



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of July 9, 2013
Second Reading for the City Council Meeting of July 16, 2013

DATE: June 12, 2013

TO: Ronald L. Olson, City Manager

FROM: Mark E. Van Vleck, P.E., Director, Development Services Department
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Closing an undeveloped and unsurfaced 521.50-square-foot portion of Laurelas Drive out of Rancho Vista Subdivision Unit 3 (formerly, a portion of Lot 31, Section 25, Flour Bluff and Encinal Farm and Garden Tracts).

CAPTION:

Ordinance abandoning and vacating an undeveloped and unsurfaced 521.50-square-foot portion of the Laurelas Drive public street right-of-way out of Rancho Vista Subdivision Unit 3 and requiring the owners, Yorktown Oso Joint Venture and American Bank, to comply with specified conditions.

PURPOSE:

The purpose of this item is to abandon and vacate a portion of Laurelas Drive in conjunction with the development of the Rancho Vista Subdivision Unit 8.

BACKGROUND AND FINDINGS:

Yorktown Oso Joint Venture and American Bank (Owners) are requesting the abandonment and vacation of an undeveloped and unsurfaced 521.50-square-foot portion of public street right-of-way out of Laurelas Drive, Rancho Vista Subdivision Unit 3 (formerly, a portion of Lot 31, Section 25, Flour Bluff and Encinal Farm and Garden Tracts), located south of Yorktown Boulevard and east of Rodd Field Road. The abandonment and vacation of the undeveloped public street right-of-way is being requested in conjunction with the development of the Rancho Vista Subdivision Unit 8. The fair market value of the property being abandoned and vacated is \$1,800.00. Staff recommends that an exemption from payment be provided to the Owners pursuant to Section 49-12(c)(4) of the City's Code of Ordinances, as no part of the property being vacated has been improved nor used for street purposes and, furthermore, as the vacated portion reverts to the abutting owner and original conveyer. The Owners have been advised of and concur with the conditions of the public street right-of-way abandonment and vacation ordinance.

ALTERNATIVES:

Denial of the street closure. This will, however, adversely impact the Owner’s ability to move forward with future development of the Rancho Vista Subdivision Unit 8.

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:

All public and franchised utilities were contacted. None of the City departments or franchised utility companies had any facilities within the dedicated Laurelas Drive public street right-of-way or objections regarding the proposed public right-of-way abandonment.

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2012-2013	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. Owner must comply with the following conditions:

- a. The fair market value of the property being abandoned and vacated is \$1,800.00. An exemption from payment is provided to the Owners pursuant to Section 49-12(c)(4) of the City’s Code of Ordinances, as no part of the

property being vacated has been improved nor used for street purposes and, furthermore, as the vacated portion reverts to the abutting owner and original conveyer.

- b. Upon approval by the City Council and issuance of the ordinance, all grants of streets closures must be recorded at the Owners' expense in the real property Official Deed and Map Records of Nueces County, Texas, in which the subject portion of the property is located, with a copy of the recording provided to the City. Prior to the issuance of any permits for construction on the land, an up-to-date survey, abstracted for all streets, alleys or public rights-of-way, and items of record must be submitted by the Owners to the Director of Development Services.

LIST OF SUPPORTING DOCUMENTS:

Ordinance with Exhibits