

AN ORDINANCE 2010-09-30-0844

AUTHORIZING THE USE OF APPROXIMATELY 0.98 ACRES OF PARK LAND AT CONCEPCION PARK FOR A PUBLIC RIGHT OF WAY REQUIRED FOR REALIGNMENT OF EAST THEO AVENUE IN COUNCIL DISTRICT 3.

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WHEREAS, in accordance with Chapter 26 of the Texas Parks and Wildlife Code, the Parks and Recreation Department is requesting authorization of a change in use of approximately 0.98 acres of park land at Concepcion Park in order to create a public right of way and permit realignment and construction of East Theo Avenue; and

WHEREAS, in conjunction with the proposed realignment project, Concepcion Park will receive a number of improvements to be funded through the 2007 Park Bond Program and Adopted Five Year Park Renovation Program; and

WHEREAS, improvements will include renovations to the swimming pool and construction of a new playground and a covered basketball court; and

WHEREAS, the existing playground pad will be reclaimed for additional parking in order to minimize the risk of disturbance to historically sensitive areas of Concepcion Park which is believed to be near the location of a battle which led to Texas' independence from Mexico in the 1830's; and

WHEREAS, existing park benches will be relocated near the new parking area along the San Antonio Riverbank; and

WHEREAS, the following planned improvement projects in the immediate vicinity of Concepcion Park will realize numerous benefits from the proposed realignment of East Theo Avenue; and

WHEREAS, improvements include construction of a portal and a series of pedestrian pathways leading from the San Antonio River through Concepcion Park and National Park Service property to provide an interpretive experience for visitors by visually and physically linking the park with Mission Concepcion to the east; and

WHEREAS, realignment and partial closure of the existing East Theo Avenue will permit pedestrians walking along the San Antonio River to directly access the portal in Concepcion Park without crossing a heavily trafficked thoroughfare; and

WHEREAS, a future City Council action item requesting the closure, vacation and abandonment of a portion of East Theo Avenue will add approximately 1.03 acres to the Concepcion Park property. Concepcion Park will remain accessible to citizens from Mission Road to the existing portion of East Theo Avenue which will be renamed at a later date; and

WHEREAS, the Archdiocese of San Antonio has received \$16.1 million through the Bexar County Venue Tax Program for construction of a sports complex on property located adjacent to Concepcion Park; and

WHEREAS, a traffic impact analysis conducted by Pape-Dawson Engineers projects that an additional 800 vehicles will utilize East Theo Avenue each hour in order to access this new sports complex; and

WHEREAS, realignment and partial closure of an existing portion of East Theo Avenue will allow the Archdiocese of San Antonio to construct a secondary entrance leading to the sports complex and reduce the impact of increased traffic on Concepcion Park and the surrounding residential neighborhood; and

WHEREAS, the Archdiocese has agreed to provide approximately 1.13 acres of property as a public right of way for the realignment of East Theo Avenue; and

WHEREAS, the National Park Service plans to acquire an undeveloped 13.27 acre tract of land located between Concepcion Park and Mission Concepcion from Chandoha LTD, a private property owner; and

WHEREAS, the purpose of this acquisition is to create a natural sightline between Mission Concepcion and the San Antonio River, and the realignment and partial closure will help create and preserve this sightline; and

WHEREAS, the 13 acre tract of land is contiguous to Concepcion Park and will become available for public use; and

WHEREAS, the National Park Service, through Chandoha LTD, has agreed to provide approximately 1.25 acres of property to be used as a public right of way for the East Theo Avenue realignment project; and

WHEREAS, the proposed realignment of East Theo Avenue has been engineered to provide direct, safe vehicular access to proposed area improvements; and

WHEREAS, in accordance with the requirements outlined in Chapter 26 of the Texas Parks and Wildlife Code, all planning measures have been taken to minimize the impact of the realignment on Concepcion Park and the surrounding residential area; and

WHEREAS, three public meetings were held in January, March and June 2010 in order to discuss the proposed project and incorporate public input; and

WHEREAS, the Parks and Recreation Board endorsed this item on June 28, 2010; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. In accordance with chapter 26, Texas Parks & Wildlife Code, the City Council hereby finds that there is no feasible and prudent alternative to the change in use of the approximately 0.98 acres located in Concepcion Park from public park use to public right-of-way use for the proposed realignment of Theo Avenue as illustrated on **Attachment I**. The City Council hereby further finds and determines that the proposed realignment includes all reasonable planning to minimize harm to the land, as a park, resulting from the realignment.

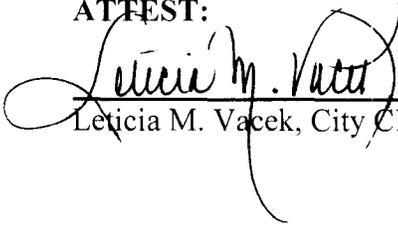
SECTION 2. This ordinance shall become effective immediately upon passage by eight (8) or more affirmative votes of the entire City Council; otherwise, said effective date shall be ten (10) days from the date of passage hereof.

PASSED AND APPROVED this 30th day of September, 2010.



