



## Planning & Zoning Commission

Meeting Date: July 7, 2020

Requested By: Public Works Department

### Item Title: CONSENT AGENDA

Consider a request to authorize the vacation and sale of the 176 to 178 foot by 16.5 foot section of the north-south alley adjacent to 931 South D Street.

#### Explanation:

Staff has received an alley vacate request from Andrew Frye, owner of 931 South D Street for the north-south alley adjacent to his property. Mr. Frye would like to purchase the land because he is caring for the alley and would like to construct a garage addition. This subject alley is located in a Residential (R-2) zoning district.

Oskaloosa Municipal Code section 12.24.020 requires this alley vacate request be referred to the Planning & Zoning Commission. The Council has set a public hearing date on July 20, 2020 and referred this request to the Planning & Zoning Commission.

City staff conducted a survey of property owners with direct access to the alley and utility companies. Of the 2 property owners who were surveyed, only 1 response was received. The response indicated that they object to the alley being vacated, stating that they have been maintaining the alley as a part of their property for the last 7 years. The opposed property owner also indicated that if this section of alley is vacated, they would like to purchase their portion of the alley at a cost of \$1, as the city had previously sold the alley on the west side of the property to them at that cost by resolution on July 18<sup>th</sup>, 2016. The utility companies indicated that there are underground electrical connections in the area, so a permanent easement will be required for utility access if the alley is vacated.

#### Recommended Action:

Staff recommends the City Council approve the resolution setting a public hearing date on July 20, 2020 and referring this request to the Planning & Zoning Commission.

#### Budget Consideration:

Residential public alleys are sold for \$0.50/square foot therefore a total revenue of \$1,460.25  $((176/2+178/2)\text{ft} \times 16.5\text{ft} \times \$0.50/\text{sf})$  will be received in addition to the \$100.00 non-refundable alley vacate application fee. Mr. Frye has submitted a check for \$100 for the application fee and a check for the portion immediately adjacent to his property in the amount of \$422.81.

**Attachments:**

Location Map, Pictures, Alley Vacate Application, Letter and attachments from opposed property owner.