### CITY OF AUSTIN - R.O.W. VACATION

### MASTER COMMENT REPORT

As of: November 19, 2020

**Pavious Dant** 

**PROJECT NUMBER:** 2020-084690 LM

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

LOCATION: CHALMERS AVE, AUSTIN, TX



Approved Date

| Review Dept.   | Keviewei | Filone | Attempt Date | Approved Date |
|----------------|----------|--------|--------------|---------------|
| LM AT&T (SWBT) |          |        |              |               |
|                |          |        |              |               |

**Rejected** Lucy Cabading 512-974-9241 07/14/2020

Daviowar

**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."

Dhono

Attornet Date

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

**Approved With Conditions** Lucy Cabading 512-974-9241 10/09/2020 **10/09/2020** 

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

**PROJECT NUMBER:** 2020-084690 LM

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

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LOCATION: CHALMERS AVE, AUSTIN, TX

Review Dept. Reviewer Phone Attempt Date Approved Date

**LM ATD Review** 

**Approved** Alison Mills 512-974-7166 09/30/2020 **09/30/2020** 

**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**

**Approved** Heather Ketten 512-974-1954 06/30/2020 **06/30/2020** 

**Comments:** Approved - we do not have any customers or public cans on this portion of Chalmers, so our services will not be affected.

**PROJECT NUMBER:** 2020-084690 LM

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

OF AUSTRALIA

LOCATION: CHALMERS AVE, AUSTIN, TX

Review Dept. Phone Attempt Date Approved Date

**LM AW Infrastructure Management** 

**Rejected** Eric Sermeno 512-972-0497 06/26/2020

**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:

- 1. 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:
- 2. 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
- 3. Dedication and Recordation of New Water Lines Easement(s) to the City of Austin.

### **Approved With Conditions**

Eric Sermeno

512-972-0497

11/19/2020

11/19/2020

### **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:

- 1. 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;
- 2. 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.

**PROJECT NUMBER:** 2020-084690 LM

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

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

Review Dept. Reviewer Phone Attempt Date Approved Date

LM Capital Metro

Roberto Gonzalez 512-974-9241 06/11/2020 06/11/2020

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

### **LM Drainage Engineering Review**

**No Comment** Sona Singh 512-974-7632 06/09/2020 **06/09/2020** 

**Comments:** Not related to an active LUR application; defer to WED.

**PROJECT NUMBER**: 2020-084690 LM

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



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

Review Dept. Phone Attempt Date Approved Date

**LM Electric Review** 

Rejected Rosario Navarro 06/09/2020

Comments: Denied, until overhead facilities are removed. Any questions please contact Wendi Henson at which will be contact Wendi Henson at which will be contact with the contact will be contact wit

Approved With Conditions Rosario Navarro 11/13/2020 11/13/2020

**Comments:** Approved with the following condition - AE request the whole vacated area be retained for a PUE and Access easement.

**PROJECT NUMBER**: 2020-084690 LM

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

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

Review Dept. Phone Attempt Date Approved Date

**LM EMS Review** 

**Rejected** Milissa Warren (512)972-7234 06/16/2020

Comments: Can you please tell me if the proposed green space will be fenced or will it be open for unrestricted ingress and egress?

**Email Notice** Milissa Warren (512)972-7234 06/15/2020 **06/16/2020** 

Comments: Can you please tell me if the proposed green space will be fenced or will it be open for unrestricted ingress and egress?

