



Meeting Date: October 21, 2025

## **AGENDA MEMORANDUM**

**To:** Honorable Mayor and Members of Town Council

**From:** Tara Vargish, PE Director of Development Services  
Sandy Vossler, Senior Planner, Development Services

**Title:** **Ordinance No. 2025 – xxx: An Ordinance Vacating Certain Right-of-Way Located Within the Northwest ¼ of Section 11, Township 8 South, Range 67 West of the 6<sup>th</sup> P.M., Town of Castle Rock, County of Douglas, State of Colorado** (Adjacent to 401 Prairie Hawk Drive, 0.42 acres)

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### **Executive Summary**

Confluence Companies is proposing construction of the Brickyard mixed-use development located west of Prairie Hawk Drive and south of Topeka Way (Figure 1 and Attachment A). Town Council approved the Brickyard Planned Development and Zoning Regulations in February, 2025 and the Site Development Plan on October 7, 2025.

Upon the completion of the property line survey for the project, it was determined that the Prairie Hawk Drive right-of-way (ROW) was not uniform along the Brickyard frontage. In order to construct the building, parking garage and detention pond in Planning Area 3, as designed, Confluence Companies is requesting vacation of a portion of Prairie Hawk Drive ROW.

Staff recommends approval of the Ordinance granting the Right-Of-Way Vacation request (Attachment B).

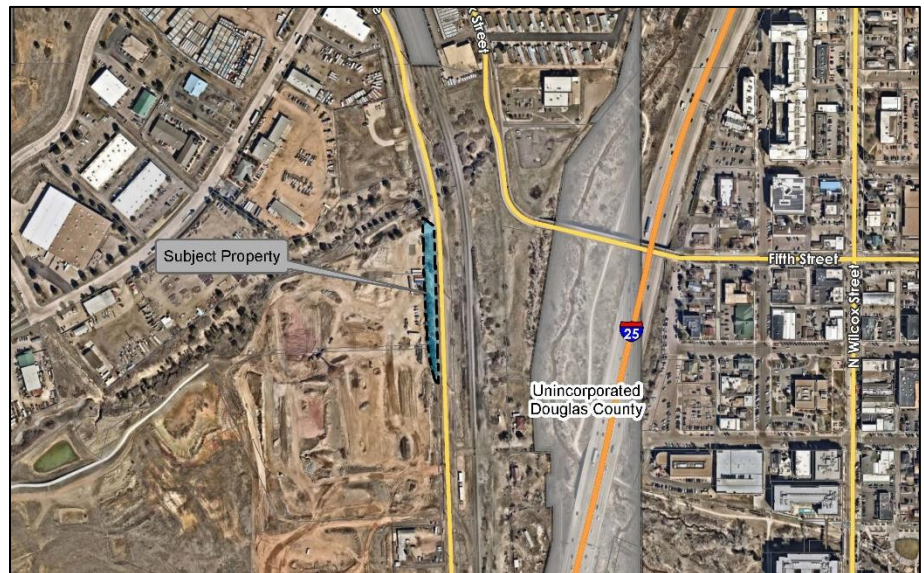


Figure 1: Vicinity Map

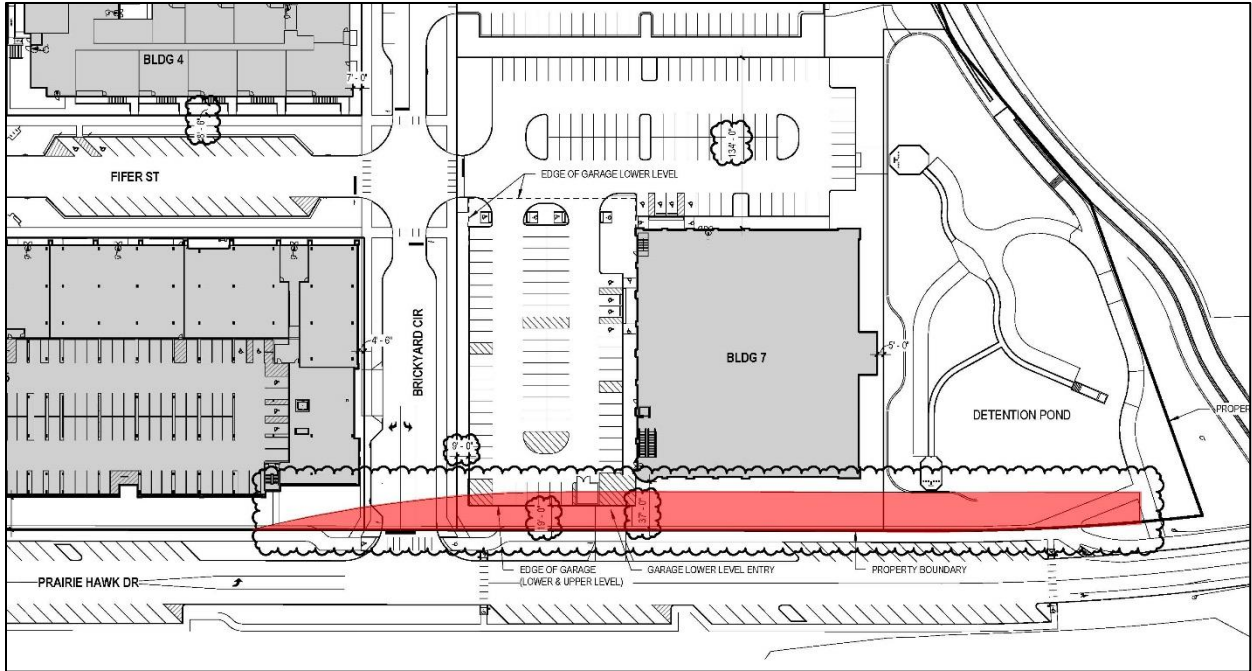


Figure 2: Brickyard Site Development Plan and Right-of-Way Segment

### **Background**

The subject parcel is approximately 0.42 acres and extends approximately 690 feet along the Brickyard frontage (Figures 2 and Attachment C). Prairie Hawk Drive is unimproved south of Topeka Way. The parcel for vacation is located outside of the current roadway (Figure 3) and the future Prairie Hawk Drive improvements will include curb, gutter, sidewalk and angled parking.



