City Council Communication

AGENDA DATE: April 7, 2025

LEGISTAR ITEM #: V25-0001

SUBMITTED BY: Nic Berry Development

DEPARTMENT: Community

☒Ordinance	☐Resolution	☐Presentation
☐Admin Business	☐Public Hearing	☐Other

REQUEST

Ordinance V25-0001, if approved vacates an easement located at the southwest corner of E 104th Avenue and Peoria Parkway. The request is being made by Revesco Properties in conjunction with the development of the site.

BACKGROUND

Revesco Properties is proposing a commercial development at the southwest corner of E. 104th Ave and Peoria Parkway. The 22.2 acre site is currently being subdivided to support the development of a QuikTrip gas station/convenience store. Other future users are not currently known. As part of the subdivision, new access points and internal circulation are being established eliminating the need for the existing easement.

In 2007, the subject easement was dedicated to the City for the development of a Regional Transportation District (RTD) Park-N-Ride. A temporary station was started operations in 2010 and has continued on a month-to-month lease. RTD is aware of the proposed vacation and termination of lease. RTD provided a letter stating they will work with the developer and the City to find a new Park-N-Ride location to service this area.

Per Section 21-3233 (3b) of the Land Development Code a vacation application may be approved if:
1) The vacation is consistent with the comprehensive plan and any other applicable city-approved plan;

2) The land to be vacated is no longer necessary for the public use and convenience; 3) The vacation will not create any landlocked properties; 4) The vacation will no render access to any parcel unreasonable or economically prohibitive; 5) The vacation will not reduce the quality of public services to any parcel of land; and 6) A separate plat to replat the vacated area into a larger, usable piece of land has been submitted. Please see the staff report for criteria analysis. Planning Commission reviewed the request and recommends approval. Staff is also recommending approval with a condition that the vacation is effective upon recordation of the Turnberry Filing 2, 1st Amendment subdivision plat. The condition is included in Ordinance V25-0001.

FINANCIAL IMPACT

Contractor	N/A
Amount of Request/Contract	$N/A
Amount Not To Exceed	$N/A
Amount Budgeted	$N/A
Budget Year	FYN/A
Funding Source	N/A
Additional Funds Needed	$N/A
Funding Source (if funds needed)	N/A

PROJECT TIMELINE

Estimated Start Date	**Estimated End Date**
N/A	N/A
Years and Months of Contract	**Number of Times Renewable**
N/A	N/A

JUSTIFICATION

☐Council Goal	☐Strategic Plan	☐Work Plan	☒Legal
Citation	Charter Section 4.14 gives the City the authority to transfer property rights and Section 21-3233 of the		

	Land Development Code which governs the vacation of vacation of rights-of-way and easements.

BOARDS & COMMISSIONS ASSIGNED

Board or Commission	Planning Commission
Recommendation	5-0 Approval
Date of Recommendation	March 4, 2025

PUBLIC OUTREACH

None, other than standard referrals and standard public hearing notice requirements.

AVAILABLE ACTIONS

- Available Action #1: Approve Ordinance V25-0001, which approves the vacation and assures that the new access easements are in place.
- Available Action #2: Do not approve Ordinance V25-0001, which will keep the existing easement in place and require the developer to revise their plan to include the use of the easement.

STAFF RECOMMENDATION

Both Staff and Planning Commission recommend Available Action #1, approving the requested easement vacation