



## Legislation Details (With Text)

**File #:** CPC V 19-00158      **Version:** 2      **Name:**

**Type:** Ordinance      **Status:** Mayor's Office

**File created:** 12/3/2019      **In control:** City Council

**On agenda:** 1/28/2020      **Final action:** 1/28/2020

**Title:** Ordinance No. 20-7 vacating a public right-of-way described as the northern-most ten feet of E. Vermijo Ave. between S. Weber St. and S. Wahsatch Ave. within The Town of Colorado Springs consisting of 0.087 acres.

**Presenter:**  
 Ryan Tefertiller, Manager, Urban Planning Division  
 Peter Wysocki, Director, Planning and Community Development Department

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. VROW\_ORD\_VermijoAvenue, 2. Exhibit A - Vermijo Ave ROW Legal Description, 3. Exhibit B - Vermijo Ave Vacation Plat, 4. Signed Ordinance 20-7.pdf

Date	Ver.	Action By	Action	Result
1/28/2020	1	City Council	finally passed	Pass
1/14/2020	1	City Council	approved on first reading	Pass

Ordinance No. 20-7 vacating a public right-of-way described as the northern-most ten feet of E. Vermijo Ave. between S. Weber St. and S. Wahsatch Ave. within The Town of Colorado Springs consisting of 0.087 acres.

**Presenter:**

Ryan Tefertiller, Manager, Urban Planning Division  
 Peter Wysocki, Director, Planning and Community Development Department

**Summary:**

Applicant: Classic Consulting Engineers and Surveyors, LLC  
 Owner: City of Colorado Springs  
 Location: E. Vermijo Ave. between S. Weber St. and S. Wahsatch Ave.

The applicant, developer, and adjacent land owners request the vacation of northern-most ten feet of E. Vermijo Ave. between S. Weber St. and S. Wahsatch Ave. Vermijo Ave. was platted nearly 150 years ago as a 140 foot wide right-of-way. As the City has designed and developed improved streetscapes for Vermijo a few blocks to the west using a 120 foot wide cross-section, it has been determined that the northern- and southern-most ten feet of the right-of-way should be vacated as adjacent properties are developed. This portion of the right-of-way is not needed for vehicular travel and serve no transportation, access or utility value.

**Background:**

The right-of-way for Vermijo Ave. in the City's core was established nearly 150 years ago as part of the original Town plat. At 140 feet wide, the right-of-way provides ample space for transportation, parking, utility, and drainage purposes. However, the excess width also creates challenges in urban design and public space maintenance. As the City began designing and improving the Vermijo right-of-way a few blocks to the west near the United States Olympic and Paralympic Museum and Hall of Fame, the decision was made that the appropriate width for Vermijo Ave. was 120 feet; this allowed considerable space for vehicles, pedestrians and utility purposes, while also reducing the cost for improvements and maintenance compared to the historic 140 cross section. The additional ten feet of developable space also provides increased development potential for adjacent property owners. Roughly half of the proposed area for vacation is to be developed for an urban residential project on the northwest corner of E. Vermijo Ave. and S. Wahsatch Ave. The development plan and plat for that project are being reviewed administratively.

While all City agencies support the proposed vacation, due to the presence of public sidewalk within the area proposed for vacation, the proposed vacation ordinance will retain public improvement easements over the entirety of the vacated area. These easements can be administratively vacated after new streetscape, including sidewalk is in place within the remaining public right-of-way.

**Previous Council Action:**

N/A

**Financial Implications:**

N/A

**City Council Appointed Board/Commission/Committee Recommendation:**

Per Section 7.7.402.B.2 of the City Code, a request to vacate right-of-way is placed directly onto a City Council agenda for action after review by the administration. No review by a board or commission is required.

**Stakeholder Process:**

Postcards were sent to roughly 120 property owners within a 1,000 foot radius of the subject area shortly after the application was submitted. In addition, a poster was placed in front of the property for the required 10 days. The only input that Staff has received from stakeholders are letters and emails in support from The Downtown Partnership and the adjacent owner to the west.

An additional mailing and posting will be issued before the City Council hearing.

**Alternatives:**

1. Approve the application;
2. Deny the application; or
3. Refer the application back to staff for further consideration.

**Proposed Motion:**

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Adopt an ordinance vacating a portion of City right of way described as the northern-most ten feet of E. Vermijo Ave. between S. Weber St. and S. Wahsatch Ave. within The Town of Colorado Springs consisting of 0.087 acres, based upon the finding that the application complies with the review criteria in City Code Section 7.7.402.C.

An ordinance vacating a public right of way described as the northern-most ten feet of E. Vermijo Ave. between S. Weber St. and S. Wahsatch Ave. within The Town of Colorado Springs consisting of 0.087 acres.