**Approved** Milissa Warren (512)972-7234 06/16/2020 **06/16/2020** 

**Comments:** EMS will support staff recommendation on this request.

2020-084690 LM PROJECT NUMBER:

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

LOCATION: CHALMERS AVE, AUSTIN, TX

**Review Dept.** Reviewer **Phone Attempt Date Approved Date** 

LM Fire For Site Plan Review

Tom Migl Rejected 06/23/2020 512-974-0164

**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.

**Approved With Conditions** Tom Migl 512-974-0164 10/09/2020 10/09/2020

**Comments:** Per email as letter of intent

**LM GAATN Review** 

Carlos DeMatos **Approved** (512) 974-6513 06/22/2020 06/22/2020

**Comments:** None

**PROJECT NUMBER:** 2020-084690 LM

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

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

Review Dept. Reviewer Phone Attempt Date Approved Date

**LM Google Fiber Texas** 

**Rejected** Fredric Ritter 512-974-9241 06/30/2020

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)

 Approved With Conditions
 Fredric Ritter
 512-974-9241
 07/07/2020
 07/07/2020

**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)

**PROJECT NUMBER**: 2020-084690 LM

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

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

Review Dept. Phone Attempt Date Approved Date

**LM Grande Communications** 

**Approved With Conditions** Daniel Pina 512-974-9241 06/16/2020 **06/16/2020** 

**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®

LM PARD / Planning & Design Review

**Approved** Robynne Heymans 512-974-9549 07/01/2020 **07/01/2020** 

Comments: None

**PROJECT NUMBER:** 2020-084690 LM

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

STOR AUG

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

| Review Dept.                              | Reviewer         | Phone        | Attempt Date | Approved Date |
|---|------------------|--------------|--------------|---------------|
| LM PAZ Long Range Planning Review         |                  |              |              |               |
| Approved Comments: None                   | Jeffrey Engstrom | 512.974.1621 | 06/12/2020   | 06/12/2020    |
| LM PAZ Zoning Review                      |                  |              |              |               |
| Approved  Comments: No comments; Approved | Wendy Rhoades    | 512-974-7719 | 06/09/2020   | 06/09/2020    |

**PROJECT NUMBER:** 2020-084690 LM

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

STOR AUG

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

| Review Dept.  LM PWD Sidewalks & Special Projects Review | Reviewer      | Phone        | Attempt Date | Approved Date |
|--|---------------|--------------|--------------|---------------|
| Approved Comments: None                                  | Eric Dusza    | 512-974-6504 | 06/15/2020   | 06/15/2020    |
| LM PWD Urban Trails Review  Approved  Comments: None     | Katie Wettick | 512-974-3529 | 06/11/2020   | 06/11/2020    |

PROJECT NUMBER: 2020-084690 LM

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

LOCATION: CHALMERS AVE, AUSTIN, TX

Review Dept. Reviewer **Phone Attempt Date Approved Date** 

LM PWD-OCE Review

Rejected Jose Ramos 06/29/2020 512-974-8763

**Comments:** 

- 1. Since the ROW to be vacated will be used to provide connectivity between East 3rd Street and East 4th Street, will a pedestrian and/or access easement be retained?
- 2. How will surface runoff, that is currently conveyed in Chalmers Avenue, from East 4th Street to East 3rd Street, be provided? Provide appropriate drainage study and drainage easement.
- 3. Show/describe how ADA accessibility will be provided across the existing Chalmers Avenue.
- 4. Show/describe how the curb and gutter will be continued once the Chalmers Avenue is obliterated.

**Approved** Jose Ramos 512-974-8763 08/24/2020 08/24/2020

**Comments:** None

**LM Texas Gas Services** 

**Approved** Aaron Diaz 512-974-5622 07/22/2020 07/22/2020

Approved- No conflicts expected. **Comments:** 

Aaron Diaz



**PROJECT NUMBER:** 2020-084690 LM

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

STOR AUSTRALIA

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

Review Dept. Reviewer Phone Attempt Date Approved Date

LM Time Warner Cable / Charter

**Comments:** 

**Approved With Conditions** Timothy White 512-974-9241 07/07/2020 **07/07/2020** 

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

**LM Transportation Planning** 

**Rejected** Adam Fiss 512-974-1684 06/29/2020

**Comments:** Submit sidewalk with maintenance document for review and recordation.

**Approved With Conditions** Adam Fiss 512-974-1684 11/04/2020 **11/04/2020** 

Comments: Public Access Easement to be retained with vacation. LA and ultimately SP to follow

