

**Public Hearing**  
**Wednesday, November 16, 2022**  
**Virtual Hearing**  
**Vacation of a portion of Church Street**  
*Between 1725 North Fifth Street and 1704 North Sixth Street*

**Attending:** J. Cepeda-Freytiz, D. Reed, M. Goodman-Hinnershitz, C. Daubert, M. Ventura, O. Chris Miller, L. Kelleher, J. Kelly, W. Heim, B. Davis, J. Skrinkosky, E. Moran – in person and M. Smith, M. Gombar, F. Lachat, G. Bogia, J. Roland, A. Roland - virtually

Council President Cepeda-Freytiz called the hearing to order at approximately 5:02 pm. She asked the Council Solicitor to conduct the hearing.

Mr. Gombar explained that a petition to vacate an unopened street in the 1700 block of Church Street was received and the Third Class City Code requires Council to hold a public hearing to hear a presentation on the proposed vacation, hear public comment and then decide if the vacation ordinance should be considered or if the matter should be closed. He stated that the applicant and his attorney are present and he asked them to make their presentation.

**I. Presentation by the Administration**

Mr. J. Roland, Esq., stated that he represents Joan London, Esq., at this hearing regarding the vacation petition. He noted that Bogia Engineering did the engineering work. He explained that a portion of Church Street bisects the center of the former Vince's Towing four (4) acre property. He stated that this street is unopened (a paper street) and approving the vacation will allow the property to be enjoined. He noted that the street does not connect with adjoining streets on either side.

Mr. J. Roland stated that the party purchasing the property plans to use the property for a car wash and self-storage facility. He stated that the vacation request was reviewed and recommended by the City Planning Commission.

Mr. Bogia called Council's attention to the plan of the area attached to the agenda, showing where the unopened street exists.

In response to a question from Ms. Reed, Mr. Bogia stated that when entering the property from Bern Street, 80% of the unopened street is paved and the portion at the top of the hill on the south side of the property is gravel/grass.

In response to a question from Ms. Reed, Mr. Bogia explained the two (2) existing buildings cover 84% and 67% of the property and the proposed carwash and storage units will cover 89% and 87% of the property. He noted that the carwash will utilize one of the existing buildings. He stated that the carwash is anticipated to service one (1) vehicle per minute; however, storage units always have a lower traffic volume as those who use them generally do not return often after they fill their unit.

Mr. Gobar questioned if there were any objections to entering the agenda packet which includes the hearing ad, posting notices, Planning recommendation, property plan and ordinance. There were no objections.

### **III. Recommendation of Planning Commission & Public Works (No more than 10 minutes)**

Ms. Davis introduced herself as the City Planner. She stated that the Planning Commission reviewed the vacation request at their November 8<sup>th</sup> work session and they recommend approving the request.

In response to a question from Ms. Goodman-Hinnershitz, Ms. Davis stated that Public Works provided input at the November 8<sup>th</sup> session and they have no objection to the recommendation.

### **IV. Council Questions**

There were no additional questions. Ms. Reed noted her support for the vacation.

### **V. Rebuttal from Party Submitting the Request (No more than 10 minutes)**

Mr. J. Roland thanked Council for considering this matter and he asked Council to approve the vacation.

**Ms. Reed moved, seconded by Mr. Daubert, to move the street vacation request forward by introducing the ordinance at the November 28<sup>th</sup> meeting.**

**Yeas: Daubert, Goodman-Hinnershitz, Miller, Reed, Ventura, Cepeda-Freytiz,**

**President - 6**

**Nays: None – 0**

### **VI. Next Steps**

Ms. Cepeda-Freytiz stated that City Council will introduce the ordinance to vacate the 1700 block of Church Street between 1725 North Fifth Street and 1704 North Sixth Street at their hybrid Regular Business meeting scheduled for November 28, 2022 at 7 pm and the enactment of the ordinance will be considered at their hybrid Regular Business meeting scheduled for either December 12 or 19, 2022 at 7 pm.

**Councilor Daubert moved, seconded by Councilor Miller, to adjourn the hearing at approximately 5:20 pm.**

*Respectfully submitted by Linda A. Kelleher CMC, City Clerk*