



Legislation Text

File #: Ord 2153, **Version:** 1

AN ORDINANCE VACATING A NON ACTIVE UTILITY EASEMENT FOR THE PROPERTY DESCRIBED ON EXHIBIT “A” ATTACHED HERETO AND MADE A PART HEREOF CONSISTING OF A PORTION OF LOT 3 OF THE HOGAN COMMERCIAL SUBDIVISION FILING NO. 7, CITY OF COMMERCE CITY, COLORADO

Summary and Background Information:

The existing property is approximately 1.01 acres in size and currently zoned PUD. The applicant is requesting to vacate a non-active utility easement on the north end of the lot. This property was originally platted as a tract in 2007 as part of Hogan Commercial Subdivision Filing 1, and platted as a lot in 2016 as part of Hogan Commercial Subdivision Filing 7. At the time that both subdivisions were approved, the utility easement in question was in place, and no end users were identified. The site is currently undeveloped, but cases AU-1745-17 and D-343-17 were approved in August for a 5,069 square foot automotive service facility (Christian Brothers Automotive). The proposed placement of the building currently conflicts with the location of the utility easement.

Land Development Code Section 21-3233 requires that non-active utility easements that are dedicated to the city, be vacated either by plat or ordinance. The applicant is choosing to vacate this easement via ordinance. The city received five letters of no objection from Century Link, Comcast, South Adams County Water & Sanitation District, United Power, and Excel, stating that no utilities exist within this portion of the easement that would provide a conflict.

Staff Responsible (Department Head): Chris Cramer, Director of Community Development

Staff Member Presenting: Domenic Martinelli, City Planner

Financial Impact: N/A

Funding Source: N/A

Staff Recommendation:

Approval