



Recommendation for Action

File #: 21-1663, **Agenda Item #:** 4.

4/8/2021

Posting Language

Approve an ordinance vacating three segments of aerial right-of-way totaling approximately 1,769 square feet, situated in a portion of a 20-foot-wide alley off River Street, between Rainey Street and East Avenue, the first being an approximately 0.021 of an acre tract (± 914 square feet), adjoining the parcel locally known as 60 East Avenue and being vacated to River Street Partners, LLC; the second being an approximately 0.012 of an acre tract (± 502 square feet), adjoining the parcel locally known as 61 Rainey Street and being vacated to 61 Rainey Street, LLC; and the third being an approximately 0.008 of an acre tract (± 353 square feet), adjoining the parcel locally known as 69 Rainey Street and being vacated to 69 Rainey Street, LLC.

Lead Department

Development Services Department

Fiscal Note

This item has no fiscal impact.

For More Information:

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Council Committee, Boards and Commission Action:

November 23, 2020 - No recommendation by Design Commission due to lack of quorum. Commissioners Gonzalez, Franco, Rollason, Whatley absent.

November 24, 2020 - Approved by Planning Commission on a 9-0 vote. Chair Shaw and Commissioners Flores and Shieh absent.

December 16, 2020 - Approved by Downtown Commission on a 7-1-1 vote with Commissioner Meisenbach voting against and Commissioner Schissler abstaining.

December 17, 2020 - Approved by Urban Transportation Commission on a 7-0 vote.

Additional Backup Information:

The abutting property owners, River Street Partners, LLC, 61 Rainey Street, LLC, 69 Rainey Street, LLC, jointly request three alley aerial vacations starting twenty feet (20') above the ground, where the alley meets River Street and lowers to eighteen feet (18') above ground at the end of the project. The segments total approximately 1,769 square feet, situated in a portion of an alley (20 feet wide) off River Street, between Rainey Street and East Avenue, being approximately 0.021 of an acre (± 914 square feet) tract, adjoining the parcel locally known as 60 East Avenue; 0.012 of an acre (± 502 square feet) tract, adjoining the parcel locally known as 61 Rainey Street; 0.008 of an acre (± 353 square feet) adjoining the parcel locally known as 69 Rainey Street.

All affected City departments and utility franchise holders have reviewed the right of way vacation requests and recommend approval subject the grant of a public access easement for an additional 3 feet of width on each side of the existing alley, retaining a public utility easement (PUE) over the entire vacation area until existing facilities have been moved, full reimbursement and relocation of communication and fiber lines, and that the right-of-way retain connectivity and public access.

Property owners within 300 feet of the vacation tract and registered neighborhood associations were notified on November 10, 2020. Two questions and/or concerns were received by the Development Services Department.

The total appraised market value for the entire 1,769 square feet of aerial rights is Five Hundred and Seventy-Four Thousand Nine Hundred and Thirty-Four Dollars (\$574,934). A check in the amount of the appraised value has been submitted to the Development Services Department for processing upon approval of these Right-of-Way Vacations.

Strategic Outcome(s):

Government that Works for All.