



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 26

Agenda Date: December 15, 2022

In Control: City Council A Session

DEPARTMENT: Public Works Department

DEPARTMENT HEAD: Razi Hosseini

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:

Real Estate Disposition: Closure of an Improved Peyton Path Public Right-of-Way and an Improved Portion (corner) of Refugio Street and McMillan Place Public Right-of-Way

SUMMARY:

An ordinance authorizing the closure, vacation and abandonment of an improved Peyton Path public right-of-way and an improved portion (corner) of Refugio Street and McMillan Place public right-of-way within New City Block 886 in Council District 1, as requested by Artisan Park, LLC, for a fee of \$165,100.00 which will be deposited into the General Fund.

BACKGROUND INFORMATION:

Artisan Park, LLC (Petitioner) requests to close, vacate and abandon an improved Peyton Path public right-of-way and an improved portion (corner) of Refugio Street and McMillan Place public right-of-way. The proposed closures are within New City Block 886 in City Council District 1. The Peyton Path public right-of-way consists of 0.385 acres (16,770 square feet), and Refugio Street and McMillan Place public right-of-way consists of 0.002 acres (99 square feet). The proposed Peyton Path closure is between Burrus Place and Santa Clara Place. Petitioner owns all the abutting property to the closures.

The petitioner is in the process of the future residential development of the Victoria Commons Master Development Plan. If approved, Petitioner will incorporate the proposed Peyton Path closure with its adjacent property and use it to develop a private park. The Petitioner will utilize the proposed Refugio Street and McMillan Place corner closure to allow consistent building dimensions and setbacks for the proposed development.

City Departments and utilities were canvassed and approved with standard conditions. Petitioner has agreed to all the conditions. The Lavaca Neighborhood Association was canvassed and has approved the request with the condition that Peyton Path remains open to the public for pedestrian access. In compliance with Chapter 37 of the City Code, Section 37-11 (e), notification signs and letters are not necessary for undeveloped public right-of-way or portions not affecting the path of public travel.

ISSUE:

This ordinance authorizes the closure, vacation and abandonment of an improved Peyton Path public right-of-way and an improved portion (corner) of Refugio Street and McMillan Place public right-of-way within New City Block 886 in Council District 1, as requested by Artisan Park, LLC, for a fee of \$165,100.00.

Petitioner owns all the abutting property to the closures. The Petitioner is in the process of the future residential development of the Victoria Commons Master Development Plan. If approved, Petitioner will incorporate the proposed Peyton Path closure with its adjacent property and use it to develop a private park. The Petitioner will utilize the proposed Refugio Street and McMillan Place corner closure to allow consistent building dimensions and setbacks for the proposed development.

The City of San Antonio's Planning Commission recommended approval of this request at its regular meeting on November 16, 2022. This action is consistent with the City Code and Ordinances require City Council approval for the sale or disposition of City-owned or controlled real property.

ALTERNATIVES:

City Council could choose not to approve this request; however, Petitioner will not be allowed to incorporate the proposed closures with their adjacent property to develop a private park or allow consistent building dimensions and setbacks for the proposed development.

FISCAL IMPACT:

This ordinance authorizes the closure, vacation and abandonment of an improved Peyton Path public right-of-way and an improved portion (corner) of Refugio Street and McMillan Place public right-of-way within New City Block 886 in Council District 1, as requested by Artisan Park, LLC,

for a fee of \$165,100.00 which will be deposited into the General Fund.

In compliance with Municipal Code Chapter 37-2(g), the fair market value of the improved public right-of-way was determined by an independent appraisal completed by Valbridge Property Advisors on August 1, 2022.

The property will be placed on the tax rolls, generating revenue for the City of San Antonio and other taxing entities.

RECOMMENDATION:

Staff recommends approving this request to close, vacate and abandon an improved Peyton Path public right-of-way and an improved portion (corner) of Refugio Street and McMillan Place public right-of-way in Council District 1.