

ORDINANCE 2020-06-04-0367

AUTHORIZING THE CLOSURE, VACATION, AND ABANDONMENT OF 0.1924 ACRE OF AN IMPROVED ALLEY BORDERED BY BROADWAY, 8TH STREET, AVENUE B, AND 9TH STREET PUBLIC RIGHTS-OF-WAY AS REQUESTED BY CBMB PROPERTIES, LLC FOR A FEE OF \$78,750.00 IN COUNCIL DISTRICT 1.

* * * * *

WHEREAS, Petitioner CBMB Properties, L.L.C. (“Petitioner”) is requesting the City of San Antonio to close, vacate and abandon the improved alley public right-of-way located within the the block bordered by Broadway, 8th Street, Avenue B, and 9th Street in City Council District 1 as shown on **Exhibit “A”** consisting of 0.1924 acre (“Subject ROW”); and

WHEREAS, Petitioner owns all abutting property to the Subject ROW; and

WHEREAS, if approved, Petitioner, with partners, plan to redevelop the entire block including the Subject ROW into new mixed-use, midrise development to include a combination of multifamily, retail, and/or office uses that will include outdoor public amenities for the community; plans also include the preservation and restoration of the 30,000-square-foot former Cavender showroom building located at 801 Broadway; and

WHEREAS, the closure of the Subject ROW would facilitate the layout and full development of the new construction; and

WHEREAS, there was no opposition to the closures by City departments or utilities during the canvassing process and the City of San Antonio's Planning Commission recommended approval of this request at its regular meeting on February 26, 2020; and

WHEREAS, the Subject ROW was appraised for \$315,000 by Noble and Associates, Inc. on August 24, 2019; to facilitate the closure of the alley and planned redevelopment of the properties, Petitioner requests a 75 percent reduction in the closure fee. With this reduction, the closure fee is \$78,750 plus a \$150 recording fee; and

WHEREAS, in compliance with Chapter 37, signs were placed near the proposed closures, and letters sent to property owners identified within a 500 foot radius to provide notice and public hearing dates of the proposed closures; **NOW THEREFORE**,

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

SECTION 1. The City Council hereby authorizes, for a Final Closure Fee of \$78,750.00 the closure, vacation, and abandonment of its right of way interests as to 0.1924 acre consisting of the improved portion of the alley located within a block bordered by Broadway, 8th Street, Avenue B and 9th Street as shown in **Exhibit “A”** and more accurately described in **Exhibit “B”**.

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SECTION 2. All exhibits are incorporated into this Ordinance for all purposes as if they were fully set forth. **Exhibit “B”** controls over any discrepancy between it and **Exhibit “A”**.

SECTION 3. Funds generated by this ordinance in the amount of \$150.00 for recording fees will be deposited into Fund 11001000, Internal Order 219000000020 and General Ledger 4406154.

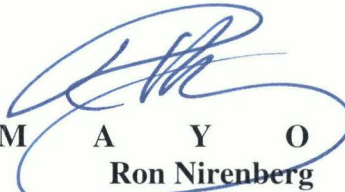
SECTION 4. Funds generated by this ordinance in the amount of \$78,750.00 for closing, vacating and abandoning the referenced property will be deposited into Fund 11001000, Internal Order 223000000253 and General Ledger 4903101.

SECTION 5. The disposition of surplus property must be coordinated through the City’s Finance Department to assure the removal of these assets out of the City’s financial records and to record the proper accounting transactions.


SECTION 6. 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 7. 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 4th day of June, 2020.


M A Y O R
Ron Nirenberg

ATTEST:



Tina Flores, Acting City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney



City of San Antonio

City Council

June 04, 2020

Item: 26

File Number: 20-1719

Enactment Number:

2020-06-04-0367

Ordinance closing, vacating, and abandoning an improved alley (0.1924 acres) located within block bordered by Broadway, 8th Street, Avenue B and 9th Street as requested by CBMB Properties, L.L.C., for a fee of \$78,750.00 and depositing the sale proceeds in the general fund. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development & Operations]

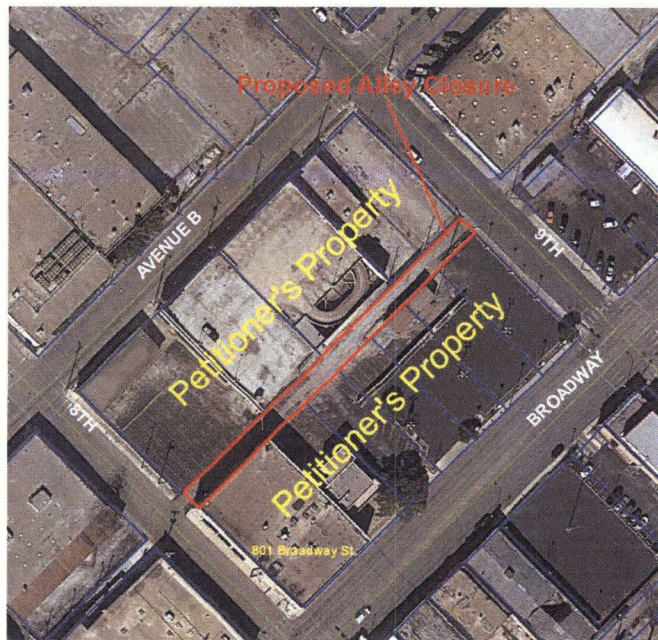
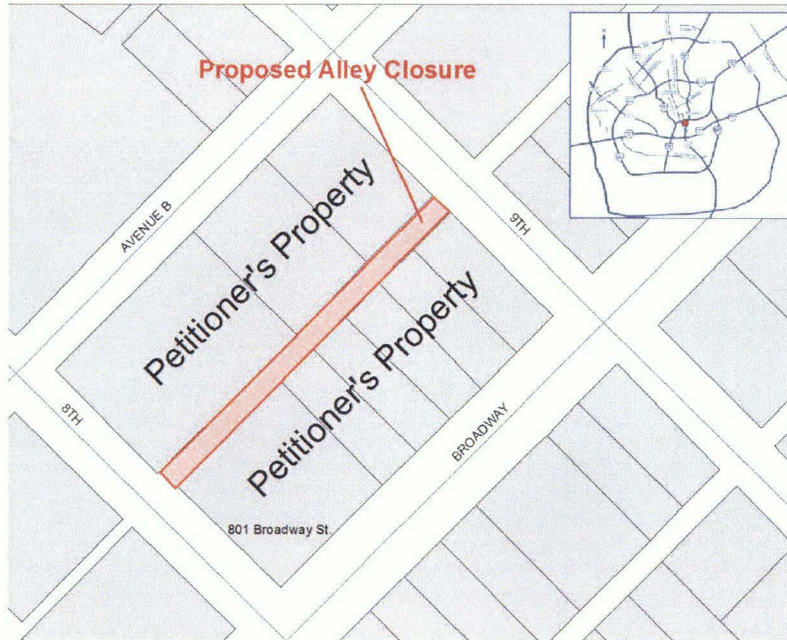
Councilmember John Courage made a motion to approve. Councilmember Rebecca Viagran seconded the motion. The motion passed by the following vote:

Aye: 11 Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage and Perry

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Exhibit A

Exhibit A



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Exhibit B

