



City of San Antonio

Legislation Details (With Text)

File #: 18-1546

Type: Street Closures

In control: City Council A Session

On agenda: 4/5/2018

Title: Ordinance closing, vacating, and abandoning a 0.517 acre improved segment of Lewis Street and West Russell Place located in Council District 1 as requested by Christ Episcopal Church for a fee of \$6,025.00. [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

Sponsors: Martha Almeria

Indexes:

Code sections:

Attachments: 1. Exhibit A- Map, 2. CLOSURE SURVEY PLAT & FIELD NOTES, 3. EASEMENT SURVEY PLAT & FIELD NOTES, 4. Discretionary Contracts Disclosure form, 5. 1295 form, 6. Draft Ordinance, 7. Ordinance 2018-04-05-0219, 8. Staff Presentation

Date	Ver.	Action By	Action	Result
4/5/2018	1	City Council A Session	adopted	Pass

DEPARTMENT: Transportation & Capital Improvements

DEPARTMENT HEAD: Mike Frisbie, P.E.

COUNCIL DISTRICTS IMPACTED: Council District 1

SUBJECT:

Disposition: Vacation and abandonment of Lewis Street and West Russell

SUMMARY:

An ordinance vacating and abandoning 0.517 acres of improved segments of Lewis Street and West Russell Place located between West French Place and Howard Street, in Council District 1, as requested by Christ Episcopal Church, for a fee of \$6,025.00.

BACKGROUND INFORMATION:

Christ Episcopal Church, Petitioner, is requesting the vacation and abandonment of improved Lewis Street and West Russell Place Public Rights of Way in the location as shown on attached Exhibit A. All the abutting property is owned by the church, including the adjacent Thunderbird Apartments which was purchased in the

late 1980's. The church plans to demolish the apartments and redevelop the property as part of its expansion of the church.

The church has agreed to maintain the subject rights of way as perpetual access easements to allow continual ingress/egress while simultaneously providing its control of the parking adjacent to its property. Likewise, petitioner will be obligated to absorb responsibility and provide street repair and maintenance.

ISSUE:

This ordinance will vacate and abandon 0.517 acres of improved segments of Lewis Street and West Russell Place located between West French Place and Howard Street, in Council District 1, as requested by Christ Episcopal Church, for a fee of \$6,025.00.

Christ Episcopal Church, Petitioner, is requesting the vacation and abandonment of improved Lewis Street and West Russell Place Public Rights of Way in the location as shown on attached Exhibit A. All the abutting property is owned by the church, including the Thunderbird Apartments which was purchased in the late 1980's. The church plans to demolish the apartments and redevelop the property as part of an expansion of the church.

The church has agreed to maintain the subject rights of way as perpetual access easements to allow continual ingress/egress while simultaneously providing its control of the parking adjacent to its property. Likewise, petitioner will be obligated to absorb responsibility and provide street repair and maintenance.

Based on the church's 501(c)(3) tax-exempt status, its mission benefiting the community, and because the rights-of-way are to remain accessible to the general public and emergency vehicles, staff, in consultation with Council District 1, is recommending that the City collect a reduced fee of \$6,025.00.

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. The Planning Commission approved this request at its regular meeting on March 14, 2018.

ALTERNATIVES:

City Council could choose not to approve this request; however, it may prohibit the expansion and improvement of church property.

FISCAL IMPACT:

The Rights of Way were appraised at \$135,000.00, which was established by Noble and Associates, Inc. on October 6, 2016. Based on the church's 501(c)(3) tax-exempt status, its mission benefiting the community, and because the rights-of-way are to remain accessible to the general public and emergency vehicles, staff, in consultation with Council District 1, is recommending that the City collect a reduced fee of \$5,000.00. With added administrative fees of \$1,025.00, the total closure fee is \$6,025.00. At City Council's discretion and approval, the City will collect the reduced amount of \$6,025.00 for this abandonment, and the revenue will be deposited into the General Fund in accordance with the FY 2018 Adopted Budget.

RECOMMENDATION:

Staff recommends approval of this request to vacate and abandon improved segments of Lewis Street and West Russell Place Public Rights of Way, in Council District 1. The Planning Commission approved this request at its regular meeting on March 14, 2018.