

CITY OF SAN ANTONIO
DEPARTMENT OF ASSET MANAGEMENT
INTERDEPARTMENTAL CORRESPONDENCE SHEET

PUBLIC HEARING
TIME CERTAIN
ITEM NO. 4
3:30 PM

TO: Mayor and City Council

FROM: Rebecca Waldman, Director, Department of Asset Management

THROUGH: Terry M. Brechtel, City Manager

COPIES: Erik J. Walsh, Assistant to the City Manager; Shawn P. Eddy, Special Projects Manager, Property Disposition

DATE: Thursday, March 6, 2003

SUBJECT: S. P. No. 1057—Request to close, vacate and abandon an improved portion of North Mittman Street Public Right of Way located between Burleson and Sherman Streets adjacent to NCB 1306

PETITIONER: San Antonio Independent School District
Attn: John B. McLaughlin, Director, Procurement
1702 N. Alamo Suite 307
San Antonio, TX 78215

SUMMARY AND RECOMMENDATIONS

This Ordinance will close, vacate and abandon an improved portion of North Mittman Street Public Right of Way located between Burleson and Sherman Streets adjacent to NCB 1306, as requested by the San Antonio Independent School District, for the consideration of \$13,426.00.

Staff recommends approval of this Ordinance.

BACKGROUND INFORMATION

Petitioner is requesting the closure, vacation and abandonment of an improved portion of North Mittman Street Public Right of Way located between Burleson and Sherman Streets adjacent to NCB 1306, as shown on attached Exhibit "A." The closure is being requested to accommodate the continued expansion and redevelopment of the Wheatley Middle School campus as approved in the 1997 Bond Construction Program. For informational purposes, the school district already owns all abutting property to the west of the proposed closure and recently acquired all abutting property to the east. Also, petitioner will construct a cul-de-sac at the intersection of Burleson and Mittman as required by the UDC.

POLICY ANALYSIS

This action is consistent with City Ordinances regulating the closure, vacation and abandonment of Public Right of Way within the Corporate Limits of the City of San Antonio.

FISCAL IMPACT

The City will collect \$13,426.00 as consideration for this closure, vacation and abandonment of Public Right of Way.

COORDINATION

In compliance with City procedures, this request has been canvassed through interested City departments, public utilities and applicable agencies. A Canvassing Checklist and an executed Letter of Agreement, by which the petitioner agrees with all conditions imposed through this canvassing, are attached for review.

SUPPLEMENTARY COMMENTS

The City of San Antonio's Planning Commission will consider this request at its regular meeting of 2/26/2003 and its finding will be presented to City Council on 3/6/2003.

The San Antonio Independent School District is a tax-exempt entity and is not required to execute a Discretionary Contracts Disclosure Statement.



Rebecca Waldman, Director
Department of Asset Management



Erik J. Walsh
Assistant to the City Manager

Approved:



Terry M. Brechtel
City Manager

Canvassing Checklist

SPNo 1057

Request: Petitioner is requesting the closure, vacation and abandonment of an improved portion of North Mittman Street Public Right of Way located between Burleson and Sherman Streets adjacent to NCB 1306, as shown on attached Exhibit "A." The closure is being requested to accommodate the continued expansion and redevelopment of the Wheatley Middle School campus as approved in the 1997 Bond Construction Program. For informational purposes, the school district already owns all abutting property to the west of the proposed closure and recently acquired all abutting property to the east. Also, petitioner will construct a cul-de-sac at the intersection of Burleson and Mittman as required by the UDC.

	Included in Canvassing	Out Date	In Date	Uncond. Approval	Conditional Approval	Denial
Planning Department	<input checked="" type="checkbox"/>	7/19/2002	8/22/2002	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PublicWorks	<input checked="" type="checkbox"/>	7/19/2002	9/6/2002	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Development Services	<input checked="" type="checkbox"/>	7/19/2002	7/31/2002	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Department	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire Department	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neighborhood Action (NAD)	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
City Public Service	<input checked="" type="checkbox"/>	7/19/2002	8/22/2002	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
S.A. Water System (SAWS)	<input checked="" type="checkbox"/>	7/19/2002	7/26/2002	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
TXDOT	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
S.A. River Authority (SARA)	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VIA Metropolitan	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Services	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Agency	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neighborhood Association	<input checked="" type="checkbox"/>	7/19/2002	8/1/2002	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Canvassing Comments

