



## MEMORANDUM

**TO:** Andrew Rivera, Planning Commission

**FROM:** Mashell Smith, Property Agent Senior  
Land Management, Development Services Department

**DATE:** June 10, 2022

**SUBJECT:** F#2021-162243 Street Right-of-Way Encroachment of aerial pool decking

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Attached is the Application Packet and Master Comment Report pertaining to a request to encroach into the right-of-way of Rainey Street (at approximately 69 Rainey Street). The right of way is fully paved and heavily traveled by vehicles and pedestrians. The proposed encroachment is for approximately 319 square feet of aerial pool decking. The abutting property is owned by River & Rainey, LLC. Per the transmittal letter dated November 9, 2021, received by the City of Austin, applicant states: the proposed encroachment supports the Priority Programs identified in the Imagine Austin Comprehensive Plan. The abutting tract is currently associated with active site plan SP-2019-0465C.

All affected departments and private utility franchise stakeholders have reviewed the application and recommend approval, subject to the reviewers' conditions shown on the attached Master Comment Report.

Per City Code §14-11-54 – Notice to any registered neighborhood organization whose boundaries are within all or a portion of the encroachment area. A neighborhood plan contact team or registered neighborhood organization whose boundaries are within all or a portion of the encroachment area may submit comments regarding the proposed encroachment. No comments were received by staff.

The applicant has requested that this item be submitted for placement on the **June 14, 2022, Planning Commission Agenda**.

Staff contact: Mashell Smith, Land Management, Property Agent Senior  
Development Services Department, 512-974-7079, [mashell.smith@austintexas.gov](mailto:mashell.smith@austintexas.gov)

Applicant: Mike Reyes/Civiltude  
512-761-6161/[mike@civiltude.com](mailto:mike@civiltude.com)

Abutting Landowner: River & Rainey, LLC

The applicant and/or property owner's representative will be present at the meeting to answer any questions regarding future development and encroachment request.

Attachments:  
Summary of Review Comments Report and Application Packet

## Application for an Encroachment Agreement

File No. 2021-162243 LM  
Department Use Only

DATE: January 17, 2022  
Department Use Only

### 1. TYPE OF ENCROACHMENT

Encroachment Type:	<u>X</u>	<u>Aerial</u>	_____	<u>Sub-surface</u>	_____	<u>Surface</u>
List TYPE OF ENCROACHMENT to be placed on Public Property: _____ <u>Portion of Elevated Pool Deck</u>						
Has encroachment been installed prior to application: Yes <input type="radio"/> No <input checked="" type="radio"/>						
Adjoins property at the following street address: <u>61 &amp; 69 Rainey St, Austin, Texas 78701</u>						

### 2. PROPERTY DESCRIPTION OF ENCROACHMENT AREA

Parcel #: <u>0203031001, 0203031002</u>	
Survey & Abstract No. _____	
Lot(s) <u>18</u>	Block <u>1</u> Outlot <u>72-73</u>
Subdivision Name: <u>Driskill &amp; Rainey Subdivision</u>	
Plat Book <u>1</u>	Page Number <u>22</u> Document Number _____
County/Records: <u>Travis</u>	County; Deed Real Property <u>Official Public</u>
NOTE: Attach three dimensional metes and bounds survey of Encroachment area.	

Plat Records

### 3. RELATED CASES

	FILE NUMBERS
Existing Site Plan: <input checked="" type="radio"/> YES / <input type="radio"/> NO	<u>SP-2019-0465C</u>
Subdivision: Case: <input checked="" type="radio"/> YES / <input type="radio"/> NO	_____
Building Permit: YES / <input checked="" type="radio"/> NO	_____

### 4. APPLICANT INFORMATION

Name: <u>Mike Reyes</u>		
Firm Name: <u>Civiltude, LLC</u>		
Address: <u>5110 Lancaster Court</u>	City: <u>Austin</u>	State: <u>Texas</u>
Zip: <u>78723</u>	Phone: ( <u>512</u> ) <u>761 - 6161</u>	Fax No.: ( <u>512</u> ) <u>761 - 6167</u>
EMAIL ADDRESS: <u>mike@civiltude.com</u>		

### 5. DEVELOPER INFORMATION

Name: <u>Jon Rioux</u>		
Firm Name: <u>River Street Partners, LLC</u>		
Address: <u>906 Rio Grande St</u>	City: <u>Austin</u>	State: <u>Texas</u>
Zip: <u>78701</u>	Phone: ( <u>512</u> ) <u>333-4892</u>	Fax No.: ( <u>    </u> ) <u>    </u>





5110 Lancaster Court  
Austin, TX 78723  
Firm Registration #12469

Phone 512 761 6161  
Fax: 512 761 6167  
info@civilditude.com  
www.civilditude.com

## Letter of Transmittal

Date: November 9, 2021

To: City of Austin  
Office of Real Estate Services  
6310 Wilhelmina Delco Drive  
Austin, Texas 78752

