

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

NO. CB-1799  
Series of 2013

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

A PUBLIC HEARING WILL BE HELD ON CB-1799, SERIES OF 2013, ENTITLED "A BILL FOR AN ORDINANCE VACATING COMMUNITY CENTER DRIVE" ON MAY 13, 2013 AT 7:00 P.M., CITY HALL COUNCIL CHAMBERS, 11701 COMMUNITY CENTER DRIVE, NORTHGLENN.

DATED this 22<sup>nd</sup> day of April, 2013.

  
\_\_\_\_\_  
JOYCE DOWNING  
Mayor

ATTEST:



  
\_\_\_\_\_  
JOHANNA SMALL, CMC  
City Clerk

AFFIDAVIT OF POSTING:

I, \_\_\_\_\_, certify that CB-1799 was posted at the authorized posting places in the City of Northglenn this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Deputy City Clerk

**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

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**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 2<sup>nd</sup> (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](mailto: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 Colo. Rev. Stat. §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 hereby vested to the adjacent property owner in accordance with C.R.S. § 43-2-302(1).

INTRODUCED, READ AND ORDERED POSTED this 22<sup>nd</sup> day of April, 2013.

  
\_\_\_\_\_  
JOYCE DOWNING  
Mayor

ATTEST:

  
\_\_\_\_\_  
JOHANNA SMALL, CMC  
City Clerk

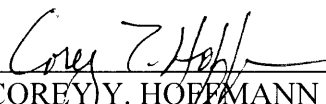
PASSED ON SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_,  
2013.

\_\_\_\_\_  
JOYCE DOWNING  
Mayor

ATTEST:

\_\_\_\_\_  
JOHANNA SMALL, CMC  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
COREY Y. HOFFMANN  
City Attorney