



City of San Antonio

Legislation Details (With Text)

File #: 19-8408

Type: Real Property Sale

In control: City Council A Session

On agenda: 12/12/2019

Title: Ordinance approving the closure, vacation and abandonment of an improved portion of Burwood Lane Public-Right-of-Way, as requested by Somerset Academy, Inc. for a fee of \$21,100.00 to be deposited into the General Fund. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A, 2. Survey, 3. Letter of Agreement, 4. Contracts Disclosure Form, 5. Draft Ordinance, 6. Ordinance 2019-12-12-1050, 7. Staff Presentation

Date	Ver.	Action By	Action	Result
12/12/2019	1	City Council A Session	adopted	Pass

DEPARTMENT: Transportation & Capital Improvements

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

COUNCIL DISTRICT IMPACTED: Council District 1

SUBJECT:

Real Estate Disposition: Closure of an improved portion of Burwood Lane Public Right-of-Way

SUMMARY:

An ordinance closing, vacating and abandoning an improved portion of Burwood Lane Public-Right-of-Way in City Council District 1, as requested by Somerset Academy, Inc. for a fee of \$21,100.00.

BACKGROUND INFORMATION:

Somerset Academy, Inc. (Petitioner) is requesting to close, vacate and abandon an improved portion of Burwood Lane Public-Right-of-Way adjacent to New City Block 11693 in Council District 1, as shown in Exhibit "A". The public-right-of-way closure consists of 0.16 of an acre (7,044 square feet).

The petitioner purchased the adjacent property in August 2018 and discovered the improved portion of Burwood Lane was not part of the school property. The property previously operated as the FEAST School (Family Educators Alliance of South Texas) since 2001, which operated as a headquarters/campus for kids who were home schooled and offered a site outside of the home for testing, sports and extra-curricular activities. The proposed closure area is striped and has been used for parking. All the abutting property owners have consented to the closure. The North Shearer Hills Neighborhood Association was canvassed and has approved the request with no conditions.

If approved, Petitioner plans to replat its adjacent property with the improved portion of Burwood and continue to use it for parking. Only school employees and visitors use the property for parking. Petitioner's adjacent property operates as a charter school and has been in operation since August, 2019. Somerset Academy, Inc. is part of the Andre Agassi Foundation. Petitioner's mission is to advance the education of underprivileged inner city students.

ISSUE:

This ordinance authorizes the closure, vacation and abandonment of an improved portion of Burwood Lane Public-Right-of-Way, as shown on attached Exhibit "A" in City Council District 1, as requested by Somerset Academy, Inc. for a fee of \$21,100.00.

Somerset Academy, Inc. (Petitioner) is requesting to close, vacate and abandon an improved portion of Burwood Lane Public-Right-of-Way adjacent to New City Block 11693 in Council District 1, as shown in Exhibit "A". The public-right-of-way closure consists of 0.16 of an acre (7,044 square feet). The property previously operated as the FEAST School (Family Educators Alliance of South Texas) since 2001, which operated as a headquarters/campus for kids who were home schooled and offered a site outside of the home for testing, sports and extra-curricular activities. Petitioner purchased the adjacent property to the proposed closure in August, 2018 and discovered during the due diligence that the proposed closure was not part of the property.

The proposed closure area is striped and has been used for parking prior to Petitioner acquiring the property. All the abutting property owners have consented to the closure. The North Shearer Hills Neighborhood Association was canvassed and has approved the request with no conditions. If approved, Petitioner plans to replat its adjacent property with the closure and continue to use it for parking. Only school employees and visitors use the property for parking. Petitioner's adjacent property operates as a charter school has been in operation since August, 2019. Somerset Academy, Inc. is part of the Andre Agassi Foundation. Petitioner's mission is to advance the education of underprivileged inner city students.

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, Petitioner will not be allowed to use the property for parking.

FISCAL IMPACT:

The fee established for this request is \$21,100.00, which includes the fair market value of the public right-of-way in the amount of \$21,000.00 plus \$100.00 for administrative costs. In compliance with Chapter 37, Section 2(g)(ii) of the City Code, fair market value of the proposed closure was based upon an independent State of Texas Certified Professional Appraisal Report prepared by Noble & Associates, Inc. on September 18, 2019. Revenue generated from this sale will be deposited into the General Fund in accordance with the FY 2020 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 abandon an improved portion of Burwood Lane Public-Right-of-Way, in Council District 1.

The City of San Antonio's Planning Commission recommended approval of this request at its regular meeting on November 13, 2019.