



## Legislation Text

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**File #:** 15-00667, **Version:** 2

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Ordinance No. 15-87 vacating the alley between 1206 Milky Way and 1109 Northstar Drive consisting of 2,240 square feet.

(Legislative Matter)

**From:**

Peter Wysocki, Planning and Development Director, Planning and Development Department

**Summary:**

Applicant: City of Colorado Springs

Owner: City of Colorado Springs

Location: The alley between 1206 Milky Way and 1109 North Star Drive

The City of Colorado Springs is requesting to vacate a public alley between 1206 Milky Way and 1109 North Star Drive (Figure 1). The 16 foot wide public alley was platted between the two (2) properties, but the alley was never constructed and dead ends into Cresta Open Space.

**Previous Council Action:**

Not applicable.

**Background:**

The alley was originally platted as part of Skyway Park Addition No. 3 (Figure 2) in 1953. This plat has a number of alleys (similar to the alley under review) that extend from the street to the rear of the property, but do not connect to another public alley. Each lot is platted with a 7.5 foot rear yard easement, which would total 15 feet when two (2) lots back to each other.

The alley under review terminates into the Cresta Open Space. It appears that when Skyway Park Addition No. 3 was originally platted there was a potential for North Star Drive and the subject alley to extend to the west to an adjacent subdivision. With the establishment of Cresta Open Space, the City has determined that no future development is feasible to the west; therefore, no alley connections will be needed in the future.

The City Parks and Recreation Department has adequate access to Cresta Open Space via North Star Drive and does not need any additional access via the alley under review.

The right-of-way proposed for vacation is not necessary for City transportation or City utility purposes and will not adversely affect access to surrounding lots and meets all the review criteria for an alley vacation request.

**Financial Implications:**

Not applicable.

**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:**

Public notice was provided to 44 property owners. Staff received a phone call from both adjacent property owners, 1206 Milky Way and 1109 Northstar Drive. Neither property owner objected to the vacation.

**Alternatives:**

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

**Proposed Motion:**

AR V 15-00091 - Vacation of Right-of-Way

Approve the vacation of the right-of-way for the alley between 1206 Milky Way and 1109 Northstar Drive, based on the finding the request complies with the review criteria in City Code Section 7.7.402.C (Review Criteria for the Vacation of Right-of-Way).

An ordinance vacating the alley between 1206 Milky Way and 1109 Northstar Drive consisting of 2,240 square feet.