



AGENDA MEMORANDUM

First Reading Ordinance for the City Council Meeting of March 19, 2019
Second Reading Ordinance for the City Council Meeting of March 26, 2019

DATE: January 11, 2019

TO: Keith Selman, Interim City Manager

FROM: Nina Nixon-Mendez, FAICP, Director of Development
Services NinaM@cctexas.com
(361) 826-3276

Easement Closure for properties located at 118 La Aves Court and 123 Rum Cay Court.

CAPTION:

Ordinance abandoning and vacating portions of an existing utility easement, 46.9 square foot portion out of Lot 35 (118 Las Aves Court) and a 48.1 square foot portion out of Lot 37 (123 Rum Cay Court), Block 1, The Preserve at Mustang Island, Unit 1.

PURPOSE:

The purpose of this ordinance is to close, abandon and vacate four portions of an existing utility easement to allow the extension of architectural columns, that are attached to a building, to extend into the utility easement.

BACKGROUND AND FINDINGS:

Hanson Professional Services Inc., representing Tortuga Dunes Holding Company LLC. (Owner) is requesting the closing, vacation and abandonment at two locations in an existing 10-foot utility easement with the combined total of 95 square feet out of, Lot 35 and Lot 37 located at 118 Las Aves Court and 123 Rum Cay Court, The Preserve at Mustang Island, Unit 1. This abandonment and vacation of the utility easement is being requested by the owner due to the extension of architectural columns into the easement. All public and franchised utilities were contacted and none of the City departments or franchised utility companies stated objections regarding the proposed utility easement closure. The closure is being proposed to allow development of a Condo complex.

ALTERNATIVES:

Denial of the proposed utility easement closure, abandonment and vacating will adversely impact the Owner's ability to move forward with development of the subject property.

OTHER CONSIDERATIONS:

None

CONFORMITY TO CITY POLICY:

These requirements are in compliance with the City Code of Ordinances Section 49-13.

EMERGENCY / NON-EMERGENCY:

Non-emergency

DEPARTMENTAL CLEARANCES:

All public and franchised utilities were contacted. None of the City departments or franchised utility companies stated objections regarding the proposed utility easement closure. No utilities are located in the proposed easement closure.

FINANCIAL IMPACT:

Operating Revenue Capital X Not Applicable

Fiscal Year: 2018-2019	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments:

RECOMMENDATION:

Staff recommends approval of the easement closure.

LIST OF SUPPORTING DOCUMENTS:

Ordinance with Exhibits
Presentation