Revesco Vacation Case #V25-0001

March 4, 2025

Commerce CITY

Request Summary

What is a Vacation?

- A vacation is used to eliminate public rights-of-way or easements that are no longer needed.
- Actual development details will be reviewed with a development plan.
- Vacations of Active Rights-of-Way and Easement are heard by PC and CC

What is City Council deciding?

- Whether or not the access easement is still needed for public use, and subsequently should or should not be vacated.

Aerial

Vicinity/Zoning Map

Case Summary

- Location: West of Peoria Parkway between E 104th and Xcel Power Lines.
- Request: Revsco Properties is requesting to vacate an access easement, commonly known as East 103rd Place, which is approximately 886 feet in length extending.
- Concurrent Case: S24-0014, PUDP24-0010 and PUDP24-0018

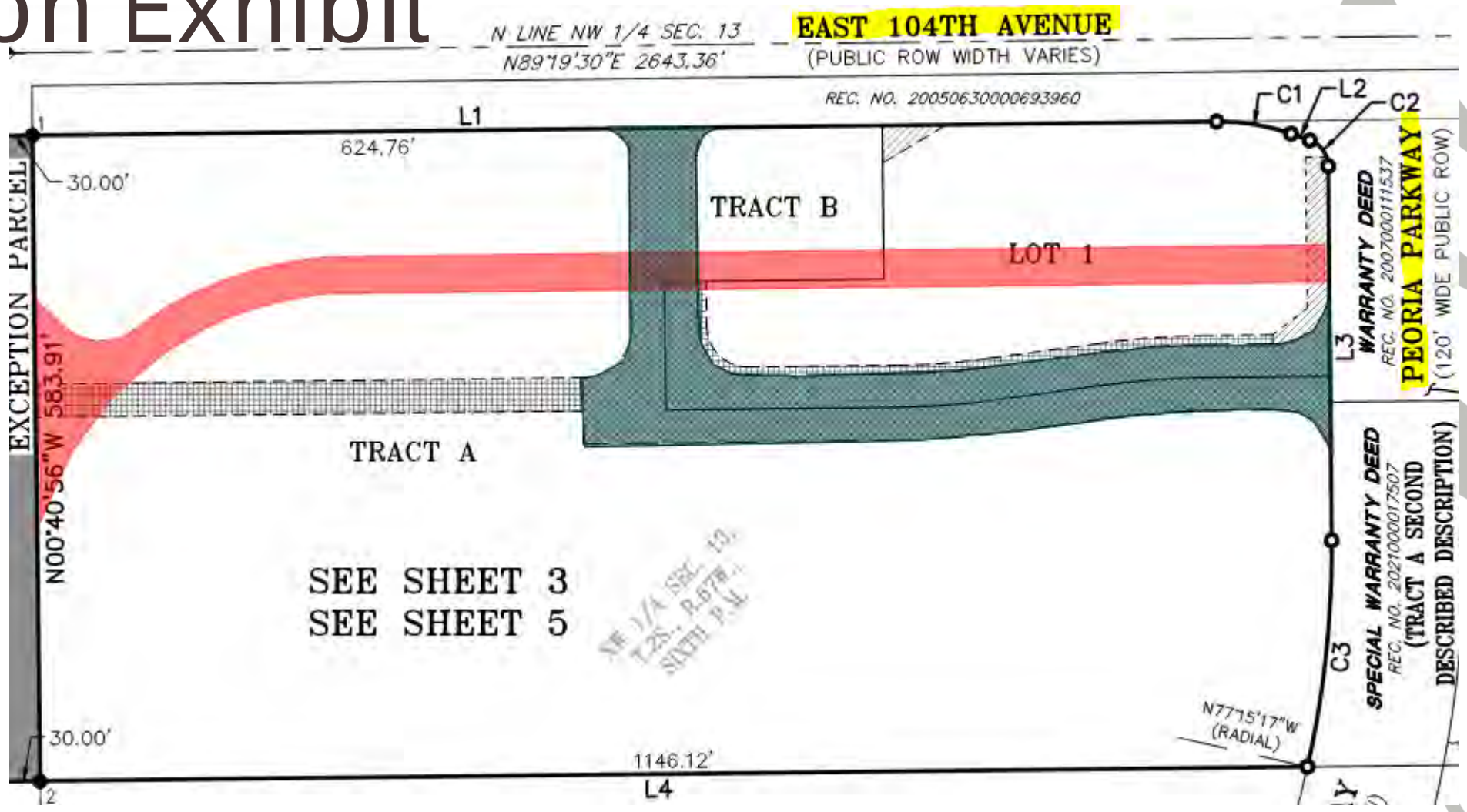
Project Analysis

- Site Overview
  - Unimproved dirt road know as E 103rd Place.
  - New access easement will replace the functions of the easement.
    - Dedicated by S24-0014
- Road Network Impacts/ Traffic
  - Current easement only connects to Peoria Parkway
  - Future Easement will connect to Peoria Parkway and E. 104th Avenue.
  - Future Access will shift 50 feet south creating greater spacing from E 104th Avenue.

History of RTD Park-N-Ride

- Turnberry Filing 2 was approved in 2005 (original plat)
- In 2007, a temporary easement was granted to the City.
  - This easement allowed for the development of the temporary RTD Park-N-Ride.
- Since construction, RTD has operated on site with a month-to-month lease.
- The developer and RTD are in discussions to maintain parking to service along the 104L route.

Vacation Exhibit



Public Comment

- No public comments have been received as of April 7, 2025

Planning Commission Recommendation

- On March 4, 2025 the Planning Commission heard this request.
  - Vote of 5-0 to recommend approval

Staff Recommendation

- Staff recommends that the Council enter a finding that the Vacation meets the Approval Criteria and recommends approval of the vacation with one condition.
    1. Recordation of final plat Turnberry Filing 2, Amendment 1 associated with case number S24-0014.

Considerations for Discussion

- The final plat, Turnberry Filing 2, Amendment 1, creates a new traffic pattern, which is more connected to existing roadways and a safer access point on Peoria Parkway.
- Vacation of this easement will allow for future development at the corner of E. 104th Avenue and Peoria Parkway.

