



## Legislation Details (With Text)

**File #:** CPC V 16-00067      **Version:** 2      **Name:**

**Type:** Planning Case      **Status:** Mayor's Office

**File created:** 12/28/2016      **In control:** City Council

**On agenda:** 1/24/2017      **Final action:** 1/24/2017

**Title:** Ordinance No. 17-3 vacating excess portions of public rights-of-way within Banning Lewis Ranch located near the intersection of Vista Del Flores Street and Vista Del Tierra Drive, and along Dublin Boulevard west of Vista Del Tierra Drive.

(Legislative)

**Presenter:**  
Katie Carleo, Principal Planner, Planning & Community Development  
Peter Wysocki, Director Planning and Community Development

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. ORD\_BLR Village 18 ROW Vacation, 2. EXHIBIT A\_BLR Village 18 ROW Vacation\_Vacation Legal, 3. EXHIBIT B\_BLR Village 18 ROW Vacation\_Vacation Plat, 4. Ordinance 17-3

Date	Ver.	Action By	Action	Result
1/24/2017	1	City Council	finally passed	Pass
1/10/2017	1	City Council	approved on first reading	Pass

Ordinance No. 17-3 vacating excess portions of public rights-of-way within Banning Lewis Ranch located near the intersection of Vista Del Flores Street and Vista Del Tierra Drive, and along Dublin Boulevard west of Vista Del Tierra Drive.

(Legislative)

### Presenter:

Katie Carleo, Principal Planner, Planning & Community Development  
Peter Wysocki, Director Planning and Community Development

### Summary:

Applicant: LAI Design Group

Owner: MREC Oakwood Colorado Ranch LLC

Location: Northwest of the previously platted intersection of Dublin Boulevard and Vista Del Tierra Drive and parallel to Dublin Boulevard.

This project includes two vacation areas; Vista Del Flores Street intersection with Vista Del Tierra Drive and a strip of excess right-of-way along Dublin Boulevard between Banning Lewis Ranch Filing No. 17B and Vista Del Tierra Drive. These portions of right-of-way were originally dedicated with the

Banning Lewis Ranch Filing No. 1 plat in 2005. These roadways are unimproved and with the proposed development of Banning Lewis Ranch Filing No. 18 there is a need for reconfiguration of these surrounding roadways. See the attached Right-of-Way Vacation plat for further details (Exhibit B)

**Previous Council Action:**

On January 10, 2017, City Council passed this item on first reading on the Consent Calendar.

**Background:**

Banning Lewis Ranch Filing No. 1 created in 2005 established all of the proposed public rights-of-way for collector or higher classifications of streets within a large portion of Banning Lewis Ranch. The right-of-way vacations proposed reflect current planning and street standards. As part of this previous plat the intersection was proposed at Vista Del Flores Street and Vista Del Tierra Drive. With the shift in current planning for the overall Banning Lewis Ranch development the proposed Banning Lewis Ranch 18 Development Plan will no longer use this intersection as a street no longer intersects Vista Del Tierra Drive at this location. The adjacent subdivision has been configured to accommodate better access alignment with surrounding roadways and thus the intersection point has shifted. The proposed vacation of right-of-way vacates 0.043 acres of the previously platted intersection that is no longer needed. This portion of vacated right-of-way would then be incorporated into a landscaping tract along Vista Del Tierra Drive.

A portion of Dublin Boulevard was also platted and dedicated in 2005 as part of the Banning Lewis Ranch Filing No. 1 plat. With current proposed development this roadway will be developed per current City standards for street sections. In 2010 the City adopted new street section standards to provide more uniform community wide right-of-way and street width. This proposal will vacate approximately nine feet of excess width along the north side of Dublin Boulevard adjacent to proposed Banning Lewis Ranch Filing No. 18. This request will facilitate accommodation with the new street design criteria. For further details of the project please also reference the associated Project Statement attached. (Figure 1) This portion of vacated right-of-way would then be incorporated into a landscape tract along Dublin Boulevard.

Staff sent plans to the standard internal and external review agencies for comments. All comments received from the review agencies are addressed. Commenting agencies included Colorado Springs Utilities, City Engineering. A review was complete by City Traffic and no concerning comments were raised with these vacations.

This item supports the City's strategic goal of investing in infrastructure. This proposal maintains current City standards for infrastructure development and enhances connectivity in the community.

**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:**

All properties directly contiguous to the proposed vacations, along with any property in over 1000 foot

buffer is owned by one entity. There is not currently any development in this area including any roadway access. The project was posted along the furthest point of public roadway leading to this development for public notice. No concerning comments were received.

**Alternatives:**

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

**Proposed Motion:**

CPC V 16-00067 - Vacation of Right-of-Way

Adopt an ordinance vacating City right-of-way for Vista Del Flores Street intersection with Vista Del Tierra Drive and excess right-of-way along Dublin Boulevard 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 consisting of 0.043 acres located at the intersection of Vista Del Flores Street and Vista Del Tierra Drive and portions of excess right-of-way consisting of 0.145 acres located along Dublin Boulevard.