

PUBLIC HEARING
TERRILL
ITEM NO 48

CITY OF SAN ANTONIO
DEPARTMENT OF ASSET MANAGEMENT
INTERDEPARTMENTAL CORRESPONDENCE SHEET

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, February 12, 2004

SUBJECT: S.P. No. 1099—Request to close, vacate and abandon an improved portion of San Luis Street Public Right of Way located between South Calaveras and South Chupaderas Streets

PETITIONER: San Antonio Independent School District
Attn: Kamal Elhabr, P.E.
1702 N. Alamo St., Suite 307
San Antonio, TX 78215-1213

SUMMARY AND RECOMMENDATIONS

This Ordinance will close, vacate and abandon an improved portion of San Luis Street Public Right of Way located between South Calaveras and South Chupaderas Streets adjacent to NCB 2384, in Council District No. 5, for the expansion and redevelopment of the adjacent De Zavala Elementary School, as requested by San Antonio Independent School District, for the consideration of \$10,033.00.

Staff recommends approval of this Ordinance.

BACKGROUND INFORMATION

Petitioner is requesting the closure, vacation and abandonment of an improved portion of San Luis Street Public Right of Way located between South Calaveras and South Chupaderas Streets as shown on attached Exhibit "A." The petitioner owns all of the abutting properties. SAISD intends to renovate the adjacent De Zavala Elementary School and construct an Early Childhood Learning Center, and would like to incorporate the proposed closure as a pedestrian only access between facilities. The closure is being requested to accommodate the continued expansion and redevelopment of the De Zavala Elementary School campus as approved in the 1997 Bond Construction Program.

This request was continued until February 12, 2004 in order to give the San Antonio Independent School District an opportunity to meet with the community after normal working hours as requested by Councilwoman Patti Radle.

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 \$10,033.00 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 1/28/2004 and its finding was presented to City Council on 2/5/2004; request was continued until 2/12/04.

The petitioner is exempt from filing a Discretionary Contracts Disclosure Statement.

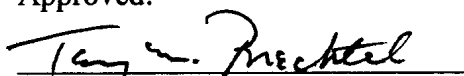


Rebecca Waldman, Director
Department of Asset Management



Erik J. Walsh
Assistant to the City Manager

Approved:



