

ORDINANCE NO. O-1314-19

ITEM NO. 5c

STAFF REPORT

GENERAL INFORMATION

APPLICANT

Parkgreen Living, LLC
Attorney: Sean Rieger

REQUESTED ACTION

Closure of Certain Utility Easements
Within University Plaza Addition and
Boyd View Addition No. 2

BACKGROUND: This is a request for closing certain utility easements located in Lots 3, 4 and 5, Block 1 of University Plaza Addition and all of Lot 3 and a 10-foot utility easement along the north 234.75 feet of the west line of Lot 2, Block 2, of Boyd View Addition No. 2 generally located 800 feet east of Classen Boulevard on the south side of East Lindsey Street. The final plat for University Plaza Addition was filed of record May 6, 1998 and Boyd View Addition No. 2 was filed of record January 7, 1970. The applicant intends to replat the properties and develop the properties in a different configuration than what has been previously platted. The above utility 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 and easements serving the existing commercial properties (Conoco and Braum's) will not be impacted by this request. Existing utilities 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 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 easements located in Lots 3, 4 and 5, Block 1 of University Plaza Addition and all of Lot 3 and a 10-foot utility easement along the north 234.75 feet of the west line of Lot 2, Block 2, of Boyd View Addition No. 2; and, if approved condition the closing and vacation of the easements be 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: _____