



## Cover Memorandum/Staff Report

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**File #:** 24-1480

**Agenda Date:** 12/10/2024

**Item #:** 6.C.

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**TO:** Mayor and Commissioners  
**FROM:** Anthea Gianniotis, Development Services Director  
**THROUGH:** Terrence Moore, ICMA-CM  
**DATE:** December 10, 2024

ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION ALONG THE WEST AND SOUTH SIDE OF THE PARCEL KNOWN AS 12 NE 5TH AVENUE.

**Recommended Action:**

Review and consider acceptance of a 2-foot right-of-way dedication along the alley on the west and south side of the property and a 10-foot corner clip at the southwest and southeast corner of Lot 7 located at the property addressed as 12 NE 5th Avenue.

**Background:**

On July 24, 2024, the Site Plan and Appearance Board (SPRAB) voted to approve the Level 2 Site Plan application for the construction of one-story 4,420 square foot restaurant with 580 square feet mezzanine for the property located at 12 NE 5th Avenue. The platted alley right-of-way is currently 16 feet wide along the west and south side of the subject property. To meet the minimum requirements for ultimate right-of-way width standards for the both alleys (20 feet), a 2-foot dedication of right-of-way is required to provide half the balance of the remaining 4 feet of width. The right-of-way dedication is a technical requirement as part of the approved project. Furthermore, a dedication of 10 feet by 10 feet triangular area at both intersections of NE 5th Avenue and the south alley and at the intersection the alleys along the west and south side of the subject property.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

N/A

**Timing of Request:**

Recordation of the right-of-way dedication is required prior to issuance of a building permit.