



City of Grand Island

Tuesday, August 25, 2009

Council Session

Item F2

#9230 - Consideration of Vacation of Alley in Block 9 of Rollins Addition (Bank of Doniphan at 518 North Eddy Street)

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: August 11, 2009

Subject: Consideration of Vacation of Alley Between 5th and 6th Streets from Clark Street to Eddy Street in Block 9 of Rollins Addition (Bank of Doniphan at 518 North Eddy Street)

Item #'s: F-2

Presenter(s): Steven P. Riehle, Public Works Director

Background

Council action is required for vacation of a public alley through the passing of an Ordinance. Five Points Bank is considering purchase of the property at 518 North Eddy Street. The Bank of Doniphan has requested the vacation of the public alley to help with traffic flow from the drive thru area of the bank.

Customers generally exit the drive thru of the bank and head east towards Eddy Street. This eastbound traffic in the alley backs up while waiting to turn onto Eddy Street causing conflicts with the drive thru. The volume of eastbound traffic at the alley is significant during the hours the bank is open and conflicts with westbound motorists that want to use the alley creating traffic safety concerns on Eddy Street.

Discussion

The bank has worked with their consulting engineer and city staff for possible solutions to the traffic concerns. All parties agree that it would be desirable for drive thru customers to exit via 5th Street, but we've not been able to come up with a reasonable way to direct traffic towards 5th Street.

Possible solutions with discussion include:

1. Do Nothing: The existing traffic safety concerns will not be addressed. The traffic safety concerns will continue as long as the drive thru window is in-use.

2. Signage or Driveway Changes: Signage and/or modifications to the banks driveway are not believed to be adequate to direct drive thru customers south towards 5th Street.
3. Vacate Alley: The Bank is proposing that the existing alley be vacated and a utility easement be retained for existing utilities in the alley. The adjacent property owners were notified of the banks request to vacate the alley in July. Representatives of the Public Works Department as well as Five Points Bank made personal contact with 5 of the 6 properties adjacent to the alley that would be impacted by the vacation of the alley. They were given a letter advising that the council would consider the bank's request to vacate the alley at the August 25th council meeting. All were asked if they had any objections to the vacation of the alley and none stated objections.

City Staff is concerned with the request for vacating the alley. Although abutting property owners appear to be in support of the vacation, the only public benefit to vacating the alley appears to be for addressing safety concerns.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve or deny.
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

Public Works, Building, Planning and Utility Administration recommend that the Council deny the request for the vacation of the public alley.

