**RCA**
**CITY OF AUSTIN**
**RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.:** 36
**AGENDA DATE:** Thu 07/29/2004
**PAGE:** 1 of 1

**SUBJECT:** Approve an ordinance vacating a portion of University Avenue (2900 Block) to AUSTIN PRESBYTERIAN THEOLOGICAL SEMINARY, Austin, TX, to allow the Seminary flexibility in its master plan in consideration of dedication of a 25 foot easement for a future bicycle/pedestrian trail.

**AMOUNT & SOURCE OF FUNDING:** N/A

**FISCAL NOTE:** There is no unanticipated fiscal impact. A fiscal note is not required.

**REQUESTING** Public Works
**DEPARTMENT:**

**DIRECTOR'S**
**AUTHORIZATION:** Sondra Creighton

**FOR MORE INFORMATION CONTACT:** Chris Muraida, 974-7191; Laura Bohl, 974-7064

**PRIOR COUNCIL ACTION:** N/A

**BOARD AND COMMISSION ACTION:** Recommended by the Planning Commission and the Urban Transportation Commission.

**PURCHASING:** N/A

**MBE / WBE:** N/A

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The request for the vacation of a portion of University Avenue (2900 Block) has been submitted by Larry Foster, on behalf of the Austin Presbyterian Theological Seminary.

The area being requested for vacation will allow the Seminary more flexibility in its master plan. In exchange for the right of way, the Austin Presbyterian Theological Seminary will deed a 25-foot strip of land to the City of Austin, Parks and Recreation Department for a future bicycle/pedestrian trail. All affected departments and franchise holders have reviewed this request and recommended approval, subject to the area being retained as a drainage and public utility easement.

Property owners within 300 feet of the area to be vacated were notified on June 28, 2004. An objection has been received from George F. Allen to this proposed vacation as a result of the notification.

No revenue will be generated to the City of Austin for the vacation of the requested right of way due to the exchange.
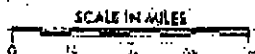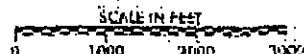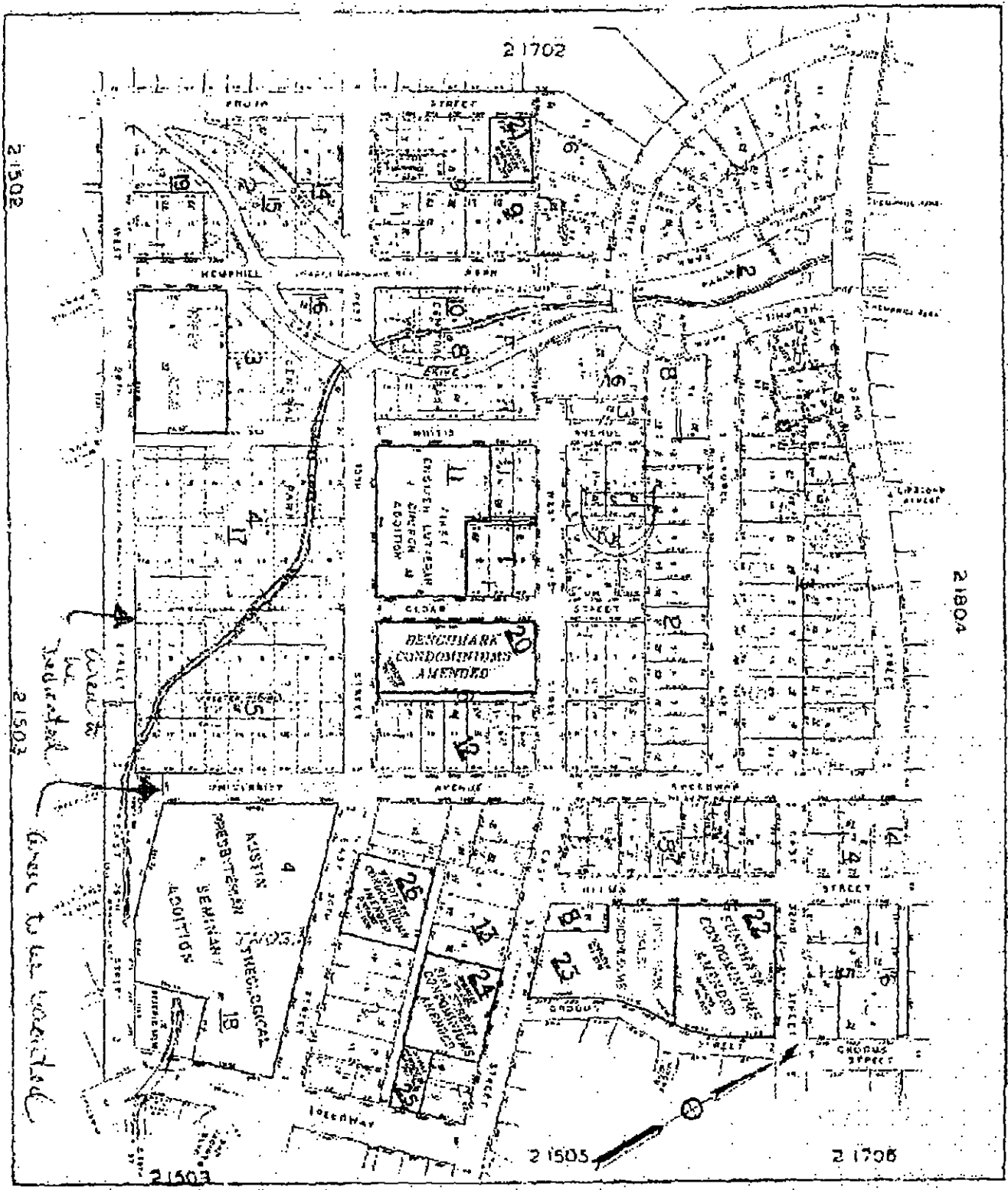
# ORDINANCE NO. <u>04</u>