Re: River Street Residences - Encroachment  
Agreement Application along:  
61 & 69 Rainey St  
Austin, Texas 78701

1. Is this a residential or commercial project?  
**This is a commercial project.**
2. How was the area of encroachment dedicated? By plat or by separate instrument?  
**The area of encroachment has not yet been dedicated, but it will be dedicated by separate instrument pending encroachment agreement approval.**
3. Did the City purchase the area where the proposed encroachment would be located? (i.e., by Street Deed)  
**It is our understanding that the area where the proposed encroachment would be located was dedicated by plat per Volume 1, Page 22. [Plat Records of Travis County](#)**
4. Does the encroachment currently exist, or is it only proposed on paper?  
**The encroachment is currently proposed on paper.**
5. Are there any utility lines within the proposed encroachment area? If yes, what are your plans for the utilities? Relocation of utility lines must be at the applicant's expense.  
**Proposed water service utilities to serve the project site. No known existing utilities within the proposed encroachment area.**
6. How do you plan to develop the proposed encroachment area?  
**Portion of a proposed aerial deck.**

7. Has a site plan been submitted on your project? If not, is the project exempt from the site plan process?

**A site plan has been submitted on this project under the document number SP-2019-0465C.**

8. Is your project a Unified Development?

**Yes**

9. Is your project a S.M.A.R.T Housing Project?

**This project is not a S.M.A.R.T Housing Project.**

**The development will provide an estimated 25 on site affordable units (the most in the Rainey district).**

10. When do you anticipate starting construction of the development?

**Beginning Q1 2022**

11. What is the current status of the adjacent properties?

**Adjacent property to the north appears to be a vacant single family house. Property to the south is the River Street ROW. Property to the west is Rainey Street ROW, Property to the east is an alley (aerial rights vacated) and then a vacant lot zoned CBD**

12. What type of parking facilities currently exist?

**No private onsite parking facilities exist; however, on-street public parking exists along the western property boundaries of 61 & 69 Rainey Street. The proposed area of encroachment will not be located directly above any parking facilities.**

13. Does the area of encroachment lie within UT boundaries: East of Lamar Boulevard, west of IH-35, north of Martin Luther King Boulevard, and south of 45<sup>th</sup> Street?

**No, the area of encroachment does not lie within UT boundaries.**

14. Does the area of encroachment lie within Downtown boundaries: East of Lamar Boulevard, west of IH-35, north of Lady Bird Lake, and south of Martin Luther King Boulevard?

**Yes, the area of encroachment does lie within the Downtown boundaries.**

15. Does the proposed encroachment support the Priority Programs and policy directives set forth in the Imagine Austin Comprehensive Plan? If so, how?

**Yes, the proposed encroachment supports the Priority Programs identified in the Imagine Austin Comprehensive Plan by allowing construction of outdoor greenspace via an aerial deck that partially encroaches in the ROW. The encroachment is necessary to maximize outdoor spaces and create urban residential greenspace as contemplated in the Create a Healthy Austin Priority Program objectives. Additionally, the encroachment will allow for added green infrastructure in the form of rain gardens, and rainwater and condensate capture systems that**



5110 Lancaster Court  
Austin, TX 78723  
Firm Registration #12469

Phone 512 761 6161  
Fax: 512 761 6167  
[info@civiltitude.com](mailto:info@civiltitude.com)  
[www.civiltitude.com](http://www.civiltitude.com)

will provide irrigation for the aerial deck as contemplated in the Priority Programs. Further, the encroachment allows the project to realize its entitled density of 22:1 FAR, which allows the development to provide an estimated 25 on site affordable units (the most in the Rainey district) and an estimated \$1.2M of fee in lieu payments as contemplated by the Project's approved downtown density bonus. These efforts support the Priority Programs of investing in a compact and connected Austin and to develop and support additional affordable housing. The Project was presented to the Design Commission, Downtown Commission, Planning Commission and City Council and received support and approval of its downtown density bonus in March 2021 by all bodies.

Please call me at (512) 761-6161 or e-mail at [mike@civiltitude.com](mailto:mike@civiltitude.com) if you have any questions.

A handwritten signature in blue ink that reads "Michael Reyes".

Thank you,  
Mike Reyes, P.E.



## EXHIBIT “\_\_\_”

### (319 SQUARE FEET ENCROACHMENT AGREEMENT)

(PAGE 1 OF 4)

#### LEGAL DESCRIPTION

**FIELDNOTES** for a 0.007 of an acre ( $\pm 319$  square feet) tract situated within the right of way of Rainey Street (60 foot wide ROW, evidenced by RAINEY RIVER ADDITION, a map of which is recorded in Volume 68, Page 72, Plat Records of Travis County, Texas (P.R.T.C.T.) and said DRISKILL’S AND RAINEY’S SUBDIVISION OF PART OF OUTLOTS 72 & 73, DIVISION E, AUSTIN TEXAS, a map of which is recorded in Volume 1, Page 22, of the Plat Records of Travis County, Texas (P.R.T.C.T.); the subject tract being more particularly described as follows:

