



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-3150

**Type:** Street Closures

**In control:** City Council A Session

**On agenda:** 8/11/2016

**Title:** An Ordinance authorizing the closure, vacation and abandonment of a 0.0489 acre portion of alley Public Right of Way located between North New Braunfels and Breezewood Drive in Council District 10 as requested by EVC Alamo Heights, L.P. for a fee of \$11,800.00. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**Sponsors:** Martha Almeria

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A, 2. Schematic, 3. Survey Field Notes, 4. Survey Plat, 5. Discretionary Contract Disclosure Form, 6. Plat, 7. Form 1295 Signed Notarized - 07-20-2016, 8. Draft Ordinance, 9. Ordinance 2016-08-11-0594

Date	Ver.	Action By	Action	Result
8/11/2016	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Transportation & Capital Improvements

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

**COUNCIL DISTRICTS IMPACTED:** Council District 10

**SUBJECT:**

Disposition: Closure of an alley portion of Public Right of Way located between North New Braunfels and Breezewood Drive

**SUMMARY:**

An ordinance authorizing the closure, vacation and abandonment of 0.0489 acres of an alley portion of Public Right of Way, located between North New Braunfels Avenue and Breezewood Drive, in Council District 10, as requested by EVC Alamo Heights, L.P., for a fee of \$11,800.00.

**BACKGROUND INFORMATION:**

EVC Alamo Heights, L.P. (Petitioner) is requesting the closure, vacation and abandonment of an alley portion of Public Right of Way located between North New Braunfels Avenue and Breezewood Drive as shown on

attached Exhibit A. The Petitioner plans to demolish the old building on its abutting property at 6514 North New Braunfels Avenue and construct a new building for a Natural Grocers Store. Because the partial closure would create a dead-end of the remaining alley, the Petitioner has dedicated 0.0771 acres for an alley out of their adjacent property as shown on the Exhibit, in order to maintain thru access.

**ISSUE:**

This ordinance will support the closure, vacation and abandonment of 0.0489 acres of an alley portion of Public Right of Way, located between North New Braunfels Avenue and Breezewood Drive, in Council District 10, as requested by EVC Alamo Heights, L.P., for a fee of \$11,800.00.

Petitioner is requesting the closure, vacation and abandonment of an alley portion of Public Right of Way located between North New Braunfels Avenue and Breezewood Drive as shown on attached Exhibit A. The Petitioner is the sole property owner and plans to demolish the old building on its abutting property at 6514 North New Braunfels Avenue and construct a new building for a Natural Grocers Store. Because the partial closure would create a dead-end of the remaining alley, the Petitioner has dedicated 0.0771 acres from their adjacent property as shown on the Exhibit, in order to maintain thru access.

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 may hinder Petitioner from fully re-developing its abutting property as planned. Also, the City's liability would continue along with the obligation for maintenance.

**FISCAL IMPACT:**

In addition to the alley dedication, the City of San Antonio will collect \$11,800.00 for the abandonment, which includes administrative costs. This revenue 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 request to close, vacate and abandon a 0.0489 acre portion of alley Public Right of Way, in Council District 10.

The City of San Antonio's Planning Commission approved this request at its regular meeting of May 25, 2016.