



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-3069

**Type:** Street Closures

**In control:** City Council A Session

**On agenda:** 8/17/2017

**Title:** An Ordinance authorizing the closure, vacation and abandonment of a 0.163 acre unimproved alley located between SW 40th Street and SW 41st Street in Council District 6 as requested by Macedonia Baptist Church for a fee of \$9,230.00. [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exe\_LofA\_Macedonia, 2. Field Notes\_Macedonia, 3. Survey\_Macedonia, 4. Conceptual Plan Layout1\_Macedonia, 5. Contracts Disclosure Form\_Macedonia, 6. Form 1295\_Macedonia, 7. Ordinance 2017-08-17-0567

Date	Ver.	Action By	Action	Result
8/17/2017	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Transportation & Capital Improvements

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

**COUNCIL DISTRICTS IMPACTED:** Council District 6

**SUBJECT:**

Disposition: ROW Closure (unimproved alley)

**SUMMARY:**

An ordinance authorizing the closure, vacation and abandonment of a 0.163 acre (7,100.28 square feet) 10-foot wide alley located between SW 40<sup>th</sup> Street and SW 41<sup>st</sup> Street in NCB 8996 for a fee of \$9,230.00, in Council District 6 as requested by Macedonia Baptist Church.

**BACKGROUND INFORMATION:**

Macedonia Baptist Church is located at 963 SW 40<sup>th</sup> Street. The church owns the majority of the properties on this block (NCB 8996) with properties on Coopwood and properties on Hobart. The church properties are separated by the unimproved 10-foot wide alley. The alley is narrow and is not used for public travel. The

property was platted in 1912 as part of West Laurel Heights subdivision.

The church is platting its property for future improvements to include removal of the fellowship hall, a new building for adult classrooms with a secure preschool suite, remodeling the existing worship building, enlarging the foyer and adding a greeting center. During the replat, the church realized that the parking lot included a portion of the alley. City staff advised the church to close, vacate and abandon the alley and incorporate it into the replat. The church obtained consent from all abutting property owners then submitted the petition to request the city close, vacate and abandon its interest in the alley. The request was reviewed by city departments and utilities and received conditional approval for the proposed closure. Petitioner agreed to the conditions of the closure which included replatting the property as part of the redevelopment and providing unimpeded access for utility maintenance.

#### **ISSUE:**

This ordinance authorizes the closure, vacation and abandonment of a 0.163 acre (7,100.28 square feet) 10-foot wide alley located between SW 40<sup>th</sup> Street and SW 41<sup>st</sup> Street in NCB 8996 for a fee of \$9,230.00 as requested by Macedonia Baptist Church.

The church will incorporate, through a re-plat, the unimproved alley within the footprint of the Macedonia Baptist Church campus. Per Chapter 37, notification signs need not be erected, and letters need not be sent for undeveloped (paper) public right-of-way or for slivers not affecting the path of public travel. This alley is narrow and unimproved at both ends and it is not used for public travel.

#### **ALTERNATIVES:**

City Council could choose not to authorize this request; however, if not approved, the church will not be able to complete the replat, which will affect the planned improvements.

#### **FISCAL IMPACT:**

The value of the closure was determined by averaging the surrounding land values as determined by the Bexar County Appraisal District. The fair market value was determined to be \$9,230.00 and will be deposited into the General Fund in accordance with the FY2017 Adopted Budget.

#### **RECOMMENDATION:**

The Planning Commission reviewed and approved this request at its regular meeting on July 26, 2017. Staff recommends approval of this request to close, vacate and abandon a 0.163 acre alley located between 40<sup>th</sup> and 41<sup>st</sup> Street.