



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-6289

**Type:** Staff Briefing - Without Ordinance

**In control:** Planning Commission

**On agenda:** 12/13/2017

**Title:** S.P. 2040 - Request of a Resolution authorizing the closure, vacation of a 0.0169 acre (735 square feet) unimproved portion of a 15-foot wide alley Public Right of Way located between Sharmain Place and Sunglo Drive and a 0.0914 acre (3,980 square feet) unimproved portion of a 20-foot wide alley Public Right of Way located between Pleasanton Road and Oppenheimer Avenue adjacent to New City Block 9330, in Council District 3, as requested by BBRH, LLC, for a fee of \$8,031.75. Staff recommends Approval. (Jesse Quesada, (210) 207-6971, Jesse.Quesada@sanantonio.gov, Transportation & Capital Improvements Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Survey, 2. Letter of Agreement, 3. Exhibit A, 4. Resolution

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 3

**SUBJECT:**

Disposition: ROW Closures (portions of two unimproved alleys)

**SUMMARY:**

Request of a Resolution authorizing the closure, vacation and abandonment of a 0.0169 acre unimproved portion of a 15-foot wide alley Public Right of Way located between Sharmain Place and Sunglo Drive and a 0.0914 acre unimproved portion of a 20-foot wide alley Public Right of Way located between Pleasanton Road and Oppenheimer Avenue adjacent to NCB 9330, in Council District 3, as requested by BBRH, LLC, for a fee of \$8,031.75.

**BACKGROUND INFORMATION:**

Petitioner (BBRH, LLC) is requesting to close, vacate and abandon a 0.0169 acre (735 square feet) unimproved portion of a 15-foot wide alley Public Right of Way located between Sharmain Place and Sunglo Drive and a 0.0914 acre (3,980 square feet) unimproved portion of a 20-foot wide alley Public Right of Way located between Pleasanton Road and Oppenheimer Avenue adjacent to New City Block 9330. Both of these requests are shown on attached Exhibit "A" and are located in Council District No. 3. The B & B Smokehouse restaurant currently operates on Petitioner's property. If approved, Petitioner plans to assemble its abutting properties with the proposed closures for the future development of a new B & B Smokehouse restaurant. Petitioner has indicated that the closures of these two alleys are critical for the plan to provide parking and improvements. Construction on the new restaurant is anticipated to start on December 18, 2017 and be completed by June 1, 2018.

**ISSUE:**

Consideration of a Resolution authorizing the closure, vacation and abandonment of a 0.0169 acre (735 square feet) unimproved portion of a 15-foot wide alley Public Right of Way located between Sharmain Place and Sunglo Drive and a 0.0914 acre (3,980 square feet) unimproved portion of a 20-foot wide alley Public Right of Way located between Pleasanton Road and Oppenheimer Avenue adjacent to New City Block 9330. Both of these requests are shown on attached Exhibit "A." The B & B Smokehouse restaurant currently operates on Petitioner's property. If approved, Petitioner plans to assemble its abutting properties with the proposed closures with the future development of a new B & B Smokehouse restaurant. Petitioner has indicated that the closures of these two alleys are critical for the plan to provide parking and improvements. Construction on the new restaurant is anticipated to start on December 18, 2017 and completed by June 1, 2018.

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:**

The Planning Commission could choose not to approve this request; however, if not approved, the right-of-way will remain underutilized.

**FISCAL IMPACT:**

The closure fee established for this request is \$10,709.00, which includes the assessed value of the Public Rights of Way of \$10,609.00 utilizing Bexar Appraisal District assessed land values as provided by Chapter 37, Section 2(g)(2) of the City Code plus \$100.00 for recording fees. This fee has been reduced by 25% in accordance with the Inner City Reinvestment/Infill Policy (ICRIP). At City Council's discretion and approval, the City will collect the reduced amount of \$8,031.75 for these closures, and the revenue will be deposited into the General Fund in accordance with the FY 2018 Adopted Budget.

The property will be placed on the tax rolls, generating revenue for the City of San Antonio and other taxing entities.

**RECOMMENDATION:**

Staff recommends approval of this request to close, vacate and abandon portions of two unimproved alleys Public Rights of Way.