**PROJECT NUMBER:** 2020-084690 LM

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

STOR AUG

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

Review Dept. Phone Attempt Date Approved Date

LM Urban Design Review

**No Comment** Aaron Jenkins 512-974-1243 06/11/2020 **06/11/2020** 

Comments: No comments from Urban Design as this property is located just outside of the Plaza Saltillo Regulating District

**LM Watershed Engineering Review** 

**Approved** Annabell Ulary 512-974-3486 06/29/2020 **06/29/2020** 

Comments: No objections

**PROJECT NUMBER:** 2020-084690 LM

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

CALLED BO 15.0

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

| Review Dept.         | Reviewer       | Phone        | Attempt Date | Approved Date |
|----------------------|----------------|--------------|--------------|---------------|
| Mobility Bond Review |                |              |              |               |
| No Review Required   | Gregory Pepper | 512-974-7282 | 06/09/2020   | 06/09/2020    |

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 multifamily 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

J Segura, PE

Senior Technical Engineer



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

President & CEO Michael G. Gerber

# Housing Authority of the City of Austin

Established in 1937

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 3rd 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



### APPLICATION FOR STREET OR ALLEY VACATION

| File No.   | DATE:  |  |
|--|--|--|
| Department Use Only                                  | Department Use Only  |  |
| •  | ,  |  |
| TYPE OF VACATION                                     |  |  |
| Type of Vacation: Street:; Alley:; Ro                | OW X Hundred Block:  |  |
| Name of Street/Alley/ROW Chalmers                    | Is it constructed (Ves.) No.   |  |
| Property address: 1600 E. 3rd Austin, Texas 78       | 3702   |  |
| Purpose of vacation: To connect Chalmers East and We | 3702 est into a cohesive development and create green space. Also to etween East 3rd & East 4th streets. |  |
| increase pedestrian connectivity be                  | etween East 3rd & East 4th streets.  |  |
| PROPERTY DESCRIPTION ADJACENT TO A                   | AREA TO BE VACATED   |  |
| Parcel #: 0204080701                                 |  |  |
| Survey & Abstract No.:                               |  |  |
| Lot(s): Block: 3 & 4 Outlo                           | t: 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): YES NO              | SP-2020-0004C  |  |
| Subdivision: Case (circle one): YES (NO              |  |  |
| Zoning Case (circle one): YES NO                     | C14-2018-0051.SH   |  |
|  |  |  |
| PROJECT NAME, if applicable:                         |  |  |
| , apparation   |  |  |
| Name of Development Project: Pathways at Cha         | Imers Court West   |  |
| Is this a S.M.A.R.T. Housing Project (circle one):   | (ES) NO  |  |
| Is this within the Downtown Austin Plan Boundarie    | s (circle one): YES (NO)   |  |
|  |  |  |
| OWNER INFORMATION                                    |  |  |
| Name: Housing Authority of Austin                    | (as shown on Deed)   |  |
| Address: 1124 S IH-35 Pho                            | ne: Fax No.; ( )   |  |
| City: Austin County: Travis                          |  |  |
| Contact Person/Title: Michael Gerber                 | Cell Phone: ( )  |  |
| Email Address:                                       |  |  |
|  | plete names and addresses for each must be attached.)  |  |
| •  |  |  |
| APPLICANT INFORMATION                                |  |  |
| Name: Meg Greenfield                                 |  |  |
| Firm Name: Dunaway Associates                        |  |  |
| Address: 5707 Southwest Pkwy Bldg 2 Ste 25           | 0  |  |
| City: Austin State: TX                               | Zip Code: 78735  |  |
| Office No.: (425                                     |  |  |
| EMAIL ADDRESS:                                       |  |  |
|  |  |  |

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 <u>nonrefundable</u> 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 <u>prior</u> to placing the item on the Council Agenda for final approval.