**BEGINNING** at a 1/2 inch iron pipe found at the west corner of that land called Tract 2 in a Special Warranty Deed with Vendor's Lien to River Street Partners, LLC (hereinafter referred to as River Street Partners Tract 2), as recorded under Instrument Number 2021080727, of the Official Public Records of Travis County, Texas (O.P.R.T.C.T.), being at the intersection of the apparent northeast right-of-way line of River Street (River Street being cited as having been relocated by City Council Ordinance recorded in Volume 85, Page 62, of the Deed Records of Travis County, Texas (D.R.T.C.T.) (document illegible), referenced by Instrument Numbers 2011169769 and 2010134909, O.P.R.T.C.T.), according to said DRISKILL’S AND RAINEY’S SUBDIVISION OF PART OF OUTLOTS 72 & 73, DIVISION E, AUSTIN TEXAS, and the southeast right-of-way line of said Rainey Street, having Texas State Plane Grid (Texas Central Zone, NAD83) coordinate values of N=10,067,083.13, E=3,115,603.81;

**THENCE** through the interior of said Rainey Street right-of-way, the following bearings and distances:

1. NORTH 73° 39’ 44” WEST, a distance of 3.75 feet;
2. NORTH 16° 10’ 31” EAST, a distance of 85.03 feet;

<u>Dallas-Fort Worth</u>	<u>Central Texas</u>	<u>West Texas</u>	<u>Houston</u>
785 Lonesome Dove Tr. Hurst, Texas 76054 (817) 431-4971 Firm #10019500	1516 E. Palm Valley Blvd., A4 Round Rock, Texas 78664 (512) 778-5688 Firm #10194073	426 Graham Street Tuscola, Texas 79562 (325) 672-7420 Firm #10193867	11511 Katy Fwy., 515 Houston, Texas 77079 (281) 812-2242 Firm # 10019500

3. SOUTH 73° 49' 22" EAST, a distance of 3.75 feet to the southeast right-of-way line of said Rainey Street, at the north corner of that land called Tract 1 in a Special Warranty Deed with Vendor's Lien to River Street Partners, LLC (hereinafter referred to as River Street Partners Tract 1), as recorded under Instrument Number 2021080727, O.P.R.T.C.T., from which a 5/8 inch rebar found at the east corner of said River Street Partners Tract 1, bears SOUTH 73° 49' 22" EAST, a distance of 128.26 feet;

**THENCE** SOUTH 16° 10' 31" WEST, along the common line of said southeast right-of-way line of Rainey Street and the northwest line of said River Street Partners Tract 1, at a distance of 35.19 feet pass a 1/2 inch rebar found at the common west corner of said River Street Partners Tract 1 and said River Street Partners Tract 2, and continuing with the common line of said southeast right-of-way line of Rainey Street and the northwest line of said River Street Partners Tract 2, for a total distance of 85.04 feet to the **POINT OF BEGINNING** enclosing 0.007 of one acre ( $\pm$  319 square feet) of land.

BEARING BASIS NOTE

The bearings described herein are Texas State Plane Grid bearings (Texas Central Zone, NAD83)

Witness my hand this (To the City of Austin):

I, Cole Strevey, licensed to practice Land Surveying in the State of Texas, hereby certify that the foregoing metes and bounds description and sketch were based on an on the ground survey.

Witness my hand and seal this date November 3, 2021.



REFERENCES  
AUSTIN GRID J-21

<u>Dallas-Fort Worth</u>	<u>Central Texas</u>	<u>West Texas</u>	<u>Houston</u>
785 Lonesome Dove Tr. Hurst, Texas 76054 (817) 431-4971 Firm #10019500	1516 E. Palm Valley Blvd., A4 Round Rock, Texas 78664 (512) 778-5688 Firm #10194073	426 Graham Street Tuscola, Texas 79562 (325) 672-7420 Firm #10193867	11511 Katy Fwy., 515 Houston, Texas 77079 (281) 812-2242 Firm # 10019500
WWW.JPHLANDSURVEYING.COM			



