



# City of San Antonio

## Agenda Memorandum

**File Number:**19-8404

---

**Agenda Item Number:** 28.

**Agenda Date:** 11/13/2019

**In Control:** Planning Commission

---

**DEPARTMENT:** Transportation & Capital Improvements

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

**COUNCIL DISTRICT IMPACTED:** Council District 1

**SUBJECT:**

Real Estate Disposition: Closure of an improved portion of Burwood Lane Public Right of Way

**SUMMARY:**

A Resolution recommending the closure, vacation and abandonment of an improved portion of Burwood Lane Public Right of Way in City Council District 1, as requested by Somerset Academy, Inc., for a fee of \$21,100.00.

**BACKGROUND INFORMATION:**

Somerset Academy, Inc. (Petitioner) is requesting to close, vacate and abandon an improved portion of Burwood Lane Public Right of Way adjacent to New City Block 11693 in Council District 1, as shown in Exhibit "A". The public right of way closure consists of 0.16 of an acre (7,044 square feet). Petitioner purchased the abutting property adjacent to the proposed closure in August, 2018 and discovered during the due diligence that the proposed closure was not part of the property. The proposed closure area is striped and has been used for parking prior to Petitioner acquiring the property. All the abutting property owners have consented to the closure. The North Shearer Hills Neighborhood Association was canvassed and has approved the request with no conditions.

If approved, Petitioner plans to replat its adjacent property with the closure and continue to use it for parking. Only school employees and visitors use the property. Petitioner's adjacent property operates as a charter school has been in operation since August, 2019. The property previously operated as the FEAST School

(Family Educators Alliance of South Texas). This was the headquarters/campus for kids who are home schooled. They would meet there for testing, sports and extra-curricular activities. FEAST was there since about 2001. Only School employees and visitors use the property for parking. Somerset Academy, Inc. is part of the Andre Agassi Foundation. Petitioner's mission is to advance the education of underprivileged inner city students.

## **ISSUE:**

This Resolution recommends the closure, vacation and abandonment of an improved portion of Burwood Lane Public Right of Way, as shown on attached Exhibit "A" in City Council District 1, as requested by Somerset Academy, Inc., for a fee of \$21,100.00.

Somerset Academy, Inc. (Petitioner) is requesting to close, vacate and abandon an improved portion of Burwood Lane Public Right of Way adjacent to New City Block 11693 in Council District 1, as shown in Exhibit "A". The public right of way closure consists of 0.16 of an acre (7,044 square feet). Petitioner purchased the abutting property adjacent to the proposed closure in August, 2018 and discovered during the due diligence that the proposed closure was not part of the property. The proposed closure area is striped and has been used for parking prior to Petitioner acquiring the property. All the abutting property owners have consented to the closure. The North Shearer Hills Neighborhood Association was canvassed and has approved the request with no conditions.

If approved, Petitioner plans to replat its adjacent property with the closure and continue to use it for parking. Only school employees and visitors use the property. Petitioner's adjacent property operates as a charter school has been in operation since August, 2019. The property previously operated as the FEAST School (Family Educators Alliance of South Texas). This was the headquarters/campus for kids who are home schooled. They would meet there for testing, sports and extra-curricular activities. FEAST was there since about 2001. Only School employees and visitors use the property for parking. Somerset Academy, Inc. is part of the Andre Agassi Foundation. Petitioner's mission is to advance the education of underprivileged inner city students.

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, Petitioner will not be able to use the property for parking.

## **FISCAL IMPACT:**

The fee established for this request is \$21,100.00, which includes the assessed value of the public right of way in the amount of \$21,000.00 plus \$100.00 for administrative costs. In compliance with Chapter 37 of the City Code, Section 37-2, fair market value of the proposed closure was based upon an independent State of Texas Certified Professional Appraisal Report prepared by Noble & Associates, Inc. on September 18, 2019. These funds will be deposited into the General Fund in accordance with the FY 2020 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 abandon an improved portion of Burwood Lane Public Right of Way, in Council District 1.