



CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** December 9, 2024
SUBJECT: Approve Ordinance No. 3876, abandoning a portion of Stardust Drive right-of-way and authorize execution of a quitclaim deed and hold harmless agreement with Somerik Realty, LLC.
PRESENTER: Clayton Comstock, Managing Director of Development Services

SUMMARY:

City Council is being asked to approve an ordinance abandoning a portion of Stardust Drive right-of-way and authorize execution of a quitclaim deed and hold harmless agreement with Somerik Realty, LLC.

GENERAL DESCRIPTION:

Stardust Drive is located on the east side of Rufe Snow Drive, north of the TEXRail crossing. In May 2001, when the existing road was a 350-foot long dead end street, a strip of right-of-way was granted to the City for a 300-foot extension of Stardust Drive. The right-of-way included a portion of a cul-de-sac turnaround at the end of the street. The road was constructed in 2001 to provide access to vacant industrial and multifamily property in that area.

In March 2002, a zoning change to a planned development district was approved for residential development which includes The Estates at North Richland Hills and The Delano at North Richland Hills. The final plat phase for The Estates included a street connection to Stardust Drive, and portions of the cul-de-sac turnaround were abandoned and incorporated into residential lots. The affected right-of-way was formally abandoned in September 2002 (Ordinance 2653).

In October 2023, City Council approved a zoning change for a 14-lot residential infill planned development on 2.91 acres on the south side of Stardust Drive adjacent to an automobile repair facility. The subsequent preliminary and final plats of the development included the proposed abandonment of the remaining 1,121-square feet of right-of-way of the cul-de-sac turnaround. The preliminary plat was approved by City Council on February 12, 2024, and the final plat was approved by the Planning and Zoning Commission on November 7, 2024. The attached ordinance and accompanying documents would formalize the abandonment of the leftover right-of-way. An exhibit showing the abandonment area is attached.

The City's policy regarding right-of-way abandonment allows for the adjacent property to acquire identified extraneous areas with the right-of-way. This procedure typically involves either financial or land consideration to offset the value of the land being



abandoned. In this case, since the developer is dedicating 0.89 acres of right-of-way for Wayfarer Drive on the final plat, there is no requirement for compensation.

RECOMMENDATION:

Approve Ordinance No. 3876.