



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-5042

**Type:** Staff Briefing - Without Ordinance

**In control:** Planning Commission

**On agenda:** 9/12/2018

**Title:** Consideration of the following items related to city-owned property and public right-of-ways located near I-10 and Fresno, in Council District 1.

A. A Resolution recommending the closure, vacation and abandonment of unimproved right-of-ways: a 0.223 acre unimproved portion of Warner Avenue between NCB 7147 and NCB 7160, a 0.046 acre unimproved portion of alley in NCB 7147 and a 0.047 acre unimproved portion of alley in NCB 7160, in Council District 1, as requested by Briarwood Commerce LLC for a fee of \$63,836.64.

B. A Resolution recommending declaring as surplus a 0.456 acre unimproved parcel in NCB 7147 and a 0.088 acre parcel in NCB 7610, in Council District 1, and authorizing sale of the properties to Briarwood Commerce LLC for a fee of \$143,751.40.

Staff recommends Approval of these requests to close, vacate, and abandon unimproved right-of-ways. (Mary L. Fors, Senior Real Estate Specialist, Transportation & Capital Improvements, (210) 207-4083, mary.fors@sanantonio.gov).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exe LofA Briarwood, 2. Map\_Briarwood, 3. Site Plan, 4. Survey Block 56 10 Foot Alley, 5. Survey Block 57 10 Foot Alley, 6. Survey Warner Avenue, 7. Survey Block 57 Lot 3-4, 8. SurveyBlock 56 Lot 11-14, 9. Resolution\_Planning Commission\_Briarwood Commerce LLC\_SP 2076

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Transportation & Capital Improvements

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

**COUNCIL DISTRICTS IMPACTED:** Council District 1

**SUBJECT:** Closing, vacating and abandoning unimproved right-of-ways in New City Blocks 7147 and 7160; and declaring as surplus and authorizing the sale of unimproved remnants in New City Blocks 7147 and 7610.

**SUMMARY:** Consideration of the following items related to city-owned property and public right-of-ways located near I-10 and Fresno, in Council District 1.

A. A resolution recommending the closure, vacation and abandonment of unimproved right-of-ways: a 0.223 acre unimproved portion of Warner Avenue between NCB 7147 and NCB 7160, a 0.046 acre unimproved portion of alley in NCB 7147 and a 0.047 acre unimproved portion of alley in NCB 7160, in Council District 1, as requested by Briarwood Commerce LLC.

B. A resolution recommending declaring as surplus a 0.456 acre unimproved parcel in NCB 7147 and a 0.088 acre parcel in NCB 7610, in Council District 1, and authorizing sale of the properties to Briarwood Commerce LLC.

## **BACKGROUND INFORMATION:**

The City of San Antonio assisted the Texas Department of Transportation (TXDoT) in acquiring properties in the 1950's for Interstate Highway 10 (I-10). There is an approximate 1.7 acres south of Fresno and east of I-10 that has served as a traffic island since the 1950's. TXDoT declared the property as surplus in 2016 and put the property up for sale. During the buyer's due diligence phase, the title company identified approximately one-half of the property was under TXDoT, while the other one-half is owned by the City of San Antonio. Remnants of Lots 11-14, Block 56 in New City Block 7147 and Lots 3-4, Block 57 in New City Block 7160 are owned in fee by the City of San Antonio. In addition, there are two sections of an unimproved 10-foot wide alley; and an unimproved portion of Warner Avenue right-of-way that were platted as part of the Los Angeles Heights Subdivision.

The original purchaser chose not to move forward on the contract, so a new Request For Proposal was released. Briarwood Capital (petitioner) was the successful bidder and took ownership of the TXDoT properties in November 2017. The property has been rezoned as C-2 for commercial use. Briarwood Capital requested the City of San Antonio close, vacate and abandon its interest in the unimproved right-of-ways and declare as surplus and authorize the sale of the remnant properties owned by the city.

If the requests are approved, the petitioner will assemble and replat the properties for commercial use, and ground-lease the property to a retail tenant, most likely a C-store or fast-food restaurant. No timeline or construction costs are available yet, since petitioner is pending city approval. If approved, petitioner will immediately begin platting and marketing of the property.

## **ISSUE:**

These resolutions will recommend the closure of unimproved right-of-ways at I-10 and Fresno, Warner Avenue between NCB 7147 and NCB 7160; and declare as surplus and authorize the sale of city-owned properties in NCB 7147 and NCB 7610, in Council District 1.

If the closures and sale are approved, the petitioner will assemble and replat the properties for commercial use and ground-lease the property to a retail tenant, most likely a C-store or fast-food restaurant. No timeline or construction costs are available yet, since petitioner is pending city approval. If approved, petitioner will begin platting and marketing of the property.

In accordance with City Code, the subject property was reviewed by city departments and utilities and was conditionally approved for disposal (closure of public right-of-ways and sale of property).

Per Chapter 37, notification signs need not be erected, and letters need not be sent for undeveloped (paper)

public right-of-ways.

**ALTERNATIVES:**

Planning Commission could choose not to recommend these items, however the petitioner will not be able to assemble the properties for future development; the city will still be responsible for maintenance, and the properties will not be placed on the tax roll.

**RECOMMENDATION:**

Staff recommends approval of these requests to close, vacate, and abandon unimproved right-of-ways (0.223 acre unimproved portion of Warner Avenue between NCB 7147 and NCB 7160; 0.046 acre unimproved portion of alley in NCB 7147; 0.047 acre unimproved portion of alley in NCB 7160); and declare as surplus and authorize the sale of a 0.456 acre unimproved remnant in NCB 7147 and a 0.088 acre remnant in NCB 7610.