



City of San Antonio

Agenda Memorandum

File Number:18-4699

Agenda Item Number: 18.

Agenda Date: 8/22/2018

In Control: Planning Commission

DEPARTMENT: Transportation & Capital Improvements

DEPARTMENT HEAD: Mike Frisbie, P.E.

COUNCIL DISTRICTS IMPACTED: Council District 1

SUBJECT: Disposition: Close, vacate and abandon public right-of-way

SUMMARY: A resolution recommending the closure, vacation and abandonment of a 36.00 square feet area of the East Commerce Street right-of-way adjacent to NCB 13812; and a 15.00 square feet area of the East Market Street right-of-way adjacent to NCB 13812 which will remove the city's right-of-way easement interest and reflect building encroachments in the right-of-way.

BACKGROUND INFORMATION:

City Council authorized the sale of a 0.801 acre improved tract of land located at 889 East Market Street to HMH Rivers LP (Marriott Riverwalk hotel operator) through Ordinance 2016-06-30-0511, June 20, 2016.

Ordinance 2018-01-18-0019, January 18, 2018, authorized the closure, vacation and abandonment of a 1.473 acre segment of Public Waterway Right-of-Way to remove the ROW designation and update the legal descriptions of the Marriott Riverwalk Hotel and the city's Marina Garage.

Surveys of the areas identified two building encroachments:

- A 36.00 square feet area of the Marriott Riverwalk Hotel encroaches onto the East Commerce Street right-of-way adjacent to NCB 13812; and
- A 15.00 square feet area of the Marina Garage encroaches onto the East Market Street right-of-way adjacent to NCB 13812

This action is a city-initiated request to close, vacate and abandon a 36.00 square feet area of the East Commerce Street right-of-way adjacent to NCB 13812; and a 15.00 square feet area of the East Market Street right-of-way adjacent to NCB 13812. This request will remove the 'Public ROW' designation to a portion of

the Marriott Riverwalk Hotel footprint that encroaches onto East Commerce Street and a portion of the Marina Garage that encroaches onto East Market Street. Building is not allowed within right-of-way; however the structures were completed prior to the plat. Removal of the right-of-way designation will allow the buildings to remain as-is and will be accurately reflected by the Bexar County Clerk (property recordings).

The removal of the public ROW designation on the subject properties were canvassed throughout city departments and utilities with no objections.

In accordance with Municipal Code, Chapter 37, signs need not be erected, and letters need not be sent for slivers not affecting the path of public travel.

ISSUE:

This action is a city-initiated request to close, vacate and abandon a 36.00 square feet area of the East Commerce Street right-of-way adjacent to NCB 13812; and a 15.00 square feet area of the East Market Street right-of-way adjacent to NCB 13812. This request will remove the 'Public ROW' designation to a portion of the Marriott Riverwalk Hotel footprint that encroaches onto East Commerce Street and a portion of the Marina Garage that encroaches onto East Market Street. Building is not allowed within right-of-way; however the structures were completed prior to the plat. Removal of the right-of-way designation will allow the buildings to remain as-is and will be accurately reflected by the Bexar County Clerk (property recordings).

ALTERNATIVES:

The Planning Commission could choose not to recommend this request; however, if not approved, the buildings encroach into the right-of-way, and are in violation of the Unified Development Code.

RECOMMENDATION:

Staff recommends recommendation of this request to close, vacate and abandon a 36.00 square feet area of the East Commerce Street right-of-way adjacent to NCB 13812; and a 15.00 square feet area of the East Market Street right-of-way adjacent to NCB 13812.