



MEMORANDUM

DATE: April 25, 2022

TO: Honorable Mayor and City Councilmembers
Dave Perrault, City Administrator

FROM: Jessica Jagoe, City Planner

SUBJECT: **Planning Case # 22-006**
Applicant: Scannell Properties, LLC
Property Location: Lot 1, Block 1, Gateway Interstate
Request: Vacation of Drainage and Ponding Easement

Budgeted Amount:
N/A

Actual Amount:
N/A

Funding Source:
N/A

Council Should Consider

Motions to approve, table, or deny the following:

- Resolution 2022-025 for a Vacation of Drainage and Ponding Easement lying within Lot 1, Block 1, Gateway Interstate.

All items need a simple majority for action unless otherwise noted.

Background

On October 6, 2021, Scannell Properties, LLC was granted approval of Planning Case 2021-025 for Site Plan Review to install the expanded parking area for use by tenants of the building. A condition of Planning Case 2021-025 required the Applicant to submit an amended Stormwater Facilities Operation and Maintenance Agreement for the long-term care of all on-site and off-site stormwater facilities. The City Council approved the amended and restated agreement which included the dedication of new easements for drainage and utility purposes over this parcel.

Easement Vacation Request

The Applicant is requesting to vacate the existing drainage and ponding easement due to the installation of an underground stormwater retention system as approved within the development plans for this project. The Public Works Director has reviewed the proposed easement vacation and provided a memo in support of the vacation request.

Motion Language Option

Below are motion options for the proposed Vacation of Drainage and Ponding Easement lying within Lot 1, Block 1, Gateway Interstate plat.

1. Approval: Motion to *adopt* Resolution 2022-025 approving a Vacation of Drainage and Ponding Easement lying within Lot 1, Block 1, Gateway Interstate plat.
2. Denial: Motion to *deny* Resolution 2022-025 approving a Vacation of Drainage and Ponding Easement lying within Lot 1, Block 1, Gateway Interstate plat. *The City Council should identify findings to deny should specifically reference the reasons for denial and why those reasons cannot be mitigated.*
3. Table: Motion to *table* Resolution 2022-025 approving a Vacation of Drainage and Ponding Easement lying within Lot 1, Block 1, Gateway Interstate plat. *The City Council should identify a specific reason and/or information request should be included with a motion to table.*

Budget Impact

N/A

Attachments

- A. Resolution 2022-025
- B. Notice of Completion
- C. Presentation