

DATE: March 15, 2011
STAFF: Sheri Langenberger

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

13

SUBJECT

Second Reading of Ordinance No. 028, 2011, Vacating Right-of-way as Dedicated On the Plat of the Griffin Plaza Subdivision.

EXECUTIVE SUMMARY

In 1977, the Griffin Plaza Subdivision, located south of Prospect Road and west of College Avenue, platted several lots and a public street extending into the site named Tamasag Drive. Although development did occur on the two lots adjacent to Prospect Road, Tamasag Drive was never constructed as anything more than a driveway. This Ordinance, unanimously adopted on First Reading on March 1, 2011, authorizes the vacation of Tamasag Drive as requested by the property owner.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

ATTACHMENTS

1. Copy of First Reading Agenda Item Summary - March 1, 2011
(w/o attachments)

DATE: March 1, 2011
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AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

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SUBJECT

First Reading of Ordinance No. 028, 2011, Vacating Right-of-way as Dedicated On the Plat of the Griffin Plaza Subdivision.

EXECUTIVE SUMMARY

In 1977, the Griffin Plaza Subdivision, located south of Prospect Road and west of College Avenue, platted several lots and a public street extending into the site named Tamasag Drive. Although development did occur on the two lots adjacent to Prospect Road, Tamasag Drive was never constructed as anything more than a driveway. The property owner at the southeast corner of Tamasag Drive and Prospect Road (former Gasamat site) has requested the vacation of Tamasag Drive. The owner of this parcel is considering redeveloping the site, but an application for development has not been submitted.

BACKGROUND / DISCUSSION

The property that Tamasag Drive would serve is currently owned by three different property owners, one owning the lot at the southwest corner of Prospect Road and Tamasag Drive, the second owning the southeast corner of Prospect Road and Tamasag Drive (the applicant), and the third owner owning the remaining lots. Since all of the lots not along Prospect Road are owned by one owner, the vacation of this roadway does not impact the ability to develop or provide adequate access to this property in the future.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

PUBLIC OUTREACH

The adjacent property owners have been contacted regarding this vacation and have no objections. All public and private utilities have been notified of the proposed vacation and they report no objections, provided the area is retained as an access and utility easement. With this ordinance, the entire area proposed to be vacated will be retained as an access, emergency access, drainage, and utility easement.

ATTACHMENTS

1. Location map

COPY

ORDINANCE NO. 028, 2011
OF THE COUNCIL OF THE CITY OF FORT COLLINS
VACATING RIGHT-OF-WAY AS DEDICATED
ON THE PLAT OF THE GRIFFIN PLAZA SUBDIVISION

WHEREAS, the plat of Griffin Plaza Subdivision included dedication to the public of right-of-way for Tamasag Drive; and

WHEREAS, SeaSpan LLC has requested that the City vacate this right-of-way; and

WHEREAS, said portion of right-of-way is no longer necessary or desirable to retain for street purposes; and

WHEREAS, pertinent City agencies and private utility companies have been contacted and reported no objection to the proposed vacation, provided that an access, emergency access, drainage, and utility easement be reserved unto the City; and

WHEREAS, the right of the residents of the City will not be prejudiced or injured by the vacation of said street right-of-way; and

WHEREAS, the City shall have no duty to maintain the existing or any future driveway located on the vacated parcel.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that Tamasag Drive street right-of-way, more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference, is hereby vacated, abated and abolished, reserving the same unto the City as an access, emergency access, drainage, and utility easement.

Introduced, considered favorably on first reading, and ordered published this 1st day of March, A.D. 2011, and to be presented for final passage on the 15th day of March, A.D. 2011.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 15th day of March, A.D. 2011.

Mayor

ATTEST:

City Clerk