

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

TO: Mayor and City Council

FROM: Rebecca Waldman, Director, Department of Asset Management

DATE: Thursday, October 20, 2005

SUBJECT: S. P. No. 1100—Request to close, vacate and abandon portions of Public Rights of Way located within the San Juan Homes Housing Project

PETITIONER: San Antonio Housing Authority
Attn: Henry A. Alvarez, III
President & CEO
818 S. Flores St.
San Antonio, TX 78204

SUMMARY AND RECOMMENDATIONS

This Ordinance will close, vacate and abandon Public Rights of Way located within the San Juan Homes Housing Project in NCB A-62, in Council District No. 5, for the redevelopment of the area as part of its San Juan Homes Master Plan implementation, as requested by San Antonio Housing Authority, for the consideration of \$55,676.00 which includes a 25% 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 Public Rights of Way located within the San Juan Homes Housing Project as shown on attached Exhibit 'A'. SAHA initially dedicated these Rights of Way to the City of San Antonio in 1961; however, now plans to redevelop the area as part of its San Juan Homes Master Plan implementation as shown on attached Exhibit 'B'. Development will include mixed-income, multi-family housing of over 100 housing units which will result in a \$15 million investment.

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 \$55,676.00 as consideration for this closure, vacation and abandonment of Public Right of Way which includes a 25% reduction of the license fee per the City's Incentive Scorecard.


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 considered and approved this request at its regular meeting of 12/8/2004 and its finding will be presented to City Council on 10/20/2005.

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

Canvassing Checklist

SPNo **1100**

Request: Petitioner is requesting the closure, vacation and abandonment of Public Rights of Way located within the San Juan Homes Housing Project as shown on attached Exhibit 'A'. SAHA initially dedicated these Rights of Way to the City of San Antonio in 1961 and plans to redevelop the area as part of its San Juan Homes Master Plan implementation as shown on attached Exhibit 'B'.

	Included in Canvassing	Out Date	In Date	Uncond. Approval	Conditional Approval	Denial
Planning Department	<input checked="" type="checkbox"/>	3/31/2003	5/15/2003	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PublicWorks	<input checked="" type="checkbox"/>	3/31/2003	5/19/2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Development Services	<input checked="" type="checkbox"/>	3/31/2003	4/22/2003	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Department	<input checked="" type="checkbox"/>	3/31/2003	4/8/2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire Department	<input checked="" type="checkbox"/>	3/31/2003	4/8/2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks and Recreation	<input checked="" type="checkbox"/>	3/31/2003	4/7/2003	<input checked="" 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"/>	3/31/2003	5/20/2003	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
S.A. Water System (SAWS)	<input checked="" type="checkbox"/>	3/31/2003	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"/>	3/31/2003	4/8/2003	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Environmental Services	<input checked="" type="checkbox"/>	3/31/2003	4/7/2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Agency	<input checked="" type="checkbox"/>	3/31/2003		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neighborhood Association	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Canvassing Comments

OTHER AGENCY - SAISD; ATTN: JOHN McLAUGHLIN - NO RESPONSE WAS RECEIVED.
NEIGHBORHOOD ASSOCIATION NOT APPLICABLE.

