



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-3247

**Type:** Street Closures

**In control:** City Council A Session

**On agenda:** 6/21/2018

**Title:** Ordinance closing, vacating and abandoning two improved alleys (0.138 acres) located within a block bordered by Broadway, Brooklyn, Avenue B and 8th Street, in Council District 1, as requested by CBMB Properties, L.L.C., and accepting an In-kind contribution of approximately \$300,000.00 towards the value of the closure fee. [Lori Houston, Assistant City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**Sponsors:** Martha Almeria

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A, 2. Survey 9127-14 0.138 AC, 3. Day - v2 - no fins, 4. Night\_No Spandrel-v2, 5. 20180515\_Contracts Disclosure form\_signed, 6. Draft Ordinance, 7. Ordinance 2018-06-21-0480, 8. Staff Presentation

Date	Ver.	Action By	Action	Result
6/21/2018	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Transportation & Capital Improvements

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

**COUNCIL DISTRICTS IMPACTED:** Council District 1

### SUBJECT:

Disposition: Closure of two improved alley Public Rights of Way located within a block bordered by Broadway, Brooklyn, Avenue B and 8<sup>th</sup> Street.

### SUMMARY:

An ordinance closing, vacating and abandoning two improved alleys (0.138 acres) located within a block bordered by Broadway, Brooklyn, Avenue B and 8<sup>th</sup> Street, in Council District 1, as requested by CBMB Properties, L.L.C., and accepting an in-kind contribution of approximately \$300,000.00 towards the value of the closure fee.

### BACKGROUND INFORMATION:

CBMB Properties, L.L.C, Petitioner, is requesting the closure, vacation and abandonment of two improved

alley Public Rights of Way located in NCB 447 and bordered by Broadway, Brooklyn, Avenue B and 8<sup>th</sup> Street as shown on attached Exhibit A. All abutting property owners are agreeable and as partners, plan to redevelop the entire block with the construction of a new commercial development (see attached renderings) that will include outdoor public amenities for the community. The closure of both alleys would facilitate the layout and full development of the new construction.

Signs have been posted and notices have been mailed to property owners with a 500 foot radius of the proposed closures.

The planning Commission recommended approval of this request at its regular meeting on June 13, 2018.

## **ISSUE:**

This ordinance will close, vacate and abandon two improved alleys (0.138 acres) located within a block bordered by Broadway, Brooklyn, Avenue B and 8<sup>th</sup> Street, in Council District 1, as requested by CBMB Properties, L.L.C., and accepting an in-kind contribution of approximately \$300,000.00 towards the value of the closure fee.

CBMB Properties, L.L.C, Petitioner, is requesting the closure, vacation and abandonment of two improved alley Public Rights of Way located in NCB 447 and bordered by Broadway, Brooklyn, Avenue B and 8<sup>th</sup> Street as shown on attached Exhibit A. All abutting property owners are agreeable and as partners, plan to redevelop the entire block with the construction of a new commercial development (see attached renderings) that will include outdoor public amenities for the community. The closure of both alleys would facilitate the layout and full development of the new construction, and will leverage over \$50 million of improvements in the area over the next several years.

This new commercial office building will include a retail and restaurant component on a portion of the ground floor. The building is 6 stories tall with one level of subsurface parking. In total, it is approximately 141,000 rentable square feet, of which approximately 130,000 square feet is intended for office use. Additional development phases are anticipated to occur in the adjacent parcels across the two closed alleys.

In accordance with Chapter 37 in the Municipal Code, signs were placed at the proposed alley closures, and letters were sent to property owners identified within a 500 foot radius, to provide notice and public hearing dates of the proposed closures. This action is consistent with City Code and Ordinances, which require City Council approval for the sale or disposition of City-owned or controlled real property.

City Fee Waivers valued at approximately \$93,107.23 and SAWS Fee Waivers in an amount not to exceed \$99,999.00 are also available for use by this project and the amounts requested are consistent with the Inner City Reinvestment/Infill Policy (ICRIP).

## **ALTERNATIVES:**

City Council could choose not to approve this request; however, if not approved, the right of way will remain underutilized and prohibit the redevelopment of the block as intended.

## **FISCAL IMPACT:**

The fee established for the 0.138 acres of rights of way for two improved alleys located within a block bordered by Broadway, Brooklyn, Avenue B and 8<sup>th</sup> Street, in Council District 1, is \$202,500.00. These two rights of way were appraised by Noble and Associates, Inc. as provided by Chapter 37, Section 2(g)(1) of the City Code. In accordance with the Inner-City Reinvestment/Infill Policy (ICRIP), projects investing over \$50 million in the ICRIP targeted area are eligible for a 75% reduction of this fee. The closure fee for the two alleys was reduced by 75%, or \$151,875.00, resulting in a revised closure fee of \$50,625.00.

However, the closures allow the Petitioner to provide approximately \$300,000.00 of improvements within the publically accessible alley that will include outdoor public amenities for the community. This amount shall be considered an in-kind contribution towards the value of the closure fee. Therefore, at City Council's discretion and approval, the City shall not collect fees associated with the closing, vacating and abandoning of the two improved alleys.

The action to close, vacate and abandon the two improved alleys will allow the property to be placed on the tax rolls, generating revenue for the City of San Antonio and other taxing entities, while reducing the City's maintenance obligation.

#### **RECOMMENDATION:**

Staff recommends approval of this request to close, vacate and abandon two improved alley Public Rights of Way, in Council District 1.

The Planning Commission recommended approval of this request at its regular meeting of June 13, 2018.