
ORDINANCE NO.
O-1516-3

ITEM NO. 6c

STAFF REPORT

GENERAL INFORMATION:

APPLICANT: Bison Ridge Investments
Attorney: Sean Rieger

REQUESTED ACTION: Closure of Certain Right-of-Way within Block 2,
G. H. Colley's First Addition
601 North Porter Avenue

BACKGROUND: This is a request for closing certain right-of-way (typically used for alley purposes and utilities) located east of Lots 4, 5, and 6 and west of Lot 7, Block 2 of G. H. Colley's First Addition. The property is generally located east of North Porter Avenue and north of Hughbert Street. The final plat for G. H. Colley's Addition was filed of record in the late 1890's or early 1900's.

DISCUSSION: The attorney for the applicant has submitted a request to close and vacate the right-of-way so that the properties can be contiguous for the use of a restaurant and parking lot. The physical alley paving no longer exists. There are existing utilities within the right-of-way and City staff is recommending that a utility easement be provided at the time of vacation in District Court. In addition, City staff is opposed to the planting of trees or large shrubbery over the existing sanitary sewer main.

RECOMMENDATION: With the above concurrence, staff can support this request.

ACTION NEEDED: Recommend approval or disapproval to City Council of the request to close certain public right-of-way located east of Lots 4 through 6 and west of Lot 7, Block 2 of G. H. Colley's First Addition (601 North Porter Avenue) and, if approved, condition an easement be provided at the time of vacation in District Court.

ACTION TAKEN: _____