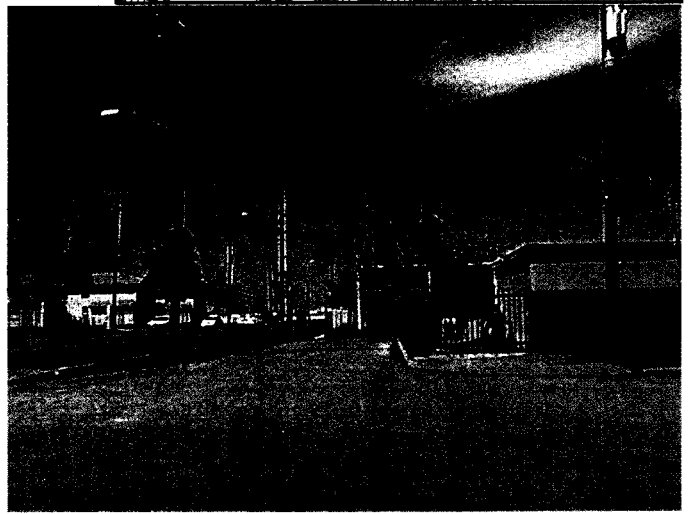
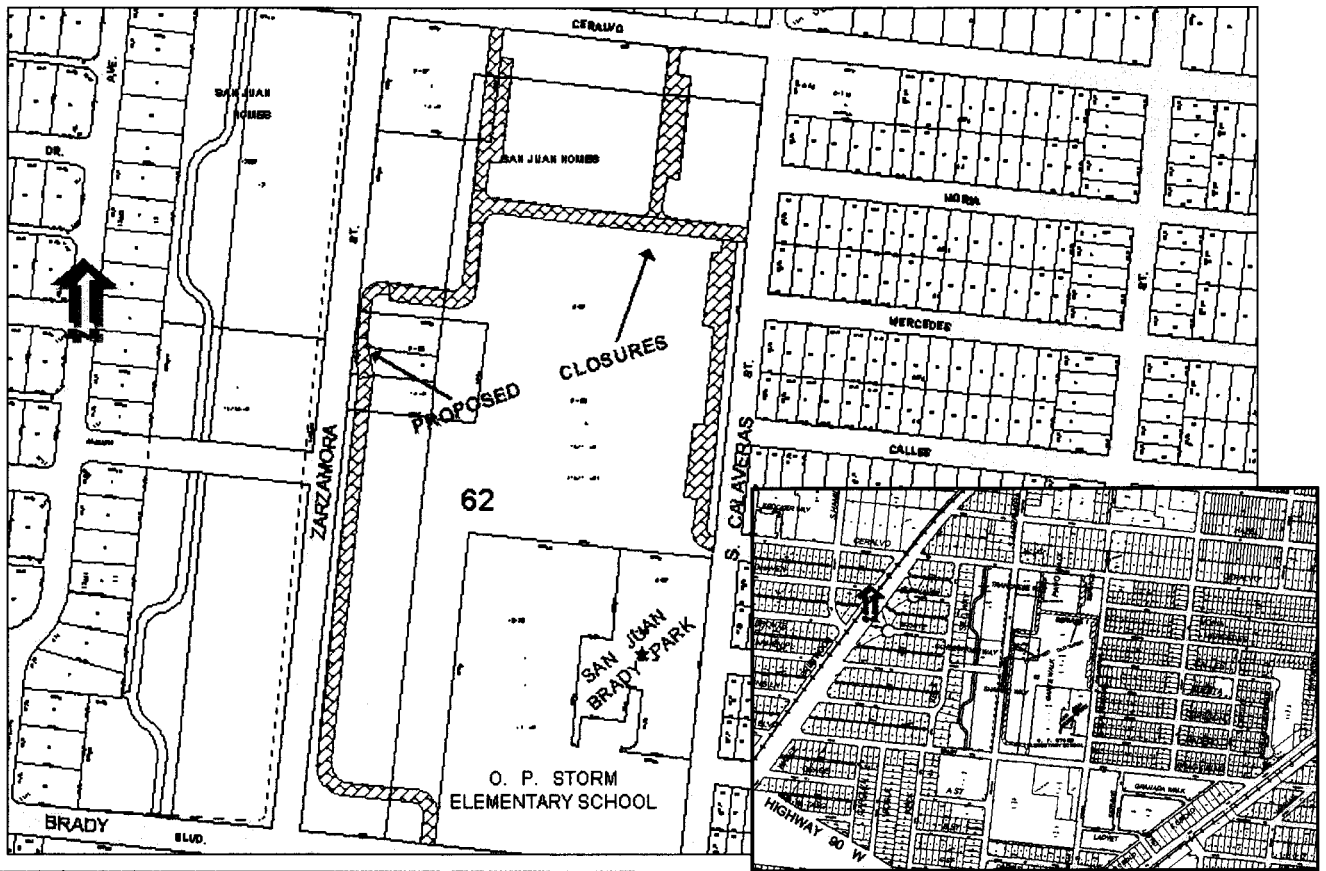
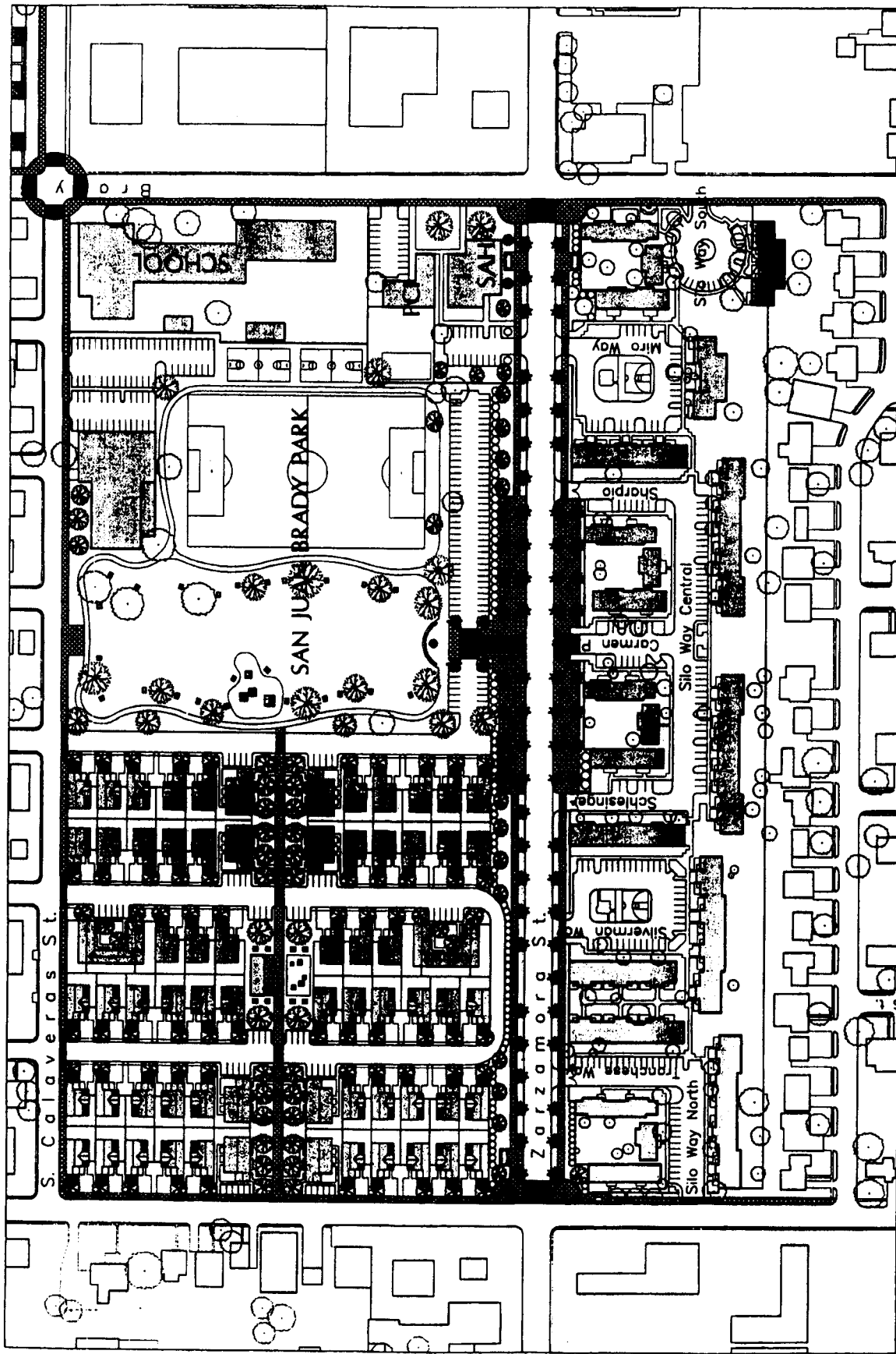