# EXHIBIT " "

## PAGE 3 OF 4 SKETCH TO ACCOMPANY LEGAL DESCRIPTION

### LEGEND OF ABBREVIATIONS

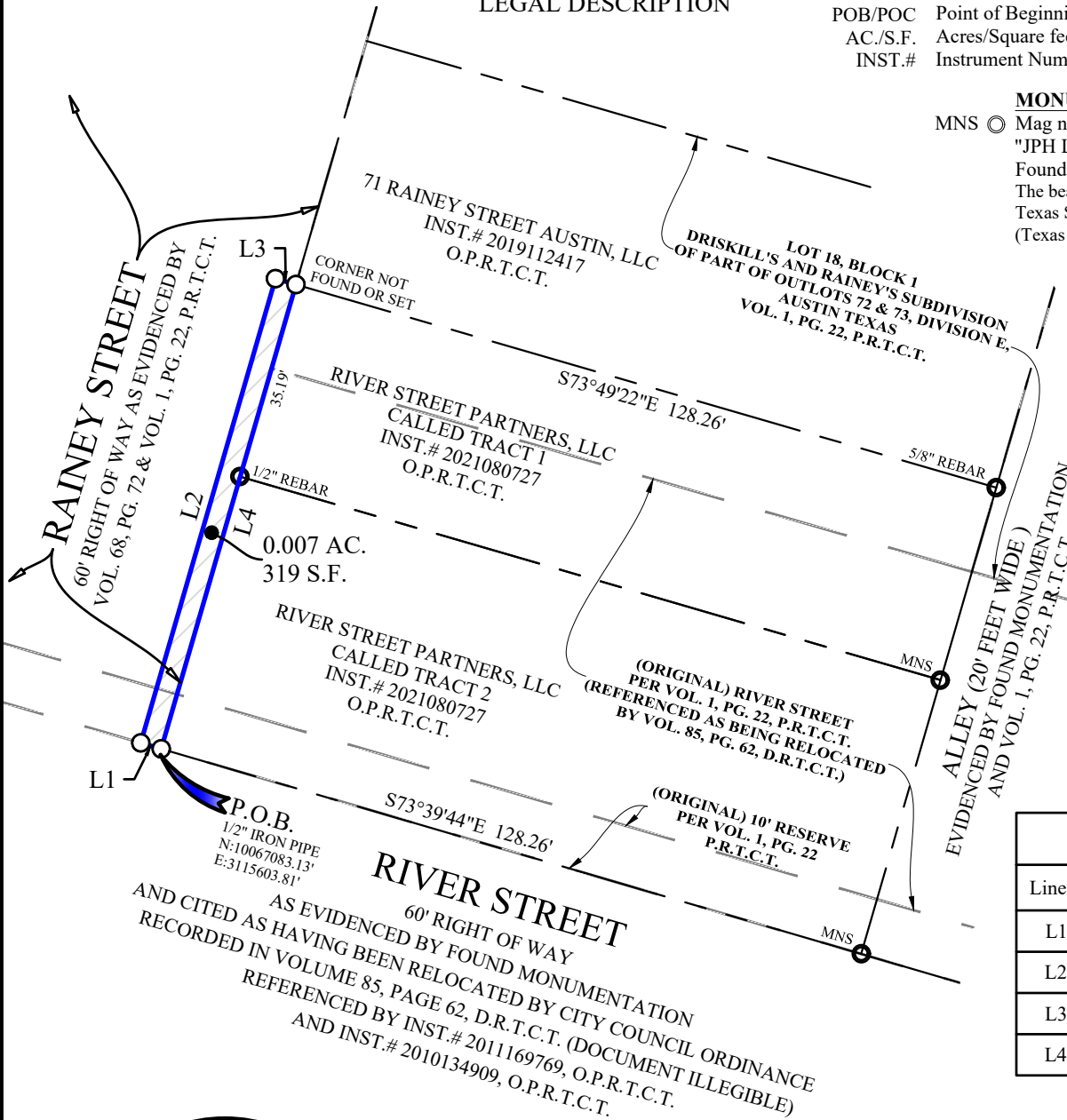
P.R.T.C.T.	Plat Records of Travis County, Texas
O.P.R.T.C.T.	Official Public Records of Travis County, Texas
D.R.T.C.T.	Deed Records of Travis County, Texas
POB/POC	Point of Beginning/Point of Commencing
AC./S.F.	Acres/Square feet
INST.#	Instrument Number

### MONUMENTS / BEARING BASIS

MNS ☉ Mag nail & washer stamped  
"JPH Land Surveying" set  
Found monuments are as noted  
The bearings shown hereon are  
Texas State Plane Grid bearings  
(Texas Central Zone, NAD83).



Scale: 1" = 30'



Line Data Table		
Line #	Distance	Bearing
L1	3.75'	N73°39'44"W
L2	85.03'	N16°10'31"E
L3	3.75'	S73°49'22"E
L4	85.04'	S16°10'31"W



Cole Strevey  
Registered Professional  
Land Surveyor No. 6731  
cole@jphls.com  
November 3, 2021



