

# STAFF REVIEW RIGHT-OF-WAY CLOSING

August 4, 2011

**2011-01-RWC** Clinic Building, Inc., has filed an application to close an approximately 5,130 square foot alley, being 15 feet in width and approximately 342 feet in length, located between 126 Chestnut Street and 134 Chestnut Street, perpendicular to Chestnut Street, and being approximately 241 feet from 2<sup>nd</sup> Avenue.

**STAFF REVIEW:** The applicants, Clinic Building, Inc. and The Medical Center have requested this closing for the purpose of combining the lots for parking.

There were letters submitted from the agencies listed below stating the closing of this right-of-way is in agreement with their agency, and they foresee no problems with the designated closing with any conditions noted.

1. City of Bowling Green, by Melissa Cansler, PE, City Engineer, Public Works
2. Bowling Green Fire Department, by Charles Tomes, Captain
3. Bowling Green Police Department, by Doug Hawkins, Chief of Police
4. Medical Center EMS, by John R. Fathbruckner, Director
5. Sanitation Services, by Bill Ketchum, Operations Manager
6. Bowling Green Municipal Utilities – Water & Sewer Division, by Rebecca Brown, GIS Specialist  
(*Maintain 8 inch sewer main's 10 foot easement*)
7. B G Municipal Utilities - Electric Division, by Chad Spencer, Electric Engineering Supervisor
8. AT&T, by Janet Ramsey, OSP Design Engineer
9. Insight Communications, by Travis Hayes, Construction Technician
10. Atmos Energy, by Don Bonner, Ops Supervisor  
(*There may be a conflict with a gas main located in this right-of-way. Gas main may or may not be able to be relocated. Also cost of moving may be charged. Additional review may be required.*)

**CONSISTENCY WITH COMPREHENSIVE PLAN:** No Impact.

**CONSISTENCY WITH TRANSPORTATION PLAN:** No Impact.

FINDINGS OF FACT PER KRS 82.405:

- (A) Identification of all property owners abutting the right-of-way to be closed was made by applicant;
- (B) Written notice was given to the property owners abutting the right-of-way;
- (C) The two property owners abutting the right-of-way to be closed have given their written and notarized consent to the closing.

## **STAFF RECOMMENDATION:**

The staff finds all criteria for the public hearing has been met and recommends that the evidence and testimony be made part of the official record and forwarded to the Bowling Green City Commission. Upon approval of the Bowling Green City Commission, a plat must be recorded reflecting the Right-Of-Way Closing and any easements required by the above utilities on the right-of-way closing.

## **RIGHT-OF-WAY CLOSING MOTIONS**

### **MOTION TO APPROVE:**

I make the motion to **approve** the Right-of-Way Closing, Docket #2011-01-RWC subject to the recording of a plat revision as noted in the staff report. My motion is based on the findings of fact as presented in the staff report, and the testimony presented in this public hearing that the Right-of-Way Closing **is** in compliance with Section 3.16 of the Warren County Zoning Ordinance.

### **MOTION TO DISAPPROVE:**

I make the motion to **disapprove** the Right-of-Way Closing, Docket #2011-01-RWC. My motion is based on the findings of fact as presented in the staff report, and the testimony presented in this public hearing that the Right-of-Way Closing **is not** in compliance with Section 3.16 of the Warren County Zoning Ordinance.