



City of San Antonio

Legislation Details (With Text)

File #: 19-1756
Type: Staff Briefing - Without Ordinance
In control: Planning Commission

On agenda: 2/27/2019

Title: S.P. 2103 - Resolution recommending the closure, vacation and abandonment of two unimproved 15-foot wide alleys Public Rights of Way located between E. Theo Avenue and Truax Street in City Council District 3, as requested by Puente & Sons, Inc. dba Puente & Sons Funeral Chapels and Dad -Mo Grand Investments LLC, for a fee of \$11,046.00. 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. Surveys, 3. Letter of Agreement, 4. Resolution, 5. Schematic

Date	Ver.	Action By	Action	Result
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DEPARTMENT: Transportation & Capital Improvements

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

COUNCIL DISTRICT IMPACTED: 3

SUBJECT:

Disposition: Closure of two unimproved 15-foot wide alleys Public Rights of Way

SUMMARY:

A Resolution recommending closing, vacating and abandoning of two unimproved 15-foot wide alleys Public Rights of Way located between E. Theo Avenue and Truax Street adjacent to New City Blocks 2911 and 3224 in City Council District 3, as requested by Puente & Sons, Inc. dba Puente & Sons Funeral Chapels and Dad-Mo Grand Investments LLC, for a fee of \$11,046.00.

BACKGROUND INFORMATION:

Puente & Sons, Inc. (Petitioner) is requesting to close, vacate and abandon two unimproved 15-foot wide alleys Public Rights of Way located between E. Theo Avenue and Truax Street adjacent to New City Blocks 2911 and 3224 in Council District No. 3, as shown on attached Exhibit "A". The two alley closures combined consist of

0.1008 of an acre (4,432 square feet). The northern alley consists of 0.0431 of an acre (1,881 square feet) and the southern alley consists of 0.0577 of an acre (2,551 square feet). There was no opposition to the closures by City Departments or utilities during the canvassing process. Petitioner owns all of the abutting property to the proposed closures.

Puente & Sons Funeral Chapels operates at the property located at 3520 S. Flores Street. Petitioner is requesting these closures for the expansion of its business. If approved, Petitioner will assemble and replat its property with the proposed closures. In addition, Petitioner has indicated it will demolish the houses on 115 E. Theo Avenue and 112 Truax Street then construct an approximate 3,000 square foot building. The building would be used for a refrigeration unit, preparation room, storage and a possible crematory.

The properties located at 3520 S. Flores Street and 112 Truax Street are zoned as R-6 Residential Single-Family District; the property located at 115 E. Theo Avenue is zoned as RM-4 Residential Mixed District; and the property located at 3620 S. Flores Street is zoned C-3NA General Commercial Nonalcoholic Sales District. In order for the property owner to expand the existing funeral home and related activities, the property owner must rezone 3520 S. Flores Street to C-3NA for consistency and compatibility with the existing and surrounding properties. In order to utilize the other properties located at 115 E. Theo Street and 112 Truax Street, the property owner must rezone to C-2 CD Commercial District with a Conditional Use for a Funeral Home. Additionally, you may note that the use of a Conditional Use allows for conditions to be imposed on the properties to ensure proper buffering and screening to the adjacent residential zoning and uses. Petitioner has been made aware of the zoning requirements for the expansion of the business and is in agreement to proceed with rezoning.

ISSUE:

This Resolution recommends the closure, vacation and abandonment of two unimproved 15-foot wide alleys Public Rights of Way located between Truax Street and E. Theo Avenue, as shown on attached Exhibit "A", in Council District 3, as requested by Puente & Sons, Inc., for a fee of \$11,046.00.

Puente & Sons, Inc. is requesting the closure, vacation and abandonment of two unimproved 15-foot wide alleys Public Rights of Way consisting of a combined 0.1008 of an acre (4,432 square feet). The northern alley consists of 0.0431 of an acre (1,881 square feet) and the southern alley consists of 0.0577 of an acre (2,551 square feet). The alleys are located between E. Theo Avenue and Truax Street, as shown on attached Exhibit "A". If approved, Petitioner will assemble and replat its property with the proposed closures. In addition, Petitioner has indicated it will demolish the houses on 115 E. Theo Avenue and 112 Truax Street then construct an approximate 3,000 square foot building. The building would be used for a refrigeration unit, preparation room, storage and a possible crematory.

The properties located at 3520 S. Flores Street and 112 Truax Street are zoned as R-6 Residential Single-Family District; the property located at 115 E. Theo Avenue is zoned as RM-4 Residential Mixed District; and the property located at 3620 S. Flores Street is zoned C-3NA General Commercial Nonalcoholic Sales District. In order for the property owner to expand the existing funeral home and related activities, the property owner must rezone 3520 S. Flores Street to C-3NA for consistency and compatibility with the existing and surrounding properties. In order to utilize the other properties located at 115 E. Theo Street and 112 Truax Street, the property owner must rezone to C-2 CD Commercial District with a Conditional Use for a Funeral Home. Additionally, you may note that the use of a Conditional Use allows for conditions to be imposed on the properties to ensure proper buffering and screening to the adjacent residential zoning and uses. Petitioner has

been made aware of the zoning requirements for the expansion of the business and is in agreement to proceed with rezoning.

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

ALTERNATIVES:

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

FISCAL IMPACT:

The fee established for this request is \$11,046.00, which includes the assessed value of the unimproved public rights of way in the amount of \$10,946.00 plus \$100.00 for administrative costs. In compliance with Chapter 37 of the City Code, Section 37-2, fair market value of the unimproved public rights of way was based utilizing Bexar Appraisal District assessed land values as provided by Chapter 37, Section 2(g)(2) of the City Code. These funds will be deposited into the General Fund in accordance with the FY 2019 Adopted Budget.

The property 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 abandonment two unimproved 15-foot wide alleys Public Rights of Way, in Council District 3.