EXHIBIT SHOWING  
319 SQUARE FEET  
BEING A PORTION OF  
RAINNEY STREET  
CITY OF AUSTIN  
TRAVIS COUNTY, TEXAS

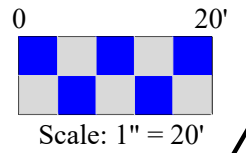
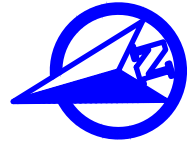
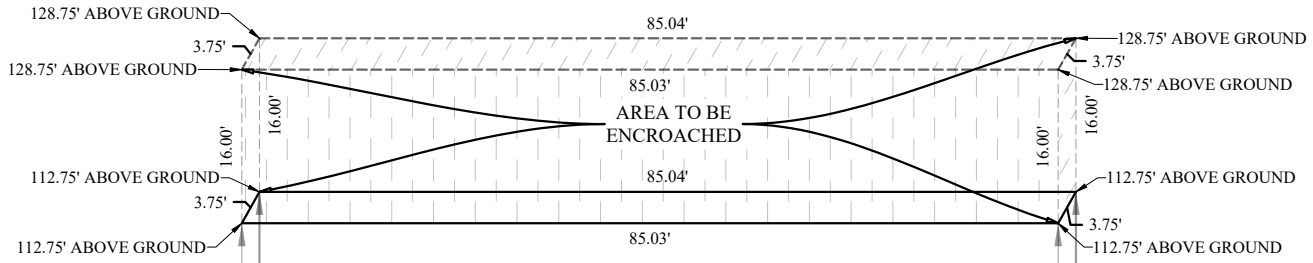
JPH Job No.  
2016.069.006 60 East Avenue, Austin, Travis County, TX  
-Aerial Encroachment Agmnt.dwg  
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1516 E. Palm Valley Blvd., Ste. A4, Round Rock, Texas 78664  
Telephone (817) 431-4971 www.jphlandsurveying.com  
TBPLS Firm #10019500 #10194073 #10193867  
DFW-Houston | Central Texas | West Texas

EXHIBIT " " "

PAGE 4 OF 4

SKETCH TO ACCOMPANY

LEGAL DESCRIPTION

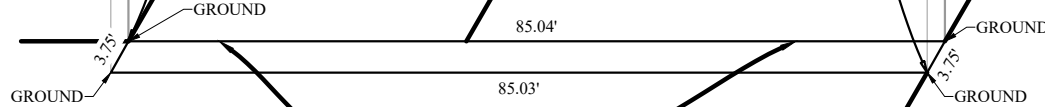


71 RAINEY STREET, AUSTIN, LLC  
INST. # 2019112417  
O.P.R.T.C.T.

RIVER STREET PARTNERS, LLC  
CALLED TRACT 1  
INST. # 2021080727  
O.P.R.T.C.T.

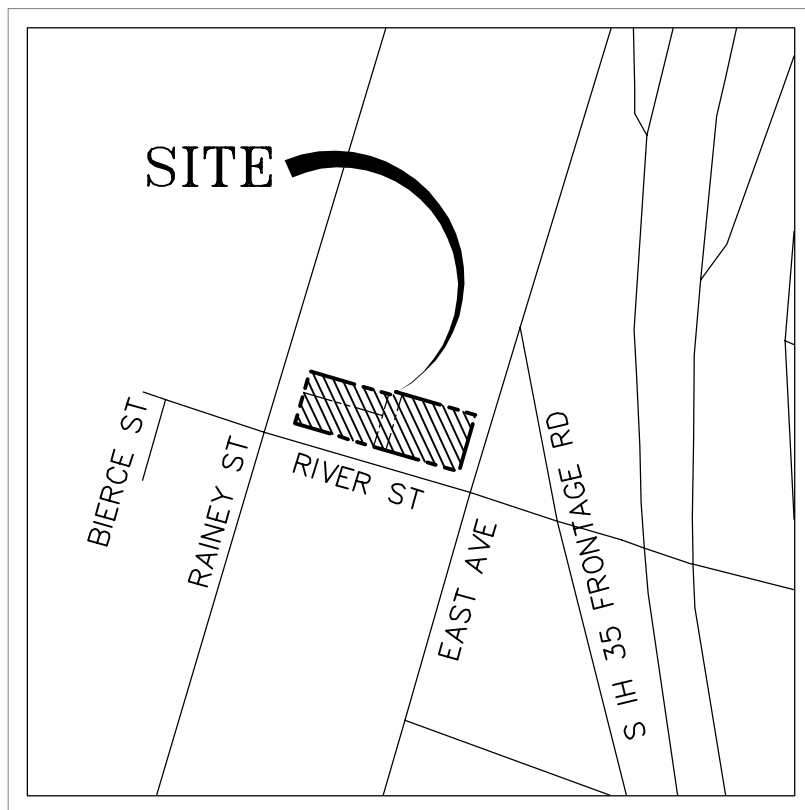
RIVER STREET PARTNERS, LLC  
CALLED TRACT 2  
INST. # 2021080727  
O.P.R.T.C.T.

RIVER STREET  
60' RIGHT OF WAY  
AS EVIDENCED BY FOUND MONUMENTATION  
AND CITED AS HAVING BEEN RELOCATED BY CITY COUNCIL ORDINANCE  
RECORDED IN VOLUME 85, PAGE 02, D.R.T.C.T. (DOCUMENT ILLEGIBLE)  
AND INST. # 200134909, O.P.R.T.C.T.

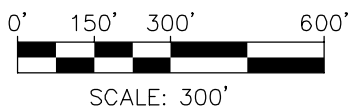


RAINEY STREET  
60' RIGHT OF WAY AS EVIDENCED BY  
VOL. 68, PG. 72 & VOL. 1, PG. 22, P.R.T.C.T.