Sample Motion

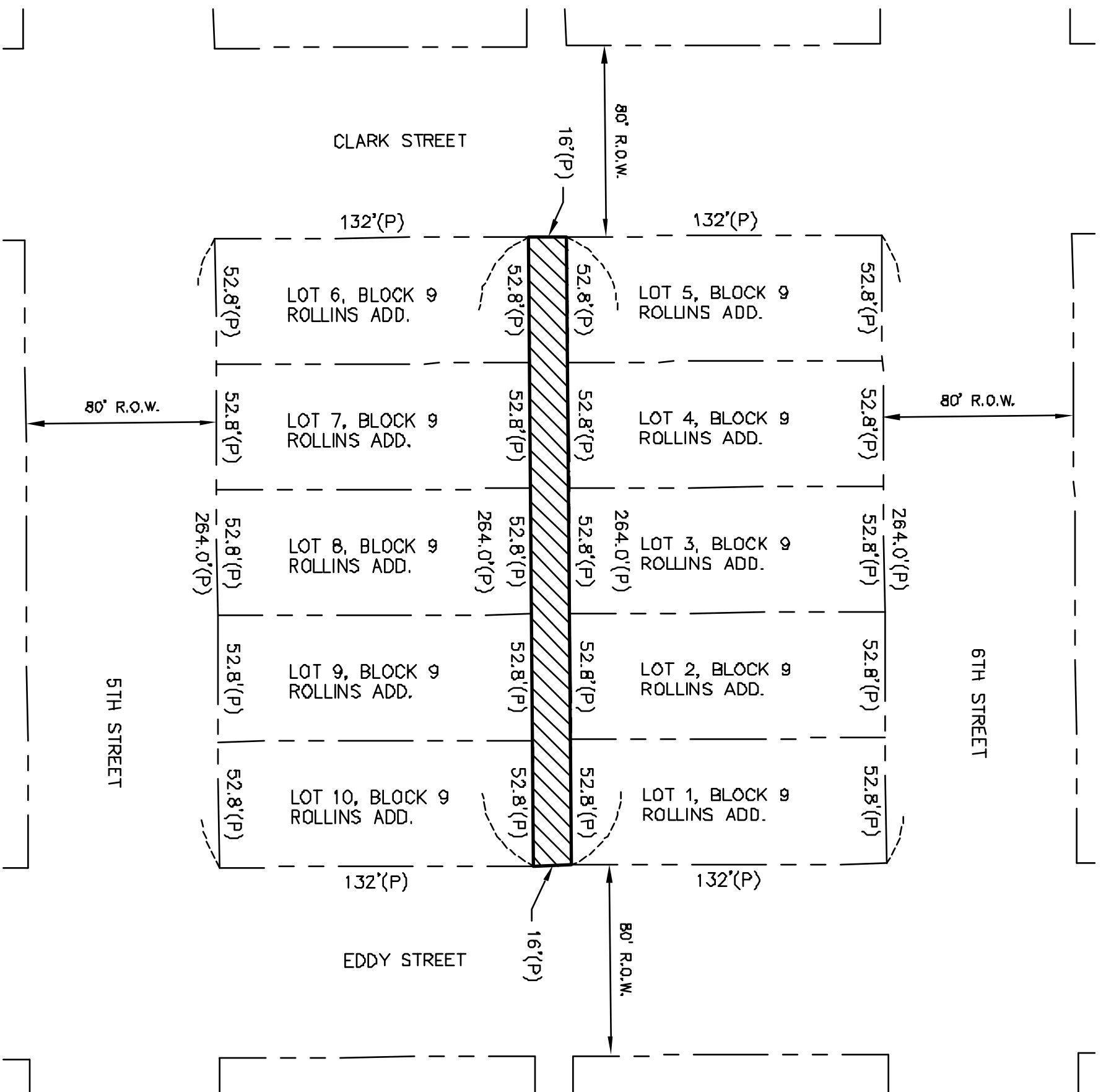
If council does not believe the public interest is served by vacating the alley:

- Move to deny the request for the vacation of the public alley.

If council believes adequate measures are being taken to allow public use of the alley:

- Move to approve the request to vacate the alley.

ALLEY RIGHT OF WAY VACATION



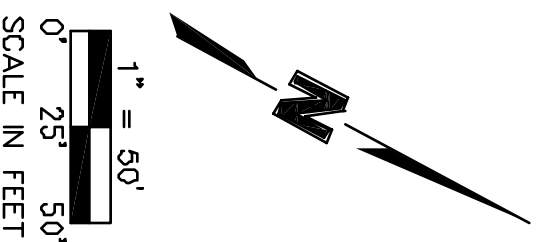
LEGAL DESCRIPTION

A PUBLIC ALLEY RIGHT OF WAY LOCATED IN BLOCK 9 OF ROLLINS ADDITION TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE 16' WIDE BY 264' LONG PUBLIC ALLEY RIGHT OF WAY OF BLOCK 9 OF SAID ROLLINS ADDITION. SAID PUBLIC ALLEY RIGHT OF WAY CONTAINS 4,224.00 SQUARE FEET OR 0.10 ACRES MORE OR LESS.

JAN J. ANDRIST, REGISTERED LAND SURVEYOR NUMBER, LS-630

LEGEND
(P) PLATTED DISTANCE



• THIS SPACE RESERVED FOR REGISTER OF DEEDS •

ORDINANCE NO. 9230

An ordinance to vacate the public alley between Lot One (1), Block Nine (9) and Lot Ten (10), Block Nine (9) in Rollins Addition to Grand Island, Hall County, Nebraska and to provide for filing this ordinance in the office of the Register of Deeds of Hall County; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. That the public alley located in Block Nine (9) in Rollins Addition to Grand Island, Hall County, Nebraska is hereby vacated. A public utility easement shall be retained in the area where the alley is vacated. Such public alley to be vacated is shown and more particularly described on Exhibit A attached hereto.

SECTION 2. The title to the property vacated by Section 1 of this Ordinance shall revert to the abutting properties.

SECTION 3. This Ordinance is directed to be filed in the office of the Register of

Approved as to Form	☐ _____
August 21, 2009	☐ City Attorney

ORDINANCE NO. 9230 (Cont.)

Deeds of Hall County, Nebraska.

SECTION 4. This ordinance shall be in force and take effect from and after its passage and publication, without the plat, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: August 25, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk