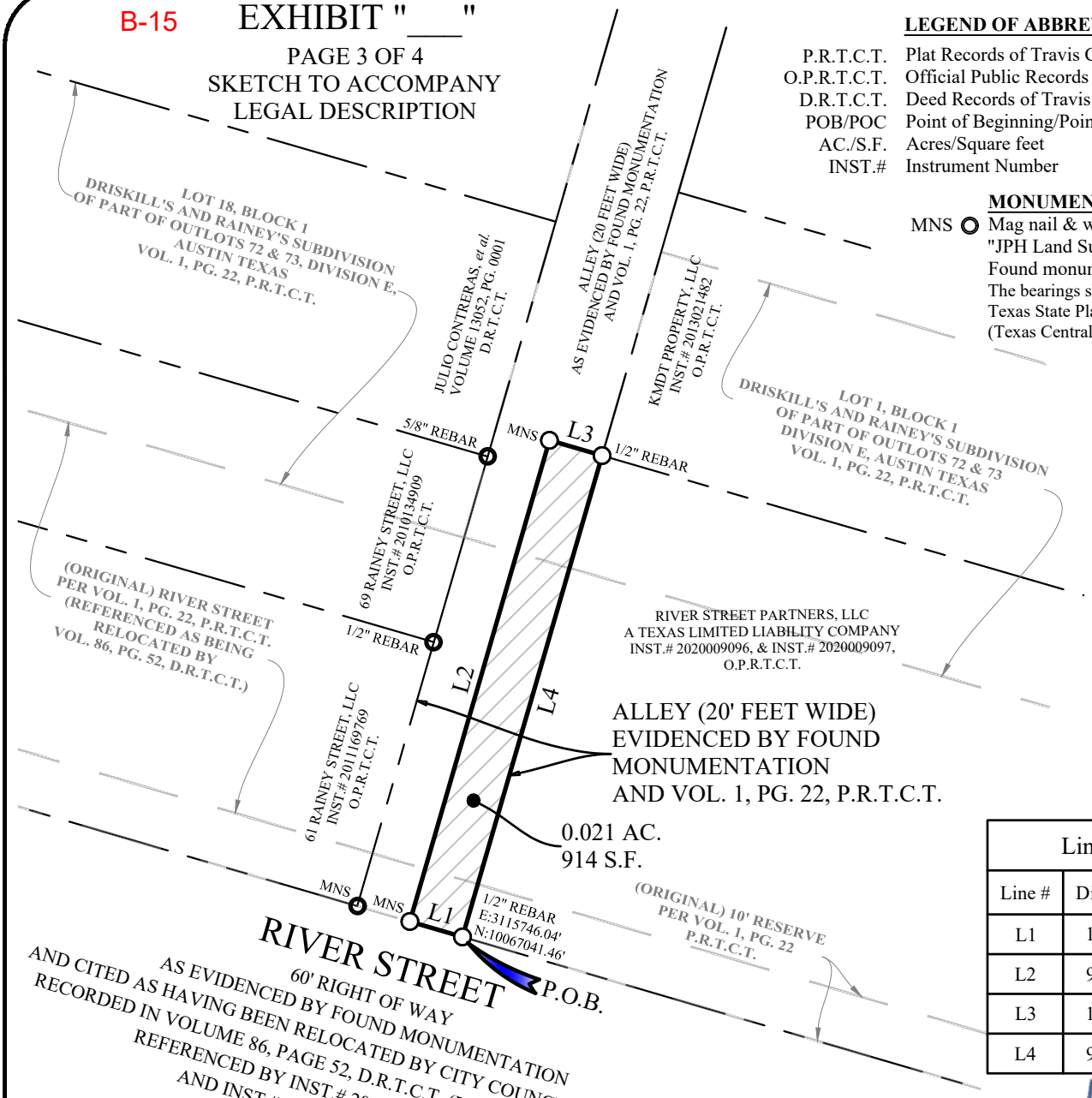

Line Data Table		
Line #	Distance	Bearing
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L2	91.40'	N16°10'31"E
L3	10.00'	S73°49'29"E
L4	91.43'	S16°10'31"W

Cole Strevey
Registered Professional
Land Surveyor No. 6731
cole@jphls.com
May 20, 2020

STATE OF TEXAS
REGISTERED
COLE STREVEY
6731
PROFESSIONAL
LAND SURVEYOR

JPH LaND Surveying, Inc.