60 EAST AVENUE



SCALE: 300'

LOCATION MAP

GRID: J21  
MAPSCO: 615B

Travis CAD

Property Search > 190883 RIVER STREET PARTNERS LLC for  
Year 2021

Tax Year: 2021

Property

<b>Account</b>			
Property ID:	190883	Legal Description:	S 15.39 FT OF LOT 18 & ADJ S 19.8X128 FT BLK 1 OLT 72-73 DIV E DRISKILL & RAINEY SUBD
Geographic ID:	0203031002	Zoning:	SF3
Type:	Real	Agent Code:	
Property Use Code:			
Property Use Description:			
<b>Protest</b>			
Protest Status:			
Informal Date:			
Formal Date:			
<b>Location</b>			
Address:	69 RAINEY ST TX 78701	Mapsco:	
Neighborhood:	NIGHT CLUB/BAR	Map ID:	020201
Neighborhood CD:	31CBD		
<b>Owner</b>			
Name:	RIVER STREET PARTNERS LLC	Owner ID:	1834635
Mailing Address:	906 RIO GRANDE ST AUSTIN, TX 78701-2222	% Ownership:	100.0000000000%
		Exemptions:	

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$411,743	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$568,008	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
-----			
(=) Market Value:	=	\$979,751	
(-) Ag or Timber Use Value Reduction:	-	\$0	
-----			
(=) Appraised Value:	=	\$979,751	
(-) HS Cap:	-	\$0	
-----			
(=) Assessed Value:	=	\$979,751	

Taxing Jurisdiction

Owner: RIVER STREET PARTNERS LLC

% Ownership: 100.0000000000%

Total Value: \$979,751

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax		
01	AUSTIN ISD	1.102700	\$979,751	\$979,751	\$10,803.72		
02	CITY OF AUSTIN	0.533500	\$979,751	\$979,751	\$5,226.97		
03	TRAVIS COUNTY	0.374359	\$979,751	\$979,751	\$3,667.79		
0A	TRAVIS CENTRAL APP DIST	0.000000	\$979,751	\$979,751	\$0.00		
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.110306	\$979,751	\$979,751	\$1,080.72		
3L	WALLER CREEK TIF	0.000000	\$979,751	\$979,751	\$0.00		
68	AUSTIN COMM COLL DIST	0.105800	\$979,751	\$979,751	\$1,036.58		
Total Tax Rate:		2.226665					
Taxes w/Current Exemptions:					\$21,815.78		
Taxes w/o Exemptions:					\$21,815.77		

Improvement / Building

All improvements valued at income

Improvement #1:	OFF/RETAIL (SFR)	State Code:	F5	Living Area:	1728.0 sqft	Value: N/A
Type	Description	Class CD	Exterior Wall	Year Built	SQFT	
1ST	1st Floor	WS - 4+		1920	1728.0	
011C	PORCH OPEN 1ST COMM	WS - 4+		1920	72.0	
011C	PORCH OPEN 1ST COMM	WS - 4+		1920	40.0	
251	BATHROOM	WS - 4+		1920	2.0	
252	BEDROOMS	WS - 4+		1920	3.0	
571C	STORAGE DET COMM	WS - 4+		1920	212.0	
611	TERRACE	MA - *		1920	1420.0	

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	LAND	Land	0.1035	4508.00	35.19	128.10	\$0	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2022	N/A	N/A	N/A	N/A	N/A	N/A
2021	\$411,743	\$568,008	0	979,751	\$0	\$979,751
2020	\$362,323	\$568,008	0	930,331	\$0	\$930,331
2019	\$362,323	\$568,008	0	930,331	\$0	\$930,331
2018	\$324,768	\$568,008	0	892,776	\$0	\$892,776
2017	\$144,178	\$473,340	0	617,518	\$0	\$617,518

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	4/12/2021	WD	WARRANTY DEED	69 RAINY STREET LLC	RIVER STREET PARTNERS LLC			2021080727
2	9/13/2010	WD	WARRANTY DEED	LOOK MARION	69 RAINY STREET LLC			2010134909TR
3	4/1/1983	WD	WARRANTY DEED	MEDINA LUIS R	LOOK MARION	08044	00500	

Travis CAD

Property Search > 190882 RIVER STREET PARTNERS LLC for  
Year 2021

Tax Year: 2021

Property

Account

Property ID:	190882	Legal Description:	S 50.2FT OF W 128FT BLK 1 OLT 72-73 DIV E DRISKILL & RAINY SUBD
Geographic ID:	0203031001	Zoning:	SF3
Type:	Real	Agent Code:	
Property Use Code:			
Property Use Description:			

Protest

Protest Status:  
Informal Date:  
Formal Date:

Location

Address:	61 RAINEY ST TX 78701	Mapsco:	
Neighborhood:	NIGHT CLUB/BAR	Map ID:	020201
Neighborhood CD:	31CBD		

