



AGENDA MEMORANDUM

First Reading Ordinance for the City Council Meeting January 23, 2024
Second Reading Ordinance for the City Council Meeting January 30, 2024

DATE: January 23, 2024
TO: Peter Zaroni, City Manager
FROM: Ernesto De La Garza, Director of Public Works
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Ordinance abandoning, vacating, and closing 8.0118 acres of improved and unimproved public right-of-way identified as Starry Road and Starry Circle

CAPTION:

Ordinance authorizing City of Corpus Christi to abandon, vacate, and close 8.0118 acres of improved and unimproved public right-of-way identified as Starry Road and Starry Circle, which is located between Yorktown Blvd and Oso Creek, requested by Petitioner, MPM Development, LP, subsequent the construction of Osito Way, Mapache Pass, and a portion of Oso Parkway as well as fulfilling other conditions.

SUMMARY:

The purpose of this ordinance is to abandon, vacate and close a 8.0118 acres tract of improved unimproved portion of public right-of-way identified as Starry Road and Starry Circle, per the preliminary plat for Oso Creek Corner Phase 1. The Planning Commission granted its approval on October 19, 2022.

BACKGROUND AND FINDINGS:

Section 49-12 of the City Municipal Code provides the procedures for City Council to establish or close public streets, alleys, or other public ways. A request shall be filed with the City containing the description of the street, or portion thereof, that is to be opened, closed, or altered.

Moses Mostaghasi, representing MPM Development, LP filed a request to abandon, vacate and close a 8.0118-acre portion of Starry Road and Starry Circle, which is located between Yorktown Blvd and Oso Creek. MPM Development LP is the owner of the property adjacent to Starry Road and Starry Circle. The closure would allow for future housing development which has been dedicated to the City by plat. If the area is closed, it would be owned and maintained by Moses Mostaghasi. If the City agrees to release this portion of public right-of-way, Moses Mostaghasi, MPM Development LP, is responsible for:

1. Dedication of a 15' utility easement from the west boundary of Starry Road right-of-way toward the center line from the City's lift, starting from the City's lift station site and extending 1,667.71 feet north towards Yorktown Blvd, as shown in Exhibit B;

2. The full build-out of Oso Parkway from Yorktown Blvd to Mapache Pass, as shown in the final plat of Oso Creek Corner Phase 1 in Exhibit C;
3. The fill build-out of a driveway at 7738 Krypton Drive to the City's lift station on the City's drainage right-of-way.

A review of the request was conducted by City Departments and external Public Utility Companies. The Planning Commission reviewed the request to close, abandon, and vacate the public right-of-way on October 19, 2022, and recommended its approval. Additionally, a fair market value of \$0 is recommended in consideration of the construction Osito Way and Mapache Pass (estimated value \$4,170,704.11) by Petitioner.

ALTERNATIVES:

The alternative is to deny the closure, abandonment, and vacation of requested portion of Starry Road and Starry Circle Road.

FISCAL IMPACT:

If the City agrees to release this portion of public property, Moses Mostaghassi, representing MPM Development LP., is responsible for the compliance listed above regarding the construction of Osito Way and Mapache Pass (estimated value \$4,170,704.11).

Funding Detail:

Fund: N/A
Organization/Activity: N/A
Dept: N/A
Project # (CIP Only): N/A
Account: N/A

RECOMMENDATION:

City staff and the Planning Committee recommend approval.

LIST OF SUPPORTING DOCUMENTS:

Ordinance
Exhibit
PowerPoint Presentation