

ORDINANCE NO.
O-1415-28

ITEM NO. 12c

STAFF REPORT

GENERAL INFORMATION:

APPLICANT: Inland American Communities Acquisitions, LLC
Attorney: Sean Rieger

REQUESTED ACTION: Closure of Certain Utility and Drainage Easements
Within Block 3, Miller Addition, a Replat of Block
3, Miller Addition

BACKGROUND: This is a request for closing certain utility and drainage easements located in Lots 1 through 32, Block 3 of Miller Addition. The property is located on the north side of Brooks Street between Trout Avenue and BNSF Railroad Right-of-Way. The final plat for Block 3, Miller Addition was filed of record November 29, 1950. The applicant intends to replat the properties and develop the properties in a different configuration than what has been previously platted. The above utility and drainage easements are in conflict with the new proposal.

DISCUSSION: The applicant has submitted a new preliminary plat and site plan showing proposed utility and drainage easements with their respective improvements. The existing utilities serving properties to the north will be relocated within the property. Existing franchised utilities if located within the proposed closures will be either relocated or abandoned. This action will be the responsibility of the applicant to negotiate with the utility companies.

RECOMMENDATION: Although this request is with the preliminary plat procedure, staff is not opposed to the request and supports the request. However, staff is recommending a condition with this action. The closing and vacation of the easements is conditioned on the utility and drainage relocations, new easements within a final plat (replat) and subsequent filing of the final plat (replat) with the Cleveland County Clerk.

ACTION NEEDED: Recommend approval or disapproval of the request to close certain utility and drainage easements located in Lots 1 through 32, Block 3 of Miller Addition and, if approved, condition the closing and vacation of the easements on the utility relocations, new easements within a final plat (replat), and subsequent filing of the final plat (replat) with the Cleveland County Clerk.

ACTION TAKEN: _____