

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED  
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

**ORDINANCE**

**AUTHORIZING THE CLOSURE, VACATION, AND ABANDONMENT OF APPROXIMATELY 147.6 SQUARE FEET OF UNIMPROVED PORTION OF PEACOCK ALLEY PUBLIC RIGHT OF WAY LOCATED BETWEEN THE KRESS BUILDING AND THE ST. ANTHONY HOTEL, BETWEEN JEFFERSON AND NAVARRO STREETS IN COUNCIL DISTRICT 1.**

\* \* \* \* \*

**WHEREAS**, GrayStreet Houston – 315 E. Houston Street, LLC, a Domestic Limited Liability Company (“GrayStreet Houston”), currently owns three contiguous structures on the north side of the 300 block of East Houston Street, being the Vogue, Kress, and Grant Buildings; and

**WHEREAS**, the City of San Antonio currently own Peacock Alley, which is located between the Kress and Grant Buildings, and both the Kress and Grant Buildings are encroaching approximately 147.6 square feet into a portion of Peacock Alley and have since their construction in the mid-1930s; and

**WHEREAS**, Petitioner GrayStreet Houston requests the closure, vacation, and abandonment of this approximately 147.6 square feet of unimproved public right of way, located between the Kress Building and the St. Anthony Hotel, between Jefferson and Navarro streets as shown on **Exhibit A**; and

**WHEREAS**, GrayStreet Houston intends to connect the Grant Building to the Kress Building as part of their current renovation project; and

**WHEREAS**, partial removal of this alleyway designation will resolve the building encroachment issue and correct the property title while leaving the remainder of the alley open and sufficient for public access; and

**WHEREAS**, the original disposition fee established for this request was \$24,354.00 (the “Initial Disposition Fee”), utilizing the Bexar County Appraisal District assessed fair market property value; and

**WHEREAS**, the Initial Disposition Fee has been reduced by 50% in accordance with the Inner City Reinvestment/Infill Policy (ICRIP); and

**WHEREAS**, the credited final disposition fee totals \$12,177.00, which includes the assessed value of the Public Rights of Way and the administrative fee; and

**WHEREAS**, the City of San Antonio’s Planning Commission recommended approval of this request at its regular meeting on April 25, 2018 as shown on **Exhibit C**; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** As an exercise of its discretion, the City Council hereby closes, vacates, and abandons approximately 147.6 square feet of unimproved public right of way, located between the Kress Building and the St. Anthony Hotel, between Jefferson and Navarro streets for a fee of \$12,177.00.

**SECTION 2.** A detailed description of the Right of Way segment is set forth on **Exhibit A**. A map and picture of the Right of Way segment is set forth on **Exhibit B**. All exhibits are incorporated into this Ordinance for all purposes as if they were fully set forth. **Exhibit A** controls any discrepancy between it and **Exhibit B**.

**SECTION 3.** Funds generated by this ordinance will be deposited into Fund 11001000, Internal Order 223000000253 and General Ledger 4903101.

**SECTION 4.** The disposition of surplus property must be coordinated through the city's Finance Department to assure the removal of these assets into the City's financial records and to record the proper accounting transactions.

**SECTION 5.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 6.** This ordinance becomes effective 10 days after passage, unless it receives the eight votes requisite to immediate effectiveness under San Antonio Municipal Code § 1-15, in which case it becomes effective immediately.

**PASSED AND APPROVED** this 10th day of January, 2019.

M A Y O R  
**Ron Nirenberg**

**ATTEST:**

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Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**

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Andrew Segovia, City Attorney

## Exhibit A

## Exhibit B

### Close, vacate and abandon of a portion of Peacock Alley (SP 2107)



## Exhibit C

18 04-06  
RESOLUTION # \_\_\_\_\_

**Resolution supporting a request to vacate 1.59 linear feet of right-of-way out of a portion of Peacock Alley for approximately 147.6 square feet total, in NCB 415, Block 18, Lots A7, A8, A9, P100 and P102, San Antonio, Bexar County, Texas.**

\* \* \* \* \*

WHEREAS, the City Charter has empowered the Planning Commission to approve certain transactions as consistent with the Master Plan; and

WHEREAS, the City Code further subjects approval of land use to public hearing and approval by act of City Council; and

WHEREAS, GrayStreet Houston – 315 E Houston Street, LLC, sponsored by Big Red Dog Engineering, filed a Petition requesting the city vacate and abandon 1.59 linear feet of right- of-way out of a portion of Peacock Alley for approximately 147.6 square feet total, in NCB 415, Block 18, Lots A7, A8, A9, P100 and P102, San Antonio, Bexar County, Texas.

WHEREAS, after careful consideration and deliberation, the Planning Commission has elected to support the application and recommend its hearing and approval by City Council;

**BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The Planning Commission recommends City Council approve the attached Petition seeking the city to vacate and abandon 1.59 linear feet of right-of-way (approximately 147.6 square feet total) out of a portion of Peacock Alley, located in NCB 415, Block 18, Lots A7, A8, A9, P100 and P102, San Antonio, Bexar County, Texas.

SIGNED this 25th day of April, 2018.

  
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George Peck, Chair  
San Antonio Planning Commission

Attest:  
  
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Michael Murphy  
Executive Secretary  
San Antonio Planning Commission