



Legislation Details (With Text)

File #: CPC V 17-00139 **Version:** 2 **Name:**

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

File created: 5/24/2018 **In control:** City Council

On agenda: 7/10/2018 **Final action:** 7/10/2018

Title: Ordinance No. 18-69 vacating portions of a public right-of-way known as Cora Lane consisting of .25-acre located northwest of Palmer Park Boulevard and Cora Lane

(Legislative)

Presenter:
Michael McConnell, Planner II, Land Use Review

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A - Legal Description, 2. Exhibit B - Cora Lane Vacation Plat, 3. Vicinity Map, 4. PlanDev-CoraLaneVacationORD-2018-06-18, 5. Signed Ordinance 18-69

Date	Ver.	Action By	Action	Result
7/10/2018	1	City Council	finally passed	Pass
6/26/2018	1	City Council	approved on first reading	Pass

Ordinance No. 18-69 vacating portions of a public right-of-way known as Cora Lane consisting of .25-acre located northwest of Palmer Park Boulevard and Cora Lane

(Legislative)

Presenter:
Michael McConnell, Planner II, Land Use Review

Summary:
Applicant: Tony Schelling
Owners: Anthony & Penny Schelling
Location: 5330 Palmer Park Boulevard

A portion of Cora Lane within the Crestview Acres (Figure 1) subdivision was platted in El Paso County on September 14, 1956. The right-of-way (Exhibit A and B) was intended for the intersection at Cora Lane and Palmer Park Boulevard. Cora Lane was moved to the current location in 1979. Due to topography and associated safety concerns, the intersection was moved to the East (Figure 2). This placed the intersection at the crest of a hill along Palmer Park Boulevard to provide better visibility. City Traffic Engineering had no comment and does not need this right-of-way. The proposed right-of-way vacation being proposed at 5330 Palmer Park Boulevard will transfer 10,877 square feet of right-of-way to the adjacent owner of 5330 Palmer Park Boulevard.

The applicant then intends to replace and expand an existing wooden retaining wall using shipping containers to stabilize a slope on the property and to provide personal storage. The container wall will be fitted with a metal roof, windows and stucco along the side facing Palmer Park Boulevard. The City will reserve an easement, as part of the vacation ordinance, over the entire .25 acres being vacated until such time that a separate 30' utility easement is conveyed over the existing wastewater main.

Previous Council Action:

On June 26, 2018, this Ordinance was approved on first reading on the Consent Calendar.

Background:

A portion of Cora Lane within the Crestview Acres (Figure 1) subdivision was platted in El Paso County on September 14, 1956. The right-of-way and street of Cora Lane was moved to the current location in December 1979 (Figure 2).

This item supports the City's strategic goal relating to promoting investing in infrastructure. By vacating certain unused rights-of-way the City will have more available resources to focus on existing infrastructure.

Financial Implications:

N/A

Board/Commission Recommendation:

As required by 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:

Upon submittal of the request; public notice was mailed to 208 property owners within a 1,000-foot radius of the subject sites, and the property was posted with the application and contact information. No public comments were received.

All comments received from the review agencies are addressed. Commenting agencies included Colorado Springs Utilities and the City Surveyor. A review was completed by City Traffic Engineering and had no comments regarding this vacation of City right-of-way.

Alternatives:

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

Proposed Motion:

Adopt an ordinance vacating City right-of-way at the northwest corner of Palmer Park Boulevard and Cora Lane based on the finding the request complies with the review criteria in City Code Section 7.7.402.C.

An ordinance vacating portions of a public right-of-way known as Cora Lane consisting of .25-acre located northwest of Palmer Park Boulevard and Cora Lane.