N

0 30'

Scale: 1" = 30'

EXHIBIT SHOWING
914 SQUARE FEET

BEING A PORTION OF
AN ALLEY (20' WIDE)

DRISKILL'S AND RAINEY'S SUBDIVISION OF PART OF OUTLOTS 72 & 73

CITY OF AUSTIN
TRAVIS COUNTY, TEXAS

JPH Job No.
2016.069.006 60 East Avenue, Austin, Travis County, TX - 914 SF Boundary.dwg

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Telephone (817) 431-4971 www.jphlandsurveying.com
TBPLS Firm #10019500 #10194073 #10193867
DFW | Austin | Abilene

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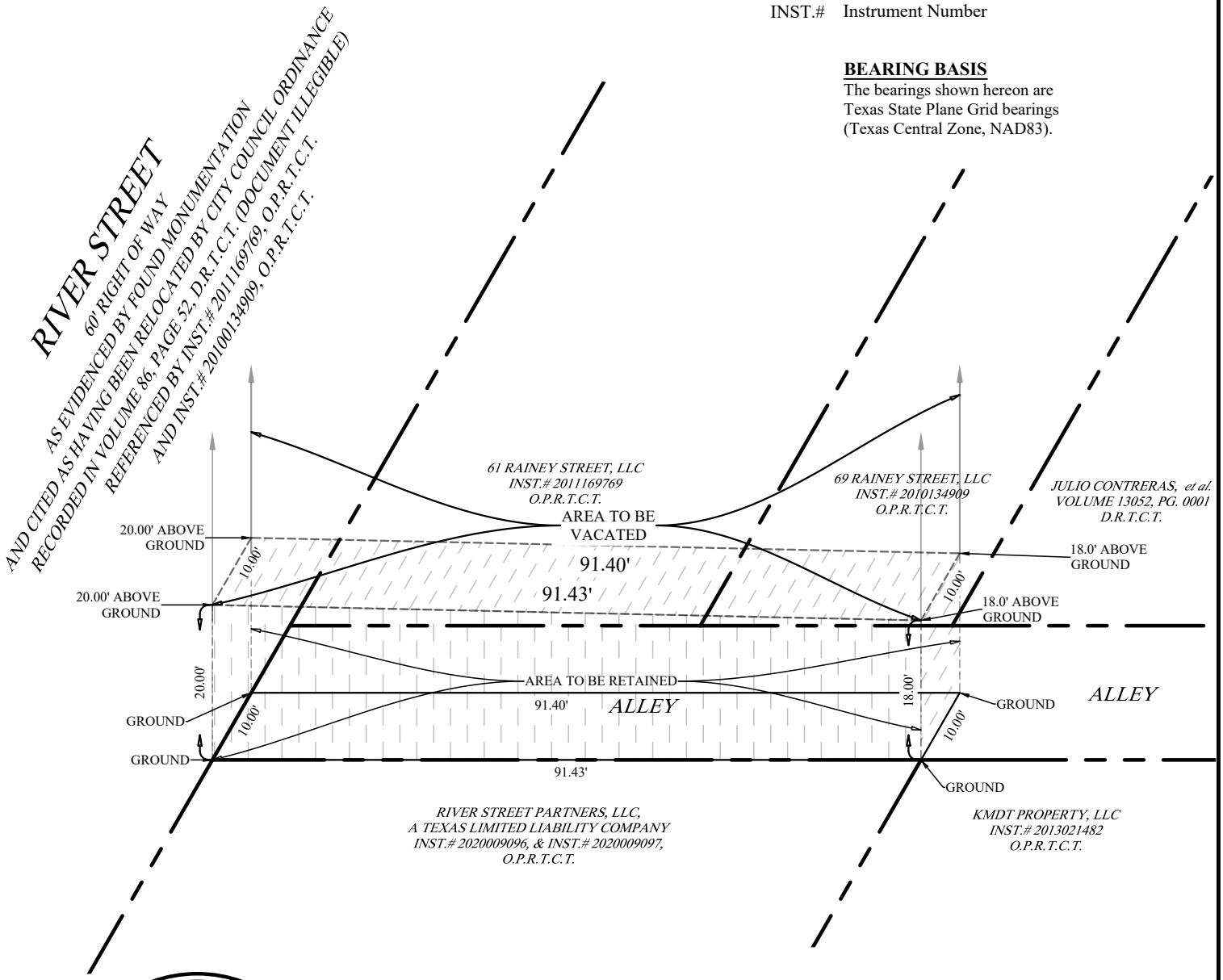

JPH LaNd Surveying, Inc.

