



Legislation Details (With Text)

**File #:** 19-00261      **Version:** 1      **Name:**  
**Type:** Legislative Action Item      **Status:** Passed  
**File created:** 5/21/2019      **In control:** City Council  
**On agenda:** 6/13/2019      **Final action:** 6/13/2019  
**Enactment date:**      **Enactment #:**  
**Title:** PUBLIC HEARING: REQUEST TO VACATE RIGHT-OF-WAY - 400 BLOCK OF 11TH AVENUE  
**Sponsors:** Grover C. Robinson, IV

**Indexes:**

**Code sections:**

**Attachments:** 1. Vacation of Right-of-Way Application and Supporting Documentation, 11th Avenue, 2. Rendering and Plans, 11th Avenue Right-of-Way Vacation Request, 3. Technical Comments, 11th Avenue Right-of-Way Vacation Request, 4. May 14, 2019 Planning Board Minutes, 5. Proposed Ordinance, 6. PROOF OF PUBLICATION - PUBLIC HEARING, 7. PRESENTATION DURING HEARING

Date	Ver.	Action By	Action	Result
6/13/2019	1	City Council	Approved	Pass
6/10/2019	1	Agenda Conference	Placed on Regular Agenda	Pass

**LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

PUBLIC HEARING: REQUEST TO VACATE RIGHT-OF-WAY - 400 BLOCK OF 11TH AVENUE

**RECOMMENDATION:**

That City Council conduct a public hearing on June 13, 2019 to consider the request to vacate a portion of the 400 Block of 11<sup>th</sup> Avenue.

**HEARING REQUIRED:** Public

**SUMMARY:**

The City has received a request from Anthony L. Terhaar Enterprises, LLC, to vacate a portion of the 400 Block of 11<sup>th</sup> Avenue between LaRua and Belmont Streets. The applicant has indicated the reason for the request is to attain the highest and best use of the property and to preserve and increase the property values in this area of East Hill. If granted, the additional ten (10) feet will allow the applicant to construct two single family attached structures instead of one single family detached structure. This request is consistent with a previous vacation of 11<sup>th</sup> Avenue to the North and will make the easterly property lines consistent within the southern-most two blocks of 11<sup>th</sup> Avenue.

This request has been routed through the various City departments and utility providers and those comments are attached for your review. Staff has been made aware that utilities are present within this right-of-way area and a full width easement has been included in the proposed ordinance.

On May 14, 2019, the City's Planning Board unanimously recommended approval of this request.

**PRIOR ACTION:**

None

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Yes

5/30/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Sherry H. Morris, AICP, Planning Services Administrator

**ATTACHMENTS:**

- 1) Vacation of Right-of-Way Application and Support Documentation, 11<sup>th</sup> Avenue
- 2) Rendering & Plans, 11<sup>th</sup> Avenue Right-of-Way Vacation Request
- 3) Technical Comments, 11<sup>th</sup> Avenue Right-of-Way Vacation Request
- 4) May 14, 2019 Planning Board Minutes
- 5) Proposed Ordinance

**PRESENTATION:** Yes