



# City of San Antonio

## Agenda Memorandum

**File Number:**  
**{{item.tracking\_number}}**

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**Agenda Item Number:** {{item.number}}

**Agenda Date:** November 16, 2022

**In Control:** Planning Commission Meeting

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**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 of Refugio Street and McMillan Place public right-of-way

### **SUMMARY:**

A Resolution recommending the closure, vacation and abandonment of an improved Peyton Path public right-of-way and an improved portion 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.

### **BACKGROUND INFORMATION:**

Artisan Park, LLC (Petitioner) is requesting to close, vacate and abandon an improved Peyton Path public right-of-way and an improved portion 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 acre (16,770 square feet) and the Refugio Street and McMillan Place public right-of-way consists of 0.002 acre (99 square feet). The proposed Peyton Path closure is located between Burrus Place and Santa Clara Place. Petitioner owns all the abutting property to the closures. 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. 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 remain 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 for slivers not affecting the path of public travel.

#### **ISSUE:**

This Resolution recommends the closure, vacation and abandonment of an improved Peyton Path public right-of-way and an improved portion 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.

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This action is consistent with City Code and Ordinances, which requires City Council approval for the sale or disposition of City-owned or controlled real property.

#### **ALTERNATIVES:**

The Planning Commission 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.

#### **RECOMMENDATION:**

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

