



## Legislation Details (With Text)

<b>File #:</b>	V-89-21	<b>Version:</b>	1	<b>Name:</b>	AN ORDINANCE VACATING VARIOUS RIGHTS-OF-WAY ON THE PROPERTY DESCRIBED ON EXHIBIT A ATTACHED HERETO AND MADE PART THEREOF CONSISTING OF A PORTION OF 104TH AVENUE AND REVERE STREET CITY OF COMMERCE CITY, COLORADO.
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed		
<b>File created:</b>	11/3/2020	<b>In control:</b>	City Council		
<b>On agenda:</b>	1/4/2021	<b>Final action:</b>	1/4/2021		
<b>Title:</b>	AN ORDINANCE VACATING A PORTION OF PEORIA STREET RIGHT-OF-WAY SOUTH OF 104TH AVENUE IN THE TURNBERRY SUBDIVISION, COMMERCE CITY, COLORADO.				

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Ordinance - Final, 2. Ordinance, 3. Staff Presentation, 4. Applicants Presentation, 5. Vicinity Map, 6. Staff Report, 7. Peoria Street Vacation Plat, 8. Planning Commission Minutes

Date	Ver.	Action By	Action	Result
1/4/2021	1	City Council	approved on second & final reading	
12/21/2020	1	City Council	introduced by council as seated and approved on first reading	Pass

AN ORDINANCE VACATING A PORTION OF PEORIA STREET RIGHT-OF-WAY SOUTH OF 104TH AVENUE IN THE TURNBERRY SUBDIVISION, COMMERCE CITY, COLORADO.

### Summary and Background Information:

The applicant is proposing to vacate the existing unimproved Peoria Street, south of the Xcel Transmission Lines and extending south approximately 1787 feet to the southern boundary of Turnberry. Peoria Street will then be replatted and realigned to the east to curve up from the existing Peoria Street alignment up to the Revere Street alignment at E. 104<sup>th</sup> Avenue. The current Peoria Street alignment will be absorbed and replatted into Turnberry Filing #5 (S-711-18-21). The applicant has contracted a licensed land surveyor to prepare plats according to state and local requirements. This proposed vacation is consistent with the specific vacation criteria found in the city's codes. This realignment of Peoria Street has been identified in all the Turnberry PUD Zone Documents going back to 1999. Vacating this old ROW will help develop the southern part of Turnberry in an orderly and purposeful way for future redevelopment.

Finally, the applicant believes this vacation request is in conformance with the City's adopted This Comprehensive Plan and Transportation Master Plan.

The applicant has concurrently applied for a subdivision request for Filing #5 (S-711-18-21) to bring the property into a fully entitled and developable state. Referral agencies including South Adams Fire Protection District, Tri-County Health Department, US Army, local utility providers, and various city departments have reviewed the proposal and are working with the applicant to address all comments.

The proposed vacation plat will meet all City requirements. Approval of this vacation plat will allow for the continued development of this planned community. *Please see attached Planning Commission minutes for detailed background and discussion*

**Staff Responsible (Department Head):** Jason Rogers, Community Development Director

**Staff Member Presenting:** Steve Timms, Planning Manager

**Financial Impact:** N/A

**Funding Source:** N/A

**Planning Commission Recommendation:** On December 1, 2020, the Planning Commission held a public hearing, took testimony, and voted (5 - 0) to forward the vacation plat request to City Council with a recommendation for approval, subject to the findings of fact.

**Suggested Motion(s):**

Option 1. To approve the requests as submitted by the applicant with the following condition: This subdivision plat approval is based on the subsequent final approval of the Vacation Plat referenced in case V-89-21. If, for any reason, the Vacation Plat is not approved in second reading, then this subdivision plat approval will become null and void and may not be recorded

Option 2. To approve the Subdivision request subject to the following conditions (to include the above condition)

Option 3. To deny the request