

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, June 24, 2004

SUBJECT: S. P. No. 1140—Request to close, vacate and abandon an improved portion of Hunstock Avenue Public Right of Way located between Whittier Street and Grove Avenue adjacent to NCB 2980

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 Hunstock Avenue Public Right of Way located between Whittier Street and Grove Avenue adjacent to NCB 2980, in Council District No. 5, for the expansion and redevelopment of the adjacent Green Elementary School, as requested by San Antonio Independent School District, for the consideration of \$12,534.00.

Staff recommends approval of this Ordinance.

BACKGROUND INFORMATION

Petitioner is requesting the closure, vacation and abandonment of an improved portion of Hunstock Avenue Public Right of Way located between Whittier Street and Grove Avenue adjacent to NCB 2980 as shown on attached Exhibit "A." The San Antonio Independent School District (SAISD) is planning to expand the Green Elementary School campus, which entails the construction of a new school building, an Early Childhood Development Facility (ECDF), a larger playground and additional parking space. SAISD maintains that closure of the Right of Way would help provide added safety by prohibiting vehicular traffic; and they have purchased all abutting properties to the west of the proposed closure.

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 \$12,534.00 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.

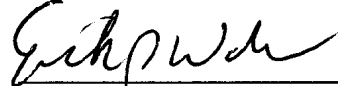
SUPPLEMENTARY COMMENTS

The City of San Antonio's Planning Commission will consider this request at its regular meeting of 6/9/2004 and its finding will be presented to City Council on 6/24/2004.