**AN ORDINANCE APPROVING THE VACATION OF A PORTION OF THE 2900 BLOCK OF UNIVERSITY AVENUE TO AUSTIN PRESBYTERIAN THEOLOGICAL SEMINARY.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The Council approves the vacation of the portion of the 2900 Block of University Avenue, as shown on the attached and incorporated Exhibit A, to the Austin Presbyterian Theological Seminary in consideration of Austin Presbyterian Theological Seminary conveying fee title to real property described in the attached and incorporated Exhibit B (Exchange Property) to the City to allow Austin Presbyterian Theological Seminary more flexibility in its master plan and construction of a City bicycle/pedestrian trail.

**PART 2.** This ordinance takes effect on the later of _____, 2004 or the date the deed to the Exchange Property is filed with the Travis County Clerk's Office.

**PASSED AND APPROVED**

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§
§
_____, 2004   §  _____
                                    Will Wynn
                                    Mayor


**APPROVED:** _____     **ATTEST:** _____
       David Allan Smith                        Shirley A. Brown
       City Attorney                            City Clerk

# CITY PLANNING COMMISSION
## July 13, 2004
## One Texas Center
## 505 Barton Springs Road
## Conference Room 325

CALL TO ORDER 6:00 P.M. *COMMENCE 6:10PM; ADJOURN 12:08AM*
*ALL PRESENT*

3. **Street Vacation:** 8061-0405 -
   Location:  University Avenue (2900 Block) (Adjacent to 103 30th Street
              East), Central Austin Combined NPA NPA
   Owner/Applicant: Larry Foster (Applicant)/Austin Presbyterian Theological
              Seminary
   Agent:  Larry Foster
   Request:  Vacate a portion of University Avenue
   Staff Rec.:  **Recommended**
   Staff:  Chris Miranda, 974-7191, chris.miranda@ci.austin.tx.us
           Andy Halm, 974-7185, andy.halm@ci.austin.tx.us
           Public Works Real Estate Services

*MOTION: APPROVE BY CONSENT.*
*VOTE: 9-0 (MM-1ˢᵗ, CG-2ⁿᵈ)*

## F#8061-0405 VACATION OF A PORTION OF UNIVERSITY AVENUE (2900 BLOCK)

Mr. Larry Foster, with Austin Presbyterian Theological Seminary, described this vacation request. He showed a map of the property, and stated the plans came from the North University Neighborhood Association (NUNA). The two have been working together for a number of years as NUNA put this campus area massive rezoning vision together. The Seminary also has planned in the very near future, probably in the next two years, to re-do the old residential housing area.

NUNA proposed a pedestrian bike path from 30th Street, through the park, and eventually connecting up to Whitis. This would be an attractive pedestrian route and could take the bike traffic off Speedway and Guadalupe. The Seminary will give the City 25 linear feet of their property running from 30th Street to an old City right-of-way, a street plotted in 1910 that was never built, in exchange for the vacation of University Drive. When the Seminary redoes the housing, they would like to move it away from the bike and pedestrian path that will be lighted 24 hours a day.

**Motion by:**      Carl H. Tepper
**Seconded by:**   Patrick Goetz

**Motion:**      To approve the vacation as presented.

**Ayes:**      Brinkman/Clements/Goetz/Rozycki/Sapire/Tepper
**Nays:**      None
**Abstain:**   Abart
**Absent:**    Lasckler/Dahmus