



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-3548

**Type:** Staff Briefing - Without Ordinance

**In control:** Planning Commission

**On agenda:** 6/13/2018

**Title:** S.P. 2006 - Request of a Resolution authorizing the closure, vacation and abandonment of a 0.276 of an acre improved portion of Burnet Street Public Right of Way located between Brooklyn Avenue and Live Oak Street and a 0.077 of an acre improved portion of Live Oak Street Public Right of Way located between Brooklyn Avenue and the entrance ramp to Interstate Highway 37 North, and accepting the dedication of a 0.012 of an acre tract of real property as requested by StrEat Parks, LLC., Sisters of the Holy Spirit and Mary Immaculate Inc. and Healy Murphy Center Inc., for a fee of \$81,706.00, in City Council District 2. Staff recommends Approval. (Jesse Quesada, (210) 207-6971, Jesse.Quesada@sanantonio.gov, Transportation & Capital Improvements Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A, 2. Burnet Street Survey, 3. Live Oak Street Survey, 4. Resolution, 5. Schematics

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**DEPARTMENT:** Transportation & Capital Improvements

**STAFF COORDINATOR:** Jesse Quesada, Senior Management Analyst, (210) 207-6971, jesse.quesada@sanantonio.gov

**COUNCIL DISTRICT IMPACTED:** 2

**SUBJECT:**

Closures of two Public Rights of Way (Burnet Street and Live Oak Street) and acceptance of a dedication of real property

**SUMMARY:**

Request of a Resolution authorizing the closure, vacation and abandonment of a 0.276 of an acre improved portion of Burnet Street Public Right of Way located between Brooklyn Avenue and Live Oak Street and a 0.077 of an acre improved portion of Live Oak Street Public Right of Way located between Brooklyn Avenue and the entrance ramp to Interstate Highway 37 North, and accepting the dedication of a 0.012 of an acre tract of real property in City Council District 2 as requested by StrEat Parks, LLC., Sisters of the Holy Spirit and Mary Immaculate Inc. and Healy Murphy Center Inc. (Petitioners) for a fee of \$81,706.00.

## **BACKGROUND INFORMATION:**

Petitioners are requesting the closure, vacation and abandonment of a 0.276 of an acre (12,003 square feet) improved portion of Burnet Street located between Brooklyn Avenue and Live Oak Street and a 0.077 (3,386 square feet) of an acre improved portion of Live Oak Street located between Brooklyn Avenue and the entrance ramp to Interstate Highway 37 North. The proposed closures are abutted by the Petitioners. Petitioners intend to develop a mobile food truck park, with a dining patio, music venue and community garden.

Healy Murphy Center is a 501(c)3 non-profit organization that provides educational and counseling services to students who attend the Healy Murphy Center, a high school located at 618 Live Oak Street. Healy Murphy Center also offers GED classes, childcare, early childhood education, and health services for the community. Healy Murphy Center is managed by the Sisters of the Holy Spirit and Mary Immaculate Inc., who are working with the StrEat Parks, LLC.

StrEat Parks, LLC. proposes to develop a mobile food truck park on their property located at 201 Burnet Street. The mobile food truck park will include food trucks providing food from well-known local restaurants, a two story dining patio, and a music venue, which will provide a positive and safe place for the community to gather. The mobile food park will have excellent views of the downtown skyline and Tower of Americas, which will allow customers to watch fireworks and be included in downtown celebratory events. StrEat Parks, LLC. will also have a mentorship program to allow Healy Murphy Center students to learn about horticulture and the food industry via a community garden to be located on Burnet Street. Students will participate in the growing of herbs and vegetables in the community garden and will also learn how horticulture is tied to the food industry, nutrition, etc. The project is anticipated to start in June, 2018 and be completed by June, 2019.

Currently, Live Oak Street is a 33.40 feet-wide, two (2) lane, one-way street running north from Nolan Street to Brooklyn Street. The portion of Live Oak Street proposed to be closed is the eastern-most lane, just past the on-ramp to IH-37. Upon the closure, Live Oak Street will convert to one a 16.70 feet-wide, (1) lane, one-way

street running north from the entrance ramp of Interstate Highway 37 North to Brooklyn Avenue. The closure of the eastern-most lane will accommodate the anticipated increase in pedestrians visiting the mobile food truck park, music venue and community garden.

In addition, to ensure large vehicles are able to turn right onto Brooklyn Avenue from Live Oak Street without entering into the oncoming traffic lane, StrEat Parks, LLC. has agreed to dedicate a 0.012 of an acre (527 square feet) tract of real property to the City of San Antonio. The proposed street closures and dedication are depicted on attached Exhibit “A”.

## **ISSUE:**

This resolution will close, vacate and abandon improved portions of Burnet and Live Oak Streets, and accept the dedication of a tract of real property in City Council District 2 as requested by Petitioners for a fee of \$81,706.00.

Petitioners are requesting the closure, vacation and abandonment of a 0.276 of an acre (12,003 square feet) improved portion of Burnet Street located between Brooklyn Avenue and Live Oak Street and a 0.077 (3,386 square feet) of an acre improved portion of Live Oak Street located between Brooklyn Avenue and the entrance ramp to Interstate Highway 37 North. If approved, Petitioners will develop a mobile food truck and music venue as well as a community garden. The proposed closures would ensure a safe pedestrian access between the parcels. To ensure that large vehicles are able to turn right onto Brooklyn Avenue from Live Oak Street without entering into the oncoming traffic lane, StrEat Parks, LLC. has agreed to dedicate a 0.012 of an acre (527 square feet) tract of real property to the City of San Antonio. The proposed street closures and dedication are depicted on attached Exhibit “A”.

This action is consistent with City Code and Ordinances, which requires City Council approval for the sale, disposition or acquisition of City-owned or controlled real property.

## **ALTERNATIVES:**

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

**FISCAL IMPACT:**

The original closure fee established for this request totals \$261,957.00, which includes the assessed value of the Public Rights of Way in the amount of \$261,613.00 plus \$344.00 for administrative costs. In compliance with Chapter 37 of the City Code, Section 37-2, fair market value of the proposed closures and the proposed dedication was based upon an independent State of Texas Certified Professional Appraisal Report prepared by Sandison Appraisals, LLC on March 23, 2018.

The closure fee has been reduced by 25% in accordance with the Inner City Reinvestment/Infill Policy (ICRIP). A credit of \$8,959.00 has been applied due to the property dedication to accommodate turning vehicles on Brooklyn. Based on the Healy Murphy Center's 501(c)3 tax-exempt status and its mission benefiting the community, staff in consultation with Council District 2, is supportive of a \$105,888.75 reduction in the closure fee. The new established closure fee totals \$81,706.00. The revenue will be deposited into the General Fund in accordance with the FY 2018 Adopted Budget. The Public Rights of Way closures will be placed on the tax rolls, which will generate revenue for the City of San Antonio as well as other taxing entities.

The Public Rights of Way closures will be placed on the tax rolls, which will generate revenue for the City of San Antonio as well as other taxing entities.

**RECOMMENDATION:**

Staff recommends approval of this request to close, vacate and abandon improved portions of Burnet Street and Live Oak Street Public Rights of Way and accept a dedicated tract of real property in Council District 2.