Approval Criteria

Approval Criteria. An application may be approved if:

- Criteria (i): The vacation is consistent with the comprehensive plan and any other applicable city-approved plan;
- Criteria (ii): The land to be vacated is no longer necessary for the public use and convenience;
- Criteria (iii): The vacation will not create any landlocked properties;
- Criteria (iv): The vacation will not render access to any parcel unreasonable or economically prohibitive;
- Criteria (v): The vacation will not reduce the quality of public services to any parcel of land; and;
- Criteria (vi): A separate plat to replat the vacated area into a larger, usable piece of land has been submitted:

Staff is available to answer to questions.

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Approval Criteria

Approval Criteria. An application may be approved if:

- Criteria (i): The vacation is consistent with the comprehensive plan and any other applicable city-approved plan;
- The proposed vacation is consistent with the Comprehensive Plan and will allow for future infill development.
- Criteria (ii): The land to be vacated is no longer necessary for the public use and convenience;
- The easement to be vacated is used to access the temporary RTD station. The creation of a new access easement will mitigate any impacts from the vacation of this access easement.
- Criteria (iii): The vacation will not create any landlocked properties;
- This vacation request will not have any impact to access of surrounding properties and no properties will become landlocked as a result.

Approval Criteria (2)

Approval Criteria. An application may be approved if:

- Criteria (iv): The vacation will not render access to any parcel unreasonable or economically prohibitive;
- The proposed vacation will not render access to any parcel unreasonable. Further, as Tract A (S24-0014) is developed the access easement will be extended to create access for future lots.
- Criteria (v): The vacation will not reduce the quality of public services to any parcel of land; and;
- There is no reason to believe that the quality of public services to any parcel of land will be impacted by the proposed vacation of right-of-way.
- Criteria (vi): A separate plat to replat the vacated area into a larger, usable piece of land has been submitted:
- A separate plat (S24-0014) is in the approval process, which includes the vacated easement into usable parcels.