Terry M. Brechtel
City Manager

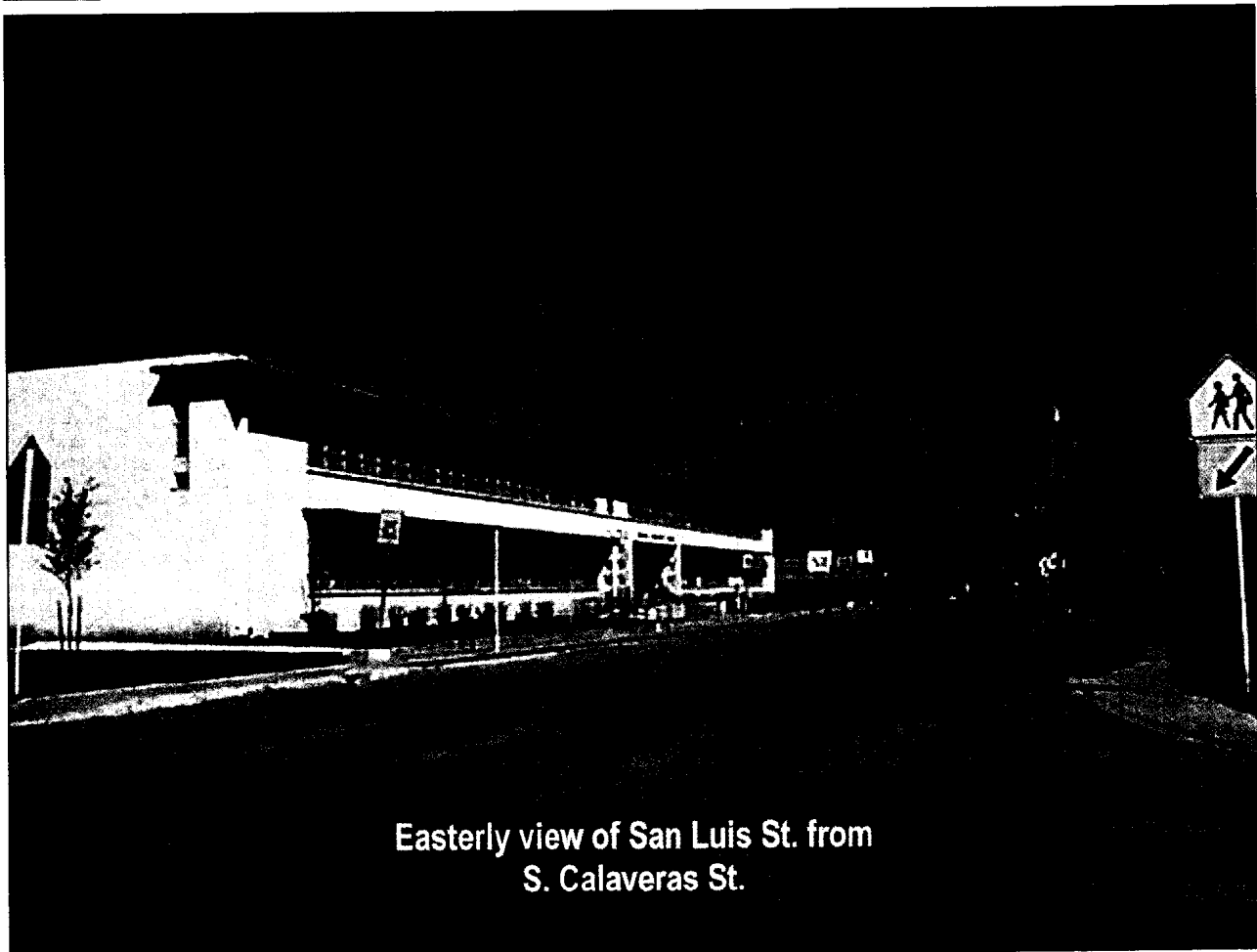
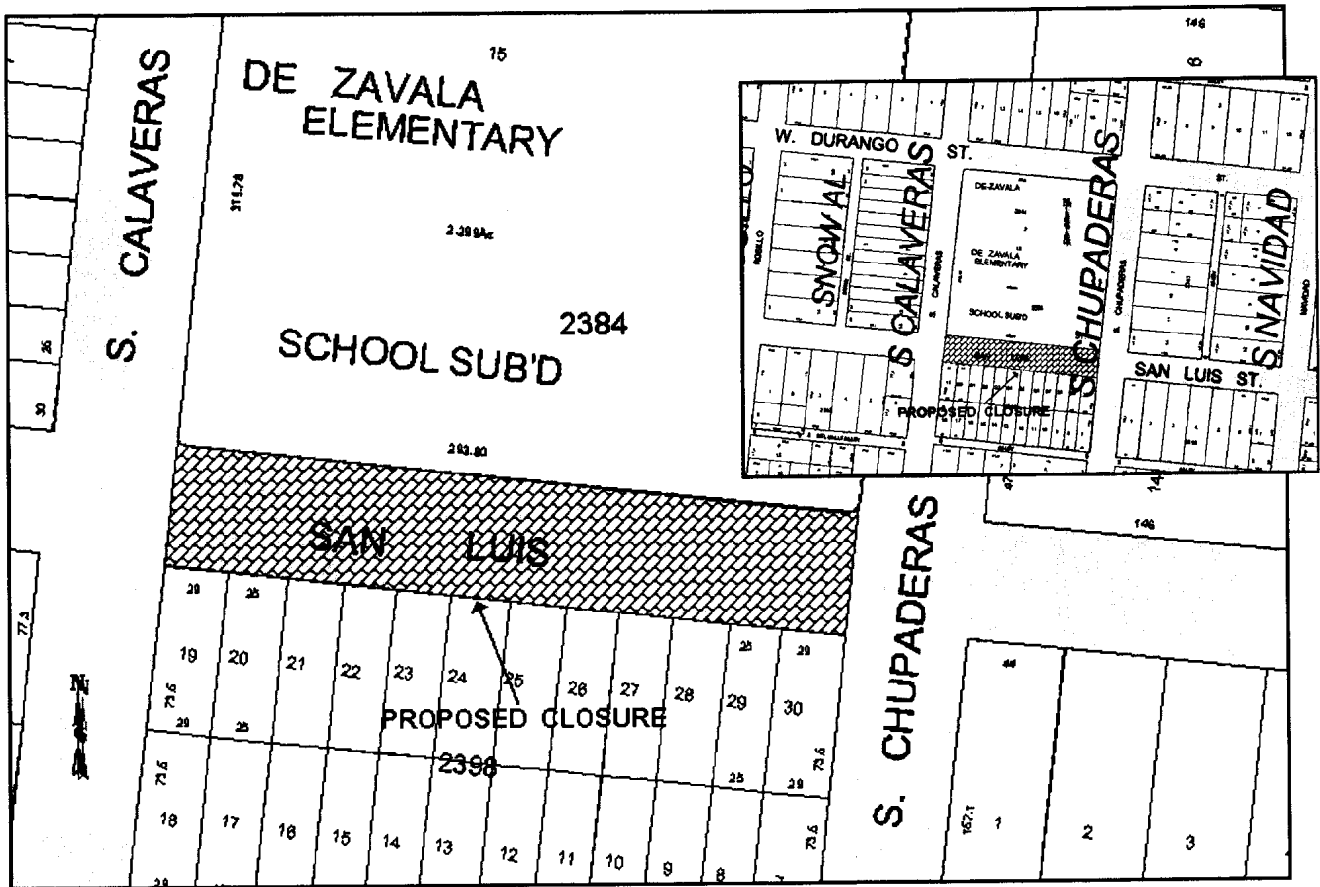


