



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-4693

**Type:** Street Closures

**In control:** City Council A Session

**On agenda:** 1/28/2016

**Title:** An Ordinance authorizing the closure, vacation and abandonment of a 0.075 acre portion of a 10-foot wide public alley, located between Belden Avenue and East Southcross Boulevard in Council District 3, as requested by Foxy Terrace LLC for a fee of \$12,450.00. [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

**Sponsors:** Martha Almeria

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A.pdf, 2. CORRECTED SURVEY - CLOSURE.pdf, 3. CORRECTED SURVEY - EASEMENT.pdf, 4. CORRECTED SURVEY - PLAT.pdf, 5. Letter of Agreement.pdf, 6. Photo.pdf, 7. Location Map.pdf, 8. Draft Ordinance, 9. Ordinance 2016-01-28-0024

Date	Ver.	Action By	Action	Result
1/28/2016	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Transportation & Capital Improvements

**DEPARTMENT HEAD:** Mike Frisbie, P.E.

**COUNCIL DISTRICTS IMPACTED:** Council District 3

**SUBJECT:**

Disposition: Closure of an unimproved alley Public Right of Way located between Belden Avenue and East Southcross Boulevard

**SUMMARY:**

Consideration of an ordinance authorizing the closure, vacation and abandonment of 0.075 acres of a 10-foot wide alley Public Right of Way, located between Belden Avenue and East Southcross Boulevard, in Council District 3, as requested by Foxy Terrace LLC, for a fee of \$12,450.00.

**BACKGROUND INFORMATION:**

Foxy Terrace LLC, (Petitioner) is requesting the closure, vacation and abandonment of a 10-foot wide alley Public Right Way located between Belden Avenue and East Southcross Boulevard as shown on attached Exhibit

A. The closure is inclusive of the north-south alley and a short portion of the connecting east-west alley making a combined 0.075 acres or 3,267 square feet. Because the proposed closure would create a dead-end of the remaining east-west alley, the petitioner has agreed to dedicate an easement out of their Lot 28 as shown on the Exhibit, allowing for potential thru access. The petitioner is the sole owner of the abutting properties and if approved, plans to combine and re-plat the proposed closure with his properties for future development not yet known.

On September 9, 2015 the City of San Antonio's Planning Commission reviewed and approved this request.

**ISSUE:**

This ordinance will authorize the closure, vacation and abandonment of 0.075 acres of a 10-foot wide alley Public Right of Way, located between Belden Avenue and East Southcross Boulevard, in Council District 3, as requested by Foxy Terrace LLC, for a fee of \$12,450.00.

The fair market value of the Right of Way is \$9,800.00, which was established by an appraisal performed by Valbridge Property Advisors on June 11, 2015. With added administrative costs, the City will collect a total of \$12,450.00 for this property.

Foxy Terrace LLC, (Petitioner) is requesting the closure, vacation and abandonment of a 10-foot wide alley Public Right of Way located between Belden Avenue and East Southcross Boulevard in NCB 7707 as shown on attached Exhibit A. The closure is inclusive of the north-south alley which currently has mobile homes parked over it as shown in the exhibit. A short portion of the connecting east-west alley, covered by vegetation, is also included which makes a combined 0.075 acres or 3,267 square feet. Because the proposed closure would create a dead-end of the remaining east-west alley, the petitioner has agreed to dedicate an easement out of their Lot 28 as shown on the Exhibit, allowing for potential thru access. The petitioner is the sole owner of the abutting properties and if approved, plans to combine and re-plat the proposed closure with his properties for future development.

This action is consistent with City Code and Ordinances, which require 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, that would disallow the petitioner from improving, expanding and developing their property. Also, the City's liability would continue along with the obligation for maintenance.

**FISCAL IMPACT:**

The fair market value of the Right of Way is \$9,800.00, which was established by an appraisal performed by Valbridge Property Advisors on June 11, 2015. With added administrative costs, the City will collect a total of \$12,450.00 for this property. This amount will be deposited into the General Fund in accordance with FY 2016 Adopted Budget.

Also, 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 ordinance to authorize the closure, vacation and abandonment of a 10-foot wide alley Public Right of Way in Council District 3 located between Belden Avenue and East Southcross Boulevard, as requested by Foxy Terrace LLC, for a fee of \$12,450.00.

On September 9, 2015 the City of San Antonio's Planning Commission reviewed and approved this request.