



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-3152

**Type:** Real Property Acquisition

**In control:** City Council A Session

**On agenda:** 6/22/2017

**Title:** An Ordinance authorizing the acquisition, jurisdiction, control and maintenance of a portion of right-of-way currently known as Avenue B between Newell Avenue and Pearl Parkway in Council District 1 from the Texas Department of Transportation. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Transportation & Capital Improvements]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Avenue B Exhibit, 2. Draft Ordinance, 3. Avenue B Map, 4. Ordinance 2017-06-22-0495

Date	Ver.	Action By	Action	Result
6/22/2017	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Transportation and Capital Improvements

**DEPARTMENT HEAD:** Mike Frisbie, P.E.

**COUNCIL DISTRICTS IMPACTED:** Council District 1

**SUBJECT:**

Acquisition of street right-of-way known as Avenue B, between Newell Avenue and Pearl Parkway, for City of San Antonio use.

**SUMMARY:**

An ordinance authorizing the City of San Antonio to acquire and accept a portion of a Texas Department of Transportation (TxDOT) roadway, known as Avenue B, between Newell Avenue and Pearl Parkway, of which payment for the property has been waived by TxDOT under the Texas Transportation Code 202.021(e), and the City of San Antonio will assume jurisdiction, control and maintenance of the right-of-way for public road purposes.

**BACKGROUND INFORMATION:**

Silver Ventures is a private equity firm that is working to make numerous improvements in the Pearl Brewery

area. Recently, Silver Ventures has sought to develop an office building and parking lot adjacent to Avenue B and U.S. Highway 281. The majority of Avenue B from Pearl Parkway to E. Josephine is already City-owned right-of-way, however the section of Avenue B from Pearl Parkway to Newell is TxDOT owned right-of way.

Silver Ventures, in conjunction with Pape-Dawson Engineers, reached out to TxDOT to determine the feasibility of reconfiguring the roadway from a one-way to a two-way street. Under TxDOT guidelines, TxDOT does not allow two-way frontage roads. Avenue B was still classified as frontage road. It was determined that because TxDOT does not use Avenue B as a frontage road any longer, the street could be conveyed to the City, free of charge. The City stands to benefit from the acquisition of the roadway and conversion to a two-way roadway as this improves mobility and traffic movement. Silver Ventures also benefits from the conversion to a two-way roadway as it improves access to the proposed office building and parking lot.

Silver Ventures, in partnership with Pape-Dawson Engineers, will work to design the road reconfiguration which will include a separate bike and pedestrian path on the west side of Avenue B. The current street conditions of Avenue B are acceptable, however Silver Ventures has agreed to make street improvements based on any wear and tear the construction of the office building may cause and this is in addition to the striping, bike and pedestrian amenities already agreed to.

Once Silver Ventures finishes with the improvements, the newly acquired section of Avenue B will be incorporated into the City's responsibility for street maintenance. A construction schedule for the office building is not yet known. Future maintenance of Avenue B will be programmed into future Infrastructure Management Program (IMP) projects, however once Silver Ventures restores the roadway it is anticipated that only minor repairs will be needed in the future.

In order to move forward with the acquisition, Silver Ventures is seeking to have the right-of-way transferred to the City prior to their groundbreaking currently anticipated for July 2017.

This ordinance authorizes the acquisition and acceptance of Texas Department of Transportation (TxDOT) roadway known as Avenue B, between Newell Avenue and Pearl Parkway for City of San Antonio's jurisdiction, control, and maintenance. This item requires City Council to initiate a motion to authorize the acceptance of this right-of-way.

## **ISSUE:**

This ordinance authorizes the City of San Antonio to acquire and accept a Texas Department of Transportation (TxDOT) roadway, known as Avenue B, between Newell Avenue and Pearl Parkway, of which payment for the property has been waived by TxDOT under the Texas Transportation Code 202.021(e), and the City of San Antonio will assume jurisdiction, control and maintenance of the right-of-way for public road purposes.

Acquisition of the roadway helps facilitate continued improvements to the Pearl Brewery area, will improve access to and from the area, as well as provides a separate bike and pedestrian path.

## **ALTERNATIVES:**

City Council could choose not to approve this request and require Silver Ventures to redesign or terminate the project, increasing costs and resulting in project delay.

**FISCAL IMPACT:**

Future maintenance costs for the roadway will be programmed into future years of the Street Maintenance Program. Silver Ventures has committed to providing street improvements to Avenue B as part of its proposed development. The property is being transferred by TxDOT to the City of San Antonio and payment for the property is being waived under Texas Transportation Code 202.021(e). The estimated value for the acquired right-of-way is \$379,608.00 for approximately 15,817 square feet of Avenue B between Newell and Pearl Parkway.

**RECOMMENDATION:**

Staff recommends approval of the ordinance authorizing acquisition by having the Texas Department of Transportation, transferring ownership to the City of San Antonio.