



## Legislation Text

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**File #:** ID 14-0693, **Version:** 1

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Resolution closing a portion of South Edgeworth Street from its intersection with Spring Garden Street southward a distance of approximately 282 feet

Department: Planning

Council District: District #3

Public Hearing: Yes

Advertising Date/By: November 6<sup>th</sup> and 13<sup>th</sup>

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### **PURPOSE:**

The property owners have requested the closing of a portion of South Edgeworth Street from its intersection with Spring Garden Street southward a distance of approximately 282 feet. Staff requests that City Council hold a public hearing to receive public comment and to consider adoption of the street closing resolution.

### **BACKGROUND:**

The petition was signed by the property owners (Edward Krusch and Darren Dalton) of 100% of the street frontage.

When City Council uses this method to closes a street, the right-of-way is divided in half and returned to the abutting property owners.

The applicant is proposing to incorporate the closed portion of right-of-way with the redevelopment of the existing building to the east and the gravel parking lot to the west.

### **BUDGET IMPACT:**

There will be no impact on the current or future budgets.

### **RECOMMENDATION / ACTION REQUESTED:**

The Technical Review Committee (TRC) feels circumstances here allow the City to make the two required determinations for a street closing: (1) that closing the street to vehicular traffic is not contrary to the public interest, and (2) that no property owner in the vicinity is deprived of reasonable means of ingress and egress. Therefore, the Technical Review Committee (TRC) recommended the closing with two conditions:

- 1) The City shall retain 20-foot utility easements over existing utility lines until such time as the lines are no longer needed for public use; and
- 2) The following improvements shall be installed by the applicant before the street closing will become effective and within 60 days of Technical Review Committee approval:

- a) A City approved turn-around shall be constructed on the terminus of Eugene Court and the roadway connection to Eugene Court shall be eliminated by removing the existing pavement from new City approved turn-around northward 50 feet; and
- b) The roadway connection to Spring Garden Street shall be eliminated by installing city approved curb and gutter along Spring Garden Street and removing the existing pavement from Spring Garden Street southward 50 feet.

The applicant would be responsible for all costs associated with constructed the turn-around, removing the existing pavement and installing the curb and gutter.

The Planning Board recommended denial of this street closing at its October meeting on a vote of 6-2.

Accordingly, it is recommended that on November 18, 2014, the City Council hold a public hearing to receive public comment and to consider adoption of the resolution closing a portion of South Edgeworth Street from its intersection with Spring Garden Street southward a distance of approximately 282 feet.