



City of San Antonio

Legislation Details (With Text)

File #:	19-1760
Type:	Real Property Sale
In control:	City Council A Session
On agenda:	3/21/2019
Title:	Ordinance approving the closure, vacation and abandonment of two unimproved 15-foot wide alleys public rights of way located between E. Theo Avenue and Truax Street in City Council District 3, as requested by Puente & Sons, Inc. dba Puente & Sons Funeral Chapels and Dad-Mo Grand Investments LLC, for a fee of \$11,046.00 which will be deposited into the General Fund in accordance with the FY 2019 Adopted Budget. [Peter Zanoni, Deputy City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]
Sponsors:	
Indexes:	
Code sections:	
Attachments:	1. Exhibit A, 2. Surveys, 3. Letter of Agreement, 4. Contracts Disclosure Form, 5. Schematic, 6. Draft Ordinance, 7. Ordinance 2019-03-21-0220

Date	Ver.	Action By	Action	Result
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DEPARTMENT: Transportation & Capital Improvements

DEPARTMENT HEAD: Razi Hosseini, P.E., R.P.L.S.

COUNCIL DISTRICT IMPACTED: Council District 3

SUBJECT:

Disposition: Closure of two unimproved 15-foot wide public alleys

SUMMARY:

An ordinance authorizing the closure, vacation and abandonment of two unimproved 15-foot wide alleys (public rights of way) located between E. Theo Avenue and Truax Street adjacent to New City Blocks 2911 and 3224 in City Council District 3, as requested by Puente & Sons, Inc. dba Puente & Sons Funeral Chapels and Dad-Mo Grand Investments LLC, for a fee of \$11,046.00.

BACKGROUND INFORMATION:

Puente & Sons, Inc. (Petitioner) is requesting to close, vacate and abandon two unimproved 15-foot wide alleys (public rights of way) located between E. Theo Avenue and Truax Street adjacent to New City Blocks 2911 and 3224 in Council District 3, as shown on attached Exhibit “A”. The two alley closures combined consist of 0.1008 of an acre (4,432 square feet). The northern alley consists of 0.0431 of an acre (1,881 square feet) and the southern alley consists of 0.0577 of an acre (2,551 square feet). There was no opposition to the closures by City departments or utilities during the canvassing process. Petitioner owns all of the abutting property to the proposed closures.

Petitioner currently operates the Puente & Sons Funeral Chapels at the property located at 3520 S. Flores Street. Petitioner is requesting these alley closures for the expansion of the funeral home business. If the alley closures are approved, Petitioner will assemble, re-plat and rezone its property with the closed alleys. In addition, the funeral home expansion will include the demo of two rental houses owned by the Petitioner at 115 E. Theo Avenue and 112 Truax Street. The Petitioner has kept the renters informed of the potential future demo of the houses as part of the expansion and has committed to provide the renters ample notice to relocate.

The properties located at 3520 S. Flores Street and 112 Truax Street are zoned as R-6 Residential Single-Family District. The property located at 115 E. Theo Avenue is zoned as RM-4 Residential Mixed District and the property located at 3620 S. Flores Street is zoned C-3NA General Commercial Non-Alcoholic Sales District. In order for the property owner to expand the existing funeral home and related activities, the property owner must rezone 3520 S. Flores Street to C-3NA for consistency and compatibility with the existing and surrounding properties. In order to utilize the other properties located at 115 E. Theo Street and 112 Truax Street, the property owner must rezone to C-2 CD Commercial District with a Conditional Use for a Funeral Home. Conditional Use allows for conditions to be imposed on the properties to ensure proper buffering and screening for the adjacent residential zoning and uses. Petitioner has been made aware of the zoning requirements for the expansion of the business and is in agreement to proceed with rezoning.

ISSUE:

This ordinance authorizes the closure, vacation and abandonment of two unimproved 15-foot wide alleys (public rights of way), in Council District 3, as requested by Puente & Sons, Inc. for a fee of \$11,046.00.

The alleys are located between E. Theo Avenue and Truax Street, as shown on attached Exhibit “A”. If the alley closures are approved, Petitioner will assemble, re-plat and rezone its property with the closed alleys. In addition, the funeral home expansion will include the demo of the houses owned by the Petitioner at 115 E. Theo Avenue and 112 Truax Street. The Petitioner has kept the renters informed of the potential future demo of the houses as part of the expansion and has committed to provide the renters ample notice to relocate. In addition, the Petitioner has been made aware of the zoning requirements for the expansion of the business and is in agreement to proceed with rezoning.

This action is consistent with City Code and Ordinances, which requires City Council approval for the sale or disposition of City-owned or controlled real property.

ALTERNATIVES:

City Council could choose not to approve this request; however, if not approved, the public rights of way will remain underutilized.

FISCAL IMPACT:

This ordinance authorizes the closure, vacation and abandonment of two unimproved 15-foot wide alleys public rights of way. The fee established for this request is \$11,046.00, which includes the assessed value of the unimproved public rights of way in the amount of \$10,946.00 plus \$100.00 for administrative recording costs. The fair market value of the unimproved public rights of way was determined utilizing Bexar County Appraisal District assessed land values as provided by Chapter 37, Section 2(g)(2) of the City Code. Funds generated from this sale will be deposited into the General Fund in accordance with the FY 2019 Adopted Budget.

The property will be placed on the tax rolls, which will generate revenue for the City of San Antonio as well as other taxing entities.

RECOMMENDATION:

Staff recommends approval of this request to close, vacate and abandonment two unimproved 15-foot wide alleys (public rights of way) in Council District 3. The City of San Antonio's Planning Commission recommended approval of this request at its regular meeting on February 27, 2019.