

A U S T I N C I T Y C O U N C I L  
**AGENDA**

Thursday, August 31, 2006

 + [Back](#) [Print](#)**Public Works**  
**RECOMMENDATION FOR COUNCIL ACTION****ITEM No. 16**

**Subject:** Approve the negotiation and execution of a 25-year lease with GREG AND KAREN BIEHLE for the use of approximately 2,384 square feet of City-owned land located at 35th and Mills Avenue, for the purpose of off-site parking.

**Fiscal Note:** There is no unanticipated fiscal impact. A fiscal note is not required.

**Additional Backup  
Material**

(click to open)

- ☐ [MAPS](#)
- ☐ [Resikution](#)

**For More Information:** Dean Harris 974-7061, Laura Bohl 974-7064.

Mills Avenue is a local street in west central Austin which provides access and circulation to a limited number of properties. Over the years, a portion of a City-owned tract located along the east right-of-way line of Mills Avenue has been used for parking as customers went into businesses located on Mills Avenue.

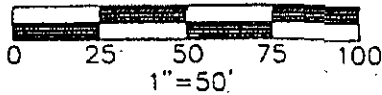
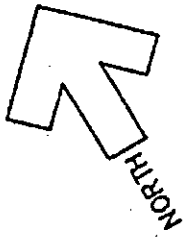
The proposed Lessee owns Brykerwoods Veterinary Clinic, which is one of the businesses located along Mills Avenue. This lease will allow for the construction of 10 parking spaces and for the businesses to possibly expand. The anticipated revenue to the City over the lease term excluding anticipated market increases and after construction cost is estimated to be approximately \$120,000.

The primary business terms include:

1. The lease term is 25 years from completion of the project at an initial lease cost of \$50 per space per month. Market studies or other mechanisms will be used to determine future parking space cost.
2. The project will be constructed and paid for by the Lessee, with the ordinary and necessary construction costs and fees of approximately \$20,000 reimbursed through abated lease cost. Ongoing maintenance is the Lessee's responsibility.
3. City will have the right to terminate the lease after eight years.
4. Construction is to be completed within one year of execution of the lease.
5. All City development requirements and regulations must be complied with by the Lessee.
6. All contractors working on the site must meet the City's insurance requirements.

A detailed street map of Austin, Texas, showing a grid of streets. A callout box points to a specific location at the intersection of W 38th St and N Lamar Blvd, labeled "Greg and Karen Blehle Lease 3501 Mills Ave Austin, TX 78703". The map includes major roads like N SR-Pac Expy and N Lamar Blvd, and various local streets such as W 35th St, W 34th St, and W 33rd St. The word "Austin" is prominently displayed in the center.

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### LEGEND

- 1/2" IRON ROD FOUND
  - 1" SQUARE BOLT FOUND
  - △ CALCULATED POINT
  - ( ) RECORD INFORMATION
  - ▲ MAG NAIL FOUND
- T.C.D.R. TRAVIS COUNTY DEED RECORDS  
T.C.P.R. TRAVIS COUNTY PLAT RECORDS

LINE TABLE

No.	Bearing	Distance
L1	N60°45'04"W	30.07'
L2	N54°32'10"W	20.08'
L3	N60°44'42"W	20.00'
L4	S16°11'45"W	6.90'
L5	S15°51'50"W	6.85'
L6	S13°51'55"E	7.01'
L7	N59°05'20"E	31.19'

WEST 34TH STREET  
(RIGHT-OF-WAY VARIES)

CURVE TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	12°50'41"	142.28	31.90	31.83	S40°11'25"E
C2	54°37'49"	142.28	135.66	130.58	S06°23'39"E
(C2)		142.28		130.58	
C3	24°59'57"	272.44	118.87	117.93	S08°25'21"W
(C3)	25°00'	272.44	118.87	117.93	
C4	123°04'44"	29.97	64.38	52.70	S57°31'20"W
(C4)	123°25'	29.97	64.56	52.78	
C5	09°22'16"	142.28	23.27	23.24	S29°01'26"E

CLIENT: LIVE OAK GROUP  
FIELD BOOK: 80, PAGE: 65  
DRAWN BY: D.W.  
PROJECT NO.: 208-04-01  
DATE: 7-13-06  
FILE: 2080401-PARKING2.DWG

### SKETCH TO ACCOMPANY FIELD NOTES

2,384 SQUARE FEET AREA OUT OF  
0.500 ACRE CITY OF AUSTIN TRACT  
AS RECORDED IN VOLUME 610, PAGE 524  
TRAVIS COUNTY, TEXAS



LIVE OAK  
SURVEYING  
12421 WYCLIFF LANE  
AUSTIN, TX 78727-5220  
(512) 837-1018

WEST 35TH STREET  
(60' RIGHT-OF-WAY)  
BOOK 59, PAGE 53  
T.C.P.R.

N46°34'54"W 123.53'

POINT OF BEGINNING

SEE  
DETAIL

LOT 8  
WILLIAM THIELE SUB.  
BOOK 1, PAGE 34  
T.C.P.R.

20' ALLEY

MILLS AVENUE  
(30' RIGHT-OF-WAY)  
BOOK 1, PAGE 34  
T.C.P.R.

LOT 7  
WILLIAM THIELE SUB.  
BOOK 1, PAGE 34  
T.C.P.R.

ORDINANCE 61-1012B

L1

N60°44'42"W 98.06'  
(N60°14'W 98.06')

CITY OF AUSTIN  
VOLUME 610, PAGE 524 T.C.D.R.  
T.C.D.R.  
21,767 SQUARE FEET  
0.500 ACRE  
REMAINDER OF  
A 1.4 ACRE TRACT

DETAIL

NOT TO SCALE

STILLMAN AVENUE CUT OFF

S60°42'42"W 154.44'

S29°28'36"W  
29.91'

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**RESOLUTION NO.**

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

Council authorizes the negotiation and execution of a 25 year lease with Greg and Karen Biehle for the use of approximately 2,384 square feet of City-owned land located at 35<sup>th</sup> and Mills Avenue, as shown on Exhibit A, for the purpose of off-site parking.

**ADOPTED:** \_\_\_\_\_, 2006

**ATTEST:** \_\_\_\_\_

Shirley A. Gentry  
City Clerk

M:\GC\GLA\2005-2006 Council Items\Drafts\08-31-06\PW Lease Off Site Parking Biehle draft resolution (AG)