



CITY OF SAN ANTONIO
OFFICE OF THE CITY COUNCIL
COUNCIL CONSIDERATION REQUEST

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK

2012 OCT 10 AM 11:53

TO: Mayor & City Council

FROM: Diego Bernal, Councilman District 1

COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Edward Benavides, Chief of Staff; Chris Callanen, Assistant to the City Council; Michael Bernard, City Attorney; John Peterek, Senior Management Analyst

SUBJECT: Request for Placement of Item on City Council Meeting Agenda

DATE: September 17, 2012

Issue Proposed for Consideration

I ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the Quality of Life Committee:

I respectfully ask for your concurrence in requesting the Capital Improvements Management Systems Department take the necessary steps to bring forward to Planning Commission and City Council a request to close, vacate, and abandon an alley in District 1 near the intersection of IH-10 and El Monte Boulevard, as further shown in the attached exhibit.

Brief Background

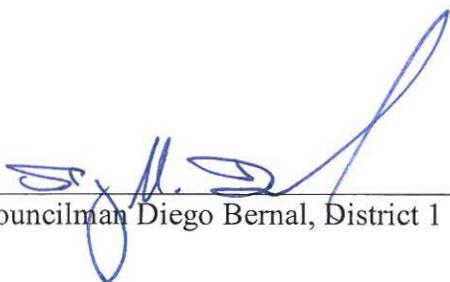
A fifteen (15) foot-wide paper-alley currently exists between the commercial buildings fronting on the IH-10 West access road, including Project Mend, Wayne Wright, LLP, and Max's Auto Sales, Inc., and single-family residences fronting on El Monte Boulevard. The intersection of El Monte Boulevard and IH-10 West is located east of IH-10 West and south of Vance Jackson. The alley originated on plats from 1927 and 1952, created before the construction of IH-10 West.

This alley has never been improved or used for public purposes. It is abutted to the north by single-family residences and to the south by commercial businesses. Over the years multiple property owners have made improvements that encroach in the alley. The improvements and maintenance of the alley by the abutting property owners, particularly the commercial property owner to the south, is essential to maintaining the safety of the alley and the abutting single-family residences. The alley has been plagued with Code Compliance issues, such as graffiti, as well as criminal activity, including trespass and robbery of abutting residences. If the alley remains open, abutting property owners will be required to remove all improvements from the alley. The commercial property owner to the south would then likely fence in its property and no longer maintain the alley, further magnifying the Code violations and criminal activity.

City Code Section 37-11(b) requires all abutting property owners to consent to the closure, vacation, and abandonment of public right-of-way. Not all abutting property owners have consented to the closure. However, these property owners will not be negatively impacted by the closure and will continue to have access to their properties from El Monte Boulevard. Abutting property owners could benefit from the prevention of Code violations and criminal activity.

In addition to the alley exhibit, also attached are letters from abutting residential property owners supporting the alley closure. I request that you support these property owners in the closure of this alley.

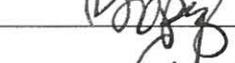
Submitted for Council consideration
by:



Councilman Diego Bernal, District 1

Supporting Councilmembers' Signatures (4 only)

District No.

1.		3
2.		4
3.		6
4.		10

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April 12, 2012

City of San Antonio
Diego Bernal
Councilman—District 1
1310 Vance Jackson
San Antonio, Texas 78213

RE: Closure of the public alley which borders the southern property line of 2002 El Monte

Dear Councilman Bernal:

The purpose of this letter is to ask you to support the closure of an alleyway that the city is saying exist behind my home at 2002 El Monte. I am a single mom and I have lived in my home for about 12 years and this alley the city is claiming has never been used by them for any purpose that I am aware of. In fact there are large trees that appear to have been here for years—this is evidence that the alley has not been used in years and possibly never used by the city. I have attached a few pictures for your review. In fact I asked the city or CPS to come cut branches from some trees that were in this alleged alley because they were interfering with the power lines and my property. I was told it was my responsibility. I paid several hundred dollars, which I could not really afford, to have this done on at least two occasions. I feel if this alleyway is reopened my safety and the security of my home will be compromised. I feel this will just become a thoroughfare for thieves and drug users. As it is I have already been burglarized one time and my dogs have been stolen on three occasions. I can only imagine how much more crime my property will be subject to if there is a public alleyway that runs behind and up one side of my property. I have been using this alleyway as a driveway to my home and if it is reopened I will have to bear the expense of fencing my yard and building a new driveway. I really cannot afford these added expenses as a single mom and I am sure the city will not want to do it for me. Please do whatever is in your power to protect the safety of my family by supporting the closure of this alleged alley for good. Let's keep things the same way they have been for years. Please feel free to contact me at 210-860-0638.