Exhibit "A"



ENLARGED SITE DEVELOPMENT PLAN at TEX 6-08 and 6-20A

Exhibit "B"



CITY OF SAN ANTONIO

September 23, 2005

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

San Antonio Housing Authority
c/o Real Estate Services
Attn: David Casso, Property Mgr.
818 S. Flores St.
San Antonio, Texas 78204

Re: S. P. No. 1100—Request to close, vacate and abandon Public Rights of Way located within the San Juan Homes Housing Project in NCB A-62

Dear Mr. Casso:

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

PLANNING DEPARTMENT

Approved provided that 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.

DEVELOPMENT SERVICES DEPARTMENT

Approved provided master development plan (MDP) approval is sought and the project is platted in accordance with the Unified Development Code and consistent with the MDP approval.

CITY PUBLIC SERVICE BOARD

Approved provided petitioner agrees to reserve a perpetual easement for all existing electric 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 the City Public Service Board 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.

VIA METROPOLITAN TRANSIT SYSTEM

Need to maintain or relocate bus stops and shelters in the right of way adjacent to project. Also VIAtrans vans cannot operate on private roads, so there needs to be a designated pick up and drop off location for residents that need this service.

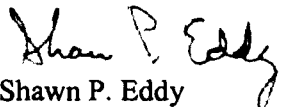
DEPARTMENT OF ASSET MANAGEMENT

- 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 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.
- *The fee for this proposed closure, vacation and abandonment is \$55,676.00, which includes a 25% reduction in accordance with the Incentive Scorecard Program, and a fee of \$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 the return of 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.*

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 closure fee, please countersign this letter in the spaces provided below and return to the undersigned. *Upon execution and return of this Letter of Agreement and the closure fee we will continue processing your request.*

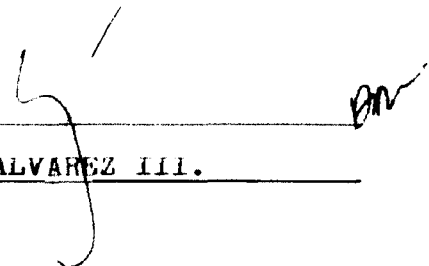
Sincerely,


Shawn P. Eddy
Special Projects Manager
Property Disposition Division

SPE/ma

AGREED AS TO TERMS AND CONDITIONS:

Petitioner:


By HENRY A. ALVAREZ III.
Print Name

PRESIDENT & CEO

Title

Date

10-7-05