



# City of San Antonio

## Agenda Memorandum

**File Number:**18-2767

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**Agenda Item Number:** 12.

**Agenda Date:** 1/10/2019

**In Control:** City Council A Session

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**DEPARTMENT:** Transportation & Capital Improvements

**DEPARTMENT HEAD:** Razi Hosseini, P.E.

**COUNCIL DISTRICTS IMPACTED:** Council District 1

**SUBJECT:** Disposition: Portion of Peacock Alley Right-of-Way

### SUMMARY:

An ordinance authorizing the closure, vacation, and abandonment of approximately 147.6 square feet of unimproved public right of way, known as Peacock Alley, located between the Kress Building and the St. Anthony Hotel, between Jefferson and Navarro Streets, as requested by Owner, GrayStreet Houston, L.L.C., for a fee of \$12,177.00.

### BACKGROUND INFORMATION:

Peacock Alley is located between the landmark Kress and Grant Buildings and the St. Anthony Hotel. The Kress Subdivision (Plat No. 170227) includes the Kress and Grant Buildings. Both buildings are encroaching 147.6 square feet into a portion of Peacock Alley and have since their construction in the mid-1930s.

GrayStreet previously acquired three contiguous structures on the north side of the 300 block of East Houston Street, being the Vogue, Kress and Grant Buildings. GrayStreet intends to connect the Grant Building to the Kress Building, as part of their current renovation project.

GrayStreet Houston, LLC has petitioned for the vacation, closure and abandonment of 147.6 square feet into a portion of Peacock Alley where the Kress and Grant Buildings encroach. Partial removal of the alleyway designation will resolve the building encroachment issue and correct the property title. The neighboring property owner, BCL St. Anthony ML, LP of the St. Anthony Hotel, supports the request for the closure as documented in the petition.

The closure was canvassed throughout City departments and utilities with no objections, including the Fire &

Police Departments, who agree there will be no impact to access or emergency services, as the remaining portion of Peacock Alley will remain open.

## **ISSUE:**

This ordinance authorizes the closure, vacation, and abandonment of approximately 147.6 square feet of unimproved public right of way, known as Peacock Alley, located between the Kress Building and the St. Anthony Hotel, between Jefferson and Navarro Streets, as requested by Owner, GrayStreet Houston, L.L.C., for a fee of \$12,177.00.

Peacock Alley is located between the landmark Kress and Grant Buildings and the St. Anthony Hotel. The Kress Subdivision (Plat No. 170227) includes the Kress and Grant Buildings. Both buildings are encroaching 147.6 square feet into a portion of Peacock Alley and have been since their construction in the mid-1930s.

Partial removal of the alleyway designation will resolve the building encroachment and the resulting constraints on the property title. The remainder of the alley is sufficient for public access and will remain open.

## **ALTERNATIVES:**

City Council could choose not to authorize this request; however the building encroachment will remain a cloud on the title of the property and limit the proposed redevelopment. TCI and the City Attorney's Office recommends pursuing the closure, vacation and abandonment of a portion of Peacock Alley in order to facilitate a permanent solution to resolve the title issue rather than pursuing a variance which is a temporary solution valid for the owner of record only.

## **FISCAL IMPACT:**

The original disposition fee established for this request was \$24,354.00, utilizing Bexar County Appraisal District assessed property values as provided by Chapter 37, Section 2(g)(2) of the City Code. In accordance with the Inner City Reinvestment/Infill Policy (ICRIP), the disposition fee has been reduced by 50% and therefore a credit in the amount of \$12,177.00 has been applied. The fee reduction was grandfathered in under old ICRIP policy. The net disposition fee payable by GrayStreet Houston, LLC upon passage of this ordinance is \$12,177.00, which will be deposited into the General Fund in accordance with the FY 2019 Adopted Budget.

## **RECOMMENDATION:**

Staff recommends approval of this request to close, vacate and abandon an approximately 147.6 square feet of public right of way, known as Peacock Alley where the Kress and Grant Buildings encroach.

The City of San Antonio Planning Commission recommended approval of this request at the regular scheduled meeting on April 25, 2018.