Signed By:

Landowner/Applican



## City of Austin

P.O. Box 1088, Austin, TX 78767 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, has submitted a S.M.A.R.T. Housing application to construction the Pathways of Chalmers Court West, a <u>156</u>-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 <u>156</u> and changes the unit breakdown as follows: From 11% of the units (14 units) serving households at or below 30% MFI to <u>9%</u> of the units (14 Units); from 36% of the units (55 units) serving households at or below 50% MFI to <u>36%</u> of the units (<u>56</u> units); from 44% of the units (67 units) serving households at or below 60% MFI to <u>45%</u> of the units (<u>70</u> 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).
- 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 <a href="mailto:Sandra.harkins@austintexas.gov">Sandra.harkins@austintexas.gov</a> if you need additional information.

Tandra Warhurs

Sandra Harkins, Project Coordinator

Neighborhood Housing and Community Development

Cc: Kristin Martinez, AE

Mashell Smith, ORS

Ellis Morgan, NHCD Jonathan Orenstein, AWU

F# LA EXHIBIT "A" Dunaway/UDG #18978 F.N. #1550 Page 1 of 3 City of Austin to
The Housing Authority
of the City of Austin
(Partial Release)
Chalmers Ave.

### 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):

F# LA EXHIBIT "A" Dunaway/UDG #18978 F.N. #1550 Page 2 of 3 City of Austin to
The Housing Authority
of the City of Austin
(Partial Release)
Chalmers Ave.

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, \$20°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

TBPLS 10065900

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

January 30, 2020

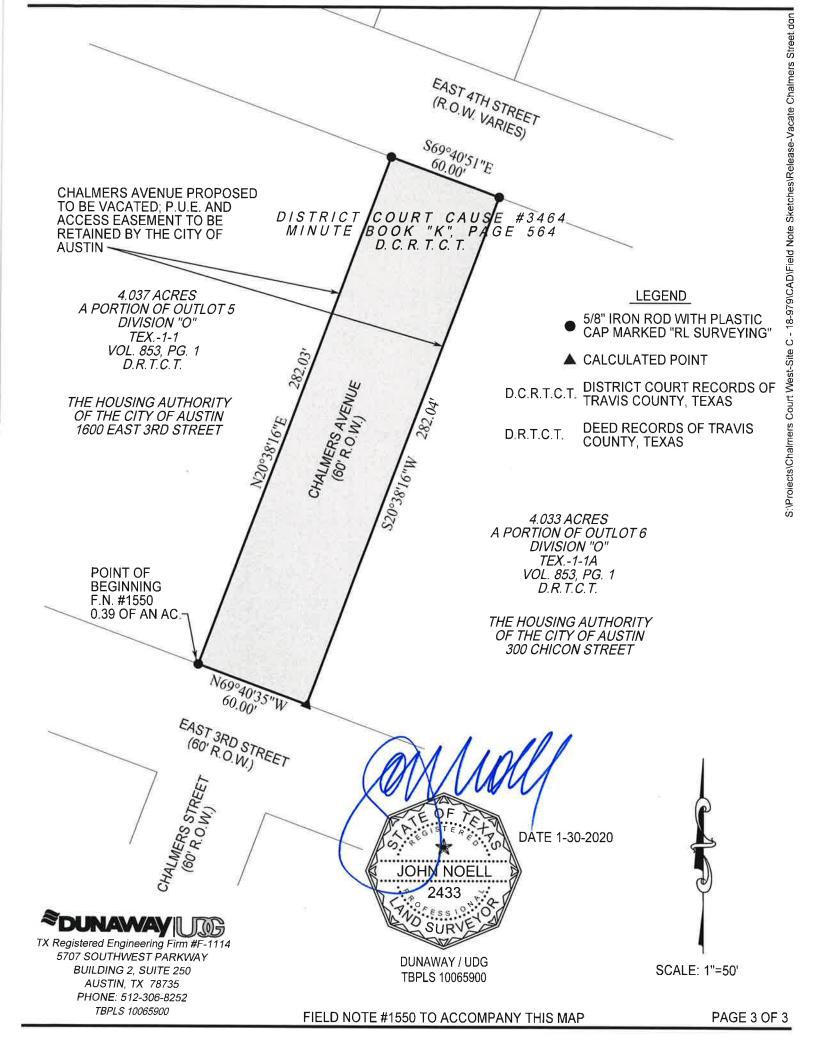
Map attached.