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

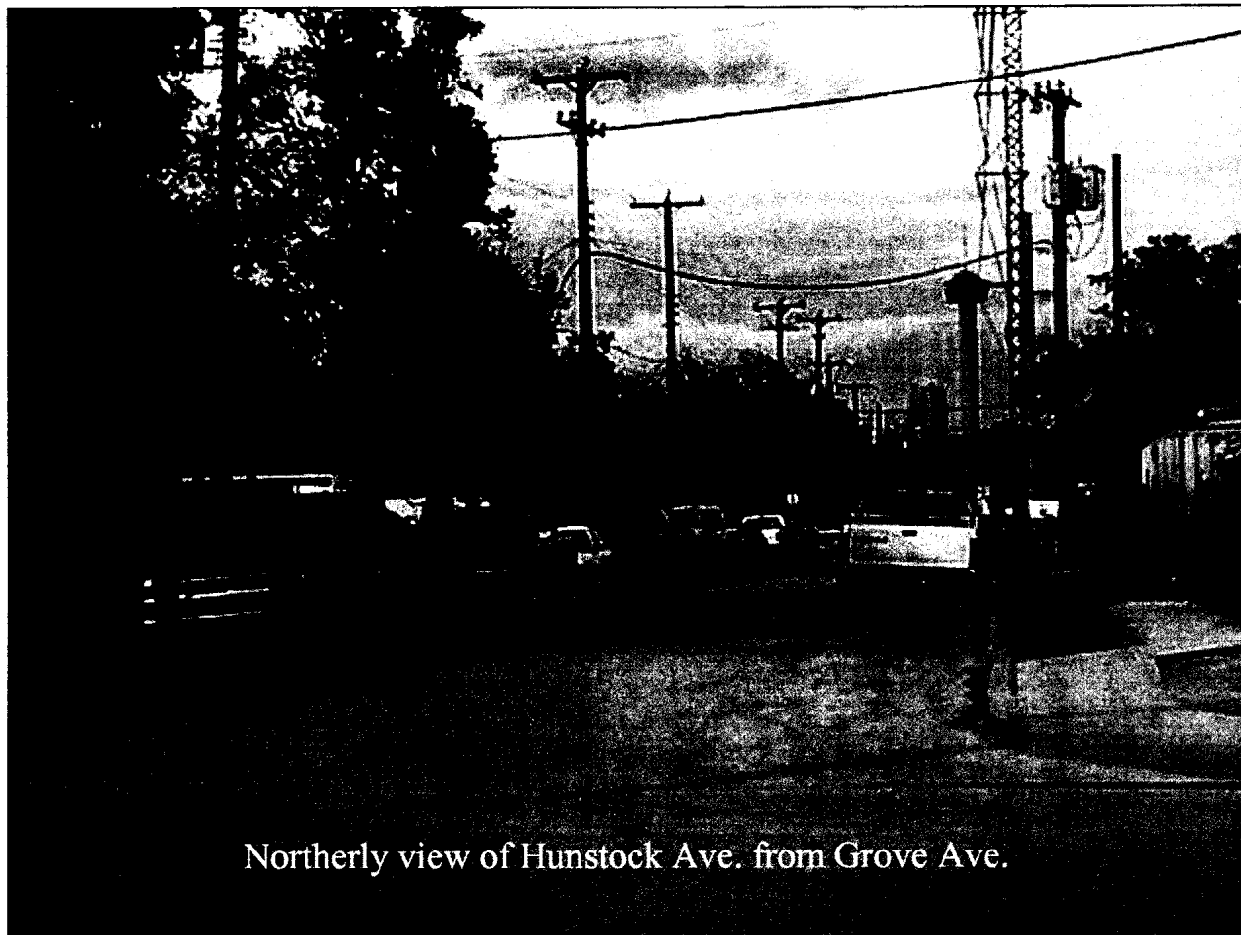
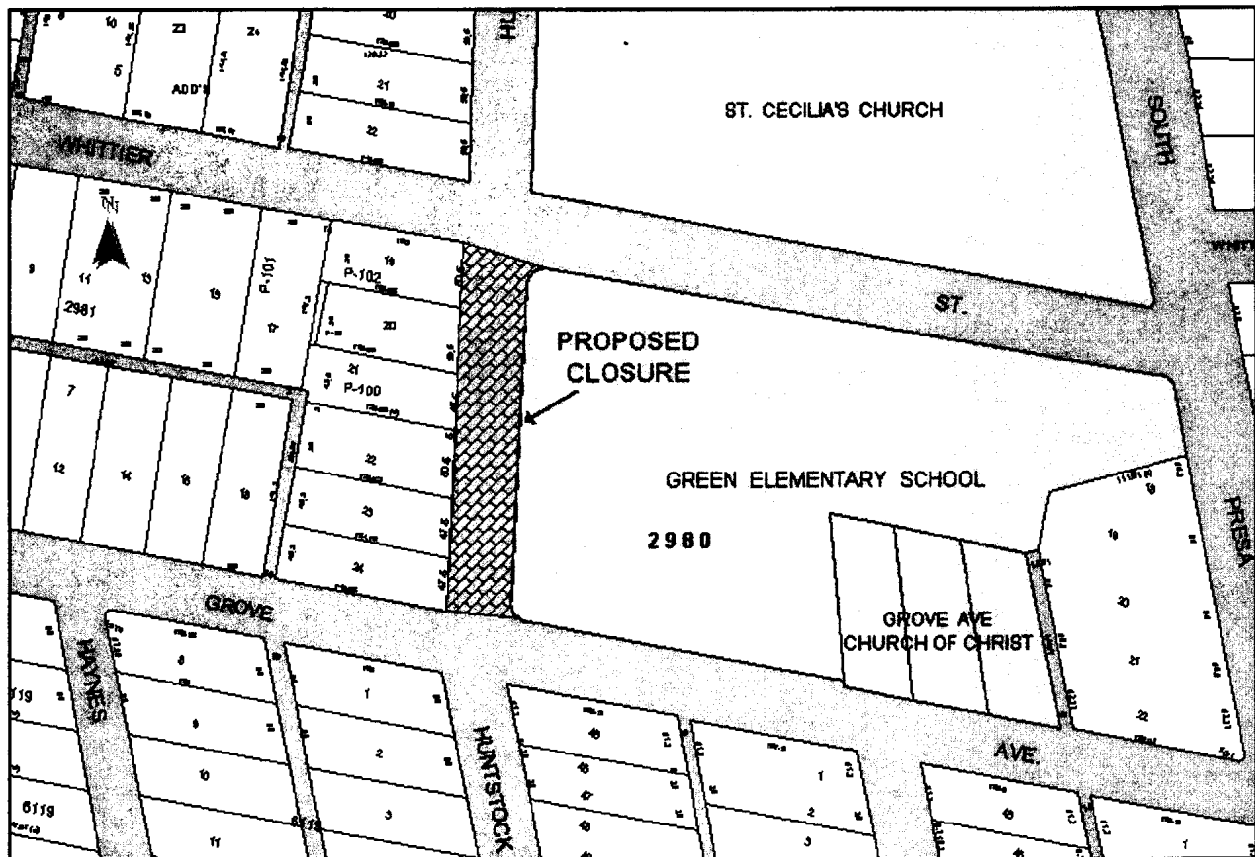