Respectfully,

A handwritten signature in black ink, appearing to read 'Diana O. Gamez', written over a white background.

Diana O. Gamez

Attachment x 1





April 12, 2012

City of San Antonio
Diego Bernal
Councilman—District 1
1310 Vance Jackson
San Antonio, Texas 78213

RE: Closure of the public alley which borders the southern property line of 2026 El Monte

Dear Councilman Bernal:

I am sending you this letter for the purpose of asking you to please support the closure of the alleyway that runs directly behind my home located at 2026 El Monte here in your council district. I am an elderly woman and I live alone here in my home. I have lived here for more than 50 years and I cannot recall the city ever using the alleyway for garbage pickup or even doing any maintenance on it. I feel my safety and the security of my home will be in jeopardy if this alleyway is reopened for public traffic. Further, given my age, I will not be able to maintain the grass and weeds in the alleyway which may lead to a rodent and/or snake problem. Currently, and for many years, the law office that borders the other side of the alleyway you want to reopen has maintained the grass and removed any graffiti that has been painted on mine and my neighbor's fences at no cost. Just last week my entire back fence was again vandalized by some hoodlums that frequent the drainage ditch just two doors down from my home. I have attached a picture to my letter for your review. My neighbors at the law office repainted the fence for me the following day. Additionally, my neighbor's homes have been burglarized on several occasions and I feel this problem will be magnified if this alley is reopened to public traffic.

Again, please do whatever is in your power to protect the safety of a few residents that live in your district by supporting the closure of this alleyway for good. I feel if this alleged alleyway is reopened this criminal activity will just increase...more graffiti and more burglaries. I feel if this alleyway is reopened my safety and the security of my property as well as the safety and security of my neighbors who also border this alleyway will be jeopardized.

Respectfully,



Florence Saltarelli

Attachment x 1



CRACK

MAD

MAD



April 6, 2012

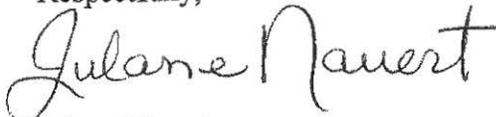
City of San Antonio
Diego Bernal
Councilman—District 1
1310 Vance Jackson
San Antonio, Texas 78213

RE: Closure of the public alley which borders the southern property line of 2020 El Monte

Dear Councilman Bernal:

I am sending you this letter for the purpose of asking you to please support the closure of the alleyway that borders the southern property line of my home located at 2020 El Monte located here in District 1. I am a single woman and I live alone and I feel that if this alleyway is reopened it will become a haven for riff-raff that hangs out in the drainage ditch at the end of my block. This alleyway has been abandoned for the 40 years that I have lived here. To my knowledge it has never been used by the city for any reason like trash pickup or maintenance. I was not aware there was even an alley way behind my residence. I am not aware of any of my neighbors that even have any sort of access point leading into this alleged alley. I work at the Baptist credit union that is located about a block up the street from my home. I can tell you that the same Graffiti that is on the drainage ditch is also on our sign. My neighbors have also been burglarized several times by people we believe use the drainage ditch for shelter and a quick get away to the other side of IH 10. The Baptist Credit Union where I work was robbed a while back and there were reports the assailant may have ran down the street and into this drainage ditch during his getaway. I feel that if this alleyway is opened up it will just create another thoroughfare for criminal activity and endanger my safety as well as the security of my property. Please do what you can to protect the safety and security of the residents that live along this alleyway by supporting its closure. Let's keep it the same way it has been for over 40+ years. I have enjoyed a sense of safety and security knowing this alleged alleyway is closed for public traffic. Please feel free to contact me with any questions or concerns.