Harvard Place/Eastlawn NA; Attn: Mary E. Emerson; 1351 Onslow Dr.; 78202



CITY OF SAN ANTONIO

January 29, 2003

DEPARTMENT OF ASSET MANAGEMENT
P.O. BOX 839966 SAN ANTONIO, TEXAS 78283-3966
TEL. 210-207-4032 FAX 210-207-7888

San Antonio Independent School District
Attn: John B. McLaughlin, Jr.
Director, Procurement
1702 N. Alamo St., Suite 307
San Antonio, TX 78215

Re: S. P. No. 1057—Request to close, vacate and abandon an improved portion of North Mittman Street located between Burleson and Sherman Streets

Dear Mr. McLaughlin:

With reference to the captioned project, please be advised that the City of San Antonio has now completed the canvassing process and will recommend approval of your request subject to the following conditions:

PLANNING: "Approved provided that the a) petitioner file a formal subdivision plat vacating and replatting the area as per Article IV Procedures, Division 4 Subdivisions of the Unified Development Code (UDC) for the City of San Antonio; and b) that the proposed construction of the cul-de-sac on Burleson Street shall comply with Article 5, Development Standards, Division 2, Section 35-506, Transportation and Street Design, Paragraph (d) Cross-Section and Construction Standards, Subsection (6) Cul-de-Sac Streets."

PUBLIC WORKS DEPARTMENT: "Approved provided Right of Way is retained as a drainage easement and, must provide a detail design/schematic of placement of cul-de-sac at Burleson/Mittman Streets intersection. Right of Way is limited under current conditions."

DEVELOPMENT SERVICES DEPARTMENT: "Approved provided the request does not create a land lock situation and the area is assembled and platted in accordance with Unified Development Code requirements."

CITY PUBLIC SERVICE: "Approved provided easements are retained for existing electric and gas facilities, or if feasible, remove/relocate facilities at owner's expense."

SAN ANTONIO WATER SYSTEMS: "Approved provided existing water and sewer mains are maintained and centered within sixteen (16)-foot easements."

DEPARTMENT OF ASSET MANAGEMENT:

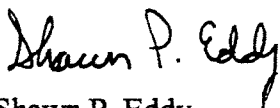
- The closure, vacation and abandonment of this public right of way will be authorized by a City Ordinance.

- Petitioner asserts that all evidence of ownership of all property abutting the public right of way proposed to be closed, vacated and abandoned by the City of San Antonio is true and correct.
- The petitioner acknowledges that this property will be accepted in its "as is" condition.
- Petitioner agrees to reserve a perpetual easement for all existing overhead, surface or subsurface utilities within the public right of way proposed to be closed, including but not limited to: electrical, water, sewer, telephone, cable, fiber optic conduit, etc. Petitioner agrees to allow perpetual access to any such utilities or may seek the relocation of a specific utility with the express permission and coordination of the respective owner of the utility and at the sole expense of the petitioners.
- Petitioner agrees to remit a closure fee of \$13,426.00, which includes the assessed value of \$13,319.00 for the public right of way, a fee of \$72.00 for posting of a sign notifying the public of the proposed street closure and \$35.00 for recording documents. This closure fee will be due and payable to the City of San Antonio prior to City Council consideration. If for some reason the closure is not approved by City Council, the closure fee will be refunded to the petitioner, less the additional fees for the posting of the notification sign and recording documents.

This Letter of Agreement is being offered by City of San Antonio only to the petitioner named above and will expire thirty (30) days after date of issuance unless a specific extension is requested by the petitioners and granted by the City.

If you concur with the above mentioned conditions, including the payment of the assessed closure fee, please countersign this letter in the spaces provided below and return to the undersigned. Upon receipt of this executed Letter of Agreement and the payment we will continue processing your request.

Sincerely,



Shawn P. Eddy
Special Projects Manager
Property Disposition Division

SPE/ma

CERTIFIED MAIL 7001 1940 0000 1124 7825

AGREED AS TO TERMS AND CONDITIONS:

PETITIONER:



By Kamal El Habori
Print Name Associate Supt SAISD

Title

Date