



## Legislation Details (With Text)

**File #:** CPC V 21-00060      **Version:** 2      **Name:** ONE High Rise Vermijo

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

**File created:** 7/6/2021      **In control:** City Council

**On agenda:** 8/24/2021      **Final action:** 8/24/2021

**Title:** Ordinance No. 21-67 vacating a portion of a public right-of-way described as the southern-most ten feet of West Vermijo Avenue between Sahwatch Street and South Cascade Avenue as platted within Addition No. 1 to the Town of Colorado Springs consisting of 0.092 of an acre. (LEGISLATIVE)

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

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD\_VROW\_ONEHighRise, 2. Exhibit A - ONE High Rise\_Vacation Legal Description, 3. Exhibit B - ONE High Rise Vermijo Depiction

Date	Ver.	Action By	Action	Result
8/24/2021	1	City Council	finally passed	Pass
8/10/2021	1	City Council	approved on first reading	Pass

Ordinance No. 21-67 vacating a portion of a public right-of-way described as the southern-most ten feet of West Vermijo Avenue between Sahwatch Street and South Cascade Avenue as platted within Addition No. 1 to the Town of Colorado Springs consisting of 0.092 of an acre. (LEGISLATIVE)

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**Summary:**

Applicant: Tryba Architects  
Owner: City of Colorado Springs  
Developer: Kevin O’Neil representing 310 Cascade LLC  
Location: The south edge of W. Vermijo Ave. between Sahwatch St. and S. Cascade Ave.

The applicant, developer and owners of the adjacent parcels request the vacation of the southern-most 10 feet of W. Vermijo Ave. right-of-way between Sahwatch St. and S. Cascade Ave. The existing right-of-way was platted roughly 150 years ago and is 140 feet wide. The request is consistent with the City’s recently installed streetscape designs for the roadway which were based on

a 120-foot cross section. This portion of the right-of-way is not needed for vehicular travel and serves 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 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. Planning Staff expects to receive applications for multiple high-density, mixed-use projects on the adjacent private land to the south of the vacation in the near future.

While all City agencies support the proposed vacation, due to the presence of underground utilities within the area proposed for vacation, the proposed vacation ordinance will retain public utility easements over the entirety of the vacated area. These easements can be administratively vacated after the utilities have been relocated into the adjacent public right-of-way.

**Previous Council Action:**

On August 10, 2021, the City Council approved this ordinance on first reading on the Consent Calendar.

**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 74 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 stakeholder input that Staff has received was an email in support of the application from The Downtown Partnership. An additional mailing and posting will be issued before the City Council hearing.

The application was sent to the standard internal and external agencies for review and comment. Review comments received have been addressed. Internal review agencies for this project included City Traffic, City Engineering, City Fire Department, Stormwater, Streets, Floodplain, El Paso County Planning and Colorado Springs Utilities.

**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 public right of way described as the southern-most ten feet of E. Vermijo Ave. between Sahwatch Street and South Cascade Avenue as platted within Addition No. 1 to the Town of Colorado Springs consisting of 0.092 of an acre, based upon the finding that the application complies with the review criteria in City Code Section 7.7.402.C.

An ordinance vacating a portion of public right of way described as the southern-most ten feet of E. Vermijo Ave. between Sahwatch Street and South Cascade Avenue as platted within Addition No. 1 to the Town of Colorado Springs consisting of 0.092 of an acre.