



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of September 15, 2015
Second Reading for the City Council Meeting of September 22, 2015

DATE: July 13, 2015

TO: Ronald L. Olson, City Manager

FROM: Daniel M. Grimsbo, P.E., Director, Development Services Department
DanG@cctexas.com
(361) 826-3595

Street Closure at Navigation Industrial Park, located west of N Omaha Drive and north of Agnes Street.

CAPTION:

Ordinance abandoning and vacating an undeveloped and unsurfaced 22,021-square foot (0.51 acres) portion of a 60-foot wide public right-of-way, portion out of Navigation Industrial Park Section 2, a map which is recorded in Volume 27, Page 90, Map records of Nueces County, Texas Tracts and requiring the owner, Omaha Drive Capital Partners, LTD to comply with specified conditions.

PURPOSE:

The purpose of this item is to abandon and vacate a portion of a 60-foot wide public right-of-way to re-plat and incorporate the northern half of the requested ROW vacation with the re-plat.

BACKGROUND AND FINDINGS:

Omaha Drive Capital Partners, LTD (Owner) is requesting the abandonment and vacation of an undeveloped and unsurfaced 22,021-square foot portion (0.51 acres) of a 60-foot wide public right-of-way, portion out of Navigation Industrial Park Section 2, a map which is recorded in Volume 27, Page 90, Map records of Nueces County, Texas Tracts, located west of N Omaha and south of Westway. The abandonment and vacation of the undeveloped public street right-of-way is being requested in conjunction with a re-plat.

Staff recommends that payment of the fair market value be waived because City Code, Sec. 49-12, (c)(4) of the City Code of Ordinances eliminates payment of the fair market value when an abandoned street is unimproved, as it is in this case. 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 or sale of the subject property.

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 object if a 60-foot wide utility easement is dedicated over the public street right-of-way.

FINANCIAL IMPACT:

☐ Operating ☐ Revenue ☐ Capital ☒ Not applicable

Fiscal Year: 2014-2015	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. City staff recommends that payment of the fair market value be waived because City Code, Sec. 49-12, (c)(4) of the City Code of Ordinances eliminates payment of the fair market value when an abandoned street is unimproved, as it is in this case.
- 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.

- c. Dedicate a 60 feet wide utility easement over the public street right-of-way to be closed within 180 calendar days of City Council approval date.

LIST OF SUPPORTING DOCUMENTS:

Ordinance with Exhibits