

## December 11, 2018 Planning Commission Question and Answer Report

- 15. Alley Vacation:** [F#10048-1810 - Alley Vacation \(689 SF PORTION\) West 17th Street](#)
- Location: Between W. 17th Street and W. 18th Street, and Guadalupe Street and San Antonio Street;
- Owner/Applicant: Stephen McNally
- Agent: Armbrust & Brown, PLLC (Michael Whellan)
- Request: Vacation of 689 square foot portion out of a 20-ft wide tract of land, known as the alley right-of-way between W. 17th Street and W. 18th Street and extending from Guadalupe Street to San Antonio Street
- Staff Rec.: **Recommended with conditions**
- Staff: Kim Vasquez, 512-974-9241  
Office of Real Estate Services

### **Question:**

Can you explain why the city would vacate only a portion of an alley? Doesn't this make the alley completely useless? Will the applicant pay for this land? (Commissioner McGraw)

### **Answer:**

Staff:

The agenda item C15 involves the vacation of two portions of that alley tract traversing Block 33. Since there are currently two different abutting property owners that have the underlying fee interest to the alley, the right of way vacation process requires two separate applications to vacate the entire alley for that block. It will be a full block alley vacation.

Under property code the city is obligated to receive fair market value for any property interest it conveys – this includes alley and street/right of way vacations as the city is relinquishing its property to the adjoining property owner(s). The Office of Real Estate Services engages licensed third party appraisers to determine the recommended fair market value.