Owner

Name:	RIVER STREET PARTNERS LLC	Owner ID:	1834635
Mailing Address:	906 RIO GRANDE ST AUSTIN, TX 78701-2222	% Ownership:	100.0000000000%
		Exemptions:	

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$149,148	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$809,626	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
-----			
(=) Market Value:	=	\$958,774	
(-) Ag or Timber Use Value Reduction:	-	\$0	
-----			
(=) Appraised Value:	=	\$958,774	
(-) HS Cap:	-	\$0	
-----			
(=) Assessed Value:	=	\$958,774	

Taxing Jurisdiction

Owner: RIVER STREET PARTNERS LLC  
% Ownership: 100.0000000000%

Total Value: \$958,774

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax		
01	AUSTIN ISD	1.102700	\$958,774	\$958,774	\$10,572.40		
02	CITY OF AUSTIN	0.533500	\$958,774	\$958,774	\$5,115.06		
03	TRAVIS COUNTY	0.374359	\$958,774	\$958,774	\$3,589.25		
0A	TRAVIS CENTRAL APP DIST	0.000000	\$958,774	\$958,774	\$0.00		
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.110306	\$958,774	\$958,774	\$1,057.59		
3L	WALLER CREEK TIF	0.000000	\$958,774	\$958,774	\$0.00		
68	AUSTIN COMM COLL DIST	0.105800	\$958,774	\$958,774	\$1,014.39		
Total Tax Rate:		2.226665					
Taxes w/Current Exemptions:					\$21,348.69		
Taxes w/o Exemptions:					\$21,348.69		

Improvement / Building

All improvements valued at income

Improvement #1:	OFF/RETAIL (SFR)	State Code:	F1	Living Area:	1691.0 sqft	Value: N/A
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Type	Description	Class CD	Exterior Wall	Year Built	SQFT
1ST	1st Floor	WW - 4		1920	1691.0
501	CANOPY	A - *		1920	72.0
511	DECK	WA - *		1920	1781.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	LAND	Land	0.1475	6425.60	50.20	128.00	\$0	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2022	N/A	N/A	N/A	N/A	N/A	N/A
2021	\$149,148	\$809,626	0	958,774	\$0	\$958,774
2020	\$230,374	\$809,626	0	1,040,000	\$0	\$1,040,000
2019	\$281,898	\$809,626	0	1,091,524	\$0	\$1,091,524
2018	\$310,293	\$809,626	0	1,119,919	\$0	\$1,119,919
2017	\$132,170	\$674,688	0	806,858	\$0	\$806,858

Questions Please Call (512) 834-9317

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Austin Texas June 24. 1885

J. W. C. Walsh Commissioner of the General Land office of the State of Texas as hereby certify that appeared from the Archives of this Office that a survey of 4 acres & 12 poles No 72 patented April 23, 1841 to George B. Caldwell and a survey of 50 1/4 acres No 73 patented to David Thomas Feb'y 25, 1846 are both in Division E of the out lots of the City of Austin In testimony whereof I hereunto sign my name and affix the impress of my official seal at Austin the date first above written

(Seal) { Filed July 11<sup>th</sup> 1885 at 1.0'clock P.M.  
Recorded July 11<sup>th</sup> 1885 at 2.0'clock P.M. }

J. W. C. Walsh,  
Comm

Division of part of  
Out lots Nos 72 & 73 Division D. Austin Texas  
Known as "South East End"  
Filed for Record January 19<sup>th</sup> 1884 at 4.0'clock P.M.  
Frank K. Brown Clerk L. & C. Davis Co. Survey



East Avenue

200' wide



CITY OF AUSTIN - ENCROACHMENT

MASTER COMMENT REPORT



As of: April 05, 2022

PROJECT NUMBER: 2021-162243 LM

PROJECT NAME: 2021-162243 (61 & 69 Rainey Street)

LOCATION: 69 RAINEY ST, AUSTIN, TX 78701

Review Dept.	Reviewer	Phone	Attempt Date	Approved Date
LM AT&T (SWBT)				

No Comment	Mashell Smith	(512) 974-7079	03/23/2022	03/23/2022
Comments:	AT&T was sent 10 plus emails seeking comments. MS sent a final email stating if comments were not returned by 3/18/22 COA would show this as closed. As of 3/23/22 no comment had been received.			

LM ATD Review

Approved	Ravi Dhamrat	512-974-1217	03/02/2022	03/02/2022
Comments:	None			

As of: April 05, 2022

PROJECT NUMBER: 2021-162243 LM

PROJECT NAME: 2021-162243 (61 & 69 Rainey Street)



LOCATION: 69 RAINEY ST, AUSTIN, TX 78701

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM Austin Resource Recovery Review				
Approved	Michael Zavala	(512) 974-1837	02/08/2022	02/08/2022
Comments:	There are no issues with this encroachment that would hinder any ARR services in this area.			