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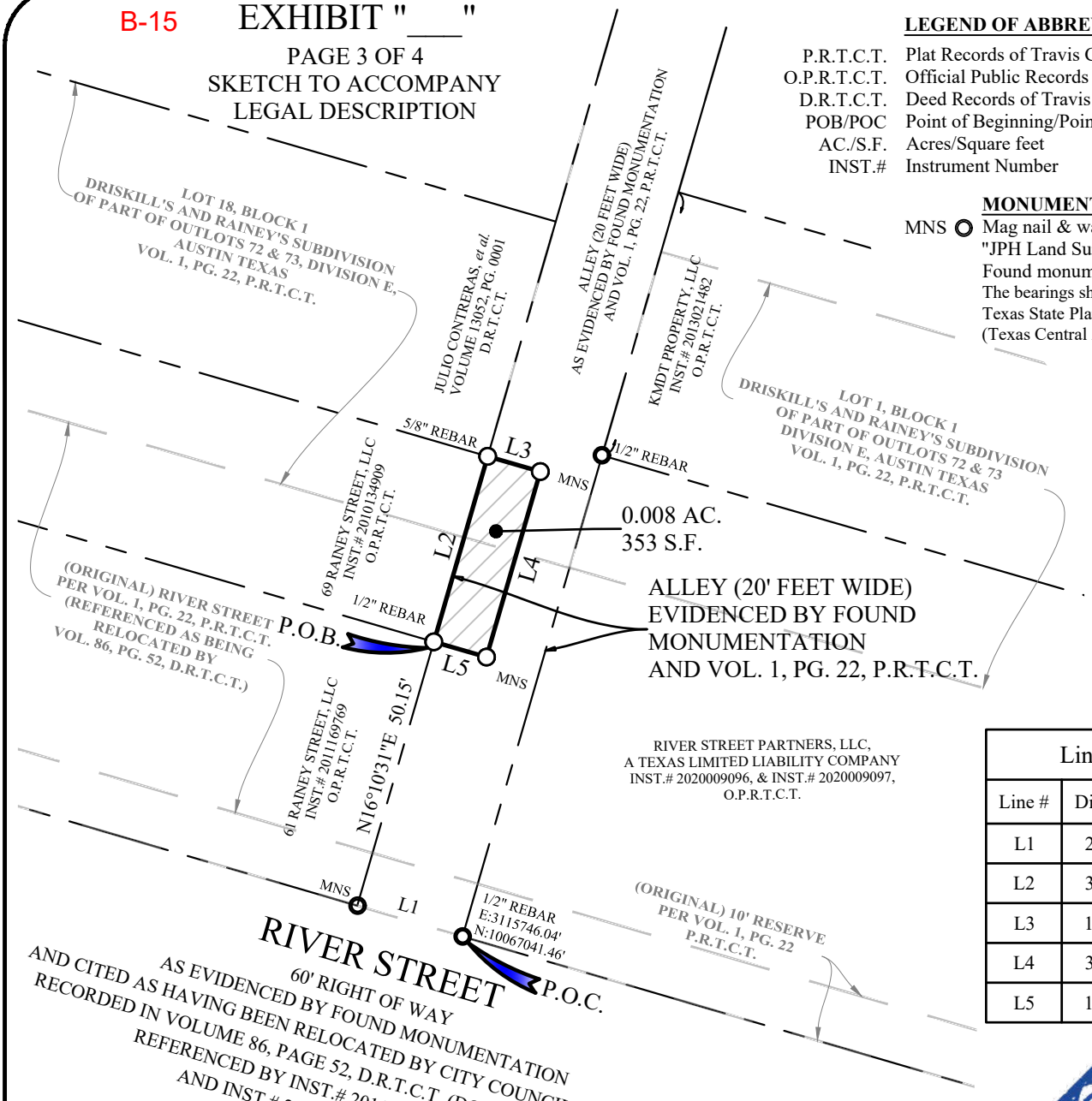

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L3	10.00'	S73°47'44"E
L4	35.25'	S16°10'31"W
L5	10.00'	N73°47'44"W

Cole Strevey
Registered Professional
Land Surveyor No. 6731
cole@jphls.com
May 20, 2020

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JPH LaND Surveying, Inc.

