



City of San Antonio

Agenda Memorandum

File Number:16-5791

Agenda Item Number: 11.

Agenda Date: 2/23/2017

In Control: City Council A Session

DEPARTMENT: Transportation & Capital Improvements

DEPARTMENT HEAD: Mike Frisbie, P.E.

COUNCIL DISTRICTS IMPACTED: District 10

SUBJECT:

Ordinance amending Ordinance #2015-04-09-0284

SUMMARY:

An Ordinance amending Ordinance #2015-04-09-0284 to correct street closure field notes for an unimproved 15 foot wide alley perpendicular to Higgins Road between Durham Drive and Stahl Road in Council District 10 as requested by I.P.L. Y Reduccion de Peso, Inc., a Texas Corporation.

BACKGROUND INFORMATION:

Previous Council Action

City Council authorized the closure, vacation, and abandonment of an unimproved portion of a 15-foot wide alley Public Right of Way perpendicular to Higgins Road between Durham Drive and Stahl Road adjacent to NCB 15704 on April 9, 2015 through Ordinance 2015-04-09-0284. Petitioner, I.P.L. Y Reduccion De Peso, Inc. provided incorrect field notes at the time of approval in 2015. The Petitioner must have the ordinance reauthorized with correct field notes in order to move forward with the platting process.

The proposed closure consists of 0.155 of an acre and is undeveloped. Petitioner is the only abutting owner to the proposed closure. As a condition to the closure, Petitioner will dedicate a Public Access Easement consisting of 0.072 of an acre for egress/ingress purposes. Petitioner proposes to incorporate the Public Right of Way Closure with its abutting 9.106 acre tract of land for a gated garden home development with a small commercial portion located at the corner of Stahl Road and Higgins Road.

ISSUE:

This Ordinance will authorize the amendment of Ordinance #2015-04-09-0284 which authorizes the closure, vacation, and abandonment of an unimproved portion of a 15-foot-wide alley public right of way perpendicular to Higgins Road between Durham Drive and Stahl Road adjacent to NCB 15704 in Council District 10, as requested by I.P.L. Y Reduccion De Peso, Inc.

On April 9, 2015 through Ordinance 2015-04-09-0284. Petitioner, I.P.L. Y Reduccion De Peso, Inc. provided incorrect field notes at the time of approval in 2015. The Petitioner must have the ordinance reauthorized with correct field notes in order to move forward with the platting process.

This action is consistent with City Code and Ordinance relative to closing Public Rights of Way.

ALTERNATIVES:

The closure, vacation and abandonment of an unimproved portion of a 15-foot-wide alley will allow Petitioner to re-plat and develop the property into a gated garden home development with a small commercial portion. City Council could choose not to approve this request; however, this will disallow I.P.L. Y Reduccion De Peso, Inc. from utilizing and developing the property.

FISCAL IMPACT:

This closure was previously authorized by Ordinance 2015-04-09-0284. Petitioner, I.P.L. Y Reduccion De Peso, Inc. provided incorrect field notes at the time of approval in 2015. The Petitioner must have the ordinance reauthorized with correct field notes in order to move forward with the platting process. Petitioner has paid \$4,950.00 for this closure, which included the alley's assessed value of \$4,800.00 plus \$150.00 for the recording fees. The assessed value was based on an independent State of Texas Certified Professional Appraisal Report conducted by Eckmann Groll Inc. on October 31, 2014. The collected fees of \$4,950.00 were deposited into the General Fund on February 19, 2015 in accordance with FY 2015 Adopted Budget.

RECOMMENDATION:

Staff recommends approval of this ordinance to authorize this closure, vacation and abandonment of a portion of 15-foot wide alley Public Right of Way in Council District 10. The City of San Antonio's Planning Commission considered this request at its regular meeting on March 25, 2015.