Respectfully,



Julane Nauert

March 27, 2012

City of San Antonio
Diego Bernal
Councilman—District 1
1310 Vance Jackson
San Antonio, Texas 78213

RE: Closure of the public alley which borders the southern property line of 2032 El Monte

Dear Councilman Bernal:

I am an elderly resident who lives in your District along with my wife at 2032 El Monte. The purpose of this letter is to ask you to please help us in preserving the security and safety of the land behind our home. As I understand it the city plans to reopen a 15 foot strip of land as an alleyway that runs behind our home. This strip of land has been abandoned for the 50 some years that I have owned my home and to my knowledge has never been used by the city for trash pickup or any other purpose. Additionally, I have never seen any of the residents use this alleyway for access to their backyards—in fact, I along with my neighbors never realized an alley way even existed because none of the homes that border this alleyway even have gates or access points that open up to this alleyway. There is a homeless community that lives under the bridge next to my home as well as the near the West Ave church and if this alleyway is reopened it will give them a new place to migrate. I have already been broken into over 10 times by the transients that loiter in the drainage ditch. We are elderly and live here alone and feel that if this alley is reopened it will become a haven for drug addicts and burglars. Please help keep our neighborhood safe by supporting the closure of this alleyway. If the city reopens this alleyway we feel that they will be jeopardizing our safety as well as the security of our homes.

Respectfully,

Wenceslao Martinez, Jr.

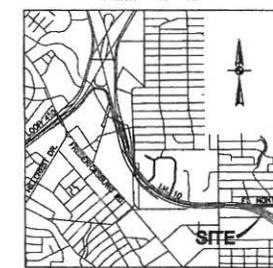


NOTES:

- 1) 1/2" IRON ROD WITH YELLOW CAP MARKED "PAPE-DAWSON" SET AT SUBJECT PROPERTY CORNERS UNLESS NOTED OTHERWISE.
- 2) THE BEARINGS FOR THIS SURVEY ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (CORS 1996), FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.
- 3) ILLUSTRATED UTILITIES ARE BASED ON FOUND VISIBLE EVIDENCE. THE SURVEYOR DOES NOT HAVE KNOWLEDGE AS TO THE AVAILABILITY OF SERVICE TO, OR THE STATUS OF THE UTILITIES ON THIS SITE.
- 4) THE PROFESSIONAL SERVICES PROVIDED HERewith INCLUDE THE PREPARATION OF A FIELD NOTE DESCRIPTION.
- 5) THIS EXHIBIT PERFORMED WITHOUT BENEFIT OF A CURRENT TITLE COMMITMENT. THEREFORE ALL ENCUMBRANCES MAY NOT BE SHOWN.

DEED/PLAT REFERENCE

D.R. DEED RECORDS OF BEXAR COUNTY, TEXAS
 D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
 O.P.R. OFFICIAL PUBLIC RECORDS (OFFICIAL PUBLIC RECORDS OF REAL PROPERTY) OF BEXAR COUNTY, TEXAS



LEGEND

(E)	ELECTRIC METER
+	GATE
+	GLY ANCHOR
+	LAMP POST
(S)	SANITARY SEWER MANHOLE
+	UTILITY POLE
+	UTILITY POLE W/TRANSFORMER
---	CHAIN LINK FENCE
---	WOOD FENCE
---	WROUGHT IRON/ORNAMENTAL FENCE
---	OVERHEAD ELECTRIC
---	CAT.V. CABLE TELEVISION
---	CONC. CONCRETE
---	ELEC. ELECTRIC
---	FOUN. FOUND
---	I.R. 1/2" IRON ROD
---	(P) PAPE-DAWSON CAP