N

0 30'

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353 SQUARE FEET

BEING A PORTION OF
AN ALLEY (20' WIDE)

DRISKILL'S AND RAINEY'S SUBDIVISION OF PART OF OUTLOTS 72 & 73

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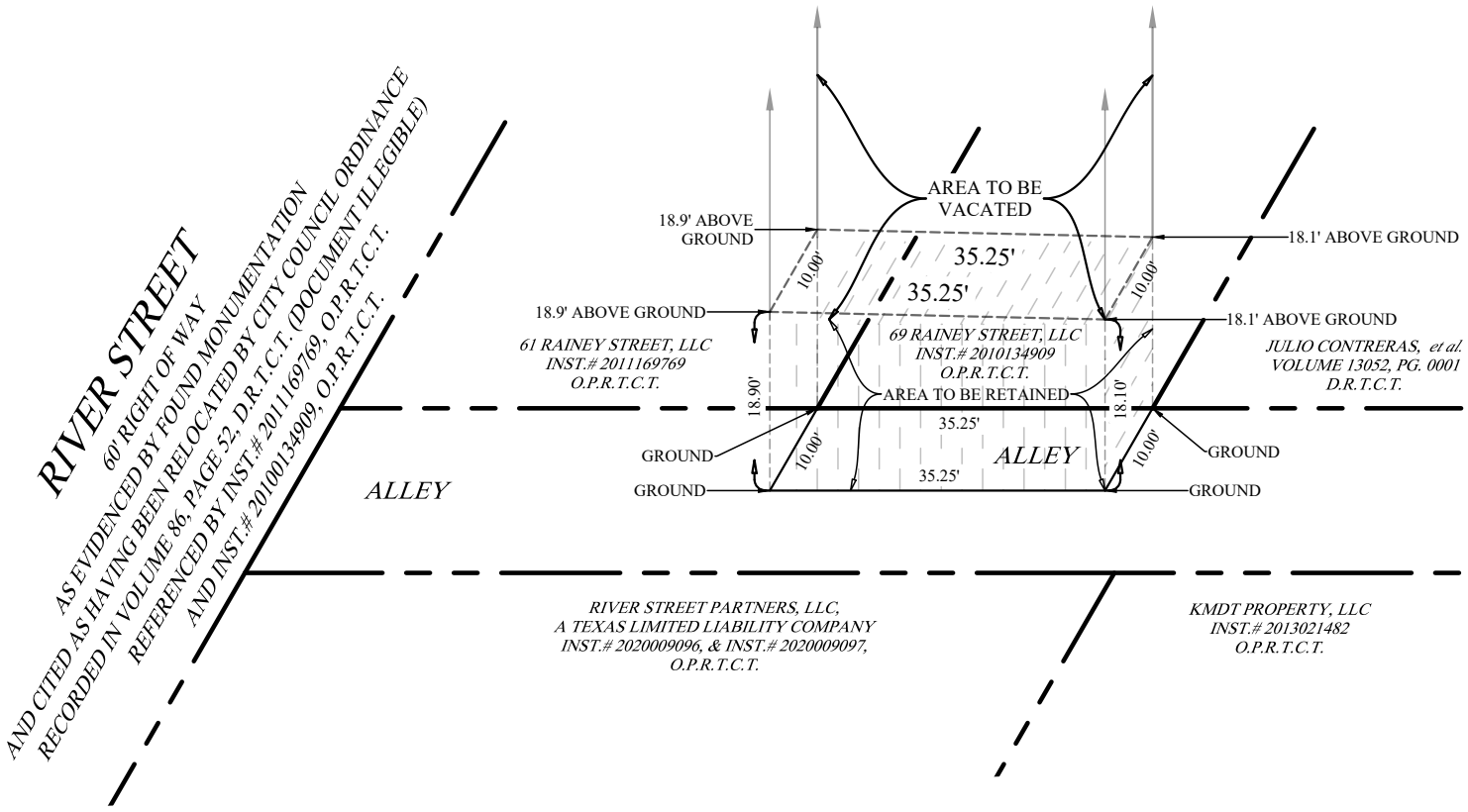

JPH LaNd Surveying, Inc.

