



AGENDA MEMORANDUM

First Reading Ordinance for April 13, 2021
Second Reading Ordinance for April 20, 2021

DATE: March 4, 2021

TO: Peter Zaroni, City Manager

FROM: Al Raymond, Director Development Services
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| Easement Closure for South Texas Bone and Joint Medical Plaza |
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CAPTION:

Ordinance abandoning and vacating a 15-foot wide by approximately 483 feet in length (7,239.7 sq. ft.) existing utility easement out of Lot 3, Block 1, South Texas Bone and Joint Medical Plaza Unit 1, located South of Holly Road and West of Crosstown Expressway (TX 286).

SUMMARY:

The purpose of this ordinance is to close, abandon and vacate a 15-foot-wide by approximately 483 feet in length (7,239.7 sq. ft.) existing utility easement. The applicant has changed the design and location of buildings on the property, and relocation of public utilities is necessary to accommodate the current design. A new easement will be applied for and recorded to accommodate public utilities on the property.

BACKGROUND AND FINDINGS:

2413 Memorial Parkway, LLC (Owner) is requesting the closure of a 15-foot wide by approximately 483 feet in length (7,239.7 sq. ft.) existing utility easement on property located South of Holly Road and West of Crosstown Expressway (TX 286). This easement closure request is submitted to facilitate the construction of a medical clinic and associated site improvements.

The referenced easement is a portion of a larger easement dedicated by plat for the property. Changes in the layout and design of the site place a portion of the easement under the footprint of a proposed building. The portion of the easement to be vacated will be replaced by a new easement to accommodate public utilities on the site. The new easement location is away from proposed structures and adjacent to another existing

utility easement on the property. There are no public or franchised utilities located in the portion of the easement to be vacated, and the proposed ordinance is conditional on the new easement being recorded. After contacting all public and franchised utilities, there are no objections to the easement closure and no zoning variances have been requested.

The applicant requesting the utility easement closure has paid the required \$530.00 application fee and the easement closure request has been processed in accordance with Section 49-13 of the City Code of Ordinances.

ALTERNATIVES:

Deny the applicant's request and have the applicant revert to the original site plan. This action may impact the design and size of the planned medical facility and the efficient use of the site.

FINANCIAL IMPACT:

There are no financial impacts associated with the closing of the easement. The easement has no fair market value associated with its closure.

FUNDING DETAIL: N/A

Fund:

Organization/Activity:

Mission Element:

Project # **(CIP Only)**:

Account:

RECOMMENDATION:

Staff supports the applicant's request for the easement closure. The closure of the easement will support a future local business and provide residents with expanded access to medical services.

LIST OF SUPPORTING DOCUMENTS:

Ordinance with Exhibits

Location Map

Presentation