



# City of San Antonio

## Agenda Memorandum

**File Number:** 15-3092

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**Agenda Item Number:** 11.

**Agenda Date:** 6/4/2015

**In Control:** City Council A Session

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**DEPARTMENT:** EastPoint & Real Estate Services

**DEPARTMENT HEAD:** Mike Etienne

**COUNCIL DISTRICTS IMPACTED:** 10

**SUBJECT:** Disposition: Closure of an improved portion of Rittiman Road

### **SUMMARY:**

An ordinance authorizing the closure, vacation, and abandonment of a 0.6246 of an acre improved portion of Rittiman Road Public Right of Way adjacent to CB 5742 and NCB 8699, located between Austin Highway and North New Braunfels Avenue in Council District 10, as requested by the Marion Koogler McNay Art Museum.

### **BACKGROUND INFORMATION:**

The Marion Koogler McNay Art Museum (Petitioner) is requesting to close, vacate and abandon an improved portion of Rittiman Road adjacent to County Block 5742 and New City Block 8699 in Council District No. 10, as shown on attached Exhibit "A." The proposed closure is located between Austin Highway and North New Braunfels Avenue. Petitioner owns all the abutting property to the proposed closure. The proposed closure consists of 0.6246 of an acre or 27,209 square feet. Petitioner is requesting this closure for safety purposes.

If approved, Petitioner will work with the Texas Department of Transportation (TxDOT) to add an additional right-turn lane at the intersection of Austin Highway and North New Braunfels Avenue, as well as to widen a portion of North New Braunfels Avenue between Austin Highway and the proposed closure. Petitioner has stated that the proposed closure will allow the Marion Koogler McNay Art Museum to have one comprehensive campus with greater visibility for museum visitors.

As part of the project, Petitioner will donate 0.1882 of an acre (8,198 square feet) for a right turn lane for the additional North New Braunfels Avenue Public Right of Way between Austin Highway and the proposed closure. The donated public right of way has an estimated value of \$147,564.00 (\$18.00 per square foot). Petitioner will also pay Pape-Dawson Engineers, Inc. for the engineering costs estimated at \$87,490.00. Petitioner's investment for the project is approximately \$235,054.00. TxDOT has estimated to spend approximately \$622,032.00 on the construction of the project which includes a right turn lane, sidewalks, curbs, road improvements and signalization. The total investment for the project is approximately \$857,086.00 worth of improvements.

Petitioner has made community outreach to stakeholders within the vicinity of the proposed closure. Petitioner has met and discussed the project with the City of Alamo Heights, the City of Terrell Hills and the Terrell Heights Neighborhood Association. The City of Alamo Heights and the City of Terrell Hills have provided a letter of support for the proposed closure. The Terrell Heights Neighborhood Association approved the closure when the project was canvassed.

#### **ISSUE:**

Consideration of an ordinance authorizing the closure, vacation, and abandonment of a 0.6246 of an acre improved portion of Rittiman Road Public Right of Way adjacent to CB 5742 and NCB 8699, located between Austin Highway and North New Braunfels Avenue in Council District 10, as requested by the Marion Koogler McNay Art Museum. The proposed right of way will not be closed and conveyed until all improvements are made to the intersection of Austin Highway and North New Braunfels Avenue. Improvements to the intersection are scheduled to begin June 2016 and completed by June 2017.

If approved, Petitioner will work with TxDOT to add an additional right-turn lane at the intersection of Austin Highway and North New Braunfels Avenue, as well as to widen a portion of North New Braunfels Avenue between Austin Highway and the proposed closure. Petitioner has stated that in addition to eliminating a safety hazard, the proposed closure will allow the Marion Koogler McNay Art Museum to have one comprehensive campus with greater visibility for museum visitors.

#### **ALTERNATIVES:**

The closure, vacation and abandonment of an improved portion of Rittiman Road will allow Petitioner to incorporate the public right of way with its adjacent property to improve safety issues, have one comprehensive campus with greater visibility for museum visitors, widen a portion of North New Braunfels Avenue between Austin Highway and the proposed closure and make improvements to the intersection of Austin Highway and North New Braunfels Avenue.

City Council could choose not to approve this item; however, disapproval of this request would disallow Petitioner from incorporating the proposed closure with its adjacent property to have one comprehensive campus, widen a portion of North New Braunfels Avenue between Austin Highway and the proposed closure and make improvements to the intersection of Austin Highway and North New Braunfels Avenue.

#### **FISCAL IMPACT:**

In compliance with Chapter 37 of the Municipal Code, Section 37-2, fair market value for the street closure was based on an Independent State of Texas Certified Professional Appraisal Report conducted by Sandison Appraisal, LLC Inc. on March 5, 2014 for a total of \$489,800.00. Staff recommends a 100% waiver of the \$489,800.00 in accordance with Chapter 37 of the Municipal Code, Section 37-11 (d) (2) in exchange for Petitioner and TxDOT installing approximately \$857,086.00 worth of infrastructure improvements for the project. Petitioner has agreed to pay \$2,744.00, which includes the appraisal report fee of \$2,500.00, \$144.00 for the posting of the signs to notify the public of the proposed closure and \$100.00 for the recording fees. The \$2,744.00 proceeds will be deposited in the General Fund in accordance with the FY 2015 Adopted Budget.

#### **RECOMMENDATION:**

Staff recommends approval of the closure, vacation and abandonment of an improved portion of Rittiman Road Public Right of Way and to waive the street closure fee since a total of approximately \$857,086.00 worth of

infrastructure improvements will be made by the Marion Koogler McNay Art Museum and TxDOT as part of the project. In addition, the proposed right of way will not be closed and conveyed until all improvements are made to the intersection of Austin Highway and North New Braunfels Avenue. Improvements to the intersection are scheduled to begin June, 2016 and completed by June, 2017.

The City of San Antonio's Planning Commission will consider this request to close, vacate and abandon an improved portion of Rittiman Road at its regular meeting on May 27, 2015.

In accordance with Municipal Code Chapter 37, 131 letters were sent to property owners within a 500-foot radius of the closure and two signs were posted at the proposed closure to notify the public of the proposed closure which includes the dates and times of the public hearings.