Figure 3: NearMap View of Prairie Hawk Drive and Parcel to be Vacated

The proposed vacation provides for a consistent ROW line on the west side of Prairie Hawk Drive and allows for Confluence Companies to construct the planned building, parking garage and detention improvements.

## **Discussion**

### **Existing Conditions and Future Improvements**

Prairie Hawk Drive extends from Wolfensberger Road, south approximately 1 mile to a dead-end beyond the Brickyard frontage. The roadway is paved from Wolfensberger Road to the northern boundary of the Brickyard property. Along the Brickyard frontage south the terminus, the roadway is unpaved. The current ROW width varies from approximately 114 feet at Wolfensberger Road and narrows to 80 feet at the southern boundary of the Brickyard frontage. At the widest point, the subject parcel is approximately 25 feet. The width of the ROW inclusive of the subject parcel is approximately 108 feet.

The Brickyard Development Agreement obligates Confluence Companies to reconstruct Prairie Hawk Drive from Wolfensberger to the southern boundary of the Brickyard project. The improved roadway will have 72 foot right-of-way profile that will include curb, gutter, sidewalk, and street lighting. On-street parking spaces will be added adjacent to the Brickyard. Vacation of the parcel will leave sufficient ROW width for the planned improvements.

A temporary utility easement will be maintained over the vacated portion of ROW until the plat is completed, that will further define the easements required for existing and proposed utility providers. The Town has no active utilities located in the proposed vacation area. Dry utility providers reviewed the proposed ROW Vacation and had no comments or concerns with the vacation and the proposed utility easement.

## **Public Notice and External Referrals**

### **Public Notice**

The ROW vacation was noticed in accordance with the Town of Castle Rock Municipal Code. Town staff published notice of the Town Council meeting on the Town's website and provided information about the proposal on the Town's *Development Activity* interactive map.

### **External Referrals**

External referral requests were sent to local service providers. There are no outstanding external referral comments.

## **Analysis**

Staff analyzed the proposed ROW vacation according to the following review criteria.

Colorado Revised Statute 43.2.303: Methods of Vacation

Per C.R.S. 43-2-303 (1), All right, title, or interest of a county, of an incorporated town or city, or of the state or of any of its political subdivisions in and to any roadway shall be divested upon vacation of such roadway by any of the following methods:

- (a) The city council or other similar authority of a city or town by ordinance may vacate any roadway or part thereof located within the corporate limits of said city or town, subject to the provisions of the charter of such municipal corporation and the constitution and statutes of the state of Colorado.

*Town Council is being asked to vacate the subject parcel by Ordinance, as established in the Town Municipal Code.*

Castle Rock Municipal Code Section 16.12.010

The Municipal Code states

The Town Council is authorized to vacate dedicated streets and other public rights-of-way and public access easements in accordance with Title 14, CRMC. The party seeking the vacation must submit appropriate information as requested by the Development Services Department.

*The appropriate documents have been submitted by the applicant and have been reviewed by Town staff. Staff supports vacating the subject parcel.*

Town Vision and Comprehensive Master Plan

The Town's guiding documents promote:

- An integrated, multimodal surface transportation system that allows for the safe and efficient movement of people and goods
- Diversification of the local economy through proactive business attraction and retention.

*The Brickyard mixed-use development will provide new retail, restaurant, office and entertainment space and attract a variety of new businesses. The vacated ROW parcel will be zoned within the Brickyard PD and will be used for parking, building and detention pond improvements. The required improvements to Prairie Hawk Drive can be accommodated within the remaining ROW.*

Transportation Master Plan (TMP)

*The TMP does not include plans to widen the existing Prairie Hawk Drive, nor has staff identified any additional reasons to utilize this 0.42 acre strip of ROW adjacent to the current or proposed roadway. A temporary blanket easement for utilities shall be maintained over the property. Therefore, the vacation of the right-of-way is acceptable.*

### **The Brickyard Development Agreement**

Subsection 8.01 of the DA obligates the owner to reconstruct Prairie Hawk Drive with a 72 foot street profile including curb, gutter, sidewalk and diagonal parking.

*Vacation of the 0.42 acre, 25 foot wide parcel will not interfere with the current roadway, and future planned roadway improvements.*

### **Findings**

Staff finds that the proposed vacation of the 0.42 acre subject parcel meets the guidelines and requirements of:

- Colorado Revised Statute 43.2.303
- Castle Rock Municipal Code Section 16.12.010
- Town Vision and Comprehensive Master Plan
- Transportation Master Plan (TMP)
- The Brickyard Development Agreement

### **Budget Impact**

Right-of-way does not generate impact fees and revenue. If vacated, and zoned mixed-use within the Brickyard PD, the proposed ROW vacation has the potential to generate impact fee and sales tax revenues in the future as part of the overall Brickyard development.

### **Recommendation**

Based on the analysis and findings outlined in this report, staff recommends that the Town Council approve this ROW vacation.

### **Proposed Motion**

“I move to approve the Ordinance as introduced by title.”

### **Attachments**

Attachment A: Vicinity Map  
Attachment B: Ordinance  
Attachment C: Site Development Plan