AGENDA MEMORANDUM
First Reading Ordinance for the City Council Meeting of November 12, 2019
Second Reading Ordinance for the City Council Meeting of November 19, 2019

DATE: September 25, 2019

TO: Peter Zanoni, City Manager

FROM: Al Raymond, Director, Development Services
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Easement closure for property located at 15045 & 15041 Aruba Drive

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CAPTION:

Ordinance abandoning and vacating a 10-foot wide by approximately 180-feet in length (1,800 sq. ft.) portion of an existing drainage easement out of Lots 3 & 4, Block 1, Padre Island - Corpus Christi Section E located at 15045 & 15041 Aruba Drive. (District 4)

SUMMARY:

MMIP, LLC is requesting the abandonment of an existing drainage easement. The drainage easement is located between two lots that are going to be combined into a single building lot through a re-platting of the property. The drainage easement will need to be closed to allow for the construction of new town homes or condominiums on the property.

BACKGROUND AND FINDINGS:

Mustang Engineering and Surveying on behalf of MMIP, LLC (owner) is requesting the city abandon and vacate a 10-foot-wide by approximately 180-feet in length drainage easement located at 15045 and 15041 Aruba Drive. The applicant is requesting the city close the drainage easement so they can build new town homes or condominiums on the property. Currently, the drainage easement runs between the two lots. A new plat combining the lots into a single building lot was taken to planning commission on October 2, 2019. The easement runs through the center of the re-platted property and will prevent the construction of the planned residential buildings unless it is closed. The property is zoned CR-1 and this zoning district allows for the construction of either town homes or condominium homes.

The project engineer completed an elevation survey of the gutter line in the street and the survey showed that the elevation of the drainage easement is higher than the street gutter line. Any storm water runoff will not use the easement but will utilize the natural contour of the gutter system in place and will drain towards the catch basin further down the street. A utilities department engineer has reviewed the survey and agrees that the drainage easement is not required for storm water drainage along Aruba Drive.

ALTERNATIVES:

The combining of the two lots into a single building lot will allow the owner to develop the property in a manner that best suits them. If the closure of the drainage easement is denied, the property owner may choose not to develop the property, leaving the land vacant until such time that they are able to develop the property in such a way that the easement is not affected.

FISCAL IMPACT:

The City Code of Ordinances only requires an application fee to be paid in order to process an easement closure. There are no other land value fees associated with the closure of an easement. The applicant requesting the drainage easement closure has paid the required $530.00 application fee and the easement closure request has been processed in accordance with Section 49-12 of the City Code of Ordinances.

Funding Detail:

Fund: 4670 Development Services
Organization/Activity: 11200 Special Services
Mission Element: 888 Revenue
Project # **(CIP Only):**   N/A
Account: 302112 Easement Closure

RECOMMENDATION:

The closure of the drainage easement will allow for the construction of town homes or condominium homes the applicant is seeking to build. The closure of the drainage easement will have no adverse effects on the surrounding lots and the elevation survey supplied by the applicant confirms storm water will flow downstream away from the properties in the vicinity of the closed drainage. The runoff will utilize the natural contour of the gutter system in place and will drain towards the existing catch basin further down the block. Staff supports the applicant's request and recommends approval of the drainage easement closure.

LIST OF SUPPORTING DOCUMENTS:

Ordinance (with exhibit)
Presentation
Location Map