



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-5307

**Type:** Real Property Sale

**In control:** City Council A Session

**On agenda:** 8/15/2019

**Title:** Ordinance approving the closure, vacation and abandonment of 0.497 of an acre of a portion of improved right-of-way at the northeast corner of Riverside Drive and Roosevelt Avenue, also known as H. F. McCarty Drive located in Council District 3 as requested by 2450 Roosevelt, Ltd. for a fee of \$44,185.00. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. MAP - HF McCarty, 2. Attachment 1- Letter of Agreement, 3. Attachment 2 - Survey-Field Notes, 4. Ordinance 2019-08-15-0638

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

**DEPARTMENT HEAD:** Razi Hosseini, P.E., R.P.L.S.

**COUNCIL DISTRICTS IMPACTED:** Council District 3

**SUBJECT:**

Disposition: Close, vacate and abandon an improved portion of right-of-way at the northeast corner of Riverside Drive and Roosevelt Avenue (H. F. McCarty Drive)

**SUMMARY:**

An ordinance authorizing to close, vacate and abandon 0.497 of an acre of a portion of improved right-of-way at the northeast corner of Riverside Drive and Roosevelt Avenue, also known as H. F. McCarty Drive located in Council District 3 as requested by 2450 Roosevelt, Ltd. (Petitioner) for a fee of \$44,185.00.

**BACKGROUND INFORMATION:**

The Petitioner purchased a 5.4 acre property located at 2450 Roosevelt Avenue at the northeast corner of Roosevelt Avenue and Riverside Drive which had been vacant for over 10 years. The property was built in

1955 and includes a 59,000 square foot industrial structure. The Petitioner has repurposed the property into 65 market rate apartments.

There is a small portion of the right-of-way between Roosevelt Avenue and the Petitioner's property the city authorized to be named H. F. McCarty Drive under Ordinance 63334, dated July 31, 1986, as requested by the property owner. The Petitioner is requesting the City to close, vacate and abandon the 0.497 of an acre of the portion of the improved right-of-way at the northeast corner of Riverside Drive and Roosevelt Avenue, also known as H. F. McCarty Drive, in order to landscape the right-of-way, which will be incorporated within the footprint of the development for curb appeal for apartment occupants.

The request was reviewed and approved by City departments, utilities and the Texas Department of Transportation (TXDoT) since TXDoT maintains the portion of Roosevelt Avenue abutting the property. In accordance with Chapter 37 of the Municipal Code, notification signs were posted near the proposed closure and letters were sent to property owners within a 500 foot radius.

#### **ISSUE:**

This ordinance authorizes the closure, vacation and abandonment of 0.497 of a portion of improved right-of-way at the northeast corner of Riverside Drive and Roosevelt Avenue, also known as H. F. McCarty Drive located in Council District 3 as requested by 2450 Roosevelt, Ltd. (Petitioner) for a fee of \$44,185.00.

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There is a small portion of the right-of-way between Roosevelt Avenue and the Petitioner's property the city authorized to be named H. F. McCarty Drive under Ordinance 63334, dated July 31, 1986, as requested by the property owner. The Petitioner is requesting the City to close, vacate and abandon the 0.497 of an acre of the portion of the improved right-of-way at the northeast corner of Riverside Drive and Roosevelt Avenue, also known as H. F. McCarty Drive, in order to landscape the right-of-way, which will be incorporated within the footprint of the development for curb appeal for apartment occupants.

The request was reviewed and approved by City departments, utilities and the Texas Department of Transportation (TXDoT) since TXDoT maintains the portion of Roosevelt Avenue abutting the property.

#### **ALTERNATIVES:**

City Council could choose not to approve this request; however, if not approved, the subject area will not be incorporated and maintained as open space for the abutting development. If the request is approved, the property will be utilized and maintained by the developer, and the property will be placed on the tax rolls.

#### **FISCAL IMPACT:**

An independent appraisal was completed by Noble & Associates, Inc. on May 9, 2019 and the subject property was valued at \$60,000.00. The Petitioner applied and was approved for ICR/IP waivers administered by the

City's Center City Development & Operations Department (CCDO). Based on the proposed level of investment of \$4.2 million, the project is eligible for a 25% reduction of the closure fee in the amount of \$15,000.00 and a waiver in the amount of \$815.00 which was the processing fee paid when the petition was submitted. The net amount of \$44,185.00 will be deposited into the General Fund in accordance with the FY 2019 Adopted Budget.

**RECOMMENDATION:**

The Planning Commission reviewed this request at its regular meeting on July 24, 2019. Staff recommends approval of this request to close, vacate and abandon 0.497 acre of a portion of improved right-of-way at the northeast corner of Riverside Drive and Roosevelt Avenue, also known as H. F. McCarty Drive.