Exhibit "A"

Canvassing Checklist

SPNo **1099**

Request: Petitioner is requesting the closure, vacation and abandonment of an improved portion of San Luis Street Public Right of Way located between South Calaveras and South Chupaderas Streets as shown on attached Exhibit "A." The petitioner owns all of the abutting properties. SAISD intends to renovate the adjacent De Zavala Elementary School and construct an Early Childhood Learning Center, and would like to incorporate the proposed closure as a pedestrian only access between facilities. The closure is being requested to accommodate the continued expansion and redevelopment of the De Zavala Elementary School campus as approved in the 1997 Bond Construction Program.

	Included in Canvassing	Out Date	In Date	Uncond. Approval	Conditional Approval	Denial
Planning Department	<input checked="" type="checkbox"/>	3/27/2003	4/23/2003	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PublicWorks	<input checked="" type="checkbox"/>	3/27/2003	12/2/2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Development Services	<input checked="" type="checkbox"/>	3/27/2003	4/22/2003	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Department	<input checked="" type="checkbox"/>	3/27/2003	4/3/2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire Department	<input checked="" type="checkbox"/>	3/27/2003	4/2/2003	<input checked="" 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"/>	3/27/2003	5/20/2003	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
S.A. Water System (SAWS)	<input checked="" type="checkbox"/>	3/27/2003	4/11/2003	<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 checked="" type="checkbox"/>	3/27/2003	3/31/2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Services	<input checked="" type="checkbox"/>	3/27/2003	4/10/2003	<input checked="" 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"/>	3/27/2003		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Canvassing Comments

AVENIDA GUADALUPE ASSN., INC.; ATTN: ROGER CARRILLO; 1327 GUADALUPE ST., 78207 - RESPONSE NOT RECEIVED.



CITY OF SAN ANTONIO

DEPARTMENT OF ASSET MANAGEMENT

P.O. BOX 839966 SAN ANTONIO, TEXAS 78283-3966

TEL. 210-207-4032 FAX 210-207-7888

January 2, 2004

San Antonio Independent School District
Attn: Kamal Elhabr, P.E.
Bond Construction Associate Superintendent
1702 N. Alamo, Suite 307
San Antonio, TX 78215-1213

Re: S. P. No. 1099—Request to close, vacate and abandon an improved portion of San Luis Street Public Right of Way located between South Calaveras and South Chupaderas Streets

Dear Mr. Elhabr:

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

PLANNING DEPARTMENT

Approved provided all future improvements to the property be done in accordance with Article IV Procedures, Division 4 Subdivisions of the Unified Development Code (UDC) for the City of San Antonio.

DEVELOPMENT SERVICES DEPARTMENT

Approved provided the proposal does not create a land lock condition and the area is assembled and platted with the petitioner's property.

CITY PUBLIC SERVICE BOARD

Approved provided the petitioner agrees to reserve a perpetual easement for all existing electrical and/or gas facilities and agrees to allow perpetual access to any such utilities for inspection, operational and maintenance purposes or may seek the relocation of the facilities with the express permission and coordination with City Public Service and at the sole expense of the petitioner.

SAN ANTONIO WATER SYSTEM

Approved provided petitioner agrees to reserve a perpetual easement for all existing water and/or sewer facilities and agrees to allow perpetual access to any such utilities for inspection, operational and maintenance purposes or may seek the relocation of the facilities with the express permission and coordination with the San Antonio Water System and at the sole expense of the petitioner.

DEPARTMENT OF ASSET MANAGEMENT:

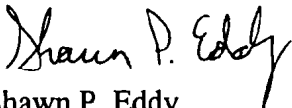
- The closure, vacation and abandonment of this Public Right of Way will be authorized by a City Ordinance.

- 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 petitioner.
- Petitioner agrees to remit a closure fee of \$10,033.00, which includes the assessed value of \$9,854.00 for the Public Right of Way, a fee of \$144.00 for posting of signs 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 fee for posting of the notification signs.

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 petitioner 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 fee we will continue processing your request.*

Sincerely,



Shawn P. Eddy
Special Projects Manager
Property Disposition Division

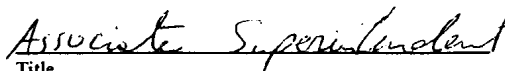
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AGREED AS TO TERMS AND CONDITIONS:

PETITIONER:



By Kamal Elhabr
Print Name



Title Associate Superintendent
Date January 6, 2004