COUNCIL ACTION FORM

SUBJECT: PUBLIC UTILITY EASEMENT VACATION – SOUTH TOWN SUBDIVISION (1615 SOUTH KELLOGG AVENUE AND 317 SOUTH 17TH STREET)

BACKGROUND:

Staff received a request from the property owner of 1615 South Kellogg Avenue and 317 South 17th Street to vacate the existing public utility easement, as shown on the attached map**.**

The owner of 1614 South Kellogg Avenue is in the process of developing these properties and intends to build a structure over the existing easement, which would not be allowed. The easement area to be vacated is described as 5 feet on both sides of the property line between 1615 South Kellogg Avenue and 317 South 17th Street from the right-of-way line on South 17th north to 10 feet south of the north property lines.

Public Works staff reached out to all registered right-of-way users to determine if there were any existing utilities in the easement or future plans to utilize the easement. Staff has received responses from all registered right-of-way users and there are no existing utilities in the easement and no registered right-of-way users have an intention to utilize the easement.
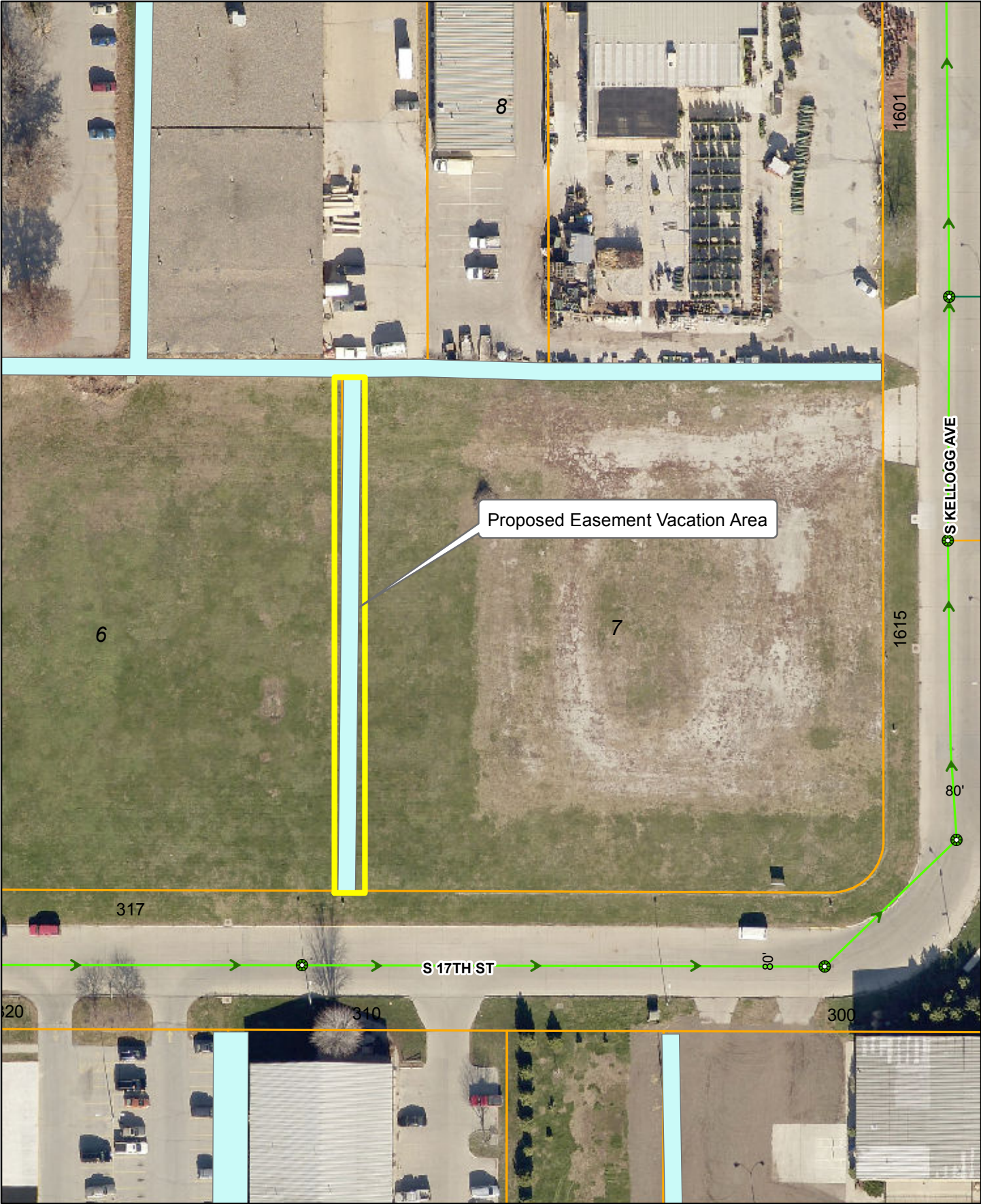
ALTERNATIVES:

1. Set the date of public hearing as April 28, 2015, for approving the vacation of the existing public utility easement at 1615 South Kellogg Avenue and 317 South 17th Street.

2. Choose not to approve vacation and maintain control of the current easement.

MANAGER'S RECOMMENDED ACTION:

By approving vacation of the easement at this time, Council will meet this property owner's need to move forward with development of the site.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby setting the date of public hearing as April 28, 2015, for approving the vacation of the existing public utility easement at 1615 South Kellogg Avenue and 317 South 17th Street.

Proposed Easement Vacation Area

8

6

7

1601

S KELLOGG AVE

1615

80'

317

S 17TH ST

80'

320

310

300

Attachment A
1615 South Kellogg/317 South 17th
Proposed Easement Vacation Area

NORTH

Scale: 1 in = 75 ft

Date: 4/2/2015