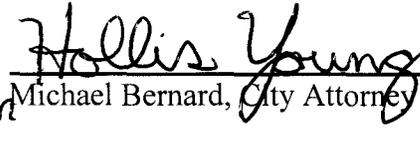
M A Y O R
Julián Castro

ATTEST:

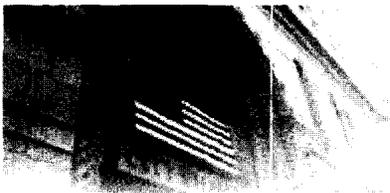


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



for Michael Bernard, City Attorney



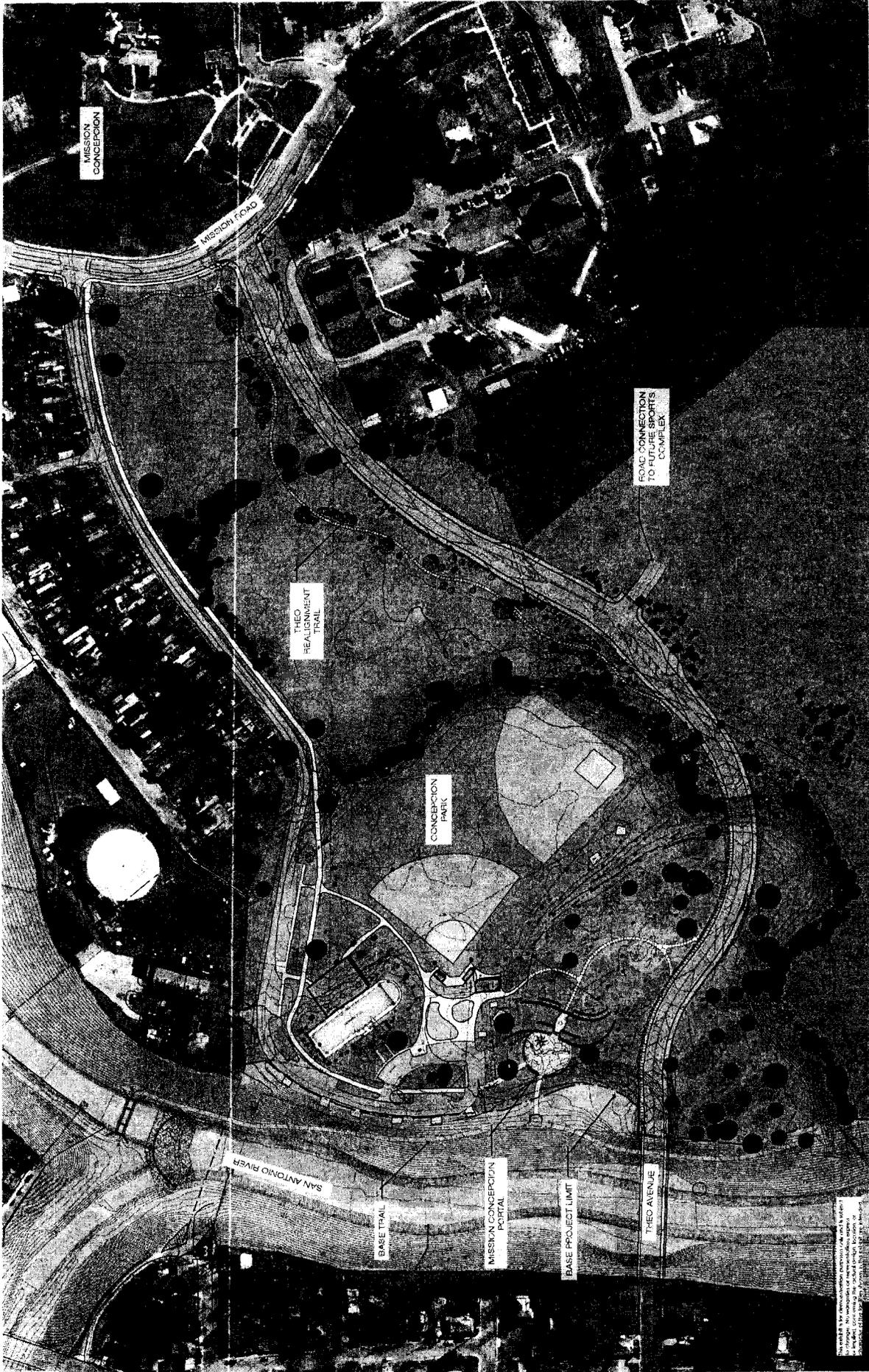
Request for
**COUNCIL
ACTION**

City of San Antonio



Agenda Voting Results - 30

Name:	30						
Date:	09/30/2010						
Time:	11:22:38 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing the use of approximately 0.98 acres of park land at Concepcion Park for a Public Right of Way required for realignment of East Theo Avenue in Council District 3. [Sharon De La Garza, Assistant City Manager; Xavier Urrutia, Director, Parks & Recreation]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x			x	
Philip A. Cortez	District 4		x				x
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
John G. Clamp	District 10		x				



THEO AVENUE REALIGNMENT

JUNE 28, 2010



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