

STAFF REVIEW RIGHT-OF-WAY CLOSING

May 6, 2010

2010-03-RWC The Medical Center of Bowling Green has filed an application to close a portion of a 10' alley located off 5th Avenue approximately 150.02' north from High Street. This right-of-way extends east from 5th Avenue approximately 216.18' and has an area of about 2,170 sq ft.

STAFF REVIEW: The applicant, The Medical Center of Bowling Green, has requested this closing for the purpose to build the new CHC Hospitality House. The Medical Center of Bowling Green owns the property on either side of the alley and Ventas Realty Partnership, Ltd. owns property at the end of the proposed right-of-way closing.

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 Jeff Lashlee, Public Works
2. Bowling Green Fire Department, by Edward L. Moody, Assistant Chief – Prevention
No restrictions.
3. Bowling Green Police Department, by Doug Hawkins, Chef of Police
4. Medical Center EMS, by John R. Fathbruckner, Director
5. Sanitation Services, by Bill Ketchum, Operations Manager
6. Bowling Municipal Utilities – Water and Sewer Division, by Rodney Sullivan, Engineering Technician
7. Bowling Green Municipal Utilities - Electric Division, by Chad Spencer, Electric Engineering Supervisor
8. AT&T, by Travis Parsley, OSP Engineering
9. Insight Communications, by Tom Mracek, Project Supervisor
Keep utility easement, if applicable.
10. Atmos Energy, by Byron Oost, Project Specialist

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 streets to be closed was made by applicant;
- (B) Written notice was given to the property owners abutting the streets;
- (C) All property owners abutting the rights-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 this 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.

RIGHT-OF-WAY CLOSING MOTIONS

MOTION TO APPROVE:

I make the motion to **approve** the Right-of-Way Closing, Docket #2010-03-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 #2010-03-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.