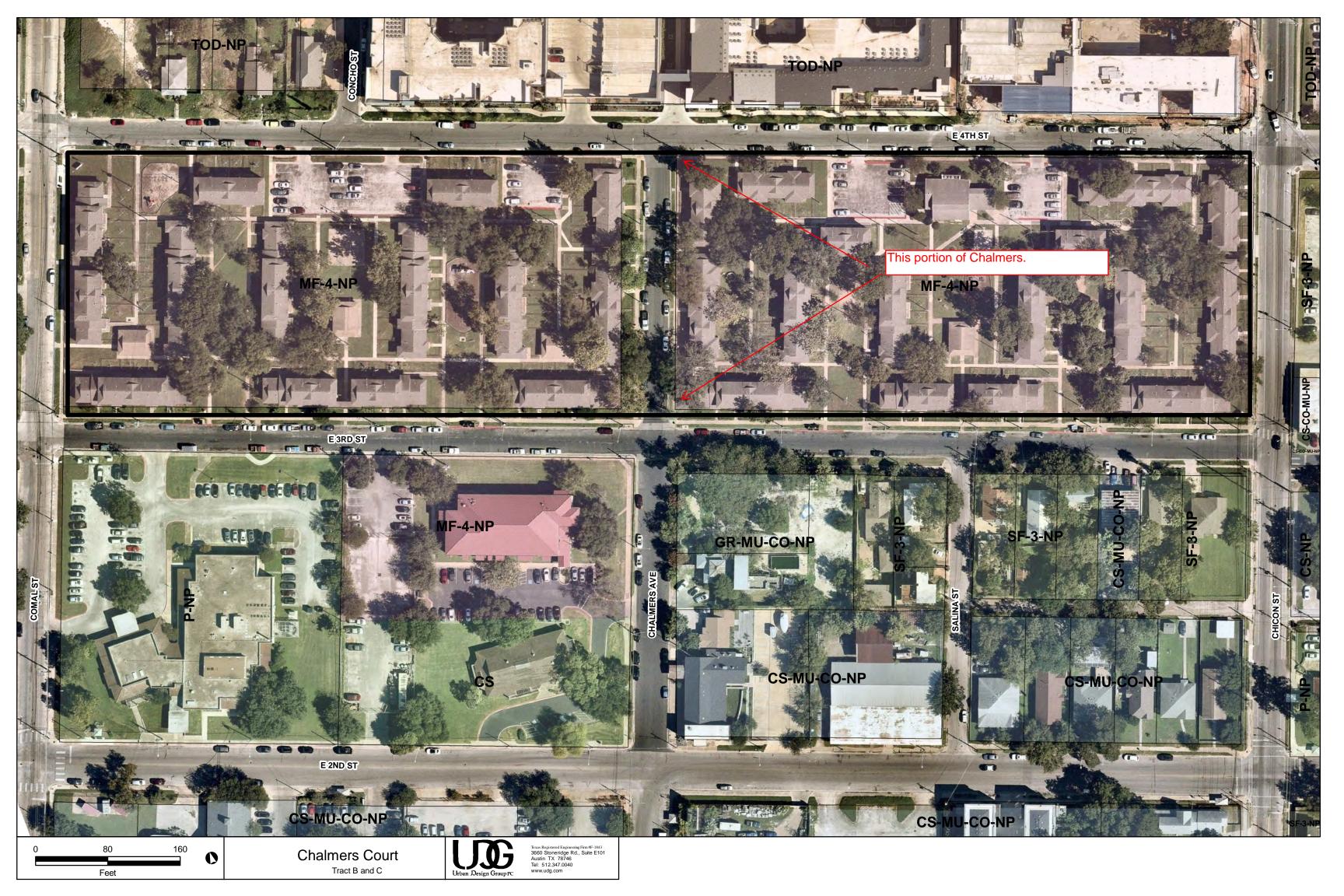
Basis of Bearings: The bearing shown are based on the Texas State Plane Coordinate System, Central Zone (4203) NAD83, as shown on a survey map by Clifton Seward, dated June 6, 2017.

References:

TCAD: 02 0408

Austin Grid: K-21





# SITE PLAN FOR PATHWAYS AT CHALMERS COURTS WEST

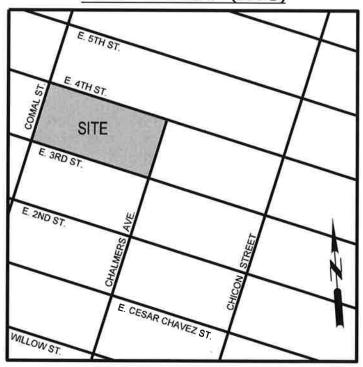
# 1600 EAST 3RD AUSTIN, TX 78702

**LEGAL DESCRIPTION** 

4.425 ACRES

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

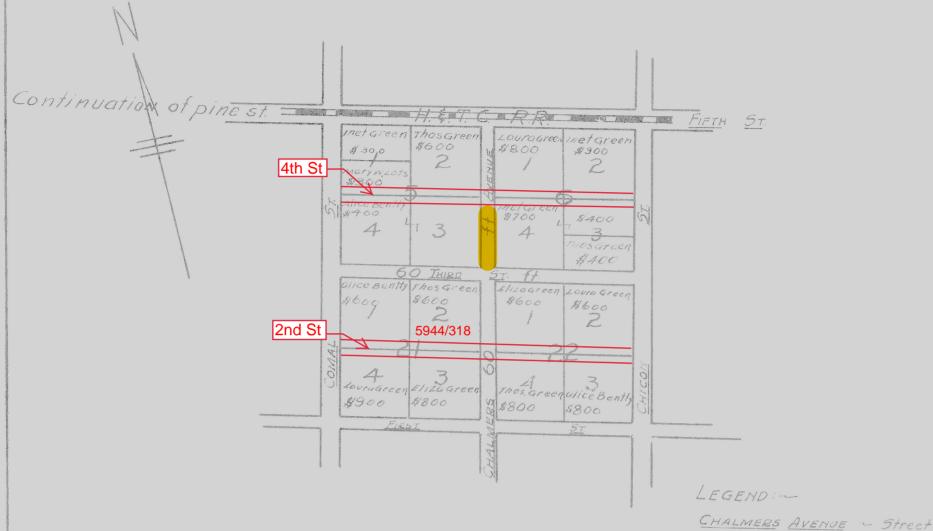
MAPSCO GRID K-21, PAGE 615C VICINITY MAP (NTS)



LADY BIRD LAKE WATERSHED URBAN WATERSHED

609 0 2

SUBDIVISION OF OUTLOTS 5-6-21 & 22 DIV. "O"
OF GOV, TOUTLOTS AS COPIED FROM TRAVIS
COUNTY DISTRICT COURT RECORDS EXIBIT A"



TRACERS NOTE

Traced from Travis county
District Court Records
Minute Book K. Page
565 for City of Clustin
Engineering Dept By
J.M. Mitchell Feb. 26th 1934

names as used in 1934.

November 5th, 1897

K. M. Lane and Wife vs. Eliza Chalmers Oreen Et. al. for Partition of Estate of Thomas & Mary Green. To the Distric Court of Travis Co. Your Commissioners who were appointed at the last term of your honorable court, to pitition and divide the promerty 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 promerty 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 fourty acre Block adjoinint 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 run-Southern & Eastern & Western Sides at right angle with the line of said survey or lots And that through the center of each of these subdivisions Made by the said streets they ran lines from the Morth & 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 3464

Book K, Civil Minutes Page 566

2 6 509