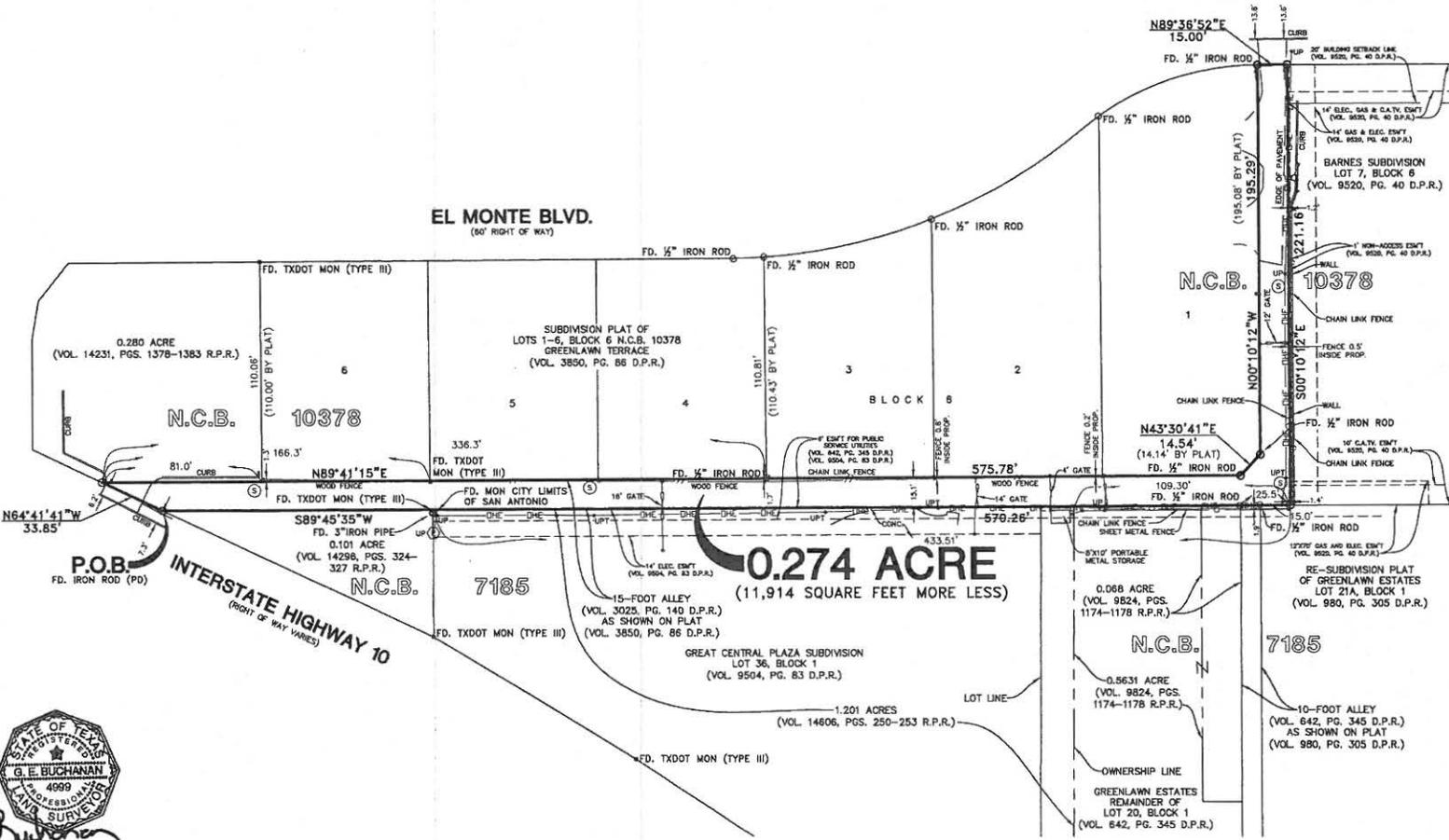


EXHIBIT OF

A 0.274 ACRE OR 11,914 SQUARE FEET MORE OR LESS TRACT OF LAND BEING ALL OF A CALLED 15-FOOT ALLEY AS IN THE SUBDIVISION PLAT OF GREENLAWN TERRACE RECORDED IN VOLUME 902, PAGE 140 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS AND AS SHOWN ON THE SUBDIVISION PLAT OF LOTS 1-6, BLOCK 6, N.C.B. 10378, RECORDED IN VOLUME 14231, PAGES 1378-1383 R.P.R. OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS IN NEW CITY BLOCK (N.C.B.) 10378 OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

REVISIONS:
 07-13-2011 - ADDED PLAT REFERENCES

PAPE-DAWSON ENGINEERS

533 EAST PARKWAY | SAN ANTONIO, TEXAS 78216 | PHONE: 210.375.9000
 TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 270
 TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS, FIRM REGISTRATION # 100384-50

JOB NO. 9178-11
 DATE JULY 2011
 DESIGNER G.E.B.
 CHECKED AM DRAWN AM
 SHEET 1 OF 1

Date: Jul 13, 2011, 8:12am User: G.E.Buchanan-SA File: W:\Survey\11-9100\9178-11\BSS9178-11.dwg

