



# City of San Antonio

## Legislation Details (With Text)

**File #:** 13-741

**Type:** Real Property Sale

**In control:** City Council A Session

**On agenda:** 11/7/2013

**Title:** An Ordinance closing, vacating, and abandoning a 0.64 acre unimproved portion of 38th Street between Commerce Street and Pharis Street (NCB 8244 and NCB 8245) in Council District 6 as requested by IDEA Public Schools. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

**Sponsors:**

**Indexes:** CIMS Real Estate

**Code sections:**

**Attachments:** 1. FieldNotes 0.29AC\_38th St CVA.PDF, 2. FieldNotes 0.35AC\_38th St CVA.PDF, 3. Survey 0.29ac\_38th St CVA.pdf, 4. Survey 0.35ac\_38th St CVA.pdf, 5. LofA\_38th St CVA.pdf, 6. IDEA Conceptual Plan\_38th St CVA.pdf, 7. 38th St\_Map.pdf, 8. Draft Ordinance, 9. Ordinance 2013-11-07-0751

Date	Ver.	Action By	Action	Result
11/7/2013	1	City Council A Session		

**DEPARTMENT:** Capital Improvements Management Services

**DEPARTMENT HEAD:** Mike Frisbie

**COUNCIL DISTRICTS IMPACTED:** 6

**SUBJECT:**

Disposition: ROW closure (an unimproved portion of 38th Street)

**SUMMARY:**

Consideration of an ordinance authorizing the closure, vacation and abandonment of a 0.64 acre unimproved portion of 38<sup>th</sup> Street between Commerce Street and Pharis Street (NCB 8244 and NCB 8245) in Council District 6 as requested by IDEA Public Schools.

**BACKGROUND INFORMATION:**

IDEA Public Schools operates 20 public charter schools in south Texas. The main campus began with grades 4 -8, and has expanded to grades K-12. IDEA has continued to phase in grade levels as it opened new schools

across the Rio Grande Valley, Austin and San Antonio as part of its 2017 expansion plan to grow a network of 56 schools in Texas. There are currently two campuses in San Antonio including the IDEA Carver and IDEA South Flores campuses.

The schools typically serve household income levels of \$50,000.00 or less in economically disadvantaged communities. Any student is offered admission provided the student and parents sign a contract of the program expectations. The curriculum concentrates on student achievement and college readiness.

IDEA Public Schools owns property on 39<sup>th</sup> Street south of Commerce Street. IDEA is constructing a 100,000 square feet K-12 school. The first phase of this campus will open in August, 2014. The building will be completed in three phase until full enrollment of 1,350 students has been reached. The campus will employ between sixty to seventy-five people.

There is an unimproved portion of 38<sup>th</sup> Street right-of-way that separates the petitioner's properties. The petitioner requests the city close, vacate and abandon a 0.64 acre unimproved portion of 38<sup>th</sup> Street located between Commerce Street and Pharis Street. If approved, IDEA Public Schools will incorporate the right-of-way into its school campus. While the campus is near the Zarzamora Creek, the majority of the property is out of a flood hazard area. However, a portion of the property is within the 1% annual chance flood hazard area but it is required to be retained as a drainage easement.

#### **ISSUE:**

Consideration of the following ordinance authorizing the closure, vacation and abandonment of a 0.64 acre unimproved portion of 38<sup>th</sup> Street between Commerce Street and Pharis Street (NCB 8244 and NCB 8245) in Council District 6 as requested by IDEA Public Schools.

IDEA Public Schools is constructing a new K-12 school at its property located on 39<sup>th</sup> Street and Commerce Street. The school will provide education to underserved children and prepare them for graduation from high school and the opportunity to attend college.

IDEA owns multiple parcels at this location and plans to assemble the parcels for the school campus. There is a 0.64 acre unimproved portion of 38<sup>th</sup> Street right-of-way separating the parcels. IDEA would like to close this portion of 38<sup>th</sup> Street and replat it with the abutting properties. The closure of this portion of 38<sup>th</sup> Street will allow the school to utilize all of its properties at this location as part of the school campus.

#### **ALTERNATIVES:**

City Council could choose not to approve this request; however, if not approved, the unimproved public right-of-way will separate the school's campus and the school will need to redesign the layout of the campus. In addition, the city will still be responsible for maintaining the right-of-way.

#### **FISCAL IMPACT:**

In compliance with Chapter 37 of the Municipal Code of the Municipal Code, Section 37-2, fair market value was based upon an Independent State of Texas Certified Professional Appraisal Report. The property was appraised for a total of \$35,000.00 by Dugger, Canaday, Grafe, Inc. A waiver of 50% was applied, and reduced

the assessed value to \$17,500.00 since the property is within the Inner City Revitalization/Infill Policy (ICRIP) and the petitioner is a 501(c)3. The appraisal cost was \$1,200.00. Total proceeds of \$18,700.00 will be deposited into the General Fund in accordance with the FY 2014 Adopted Budget.

**RECOMMENDATION:**

The Planning Commission approved this request at its regular meeting on October 9, 2013.

Staff recommends approval of this request to close, vacate and abandon an unimproved portion of 38<sup>th</sup> Street between Commerce Street and Pharis Street in Council District 6.