

ORDINANCE NO. O-1516-35

ITEM NO. 8

STAFF REPORT

GENERAL INFORMATION

APPLICANT

METRO SHOE WAREHOUSE

REQUESTED ACTION

Closure of part of a twenty-foot (20') Drainage Easement within Lots 5 and 6 all located in Block 1, University North Park Addition, Section VI, a Planned Unit Development.

BACKGROUND: This is a request for closing a portion of a platted twenty-foot (20') drainage easement and abandoning a portion of an existing storm sewer. The final plat for University North Park Addition, Section VI, a Planned Unit Development was filed of record with the Cleveland County Clerk on July 30, 2008. The owner is in the process of constructing a retail shoe store on the property and the easement poses a problem to the construction of the building.

DISCUSSION: Franchised utilities were not notified since this is an exclusive drainage easement. With the original design of the lots, the existing storm sewer was installed to serve the proposed parking lots within Lots 5 and 6. The owners have purchased both Lots 5 and 6. With the combining of the lots the storm sewer no longer needs to be extended as far north as it is currently located. With the new proposal, a portion of the building would be located within the platted drainage easement. The owners hired a professional engineer to submit plans for the termination of the storm sewer. With the creation of one large lot, a portion of the storm sewer is no longer needed and will be abandoned.

RECOMMENDATION: The easement in question was specifically intended to serve the Lot 6, Block 1, University North Park Addition, Section VI, a Planned Unit Development. Staff recommends approval of this request to close and ultimately vacate that portion of drainage easement that will be in conflict with a proposed building.