

CITY OF SAN ANTONIO
DEPARTMENT OF ASSET MANAGEMENT
CITY COUNCIL AGENDA MEMORANDUM

PUBLIC HEARING
TIME CERTAIN
ITEM NO. CB

3pm

TO: Mayor and City Council

FROM: Rebecca Waldman, Director, Department of Asset Management

DATE: Thursday, May 5, 2005

SUBJECT: S. P. No. 1127—Request to close, vacate and abandon portions of improved Dakota, Alps and Nevada Streets adjacent to NCB's 616 and 623

PETITIONER: San Antonio Development Agency
Attn: Phillip A. Covington, III, Project Coord.
1400 S. Flores St.
San Antonio, TX 78204

SUMMARY AND RECOMMENDATIONS

This Ordinance will close, vacate and abandon portions of improved Dakota, Alps and Nevada Streets Public Rights of Way adjacent to NCB's 616 and 623, in Council District No. 2, for the redevelopment of new housing to facilitate Phase III of the Historic Gardens Housing Development Master Plan, as requested by San Antonio Development Agency, for the consideration of \$10,137.00, which includes a 50% reduction of the closure fee as provided by the City's Incentive Scorecard, passed and approved by City Council on May 29, 2003.

Staff recommends approval of this Ordinance.

BACKGROUND INFORMATION

Petitioner is requesting the closure, vacation and abandonment of improved portions of Dakota, Alps and Nevada Streets located adjacent to NCB's 616 and 623 as shown on attached Exhibit "A." The petitioner, the San Antonio Development Agency (SADA), owns all abutting property and proposes to demolish the existing houses to facilitate Phase III of the Historic Gardens Housing Development Master Plan. The narrow portions of Dakota and Nevada Streets that are proposed to be closed will allow the existing Public Rights of Way to be narrowed from fifty-six feet (56') to fifty feet (50') in width. The closure of Alps Street will allow for the extension of Claude W. Black, a new Public Right of Way to Dakota Street. The portion of Dakota Street, adjacent to Cherry Street, that is proposed to be closed will allow for the development of a small neighborhood park.

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 \$10,137.00 as consideration for this closure, vacation and abandonment of Public Right of Way.

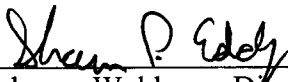
COORDINATION

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.

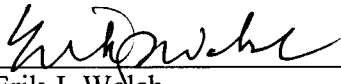
SUPPLEMENTARY COMMENTS

The City of San Antonio's Planning Commission will consider this request at its regular meeting of 4/27/2005 and its finding will be presented to City Council on 5/5/2005.