0 20'

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EXHIBIT

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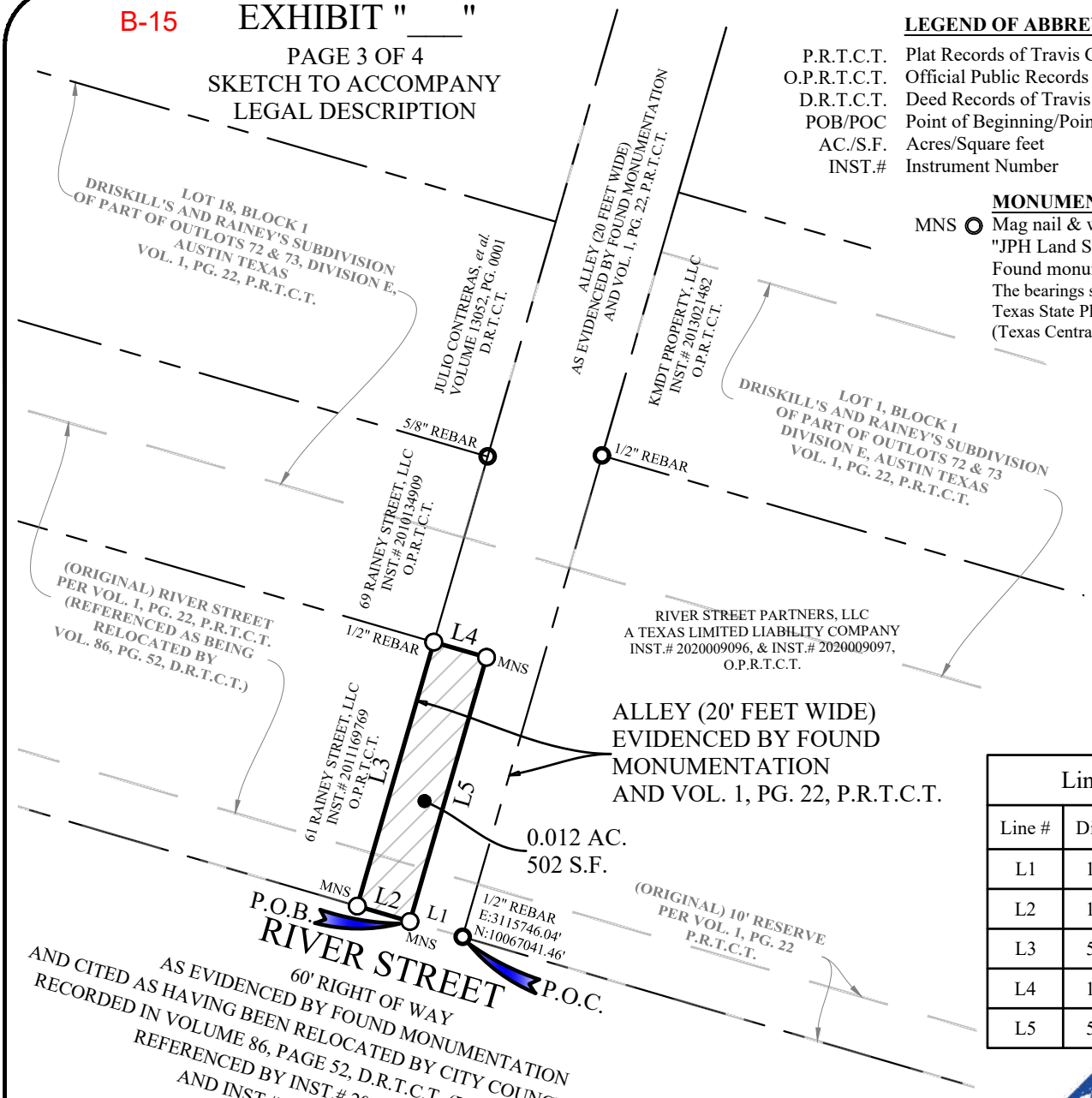

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L5	50.17'	S16°10'31"W

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Registered Professional
Land Surveyor No. 6731
cole@jphls.com
May 20, 2020

STATE OF TEXAS REGISTERED COLE STREVEY 6731 PROFESSIONAL LAND SURVEYOR

JPH LaNd Surveying, Inc.

