



## AGENDA MEMORANDUM

Public Hearing and First Reading Ordinance for October 29, 2019  
Second Reading Ordinance for November 12, 2019

**DATE:** October 3, 2019  
**TO:** Peter Zanoni, City Manager  
**FROM:** Al Raymond, Director, Development Services  
[AlRaymond@cctexas.com](mailto:AlRaymond@cctexas.com)  
(361) 826-3575

### Street closure of 6<sup>th</sup> Street between Buford Avenue and Hancock Avenue

#### **CAPTION:**

Ordinance closing, abandoning and vacating a 16,500 square foot portion of 6th Street, a portion of public street lying between Buford Avenue and Hancock Avenue, conditioned upon payment of \$28,000 for fair market value of the improved street and execution of an agreement to relocate stormwater infrastructure. (District 1)

#### **SUMMARY:**

The purpose of this ordinance is to close, abandon and vacate a 16,500 square foot portion of a 60-foot-wide public street adjoining Block 5, Bay Terrace, recorded in Volume A, Page 23, Deed and Map Records of Nueces County, Texas, and requiring petitioner, Fish Pond Development, LLC, to comply with specified conditions. The purpose of the street closure is to allow the applicant who owns the properties on both sides of the street to build a Section 8 Senior living apartment complex.

#### **BACKGROUND AND FINDINGS:**

Fish Pond Development, LLC is requesting the closure, vacation, and abandonment of a 16,500 square foot portion of a 60-foot-wide public street adjoining Block 5, Bay Terrace, recorded in Volume A, Page 23, Deed and Map Records of Nueces County, Texas, identified as 6<sup>th</sup> Street located between Buford Avenue and Hancock Avenue. The applicant owns the properties on both sides of 6<sup>th</sup> street between Buford Avenue and Hancock Avenue and plans to build a Section 8 Senior living apartment complex with 112 one-bedroom apartment homes. The nearest RTA bus stop is at the intersection of Buford Avenue and Staples Street and vehicle traffic can travel around the closed street by utilizing 7<sup>th</sup> Street to the west or Santa Fe Street to the east. All streets around 6<sup>th</sup> Street accommodate two way traffic and the projected traffic impact is expected to be less than 44 trips per hour, during peak travel hours, from the new apartment complex. 6<sup>th</sup> Street is a local street and a rezoning of the property from RM-3 to a PUD district was recommended for approval by Planning Commission on September 18, 2019 and the PUD plat for the property is scheduled for Planning Commission on October 30, 2019. City Council will consider the zoning

case on November 19, 2019. The only effected public utility is a storm water drain that the applicant will relocate in a dedicated utility easement on the replatted property. The applicant is entering into a deferment agreement for the relocation of the storm water drain and that agreement is a condition of the street closure ordinance. Traffic engineering has no objections to the street closure. Public notice for the proposed street closure was sent via the U.S. Postal Service on October 17, 2019.

**ALTERNATIVES:**

Deny the request to close the street and have the developer redesign the planned Section 8 Senior living apartment complex so the street in question would remain opened for public use. This option may make the project cost prohibitive because the current project footprint calls for a single apartment building and associated parking lot that, if divided by a surface street, may increase the project's construction costs due to redesigning the building plans and the added expense of additional building materials to support separate structures on two building locations.

**FISCAL IMPACT:**

Fish Pond Development, LLC contracted with Tasador, Inc, a real estate appraisal company, to appraise 6<sup>th</sup> Street between Buford Avenue and Hancock Avenue and determine the fair market value of the property to be \$28,000. The funds the City will receive as a result of the street closure will be deposited in to the Street Trust Fund per Sec. 49 -12 of the City Code.

**RECOMMENDATION:**

The closure of this section of 6<sup>th</sup> street will facilitate the building of a new affordable living complex for lower income senior citizens. The planned housing development project will give seniors an opportunity to increase their quality of life by having access to a safe and affordable apartment home. Staff fully supports the street closure and recommends City Council approve the applicant's request.

**LIST OF SUPPORTING DOCUMENTS:**

Ordinance with exhibit  
Power Point Presentation  
Location map