

## **AGENDA MEMORANDUM**

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

**From:** Donna Ferguson, Planner I, Development Services

**Title:** **Ordinance Vacating Portions of Valley View Drive; and Providing for Its Emergency Adoption on Second and Final Reading [at McMurdo Gulch] (Second Reading)**

### **Executive Summary**

The ordinance was approved by Town Council on first reading on August 16, 2016 by a vote of 6-0.

Starwood Land Ventures, LLC, the owner and developer of the Terrain residential community, is requesting a vacation of public rights-of-way for portions of Valley View Drive and Rocky View Road which travel through the community (Figure 1). Because these roads are open for public use, review and approval by Town Council is required. Due to the need to build the newly platted roads and to relocate the existing underground facilities into them as soon as possible an emergency adoption at 2<sup>nd</sup> and final reading is being requested.

### **Right-of-way Vacation Discussion**

The Terrain community is located in northeast Castle Rock where State Highway 86 sweeps up and out of Castle Rock towards Franktown. Valley View Drive currently travels through the community in a loopy east-west direction while Rocky View Road travels through the community in a loopy north-south direction. Both roads join at a T-intersection at Highpoint Road; Highpoint road then leads you out of the community onto Colorado State Highway 86. Both rights-of-ways were originally platted in 1972 as part of the Castle Oaks Filing No. 1 Plat. Each right-of-way is 60-feet wide.

If vacated, the rights-of-way would be split down their centerlines and be appropriated to the abutting



property owners. Any existing underground facilities would

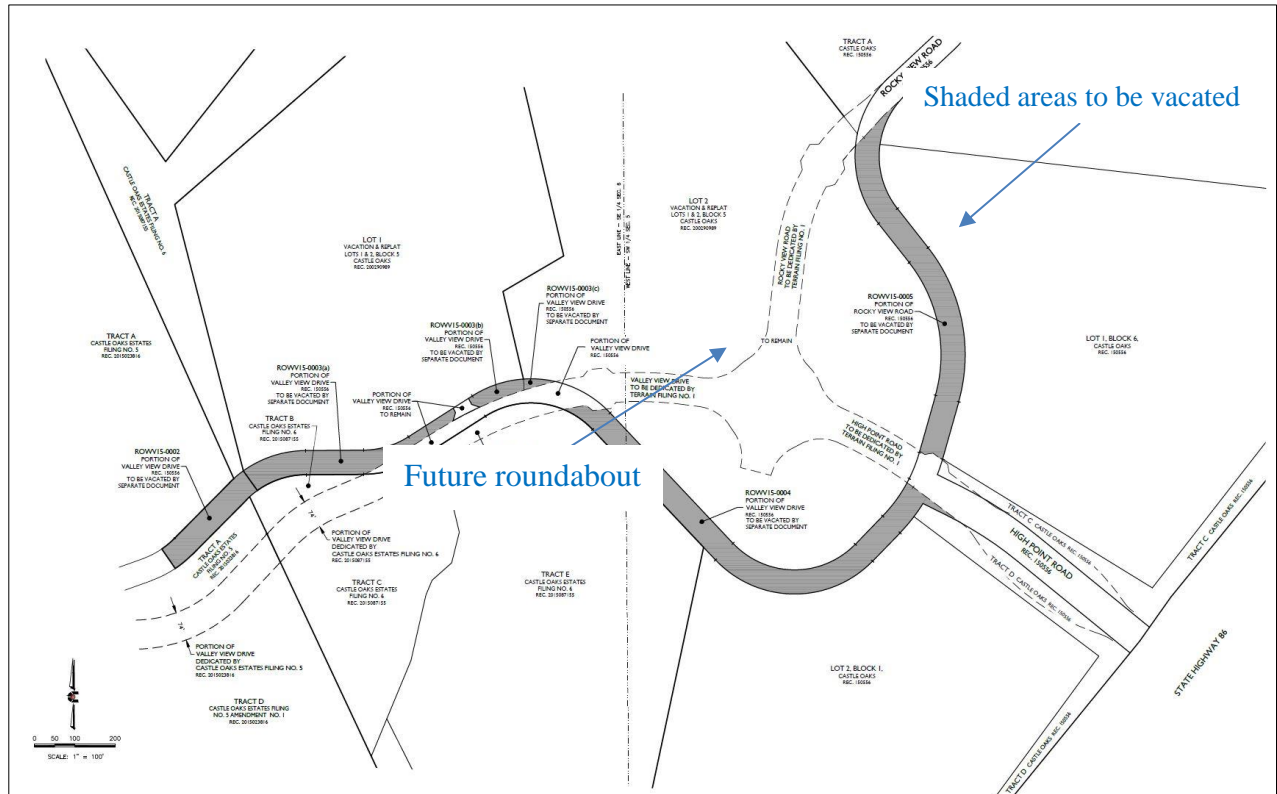
Figure 1: Vicinity Map

be retained in

reserved easements or abandoned upon their relocation into the newly platted roads. The proposed ordinances include these specific details in Section 3 Reservation of Easements for Utilities.

Starwood Land Ventures, LLC has already platted replacement rights-of-way for both Valley View Drive and Rocky View Road—which are awaiting recordation until the approval of these rights-of-way vacations. The replacement rights-of-way will also join at Highpoint Road but instead of being joined by a T-intersection they will be joined by a roundabout (Figure 2). These replacement rights-of-way are contained within the following newly created plats: Castle Oaks Estates Filing No. 4, Amendment No. 2 Plat, the Castle Oaks Estates Filing No. 6 Plat and the Terrain Filing No. 1 Plat.

### **External Referrals and Notices**



Published notice was performed in accordance with the Town of Castle Rock Municipal Code and external referrals were sent to various utility providers and jurisdictional partners. Xcel reported having existing transmission lines within the utility easements of portions of Valley View Road; these easements will be reserved.

IREA reported having existing underground electric facilities within the utility easements of portions of Valley View Road and Rocky View Road; these underground electric facilities will be relocated into the newly platted roads by Starwood Land Ventures, LLC and then the utility easements will be abandoned.

### **Budget Impact**

There will be no budget impact as the Town does not receive compensation for vacating right-of-way.

### **Staff Findings & Recommendation**

Staff finds that Starwood Land Ventures, LLC (SLV) has demonstrated that the proposed rights-of-way vacations will not create parcels or lots without access as SLV has platted replacement rights-of-

way which will be constructed prior to the deconstruction of the existing rights-of-way. In addition, staff finds that the rights-of-way vacations are consistent with the Terrain Planned Development Plan. Staff recommends approval of the proposed rights-of-way vacations.

**Proposed Motion**

I move to approve the Ordinances as introduced by title.

**Attachments**

Attachment A:	Ordinance
Exhibit 1:	Vacation Exhibit
Exhibit 2:	Vacation Exhibit
Exhibit 3:	Vacation Exhibit
Attachment B:	Request