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



for Rebecca Waldman, Director
Department of Asset Management



Erik J. Walsh
Assistant to the City Manager

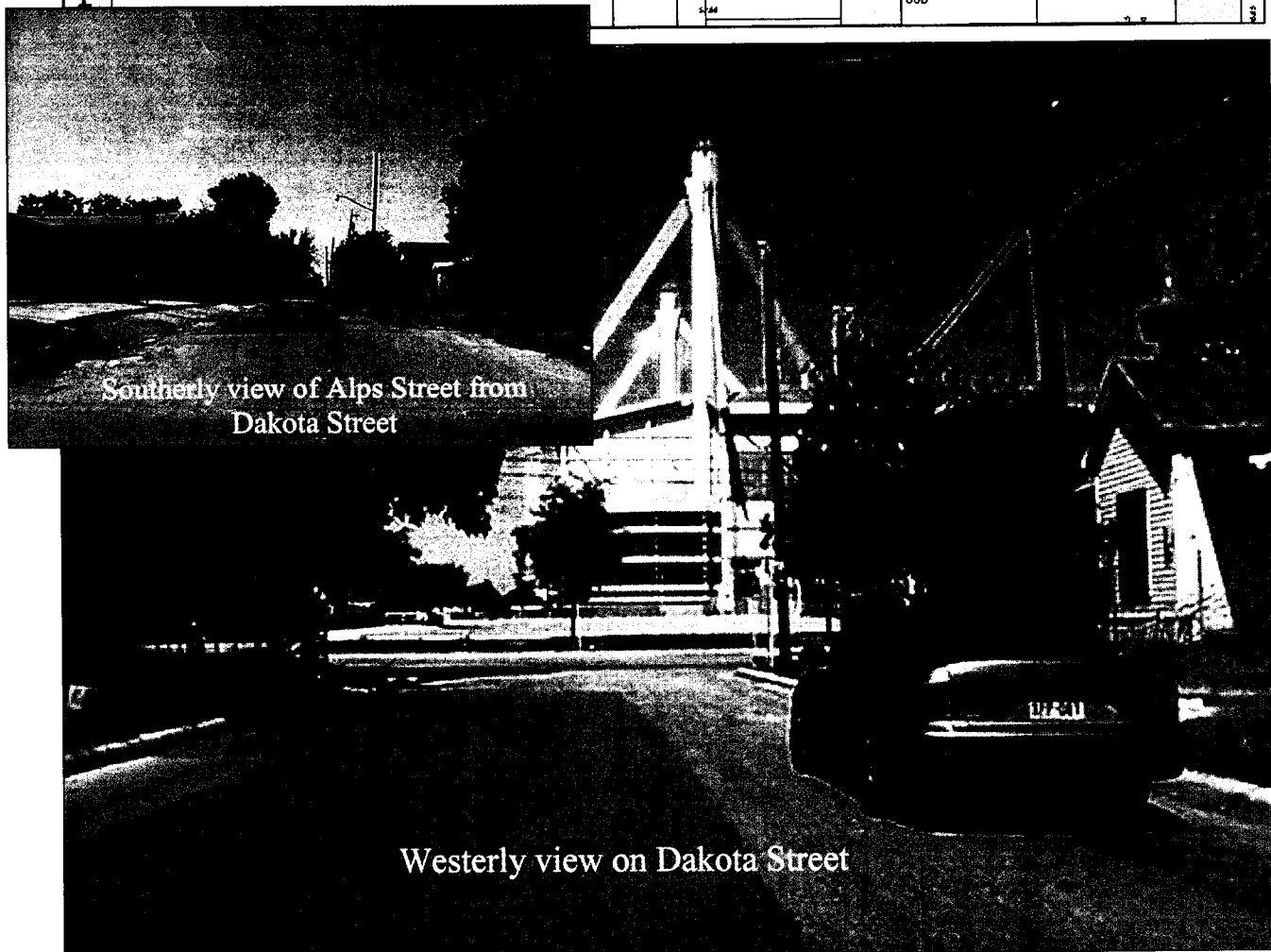
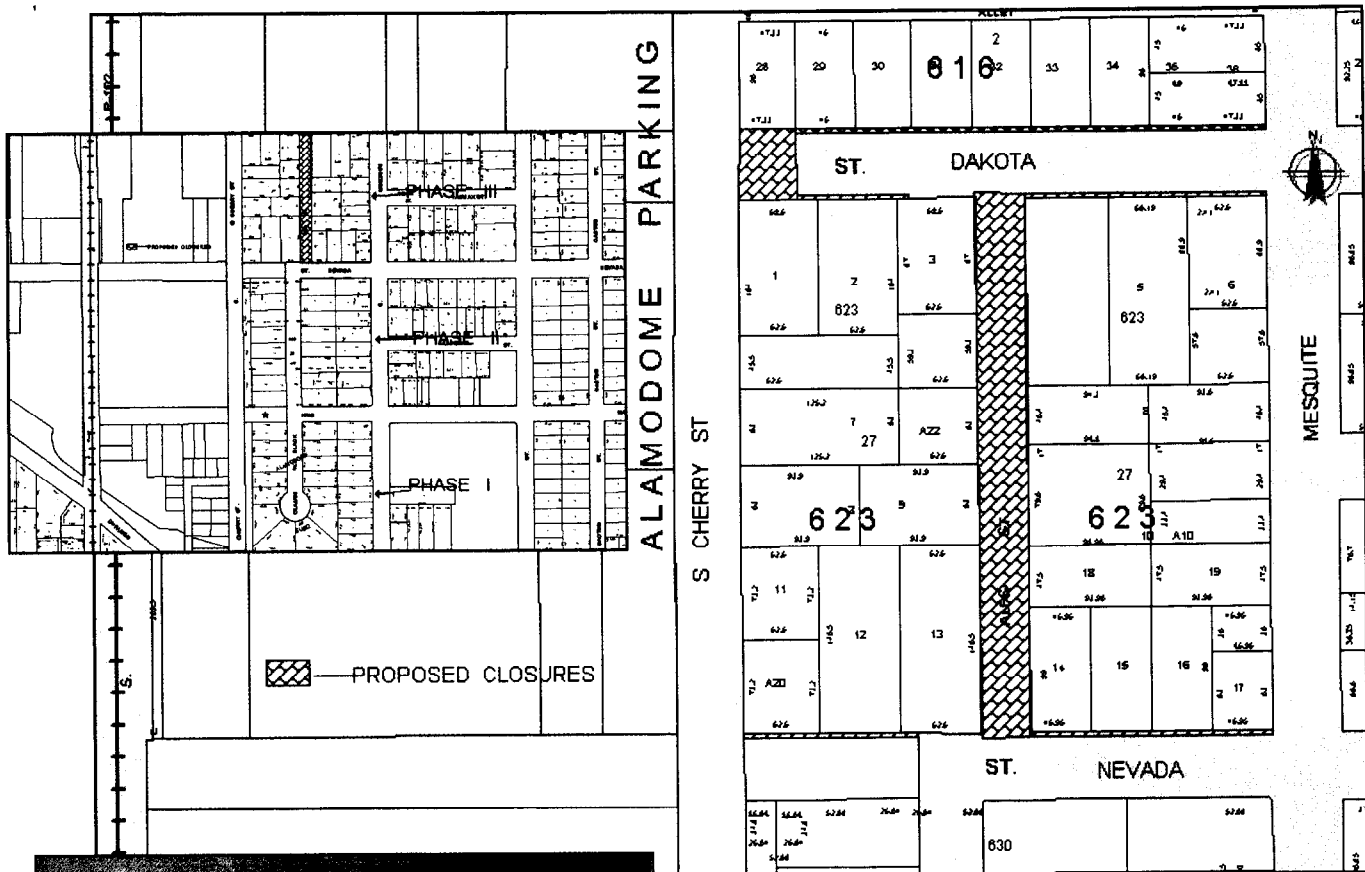


