

City Council Agenda Item Memo

From: Mike Struck, Community Development Director

Council Meeting: May 27, 2025

Subject: Resolution 25-056: vacate a portion of 26th Street South right-of-way east of 22nd Avenue

Presenter: Mike Struck, Community Development Director

Summary and Recommended Action:

Action on a proposed Resolution to vacate a portion of 26th Street South right-of-way east of 22nd Avenue that is not necessary for the public street network. Staff recommends approval.

Item Details:

The City of Brookings received signed petitions from Perelandra, LLC, Terry and Ellen Schwenk, Western Estates MHP, LLC, and Lyle Bowes to vacate that portion of 26th Street South located east of 22nd Avenue. The aforementioned petitioners all are the owners of lots abutting the unimproved 26th Street South right-of-way.

The unimproved right-of-way abuts four lots on the south and an unplatted mobile home park to the north. Lots 1 and 2, Block 1, Bowes Addition are currently undeveloped; however, an application for a building permit has been submitted to construct a residential home. Chapter 22, Building Code, requires curb and gutter to be installed on all sides of the lot adjacent to the public street right-of-way prior to the issuance of the building permit, except for pre-existing public streets which do not have curb & gutter. In this particular instance, a portion of the right-of-way has been dedicated; however, the street improvements have not been completed and as such the street has not been dedicated nor accepted as a public street. The City does not currently maintain the gravel portion of the right-of-way. Due to the lack of curb and gutter, the Community Development Department is unable to issue a building permit.

The segment of right-of-way dedicated is approximately 1,380 feet on the south side and 720 feet on the north. The Development Review Team discussed the petition and is supportive of the request as the segment to be vacated is not deemed essential to the transportation network for the City of Brookings.

Staff and Brookings Municipal Utilities are working with the property owners to secure a utility and access easement for the portion of right-of-way to be vacated for two reasons:

1. Protect existing utilities

2. Satisfy state requirements of platting lots with access to a public right-of-way

Legal Consideration:

N/A

Strategic Plan Consideration:

Fiscal Responsibility: The City of Brookings will responsibly manage resources through transparency, efficiency, equity, and exceptional customer service.

Financial Consideration:

N/A

Supporting Documentation:

Resolution

Notice

Map

Petition