



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of December 13, 2016
Second Reading for the City Council Meeting of December 20, 2016

DATE: October 27, 2016

TO: Margie C. Rose, City Manager

FROM: Daniel McGinn, Interim Director, Development Services Department
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Street Closure for a portion of Airline Road, located south of Lipps Boulevard and north of President's Drive and west of Rodd Field Road.

CAPTION:

Ordinance closing, vacating, and abandoning a previously developed and surfaced 67,693-square foot (1.55 acres) portion of a public right-of-way, as shown on the recorded plat of Manhattan Estates Unit 6, a map of which is recorded in Volume 68, Pages 392 and 393, Map Records of Nueces County, Texas, and requiring the abutting owners to comply with specified conditions; and providing an effective date.

PURPOSE:

The purpose of this item is to close, vacate, and abandon a portion of a public right-of-way that is owned by the City of Corpus Christi that is no longer needed by the City of Corpus Christi and the properties to be vacated to be returned to the abutting owners.

BACKGROUND AND FINDINGS:

City of Corpus Christi (Owner) is requesting the closure, vacation, and abandonment of a previously developed and surfaced 67,693-square foot portion (1.55 acres) of a public right-of-way, dedicated by Plat of Manhattan Estates Unit 6, a map of which is recorded in Volume 68, Pages 392 and 393, Map records of Nueces County, Texas. The closure, vacation and abandonment of a previously developed public street right-of-way is being requested by City staff.

City staff recommends that payment of the fair market value be waived because City Code, Sec. 49-12, (c)(4) of which the City Code of Ordinances eliminates payment of the fair market value when an abandoned street is initiated by the City, as it is in this case. The abutting Owners have been advised of and concur with the conditions of the public street right-of-way closure, vacation and abandonment ordinance.

ALTERNATIVES:

Denial of the street closure. This will force the city to continue mowing and maintaining the area in question which doesn't serve any purpose due to the new relocated Airline Road where it meets Rodd Field Road.

OTHER CONSIDERATIONS:

Not applicable

CONFORMITY TO CITY POLICY:

The conditions of the ordinance are in compliance with City of Corpus Christi, Code of Ordinances §49-12 (a), as amended and approved on July 13, 2004, by Ordinance No. 025816.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

None of the City departments and franchised utility companies have objection to the proposed public right-of-way abandonment as long as a Utility Easement is maintained over the entire vacated and abandoned area.

FINANCIAL IMPACT:

☐ Operating ☐ Revenue ☐ Capital ☒ Not applicable

Fiscal Year: 2016-2017	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: None

RECOMMENDATION:

Staff recommends approval of the ordinance. Owners must comply with the following conditions:

- a. A Utility Easement is maintained over the entire vacated and abandoned area.
- b. The Maintenance responsibilities including mowing for the abandoned and vacated area reverts to the abutting owners.

- c. Failure to comply with all the conditions outlined in this Ordinance will hereby make the Ordinance null and void.

LIST OF SUPPORTING DOCUMENTS:

Ordinance with Exhibits
Aerial Maps