



**PLANNING AND DEVELOPMENT DEPARTMENT
MEMORANDUM 13-11**

DATE: April 22, 2013
TO: Honorable Mayor Joyce Downing and City Council Members
FROM: David Willett, Acting City Manager 
Brook Svoboda, Director of Planning and Development 
SUBJECT: CB-1799; Ordinance Vacating Community Center Drive

BACKGROUND

Attached to this memo is a proposed ordinance, which if approved, would vacate Community Center Drive. The Planning Commission's consideration of the Preliminary & Final Subdivision includes reference to the approval of the vacation of Community Center Drive. Staff presented the Preliminary Subdivision application to the Planning Commission through a Public Hearing at the April 2nd (Preliminary) and the Final Subdivision consideration is scheduled for the April 30, 2012 Meeting.

Community Center Drive will be incorporated into the development of a retail center because it is not practical for the City to maintain and service (plow) a drive lane within a shopping center parking area as a public street.

The City's Zoning Ordinance gives authority to the Planning Commission for approval of vacations; however, upon review with the City Attorney, the vacation is being presented to Council for ratification for the purpose of consistency with Colorado Revised Statutes.

BUDGET/TIME IMPLICATIONS:

This request has no budgetary impacts.

POTENTIAL OBJECTIONS:

No objections from the public were heard at the Planning Commission meeting

RECOMMENDATION

Staff recommends Council approve CB-1799

STAFF REFERENCE

Brook Svoboda, Director of Planning and Development bsvoboda@northglenn.org or 303.450.8937

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1799
Series of 2013

Series of 2013

A BILL FOR AN ORDINANCE VACATING COMMUNITY CENTER DRIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN,
COLORADO, THAT:

Section 1. Pursuant to C.R.S. § 43-2-303 and Article 51 of Chapter 11 of the City of Northglenn Municipal Code, the City of Northglenn hereby vacates Community Center Drive as more particularly described in **Exhibit A**, which is attached hereto and incorporated by this reference.

Section 2. Pursuant to C.R.S. § 43-2-303(3), all easements located within the property described in **Exhibit A** are hereby reserved for continued use.

Section 3. Title is and shall be vested to the adjacent property owner in accordance with C.R.S. § 43-2-302(1). Provided however, this Ordinance shall not be deemed effective until the final plat for the Webster Lake Promenade Subdivision has been recorded, at which point the City Clerk is hereby directed to record this Ordinance with the Office of the Adams County Clerk and Recorder.

INTRODUCED, READ AND ORDERED POSTED this ____ day of _____,
2013.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____,
2013.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney