



## Legislation Details (With Text)

<b>File #:</b>	21-465	<b>Version:</b>	1
<b>Type:</b>	Consent Agenda	<b>Status:</b>	Agenda Ready
<b>File created:</b>	8/24/2021	<b>In control:</b>	City Council
<b>On agenda:</b>	9/14/2021	<b>Final action:</b>	
<b>Title:</b>	Hold a public hearing and consider an ordinance to close a 25-foot wide by 100-foot long portion of the right-of-way of SE Stafford Avenue, adjacent to Lot 10, Block 12, Industrial Addition.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Ordinance (PSO Closing 301 SE D Ave) 2021-0824, 2. Location Map (PSO Closing 301 SE D Ave) 2021-0728, 3. Council Policy 5-1		

Date	Ver.	Action By	Action	Result
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### ITEM TITLE:

Hold a public hearing and consider an ordinance to close a 25-foot wide by 100-foot long portion of the right-of-way of SE Stafford Avenue, adjacent to Lot 10, Block 12, Industrial Addition.

**INITIATOR:** Richard Rogalski, Deputy City Manager

**STAFF INFORMATION SOURCE:** Richard Rogalski, Deputy City Manager

### BACKGROUND:

On August 10, 2021, City Council voted to set this date to hold a public hearing for a request to close a 25-foot wide by 100-foot long portion of the right-of-way of SE Stafford Avenue, adjacent to Lot 10, Block 12, Industrial Addition. The request has been made by AMG Holding Company LLC, owners of the adjacent property, to accommodate the placement of a new ground mounted transformer by PSO to provide enhanced electrical service for the building. AEP-PSO would be allowed to be install the new transformer at that location in the public right-of-way but have requested this closure in order to obtain an easement specific for their equipment.

On August 14, 2021 notice was mailed to the nine (9) property owners within 300 feet of the requested area and the private utility companies that have rights to our right-of-way. Notice was also published in the Lawton Constitution on September 3, 2021. The Planning Department has received no letters or call regarding this request.

City Council Policy 5-1, regarding the closing of public ways and easements states “Public ways and easements are considered to be held in trust by the City government for the present and/or future use of the people of the City of Lawton. Except when a major development or redevelopment plan previously adopted by the LMAPC (CPC) and approved by the City Council requires closing of a public way or easement, it shall be the policy of the City Council not to approve such closings.” Upon review, staff does not believe that this request meets this

policy and recommends that the City Council deny this request.

**EXHIBIT:**

Ordinance No 21-\_\_\_\_

Location Map

City Council Policy 5-1

**KEY ISSUES:** Closure of this right-of-way is not necessary.

**FUNDING SOURCE:** N/A

**STAFF RECOMMENDED COUNCIL ACTION:** Hold a public hearing and do not approve Ordinance No. 21-\_\_\_\_.