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#### LM AW Infrastructure Management

Rejected	Eric Sermeno	512-972-0497	01/24/2022	
Comments:	legal description for area requested for aerial encroachment should be provide and not just dimensions on a sketch. Also, provide cross section show ground elevation in relationship to bottom of aerial encroachment so Austin Water can make a determination and recommendation of denial or approval.			
Approved	Eric Sermeno	512-972-0497	03/08/2022	03/08/2022
Comments:	Austin Water (AW) has no objections to requested 0.007 of an acre (+/- 319 square-feet) Aerial Encroachment within the right-of-way (ROW) of Rainey Street (60 foot wide ROW, evidenced by Rainey River Addition, a map of which is recorded in volume 68, page 72, plat records of Travis County, (P.R. T.C.T.) and said Driskill's and Rainey's Subdivision of Part of Outlots 72 & 73, Division E, Austin Texas, a map of which is recorded in volume 1, page 22, of the plat records of Travis County (P.R.T.C.T.), and with an address of 61 & 69 Rainey Street, Austin, Texas 78701.			

As of: April 05, 2022

PROJECT NUMBER: 2021-162243 LM

PROJECT NAME: 2021-162243 (61 & 69 Rainey Street)



LOCATION: 69 RAINEY ST, AUSTIN, TX 78701

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
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LM Capital Metro

Approved	Mashell Smith	(512) 974-7079	01/19/2022	01/19/2022
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**Comments:** Thanks for reaching out to Cap Metro the following project is approved by Cap Metro with no exceptions .

Thank You  
Ron Foster .

Ron Foster  
Assistant Transportation Planner , Capital Metro  
P: 512-389-7565 | M: 512-417-6387  
W: www.capmetro.org  
A: 2910 E 5th Street

LM Code Enforcement Review

No Comment	Daniel Word	512-974-6559	02/15/2022	02/15/2022
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**Comments:** Code enforcement has no need to review encroachment agreements. Per Daniel Word

As of: April 05, 2022

PROJECT NUMBER: 2021-162243 LM

PROJECT NAME: 2021-162243 (61 & 69 Rainey Street)



LOCATION: 69 RAINEY ST, AUSTIN, TX 78701

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM DSD - Planning Review				
Approved	Ron Menard	512-974-2384	02/07/2022	02/07/2022
Comments:	None			

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LM Electric Review

Approved	Rosario Navarro	512-322-6754	02/07/2022	02/07/2022
Comments:	AE approved.			

As of: April 05, 2022

PROJECT NUMBER: 2021-162243 LM

PROJECT NAME: 2021-162243 (61 & 69 Rainey Street)



LOCATION: 69 RAINEY ST, AUSTIN, TX 78701

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM EMS Review				
Approved	Milissa Warren	(512)972-7234	02/14/2022	02/14/2022
Comments:	EMS will support staff recommendation on this request.			

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LM Fire For Site Plan Review

Approved	Tom Migl	512-974-0164	01/26/2022	01/26/2022
Comments:	None			

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As of: April 05, 2022

PROJECT NUMBER: 2021-162243 LM

PROJECT NAME: 2021-162243 (61 & 69 Rainey Street)



LOCATION: 69 RAINEY ST, AUSTIN, TX 78701

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM GAATN Review				
Approved	Carlos DeMatos	(512) 974-6513	02/14/2022	02/14/2022
Comments:	None			

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#### LM Google Fiber Texas

Approved	Mashell Smith	(512) 974-7079	02/07/2022	02/07/2022
Comments:	Google fiber is clear along Rainey Street. However Google has Aerial facilities in the Alley between Rainey Street and East Ave North of River Street.  Please contact Fredric Ritter for any further coordination and or if relocation agreements are required.  Thank you!  Elizabeth Figueroa   Project Assistant Texas Utility Engineering, LLC. ¿ An EN Engineering Company 6709 Guada Coma   Schertz, TX 78154 Main: 210.728.3166   efigueroa@txue-inc.com   www.txue-inc.com			

As of: April 05, 2022

PROJECT NUMBER: 2021-162243 LM

PROJECT NAME: 2021-162243 (61 & 69 Rainey Street)



LOCATION: 69 RAINEY ST, AUSTIN, TX 78701

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM Grande Communications				
Approved	Daniel Pina	(512) 974-7079	03/15/2022	03/15/2022
Comments:	Grande has no objections. Danie Pina			

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#### LM PARD / Planning & Design Review

Approved	Robynne Heymans	512-974-9549	02/08/2022	02/08/2022
Comments:	None			

As of: April 05, 2022

PROJECT NUMBER: 2021-162243 LM

PROJECT NAME: 2021-162243 (61 & 69 Rainey Street)



LOCATION: 69 RAINEY ST, AUSTIN, TX 78701

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM PAZ Long Range Planning Review				
Approved	Kathleen Fox	512-974-7877	02/22/2022	02/22/2022
Comments:	Proposal does not conflict with the policies of the Imagine Austin Comprehensive Plan.			

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LM PAZ Zoning Review

Approved	Wendy Rhoades	512-974-7719	01/18/2022	01/18/2022
Comments:	No comments; Approved			

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