Exhibit "A"

Canvassing Checklist

SPNo 1140

Request: Petitioner is requesting the closure, vacation and abandonment of an improved portion of Hunstock Avenue Public Right of Way located between Whittier Street and Grove Avenue adjacent to NCB 2980 as shown on attached Exhibit "A." The San Antonio Independent School District (SAISD) is planning to expand the Green Elementary School campus, which entails the construction of a new school building, an Early Childhood Development Facility (ECDF), a larger playground and additional parking space. SAISD maintains that closure of the Right of Way would help provide added safety by prohibiting vehicular traffic; and they have purchased all abutting properties to the west of the proposed closure.

	Included in Canvassing	Out Date	In Date	Uncond. Approval	Conditional Approval	Denial
Planning Department	<input checked="" type="checkbox"/>	2/11/2004	3/18/2004	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Public Works	<input checked="" type="checkbox"/>	2/11/2004	4/26/2004	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Development Services	<input checked="" type="checkbox"/>	2/11/2004	3/18/2004	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Department	<input checked="" type="checkbox"/>	2/11/2004	2/26/2004	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire Department	<input checked="" type="checkbox"/>	2/11/2004	2/19/2004	<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"/>	2/11/2004	3/9/2004	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
S.A. Water System (SAWS)	<input checked="" type="checkbox"/>	2/11/2004	2/25/2004	<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"/>	2/11/2004	2/19/2004	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Services	<input checked="" type="checkbox"/>	2/11/2004	2/24/2004	<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"/>	2/11/2004		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Canvassing Comments

Riverside NA, Attn: Maria Elena Martinez, 142 Clifford Ct., 78210: NO RESPONSE WAS RECEIVED FROM NEIGHBORHOOD ASSOCIATION.



CITY OF SAN ANTONIO

May 12, 2004

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

Re: S. P. No. 1140—Request to close, vacate and abandon an improved portion of Hunstock Avenue Public Right of Way located between Whittier Street and Grove Avenue adjacent to NCB 2980

Dear Mr. Elhabr:

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 DEPARTMENT

Approved with the recommendation that San Antonio Independent School District maintain a permanent pedestrian easement and sidewalk between Grove and Whittier to allow pedestrian access to surrounding properties and the St. Cecilia Church and school site. This should enhance safety for pedestrians in the immediate area.

PUBLIC WORKS DEPARTMENT

Approved provided that the proposed closure is retained as drainage easement; and plans must be submitted and approved by Storm Water Design Division accommodating current street runoff.

DEVELOPMENT SERVICES DEPARTMENT

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

CITY PUBLIC SERVICE BOARD

Approved provided perpetual easements are reserved for all existing electrical and/or gas facilities and petitioner must allow access to any such utilities for inspection, operational and maintenance purposes. Specifically, there is an existing transmission line running along the east side of Hunstock; therefore, will require a 75-foot easement centered on the transmission line with no permanent structures to be built within the easement.

SAN ANTONIO WATER SYSTEM

Approved provided perpetual easements are reserved for all existing water and/or sewer facilities and petitioner must allow 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.

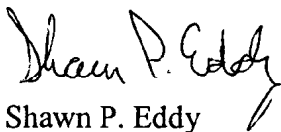
DEPARTMENT OF ASSET MANAGEMENT

- 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 are 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 Rights 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 \$12,534.00, which includes the assessed value of \$12,355.00 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, and is to be submitted with this Letter of Agreement. 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 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 closure fee we will continue processing your request.*

Sincerely,

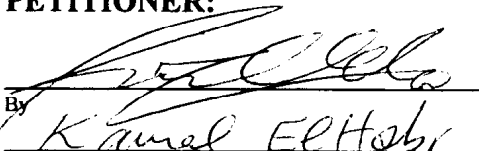


Shawn P. Eddy
Special Projects Manager
Property Disposition Division

SPE/ma

AGREED AS TO TERMS AND CONDITIONS:

PETITIONER:

By 
Print Name Kamal Elhabr

Associate Supt
Title
4-30-04
Date