N

0 30'

Scale: 1" = 30'

EXHIBIT SHOWING
502 SQUARE FEET

BEING A PORTION OF
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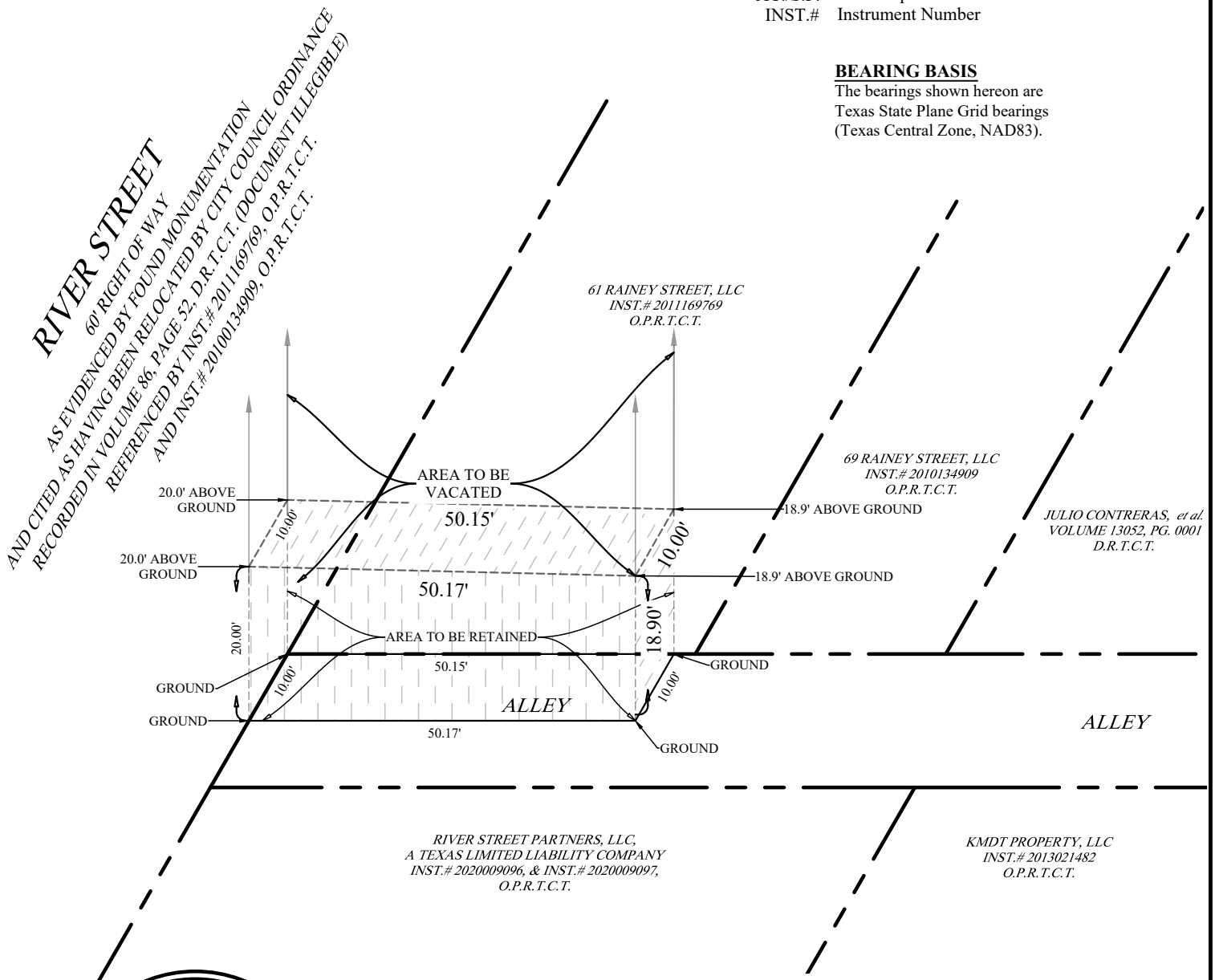

JPH LaNd Surveying, Inc.

0 20'

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