Exhibit "A"

S. P. No. 1127

Petitioner: San Antonio Development Agency

Canvassing Checklist

SPNo 1127

Request: Petitioner is requesting the closure, vacation and abandonment of improved portions of Dakota, Alps and Nevada Streets located adjacent to NCB's 616 and 623 as shown on attached Exhibit "A." The petitioner, the San Antonio Development Agency (SADA), owns all abutting property and proposes to demolish the existing houses to facilitate Phase III of the Historic Gardens Housing Development Master Plan. The narrow portions of Dakota and Nevada Streets that are proposed to be closed will allow the existing Public Rights of Way to be narrowed from fifty-six feet (56') to fifty feet (50') in width. The closure of Alps Street will allow for the extension of Claude W. Black, a new Public Right of Way to Dakota Street. The portion of Dakota Street, adjacent to Cherry Street, that is proposed to be closed will allow for the development of a small neighborhood park.

| | Included in Canvassing | Out Date | In Date | Uncond. Approval | Conditional Approval | Denial |
|-----------------------------|-------------------------------------|-----------|------------|-------------------------------------|-------------------------------------|-------------------------------------|
| Planning Department | <input checked="" type="checkbox"/> | 10/3/2003 | 11/17/2003 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| PublicWorks | <input checked="" type="checkbox"/> | 10/3/2003 | 3/16/2004 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Development Services | <input checked="" type="checkbox"/> | 10/3/2003 | 10/10/2003 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Police Department | <input checked="" type="checkbox"/> | 10/3/2003 | 10/21/2003 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Fire Department | <input checked="" type="checkbox"/> | 10/3/2003 | 10/13/2003 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Parks and Recreation | <input checked="" type="checkbox"/> | 10/3/2003 | 10/9/2003 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Neighborhood Action (NAD) | <input checked="" type="checkbox"/> | 10/3/2003 | 10/21/2003 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| City Public Service | <input checked="" type="checkbox"/> | 10/3/2003 | 10/27/2003 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| S.A. Water System (SAWS) | <input checked="" type="checkbox"/> | 10/3/2003 | 10/10/2003 | <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"/> | 10/3/2003 | 10/10/2003 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Environmental Services | <input checked="" type="checkbox"/> | 10/3/2003 | 10/8/2003 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Other Agency | <input checked="" type="checkbox"/> | 10/3/2003 | 10/17/2003 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Neighborhood Association | <input checked="" type="checkbox"/> | 10/3/2003 | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Canvassing Comments

Canvassed Alamodome Department (Other Agency); Historic Gardens HOA, Richard Pawly, 714 Claude Black, 78203 - NO RESPONSE RECEIVED FROM NEIGHBORHOOD ASSOCIATION.



CITY OF SAN ANTONIO

April 11, 2005

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

San Antonio Development Agency
Attn: Phillip A. Covington, III
Planner/Project Coordinator
Planning Dept.
1400 S. Flores St.
San Antonio, TX 78204

Re: S. P. No. 1127—Request to close, vacate and abandon improved portions of Dakota, Alps and Nevada Streets Public Rights of Way located adjacent to NCB's 616 and 623

Dear Mr. Covington:

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:

DEVELOPMENT SERVICES DEPARTMENT

Approved provided the San Antonio Development Agency project is platted in accordance with the approved Master Development and utility plan.

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 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 perpetual easements are reserved for all existing water and/or sewer facilities or any facilities requested to be relocated; 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.

VIA METROPOLITAN TRANSIT SYSTEM

Approved provided San Antonio Development Agency will pay to relocate two bus shelters that are currently located on Dakota Street and will be abandoned by the closure and rerouted. Approximate cost \$8,000.00.

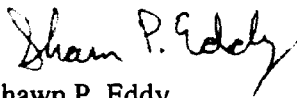
DEPARTMENT OF ASSET MANAGEMENT

- The closure, vacation and abandonment of these Public Rights of Way will be authorized by a City Ordinance.
- Petitioner asserts that all evidence of ownership of all property abutting the Public Rights of Way proposed to be closed, vacated and abandoned by the City of San Antonio are true and correct.
- The petitioner acknowledges that these properties 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 \$10,137.00, which includes the assessed value of \$9,958.00 for the Public Rights of Way, a fee of \$144.00 for posting of signs notifying the public of the proposed street closures 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,

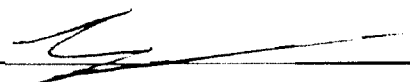


Shawn P. Eddy
Special Projects Manager
Property Disposition Division

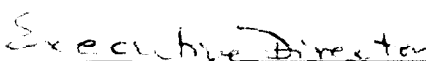
SPE/ma

AGREED AS TO TERMS AND CONDITIONS:

PETITIONER:

By 

Print Name



Title
4/12/2005

Date