



# City of San Antonio

## Agenda Memorandum

**File Number:**13-770

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**Agenda Item Number:** 18.

**Agenda Date:** 11/7/2013

**In Control:** City Council A Session

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**DEPARTMENT:** CIMS

**DEPARTMENT HEAD:** Mike Frisbie

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Disposition: ROW Closure (an unimproved portion of 12-foot wide alley located between Culebra Road and Carter Street)

**SUMMARY:**

Consideration of an ordinance authorizing the closure, vacation and abandonment of a 0.110 acre 12-foot wide alley Public Right of Way, located between Culebra Road and Carter Street, (NCB 1924) in Council District 1, as requested by GFR-Hercules Properties, LLC, for a fee of \$19,250.00.

**BACKGROUND INFORMATION:**

GFR-Hercules Properties, LLC (Petitioner) is requesting the closure, vacation and abandonment of a 12-foot wide alley Public Right of Way located between Culebra Road and Carter Street as shown on attached Exhibit A. The requested closure encompasses 0.110 acres (4,788 square feet) and is undeveloped. All abutting property owners are in agreement to the proposed closure. If approved, the subject right of way will be combined with the Petitioner's property for the redevelopment and construction of two new restaurants.

**ISSUE:**

Consideration of an ordinance authorizing the closure, vacation and abandonment of a 0.110 acre 12-foot wide alley Public Right of Way, located between Culebra Road and Carter Street, (NCB 1924) in Council District 1, as requested by GFR-Hercules Properties, LLC, for a fee of \$19,250.00.

The proposed closure consists of 0.110 acres (4,788 square feet) and is undeveloped. If approved, Petitioner proposes to incorporate this right of way with its abutting property for the redevelopment and construction of two new restaurants. This action is consistent with City Code and ordinances relative to closing Public Rights

of Way.

Petitioner has coordinated and fulfilled all requirements throughout this process and has agreed to further comply with all conditions imposed by City Departments and associated entities.

**ALTERNATIVES:**

City Council could choose not to approve this request; however, that would prevent the re-development of the Petitioner's abutting property. Also, the City's liability would continue along with the obligation for maintenance.

**FISCAL IMPACT:**

The fair market value of the right of way is \$24,000.00, which was established by an appraisal performed by Dugger, Canaday, Grafe, Inc. on July 10, 2013. The value was reduced by 25% in accordance with the reduction provided by the Inner City Reinvestment/Infill Policy (ICRIP); therefore, the City will collect \$19,250.00 for this property which includes the cost for the appraisal. The funds will be deposited into the General Fund in accordance with the FY 2014 Adopted Budget.

Also, the property will be placed on the tax rolls, which will generate taxes for the City of San Antonio as well as other taxing entities.

**RECOMMENDATION:**

The City of San Antonio's Planning Commission approved this request at its regular meeting of September 25, 2013.

Staff recommends approval of the closure, vacation, and abandonment of this Public Right of Way located in Council District 1.